

Minutes of the Fish & Game NZ, Southland Region Council meeting held at the Council Office, 17 Eye Street, Invercargill on Thursday 19th March 2020.

Present:

Graeme Watson (Chair)	Ken Cochrane
Lindsay Withington (6.05pm)	Craig Horrell (by Zoom)
Lyndon Norman	Dave Harris (by Zoom)
Paul Stenning	Bevan McNaughton
Mike Hartstonge	Chris Owen
David MacGregor	
Corey Carston	

In attendance: Zane Moss (Manager).
J Smyth (Resource Management Officer),
C Mason (Minutes).

With the current coronavirus pandemic (COVID-19) and three new cases announced in Invercargill today the Council had decided to exclude non-essential people and the general public from the meeting tonight. This was keeping in line with the Ministry of Health's advice to restrict public meetings as much as possible during the pandemic.

Two Councillors in self-isolation had elected to attend by Zoom.

1. Welcome:

The Chairman opened the meeting at 6.00pm, welcomed those present and noted all the exits in case of emergency.

2. Apologies:

Resolved Hartstonge/McNaughton that apologies be received & accepted from Cyril Gilroy & Lindsay Withington for lateness (6.05pm) Carried.

3. Conflicts of Interest with items on the agenda:

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

4. Health & Safety Report:

The Council health & safety report for the period 1st February to 19th March 2020 was attached to the agenda for consideration. The report showed a nil return for the period.
All known hazards were listed in the Southland Health & Safety Plan.

Resolved Withington/Hartstonge that the Health & Safety Report to 31st January 2020 be received.
Carried.

5. Minutes of the meeting held 4th February 2020.

Cr Owen had a query on the process involved which he said could alter the outcome of the minutes. He said that the process was relevant to tonight's meeting as well. Cr Owen noted that when electronically attending the meeting (by Zoom in this case) you did not have voting rights unless prior arrangements had been made at a previous meeting. He said if the matter was of major importance voting could not be done by those attending electronically.

He believed the vote for an Office bearer was of major importance. Cr Hartstonge referred to the Standing Orders that Council had adopted which allowed electronic attendance at meetings. The Standing Orders did not say that no voting was allowed if attending electronically.

As it was very relevant currently, with the pandemic COVID-19 situation and that some future meetings may have to be held electronically, Council would like it officially verified if electronic attendees could vote or not.

Resolved Stenning/Withington that the minutes of the meeting held 4th February 2020 were a true and accurate record, subject to clarification of the electronic attendees right to vote. Carried.

6. Matters arising from the 4th February Minutes

Cr Carston referred to the last meeting where the public excluded session came in the middle of the public meeting and the public left. Unfortunately, when the public excluded meeting moved back to a public meeting the public had left the building. He would like to see the public excluded sessions handled a different way, so that the public did not have to leave and come back i.e have the public excluded meeting at the end of a meeting or at the beginning. This would hopefully help to encourage the public's attendance at the Council meetings and to keep them engaged.

Cr Owen expressed his concerns at the way he was removed by the Southland Council from his role as NZ Council representative last meeting, with no given reason, particularly when he had at no time had any negative feedback from the Council that they were unhappy in any way with his work or his direction on the NZC. With Dave Harris unable to go to the NZC meeting Cr Owen said It was very embarrassing to him that no one from Southland attended when he was ready and able to do so.

Cr Owen added further that given his former role as a NZC Executive Committee member & his role as Chairman of the National Licencing Committee and the fact that nationally they were more than happy with him holding those positions, he feels the opposite about Southland. Southland's decision to remove him from those national roles, without any given reason or prior notice they were not happy and with their lack of support to him, he had no confidence in continuing his role on the Southland Executive Committee and therefore wished to resign from the Committee. He gave the Chairman his resignation letter.

The Chairman noted that a new Executive member would be appointed at the next meeting.

7. Minutes of the Extraordinary meeting held 26th February 2020.

Resolved McNaughton/MacGregor that the minutes of the Extraordinary meeting held 26th February 2020 were a true and accurate record. Carried.

8. Matters arising from the Extraordinary meeting held 26th February 2020.

There were no matters arising from the minutes of the Extraordinary meeting.

9. Public Forum.

Kate McArthur, President, NZ Freshwater Sciences Society – By Zoom

Kate McArthur had written earlier to the Council regarding the comment's Cr Cochrane had made in the media in respect to "chick scientists", whom were members of her Society, hence her interest. She thanked the Chairman for his quick response provided, which was emailed to all members and gratefully received.

She said the Society members had a large amount of interest in the issue and it was the first time that a large number of members had written to her personally voicing their outrage at the comments made and supported the Societies letter to the Council. The Society had also made complaints to the NZ Media Council in respect to the manner in which the articles were framed in the media, which were particularly unhelpful and inflammatory, to grab headlines. That complaint was still outstanding with the Media Council. She wanted to highlight that this was not an isolated incident for women in science. She had received a number of direct contacts from women Society members, who had expressed their experiences and that this was very common in their daily professional life, which was very unfortunate and not good to hear. It was still an ongoing issue in 2020 that women in science were still being discriminated against in their professional work in this manner, daily. The Society was gender balanced with approx. 50% of membership being women, reflecting the gender balance of society in general. She wanted to convey the Society's thoughts and experiences of the members to the Council tonight.

David Hansford, writer, editor and photographer – Mapua.

Mr Hansford had forwarded a letter to the Council reiterating his abhorrence of the behaviour and language of Cr Cochrane at the whitebait meeting and said Mr Cochrane had no place in the arbitration of our natural resources and wanted to see him resign or removed by the Council. The Chairman read out the letter to the meeting.

10. Councillor's Forum.

Cr Ken Cochrane.

Cr Cochrane reiterated his apology to Council & Staff for his comments made at the whitebait meeting. He acknowledged there were people upset with his comments and everyone was entitled to their opinion. He said he had received some overwhelming support from licence holders but accepted there was polarising views on the matter. Cr Cochrane said he was extremely aggrieved that he had not been contacted personally, by Councillors or Management to discuss the issue & give his side of the matter, except by Cr Owen, before a media release was made by the Deputy Chairman with a given agenda, based upon an article in a newspaper. He suggested that it was outside the rules of Governance of the Council.

At this point Cr Norman left the meeting in utter frustration. (6.29pm)

Cr Cochrane said he had apologised to the Director General, Lou Sanson, who had accepted his apology. He had apologised to the Council also but had no acknowledgement of that apology. He said the NZC Comms advice to Management at the time was for Southland to just divorce themselves from the situation. (However, Management disputed that). Next a Southland extraordinary Council meeting was called, that he could not attend, due to a bereavement, and he was asked to resign. Council just went ahead anyway with the process, so consequently any criticism that Council received after that was bought upon themselves. He reiterated he would not resign.

11. Public excluded session.

Time 6.34 pm Resolved (Hartstonge/Withington)

To move into a Public Excluded session of the meeting.

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

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

- a. Council's media response to Cr Cochrane's comments at whitebait meeting.

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

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
Media response to Cr Cochrane's comments	Good reason to withhold exists under section 9 of the Official Information Act 1982	Section 48(1)(a)(ii)

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

ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
a	Protect the privacy of natural persons.	Sec. 9(2)(a)	Information provided identifies a particular person or can easily be connected with a particular person.	Once the person to whom the information relates consents to its disclosure.

Note

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

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

(a) Shall be available to any member of the public who is present; and

(b) Shall form part of the minutes of the Council.”

Time 7.00pm

Resolved:(Michael Hartstonge/Dave MacGregor)

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

12 Administration Reports:

The accounts paid, direct credit/debit payments list & automatic payments since the last meeting, licence sales progress to 5th March 2020, budget to actual expenditure to 29th February and the correspondence list were attached to the agenda for Councillors consideration.

Licence sales were currently down 4.1% on last year's sales at the same time. This had been mainly attributed in previous meetings to the bad weather at opening & since.

However, Cr MacGregor noted that at some stage it should be acknowledged that falling licence sales could be attributed to farmers who were not happy with Martin Taylor's media releases against Farmers. He was a farmer himself and said that many farmers had told him they were no longer buying F&G licences for that reason. It may be time for Regions to take this into consideration when looking at falling licence sales. The Chair said he had been approached by Farmers as well on the same issue.

Cr Owen commented that he had spoken to the NZC,CE, about that issue in the past and its effects on Southland Farmers.

Cr Cochrane suggested the Southland Council wasn't helping the issue with the spend on the Southland Water & Land Plan. He was reminded that it was a process of Fresh Water Management and not an anti- farming process.

With the COVID –19 restrictions it was unknown at this stage what the impact would be on our game and fish 2020 licence sales and other income.

13 Staff Report:

The staff report was attached to the agenda.

Operational Work Plan & Budget 2020/2021

The Manager noted that with the current restrictions due to COVID-19 pandemic and the impacts of that on revenue unknown it was no longer appropriate to apply to the national Contestable Fund for staff salary 1.9% CPI increases. It was hoped that other Regional Managers would also withdraw their applications for that as part of cost saving opportunities.

In respect to the additional funding requirement from non-resident levy reserves, \$20,000, to employ a student based in the Waikaia catchment to survey angler usage and perceptions over the summer period, this may not be required as non-resident anglers may not be able to visit next season. But we would like to keep it in the budget in the meantime and reassess it at a later date with Council once COVID-19 restrictions were lifted. It still needed to be part of the budget but did not have to be spent.

Councillors identified at the December & February meetings four key priorities in addition to statutory functions, they would like to see addressed in the Operational Work Plan. These priorities had been made into 4 goals by Management to reflect those priorities. (See page 11 of the Staff Report).

Management were very aware of the impacts on our revenue from the virus in the worst situation and would be looking for all opportunities to save money & be prudent in the budget.

Resolved Stenning /Hartstonge that Council approved and supported the 2020/21 Operational Work Plan goals as described on page 11 of the staff report and that those goals reflected the priorities of the Council. Carried.

Resolved Hartstonge/ MacGregor that the draft 2020/21 budget presented to the Council in the agenda, with a value of \$697,578 was approved, subject to the \$20,000 regional non-resident levy reserve spending being reviewed at a later date. Carried

14 NZ Council Issues:

Cr Harris had been unable to attend the last NZ Council meeting & as he had not received the minutes of that meeting, he could not comment on any issues.

Cr Hartstonge expressed a concern about Cr Cochrane still being on the National Remuneration Committee, particularly being that it related to the performance of staff.

Cr Cochrane reported that the three NZC Committees, including the remuneration committee were currently in recess and had not met since before Xmas. He noted it was a NZC appointment and had nothing to do with the Southland Fish & Game Council.

Cr Hartstonge moved a motion that Council had no confidence in Cr Cochrane being a contributing member to the NZC Remuneration Committee and asked for his removal from it.

However, there was no seconder to the motion and the motion was lost.

15 General Business:

Opening Weekend Game Hunter Survey:

Last season Councillors had completed the opening weekend hunter survey. Council saw this as an opportunity to have dialogue with hunters and enjoyed the experience. Councillors Owen and Carston asked to be excused from the survey this year due to business & family reasons.

Time 8.10pm Resolved:(McNaughton/Withington)

To move into Public Excluded meeting.

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

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

- a) Topic B considerations for the proposed Southland Water & Land Plan Appeal.**

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

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
A) Topic B Appeal considerations	Good reason to withhold exists under section 9 of the Official Information Act 1982	Section 48(1)(a)(ii)

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

ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
a	Maintain legal professional Privilege	Sec. 9(2)(h)	To enable the Council to discuss legal advice.	Once the matter is completed and the legal advisor agrees to its release.

Note

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

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

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

Time 8.30pm

Resolved:(Michael Hartstonge/Dave MacGregor)

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

2020-2022 Angler Notice:

With R3 there had been a lot of discussion nationally & locally concerning the Angler Notice regulations and how they needed to be simplified. With that in mind Staff had recommended proposed changes to the Anglers Notice 2020-2022 for Council consideration at the October meeting.

Council considered recommendations for proposed changes at the October 2019 meeting. After consideration the Council agreed on five changes to advertise and call for public submissions on. In December 2019 the Angler Notice proposed amendments were advertised in the Public Notice columns of the Southland Express and The Advocate & on the Facebook page of the Southland Fish & Game Council. Public submissions closed on 20th January 2020 and copies of all submissions received were circulated to Council before the 4th February 2020 meeting. At the 4th February meeting those wishing to speak to their submissions were heard by the Council. At the 19th March 2020 meeting Council voted on the proposed changes for the 2020-2022 Angler Notice after considering all written submissions received and those who had spoken to their submissions.

1) Bright Water Stream season length:

Resolved Withington/MacGregor that the Bright Water Spring season length be shortened by 1 month to open on the 1st November to reduce disturbance of stock during lambing. Carried.

There was no legal access to the Bright Water and access was generously provided by the adjoining Landowner. This was a significant fishery & the Landowner had been very accommodating to anglers. A one month shortened season would reduce the disturbance of stock during lambing in early October. This was a major step for one Councillor, however there was no other significant fishery, with no legal access, in Southland that this would set a precedent for.

2) Bag Limits:

Resolved Stenning /Carston that a universal bag limit of two fish per day is implemented in Southland waterbodies except for the Upper Oreti River which will have a bag limit of one fish per day. Carried.

A consistent bag limit across the region will help to simplify regulations without detriment to the fisheries. Simplification of regulations is in line with the national R3 focus.

3) Angling Methods:

Resolved McNaughton/MacGregor that all legal angling methods are permitted on all waterbodies in Southland except the Upper Oreti River which will be fly and spin only. Carried.

Consistent angling methods across the region will help simplify regulations without detriment to the fisheries and kept in line with the national R3 focus to simplify regulations.

4) Southland Lakes:

Resolved McNaughton /MacGregor that the fishing season is open all year round for Lakes Fergus, Gunn and Hankinson. Carried.

This brings into line consistent season length regulations for all glacial lakes in Southland to help simplify regulations with no detriment to the fisheries.

5) Windon Burn season length:

Resolved Stenning/Hartstonge that the season length for the Windon Burn remains as 1st October to 30 April. Carried.

The rainbow fishery has become well established with the current season length. Submitters noted that if season length changed to 1st November opening it may add confusion with the adjoining Mararoa which is the 1st October.

Worsley & Clinton Rivers:

Following research from Stu Hayes (Otago University) Council agreed that some form of adaptive management was required on the Worsley & Clinton Rivers.

Staff had supplied two management options to consider. 1) An online booking system and 2) an online ballot system. Both systems could work, and each approach had advantages & disadvantages. Submissions received indicated that some anglers, particularly local anglers, preferred the current system. However, the fishery had to be managed on behalf of anglers nationally and the majority of those surveyed favoured a change in management.

Some Councillors thought a ballot system with today's technology to be a fair & equitable way to book access to the fishery for both residents and non-residents. A ballot system would also provide better data collection and was less open to abuse. Others preferred a booking system as they saw it as an easier option. Some thought a two-week booking lead time was a long way out in either system and would prefer a week lead time. A booking system could be open to abuse. Otago had recommended a ballot system despite the fact they ran a booking system, as the Worsley & Clinton were totally different rivers. With a booking system there was no capability to report on traffic.

After discussions.

Resolved Stenning /Withington that Council adopt the online ballot system for the Worsley & tribs & the Clinton River & tribs. Carried with Crs Cochrane, Owen & Carston against and Cr Harris abstaining.

In respect to the Conflict of Interest register, as no guiding was allowed on the Clinton & Worsley Rivers those guides on Council were allowed to vote.

Following that vote Council then considered six conditions of the ballot system.

There was a suggestion that the upper reaches of the Clinton main branch be not balloted to give some fishing opportunities to those walking the Milford Track.

1) The Controlled Fishery period.

Resolved Stenning /Cochrane that the controlled fishery period on the Worsley & Clinton and their tribs be for the whole season 1st November to 31st May. Carried.

As the purpose of the controlled fishery was for data collection, we needed all the data during the whole season rather than just a certain period of the season.

2) Allocations:

Resolved Withington/McNaughton that six "fishing allocations" will be available for allocation by ballot each fortnight- Mon/Tue, Wed/Thur, Fri/Sat/Sun. No angler would be able to fish more than one allocation per fortnight. Carried.

These features would allow anglers to get away for a long weekend and have an overnight stay. It also restricted the number of days that the river could be occupied by one person or group. Although not overly flexible it offered simplicity.

3) Beats:

Council all agreed that the Worsley & tribs should be one beat. More than one beat would exert too much pressure on the river.

Discussion then followed on the Clinton beats. The Clinton was a larger river with two branches and could provide two beats or even three.

There was a suggestion to provide for trampers on the Milford Track to have fishing opportunity, so conflict did not arise. Regs had to be kept simple. 500m below the Pompolona Hutt was suggested as a cut-off point. It was also suggested the Neale Burn & North Branch be one beat and the Main (West) Branch be the 2nd beat.

Some Councillors were not that familiar with the River and agreed that the Staff who were very familiar with it should determine the two beats required.

After discussion

Resolved McNaughton /Withington that the staff determine two beats for the Clinton River ballot and make the Worsley & tribs one beat. Carried.

4) Angler party size:

Resolved Stenning/MacGregor that the angler party size be restricted to a maximum of four, including a party leader. Carried.

An angler party of four allowed anglers to split up a beat amongst themselves if they wanted to.

5) Rest days:

Resolved Withington/McNaughton that no rest days be allocated. Carried.

Rest days would not be required because inclement weather and people not fishing their beats would ensure the Clinton & Worsley were given enough reprieve from angling pressure.

6) Charges:

Resolved Withington/Hartstonge that anglers will not be charged to enter the ballot. Carried.

At this stage charging anglers to enter the ballot was not warranted.

To fish the Clinton & Worsley & tribs would require a back-country licence and a whole season fishing licence.

Angler submissions for Angler Notice changes:

Through the submission process submitters had made additional suggestions for Council to consider to change in the Angler Notice. Council considered these.

Suggestion 1) **Mataura River downstream of Mataura Island open all year around.**

Resolved Withington/McNaughton that the Mataura River downstream of Mataura Island be open all year round. Carried.

This would add additional angling opportunity including more of the tidal reaches of the river. Spawning in the area is likely to be minimal or non-existent.

Suggestion 2) **Rakatu & Redcliff Wetlands open all year around.**

Resolved McNaughton/Withington that the Rakatu & Redcliff wetlands be open to fishing all year round. Carried.

This would create more angling opportunities for both trout and perch without adversely affecting spawning fish.

Suggestion 3) **Upper Oreti to be balloted.**

Council did not support this suggestion at this stage.

Suggestion 4) **Waituna Lagoon open all year except for the month of May.**

Resolved McNaughton/Owen that Council did not support that suggestion. Carried.

Suggestion 5) **Waiau River downstream of Manapouri open all year.**

This needed public submissions so was not supported at this stage.

Suggestion 6) **Kakapo Swamp open all year.**

Resolved Hartstonge /Withington that Council did not support that suggestion. Carried.

This was a very limited fishery and may cause conflict with waterfowl hunters.

Standing Orders - Electronic Voting:

It was agreed to bring into this meeting a proposal to have a vote on whether we allowed electronic voting to be added to the Standing Orders.

Resolved Hartstonge/Stenning that we introduce the proposal at this meeting to vote on whether we allow electronic voting to be added to the Standing Orders. Carried

Resolved Hartstonge /Withington that Council review the Standing Orders and if they do not allow voting by those attending the meeting electronically, that we amend the Standing Orders to allow them to vote. Carried.

Items for the next agenda.

- Look into Standing Orders re electronic voting.
- New Executive Committee appointment.

There were no other items of business and the meeting closed at 9.00pm

Chairman _____ Date _____

