

Minutes of the Fish & Game NZ, Southland Region Council meeting held at the Council Office, 17 Eye Street, Invercargill on Thursday 10th December 2020.

Present: Lindsay Withington (Chair) Cory Carston (6.00pm)
Lyndon Norman Dave Harris
Paul Stenning Mike Hartstonge
David MacGregor Craig Horrell
Richard Crean

In attendance: Zane Moss (Manager), Jacob Smyth, Bill Jarvie, Cohen Stewart & Erin Garrick (Staff).
C Mason (Minutes).

Members of the Public:

Len Prentice
Gavin Roy
Jarred Matchett.

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

1 Welcome

The Chairman opened the meeting at 5.45pm & welcomed those present. With a special welcome to Richard Crean, the new member taking the vacant position on the Council.
Cr MacGregor was thanked for his contribution to the BBQ Council meal tonight.
The Chairman pointed out all exits to the meeting should an emergency occur and the assembly point at the front of the building.

2 Apologies:

Resolved Hartstonge/Harris that apologies be received and accepted from Cyril Gilroy, Ken Cochrane, Chris Owen, Bevan McNaughton & for lateness Cory Carston (6.00pm).
Carried.

3 Declarations of Interest:

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.
The Chairman noted that he had a Conflict of Interest in respect to the Mataura River discharge discussion.
Cr Stenning also noted his Conflict of Interest in respect to the Mataura River discharge discussion.

4 Confirmation of Minutes.

The minutes of the public meeting held 8th October 2020 were considered.

Minutes of the Public meeting held 8th October 2020.

Resolved Harris/Hartstonge that the minutes of the public meeting held 8th October were a true and correct record. Carried.

5 Notices of Motion.

a) **Health & Safety Report to 30th November 2020.**

The Council health & safety report for the period 1st October to 30th November 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.

The Manager reported that a vehicle safety check list had been developed so any issues were identified quickly. Staff and Honorary Rangers had completed the CERT training refresher course, and the 6 monthly fire evacuation exercise had been completed for the Office building.

Resolved Norman/Stenny that the Health & Safety Report to 30th September 2020 be received & accepted. Carried.

b) **Game Regulations 2021**

A paper on recommendations for the game season 2021 was attached to the agenda. Following that paper an email had been sent out to Councillors updating the staff recommendations for Mallards to 20 birds on opening weekend and 10 for the rest of the season. The Manager explained that surveys completed in previous seasons clearly indicated that hunter preference was, in terms of an opening weekend bag, 20 or less birds per day and that was why the recommendation was updated.

Cr Owen had an apology for the meeting but had sent his preferred options to the Chairman. Cr Owen preferred a 3month season and 20 birds per day for opening weekend with 10 per day after that. The Chairman read his email out to the Council.

After discussions around the table Councillors were happy with the updated recommendations.

Resolved Horrell/Norman that the Game season regulations for 2021 be mallards 20/day for opening weekend, then 10/day for the remainder of the season with all other bag limits remaining the same as last year and the season length being 2 ½ months. Carried.

6 Staff & Administration reports.

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

The Accounts paid, direct credit/debit payments list & automatic payments since the last meeting, licence sales progress to 19th November 2020, and the correspondence list were attached to the agenda for Councillors consideration.

Cr Owen had requested that all copies of inwards and outwards mail be supplied to all Councillors.

Licence Sales:

Southland Fish licence sales 20/21 were up 4.7% compared to the same time last year. Nationally fish licence sales were up 6.0% compared to sales at the same time last year.

7. Council Information Reports.

a) Council Priorities for the 2021/2022 Operational Work Plan (OWP).

A paper on the previously approved current term Council priorities were attached to the agenda. It was now the appropriate time to reassess those priorities, to ensure they remained the Council's highest priorities for the next 2021/2022 annual OWP development.

Table 1 showed the 4 primary priorities of the Southland Fish & Game Council for the current term.

Those priorities were:

- i) Pressure sensitive fisheries.
- ii) Recruitment, retention & reactivation,
- iii) Positive solutions to water quality issues.
- iv) Public Awareness.

Table 3 provided the outputs which reflected F&G's statutory responsibilities under the Conservation and Wildlife Acts.

This meeting provided the first step for Councillors to discuss any area of these high-level goals that they thought should be included or excluded from the development of the next OWP 2021/2022 and to consider any other high priorities. At the February 2021 meeting Council will receive & consider staff information on those and refine them. At the April 2021 meeting the OWP and associated Budget would need to be approved.

After discussions:

Resolved Harris/Hartstonge that Council were comfortable and accepted that the four current primary priorities, as above, remained the Council priorities for the 2021/2022 OWP development.
Carried.

b) Register list of Southland Fish and Game Council approved Policies:

The register list of Council adopted policies and plans showing the last review dates was attached to the agenda for Council's consideration. Most of the significant policies had been reviewed relatively recently.

Council were happy with the register list as most of the policies had been reviewed in the current Council term.

8. NZ Council update.

Cr Harris updated the Council on the last NZC meeting held 20-21st November 2020 in Wellington. This was Councillor Harris's first face to face meeting.

- **The Draft MOU** on use of licence data collected, between NZC & Regional Fish and Game Councils was agreed to be passed back to the Managers as a management issue rather than a governance issue.
- **The NZC Chairman**, Paul Shortis resigned as NZC Chair at the meeting but would remain as the Wellington appointee until replaced by Wellington. Cr Ray Grubb was later nominated as the new NZC Chair. The previous Chair Lindsay Lyons also resigned from the NZC and this was his last meeting.
- **Pheasant Preserves** – At a previous meeting NZC recommended to the Minister to allow the continuation of existing commercial pheasant preserves but not allow new ones. However, in response to the Ministers queries the original motion was amended to allow existing pheasant preserves a transition grace period to the end of the 2025 season before closure, instead of closure next year.

- **Pressure sensitive fisheries** - A small fee was discussed for a back-country licence, a restriction on overseas anglers of a maximum of seven days angling per month and the payment of a fee per day of angling. This NZC recommendation would be consulted on with the Regional F&G Councils for their comments.
- **Trout Farming** – Motion passed that F&G were against trout farming for clarity. NZC Looking to do more research on trout farming and getting sponsors to help fund that research.
- **Otago Staff grant**- Cancellation because of COVID, should it be reinstated? NZC agreed to maintain the status quo position with Staff grants as agreed in April 2020.
- **Reconsideration of Regional Budgets** - these would be looked at again at the February meeting when more info would be available.
- **GBHT stamp** discussed – decision was 2023 GBHT stamp open to any game bird species, rather than any wetland bird species.
- Brief discussion was had on Ngāi Tahu taking legal action against the Crown to assert its rights over freshwater in the South Island. However, no further information on the litigation was known at this stage.

9. Point source discharges in the Mataura River.

The Chairman noted his conflict of interest on this subject as he was employed by the Alliance Group and the discharges to be discussed were from the Mataura Plant & others. He currently worked at the Lorneville Plant but had worked previously at the Mataura Plant. He asked Council if they would like him to leave the room during discussions.

Cr Stenning also noted that he worked for Daiken and was responsible for a consent discharge to the Mataura. He had also notified his employer that this would be discussed tonight.

Cr Carston also noted his conflict of interest as an ex-employee of the Mataura Plant.

Council decided that as it was only a general discussion without any motions to be passed and as F&G had already lodged their submission and any further discussion would not influence Fish and Game's position in respect to the Alliance application, the Chair & Cr's Stenning & Carston did not need to leave the room.

Councillors noted that the Mataura had suffered point source discharges of waste for many years and now consents for many of those discharges were up for renewal, including the Gore District Council. Those due for renewal were asking for another 30+ years to continue to discharge waste to the Mataura River, this was too long in their view. The application to drift down in a raft in the Mataura caused a furore but this River with a Conservation Order on it was being allowed to have point source discharges for the next 30+ years from domestic, sewage and industrial waste, without any furore. All these applications should be working towards not discharging to the Mataura River over the next 30 years. There were other options e.g. discharge to land, which wasn't a lot more expensive than discharging to the river option but was just easier & slightly cheaper to discharge to the river. With today's technology we had to start thinking about not discharging to the rivers. In the foreseeable future discharging to the Mataura River of waste was not going to cease. What about the future generations? There were millions of dollars being spent on saving the planet schemes, but we were still discharging to the river to save a few million dollars. We can do better than that surely, particularly when we don't know what effect climate change will bring, e.g. lower flows, more nutrient loadings into the river from upsteam etc.

Jacob Smyth gave a brief background to the consent renewal applications for discharge to the Mataura River and noted that there may be some short-term consents given, while other long-term options were being investigated e.g. land discharges, or split discharges, so it was not a case of just rolling over and letting it happen.

He explained that the extra cost for land discharges was because they had factored in the cost of purchasing the land, but that may not be necessary if using shareholders land which would reduce costs significantly. He agreed that it was easier for applicants to discharge to the river, particularly when the infrastructure was already in place to do that and that infrastructure could not be relocated or sold. Jacob then referred to the Iwi Management Plan whose position for a number of years was to have discharges to land and not water-based discharges. A change from water-based discharges to land did take time and capital and that would be taken into consideration with the consent applications, however trying to get a long-term consent to get around any potential restrictions that come in with respect to water quality would not work in the current climate. So, the whole question of discharge to the river was being looked at in terms of instream values.

The Manager added that the Regional Council had approved achieving the Objective of the State of Hauora, which referred to the well-being or health of a waterbody, the environment around it and the people who interact with it, within a generation, which represented a massive change in the parameters that influenced ecosystem health.

The Manager had also spent time with Martin Workman, Director of the water division of MfE who had expressed an interest in MfE becoming involved in consenting processes.

Also, the Parliamentary Commissioner for the Environment was to undertake a large case study within the Maitai catchment.

The Gore District Council & others would have a lot of pressure put on them in their application renewals.

There was plenty of evidence for the Southland F&G Council to support the position of land discharges. A Policy on that which aligned with Iwi policy and their Management Plan in respect to domestic sewage & other appropriate discharges could be prepared. It could also be added to our own Sthld F&G Management Plan, which would go through the statutory process, which may also help, but we had to be aware there were other factors also that would be considered in determining any outcomes.

Council all agreed that we needed to take a stand & do better than continue to allow point source discharging of waste to our rivers, which was not acceptable. We needed to look at alternatives. Some agreed it was a national issue and point source discharges going into all rivers in NZ should be stopped, but we had to also look at the realities of what we could do.

After discussions:

It was agreed that the Manager would look at the local Iwi Management Plan in respect to their submissions, which may provide a benchmark that the Southland Council could align with. He would prepare a paper with more information for Council to consider at the next meeting.

10. MoU on use of data collected between NZC & Regional Fish & Game Councils.

NZC had agreed that for them to have access to the national licence database data an MOU with regions was required. A draft MOU (copy in agenda) had been developed by NZC for consultation with regions but subsequently had been updated (copy in agenda) to better reflect the respective roles & functions of the Regions and the NZC Office. Wellington & Otago had adopted the updated version and the background to that decision was explained in a letter attached to the agenda. The justification for their decision was well founded and also applied to the Southland Region & other F&G Regions. The recommendation was that Southland Fish & Game Council accept and sign the updated version of the MOU, which prescribed how Regional Councils & NZC would have access to licence holder data, to work constructively and respectfully in a co-ordinated way in the interests of licence holders.

Resolved Harris/MacGregor that the Southland Council accept & sign the updated alternative version of the MOU between NZ Council & Regional Fish & Game Councils as presented to the meeting. Carried.

Time 6.30pm Resolved:(Harris/ Hartstonge)

To move into Public Excluded meeting and that the staff stay in 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:**

a) Confirm Public Excluded minutes of the meeting held 8th October 2020.

b) Fish & Game Agency application.

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

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

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

ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON
A) Confirmation of Public Excluded Minutes	Section 9(2)(i) OIA The withholding of information is necessary to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities	Sec. 9(2)(i)	Section 48(1)(a)(ii) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
B) Fish & Game Agency Application	Section 9 (2) 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.

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 6.45pm Resolved:(Stenning/MacGregor)

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

Members of the public returned to the meeting.

11. General Business

Cr Harris advised the meeting of new regulations concerning maimais. If building a maimai within 10m of a natural wetland it required a resource consent. NZC would push hard to get that changed. With the new working relationship with Federated Farmers, it was hoped they would also support that push. This needed to be a permitted activity, with conditions attached e.g. size etc. it was hoped F&G nationally could successfully argue that change.

There was no further business, and the meeting was closed at 6.50pm with a short break before the AGM commenced at 7.30pm.

Chairman _____ Date _____