

## **WELLINGTON FISH & GAME COUNCIL**

**MINUTES OF MEETING OF THE WELLINGTON FISH & GAME COUNCIL,  
HELD ON TUESDAY 4 DECEMBER 2012 AT 3.10PM AT TRAVELODGE  
PALMERSTON NORTH, 175 CUBA STREET, PALMERSTON NORTH.**

**1. Present:**

Chairman Martin Taylor, Councillors, Jim Cook, Mark Grace, Duncan Thomas, Strato Cotsilinis, Brad Johnson, Chris O'Meara, Andrew Morris, Richard Moore, Tim Allen, Andy Tannock,

**2. In Attendance:**

Staff: Phil Teal (Manager), Steve Pilkington, Nic Cudby

Andrew McGregor, Trinity Batt, Paul Browne, David West, Reg Cull, Nic Berry, Mark Flaws, Simon Muckley, John Jones (part)

**3. Apologies:**

Councillors Eric Neumann, Mark Grace (for lateness)

Staff: Corina Jordan

**It was then moved that:**

*the apologies be accepted.*

**Chris O'Meara/Andy Tannock**

Carried

**4. Conflicts of Interest**

A list was available for viewing of the existing declarations of Conflicts of Interest. There was no additional declaration of Conflicts of Interests declared.

**5. Minutes of Previous Meeting of 10 October 2012:**

The minutes were discussed with the following amendments being suggested for clarity and correctness:

Item 6 Matters Arising – to substitute the words in first sentence from “... *it was to reflect the job of...*” to “... *its job is to report back to...*”

Item 12 National Council Business – paragraphs 8 and 9 substitute from “*Moore*” to “*Morris*” in each instance.

It was moved that:

*the Minutes of the meeting of the Wellington Fish & Game Council of 10 October 2012 with the above amendments be approved as a true and correct record of the proceedings of that meeting.*

**Strato Cotsilinis/Richard Moore**

Carried

It was agreed by Council that the Public Excluded In-Committee minutes would be put into public discussion. Discussion then ensued regarding the minutes after which

**it was moved that**

*the following wording be inserted “Councillor Allen asked whether there were any legal implications for Wellington F&GC in reading the information from the Mai Chen legal opinion on conflicts of interest. Chairman Taylor noted that there would be no legal repercussions for reading it as long as it was not acted upon”.*

**Tim Allen/Andy Tannock**

Carried

It was then moved that the

*the In-Committee Minutes of the meeting of the Wellington Fish & Game Council of 10 October 2012 with the above amendment be approved as a true and correct record of the proceedings of the In-Committee portion of the meeting.*

**Martin Taylor/Brad Johnson**

Carried Unanimously

**6. 2011/12 Annual Report**

**After discussion it was moved**

*That the 2011/12 Annual Report be approved*

**Strato Cotsilinis/Jim Cook**

Carried

**7. Councillor Allen’s Actions and Behaviour:**

Chairman Taylor gave an overview of the issues which were that Councillor Tim Allen had sent a letter to the NZC and Regional Chairs which contained statements Phil Teal believes undermined his position and called into question his Integrity. Councillor Allen also implied the Chair, Martin Taylor had applied pressure to Phil Teal using Phil Teal’s remuneration as leverage. Councillor Tim Allen also contacted some F&G managers seeking to find out what they had said to Phil Teal to test whether Phil Teal’s statements to the WF&G council were correct. This action again called into question Phil Teal’s integrity. Phil Teal then raised with the chair his concerns about Councillor Allen’s actions. The Chair immediately called a teleconference with other councillors which resulted in a letter of apology to Phil Teal and the agreement to propose a number of motions at the next council meeting.

Chairman Taylor then afforded Councillor Allen an opportunity to respond. Councillor Allen asserted that he had changed his mind that the teleconference had no official status and now believes the status of the teleconference was a

Briefing Meeting under standing orders which meant he believes that meant no decisions and/or resolutions could be made. He therefore objected to a letter having already been sent following the teleconference.

Chairman Taylor held the opinion that the teleconference was an informal discussion amongst councillors which is allowed and that the resolutions which appeared in the meetings papers were entirely appropriate.

Chairman Taylor asked Councillor Allen whether he meant to call into question the Managers and the Chairs level of integrity in his correspondence and Councillor Allen refused to answer the question.

After further discussion **it was moved**

*That this issue was distasteful and Council should move on to other matters*

Duncan Thomas/Jim Cook  
not carried

After further discussion it was moved

*That the Wellington Fish & Game Council in no way supports Tim Allen's behaviour in calling into question Phil Teal's integrity;*

*That the Wellington Fish & Game Council in no way supports Tim Allen's accusation of inappropriate actions by the Chair in relation to the chairs dealings with Phil Teal*

*That the Wellington Fish & Game Council wishes to apologise completely to Phil Teal for any hurt and reputational loss caused by Tim Allen's behaviour.*

*That councillor Tim Allen writes a full retraction of his statements and apologises for his behaviour in a letter addressed to the Council and Phil Teal.*

*That the Wellington Fish & Game Council has no confidence in councillor Tim Allen*

Martin Taylor/Chris O'Meara  
Carried

Against Tim Allen/Andrew Morris/Andy Tannock

Councillor Mark Grace arrived at 3.40pm

**It was then moved that**

*Wellington Fish & Game Council agrees to write a letter to apologise to the NZ Fish & Game Council for the breach of trust in receiving and attempting to cause wider use of a legally privileged confidential document owned by the NZ Fish & Game Council, citing our awareness of the reason Wellington Fish & Game Council were denied this document through “official channels” under LGOIMA.*

**Tim Allen/Andrew Morris**

Lost

*Wellington Fish & Game to write a letter of apology to the “Natural person” whom the NZ Fish & Game Council sought the protection of, citing Wellington Fish & Game’s awareness of the reason it was denied the legal opinion through “official channels” under LGOIMA.*

**Tim Allen/Andy Tannock**

Lost

*Chairman Taylor has been almost single minded in his pursuit of said “natural person” since 13 October 2010 where Wellington Fish & Game Council discussed “restricted access”. Chairman Taylor has displayed an unnatural interest in the Mai Chen Legal opinion involving said natural person. Wellington Fish & Game Council that Chairman Taylor acted and led Council in bad faith in his dealings with legally privileged information he was well aware Wellington Fish & Game were not entitled to view by: -*

- *Allowing a legally privileged document to be presented before Council and entertaining discussion of that document;*
- *Allowing the “hear say” of staff as primary evidence to make a decision with political and potentially legal repercussions;*
- *Assuring Council there could be no legal repercussions from discussing or distributing the document;*
- *Acting independently of Council to promote the wider use of the document using Wellington Fish & Game Council’s erroneous decision.*

**Tim Allen/Andrew Morris**

Lost

## **8. NZ Council Business**

Councillor Morris gave an account of the most recent three-day NZ Council meeting on 23-25 November 2012 in Nelson.

- 3 NZ F&GC councillors not returning (Robin Blakemore, Peter Sutton, Dan Madsen);
- Matthew Hall has indicated he is stepping down as Chairman;
- Councillor Dave Witherow was censured by NZ Council for correspondence regarding the Chief Executive, and NZ Council has asked Otago for a suitable replacement;

- The conflict between Councillor Witherow and the Chief Executive will likely be settled by the next NZ Council meeting;
- Customs Protection Imports Bill has not progressed in this 3 year review;
- A review of use of 20g shotgun will be undertaken in the Gamebird Harvest Survey next year, and requests for status quo to remain in the interim;
- A progress report on a North Canterbury project for having fish tanks in schools that was receiving positive feedback;
- The turnout of voters in regions that had elections was approximately 20%;
- There was interest in considering a class of Fish & Game volunteer to complement the honorary ranger contingent – to potentially include less active rangers.
- Discussion was held on use of organophosphates in NZ – with the example of diazanon and potential effects on paradise shelduck;
- North Canterbury and CSI had been allocated funds to be involved in the ECan Proposed Canterbury Land & **Water Regional Plan**. Hawke’s Bay had been allocated funds to be involved in the first of the three year projected involvement in the proposed irrigation project hearings. Even this will require a licence fee increase to cover the costs from these and existing cases. If Eastern region BOP Regional Council plan comes up for review then potentially they would be undertaking the case internally; Chairman Taylor commented that the major risks in the next 3-5 years need to be identified and a strategy developed on how to address them;
- Research – the level of reporting needs to be improved to inform NZ Council. Research focus and priorities need to be considered as a principal management need;
- Consideration will be given to reviewing the level of funding given that \$100K per year is not a large research budget
- Strategic Planning exercise was discussed – with 12 of the goals can be achieved through public awareness campaign rather than solely being seen as antagonistic in the media.
- The Mai Chen legal opinion on conflicts of interest was discussed with Wellington F&GC being the only Council to have read it. A legal opinion from DOC was being sought to discuss the status of the opinion. The person(s) who leaked the document have not been identified.

Discussions continued on how projects could be re-prioritised given the precedence of the legal fund. Councillor Tannock considered that Fish & Game was now in a position of conflict with landowners and needed to target those responsible for the main pollution. Councillor Thomas noted that the size of the legal fund concerns some constituents and considered that they would rather see

money put into wetlands from some source. He noted that several landowners he was aware of were keen to enhance wetlands.

Councillor Johnson considered that game research should deal with aspects we can influence: habitat, harvest, and predators, - this would drive how to spend money on research.

After discussion it was moved

*that a letter be sent to NZ Council that focuses on the expectations and impediments for effective research, including resourcing impacts on a region involved in research and how to drive research more effectively*

**Andy Tannock/Richard Moore**

Carried

Staff were directed to provide a discussion document at a subsequent meeting on opportunities to promote wetland development and how to support local landowners to enhance their property in the current Annual Plan. This would include defining what is already being carried out around NZ, and what aspects of public awareness resources such as brochures are already available.

#### **9. Governance Policy**

Discussion ensued on a proposed policy regarding conflicts of interest prepared by Chen & Palmer (dated 18 May 2012), for NZ Council and regional Council consideration. Concern was expressed on the inclusion of draft policy clause 2.8.15 regarding “predetermination”.

It was then moved to

*Retain the existing Conflict of Interest Policy*

**Brad Johnson/Tim Allen**

Carried

#### **10. Draft Game Season Conditions**

Discussion ensued on the draft game season conditions paper prepared by staff:

**Mallard/Grey Duck**

The rationale of the staff recommendation was based on a trending down of the aerial transects in the last two years, and being on the borderline of regulatory model for either 6 (restricted) or 8 (normal) week season – a conservative approach would be to go with 6 week season.

After discussion and explanation it was moved

*That season conditions be “normal” – and an eight week season be adopted*

**Chris O’Meara/Andy Tannock**

Carried

**Paradise shelduck**

It was recognised that the season conditions would be confirmed in the February Council meeting following January moult site counts. Discussion was held on the focus of the special summer season – with it considered that the season can stop on large water bodies such as Lake Wairarapa.

It was moved that

*public waterways be excluded from the special summer season for 2014*

**Andrew Morris/Duncan Thomas**

Carried

### **NZ Shoveler**

It was agreed that a conservative regulatory approach is appropriate for shoveler.

It was moved that

*Maintain the conservative and restrictive season conditions of a two-bird limit (either sex) over the waterfowl season*

**Chris O'Meara/Richard Moore**

Carried

### **Pukeko**

After discussion it was moved

*That the bag limit of five birds for all areas is appropriate and that the length of the season be aligned to the upland game (pheasant) season*

**Andy Tannock/Chris O'Meara**

Carried

### **Black Swan**

It was recognised that the season conditions would be confirmed in the February Council meeting following January moult site counts.

### **Bobwhite Quail**

It was moved that

*The no limit be appropriate in all areas for the duration of the upland game season*

**Brad Johnson/Strato Cotsilinis**

Carried

### **Pheasant**

It was moved that

*season limits remain the same as last year for the duration of the upland game season*

**Chris O'Meara/Brad Johnson**

Carried

### **Red-Legged Partridge**

It was moved that

*The same season lengths and no limit be appropriate in Upland Game Properties With Special Conditions only*

**Brad Johnson/ Duncan Thomas**

Carried

**Californian Quail**

It was moved that

*season limits remain the same as last year for the duration of the upland game season*

**Duncan Thomas/Andrew Morris**

Carried

**11. Marginal Strip**

After discussion it was agreed that the reduction in marginal strips proposed would not likely affect anglers' or hunters' recreational interests.

It was then moved that

*A neutral response be given to Department of Conservation regarding the reduction in marginal strips at Taupo Stream (Plimmerton), Manakau Stream (Levin), and Kenepuru Stream (Porirua).*

**Brad Johnson/Richard Moore**

Carried

**12. One Plan Update**

Mr Teal gave a brief update on the High Court Appeal noting that transfers of information and evidential scope were being undertaken. It was unlikely that any hearing would occur before March.

**13. Licence Working Party**

Mr Teal gave a brief update that negotiations were about to commence and a draft agreement had been formulated by the working party and contract lawyer.

**14. Management Report 1 October – 19 November 2012**

Mr Teal reiterated the staff efforts on RMA projects within the Wellington region and also assistance with regional planning issues in other regions:

- Ruataniwha Project (Hawke's Bay) – providing technical appraisal and leading project
- Hawke's Bay RPS – providing technical planning overview and co-ordinating submission
- ECan Plan – providing technical critique and co-ordinating external assistance
- Several key planning process for the Wairarapa rivers Flood Management Plan were currently being developed and discussed

Mr Teal confirmed that some progress had been made with NZ Defence Force in seeking relaxation of the "no public access" policy.

It was then moved that

*The management report for 1 October – 19 November 2012 be received.*

**Brad Johnson/Richard Moore**

Carried

**15. Expenditure Report**



After brief discussion it was moved

*the Expenditure Report for 31 October 2012 and Financial Transactions for September and October 2012 be approved*

**Strato Cotsilinis/Andrew Morris**

Carried

Electric Fishing Machine:

Mr Teal gave an overview of the need to obtain a new electric fishing machine to meet regulatory requirements for safety and ineffectiveness of the current NIWA unit for quantitative studies. After discussion it was moved

*that a new electric fishing machine be purchased for work on the Rangitikei River and other projects including the Cumulative effects project from the Rangitikei River Dedicated Reserves*

**Richard Moore/Andy Tannock**

Carried

Weekly Fishing/Hunting Report – Change of Supplier

Mr Teal gave a brief overview of the necessary change in supplier and subsequently higher costs. After brief discussion it was moved

*That funds be reallocated from within the budget to meet the projected shortfall*

**Strato Cotsilinis/Brad Johnson**

Carried

**16. Licence Sales Report to 21 November 2012**

Mr Teal indicated that licence sales were down about 3% on budget but initiatives were being put into place for December to generate interest for stronger December sales. It was moved that

*The Fish Licence Sales report as at 21 November 2012 be received.*

**Chris O'Meara/Richard Moore**

Carried

**17. Correspondence**

Nothing to discuss.

**18. General Business**

Nic Cudby gave a brief presentation on the issues and initiatives around Lake Wairarapa and wetlands - by Fish & Game and use of the Clean Up Fund by Wairarapa Moana.

Steve Pilkington gave a brief presentation on issuance of bird dispersal permits and provided Council with information on the issues and approaches to be taken.

Members of the public afforded an opportunity to speak:

John Jones expressed concern at possible initiatives by some landowners to refuse access to hunters as publicity on One Plan Environment Court decision did not leave Fish & Game in good light and that it was affecting his ability to access some hunting opportunities. He was seeking a balanced approach by all parties to resolve any One Plan issues.

Councillor Cotsilinis responded that the issue was balancing the need to stop nutrients getting in water or lose fishing opportunity. Councillor Johnson noted that the process appeared to follow the pattern of establishing a balance now then some time later reassess balance then - resulting in trending degradation. Councillor Allen noted that one of F&G's functions is to enhance access, and water quality is not just a F&G issue, and Fish & Game may have lost focus on access potential.

Dave West expressed his aspiration for grey teal to be a gamebird. Mr Teal gave a brief overview on the approach being taken, which required consistent support within Fish & Game and a willingness of DoC to clearly identify any impediments to progressing.

Mr West also thought Fish & Game needed to restore relationships with landowners which had been eroded in the last 10 years, with the risk expressed that Fish & Game becoming marginalized. Councillor Morris indicated that NZ Council had been making efforts to restore relationships at senior levels of Federated Farmers – with the view expressed that many farmers believe changes were needed but not to extent currently presented.

Reg Cull also expressed his view that F&G risked being marginalized citing the Canada goose Game Schedule removal debate as a potential warning. He also noted that black swan numbers were low on 1<sup>st</sup> weekend and that the 2<sup>nd</sup> “opening” on Queens Birthday weekend did not occur. He also cited an example of a landowner reclaiming 50 acres of accreted wetland on public land and would follow this up.

There being no further business the meeting was closed at 5.50pm.

Next Meeting to be held: 19<sup>th</sup> February 2013, Coachman Hotel 140 Fitzherbert Avenue, Palmerston North, at 3.00pm