

CENTRAL SOUTH ISLAND FISH AND GAME COUNCIL

Minutes of Meeting of Central South Island Fish and Game Council held via video link on Thursday 17 March 2022 at 7:00 pm.

Present: S Bannister (Chair) L Koevoet
P Centofanti D Rattray
J deWit J Henry (Ngai Tahu)
S Gerard (left meeting at 10:44 pm)

In Attendance:

F&G Staff: J Graybill, B Dolan, A Christensen, M Webb and H Stevens, R Adams

Presenter: Doug Rankin

22-013 APOLOGIES:

N Niles

Resolved (Koevoet/Centofanti)

22-027

THAT THE APOLOGY OF N NILES BE ACCEPTED.

Chair advised Council of the resignation of Clark Stanger, so Council was now reduced to 8 members, including J Henry, Ngai Tahu.

22-014 COUNCILLOR INTEREST REGISTER:

Chair queried if Councillors had any new interests to add to the register or any conflicts, or perceived conflicts, between their current interests and the business of tonight's meeting? None were advised.

22-015 HEALTH & SAFETY:

Due to meeting being held via video link no Health and Safety briefing was required.

22-016 CONFIRMATION OF MINUTES – 3 February 2022

Resolved (Bannister/Centofanti)

22-028

THAT THE MINUTES OF THE MEETING OF 3 FEBRUARY 2022 BE ACCEPTED AS A TRUE AND CORRECT RECORD.

P Centofanti noted Council's resolution at the February 2022 meeting to record Council meetings and queried if Standing Orders needed to be updated to reflect that. Chair responded that conditions for holding meetings via video changed with Covid regulations and felt Council is covered by that. CE agreed and advised that updating of Standing Orders could be undertaken with a more general and official approach. Council agreed it would be more appropriate to be taken up at a later meeting.

22-017 BUDGET AND FINANCE:

Resolved (Rattray/Centofanti)

22-029

THAT COUNCIL RECEIVES THE FINANCIAL REPORTS AND RATIFIES THE SCHEDULE OF PAYMENTS FOR FEBRUARY 2022 IN THE GST INCLUSIVE AMOUNT OF \$282,831.59.

22-018 DOUG RANKIN:

018.1 Opuha Advocacy

Chair advised that he had asked Dr Doug Rankin, an environmental scientist, to speak to the Council about new information from Opuha Catchment Environmental Protection Society (OCEPS) on the possible contamination of Lake Opuha and waters associated with the lake.

D Rankin advised Council that he got involved with issue of contamination of Opuha after speaking with A Brooks who had asked if he was available to assist. He has spent time talking with Allan Campbell and Barry Stone and has tried on a number of occasions to speak to Nick Wall but has not heard back from him. He recognised after looking at OCEP's data that they could benefit from someone like him, an industrial chemist to sift through the information and work out the significance of it. He then wrote a report for OCEPS that gave a distillation of his understanding of what was revealed in the data they had. OCEPS's data showed there was a problem and ECan's data showed otherwise. Data provided by OCEP's, however, did not have sample locations or a rationale or discussion about the data.

Upon hearing about CSI's letter to ECan he approached the Chair and made him aware that he had been helping OCEP's. He felt the Chair's letter to ECan wasn't clear so was concerned that ECan might dismiss it and the information it contained. D Rankin advised he has been talking to some ECan Commissioners on the environmental side for a couple of years alerting them to concerns that both he and the community had. They were interested in the Opuha situation, so he documented his concerns in a report to ECan and has engaged in good dialogue with them. He has had a meeting with ECan's Director of Science and has received a response from that meeting. ECan says there is a degree of scepticism about the results but acknowledges Doug's offer to review the information and come back to ECan with a proposition for a study to investigate this issue thoroughly.

CE noted that what D Rankin had described demonstrated the distrust between the major parties. To get beyond that a process would have to be found that was independent, open and co-operative. D Rankin replied that that was what he was proposing and that it should include all interested parties, including Opuha Water. All parties want to know if there is an issue of contamination and if verified independently, then work together on a solution.

J Henry described his long-running interest and involvement (on behalf of Arowhenua) with water quality in the catchment and concerns about possible contamination. This included assistance with sampling and having the samples tested. He agreed that another independent assessment was needed.

Chair thanked D Rankin for his presentation and looked forward to receiving his proposal.



22-019 RECEIVE OPERATIONS AND STAFF REPORTS:

Resolved (Koevoet/Ratray)

22-030

THAT THE OPERATIONS AND STAFF REPORTS OF 17 MARCH 2022 BE RECEIVED.

22-020 PUBLIC ISSUES FORUM:

Chair advised there is no capacity for public issues forum at this stage via zoom however he understood that during the CE report under the Sports Fish and Game Management Plan (SFGMP) there are some interested parties from Salmon Anglers Association whom he may enable to comment. He sought opinion of Council.

P Centofanti (as Chair of the panel hearing public submission) stated that from his understanding of the SFGMP process, the public have already submitted their views and been heard by the panel. The panel held two meetings, one to hear submitters oral submissions and another to review revisions to the plan after hearing from submitters. He felt at this point, under the proper process, there shouldn't be an allowance for further public discussion. He sought the CE's clarification.

CE clarified that the public submission process has been completed. Written submissions were received, and hearings held for those who wished to speak to their submission. Revisions have been made to the plan after receiving and hearing public submissions, The panel has made adjustments to the draft Plan and has agreed on the draft Plan provided to this Council meeting with the recommendation for approval and sent to the Minister.

CE stated that he had sought clarification of the process from Di Taylor, Acting CE of NZC. She advised (in writing) the process as set out in S17M of the Conservation Act as follows:

- That the CSI Council must give notice to the public via local newspapers, and to DOC, Iwi, Regional Councils and territorial authorities for their input. (CE advised that step was taken, and CSI heard from one party).
- Council must then seek submissions on the draft Plan and give full consideration to all submissions made. (CE advised that step was taken and completed).
- Provide opportunity to respondents to request to speak to their submissions. (CE advised that has happened).

She further stated that if there were late significant, substantial changes to the plan, which weren't consulted on, the whole process would need to be re-started. She advised that conversations that NZC staff have had with officials within the Department, it is clear that the Minister has an expectation that Fish and Game Councils will maintain up-to-date SFGMPs. If CSI's plan lapsed, then DOC would no longer be required to have regard to these plans when formulating their conservation management plans or freshwater fisheries management plans. If CSI's Plan lapses, then there is no plan that DOC has to have regard to.

CE stated that the plan had been prepared following the process to the letter as prescribed by the Act for a Statutory Plan. The panel that reviewed the plan and heard oral submissions agreed that the draft plan be presented to the CSI Council with the recommendation that Council resolve to submit the Plan to the Minister for approval. L Koevoet agreed that Council has followed the process.

Chair responded that licence holders are entitled to bring whatever comment they have to the Council's public issues forum as part of its transparency but recognised it's difficult with zoom so therefore would be a little relaxed later if anyone wishes to make comments.

22-020 CHIEF EXECUTIVE'S REPORT:

020.1 Budget (10.1)

CE explained that last year's budget was re-cast and reduced due to Covid-19 and stood at \$700,450. He proposed that applications be approved for contestable funding to help restore CSI back to previous budget levels. In addition, CSI is experiencing increased costs in insurance, rates, audit and accounting fees, and fuel. He recommended that the draft budget for FY 2022/23 be approved including contestable fund applications for identified objectives.

L Koevoet expressed concern in regard to canals and the requirement for ranging in terms of hours and cost. CE responded that there is always a balance to achieving objectives in the OWP. It was queried if an additional staff member was required to achieve increase in ranging output as we are presently limited with the staff we have?

CE responded this would require a formal proposal at the budget round for an additional staff member. He further advised that NZC has sent correspondence to F&G Chairs with the request that while Fish and Game are in the re-structuring phase and the covid phase that no additional staff members be appointed. Councils are asked to await the outcome of the ministerial review; therefore, it was very unlikely that an additional staff member would be approved.

Resolved (Centofanti/Gerard)

22-031

- 1. THAT COUNCIL APPROVE THE DRAFT BUDGET FOR THE 2022/2023 FINANCIAL YEAR TO BE SUBMITTED TO THE NZ COUNCIL WITH ATTACHED CONTESTABLE FUND APPLICATIONS FOR IDENTIFIED OBJECTIVES, AND**
- 2. THAT THE CE PUT FORWARD AN APPLICATION FOR AN ADDITIONAL STAFF MEMBER FOR CSI IN COMPLIANCE WITH NZC STIPULATION (I.E., THAT NO ADDITIONAL STAFF MEMBERS BE TAKEN ON UNTIL THE FISH AND GAME MINISTERIAL REVIEW HAS BEEN COMPLETED).**

020.2 Sports Fish and Game Management Plan (10.3)

A Christensen and B Anderton joined the meeting. A Christensen gave Council a briefing on the process undertaken on the SFGMP. She advised that one of the main changes was the inclusion of the Plan Implementation section (under Section 14) which sets target dates for specific activities to occur to give effect to the SFGMP.

P Centofanti, Chair of the Hearing Panel, thanked all parties who spent time making submissions on the plan. He noted that we have to look at Fish and Game across the whole board and not just niche areas. The Panel did allow late submissions and most of their points were accepted. He acknowledged and commended the effort that A Christensen put in as there was a lot of extra work. He also thanked B Anderton for his time and expertise in the wording and thanks to J Graybill's level headedness in how to proceed with it. He advised the format of the plan was not changed as his research into

SFGMP's showed that what NZ has been submitting is a standard form from other countries.

L Koevoet queried if the changes made to the original document put forward were substantial? CE advised that revisions were made that resulted from conversations with submitters, which was the purpose of the hearing. In many cases the submitters suggestions were accepted, as were many of the 53 suggestions that S Gerard brought to the last Hearing Panel meeting.

S Gerard, hearing panel member, stated that some submitters had asked that a set of measurables be put in the document and the panel declined to do that. He has seen a plan that does have a set of measurables in it and suggested Council ask the Minister to set the record straight? He also wished to have a review clause in it to see if the plan is achieving the intent of what is set out in the document.

The CE responded that he was aware of the plan Mr Gerard was referring to and clarified the similarities between them. CSI's SFGMP lists outcomes, issues, objectives, and policies. The DOC management strategy very similarly includes outcomes, objectives and policies. CSI have added, based on anglers' submissions, a plan implementation section. The DOC management strategy has a similar section but called milestones, but it does not have measurables. It uses terms such as "*developing, identifying, applying, make progress, monitor, supplement.*" This indicates that the layout and the headings in CSI's SFGMP are essentially identical to those of the DOC strategy. The DOC strategy doesn't have measurables other than milestones which indicate something to be completed by a certain date. CE clarified that there is already a requirement to review SFGMP's every ten years as stated in statute.

Chair indicated that Council could decide to review how the plan is going on a regular basis. The plan itself is for the Minister. A review should be the responsibility of the Council off its own back and not necessarily written into the plan. B Anderton advised that there is nothing stopping any Council doing a partial or full review at any point earlier and advising the Minister.

Resolved (Koevoet/Centofanti) 5 for, 1 against

22-032

THAT COUNCIL APPROVES THE SPORTS FISH AND GAME MANAGEMENT PLAN FOR THE CENTRAL SOUTH ISLAND FISH AND GAME REGION FOR SUBMISSION TO THE MINISTER FOR APPROVAL PER SECTION 17M (2(F)) OF THE *CONSERVATION ACT 1987*.

S Gerard asked that his vote against the motion be recorded.

020.3 OWP (10.4)

CE explained that the OWP was prepared with the rankings in mind that were provided to him from the Council workshop. He pointed out that each objective in the OWP has a number in red that aligns with each outcome from Council's Strategic Plan 2020-24. In response to Council's ranking of priorities there are new projects listed in habitat as this had the second highest ranking by Council and new objectives in participation as this is ranked fourth priority by Council. He referred to a table he prepared that showed the percent effort for each of Council's seven strategic goals that matched well with the rankings that Council supplied.

P Centofanti thanked CE for excellent effort. He questioned if S Gerard was happy with the addition of inventory on 2.1.14. S Gerard recognised that it was in there but felt it needs to go ahead much quicker. CE responded that staff included this objective in response to S Gerard's submissions on that point. The reason it was put in terms of 'investigate options' was that the subjects to be surveyed were policies, operations and the fish and game resource. These are very wide topics and consideration needs to be given to make them more specific.

S Gerard responded he would like to see it be clearer and felt the Council hasn't given the CE any measures. L Koevoet responded that Council must differentiate between governance and management and should not be telling CE how to do his job as that is not Council's function. Council is to advise the CE what they want, and it is up to staff to decide how it is done.

Chair felt the OWP was different to what he envisaged as he had asked for it to be put in the format of the strategic goals but acknowledged it is done according to the structure of the ministerial format. CE clarified that the OWP format is as set by the NZ Council and by the Office of the Auditor General. Further, the form of the OWP is the same as that of the budget.

Chair asked whether individual Councillors believe the OWP reflects the strategic goals of the council and whether they agree with them?

S Gerard felt that Council needed to go away and put measurables on all the key elements that it wants to achieve and bring that back to CE.

P Centofanti felt Council needs to be realistic about setting measurables and not try to achieve things that are unachievable, such as salmon when CSI has no control over water or the issue of allocation.

L Koevoet stated he could follow it, understand it and was happy with the changes. He felt it tied in with the ten-year plan and should be accepted as it is. He felt it was short on compliance but acknowledged this could be addressed at a later time. He reminded Council that it not going to get everything with the very limited finances and resources of staff.

Dean Rattray felt the document should be accepted also.

J deWit wanted to see more done on the canals in protecting that fishery for the future and didn't see this in the OWP.

At 10:35 pm it was:

Resolved (Centofanti/Koevoet)

22-033

THAT THE MEETING CONTINUE FOR 15 MINUTES.

Chair asked the CE, if Council passes this document now as it stands would there be any opportunity to make changes to it? CE responded that once the OWP is approved by Council, it becomes his instruction as to what is to be achieved in the next financial year. If projects are added later then it upsets the achievement of what Council has already approved. He added that Council has held its workshop and provided its ranking of priorities as suggested by D Taylor, NZC CE and these rankings had been taken into account by adding new objectives (as noted above). He believed that this OWP provided to Council achieves the balance of the rankings.

Chair expressed his disappointment and believed Council ought to be applying innovative measures towards ranging such as having a full-time ranger in the canal for a period of time to bring it under control. He referenced a complaint made to him about CSI by a former ranger from Twizel. He further believed that proper engagement with licence holders is a two-way collaborative exercise and without licence holder surveys it's just one-way traffic.

Resolved (Centofanti/Koevoet) 3 for, 2 against, and 1 abstention

22-034

THAT COUNCIL APPROVE THE DRAFT OPERATIONAL WORK PLAN FOR THE 2022/2023 FINANCIAL YEAR.

S Gerard left the meeting at 10:44 pm.

At 10:45 pm Council

Resolved (Centofanti/Koevoet)

22-035

THAT THE MEETING CONTINUE FOR 15 MINUTES.

020.4 Gazette of Spawning Areas under Conservation Act (10.4)

A Christensen spoke to her written report that sets out the new process for the designation of spawning areas under the *Conservation (Indigenous Freshwater Fish) Amendment Act 2020*. In order for CSI to have the ability to undertake prosecutions under the Act, spawning areas must be designated as such by the Director-General. CSI is the first Council in the country to be moving on this. Three waterways from the CSI Region are recommended to trial the process and will require the Department to address the issue and finalise the logistics. This pilot case process will inform how to approach the designation process for additional waterbodies in the CSI Region as well as those for other Fish and Game regions around the country. CE added that this is a trial that can be expanded if we are successful.

Resolved (Centofanti/Ratray)

22-036

THAT COUNCIL APPROVE MELLISH STREAM, DEEP CREEK AND OUTLET CREEK AS SPAWNING AREAS AND RECOMMEND THEM TO THE NEW ZEALAND FISH AND GAME COUNCIL.

020.5 Hydro Canal Statutory Protection (10.5)

A Christensen spoke to her paper that reviews relevant plans and consents to help inform and investigate statutory protection opportunities for the hydro canals as prioritised by Council. The report was peer reviewed by legal counsel. After reviewing the statutory frameworks available for further protections on the hydro canals along with the risks, it is considered that formal statutory protection through RMA avenues is not suitable and that the most appropriate way to ensure the sustainability and national significance of the canal fishery is for CSI to continue to allocate resourcing to projects and initiatives that enable the sustainable management of the canal fishery. This would ensure that research is undertaken and that regulations are set at appropriate levels (such as regulations that control methods, bag limits and season lengths that maximise the available angling opportunities), which have direct impacts on the catching and taking of fish. Advocacy on the importance of the canal fishery should continue and be carried out when opportunities arise.

Resolved (Centofanti/Koevoet)

22-037

THAT COUNCIL DOES NOT SEEK FORMAL STATUTORY PROTECTION FOR THE WAITAKI HYDRO CANALS THROUGH RMA AVENUES.

Resolved (Bannister/Rattray)

22-038

THAT COUNCIL CONTINUES TO SUPPORT AND ADEQUATELY RESOURCE THE PROJECTS AND PRIORITIES AS OUTLINED IN THE HYDRO CANAL FISHERY SCOPING DOCUMENT REPORT.

22-021 CHAIR'S REPORT:

This report was taken as read and it was:

Resolved (Koevoet/Centofanti)

22-039

THAT THE CHAIR'S REPORT BE RECEIVED.

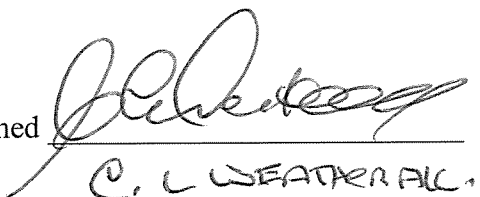
22-022 NON-NOTIFIED GENERAL BUSINESS:

There were brief comments made on the following topics: Councillor vacancy (agreed no action be taken at this time), NZFGC matters (sensitive fisheries and D Taylor, Acting CE, resignation), and RDR site visit, date and time.

Next Council meeting – 19 May 2022 – 7 pm.

Meeting Closed at 11:04 pm.

Signed


C. L. WEATHERALL

Date

19/5/2022

