

Meeting of the
New Zealand Fish and Game Council
 Brentwood Hotel, Kilbirnie, Wellington
 Friday 24 and Saturday 25 May 2013
Commencing at 10.00 am

1. Present

Chris Lynch, Colin Sherrard, Lindsay Lyons, Aaron Wakeford, Alan Flynn, Andrew Morris, Paul Dixon-Didier, Jean Willis, Peter Robinson, Matthew Hall, Dave Witherow and Paul Stenning.

2. In Attendance

Catherine Tudhope (DG Conservation's representative) (Friday only), Bryce Johnson (Chief Executive), Alison Lyall (Finance & Administration Manager), Hamish Carnachan (Communications and Marketing Manager), Robert Sowman (Policy & Planning Manager).

3. Councillor only matter

The Chairman asked for a councillor only session of the meeting at the start of proceedings on Friday 24 May to allow the Council to deal with a governance issue. It was agreed to move into public excluded session to discuss this item, with the DG Conservation's representative, the public and staff (with the exception of the CE) excluded from proceedings.

RESOLUTION TO EXCLUDE THE PUBLIC

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

Time 10.04

Resolved (Peter Robinson/Jean Willis)

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- 1. Councillor Witherow complaint**
- 2. Conflict of interest.**

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:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
Information provided in confidence) Good reason to withhold exists) under section 9 of the Official Information Act 1982	Section 48(1)(a)(ii)
Consideration of independent external advice		

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:

ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED

1, 2 & 4.	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.
3.	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.
4.	Maintain legal professional privilege	Sec. 9(2)(h)	To enable the Council to discuss legal advice.	Once the matter is completed and the legal advisor agrees to its release.

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: 11.24 am

Resolved (Andrew Morris/Paul Stenning)

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

The meeting returned to the order of business set out in the Agenda.

INTRODUCTION

4.1 Welcome

The Chairman welcomed Alison Lyall to her first meeting and to her new position as Finance and Administration Manager.

4.2 Apologies

Catherine Tudhope extended her apologies for Saturday.

MEETING REVIEW

5.1 Identification of other Urgent Business

Two items were raised for consideration under urgent business:

- 6 Mediamine (press clippings provided each week).
- 7 Health and Safety responsibilities arising from Pike River deliberations indicating a role for governors.

The Chairman also asked for a change to the agenda order to accommodate further public excluded business (consideration of public excluded minutes from the last meeting and a report from the Remuneration Committee) and the late arrival of three financial papers handed out at the start of the meeting. Both would be held over until the start of day-two, Saturday morning. The programmed Governance presentation would also be deferred to the Saturday session.

5.2 Annual Agenda/Conflicts of Interest Register

An annual agenda item for the May meeting is Angler Notice considerations. The issue of introducing a non-resident fishing licence was raised at this point and disappointment recorded by Councillor Willis that it has not been acted on already. Following discussion, it was agreed to record in the minutes that the NZ Council re-confirms its intention to support the introduction of a non-resident fishing licence and that it be done as part of the wider licence category review to be implemented in 2014.

5.3 Confirmation of Minutes

The meeting considered the Minutes of the New Zealand Council meeting held in Wellington in March 2013.

Resolved (Chris Lynch/Lindsay Lyons):

That the Minutes of the New Zealand Council meeting held 23 & 24 March 2013 be confirmed as a true and correct record.

5.4 Matters arising from the minutes

Resolve (Paul Stenning/Chris Lynch)

That the Minister of Conservation be invited to the next NZ Council meeting in July.

Correct spelling of resolution under 5.2 "The Chief Executive to scope and provide (not provided) suggested courses of action on the six aspirational outcomes."

There was a request for Councillors to see the penalty interest policy for levy payments and the process this policy went through to establish it as agreed policy.

It was agreed that Correspondence should be received by resolution of Council and any further action or instruction to the Chairman or Chief Executive to respond determined at the meeting.

Consideration of the public excluded minutes and matters arising from these were held over until the Council moved into a public excluded session at the start of day-two.

5.5 Review of accumulated action pending from previous meetings

Although councils have been sent the letter from the Department of Conservation seeking recommendations for members to the Game Bird Habitat Trust Board (GBHTB), it was suggested it would help to provide a further reminder for council's to recommend membership to the GBHTB.

FINANCES OF NZ COUNCIL AND FISH & GAME NEW ZEALAND

Three finance papers dealing with the NZ Council Financial Report, National Finance Report and the National Budget and Licence Fee Recommendations were deferred until Saturday to give councillors a chance to read the papers presented at the start of the meeting on Friday.

6.1 Specific proposals for Capital Expenditure

No capital expenditure proposals were received for consideration at this meeting.

Resolved (Lindsay Lyons/Andrew Morris)

That the Specific Proposals for Capital Expenditure report be received.

6.2 Update of approved legal cases

The Chief Executive spoke to each of the projects described in the report. It was agreed Council needs to debate the costs of legal and resource management services and how this is managed. This is to be programmed for a future meeting.

Resolved (Paul Stenning/Andrew Morris)

That the May 2013 legal update report be received.

6.3 Research programme for 2013/14

Discussion occurred over the need for regular updates for each project using common reporting format, including milestones and final report date. It was noted that this particular item was not an update report but rather a report on all research proposals considered and approved at a meeting of managers for the 2013/14 year. Subsequent update reporting at meetings during the year will adopt a common reporting format.

The NZ Council agreed with the research programme recommendation of managers. It also noted the amount to be funded this financial year and the solution provided by an offer from Southland Fish and Game Council to advance its earlier commitment of three year support for the mallard research project.

Resolved (Matthew Hall/Aaron Wakeford)

That New Zealand Council:

- 1. Note Southland Fish and Game Council is to fund \$200,000 from dedicated reserves for year two of the mallard research programme.**
- 2. Note that Southland's contribution exhausts its agreed allocation of \$300,000 over three years to mallard research.**
- 3. Note that the research budget of \$100,000 has been exceeded by \$15,800 for 2013/14.**
- 4. Approve the research projected listed in this report totalling \$115,800 for the 2013/14 financial year.**

6.4 Staff scholarship

There was debate on whether the criteria of a staff scholarship up to \$10,000 should be reviewed and it was suggested that the applicant's own council make up the difference and the available amount be shared. Eventually, it was agreed a signal needs to be sent that the scholarship should not be oversubscribed in the future but that the NZ Council on this occasion would accept the recommendation made at the meeting of managers.

Resolved (Dave Witherow/Andrew Morris)

That New Zealand Council:

- 1. Note that \$10,000 is available for the scholarship from the New Zealand Council budget for the 2013/14 financial year.**
- 2. Agree that, as recommended by the managers, the applications of Steve Dixon and Steve Terry be approved for scholarship funding in the 2013/14 financial year.**

- 3. Agree to provide one-off additional funds of \$3,906 in 2013/14 to allow both staff scholarship applicants to receive the amounts sought to a total allocation of \$13,906.**

Colin Sherrard voted against the resolution and asked for his dissent to be recorded in the minutes.

6.5 NZ Council Business Plan

Discussion began with a focus on the aspirational outcomes the NZ Council had agreed upon resulting from its strategic planning workshops. It was proposed that the Annual Report identify aspirational outcomes and how they have been reflected in the work programme.

It was noted that the Business Plan as presented remains a draft plan and without the final additions of contestable fund items. Councillors were invited to email comments to Robert Sowman by the end of June on corrections and additions. These would be reported on and incorporated where relevant into the Business Plan for approval at the July meeting.

It was agreed to add to the November strategy meeting consideration to re-focus the business plan and in particular the delineation between what is NZ Council budgeted business and nationally budgeted project business.

Robert Sowman is to consult regions on the merit of re-instating the Vice Chancellor's Committee scholarship that was removed at the time licence fees were held to the previous year's fee by the Minister of Conservation. The NZ Council would like to identify whether the scholarship held value for Fish and Game both from a research and promotional point of view and could be re-instated?

Finally, it was suggested a summary table be included at the end of the Business Plan to show external and internal costs for all 8 outputs on a single page.

Resolved (Chris Lynch/Paul Stenning)

That New Zealand Council

- 1. Note the draft 2013/14 NZ Council Business Plan as presented in this agenda does not include any contestable fund projects.**
- 2. Agree to consider the Business Plan for final approval at the July NZ Council meeting.**

BUSINESS ITEMS FOR NZ COUNCIL AND FISH & GAME NATIONALLY

7.1 Chairman's report

The Chairman invited Matthew Hall to speak to his paper on the agenda on the licence fee and budget setting process. Matthew spoke of his recent experience attending the meeting of managers in April and how impressed he had been at the rigour and robustness of debate managers had over budgets and setting of licence fees. He noted how well the managers worked together in finding solutions and formulating recommendations. However, he saw the need to promote greater consistency in reporting of financial information and recommended a review of the policies and processes that cover financial management and the delegations from councillors and the establishment of consistent reporting process across all of Fish and Game. The Council proposed Mathew and one other governor work with Alison Lyall and two-to-three operational staff as a sub-committee to undertake this review.

Resolved (Matthew Hall/Peter Robinson)

That a review of the policies and processes that cover financial management and the delegations from governors takes place to ensure there is a high level of accountability, consistent practices and a shared understanding and responsibility.

In line with the use of sub-committee to consider the complaints policy tabled at the last meeting and Matthew's suggestion for a review of financial management, the Chairman proposed portfolios for NZ councillors to cover a wide area of interests and responsibilities and assist improve efficiencies. He raised the start of a suggested list and invited fellow councillors to give thought to the approach and other areas of interest.

Matthew Hall – finance, CPI policy
Chris Lynch – policy
Lindsay Lyons – public relations, access
Jean Willis – research
Paul Dixon-Didier – NZC audit function
Paul Stenning & Andrew Morris – game birds, land occupier privilege

The Chairman reported on attending the meeting of managers in April along with Matthew Hall and agreed on the amount of rigor that went into the process and how positive it was being present and being able to see the process first hand.

He also described another meeting he had recently attended of Fish & Game people with ECan commissioners on Canterbury water management. This exercise is being undertaken at a regional level but he was impressed with the ability of Fish and Game to get its views across at a political and technical level.

7.2 Operational Report

The Council considered the operational report on a page by page exception basis, with discussion or further clarification occurring on several items. These included:

Project 1210: Habitat Advocacy

It was explained North Canterbury has decided to formalise a response to ECan commissioners on the most appropriate manner in which Fish & Game should have input into decisions reached through the Canterbury Water Management Strategy process, given the statutory position.

Project 1320: Access to the Resource

The Walking Access Commission is interested in getting advice from Fish and Game about the extent of available access to private land.

Project 1420: Public Awareness and Support

Recognition was given to Fish and Game using the words game bird "hunting" season and not using the word "shooting". This highlighted the need to gently educate the media about using the word hunting as opposed to shooting.

Project 1440: Youth Programme

Nth Canterbury has secured a sponsor (Future Rivers) who will fund a facilitator position and supporting resources for a contract to run a youth programme. Sponsors are keen to get national exposure.

Resolved (Aaron Wakeford/Lindsay Lyons)

That the Operational Report of May 2013 be received.

7.3 Complaints policy

Chris Lynch as the Project Chairman presented the complaints paper to the Council.

In addition to grammatical corrections debate focused on the need to have the Council informed and able to project its collective opinion on some complaints.

The corrections sought included: Change spelling of “principles” (sentence above heading Objective). Add Council in the last flow-box “Refer to Fish and Game Council, or seek ...”). Replace “decision” in point vii with recommendation. Add Council to first line of last paragraph “Once the Chief Executive, Chairman or Council makes a decision ...”

Resolved (Chris Lynch/Jean Willis)

That the New Zealand Council

- 1. Adopt the Complaints Policy paper as NZ Council policy.**
- 2. Circulate the paper to regional Fish and Game Council’s for information.**

The meeting was adjourned at this point to break for dinner and to recommence Saturday morning.

Saturday 25 May 2013

The Council moved into a public excluded session of the meeting at the commencement of business on Saturday to consider the Remuneration Committee report and to ratify the public excluded minutes of the previous day. It did so with the public and staff excluded from proceedings, save for the Chief Executive briefly attended the beginning of the meeting. All twelve NZ Councillors were present.

RESOLUTION TO EXCLUDE THE PUBLIC

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

Time 8.35 am

Resolved (Paul Dixon-Didier/Lindsay Lyons)

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- 1. Resolutions from the governance matter discussed on Friday 24 May.**
- 2. Remuneration 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:

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Consideration of independent external advice		

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- (b) Shall form part of the minutes of the Council.”

Time: 9.35 am

Resolved (Andrew Morris/Colin Sherrard)

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

The meeting returned to the reordered Agenda to discuss the three finance papers circulated at the start of the meeting on Friday 24 May.

8.1 NZ Council Financial Report

The Council discussed the reporting of legal/RM funds and the need for better delineation of spending by NZ Council and by regions, particularly in relation to progress reporting against the amount approved at the time of the initial approval.

There needs to be a separation of NZ Council expenses and national project expenditure. It requires a definite accounting process developed and implemented to report against such projects.

Legal update report needs to be better laid out to put financials in this paper, including the amount approved to be spent and ‘project to date’ expenditure. Work on this to be reported to the next NZ Council meeting.

Resolved (Paul Stenning/Aaron Wakeford)

That the NZ Council Financial Report to 30 April 2013 be received.

8.2 National Finance Report

It was accepted the comments above on the NZ Council financial report also applied for the National finance report. It was noted that some councils report by accrual and some by actual. Alison Lyall is to give this further thought once she is more familiar with processes.

Resolved (Chris Lynch/Colin Sherrard)

That the National Financial Report to 30 April 2013 be adopted.

8.3 National budget and licence fee recommendation

NZ Council discussed the recommendation from managers for a \$1 increase in the fish licence fee and no increase in the game licence fee. However Council members favoured a \$1 increase applied to both adult whole season licences and for the extra money to go towards game bird research.

Resolved (Colin Sherrard/Paul Stenning)

It is recommended that the adult whole season game licences be increased by \$1 and that this money be tagged for game bird research.

Resolved (Andrew Morris/Paul Stenning)

That New Zealand Council confirm the 2013/14 Contestable Funding allocation of \$311,542 as recommended by Managers.

Resolved (Lindsay Lyons/Colin Sherrard)

That for the purposes of consultation with regional Fish and Game Councils, the NZ Council recommend a 2013/14 adult whole season sports fish licence of \$121 and an adult whole season game licence of \$91 (inclusive of a \$2 fee for the Game Bird Habitat Stamp) inclusive of GST.

Resolved (Aaron Wakeford/Chris Lynch)

That following consultation with regional Fish and Game Councils, the NZ Council hold a telephone conference at 7pm on Wednesday 19 June to set licence fees for 2013/14.

8.4 Public excluded minutes from the March meeting

At this point in the agenda it was agreed to consider the public excluded minutes from the March meeting. The resolutions from this session had been brought back into the public included meeting and became part of the public minutes approved the day before. However, the explanatory notes that accompanied these resolutions remain a confidential minute. To consider these notes required the Council to move back into a public excluded session.

RESOLUTION TO EXCLUDE THE PUBLIC

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

Time 9.52 am

Resolved

(Lindsay Lyons/Aaron Wakeford)

That the public be excluded from the following parts of the proceedings of this meeting, namely:

1. Public excluded minutes from the March meeting.

The general subject of this 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:

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Time: 10.25 am

Resolved

(Andrew Morris/Colin Sherrard)

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

The meeting returned to the public Agenda to confirm the public excluded minutes of the March 2013 meeting.

Resolved (Andrew Morris/Paul Stenning):

That the public excluded minutes of the New Zealand Council meeting held 23 & 24 March 2013 be confirmed as a true and correct record.

With just a short time before adjourning for lunch it was decided to consider the two items to do with licencing – the National Licensing Agreement Renewal – update and the Licence sales YTD.

8.5 National licensing agreement renewal -update

This information has been presented to the Council before. What is new is the remaining milestones identified on the second page of the report. It was also noted that the system would become operational from 1 November 2013.

Resolved (Andrew Morris/Aaron Wakeford)

That the licensing system – renewal agreement May update be received for information.

8.6 Licence sales YTD

A suggestion made by Paul Dixon-Didier at the previous meeting was for this YTD comparison be presented in graph format. This was done to show YTD to 15 April over the last four years. The material was assembled with the help of Jay Graybill, Chief Executive Central South Island Council.

Resolved (Jean Willis/Andrew Morris)

That the New Zealand Council

- 1. Note licence sales YTD figures provided in the two charts are for fish only**
- 2. Agree the two charts be received for councillor information.**

The meeting recommenced after lunch on Saturday with agreement to finish by 1.30 pm so members of the Council could attend a presentation by Sir Geoffrey Palmer and others on proposed changes to the Resource Management Act. To accommodate this, it was agreed two items on the agenda would be held over to another meeting – the presentation on governance and statutory role, and discussion on the RMA/habitat protection options.

CORRESPONDENCE

9 Correspondence to the Chairman

Letters were received from a number of correspondents. Following general discussion it was agreed that the letters be received and that a reply be prepared as follows:

Tom O'Connor Resolved (Matthew Hall/Andrew Morris)

That the letter from Tom O'Connor be received and held with Dave Witherow's comments and response as a matter of record.

Otago F&G Council (Chair to Chair communication)

Resolved (Andrew Morris/Aaron Wakeford)

That the letter from the Chair of Otago F&G Council be received and the Chairman respond to the last paragraph.

The Chairman and Councillor Witherow asked that the minutes record Councillor Witherow was repeatedly called to order by the Chairman, read the relevant Council governance policy (2.20.5, 2.20.12), including the intention to call the Police if the member did not comply. It was agreed the preferred action should be just to move on with the agenda and ignore the interruption.

Sir Geoffrey Palmer (Constitution)
Resolved (Chris Lynch/Jean Willis)
That the Council thanks Sir Geoffrey for his advice and assistance to a draft submission being prepared up to fee of \$1500.

Otago F&G Council (Landholder licensing for game)
Resolved (Chris Lynch/Aaron Wakeford)
That the letter from the Chair of Otago Council be received and that he be thanked for his letter and informed it has been referred to the CE and Council sub-committee for consideration.

Otago F&G Council (Research funding)
Resolved (Paul Dixon-Didier/Andrew Morris)
That the letter from the Chair of Otago Council be received and he be informed about the NZ Council agreeing to recommend the game licence fee being increased and tagged for research and that Otago encourage managers to give further consideration to the need to increase research funding.

URGENT BUSINESS

10 Urgent Business

Mediamine: Agreed that the wording used in the web search sub-title be changed from Dairy Industry to Water Quality.

Health & Safety: Resolved (Paul Dixon-Didier/Alan Flynn)
That the NZ Council is reminded Directors have a direct responsibility for health and safety. The NZ Council wishes to see and be satisfied that the H&S revision currently being updated meets with this requirement.

Cullen letter: No further action be taken until comment received from the NZ Council lawyer.

There being no further business, the Chairman declared the meeting closed at 1.40 pm Saturday 25 May 2013.

Confirmed: _____

Date: ____/____/2013