

One hundred and thirty-eighth meeting of the
New Zealand Fish and Game Council
Christchurch

Friday 22nd and Sunday 24th November 2019
Commencing 9.15 am Friday

PRESENT

NZ Councillors

Noel Birchall, Nigel Juby, Lindsay Lyons (Chair), Greg Duley, Bill O’Leary, Andy Harris, Roy Knight, Dan Isbister, Colin Weatherall, and Chris Owen.

In Attendance

Martin Taylor Chief Executive, Carmel Veitch Finance, Jack Kos Policy Advisor, Brian Anderton Senior Communications Advisor, Richie Cosgrove Senior Communications Advisor, Jordyn Mclean Administration, Steve Doughty Business Development Manager and Robert Sowman Policy & Planning Manager.

Also Present:

Alan Strong, Chairperson, North Canterbury Fish and Game Council, Friday.
Rasmus Gabrielsson, Manager North Canterbury Fish and Game Council, Friday only
Jay Graybill, Chief Executive, Central South Island Fish and Game Council, Friday only
Ian Hadland, Chief Executive, Otago Fish and Game Council, Friday only
Mike Jaspers, Friday only.

INTRODUCTION

1. Welcome

The Chairperson extended a welcomed to all and to Greg Duley as the new appointee from Hawke’s Bay. He thanked North Canterbury for providing the venue and the hospitality for this occasion. Apologies were received from Paul Blewman and Paul Shortis. The Council extended good wishes to Paul Shortis for a quick recover following bad health. The Chair acknowledged the good work provided by Kevin Williams who until this meeting had been the appointee for Hawke’s Bay. It is also Robert Sowman’s last meeting.

The health & safety earthquake drill was provided by Alan Strong, Chair of North Canterbury.

2. Apologies

Paul Blewman and Paul Shortis extend their apologies for the November 2019 meeting.

Resolved (Colin Weatherall/Roy Knight)

That the apologies for Paul Blewman and Paul Shortis at the November 2019 New Zealand Fish and Game Council meeting be accepted.

3. Conflicts of Interest Register

Councillors now sign the register and identify whether there were any topics to be discussed at this meeting they perceive to be a potential conflict of interest (COI). A COI sheet was passed around at the meeting for people to note any conflicts with the listed November agenda items. This sheet was to cover both Friday and Sunday’s discussions.

4. Confirmation of Minutes from 9 & 10 August 2019 Meeting

Paragraph 4 to be revised to replace “person in question “ with “Colin Weatherall”.

Resolved: (Chris Owen/Dan Isbister)

That the minutes of the New Zealand Fish and Game Council meeting of 9 & 10 August 2019 be confirmed as a true and correct record.

5. Review of Accumulative Action List from Previous Meetings

The Chief Executive went through the list from the last meeting, acknowledging what has been done or is in progress. There was no discussion or actions recorded.

6. Health & Safety report

A NZ Fish and Game Council health and safety policy was approved in July 2016. This policy is now supported by bi-monthly reporting to Council on health & safety action as recorded by NZ Council staff.

Resolved: (Noel Birchall/Andy Harris)

That the Bi-monthly Health & Safety Report for November 2019 be received.

Presentation by North Canterbury

The North Canterbury Fish and Game Council Chair, Alan Strong extended a welcome and introduced a summary of recent Council activity.

- The recommendations made by the NZ Council following the North Canterbury audit have been acted upon and nearing completion – working on the last one.
- One of the best outcomes of the Audit was the appointment of Graeme Nahkies for advice and guidance on governance and support for the Chair.
- Four major priorities have been adopted by the Council and these lead all activity.
- Carmel has assisted with financial issues, with the Council now operating with Xero.
- Richie Cosgrove has helped North Canterbury get to grips with its problems.
- Rasmus Gabrielsson has been a fortunate appointment as the new Chief Executive.

Rasmus Gabrielsson, Regional Manager North Canterbury addressed the meeting. He outlined that North Canterbury:

- needs help and support to become healthy and viable again, and
- is looking forward to collaboration with neighbouring regions and the National Council.
- North Canterbury is looking to expand its education programme and work with R3, etc.

At 9.40 am, the meeting was joined by Mike Jaspers Media and Communications consultant and Jordyn Mclean, NZ Council administrator.

The Council wanted to discuss its communications strategy with Mike Jaspers. Therefore, at this point in the meeting visitors were asked to leave to allow the Council to go into a public excluded session.

7. NZ Council Comms Strategy

9.40 am Resolved (Chris Owen/Andy Harris)

To move into a Public Excluded session of the meeting.

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

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

- a. NZ Council Comms Strategy**
- b. Licence sales system decision**

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)

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
XX.	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)(be)(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: 12.12 pm Resolved: (Colin Weatherall/Nigel Juby)

To move out of Public Excluded and back into a Public meeting.

Jay Graybill and Ian Hadland returned to the public meeting and Mike Jaspers left the meeting.

The meeting returned to the public agenda and discussion on Sub-committee reports.

REPORTS REQUIRING DECISIONS

8. Sub-committee Reports

The NZ Council's National Licensing, Renumeration, Strategic Finance and National Sea-run Salmon sub-committees report on progress made since the last meeting. Respective Chairs (or Council representative) of the Sub-Committees spoke to the respective reports summarising activities of the committees since the last NZ Council meeting.

Resolved: (Nigel Juby/Andy Harris)

That the sub-committee reports be received.

Meeting adjourned for lunch.

1.15 pm Friday.

9. Annual Report and Financial Statement for year ended 31st August 2019.

The Performance report for the 2018/19 financial year has been completed and audited by Grant Thornton. A draft report is included with the agenda papers, with a final copy, including the independent Auditor's report, handed out at the meeting.

Resolved: (Roy Knight/Andy Harris)

Approve the Audited Performance report of the New Zealand Fish and Game Council for the year ended 31 August 2019.

10. NZ Council 2018/19 Bi-Monthly Financial Report No. 1

The purpose of this paper is to update the NZ Council financial position to the month ended 31 October 2019. Discussion occurred on interest income and the uncertainty this creates in manging budgets.

Resolved: (Chris Owen/Dan Isbister)

- 1. Approve the Budget for 2019/20 with a surplus of \$1,027**
- 2. Approve the adoption of the new format for the Budget as provided in Table 1a (of the November agenda paper) for the 2019-2020 year.**
- 3. Accept the NZ Council Financial Report as at 31 October 2019.**

11. National Financial Report to 31 October 2019

This provides an update on the YTD expenditure by Fish and Game Councils against the 13 budgets through the financial year. It is a snapshot of where councils are at. Overall the combined Councils are sitting at 15% of total budget spent with 2 months of the financial year completed.

Resolved: (Noel Birchall/Chris Owen)

That the National Financial Report as at 31 October 2019 be accepted.

12. Applications for Legal/RM funding

Two application have been received for consideration in the public agenda for funding from the national legal fund for legal costs. These are:
Nelson/Marlborough Fish and Game Council – Marlborough Environment Plan Appeals process.
Wellington Fish and Game Council – Proposed Natural Resources Regional Plan.

Resolved: (Nigel Juby/Bill O'Leary)

That the application by Nelson/Marlborough for funding from the National Legal Fund for legal costs of \$15,000 for the Marlborough Environment Plan Appeal be approved.

Resolved: (Nigel Juby/Roy Knight)

That the application by Wellington for funding from the National Legal Fund for legal costs of \$40,000 for the Greater Wellington Natural Resources Plan be approved.

Note: It was proposed to change the wording of the RM/Legal application form “*which regions* have not supported the application and why? To “*which CE/managers*” to better reflect it is the manager, not the council that provides this feedback.

13. In-house Legal Support

This item sets out the costs and benefits of having an NZ Council in-house lawyer and the broader organisational implications of this position.

Resolved: (Chris Owen/Andy Harris)

Agree in principle to engage an in-house lawyer.

14. Confirm National Prosecutions Policy

The National Prosecutions Policy was first approved in July 2014. Since then reparation has ceased to be an accepted practice and infringement fines have been introduced through legislative change to the Conservation Act 1987. Hence, the National Prosecutions Policy needed to be revised to reflect these changes. This document has been out with Fish and Game Councils for information and feedback and is now ready to be adopted as revised National Policy.

Resolved: (Noel Birchall/Chris Owen)

- 1. Note that Prosecutions policy was approved as national policy in July 2014 but that this no longer reflects today’s practices and changes to legislation.**
- 2. Note that Fish and Game Councils have been consulted on the revised national Prosecutions Policy.**
- 3. Agree to adopt the revised Prosecutions Policy as national policy, replacing the July 2014 document.**

15. Confirm National Infringement System Policy

The Conservation Infringement Systems Bill was passed into law through the Conservation (Infringement System) Act 2018 (2018 No 61). A required step for Fish and Game to be authorised to use this system is to establish national compliance and law enforcement policy. The draft policy has been developed after consultation with Fish and Game Councils, the Department of Conservation and by peer review with 4 agencies currently approved to operate an infringement fine system – Fire & Emergency, SPCA NZ, Ministry of Primary Industries and NZ Police.

Following discussion it was noted that a number of aspects needed to be completed first such as the database and infringement database and logistics around fine payments and follow up. It was felt these needed to be resolved before proceeding. It was noted the term National Compliance Coordinator was used in the compliance documents but there is no formal job description for this position yet.

Resolved: (Colin Weatherall/Nigel Juby)

That the report lies on the table until the CE provides further information.

Resolved: (Noel Birchall/Chris Owen)

Recommend the appointment of a National Compliance Coordinator with a job description, roles & responsibility.

It was recognized that a significant amount of staff time has gone into advancing the draft policy to this point along with a valued consultation process. Hence, the Council wishes to extend its thanks to Anthony van Dorp for his efforts in preparing much of this report. The Council also recognizes the support and input Anthony has received from Robert Sowman and Jacob Smyth (Southland F&GC).

16. Recommended Nominees for NZ Game Bird Habitat Trust Board

The NZ Game Bird Trust Board members are appointed by the Minister of Conservation under section 44F of the Wildlife Act 1953. The Terms of Appointment of the current Board expire on 31 March 2020. Fish and Game Councils were invited to submit nominees for the positions available. This resulted in 5 names being considered for the three Fish & Game consulted positions and one for Chairperson role. A show of hands was used to determine the level of support for each nominee.

Resolved: (Chris Owen/Dan Isbister)

That the NZ Council:

- 1. Note the Minister of Conservation consults with it on 3 people to be appointed to the Game Bird Habitat Trust Board and takes advice on a possible Chairperson**
- 2. Note 5 nominees have been received from Fish and Game Councils**
- 3. Agree that Adrian McIntyre, Steve Scragg, Mark Sutton become the nominations for these 3 positions**
- 4. Agree that Andy Tannock be recommended for the position of Chairperson of the Trust Board**
- 5. Agree to submit the names of these people, along with their completed nominations forms, to the Minister of Conservation before 13 December 2019.**

3.30 pm Meeting adjourned until Sunday 24th.

Sunday 11.15 am meeting recommenced by a decision to move directly into public excluded to finish addressing the remaining items on that part of the November agenda.

17. Public Excluded items

10.45 am Resolved: (Chris Owen/Roy Knight)

To move into a Public Excluded session of the meeting

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

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

- a. Minutes from the last meeting taken in public excluded.**
- b. CE Advocacy report**
- c. Audits Update**
- d. Future Views Paper**
- e. Water Conservation Order appeal**
- f. Lindis River appeal**
- g. Wellington RM legal**
- h. Governor's Forum**

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	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.
	Enable a Minister of the Crown or any Department or organisation holding information to carry out without prejudice or disadvantage, negotiations.	Sec.9(2)(j)	To enable the Council to discuss the information without improper gain or advantage being given to third parties.	Once agreement has been reached or contract signed.

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Time: 1.12 pm. Resolved: (Chris Owen/Bill O’Leary)

To move out of Public Excluded and back into a Public meeting.

18. Resolutions from Public Excluded

It was agreed in the public excluded session of the meeting that the following resolutions were to be brought forward into the public record.

Resolved: (Noel Birchall/Roy Knight)

Agree to bring forward resolutions into the public minutes.

NZ Council Communications Strategy

- 1. Agree to send the NZ Council's draft Communications Strategy for regional feedback , to be considered in their public excluded session and respond by 2nd April 2020.*
- 2. Agree for Mike Jaspers to present to Managers in February 2020.*

Resolved: (Roy Knight/Chris Owen)

Dealing with Media

- 1. Agree to a scientific randomised survey using an independent agency, to establish views of licence holders on Fish and Games freshwater advocacy. Note NZC to sign off questions proposed by the polling company.*
- 2. To internally survey all governors using the same questions as in recommendation 1.*
- 3. Agree to come back to the next NZC meeting with a recommendation on the future approach to freshwater advocacy taking into account recommendations 1 and 2.*
- 4. Agree that before the report back to the next NZC meeting, the CEO and staff will not proactively make media statements which contain negative statements about farmers.*
- 5. Agree the CEO and staff can make reactive media statements including responding to reports that are consistent with our last 6 months on freshwater advocacy.*
- 6. Agree to investigate the establishment of national environmental awards to highlight good farming practice that is consistent with our position on the NPS-FW.*

Resolved: (Roy Knight/Dan Isbister)

Licence Sales System

- 1. Agree to adopt option one (Eyede with their own support staff) as the outcome of the licence sales system RFP*
- 2. Agree to approach the negotiations with one contract time period for the licence sales system and one for the business support functions*
- 3. Agree to delegate the management of re-signing the contract with Eyede to the Licence Sub-Committee supported by NZ Council staff*
- 4. Agree to delegate coordinating the process for gaining regional signatures on the Eyede contract to the licence subcommittee supported by NZ Council staff*

Water Conservation Order

- 1. Agree to withdraw from the appeal on the upper Ngaruroro river*

19. Hunting Code of Conduct

The Code of Conduct for Game Bird Hunting appears in the Game Bird Hunting Guides printed each season and distributed free with all full season licence purchases and found on the Fish & Game website. The current code needed renewing. This was undertaken by Otago Fish and Game Council and then circulated for consultation with all Fish and Game Councils. The resulting revised Code is now proposed to be adopted as National Policy.

It was agreed to add an additional point – to encourage the use of biodegradable products where possible.

Resolved: (Chris Owen/Dan Isbister)

1. **Note: Supported feedback has been included in the draft document and shown as tracked changes.**
2. **Agree that the amended document be adopted as national policy**
3. **Agree to circulate the finalised Code of Practice document to all Fish and Game Councils recording the date it was approved as National Policy.**

20. Confirm 2020 Meeting Dates

The purpose of this item is to set meeting dates and deliverable deadlines to allow NZ Council to meet, seek consultation, reach consensus and submit recommendations to the Minister of Conservation without compromising meeting schedules for all Fish and Game Councils. Dates had been circulated for consultation with the following decisions based on feedback on those provisional dates.

Resolved: (Andy Harris/Nigel Juby)

1. **Note: proposed meeting dates generally accepted except for April & associated budget deliverables with several councils seek for these to be rescheduled two weeks later than set out in the August memorandum.**
2. **Agree that the revised NZ Council meeting dates proposed for 2020 become:**
 - **February 14 & 15 in Wellington**
 - **April 17 & 18 in Wellington**
 - **June 19 & 20 in Wellington**
 - **September 11 & 12 in Wellington**
 - **November 20 to 22 in region tbc.**
3. **Note the June dates of 19 & 20 June will require regional Fish and Game Council June meeting dates to fall prior to 19 June to feed into a NZ Council recommendation.**
4. **Note that a licence fee submission to the Minister of Conservation should be prepared in anticipation of a 19 & 20 June recommendation and sent the week commencing 22 June.**

21. Correspondence to be considered

The letter from the Minister of Conservation date stamped 4 November 2019 was a response to a NZ Council CE's letter seeking a change in Fish & Game's handling of non-resident licence income and recognizes there to be no legal constraint to spending the revenue raised through the non-resident licenses in either or both the front and back country fisheries.

Resolved: (Noel Birchall/Chris Owen)

That the letter from the Minister of Conservation date stamped 4 November be received.

22. Jet Boating NZ MOU

This item outlines a request by Jet Boating New Zealand to sign a Memorandum of Understanding with NZ Council.

Roy Knight and Chris Owen acknowledged they are members of regional Jet Boating associations. However, the Council determined this should not prevent them from participating in the discussion or voting.

Resolved: (Chris Owen/Roy Knight)

Agree to authorise the signing of the MOU below with Jet Boating NZ.

Dan Isbister asked for it to be recorded that he voted against motion.

23. Staff Development Grant Report

Each year staff are invited to apply for a staff development grant. The NZ Council national budget makes provision for \$10,000 to be made available to contribute towards travel and expenses. At the last budget round, Erin Garrick of Southland Fish and Game Council was awarded a grant to attend the 8th North American Duck Symposium in Winnipeg Canada in August 2019. Afterwards, she met with waterfowl biologists from the Iowa Department of Natural Resources. This item provides a report from Erin for information and discussion.

Resolved: (Lindsay Lyons/Chris Owen)

That the NZ Council

- 1. Receive the grant financial report**
- 2. Receive Erin Garrick's Staff Development Grant report**
- 3. That the report be made available to all Fish and Game staff.**
- 4. That NZ Council write to Erin thanking her for this report.**

24. R3 Report

This item represents the final deliverable in a consultancy project on R3. It represents the completion of a R3 Roadmap setting out the strategy for Fish and Game to adopt to introduce R3 across the organisation.

Resolved: (Chris Owen/Bill O'Leary)

That the NZ Fish and Game Council agree R3 is an accepted strategy for Fish & Game NZ and adopt the R3 Roadmap as the basis for embedding R3 across the organisation.

25. REPORTS TO BE RECEIVED

With time limited for further decision it was agreed to accept all reports to be received.

Resolved: (Dan Isbister/Roy Knight)

That all reports to be received be accepted as read.

26. Closing Remarks

The Chairperson thanked Council and staff for their participation. A formal record was asked for to extend the Council's thanks to Robert Sowman for his efforts and input into Fish and Game inc. over the period of his engagement. The departure of Jordyn McLean as administrator to advance her career in accounting was also acknowledged. The Chair expressed best wishes and safe travels for Christmas and the New Year, along with enjoyable fishing.

There being no further business, the Chairperson declared the meeting closed at about 3.30 pm Sunday 24th November 2019.

Confirmed: 

Date: 24th November 2019