

**CONFIRMED MINUTES OF THE 159th MEETING OF THE EASTERN FISH AND
GAME COUNCIL, HELD AT THE ROTORUA OFFICES OF FISH & GAME NEW
ZEALAND ON THURSDAY 11 AUGUST 2016 AT 12.00PM**

PRESENT

Murray Ferris, Lindsay Lyons, Barry Roderick, David Woolner, Sandy Bull, Ken Coombes, Peter Storey and Alan Baird.

IN ATTENDANCE

Andy Garrick, Carmel Veitch (minute taker), Eben Herbert, Anthony van Dorp, Matt Osborne, Nigel Simpson, Lynne Sands and Matthew McDougall (Eastern Fish & Game).

1.0 WELCOME

Cr Murray Ferris opened the meeting at 12.00pm and welcomed Councillors and staff.

2.0 APOLOGIES

2.1 Apologies were received from Crs Annaka Davis, Neal Hawes, Steve Scragg and Laurance Tamati; Kate Thompson, John Meikle and Mark Sherburn (staff); Bill Clarke, Ken Raureti (Bay of Plenty Conservation Board), Dave Conley (Department of Conservation), and Ray Bushell.

2.2 *Agreed (Peter Storey/David Woolner) that the apologies for the 159th meeting of the Eastern Region Fish and Game Council be sustained. [16/08/2.2]*

3.0 MINUTES OF THE PREVIOUS MEETING (16 JUNE 2016)

3.1 *Agreed (David Woolner/Alan Baird) that the minutes of the meeting held on 16 June 2016 be confirmed as a true and correct record. [16/08/3.1]*

4.0 IDENTIFICATION OF RESOLUTIONS FOR INCLUSION IN COUNCIL POLICY

4.1 *Agreed (Barry Roderick/Sandy Bull) that Item 8.4 relating to the Health and Safety Policy, and Item 9.3 concerning Regional Governance Policies be included as Council Policy. [16/08/4.1]*

4.2 Andy Garrick advised that Item 5.3 relating to the allowable duration of Council's standard meeting time would be incorporated into Council's Standing Orders.

5.0 MATTERS ARISING

5.1 Andy Garrick had circulated a Declaration of Interest document for completion by Councillors at the April meeting and requested that these be filled in, signed and returned. Cr Lindsay Lyons noted that if any Councillor hunts waterfowl with a sub-gauge shot gun they would need to disclose this as a potential Conflict of Interest.

5.2 Cr Lindsay Lyons advised Councillors that Cr Steve Scragg had been endorsed by the NZ Council for nomination to the Game Bird Habitat Trust and Council extended its congratulations.

6.0 NOTIFICATION OF ITEMS FOR GENERAL BUSINESS

- Cr Lindsay Lyons - Green Tag Competition

7.0 CONFLICT OF INTEREST REGISTER

7.1 No conflict of interest items were identified.

8.0 GOVERNANCE ISSUES

- 8.1 Cr Lindsay Lyons reminded Councillors that from time to time they will receive information that is privy to them as a Councillor and not to be distributed. This is because some of this information may still be a work in progress and is either not ready for more widespread circulation or it's otherwise inappropriate to do so. The Minister of Conservation has recently contacted Lindsay with a please explain in relation to information leaked to an external party recently. This confidential information was supplied to Eastern and Hawke's Bay Councillors only in Papers of Information and labelled as being for their eyes only. Cr Murray Ferris and Andy Garrick suggested that in future confidential papers be circulated to Councillors separately from media releases and other Papers for Information, and that the former be clearly labelled as being confidential (as they were on this occasion). Cr Lindsay Lyons reminded Councillors also, that the use of recording or transmitting devices during meetings is not allowed without the knowledge of the meeting and the express approval of the chairperson. Andy advised that Cr Annaka Davis considers this should be extended to include cameras.
- 8.2 Councillors discussed the potential impact that some decisions that Council makes could have on other Fish & Game regions as raised in a paper by Andrew Morris, a NZ Councillor. Council needs to be careful of resolutions it passes and mindful of how these might impinge on other regions. Cr Annaka Davis (via Andy) expressed concern that guidance is needed on what constitutes "Significant Cross Boundary Implications" as used in the paper but Cr Murray Ferris suggested we simply need to look at this on a case by case basis. Cr Barry Roderick suggested we should also consider potential impacts on the Taupo Fishery of decisions we might make and consult with the Department of Conservation's fishery managers when necessary (and vice versa).
- 8.3 Cr Barry Roderick suggested that the wording proposed for Section 2.6.b of the Eastern Region Governance Policies include "if 3 or more members of the Council ask in writing for the evaluation to be undertaken".
- 8.4 *Agreed (Lindsay Lyons/Ken Coombes) that Council and Councillors recognise the obligations and expectations placed on them in relation to disclosure of information, recording and transmitting of Council proceedings, and consultation with other Fish & Game regions. [16/08/8.4]*
- 8.5 *Agreed (Barry Roderick/David Woolner) that Council approves the proposed changes to the wording for Section 2.6.b of the Eastern Region Governance Policies subject the addition of "... if 3 or more members of the Council ask in writing for the evaluation to be undertaken ...". [16/08/8.5]*

9.0 STANDING ORDERS

- 9.1 Andy Garrick commented that these have been adapted from the recently revised NZ Council Standing Orders which, excluding the section dealing with conflict of interest, have been approved by that Council.
- 9.2 Cr Barry Roderick requested an amendment to Section 1.3.5 to require i) that no meeting can sit for more than two hours without a refreshment break, and ii) to insert Council's June resolution [16/06/5.3] enabling the standard meeting time of meetings to be extended by up to an hour if necessary (see also Item 4.2 above).
- 9.3 *Agreed (Barry Roderick/Sandy Bull) that Council approves the proposed changes to the wording for Section 1.3.5 of the Eastern Region Standing Orders to read "No*

meeting can sit for more than two hours continuously without the option of a refreshment break of 10 minutes ...”, and to incorporate the option for extending the duration of standard meetings. [16/08/9.3]

9.4 Andy conveyed Cr Annaka Davis’ concerns that Section 2.3.23 could be open to abuse and that the restrictions in Section 2.5.1 should be extended to staff and public. Councillors discussed these but decided that no changes were required. Annaka also suggested that “at least two working days” should be removed from Section 2.6.1 and Council agreed but extended this to “at least two working days’ written notice”.

9.5 *Agreed (Lindsay Lyons/David Woolner) subject to the amendments to Section 1.3.5 specified in resolution [16/08/9.3] and the removal of “...at least two working days’ written notice...” from Section 2.6.1, that Council adopts the revised Standing Orders with the exception, for the time being, of the Conflict of Interest rules. [16/08/9.5]*

10.0 THE 2016-2017 OPERATIONAL WORK PLAN

10.1 Andy Garrick noted that other than incorporating a commitment to develop a closer/more formal working relationship with Te Arawa iwi into the Statutory Liaison section of the OWP and making a number of minor corrections to other text, the plan remained the same as that circulated to Councillors in June.

10.2 *Agreed (Peter Storey/Sandy Bull) that Council approves the Operational Work Plan and budget for 2016-2017, and that Council delegate authority to the Regional Manager to approve expenditure during the year as set out in the Operational Work Plan and budget. [16/08/10.2]*

11.0 LAND OCCUPIER LICENCE

11.1 There was overall agreement that the issuing of a free fish and game licence to land owners would be beneficial as it would enable Fish & Game to establish lines of communication with land owners/occupiers. Habitat enhancement, estimates of game bird harvest and resource use, and communication of regulations are just some of the potential benefits that would arise from having a database that included a sector of the game bird hunting and sports fishing community that we currently have no direct link to. The free licence would only be valid on the occupied land meaning a landowner hunting or fishing elsewhere would need to purchase a relevant licence as is currently the case.

11.2 Eben Herbert noted that the provisions for land owner/occupier rights differed between the Wildlife Act (for game bird hunting) and the Conservation Act (for sports fishing) and that these would need to be rationalised/taken into account.

11.3 Legislative changes would be needed to require land occupiers to obtain licences to fish or hunt. Eben suggested an alternative to the requirement to obtain a licence would be to require land owners to nominate in writing the person or persons who would be exercising the right to fish or hunt on a particular piece of land.

11.4 Clarification is needed on provisions made within the Conservation Act and the situation involving land in multiple ownership.

11.5 *Agreed (Sandy Bull/David Woolner) that staff convey Council’s agreement in principle for a free fish and game licence for land occupiers for fishing or hunting on their own property to the NZ Council before 14 November 2016. [16/08/11.5]*

12.0 BAN ON USE OF LEAD SHOT

12.1 Council reviewed the Minister of Conservation's letter to the NZ Council concerning the use of lead shot in sub-gauge guns over open water, and the Minister's request to bring forward the review of the sub gauge exemption. Andy Garrick noted that while the NZ Council has asked all regional Fish and Game Councils to recommend what Fish & Game's response should be to the Minister, this didn't in his opinion mean whether the Eastern Region supported or didn't support an extension of the status quo for sub gauges as Council has not yet been presented with the information it should have in front of it to make such a call. Much of the unsubstantiated and politically motivated material that's been circulated in recent times doesn't stand up to scrutiny and falls far short of being scientific or meeting commonly accepted standards, and this needs to be examined and refuted if and where necessary. Andy suggested that the message to the NZ Council be that the Minister should not take a decision until she has in front of her a full background paper that presents the science available in a non-biased way and with a lot more integrity than what we've been seeing. He recommended that:

- Fish & Game should front foot this, and commission an independent review of the literature from someone who is widely respected in NZ circles such as Dr Murray Williams. The review should include an update on what's been done in NZ, and what the latest information is from overseas in terms of impacts on matters of interest to Fish & Game foremost, i.e. effects of lead shot on game birds and game bird populations. It's not realistic to tease out or quantify the impacts of lead discharged from 20 gauge shotguns, but the prevalence of sub-gauges and amount of lead ammunition being used could and should be documented. The review, or another one commissioned from an expert should also focus on non-toxic alternatives for sub gauges.
- The rationale which has enabled the ongoing use of lead shot in sub-gauges should be clearly presented, and whether there is an ongoing need to allow this dispensation given the availability of non-toxic alternatives. Council needs to ask the question who needs to be able to continue to use lead shot, and why, if an argument to support its ongoing use is to be advanced.
- Council might like to query why there is a need to advance a decision around lead shot use in sub-gauges by a matter of months and recommend we stick to the original schedule which would enable us to complete a more robust review, and on top of that, incorporate the results that may come out of Katie Gibb's MSc currently in progress. Fish & Game needs to be clear her project is not going to provide the definitive answers we'd all like because it shouldn't be viewed as more than a preliminary investigation, but nevertheless it has the potential to shed some light, and what is the sense in pre-empting whatever insights might come from it for the sake of political expediency?
- Council might also wish to ask the question should lead shot be used for the hunting of any waterfowl regardless of whether water is present?

12.2 Council supported this approach and asked Andy to send a letter along these lines to the NZ Council.

12.3 *Agreed (Alan Baird/Sandy Bull) that the Regional Manager write to the NZ Council emphasizing the need for the preparation of a background paper by an independent reviewer that addresses the points raised in this discussion. [16/08/12.3]*

13.0 FIRST SCHEDULE ANGLERS NOTICE

13.1 Council discussed this at some length and agreed that our regulations have become too complicated to the point that even staff have difficulty interpreting them let alone enforcing them. Cr David Woolner commented that the regulations were inconsistent and many definitions needed to be completely reworked. Cr Barry Roderick suggested a working party for the North Island may be appropriate. Andy suggested it was a topic he could raise at next week's Managers Meeting but if not could at the very least convey the comments from today's meeting to the NZ Council.

13.2 *Agreed (David Woolner/Peter Storey) that the Regional Manager conveys Council's comments to the NZ Council that the proposed schedule is difficult to interpret and many of the regulations are poorly defined and unenforceable. [16/08/13.2]*

Meeting broke out for a 10 minute break at 2pm.

Meeting resumed at 2.10pm.

14.0 ANGLING ETHICS

14.1 Cr David Woolner recommended we need to address matters of this nature via a code of practice rather than a policy. It should be called a Code of Conduct as opposed to a Code of Ethics, as ethics is a philosophical concept and what may be ethical for one group of anglers may not be for another. Cr Lindsay Lyons suggested we follow DOC Taupo Fishery's lead for catch and release and the handling of fish. Andy Garrick suggested video clips posted to YouTube or our Facebook page would be a good way of demonstrating best practice and an effective means of getting messages of this sort out to anglers.

14.2 Cr David Woolner offered to draft some notes for staff to consider incorporating into their response to the NZ Council.

14.2 *Agreed (Ken Coombes/Alan Baird) that staff conveys Council's position that a policy on the ethics of catch and release fishing is inappropriate, but a Code of Conduct should be developed. [16/08/14.2]*

15.0 SPECIES MONITORING REPORT

15.1 Report taken as read.

15.2 *Agreed (Peter Storey/David Woolner) that Council receives the 2015-2016 Executive Summary of the Rotorua Lakes Summer Creel Survey Report. [16/08/15.2]*

16.0 OCTOBER COUNCIL MEETING VENUE

16.1 The numbers of licence holders attending the last meeting in Gisborne was disappointing. It was suggested that rather than hold a regular Council meeting in Gisborne or Wairoa each year, we might attract greater interest from licence holders if we occasionally called a special meeting at one of these locations on a topical issue involving game birds or river fisheries or habitat enhancement for example. These meetings would be attended by relevant staff and local Councillors rather than the full

Council, and this in addition to encouraging greater participation hopefully, would overcome some of the logistical difficulties and costs of getting everyone there.

- 16.2 Cr Lindsay Lyons suggested that Taupo or Turangi might be an alternative and better venue for Council's next meeting in October and this met with support from Councillors. Meeting in Taupo or Turangi might make it more feasible for those with an interest in the Taupo fishery to attend (e.g. DOC, Tuwharetoa, Taupo Fishery Advisory Committee) in addition to game bird hunters and members of the Wildfowlers Association.

- 16.3 *Agreed (Lindsay Lyons/Barry Roderick) that the location for the October 2016 meeting of Council would be Taupo or Turangi subject to the availability of a suitable venue. [16/08/16.3]*

17.0 LIAISON OFFICERS REPORTS

17.1 Tongariro-Taupo Conservation Board

Andy spoke to an email that Cr Annaka Davis had forwarded in her new role as a member of the Tongariro-Taupo Conservation Board and Fish & Game liaison person. The first meeting of the new Board was on 8 July. Unfortunately induction of the new board members was not done until the end of the meeting, so a lot of the discussion and especially the many acronyms used went over her head. Annaka advised:

- One of the induction slides noted the liaison role/requirement between Fish & Game and DOC and what that meant.
- There was a list of concessions provided as part of the agenda papers. One which might be of interest and worth following up on was an application from Ryder Consulting Ltd to operate an electric fishing device within all NZ freshwaters.
- At the end of the 2015/16 fishing season licence revenues indicate the 2016/17 year is looking promising due most likely, to the strong growth in tourism across the Taupo region.
- Echo sounding surveys indicate a strong smelt population in Lake Taupo presently which augurs well for the new licensing season.
- It was interesting to learn that Conservation Board members are not liable under the new Safety at Work Act yet Fish and Game councillors are although we are established under the same Act!
- Colin Paton was duly farewelled and thanked for his service. He certainly did the liaison role for Fish & Game well.

17.2 Report from the New Zealand Council

Cr Lindsay Lyons referred to Robert Sowman's précis of the NZ Council's last meeting provided in the Papers for Information. Key points he noted were that the NZ Council had approved the draft Health and Safety Policy; that NZ Council member David Haynes had presented a proposal from the NZ Federation of Freshwater Anglers to undertake an evaluation of the economic value of trout to the NZ economy; and that Regional Councils had been criticised for issuing consents that will, or are having a negative impact on the environment. Lindsay also offered his congratulations to Cr Steve Scragg for his nomination to the Game Bird Habitat Trust.

18.0 OPERATIONAL REPORTS

- 18.1 Councillors discussed numbers and size of fish particularly at Lake Tarawera.

- 18.2 Cr Sandy Bull asked if staff knew whether plantation forest being harvested in the Waioeka was to be replanted in native or exotics. Andy Garrick advised staff would make enquiries.
- 18.3 Cr David Woolner asked if baseline investigations in the Reporoa/Broadlands area were being undertaken to obtain data for the 2017 game season discussions. Matthew McDougall advised that he hoped to be doing an aerial survey of habitat within the Reporoa/Broadlands area on 17 August after the black swan count in Tauranga Harbour.
- 18.4 Cr Lindsay Lyons asked if staff could highlight on our website that access to the Kaingaroa Forest for hunting and fishing is a privilege and we need to respect and not abuse this.
- 18.5 *Agreed David (Woolner/Sandy Bull) that Council receives the Health and Safety Report. [16/08/18.5]***
- 18.6 *Agreed (Barry Roderick/Lindsay Lyons) that Council receives the Management, Finance, and Licence Sales reports. [16/08/18.6]***
- 18.7 *Agreed (Ken Coombes/Alan Baird) that Council approves the payments for May and June 2016 totalling \$304,707.08. [16/08/18.7]***

19.0 GENERAL BUSINESS

- 19.1 Cr Lindsay Lyons outlined the 'green tagged fish' promotion that he and staff were currently working on. After the very positive 2015 'red tag' event we ran last year with a grand prize of \$25k on offer, it would be a shame to lose the momentum by not running a similar event this year. Unfortunately the insurer we had last year is no longer in business, so we are proposing to seek sponsorship from a car dealership or the like. Council was very supportive of the project and it was suggested that a boat manufacturer might also be worth approaching. Lindsay queried if a suitable sponsor was not found would the Council consider taking the risk or perhaps the NZ Council? The only obvious negative would be there might be complaints from licence holders spending \$25,000 on this project if the fish was caught. Further discussion of this was put on hold until we know the outcome of approaches to potential sponsors.

20.0 MEETING CLOSED

- 20.1 The meeting was closed at 3.15 pm.

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 Murray Ferris,
 Chairman

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 Date

SUMMARY OF RESOLUTIONS

2.0 APOLOGIES

- 2.2 *Agreed (Peter Storey/David Woolner) that the apologies for the 159th meeting of the Eastern Region Fish and Game Council be sustained. [16/08/2.2]*

3.0 MINUTES OF THE PREVIOUS MEETING (16 JUNE 2016)

- 3.1 *Agreed (David Woolner/Alan Baird) that the minutes of the meeting held on 16 June 2016 be confirmed as a true and correct record. [16/08/3.1]*

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