

**Agenda For The Meeting of Otago Fish & Game Council
On Thursday 26th May 2022
At Hokonui Runanga, 140 Charlton Road
Gore**

Timetable	
11:00am	Assemble, Welcome, H&S, Karakia
11.15am	Address by Hokonui and/or Ngai Tahu
12 noon	Shared Lunch/Kai
1pm	OF&GC Hui/Meeting starts
2.30pm	Address by Southland Fish and Game Council
3.00pm	Afternoon tea and discussion/korero
3.30pm	Hui/Meeting resumes
5.30pm	Hui/Meeting Concludes
	Karakia to finish

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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 Meeting of Otago Fish & Game Council
On 24th March 2022
At Otago Fish and Game Council office (or via Zoom)
Cnr Hanover and Harrow Streets Dunedin**

The meeting opened at 1pm. The chair welcomed all in attendance.

1.0 Present and Apologies

Present: Colin Weatherall (chair), John Highton, Blair Trevathan.

Present via Zoom: Mike Barker, Rick Boyd, Ian Cole, (Ray Grubb in and out), Vicky May (nee Whyte), Adrian McIntyre, Richard Twining (Ngai Tahu).

In attendance: Ian Hadland (CE), Bruce Quirey (OF&GC communications officer/minutes secretary)

Apologies: None.

2.0 Matters to be raised not on the agenda

The CE noted a late item in the public excluded agenda for a Habitat Fund Application for the Bendigo Wildlife Reserve.

3.0 Declarations of Interest

There were no declarations of interest to items in the agenda.

4.0 Confirmation of Previous Minutes

Moved (Cr May/Cr Highton)

That the minutes of the Council Meeting held on Saturday 12th February 2022 be confirmed as a true and correct record subject to amendments tabled by Cr Highton.

Carried unanimously

5.0 Matters Arising from the Minutes

5.1 Management of Fenced Wetlands and Riparian Areas

Cr Highton spoke to a background paper he had prepared for the February 2022 meeting about ongoing management of fenced riparian and wetland areas. Cr Highton said the Council needed to set a position on the matter. The CE said Cr Highton's background paper had captured the issues well. Consideration would need to be given to planning frameworks, such as the NPSFM and NES.

There was discussion that the NZ Council could adopt a national position on the issue.

The CE advised he would refer the subject to the Environmental Officer to prepare a report for the May meeting of OF&G Council, which could then involve the NZ Council if deemed appropriate. The Chair thanked Cr Highton for the work done.

6.0 Health and Safety Report – December - March 2022

The CE said one staff member was recovering from Covid and the rest of staff were clear. One councillor was isolating with Covid and another had had Covid.

Moved (Cr May/Cr Barker)

That the Health and Safety Report be received.

Carried unanimously

7.0 Items Requiring Decisions

7.1 Operational Workplan and Budget overview 2022-2023

The CE outlined the strategic priorities, operational workplan, budget and contestable funding bids. Strategic outcomes had been narrowed to a more manageable level, noting there is a requirement that they be audited. Cr May described the plan as common sense and practical. Cr Boyd requested a change to the Species Management objective, adding the phrase “long-term”, thus: *Robust monitoring system for southern lakes fisheries established by 2023 with enough sensitivity to detect long-term population change.*

The CE noted a subtle shift towards more species management. Cr Highton asked if there was potential for contestable funding bids for work in the Upper Taieri. The CE said that could be looked at in the next planning round.

Under “Applications from national contestable pool (from the licence fee)”, Council instructed the CE to increase performance increments bid to ensure it covered the predicted gap between current staff pay and the general market.

There was general discussion about spending from Otago reserves.

Under “Southern Lakes Fisheries Acoustic Surveys”, the CE advised that the proposed project costs were \$38,000 (not \$55,000 as per the Agenda) from the Non Resident levy.

Moved (Cr Barker/Cr Boyd)

That the Council;

- **Endorse the edited three-year strategic plan priorities and objectives as circulated.**

Carried unanimously

Moved (Cr Boyd/Cr Cole)

- **Agree to the draft 2022/23 draft operational workplan and budget.**

Carried unanimously

Moved (Cr May/Cr McIntyre)

- **Confirm the contestable funding bids from the national pool and notification of the proposed spending from reserves.**

Carried unanimously

7.2 Proposed Policy on Authorisation to Take Sports Fish

The CE discussed a staff report on why OF&GC should adopt a policy on authorisation to 'take' sports fish, because some organisations were conducting Electric Fishing research without authorisation. The proposed policy is for authorisations under Section 26ZR Conservation Act 1987 and special licences to take sports fish under Section 4A(1)(a) and (c) Freshwater Fisheries Regulations 1983. Councillors discussed the wording and thanked Fish & Game officer Helen Trotter for an excellent draft. Councillors agreed "removal or eradication" should be amended to "assessment or removal" in the Appendix 6.2 chart title, Page 27, thus: *Guide for assessing Special Licence application for the assessment or removal of a sports fish population.*

Moved (Cr Grubb/Cr Trevathan) subject to the above amendment.

- **That the Council approve the proposed policy for authorisations to use electric fishing devices and special licences to capture sportfish for the purposes of education and research.**
- **That the base administration fee for applications for the 2022-23 financial year be set at \$200 plus GST.**

Carried unanimously

Cr Grubb suggested that the policy be forwarded to NZ Fish & Game Council and recommended for national adoption.

Moved (Cr Cole/Cr Barker)

That the meeting move into the Public Excluded Items.

Carried unanimously

8.0 Public Excluded Items

8.1 Confirmation of Previous OF&GC Public Excluded Minutes

Moved (Cr Barker/Cr Cole)

That Minutes of the previous public excluded meeting 12th February 2022 be accepted as a true and accurate record.

Carried

8.2 Bullock Creek Springs – Issues and Options Discussion Document

Moved (Cr Highton/Cr Cole) in principle that:

Council proceeds with an application for a QEII Open Space Covenant.

Carried unanimously

Moved

Retain ownership until protection mechanisms are in place, and then review land status again.

Carried unanimously

Moved

Commit to operational support though the Annual Operational Work Plan or alternatively provide additional financial assistance to FOBC (or other community groups) to progress the restoration.

Carried unanimously

8.3 Lindis High Court Summary – Verbal Update

8.4 Contact Energy – Verbal Update

8.5 Habitat funding application:

Moved (Cr Highton/Cr Trevathan)

That the Habitat Enhancement Fund application for Bendigo Wildlife Reserve be approved.

Carried unanimously

Moved (Cr Highton/Cr Trevathan)

That the meeting move out of public excluded items.

Carried unanimously

The Chair also noted that where appropriate information should be transferred from non-public to public items once the processes had been carried through.

The meeting adjourned at 3pm.

Cr McIntyre retired from the meeting.

The meeting resumed at 3.15pm.

9.0 Financial Report

The CE discussed the financial report and invited questions from the Council.

A date error was noted in the last column of the Profit and Loss report and the CE undertook to correct the record.

Moved (Cr Barker/Cr Trevathan)

That the financial report be received.

Carried unanimously

10.0 Chief Executive's Report

The CE updated the Council on his report.

Nine submissions had been received so far in the consultation process for the Anglers Notice draft agreed at the February meeting.

Cr Boyd noted an issue about which clubs had been contacted and the CE undertook to follow this up with staff.

The Chair expressed concerns about the Cawthron project, Future Fish, and invited discussion. Regional managers' view was that F&G needed to be involved in the project to provide context and input towards the outcomes. It was noted that NZC needed to take a lead role and a high-level campaign on the benefits and values of trout would be critical.

The CE advised that NZC had adopted a report recommending that Electionz provide the returning officer for all F&G council elections. Otago was the only remaining council to have its CE delegated to the role of returning officer. The CE sought OF&GC feedback. There was debate whether to keep the status quo or adopt the Electionz recommendation.

Moved (Cr Weatherall/Cr Trevathan)

That OF&GC retain the status quo for its electoral processes until considerations of the Ministerial Review of F&G are resolved.

Carried

The CE said he would advise NZC of OF&GC's decision on the electoral matter.

Moved (Cr Highton/Cr Cole)

That the CE's report be received.

Carried unanimously

11.0 RMA Planning and Consents Report

31 January - 15 March 2022

The CE noted there was a lot of planning activity such as submissions for the Regional Policy Statement and the Land and Water Regional Plan. The CE advised he would provide a note to councillors soon about providing input into the LWRP on hunting and fishing values.

A typo was noted in the Current Notification Processes outcome.

The CE was questioned why F&G had withdrawn from the Plan Change 8 hearing on urban topics. The hearing would consider whether provisions governing sediment discharges from residential subdivision development should exclude activities in the Queenstown Lakes district.

The CE undertook to check with the Environmental Officer on this matter.

The Chair acknowledged the work of the Environmental Officer.

Moved (Cr Barker/Cr Boyd)

That the RMA report be received.

Carried unanimously

12.0 Committee & Delegate Reports

12.1 CFT

Cr Cole, as Clutha Fisheries Trust chair, updated the Council on CFT activities. These included lease negotiations for part of the yard area of the CFT building in Cromwell; an access track at Kidds Creek; and a management plan for willow removal at Bendigo Wildlife Reserve.

12.2 NZC

Cr Grubb, as NZC chair, updated the Council on NZC matters including:

- A submission on drinking water standards
- Recruitment processes for the NZC CE
- Proposed meeting with Ngai Tahu
- National communications strategy
- Natural and Built Environments Act
- Remuneration review
- Risk management
- Governance training

There was prolonged discussion about meetings with government ministers, guides licences, and regulations for non-residents. Cr Grubb invited the CE to send an urgent request to NZC to provide an update on the progress of the fishing guide licence.

(Cr Grubb departed the meeting via Zoom.)

12.3 Ngai Tahu

Ngai Tahu representative Mr Twining gave an update on Ngai Tahu activities. A Ngai Tahu senior environmental advisor was starting to advise Ngai Tahu representatives on their engagement with F&G. As a result, F&G regions would start to see more input from Ngai Tahu.

Mr Twining noted the OF&GC meeting in May would be held at the Hokonui Runanga. He also said consideration needed to be given to Ngai Tahu provenance concerning native game bird harvests.

The Chair thanked Mr Twining for his participation and noted F&G members looked forward to the May meeting at the Runanga.

12.4 Conservation Board

Nil

Move (Cr Weatherall/Cr Trevathan)

That the committee and delegate reports be accepted.

Carried unanimously

13.0 Correspondence

The CE updated the Council on correspondence.

13.1 NZC to Otago

Nil

13.2 Otago to NZC

13.2.1 Fishing Regulation App Development

13.3 General Correspondence In

13.3.1 ORC Councillor Kelliher

13.4 General Correspondence Out

Nil

14.0 Items to be Received or Noted

14.1 Central Otago Habitat Enhancement Review

Cr May acknowledged Fish & Game officer Paul van Klink for his report on Central Otago HEF projects funded by grants established in 2017.

14.2 2020-21 Season Backcountry Anglers' Survey

Cr Highton commended Fish & Game officer Helen Trotter for the report on the 2020-21 season backcountry anglers' survey.

Moved (Cr Highton/Cr May)

That Central Otago HEF report and 2020-21 Season Backcountry Anglers' Survey report be received and outcomes noted.

Carried unanimously

15.0 General Business

In response to a question from Cr May, the CE gave an update regarding the Onslow Battery Project. The CE said the project was now looking wider than just the dam footprint at Onslow and exploring alternatives that used the existing power generation infrastructure. The CE would circulate updates as they came in.

The Chair noted applications were open to junior and novice hunters for F&G-managed maimais and he encouraged their participation.

The Chair advised that he and the ORC Chair had agreed in principle to a proposed meeting of delegates from OF&GC and ORC to improve communications at a governance level.

The CE advised that the Council meeting on May 26 would be held at the Hokonui Runanga.

The Chair thanked Councillors for their participation and the meeting concluded at 4.50pm.

5.0 Matters Arising from the Minutes

6.0 Health and Safety Report

Health and Safety Report – April- May 2022

Covid 19

- Covid variant omicron continues to spread.
As of 13th April 2022, we are at traffic light level ORANGE.
- One staff member has had covid and has recovered
- Our offices are now open to public
- Staff are following Ministry of Health guidelines for office environments and when a family member or they become infected
- Rapid Antigen Tests, masks, gloves and sanitizer are available to all staff.

General

Standard flu vaccinations have been offered to all staff
Dunedin office, boat and workshop fire extinguishers were checked by third party provider

Events

OHS plans are made before any events or field work outings.
Game ranging was carefully planned and executed, including precautions on new gun laws, covid and m-bovis being actioned. Police assisted most ranger teams.

OHS Audits

Completed audits:

- Workshop, Field equipment, PPE gear completed during the period

Next audits:

- Ranger information, equipment and training
- Staff training and certificate register update

Incidents/Accidents/Near Misses/New Hazards

- A staff person damaged in a finger F&GC truck door, doctor visit required
- During ranging on game opening day, a maimai with sick covid hunters was encountered. Rangers undertook their duties from a safe distance used full PPE.

Training

- A YouTube video on use of fire extinguishers was shared with staff
- One staff member has completed refresher first aid course.
- Rangers gathered ahead of opening weekend ranging to get an update on safety, regulations and operational plans.

Recommendation

That this report be received

Sharon Milne
Administration Officer
May 2022

7.0 Items Requiring Decisions

7.1 NZ Fish and Game Licence Fee Recommendation Consultation



Fish and Game New Zealand Licence Fee Recommendation Consultation

1. Proposal

The New Zealand Fish and Game Council (NZC) is seeking consultation from Fish and Game Councils on the 2022/23 licence fee recommendations.

NZC met with regional managers on 29th April to consider the 2022/23 budgets and licence fees. Following that meeting, NZC agreed to recommend an increase of \$8 to the sports fish adult whole season licence and an increase of \$6 to the game adult whole season licence (plus an increase of \$1 for the Game Bird Habitat Stamp). In recommending these fees, NZC also recommended that all other licence categories increase on the agreed proportions (apart from the adult whole season non resident licence, which is recommended to increase to \$250). A full list of recommended licence fees and categories is detailed in the schedule at the end of this letter.

2. Background

Legislation provides for the following:

Section 26Q of the Conservation Act 1987 sets out the functions of Fish and Game Councils. Subsection (l)(d)(a) requires councils:

to assess the costs attributable to the management of sports fish and game;

Section 26Q(l)(d)(ii) requires Fish and Game councils:

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

Section 26C(l)(e) requires NZC:

to recommend to the Minister of Conservation an appropriate fee for fishing and hunting licences, after considering the views and recommendations of Fish and Game Councils.

Section 26C(l)(ia) also requires NZC:

to recommend to the Minister, after considering the views and recommendations (if any) of Fish and Game Councils and the New Zealand Game Bird Habitat Trust Board, an appropriate fee in respect of any game bird habitat stamp and the form of such stamps (the form of the stamp to be approved as part of the 2011 Game Notice).

Operationally, national policy of NZC specifies that all expenditure needs to be approved as part of the budget round, including capital expenditure and expenditure from reserves for all councils.

Statutory managers of freshwater sports fish, game birds and their habitats

New Zealand Council

Level 2, The Dominion Building, 78 Victoria Street, Wellington 6011. P.O. Box 25-055, Wellington 6146, New Zealand.
Telephone (04) 499 4767 Email nzcouncil@fishandgame.org.nz www.fishandgame.org.nz

3. Reserves

In the May 2020 NZC meeting, in response to Covid, the Council set the minimum level of reserves to 20% of total budget for all councils. This level of general reserve is considered adequate to provide security against fluctuations in income and to ensure adequate operational cash flow.

The budget policy specifies that all expenditure from general and dedicated reserves needs to be approved by NZC as part of the budget round, or by making an application for Exceptional Funding. There are consequences across all sectors of the organisation when any council's reserves are reduced in a manner inconsistent with this policy.

4. Budget process

The method of increasing funding levels for individual councils is through a contestable funding application at the April budget setting meeting. Applications can be for either a one-off funding allocation for a specific project, or for ongoing additional funding. The latter in effect raises the total baseline funding level for that council.

The funding required to cover base funds and approved contestable funding is assessed against the expected licence sales for the year ahead (established from the last two years of actual sales), to determine the new licence fees.

This process is summarised in the following budget cycle:

Feb	NZC set Regional base funds for the 2022/23 year at 9,810,978. All council budgets reviewed against audited actual expenditure. Budgets over or under 10% variance are reported against, reviewed and discussed at a meeting of regional managers. The variance reports for the 2020/21 year were prepared and discussed.
March	Preparation of business and operational work plans for new financial year (NFY) Draft budgets developed by NZ and regional F&G councils
April	Councils apply for 'new' contestable funding with applications circulated beforehand, reviewed against criteria, considered and prioritised at the meeting of regional managers, which recommends the allocation of contestable funds, research and legal fund allocations and new licence fees for NFY
	NZC make recommendation on licence fees, having considered base funding levels and contestable fund applications, and send to regional councils for consideration.
May/June	Regional councils consider NZC licence fee recommendation. Due back to NZC 14 th June
	NZC consider regional response and finalise licence fee recommendations for approval by the Minister of Conservation.

The recommended licence fee is effectively set by dividing the sum of the proposed budgets of the 13 Councils by the number of the adult whole season licence equivalents that F&G NZ expects to sell during the year (LEQ targets).¹

¹ A licence equivalent (LEQ) sets the adult whole season licence as the standard unit of measure with a value of one (1) and other categories of licence are amalgamated as adult whole season equivalents in accordance with their proportionate value of the adult whole season licence. For example, the value of a junior whole season licence is 20% of an adult whole season licence.

5. 2022/23 Licence LEQ forecast

The following table represents the approved forecast for the Licence sales for Fish and Game for the 2022/23 season. Total LEQ Fish 70,627 and Game 32,553.

The forecast which was recommended by the Licence working party, has taken into consideration the return of Overseas anglers (post Covid).

	2019-2020		2020-2021		2022-2023		2022-2023	
	LEQ'S (Actual)		LEQ'S (Actual)		LEQ'S (Extrapolated)		LEQ'S (LWP Recommend)	
	Fish	Game	Fish	Game	Fish	Game	Fish	Game
Northland	315	1,610	262	1,626	236	1,626	218	1,626
Auckland-Waikato	3,754	6,256	3,790	6,515	3,790	6,515	2,966	6,515
Eastern	9,035	2,750	9,206	3,041	9,206	3,041	8,565	3,041
Hawkes Bay	2,477	1,637	2,572	1,849	2,572	1,849	2,532	1,849
Taranaki	792	994	897	1,110	897	1,110	855	1,110
Wellington	3,030	3,134	3,251	3,406	3,251	3,406	3,312	3,406
Nelson-Marlborough	4,105	816	3,484	923	3,173	923	3,753	923
North Canterbury	11,346	2,314	11,475	2,507	11,475	2,507	10,816	2,507
West Coast	1,768	380	1,881	391	1,881	391	1,805	391
Central South Island	11,476	2,092	11,699	2,172	11,699	2,172	11,648	2,172
Otago	14,467	3,867	14,537	4,179	14,537	4,179	15,541	4,179
Southland	8,088	4,628	7,742	4,834	7,569	4,834	8,617	4,834
Total	70,652	30,478	70,796	32,553	70,285	32,553	70,627	32,553

Note that these figures did not take into account the decision by the NZC to increase the non-resident licence to \$250 as no research has been undertaken to determine the impact of this change on licence sales.

6. Interest Income Forecast

It was agreed to take Interest Income out of the Councils individual budgets, as Interest Income fluctuates due to Interest rates and reserves held by a Council. An ongoing Contestable fund application of \$133,227 across all Councils was approved for loss of Interest Income.

Interest Income will be treated in the same way as Licence income. The following table outlines the Interest Income for each Council. A total of \$106,034 is forecast for the 2022/23 year.

Therefore 5 junior whole season licences equal 1 LEQ.

INTEREST INCOME BUDGET 2022 23		
Council	Y ECash Reserves	Budget interest 2022/23 1.5%
Northland	316,992	4,314
Auckland/Waikato	464,710	6,324
Eastern	698,451	9,505
Hawkes Bay	617,065	8,397
Taranaki	108,564	1,477
Wellington	655,658	8,923
Nelson-Marlb	218,652	2,976
Nth Canterbury	425,908	5,796
West Coast	293,170	3,990
Central SI	816,924	11,117
Otago	1,125,874	15,322
Southland	862,321	11,735
NZ/National	1,187,318	16,158
Total	7,791,606	106,034

The following components featured in the 2022/23 budget discussions:

7. Contestable funding applications

A total of 83 contestable funding applications were received (up from 62 last year), seeking additional funding of \$1,748,254 (last year \$1,219,639). This excludes the \$50,000 from the Northland Restricted Reserve, which did not need approval via the National Budget Round.

Budgets for all councils making application for increased funding were received and circulated for review prior to the April Managers meeting.

8. Contestable funding Managers recommendations

Managers considered all contestable funding applications and assigned each a priority rating. This was then explained at a joint meeting with NZC. The outcome recommended that applications totaling \$1,481,814 (\$142,430 from reserves) be funded, including provision for national RMA/legal funding.

Of this, \$708,604 (\$142,430 from reserves) was recommended for funding on a one-off basis, meaning this funding would be freed-up and become available in next year's budget round.

9. Research fund allocation

To avoid inflating the budget in any one year an allocation is made annually to the Research Fund. The annual Research Budget has been split between General Research (\$100k) and the National Anglers Survey (\$30k).

There were 3 applications to the Research fund considered by the Managers

- a. Licence Scoping Study \$3,500
- b. Angus & Associates proposal \$65,000 and
- c. Women Anglers in Aotearoa – understanding women's participation and perspectives in freshwater fishing \$20,000

NZC agreed to fund (a). However, they have requested that the Research Strategy Subcommittee work with Angus & Associates to refine (b) before being brought back to the

executive committee for approval. As proposal (c) was a late paper it has not been considered by NZC, however they have delegated authority to the executive committee to approve this proposal.

There was also an application within the Contestable Funding round for \$25,000 per annum (ongoing) towards the co-funded PhD research with Cawthron institute on ecology, conservation and management of trout and trout fisheries in New Zealand. However, in light of the current state of the research budget NZC have agreed to fund this out of the research fund on an ongoing basis (but as a separate line item, akin to the National Anglers Survey).

10. Staff Development Fund

A staff scholarship of \$10,000 is available annually for Fish and Game staff to apply for support from the organisation for national and international study, work experience or participation in events or conferences.

There were no formal applications to this fund for the 2022/23 year. However, the Contestable funding application from the RMA team for \$10,000 for professional development was approved from the Staff Development Fund.

11. RMA/Legal fund allocation

The RMA/legal fund receives budget allocations on a reimbursement basis. It covers payment of costs through a national fund rather than separate funding allocations in individual council's budgets where approved legal projects occur.

It was agreed that contestable funding of \$350,000 be allocated to the national legal pool fund for this 2022/23 year, a decrease of \$150,000 from last year

The NZC approved \$50,000 to Nelson/Marlborough for the Marlborough Environment Plan (MeP) appeals mediation process, permitted activity status for Maimai.

The application from North Canterbury for \$103,000 (\$73k for legal expenses and \$30k for expert hydrology and ecology advice) was not considered as additional information was requested. NZC have, however, delegated the decision to the executive committee on this application.

12. Review Implementations Costs

NZC recommend that \$500,000 be approved the costs associated with the implementing of the Review. These costs include employing a change manager, drafting of policy, governance training and consultation with the licence holders, iwi and the wider public.

Please see the attached letter from the NZC Chair.

13. 2022/23 NZC Contestable Funding Approval and 2022/23 Budgets

The NZC approved contestable funding applications at a total value of \$1,877,814. Of this \$789,211 were ongoing from the Licence fee, \$886,174 one off from the licence fee and \$202,430 one off from reserves. CPI on salaries of 5.9% was approved to all Councils who applied.

The attached table 5 sets out the full list of approved contestable funding applications.

The proposed budget for the 13 Fish and Game councils for 2022/23 (including funding from reserves) is \$11,686,092. Individual budgets are shown in the table below alongside the previous financial year (both shown as GST exclusive)

National Budget	Approved 2021/22	Approved 2022/23
Northland	550,915	534,860
Auckland/Waikato	810,240	855,684
Eastern	1,141,059	1,151,697
Hawkes Bay	376,208	380,624
Taranaki	376,464	370,769
Wellington	696,199	734,853
Nelson-Marlb	466,818	522,548
Nth Canterbury	834,773	914,882
West Coast	346,448	351,136
Central SI	735,030	791,033
Otago	1,039,442	1,129,840
Southland	713,199	700,801
NZC only	1,102,607	1,130,765
National inc Research	1,598,536	2,116,600
TOTAL	10,787,938	11,686,092

14. NZ Game Bird Habitat Stamp

The NZC approved an increase of \$1 to the Game Bird Habitat Stamp for the 2022/23 year in December 2021, upon the advice of the Game Bird Habitat Trust. This takes the GBHT stamp levy to \$5.

15. Licence Fee Recommendations from Managers

The Managers recommended that the Licence fee increase by CPI to \$145 for Fish and \$107 for Game.

The Managers also recommended a sea run salmon licence endorsement of \$5 and a Back Country licence endorsement of \$5 per Region. However, NZC did not endorse the increase to the backcountry licence endorsement but they did support the sea run salmon licence endorsement.

16. NZC Licence fee recommendation

NZC recommend that the 2022/2023 licence fee be based on a sports fish adult whole season fee of \$145 and the game adult whole season licence \$107 (inclusive of the Game Bird Habitat Stamp) (GST inclusive) and for all other licence categories to increase proportionally. This represents an increase consistent with CPI.

Additionally, NZC recommended for the Non-Resident Licence adult whole season licence to be increased to \$250 (GST Inclusive), and for all other non-resident licence categories to be increased on the same proportions.

² National issues include the cost of shared services benefiting the organisation nationwide, such as the special editions of the F&G magazine, the F&G NZ website, licence administration system, administration of elections, ranger health & safety training, etc; Commission is paid to licence sale agents (mostly retailers). Current policy sets commission at 4.5% per licence sold. Commission funding is aligned to both the licence sales estimate taken into the budget system and the subsequently adopted licence fee.

Recommended licence fees are set out in the schedule at the end of this letter.

	Total Licence Comms/Fee		Net licence
	Income	Expense	Income
Northland	171,650	7,724	163,926
Auckland/Waikato	951,819	42,832	908,987
Eastern	1,349,624	60,733	1,288,891
Hawkes Bay	483,273	21,747	461,526
Taranaki	206,246	9,281	196,965
Wellington	719,734	32,388	687,346
Nelson-Marlborough	555,095	24,979	530,116
North Canterbury	1,586,056	71,373	1,514,683
West Coast	262,269	11,802	250,467
Central South Island	1,661,249	74,756	1,586,493
Otago	2,330,177	104,858	2,225,319
Southland	1,515,246	68,186	1,447,060
NZC only	-	-	-
TOTAL	11,792,438	530,660	11,261,778

17. Modification to licence categories and ratios with whole season fees

The NZ Council agreed that the sports fish categories and ratios be broadly maintained the same as previous years.

There are, however, three exceptions to this:

1. Addition of fee for sea run salmon licence endorsement.

To recoup on the administrative costs of running the sea run salmon season bag limit system it is proposed that a fee of \$5 will be charged for the sea run salmon licence endorsement. This fee will only be applicable to regions that are operating a season bag limit scheme – currently, North Canterbury and CSI.

2. Addition of designated waters licence category with fee.

NZC are have agreed to a new licence category called a 'Designated Waters Licence'. This licence category would operate as a per diem fee of \$50 for non-resident anglers and as a free season endorsement for resident anglers.

Regional Fish and Game Councils would recommend the waterways for which a Designated Waters Licence would be required as part of their Anglers Notice and Backcountry Fisheries recommendations. The Designated Waters Licence would initially operate independent of the backcountry licence scheme (although there may/will be overlap), however there is intention for this to be incorporated into one scheme in the future.

However, if no or minimal regions indicate that they intend to recommend a waterway as a designated water for the 2022/23 season then NZC have agreed that this licence category will be withdrawn from the submission to the Minister and work on this will be deferred until the following year when it is incorporated into a comprehensive pressure

sensitive fisheries management system.

The attached advice sets out this proposed licence category in more detail.

3. Increase the whole season non-resident licence fee to \$250.

NZC are proposing that the non-resident whole season licence fee is increased from \$185 to \$250. If approved, the non-resident whole season licence would be 1.72x the resident fee. The non-resident junior and child whole season licences, and non-resident day licences (adult, junior and child) would increase by the same proportion. These specific fees are set out in the schedule below.

For both the Designated Waters Licence and the increase to the whole season non-resident licence (i.e. above the current .35x non-resident levy that is held in reserve) there are three primary options as to where the additional licence monies could be held:

- a) Nationally, to fund pressure sensitive fisheries management; or
- b) Regionally, in the region the licence is purchased in and;
 - a. either held in the same reserve as the non resident levy; or
 - b. held as general licence income subject to the levy/grant system.

This question will need to be resolved prior to 2022/23 licences going on sale.

18. Use of Reserves & Impact on Reserves

The recommendation for licence fee of \$145 and \$107, along with the recommendation of a total budget of \$11,686,092 requires Regions to use their reserves to cover the shortfall of \$132,008. This represents a 1.15% use of reserves.

Additionally, 5 Councils are required to use their reserves to cover one off projects for the year (\$202,430).

No Council's reserves are forecast to fall below 20% in the 2022/23 year.

19. Conclusion

The NZ Council seeks consultation from Fish and Game Councils on the following points:

1. **The licence fees and categories as set out in the appended schedule; and specifically**
 - a. **That the 2022/23 adult whole season sports fish licence fee is set at \$145 and that the adult whole season game licence is set at \$107 (inclusive of a \$5 fee for the Game Bird Habitat Stamp), with all proportional changes to remaining licence fees and categories including a \$5 fee being added to the sea run salmon licence endorsement (as a cost-recovery mechanism).**
 - b. **That, additional to the above licence fee increase, the adult whole season non-resident licence fee is increased to \$250 and that the fee for the remaining non-resident licence categories are increased on the same ratio.**
 - c. **That a new licence category is established called a Designated Waters Licence, available as a free season endorsement to resident anglers and as a day licence to non-resident anglers at a fee of \$50.**
2. **NZC further seeks an indication from Fish and Game Councils as to whether**

they intend to recommend any waterways as a Designated Water for the 2022/23 season.

To enable the New Zealand Council to consider feedback and make recommendations to the Minister of Conservation at its June 16th 2022 meeting, responses to these changes are requested by **14th June 2022**.

A handwritten signature in black ink that reads "B Anderton". The signature is written in a cursive style with a horizontal line underneath the name.

Brian Anderton
Acting Chief Executive

Schedule of F&G NZ's proposed Licences & Fees for 2022/23 (inclusive of GST)

Sports Fish Licence		2021/22	2022/23	
Category of licence	Class of applicant	Current fee \$	Proposed fee\$	Fee difference
Whole season (1 Oct – 30 Sep)	Adult	137	145	\$8.00
	Junior	27	29	\$2.00
	Child	free	free	Nil
Family		178	188	\$10.00
Non-resident Whole season	Adult	185	250	\$65.00
	Junior	35	47	\$12.00
	Child	35	47	\$12.00
Winter (1 Apr – 30 Sep)	Adult	82	87	\$5.00
Loyal senior	Adult	116	123	\$7.00
Local area	Adult	110	116	\$6.00
Short-break	Adult	49	52	\$3.00
Long-break	Adult	96	101	\$6.00
Day	Adult	22	23	\$1.00
	Junior	5	5	Nil
Non-resident Day	Adult	35	47	\$12.00
	Junior	21	28	\$7.00
	Child	21	28	\$7.00
Back country		free	free	Nil
Controlled-period		free	free	Nil
Sea Run Salmon		free	\$5	\$5.00
Designated Waters	Day	N/A	\$50	N/A/

Game Bird Licence*		2022	2023	
Category of licence	Class of applicant	Current fee \$	Proposed fee\$	Fee difference
Whole season (primarily 1st Sat in May to 31 Aug)	Adult	100	107	\$7.00
	Junior	23	25	\$2.00
	Child	4	5	41.00
Day (available from 2nd Monday of season)	Adult	23	25	\$2.00
	Junior	8	9	\$1.00

All licence category fees are set as a percentage of the fish or game adult whole season fee and rounded to the nearest \$, hence in some instances the fee difference remains nil.

*Game bird hunting licence fee includes the \$5.00 NZ Game Bird Habitat Stamp – an increase of \$1 per licence sold.

Notes:

A junior means a person aged 12 years or over, but under 18 years at the start of the season.

A child means a person aged under 12 years at the start of the season.

Back country and controlled-period licence means an endorsement on an adult or junior whole season or family fish licence with special conditions for fishing specified waters.

Whole Season for sports fish extends from 1 October through to 30 September the following year.

Whole Season for game birds can extend from the first Saturday in May to beyond the traditional closing dates for upland game hunting at the end of August due to special season conditions between February to April the following year for some species, eg. Paradise shelduck and Pukeko.

A Game Bird Habitat Stamp fee of \$5.00 (incl GST) is payable on all categories of game hunting licence and is included in the fees shown in the game hunting licence table above.

Licence Forecast 2022 2023		Fish Licence Fee				Game Licence Fee			GBHT					
		145	126.09	102	88.70	5.00	107.00							
Licence Forecast 2022 2023		145 Fish				107 Game			Total Licence		Comms/Fee:	Net licence	Interest	Net
Projected LEQ's	Fish		Fish Licence Income			Game Licence Income			Income	Expense	Income	Income	Income	
	Fish	Game	Fish	Less COS (4.5%)	Net Fish	Game	Less COS (4.5%)	Net Game						
Northland	218	1,626	27,431	1,234	26,196	144,219	6,490	137,729	171,650	7,724	163,926	4,314	168,240	
Auckland/Waikato	2,966	6,515	373,967	16,829	357,138	577,852	26,003	551,849	951,819	42,832	908,987	6,324	915,311	
Eastern	8,565	3,041	1,079,901	48,596	1,031,305	269,723	12,138	257,586	1,349,624	60,733	1,288,891	9,505	1,298,396	
Hawkes Bay	2,532	1,849	319,275	14,367	304,908	163,998	7,380	156,618	483,273	21,747	461,526	8,397	469,923	
Taranaki	855	1,110	107,794	4,851	102,943	98,452	4,430	94,022	206,246	9,281	196,965	1,477	198,442	
Wellington	3,312	3,406	417,637	18,794	398,843	302,097	13,594	288,503	719,734	32,388	687,346	8,923	696,269	
Nelson-Marlborough	3,753	923	473,229	21,295	451,934	81,866	3,684	78,182	555,095	24,979	530,116	2,976	533,092	
North Canterbury	10,816	2,507	1,363,696	61,366	1,302,329	222,360	10,006	212,354	1,586,056	71,373	1,514,683	5,796	1,520,479	
West Coast	1,805	391	227,589	10,242	217,348	34,680	1,561	33,119	262,269	11,802	250,467	3,990	254,457	
Central South Island	11,648	2,172	1,468,602	66,087	1,402,515	192,647	8,669	183,978	1,661,249	74,756	1,586,493	11,117	1,597,610	
Otago	15,541	4,179	1,959,517	88,178	1,871,339	370,659	16,680	353,979	2,330,177	104,858	2,225,319	15,322	2,240,641	
Southland	8,617	4,834	1,086,491	48,892	1,037,599	428,755	19,294	409,461	1,515,246	68,186	1,447,060	11,735	1,458,795	
NZC only	0	0	-	-	-	-	-	-	-	-	-	16,158	16,158	
	0	0	-	-	-	-	-	-	-	-	-	-	-	
TOTAL	70,627	32,553	8,905,128	400,731	8,504,398	2,887,310	129,929	2,757,381	11,792,438	530,660	11,261,778	106,094	11,367,812	

Table 2: National Budget 2022 2023 - Draft

National Budget	Net licence & Interest	Base Funds	Surplus/Shortfall	Approved CF from	Approved CF from	Approved Surplus/Shortfall	Approved Budget from licence	Approved CF from 2022/23	Approved Budget 2022	Less One Off Contestable Funding	Less One Off Contestable Funding from	Less Ongoing Contestable Funding from	Base Fund
	Income 2022			2021/22									
Northland	168,240	427,748	(259,508)	35,112	0	(294,620)	462,860	72,000	534,860	-	72,000	0	462,860
Auckland/Waikato	915,311	783,020	132,291	72,664	0	59,627	855,684	0	855,684	-	0	0	855,684
Eastern	1,298,396	1,083,357	215,039	68,340	0	146,699	1,151,697	0	1,151,697	-	0	0	1,151,697
Hawkes Bay	469,923	368,127	101,796	12,497	0	89,299	380,624	0	380,624	-	0	0	380,624
Taranaki	198,442	361,464	(163,022)	9,305	0	(172,327)	370,769	0	370,769	-	0	0	370,769
Wellington	696,269	689,199	7,070	45,654	0	(38,583)	734,853	0	734,853	-	0	0	734,853
Nelson-Marlb	533,092	457,273	75,819	51,302	12,974	11,543	521,548	1,000	522,548	12,974	1,000	0	508,575
Nth Canterbury	1,520,479	783,400	737,079	91,482	0	645,597	874,882	40,000	914,882	-	40,000	0	874,882
West Coast	254,457	346,448	(91,991)	4,688	0	(96,679)	351,136	0	351,136	-	0	0	351,136
Central SI	1,597,610	700,450	897,160	76,083	3,500	817,577	780,033	11,000	791,033	3,500	11,000	0	776,533
Otago	2,240,641	987,483	1,253,158	63,927	0	1,189,231	1,051,410	78,430	1,129,840	-	78,430	0	1,051,410
Southland	1,458,795	653,952	804,843	46,849	0	757,994	700,801	0	700,801	-	0	0	700,801
NZC only	16,158	1,102,607	(1,086,449)	16,158	12,000	(1,114,607)	1,130,765	0	1,130,765	12,000	0	0	1,118,765
National inc Research	-	1,066,450	(1,066,450)	195,150	855,000	(2,116,600)	2,116,600	0	2,116,600	855,000	0	0	1,261,600
TOTAL	11,367,812	9,810,978	1,556,834	789,211	883,474	(115,850)	11,483,662	202,430	11,686,092	883,474	202,430	-	10,600,189

Region	Forecast	Approved base Funds 22 23	Approved CF from 2022/23 Reserves	1.15%		Forecast Surplus/ (Deficit)
	Total Licence Income			Less use of Reserves %	Levy/ (Grant)	
Northland	\$168,240	\$462,860	\$72,000	5,321	(\$289,300)	(\$77,321)
Auckland/Waikato	\$915,311	\$855,684	\$0	9,836	\$69,463	(\$9,836)
Eastern	\$1,298,396	\$1,151,697	\$0	13,239	\$159,938	(\$13,239)
Hawkes Bay	\$469,923	\$380,624	\$0	4,375	\$93,674	(\$4,375)
Taranaki	\$198,442	\$370,769	\$0	4,262	(\$168,065)	(\$4,262)
Wellington	\$696,269	\$734,853	\$0	8,447	(\$30,136)	(\$8,447)
Nelson-Marlb	\$533,092	\$521,548	\$1,000	5,995	\$17,539	(\$6,995)
Nth Canterbury	\$1,520,479	\$874,882	\$40,000	10,057	\$655,654	(\$50,057)
West Coast	\$254,457	\$351,136	\$0	4,036	(\$92,643)	(\$4,036)
Central SI	\$1,597,610	\$780,033	\$11,000	8,967	\$826,544	(\$19,967)
Otago	\$2,240,641	\$1,051,410	\$78,430	12,086	\$1,201,317	(\$90,516)
Southland	\$1,458,795	\$700,801	\$0	8,056	\$766,050	(\$8,056)
NZC	\$0	\$1,130,765	\$0	12,998	(\$1,117,767)	(\$12,998)
National inc RMA & Resc	\$0	\$2,116,600	\$0	24,331	(\$2,092,269)	(\$24,331)
TOTAL	\$11,351,654	\$11,483,662	\$202,430	\$132,008	\$0	(\$334,438)

Council	Forecast	Forecast Reserve 31/8/23	Reserves required 20% of Budget	Top up	Adjusted Reserves to no less than 20% 31/8/23	Reserves % of Base Fund
	Reserves 31/8/22 per MM April 2022			Required to achieve 20% Reserves		
Northland	\$261,394	\$184,073	106,972	0	\$184,073	34%
Auckland/Waikato	\$351,129	\$341,292	171,137	0	\$341,292	40%
Eastern	\$568,695	\$555,456	230,339	0	\$555,456	48%
Hawkes Bay	\$592,834	\$588,459	76,125	0	\$588,459	155%
Taranaki	\$96,796	\$92,534	74,154	0	\$92,534	25%
Wellington	\$643,014	\$634,567	146,971	0	\$634,567	86%
Nelson-Marlb	\$206,186	\$199,190	104,510	0	\$199,190	38%
Nth Canterbury	\$311,419	\$261,362	182,976	0	\$261,362	29%
West Coast	\$273,100	\$269,063	70,227	0	\$269,063	77%
Central SI	\$766,437	\$746,470	158,207	0	\$746,470	94%
Otago	\$1,117,793	\$1,027,277	225,968	0	\$1,027,277	91%
Southland	\$849,690	\$841,634	140,160	0	\$841,634	120%
NZC & National nc Rese:	\$1,117,533	\$1,080,204	649,473	0	\$1,080,204	33%
TOTAL	\$7,156,021	\$6,821,583	\$2,337,218	\$0	\$6,821,583	0%

Table 5: Contestable Fund Application Summary 2022-2023 -500k Review

App No	Region	Base Funding 2022/23 YE	Description	L R O C	Additional \$ Sought	Ongoing from Licence Fee	One off from Licence Fee	Capital one off	One off from Reserves	Increase to total Budget	Recommendation limit	Recommendation for Licences fee NZC	1 Not Recommended	2 Good To Do but not essential	3 Recommended but not essential	4 essential Whole Organisation & Or Individual Council	5 Withdrawn	APPROVED Ongoing Licence Fee	APPROVED One Off Licence Fee	APPROVED Restores Reserves	APPROVED Capital EX	APPROVED from Reserves
Northland																						
Nhd 01		\$ 427,748	CPI on Salaries 5.9%	L B	13983	13,983	0	0	0		4	4	0	0	0	13,983	0	13,983	0	0	0	0
Nhd 02			North Field Officer	R O	7000	0	0	0	70,000		3	4	0	0	0	70,000	0	0	0	0	0	70,000
Nhd 03			Overhead costs - increase by 12%	L B	7742	7,742	0	0	0		4	4	0	0	0	7,742	0	7,742	0	0	0	0
Nhd 04			Audit fee	L B	500	500	0	0	0		4	4	0	0	0	500	0	500	0	0	0	0
Nhd 05			Trend Counts	L B	3000	3,000	0	0	0		3	3	0	0	3,000	0	0	0	0	0	0	0
Nhd 06			Wetland Works and Mngt	R O	2000	0	0	0	2,000		4	4	0	0	0	2,000	0	0	0	0	0	2,000
Nhd 07			Insurance fee Increase (is nt this included in CF 3)	L B	1000	1,000	0	0	0		0	5	0	0	0	0	1,000	0	0	0	0	0
Nhd 08R		\$ 50,000	Game Bird Development - Notification only as per RFR	R O	0	0	0	0	0		0	0	0	0	0	0	0	0	0	0	0	0
NHLD Int			Loss of Income Interest as per CV paper	L B	12,887	12,887	0	0	0		4	4	0	0	0	12,887	0	12,887	0	0	0	0
Notes: Salary approved in 17/18 was for a 5yr period so needs to be added to the CF app for 22/23																						
TOTAL Northland					111,112	39,112	0	0	72,000	9.14%			0	0	3,000	107,112	1,000	35,112	0	0	0	72,000
Auckland/Waikato																						
AKLD 01		\$ 783,020	Fish release	L B	9,300	9,300	0	0	0		4	4	0	0	0	9,300	0	9,300	0	0	0	0
AKLD 02			Council Wetlands maintenance	L B	10,500	10,500	0	0	0		4	4	0	0	0	10,500	0	10,500	0	0	0	0
AKLD 03			Office Equipment	L B	4,100	0	0	0	0		4	4	0	0	0	4,100	0	4,100	0	0	0	0
AKLD 04			General Equipment	L B	1,000	1,000	0	0	0		1	1	1,000	0	0	0	0	0	0	0	0	0
AKLD 05			CPI on Salaries 5.9%	L B	34,778	34,778	0	0	0		4	4	0	0	0	34,778	0	34,778	0	0	0	0
AKLD 06			Vehicle Fuel 23%	L B	5,000	5,000	0	0	0		4	4	0	0	0	5,000	0	5,000	0	0	0	0
AKLD 07			Insurance	L B	1,000	1,000	0	0	0		4	4	0	0	0	1,000	0	1,000	0	0	0	0
AKLD Int			Loss of Income Interest as per CV paper	L B	7,986	7,986	0	0	0		4	4	0	0	0	7,986	0	7,986	0	0	0	0
TOTAL Auckland/Waikato					73,664	73,664	0	0	0	9.41%			1,000	0	0	72,664	0	72,664	0	0	0	0
Eastern																						
East 01		\$ 1,083,357	CPI on Salaries 5.9%	L B	37,308	37,308	0	0	0		4	4	0	0	0	37,308	0	37,308	0	0	0	0
East 02			Reinstatement part time Helohory	L B	10,000	10,000	0	0	0		4	4	0	0	0	10,000	0	10,000	0	0	0	0
East 03R			Interest Reinstatement - Loss of income	R O	2,994	0	0	0	2,994		5	5	0	0	0	0	2,994	0	0	0	0	0
East 04R			Vehicle Fuel 33%	L B	10,000	10,000	0	0	0		4	4	0	0	0	10,000	0	10,000	0	0	0	0
EAST Int			Loss of Income interest as per CV paper	L B	11,032	11,032	0	0	0		4	4	0	0	0	11,032	0	11,032	0	0	0	0
TOTAL Eastern					71,334	68,340	0	0	2,994	6.31%			0	0	0	68,340	2,994	68,340	0	0	0	0
Hawke's Bay																						
Hbay 01		\$ 368,127	Vehicle Fuel 33%	L B	2,900	2,900	0	0	0		4	4	0	0	0	2,900	0	2,900	0	0	0	0
Hbay 02			Interest Reinstatement - Loss of income	R O	2,475	0	0	0	2,475		5	5	0	0	0	0	2,475	0	0	0	0	0
Hbay Int			Loss of Income Interest as per CV paper	L B	9,597	9,597	0	0	0		4	4	0	0	0	9,597	0	9,597	0	0	0	0
TOTAL Hawke's Bay					14,972	12,497	0	0	2,475	3.39%			0	0	0	12,497	2,475	12,497	0	0	0	0
Taranaki																						
Tara 01		\$ 381,464	Purchase of Drone	L C	2,700	0	0	2,700	0		4	4	0	0	0	2,700	0	0	0	0	0	2,700
TARA Int			Loss of Income Interest as per CV paper	L B	9,305	9,305	0	0	0		4	4	0	0	0	9,305	0	9,305	0	0	0	0
TOTAL Taranaki					12,005	9,305	0	2,700	0	2.57%			0	0	0	12,005	0	9,305	0	0	0	2,700
Wellington																						
Well 01		\$ 689,189	CPI on Salaries 5.9%	L B	29,135	29,135	0	0	0		4	4	0	0	0	29,135	0	29,135	0	0	0	0
Well 02			Vehicle Fuel 20% of all Vehicle costs	L B	7,671	7,671	0	0	0		4	4	0	0	0	7,671	0	7,671	0	0	0	0
WELL Int			Loss of Income Interest as per CV paper	L B	8,848	8,848	0	0	0		4	4	0	0	0	8,848	0	8,848	0	0	0	0
TOTAL Wellington					45,654	45,654	0	0	0	6.52%			0	0	0	45,654	0	45,654	0	0	0	0
Nelson/Marlborough																						
NelM 01		\$ 457,273	Gamebird Trend Counts	L O	2,000	0	2,000	0	0		4	4	0	0	2,000	0	0	0	2,000	0	0	0
NelM 02			Game Harvest Survey	L O	1,500	0	1,500	0	0		4	4	0	0	0	1,500	0	0	1,500	0	0	0
NelM 03			Fishery Enhancement	R O	1,000	0	0	0	1,000		4	4	0	0	0	1,000	0	0	0	0	0	1,000
NelM 04			Signs & Track maintenance	L B	1,000	1,000	0	0	0		4	4	0	0	0	1,000	0	1,000	0	0	0	0
NelM 05			CPI on Salaries 5.9%	L B	21,028	21,028	0	0	0		4	4	0	0	0	21,028	0	21,028	0	0	0	0
NelM 06			Asset replacement Fund	L O	9,474	0	9,474	0	0		4	4	0	0	0	9,474	0	0	9,474	0	0	0
NelM 07			Loss of Contrast Work Income	L B	15,000	15,000	0	0	0		4	4	0	0	0	15,000	0	15,000	0	0	0	0
NelM 08			Vehicle Fuel 53%	L B	10,000	10,000	0	0	0		4	4	0	0	0	10,000	0	10,000	0	0	0	0
NelM Int			Loss of Income Interest as per CV paper	L B	4,274	4,274	0	0	0		4	4	0	0	0	4,274	0	4,274	0	0	0	0
TOTAL Nelson/Marlborough					65,275	61,302	12,974	0	1,000	14.08%			0	0	0	65,275	0	61,302	12,974	0	0	1,000
North Canterbury																						
NC 01		\$ 783,400	CPI on Salaries 5.9%	L B	34,467	34,467	0	0	0		4	4	0	0	0	34,467	0	34,467	0	0	0	0
NC 02			Salmon Spawning	L B	41,250	41,250	0	0	0		4	4	0	0	0	41,250	0	41,250	0	0	0	0
NC 03			Licence Distribution - Salmon Card	L B	16,000	16,000	0	0	0		5	5	0	0	0	0	16,000	0	0	0	0	0
NC 04			Harvest Assessment	L B	4,000	4,000	0	0	0		4	4	0	0	0	4,000	0	4,000	0	0	0	0
NC 05			Office Premises - Upgrade entrance way	L B	15,000	0	0	0	15,000		4	4	0	0	0	15,000	0	0	0	0	0	15,000
NC 06			Vehicle Fuel 33%	L B	6,765	6,765	0	0	0		4	4	0	0	0	6,765	0	6,765	0	0	0	0
NC 07 R			Species Monitoring	R O	25,000	0	0	0	25,000		4	4	0	0	0	25,000	0	0	0	0	0	25,000
NC Int			Loss of Interest	L B	5,000	5,000	0	0	0		4	4	0	0	0	5,000	0	5,000	0	0	0	0
TOTAL North Cant					147,482	107,482	0	0	40,000	13.72%			0	0	0	131,482	16,000	91,482	0	0	0	40,000
West Coast																						
WC Int		\$ 340,448	No CF Applications for 2022 23	L B	0	0	0	0	0		0	0	0	0	0	0	0	0	0	0	0	0
WC Int			Loss of Income Interest as per CV paper	L B	4,688	4,688	0	0	0		4	4	0	0	0	4,688	0	4,688	0	0	0	0
TOTAL West Coast					4,688	4,688	0	0	0	1.38%			0	0	0	4,688	0	4,688	0	0	0	0
Central South Island																						



Dear Chairs,

As part of the budget setting process NZ Council has resolved that \$500,000 is allocated to the implementation of the Review, with the employment of a professional change manager for a year a primary consideration.

Our recommendation is that it be part of the licence fee budget; other budget provisions such as contestable funds may need to be taken from reserves.

A detailed budget will be prepared for this \$0.5M once the merger picture is determined.

Thanks

A handwritten signature in black ink, appearing to be 'Ray'.

Ray
Chair
NZ Council

Statutory managers of freshwater sports fish, game birds and their habitats

New Zealand Council

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Chairs
 Fish and Game Regional Councils
 NZ Council
 Regional Managers

Funding Provision for Implementation of the Ministerial Review and the Resource Allocation Project

Greetings to all

This is the first opportunity I have had since the combined NZ Council/Chairs/Managers meeting to explain the reasoning behind the \$500,000 proposed funding for the above.

One of the primary jobs of a Board of Directors, which is what effectively our Councils are, albeit with a different statutory overlay, is to plan forward beyond the immediate horizon and, where necessary make precautionary arrangements.

The forward-thinking associated with the potential amalgamation of Regions and the completion of the delayed Resource Allocation Project is that we are likely to be working towards a target date of 1 September 2023 to have the agreed structures in place. Obviously, that is dependent on the consultation now taking place with Regions, but if amalgamations do take place, we need to know what assistance and costs will be needed. Those provisions and costs will likely fall in the 2022/23 financial year, for which we have to make decisions right now.

We consider that the whole of Fish and Game is under administrative pressure for the foreseeable future with business as usual. Then there is the overlay of the Government's new rules (NPS in particular) which will require us to submit a sequence of Land and Water plans; the pressure of this will ramp up later this year and increase further in 2023/4. We are also anticipating a greater focus on assisting with catchment groups and wetland creation, both as a solution to nutrient losses and as a benefit to our licence holders.

Those who have been through significant structural reviews will know how complicated that can get. We are also aware that while the Regions that could be amalgamated will have particular needs, all Regions will be affected by the introduction of strategic planning and risk management across Fish and Game, adoption of common policies and the Resource Allocation Project, which has been promised will be combined into the Review process. The latter may well require zero-based reviews of budgets (including implementing the REM Project) and resource funding. Our current funding distribution model was last reviewed in 2004 and should have properly been reviewed regularly.

So, in doing precautionary planning, we are aware we do not have the resources within Fish and Game, particularly given our current workloads, to facilitate and lead this work

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We, therefore, anticipate we would need;

- An experienced change Manager with particular skills in resource distribution who can work co-operatively with all Regions to facilitate a consistent and rigorous needs analysis (potentially \$200,000 for a year)
- Funding for legal expenses, particularly in quantifying assets; many regions do not list their assets on their balance sheets as they would then have to value them for audit purposes, and if those are to be merged but still stay relevant to the region from which they originate then some clear legal thinking will be required. Say \$150,000
- Provision for staff assistance, say \$75,000
- And an unknown contingencies fund of \$75,000

It would be wrong not to provide adequate support for the change process, not make what we think is the adequate provision and then run out of money to get the job done.

Ensuring our Councils Managers and staff can call on expertise when required is a primary obligation.

The decision-making process will follow the Conservation Act requirement for NZ Council to consult and coordinate with regional Councils.

This set of decisions on the Review and the Resource Allocation Project will be demanding, and I believe that the simplest is deciding on adequate funding.

Regards to all



Ray Grubb
Chair

Designated Waters Licence Category

Advice requested by New Zealand Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

This advice sets out the process and prospective price points for a designated waters licence category

Financial considerations

Nil Budgetary provision / Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki - Staff Recommendations

NZC Staff recommend the following motion:

That the New Zealand Fish and Game Council:

1. **Receive** the advice; and
2. **Consult** on a \$50/day licence for non-resident anglers and a free season endorsement for resident anglers; and
3. **Agree** that if no region indicates that they intend to recommend a waterway as a designated water for the 2022/23 season this proposal is deferred until the following year when it is incorporated into a comprehensive pressure sensitive management system.

Whakarāpopoto - Executive Summary

- 1 At their April meeting NZC agreed to establish a new licence category called a Designated Waters Licence, which regions could choose to apply to waterways they believe would benefit from it via the Anglers Notice and Sports Fish Licences, Fees and Forms Notice (SFLFFN).
- 2 The licence would be available as a season licence at no cost for resident anglers and as a daily licence at a cost for non-resident anglers, with the intention being to redistribute non-resident angling effort away from sensitive fisheries.
- 3 This advice sets out the process that would need to be followed and the risks/implications of this licence category.

Kōrerorero - Discussion

- 4 A designated waters licence category would function essentially as the backcountry licence category functions now. NZC would establish the category via their licence fees and categories submission to the Minister. Once established, regions could choose whether to apply this category to specified waterways via the Anglers Notice and SFLFFN.
- 5 *Process:*
 - 5.1 The process for establishing a new designated waters licence category is as follows.
 - 5.1.1 NZC at their April meeting recommended the establishment a new designated waters licence category, which is only available as a day licence to NRs and as a free whole season category to residents.
 - 5.1.2 Regions provide feedback and indicate whether they would be seeking to recommend whether a designated waters licence should be applied to any waterways.
 - 5.1.2.1 If no or minimal regions indicate they intend to recommend designated waters this year then it is recommended that this category is not advanced to the Minister because of the inability to recover on the infrastructure cost.
 - 5.1.3 NZC at their June meeting can then recommend to the Minister that there is a new designated waters licence category.
 - 5.1.4 NZC staff will prepare the submission on licence fees and categories, and provide justification for the new licence category.
 - 5.1.5 Minister of Conservation approves.

- 5.1.6 Regional Fish and Game Councils would, through their Anglers Notice/Backcountry fishery process, recommend which waters they would seek to apply a designated waters licence to.
 - 5.1.7 NZC staff work with Department on preparing drafting instructions for the SFLFFN.
 - 5.1.8 The SFLFFN is published reflecting this.
 - 5.1.9 NZC staff action the IT infrastructure requirements to issue these licences.
- 5.2 As part of the licence fee submission to the Minister recommending this new licence category, a strong policy case will be required to justify the distinction between the approaches to resident and non-resident anglers. The Crown, acting via the Minister of Conservation, is legally able to discriminate via citizenship but there is a high bar to do so.

Licence price:

- 6.1 There are two primary bases for setting a fee in this instance:
 - 6.1.1 Cost-recovery:
 - 6.1.1.1 If licence prices are set on a cost recovery basis, we would be seeking to recoup the cost of administering this system.
 - 6.1.1.2 What this fee would need to be would depend on the number of waterways this system would be applied to. However, if we were undertaking a total overhaul of pressure sensitive fisheries management and had full regional buy in then a fairly nominal fee of \$5/day would cover the administrative/infrastructure costs.
 - 6.1.2 Disincentivising non-resident anglers:
 - 6.1.2.1 The intention of this licence fee setting process would be to redistribute non-resident anglers away from designated waters by using price as a mechanism.
 - 6.1.2.2 On this basis, we are better to consider international comparisons as opposed to any analysis of our existing data set.
 - 6.1.2.3 The only area currently operating a comparable system is British Columbia, where a two tier system is operated at costs of \$20 or \$40/day depending on the prestige of the waterway.

- 6.1.2.4 Because this licence category will initially only be applied to NZ's premier fisheries it is recommended that we focus on the higher fee and do not contemplate a tiered approach.
 - 6.1.2.5 As such a fee of approximately \$50/day is recommended.
 - 6.1.2.6 However, it needs to be acknowledged that international analysis of the Canadian system has demonstrated that price does not actually manage non-resident angler use but does generate increased revenue. Other steps are required to actually limit non-resident use in a more absolute sense.
- 6.2 It is recommended that there is no fee for resident anglers as this would create substantially more risk and the intention of this mechanism is to increase opportunity for resident anglers.

Licence income:

- 7.1 As part of this proposal NZC would also need to determine where the money from designated waters licence income would be attributed to.
- 7.2 Currently licence sale income lies in the region the licence is purchased in, and this would be the default unless there is consensus for it to be held centrally.

Whakaaro ki ngā whakataunga - Considerations for decision-making

Financial Implications

- 0 The IT infrastructure cost to establish this licence category in our licence sales system would be somewhere in the vicinity of \$30-50k. However, if this was incorporated into wider amendments to our backcountry/designated waters licence sales system then there may be some economies of scale to be achieved.
- 1 This would need to be funded from reserves, but would be recovered via licence sales.

Operational Implications

- 0 Ministerial approval is required to introduce a new licence category in the Sports Fish Licences, Fees and Forms Notice 2022. That process is set out above.

Section 4 Treaty Responsibilities

- 1 No direct s4 responsibilities identified.

Policy Implications

- 12 This would in effect set policy via a new licence category and would broadly align with Fish and Game's direction on managing pressure sensitive fisheries.

Risks and mitigations

- 13 Risks occur in two primary areas:

- 13.1 Financial risks:

- 13.1.1 There is the potential, albeit very low, that there is a negative reaction from non-resident anglers to this system and resultantly we see a reduction in non-resident licence sales. However, this is very unlikely as non-resident anglers have been shown through our market research to be the least price sensitive category of licence holders.

- 13.1.2 There is also the potential that we do not recoup on the cost of the infrastructure costs, however this is also extremely unlikely.

- 13.2 Ministerial rejection

- 13.2.1 There is a potential that the Minister does not approve a designated waters licence category given the Government's indications on reluctance to jeopardise the recovery of the tourism industry. However, as we currently have a functional licence sales system this does not represent a significant risk in the short term.

- 13.2.2 The greater risk as a result of the Minister rejecting the proposal is that it may substantially jeopardise the potential for Fish and Game to advance a comprehensive pressure sensitive management system in the future. This is particularly the case as a designated waters licence is a recommended component of the PSF management system that is currently being consulted on.

Consultation

- 14 Regions will be consulted via the licence fee consultation process.

7.2 2022/2023 Final Anglers Notice Review and Draft Anglers Notice.

Introduction

The last triennial review of the Anglers Notice for the Otago Region was completed in the 2017/18 season with considerable public consultation undertaken and resulting in several regulation changes.

This report represents the final step of the 2022/2023 triennial review for the Otago Fish and Game Council. The draft Anglers Notice approved at this meeting will be sent to National Council for Ministerial approval. A brief timeline of the process to date is outlined below in Table 1. Any changes to the regulations will come into effect on October 1st, 2022.

Table 1: Anglers Notice review schedule – completed actions shown in grey.

October 2021	A request to angling clubs to submit suggestions to the Anglers Notice review (complete).
Otago Fish and Game Council November 2021 Meeting	Staff provide Council a list of regulations to review based on initial submissions from angling clubs and issues identified by F&G staff. Councilors will have an opportunity to add to the list of matters presented. Council to decide on which changes warrant further investigation and inclusion in the review (complete).
Otago Fish and Game Council February 2022 Meeting	Staff will present a report on proposed changes including any supporting monitoring data or biological information and published scientific reports and referenced to provisions of the Sports Fish and Game Management Plan for Otago. Staff will aim to seek consistency with neighboring Fish & Game regional regulations where it is practical. Council to adopt draft Anglers Notice (including proposed changes) which will be circulated to clubs and submitters and notified to the public (complete).
1 March 2022 through April 2022	Anglers and angling clubs will be advised of recommended changes and canvassed for final feedback.(complete)
Otago Fish and Game Council May 2022 Meeting	Staff will provide a report incorporating a summary of angler submissions and final recommendations for council consideration. Council to approve final changes. (Current Stage)

At their February Meeting, Council indicated they intend to change the regulations outlined below in Table 2. The changes were notified to the public through an email to submitters and angling clubs, a public notice in the Otago Daily Times and a Facebook post. The process yielded 32 submissions.

Table 2: Topics that reached the public consultation stage.

Number	Regulation
1	That the Glenorchy lagoons be open to fishing all year.
2	That the fishing season for Hore's Control Pond be changed to November 1 to April 30 and that boat fishing be prohibited.
3	That the lower Greenstone River be open to fishing all year.
4	That the lower Manuherekia River be open to fishing all year.
5	That the restriction that prevents adult anglers from fishing Mill Creek above Waterfall Park be removed.
6	Simplify the regulations for the Clutha River by rationalising the number of sections.
7	Simplify the regulations for the Taieri River by rationalising the number of sections.
8	Clarify current rule regarding multiple hook prohibition in back country fisheries.
9	Simplify the region-wide boat fishing regulations.

Table 3 outlines the results of the consultation process. It shows that the majority of submitters were in favor of each of Council's proposed changes.

Table 3: Results of the public submission process includes the 'for' votes that had stipulations which are outlined in Appendix 3

Regulation	For	Against	Neutral	Percent For
1. Glenorchy Lagoons	26	2	4	93%
2.1 Hore's Control Pond Boats	21	3	8	88%
2.2 Hore's Control Pond Season	22	4	6	85%
3. Lower Greenstone	21	4	7	84%
4. Lower Manuherekia River	21	5	6	81%
5. Mill Creek	17	4	11	81%
6. Clutha River	25	0	7	100%
7. Taieri River	25	1	6	96%
8. Multiple Hooks in Back Country Fisheries	23	3	6	88%
9. Boat Regulations	18	3	11	86%

Neighbouring Regions.

In accordance with our Sports Fish and Game Bird Management Plan provisions, staff have liaised with neighbouring regions' staff on the Anglers Notice review.

The Southland Region is not looking to make any changes to the Anglers Notice this season.

The Central South Island Region have the following staff recommendations up for decision:

- Permit fishing from unmoored boats on Lake Emma
- Permit unmoored non-motorised fishing from boats in Kellands Pond and Wairepo Arm
- Upper Ohau River controlled period to include 1-31 October 2022
- Lake Heron bag limit change from "4 sports fish" to "4 sports fish, no more than 2 to be salmon".

The proposed regulation changes do not appear to have any repercussions for the Otago Region.

When asking for feedback on the proposed changes to the Otago region regulations, both neighbouring regions' staff expressed concern at the continuation of the ban on multiple hooks as they felt it was not supported by the large amount of scientific study in this field.

Southland staff felt the regulations did not go far enough to simplify the regulations for anglers.

Draft Anglers Notice for the Otago Region 2022/2023 Angling Season

Table 4 and Table 5 are a draft Anglers Notice that have been updated to include the changes indicated by Council at their February meeting and some formatting changes that have come out of the consultation process.

Table 4: Proposed Clause 2 of the 2022/2023 Anglers Notice with changes tracked.

- 1.1 No fishing for sports fish is permitted at any time in all waters in which sports fish are held in captivity for display, hatching, or other purposes, or within a distance of 100m from any part of the outer boundaries of such waters.
- 1.2 Except in the case of perch for which there is no daily limit, no licence holder shall on any one day take and kill or be in possession of more than the prescribed daily limit from the waters specified in clauses 2 and 3.
- 1.3 In addition to the daily limits specified in clauses 2 and 3 and note 1.2, no licence holder shall on any one day take, kill or be in possession of more than 6 sports fish from any waters except Lake Onslow.
- 1.4 A licence holder may continue to fish for a particular species of sports fish on any day on which he or she has already killed a limit bag for that species as long as fish taken are immediately returned with as little injury as possible into the water from which it was taken.
- 1.5 In all waters of the region there shall be no minimum length except in the –
 - 1.5.1 Nevis River where no licence holder shall take or be in possession of any sports fish greater than 400mm in length.
 - 1.5.2 Clutha River and its tributaries downstream of Roxburgh Dam and all other waters running into the sea, where no licence holder shall take or be in possession of any salmon less than 450mm in length.
- 2.1 Licence holders may fish from any boat, canoe, pontoon or flotation device.
- 2.2 Licence holders fishing from boats that are being propelled by a motor must stay at least 100 metres from any anglers fishing from the shore.
- 3.1 Licence holders may fish from any boat, canoe, pontoon or flotation device provided it is not being propelled by a motor.
- 4.1 No licence holder may fish from any boat, canoe, pontoon or flotation device except in the tidal reaches of this waterway if applicable.
- 5.1 When playing a salmon in the Clutha River downstream of Roxburgh Dam, a gaff may be used to secure or land that salmon if it is greater than 450mm in length.
- 6.1 No licence holder shall fish with a float or floating device on the line in that section of the Clutha River downstream of Roxburgh Dam to the Roxburgh Township Bridge.
- 7.1 Closed to all sports fishing in September except for Otago Fish and Game controlled fishing events.
- 8.1 **Backcountry Fishery.** All licence holders who fish in a backcountry fishery (as defined by the Sports Fish Licences, Fees, and Forms Notice 2021) must first obtain a backcountry licence (as defined by the Sports Fish Licences, Fees, and Forms Notice 2021) the provisions of that notice apply to this notice.
- 8.2 The use of any legal lure with more than one hook with one point in a Backcountry Fishery is prohibited.

- 9.1 **Controlled Area.** In the controlled area, a controlled period applies. All licence holders who fish in the controlled area must first obtain a controlled period licence (as defined by the Sports Fish Licences, Fees, and Forms Notice 2021).
- 9.2 **Controlled Period.** Controlled period means the period beginning on 1 February 2022 and ending on 31 March 2022.
- 9.3 **Controlled Period Licence.** A controlled period licence means a licence that entitles the following persons to fish for sports fish in the Controlled Area during the Controlled Period, but only during the day and on the reach specified in the licence.
- 9.3.1 the holder of the controlled period licence; and
 - 9.3.2 if the holder also holds a backcountry licence that is endorsed on a family licence, the holder's spouse or partner and, if accompanied by the holder or the holder's spouse or partner, any member of the holder's family; and
 - 9.3.3 any one or more companion anglers named in the Controlled Period Licence who hold backcountry licences.

Table 5: Proposed Clause 3 for the 2022/2023 Anglers Notice with changes tracked. Please note the changes to the Notes column incorporate the proposed changes to the boating rules and the removal of the Junior Fishery clause (Table 4) but have not been tracked due to their complexity.

Water	Multiple sections	Open Season	Method	Trout bag	Salmon Bag	Notes
All lakes, rivers and streams within the Clutha River catchment lying upstream of Clyde Dam not mentioned in clause 3 for this region		1 Nov – 31 May	FS	1		Notes 1, 4
All lakes, rivers and streams within the Clutha River catchment lying downstream of Clyde Dam and any other catchments flowing to the sea not mentioned in clause 3 for this region		1 Oct – 30 Apr	FSB	2		Notes 1, 4, 5, 6
Akatore Estuary		1 Oct – 30 Sep	FSB	2		Notes 1, 4
Akatore River		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Albert Burn		1 Nov – 31 May	FS	1		Notes 1, 4
Arrow River		1 Nov – 31 May	FSB	1		Notes 1, 4
Blakelys Dam		1 Nov – 15 Apr	FSB	1		Notes 1, 2
Bullock Creek	from Lake Wānaka to source	closed				
Butchers Dam		1 Oct – 30 Sep	FSB	2		Notes 1, 2
Caples River	Backcountry Fishery and tributaries	1 Nov – 31 May	F	1		Notes 1, 4, 8
Cardrona River		1 Oct – 30 Apr	FSB	1		Notes 1, 4
Careys Creek	upstream of the rail line bridge	1 Oct – 30 Apr	FSB	2		Notes 1, 4
	downstream of the rail line bridge	1 Oct – 30 Sep	FSB	2		Notes 1, 4
Catlins Estuary	downstream of the Southern Scenic Route bridge	1 Oct – 30 Sep	FSB	4		Notes 1, 4
Catlins River		1 Oct – 30 Apr	FSB	4		Notes 1, 4
Clutha River/ Mata-au						
	Lake Wānaka Outlet to Roxburgh Dam (excluding Deans Bank section)	1 Oct – 30 Sep	FSB	2	4	Notes 1, 4
	Deans Bank section (defined by landmark posts 1km downstream of Lake Wānaka and 600m upstream of Albert Town Bridge)	1 Oct – 31 May	F	2	4	Notes 1, 4
	below Roxburgh Dam	1 Oct – 30 Sep	FSB	4	1	Notes 1, 2, 5, 6
Coal Pit Dam		1 Oct – 30 Sep	FSB	1		Notes 1, 2
Conroys Dam		1 Oct – 30 Sep	FSB	1		Notes 1, 2
Contour Channel		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Dart River /Te Awa Whakatipu		1 Oct – 30 Sep	FS	1		Notes 1, 4
Dart River Tributaries	not mentioned in clause 3 for this region	1 Nov – 31 May	FS	1		Notes 1, 4
Deep Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Diamond Creek		1 Oct – 31 May	FS	1		Notes 1, 4
Diamond Lake (Glenorchy Area)		1 Oct – 30 Sep	FS	2		Notes 1, 2
Dingle Burn	Backcountry Fishery upstream of the bridge on the Dingle Burn Station access road	1 Nov – 31 May	FS	1		Notes 1, 4, 8
	downstream of the bridge on the Dingle Burn Station access road	1 Nov – 31 May	FS	1		Notes 1, 4
Falls Dam		1 Oct – 30 Apr	FSB	4		Notes 1, 2
Fraser Dam		1 Oct – 30 Apr	FSB	2		Notes 1, 2

Water	Multiple sections	Open Season	Method	Trout bag	Salmon Bag	Notes
Fraser River	downstream of dam	1 Oct – 30 Apr	FSB	2		Notes 1, 4
Fraser River Upper	upstream of dam	1 Oct – 30 Apr	FSB	1		Notes 1, 4
Glenorchy Lagoons		1 Oct – 30 Sep	FS	1		Notes 1, 2
Greenstone River	Backcountry Fishery and tributaries upstream of Sly Burn	1 Nov – 31 Jan 1 Apr – 31 May	F	1		Notes 1, 4, 8
	Controlled Area and tributaries upstream of Sly Burn	1 Feb – 31 Mar	F	1		Notes 1, 4, 8, 9
	Backcountry Fishery and tributaries, including the Caples River, between the Sly Burn confluence and the swing bridge at the car park end of Greenstone Station Road	1 Nov – 31 May	F	1		Notes 1, 4, 8
	downstream of the Greenstone Station Road car park swing bridge	1 Oct – 30 Sep	FS	1		Notes 1, 4
Hamiltons Dam		1 Oct – 30 Apr	FSB	1		Notes 1, 2
Hāwea River		1 Oct – 30 Sep	FS	2	4	Notes 1, 4
Hoffmans Dam		1 Oct – 30 Sep	FSB	1		Notes 1, 2
Hore's Control Pond		1 Oct – 30 Apr	FSB	4		Notes 1, 4
Horne Creek	from Lake Wakatipu to source	closed				
Hunter River	Backcountry Fishery and tributaries	1 Nov – 31 May	FS	1		Notes 1, 4, 8
Ida Burn Dam		1 Oct – 30 Apr	FSB	2		Notes 1, 2
Kaihiku Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Kaikorai Estuary	downstream of Abbotts Creek confluence	1 Oct – 30 Sep	FSB	2		Notes 1, 4
Kaikorai Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Kawarau River	from its source at Lake Wakatipu to Lake Dunstan	1 Oct – 30 Sep	FSB	2	4	Notes 1, 3
Knights Dam		1 Oct – 30 Apr	FSB	2		Notes 1, 2
Kuriwao Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Kye Burn		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Lake Dispute		1 Oct – 31 May	FS	2		Notes 1, 3
Lake Dunstan		1 Oct – 30 Sep	FSB	2	4	Notes 1, 2
Lake Hāwea		1 Oct – 30 Sep	FSB	2	4	Notes 1, 2
Lake Hayes		1 Oct – 30 Sep	FSB	2		Notes 1, 3
Lake Johnson		1 Oct – 30 Sep	FSB	1		Notes 1, 3
Lake Kirkpatrick		1 Oct – 30 Sep	FS	2		Notes 1, 4
Lake Mahinerangi		1 Oct – 30 Sep	FSB	4		Notes 1, 2
Lake Onslow		1 Oct – 30 Sep	FSB	10		Notes 1, 2
Lake Roxburgh	from the State Highway 8 bridge at Alexandra downstream to the Roxburgh Dam	1 Oct – 30 Sep	FSB	4	2	Notes 1, 2
Lake Sylvan		1 Oct – 30 Sep	FSB	6		Notes 1, 2
Lake Tewa		1 Oct – 30 Sep	FS	1		Notes 1, 4
Lake Tuakitoto	including outlet channel and inlet channel	1 Oct – 30 Sep	FSB	4		Notes 1, 2
Lake Waihola	including outlet and waterways connected with Lake Waipori	1 Oct – 30 Sep	FSB	4		Notes 1, 2
Lake Waipori		1 Oct – 30 Sep	FSB	4		Notes 1, 2
Lake Wakatipu	within the waters of Queenstown Bay bounded by a straight line drawn from the outermost point of Queenstown Gardens to the point where the south bank of	closed				

Water	Multiple sections	Open Season	Method	Trout bag	Salmon Bag	Notes
	One Mile Creek meets Lake Wakatipu					
	within 100m of any part of the wharf in Black Bay (commonly known as the Walter Peak Jetty)	closed				
		1 Oct – 30 Sep	FSB	2	4	Notes 1, 2
Lake Wānaka	within 150m of any part of the launch wharf at the township of Wānaka, within 150m of any part of the public jetty at the Wānaka Marina, and anywhere within 150m of the shoreline between the wharf and the jetty	closed				
		1 Oct – 30 Sep	FSB	2	4	Notes 1, 2
Lee Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Lindis River		1 Oct – 30 Apr	FSB	1		Notes 1, 4
Lochy Rivers	and tributaries downstream of Disputed Creek confluence	1 Nov – 31 May	F	1		Notes 1, 4
	Backcountry Fishery and tributaries upstream of Disputed Creek confluence	1 Nov – 31 May	F	0		Notes 1, 4, 8
Logan Burn Dam		1 Oct – 30 Apr	FSB	4		Notes 1, 2
Maclennan River		1 Oct – 30 Apr	FSB	4		Notes 1, 4
Makarora River	and tributaries	1 Nov – 31 May	FS	1		Notes 1, 4
	downstream of Wilkin River confluence	1 Oct – 30 Sep	FS	1		Notes 1, 4
Manorburn Dam Lower		1 Oct – 30 Apr	FSB	4		Notes 1, 2
Manorburn Dam Upper		1 Nov – 31 May	FSB	4		Notes 1, 2
Manuherekia River	and tributaries above Shaky Bridge (Kerry Road)	1 Oct – 30 Apr	FSB	1		Notes 1, 4
Manuherekia River	Below Shaky Bridge (Kerry Road)	1 Oct – 30 Sep	FSB	1		Notes 1, 4
Mathias Dam		1 Oct – 30 Apr	FSB	2		Notes 1, 2
Matukituki River	and tributaries above Glenfinnan Stream confluence	1 Nov – 31 May	FS	1		Notes 1, 4
	Between Glenfinnan Stream confluence and Motatapu River confluence	1 Nov – 31 May	FS	1		Notes 1, 3
	downstream of Motatapu River confluence	1 Oct – 30 Sep	FS	1		Notes 1, 3
McAtamney's Head Pond		1 Oct – 30 Sep	FSB	4		Notes 1, 2
Meggat Burn		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Mill Creek (a tributary to Lake Hayes)	from the Speargrass Flat Road Bridge to Waterfall Park	closed				
Mill Creek	above Waterfall Park	1 Oct – 30 Apr	FSB	1		Notes 1, 4
Mill Creek	downstream of Speargrass Flat Road Bridge	1 Oct – 30 Sep	FSB	1		Notes 1, 4
Moke Lake		1 Oct – 30 Sep	FSB	2		Notes 1, 3
Molyneux Pond		1 Oct – 30 Sep	FSB	1		Notes 1, 2
Motatapu River	and tributaries	1 Nov – 31 May	FS	1		Notes 1, 4
Nenthorn Pond		1 Oct – 30 Apr	FSB	1		Notes 1, 2
Nenthorn Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Nevis River	Backcountry Fishery and tributaries	1 Oct – 30 Apr	F	1		Notes 1, 4, 8

Water	Multiple sections	Open Season	Method	Trout bag	Salmon Bag	Notes
Owaka River	upstream of the Southern Scenic Route bridge	1 Oct – 30 Apr	FSB	4		Notes 1, 4
	downstream of the Southern Scenic Route bridge	1 Oct – 30 Sep	FSB	4		Notes 1, 4
Perkins Pond		1 Oct – 30 Apr	FSB	1		Notes 1, 2
Pinders Pond		1 Oct – 30 Apr	FSB	1		Notes 1, 2
Pleasant River		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Pomahaka River	Backcountry Fishery upstream of Park Hill Bridge at Switzers Road	1 Oct – 30 Apr	FS	1	1	Notes 1, 4, 8
	downstream of Park Hill Bridge on Switzers Road to Swans Bridge on Clydevale Road	1 Oct – 30 Apr	FSB	4	1	Notes 1, 4
	downstream of Swans Bridge (Clydevale Road)	1 Oct – 30 Sep	FSB	4	1	Notes 1, 4
Poolburn Dam		1 Oct – 30 Apr	FSB	2		Notes 1, 2
Puerua Estuary	downstream of the Southern Scenic Route bridge	1 Oct – 30 Sep	FSB	4		Notes 1, 4
Puerua Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Rees River	and tributaries	1 Nov – 31 May	FS	1		Notes 1, 4
	downstream of Muddy Creek	1 Oct – 30 Sep	FS	1		Notes 1, 4
Reid Lake		1 Oct – 30 Sep	FS	1		Notes 1, 3
Route Burn	and tributaries	1 Nov – 31 May	F	0		Notes 1, 4
Rutherfords Dam		1 Nov – 15 Apr	FSB	1		Notes 1, 2
Shag River/ Waihemo	upstream of State Highway 1 bridge	1 Oct – 30 Apr	FSB	2		Notes 1, 4
	downstream of State Highway 1 bridge	1 Oct – 30 Sep	FSB	2		Notes 1, 4
Shotover River		1 Oct – 30 Sep	FSB	2	4	Notes 1, 4
Silver Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Southern Reservoir		1 Oct – 31 Aug	FS	1		Notes 1, 4, 7
Styx Weir Pond		1 Oct – 30 Sep	FSB	4		Notes 1, 2
Sullivans Dam		1 Oct – 30 Sep	FS	1		Notes 1, 4
Sutton Stream		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Tahakopa River	upstream of Maclellan River confluence	1 Oct – 30 Apr	FSB	4		Notes 1, 4
	downstream of Maclellan River confluence	1 Oct – 30 Sep	FSB	4		Notes 1, 4
Taieri River	upstream of State Highway 87 bridge at Outram	1 Oct – 30 Apr	FSB	4	1	Notes 1, 4
	downstream of State Highway 87 bridge at Outram	1 Oct – 30 Sep	FSB	4	1	Notes 1, 2
Teviot River		1 Oct – 30 Apr	FSB	4		Notes 1, 4
Three O'Clock Stream		1 Oct – 30 Apr	FSB	2	1	Notes 1, 4
Timaru River	and tributaries	1 Nov – 31 May	FS	1		Notes 1, 4
	downstream of Timaru Creek Road bridge	1 Oct – 30 Sep	FS	1		Notes 1, 4
Tokomairiro River	above Coal Gully Road bridge	1 Oct – 30 Apr	FSB	2		Notes 1, 4
	downstream of Coal Gully Road bridge	1 Oct – 30 Sep	FSB	4		Notes 1, 4
Tomahawk Lagoon		1 Oct – 30 Sep	FSB	1		Notes 1, 2
Tuapeka River		1 Oct – 30 Apr	FSB	2		Notes 1, 4

Water	Multiple sections	Open Season	Method	Trout bag	Salmon Bag	Notes
Victoria Dam		1 Oct – 30 Apr	FSB	2		Notes 1, 2
Von Lake		1 Nov – 31 May	F	1		Notes 1, 2
Von River	and tributaries	1 Nov – 31 May	F	1		Notes 1, 4
Waikouaiti River	upstream of State Highway 1 road bridge	1 Oct – 30 Apr	FSB	2		Notes 1, 4
	downstream of State Highway 1 road bridge	1 Oct – 30 Sep	FSB	2		Notes 1, 4
Waipahi River		1 Oct – 30 Apr	FSB	4		Notes 1, 4
Waipori River	upstream of the Contour Channel confluence	1 Oct – 30 Apr	FSB	2		Notes 1, 4
	downstream of the Contour Channel confluence to the Taieri River confluence	1 Oct – 30 Sep	FSB	4		Notes 1, 2
Waitahuna River		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Waitati River	upstream of Orokonui Stream confluence	1 Oct – 30 Apr	FSB	2		Notes 1, 4
	downstream of Orokonui Stream confluence	1 Oct – 30 Sep	FSB	2		Notes 1, 4
Waiwera River		1 Oct – 30 Apr	FSB	2		Notes 1, 4
Waters of Leith	upstream of Lindsay Creek confluence and including Lindsay Creek	closed				
	downstream of Lindsay Creek confluence to the Leith Street Foot Bridge	1 Oct – 30 Apr	FSB	2	1	Notes 1, 4
	downstream of Leith Street Foot Bridge	1 Oct – 30 Sep	FSB	2	1	Notes 1, 4
Wilkin River	Backcountry Fishery and tributaries	1 Nov – 31 May	FS	1		Notes 1, 4, 8
Young River	Backcountry Fishery and tributaries	1 Nov – 31 May	FS	1		Notes 1, 4, 8

Discussion

The submission process finished on the 29th of April. There were 32 submissions, 31 from individuals and one from an angling club. Due to Covid guidelines it was decided that a “non-contact” submission process would be actioned instead of the in-person meetings that have been poorly attended in the past. Anglers appear to have taken well to the process and it does not appear that it negatively affected engagement.

Feedback was positive for each of the proposed changes (Table 3) and the submitters provided a large amount of feedback (Appendices 1-4).

Staff have incorporated a number of submitters’ formatting and clarification ideas into the draft Anglers Notice Clause 3 (Table 5).

Staff would also like to bring to Council’s attention the following suggestions that should be considered before approving the Anglers Notice:

- A number of entirely tidal waterways (*Akatore Estuary, Catlins Estuary, Kaikorai Estuary – downstream of Abbots Creek confluence and Puerua Estuary*) are currently listed as Note 4 (*No licence holder may fish from any boat, canoe, pontoon or flotation device except in the tidal reaches of this waterway if applicable*). Changing these waterways to Note 2 (*Licence holders may fish from any boat, canoe, pontoon or flotation device*) may provide clarity without a material change to what is allowed on these waterways.
- One angler suggested that having Note 3 (*Licence holders may fish from any boat, canoe, pontoon or flotation device provided it is not being propelled by a motor.*) on the Kawarau River is potentially dangerous as they felt that anglers should have their motors down and idling at all times on the Kawarau River in case of an emergency situation. Staff do not consider an idling motor as propelling the boat so would allow idling but expect anglers to pull in their lines before motoring to another spot.
- Some anglers expressed that they found Council’s suggested wording for Note 8.2 (*The use of any legal lure with more than one hook with one point in a Backcountry Fishery is prohibited*) to be confusing, one submitter suggested that changing the regulation to state only what is allowed may be easier to understand,
- Despite it not making it to the consultation stage, some submitters expressed a desire for the removal of the Deans Bank section of the Clutha. Due to the historical reasoning behind the section’s regulations, staff feel a full report on this should be incorporated into the next triennial Anglers Notice Review.
- One submitter suggested that increasing the new winter fishery on the Manuherekia to include the section between the Shaky Bridge and the Little Valley Road bridge could make it clearer to anglers where the delineation is. This would increase the winter fishing sections length by approximately 550 metres.

Recommendations

- 1. That Akatore Estuary, Catlins Estuary, Kaikorai Estuary – downstream of Abbots Creek confluence and Puerua Estuary are changed from Note 4 to Note 2.**
- 2. That staff prepare a report on the history and status of the Dean's Bank section of the Clutha for the next Triennial review of the Anglers Notice.**
- 3. That Council accept and endorse the Draft Anglers Notice contained in Table 4 and Table 5, subject to the above recommendations.**
- 4. That staff prepare a letter on Council's behalf informing submitters and angling clubs of the outcome of the review and thanking them for their contribution.**

Jayde Couper – Fish & Game Officer
May 2022

Appendices

Appendix 1: General comments made to the Anglers Notice submission process.

Comment
Protect the few fly only waters from spin and bait angling. Close waters where public access is denied by private capture.
Thanks for giving Licence Holders the opportunity to have their say.
Fantastic work by submitters and F&G staff for bringing clarify to the regulations and moving the regulations forward with the times and anglers needs, while balancing stock management. A sold pat on the back to all concerned!
Region bag limits standardised...good idea. Rees should be fly only and zero take...should have been done years ago. Stop all triple hook lures - period. Horrible things No float allowed on Makarora!
Encourage the guides license. I am a professional guide, but put my thoughts as a local Angler first and foremost above my professional interests
Look forward to contributing to the tourist, non-resident, guided industry debate next year. This topic has become the greatest threat to angling opportunity, enjoyment and use of our river,lake systems. Certainly the lack of tourist/guided through Covid lock outs over the past two season has demonstrated the very special places and angling experience we have again enjoyed and are very likely to again loose to commercial interests overrunning resident angler opportunities, especially through the Southland, Otago and Waitaki districts.
Since I have held a fishing licence for sixty five years and watched a decline in fishing not all attributable to fishing pressure my prediction is with climate change any changes less than going back to closed seasons will see declines accelerating protecting what we have is imperative and I see no Fish and Game regions making the changes needed to arrest these circumstances there will still be fishing but greatly reduced numbers and sizes and the fabled eldorado I knew as a young man will be just history
I appreciate the further consultation regarding drift fishing on the Makarora, Hawea and Deans Bank section of the Clutha and it is a conversation I would like to be a part of if at all possible. Thank you.
Thanks for the opportunity to give my opinion on these regulation changes. They all look very positive and sensible to me.

Appendix 2: Comments made in the submission process organised by whether the submitter voted for or against the Council indication.

Regulation	Vote	Comment
1. Glenorchy Lagoons	For	I feel its an area which wont impact on trout spawning and certainly not a fragile fishery. While not fishing these personally, I agree with utilising this fishery further to encourage more winter fishing anglers.
	Against	it's not going to make any substantial impression on pressure on other fisheries and possibly ruin the fishing now by over use ie the fish never get a rest
2. Hore's Control Pond	For	Boat fishing would allow angler access to difficult to reach areas but should be non motorised .
		In my view, anglers should stick to the wishes of the land owners.
		Not much is lost from making these changes. There are other options similar to this in the area.
	Against	<p>These ponds on private land around the Maniatoto/Ranfurly districts are very special fisheries provided through the total generosity of the landowners. They are fisheries that need to be limited to shoreline angling only. All are very small potentially fragile waters that do not lend themselves to boating or float device angling without the potential for conflict.</p> <p>Hores CP has been a welcome fishing option in September when most other waters are still closed (and the weather is warming up and the new season buzz is starting) - I don't have any problems with a end April closing date. If the fishing area was limited to the south side entrance gate to the power station it shouldn't impact Stonehenge activities, especially lambing. On the narrow strip of land on that side of the water race they only run rams there occasionally (never lambing ewes) Signs at the north side entrance gate and power station denying access to the west side of the dam during lambing should stop interfering with lambing. As far as boating on the dam is concerned I can't understand why any health and safety issues would fall on the farm - anglers are there without the immediate permission from the Hores - no difference from boating on the Styx weir or Loganburn dam. I used to (before the new signs were put up) fish from my kayak which allowed access to the west side without interfering with any stock in the adjacent paddock. I don't think there are any particular dangers present on the dam as the Hores and their children kayak on the dam.</p> <p>If the opening date is 1 Nov, it should close at the last day of May, to align with all the lakes/ ponds in the area.</p> <p>If you are going to change this then why isn't the Mcatamney Head pond in the same regulation since its on the same stretch of water. Just leave it as it is please.</p>

Regulation	Vote	Comment
3. Lower Greenstone	For	Again, its holdover fish and migrating fish, not spawners that will be found here over winter. I agree with opening this stretch over winter to fly fishing only
		Great idea to have winter fishing opportunities
		Great work, hopefully proves to be a great winter fishery
		If this change proved to be successful, other similar rivers could be looked at to open up the section near the lake. More fishing opportunities = thumbs up in my opinion. Imagine combining a fallow deer hunt with spawning run fly fishing for rainbow trout. That will play!!
	Against	This would be a superb winter fishing option!
4. Lower Manuhereki River	For	Ime old enough to know what this fishery once was and fishing the mouth and thrashing the spawning run from boats will do nothing to improve the fishery which in my experience is a shadow of what it was not that long ago only landlocked salmon make it a fishery of note now the proposal to reduce the spawning run of trout even for 2 kms shows the brainless greed of some so called sports fishermen and will impact on the success of spawning overall
		Leave as is - mouth of river only. Don't interrupt the fish during spawn transit.
		The lower Greenstone river area is already a fly & spin location .Most pressure comes from boat access from Glenorchy. I believe F&G should keep the lower river season from November through end of May.
		Great work hopefully this is a great little winter fishery
	Neutral	I think it is an excellent idea as spawning happens way upstream. If there are concerns that people might get confused as the don't know the area the boundary can be moved to Little Valley road bridge which is probably 400 or 500 meters upstream from Shaky Bridge.
Really hope this gets the green light!! It would be an asset to our town and a lovely little winter option.		
The summer fishing is impacted by low water flows and warm water temps, allowing access to winter fishing in the lower section would provide more fishing opportunities for licence holders to make up for not such productive opportunities over the warm summer months		
Neutral	Yes. There are limited river opportunities for central Otago anglers apart from the Clutha and this section sees very few spawning fish	
	It is literally 400m from the mouth, there are other waterways open year round in that area, and hardly anyone fishes in winter months. Also apart from one run and the pool fish don't seem to hold in that stretch in mid winter I really can't see that much merit in opening that small section of the river for angling over	

Regulation	Vote	Comment
		the winter. Also fish are already spawning not far up from the shaky bridge. In the case of this winter fishery opens up it should not go any further up the river than Shaky bridge.
	Against	Again a senseless proposal thrashing the spawning run on a river which is subject to low flows and serious didymo problems fishing is never going to improve if year round fishing and open slather is allowed
		Albeit little spawning is identified as occurring through the Clutha upstream to Shaky Bridge, I am concerned that these special resident fish migrating upstream to spawn will be easily targeted throughout this relatively narrow and shallow section of the Manuherekia River.
		The Man... is a fragile fishery highly dependent on annual spawning recruitment from the Clutha. Being a small water fishery with easy access and within a urban environment then spawning trout either on the way up or the way back are highly vulnerable to recreation catch / over catch. So yet another external pressure that can be avoided on an already fragile fishery
5. Mill Creek	For	A sensible regulation change. Great work. Hopefully with some anglers on this portion of stream we see some custodians of this amazing little stream.
	Neutral	I do agree with the under-utilised by junior angler part of the statement, however I have walked the stretch few times and supervised few kids fishing that creek in the past. there aren't that many fish that the adult anglers will be exited in that creek, I am sure some anglers (me included) enjoy the challenging nature of the fishing, however I am leaning more towards with the status quo so that the Lake Hays has healthy nursery streams to re stock the fish each season. I dont see or hear of many kids fishing up through there however there are private ponds that get fished at the discretion of landholders to certain interests. Keep It closed. Avoid exclusive capture opportunities
	Against	Again a stupid proposal on stream which has high spawning numbers compared with other sized streams my experience up until the covid situation was people bait fishing for subsistence especially in Frankton arm I once caught one on the Kingston wharf with three good sized rainbow trout in his bag and in the process of taking another which i made him return to the water he had previously told me he worked in Queenstown and fished for his food every day I have not seen a ranger on Wakatipu for years this sort of proposal will eventually see the fishery go further in decline My rational for a strong view to disagreement with this proposal is that it basically sets up a private water for exclusive non-public

Regulation	Vote	Comment
		<p>enjoyment. Very similar to the English privileged system that NZ anglers and recreational users of our water ways has been totally against becoming established.</p> <p>Totally disagree. Leave some waters undisturbed. There is enough fishing around without doing this! Also, access is mainly all through private land and will be only accessible to them as indicated....do not enable private water fishing. NZ was set up to negate this and it should be kept this way.</p> <p>Until public access is provided all the Mill creek sections should be closed for angling.</p>
6. Clutha River	For	<p>I'm all for consistency and simplifying the rules. Could you go further and make all methods allowable for Dean's Bank? Also, is it closed over winter to allow spawning? If yes, then I agree but otherwise why not open it up to be consistent with upstream and downstream.</p> <p>More logical and easily understood for all anglers without change to bag numbers.</p>
	Neutral	<p>I personally cant see why the deans bank section is limited to fly only. Is this simply for tradition? Id like to see that big water section open to Fly and artificial baits only only</p> <p>Yes there are many fish in the Clutha but opening up the most accessible and best part to year round fishing smacks of licence gathering revenue and is the chief recruitment area for the tributaries why take the chance of doing to the Clutha what is rampant everywhere else</p>
7. Taieri River	For	<p>This is a good suggestion. The current situation confuses plenty of people and the change would simplify things a lot.</p>
	Against	<p>opening up any fishery to year round fishing is detrimental to the fishery only the tidal zoan should be considered for this type of fishing</p>
8. Multiple Hooks in Back Country fisheries	For	<p>About time. Multi point hooks should be banned - period!</p>
		<p>Great work in clarifying these regulations</p> <p>I think this a very positive change. It's very hard to practice C&R with treble hooks. I believe that a single hook point on any lure or fly is sufficient.</p>
		<p>There is absolutely no reason multiple/treble hooks are necessary in any freshwater fishery.</p> <p>Treble hooks and multi treble hooks create damage to trout when catch and release .it takes less time and handling of a fish when removing a single hook.</p>
Neutral	<p>backcountry fisheries should be designated fly only!</p> <p>I believe that lures/flies with two single point hooks are safe and cause a minimal amount of damage. I believe that damage typically occurs with multiple point single hooks ie treble hooks and that the regulation should reflect this.</p>	

Regulation	Vote	Comment
		Wondering if this is the best way to phrase the change. Does it need to be phrased in terms of what is prohibited, or could it be "in backcountry streams only lures with simple hooks are permitted"?
	Against	No. Change trebles Out to single hooks to protect in some season, low numbers of residents. It takes but a packet of hooks and 2 minutes. Id like to see treble hooks discouraged more. I do fish 2 hook larger streamers such as sex dungeons etc but never find fish engulf more than the one hoom. The wording is still confusing, needs to be clear and simple. Suggestion could be "Only lures with one single hook is permitted in back country rivers". I believe say what is allowed, rather than not in this case to be 100% clear.
9. Boat regulations	For	Agree, however have no issue with anglers using motorised boats on the Kawarau. Jet boats run it multiple times every day Great work, as a volunteer ranger I've struggled myself to understand the boat regulations sometimes. Anything that clarifies this is fantastic. However would like to see Note 3 include Clutha River from Lake Wanaka Outlet to Luggate Red Bridge. The amount of jet boat fishing is getting concerning.
	Neutral	I regularly fish from a kayak and find note 4 confusing. Particularly where estuaries (tidal) are concerned, the inland rivers are completely understandable. I think the confusion is caused by the fact that in the bold it refers to tidal sections being exempt but then in some estuaries, eg catlins, akatore, there seem to be sections that are tidal but out of bounds. I don't see the issue in all tidal areas being open to unpowered boats. The 100 metre from shore anglers. Provided a shore angler is visible this works. Otherwise potential to capture the critical 100 metres of shoreline water to multiple shore fishing parties particularly when bait fishing by groups. Most fishing is within 25-30 meters of shoreline. For both shore and boat anglers.
	Against	Bollocks to the Kawarau rule. The boat MUST have a motor to ensure safety margins are met - they should be in idle and be available instantly in any situation where danger is likely. All the others no issue. I disagree with closing Hores CP for boating (as mentioned above). I can't see mention of the Taieri river in any of the above options! The upper Taieri is too small to allow drift boat fishing without upsetting bank anglers. The list is way too extensive for me to be specific about which of the proposed boat, canoe, pontoon, float device changes proposed I am able to support. I especially relate my concerns to the smaller fishery ponds of the Maniatoto/Ranfurly districts.

Appendix 3: Submission from the Upper Clutha Angling club.

Submission of Upper Clutha Angling Club – Anglers’ Notice Review 2022

The Club has the following comments and observations on Otago Fish and Game suggestions for regulation changes.

1. Glenorchy Lagoons

- Supports
- Considers that the additional fishing opportunity is slight
- Simplifies the Regulations as the lagoons are effectively an extension of the Rees River which is open all year downstream of Muddy Creek
- Overall, agrees that the benefit outweighs any risk to the resource

2. Hore’s Control Pond

- Supports
- Essential to maintain a good relationship with landowner and protect fishing opportunity.

3. Lower Greenstone

- Supports but on the condition that the fishery is closely monitored.
- Not convinced the benefit outweighs the risk.
- The Greenstone is a highly valued fishery. The proposal mostly provides a potential benefit to local anglers but there is no data to support the contention that fish migrate quickly through the lower river. In the absence of this information a cautious approach is called for. This does not seem to be fully considered in the rationale for the change.
- It would be exceptionally difficult to link any future decline in the fishery upstream to a new winter fishery in the lower river unless the lower river fishery is closely monitored through a creel census or regular on-site surveys to establish the numbers of anglers participating or the numbers of fish being harvested or caught and released. There are simply too many other factors affecting the health of the fish population in the overall Greenstone River to establish a cause-and-effect relationship without collecting such information. Waiting for a decline in the upper river fishery would be too late – and any such decline could be caused by a number of unrelated factors.

4. Lower Manuhereki River

- Supports on the condition that the fishery is monitored.
- Provides a small potential benefit to a limited number of local anglers
- Poses unknown risks unless the fishery is closely monitored.

5. Mill Creek

- Supports with reservations
- Notes that as there is no marginal strip and no public access, this change may result in local landowners capturing all the benefits. Without public access, how will Fish and Game monitor the result of the change unless landowners grant access to Staff? Under the circumstances, it might be preferable to simply close the fishery.

6. Clutha River

- Supports
- A logical move and will benefit angler ability to comply with the rules.

7. Taieri River

- Supports
- A logical move and will benefit angler ability to comply with the rules.
- Important to continue to prohibit fishing from a boat upstream of Outram

8. Clarification of Multiple hooks in Backcountry Fisheries

- Supports
- The Club would encourage the prohibition of treble hooks in all fisheries – as currently prohibited throughout the Taupo fishery for example.

9. Boat Rules

- Support
- Clarification is important so that anglers can easily understand what is allowed or not allowed in order to be able to readily comply with the rules

Appendix 4: Submission from Alan Leitch.

From: Coralie and Alan Leitch <cw.aj.leitch@xtra.co.nz>

Sent: Saturday, March 12, 2022 4:37:34 PM

To: Bruce Quirey <BQuirey@fishandgame.org.nz>

Subject: New regulations

Hello Bruce,

At this point it is best for me to give you, my feedback.

By and large I agree with the proposed changes to the angling regulations.

If you would pass on my thoughts to the council, I would be grateful.

If the booklet is to be updated, I would ask that the below be considered.

Thank you.

Akatore Estuary, is this from the bridge down? Needs clarified.

Catlins, Owaka, Puerua, there is no State Highway 92. It was scrapped years ago. Needs corrected.

Shaky Bridge on the Manuherikia. Needs the road the bridge is on.

Taieri River boundary. Is this the bridge at Outram or some other point? Needs clarified.

Von Lake boating. As this access is most usually locked and only foot access allowed does this only give boating rights to those with a key? Simply make it no boating.

Finally, to make it easier to follow the regulations, would it be possible to get the Otago Additional Requirements on one page. If The Additional Requirements were on one page it would be much easier to follow the numbers on the right hand side of the guide book. In this season's edition pages 45 and 46 just about could have fitted on the one page. Makes it good for old sods like me.

Thanks so much.

Alan Leitch

7.3 Policy on Theft & Fraud

OTAGO FISH AND GAME COUNCIL

POLICY ON THEFT & FRAUD

Updated April 2022

Objective

The Council accepts that it has a responsibility to protect the physical and financial resources of Otago Fish and Game Council. To minimise the risk of losses, as a result of theft or fraudulent acts and to provide clear guidance for all employees and management as to the appropriate course of action should theft or fraud be suspected.

Applicability

All employees, management and council, and any parties conducting business with Otago Fish and Game Council.

Definitions

Theft is defined as “a criminal act in which property belonging to another is taken without the owner’s consent”.

Fraud is defined as deliberate deception or cheating, intended to gain advantage. The term ‘fraud’ is used to describe any act, expression, omission, or concealment, calculated to deceive another for advantage.

Fraud includes, but is not limited to:

- Forgery or alteration of documents.
- Misappropriation of funds, supplies or other assets.
- Presenting false credentials or qualifications.
- Unauthorised use, including the destruction or removal of Otago Fish and Game Council property, equipment, materials or records.
- Authorising or receiving payment for goods or services not received or performed.
- Fabrication or falsification of data (e.g. timesheets, leave forms or expense claim forms), plagiarism or other dishonest practices.
- Accepting or offering bribes or inducements.

- Granting a contract or engineering the granting of a contract to a third party with a view to direct or indirect personal gain.
- Disclosing confidential information to a third party.
- Using information technology equipment to manipulate programmes or data dishonestly, e.g. by altering, substituting or destroying records.

Policy Statement

- 1 Employees are required at all times to act honestly and with integrity and to safeguard the organisation's resources and its reputation. Theft or fraudulent behaviour will not be tolerated.
- 2 The Chief Executive will proactively manage the prevention of theft and fraud consistent with the policy below and regularly communicate activity to staff, and Council through the annual Risk Management Report. This includes implementing advice provided in regular annual Audits related to theft or fraud prevention or good practice.
- 3 All allegations will be investigated following the process outlined in this policy and will usually be referred to the New Zealand Police.
- 4 Unless under investigation themselves, allegations of theft or fraud will be dealt with by the Chief Executive. Staff and Councillors will cooperate and support any investigations.
- 5 It is recognised that alleged cases of fraud can affect the rights and reputation of the person(s) implicated. All matters related to the allegation shall remain confidential and all documentation kept secure, except to the extent required by the Police or any investigating authority to fully investigate the matter.
- 4 Any action taken in response to an instance of theft or fraud must be consistent with contract of employment conditions and employment law principles and must be subject to due process, equity and fairness. Should a case be deemed to be answerable then the due process of the law shall apply to the person or persons implicated.
- 5 Fraud represents serious misconduct and is grounds for termination of employment or of working relationship. Any theft or fraud detected will be subject to action for recovery of lost money or property.
- 6 Where a suspected case of Theft or Fraud is not proved, the individual(s) involved will have their employment or working relationship fully restored without loss of accrued entitlements.
- 7 Should any delegated staff member or any other staff member improperly disclose information the Chief Executive shall consider if that person or persons are in breach of

confidence and could jeopardize the investigation, and if further action may be required.

- 8 Any statement made on behalf of the Council and related to any instance of supposed or actual theft or fraud shall be made by the Council Chairperson or Chief Executive after consultation with the Council and after taking expert advice.

Prevention

As a preventative measure against theft and fraud, the Council requires the Chief Executive to ensure that:

- Otago Fish & Game's physical resources are kept secure and accounted for.
- Otago Fish & Game's financial systems are designed to prevent and detect the occurrence of fraud.
- Staff members who are formally delegated responsibility for the custody of physical and financial resources by the Chief Executive are proven competent to carry out such responsibilities and that such persons are held accountable for the proper execution of their responsibilities.
- All staff members are aware of their responsibility to immediately inform the Chief Executive should they suspect or become aware of any improper or fraudulent actions by staff, council, suppliers, contractors, temporary employees or other persons associated with Otago Fish & Game.
- The Chief Executive shall maintain all systems to ensure they meet the requirements of the Office of the Auditor General, standards as set out in the relevant legislation, and are consistent with generally accepted accounting practices promulgated and supported by the New Zealand Institute of Chartered Accountants.

Reporting of Suspected Fraud

- 1 In the event of suspected fraud, employees must promptly advise the Chief Executive or the Chairperson if the Chief Executive is suspected.
- 2 In the event of a suspected fraud by the Chairperson, then the Chief Executive and Executive Committee must be advised promptly.
- 3 An individual who reports a suspicion of fraud in good faith will in no circumstances be threatened, intimidated, or dismissed because he or she acted in accordance with this policy.
- 4 The Chief Executive will notify the Chairperson of the suspected fraud.

Investigation

In the event of an allegation of theft or fraud the Chief Executive shall act in accordance with the following procedures:

- a) Decide to either immediately report the matter to the NZ Police or proceed as outlined in this paragraph.
- b) So far as it is possible and within 24 hours:
 - i. Record the details of the allegation, the person or persons allegedly involved, and the quantity and/or value of the theft or fraud.
 - ii. Request a written statement from the person who has informed the Chief Executive, with details as to the nature of the theft or fraud, the time and circumstances in which this occurred, and the quantity and/or value of the theft.
 - iii. Decide on the initial actions to be taken including consulting with the person who provided the information and, if appropriate, confidentially consulting with other senior members of staff about the person who is the subject of the allegations.
 - iv. Inform the Council Chairperson of the information received and consult with them as appropriate.
- c) On the basis of advice received and after consultation with the Council Chairperson, the Chief executive shall decide whether or not a *prima facie* case of theft or fraud exists, and if not, to document this decision and record that no further action is to be taken.
- d) If a *prima facie* case is thought to exist the Chief Executive shall:
 - i. Inform the person in writing of the allegation that has been received and request a meeting with them at which their representative or representatives are invited to be present.
 - ii. Meet with the person who is the subject of the allegation of theft or fraud and their representatives to explain the complaint against them.
 - iii. Obtain a verbal or preferably a written response (all verbal responses must be recorded as minutes of that meeting, and the accuracy of those minutes should be attested by all persons present).
 - iv. Advise the person in writing of the processes to be involved from this point on.
- e) Once all available evidence is obtained the Chief Executive shall consult with the Council Chairperson. The Chairperson may, if they consider it necessary, seek legal or other advice as to what further action should be taken.
- f) Where a *prima facie* case of theft or fraud is considered to exist, the CE shall:
 - i. Invoke any disciplinary procedures contained in the contract of employment should the person be a staff member, or
 - ii. Lay a complaint with the New Zealand Police, or

- iii. Continue with investigations including the use of independent experts where necessary. Investigations are to include a search for written evidence of theft or fraud.
 - iv. Secure all records, accounts and property against further fraud or theft or destruction of evidence.
 - v. Seek legal advice and inform the council's auditors
- g) A post investigation assessment will be carried out. Any identified control system weaknesses will be addressed.

Allegations Concerning the Chief Executive, Chairperson or Councillor

Any allegation concerning the Chief Executive should be made to the Council Chairperson. The Chairperson and the Executive Committee will then investigate in accordance with the requirements of this policy.

Any allegation concerning a member of the Council should be made to the Chief Executive. The Chief Executive will then advise the Council Chairperson or Executive Committee (in the case of the Chairperson) and commence investigation in accordance with the requirements of this policy.

Approval

As part of its approval the Council requires the Chief Executive to circulate this Policy to all staff. A copy is to be included in the Otago Fish and Game Council Policy files and available at any time to all staff and council.

The Council also requires that the Chief Executive arrange for all new staff to be made familiar with this Policy and other policies approved by the Council.

This policy may be reviewed at any time based on new information, legislation or as a result of the Auditors advice.

Otago Fish and Game Council Theft and Fraud Policy

Signed:

Colin Weatherall
Council Chairperson

Ian Hadland
Chief Executive

On behalf of and with the authority of the Council on

Date

Approved Council Meeting 26th May 2022

8.0 Public Excluded Items

8.1 Public Excluded Minutes of the OF&GC Meeting 24th March 2022

These minutes will be confirmed at the July meeting.

9.0 Financial Report

Finance and Licence Sales 30th April 2022

9.1 Draft Finance Reports

The draft financial Profit and Loss report and Balance sheet for the period from 1st September 2021 to 30th April 2022 are below.

Expenditure at the 30th April for the 2021/22 financial year is \$1,383,782 (including levies \$479,620, agent commission \$76,236, depreciation \$39,160. This also includes \$49,579 of spending from our reserves. Eight months (67%) into the financial year we are 71% spent of budget.

The total annual expenditure budget (including levies) is \$2,137,042.

Income from Fishing licence sales to date is \$1,725,491. The annual fishing licence sales budget income is \$1,690,619.

Income from Game licence sales to date is \$194,713. The annual game licence sales budget income is \$323,364. The season started 7th May 2022 and further game income is expected during May

Income from other sources totals \$138,777.

Budget and expenditure figures are exclusive of GST.

The draft accounts show a surplus at 30th April 2022 of \$675,200

Bank Funds Position at 30th April 2022

ANZ 00 account \$203,201.50

ANZ 70 account \$422,915.14

Term Investments as at 30th April 2022

ASB 0079 \$566,824 @ 1.5% Maturing on 11th July 2022

ANZ \$500,000 @ 0.9 Maturing on the 17th May 2022

Donations and Grants (not in budget)

Who	For	Amount GST excl
General	Donation	9.00
QLDC	Bullock Creek Plantings	470.00
Rippon Vineyard	Bullock Creek Planting	300.00
Otago Community Care Trust	Take Kid Fishing Events	2,020.00
Donation Tin Bullock Creek	For Bullock Creek	240.30
Total		\$3,039.30

Debtors - One debtor of \$28,330

Capital Expenditure and Sales

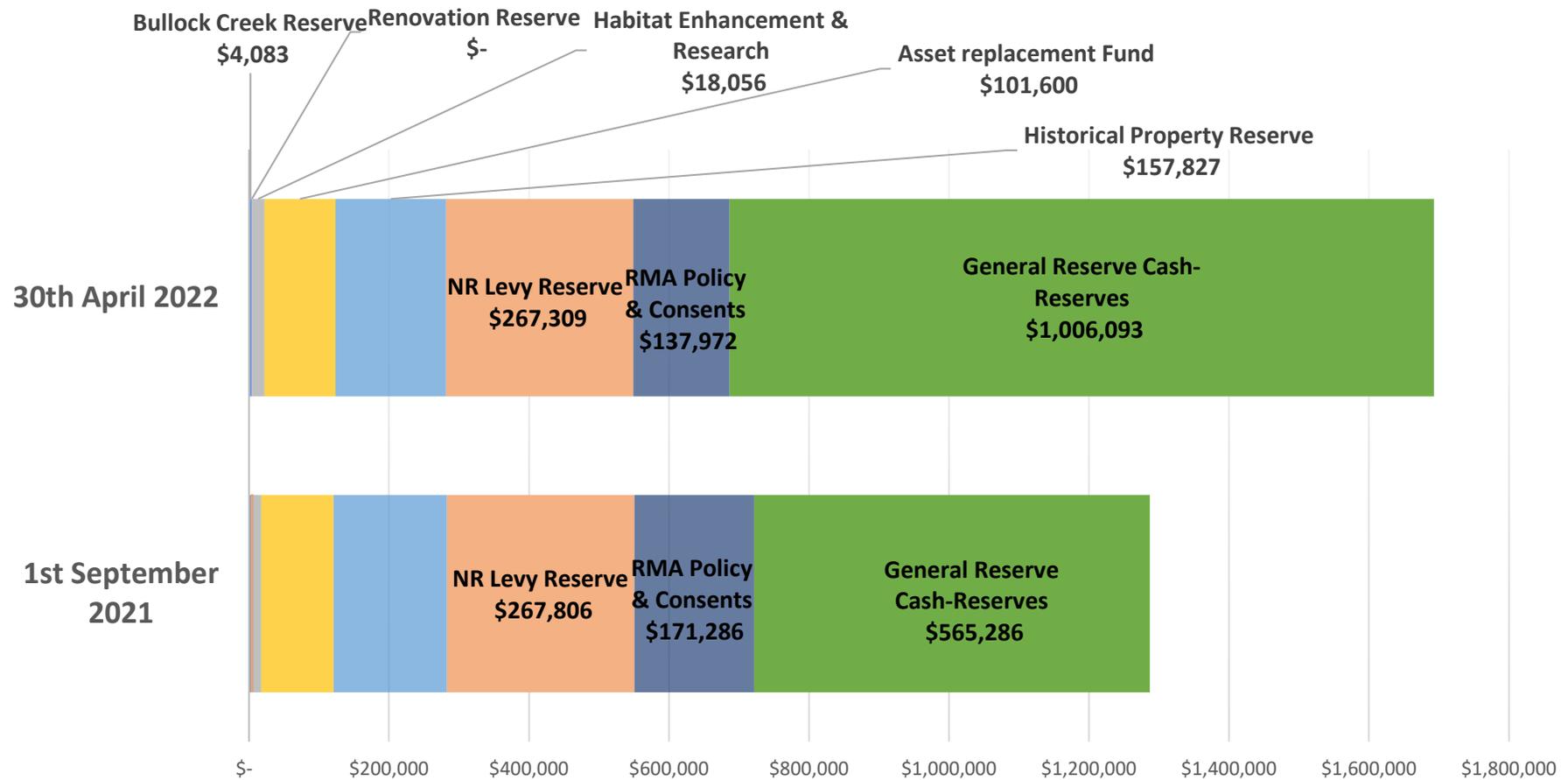
Camera and microphone equipment have been purchased to support the Council communications objectives, particularly production of online videos.

Otago Fish and Game Reserves 30th April 2022

Otago Reserves Movements	Balance August 2021	Income (To) Reserve	Note	Outgoing (From) Reserve	Balance April 2021
Back Country Non-resident Levy	\$267,806	\$4,503	1	\$5,000	\$267,309
Habitat Enhancement & Research	\$11,756	\$8,700	2	\$2,400	\$18,056
Bullock Creek Reserve	\$2,806	\$3,525		\$2,248	\$4,083
Mining Rights Reserve	\$17,537		3	\$	\$17,537
Priority Consents Reserve	\$55,507		7	\$13,809	\$41,697
Historical Property Reserves	\$161,678		4	\$3,851	\$157,827
Renovation Reserves	\$2,767			\$2,767	\$0
Regional Policy Statement Reserve	\$59,349		5	\$11,687	\$47,662
Priority Plan Changes	\$38,893		6	\$7,817	\$31,076
Total				\$49,579	\$585,247
NZC RMA/Legal Fund Movements					
Regional Policy Extra		\$60,000	8	\$	\$60,000

- Note 1 \$5000 a year for five years is to be taken from the Non resident fund for the Dr Donald Scott University Fund beginning. Agreed by Council May 2021. 2021/22 is year two.
- Note 2 Balance is \$18,056. Less committed but not yet paid out of \$12,914 so balance of \$5,143 is available for dispersal by way of grants.
- Note 3 \$150,000 (Mining Rights) approved prior to 2018 by NZC from our reserves. Includes \$80,000 of Lindis expenses, agreed by Council July 2019.
- Note 4 Historical Property Reserve, used on development of the Wanaka site
- Note 5 OF&GC agreed to \$60,000 May 2020. NZC notified.
- Note 6 OF&GC agreed to \$120,000 May 2020. NZC notified. \$81,000 agreed to be spent by council September 2020.
- Note 7 OF&GC agreed to \$60,000 May 2020. NZC notified.
- Note 8 August 2021 NZC approved the use of \$60,000 to be reimbursed by the Regional RMA legal fund towards our Regional Policy Planning Costs

MOVEMENT IN RESERVES FROM 1ST SEPTEMBER 2021 TO 30TH APRIL 2022



9.2 Licence Sales

Fish Licence Sales 2021/22 Season to 30 April 2022

See Appendix 1 for a table showing fish licence sales categories and numbers. This table shows fish licences sales for seasons 2021/22 and 2020/21 to the end of April of the season.

In summary, fishing licence sales in whole season licence equivalents (LEQs) 14,431.74 LEQs compared with 14,249.51 LEQs for the same period last year.

Game Licence Sales 2022

These went on sale on Public Online and via agencies on the 10th March 2022.

A full adult licence has an increase of \$2 from the previous year.

See table following for game licence sales categories and numbers at opening of season 2021 and 2022.

In summary, game licence sales in whole season licence equivalents (LEQs) 4008.14 LEQs for the 2022 season compared with 4106.13LEQs for the same period 2021 season.

9.5 Agents Debts

We have one \$192 agent debt outstanding.

9.6 Recommendation

That the financial report be received

Sharon Milne
Administration Officer
17/05/2022

Balance Sheet

Otago Fish and Game Council As at 30 April 2022

	30 APR 2022	31 AUG 2021
Assets		
Current Assets		
Bank	626,337	720,937
Receivables		
Accounts Receivable	336,247	23,078
Total Receivables	336,247	23,078
GST	(35,977)	28,120
Investments	1,065,402	563,977
Inventory	17,222	17,222
Accrued Interest	803	803
Total Current Assets	2,010,036	1,354,137
Fixed Assets		
Property Plant & Equipment	1,355,117	1,359,279
Total Fixed Assets	1,355,117	1,359,279
Credit Card SM 6180	(819)	-
Total Assets	3,364,333	2,713,416
Liabilities		
Current Liabilities		
Accounts Payable	61,536	45,252
Other Payables	145,168	163,393
Employee Entitlements	30,990	53,331
Total Current Liabilities	237,695	261,977
Total Liabilities	237,695	261,977
Net Assets	3,126,639	2,451,439
Equity		
Accumulated Funds		
Accumulated Funds	1,607,045	1,364,081
Current Year Earnings	675,200	242,964
Transfer (To)/From Reserves	157,547	122,678
Total Accumulated Funds	2,439,791	1,729,722
Dedicated Reserves		
Non Resident Levy Reserve	267,309	267,806
Habitat Enhancement & Research	18,056	11,756
Priority Plan Changes Reserve	31,076	38,893
Priority Consents Reserve	41,697	55,507
Regional Policy Statement Reserve	47,662	59,349
Mining Privileges Reserve	17,537	17,537
Historical Property Reserve	157,827	161,678

Balance Sheet

	30 APR 2022	31 AUG 2021
Renovation Reserve	-	2,767
Asset Replacement Funding	101,600	103,618
Total Dedicated Reserves	682,764	718,910
Restricted Reserves		
Bullock Creek Reserve	4,083	2,806
Total Restricted Reserves	4,083	2,806
Total Equity	3,126,639	2,451,439

Profit and Loss

Otago Fish and Game Council For the 8 months ended 30 April 2022

	MAR 2022	APR 2022	YTD ACTUAL	YTD BUDGET	VARIANCE	% OF YTD BUDGET	ANNUAL BUDGET	LAST YEAR 2019
Income								
Licence Sales								
Fish Licence Sales	34,288	36,069	1,720,988	1,690,617	30,371	102%	1,690,619	1,682,748
Non-Resident Licence Revenue	520	914	4,503	-	4,503	-	-	6,839
Game Licence Sales	58,722	135,975	194,713	242,523	(47,810)	80%	323,364	341,516
Total Licence Sales	93,530	172,958	1,920,204	1,933,140	(12,936)	99%	2,013,983	2,031,103
Other Income								
Contact Energy Mitigation Income	24,635	32,815	57,449	-	57,449	-	-	53,911
Govt Grants	-	600	610	-	610	-	-	-
Interest Income	78	76	2,140	3,224	(1,084)	66%	4,840	5,064
Fines - Fishing & Game Offences	-	-	202	1,000	(798)	20%	2,000	1,714
Rent Received	4,266	5,632	37,539	33,720	3,819	111%	50,590	68,479
Fishing Competitions	-	-	458	-	458	-	-	1,526
Profit on Sale of Fixed Assets	-	-	22,080	-	22,080	-	-	21,198
Donations & Grants	240	269	3,308	-	3,308	-	-	2,674
Merchandise Sales/Other	-	-	330	-	330	-	-	(249)
RMA Costs Reimbursed	-	-	-	-	-	-	-	49,853
Sundry Income	-	52	5,960	-	5,960	-	-	1,537
Diversion - Habitat Enhancement and Research Fund	1,500	1,700	8,700	-	8,700	-	-	6,500
Total Other Income	30,719	41,144	138,777	37,944	100,833	366%	57,430	212,207
Total Income	124,249	214,102	2,058,981	1,971,084	87,897	104%	2,071,413	2,243,309
Gross Profit	124,249	214,102	2,058,981	1,971,084	87,897	104%	2,071,413	2,243,309

	MAR 2022	APR 2022	YTD ACTUAL	YTD BUDGET	VARIANCE	% OF YTD BUDGET	ANNUAL BUDGET	LAST YEAR 2019
Expenses								
Species Management								
Population Monitoring	-	3,750	12,844	22,668	(9,824)	57%	31,000	10,568
Harvest Assessment	-	-	-	-	-	-	3,000	2,704
Hatchery Operations	2,658	80	5,715	6,000	(285)	95%	9,000	7,983
Releases	8	-	679	1,600	(921)	42%	1,800	585
Game Bird Control compliants	-	-	500	-	500	-	-	-
Total Species Management	2,666	3,830	19,738	30,268	(10,530)	65%	44,800	21,840
Habitat Protection & Mngt								
Contact Sports Fish Management Plan	9,743	30,727	42,342	-	42,342	-	-	36,219
Resource Mngt Act	837	-	49,060	1,336	47,724	3,672%	2,000	1,266
Approved Reserve Expense	3,168	3,779	41,312	-	41,312	-	-	141,000
Works & Management	57	46	3,079	3,336	(257)	92%	5,000	7,277
Habitat Enhancement Research Fund Grants	-	-	-	-	-	-	-	5,739
Total Habitat Protection & Mngt	13,804	34,552	135,793	4,672	131,121	2,907%	7,000	191,502
Participation								
Access and Signage	75	134	1,387	1,666	(279)	83%	2,500	1,892
Back Country Surveys/Monitoring	-	-	-	-	-	-	-	822
OF&G Training Events	-	-	1,835	2,000	(165)	92%	2,000	804
Club Relations and Grants	49	185	465	1,000	(535)	46%	1,000	918
Total Participation	125	319	3,686	4,666	(980)	79%	5,500	4,437
PUBLIC INTERFACE								
World Wetlands	-	-	-	1,000	(1,000)	-	1,000	-
Liaison	8	-	8	668	(660)	1%	9,000	111
Media Releases	-	194	578	4,672	(4,094)	12%	7,000	833
Total PUBLIC INTERFACE	8	194	586	6,340	(5,754)	9%	17,000	944

	MAR 2022	APR 2022	YTD ACTUAL	YTD BUDGET	VARIANCE	% OF YTD BUDGET	ANNUAL BUDGET	LAST YEAR 2019
COMPLIANCE								
Ranger Training and Expenses	732	156	4,109	6,250	(2,141)	66%	6,500	1,795
Compliance	-	-	-	3,334	(3,334)	-	5,000	8,621
Total COMPLIANCE	732	156	4,109	9,584	(5,475)	43%	11,500	10,415
LICENCING								
Agent Servicing	-	-	153	400	(247)	38%	500	177
Commission/Fees	4,023	8,013	76,236	86,991	(10,755)	88%	90,629	81,876
Total LICENCING	4,023	8,013	76,389	87,391	(11,002)	87%	91,129	82,054
COUNCIL								
Elections Council	-	-	-	500	(500)	-	500	-
Council Meetings	967	8	11,558	10,500	1,058	110%	15,000	8,080
Total COUNCIL	967	8	11,558	11,000	558	105%	15,500	8,080
PLANNING & REPORTING								
Reporting/Audit	-	-	3,844	16,000	(12,156)	24%	16,000	17,689
National Liason	-	17	17	1,334	(1,317)	1%	2,000	421
Corporate Liaison	-	-	8	-	8	-	-	-
Total PLANNING & REPORTING	-	17	3,869	17,334	(13,465)	22%	18,000	18,110
ADMINISTRATION								
Salaries	58,047	57,265	452,661	517,516	(64,855)	87%	776,272	675,407
Staff Expenses	927	1,091	10,800	9,296	1,504	116%	19,000	23,279
Office Premices	4,256	11,741	79,825	66,876	12,949	119%	95,600	100,740
Office Equipemnt	34	22	1,914	1,664	250	115%	2,500	5,409
Communications	2,868	1,398	14,645	15,196	(551)	96%	22,800	20,836
General Exp (incl Insurance)	32	338	2,371	3,064	(693)	77%	3,900	3,173
General Field Equipment	63	109	2,483	2,298	185	108%	3,300	1,334

	MAR 2022	APR 2022	YTD ACTUAL	YTD BUDGET	VARIANCE	% OF YTD BUDGET	ANNUAL BUDGET	LAST YEAR 2019
Vehicles	4,024	4,056	39,575	31,666	7,909	125%	44,000	43,901
Total ADMINISTRATION	70,249	76,020	604,273	647,576	(43,303)	93%	967,372	874,079
Depreciation	5,030	5,030	39,160	-	39,160	-	-	61,476
Loss on Disposal	-	-	-	-	-	-	-	188
NZ Fish & Game Levies	-	-	479,620	719,430	(239,810)	67%	959,241	711,804
Office General (was Petty cash)	-	-	-	-	-	-	-	51
Wanaka Subdivision	-	-	-	-	-	-	-	10,366
University of Otago Research Grant	-	-	5,000	-	5,000	-	-	5,000
Total Expenses	97,605	128,139	1,383,782	1,538,261	(154,479)	90%	2,137,042	2,000,346
Net Profit	26,643	85,964	675,200	432,823	242,377	156%	(65,629)	242,964

Fish Licence Sales To the 30th April of the Season

2021/22																		
Channel	FWF	FWA	FWNA	FSLA	FLAA	FWIA	FLBA	FSBA	FDA	FDNA	FWJ	FWNJ	FDJ	FDNJ	FWNC	FDNC	Total	Fish LEQ
Agency	2,412	3,491	7	749	166	83	9	190	651	22	404	0	67	0	0	1	8,252	
ESL	11	10	0	5	1	2	1	7	1	0	0	0	0	0	0	0	38	
Online	2,108	2,561	73	306	416	139	25	370	2,302	90	462	6	248	1	1	1	9,109	
Total	4,531	6,062	80	1,060	583	224	35	567	2,954	112	866	6	315	1	1	2	17,399	14,431.74

2020/21																		
Channel	FWF	FWA	FWNA	FSLA	FLAA	FWIA	FLBA	FSBA	FDA	FDNA	FWJ	FWNJ	FDJ	FDNJ	FWNC	FDNC	Total	Fish LEQ
Agency	2,495	3,497	24	711	171	88	14	232	788	29	411	0	113	3	0	0	8,576	
ESL	8	13	0	9	0	0	0	1	5	1	0	0	0	0	0	0	37	
Online	1,957	2,492	81	282	411	114	27	366	2,087	122	414	4	217	3	1	1	8,579	
Total	4,460	6,002	105	1,002	582	202	41	599	2,880	152	825	4	330	6	1	1	17,192	14,249.51

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

Otago Region Game Licence Sales on Opening Day of the Season

2022							
Channel	GWA	GWJ	GWC	GDA	GDJ	Total	Game LEQ
Agency	3,154	239	68	0	0	3,461	
ESL	5	0	0	0	0	5	
Online	786	80	21	0	0	887	
Total	3,945	319	89	0	0	4,353	4,008.14

2021							
Channel	GWA	GWJ	GWC	GDA	GDJ	Total	Game LEQ
Agency	3,362	259	81	0	0	3,702	
ESL	3	1	0	0	0	4	
Online	672	82	34	0	0	788	
Total	4,037	342	115	0	0	4,494	4,106.13

GWA Full Season Adult, GWJ Full season Junior, GWC Full season Child
 GDA Adult Day, GDJ Junior Day

10.0 Chief Executives Report May 2022

10.1 Progress Against Councils 3 Year Strategic Priorities

SF&GMP Output	Goals 2020-2023	Draft Objectives (Specific, timebound and measurable)	Update
Species Mgt	Improved knowledge of Sportsfish population dynamics in Southern Lakes	Robust monitoring system for southern lakes fisheries established by 2022 with enough sensitivity to detect population change. Research proposal to investigate drivers for that change lodged to NZC for funding by 2023	Creel surveys on lake Wanaka for the third consecutive year have now concluded. Results will be reported to the July meeting. An application for funding (from Otago Council Reserves) to undertake acoustic surveys in the three southern lakes has been approved and is now subject to the licence fee being set for 2022/23. The lake fisheries management workshop which was scheduled for winter 2022 is being reconsidered and a scaled down gathering is proposed to bring together technical experts.
	Improve Clutha River Salmon knowledge	Contribution of southern lakes salmon population to lower river searun fishery researched by 2022. Options for enhancement of downstream migration by 2023. Benefits and risks of further liberations reported on by 2021. Salmon spawning sites surveyed and documented (ongoing)	Contact Energy Sports Fish Management programme for the 21/22 season is being progressed. Staff are presently using eDNA kit to look at presence/absence of salmon in the Makarora tributaries. One aerial spawning survey of the Clutha river has been completed this season. The eDNA kits for use on the Lower Clutha to identify Salmon spawning will be deployed shortly.
Habitat Protection & Mgt	Improve outcomes in RMA planning processes – Plans reflect F&G input	Submissions reflecting F&G positions made on time and hearings attended for all planning matters impacting on F&G managed species, habitat and users (lumpy workload so no dates fixed) Additional advocacy in the form of; <ul style="list-style-type: none"> Once yearly Governor to governor meetings with ORC Twice yearly meetings between CE's of orc and territorial authorities, iwi and DOC. (Same at a staff level) Pre circulation of key submissions (two weeks ahead) to allies for comment and to seek alignment. By 2022, establish three way agreement (Aukaha, DOC, F&G) on freshwater values and bottom lines for input into FMU process.	The RMA consenting and planning report is provided by way of update in this agenda. Over the period CE and staff have met with the ORC Policy team and a follow up meeting is proposed. The CE had a telephone discussion ORC CEO. Unfortunately she has now resigned. Any three way agreement looks increasingly unlikely by the deadline, however the groups continue to cooperate on matters of mutual interest.
	Create or improve more wetland areas with emphasis on irrigation dams as habitat and headwater wetlands	10 ponds/wetlands on private land developed or enhanced or protected annually (30 wetlands/ponds by 2023)	Investigations for new pond development has slowed considerably – There was one enquiry during this period. Staff continue to build involvement in catchment groups as an alternative.
Angler & Hunter Participation	Maintain or improve current participation levels, especially among females	Maintain current participation levels and improve female participation by 5% by 2023	Staff are regularly contributing to national marketing efforts including upgrades of the website and licencing system. One staff member has been appointed to the national communications group and recently completed a draft Communications Strategy. Participation levels for angling are being maintained. Game sales are a down a bit.

			The survey of female anglers has been developed into a University research proposal and funding has been given approval from the NZC Research Fund.
Access (under Participation in SF&GMP)	No net loss of access	Identify and log current access points by 2021 20% More access points identified in Otago region available to anglers and hunters by 2023.	No additional work in this project area during the period.
Public interface	High licence holder understanding of F&G organisation and its work on their behalf	Improve licence holder knowledge of F&G activities (by two unit points in licence holder survey) by 2023	The licence holder engagement survey has been completed for 2022. Social media activity continues to rise with 2,650 followers on the Councils Facebook page.
	Improved understanding by the general public of F&G role and work	Establish information portal including option of an educational facility in conjunction with Contact energy by 2023 Generate and conduct general public survey of understanding by 2021 to establish base metric. PR/PA programme established and implemented by 2021. Follow up survey 2023 to check progress	Negotiations related to a hatchery and information portal at Roxburgh hosted by Contact Energy are now concluding with the formation of a trust. PR survey is proposed for this financial year but has not begun due to other priorities. Staff have been involved in a national level Communications strategy which will guide the formation of a local version.
	Proactive engagement with Ngai Tahu	MOU/Principles document extended to cover wider Otago water and wildlife values and agreed by 2022.	Relationship with Aukaha continues to build with regular meetings and communication around planning and consenting matters. The CE had a meeting with Aukaha CE and is attending a meeting with Ngai Tahu staff to discuss operational matters mid May.
	Improved FGO and Ranger visibility	15% of Otago fish licence holders and 10% of game licence holders have direct contact via CLE or through other F&G activities on an annual basis	12 honorary rangers remain across the district and staff are tentatively looking for more in some key areas. Advertising in the magazine failed to attract any applicants. 10% of game licence holders checked is an ambitious target which is unlikely to be met again this year.
	Form alliances/collaborations with landowners (and stakeholder organisations) on areas of common interest	360 degree survey of all stakeholders and other groups on organisational attitude and effectiveness by 2021. Draft and implement strategic communications plan for stakeholders by 2022. Review for positive progress and report 2023	Stakeholder survey was proposed for this financial year but has not begun. It is unlikely to be completed this financial year due to other commitments. NZC has upgraded its Communication Strategy using an external agency so some guidance may be provided by that.
Administration	Find alternative sources of income to support F&G activities	At least 20% of external expenditure is from alternative sources	As previously advised, a good portion of the target figure for this year has been secured through the Contact Energy Sportsfish Management Plan
Compliance	Regulations understandable by licence holders	Make regulations easier to interpret through simplification and improved user interfaces, especially online	The anglers notice review nears completion and a number of areas, including boating restrictions, have been streamlined.
	Improved compliance rates	Improve compliance rate from 95% to 97%	Compliance rates will be summarised ahead of the next meeting but high number of offences over the holiday break may point to weaker compliance. 95% compliance was achieved for opening weekend of the game season.
	Prosecutions completed in a compassionate and professional way	Revisit prosecution guidelines annually (Sept) and sign off alongside diversion payment schedule	Prosecution guidelines were adopted in September 2021 - Complete

10.2 Other Staff Activity

10.2.1 SPECIES MANAGEMENT

Gamebird Aerial Counts

Mallard counts were completed in late April. Trend count totals were as high as we have seen with some of the river transects having particularly impressive numbers. Low water levels elsewhere in the district may have contributed to the accumulation of larger bird numbers on flowing waters and bigger dams. The summary report is in this agenda.

Spawning surveys

Surveys are underway for the season with staff visits having already been made to Manuherikia and Catlins River tributaries. Further surveys are scheduled for the Waihemo/Shag River.

Regulations

The Anglers Notice Review is in its final stage with a report to this meeting which summarises the proposals and offers recommendations. Having a fresh set of eyes (new F&G officer) look over the Anglers Notice and ask the hard questions about our present regulations has been helpful.

Gamebird Harvest survey

The annual telephone survey of Otago gamebird hunters is underway. Harvest information for opening weekend will be available soon and full season estimates of harvest will be reported on at the November meeting.

10.2.2 HABITAT PROTECTION AND MANAGEMENT

Contact Energy – Lower Clutha Sportsfish Management Plan Implementation

The sportsfish and habitat projects funded by Contact Energy are progressing. The eDNA kits are being deployed in lower Clutha tributaries and that will hopefully help identify spawning waters used by wild salmon in the lower Clutha River.

Proposed Contact/F&G Trust

The proposed Lower Clutha Trust documents have been provided to our lawyers and edits and comments have been circulated back to Contact Lawyers. The section on its 'purpose' has been refined to broaden the scope and also to more tightly to the expectations set out in the consent conditions and subsequent discussions.

CE/Chair to Update

Wetland management – Response to Cr Highton questions

The environmental officer has written a summary response to the questions raised at the last meeting concerning stock grazing in wetlands and general wetland management. You will see

(in the Appendix to the Consents and Planning report) that the matter is far from straight forward.

Lindis case summary

A summary document of the learnings from the case have been circulated to Councillors and have been distributed to key parties including the ORC and iwi. (see outward correspondence)

10.2.3 USER PARTICIPATION

Greenstone Controlled Fishery

Greenstone River controlled fishery booking system has run well over the summer and a full report will be presented to the July meeting.

F&G Magazine

The game season magazine was distributed in mid march and the content was well received. Our Communications Officer wrote a fuller feature piece on wetlands and their value which read very well. The content for the next fishing issue of the magazine is due at the end of June. Any ideas from governors on topics welcome.

Survey of Female Anglers

Staff from Otago and Southland F&G have developed a wider proposal for the survey and now involved the University of Otago. Approval for funding for the research has been approved by NZC (from the National Research Fund) and the project can now get underway.

10.2.4 PUBLIC INTERFACE

Media

Otago continues to generate a solid stream of media content readily picked up by print publications. The articles in the lead up to, and following, opening weekend of the game season were particularly positive.

Pre season duck hunting events

Staff attended 4 pre season clay target shoot events around the district to distribute information, promote the start of the season and interact with assembled hunters.

10.2.5 COMPLIANCE

The backlog of angling offences gathered over the summer has been cleared with all being resolved by way of Council approved Diversion. Game season ranging so far has detected 5 offences and all face prosecution action. Two offenders also may face additional questioning by NZ police for leaving loaded firearms unattended in a maimai. Overall though, 95% of hunters encountered on opening weekend were compliant which was pleasing.

10.2.6 LICENCING

Licence system upgrade

An upgraded licencing system is due to go live mid winter. Otago staff have been involved in user testing and general feedback is that the new purchase facility looks fit for purpose and easy to follow.

10.2.7 COUNCIL

Organisational Review and Amalgamations

The National Amalgamation Review team have reported to NZC at its April meeting and confirmed Otago as a standalone Region (along with Southland and CSI). The Implementation Review team, including the DoC official on the group, are evidently happy with progress in implementing the 36 recommendations which came out over a year ago.

Chair/CE to update

10.2.8 PLANNING AND REPORTING

Budget and Contestable funding bids

The attached licence fee recommendation paper provides a comprehensive summary of where the organisations finances come from and are being spent. The NZC is proposing a 5.9% rise in the licence fees for 2022/23 which is in line with CPI.

It was disappointing to learn that the Otago bid for staff performance increments was turned down by NZC after being recommended for approval by the managers group. It should be noted that the NZC is presently holding a remuneration report which is likely to show a gap between current salaries and that of the general market which, as we know, are rising rapidly. The Council will need to discuss its options around staffing and risk management as staff retention was identified as a high priority to address.

Annual Audit

We have now signed the BDO engagement letter which sets them up as our Auditors for the next three years. The fees are increasing and the NZC is proposing to raise this with the Minister and the Office of the Auditor General with a view to streamlining our collective reporting.

Recommendation

That this report be received

Ian Hadland

Chief Executive

May 2022

11.0 RMA Planning and Consents Report

Planning and Consenting Report

15 March 2022 – 17 May 2022

Current Legislation, Policy and Planning Processes

Plan Change 8

No change of note has occurred in the reporting period. Spending on Plan Change 8 is on track to fall within the combined budget for Plan Changes 7, 8 and 1.

Regional Policy Statement

A decision on the High Court declaration case to determine which parts of the Regional Policy Statement will progress via the Freshwater Planning Process has not yet been handed down.

During the reporting period, the Freshwater Commissioner sought feedback from parties on the timeframe for the process. After feedback, the Commissioner decided to extend the timeframe to allow for a decision from the High Court to be handed down prior to beginning.

National Environmental Standard on Freshwater – Intensive Winter Grazing Provisions

During the reporting period, the Central Government has released updated provisions within the National Environmental Standard for Freshwater (**NES-FW**) relating to intensive winter grazing. In conjunction with others from Fish and Game Councils around the country, staff provided detailed feedback to the government on the provisions, which was presented as a joint submission on behalf of Fish & Game, the Environmental Defence Society and Choose Clean Water.

For intensive winter grazing to be a permitted activity, it will now need to occur on a slope less than 10 degrees and protect for critical source areas. This is a clear improvement. However, pugging and resowing requirements have been made vague and difficult to enforce and requirements to ensure intensive winter grazing is not undertaken more than 5 meters from sub-surface drainage have been removed.

Advice on grazing in wetlands

At the last Council meeting, the Environmental Officer was asked to report on limitations of national regulation around grazing in and around wetlands to help guide discussion of what could be promoted through advocacy and on the ground work. My advice on this issue is attached to this report as Appendix 1.

Current Notification processes

Applicant	Activity	Outcome
<i>Otago Regional Council applications</i>		
Pioneer Energy Limited	To vary existing consents to store and use water at Lake Onslow to increase the drawdown rate.	A submission in opposition has been written by staff and was supported by a complementary submission on behalf of the Teviot Angling Club. A hearing date has been set for July and staff are working collaboratively with angling club members to present a case.

Written approval provided during the period

Applicant	Activity	Outcome
<i>Otago Regional Council applications</i>		
Mana Tahuna Charitable Trust	To undertake instream works in Mill Creek to install sediment traps.	Written party approval was provided.
City Forest	To install and maintain a slash trap in Mill Stream, near Mosgiel.	After clarifying that vehicles will not work within the wetted bed, written party approval was provided.
Queenstown Lakes District Council	To install a stormwater pipe adjacent to Bullock Creek.	Following comprehensive discussions with QLDC on the effectiveness of the stormwater system and actions to restrict construction effects on Bullock Creek, written party approval was provided.

<i>Central Otago District Council</i>		
Peter Francis Hishon and Vicki Jan Hishon	To subdivide a property on the banks of the Manuherekia river without providing an esplanade reserve.	The location of the property in Omakau did not require an esplanade strip, as it was adjacent to the river corridor which already provided ample public access. Written approval to waive the requirement to create an esplanade was provided.

No written approvals were provided during the period for consents from the following bodies:

- Queenstown Lakes District Council
- Dunedin City Council
- Clutha District Council
- Waitaki District Council

Recommendation:

1. That this report be received.

Nigel Paragreen
Environmental Officer
17 May 2022

Appendix 1 – Policy guidance on grazing in wetlandsSummary of issue

There is an environmental trade-off with allowing stock in wetlands (and other water bodies generally). Stock in these areas are more likely to cause erosion and the discharge of sediment or other harmful contaminants, such as *E.coli*. However, they have proven themselves to be an effective control of vegetation, facilitating easier access.

There is anecdotal evidence in the Maniototo that stock access can improve biodiversity outcomes by controlling introduced grasses which would otherwise take over.

My personal experience with environmental management in New Zealand and Australia is that the negative impacts of stock access to water bodies can be managed to some degree. However, the management requirements can change dramatically from site to site and the environmental risks associated with getting it wrong can be extreme.

From a policy perspective, it is very difficult to create a 'one rule fits all' solution that will be simple to implement and effective in providing environmental protection.

Relevant regulation

In Otago, stock have historically been regulated via the *Regional Plan: Water for Otago (RPW)*, using an effects-based approach. Stock have been allowed in water bodies provided they do not cause pugging or erosion. Ensuring compliance within this system has proven to be difficult and as a result, New Zealand is moving away from these types of effects-based approaches.

With the introduction of the *Essential Freshwater Package* in 2020, the Central Government introduced the *Resource Management (Stock Exclusions) Regulations 2020 (SER)*, which regulates stock in and around certain water bodies at a national level. Under the SER, it is the grazing activity itself which is regulated rather than the effects. This makes the SER easier to enforce but less flexible than the historical RPW approach.

The SER takes precedence over the RPW approach where the two documents are conflicting.

Key points related to the issue from the SER:

- All stock are to be excluded from natural wetlands that are:
 - o >0.05ha and on low slope land; or
 - o identified as supporting a population of threatened species within an National Policy Statement for Freshwater Management 2020 compliant regional plan; or
 - o identified as a natural wetland within a regional plan.
- 'Stock' are defined as beef cattle, dairy cattle, dairy support cattle, deer or pigs and do not include feral animals. All other animals are not defined as stock for the purposes of the SER and therefore not excluded from grazing in or near relevant water bodies.
- Natural wetlands are wetlands, as defined in the Resource Management Act, that are not artificially constructed, geothermal or an area of improved pasture with >50% of exotic pasture species.
- Low slope land means land identified as low slope land in <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/stock-exclusion>
- The SER provisions come into force on:
 - o 1 July 2023 for natural wetlands identified in regional plans - noting that the RPW does not identify any natural wetlands; and
 - o 1 July 2025 for natural wetlands on low slopes or supporting threatened species.

The result of the SER in Otago is that once natural wetlands are identified through the new Land and Water Regional Plan, which will be notified at the end of 2024, it could be expected that grazing most common heavy stock classes will likely not be allowed on the bulk of large wetlands. However, there are still a variety of animals which are permitted to be grazed in natural wetlands. Sheep, goats and horses are common agricultural stock that fall into this category.

Central Government has indicated an appetite to adapt parts of its environmental regulation within the *Essential Freshwater Package*; however, I am not aware of an intention to amend the SER.

Advocacy options

While the SER remains in place, there is no policy option that can be implemented at the Otago level which contradicts its guidance. The SER is Central Government regulation and must be applied without exception across the country.

It is possible for Otago Fish and Game to begin advocating for amendments to the SER. However, I do not recommend this in the immediate, because:

- Grazing of stock not regulated by the SER is permitted in Otago, provided it does not cause erosion or pugging. This means there are alternative and less environmentally risky grazing options within wetlands that will be available to landholders once the SER comes into force.
- No scientific or policy work has been undertaken to date to inform an alternative Otago Fish and game position on stock grazing in wetlands. This is a complex and controversial issue, and an Otago Fish and Game position should have a clear basis in fact. It is critical that that Fish and Game understand the full suite of options for vegetation management before taking a position.
- No work has been undertaken to date to inform a national Fish and Game position on stock exclusion from wetlands, outside broad support for the SER. As a national issue, the position of Otago Fish and Game should be consistent with a national Fish and Game position, or risk confounding advocacy messaging.

If the Council is intent on lobbying Central Government to amend the SER, I recommend undertaking the work identified in the above list first. This can be achieved through forming a working group to research and debate the issue¹ and seeking to develop a national Fish and Game position via Fish and Game's Resource Management Team structure. That said, I do caution that this would constitute a significant body of work for staff.

Ultimately, I expect that Fish and Game Otago needn't be the driving force on this issue. Other parties will have a more significant interest in this topic and would be better positioned to drive change, if that is considered appropriate. I recommend instead highlighting an intention to participate in a working group on this issue, should other parties wish to form one.

¹ Potential vehicles for this could be Tiaki Maniototo or the stakeholder groups the regional council is soon to set up for key issues within the Land and Water Regional Plan.

12.0 Committee & Delegate Reports

12.1 CFT

12.2 NZC

12.3 Ngai Tahu

12.4 Conservation Board

13.0 Correspondence

13.1 NZC to Otago

13.1.1 Fish & Game Proposal for Pressure Sensitive Fisheries Management Regime

Pressure Sensitive Fisheries Options Paper

New Zealand F&G Council are seeking Otago Council feedback on the attached paper which was approved for consultation at its February 2022 meeting. The deadline for our Councils response is the 1st July 2022

NZC have provided the following information to set the scene:

The options paper seeks to propose a national framework for managing pressure sensitive fisheries, which could be applied on an annual basis by regional Fish and Game Councils via the Anglers Notice or the Sports Fish Licences Fees and Forms Notice.

*We are seeking your feedback by the 1st of July 2022 to allow policy work to be completed and policy approval sought from the Minister of Conservation in time for **the 2023/24 Anglers Notice** and associated regulations. If you or your Council require clarification on any aspect of the paper or the proposed process, please contact Jack Kós.*

Alongside this, the NZC has established a working group of Crs. Grubb, Kroos, Koevoet Barnes, Phibbs, Coll & Harris to look at what options, if any, could be put in place in time for the 2022/23 season. The working group will touch base with your Councils in due course.

Separate NZC ‘Designated Waters’ proposal

The NZC is also consulting on a ‘Designated Waters’ proposal (also in this agenda) that would see a differential licence fee for Non Resident anglers. It is assumed this was an outcome produced by the NZ Councils’ working group. Staff are not aware of how they arrived at the ‘designated waters’ proposal, if any other options we considered or how this integrates into the PS Fisheries proposal.

The topics are obviously very closely linked but by comparison, the PS fisheries options paper has been well researched over 3 years and considerable staff time has been spent developing the proposal to date. The ‘designated waters’ fee structure has not been analysed and the objectives of the proposal – particularly how it solves negative user experiences on pressured waters - is unclear.

The staff view is that the proposal has merit but it should be considered within the suite of changes that would be required to implement a broader pressure sensitive waters management system proposed for the 23/24 season. My view is that use of pricing is a blunt

instrument to relieve pressure on angling waters, especially given that the majority of users come from a more affluent backgrounds where price is seldom a barrier to participation.

Implementation for 2022/23 season?

The Anglers Notice (and any changes) is being considered now and has to be with the Ministers office for adoption end of June. New season licences go on sale mid August. Despite the best intentions of NZC to have something ready for the coming season, the timeframe is simply too short and rushing the implementation of such a fundamental change to fisheries management shouldn't be rushed into. The timeframe for the wider PS fisheries proposal is for the 23/24 season which is considerably more realistic.

For discussion and feedback

Ian Hadland
Chief Executive
10 May 2022

Draft Feb 2022

Fish & Game Proposal for Pressure Sensitive Fisheries Management Regime

Summary

New Zealand's freshwater sports fishery is world renowned as a premier trout fishery and is highly valued by both local and visiting anglers. It provides substantial economic benefits through the commercial guiding industry, the associated retail industry and both domestic and international tourism. The fishery is managed by Fish and Game Councils and the Department of Conservation (solely in the Taupō region), with management supported entirely through sports fishing licence fees and volunteer effort.

New Zealand offers an internationally unique sports fishing experience through the ability to fish for very large trout in clear water amongst astonishing and often remote settings. The nature of the fishing is also uncommon in other parts of the world in that these fish can be first sighted in the water, and then fished for, which is seen by anglers as very desirable. The result is a world-class and unique fishery that is increasingly sought after by both local and visiting anglers.

Two problems have arisen regarding these highly sought-after parts of the New Zealand sports fishery:

- First, angling pressure in select parts of the fishery is exceeding the social and fishability capacity. These fisheries have been labelled by Fish & Game as pressure sensitive fisheries.
- Second, angling pressure in these pressure sensitive fisheries comes disproportionately from non-resident anglers and as a result of this resident anglers have been displaced from the resource

This analysis finds that the first problem can be addressed by the current mechanisms that Fish & Game have to manage pressure, but that the second problem requires additional targeted mechanisms to provide for an equitable division of angling pressure between resident and non-resident anglers and to mitigate the displacement of resident anglers.

Draft Feb 2022

Background

Freshwater sports fishery

New Zealand is one of the world's great trout fishing destinations. The modern success and popularity of the trout fishery is in part founded upon the ability to sight fish to large individual trout in clear water, often amidst beautiful scenery. To this extent it is unique on a world scale.

Trout fishing has been a popular leisure activity in New Zealand ever since the Otago Acclimatisation Society instituted the first trout fishing season in 1875, just eight years after brown trout were first introduced to this country. Before long the novelty of such an exotic fishing destination, combined with the size of the trout, meant that anglers were travelling internationally to fish for trout in New Zealand. The visit from American author Zane Grey in the 1920s, and his declaration of New Zealand as an 'anglers el dorado', continued to build our reputation as a destination fishery.

Throughout the latter half of the 20th century a strong industry of professional trout fishing guides arose, primarily catering to international angling tourists. The guiding industry was centred on higher density rivers akin to the Buller, Mataura and Tongariro with occasional forays into more remote destinations. As the use of helicopters as a means of access grew in popularity, more remote rivers began to be fished regularly. These rivers, deep in Kahurangi or the Ruahine Ranges, were advertised by guides to clients as pristine wilderness rivers that saw almost no angling pressure. These wilderness trips, however, did not constitute the basis of a guiding operation but were more typically the exception – the cherry on top of a week's guided fishing. The unguided usership of these rivers, from both domestic and non-resident anglers, is hard to calculate across this period but was substantially lower than current levels.

Across the past thirty years this has changed on a fundamental level. As the value of these fisheries, both from an angling and experiential perspective, became realised by New Zealanders and international anglers alike their angling effort began to increase. The increasing use of helicopters as a form of access in the late 1970s was the catalyst for significant numbers of anglers to suddenly be able to access these remote areas and word quickly spread. Most significant amongst this increase was unguided non-resident anglers. Ascribing any absolute reasons to this increase is difficult, but specific rivers increasingly began to develop a reputation through word of mouth, publication in angling guidebooks and more recently on the internet and in social media. More generally the rise in popularity of headwater fisheries is also linked to the decline in lowland fisheries as a result of environmental degradation. Rivers such as the Oreti, Greenstone and Rangitikei became world famous destination fisheries in their own right. Resultantly they became subjected to increasing levels of angler use, with very high proportions of non-resident usage. Over time the increasing usage of these rivers began to impact on both trout behaviour as well as the overall angling experience. The impacts, and need for regulatory change, were noted as early as 1994 and have been a recurrent theme in New Zealand fisheries management ever since.

Today Fish and Game face a situation where a small percentage of fragile fisheries are receiving an unsustainable amount of pressure that detrimentally impacts upon both angling experience and trout behaviour. These fisheries have been termed 'pressure sensitive fisheries'.

Draft Feb 2022

Pressure Sensitive Fisheries

Pressure sensitive fisheries are defined as fisheries where angling pressure is adversely affecting the angling experience. Components to the angling experience are twofold:

- Adverse effects on the fishery itself, such as the catchability, visibility and population dynamics of the fish.
- Adverse effects on the angler's experience independent of the fishing, such as a sense of wilderness and solitude.

The defining feature of these fisheries is that the angling experience they offer is impacted by the angling pressure they receive. There are, however, some characteristics that are common across many (although not all) pressure sensitive fisheries:

- Almost exclusively rivers.
- Clear water.
- Excellent sight fishing.
- High average size of fish.
- High scenic value.
- Often in a wilderness or backcountry setting.

Some of these fisheries are in remote areas with very limited access, whereas others have substantial road access across their length. Angler numbers are typically higher in fisheries with good road access, but the expectation of solitude and wilderness is lower. Conversely, where access is limited to walking or flying, angler numbers are often lower but the impact on the angling experience of each encounter is higher (depending on the perspective of the angler). While pressure sensitive fisheries exist in both islands, the South Island has a high proportion of New Zealand's total pressure sensitive fisheries.

These most-desirable trout fisheries are limited in number and provide a limited number of prime angling spots as the fish will often not reset from being disturbed by a preceding angler for several hours or even a day. To many anglers these are the most desirable trout fishing locations and are therefore sensitive to the amount of angling pressure they can sustain. New Zealand anglers, visitors from overseas, commercial fishing guides, and Fish and Game Councils are all very concerned about the ongoing sustainability of these "pressure-sensitive" trout fisheries. Many of these fisheries are now close to or at a tipping point. The increasing number of anglers and increasing fishing effort on a finite number of fish in a finite number of locations is threatening to destroy the fishing resource and experience.

A reality that also needs to be acknowledged is that there are waterways that provide an equal angling experience to pressure sensitive fisheries, but for some reason do not have the same reputation and accordingly do not receive the same pressure. In other words, the New Zealand angling resource as a whole can accommodate the angling pressure it receives provided that select concentrations of angling effort are redistributed.

Draft Feb 2022

Problem definitions

Fish & Game faces two interlinked problems surrounding the management of pressure sensitive fisheries. Because these problems require individual, but co-ordinated, solutions they are addressed separately.

The keystone issue is that a relatively small number of fisheries that, because of their innate characteristics, are sensitive to pressure are receiving an unsustainable amount of angling pressure (**Problem A**). This results in a potential risk to both the resource as well as Fish & Game licence holders' angling experience as rivers begin to exceed their fishability and social carrying capacity.

An associated issue is that a disproportionate amount of the angling pressure in these fisheries comes from non-resident anglers (**Problem B**). As outlined above, New Zealand's trout fishery is world-renowned and is a source of significant angling tourism. The average non-resident angler exhibits different behaviour patterns to the average domestic angler, showing a strong preference for fishing rivers and a very high rate of backcountry river usership. These patterns, in conjunction with the reputation of certain fisheries, has meant that non-resident angling effort can constitute as much as 79% of total angling effort during peak summer months.¹ As a result of this level of angling pressure New Zealand resident anglers are being displaced from these fisheries, either temporally (i.e. fishing the location at different times of the year), spatially (i.e. fishing different locations) or totally (i.e. not fishing).²

Problem A: Select fisheries are subject to an unsustainable amount of angling pressure.

New Zealand's headwater trout fisheries, as a result of the lower numbers of trout, the clear water and the response of the trout to disturbance, can only accommodate a relatively low number of anglers each day whilst maintaining the angling quality. The exact numbers are dependent upon the specific fishery (length, access opportunities and fishing characteristics), but overall the social carrying capacity of these waterways is relatively low. Angling success is only one component to the angling experience that is impacted by pressure and in fact often ranks below solitude, scenic and wilderness factors in many anglers' values. This view is echoed in a 1994 NIWA report 'Headwater Trout Fisheries in New Zealand', which suggested the '...possible need to restrict the numbers of anglers able to fish in some areas in order to maintain quality of fishing [in terms of both catch rates and the aesthetic features of peace and solitude].³ Accordingly, both the fish and the experiential aspects are vulnerable to pressure.

There are then two distinct threads to Problem A: the impact of angling pressure on the physical resource and angling success and the impact of angling pressure on the angling experience.

Problem A1: The impact of angling pressure on the physical resource and angling success

¹ Cohen Stewart, *Angler use of the upper Oreti trout fishery during the 2018/19 and 2020/21 fishing season*, Southland Fish and Game Council, 2021.

² Hayes & Lovelock, *Analysis of the recreational freshwater angling behaviours of overseas visitors to New Zealand*, Dunedin, New Zealand. Department of Tourism, University of Otago (2016).

³ Jellyman, D. J. & Graynoth, E., 'Headwater trout fisheries in New Zealand', New Zealand Freshwater Research Report No. 12, NIWA, Christchurch, 1994

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New Zealand's backcountry fisheries typically feature relatively low numbers (<20 fish per/km) of large (>50cm) trout. Accordingly, the resource is far more susceptible to pressure than many of its international equivalents because of the low numbers of fish and the ability to fish to (and thus disturb) individual fish. Research has demonstrated a clear correlation between fishing pressure and probability of angling success in remote backcountry rivers, as naïve trout were the least likely to cease feeding and hide in reaction to angling attempts and were the most likely to take a fly.⁴ It has also been observed that trout caught and released in a remote river were rarely observed out feeding the following day. Given the relatively low numbers of fish, and the tendency of caught (or even displaced) fish to not be available to subsequent anglers for a period, angling pressure in New Zealand can, therefore, substantially alter fish behaviour in both a relatively short time and with relatively little angling effort.

Research does, however, conclude that a balance can be reached in fisheries subjected to sustained pressure where the impacts of pressure stabilise over time.⁵ On more heavily fished rivers fewer fish proportionate to the population of the river will be seen and caught than in a remote and unpressured fishery, but overall quality angling can still be experienced. There is, therefore, a balance that needs to be met by New Zealand's sports fisheries managers where angling pressure is kept to sustainable levels that ensures appropriate levels of angling success can be attained.

Problem A2: The impact of angling pressure on the angling experience

As noted above, the angling experience encompasses a number of themes beyond simply angling success. One of the key components of the angling experience for those anglers fishing backcountry fisheries is solitude, with the result that angling encounters (actual or otherwise – i.e. seeing boot prints) can be detrimental to the angling experience. In many international destinations angling encounters are expected, and the collegiality of the encounter can add to the angling experience. There are areas and fisheries in New Zealand where this is the case, however research demonstrates that with regard to pressure sensitive fisheries angling encounters are typically viewed negatively. In a 2002 Cawthron 'Backcountry River Fisheries' report it was determined that 36% of angler encounters were always considered to be negative, with just 12% always positive (49% thought it could be either).⁶ Non-residents, who comprise a significant proportion of backcountry anglers, showed the most negative opinions of angler encounters. The same study also demonstrated that as difficulty of access increases tolerance of encounters decrease. Given many pressure sensitive fisheries are remote and have difficult access it is a safe assumption that encounters on these waterways will be perceived more negatively than the average encounter in a more accessible locality. The survey results also demonstrated that angler encounter rates were, in 2002, within the tolerable limits but that they already exceeded the preferable encounter rate. Subsequent increases in non-resident licence sales

⁴ Roger Young & John Hayes, 'Angling Pressure and Trout Catchability: Behavioural Observations of Brown Trout in Two New Zealand Backcountry Rivers', *North American Journal of Fisheries Management*, 24:4, 1203-1213

⁵ John Hayes, 'Backcountry River Fisheries Seminar: Proceedings & Update of Research', Cawthron Report No. 727, Cawthron Institute, Nelson, 2002; It should be noted that this was 17 years ago, and that these statistics may well be very different today, particularly for New Zealand resident anglers that feel displaced from certain rivers.

⁶ John Hayes, 'Backcountry River Fisheries Seminar: Proceedings & Update of Research', Cawthron Report No. 727, Cawthron Institute, Nelson, 2002; It should be noted that this was 17 years ago, and that these statistics may well be very different today, particularly for New Zealand resident anglers that feel displaced from certain rivers.

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combined with habitat loss in lowland fisheries⁷ have led to a further increase in backcountry angling and encounter rates.

Sports fisheries managers are, therefore, required to manage angling pressure in order to ensure that the high-quality angling experience that pressure sensitive fisheries are renowned for is retained going forwards, and require the mechanisms to address potential increases in angling pressure moving forwards.

Problem B: Angling pressure in pressure sensitive fisheries comes disproportionately from non-resident anglers, resulting in the displacement of resident anglers from the resource.

Non-resident anglers currently contribute a disproportionate percentage of total angling effort in pressure sensitive fisheries. In total, they comprised approximately 15% of total licence holders in the 2019/20 season. However, in peak summer periods on pressure sensitive fisheries, surveys undertaken by Fish & Game have shown non-resident usage percentages as high as 79%, and typically well in excess of 60%. There is clearly, therefore, a high focus on pressure sensitive fisheries amongst non-resident anglers. A likely reason for this is that certain rivers have an international reputation because they embody the aspects of New Zealand's trout fishery that are internationally unique, and these attract a disproportionate amount of the total non-resident angling effort as compared to resident angling effort. Currently the only management distinction made between resident and non-resident licence holders is that non-resident licence holders pay a licence fee of 1.35x the resident licence fee. For the 2020/21 angling season the resident fee was \$133, meaning the non-resident fee was \$180.

The issue of an unsustainable level of non-resident pressure on prized resources is not limited to sports fishing and is common to the wider tourism industry. A prime example of this is the Department of Conservation's trial of differential pricing for the premier Great Walk huts.⁸ This trial is motivated by similar considerations to those impacting on pressure sensitive fisheries, namely a disproportionate concentration of international attention in highly localised areas. Whilst Great Walk hut nights in peak periods are a finite resource (i.e. they are a bookable resource with a maximum number of possible bookings), as compared with pressure sensitive fisheries as a theoretically infinite resource, the implications on the angling experience from excessive usage means that there is a finite amount of high quality angling experiences that a pressure sensitive fishery can offer.

It is very important to note that there are a number of distinct categories of non-resident anglers, many of whom do not contribute to the pressure on pressure sensitive fisheries through significant angling effort.⁹ Non-resident day licence holders are the least likely to fish backcountry waters (only 20% of their effort is in backcountry waters) and show a much stronger preference for lakes than other categories. Accordingly, their impact on pressure

⁷ Jellyman, D. J., Unwin, M. J. and James, G. D., (2003). Anglers' perceptions of the status of New Zealand lowland rivers and their trout fisheries. NIWA Technical Report 122 ISSN 1174-2631 prepared for Fish & Game New Zealand.

⁸ Department of Conservation, *Great Walks Differential Pricing Trial 2018/19 Evaluation*, New Zealand.

⁹ Hayes & Lovelock, *Analysis of the recreational freshwater angling behaviours of overseas visitors to New Zealand*, Dunedin, New Zealand. Department of Tourism, University of Otago (2016).; The research distinguishes between those non-residents living outside of New Zealand and those providing New Zealand addresses. The statistics on whole season licence holders used here are for those non-residents living outside of New Zealand.

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sensitive fisheries is small. Of non-resident whole season licence holders the vast majority are fly anglers, and their angling effort is concentrated in the South Island (40.1% fish Nelson Marlborough, 40.4% West Coast, 29.4% North Canterbury, 47.5% Central South Island, 53% Otago and 44.4% Southland). There is also a clear preference for river fishing, rather than lake fishing, with 80.8% of total non-resident angling effort taking place on rivers. Most anglers spent between one and two weeks fishing in New Zealand, although 7.8% fished for more than 30 days. Whilst overall lowland rivers were the most fished, there was still a very high backcountry river usership rate amongst non-residents (32% of total Australian angling effort, 50% of UK effort and 52% of USA effort). Over the total non-resident whole season licence holders the backcountry angling use rate is approximately 34%. There is also a very high rate of return non-resident anglers, with 50% of those surveyed visiting annually and 20% visiting more than once a year. Accordingly, there is a substantial amount of 'local knowledge' held by non-resident anglers, and this knowledge is often shared within international communities of anglers.

Fish & Game endeavours to include angling etiquette information in its regulation booklets and online. Concepts, such as not fishing the same pressure sensitive fishery on multiple consecutive days or allowing adequate amounts of water for other anglers, are well understood by resident anglers, but are less commonly understood by non-resident anglers (although return and regular visitors are aware of this etiquette). Currently, fisheries managers do not possess a mechanism to enforce etiquette such as this.

While non-resident anglers typically demonstrate some of the highest satisfaction ratings, there is also mounting concern amongst this group regarding the increasing pressure on New Zealand's waters (particularly in the backcountry) and that this is degrading from the unique and wild nature of the fishery. What constitutes crowding differs for different people, although non-resident anglers typically have a higher encounter tolerance rate than resident anglers.¹⁰ Similarly, a frequently noted reason for choosing New Zealand over other angling destinations was that it was not crowded (60% of non-resident whole season licence holders whose primary motivation for the trip is angling noted this). However, non-residents, as well as residents, have changed their angling patterns based on increasing encounter rates and those that currently visit are broadly tolerant of the current usage levels.

As a result of the increased angling pressure and, perhaps more pertinently, as a result of the perception of increased angling pressure on pressure sensitive fisheries, New Zealand anglers are being displaced from these fisheries.¹¹ Displacement can take multiple forms; temporal displacement is when an angler changes the time of the year that they fish a, spatial displacement is when an anglers chooses to fish a different river, and total displacement is where an angler chooses to cease fishing entirely. All three forms of displacement occur on New Zealand's pressure sensitive fisheries.

In 2002 15% of anglers surveyed for the Cawthron Backcountry Fisheries report stated that they avoided backcountry rivers because of perceived crowding. More recent analysis in 2019 by the University of Otago's Tourism Department has demonstrated that crowding continues to result in substantial levels of displacement.¹² For all 8 of the studied rivers, resident anglers have changed their fishing behaviour in response to crowding. In 6 of the 8

¹⁰ Rowan Strickland & John Hayes, *Angler Response to a Trial Permit System in the Greenstone and Caples Rivers*, Cawthron Institute, June 2005.

¹¹ Hayes & Lovelock, *Analysis of the recreational freshwater angling behaviours of overseas visitors to New Zealand*, Dunedin, New Zealand. Department of Tourism, University of Otago (2016).

¹² Stuart Hayes & Brent Lovelock, *Angler Displacement on and from pressure-sensitive rivers in Otago and Southland*, University of Otago, 2019

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surveyed rivers, more than 25% of anglers now fish less often than they have previously because of crowding and for half of the rivers more than 20% of anglers that had historically fished them had stopped fishing them entirely because of crowding. Particularly significant are the statistics for the Upper Oreti River, which registered 79% non-resident usage in peak periods, where 45% of anglers fish it less often because of the crowding and 32% have ceased fishing it completely. This research demonstrates both the displacement of resident anglers and the correlation between the displacement of resident anglers and high levels of non-resident usage.

Displacement occurs, in this instance, because the angling experience (encompassing both angling success as well as less tangible qualities) is diminished as a result of angling pressure. Because resident anglers demonstrate a lower degree of encounter tolerance than non-resident anglers, as pressure sensitive fisheries become oversubscribed the first group to cease fishing them is typically resident anglers. This reduction in resident angling effort in pressure sensitive fisheries in turn feeds back into the disproportionate non-resident angling effort.

Displacement further occurs where there is a belief, even if not borne out by actual use rates, that the angling experience would be diminished by the perceived angling pressure. This has been labelled perception-displacement. As anglers are displaced through actual crowding this experience is communicated to other anglers, who are then displaced because of the reputation of crowding. Often this perception-displacement is of a more general nature than anglers not fishing specific rivers because they have experienced actual crowding and may prove an impediment to newer anglers experiencing aspects of the New Zealand freshwater angling resource.

It is worth noting that internationally the displacement of resident anglers from highly sought-after fisheries is not uncommon, and the same phenomenon also features frequently in the non-angling tourism sphere (including, as noted above, with DOC Great Walk huts). In British Columbia it motivated a management regime dubbed 'Quality Waters', which began in 1990 and has been through several iterations and fine-tuned at each step. The management steps undertaken there have resulted in increased resident satisfaction, whilst still providing excellent angling opportunities for non-resident anglers.

Current management mechanisms are unable to achieve parity between resident and non-resident anglers, nor mitigate displacement, and particularly perception-displacement, by providing specific opportunity for resident anglers.

Lessons from COVID-19

The recent border closures as a result of COVID-19 provide an interesting opportunity to consider the angling behaviour of resident anglers in the absence of non-resident anglers. For the 2020/21 sports fishing season and continuing into the 2021/22 season New Zealand's borders have been closed (with the brief exception of the trans-Tasman bubble that fell largely outside of the main sports fishing season), meaning that non-resident angling has been negligible in this period.

On a broad scale, resident licence sales for the 2020/21 season increased by 9% as compared with the season prior however this is believed to be more influenced by the increase in domestic tourism stemming from the inability to travel internationally than from the availability of pressure sensitive fisheries. Anecdotal evidence nationally has, however, suggested that in the absence of non-resident anglers there has been a major upswing in the number of resident anglers fishing pressure sensitive fisheries. This is supported by the substantial increase in resident Backcountry licences issued, with 3,506 issued for the

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2020/21 season (where there were no non-resident anglers) compared with 2,163 issued for the 2019/20 season (where there were resident anglers). Although Backcountry licences cannot be directly equated to use of backcountry fisheries, they are strongly indicative as they are a prerequisite for use.

The one area in which Fish & Game has empirical evidence is for the Ōreti River in the Southland region, which has a well utilised beat system comprising 11 total beats. Annual surveys run on the same methodology in the 2018/19 and 2020/21 seasons demonstrated a 450% increase in resident anglers in the 2020/21 season in the absence of non-resident anglers.¹³ This can likely be attributed to two primary reasons; an increase in actual opportunity resulting from lower overall beat occupancy and an increase in perceived opportunity resulting from the knowledge that there will be no non-resident anglers. Overall, this evidence strongly suggests that where there is either increased opportunity for resident anglers, or the perception of increased opportunity, in an area which is typically subject to high non-resident angler use, there will be an increase in resident angler use.

¹³ Cohen Stewart, *Angler use of the upper Oreti trout fishery during the 2018/19 and 2020/21 fishing season*, Southland Fish and Game Council, 2021.

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Objectives and criteria for solutions

Objectives

- A. To spatially redistribute angling pressure from fisheries subject to unsustainable angling pressure towards fisheries that can sustain increased angling pressure.
- B. To temporally redistribute angling pressure from fisheries subject to periods of peak unsustainable angling pressure towards periods where angling pressure is lower.

Criteria for solutions

Any solution intended to meet **Objective A** needs to meet the following criteria:

1. Ensure that access restrictions do not have a detrimental impact on anglers not fishing pressure sensitive fisheries.
2. Management costs for pressure sensitive fisheries are met, where possible, by the users of these fisheries.
3. Be efficient and minimise the cost of enforcement.
4. Be flexible to reflect changing usage statistics
5. Efficiently and reliably provide data on the physical use of pressure-sensitive trout fisheries by anglers
6. Provide data on social pressures affecting pressure-sensitive trout fisheries
7. Provide data on fishery impacts of resident verses non-resident anglers.
8. Be part of a nationally consistent framework, whilst allowing for specific regional characteristics.

Any solution intended to meet **Objective B** needs to meet the following criteria:

1. Minimise restrictions on non-resident anglers not fishing pressure sensitive fisheries.
2. Seek spatial and temporal redistribution of non-resident angling effort.
3. Address the perception of crowding, as well as actual crowding.
4. Ensure that management mechanisms do not further deter resident anglers.

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Options analysis

This section considers options for addressing each of the problems described above.

Options for Problem A: Select fisheries are subject to an unsustainable amount of angling pressure.

Reducing total angling pressure on pressure sensitive fisheries could be achieved by expanding Fish & Game's current pressure management mechanisms.

Expand current pressure management systems

Fish and Game currently have three primary mechanisms to manage pressure in pressure sensitive fisheries, which could be expanded to cover a wider range of waters.

Backcountry licences

The backcountry licence, although coming into fruition subsequent to both the beat system and controlled fisheries, has become the most widespread tool. Currently seven Fish and Game regions – Wellington, Nelson/Marlborough, West Coast, North Canterbury, Central South Island, Otago and Southland - have designated backcountry fisheries, which require an angler to hold a backcountry licence in order to fish them. 26 rivers are currently covered by this system. All beat system and controlled fisheries also require a backcountry licence. The backcountry licence is available as a free endorsement for all whole season (resident and non-resident) licences (previously the Rangitikei backcountry fishery had a fee to cover insurance, but this has been retracted). It can either be selected at the point of purchase, or at a later date. Endorsements apply on a per region basis, and an angler intending to fish backcountry fisheries on both the West Coast and in Otago would need to apply for each of these endorsements.

The primary purpose of the backcountry licence is to allow Fish and Game to survey users of these fisheries and generate information on encounter rates, success and overall experience. In that way it is a valuable tool to inform management strategies for pressure sensitive fisheries, although it does not itself manage pressure. The only limitation it imposes is the requirement to have a full season licence, which likely means a small number of anglers that only hold short-term licences either choose not to fish a backcountry water or fish it without the licence endorsement.

The backcountry licence allows Fish and Game to gather data on backcountry fisheries through surveys conducted on backcountry licence holders. However, it does not actually manage pressure or restrict/control access in any sense. There is further a degree of misalignment between the name of the licence 'Backcountry Licence' and pressure sensitive fisheries, in that not all pressure sensitive fisheries are backcountry fisheries (such as the upper Mataura River). Accordingly, while a backcountry licence will comprise a part of a pressure sensitive management scheme it does not singularly provide a solution to Problem A, nor Problem B.

Beat Systems

Official beat systems are currently in place on three fisheries: the Oreti River in Southland, the Wairau River in Nelson/Marlborough and the Nevis River in Otago. These function on a first come first served basis, where an angler parks their vehicle in a specified position marked by signage to demonstrate their intention to fish the beat. Beats are established lengths of river, again marked by signage. Anglers fishing a beat have confidence that they will not encounter another angler ahead of them on their beat, which allows them to pace

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their angling at their discretion. Anglers arriving to find a beat occupied are welcome to fish in behind the other party. In general, the beat system, particularly the more established system on the Oreti, appear to be well-regarded by anglers and have improved angling opportunities. Likely the greatest benefit is that other anglers that arrive subsequently have clear information about where angling effort is located, and these anglers then can choose whether to fish in behind the other party or fish another location. The result is that this mitigates actual angler encounter rates by providing anglers the ability to avoid a probable encounter if they desire.

Beat systems, however, have limitations. Foremost is that it is a voluntary system that relies on the co-operation and understanding of anglers and cannot ultimately be enforced. Beat systems are also able to be subverted by parties leaving vehicles at the specified beat parking spot overnight, allowing them to arrive the following day at their leisure. Their application is also largely limited to areas with good road access, and as a result they can only be applied to certain pressure sensitive fisheries.

Whilst beat systems do provide a partial solution to Problem A, and it is recommended that they are expanded to a wider range of fisheries, they do not solve or assist with Problem B.

Controlled Fisheries

Controlled fisheries represent the most regulatory and restrictive approach Fish and Game has attempted to manage pressure in sensitive fisheries in that they actively limit the number of anglers that can fish a river in a set period. There are currently four controlled fisheries in operation: the Greenstone River in Otago and the Ettrick Burn in Southland which operate on a booking system, and the Clinton and Worsley Rivers in Southland that operate on a ballot system. For booked controlled fisheries a beat must be booked online, and the booking can be made up to five days in advance of the fishing date. Only one party may book a beat per day, although that party can comprise multiple anglers (two in the Greenstone, and up to four in the Ettrick Burn – all of whom must have a backcountry licence). For balloted controlled fisheries the angler applies to the Southland Fish and Game Council to be put into a ballot, with one party selected to fish each beat per available day.

For the Greenstone River the controlled period applies during the peak months of February and March and comprises three individually bookable beats. In contrast, the Ettrick burn controlled fishery applies across the course of the season as its primary function is to limit angling traffic to minimise disturbance to the population of Takahē in the valley. It comprises one beat and only two angling parties are permitted into the valley each week: one on Wednesday and the other on Saturday.

Controlled fisheries are an extremely effective tool for controlling angling pressure and mitigating encounter rates. They ensure anglers have unimpeded fishing for the day by allocating specific sections of a river to each party. They are also enforceable, unlike beat systems, and failure to comply with these restrictions may lead to prosecution. It also provides comprehensive and accurate data of angling effort throughout the controlled period. Controlled fisheries, therefore, represent an excellent solution to Problem A in that they are able to limit the total amount of angling effort.

They do not, however, offer a solution to Problem B in their current format because they cannot distinguish between resident and non-resident anglers. It is also probable that there would be a negative reaction from resident anglers if too many waterways were placed within such a heavily regulated system. This view is supported by research that demonstrates New Zealand anglers are more opposed to regulations than non-resident

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anglers, meaning controlled fisheries may in fact be counter-productive to addressing displacement of resident anglers.

Expansion and steps moving forward

There is scope to expand aspects of Fish & Game's current pressure sensitive management system as a solution to addressing Problem A on a national basis, rather than simply in isolated areas.

It is appropriate for there to be an overarching licencing mechanism, as the backcountry licence currently operates. However, it is suggested that the name be changed to better reflect the range of waters this licence is intended to apply to. It is recommended that the terminology of this toolkit transitions away from managing 'backcountry' fisheries towards a more generic term to better reflect the diversity of waters subject to problematic angling pressure. This would mean that waters such as the upper Maitai River, which do not fit into the definition of a backcountry fishery but that receive heavy angling pressure and require special management attention, are covered. Discussions amongst Fish & Game staff at a 2021 pressure sensitive fisheries workshop demonstrated broad support from a transition away from 'backcountry' but identified several potential issues with terms such as 'pressure sensitive fisheries' or 'classified waters'. In particular, there was concern that publicly identifying rivers as pressure sensitive may result in a self-perpetuating narrative around the levels of pressure on these waterways and similarly that ascribing a title that suggested these rivers have an elevated status could counter-productively increase pressure. Ultimately staff preference was for a generic term such as 'Designated Waters'.

For the purpose of this paper where the specific licencing mechanism is being referred to, the term Designated Waters will be used. Where the general pressure sensitivity of a river is being referred to, the term pressure sensitive fisheries will be used.

As the concept of a Designated Waters licence becomes familiar to anglers across the country there is also scope to significantly expand the waters covered by this licencing regime to encompass all pressure sensitive waters in the country. Currently there is no cost associated with the backcountry licence, and the appropriateness of this will need to be considered moving forward in light of the infrastructure costs of a pressure sensitive management system and the cost of enforcement. Internationally the concept of a 'stamp' applied to the licence when fishing either an area that has a higher management cost, or when targeting a species that has a higher management cost, is well accepted. It is recommended that Fish & Game consider placing a fee on backcountry licences or any equivalent system that replaces it. This would be consistent with Objective A, as only those anglers using these fisheries would be required to purchase the licence meaning that the management cost was more closely met by the user base.

Beat systems have proven to be one of the most effective and least intrusive mechanisms to address angling pressure. They do not necessarily reduce total angling effort, but they do reduce some of the negative impacts of high angling effort by lowering encounter rates and accordingly improve the angler experience. This paper recommends the expansion of voluntary beat systems to all appropriate pressure sensitive waters with road access along their length, or pressure sensitive waters subject to day trip use where access is from a common and established point.

Finally, the expansion of controlled fisheries should be considered as an intensive step for rivers subject to the highest level of angling pressure and where the angling experience is being severely impacted as a result. However, it is recommended that caution is exercised in

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expanding controlled fisheries too widely given the potential for resident anglers to find restrictions less palatable than non-residents.

Problem B: Angling pressure in pressure sensitive fisheries comes disproportionately from non-resident anglers, resulting in the displacement of resident anglers from the resource.

Reducing the proportion of non-resident angling pressure in pressure sensitive fisheries, and addressing the displacement of resident anglers, could be achieved through five options:

1. Non-resident licence fee increase
2. Fees for Designated Waters
3. Limiting number of Designated Waters days per month
4. Controlled fisheries with set residency quota
5. Resident only periods

Non-resident licence fee increase

One of the most commonly advocated for mechanisms to control the disproportionate non-resident usage of pressure sensitive fisheries amongst resident anglers is to increase the resident licence fee. Currently non-resident licence fees are set at 1.35x the resident licence fee rate for adult licences, and at varying rates for junior and child licences:

Licence Type	Resident	Non-resident
Wholeseason Adult	\$133	\$180
Day Adult	\$21	\$34
Wholeseason Junior	\$27	\$34
Day Junior	\$5	\$20
Wholeseason Child	Free	\$34
Day Child	Free	\$20

Certain licence categories are also only available to resident anglers, such as the Local Area, Loyal Senior, Family, Short-Break, Long Break and Winter licences.

As a proportion of resident licence fees, New Zealand's non-resident licence fees are quite cheap by international standards for fisheries of that quality as the following table demonstrates:

Country/State	Resident	Non-Resident	Non-resident Proportion
New Zealand (excl. Taupō)	\$133	\$180	1.35x resident
Taupō, New Zealand	\$99	\$129	1.3x resident
British Columbia, Canada (steelhead)	\$36 licence, \$25 steelhead stamp, \$15 classified waters licence = CA\$76 (NZ\$86)	\$80 licence, \$60 steelhead stamp, \$40/day Class 2 classified waters ticket or \$20/day Class 2 classified water ticket = CA\$140 (NZ\$157+per diem fee)	2.3x resident + per diem fee

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Washington, USA (salmon/steelhead)	\$36 licence, \$8.75 Columbia Basin endorsement = US\$44.75 (NZ\$68) \$41 licence, \$40.5 salmon/steelhead tag, \$9.75 Columbia Basin endorsement = US\$91.25 (NZ\$138.5)	\$84.5 licence, \$8.75 Columbia Basin endorsement = US\$93.25 (NZ\$141.5) \$103.5 licence, \$60.5 salmon/steelhead tag, \$9.75 Columbia Basin endorsement = US\$173.75 (NZ\$264)	2.1x resident
Oregon, USA (salmon/steelhead)	\$29 licence, \$10 salmon stamp = US\$39 (NZ\$59)	\$145 licence, \$100 salmon stamp = US\$245 (NZ\$372)	6.3x resident
Alaska, USA (salmon/steelhead)	Nova Scotia, Canada CA\$42 (NZ\$47) \$22.79 licence, \$50.99 salmon tag = CA\$73.79 (NZ\$83)	CA\$157.4 (NZ\$166) \$81.54 licence, \$163.30 salmon tag = CA\$244.93 (NZ\$276)	3.7x resident 3.3x resident

Based upon this analysis, it would suggest that there is scope to increase the non-resident angling fee substantially to bring New Zealand's fees into line with international standards for fisheries of comparable quality. However, one of the key criteria for Objective B is that impacts on non-resident anglers not fishing pressure sensitive waters are minimised. In total only 34% of non-resident angling is undertaken on backcountry waters (which is indicative of time spent in waterways likely to be considered pressure sensitive). The majority of non-resident angling effort, especially amongst day licence holders, is in waters that are not likely to be pressure sensitive. At a certain point increasing fees will inevitably result in declining participation from non-resident anglers, including a decline in non-resident use of pressure sensitive fisheries, however it is probable that this user group, being typically the most passionate and committed category of visiting anglers will be the least price sensitive. As a result, the impact would be likely first felt amongst non-resident anglers that do not contribute to the pressure on pressure sensitive fisheries.

The consideration of a non-resident licence fee increase to make our fee scheme more closely aligned to international standards is a separate matter for Fish & Game to consider, however a blanket non-resident licence fee increase is not recommended as part of a pressure sensitive fisheries management system because it is inconsistent with the criteria of minimising the impact on anglers not fishing pressure sensitive fisheries.

Specific Fees for Designated Waters

1. Per-diem fees for non-resident anglers

Instituting a per diem fee for non-resident anglers fishing Designated Waters in peak periods would ensure that licence price increases exclusively impact those anglers that are contributing to the pressure in pressure sensitive fisheries. A Designated Waters licence would be supplemental to the standard Fish & Game licence, rather than instead of and would only be available for purchase by those anglers that can acquire a current

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backcountry licence i.e. wholeseason licence holders. A per diem licence fee for select fisheries follows the same principle as the above section on general non-resident licence price increase but localises the impact to the resource rather than the broader user group of non-residents.

Whilst there is no domestic precedent for a per diem licence fee specific to certain rivers, internationally a similar system has been in force in British Columbia since 1990. The institution of the system was motivated by recurrent complaints that 'some waters in the Skeena River system have persistent steelhead angler-use issues – crowding, disproportionate numbers of non-resident anglers or guided anglers, lack of opportunities for resident anglers, illegal guiding, poor angler etiquette – all contributing to a degraded quality of angling experience.'¹⁴ This is effectively an identical issue pattern to what is confronting New Zealand's pressure sensitive fisheries.

British Columbia's 'Classified Waters' system today requires resident anglers to purchase an annual stamp at a cost of CA\$15, which allows them to fish the listed waters unrestricted throughout the season. In contrast, non-resident anglers are required to purchase a ticket for each day that they wish to spend on a classified water during the peak period (many waters remain unlisted and can be fished on a basic non-resident licence). These are priced at CA\$40/day for a Class I water and CA\$20/day for a Class II water. Tickets are purchased online via the general licence sales system and can be purchased on the day or in advance. Tickets do not grant an angler exclusive use of that section of water (as a controlled fishery booking would), but simply gives them the right to legally fish it.

This is analogous to the Department of Conservation's differential pricing trial for select Great Walk huts, which demonstrated that price was an effective mechanism to redistribute non-resident usership.¹⁵ Particularly pertinent to the current situation is that the proportion of New Zealand resident Great Walk bed nights increased from 40% in 2018 to 54% in 2020 amongst huts subject to the differential pricing, and the total number of New Zealand resident Great Walk bed nights increased by 18%. Across the four trial sites non-resident bed nights declined, but the non-resident contribution to the cost of managing these walks increased.

In New Zealand, given the fact that each specific water or section of water accommodates fewer backcountry trout anglers than the equivalent British Columbian steelhead river accommodates, the system would be required to provide flexibility in the event that another angler is already at the intended water. Accordingly, it is recommended that the per diem licence be applicable to a catchment, rather than specific river or stretch of river as it is in British Columbia. For instance, an angler in New Zealand would purchase a Karamea catchment Designated Waters licence, rather than a Leslie River – a Karamea tributary – licence).

It is suggested that this system may not need to operate for the entire angling season, but exclusively the peak summer period of December – March because surveys undertaken by Fish and Game have demonstrated that non-resident angling is heavily concentrated in this

¹⁴ Dolan, A, 'Recommendations of the Working Groups, Skeena Quality Waters Strategy Angling Management Plans', Alan Dolan and Associates, 2009, [Accessed online: <http://www.env.gov.bc.ca/skeena/qws/docs/WGRRecommendations.pdf>]

¹⁵ Department of Conservation, *Great Walks Differential Pricing Trial 2018/19 Evaluation*, New Zealand.

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period. Outside of this period an annual fee could apply. This would achieve the temporal redistribution of non-resident anglers.

It is also recommended that there is a limit on the number of consecutive days that a Designated Waters licence can be purchased for each catchment, which would be determined based on the regional Fish and Game Council's understanding of the number of days angling that a Designated Waters catchment provides. This would achieve the spatial redistribution of non-resident anglers. The British Columbia Classified Waters systems limits the number of consecutive days that a non-resident angler can fish the same section of water to eight (there is no limit for resident anglers). However, there are some resource differences between New Zealand and British Columbia that mean this would not be appropriate for New Zealand. The majority of British Columbia's Classified Waters pertain to anadromous fisheries, where the fish are running up a river to spawn and accordingly fishing the same stretch for a sustained period does not necessarily pressure the same fish as they are moving upstream. In contrast, the majority of New Zealand's pressure sensitive fisheries are based upon resident fisheries where the fish are static and where it is not considered appropriate for an angler to fish the same stretch of water for even two consecutive days. The impact of each individual angler on the fishery is likely greater in New Zealand than British Columbia, meaning that the number of consecutive Designated Waters licences that can be issued for the same catchment should be much lower. However, if the limit on the number of Designated Waters licences a non-resident angler can purchase in a season per Fish & Game region, which is set out in the subsequent section, is actioned then this would effectively function as the limit on the number of consecutive licences that can be purchased.

The system would operate on the following basis:

- Non-resident anglers are required to purchase a per diem licence when fishing Designated Waters in the peak angling period of December-March.
 - Outside of this period they would purchase an annual Designated Waters licence.
 - Per diem Designated Water licences are issued per catchment.
 - There is a limit on the number of consecutive licences that can be purchased per catchment.
- Or
- There is a limit on the number of Designated Waters licences a non resident angler can purchase in a season per Fish & Game region (as set out in the subsequent section)

This system would have an additional benefit of providing accurate and detailed data on non-resident angling effort in pressure sensitive fisheries down to catchment level per day across the peak angling periods. This would allow high quality analysis to be undertaken relatively automatically each year, which would then be fed into refinements of the system.

Instituting such a system would seek to use price as a mechanism during peak season to distribute non-resident angling effort to other fisheries less subject to pressure sensitivity (spatial distribution) and to other periods of the year (temporal distribution). The following effects, consistent with the criteria for Objectives A and B, would result from instituting a per diem licence fee for non-resident anglers:

- Only non-resident anglers seeking to fish pressure sensitive waters would be impacted.
- Per diem Designated Waters fees would result in users of pressure sensitive fisheries more directly contributing to the cost of their management.

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- By using a per diem system extremely accurate and detailed data on angling frequency and effort would be generated, facilitating informed future management decisions.
- Non-resident anglers would be temporally and spatially redistributed by the additional fees required to fish pressure sensitive fisheries.
- As a result of the redistribution of non-resident angling pressure, resident displacement would be mitigated.

Currently there are two primary impediments to the establishment of this system. Firstly, it would be necessary to obtain policy approval from the Minister of Conservation in the form of the Sports Fish Licences, Fees and Forms Notice, which is the secondary legislation that would contain the per diem licencing regime. Secondly, there would need to be infrastructure upgrades made to Fish and Game's licence sales system to allow for the sale of per diem licences as well as the collection of the data from these sales. Neither of these should be seen as impossible hurdles and if this proposal progresses both of these will be addressed as a part of the project.

Overall, it is recommended that this option be advanced as part of a solution to Problem B, with the specifics around pricing and operations to be determined as this proposal progresses.

2. Annual Designated Waters fees for resident anglers

Fish & Game's current backcountry licence scheme operates on a zero-fee licence by endorsement system for non-resident and resident anglers alike. It is proposed that, along with per-diem licence fees for non-residents fishing Designated Waters, resident anglers should pay a nominal annual fee to fish Designated Waters.

This serves two primary purposes; it provides a contribution to management costs by the users of the resource and it will increase survey data accuracy. The reason for the increased accuracy in survey data is that if there is a fee (even a minimal fee) anglers will be more likely to endorse their licence only if and when they are actually going to fish a pressure sensitive fishery as opposed to selecting all backcountry regions at the start of the season on the potential that they might fish them. Accordingly, Fish & Game would have a more accurate estimate of the number of resident anglers using these fisheries.

In general, pressure sensitive fisheries are remote fisheries not located near population centres. As a result, there is significant cost and effort require to access them (as well as to manage them), meaning that the imposition of a small annual fee is unlikely to be a barrier to resident participation. However, there are exceptions to this and to mitigate any barriers to anglers being able to enjoy their home waters it is proposed that there is no fee for a pressure sensitive licence for the region in which you purchase your licence. For instance, an angler that purchased their wholeseason adult licence in North Canterbury could apply for a North Canterbury Designated Waters licence at no fee, but if they wanted to purchase a West Coast Designated Waters licence this would be available for a fee.

Preliminary internal discussions suggested that an annual fee of \$5-10 per region would be appropriate for resident anglers. However, further research on the specifics of the pricing scheme is required as well as an assessment of the social appetite for this fee amongst resident anglers.

Limits on Designated Waters licences

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Currently no mechanism exists to regulate the number of days that non-resident anglers can spend on pressure sensitive waters in a set period during the peak summer period. Although not applicable to all non-resident anglers, there is a tendency amongst certain demographics of non-resident anglers to effectively cherry-pick the best of the best during a visit to New Zealand and spend the majority of a trip on pressure sensitive fisheries.

If the above per diem licence fee mechanism is instituted for peak periods, it is recommended that there is an additional restriction on the number of Designated Waters licences that a non-resident angler can purchase in peak periods per Fish & Game region per season. The exact number of days will be determined as this proposal progresses; however, it is suggested that approximately four designated waters licences per non-resident angler per Fish and Game region is adopted as a starting point. Whilst the per diem licence fee will redistribute some non-resident angling effort from pressure sensitive fisheries, price is not an absolute barrier to participation and a select group of anglers will be willing to pay increased daily fees (even substantially increased) for a sustained period. Accordingly, to ensure the equitable redistribution of non-resident anglers, to achieve parity between resident and non-resident anglers use of these fisheries and to increase the opportunities available to resident anglers to offset the displacement currently occurring it is necessary to put in place some absolute limitations on access.

As noted above, the British Columbia system limits the number of consecutive days on each piece of water to 8 days but places no limit on the total number of Quality Waters licences a non-resident angler can purchase in a season. However, as also noted above there are substantial resource differences between the two fisheries meaning that the impact of individual anglers on the New Zealand fishery is likely far higher and thus the number of days (both consecutive and total) that non-resident anglers should be able to fish pressure sensitive fisheries needs to be lower.

Permitting the purchase of four Designated Waters licences per region provides balance in that it offers ample opportunity for non-resident anglers to experience some of the premier fisheries that New Zealand has to offer, whilst precluding them from exclusively concentrating their angling effort on these fisheries in an unsustainable fashion that displaces resident anglers. Pressure sensitive fisheries comprise a relatively small part of the overall resource, and there would still be exceptional angling opportunities available to non-resident anglers that would not be subject to any additional regulations; i.e. when a non-resident angler reaches their limit they would not have to stop fishing entirely in that region but simply fish areas that are not deemed pressure sensitive and subject to the additional regulations. It also encourages anglers to visit multiple Fish and Game regions, rather than concentrating angling effort in just one locality.

It further has the benefit of not negatively impacting the majority of non-resident anglers, or even the majority of non-resident anglers that fish pressure sensitive fisheries, as the average non-resident anglers stays in New Zealand for between one and two weeks and will not fish more than four days in pressure sensitive fisheries. Similarly, because survey data demonstrates that there is a disproportionate concentration of non-resident angling between December and March (the peak period), it is not recommended that limits would need to apply during off-peak periods as currently there is not an issue with pressure in these periods. However, if a region wished to extend the period during which limits on per diem licences applied because of specific angling pressure outside of the peak period this could be accommodated within the system.

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Its restrictions are, therefore, almost exclusively targeted to non-resident anglers that are unsustainably focusing on pressure sensitive fisheries in peak periods. Resultantly it's consistent with the criteria set out for Objectives A and B.

Limiting the total number of days that each non-resident angler can fish pressure sensitive fisheries in peak periods will materially reduce the proportion of non-resident angler usage of these fisheries and will assist in mitigating the displacement of resident anglers. As such it provides a partial solution to Problem B.

Resident only periods

The last remaining option to directly address the displacement of resident anglers is to allocate certain periods on pressure sensitive fisheries for the exclusive use of resident anglers. This provides a defined opportunity for resident anglers thus addressing absolute displacement, but perhaps more importantly it will address perception-displacement. Where an exclusive opportunity for resident anglers exists that is not available to non-resident anglers it offsets the ability for resident anglers to believe they are displaced from the resource. Accordingly, this option would provide a solution to Problem B.

This option does, however, pose a risk of concentrating non-resident angling on pressure sensitive fisheries in to the remaining five days available to them; i.e. the same total angling effort is concentrated into 5 days, as opposed to 7, subjecting the fishery to a greater intensity of pressure. Given the sensitivity of the fisheries themselves (independent of the angling experience) to angling pressure this may result in a poorer angling experience for resident anglers during the resident only periods. This pattern of higher concentrations during the week has been shown to be the case in British Columbia, although as a result of resource differences the impact that this has on resident anglers in British Columbia is much less severe.

The feasibility of this option is also, to a certain extent, dependent on the implementation of the per diem licencing scheme for pressure sensitive fisheries. This system would provide the mechanism to restrict non-resident angling effort on weekends, by simply not issuing Designated Waters licences on Saturday and Sunday. Accordingly, this option would not require any further infrastructure development. It would, as with several of the options contained in this section, require policy approval from the Minister of Conservation as its regulatory foundation would be the Sports Fish Licences, Fees and Forms Notice. As restrictions are increased (i.e. total preclusion of a category of anglers for set periods), the policy approval may be progressively more difficult to obtain and a stronger case with data to substantiate will be necessary. There is also further work to undertake on the legal grounds for precluding non-resident access to a public resource as this may be viewed as unjustifiably discriminatory if not supported with strong data.

One non-regulatory option that could be done currently would be for Fish & Game to advocate that non-residents voluntarily choose to avoid pressure sensitive fisheries on weekends. Many non-resident anglers already do so out of respect for resident anglers, and there is scope for Fish & Game to communicate more directly with non-resident anglers on etiquette questions such as this.

Overall, it is recommended that this option is not implemented currently, and that the success of the alternative solutions to Problem B proposed in this paper are assessed. Across this period more accurate data on pressure sensitive fisheries use will be collected and, if it is shown that the additional measures are not sufficient to address resident

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displacement or that perception-displacement remains a substantial factor, a data-based case for resident only weekends can be made.

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Conclusion

New Zealand's pressure sensitive fisheries are at a social and fishability tipping point, and action is required to ensure that the quality angling experience that is cherished by resident and non-resident anglers alike remains into the future.

This analysis finds that Fish & Game's current mechanisms in an expanded form are sufficient to address the total angling pressure that pressure sensitive fisheries are subject to (Problem A), but that they are not sufficient to achieve usage parity between non-resident and resident anglers on pressure sensitive fisheries or to address the displacement of New Zealand anglers from the resource (Problem B). Accordingly, it is recommended that Fish & Game takes two distinct steps in response to the issues currently facing pressure sensitive fisheries.

1. Expand the use of the current toolkit

The current management mechanisms (backcountry licence, ballot systems and controlled fisheries) should be expanded to cover a significantly greater number of fisheries subject to intensive angling pressure.

It is recommended that the terminology of this toolkit transitions away from managing 'backcountry' fisheries towards a more generic term such as 'Designated Waters' to better reflect the diversity of waters subject to problematic angling pressure. It is also suggested that a small annual fee is charged for the resident Designated Waters licence endorsements so that management costs are met as closely as possible by the users of these fisheries.

It is recommended that the beat system is expanded to a wider range of waters. In instances where there is road access along a length of the river, or where there is a single point of access from which multiple sections of a river can be accessed in a day, beat systems provide clarity and certainty to anglers and offset the likelihood of encounters. Whilst not enforceable, an extremely high voluntary compliance rate can be expected as it is typically in all parties' (those already at the river and those arriving to find a beat occupied) interest to not cohabit a beat.

Finally, controlled fisheries represent the most intensive and regulated option for managing fisheries subject to the highest level of angling pressure or where the impact of encountering an angler is greatest (perhaps because of the effort expended to reach the area). In these situations, they are a very successful and valuable tool to control pressure. It is, however, suggested that caution be exercised in rolling these out too widely given the potential for strong regulations to disproportionately disincentivise resident anglers from fishing these locations. However, in a limited number of localities, where alternative mechanisms are not proving successful in redistributing angling pressure, controlled fisheries should be used.

The above steps will result in a system that more accurately reflects the resource that is being managed, which more closely aligns management costs with use, and which has the potential to manage both total pressure and angling encounters. However, it will not significantly adjust the balance of resident and non-resident anglers fishing pressure sensitive fisheries, nor will it mitigate the displacement of resident anglers.

2. Achieving parity and addressing displacement

In order to achieve parity between resident and non-resident angler effort on pressure sensitive fisheries and to mitigate the displacement of resident anglers it is necessary to implement a new set of targeted management mechanisms that directly address this problem.

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Because only a relatively small proportion of the total non-resident angling effort is on pressure sensitive fisheries it is not recommended that there be any increase made to the overall non-resident licence price. However, it is recommended that a per diem Designated Waters licence fee is required for non-resident anglers wanting to fish pressure sensitive fisheries in peak summer to spatially and temporally redistribute non-resident angling effort. Based on Department of Conservation trials price has been an effective tool to increase opportunity for residents and achieve usage parity. This further ensures that only those non-resident anglers fishing pressure sensitive fisheries are impacted.

In conjunction with this it is recommended that there be a limit of four pressure sensitive per diem licences that non-resident anglers can purchase per Fish & Game region. Price is not an absolute barrier to participation and providing an absolute limit to the number of days that can be spent on pressure sensitive fisheries will mandate the redistribution of non-resident angling effort. This ensures that all non-resident anglers can experience some of the premier fisheries in New Zealand while precluding exclusive or unsustainable focus on such fisheries. Because of the average length of stay of non-resident anglers this will not impact the majority of non-residents, but only those that are substantially contributing to the pressure in these fisheries.

It is not recommended that resident only periods are instituted at this stage, however it is proposed that angling data be collected and the success of the recommended mechanisms assessed. If resident only periods prove necessary it will be substantially easier to build a case in favour of them if we have strong and accurate data to support it.

Recommendations:

- Expand current pressure management mechanisms to a wider range of waters as appropriate.
- Charge for a Designated Waters licence; residents at a small annual fee, non-residents on a per diem basis.
- Put in place a limit of (circa four) Designated Waters per diem licences per Fish & Game region for non-resident anglers.

Identified Knowledge Gaps:

- Research will need to be undertaken on the pricing schemes for resident and non-resident anglers alike to determine the appropriate fees for Designated Waters licences.
- Research will need to be done to determine the appropriate number of per diem Designated Waters licences that non-resident anglers can purchase per region.

13.2 Otago to NZC

13.2.1 Election Report from Elections NZ

Ian Hadland

From: Ian Hadland
Sent: Wednesday, 30 March 2022 12:17 PM
To: Brian Anderton; Jack Kos
Subject: Otago Feedback on Elections Report

Hi Jack/Brian

The Elections Report from Elections NZ which was provided to regional councils for comment was circulated to Otago Councillors and discussed briefly at our meeting.

Otago Council noted the provisions of the report and the references to Otago having its CEO delegated as returning officer – the remaining region to do so. The author requested NZC revisit this arrangement.

The Council discussed this matter and AGREED that the CE should remain its delegated returning officer as is provided for in the regulations. Council thought it an important symbol of local democracy and there is little or no additional financial burden on the organisation from the present arrangement.

Otago encourages other regions to reconsider their arrangements, particularly if they are proposing to merge. Reconfigured regions will quickly want to reassure licence holders they are not just part of a national bureaucracy but a regionally elected and locally managed body working on their behalf.

Thank you

Ian Hadland | Chief Executive



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Web: www.fishandgame.org.nz

Otago Fish & Game Council
PO Box 76
Dunedin
New Zealand

13.3 General Correspondence In
nil

13.4 General Correspondence Out

13.4.1 Aukaha - Memorandum on the Lindis High Court Decision



Rachel Wesley
 Chief Executive
 Level 1
 268 Stuart Street
 Dunedin, 9054
rachel@aukaha.co.nz

Memorandum on the Lindis High Court Decision

Dear Rachel,

I am writing to provide you with a copy of key findings from the High Court decision for Plan Change 5A, commissioned by the Otago Fish and Game Council and written by Maree Baker-Galloway and Pherne Tancock.

The decision clarified key issues arising from the PC5A Environment Court decision, which are relevant to the proposed Otago Regional Policy Statement (**PORPS**) and the of the Land and Water Regional Plan (**LWRP**). Key findings are discussed in the attached memorandum, including:

1. The interpretation for s7(h), referring to the protection of trout and salmon habitat.
2. Confirmation that the naturalised flow was relevant to the protection trout and salmon habitat.
3. Comments on how the decision illustrates the problem with the operative status quo facing policies, such as the Regional Plan: Water for Otago Policy 5.4.8. These place emphasis on the retention of the status quo and protection of existing uses of water, over that of restoration, and can act to reinforce the status quo and tip the balance in favour of existing uses/ takes acting as a handbrake to improvement or restoration of healthy water bodies.
4. Confirmation that sustainable management of trout in their habitat comes within the safeguarding purpose of Resource Management Act section 5.
5. Confirmation that a *Ngati Rangī* approach can be applied within a plan change context.

Of most importance to Fish and Game is the confirmation that naturalised flows are relevant to the evaluation of what is required to protect trout and salmon habitat. This corrects a common misinterpretation of the Environment Court decision. In respect of indigenous species, the High Court decision did not comment on and therefore did not undermine the Environment Court's confirmation that the naturalised baseline is the most important comparator.

As notified, Fish and Game's assessment is that the PORPS does not give effect to Policies 9 and 10, with the protection of habitat for trout and salmon included only once in provisions. In its submission on the PORPS, Fish and Game has sought to develop a framework that can be inserted into the PORPS and give effect to the policies in a manner that will reduce conflict and genuinely address species interactions, improving outcomes for the health of freshwater and ecosystems as a whole. I am grateful that your staff have been assisting with the development of this framework and hopeful we can continue to work together leading up to the hearings.

I note also that utilising a *Ngati Rangī* baseline approach in the PORPS and LWRP is an important precursor to restoring the health of water bodies. It is crucial for defining and phasing out over-

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allocation, as it allows the plans to take account of how much water is available within a catchment, prior to setting new allocation limits. It is a useful baseline also for water quality, with respect to an unpolluted state.

The *Action Plan for Healthy Waterways* aims to restore water bodies within a generation. A meaningful restoration of the health of Otago water bodies will be aided by applying a *Ngati Rangi* approach in the PORPS and LWRP. With the *Lindis* decision, a *Ngati Rangi* approach is now open in the context of a plan. I hope that you encourage this approach to be written into the LWRP and the PORPS.

I wish to also flag the influence that Policy 5.4.8 had on the decision. This single policy strongly influenced outcomes, despite there being plenty of policy guidance prioritising restoration of the health of the river. Central government direction has changed since the *Lindis* decision and it is no longer appropriate to favour the status quo. I have asked my staff to do what they can to ensure that similar contradictions are not included in the PORPS and LWRP, so that the region can focus on restoring the health of Otago's degraded water bodies. I would be grateful if you encouraged your staff to do the same.

Faithfully,

Ian Hadland
Otago Fish and Game Council Chief Executive
7 April 2022

cc Edward Ellison, Aukaha Chair, edward@otakou.co.nz

13.4.2 ORC - Memorandum on the Lindis High Court Decision



Sarah Gardner
 Chief Executive
 Philip Laing House
 Level 2/144 Rattray Street
 Dunedin, 9016
sarah.gardner@orc.govt.nz

Memorandum on the Lindis High Court Decision

Dear Sarah,

I am writing to provide you with a copy of key findings from the High Court decision for Plan Change 5A, commissioned by the Otago Fish and Game Council and written by Maree Baker-Galloway and Pherne Tancock.

The decision clarified key issues arising from the PC5A Environment Court decision, which are relevant to the proposed Otago Regional Policy Statement (**PORPS**) and the of the Land and Water Regional Plan (**LWRP**). Key findings are discussed in the attached memorandum, including:

1. The interpretation for s7(h), referring to the protection of trout and salmon habitat.
2. Confirmation that the naturalised flow was relevant to the protection trout and salmon habitat.
3. Comments on how the decision illustrates the problem with the operative status quo facing policies, such as the Regional Plan: Water for Otago Policy 5.4.8. These place emphasis on the retention of the status quo and protection of existing uses of water, over that of restoration, and can act to reinforce the status quo and tip the balance in favour of existing uses/ takes acting as a handbrake to improvement or restoration of healthy water bodies.
4. Confirmation that sustainable management of trout in their habitat comes within the safeguarding purpose of Resource Management Act section 5.
5. Confirmation that a Ngati Rangi approach can be applied within a plan change context.

Of most importance to Fish and Game is the confirmation that naturalised flows are relevant to the protection of trout and salmon habitat. This corrects a common misinterpretation of the Environment Court decision.

With respect to the interpretation of RMA section 7(h), we now have guidance on when to have regard to the protection of trout and salmon habitat via the National Policy Statement for Freshwater Management Polices 9 and 10. It will be important to ensure that these policies are given effect to in the PORPS and LWRP.

As notified, Fish and Game's assessment is that the PORPS does not give effect to Policies 9 and 10, with the protection of habitat for trout and salmon included only once in provisions. In its submission on the PORPS, Fish and Game has sought to develop a framework that can be inserted into the PORPS and give effect to the policies in a manner that will reduce conflict and improve outcomes for species interaction and water bodies. I ask that you support Fish and Game in this approach.

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I note also that utilising a *Ngati Rangī* baseline approach in the PORPS and LWRP is an important precursor to defining and phasing out over-allocation, as it allows the plans to take account of how much water is available within a catchment, prior to setting new allocation limits. It is a useful baseline also for water quality, with respect to an unpolluted state.

The *Action Plan for Healthy Waterways* aims to restore water bodies within a generation. A meaningful restoration of Otago water bodies will be aided by a *Ngati Rangī* approach in the PORPS and LWRP. With the *Lindis* decision, a *Ngati Rangī* approach is now open in the context of a plan. I ask that you ensure this approach is written into the LWRP, including supporting assessment reports, and support Fish and Game's relief¹ on the matter in the PORPS. In addition, careful assessment of submitters' concerns on the PORP and LWRP will be required to ensure the status quo is not locked in.

I am aware that our staff have been discussing the place of trout and salmon and their habitat within the ecosystem health values, as described in the National Policy Statement of Freshwater Management. I expect that the outcomes from the High Court decision will have a bearing on that discussion and ask that those discussions be allowed to continue. My preference is for these discussions to occur fully in the development stages of the LWRP, so that we can reach a common understanding prior to notification and avoid unnecessary legal expenditure. I ask that you encourage your staff to engage with Fish and Game in this matter.

Faithfully,

Ian Hadland
7 April 2022

cc Andrew Noone, Chair of the Otago Regional Council, Andrew.Noone@orc.govt.nz

13.4.3 Te Ao Marama - Memorandum on the Lindis High Court Decision



Dean Whaanga
408 Tramway Road
Invercargill, 9812
dean@tami.maori.nz

Memorandum on the Lindis High Court Decision

Dear Dean,

I am writing to provide you with a copy of key findings from the High Court decision for Plan Change 5A, commissioned by the Otago Fish and Game Council and written by Maree Baker-Galloway and Pherne Tancock.

The decision clarified key issues arising from the PC5A Environment Court decision, which are relevant to the proposed Otago Regional Policy Statement (PORPS) and the of the Land and Water Regional Plan (LWRP). Key findings are discussed in the attached memorandum, including:

1. The interpretation for s7(h), referring to the protection of trout and salmon habitat.
2. Confirmation that the naturalised flow was relevant to the protection trout and salmon habitat.
3. Comments on how the decision illustrates the problem with the operative status quo facing policies, such as the Regional Plan: Water for Otago Policy 5.4.8. These place emphasis on the retention of the status quo and protection of existing uses of water, over that of restoration, and can act to reinforce the status quo and tip the balance in favour of existing uses/ takes acting as a handbrake to improvement or restoration of healthy water bodies.
4. Confirmation that sustainable management of trout in their habitat comes within the safeguarding purpose of Resource Management Act section 5.
5. Confirmation that a *Ngati Rangī* approach can be applied within a plan change context.

Of most importance to Fish and Game is the confirmation that naturalised flows are relevant to the evaluation of what is required to protect trout and salmon habitat. This corrects a common misinterpretation of the Environment Court decision. In respect of indigenous species, the High Court decision did not comment on and therefore did not undermine the Environment Court's confirmation that the naturalised baseline is the most important comparator.

As notified, Fish and Game's assessment is that the PORPS does not give effect to Policies 9 and 10, with the protection of habitat for trout and salmon included only once in provisions. In its submission on the PORPS, Fish and Game has sought to develop a framework that can be inserted into the PORPS and give effect to the policies in a manner that will reduce conflict and genuinely address species interactions, improving outcomes for the health of freshwater and ecosystems as a whole. I am grateful that your staff have been assisting with the development of this framework and hopeful we can continue to work together leading up to the hearings.

I note also that utilising a *Ngati Rangī* baseline approach in the PORPS and LWRP is an important precursor to restoring the health of water bodies. It is crucial for defining and phasing out over-allocation, as it allows the plans to take account of how much water is available within a catchment,

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prior to setting new allocation limits. It is a useful baseline also for water quality, with respect to an unpolluted state.

The *Action Plan for Healthy Waterways* aims to restore water bodies within a generation. A meaningful restoration of the health of Otago water bodies will be aided by applying a *Ngati Rangi* approach in the PORPS and LWRP. With the *Lindis* decision, a *Ngati Rangi* approach is now open in the context of a plan. I hope that you encourage this approach to be written into the LWRP and the PORPS.

I wish to also flag the influence that Policy 5.4.8 had on the decision. This single policy strongly influenced outcomes, despite there being plenty of policy guidance prioritising restoration of the health of the river. Central government direction has changed since the *Lindis* decision and it is no longer appropriate to favour the status quo. I have asked my staff to do what they can to ensure that similar contradictions are not included in the PORPS and LWRP, so that the region can focus on restoring the health of Otago's degraded water bodies. I would be grateful if you encouraged your staff to do the same.

Faithfully,

Ian Hadland
Otago Fish and Game Council Chief Executive
7 April 2022

cc Maria Bartlett, maria.bartlett@tami.maori.nz

Memorandum

- 1 This memorandum is intended to clarify the implications and application of the High Court 30 November 2021 decision on the Lindis PC 5A appeal¹. The memorandum only addresses the points that can be relevant to future decision making with reference to the 8 errors/questions argued. Question 2 in respect of the previous NPSFM is not addressed as that has been superseded, and neither is question 6 in respect of the evidence to support 550 vs 900l/s which was case specific.

Question 1 — were one or more of the findings of the Environment Court contrary to the express provisions of the RMA or Conservation Act and in making the findings, did the Environment Court err in coming to conclusions that no reasonable decision-maker could have reached?

- 2 Fish & Game's notice of appeal identified six particular conclusions of the Environment Court as being of concern:
- (a) "[t]he presence of trout debases the integrity of ecosystems of indigenous fauna and flora" (at [172]);
 - (b) from an ecological point of view trout are "an introduced pest" (at [205]);
 - (c) salmonids have an "ambiguous status" under the RMA (at [212]);
 - (d) the presence of trout "degrades indigenous ecosystems" (at [212]);
 - (e) when it comes to safeguarding the life-supporting capacity of water, "ecosystems containing indigenous biodiversity are relatively more important" (at [473]); and
 - (f) the presence of trout means the Lindis cannot be considered worthy of returning to, or compared to, a natural state (at [512]).
- 3 On reviewing the above statements, the High Court made the following statements:

'[77] It is clear from the Judgment that the term "pest" was not being used by reference to a particular definition. While counsel for other parties accepted the term may appear "unkind", "colourful" or "provocative", **the description itself did not impact on the Court's evaluation of the appropriate flow and allocation.** Any suggestion that the Court was using the expression "pest" in some legally defined or technical sense, or with an application beyond the Lindis, would involve a misconception of the Judgment. "Pest" as used in the Judgment connotes nothing more than a recognition that trout have predated upon and severely affected some indigenous species in the Lindis.'

'[78] The fact the Court, having referred to trout as "an introduced pest", immediately qualified that with the recognition "**albeit one with special status under section 7 RMA**" clearly indicates the Court's identification of the required focus on s 7 RMA.'

'[79] The criticism arising is as to the terminology used and cannot be related to any consequential flaw in reasoning.'

...

'[99] In the Court's identification of the regime under ss 6 and 7 RMA the Court correctly applied *King Salmon*. The duty upon the decision-maker under s 7 RMA — to have particular regard to the protection of the habitat of trout and salmon — is a weaker direction than that under s 6 — to recognise and provide for the protection of

¹ Otago Fish and Game Council v Otago Regional Council et al [2021] NZHC 3258

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significant habitats of indigenous fauna (as a matter of national importance). There is under this regime a priority given to indigenous fish species, which is reflected in the express provisions relating to the maintenance of indigenous biological diversity under s 30(1)(ga) RMA.'

'[100] The Court correctly identified but rejected the role which Fish & Game sought to place upon s 7(h). Section 7(h) does not require the decision-maker to ensure the protection of the habitat of trout and salmon.'

'[101] The significance of s 7(h) was succinctly summarised by the Environment Court thus:

[173] Two other provisions in section 7 are particularly relevant. • The protection of the habitat of trout and salmon Fish and Game placed considerable emphasis on section 7(h)\ RMA. We accept that 'protection' is a strong word, equivalent to 'safeguard'. However, as we noted in Part 4.3, the section 7 matters are to be had 'particular regard to', not ensured.'

'[102] The factual matters then considered and determined by the Court were all matters which had been the subject of evidence during the hearing and involved the very expertise with which the Environment Court is established to engage. **For the reasons identified by counsel for the respondents, factual findings such as the degradation of indigenous ecosystems (at [212] of the Judgment) were available if not inevitable on the evidence.** None of the individual or cumulative findings that are the subject of Question 1 are conclusions which no reasonable decision-maker (correctly exercising their discretion under the RMA) could have reached. Question 1 will be answered "No".'

4 Then in the final section on "mootness" the Court stated:

'[211] Had the appeal not been so fully argued as to the substantive questions and the answers not so clear in my assessment, I would have been favourably inclined to rule in the respondents' favour on the issue of mootness. In the circumstances, I refrain from that course, recognising that a particular grievance for Fish & Game lay in the Environment Court's description of trout as a "pest", an aspect of the judgment on which, in the course of answering the questions raised, **it has been appropriate to provide this Court's guidance as to the limited impact of that description.**'

5 The above High Court statements are useful. One of the reasons that Fish and Game appealed the decision was concern that the Environment Court's descriptor of trout as "pests" could be viewed as precedent and the Court's comments interpreted as widely applying an approach to trout, resulting in a reading down of, or disregard for s7(h) RMA decision-making obligations. The proceedings can be viewed as being successful in correcting that. In particular the statements at [77] and [211] clarify, and take the heat out of/limit the application of the Environment Court's use of the word 'pest' as simply connoting a recognition that trout have predated upon and affected indigenous species in the Lindis catchment and that that does not negate the role of s7(h). This clarification, followed by the statement at [102] that it was then open to the Court to make a finding of fact as to whether there had been degradation of the indigenous ecosystem means that going forwards, the Environment Court ruling cannot be relied upon as doing anything other than making a finding of fact in relation to that specific water body, that trout have predated upon indigenous fish. To the extent that a primary goal of the proceedings was to provide judicial comment that confirmed that the use of the word 'pest' in relation to trout cannot be used to read-down s7(h), this can be viewed as being successful.

Question 5 – did the Environment Court err by taking the wrong approach to and/or adopting the wrong legal test for s 7(h) RMA?

6 The discussion starts at [121]:

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[121] The Environment Court's approach to s 7(h) and its application may be summarised as follows:

(a) The decision-maker, applying s 7(h) RMA, is to have "particular regard to" the protection of the habitat of trout and salmon. That is not a duty to ensure such protection. This is in contrast to the duty under s 6(c) RMA to "recognise and provide for" the protection of significant habitats of indigenous fauna.

(b) Generally it is sufficient to assess future states of the environment against the present (the status quo). Trout habitat values (recognised in the ORP:W) have been maintained in the Lindis even though in dry years under the status quo the Lindis has dried out in places. The presence of trout in the river is already safeguarded under the status quo and is in a better situation under the 550 MF option. That said, a naturalised flow (not achievable for trout) would be even more beneficial to trout than either the 550 MF or 900 MF options. (The Court reviewed the evidence comparing habitat reductions under different flow regimes from both naturalised flow and the status quo).

- 7 Then in paragraph [121 c] the High Court quoted para [371] finding that the galleries scenario will support higher trout populations than the races scenario. At [121 d] it quotes the finding that there would be no adverse effects on habitat compared to the status quo. At [121 e] it cited the court referring to protection of habitats and ecosystems as being a case by case exercise. At [122] the High Court quoted the finding at [509] that the galleries scenario will better protect the habitat of trout. At [123] in relation to fish passage the High Court cited paras [511 – 513] where the Environment Court made findings of fact that the Lindis was not important to the recruitment of trout to the Clutha, and that therefore in terms of weight given to the issue of connectivity, that trout habitat was sufficiently connected. Then at [127]:

[127] I accept the respondents' submissions to that effect. It is clear that the Court **gave genuine attention to such protection**. It is not without significance that the Court's review of the evidence led to the factual conclusion that both the 550 MF and 900 MF options protected the habitat of trout better than the status quo (albeit that the 900 MF gallery scenario advanced by Fish & Game was not economically viable) [128] The submission for Fish & Game came close to suggesting that the Environment Court, because of a bias against trout as a "pest", effectively abandoned the approach to s 7(h) which it had clearly enunciated. **A proper reading of the Judgment does not indicate the Court at any point departed from its (correct) formulation of the s 7(h) approach.** Question 5 will be answered "No".

- 8 What this means is that the Environment Court's decision has no negative precedent effect in terms of section 7 (h), as in terms of its findings of fact, that trout habitat would be protected – that is the correct test to have applied. Any precedent effect is positive, if anything, as it is confirming that section 7 (h) requires particular regard be had to the protection of habitat of trout, and the subsequent findings of fact highlighted by the High Court were that there would be protection.

Question 3 — did the Environment Court apply the wrong legal test when determining that the current degraded river (status quo) was the relevant environmental baseline to assess the effects on trout?

- 9 On this question the High Court went through the authorities (*Ngati Rangī* etc) in paragraphs [130] to [137] and noted at [138] that no case was referred to that applied *Ngati Rangī*'s approach in a plan change setting. That is correct, as there is no explicit authority. The High Court then went on to find that the Environment Court did not treat *Ngati Rangī* as irrelevant, as it did use the naturalised flow as one of its points of comparison, and that the weight to be attributed to the naturalised flow was a matter for the Court in carrying out its expert assessment. Fish and Game had argued that on close examination the Environment Court did not consider the naturalised flow in respect of trout and had restricted its analysis and findings as to effects on trout to the status quo, however the High Court disagreed with that submission noting at [142] [...] *it went on to*

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consider both naturalised flow and the status quo.’ at [143]. Then at paras [146]- [148] it went on to state:

[146] The Environment Court in the appealed judgement did not treat the *Ngati Rangi* approach to the baseline as irrelevant. The Court engaged with the *Ngati Rangi* “naturalised flow” scenario as one of its comparisons but did so in conjunction with other options, including the status quo, which it found to be a more useful comparator.

[147] In the evaluative exercise conducted by the Court, it took into account the naturalised flow. As submitted by counsel for the respondents, the weight to be attached to the naturalised flow and the degree to which the competing options departed from it were matters for the Court in carrying out its expert assessment.

[148] The answer to Question 3, as raised by Fish & Game on this appeal, is therefore “No” – because the Court did not evaluate the proposals by a reference to a single scenario (status quo) and in fact included the naturalised flow in its evaluative exercise.’

- 10 The implication of this is that it was correct to apply *Ngati Rangi*, and the Court should have and did consider the naturalised flow baseline (as well as others). Whereas Fish and Game’s case was that the naturalised flow should have been the primary baseline for comparison of both indigenous and introduced species, i.e. the correct starting point for consideration of all effects was the Lindis without the expiring takes.
- 11 Therefore the residual issue that the High Court did not resolve, is how the weighting of the different baselines should have been applied. The Judgement did not comment on the Environment Court’s findings that the naturalised flow was the most important comparator baseline for effects on indigenous species, and status quo was the most relevant baseline comparator for trout and other introduced species. Key extracts above need to be read in the context of the High Court’s earlier finding that the Court considered both the naturalised flow and the status quo at [142] and [145].
- 12 The specific wording of ORW:P Policy 5.4.8 in this case could be said to have encouraged/guided the High Court’s approach in respect of the status quo. Policy 5.4.8(d) directs consideration of the extent of use and development within the catchment including the extent to which that use and development has influenced the other matters of natural character. This was one factor that may have resulted in the Environment Court placing emphasis on the status quo.
- 13 The High Court decision is unhelpful in that the Judgement did not address all of Fish and Game’s key arguments on this issue, making it difficult to identify clear takeaway points that can be applied in future cases. However, at a very general level the Court’s comments can be interpreted as extending the applicability of *Ngati Rangi* into water related Plan Changes i.e. it is relevant.
- 14 The Judgement provides a genesis for this argument, it got some of the way there, but not in the clean cut way that would have been most useful. It can be viewed as legal authority from the High Court accepting the *Ngati Rangi* approach as being relevant in these circumstances.
- 15 This approach can be developed in future cases – and may gain some traction in upcoming plan changes implementing the NPS-FW in the context of existing/ expiring water/discharge permits where a more sympathetic NPS/ Policy framework will be applicable, for example where plans are being put in place to move away from and actively reduce over allocation. As is, it can be taken as good precedent value for the proposition that naturalised flow and the *Ngati Rangi* approach to the baseline is relevant and applicable to water related plan changes. However, the

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weight and extent of that baseline comparator may be a matter for the decision maker taking into account the facts and policy framework applicable in that case.

Question 4 — does “safeguarding the life supporting capacity of ... water ... and ecosystems” in s 5 of the RMA rightly include the sustainable management of trout and their habitat?

- 16 The finding on this question is generally positive and of assistance, in that the High Court confirmed the sustainable management of trout comes within the safeguarding purpose of s 5 (and that the Environment Court applied that). This is a useful case law snippet for this proposition that can be cited in future hearings. Prior to this the case law was less succinct on this point (see written submissions).

[176] Fish & Game has not established there was an error of law in the Environment Court's interpretation and application of s 5 of the RMA. Question 4 will nevertheless be answered “Yes”, not because the Court made an error of law but because (as the Environment Court itself recognised) **the sustainable management of trout in their habitat come within the safeguarding purpose of s 5.**

Question 8 — did the Environment Court apply the wrong legal test when interpreting the terms “limit” and “over-allocation” from the NPSFM to the Regional Plan and Lindis River?

- 17 This question remains relevant while the Regional Plan, and particularly policy 6.4.2 remain operative. In combination with the changes arising out of Plan Change 7, policy 6.4.2 could still be engaged if applicants for new or replacement permits seek consents beyond the 7 year term approved by PC 7. The High Court confirmed at [210] that the Environment Court was incorrect to find that there was no "over allocation" in applying policy 6.4.2, and also observed that in reality the Court correctly treated the river as over allocated at [209].
- 18 This finding also works alongside the finding in respect of *Ngati Rangī*, as obviously if a water body is over allocated, that status quo cannot and should not be the only relevant baseline for assessment of effects.

Concluding comment

19. While not all the errors alleged by Fish and Game were made out, the Judgment is of assistance in confirming the applicable legal tests in relation to trout have not changed, as a result of the *Lindis* decisions. In terms of precedent value, the High Court decision confirming the correct approach to trout and s7(h) can be cited, in the event that the more strongly/ colourfully worded Environment Court decision is cited by others to some extent to put the Environment Court decision 'in its place'. This will go some way to sanitising the Environment Court's decision and limits the potential for it to be relied upon. It has also opened the door to developing the arguments on the baseline for future plan changes for water which will be relevant in the upcoming directive for Regional Councils to amend their plan in accordance with the new NPS-FW.

14.0 Items to be Received or Noted

14.1 Summary of Fishing Competitions for the 2021/22 Season

Introduction

Fishing competitions are approved annually in line with the Sports Fish and Game Management Plan (SFGMP) for the Otago Region and subject to conditions defined in the Freshwater Fisheries Regulations 1983.

This report summarises competition activity for the 2021/22 work year (Project 1362 in the workplan) and provides details (appendix 1) of the larger commercial type competitions that are requested to pay a \$40.00 administration fee and levies.

Overview

There was only one competition which attracted levies in the Otago region during the 2021/22 season.

Approval was given to a further three competitions that were cancelled due to COVID-19 restrictions.

These publicly notified events focus on family participation, and junior anglers are always well catered for with prizes and giveaways.

Our approval conditions generally allow 1 fish of each species per contestant to be weighed and measured at each event. Fish numbers presented to the weigh in can vary significantly between seasons mostly due to the weather conditions. On Lakes Hawea and Wakatipu small salmon can be caught in abundance with many released.

Freshwater Fisheries Regulations 1983 Section 57F **Rental**

Where a Fish and Game Council approves a fishing competition under this Part and an entrance fee is charged by the holder, the holder shall be liable to pay to the Council a rental of \$40, plus \$5 for each participant aged 16 years or over and \$2 for each participant aged under 16 years.

With all the major competitions we have only been requesting 50% of the prescribed levy acknowledging that these competitions are community based, provide angling opportunities with family involvement, and that profits support local communities. Levy income can vary depending on the grade of entries such as adults versus juniors.

Levy income can be used to assist with the purchase of fishing equipment and merchandise to support events run by schools and TAKF programmes.

The table in Appendix 1. provides a full list of the major competitions and supporting information for the 2021/22 season noting that profits are derived from a range of sources including entry fees, donations, sponsorship, fundraising and BBQ's.

In house angling and hunting club competitions for club trophies feature regularly and some TAKF programmes incorporate a competition component. We are aware of most events and in some cases provide financial assistance through our grants budget. Staff attend competitions when they can, especially the major events, where the ongoing collection of fisheries information is important.

Staff attended the only event this season, at Glenorchy, to undertake the measuring and weighing of fish.

Collection of Fisheries Information

Catch information is collected from major competitions and downloaded on a data base. We have a good range of fisheries information from Lakes Dunstan, Hawea and Wakatipu with over 30 years of data from the Glenorchy competition held annually at the head of Lake Wakatipu.

Summary

Fishing competitions provide a range of fishing opportunities and enjoyment for clubs, organisations, families, and individuals. Major competitions that attract levies are well organised and support requirements under Otago's SFGMP. Staff attendance at events is always well received by organisers and the fisheries information collected is proving very useful for monitoring population trends and fishery health.

Competitions early in a new season provide incentives for purchasing a new season licence.

Many of the competition organisers have been in touch regarding events for this next season, so hopefully they will go ahead with the absence of COVID related restrictions.

Recommendation

This report be received.

Ben Sowry
Fish and Game Officer
April 2022

Appendix 1. Major fishing completions which attracted an application fee and levies for the 2021/22 season

Date	Event and duration (years)	Organiser	Lake	No of entries	Fish measured and weighed	Application fee \$40, and levies	Distribution of Profits
2 nd October 2021	Glenorchy Fishing Competition (40)	Glenorchy Playgroup	Wakatipu	273	145	\$527.00	\$9,394.79 income raised for the Glenorchy Playgroup.

14.2 Otago Region Mallard Monitoring Study, April 2022

Introduction

The Otago Fish and Game Council began mallard monitoring in 2015 as a pilot project and as part of nationwide population monitoring programme. The Otago Region research and monitoring was setup to determine long term trends which are necessary to manage game birds sustainably. Accurate information on population trends will allow Fish and Game managers to make informed decisions when setting game bird harvest regulations. The intention in future will be to look at the relationship between the mallard monitoring results together with the Otago hunter harvest and effort estimates.

This report is on the past seven years of the mallard monitoring study (2015 – 2022). The monitoring wasn't completed in 2020 due to the COVID-19 pandemic.

Methods

The methods used for the mallard monitoring in Otago are largely based on methodology used by Southland Fish and Game. The Otago site selection criteria and methodology for selecting the sampling units (ponds and transects) is attached in Appendix 1. The mallard monitoring aerial survey methodology is attached in Appendix 2. The original flight plan in 2015 comprised of 46 ponds, seven 10 km river transects and ten 10 km cross country transects (Figure 1). The flight was conducted on 07 April 2022.

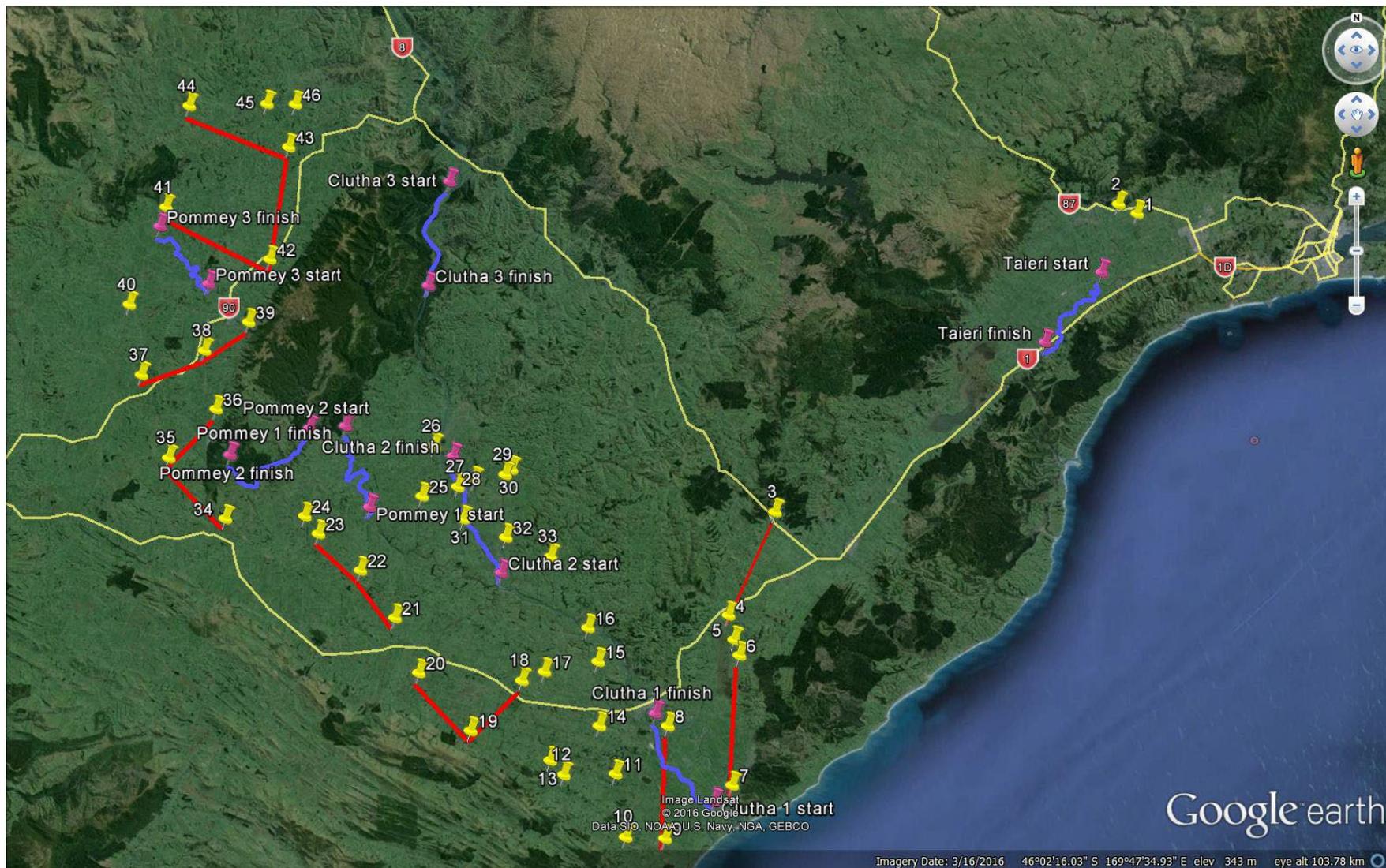


Figure 1. Otago Mallard Monitoring flight plan (2015) showing the original total of 46 ponds (yellow), seven 10km river transects (blue) and ten 10km cross country transects (red)

Otago Fish and Game Council Meeting 26th May 2022

Results

All of the original 2015 flight plan was completed except for one river transect (Pomahaka 2), and 1 pond (5) both of which have been excluded from the monitoring indefinitely (Figure 1, Table 1). An aerial hazard (wire) was identified on Pomahaka 2 river transect and it was dropped from subsequent monitoring for safety reasons. Pond 5 has been excluded as it is an ephemeral pond which has always been dry when the surveys been completed.

Over the past five years, a number of sampling units have not been completed. Reasons for not completing all the counts have included.

- The helicopter had to return to base to refuel
- Some ponds were not correctly identified from the air and nearby ponds were counted instead (these have not been included in the results)
- Sampling units were missed (from the flight plan or during the count) and these oversights were only realised after the counts were complete

Table 1. The number of mallard monitoring counts completed 2015 - 2021

	No. of ponds counted (*46)	No. of river transects counted (*7)	No. of cross-country transects counted (*10)
2015	41	6	8
2016	44	6	10
2017	45	6	9
2018	44	6	10
2019	45	6	10
2020	NC	NC	NC
2021	45	6	10
2022	45	6	10

* Denotes the original number of sites selected

The number of mallards counted for each of the survey sampling units is shown in the sub-totals for 2015 - 2022 (Table 2). A total of 10,312 mallards were counted in 2022 (Table 2). There were a number of variables that have changed between the 2015 and 2022 surveys. These changes include;

- A different helicopter pilot in 2016
- A different and Fish and Game observer in 2015
- A different number of counts completed over all years
- A different amount of time surveying (flying hours)
- Different cameras for taking photos during the counts
- A Robinson R22 helicopter from 2015 – 2019, a Guimbal Cabri G2 helicopter in 2021, 2022

Table 2: Otago mallard duck monitoring results showing the separate strata (ponds, river and cross-country transects) and total counts for 2015 - 2021 (NC = no count)

Pond No.	2015	2016	2017	2018	2019	2021	2022
1	2	0	30	134	21	55	11
2	0	0	3	21	2	0	0
3	32	148	71	21	98	248	439
4	0	0	0	0	0	0	0
5	0	NC	NC	NC	NC	NC	NC
6	0	157	30	55	52	88	30
7	0	0	1	0	0	8	3
8	44	239	43	230	85	151	214
9	71	77	242	23	14	27	11
10	17	0	33	8	0	0	4
11	0	0	0	0	0	0	0
12	13	40	24	13	21	61	49
13	3	0	13	9	0	3	3
14	56	67	14	43	5	0	0
15	22	51	10	32	42	14	19
16	16	81	49	11	105	104	167
17	0	4	0	NC	0	0	0
18	13	0	9	0	0	2	10
19	35	20	111	4	0	100	151
20	2	0	5	11	13	74	3
21	0	6	12	0	0	6	8
22	430	379	6	8	13	9	937
23	2	0	83	16	40	7	71
24	12	3	4	5	30	4	41
25	62	0	116	6	14	420	121
26	11	0	12	6	6	4	21
27	0	0	0	0	0	0	0
28	77	142	84	8	30	0	0
29	0	6	84	29	17	55	0
30	9	8	2	1	0	8	17
31	0	NC	0	0	11	0	0
32	0	0	0	7	10	5	0
33	26	6	5	8	39	19	90
34	2	0	35	0	0	0	0
35	0	13	0	0	10	0	0
36	16	0	0	0	0	0	0
37	3	11	28	48	0	7	0
38	6	38	31	0	20	61	4
39	40	10	2	0	0	37	5
40	NC	284	135	100	97	118	267
41	NC	45	177	0	5	125	1
42	61	61	76	65	61	241	17
43	0	20	0	59	49	0	3

44	NC	35	0	0	0	0	0
45	NC	0	0	0	0	3	0
46	21	40	4	25	5	30	0
Sub-total Ponds	1104	1991	1574	1006	915	2094	2717
River Transect	2015	2016	2017	2018	2019	2021	2022
Taieri transect	1560	1408	662	981	1312	1216	1008
Clutha 1 transect	610	639	912	126	174	321	1044
Clutha 2 transect	225	63	174	69	281	443	874
Clutha 3 transect	47	10	128	42	86	85	171
Pomahaka 1 transect	683	736	570	376	536	538	2454
Pomahaka 2 transect	39	NC	NC	NC	NC	NC	NC
Pomahaka 3 transect	NC	97	364	63	222	407	349
Sub-total River Transects	3164	2953	2810	1657	2611	3010	5900
Cross Country Transect	2015	2016	2017	2018	2019	2021	2022
Transect 1	101	48	NC	90	71	30	159
Transect 2	182	26	656	95	189	141	225
Transect 3	58	119	417	66	94	96	345
Transect 4	3	0	42	22	857	30	53
Transect 5	595	116	37	48	87	53	686
Transect 6	27	0	22	38	117	75	115
Transect 7	6	0	60	67	10	11	50

Transect 8	NC	26	112	41	16	91	36
Transect 9	25	0	108	0	24	2	8
Transect 10	NC	0	5	4	0	0	18
Sub-total Cross Country Transects	997	335	1459	471	1465	529	1695
TOTAL	5265	5279	5843	3134	4991	5633	10312
Total flying time (Hours)	4.8	5.4	6.2	5.5	5.0	5.0	5.1

Discussion

A total of 10312 mallard ducks were counted in 2022 which is a 105% increase from the average over all years and up by 83% from the last count in 2021. MacKenzie (2018) states that it is difficult to determine how changes in number of mallards counted in each type of surveys correspond to each other and has cautioned how they should be interpreted. This figure in itself is not a reliable metric of changes to the mallard population in the survey region (MacKenzie, 2018). Annual variability in where ducks are concentrated ie what fraction of mallard population is being sampled in pond, river and cross country transect could be different.

The south Otago region was very dry when the counts were completed and many of the ponds were dry or had very little water in them. This led to the highest equal number of the ponds having "0" counts (n=17) since monitoring began. Over the seven years of monitoring between 11 and 17 ponds have recorded a "0" count. Of the 46 original ponds selected three ponds have never had a single mallard counted on them. This highlights that pond habitat changes over time and that some ponds hold more mallards some years than others. The survey revealed some ponds were being fed prior to the opening day. This is particularly obvious for Pond 22 which is near Ashley Downs. The dry conditions led to mallard populations being largely clumped in the environment rather than spread throughout the area. Rivers were low and clear and large rafts of mallards were observed on some sections. It should be noted that river transects are much easier to count when the river conditions are low as they were in the 2022 counts. When the mallards are observed in higher numbers in the different strata (ponds, river, cross country) it is very easy to undercount as most of the birds have to be counted back in the office from photographs.

One of the main considerations for all future mallard monitoring is to reduce the number of independent variables. Efforts have been made to use the same observer, same helicopter and pilot, complete the original flight plan and count the same number of sampling units. The

helicopter company contracted to complete the counts (Otago Helicopters Ltd) had recently disposed of the Robinson R22 helicopter used since 2015 to conduct the count and instead a Gabri G2 has been used in the 2021 and 2022 counts. Southland use the same helicopter and there was very little noticeable difference between the two types of helicopter. Comments and recommendations from MacKenzie (2016 and 2018) have been noted and these improvements to the monitoring will be incorporated where possible to improve the overall mallard monitoring study.

After seven years of mallard monitoring there has been quite low variability in the mallard populations from year to year. The total numbers have been surprisingly similar except for 2018 and now 2022. The relationship between the mallard survey results and the annual hunter harvest for Otago has not been investigated in any detail. The autumn mallard population monitoring is conducted after the regulations have been set. All of these factors need to be considered when looking at the bigger picture of how the information collected during the mallard monitoring is to be used within the management process including setting the Game Season regulations (MacKenzie, 2018).

Recommendation

That this report be received

Acknowledgements

Thanks to Grant Smith from Otago Helicopters Ltd for undertaking the mallard monitoring flight. The mallard monitoring work is made easier with his experience of his flying, GPS navigation and observational skills.

Paul van Klink
Fish and Game Officer

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Appendix 1

Otago Mallard Monitoring Selection Methodology

Otago Fish and Game established mallard monitoring sites and completed a pilot monitoring study in 2015. The methodology for selecting the 46 ponds, seven 10km river transects and 10 10km cross-country transects was completed by Southland staff. The monitoring was conducted by Otago staff.

Monitoring Area Selection Criteria

Habitat characteristics;

- All land in South Otago was considered.
- Areas more than 200m above sea level were excluded to avoid surveying in hill-country which tends to be less favourable waterfowl habitat.
- Densely forested areas were also excluded due to the lack of duck habitat.
- Google earth maps were used for identifying the location of ponds, river and cross-country transects.

Pond selection criteria;

- All ponds >20m in diameter were identified and recorded in an Excel spreadsheet.
- From the identified ponds 46 “good” ponds were randomly selected.
- Ponds were deemed unsuitable for a variety of reasons, but generally because they were too close to buildings, were near places of common human activity, such as beside tracks or other structures, or they had been modified and did not meet the original size criteria, e.g. had been fully or partially drained.
- For the 80 or so unsuitable ponds, the next closest ponds that did meet the size and isolation criteria were used instead.
- On-going replacement of ponds will be necessary if surveyed ponds become unsuitable, which will be assessed annually.
- Ponds in excess of 20ha were also excluded because they are too difficult to count accurately and prone to annual variations in the distribution of birds.

River transect selection criteria;

- The upper limit of the transect count was based on known mallard habitat within the survey area;
- The total km of the river was calculated and 1 km potential start points were assigned
- Random numbers were chosen which was the distance from the sea (km) for the downstream start point for the 10km transect.
- Up to five transects were selected within the total distance of the river to be surveyed.

- To ensure transects did not overlap, start points were randomly selected until five 10 km non-overlapping transects were selected.

Cross- country transect selection criteria;

- Ten 10km cross-country transects were selected.
- The start points chosen were randomly selected ponds (as described above) where there was a minimum distance of 10 km between that point and the next randomly selected pond.
- This enabled the completion of a transect while flying to the next pond location, thereby minimising flight-time.

Appendix 2

Otago Mallard Monitoring Aerial Survey Methodology

General

- Counts are undertaken annually between April 07 and 18.
- An Otago Helicopters Robinson Class 22 or Gabri G2 is used for the survey.
- The pilot provided assistance in locating the sampling unit (pond or transect) with GPS and looking for birds where safety was not compromised.
- The shortest route between ponds and transects is flown.
- The weather was fine and wind < 12 knots.
- The survey was undertaken between 0900 and 1700 hours.
- Species other than mallards, particularly geese, paradise shelduck, grey teal, scaup and shoveler were identified and excluded from the count.
- The helicopter was positioned to enable the clearest view of the survey area.
- If birds were seen under trees or scrub the count was done when these had emerged.
- The helicopter could be positioned so that birds slowly came out from cover without making them fly off.
- When birds did fly off an estimate of the number departing was made and added to the total count.
- Groups of more than about 30 birds were photographed and the birds were counted on the computer using Microsoft paint. The paintbrush application allowed the user to count individual mallard ducks on the image which ensured that no mallards were double counted.

Ponds

- If there were < 30 birds on the pond they were counted manually otherwise they were photographed.

- The helicopter flew at a height so that the mallard ducks did not fly off from the pond but could be clearly counted or photographed.

River transects

- Main river backwaters were not surveyed if they were more than about 100m from the main channel, otherwise they were and included as part of the river transect.
- For the river transect the helicopter slowed to a hover over or adjacent to the willow lined sections so that the ducks would swim out to become visible to observers and then easily counted.

Cross country transects

- Mallards were counted within 100m either side of the helicopter as it flew along the transect.
- This gave a fixed width of no more than about 200m from the line of the survey.
- The helicopter flew at an approximate fixed height so that birds could be easily seen and identified as mallards.
- Generally the transect was undertaken at a fixed cruising speed but if an accumulation of mallards was found, e.g. a pond was on the transect line, the helicopter was slowed so the birds could be accurately counted.
- Birds were not generally encountered unless there was a water feature present.

15.0 General Business