

Meeting of the  
**New Zealand Fish and Game Council**  
Tahuna Function Centre Nelson  
Friday 23 & Sunday 25 November 2012  
*Commencing at 11.00 am Friday*

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### **1. Present**

Matthew Hall (Chairman), Chris Lynch, Dan Madsen, Lindsay Lyons, Aaron Wakeford, Alan Flynn, Andrew Morris, Robin Blackmore, Peter Robinson, Jean Willis, Dave Witherow and Peter Sutton.

### **2. In Attendance**

Catherine Tudhope (D-G Conservation's representative), Bryce Johnson (Chief Executive), Jenny Norris (Finance & Administration Manager), Hamish Carnachan (Communications Manager) and Robert Sowman (Policy & Planning Manager).

Chris Clenshaw (Chairman Nelson/Marlborough Fish and Game Council) and Neil Deans (Manager Nelson/Marlborough) also attended for the initial part of the welcome.

## ***INTRODUCTION***

### **3. Welcome**

The Chairman called the meeting to order and welcomed everyone and expressed his hope for a productive weekend. It will be the last meeting for some and the last for 2012. It is his pleasure to welcome Catherine Tudhope as the DG's representative, Aaron Wakeford as the new Hawke's Bay appointee and a special welcome to Chris Clenshaw the Nelson/Marlborough Chairman and his manager Neil Deans.

Chris Clenshaw then spoke, welcoming NZ Council participants to Nelson and outlined significant ventures taking place in the Nelson/Marlborough region, including the fish-out ponds, growing rapport with the local Federated Farmers, setting up the running of the Save New Zealand Rivers Trust web site. Nelson/Marlborough Council has become more concerned about getting good access to Molesworth and noted that organised Canada goose shoots on Molesworth were not to the same level as those before that were organised by the Nelson/Marlborough Council.

The NZ Council Chairman then spoke about the meeting being his last as Chairman. He explained that this November meeting covers a normal meeting, a strategic planning meeting and is the last gathering of the current Council. He encouraged free and frank discussion. The principle of openness should be followed where ever possible. The Chairman provided a reminder to participants of the wording in legislation that set up the NZ Council. The responsibility to manage the resource rests with the Council (26F of Conservation Act). He then offered some reflective comments on his time as Chairman and that the working of this Council had contained good and not so good bits. It had required a considerable amount of his time and had had its stressful moments. These included the need for a complaints policy, greater clarity on employment related matters, tighter protocols for managing research, regional consultation processes, greater control over expenditure and agendas to fit the available time.

At a higher level, the Chairman believed the Council needed to lift and take greater ownership of its governance role.

A point of order raised by a councillor present concerned the appropriateness of Councillor Witherow being present at the meeting following independent action taken by him. The NZ Council Chairman assured the Council that he had been assured by Councillor Witherow that he would abide by governance policy of the Council. According to legal opinion Councillor Witherow is entitled to be present. Nevertheless, a resolution was put.

Resolved (Jean Willis/no seconder)

**That the Council express a vote of no confidence in the Chairman**

Motion lapsed due to lack of a seconder.

#### **4. Apologies**

No apologies were received.

#### **5 Agreed order of business**

It was agreed to follow the agenda as set out, except for the consideration of a letter from Cullen Law regarding recent actions of Councillor Witherow, which would be considered as the first item of business in open meeting.

#### **6 Identification of other Urgent Business**

Items raised for inclusion in the agenda:

- Letter from Cullen Law. Agreed the first item of business to be consideration of this letter
- Report from Remuneration Committee (this was accidentally omitted from the agenda but had been asked for by the Chairman to be included and would be considered before the Operational Report)
- Application for exceptional funding from West Coast Fish & Game Council (Item 3.6a)
- Council elections (Operational Report Project 1815)
- Auckland/Waikato current issues
- Taupo Fishery Review

#### **7 Cullen Law letter**

A letter from Cullen Law on behalf of the Chief Executive dated 22 November 2012, about the actions of Councillor Witherow and the duty of NZ Council as a good employer was discussed.

The NZ Council's subsequent legal advice from Buddle Findlay on the Cullen Law letter is that the Council should resolve to distance itself from the actions of Councillor Witherow, write to Otago Fish & Game Council setting out its concerns over the actions of their appointee, and continue to receive advice from Buddle Findlay on being a good employer.

Resolved (Chris Lynch/Allan Flynn)

- 1. That the Council did not direct, approve or authorise the questionnaire sent by Mr Witherow to regional Chairman**
- 2. That Mr Witherow has been directed by the NZ Council Chairman to cease any action on the questionnaire and the Council confirm this direction and agrees it will not receive, hear or accept any information at all on the matter. The Council accepts the Chairman's advice that Mr Witherow advises he will take no further action on the questionnaire**

3. **That the Council shall write to the Otago Fish and Game Council expressing its concerns and requesting that they take these into account when appointing their new councillor to the NZ Council**
4. **That the Council will continue to seek the advice of Mr Hamish Kynaston of Buddle Findlay to ensure that all times it acts as a Good Faith Employer**
5. **That the Council agrees that the Chairman should write to our Chief Executive Mr Johnson advising him of the action taken by the Council and apologising for any distress caused.**

The Chief Executive sought that the letter be formally received with a clear resolution of the Council's confidence or otherwise of Mr Witherow as a councillor.

The Chairman explained he has taken the Cullen Law letter to the NZ Council legal adviser. The adoption of the above resolution effectively did this and is the recommendation of the lawyer to avoid litigation with the content of the letter to be written to the Otago Council being most important. A draft of this letter will be shared with NZ Councillors before it is sent.

Resolved (Matthew Hall/Lindsay Lyons)

**That the NZ Council reimburse the Chief Executive's costs from the NZ Council budget involving legal assistance from Cullen Law.**

## ***MEETING REVIEW***

### **8 Annual Agenda**

Agenda noted, including the listing of a Jan/Feb NZ Council meeting when this meeting is not scheduled for 2013, but no action required.

### **9 Conflicts of Interest Register**

The conflicts of interest register was made available at the start of the meeting to record any conflicts that might arise with items to be discussed at this meeting.

### **10 Confirmation of minutes from the previous meeting**

The meeting considered the minutes of the New Zealand Council meeting held in Wellington on 21 September 2012.

Councillor Witherow sought to have the minutes contain reference to the CE's reference to what he felt was behind plans to review the National Office.

Resolved (Dave Witherow/Chris Lynch)

**That the words "the CE expressed the view that he had no doubt that the review of the National Office was a plan driven by Councillor Witherow to get rid of him" be added to the minutes under item 17.2 (line 9).**

Robin Blackmore abstained from voting on the resolution as he was not present at the meeting.

Resolved (Dave Witherow/Dan Madsen)

**That the minutes also record “That the CE was considering running a personal grievance against the Council”.**

Lyndsay Lyons comment that it was he who had warned the Council of this risk, not the CE.

Motion was lost.

No other matters within the minutes were identified for further action. However, due to the inclusion of the above resolution to change the minutes, some councillors then questions whether they now represented a true and correct record.

Resolved (Dan Madsen/Andrew Morris)

**That the minutes of the New Zealand Council meeting held on 21 September 2012 be confirmed as a true and correct record.**

Lindsay Lyons, Peter Robinson, Peter Sutton and Jean Willis asked to be recorded against the resolution.

## **11 Matters arising from the September 2012 minutes**

Item 13.7 NZ Business Plan circulated to councillors as an update did not have the additions on performance review and governance policy that had been agreed at the last meeting. This was an error in selecting the wrong file for distribution. A revised Business Plan with these agreed additions has been completed and will now be circulated to the new council.

Under consideration of further correspondence on Official Information Act requests the NZ Council had resolved not to release the legal CoI opinion and on this basis the information was withheld. The Chairman in writing to the correspondees, noted in his letter that the matter would be raised with the NZ Council for its consideration at the November meeting. This would be considered under item 2.6 in the agenda.

On the item to do with Mr Witherow’s complaint, the Chairman explained he had sought legal advice on this item. The advice received is that the NZ Council retract its resolution to get an independent reviewer and the matter be referred to a committee within the NZ Council made up of the parties involved/conflicted. Further consideration on this item would be dealt with later in the meeting (first item Sunday morning).

Add item to November agenda for Remuneration Committee. To be considered before the Operational Report.

## **12 Review of accumulative Action List from previous meetings**

No comments received or matters arising from actions that are not to be covered elsewhere in the agenda.

Preparing a complaint procedure should be part of the action arising from 17.3 Cllr Witherow complaint.

Resolved (Peter Robinson/Robin Blackmore)

**That a complaints procedure be drafted to meet the requirements of 2.1.6.2 of the Governance Policy for consideration by the council.**

Independent review of CSI issues (July 2011 13.1). The Chairman has received from CSI issues it would like to see settled. It remains for the NZ Council to now proceed with its review.

Resolved (Dave Witherow/Chris Lynch)

**That the Chairman, in consultation with legal opinion, select a suitable person to commence the inquiry of CSI issues immediately.**

It was agreed that Robin Blackmore and Matthew Hall would discuss the bequeathing policy and how best to advance it from where it was left some time ago. This advice will be forwarded back to the Council.

## ***NZ COUNCIL BUSINESS***

### **13 Report from Remuneration Committee**

It was agreed to move into public excluded session to discuss this item, with the public and staff (with the exception of the CE) excluded from proceedings.

### **RESOLUTION TO EXCLUDE THE PUBLIC**

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

Time 2.45 pm

Resolved (Dan Madsen/Andrew Morris)

**That the public be excluded from the following parts of the proceedings of this meeting, namely:**

#### **1. Report from the Remuneration Committee to the NZ Council.**

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:

<b>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</b>	<b>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER</b>	<b>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION</b>
Information provided in confidence	) Good reason to withhold exists ) under section 9 of the Official Information Act 1982	Section 48(1)(a)(ii)
Consideration of independent external advice		

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:

<b>ITEM</b>	<b>REASON UNDER THE OFFICIAL INFORMATION ACT 1982</b>	<b>SECTION</b>	<b>PLAIN ENGLISH REASON</b>	<b>WHEN REPORT CAN BE RELEASED</b>
1, 2 & 4.	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.

3.	Protect information which is subject to an obligation of confidence ... where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied	Sec 9(2)(ba)(i)	Disclosing the information would jeopardise the relationship with the supplier because the supplier may no longer trust the Council to hold its information in confidence.	Not unless there is a public interest in disclosure of the specific information.
4.	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: 3.10 pm

Resolved (Dan Madsen/Aaron Wakeford)

**That the open meeting of the New Zealand Fish and Game Council resumes.**

#### **Remuneration Committee Membership**

Peter Sutton expressed a wish that, in light of him not having stood in the recent elections, he be replaced on the Remuneration Committee from the present time until the new council meets in March.

Resolved (Lindsay Lyons/Jean Willis)

**That Peter Robinson be appointed as a member of the Remuneration Committee.**

### **14 Operational Report**

The Operational Report was considered on a page by page basis. Discussion occurred on items about the Customs Import Prohibition Order, Canterbury Conservation Orders, Horizons One Plan, relationship with Federated Farmers, youth programme and elections,

It was agreed that councillors should put forward ideas on elections and representation for consideration in a report reviewing the 2012 elections for the March meeting.

Resolved (Peter Sutton/Lindsay Lyons)

**That the Operational Report for November 2012 be received.**

### **15 NZ Council 2011/12 Bi-Monthly Financial Report**

The Financial Report was considered on a page by page basis.

Discussion occurred on the current level of legal fund expenditure and liabilities and the consequential effect of the funding requirements of current projects on future licence fees. With a further application for legal expenses to be considered by the meeting, a long term strategy for future legal expenditure was needed.

Resolved (Andrew Morris/Lindsay Lyons)

**That the Financial Report to 31 October 2012 be adopted.**

## **17 Specific Proposals for Capital Expenditure**

A need to replace the Small Business Server at the NZ Council office has been identified and a proposal for hardware purchase (\$5,773) and installation, to be funded from asset replacement reserves, was presented.

Resolved (Chris Lynch/Robin Blackmore)

**That the proposal to replace the Server be accepted.**

## **18 Annual Report**

The audited financial statements for the NZ Council were considered

Resolved (Chris Lynch/Lindsay Lyons)

**That we seek assurance from the CE that holiday leave is managed consistent with staff contract provisions.**

Resolved (Peter Sutton/Dan Madsen)

**That the draft financial statements for the year ended 31 August 2012 be received and approved for signing by the Chairman.**

## *NATIONAL FISH & GAME ITEMS*

### **19 Unfinished business from last meeting**

#### **19.1 New tier of volunteers**

It was agreed that the concept of introducing a new tier of Fish & Game volunteers needs to be fully explained. The public awareness element is important – promoting Fish & Game. This could present opportunities for a wider Fish & Game membership. However, concern was also expressed about potential liability for conduct of members belonging to such a group.

Resolved (Peter Sutton/Jean Willis)

**That the NZ Council**

- 1. agree to circulate to regions the proposal to establish a new tier of volunteers, inviting comment on the proposal and a suggested name for this group of volunteers**
- 2. agree to build on the feedback and develop the concept to a stage where it can be introduced and recognised by being adopted as national policy.**

### **19.2 Ownership of water**

The Council discussed the agenda paper on ownership of water and in particular water rentals. While it was agreed that water is a 'public' natural resource, it was agreed that Fish & Game needs to develop a clear statement on where it stands on water ownership.

### **19.3 Use of organo-phosphate**

There have been incidences of paradise shelduck dying due to potential poisoning from organophosphate insecticides. These need to be made known to the EPA and support should be provided for action to reduce or remove the threat from organic phosphate from sports fish and game.

Resolved (Jean Willis/Andrew Morris)

**That the NZ Council lodges a submission of support to minimise organo-phosphate impacts on sports fish and game to EPA.**

### **19.4 Honorary Rangers**

The paper from Councillor Madsen on honorary rangers and the criteria for their selection, was received. However, after a wide discussion it was accepted to let the matter lie.

Resolved (Dan Madsen/Dave Witherow)

**That suggestions raised in Dan Madsen's paper on honorary rangers be accepted and regions consulted on what is proposed.**

Motion lost.

Meeting closed Friday 23 November at 6.20 pm.

Meeting reconvened Sunday 25 November at 8.30 am.

The Chairman noted this was the last day of this Council and he called for good contributions and adherence to correct processes for discussion and the forming resolutions and speaking to the motion before the Council.

## **20 Status of legal opinion on Conflict of Interest**

A decision was needed on how to handle the legal opinion and how to proceed now the opinion had been leaked to parties external to the NZ Council. The DG representative offered to ask the DOC solicitor about the questions raised by the CE on the options open to the Council. The issue of how the legal opinion was leaked was a serious act and questions the confidentiality and trust of Council members. The credibility of every one person present is implicated by this release.

It was felt the leaked paper highlights the lack of censure of Council members. It also means it creates a lack of trust by others in sharing information with the Council in the future.

Resolved (Dave Witherow/Aaron Wakeford)

**That the NZ Council obtain the opinion from the Department of Conservation on the release of the legal opinion on Conflict of Interest.**

Depending on that opinion, it was agreed the Chairman is to adjust accordingly a letter of reply to those asking for the opinion. The Chairman is also to write to all Fish and Game Chairman explain the opinion has been incorrectly released and that the matter not be addressed.



Resolved (Matthew Hall/Andrew Morris)

**That the NZ Council Chairman write to all Fish and Game Chairs to explain that the opinion on conflict of interest had been incorrectly released and that as it was considered in a public excluded session it therefore cannot be discussed.**

## **21 Compliant from Mr Witherow**

The NZ Council's legal advice is that the complaint from Councillor Witherow be considered within the Council and that an independent advisor is not used.

Resolved (Chris Lynch/Aaron Wakeford)

**That the NZ Council deal with the Mr Witherow complaint itself and not through an independent advisor. The parties will be Mr Johnson, Mr Witherow, the Chairman, the employment lawyer Mr Kynaston and Mr Johnson's legal advisor. All costs will be met by the Council.**

## **22 Regional Uptake of Oath of Office**

The Eastern Fish and Game Council has asked that all councils include the Oath of Office in induction material for all new councils. This is a voluntary process but it is recognised as a sign of good faith.

Resolved (Lindsay Lyons/Robin Blackmore)

**That the NZ Council supports the Oath of Office being included in the induction material for all councils.**

Dan Madsen abstained from voting.

## **23 Fish & Game New Zealand Research Programme Update Report**

The NZ Council requested more information as an update report on a regular basis on the status of research projects. Each project should have a named F&G contact responsible for objectives, milestones and progress. It should also define whether the contract has been drafted and/or signed with agreed milestones included. Other suggestions made included that the Council receive a flow-chart on the mallard research project and for this to be updated for every NZ Council meeting.

Resolved (Robin Blackmore/Jean Willis)

**That the NZ Council requests the Fish & Game New Zealand Research Programme provide more information, particularly on progress to date and milestone reporting requirements against expenditure.**

It was agreed that the initial assessment and feasibility for research projects also needs more rigor, including obtaining a second opinion (referee) before committing to funding.

Resolved (Chris Lynch/Peter Robinson)

**That the CE undertake a review of the Research Strategy for the May Council meeting following input from the managers**

Neil Deans joined the meeting after morning tea at 10.30 am Sunday.

**24 Update report of approved legal cases**

Discussion occurred on follow-up comments from opponents to the One Plan Environment Court decision. Fish & Game NZ remains committed to protecting and promoting the outcomes as a precedent for the rest of NZ.

Canterbury Land and Water Regional Plan comments are being prepared and submitted jointly by North Canterbury, Central South Island Fish and Game Council and Nelson/Marlborough.

The Chairman congratulated the **author** on the Hurunui Waiau Regional Plan report and the coverage provided.

Resolved (Dave Witherow/Andrew Morris)

**That the Legal Update Report be received.**

**That funding be extended to \$363,000 (from \$110,000) on the Canterbury Land & Water Plan case approved in September 2012.**

**That funding be extended by a further \$60,000 on the Hurunui Waiau Regional Plan (previously Hurunui WCO).**

**25 Legal Funding applications**

**Hawke's Bay: Hawke's Bay Land & Water Planning issues**

A detailed application was received on this proposal. It was recognised that the Hawke's Bay Regional Council was investing considerable resources into achieving its irrigation and regional policy/plan objectives and that at best Fish and Game may only be able to mitigate or influence adjustment to some of the regional council's actions through legal means.

A wide ranging discussion then resulted covering the concerns of the Council about the mounting legal costs needing to ensure Fish & Game NZ interests are protected. These collective costs nationally make it difficult to see how they can be sustained through continuing to have to put up licence fees to cover them.

It was accepted that the question arises in the Hawke's Bay situation as to how Fish and Game becomes involved, not should it be involved. Fish and Game cannot afford to delay becoming involved but it may want to review its cost commitments after some months following this initial involvement.

It was also recognised that there are a limited number of technical experts available in New Zealand to advise on these issues with many of them currently engaged through HB Regional Council.

Resolved (Peter Robinson/Andrew Morris)

**That the NZ Council conditionally approve Hawke's Bay Fish and Game Council's request for funding for 2013 of up to \$220,000 with the proviso that National Office staff consult with Hawke's Bay to facilitate a review of these and future costs on the region's land and water planning issues.**

Dan Madsen & Chris Lynch asked that their name be recorded voting against this motion.

## **26 National Finance Report 1: 2012/13**

It is too early in the financial year to give an accurate trend. However indications are that overall expenditure is tracking in accordance with that budgeted for the year-to-date.

Resolved (Peter Sutton/Lindsay Lyons)

**That the National Finance Report to 31 October 2012 be received.**

## **27 Application from West Coast for exceptional expenditure**

This application for sealing the parking area at the West Coast Fish and Game Council office was accepted without discussion.

Resolved (Peter Sutton/Chris Lynch)

**That the application by West Coast for exceptional funding of \$8,000 from its general reserves within the 2012/13 financial year to resurface its car park be approved.**

## **28 National Licence YTD Sales**

Discussion occurred on the use of the Agency Online licence channel and the top selling agent online agents in the country. An updated list of these agents was provided.

## **29 National Licencing Agreement Renewal - Update**

The council accepted the report provided and decided it did not want to raise any additional questions or question the process being undertaken. Therefore it chose not to move into public excluded for further consideration but to accept the recommendation.

Resolved (Peter Sutton/Chris Lynch)

**That the NZ Council recommends:**

- 1. a draft licence agreement be prepared and shared with regional managers for information and further input**
- 2. initial draft negotiations commence with two organisations to determine the preferred supplier**
- 3. once an agreement has been reached with the preferred supplier, each council will be asked to sign and become party to the agreed national licence administration service.**

## **30 Lead shot exemption for sub-gauges – regional feedback**

With no clear majority of support for or against and incomplete information to argue in its favour, it was agreed it makes any change to the status quo questionable. The NZ Council accepted that 6 regions opposed the Southland proposal to uplift the lead shot exemptions and that 5 regions supported the proposal.

Resolved (Andrew Morris/Robin Blackmore)

**That the NZ Council**

1. Ask regional managers to use the 2013 game hunter surveys to establish whether there has been any significant change in sub gauge shotgun use since 2009.
2. Meanwhile, retain the sub gauge exemption in the use of lead shot
3. Convey its concerns to Southland should it propose to go-it-alone and lift the exemption.

### 31 Amendment to an earlier minute of the meeting

On a point of order, it was agreed necessary to provide formal endorsement of the paper received in commercial confidence by the Council for consideration in a public excluded session for securing a renewal of the national licencing agreement. This required the meeting to briefly go into public excluded session to discuss the names of the organisations in question.

Resolved (Lindsay Lyons/Robin Blackmore)

Agreed to wave standing orders

## RESOLUTION TO EXCLUDE THE PUBLIC

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

Time 1.40 pm

Resolved (Chris Lynch/Andrew Morris)

**That the public be excluded from the following parts of the proceedings of this meeting, namely:**

#### 1. National Licensing Agreement Renewal.

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:

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Information provided in confidence	) Good reason to withhold exists ) under section 9 of the Official ) Information Act 1982	Section 48(1)(a)(ii)
Consideration of independent external advice		

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
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3.	Protect information which is subject to an obligation of confidence ... where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied	Sec 9(2)(ba)(i)	Disclosing the information would jeopardise the relationship with the supplier because the supplier may no longer trust the Council to hold its information in confidence.	Not unless there is a public interest in disclosure of the specific information.
4.	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

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- (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: 1.45 pm

Resolved (Dan Madsen/Aaron Wakeford)

**That the open meeting of the New Zealand Fish and Game Council resumes.**

### 32 Access review terms of reference

It was accepted that the access review group needs to be as representative as possible within the focus on access for Fish and Game licence holders. It was also agreed the terms of reference should only be indicative and left for the group to confirm.

The need for two members from both Islands from Fish and Game was questioned and a proposal for just one from each Island was favoured. DOC and NZ Professional Fishing Guides Association should also be considered. A possible game bird hunter representative would also help provide a hunter perspective.

Resolved (Peter Sutton/Lindsay Lyons)

**That the NZ Council accept the Access Review Terms of Reference and operating budget of \$3,000.**

### 33 Elections

The situation that arose in the Auckland/Waikato Fish and Game Council election where licence holders from another region registered their names on the electoral role was discussed. Further investigation is needed to see if a change of region occurring after the determination of regions going to election warrants amending.

### 34 *Correspondence to the Chairman*

#### 1. Short term sports fishing licence

Taranaki Chairman – Letter dated 8 September 2012

Research will be presented to managers and the NZ Council early in 2013. This research will be recommending new licence categories, including a short term (greater than a 24 hour) licence option.

**2. Appointment of honorary rangers**

Auckland/Waikato Chairman - letter dated 9 October 2012

This item was already discussed at this meeting. It was agreed that the NZ Council respond to Auckland/Waikato informing the council of its discussion.

**3. NZ Fish & Game Council**

Nelson/Marlborough Chairman – Letter dated 15 October 2012

The NZ Council has responded to this letter. However he records his apology if his reply to Nelson/Marlborough was taken as harsh criticism.

**4. Customs Import Prohibition (Trout)**

Minister of Conservation - letter dated 25 October 2012

Letter received for information. No further action required.

**5. Reimbursement rate for vehicle running**

Eastern Chairman – Letter dated 26 October 2012

Earlier consultation with regions indicated acceptance with the current rate set in accordance with national policy.

Resolved (Lindsay Lyons/)

**That subject to Council receiving further information, consideration is to be given to the merit of revising national policy on vehicle running reimbursement rate.**

Robin Blackmore voted against the motion.

**6. Lead shot exemption in sub-gauge shotguns**

4 letters – letters dated 3 September, 26 October, 30 October, 11 November 2012

The Chairman to reply on the basis of earlier decision on lead shot exemptions.

**35 Urgent General Business**

**Chairman's report**

No changes we received from councillors on the draft Chairman's Report that is to be added to the 2012/13 Annual Report

**Auckland/Waikato Fish and Game audit**

It was accepted that the NZ Council is not involved in the process and should not make any comment.

**Taupo Fishery Review**

It was noted that Eastern Fish and Game is becoming increasingly involved in discussion with DOC, Taupo Fishery Advisory Committee and the Taupo Fishery Review team on option for the future management of the fishery.

In closing, the Chairman spoke about the fact that for a number of councillors this will be their last meeting. For some this amounts to many years of indirect and direct involvement

with Fish and Game. He believed the Council should record its great appreciation of the passion and tireless efforts of these volunteers on behalf of Fish and Game.

Resolved (Matthew Hall/Lindsay Lyons)

**The NZ Council expresses its appreciation to those councillors retiring at this meeting.**

Three of those retiring from the NZ Council spoke:

Dan Madsen spoke on the advantages and disadvantages of no longer being a councillor. Dan is to become involved with the Auckland Regional Plan that becomes available in March so will continue with similar work.

Robin Blackmore spoke of his time on the Council and his admiration for what Fish & Game achieves for environmental protection. This has been helped by good reporting from staff. Robin will still be involved with the Nelson/Marlborough Fish and Game Council.

Peter Sutton spoke of his history with the organisation back to the days when his father was a senior staff member with the Southland Acclimatisation Society. Peter considered the last three years of the NZ Council had not been as productive as they could have been due to internal conflicts and that he remained hopeful it was now moving into a better era, both internally and with the additional communication advisors.

There being no urgent general business, the Chairman thanked everyone for their contributions. He also thanked Catherine Tudhope and national office staff for their input before declaring the meeting closed at 2.55 pm Sunday 25 November 2012.

Confirmed: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ 12

**Confidential minutes of the NZ Council's public excluded session of the 24 November meeting.**

**1. Remuneration Committee**

Minute recorded by Chris Lynch ... see separate notes.

The Chairman read out a Remuneration Committee report and gave explanatory comments. This was followed by a recommendation from the Chairman in 3 parts.

1. That we continue to use the advice of Hamish Kynaston of Buddle Finlay in improving our Good Faith Employer requirements.
2. That the March 2013 Council Meeting be set as the deadline for receiving a draft job description for Council approval
3. That the March 2013 Council Meeting be set as the deadline for receiving a draft performance agreement for Council approval.

Resolved (Peter Sutton/Lindsay Lyons)

**That the three recommendations read out by the Chairman be adopted.**

**2. National Licencing Agreement Renewal**

Resolved (Chris Lynch/Andrew Morris)

**It is recommended that:**

- 1. FINNZ and Eyede become Fish & Game's licence administration preferred providers**
- 2. a draft agreement be prepared and shared with regional managers for information and further input**
- 3. initial dual negotiations commence with FINNZ and Eyede to determine the preferred supplier**
- 4. once an agreement has been reached with the preferred supplier, each council will be asked to sign and become party to the agreed national licence administration service.**

Further, subject to agreement with the above, it is proposed that the following wording be adopted as a suitable resolution to bring forward into open committee minutes:

**The NZ Council recommends that:**

- 1. a draft licence agreement be prepared and shared with regional managers for information and further input**
- 2. initial dual negotiations commence with two organisations to determine the preferred supplier**
- 3. once an agreement has been reached with the preferred supplier, each council will be asked to sign and become party to the agreed national licence administration service.**