

**MINUTES OF THE HAWKES BAY FISH AND GAME COUNCIL
EXTRAORDINARY MEETING HELD AT THE GAME FARM ON MONDAY 1ST
MAY 2017 AT 6.00 PM**

PRESENT:

Councillors Kevin Williams (Chairman), Dave Hern, Bruce Bates, John Lumsden, Jeff Niblett and James Mackie.

IN ATTENDANCE:

Mark Venman (Regional Manager), Nathan Burkepile, Christine Tuck (Hawke's Bay Fish and Game staff), Glenis Phillips (Minute Taker).

1. WELCOME

The Chairman welcomed everyone to this extraordinary meeting called by Councillors Bruce Bates, Jeff Niblett and John Lumsden to answer some questions regarding some misinformation surrounding some operational works, governance policy development and overall communication. The Chairman announced that the meeting was being recorded.

2. APOLOGIES – no apologies were received from Councillors Greg Duley and Peter McIntosh.

3. CONFLICT OF INTEREST REGISTER was passed around and no conflicts of interest were identified.

Questions

Cr Williams had compiled a list of questions raised by Councillors Bates, Niblett and Lumsden which formed the basis of their requirement for an extraordinary meeting. Cr Williams proceeded to ask the questions to Mark to answer. Cr Williams asked how many hours had been spent on assisted habitat this financial year and Mark responded that staff had spent a total of 295 hours so far, this year. Cr Williams then asked what the total staff hours and direct costs were spent on the Wedd property wetland. Mark replied that approximately 40 hours had been spent on that project which consisted of 3 days on site and 2 days writing up reports. Mark added that \$4,082.50 (gross) had been spent in total on that project. Cr Lumsden asked whether that included hours previously reported and Mark and Nathan agreed that it did and that 40 hours was what had been spent in total on that project.

Cr Williams asked the question who authorised the payment to the property owner that hasn't reimbursed us and what is in place to stop this happening in the future. Mark responded by saying there has not been any payment made by Hawkes Bay Fish and Game to a property owner. The property owner in question reneged on his agreement to pay the cost of the

various companies (e.g. excavator hire, level hire, transport and driver costs) that had been approved by the Game Bird Habitat Trust. Knowing that the costs were fully recoverable, Hawkes Bay Fish and Game paid the associated invoices. Full reimbursement from the Game Bird Habitat Trust is currently being sought.

Cr Williams then asked some specific questions around an insurance claim involving the hire of a digger. The Chairman asked whether our insurance covered any driver? Mark said that he thought that it did and said that we had insurance for the hire of the digger and added that the work that was being done was part of the Addis ponds development that was approved by the Game Bird Habitat Trust. The excavator had been hired to develop several wetlands in the Onga Onga area. At the time that the minor damage occurred to a hand rail and paintwork, the digger was being operated by Mr Dan Winchester to undertake willow work as part of the Addis ponds development project. Mark said that the repair cost was \$1,507.54 less \$400 policy excess. No cost has resulted for Hawkes Bay Fish and Game.

Cr Niblett emphasised that it was important to disclose who had been operating the digger at the time to the insurance company and Mark replied by saying that Mr Winchester had been named as the driver on the insurance claim. Cr Hern asked whether staff had nominated a digger driver to undertake all of the works. Nathan said that Owen Clarke had been employed to operate the digger. Cr Hern then asked who had given Mr Winchester authority to operate the digger that had been hired by Fish and Game. Nathan replied and said that Owen Clarke had given permission. The Chairman said that the driver that had been operating the digger at the time of the incident was the named recipient of a Game Bird Habitat Trust grant. Cr Hern said that the main issue was that if we were going to hire machinery and have a nominated driver then the nominated driver needs to be undertaking the work. Cr Hern said that as hirers of the digger, we didn't authorise someone else to operate the digger. In the future, we need to use the correct people that we have employed to do the work.

Cr Niblett asked whether there is clear guidance or sufficient policies for the use of contractors with our current health and safety obligations. Mark said that we have all learned a lot from this recent incident and said that he needed better communication from within the team so that he was better informed of what was being proposed so that potential issues or concerns could be discussed prior. Mark said that he would address the in-house communication first. Cr Niblett asked again whether there were sufficient policies in place to assist. Cr Bates said that we didn't appear to have any policy around who was using our gear and added that we were putting ourselves at risk by using dry hireage and he was relatively uncomfortable with dry hireage in the future. Mark asked whether it was best for Fish and Game not to get involved in the hireage of diggers in the future and just leave that to the landowners or grant recipients to organise to avoid the risk of similar issues occurring. Cr Bates added that operating diggers in wetlands can be difficult at times and minimising damage can be hard in some situations simply because of the nature of the work.

Cr Bates and Hern said that there should be some policy to provide clear guidelines for future work. Perhaps it is better to hire someone that has their own company to undertake the work rather than using dry hireage as it often doesn't work out much cheaper. Cr Lumsden added that even if the landowner is hiring the machinery, we might be able to provide a preferred supplier that they use that is suitably experienced to undertake this type of wetland work. Nathan added that he is starting to build up a list of suitably qualified and experienced digger operators that he is comfortable undertaking this type of work. Cr Bates asked whether the person that we employed to operate the digger had the right to let someone else operate the

digger. Nathan said that both men were suitably qualified to use the digger but admitted that he didn't know that someone else had operated the digger until after the incident had occurred approximately two days later. Nathan said that he tries to be with the digger driver off and on throughout the day to ensure that things go smoothly. Nathan added that we paid by the day for the digger until we hit a certain number of hours and then we paid just for the hours. The Chairman said that a policy can be developed that ensures that staff are clear on what to do regarding the hiring of machinery and contractors.

4. DEVELOPMENT OF GOVERNANCE BASED POLICIES

To identify governance based policies that require updating and to develop and adopt new policies.

Mark said that there were a number of governance based policies that could be developed that focused more on strategic leadership rather than operational based policies. He mentioned that we currently have policies for fraud, health and safety, conflict of interest and sensitive expenditure. There are a number of policies that we could look at and prioritise and include in future meeting agendas to be discussed. Cr Niblett asked whether NZ Council have a comprehensive list of governance polities. Mark said that other regions will also have developed policies that we could adapt for our situation. Cr Niblett asked whether other regions have sought advice on preparing these policies. Cr Bates said that a similar thing has been done by NZ Council in the past and some regions have added a lot of detail to some generic policies while other regions have decided to keep certain policies relatively open and less descriptive. However, very descriptive policies don't provide the Manager much room to operate.

Cr Bates suggested looking at one or two policies at each meeting as some become irrelevant after a while. They need to remain living documents. The Chairman clarified whether Cr Bates was referring to operation policies or governance policies and Cr Bates confirmed that they were governance policies. Cr Niblett asked whether it was worth getting someone else in to help look at the different policies and ask staff and Council about what policies that we need. Mark mentioned that he was happy to ask other Managers and to work with Robert Sowman to find out what current policies exist that we might be able to review and adopt without having to reinvent the wheel on some of this work.

Cr Niblett said that it would be worth producing a comprehensive list of potential policies so that we could work through the list collectively. Cr Niblett said that Mark knows what operational work gets done and so Mark will be able to help guide Councillors about what governance policies need to be developed. He also suggested that organisations such as Grow HR already do this type of work and it could be worth using an external provider. Cr Bates said that it took about 12-18 months to go through the policies before and said that it was a lot of work even with assistance from external providers and added that it was also a very expensive process. Cr Bates added that the policies that we currently have stem from that previous process. Cr Niblett said that there are things that Council need to be doing to give good guidance to everyone involved in the whole organisation. Cr Bates said that the plan had been to go through a number of governance policies with the previous joint management with Eastern but the Council hadn't managed to get through as many as they had hoped.

Cr Lumsden said that a lot of time had been spent on the conflict of interest, oath of office and health and safety policies during Andy's time but said that we should be referring to some national policies and those already done by other regions as this would form a good starting point.

Cr Niblett asked whether staff have similar policies in place for operational work as well. Mark said that operational policies or standard operating procedures are limited within Fish and Game and this is something that the fisheries experts within Fish and Game met last year to discuss the formulation of SOPs for fishery based operations. The Chairman said that we need to ensure that they are best practise guides that allow some flexibility while still providing clear direction rather than being too restrictive as has occurred with some government departments.

Cr Niblett asked about policy surrounding those operating procedures. Mark said that he would like to find out more detail and report back to Council at a later date.

5. WILDLIFE FUND

To review the purpose and future role of the Wildlife Fund

Christine said that a file exists for the Wildlife Fund that includes the deed, transactions and resolutions. At present, there is around \$22,000 sitting in the fund which was started off in 1987 by a donation of \$5,000 and has basically been accruing interest since then as a term deposit. It was originally set up for education of juniors and there are several criteria describing how this money is to be used. Council asked whether this was a Trust Fund. Christine replied that it was never set up as a Trust. It was set up almost 30 years ago and although the document refers to "trustees" it should really refer to them as governors of the term deposit. Cr Bates asked whether it shows on our balance sheet and Christine said that it did but added that it doesn't form part of our reserves. Christine said that it has never had an ird number, separate account and never filed its own tax return all indicating that it is a fund.

Cr Mackie asked whether the fund was advertised so that people know about it and Christine answered no but added that it was advertised in our annual report. Cr Bates said that it wasn't a lot of money and it could easily be used up if you weren't careful. Cr Bates suggested that it could be used to develop an educational wetland at the Game farm. The Chairman asked whether the document needed to be made clearer but Cr Bates said that there was still sufficient criteria there to work with. Mark asked whether it was possible to use the entire project on one or two projects and then close the fund. It was agreed that future ideas would go to Council first before going to the governors of the fund for final approval. The Chairman referred to the fund as being doubly protected as a result of the money having to be approved through the Council and by the governors of the fund. Mark asked whether Council wanted proposals to put forward at the next Council meeting. Council were comfortable to receive them especially if they involved education and fitted well with the specific criteria of the fund. Cr Niblett asked whether all of the fund's governors had been notified that the funds were no longer going to be utilised for a previously agreed project. Mark said that he would confirm that all members had been notified of the decision not to proceed with the use of the funds.

6. HEALTH AND SAFETY

1. Purpose

To discuss reporting of Health & Safety. Refer to adopted Health & Safety Policy.

Cr Lumsden spoke of the recent digger incident and said that he was concerned that an incident had occurred and that Councillors had not heard about it despite no one being hurt. Something that has the potential to cause injury should be reported and Councillors notified as soon as possible. The incident should have been reported as a near miss. The Chairman mentioned that Robert Sowman recently updated the Regional Managers of a Risk Assessment document that he has been developing as a nationwide policy. Cr Lumsden said that he wanted to lessen the number of surprises that he receives as a Councillor and added that communication needed to improve.

Mark said that he fully agreed and said that the incident happened on 11 February just before the 14 February Council meeting but said that he was not made aware of the incident until early March. He added that he had overlooked to add it to the 11 April health and safety report included with the April meeting agenda. Cr Lumsden said that the Manager should have been made aware of the incident as soon as it happened and then the Councillors should have been made aware shortly after that. Overall communication needs to improve. Cr Mackie said that it would be useful to find out about things that had happened prior to a meeting occurring even if it was just a quick email. Mark said that he would ensure that future incidents are reported in a timely manner and said that he would ask staff to keep him better informed.

7. COMMUNICATION

1. Purpose

To discuss communication between Manager and/or Chairman to remainder of Council. Refer to page 18 of the adopted Governance Policies.

Cr Lumsden referred to the Governance policies document and said that if he wanted to talk to Mark that he would have to go through the Chairman who then in turns talks to Mark. This seemed contrary to what he had been told by a previous Manager. The Chairman said that the correct route was what was written in the Governance Policies document but said that we had to be reasonable about it and improve how we communicate and asked for ideas. Cr Niblett said that he would like to see some more communication from the Manager about future events and activities but also what has been completed in between Council meetings at a fortnightly interval. Cr Lumsden suggested an email every two weeks with about 6 bullet points on it gets sent out by the Manager to the Councillors. The Chairman sought clarity on how much detail was required in these fortnightly emails. Cr Mackie said that it would be useful to know what the staff were up to and what projects that they were involved in and what was coming up. Cr Hern said that it would be good to know what is coming up so that Councillors could provide some support. Cr Bates said that it would be good to know when bigger projects were occurring like duck banding so that Councillors could give a helping

hand if they had sufficient notice and time off. It is useful information for Councillors to be able to pass on to others to inform them of what Fish and Game is up to. Developing risks and opportunities should also be included to keep Councillors informed. Mark agreed to keeping Councillors regularly informed.

8. FINANCE

1. Purpose

To discuss authorisation of payments. Refer to page 23 of the adopted Governance Policies.

Previous questions regarding finance had been addressed in the initial question and answer session at the start of this meeting.

Cr Lumsden mentioned the Wedd property and the process that we went through. He said that Mark needs to be more involved in the processes and Councillors made more aware. Cr Bates said that if we have approved the budget then Councillors shouldn't be too descriptive about how that budget is spent within those projects. Mark agreed with this and said that Councillors had approved the work plan and budget for this year and said that we were still within the budget for assisted habitat.

9. JUNIOR & SENIOR PARTICIPATION

1. Purpose

To discuss future events to maximise return on efforts and investment.

The Chairman mentioned that this had been discussed and addressed at the previous Council meeting in April. Mark said that staff had committed to better advertising and promotion of future events to give people plenty of advanced notification. Cr Lumsden questioned what staff had planned for the coming shooting season for our junior shooters first but also seniors secondly. Nathan said that we have two junior stands balloted at Peka Peka wetland and added that if we can get one of the shooting preserves on board this year we will be able to host a shoot again for juniors.

Cr Lumsden said that he had applied for an upland game ballot for the forestry blocks but hadn't heard back yet. Nathan replied saying that he had just heard back from the forestry company to say that unfortunately no blocks were available to shooters this year. Cr Lumsden was concerned that it had been advertised in a number of different places as an opportunity but staff hadn't managed to get anything locked in. Nathan said that he was going to send out letters this week to all of those that had applied for the ballot to say that there weren't any blocks available due to a number of reasons.

Nathan said that he had emailed Pan Pac back in March to identify which blocks were available this year but didn't hear back from them. Nathan sent out other emails more recently to see whether there was anything else available. Nathan added that he had sent an initial email out in December but again hadn't received a reply. Cr Lumsden said that he

knew some Pan Pac staff and said that they were doing health and safety talks with people using the forests.

Mark asked whether there were any alternative locations that staff could look into. Cr Bates said that last year over 150 cock pheasants were liberated along the rivers thanks to a donation from one of the preserves. Most of those went to central Hawkes Bay but Cr Bates asked whether staff had signalled exactly where these birds had been released as a general vicinity would be useful to upland game hunters. Nathan said that a message regarding the pheasant releases had gone out in the media release this week in the run up to opening weekend. Cr Bates asked if staff could be more specific in a post opening weekend release and to mention where these pheasants had been released. Nathan suggested putting a short comment on Facebook too after opening weekend. Cr Lumsden said that any future pheasant releases should be much wider with more pheasants spread around Napier and the neighbouring river bottoms. Nathan said that he had focused on areas of lower pheasant densities rather than adding more pheasants to areas that already held good numbers of pheasants.

10. EVALUATION OF COUNCIL

1. Purpose

To discuss Council self-evaluation. Refer to page 14 of adopted Governance Policies.

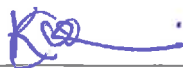
The Chairman said that other regions are required to undertake an evaluation of their Council as per the Governance Policies document. He said that he had acquired a form from Eastern that they use for this purpose and it was a good opportunity to review how the Council was performing and handed out a form to all Councillors present.

The Chairman asked Councillors to fill it out at their leisure and return it in the coming weeks to the Chairman. Cr Bates said that he thought that it was a good idea and timely given that Councillors were approximately half way through their term. Cr Niblett asked whether this could be completed before the next Council meeting so that it could be discussed but also if it could be done on an annual basis. Cr Bates said it was good to do it but the key is what you do with the results that you get back. The Chairman is to collate the results. It was agreed to email an electronic copy out to all Councillors for those wishing to return it via email. Forms were to be returned by 6 June at the latest.

Cr Niblett asked for a public excluded session at the end of the meeting.

The meeting went into recession at 7.20pm for a public excluded session that commenced at 7.25pm and concluded at 7.35pm.

There being no further business to attend to at the conclusion of the public excluded session, the meeting closed at 7.35pm.



Chairman



Date