



Submission on notified proposed Te Tai o Poutini Plan
[Clause 6](#) of Schedule 1, Resource Management Act 1991

To Te Tai o Poutini Plan Team
Te Tai o Putini Plan Submission
By email: info@tppp.nz

Name of submitter: **West Coast Fish and Game Council**

This is a submission on the proposed Te Tai o Poutini Plan. (the **Proposal**)

I could not gain an advantage in trade competition through this submission.

The specific provisions of the Proposal that my submission relates to are set out in the attachment to this submission.

My submission is as set out in the attachment.

I seek the decisions from the local authority as set out in the attachment to this submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Sincerely

A handwritten signature in black ink, appearing to read 'D Kelly'.

31 October 2022

Dean Kelly
Manager
Fish & Game New Zealand – West Coast Region

Attachment to the submission of West Coast Fish and Game Council on Te Tai o Poutini Proposed Plan

Introduction

1. The West Coast Fish and Game Council (Fish and Game) is the Crown’s statutory manager of the sports fish and game resources on the Tai Poutini/West Coast, with legislative roles provided under the Wildlife Act 1953 and Conservation Act 1987.
2. Fish and Game is a Crown entity established pursuant to s 26P Conservation Act. The statutory functions of regional fish and game councils are to *“manage, maintain, and enhance the sports fish and game resource in the recreational interests of anglers and hunters, and, in particular”,* in relation to planning, to *“represent the interests and aspirations of anglers and hunters in the statutory planning process”*; and *“to advocate the interests of the Council, including its interests in habitats”*.
3. Section 7(h) of the Resource Management Act 1991 requires all persons exercising functions and powers in relation to the preparation and implementation of the proposed Te Tai Poutini Plan to have particular regard to *“the protection of the habitat of trout and salmon”*.

Relief Sought

3. Fish and Game seeks the following amendments (shown as additions underlined or deletions ~~struck through~~ in the column “relief sought”) to the proposed Te Tai Poutini Plan (pTTPP)

Provision/section	Relief sought	Reasons
Introduction and General provisions Notification, pg 18	Add new item to the list of entities to be given specific consideration when deciding whether any person is affected; <u>In relation to the habitats of sports fish or game birds, the West Coast Fish and Game Council</u>	Fish and Game is the Crown’s statutory manager of the sports fish and game resource on the West Coast.

<p>Introduction and General provisions</p> <p>Definitions, pg 33</p>	<p>Amend definition of ‘Conservation Activities’; by adding to the definition; <u>It also includes any activity undertaken for the purposes of enhancing the lawful utilisation of the sports fish or game bird resource.</u></p>	<p>Sports fish and gamebirds are conservation values, administered under the Conservation Act 1987. However, the focus of the pTTPP definition of Conservation Activities is directed towards ‘protecting and/or enhancing natural, historic and/or ecological values’. This focus could result in conservation activities relating to sports fish and game birds not being appropriately recognised or provided for under the pTTPP.</p>
<p>Historical and Cultural Values</p> <p>Appropriate Activities</p> <p>SASM – P13 pg 153</p>	<p>Add to P13; <u>Lawful recreational and conservation activities</u></p>	<p>Some of the scheduled sites and areas of significance to Poutini Ngāi Tahu are public lands which provide valued conservation and public recreation opportunities (including sports fishing and game bird hunting opportunities, e.g. Kōtukuwhakaoko /Lake Brunner (Moana), or Ōkarito Lagoon). The pTTPP should not limit or restrict such lawful public activities in this respect.</p>
<p>Historical and Cultural Values</p> <p>Sites and Areas of Significance to Māori Rules</p>	<p>Add new permitted activity rule; <u>Lawful Conservation or Recreational Activities</u></p>	<p>Some of the scheduled sites and areas of significance to Poutini Ngāi Tahu are public lands which provide valued conservation and public recreation opportunities (including sports fishing and game bird hunting opportunities, e.g. Kōtukuwhakaoko /Lake Brunner, or Ōkarito Lagoon). The pTTPP should</p>

		not limit or restrict such lawful public activities and should provide for them. For sites and areas which are not open to public access, conservation or recreational activities can not lawfully occur without appropriate land owner approval
Public Access Unformed Legal Roads Pg 189	Amend descriptive text as follows ... Many also cross <u>bisect</u> private land or traverse sensitive ecological environments ...	The text is erroneous and misleading. Unformed legal road does not 'cross' private land, as the underlying title is not private. Adjoining land may be private, but the unformed legal road is not crossing that private land, even if the adjoining land on both sides of the unformed legal road is privately held.
Natural Environment Values Natural Character and the Margins of Waterbodies NC -R2 Permitted Activity	Amend NC – R2 Buildings or structures within the Riparian margin of a river, Lake or Wetland. Amend Permitted Activity Rule by adding the following wording to the list of permitted buildings and structures; <u>Temporary Mai Mai for game bird hunting</u>	Mai Mai are essential to lawful gamebird hunting activities, and must be constructed either within the riparian margin of a lake or river/wetland, or over the surface of the waterbody.
General District Wide Matters Activities on the Surface of Water Rules ASW – R4 Permitted Activity	Amend Permitted Activity Rule ASW – R4 Installation of structures on the Surface of Natural Waterbodies by adding; <u>These are temporary Mai Mai installed for the</u>	Mai Mai are essential to lawful gamebird hunting activities, and must be constructed either within the riparian margin of a lake or river/wetland, or over the surface of the waterbody.

	<u>purposes of lawful gamebird</u> <u>hunting; or</u>	
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4. Fish and Game supports all other provisions of the pTTPP, except where inconsistent with the relief sought as described in this submission.

5. In addition to the specific reasons set out elsewhere in this submission, the relief sought by Fish and Game;

- Better gives effect to the West Coast Regional Policy Statement 2020
- Better gives effect to the National Policy Statement for Freshwater Management 2020
- Better gives effect to Part 2 of the Resource Management Act 1991 and the District Councils' functions.

6. Fish and Game seeks such further, alternative or consequential relief as may be appropriate to give effect to this submission.