

Meeting of the  
**New Zealand Fish and Game Council**  
Brentwood Hotel, Wellington  
Friday 20 to Sunday 22 March 2015  
*Commencing 9.30 am*

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## **PRESENT**

### **NZ Councillors** (in geographical appointee order)

Chris Lynch, Colin Sherrard, Lindsay Lyons (Chairman), Graeme Jobey, Alan Flynn, Andrew Morris, Paul Dixon-Didier (arrived 9.53am Friday due to flight times), Jean Willis, Matthew Hall, Dave Witherow and Paul Stenning

## **In Attendance**

Bryce Johnson Chief Executive, Robert Sowman Policy & Planning Manager, Don Rood Communications Manager.

## **Participation Friday 20 March**

Phil Teal, Manager and Corina Jordan, Environmental Manager Wellington Fish and Game Council (Friday 10.08 am until mid-day).

Lou Sanson Director-General Conservation (from 2.50 pm Friday for one hour)  
Andrew Wilson who conducted the National Office review (4.00pm to 5.45pm Friday).

## **INTRODUCTION**

### **1 Welcome**

The Chairman welcomed members and noted that this was the 115<sup>th</sup> meeting of the NZ Council. He advised of the Director-General, Corina Jordan and Andrew Wilson's attendance later in the first day (Friday).

### **2 Apologies**

Alison Lyall, Finance & Administration Manager.

Resolved: (Andrew Morris/Paul Stenning)

**That the apology be accepted**

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

It was agreed public excluded matters will be dealt with Saturday afternoon. These include the public excluded notes from the last meeting and the National Office review.

It was also agreed to discuss item 4.5 Legal Funding on Ruataniwha and the RM/Legal update on Friday while Corina Jordan was present.

### **4 Annual Agenda/Conflicts of Interest Register**

March annual items include consideration of an initial draft business plan and budget and a review of governance policies. The former is included as a March agenda item and the later was discussed and a proposed review programme promoted.

It was agreed Robert would circulate current Governance Policy to NZ Councillors after the May meeting, for councillors to review and annotate comments and changes and reply three weeks before the NZ Council July meeting. At the July meeting, Council would then consider proposed changes for adoption.

## **5 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 March meeting included:

- Waikato Federated Farmers position is ground breaking for Federated Farmers. There is growing public concern about the condition of Waikato lakes.
- Nick Smith announcement about putting in place a mixed governance model for ECAN.
- Northland by-election has potential ramifications for the whole country.
- The purchase of land in Northland by a Russian multi-millionaire was accepted by the Overseas Investment Commission. It has implications for public access but the Walking Access Commission (WAC) appears to be silent on this. Fish and Game should write to WAC on a potential precedent setting position and ask for a firm stance taken on access. There are a number of significant issues (locked gate on a paper road along Gowan River, Lee Valley, etc) of concern to Fish and Game.
- Around the Mountain cycleway in Southland. The decision has been announced in support of the proposed route and Southland Fish and Game Council has to decide what position it wishes to take. Public cycleways create compromising situations for hunting.
- Waikato Regional Council wants the Department of Conservation to lift its opposition to Waikare & Whangamarino Wetland Flood Scheme. Mediation undertaken has helped set Fish and Game on the right track with input into the catchment management plan.
- Drought in South Canterbury is having major implications for its waterways. River mouths have been blocked and opportunity for salmon fishing is severely limited. The drought will have a longer term environmental effect as many waters are no longer flowing, or have dried up.
- The question as to whether regional councils have managed minimum flows during this period of droughts was discussed.
- The Chairman advised he is organising a meeting with Alison Dewes in the northern Waikato to talk about what farmers can do to operate sustainably in sensitive environments.

## **6 Confirmation of Minutes from Previous Meeting**

Nothing was identified in the minutes requiring further discussion.

Resolved: (Paul Stenning/Chris Lynch)

**That the minutes of the New Zealand Fish and Game Council meeting of 21–23 November 2014 be confirmed as a true and correct record.**

## **7 Matters Arising from Minutes**

Item 11 RM/Legal Update Report: that all future reports on all projects in the legal update must include costings.

It was agreed that a schedule be issued to the regions on when reports are due in for inclusion in the NZ Council agenda to help overcome absences in reporting by some regions.

## **8 Review of Accumulative Action List from Previous Meetings**

No action was recorded from discussion on the accumulative action list.

## 9 National Licence Sales & Licence Systems Update

Discussion occurred on the issues associated with licence sales in Eastern, including the access through forestry land.

A question was raised about changes in ethnicity in Auckland and whether Fish & Game should be targeting this potential market. Fish and Game should collect more information on how best this might be managed.

Resolved: (Dave Witherow/Matthew Hall)

**That NZ Council find out through regional Fish and Game councils the extent of the issue of changing ethnic mix in regions affecting the fish and game resource.**

Resolved (Matthew Hall/Paul Dixon-Didier)

**That the NZ Council send a letter to regions explaining the necessity to “ring-fence” the extra revenue from non-resident fishing licences and report accordingly in Annual Reports.**

Resolved: (Andrew Morris/Chris Lynch)

**That the national licence sales update be received for information with commendation.**

## 10 RM/Legal Update Report

### 1/ Tukituki Catchment

Corina Jordan provided a presentation on the current position with the reconvening of the Ruataniwha Dam Board of Inquiry. She noted that project spending has exceeded the approved sum by some \$3,698 and expected there to be some additional expenditure over and above this amount – excluding any further possible appeals.

The NZ Council is aware of a sum of money Hawke’s Bay Fish and Game Council has received from donations and money yet to be received on rewarded court costs after succeeding with its appeal. It is understood the donation money has been given for river protection and water quality. It was agreed that the Chairman write to the Hawke’s Bay Fish and Game Council to establish whether the Council has reserves that may contribute to legal costs.

Resolved: (Chris Lynch/Andrew Morris)

**That the application by Hawke’s Bay Fish and Game Council for funding from the Legal/RM fund of legal costs up to \$80,000 for the Ruataniwha Dam, be approved.**

### 2/ Ngaruroro

The Ngaruroro Water Conservation Order application has been prepared along with supporting documentation. The application will have five co-applicants, including Fish and Game, Forest & Bird, White-Water Rafting NZ and local iwi. A meeting later in April will finalise the status of this project.

### 3/ Canterbury Land & Water Regional Plan – Central South Island

A question was raised over the outcome of the appeal and what were the gains made in doing so.

Resolved (Colin Sherrard/Matthew Hall)

**To ask the Chief Executive of Central South Island for a breakdown of what was sought and what was achieved in spending \$73,407 on the Canterbury Land & Water Plan appeal.**

Resolved: (Chris Lynch/Paul Stenning)

**That the March 2015 RM/Legal update report be received.**

## **11 Executive Committee**

### **a. Terms of Reference**

The Terms of Reference had been considered at the November 2014 public-excluded meeting of Council. These have received further comment from councillors and are now able to be approved.

**That the following Terms of Reference for the NZ Council Executive Committee be adopted:**

- 1. To carry out the functions of a Committee of the New Zealand Council in a manner consistent with the Council's Governance Policies and Standing Orders.**
- 2. To provide advice, guidance and support to the Chief Executive between meetings and on matters of urgency without impinging on the Chief Executive's delegated powers.**
- 3. At the Chairman's discretion, a member of the Executive Committee may assume the Chairman's representation and communication role outside of New Zealand Council meetings as prescribed in Governance Policy 1.6 The Role of the Chairman and specifically as regards policies 1.6.1.3 and 1.6.1.4.**
- 4. To temporarily act in the place of the Chairman in the event of the Chairman's unavoidable or unexpected absence or unavailability in any period to the next New Zealand Council meeting.**
- 5. To replace the Audit and Risk Committee and the Remuneration Committee and complete all functions previously delegated to those committees.**
- 6. Attend to the preparation and completion of the Chief Executive's annual performance appraisal.**
- 7. Report to New Zealand Council on its activities.**
- 8. To assume such other responsibilities as New Zealand Council deems appropriate.**
- 9. The Terms of Reference for the NZ Council Executive Committee to be reviewed annually at the March meeting.**

Resolved: (Andrew Morris/Paul Stenning)

**That the Terms of Reference for the NZ Council Executive Committee as set out in points 1 to 9 above be adopted.**

The meeting stopped its agenda deliberations at this point to meet with Lou Sanson the Director-General of Conservation. The Council then resumed discussion on item 3.1 on Saturday afternoon.

### **3.00 pm Director-General of Conservation**

Lou Sanson, Director-General of Conservation visited the NZ Council meeting on his return from a trip to Auckland talking to Chinese representatives and the Fonterra partnership participants on wetland management.

Lou provided an outline of what the Department has been doing recently and what it plans to do over the coming year. He started by describing pest management initiatives, saying it has become a priority in the Battle for the Birds programme with a need for managing pests on a bigger scale and receipt of financial support from the Next Foundation, the dairy industry and Morgan Foundation.

The proposal is to look to have Mount Taranaki pest free. Five iwi in the Taranaki area need to be part of the solution. Another similar project will be to look at Banks Peninsula in the same way.

Issues with 1080 and trout were raised, with Lou inviting F&G to provide feedback on ongoing concerns.

He explained wilding pines, with the help from climate change, is a constant challenge for DOC and regional councils. Money to deal with this is difficult to come by. He explained that GM based solutions whilst potentially offering the most hope remain politically unacceptable.

Lou explained under a new structure within DOC that the number of freshwater projects are to be increased. The Department is supportive of Gareth Morgan River Awards and other initiatives. DOC wants to work in this space with farmers on river restoration. DOC also wants to expand iconic historic sites. It is aware that 31% of tourists come to experience natural landscapes. There are exciting projects being discussed with Air New Zealand Sustainability Council.

The new organisational restructure initiative being piloted in the Nelson/Marlborough West Coast region is about creating single points of responsibility within the DOC regional structure. Another is to put science and policy together in a new executive structure. Discussion then ranged over a number of points of interest to Fish & Game, including grey teal, regional DOC representation at F&G Councils, guides licence, access to DOC land.

## 12 Resolution to Exclude the Public

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

Time: 4.14 pm Friday.

Resolved (Andrew Morris/Matthew Hall)

**That the public (including staff) be excluded from the following parts of the proceedings of this meeting, to discuss:**

- a. Confirmation of minutes from the public-excluded session of the November 2015 meeting**
- b. National Office Review**
- c. Employment matters**

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.”

Time: 2.25 pm.

**Resolved** (Matthew Hall/Colin Sherrard)

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

The meeting returned to agenda item 3.1 and discussion on Friday afternoon about the formation of the Executive Committee.

**d. Consequential changes to policies and standing orders**

One change was requested to the proposed consequential changes. This was under 11.10 with the deletion of the word “perhaps”.

**The Council agreed that the amendments, deletions and additions contained in Paul Dixon-Didier’s report dated 9 March 2015 to the Councillor Guide and Governance Policies be adopted.**

Council complimented Paul Dixon-Didier on the work he undertook to prepare the Terms of Reference and consequential changes.

### **13 Self-Appraisal**

Council agreed that the initial draft self-appraisal form will be used by NZ Councillor with any recommended amendments to its layout/content recorded and returned to Chris Lynch.

The Chairman is to circulate the self-appraisal form to councillors for completion as soon as possible.

### **14 Review Financial Management of Fish & Game New Zealand**

Matthew Hall introduced his paper and summarised the views of the Managers recorded at their February 2015 meeting. He also outlined the views of Carmel Veitch about what tier each Fish & Game Council should report to – Tier Two or Tier Three.

Resolved: (Chris Lynch/Alan Flynn)

- 1. That the NZ Council accepted Matthew Hall's report of the financial review**
- 2. That, with the approval of the Eastern Regional Manager, the NZ Council accept the offer for Carmel Veitch to assist in the matter of the financial review.**
- 3. To ask Carmel to provide her costs on the assumption to prepare a Tier Two template.**

The NZ Council expects Matthew Hall to prepare a separate paper on Fish & Game reserves with the intention it is ready for consideration at the May 2015 meeting.

### **15 NZ Council Auditor's Report 2013/14**

The NZ Council is concerned there is a trend towards auditors asking for increasing levels of information with staff having to comply. What is less certain is whether this is at the request of the Auditor-General or not?

It was agreed that regional managers be asked to provide constructive criticism of the process of Annual Audit along with copies of Audit management letters with a view to getting some national consistency.

The NZ Council Auditor (Grant Thornton) should be asked to clarify what is meant by "all related party transactions" and what is the legal basis in asking for this information?

Resolved: (Andrew Morris/Graeme Jobey)

**That the NZC 2014/15 Key Issues Memorandum be received.**

### **16 Draft 2015/16 NZ Council Business Plan**

Council agreed for all activities across the 12 regional Fish & Game councils associated with youth to be recorded to see the scale of what is occurring.

It was also agreed to include a project in the NZ Council Business Plan under 1721 on implementation of agreed recommendations of the National Office Reviewer.

Resolved: (Andrew Morris/Matthew Hall)

**That the NZ Council**

- 1. Note the proposed highlighted changes to the 2015/16 NZ Council Business Plan as present in a) to j) in the March 2015 agenda item 3.6**
- 2. Note that further changes could result from subsequent discussion on the Plan**
- 3. Agree to consider a final draft of the full Business Plan in May and approval at the July NZ Council meeting once licence fees have been approved.**

## **17 Safe Health Practices**

Liability as governors, employers and office standards are under question with the new Health & Safety Bill. A revised Health & Safety manual has been prepared and circulated to all Fish and Game Councils. It was agreed the NZ Council should prepare a letter to regions to get assurance that they have the register in place and are actively discussing and reporting on health & safety activity. Regions should also be advised this is a likely activity candidate for a future NZ Council audit function.

The CE raised his concerns regarding liability upon him in his specific authorisation role of rangers under the Act, upon which he intended to take expert advice.

A question was raised over the possible need for insurance cover on H&S and insurance company arrangements required over and above what the H&S Act specifies. The CE was asked to explore what local government does in this area.

Resolved: (Chris Lynch/Matthew Hall)

**That the NZ Council Chairman write to all Council Chairs requesting confirmation of compliance with Health & Safety processes and that they have implemented the recent Fish & Game manual with registers in place and actively managed.**

## **18 Governors' Workshop**

The NZ Council conducted its own workshop on Sunday morning to review the November Governor's Workshop and discuss outcomes from that day's event which was held in conjunction with the Council's November 2014 meeting. The conclusions from this review are summarised in the following resolutions.

Resolved: (Paul Stenning/Paul Dixon-Didier)

- 1. That the NZ Council CE seek from regional managers which functions under 26Q lend themselves to SOPs.**
- 2. That the Chairman write to all regional chairmen on the outcome of the NZ Council's deliberation on the Governors' workshop.**

## **19 Operational Report**

The operational report was considered on project by project basis with questions raised mainly for information.

### **Project 1140: Commercial users of the sports fish & game resource:**

Discussion focused on how best Fish and Game could advance its need for a guide licence.

Resolved (Dave Witherow/Jean Willis)

**That the NZ Council write to the Director-General of Conservation to highlight Fish and Game's wish for support to introduce a guide licence.**

### **Project 1210 Habitat Advocacy General:**

It was noted that there is reporting on RM issues and activity occurs in various places within the Council's agenda – what is happening at an advocacy level, the RM/Legal approved projects and engagement of Corina Jordan as Environment Manager (case manager) working with respective regions. It would be useful to have this more coordinated.

Thought should be given to holding a workshop on how Fish and Game can be more effective in getting its message across. Fish & Game needs to be in the heads of those who make resource management decisions. A workshop is proposed for July.

It was suggested the opportunity to upskill staff in RM issues should also be considered.

#### **Project 1320: Access to the Resources**

The NZ Council agreed it was time to invite the Walking Access Commission back to a Council meeting. Hence, it was agreed the Chairman write a letter to the Walking Access Commission asking for support on a number of public access issues that are potentially precedent setting and invite the Commissioners to a future NZ Council meeting to speak to these.

#### **Project 1460: National Support for Public Awareness Programme in North Island regions**

The NZ Council would like to work with the Auckland/Waikato Fish and Game Council to discuss options for Fish & Game's increased presence in Auckland media.

#### **Project 1630: Licence Production**

NZ Council supported the proposal that Fish and Game Councils encourage staff to visit their key retail agents on the Friday before opening weekend of the game season and offer to help process licence sales. This would be a good PR exercise and help gain an understanding of the pressures/demand on agents at this time.

#### **Project 1850: Bequeathing Policy**

Matthew Hall spoke to this project. He explained consideration of the financial reserves policy will have an impact on how a bequeathing policy might be managed and marketed.

#### **Project 1870: Meeting of Regional Managers**

Discussion occurred on the prospect of a NZ Council presence at the meeting of regional managers. It was suggested the Chairman and one other might consider attending and the May meeting in particular discussing contestable funding. It was agreed that the Chairman and one other NZ Councillor, by rotation, could attend the meeting of regional managers for one of the two days.

#### **Project 1880: Research Programme**

Discussion occurred on the July 2014 resolution by the NZ Council on researching lead ingestion in waterfowl. Managers had asked for the NZ Council to review its information requirements in relation to lead shot and what this is to be used for, so that the research objectives can be clearly defined.

There needs to be information to guide a decision in 2017. The NZ Council agreed to ask Andy Garrick what would be a financially effective method to guide the Council in its pending decision about sub-gauges.

Resolved: (Andrew Morris/Alan Flynn)

**That the Operational Report for March 2015 be received.**

## **20 NZ Council Financial Report**

A question was raised on page 88 of the agenda on research funding, asking that the programme appears to be in deficit of \$42,096 and for confirmation this is manageable for the remainder of the year. It was explained that the draw-down of research project funding does not necessarily occur within one single financial year and only when invoices are submitted and approved.

Resolved: (Andrew Morris/Alan Flynn)

**That the Financial Report to 28<sup>th</sup> February 2015 be accepted.**

Chris Lynch asked to record his abstention.

## **21 National Finance Report**

No discussion raised

Resolved: (Paul Stenning/Colin Sherrard)

**That the National Financial Report to 28<sup>th</sup> February 2015 be received.**

## **22 Specific Proposals for Capital Expenditure**

There were no proposals for capital expenditure and hence no discussion.

Resolved: (Colin Sherrard/Paul Stenning)

**That the Specific Proposals for Capital Expenditure report for March 2015 be received.**

## **23 Legal Funding Applications**

### **a. Heaphy Road stopping**

NZ Council in November 2014 asked for a more detailed breakdown of costs in the presentation of legal funding applications. This application has not met this standard. It was agreed a standard application form needs to be proposed and used.

Resolved: (Paul Stenning/Graeme Jobey)

**That the application by West Coast Fish and Game Council for funding from the Legal/RM fund of legal costs, subject to the provision of a detailed budget, of approximately \$30,000 for the Heaphy Road stopping, be approved.**

### **b. Mountain Cycleway**

The NZ Council noted that an adequate cost breakdown was provided with this application.

Resolved: (Matthew Hall/Paul Dixon-Didier)

**That the application by Southland Fish and Game Council for funding from the Legal/RM fund of legal costs of \$56,005.90 for the Mountain Cycleway, be approved.**

### **c. Variation 2: Hinds/Hekeao Plains Area Catchment Plan**

Funding should not be approved until a detailed budget is provided. The project must be promoted as a new project and not merely suggesting rolling over unspent funds from a previous project.

Resolved: (Dave Witherow/Andrew Morris)

**That the application by Central South Island Fish and Game Council for funding from the Legal/RM fund of legal costs, subject to the provision of a detailed budget, up to \$60,000 for variation 2: Hinds/Hekeao Plains Area Catchment Plan, be approved.**

Chris Lynch asked to record his abstention.

## **24 New Licence Categories**

This item was discussed with a focus on the likely economic implications.

Resolved: (Dave Witherow/Andrew Morris)

**That the Council**

- i. **Reaffirm the intention to introduce four new fishing licence categories (Senior loyal, Local area, Short break and Long break) for the 2015 season**
- ii. **Note that should delays in introducing the four categories be considered by the Licence Working Group to be insurmountable to solve in the time available a decision to defer introduction could be made up to 24 June 2015.**

Colin Sherrard and Chris Lynch abstained.

**25 Reparation Policy for Consultation as National Policy**

A late paper was presented by the Chairman on the first day of the meeting. This paper outlined the Eastern Fish and Game reparation model. This paper differs from the paper included in the agenda. It was agreed that managers be asked to consider the two reparation documents proposed for circulation to regions and for a single paper to be made available for consideration as national policy.

**26 NZ Council Meeting Dates and Locations**

A proposed meeting schedule was discussed and generally accepted.

**27 Correspondence**

The Council agreed to receive the correspondence addressed to the Chairman and determined appropriate replies.

**28 Other Business**

**Closing Remarks**

The Chairman thanked staff for their input and commented on the enthusiasm and constructiveness shown over the last three days from the Council and he thanked Council for their support.

There being no further business, the Chairman declared the meeting closed at 3.15 pm Sunday 22 March 2015.

Confirmed: .....

Date: ...../...../2015