

One-hundred-and-twenty-first meeting of the  
**New Zealand Fish and Game Council**  
Wellington Airport Conference Centre  
Friday 20 May 2016  
*Commencing 9.30 am*

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## **PRESENT**

### **NZ Councillors**

Lindsay Lyons (Chairperson), Noel Birchall (delayed until 10.05 am), Kevin Williams, Alan Flynn, Andrew Morris, Paul Dixon-Didier, John Cumberpatch, Andy Harris, Dan Isbister, John Jillett and Paul Stenning.

### **In Attendance**

Nigel Juby Auckland/Waikato Fish and Game Councillor, Bryce Johnson Chief Executive, Alison Lyall Finance & Administration Manager, Don Rood Communications Manager, Robert Sowman Policy & Planning Manager.

## **INTRODUCTION**

### **1. Welcome**

The Chairperson extended a welcome to all and a particular welcome to Dan Isbister on his first meeting as the Central South Island appointee to the NZ Council. Matthew Hall, the previous appointee from Central South Island is recovering from surgery and has indicated he needed a period for convalescence and was unable to continue in his NZ Council role. The Chairperson wished Matthew well and recorded his thanks for Matthew's participation on the NZ Council, including a period as the chairperson and ongoing convenor of the Financial Review Committee.

A welcome was also extended to Nigel Juby at this meeting as a participant from Auckland/Waikato Fish and Game Council. The Chairperson noted that Colin Sherrard the Auckland/Waikato appointee is currently in hospital. The NZ Council sent their best wishes to Colin for a speedy recovery.

### **2. Apologies**

Colin Sherrard.

Resolved: (Paul Stenning/John Jillett)

**That the apology from Colin Sherrard for his absence from the May 2016 NZ Council meeting be accepted.**

### **3. Identification of Other Urgent Business and Agreement on Agenda Order**

No changes to the order of agenda items were requested.

Other items identified as other urgent business were:

- Occupier ability to fish and hunt without a licence

### **4. Annual Agenda**

May annual items requiring NZ Council consideration include: national budget & licence fee recommendations and Angler Notice issues. Both are itemised for consideration at this meeting.

## **5. Conflicts of Interest Register**

The conflict of interest register was made available with councillors asked to identify those topics to be discussed at this meeting where they perceive a potential conflict may arise and to record these during the meeting.

## **6. Environmental Scan**

This item is intended to last 30 minutes and allows councillors to raise or comment on recent media issues or matters occurring in the regions. Subjects discussed at this May meeting included:

- The issue of 1080 and DOC's Battle of the Birds campaign is likely to come up again with the programme about to be repeated, with consequent concerns for Fish and Game.
- The news item about ECan's lack of response to stock in waterways referred to Fish & Game as a lobby group when Fish and Game is a statutory body.
- North Canterbury closed the Winter Fishery and released a report on lack of monitoring by ECan. Both caused a frosty meeting between ECan and Fish & Game. However, constructive recommendations in the Fish & Game report appear to have been received in a positive manner. Fish & Game wants to work with ECan, not against them.
- A wetland with a conservation order on it in the Wairarapa is leased out by DOC for grazing.
- Rainbow River access could be an issue now the property has been purchased by a "Kiwi honey company".
- A question was raised about introducing sports fish to new water. Fish and Game's position is that no new species will be introduced where they have not been before. This question was raised by Auckland/Waikato.

## **7. Confirmation of Minutes from 18 & 20 March 2016 Meeting**

Nothing was identified in the minutes requiring further discussion.

Resolved: (Paul Dixon-Didier/Andrew Morris)

**That the minutes of the New Zealand Fish and Game Council meeting of 18 & 20 March 2016 be confirmed as a true and correct record.**

## **8. Matters Arising from Minutes**

There were no matters arising in the minutes of the previous meeting that are not included elsewhere on the agenda. Although it was pointed out the reference to September in the introductory note under item 7 should have said November.

## **9. Review of Accumulative Action List from Previous Meetings**

Points were clarified with discussion resulting on some items but no recommended action recorded.

## **10. Notes from the Sunday 20 March Workshop**

The NZ Council considered the workshop recommendations during a public excluded session of the last meeting. Council therefore needs to agree to bring these recommendations into the public meeting.

Resolved: (Andrew Morris/John Cumberpatch)

**That the recommendations below from the Sunday 20 March 2016 Workshop held in Cromwell be confirmed in the public minutes**

***Recommendations of the Workshop to NZ Council:***

***That the NZ Council agrees to continue to meet the expenses of Carmel Veitch's overview of the financial reporting standards and audit, including associate work on the budget variance report relative to the 2015/16 financial year. This cost is not to exceed \$7,000.***

***That the NZ Council circulates to regions for their viewing and comments National Policy statements listed as 2.5, 2.6 and 2.7 with the objectives of this being a preliminary step in the review of these policies. Regional managers would be encouraged to offer comments.***

***That the managers looks at the current practices in use in determining each region's asset replacement reserve with the objective of achieving a consistent approach that sets aside the margin between the current price that would be paid to replace an asset and its current net realisable value.***

***That this practice be documented to be taken as a national guideline or policy. Carmel Veitch is to have some input in this process.***

***That a draft policy document on legal funding be circulated to regions for comment. (see Matthew's report to NZ Council).***

***That Carmel Veitch and Kate Thompson be asked to develop a training/upskilling session in their respective areas of expertise for attendance by financial support staff.***

***That we approve the funding of a one-day training session at a cost of up to \$7,000 to be completed before the end of the current financial year.***

***That clarification is sought on whether financial management can be provided nationally under the current legislation.***

## **10. National licence sales & licence systems update**

There was support for a charter boat licence raised by boat operator Stu Sever in Queenstown at the November meeting. Demand occurs for this in lake fisheries where charter boats operate. It was also observed that the use of child licences for group parties on charter boats is proving popular as they are free.

## **13. RM/Legal updates report**

The RM/Legal updates report was received. There was discussion on the Ngaruroro WCO and the delays occurring in processing this application. Consideration was also given to the two recommendations for further funding (as resolved below). It was noted that it would be helpful to introduce a cross reference number between the RM/Legal Updates report and the finance spreadsheet on the Legal Fund.

Resolved: (Paul Dixon-Didier/Andy Harris)

- 1. That the 30 April 2016 RM/legal update report be received.**

Resolved: (John Jillett/John Cumberpatch)

- 2. That additional funding to Central South Island Fish and Game Council to the amount of \$11,500 from the National Legal Fund be approved to cover additional expenditure for court ordered caucusing of expert witnesses.**

- 3. That additional funding to the amount of \$60,000 from Southland Reserves be approved to cover additional costs associated with the hearing of the Mountain Cycleway along the Upper Oreti.**

The public meeting was paused at 10.30 am for a Workshop session.

#### **Workshop 1: Standing Orders**

Discussion took place on a page by page basis, stopping at page 13. This was resumed and completed at the end of the meeting (3.50 pm). The agreed changes would be made to the Standing Orders and it tabled at the next meeting for adoption as Council policy.

#### **Workshop 2: Governors Forum**

There was a request from an earlier meeting that the NZ Council reacquaint itself with the outcomes of the Forum and determine what needs to be actioned. It was agreed that a letter from the Chairperson to regions asking for their top 5 priorities of Fish & Game functions that lend themselves to SOP treatment would allow the NZ Council to prioritise SOP activity at the September meeting.

The public meeting resumed at 11.10 am. It was agreed to defer a public excluded session until immediately after the lunch break and recommence the meeting with consideration of the item on the Declaration of Interest.

### **16. Declaration of Interest**

Councillors were asked to complete and hand in these forms to Robert. By the end of the meeting nine had been received.

### **17. Adoption of Governance Policies**

Governance Policies were considered by the Council (September/November 2015) in the previous triennium, meaning new Councillors had not been present during these discussions. However, it was accepted that the review had occurred in a competent manner and that the document should be approved, noting that the opportunity existed for further amendments/review at any time.

Resolved (Andy Harris/Kevin Williams)

**That the NZ Council adopt the new Governance Policies (referenced as: Revised following review in December 2015) as approved policy.**

### **18. Review of Financial Management of Fish & Game NZ**

Consideration was given to Matthew Hall's convalescence and absence from NZ Council and his wish for ongoing involvement in the Financial Review Committee. Regardless of Matthew's return or not to the New Zealand Council, there was general support for his continued involvement in the Financial Review process.

Resolved (Noel Birchall/Andy Harris)

**That Matthew Hall continues in his role as convenor of the Financial Review Committee**

### **19. 2016/17 NZ Council Business Plan**

The Business Plan highlighted new projects and those provided under contestable fund consideration. It was recognised that the Business Plan is subject to approval of the licence fees by the Minister of Conservation in July.

Resolved: (John Cumberpatch/Kevin Williams)

**That the NZ Council agree to consider the May draft of the full Business Plan in May for final approval at the July NZ Council meeting once licence fees have been approved.**

## **20. 2014/15 Auditor's Key Issues Memorandum**

The Auditor's memorandum was tabled at the March 2016 meeting where it was agreed that the report be deferred to the next meeting. Meanwhile Councillors were encouraged to raise any issue(s) by email with Alison Lyall and a reply would be circulated back to all NZ Councillors. No comments were received. Those comment raised at the May meeting were essentially for background information and response from NZ Council staff. The Council accepted the memorandum with incorporated staff responses.

## **21. Legal Counsel for NZ Council**

This item was raised by Councillor John Cumberpatch. A paper prepared by the North Canterbury Manager Rod Cullinane for discussion by managers was shared with NZ Council, as was an emailed commentary from Chief Executive Bryce Johnson. Bryce described the process over the last one to two years where Fish and Game successes have been at some cost. If changes to the Resource Management Act being proposed by the present Government occurs many of the precedents achieved will be vulnerable. This is cause for wider thinking to complement legal challenges with public advocacy.

A split between costs to lawyers and expert witnesses was seen as being a good exercise to complete. It was recognised that this would be a big job to do comprehensively over time. It was agreed an effort is to be made to attempt a useful snapshot by looking at recent cases to determine percentages spent on both.

## **22. Operational Report**

The bi-monthly operational report was considered with questions raised mainly for information. Questions raised under various project headings were answered or the point clarified. Discussion occurred on:

### **Project 1260: NZ Game Bird Habitat Trust Board**

The present day value of the Habitat Stamp was raised along with the expenditure priorities adopted by the Trust Board. The current Board's membership expires 31 October 2016 with new membership to be recommended to the Minister of Conservation by the end of July.

### **Project 1270: Advocacy Assistance**

This project involves technical input from external experts. Currently the initiative is focusing on the preparation of documents to do with proposed resource management amendments and water related matters. It was noted that expenditure may be over budget in this project this year due to the extent of Government amendments and further proposals regarding RMA law.

### **Project 1330: Angler & Hunter Participation**

Staff were complimented on the rollout of publicity involving the opening of the Hunting Season. Fish & Game's involvement in Duck Call competitions was also discussed.

### **Project 1461: National Support for Public Awareness programme in South Island regions**

It was noted that Richard Cosgrove has been recently appointed to this position and comes with a wide ability across media activity.

### **Project 1620: Licence Service Contract**

It was agreed that it would be best if the roll-over provision of the 3 +2 year contract with the licence provider (Eyede) was considered and formally approved by the NZ Council.

Resolved: (Paul Stenning/Dan Isbister)

**That the Operational Report for May 2016 be received.**

### **23. Public Excluded session of the meeting**

1.17 pm Resolved (Andrew Morris /Paul Stenning )

**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. Minutes from the public excluded session March 20<sup>th</sup> 2016.**
- b. Executive Committee report.**

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)

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>
	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.
	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.

#### 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.”

1.35 pm            Resolved            (Andrew Morris /Paul Stenning )

#### **To move out of Public Excluded and back into a Public Session of the Meeting**

### **24. NZ Council 2015/16 Bi-Monthly Financial Report No. 3**

Several questions were raised and answered for clarification on expenditure. Report No 3 records the Council being 67% through the year with expenditure at 60.25%.

Resolved:            (Noel Birchall/Andrew Morris)

**That the Financial Report No. 3 to 30<sup>th</sup> April 2016 be accepted.**

### **24. Fish & Game NZ Finance Report**

No discussion was raised on this item.

Resolved:            (Noel Birchall/Alan Flynn)

**That the National Finance Report to 30<sup>th</sup> April 2016 be received.**

### **25. Specific Proposal for Capital Expenditure**

The previous governance policies required this item to be considered at each NZ Council meeting. The revised policies have removed this requirement, meaning the item need only be included for those occasions where there are actual proposed Capital Expenditure submitted for approval.

Resolved            (Andy Harris/Paul Stenning)

**That the Specific Proposals for Capital Expenditure report be received.**

### **26. Legal Funding Applications**

No proposals were submitted for consideration at this meeting. Auckland/Waikato advice is that it is likely to have a future funding application for an AFFCO (Auckland Farmers Freezing Company), proposal.

### **26. Research Programme for 2016/17**

General debate but no issues were raised.

Resolved:            (Andrew Morris/John Jillett)

**That this May 2016 Research Programme report be received.**

### **27. Staff Development Grant**

There was general acceptance of the two applications and acknowledgement that both should be able to provide some valued insights.

Resolved (Andrew Morris/Paul Stenning)

**That the NZ Council:**

1. **Note that \$10,000 is available for the scholarship from the NZ Council budget for the 2016/17 financial year**
2. **Agree to support both Peter Wilson's and Morgan Trotter's applications for \$4,000 and \$4,752 respectively in the 2016/17 financial year.**

## **28. 2016/17 Fish & Game NZ Budget and Licence Fee Recommendations**

Consideration was given to decisions and recommendations taken by Fish & Game regional managers under this item at their April 2016 Meeting of Managers, including the decline of funding for an extra field officer for North Canterbury. Debate followed on the merit of increasing the Game Bird Habitat Stamp from \$2 to \$3 to provide more funding for habitat restoration and improvement, including predator control. This was agreed to become part of the recommendation for consultation with regions.

Resolved: (Noel Birchall/Andrew Morris)

1. **That the NZ Council confirm the 2016/17 Contestable Funding allocations as recommended by Managers.**
2. **That for the purpose of consultation with regional Fish and Game Councils, the NZ Council recommend a 2016/17 adult whole season sports fish licence of \$125 and an adult whole season game licence of \$93 (inclusive of a \$3 fee for the Game Bird Habitat Stamp) inclusive of GST.**
3. **That following consultation with regional Fish and Game Councils, the NZ Council hold a telephone conference at 7.00 pm (to be confirmed) Wednesday 22<sup>nd</sup> June to set licence fees for 2016/17.**

## **29. Submission and Regulatory Impact Statement for introducing guide licences**

Concern was expressed over the position the NZ Professional Fishing Guides Association (NZPFGA) on the guide licence proposal. The NZPFGA is saying it cannot support a visit to the Minister without greater adherence in the proposal to the MOU. NZ Council urges the guides to get what they can out of the least intrusive option rather than hold out for too much. Once in place, there will be future opportunity for the Guides together with Fish and Game to work towards more refinements in the overall management regimes designed to maintain quality of angling and manage pressure. It was agreed a letter be written to the Professional Fishing Guides Association to show how the proposal supports the MOU and to include a revised copy of the proposal.

Resolved: (Kevin Williams/Andrew Morris)

**That the revised paper be submitted to the Minister of Conservation seeking her support for securing a sports fish and game guide licences.**

## **30. Captive Reared Mallards**

The Chairperson tabled a memo from Andy Garrick on the subject. It was decided to refer this to the Mallard Research Committee for information in preparation of a report from staff. All regions should be consulted once a report has been prepared with feedback coming back to NZ Council for consideration.



Resolved: (Paul Stenning/Kevin Williams)

**That the NZ Council ask the Mallard Research Committee and any staff they think appropriate, to prepare a report on the risks and benefits of captive reared mallards and a recommendation so an SOP could be formulated to deal with requests for releases of captive reared mallards.**

### **31. Hunting and Harvest Ethics**

As a starting point it was agreed the covering memo under this item should be circulated to regional Fish & Game Councils for comment to establish the support for and content of any policy on hunting and harvest ethics. It was noted that s26Q(c)(i) of the Conservation Act 1987 requires regional Fish and Game Councils to define and promote ethical standards of behaviour to be followed by anglers and hunters. A similar initiative on fishing is to be prepared for consideration by NZ Council at a future meeting.

Resolved: (Paul Stenning/Andrew Morris)

**That regional Fish and Game Councils be invited to contribute to a national policy on hunter harvest and ethics.**

### **32. Review of First Schedule Anglers' Notice**

Questions were raised as to whether the recommendations from the South Island Working Party had in fact been received by regional councils. It was circulated to regional managers on 4 April 2016 but appears not to have been referred to all councils for their information. Therefore, the proposals should be resent for comment.

Resolved: (John Cumberpatch/Noel Birchall)

- 1. Agreed that regional Fish and Game Councils be consulted on the recommended changes from a South Island Fish and Game Working Party to the First Schedule of the Anglers' Notice.**
- 2. Agree that the resulting changes to the First Schedule be included in the 2017 Anglers' Notice for consideration by the Minister of Conservation.**

### **33. Correspondence**

Correspondence received during the period was considered with recommended replies provided for the Chairperson to include in his responses.

### **34. General Business**

No general business was discussed.

### **Closing Remarks**

The Chairperson thanked Council and staff for their support.

There being no further business, the Chairperson declared the meeting closed at 3.50 pm Friday 20 May 2016.

Confirmed: .....

Date: ...../...../2016