

Meeting of the
New Zealand Fish and Game Council
Held in Wellington
Saturday 24 September 2011
Commencing at 9.45am

Present

Chris Lynch, Dan Madsen, Lindsay Lyons, Alan Flynn, Richard Moore, Robin Blackmore, Peter Robinson, Jean Willis, Matthew Hall, Dave Witherow and Peter Sutton.

In Attendance

Brad Pinker (Hawke's Bay Councillor), Martin Gembitsky (DG Conservation's representative), Bryce Johnson (Chief Executive), Jenny Norris (Finance & Administration Manager) and Hamish Carnachan (Communications Manager).

INTRODUCTION

1.1 Welcome

The Chairman welcomed all to the meeting, and introduced Brad Pinker, a Councillor from Hawke's Bay region.

Resolved (Dave Witherow/ Chris Lynch)

Brad Pinker has speaking rights and is invited to stay in any "in committee" sessions.

The Council noted the passing of the late Graham White, Northland field officer, which was acknowledged with a minute's silence.

1.2 Apologies

Apologies for Bruce Bates and Robert Sowman were received.

Resolved (Dan Madsen/Peter Robinson)

That the apologies be accepted.

MEETING REVIEW

2.1 Identification of other Urgent Business and agree on Agenda order

Items raised for inclusion in the agenda:

- Hurunui WCO
- Ex-honorary ranger complaint in North Canterbury
- Complaint from ex-CSI councillor
- Information provision re CSI issue.

2.2 Annual Meeting Agenda

No items required specific attention.

2.3 Conflicts of Interest Register

The conflicts of interest register was made available for recording any conflicts that might arise at this meeting. It was noted that any conflicts also need to be declared prior to discussion of the agenda item.

2.4 Confirmation of Minutes from previous meeting

The meeting considered the Minutes of the New Zealand Council meeting held in Invercargill on 15 and 17 July 2011.

In relation to the 'in committee' section of the previous minutes it was noted that the correct section of the Official Information Act was ss 9(2)(g)(ii) and 9(2)(h) and that the minutes should be amended accordingly. It was further noted that the reason for any "In Committee" sessions needs to be clearly stated within the minutes, along with who was authorised to be present and the time of going into and coming out of Committee.

Resolved (Peter Sutton/Peter Robinson)

That the minutes of the New Zealand Council meeting held on Friday 15 and Sunday 17 July be confirmed as a true and correct record subject to the correction regarding the 'in committee' session.

2.5 Matters Arising from the Minutes

Item 12: Following council's request to receive a bi-monthly national financial report, the inability to receive up to date financial information from all regions was noted.

Item 13.1: The chairman reported that he had spoken with the CSI chairman, who had suggested that the proposed independent review be conducted by someone with legal experience and against agreed terms of reference.

Resolved: (Peter Robinson/Lindsay Lyons)

That NZC await a written response from CSI with their expectations of an independent inquiry into issues that have arisen between these two councils.

Item 13.2: The chairman advised that he had received advice from Bruce Bates that he would provide a written response to the Conflict of Interest legal opinion.

Item 14.1: It was noted that no reply has been received to the chairman's letter to Federated Farmers, suggesting a meeting be arranged. The Chief Executive is to contact FF and enquire further.

Item 16.1: A question was asked as to whether a response to the chairman's letter to Auckland/Waikato had been received. It was confirmed that no response had been received but would be welcomed, and councillor Madsen agreed to ask Auckland/Waikato to formally reply.

Item 16.3: The meeting received an update regarding the strategic planning (including exclusive capture) workshop in November.

Item 17.1: Councillor Lyons circulated an amended Oath of Office to replace the one previously provided in the agenda papers, for consideration under this agenda item later in the meeting.

Item 17.2: Mr Chris Clenshaw had written expressing his disappointment that he had received little feedback from the NZC or regions regarding potential Trustees for the New Zealand Rivers Trust.

Resolved: (Robin Blackmore/Dave Witherow)

That the NZC endorses the initiative by Chris Clenshaw to set up the New Zealand Rivers Trust with the chairman to write to regions encouraging regional councils to suggest names of Trustees direct to Mr Clenshaw.

2.6 Review accumulative action list from previous meetings

Item 13.4 Setting CE Performance Plan: Agreed that the chairman and CE would report to the next meeting on the CE performance plan.

Item 17 General Business: It was noted that CE and the chairman would bring a proposal for the Council Performance Review to the November meeting.

Item 10.6 National Budget: Councillor Blackmore questioned the exclusion of regional managers from the proposed national review of regional staff salaries, believing they had been intended to be included, and noting that he understood this was where the most variability across regions existed.

Resolved (Peter Robinson/Peter Sutton)

That the previous NZ Council resolution to create policy for national staff salary scales across regions is to include a range for regional managers.

NZ COUNCIL BUSINESS

3.1 Governance matters

Council was reminded that a review of its Governance Policies is overdue. It was agreed that Session 3 of the November meeting be a Governance review, with the chairman to pre-circulate any relevant issues for the agenda.

3.2 Operational Report

The following queries arose from the Operational Report:

1100 Species Management:

- The status of the Salmon Plan was queried and it was agreed that this would be investigated and advised to the next meeting
- The reason for game bird Standard Operating Procedures research was questioned and further detail was requested to be provided to the next meeting.
- A full report of public submissions on the Guides Licence would be presented to the November meeting. It was confirmed that the aim was for the guides licence to be actioned for the next season.

1210 Habitat Advocacy

- Expenditure on billboards was favoured over a newspaper advertisement on the political party responses to the recent Q&A.

1270 Advocacy Assistance

- The efforts of Neil Deans were acknowledged, noting that these account for approximately 40% of his time.

1320 Angler & Hunter Participation

- Discussion occurred on the opportunity and advantage of using the Walking Access Act and the Walking Access Commission to assist with obtaining access to fishing and hunting areas not presently openly available to licence holders. This would first involve regions identifying such areas and these being formally notified to the Commission. It was also noted that a Commission representative could be invited to attend the strategic planning session in November.

Resolved (Richard Moore/Peter Sutton)

That the chairman writes to regional chairpersons endorsing the opportunities available to identify and secure angling and hunting access through the Walking Access Commission.

1420 Public Awareness and Support

- It was agreed that the chairman write to regional councils endorsing uptake of window vision mobile billboards on regional Fish & Game vehicles. This was considered an excellent opportunity to increase public awareness.

Resolved (Dave Witherow/Lindsay Lyons)

That the billboard programme be identified as an area for increased funding in the 2012/13 Business Plan.

1450 Website

- It was noted that the new website needed to include an easier link to the on-line purchase of a licence.

1500 Compliance

- The CE briefed the Council on a complaint he had received from an ex-honorary ranger and his wish to appoint an arbitrator to hear and determine the matter.

Resolved (Peter Sutton/Peter Robinson)

That the NZ Council approve expenditure to assist the CE to hear and decide the complaint from Mr Dean Coles, through a process agreed by the involved parties.

- The CE advised council that a complaint had been received from Mr John de Wit of CSI regarding ranging and other matters that may require legal advice to be sought. NZC agreed that the CE seek the CSI Manager's input in the first instance.

1610 Licensing

- It was noted that a report on the feedback to be received by 28 October on the non-resident licence paper would be given to the November meeting.

1870 Managers' Meeting

- Council members noted the managers' discussion on the DoC cut-backs and expressed concern at the on-going loss of institutional knowledge within DoC regarding Fish & Game interests. Noting that the DG of DoC was technically a member of the NZ Council it was suggested that the chairman write to the DG stating that the Council is very concerned, that it requests an assurance F&G interests will be cared for, and that it offers it full confidence, appreciation and support for the competent service the Council has received from the DG's current nominee on the NZ Council. Concern was also expressed over the Department's new aspirational subtext "conservation for prosperity", the explanatory note for which included elements that did not fit with DoC's statutory purpose.

Resolved (Peter Sutton/Lindsay Lyons)

That as a result of the recent DoC restructuring the chairman write to the DG of DoC expressing the NZ Council's concerns and expectations in relation to the Department's fundamental role and need for it to retain its Fish & Game capability.

Resolved (Peter Sutton/Richard Moore)

That the Operational Report for September 2011 be adopted.

3.3 Financial Report

It was noted that although the financial status of the NZC showed increased total funds as at 31 August, commitments within the first period of the new financial year held very significant expenditure against that funding.

The Council when asking about the outstanding penalty interest payment from CSI were advised that it had yet to be received and remained owing.

Resolved (Robin Blackmore/Chris Lynch)

That the Financial Report to 31 August 2011 be adopted.

3.4 Specific proposals for Capital Expenditure

Resolved (Peter Robinson/Peter Sutton)

That the Specific Proposals for Capital Expenditure report be received.

3.5 Update report of Approval Legal Cases

Resolved (Lindsay Lyons/Dan Madsen)

That the Legal Update Report be received.

3.6 Legal Funding application

Dan Madsen declared a conflict of interest. Brief discussion occurred on the submitted paper from Auckland/Waikato.

Resolved (Lindsay Lyons/Peter Sutton)

That the application by Auckland/Waikato for funding from the National Legal Fund of legal costs, of approximately \$10,000, related to the consent application to take water for irrigation from the Whangamarino River, be approved.

Dan Madsen abstained from voting.

A late paper was then tabled from the North Canterbury Fish and Game Council regarding the Hurunui River.

Resolved at 2.10 pm (Robin Blackmore/Richard Moore)

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of an additional late matter relevant to agenda item 3.5.

The withholding of the information is necessary to allow the NZ Council to deliberate in private on its decision or recommendations and maintain legal professional privilege.

This resolution is made in reliance on sections 48(1)(d) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 9(2)(g)(i) and 9(2)(h) of the Official Information Act 1982 which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public.

Resolved at 2.44 pm (Peter Sutton/Lindsay Lyons)

That the NZ Council move out of committee and that the public be invited to return to the meeting.

3.7 Exceptional Funding Application

Resolved (Matthew Hall/Peter Robinson)

That the application by Nelson/Marlborough for exceptional funding of \$33,878, for biodiversity project funding, be approved on a one-off basis for the 2011/12 financial year, with expenditure up to the amount applied for to be sourced from Nelson/Marlborough's general reserves as required.

3.8 Reporting of results of the 2010-11 NZ Council Business Plan

The report of results against the 2010/11 Business Plan was presented to the meeting and councillors were asked to bring forward any issues to the chairman for discussion with the CE and possible consideration at the next meeting.

Commendations were offered to Northland and Southland councils on their entry into the national licensing programme.

3.9 2011-12 NZ Council Business Plan

Resolved (Peter Sutton/Alan Flynn)

That the final 2011/12 NZ Council Business Plan be adopted.

3.10 2013 NZ Council Meeting Schedule

Resolved (Robin Blackmore/Richard Moore)

That the NZ Council meeting schedule for the 2012 calendar year to be:

Friday 3 rd February	Wellington	NZC
Friday 16 th – Sunday 18 th March	Eastern region	NZC/Field
Friday 25 th May	Wellington	NZC
Wednesday 20 th June	Tel.Conference	NZC/fee
Friday 20 th July	Wellington	NZC
Friday 21 st (pm) & Saturday 22 nd September	Wellington	NZC
Friday 23 rd – Sunday 25 th November	Away	NZC/Strategy

NATIONAL FISH AND GAME ITEMS

4.1 National Finance Report

Resolved (Chris Lynch/Robin Blackmore)

That the National Financial Report for 31 August 2011 be adopted.

Resolved (Chris Lynch/Robin Blackmore)

That the Finance and Administration Manager prepare a report on organisational compliance with National Policy on financial reporting.

4.2 National Licence Sales Report

Resolved (Jean Willis/Lindsay Lyons)

That the National Licence Sales report to 31 August 2011 be received.

The chairman commented that compiled national data on the financial position and licence sales should be developed to a form for inclusion in regional agenda papers.

GENERAL

5.1 Correspondence

Resolved (Robin Blackmore/Peter Sutton)

That the letter from T O'Connor be received.

5.2 Oath of Office – Councillor Lyons

The chairman explained that the proposal to establish an Oath of Office needed to be received before it could be debated for possible adoption.

Resolved (Peter Sutton/Richard Moore)

That the proposal of an Oath of Office be received.

Discussion then occurred on the merits, and necessity for the proposed Oath, and the extent to which its purpose was covered in the existing governance policies.

Resolved (Lindsay Lyons/Jean Willis)

That the New Zealand Fish and Game Council adopt the Oath of Office.

Dave Witherow requested that his vote against the resolution be recorded.

URGENT GENERAL BUSINESS

6.1 Urgent General Business

Information regarding the CSI issue – Dave Witherow.

Councillor Witherow sought council support to formally request information from Chen Palmer regarding the CSI issue. No resolution was approved by council on this matter.

There being no further business, the Chairman declared the meeting closed at 4.35pm on Saturday 24 September 2011.

Confirmed: _____

Date: ____/____/11