

WELLINGTON FISH AND GAME COUNCIL

MEETING AGENDA

&

AGM

FIRST MEETING NEW COUNCIL

TUESDAY 4TH DECEMBER 2012

AGENDA

Location: Tuesday 4th December 2012, Palmerston North RSA, 200 Broadway Avenue, Palmerston North, at 3.00pm.

	Page
1. Present and In Attendance	
2. Apologies	
3. Conflict of Interest	
4. Minutes, 10 th October 2012	1-13
5. Councillor Allen's Actions and Behaviour	14-17
6. Matters Arising	
7. National Council Business – Minutes 21 st September 2012	18- 36
8. Governance Policy on Conflict of Interest	37-50
9. Draft Game Season Conditions – to adopt for referral to the Minister	51-60
10. DOC Consultation with Council on Applications to Reduce the Width of Proposed Marginal Strips.	61-71
11. Licencing Working Party Update	
12. One Plan Update	
13. Management Report	72-77
14. Expenditure Report/Financial Transactions	78-105
- Electric Fishing Machine Replacement/Upgrade	
- Centennial Lagoon Promotion	
- Weekly Newsletter/Fishing Season Hunting Season	
15. Fishing Licence Report	106-108
16. Correspondence/Media	109-156
17. General Business	157-



Address 200 Broadway Ave
Palmerston North, 4410



WELLINGTON FISH AND GAME COUNCIL

The Chairman
Wellington Fish and Game Council

AGENDA MANAGEMENT

Council should do the following things;

- **Review the Annual Program for Meeting Agendas**, and decide what items should be added to it.
- **Review the Current Agenda**, and decide on the order of items, the timing requirements for items, any items to be deferred, or any new business to be tabled.
- **Review Next Two Meeting Agendas**, to see what's coming, and decide on anything that needs to be included or changed.

No resolutions should be necessary here, unless to resolve debate on a future course of action. The Minutes will record all issues that Council agrees, and these will be reflected in future Action Lists, Annual Programs, and Agendas as may be appropriate.

Meeting Dates & Venues Wellington Fish & Game Council 2012

DATE	DAY	VENUE
<i>7th February 2012</i>	<i>Tuesday</i>	<i>Palmerston North RSA</i>
<i>18th April 2012</i>	<i>Wednesday</i>	<i>Upper Hutt, Cossie Club</i>
<i>13th June 2012</i>	<i>Wednesday</i>	<i>Masterton, Cossie Club</i>
<i>22nd August 2012</i>	<i>Wednesday</i>	<i>Upper Hutt, Cossie Club</i>
<i>10th October 2012</i>	<i>Wednesday</i>	<i>Masterton, Cossie Club</i>
<i>4th December 2012 & AGM</i>	<i>Tuesday</i>	<i>Palmerston North RSA</i>

WELLINGTON FISH & GAME COUNCIL

ANNUAL PROGRAM for MEETING AGENDAS.

Meeting	Board	Operational	Statutory	Strategic and Policy
Tuesday 7 th February 2012	All Board Items.	All Operational Items, to be Received.	Game Season regulations	
Wednesday 18 th April 2012	All Board Items.	All Operational Items, to be Received	Draft Annual Plan	
Wednesday 13 th June 2012	All Board Items.	All Operational Items, to be Received	Draft Anglers Notice	
Wednesday 22 nd August 2012	All Board Items.	All Operational Items, to be Received	Adopt Annual Plan	
Wednesday 10 th October 2012	All Board Items.	All Operational Items, to be Received		
Tuesday 4 th December 2012	All Board Items.	All Operational Items, to be Received Annual Reports, to be Received	Annual General Meeting. Annual Report to Adopt and Present. Game season regulations	

Board Items are as follows.

- Present and in Attendance.
- Apologies.
- Minutes of Previous Meeting to be Approved.
- Matters Arising from the Minutes.
- Agenda Management, including review of Action List, review of Annual Program for Meeting Agendas, and review of current and next two meeting agendas.
- Chairman's Business.
- New Zealand Fish & Game Council Business.

Operational Items are as follows.

- Management Report, to be Received.
- Schedules of Financial Transactions, Bank Balances, and Correspondence, to be Received.
- Project Expenditure Report, to be Received.
- Licence Sales Reports, to be Received.

Process to Get Items on Agenda is as follows.

- Raise the matter in General Business at the end of the meeting, to get it resolved there and then, or
- Raise the matter under Agenda Management near the beginning of the meeting, to seek Council's agreement for a Councillor and/or management to prepare and present a paper on the subject for formal inclusion in a subsequent meeting agenda, or
- Present a paper as a Notice of Motion, following the procedure of 2.16 on page 24 of the Fish and Game Rules in Part 4 of the big blue Policy Manual.

WELLINGTON FISH & GAME COUNCIL
DRAFT UNCONFIRMED

MINUTES OF MEETING OF THE WELLINGTON FISH & GAME COUNCIL,
HELD ON WEDNESDAY 10 OCTOBER 2012 AT 3.05PM AT THE MASTERTON
COSMOPOLITAN CLUB, 100 QUEEN STREET, MASTERTON.

1. **Present:**

Chairman Martin Taylor, Councillors Eric Neumann, Jim Cook, Srato
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

John Hancock (Wellington/Hawke's Bay Conservation Board)

John Pansters (Licence holder) part.

3. **Apologies:**

Councillors, Mark Grace, Duncan Thomas, Eric Neumann (for lateness)

Staff: Corina Jordan, Nic Cudby (for lateness)

Licenceholders: Paul Brown, Bob Hooker, Neil Hayes

It was then moved that:

the apologies be accepted.

Chris O'Meara/Tim Allen

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 22 August 2012:**

After brief discussion it was moved that:

*the Minutes of the meeting of the Wellington Fish & Game Council of
22 August 2012 be approved as a true and correct record of the
proceedings of that meeting.*

Tim Allen/Jim Cook

Carried

6. **Matters Arising:**

Councillor Tim Allen noted that while there was a Remuneration Review Committee appointed, it was to reflect the job of the Council and had no delegated powers *per se*, with any decisions remaining the responsibility of full Council.

Discussion ensued on the successful publicity awareness strategy for highlighting Water Conservation Orders, noting the efforts that NZ Council's Communications Manager had undertaken to achieve such. He was also commended for assisting Wellington F&G staff with press releases regarding the One Plan decision. It was agreed that a letter of appreciation would be sent to NZ Council acknowledging Mr Canarchan's assistance.

7. **Rafamoy Game Preserve Application**

From the COI register it was identified that Jim Cook could have a perceived or potential conflict of interest, and it was agreed that he would not be able to vote on the matter but may be able to speak on matters of clarification.

A draft *Agreement To Authorise An Upland Game Property With Special Conditions* was used as basis for discussions. After discussion the following amendments were suggested for:

- Section 2.1 removing the wording "*it specifically excludes any other fish or game species, and particularly excludes trout.*" and inserting the words "*and supports the principles of public access to fishing*";
- Section 4.3 removing this section worded "*certificates for all birds shot must be issued to participants, to ensure that if they are stopped by ranger outside the preserve, they can prove they obtained the birds legitimately.*";
- Section 3 removing the words "*if birds are released from an enclosed pen on the property, that pen must then be closed off to prevent birds returning to that environment.*"

It was then moved

That the application be received and approve the application with the draft agreement with agreed amendments being the basis for contract

Chris O'Meara/Brad Johnson

Carried

8. **2013 Meeting Timetable/Venues**

Discussion ensued on the draft meeting timetable with it noted that a new Council would need to confirm the dates following the election and confirmation. It was the moved

That the draft meeting timetable be adopted and be confirmed by the new Council in December

Richard Moore/Andrew Morris

Carried

9. **Project Reports**

Each of the project reports was considered individually and items discussed. It was noted that some project reports have already been received at previous meetings:

- ***Project Report 1111 Sports Fish Population Monitoring***
Feedback from anglers had confirmed that numbers of trout in the Hutt River had increased – in line with monitoring results.
- ***Project Report 1111A Trout Spawning Surveys***
- ***Project Report 1112 Rangitikei Trout Fishery Management***
- ***Project Report 1113 River Control Fishery Assessment***
- ***Project Report 1114 Game Bird Population Assessments***
Mr Teal noted that the mallard count was relatively low in April so expectations should be lowered for hunters. It was postulated that the breeding season weather conditions had been benign with a wet spring and no floods to date.
- ***Project Report 1114A Banding Report***
It was noted that the banding numbers would be increased next year as part of the wider mallard research programme and Nic Cudby was requested to involve local clubs and hunters in helping staff. Staff were requested to present the recovery information to-date at a subsequent meeting.
- ***Project Report (1114B) Shoveler Monitoring***
It was noted that numbers had increased in the last four years since a conservative regulatory approach had been taken.
- ***Project Report 1121 National Hunter Harvest Survey***
It was noted that hunters that had hunted on Pheasant Preserves could distort pheasant harvest figures and should not be included in the analysis.
- ***Project Report 1124 Regional Hunter Survey***
- ***Project Report 1181 Game Bird Dispersal***
- ***Project Report 1313 Hunter Access Permits***
Staff were requested to advocate for a longer season in Western Manawatu forests such as Santoft for pheasant hunting.
- ***Project Report 1351 Hunter Training, Lake Omana***

John Pansters arrived at 3.50pm

- ***Project Report 1521/1521 Ranger Management and Compliance***
Rangers' activity, constraints to ranger efforts, and number of incidents requiring reparation were discussed

It was also agreed that next agenda be an item on how dispersal permits are enacted – including issues of supervision.

- ***Project Report Fish Licence Sales***
It was postulated that fishing licence sales were possibly affected by prevailing weather conditions, economic factors, and negative publicity on the water quality of the Manawatu River.
- ***Project Report Game Licence Sales***
- ***Project Report Licence Agents Annual Report***
Mr Teal confirmed advice given at the August Council meeting regarding one doubtful debtor agent – and he had agreed to a repayment programme (total financial exposure \$2100).
- ***Project Report Occupational Safety and Health Annual Review***
All field staff were requested to have a Firearms Licence and undertake a kayaking course for wet exit if they were required to use kayaks.

Nic Cudby arrived at 4.05pm

Councillor Cotsilinis congratulated staff for the informative reports with other Councillors concurring.

It was then moved

That the project reports be received

Richard Moore/Andrew Morris

Carried

John Pansters left the meeting at 4.10pm

10. Fish & Game Licence Management System Review

The Council agreed *to move into Public Excluded session (at 4.15pm)*

Richard Moore/Andrew Morris

Carried

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

Fish & Game Licence Management System Review

The withholding of information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by councillors or officers and to maintain legal professional privilege and potentially commercially sensitive information.

National Council Business

The withholding of information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by councillors or officers and to maintain legal privilege and to protect the privacy of natural person(s).

This resolution is made in reliance on section 48(1)(a)(ii) 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 relevant part of the proceedings of the meeting in public

Wellington F&GC move out of committee (at 5.00pm) and that the public be invited to return to the meeting.

Andy Tannock/Jim Cook

Carried

The following resolutions resulted from in-committee discussions:

It was moved to

Distribute the NZC legal opinion on conflicts of interest around Councillors via email.

Jim Cook/Richard Moore

Carried

It was also moved

That the Council reiterates their endorsement of the process being undertaken for the licence management system review

Chris O'Meara/Brad Johnson

Carried

11. One Plan Update

Chairman Taylor confirmed that the Environment Court decision was emphatic and reflected the efforts by Fish & Game staff and technical experts. Mr Teal confirmed that Horticulture NZ and Federated Farmers had appealed the decision to the High Court. It has been indicated that the Minister of Conservation and Fonterra are unlikely to be represented at the proceedings, and that Horizons Regional Council may take a 'neutral' stance. Chairman

Taylor noted that the NZ Council needed to be resolute and be prepared to assist in defending this decision at subsequent court proceedings.

After discussion about the merits of the Department of Conservation being involved in the High Court and their likely decision not to appear, it was moved that

The Minister of Conservation be sent an urgent letter encouraging the Department of Conservation to be a participant at the High Court.

Richard Moore/Strato Cotsilimis

Carried

12. National Council Business:

Councillor Morris gave a brief overview of the NZ Council meeting held on 22 September 2012. The minutes from the NZ Council meeting had not yet been distributed. It was noted that the time spent in public excluded 'in-committee' session focused on confirming in-committee minutes from previous meetings and stating the resolutions in open minutes.

Councillor Morris noted that although budget was achieved that licence sales were less for fish and slightly less for game over the year overall. There was a discussion to achieve more participation and increase licence sales. Discussion ensued on reasons for participants lapsing and the surveys conducted to identify what could be done to reduce "churn."

Councillor Morris noted that applications to the legal funds from Otago (Water Plan ~\$30K), and North Canterbury (Regional Plan ~\$110K, Montrose Hatchery ~\$20K).

Councillor Morris informed Council that the Non-resident Licence should be in place for the 2013-14 season.

Councillor Morris noted that DoC staff had been internally advocating for an infringement fine system.

Councillor Morris informed Council that there were plans to commit staff resources to a prime-time freshwater fishing focused television programme.

Councillor Morris indicated that NZ Council were seeking consensus between regions to standardize fishing regulations and regulation interpretations.

Councillor Moore noted that the Wellington F&GC's paper to NZ Council on making RMA efficiencies was received but focused on inter-regional co-operation (options 1-3) rather more substantive changes by creating an RMA group (options 4-6).

In response to questions Councillor Moore confirmed that the issue spending too much time in-committee – a view expressed by many regional F&G councils – was discussed by NZ Council.

It was then moved that

That the report from Councillor Morris on NZ Council Meeting held on 22 September 2012 be received

Strato Cotsilinis / Tim Allen

Carried

13. Pencarrow Lakes Update

Chairman Taylor gave an account of a meeting held to look at Pencarrow Lakes to inform a management group composed of iwi governors and regional Council staff. The meeting was attended by many groups including MIRO, DoC, Forest & Bird, Fish & Game, Wellington Waterfowlers. He did not get the impression that Fish & Game was well received nor would access to hunting. It was noted that the change in reserve status from wildlife management/recreation reserve to scientific reserve resulted from the transfer of the bed of the lake to iwi in the settlement process. This has implications as to what level of effect might be given to recreational interests and what activities can and can't be done on the reserve.

Chairman Taylor noted that even though indications had been given that a decision had been made, the Minister of Treaty Settlement is still keen for support of the settlement process. If rights are included in legislation and that intent is changed by a management group – then Fish & Game will look warily at other settlements – and may even preclude lakes and rivers being included in settlements.

Chairman Taylor suggested that he, Wellington F&G Manager, and NZ Council CE meet to discuss a plan for OIA requests and lobbying with a view for hunting to remain at the lakes.

Council further discussed the issue and acknowledges that if hunting access is restricted at Pencarrow lakes then this situation could quite easily be changed for other sites such as the Wairarapa lakes.

Councillor Allen then raised an issue with the Chairman's style of lobbying and whether some relationships with management groups could be irrevocably damaged.

It was then moved

To Wellington Council continue to advocate for the continuance of hunting access on Pencarrow lakes

Brad Johnson/ Andy Tannock

Carried

14. General Business Item - Flow of Information

Councillor Allen put forward an item to discuss regarding the flow of information within Council. He asked whether the Chairman still believed 'Chairman to Chairman' correspondence should be passed on to all councillors. Chairman Taylor said yes, unless another Councils' Chairman asked for confidentiality. Councillor Allen then set out some examples where he believed information had not been passed on. The ensuing discussion was unable to clarify this assertion.

Chairman Taylor reassured Council that to his recollection all correspondence addressed to the Chairman has been forwarded to Council to the best of his knowledge and he was committed to ensuring this process continued in future. Mr Teal concurred that this is the operational procedure and could not recall any correspondence that had not been forwarded.

15. Management Report 1 August – 30 September 2012:

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

- Wairarapa Water Use Stakeholders Group progressing
- Ruataniwha Project (Hawke's Bay) – providing technical appraisal and leading project
- Hawke's Bay RPS – providing technical planning overview and co-ordinating submission
- Greater Wellington RC start consultation or collaborative process for Regional Plan review. Potential of zone catchment management approach.
- ECan Plan – providing technical critique and co-ordinating external assistance
- Otago – providing technical critique and implications of One Plan decision
- Southland – providing technical critique and implications of One Plan decision

Mr Teal confirmed that the licence management system review had been following a prescribed format but there had been a considerable increase in time commitment required as a member of the Licence Working Party.

It was then moved that

The management report for 1 August – 30 September 2012 be received.

Jim Cook/Tim Allen

Carried

16. Licence Sales Report to 31 August 2012

Further discussion ensued on reasons for participants lapsing and Mr Teal will follow up an opportunity for some additional analysis of lapsed participants with Councillor Neumann.

After brief discussion it was moved that

The Fish Licence Sales report as at 31 August 2012 be received.

Chris O'Meara/Andrew Morris

Carried

It was then moved

The Game Licence Sales report as at 31 August 2012 be received.

Chris O'Meara/Andrew Morris

Carried

17. Expenditure Report/Financial Transactions

There was brief discussion on the details of expenditure report and points of clarification for Councillor Neumann.

After brief discussion it was moved

the Expenditure Report for 31 August 2012 and Financial Transactions for July and August 2012 be approved

Strato Cotsilinis/Richard Moore

Carried

18. Correspondence/Media

After brief discussion of several items it was moved

the correspondence and media report be received

Jim Cook/Andrew Morris

Carried

19. General Business

Mr Teal tabled a brief report from Mr Pilkington on the Children's Hunting and Fishing Day at Ohingaiti that Fish & Game supports.

Mr Teal gave a brief overview of some trout introductions into existing sites which resulted from an opportunity to obtain surplus fish from DoC Turangi hatchery.

Councillor Cotsilinis noted that the Wellington Flyfishers Club had been successful in obtaining funds to upgrade the inside of the administration at the Capital Trout Centre.

There being no further business the meeting was closed at 6.20pm.

Next Meeting to be held: Palmerston North RSA, Palmerston North , Tuesday
4 December 2012, at 3.00pm

Chairman _____ Date _____

Actions from 10 October 2012 Meeting

Action	Responsibility	Concluded
A letter of appreciation would be sent to NZ Council acknowledging Mr Canarchan's assistance with the WCO public awareness strategy and assistance with media liaison following the Environment Court decision on the One Plan.	Phil	Pending
The application by Rathmoy Game Preserve be approved subject to the draft agreement with agreed amendments being the basis for contract	Phil	Pending
The draft 2013 meeting timetable is adopted but needs to be confirmed by the new Council in December	Phil	Pending
Staff requested to involve local clubs and hunters in helping with the banding programme.	Nic	Pending
Staff to present the recovery information to-date at a subsequent meeting	Nic	Pending
Staff to advocate for a longer season in Western Manawatu forests such as Santoff for pheasant hunting.	Steve	Pending
Agenda item to be included in future meeting discussing operational protocols for how dispersal permits are enacted - including issues of supervision.	Phil	Pending
As part of OSH requirements all field staff were requested to have a Firearms Licence and undertake a kayaking course for wet exit if they were required to use kayaks.	Phil	Pending
Distribute the legal opinion on conflicts of interest around Councillors via email	Phil	Completed
The Minister of Conservation be sent an urgent letter encouraging the Department of Conservation to be a participant at the High Court.	Phil	Completed
That the Chairman, Regional Manager, and NZ Council CE meet to discuss advocating for the continuance of hunting access on Pencarrow lakes	Phil / Martin	Pending
Mr Teal to follow up an opportunity for some additional analysis of lapsed participants with Councillor Neumann.	Phil / Eric	Pending

Actions from previous Meetings

Action		Responsibility	Concluded
Wellington F&GC submit a paper to NZ Council exploring the potential options to increase efficiency and effectiveness of resource management functions within Fish & Game	August 2012	Phil/Martin	Completed
Copies of recent iterations of regional Fish & Game Management Plans would be obtained.	August 2012	Phil	Pending
An informative overview be developed on how to amend Annual Plans for any induction programme following the forthcoming elections.	August 2012	Phil	Pending

Ascertain from NZ Council if any common induction programme was being developed for all regional F&G Councils that gave clarification as to how the Management Plan, Annual Plan, and work projects fit together.	August 2012	Phil	Pending
Any comments and/or issues on the Rathmoy Game Preserve application be brought to the attention of Mr Teal, and that a final report and draft licence agreement would be considered at the next Council meeting.	August 2012	Councillors/Phil	Completed
Follow up leads into opportunities for establishing small fisheries in the Wairarapa	August 2012	Nic/Phil	Pending
Wellington F&GC send a letter to DGC asking whether there was any intention of assessing the populations of Australasian harriers as it is considered they are having potentially negative effects on other waterfowl and bird species.	August 2012	Phil	Pending
That the Remuneration Review Committee be confirmed as: Martin Taylor, Strato Cotsilinis, and Richard Moore	August 2012	Martin	Pending
Wellington F&G to investigate alternative sponsorship and education opportunities of GPS tracking project	June 2012	Phil	Pending
Wellington F&G to commit resources to be part of Mallard Research Programme	June 2012	Phil	Pending
Potential for a 'newsbrief' of Council business be developed	June 2012	Phil	Pending
An updated statement would be provided to all users of Kilmore Lodge on what the costs and expenditure items are	June 2012	Phil	Pending
Wellington F&G to write to all other F&G regions seeking support for promoting change of status for grey teal via NZ Council in the first instance	June 2012	Phil	Pending
Advise Mr Long of clarification of foss line for 'dapping fishing'	June 2012	Phil	Pending
Lake Wairarapa Management Committee to meet, and start communicating with permitted hunters regarding maimai structures and define a timeframe for this to progress	June 2012	Phil	Pending
Proposal to be formalized to allow consideration of release of 300-400 pheasants to be released into western Manawatu forests	June 2012	Jim Cook	Pending
Send a letter in response to NZ Council Chair Hall positively to proposal to convening a meeting of F&G governors.	April 2012	Phil /Martin	Pending
a letter be sent to neighbouring Fish & Game Councils to convene a meeting once a year to discuss items in common	April 2012	Phil	Pending
Pencarrow Lakes Letter to the Prime Minister indicating that Wellington Fish & Game Council has been supportive of Treaty Settlements in the past and what F&G now understand to be happening now, and the difficulties we have had since his previous comments made two years ago.	April 2012	Martin/Phil	Pending

Letter to NZ Council alerting them to the erosion of hunting opportunity due to Treaty settlements (Port Nicholson) and Regional Council purchase (Baring Head), and the apprehension over the coming settlement of claims involving Lake Wairarapa		Martin/Phil	Pending
GW Regional Councillor Gary McPhee would also be specifically be sent a short letter explaining our issues and outcomes sought.		Martin/Phil	Pending
Staff to ask participants/co-ordinators in the Omana Lake Training Programme if this was an extra opportunity for waterfowl hunting or an opportunity that they would not have had if not for the programme.	April 2012	Steve/Phil	Pending
That Wellington Fish & Game respond positively to the Save NZ rivers Trust and actively consider candidates as suitable appointments as Trustee(s)	April 2012	Phil/Martin	Pending
Councillor Neumann to look into Save NZ Rivers Trust in more detail	April 2012	Eric	Pending
That Wellington F&GC ask NZ Council if Auckland/Waikato F&G region have used any resources to promote or assist an anti-hunting group to stop hunting which F&G statutorily promote.	April 2012	Phil	Pending
That Wellington F&GC inform Rangitikei DC that there is no intent to oppose application to stop a paper road if the owner indicates an intent to continue to allow public access on request	April 2012	Phil	Partially
A commitment be made to actively manage Yules & Simmonds Lagoon: <ul style="list-style-type: none"> • Develop a plan to restore Yules and Simmonds Lagoon; • Register an interest in actively managing the sites to the GWRC; • Request assistance as a landowner to the Regional Council to protect the stopbanks to avoid infilling of gravel; Signal possible course of action that may require Clean Up funds to Regional Council and Wairarapa Moana.	April 2012	Phil	Pending
write a letter to Rathmoy Game Preserve to encourage all hunters on Game Preserves to purchase a wholeseason licence.	February 2012	Phil	Completed
Ric Gullinane (Operations Manager, Walking Access Commission) be invited to give an overview of progress made	February 2012	Phil	Completed
seek clarification on arrangements to the Mangamaire River (a tributary in the Upper Rangitikei River) from the landowner and new guide managing access	February 2012	Phil/Steve	Pending
investigate branded clothing options such as jackets that Councillors could use when representing Council.	November 2011	Phil	Completed
Mr Teal to maintain a list of contact details that	October 2011	Phil	Underway

could be given to landholders or licenceholders willing to assist in reducing Canada goose nuisance events			
Seek a meeting with DOC Area Manager Wairarapa to discuss strategic management issues.	October 2011	Phil	Pending/Alternative
A report on current stand tenure at Lake Kaitiaki be developed to be able to consider request for extension of tenure.	August 2011	Phil	Pending
Discuss with hunters and Greater Wellington Regional Council options for lake management in general and around the duck hunting season in particular	August 2011	Phil	Pending
Hunters that had previously been involved in organised goose hunts would be contacted with the option to initiate contact with Mr Fred Kent as a willing organiser.	August 2011	Phil	Completed
A letter be sent to NZ Fish & Game Council asking for their involvement in undertaking a substantive critique of the research paper Surface Water Allocation (NZ) and Retention of Adequate Flows to Protect Salmonids and its implications for (m/s) use in the resource management forum.	June 2011	Phil	Not Completed
Investigate DoC Masterton being a potential site for hunters to pick up a key for Kilmore Lodge	June 2011	Phil	Not Completed
Investigate opportunities to provide weekly roundups on radio shows	June 2011	Phil	Partially completed
A letter be sent to Councillor Laidlaw seeking his position on the issue of Reserve Management and activities (including retention of hunting and fishing)	June 2011	Phil /Martin	Not Completed
Further information be sought on numbers of Australasian harriers in NZ since their increased protection in 1986	April 2011	Phil	Pending
Establish precise potential landing sites, camping sites and potential beats on the Upper Rangitikei River Staff and Councillor (Cotsilfnis) to fly the river and establish potential beats	April 2011	Phil	Pending

3

Resolutions for 4 December

Councillor Allen's Actions and Behaviour

Tim Allen sent a letter (below) to the NZC and Regional Chairs which contained statements Phil Teal believe undermined his position and called into question his integrity. Tim Allen also implied the Chair, Martin Taylor had applied pressure to Phil using Phil's remuneration as leverage. 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.

To address this issue the Chair called a teleconference on 8 November to discuss what to do. While the teleconference was not an official meeting of councillors, those councillors who were on the call agreed for certain motions to be formally raised and confirmed at the next scheduled meeting on 4 December.

The teleconference was attended by Eric, Andy, Chris, Duncan, Richard, Brad, Strato, Jim, and Martin. Councillors not present were Mark, Tim and Andrew. The motions to be proposed at the 4 December meeting came from that teleconference.

Note there is no rule or law which says councillors cannot meet informally and agree on motions to take to an official scheduled meeting of Wellington Fish and Game.

Proposed Motions

- 1. That the Wellington Fish and Game Council in no way supports Tim Allen's behaviour in calling into question Phil Teal's integrity.*
- 2. That the Wellington Fish and 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.*
- 3. That the Wellington Fish and Game Council wishes to apologise completely to Phil Teal for any hurt and reputational loss caused by Tim Allen's behaviour.*
- 4. 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.*
- 5. That the Wellington Fish and Game Council has no confidence in councillor Tim Allen.*

Tim Allen's Letter

25-10-2012

NZ Council and Regional Chairman,

The issue outlined below is the culmination of what I consider the perpetual- willing involvement of Wellington's contemptuous dealings with individuals from other regions and the NZ Council.

On Friday the 12th of October (following our meeting of Wednesday the 10th) Wellington's Chairman attempted to make contact with all regions to let them know "the horse had bolted" in relation to the contents of an anonymous envelope most regions received. I was the only Wellington councillor who did not receive that email (other than Chris Omera who doesn't have a working email). I have a known legacy of investigating further what I consider dubious levels of information.

On Monday the 15th I received our Chairman's email after apparent discussion amongst our councillors about our chair leaving me out of the "loop". I did exactly what I had been prevented from doing (and what should have been done prior to our meeting) and contacted all regions to establish if the "horse had indeed bolted" or if Wellington- after a prolonged OIR for certain documentation was now trying to ensure the "horse would bolt", by fostering a stretch of the truth so as to encourage other regions to ignore the basic integrity of the word "confidential" and give validation to this clandestine operation.

I asked regions if they had had their October meeting. Had they received an anonymous envelope? And did they discuss its content at a meeting. If they had not had a meeting then clearly the envelope couldn't have been discussed. **I have recorded the "Haven't met yet" group and the group who had met but "hadn't discussed envelope" as "No" for ease of reading.**

Northland- No

Taranaki- No

Auckland- No

Southland- No

Nelson- Discussed at meeting

Central South Island- No

Otago- No

Hawkes Bay- No

West Coast- Discussed only a policy document

Eastern- No

North Canterbury- No

Wellington- Went into "committee" to discuss an envelope. There were some very interesting occurrences that need open discussion, which out of respect for us being "in committee" I cannot speak of.

I am unaware how successful Wellington has been with helping "the horse bolt", but it's clear no horse had bolted up until 5 days after our meeting.

Perhaps if contact had been made with all regions sooner the envelope could have been dealt with appropriately by all 12 regions, though I doubt that was ever our chair's intention. Another observation is that if the NZ Council minutes had been distributed in their usual timely manner then **the NZC resolution relating to the envelopes contents would have been clearly evident.** I am sure just a coincidence.

Regards

Tim ALLEN

(toolttime@xtra.co.nz)

Footnote: Some in our council are currently maneuvering to place the nature of our council's actions at our manager's feet and have done since I mentioned my findings, even coming up with a similar graph trying to portray how many people had read the information, an attempt at justification, of which I feel there is none. Until recently our manager's remuneration has been at the

sole discretion of our chairman. A tidy arrangement for such situations in my view. I would testify in court that our manager has played very little role in creating this situation of his own volition. Rock-Hard place springs to mind. Please hear none of that excuse if an excuse is offered at all.

Councillor Tim Allen's Response and Proposed Motions

Tim Allen Email 13/11/2012

Fellow Councillors,

Is that a request from the fellow councillors who refused me a right of reply in a bonifide special meeting? A special meeting that I asked for on two occasions. Is that the same councillors who feel more comfortable making decisions about me at the end of a telephone? I have considered such request and have the following to say.

I have already stated that I will right any wrongs following the next meeting, and that is exactly what I intend to do. I consider it the honorable thing to do- to face and accuse- or face and apologize- it's what I consider basic human etiquette. I am honest and prepared to front for my actions.

I think it goes without saying our council has faith in Mr. Teal- letter or no letter, a ridiculous notion or motion and a waste of councillor's time (such was the telechat). I don't believe I have ever deliberately questioned Mr. Teal's own decision making or integrity. I am well aware Mr. Teal has a career to consider while I am just a volunteer. I hold Mr. Teal in very high regard so I am extremely disappointed that Mr. Teal has found need to hold me in such low regard with his take on my actions.

The nature of my actions is a matter of perception. Some fellow councillors have passed artificial judgment intimating deliberate wrong doing based on one perception, and here is another perception: - Mr. Teal compromised his own integrity by offering "staff room" natter to influence what direction our council should take on a political and ultimately legal issue. How would staff from other regions feel about Mr. Teal's use of their conversations on this topic?

Chairman Taylor has had Mr. Teal commit his "staff room" natter to a document thus consummating the evidence presented in our meeting. What possible motivation Mr. Teal had to enter a political argument using his colleague's actions is the question I am left asking?

Please read the information I have provided in recent emails and decide whether I have acted outside the rules governing my capacity as a councillor or acted in deliberate bad faith toward Mr. Teal. Something councillors may like to reflect on- is Mr. Teal best served separated or implicated in the decision to view a confidential document?

I will not apologize for seeking information. Our council is entirely aware that I am prepared to seek information- and this is why Chairman Taylor did not "cc" me in on his emails to New Zealand Council CEO Mr. Bryce Johnson on the 15th of October. I consider it prudent and part of my job as councillor to make use of all avenues and resources available to make informed decisions. Does anyone disagree with this thought?

There is no need for theatrics such as Chairman Taylor's "telechat" to get an item on an agenda. Here is how an item gets added to an agenda: - Chairman Taylor can you have Mr. Teal place these notices of motion in the agenda for the next meeting of the Wellington Fish

and Game Council in December 2012, placed to follow discussion on my letter to regional chairs that you have already indicated will be an agenda item.

- **Wellington Fish and Game Council agrees to write a letter to apologize to the New Zealand Fish and Game Council for the breach of trust in receiving and attempting to cause wider use of a legally privileged confidential document owned by the New Zealand Fish and Game Council, sighting our awareness of the reason Wellington Fish and Game were denied this document through "official channels" under LGOIMA.**
- **Wellington Fish and Game to write a letter of apology to the "Natural person" whom the New Zealand Fish and Game Council sought the protection of, sighting Wellington Fish and Game's awareness of the reason it was denied the legal opinion through "official channels" under LGOIMA.**
- **Chairman Taylor has been almost single minded in his pursuit of said "natural person" since 13th October 2010 where Wellington F&G council discussed "restricted access". Chairman Taylor has displayed an unnatural interest in the Mai Chen Legal opinion involving said natural person. Wellington Fish and Game Council to consider that Chairman Taylor acted and led council in bad faith in his dealings with legally privileged information he was well aware Wellington Fish and 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 and Game Council's erroneous decision**

Wellington Fish and Game Council feels Chairman Taylor's actions have placed Wellington Fish and Game in disrepute and facing possible legal action.

I see no reason to keep these motions from the public session as Chairman Taylor has already made public "public excluded" information relating to the fact that Wellington F&G discussed the Mai Chen opinion- firstly with NZF&GC CEO Mr. Bryce Johnson, and then to other regional chairs. (Chairman Taylor did this without a resolution of council according to the notes provided by Mr. Teal on the 29th of October relating to the content of the Public Excluded part of our October meeting. I was the only councillor to offer further additions to those notes on proceedings within Mr. Teal's prescribed timeframe). This act puts Chairman Taylor in conflict with our Standing Orders and the Local Government Act. In effect the "horse has bolted" in relation to the use of information and events from our "public excluded" session.

At this point I have one further request for our December meeting- Due to the perceived misunderstanding between myself and a staff member and the nature of business to be tended I would make a request that Wellington Fish and Game employ an independent minute taker and an independent chairperson.

Tim ALLEN

Meeting of the
New Zealand Fish and Game Council
 Brentwood Hotel, Wellington
 Saturday 21 September 2012
Commencing at 8.30 am

1. Present

Matthew Hall (Chairman), Chris Lynch, Dan Madsen, Lindsay Lyons, Bruce Bates, Alan Flynn, Andrew Morris, Peter Robinson, Jean Willis, Dave Witherow and Peter Sutton.

2. In Attendance

Paul Dixon-Didier (Nelson/Marlborough), Bryce Johnson (Chief Executive), Jenny Norris (Finance & Administration Manager), Hamish Carmachan (Communications Manager) and Robert Sowman (Policy & Planning Manager).

INTRODUCTION

3. Welcome

The Chairman called the meeting to order and welcomed all, adding a special welcome to Paul Dixon-Didier standing in for Robin Blackmore and advised Paul he was welcome to contribute to the discussion but could not vote. The Chairman then called for openness during the day's proceedings before commencing with the agenda.

4. Apologies

Apologies were received from Robin Blackmore and Catherine Tudhope (D-G Conservation's representative).

Resolved (Peter Sutton/Jean Willis)
 That the apologies be accepted.

5. Agreed order of business

It was agreed to follow the agenda as set out, except for the consideration of correspondence where it was agreed to deal with this item immediately after the lunch break.

MEETING REVIEW

6. Identification of other Urgent Business

Items raised for inclusion in the agenda:

- Use of organic-phosphate
- Mileage for F&G councillors to meetings.

7. Annual Agenda

Agenda noted but no action required.

8. Conflicts of Interest Register

The conflicts of interest register was made available at the start of the meeting to record any conflicts that might arise with items to be discussed at this meeting.

9. Confirmation of minutes from the previous meeting

The meeting considered the public session minutes of the New Zealand Council meeting held in Wellington on 20 July 2012.

Item 13.5 It was agreed to amend the minute by removing "there had not been enough time to prepare copies and".

Resolved (Peter Sutton/Chris Lynch)

That the minutes of the New Zealand Council meeting held on 20 July 2012 be confirmed as a true and correct record subject to the amendment of item 13.5.

10 Matters arising from the July 2012 minutes

Mileage allowance remains a concern to Eastern councillors who cannot afford to attend meetings using current Fish and Game rates. The National Policy sets a rate which is updated in line with cpi, but which cannot be otherwise changed unless it goes through a consultation round with regional Fish and Game councils. This matter had been raised informally with regional councils and the feedback received was that it was not considered a concern. To pursue it further, Eastern could set out its concerns and consult with councils directly, and then present the feedback to the NZ Council to consider before possibly reviewing and amending the policy. Councillor Lyons agreed to recommend this course of action to the Eastern Council.

A meeting organised by Bean on Canada geese has taken place. High Country farmers appear to believe populations are about at a level similar to when Fish and Game were managing the species as a game bird. Hunting Aotearoa TV programme featured goose hunting on Molesworth in early September.

11 Review of accumulative Action List from previous meetings

No comments received or matters arising from actions that are not to be covered elsewhere in the agenda.

NZ COUNCIL BUSINESS

12. Unfinished business from last meeting

12.1 Wellington Fish and Game Council's RMA expertise

Wellington Fish and Game has been central in achieving the outcome announced by the Environment Court on Horizon's One Plan. It's Resource Management Officer, Corina Jordan, played a major role, supported by Regional Manager Phil Teal and the Council in that process.

Resolved (Matthew Hall/Jean Willis)

The NZ Council congratulate Wellington Fish and Game Council, especially Corina Jordan, ably supported by her Manager Phil Teal, for their outstanding success before the Environment Court with the One Plan.

Fish and Game has plenty of examples where staff are involved in cross boundary issues and do this from region to region with some travel to help out from time to time. Fish and Game currently has two levels of resource management capability, with seven regions with dedicated resource management officers and the others with general staff doing this to the best of their ability.

It was acknowledged there is now a need to build the core of expertise and NZ Council would encourage Wellington to explore how this might be achieved without centralising the function.

It was noted at the meeting that councils are already sharing expertise on a number of topics.

Resolved (Peter Robinson/Lindsay Lyons)

That the NZ Council support Wellington Fish and Game Council in exploring the potential options to increase efficiency and effectiveness of resource management functions within Fish and Game while retaining regional employment of Resource Management staff.

12.2 Conflicts of interest governance policy

Legal advice has recommended NZ Council replace current conflict of interest wording in its governance policies. These revised policies would number 2.8.1 to 2.8.17 and would replace the current set of policy numbered 2.8.1 to 2.8.8.

Concern was expressed around the interpretation of clause 2.8.11 of these policies, which was clarified in discussion. It was recognised these are a check-list or package of policy for guidance and council collectively would need to agree how to determine whether a conflict exists and the level of involvement they want from that person.

It was noted that on some occasions before a person was asked to leave the meeting for conflict of interest reasons, it could be appropriate for that person to be asked to give their opinion to assist subsequent discussion.

Resolved (Peter Sutton/Chris Lynch)

That the NZ Council

- a. **Adopt the conflicts of interest policy proposed by Chen & Palmer in its memorandum dated 18 May 2012**
- b. **Replace current conflict of interest policy contained in the NZ Council Governance Policies (adopted November 2006) with those contained in the Chen & Palmer memorandum.**

Andrew Morris and Dave Witherow asked for their dissenting vote to be recorded.

Resolved (Lindsay Lyons/Chris Lynch)

That the NZ Council agree to present this revised conflict of interest policy to other Fish and Game councils for consideration.

12.3 Oath of Office

The Oath of Office has been circulated to regions for consideration. The intent of an oath of office (which is not binding) has been accepted by Eastern Fish and Game and is to be incorporated into its induction material to new councils, and Eastern was seeking similar action by other councils.

Resolved (Dan Madsen/Peter Sutton)

That this matter be deferred until the November meeting and Eastern Fish and Game Council be invited to forward its recommendation on implementation.

13.1 Operational Report

The Operational Report was considered on a page by page basis.

Project 1110: Species Advocacy

13.1 201

The Chairman expressed his wish to have been invited to participate in the meeting with the Minister of Conservation on the Customs Import Prohibition (Trout) Order. This meeting was called with short notice and participants were in the main, Wellington based.

NZ Council would encourage key staff involved with salmon management to discuss and propose amending individual sports fish and game management plans (for those regions with wild salmon) to collectively recognise and incorporate a salmon management plan as part of those plans. This would require a submission to the Minister of Conservation for approval of the collective amendment to each plan.

Project 1130 Fishing and Hunting Regulations

Discussion occurred about the complexity of Fish and Game fishing regulations and the need to obtain regional agreement in principle to reduce the quantum and complexity of regulations, and introduce greater shared rules. It was accepted that this complexity represents a barrier to participation and is confusing to those moving between regions to fish.

Resolved (Bruce Bates/Lindsay Lyons)

That regions be invited to agree in principle to the reduction and simplification of regulations, and to identify regulations that can be streamlined.

It was agreed that the chairman would write to regional chairs seeking regional support in principle for the streamlining of regulations.

Project 1210: Habitat Advocacy

The CE referred to the letter from John Burns of Burns Fraser summarising the outcome of the Environment Court decision on the Horizon's One Plan, commending the summary to Council and noting his intention to apply the letter as a briefing note to Members of Parliament and Regional Councils. On the matter of parties opposed to the One Plan decision possibly lodging appeals with the High Court it was agreed that should this occur Fish & Game would need to join those proceedings to defend the Environment Court judgement.

Project 1320 Access to the Resource

The proposed settlement with Fuhoe means Fish and Game needs to ensure access is secure to waterways within Te Urewera National Park and Lake Waikaremoana. There are two issues: getting formal recognition of Fish & Game interests in the settlement and then interpretation and implementation post settlement. The CE assured the council that both are recognised and are being addressed.

Output 1510 Ranger Coordination

The Auckland/Waikato appointee raised concerns from this council about age discrimination and an upper limit imposed on the number of ranger appointments. It was pointed out that warrants had been issued for four rangers over the age of 70 as recommended by the regional CE. Auckland/Waikato was invited to frame its concerns in the form of a resolution to be considered at a future meeting.

Project 1860 Business Planning & Financial Management

It was acknowledged NZ Council had not adequately progressed its proposed strategic plan and needed to prepare a draft outline of future directions and identify the priorities the Council proposes to focus on as a first phase towards achieving its previously identified desired outcomes. Once it has arrived at this point, it could then share this with regions, inviting comment and/or participation, the outcome of which could inform business/operational work plans across the wider Fish & Game organisation.

For the November meeting, it was agreed the NZ Council needs to give further thought on the practicality of how this might be achieved.

Resolved (Chris Lynch/Andrew Morris)

That the Operational Report for September 2012 be received.

13.2 NZ Council 2011/12 Bi-Monthly Financial Report

The Financial Report was considered on a page by page basis.

Resolved (Chris Lynch/Lindsay Lyons)

That the Financial Report to 31 August 2012 be adopted.

13.3 Specific Proposals for Capital Expenditure

There were no specific proposals.

Resolved (Peter Robinson/Peter Sutton)

That the Specific Proposals for Capital Expenditure report be received.

13.4 Update report of approved legal cases

The Council was informed hearings for the Hūrūnui-Waiāru Regional Plan are about to commence. The One Plan, if it does get appealed, would require Fish and Game to defend its position. The Environment Court decision on the One Plan is to become an important precedent for many future resource management outcomes and it was noted that Fish & Game needed to defend the gains made.

Resolved (Bruce Bates/Andrew Morris)

That the Legal Update Report be received.

13.5 Legal Funding applications

Three applications for funding from the National Legal Fund were considered.

13.5.1 Otago: Otago Regional Council Water Plan

Resolved (Dave Witherow/Dan Madsen)

That the application by Otago for funding from the National Legal Fund of legal costs, of approximately \$25,000, related to the Otago Regional Council's proposed plan change to the Regional Water Plan, be approved.

13.5.2 North Canterbury: Ecan Land & Water Regional Plan

It was noted that the full legal costs may not reach this amount if Fish and Game's interests can be accommodated by the Ecan Commissioners.

Resolved (Dave Witherow/Dan Madsen)

That the application by North Canterbury for funding from the National Legal Fund of legal costs, of approximately \$110,000, to submit and present evidence on the Land and Water Regional Plan, be approved.

11.33 am Doug Stevens arrived at the meeting as a member of the public

13.5.3 North Canterbury: Montrose Hatchery

Resolved (Dave Witherow/Dan Madsen)

That the application by North Canterbury for funding from the National Legal Fund of legal costs, of approximately \$20,000, for legal costs connected to the consent application by Mt Hutt Station to take water from Avalanche Stream, be approved.

13.6 Reporting of results of the 2011/12 NZ Business Plan

Brief discussion occurred on the need to maintain use of the Water Conservation Order process with at least one active Water Conservation Order application at all times. It was also noted that Fish and Game needs to protect those Orders that have been obtained.

The research programme incurs expenditure of \$100,000 a year and the Council would like more information on these outcomes. An update on research will be provided to Council in future, similar to the legal update report.

Resolved (Andrew Morris/Peter Robinson)

That the NZ Council agrees that the Reporting of Results on the New Zealand Council 2011/12 Business Plan records an acceptable level of performance.

13.7 2012/13 NZ Business Plan

It was reiterated that this sets the activity for the current year and that once approved it becomes a delegation to the CE.

Councillor Lynch referred to a paper he had prepared and spoken to at the previous meeting which recommended that within output class 7, 'Councils', there needed to be reference to the Council conducting an annual review of the Council's own performance, as required by NZC Governance Policy 2.7, 'Evaluation of the Council'.

It was also noted that Governance Policy 3.5 covers specific aspects of the Council's performance management agreement with the CE, and that this task also needs to be noted in output class 7 of the Business Plan, along with GPs 4.2 and 4.7. The tasks associated with these policies, and the resulting annual evaluation, would be for the Remunerations Committee to initially agree on with the CE and evaluate at year end.

Resolved (Chris Lynch/Bruce Bates)

That the NZ Council adopt the 2012/13 Business Plan and Budget subject to reference in Output Class 7 to adherence to Governance Policies 2.7 (Evaluation of Council), 3.5 (Evaluation of Chief Executive), 4.2 (Risk Management) and 4.7 (Governance Policy Review).

Resolved (Matthew Hall/Chris Lynch)

That a report on progress towards the implementation of these policies is provided by the Remunerations Committee for the November meeting.

The meeting broke for lunch. The meeting recommenced at 12.55 pm.

Council agreed to consider correspondence immediately after the lunch break so that full consideration could be given to the matters raised, rather than run the risk of not having sufficient time at the end of the meeting.

14 Correspondence to the Chairman

1. **Progress on Captured Access Issue** (correspondence carried over from last meeting)
 - a. Eastern Chairman – Letter dated 5 July

The Chairman of the NZ Council has written to the Minister of Tourism about access through Kaingaroa Forest. The Walking Access Commission could assist with the concern raised by Eastern. However, the matter requires a wider group than merely relying on the Commission to address the issues.

Resolved (Jean Willis/Dave Witherow)

That the NZ Council establish a working group to prepare a comprehensive national strategy for resolving both fishing and hunting access issues.

Dan Madsen abstained from voting.

Resolved (Matthew Hall/Peter Robinson)

The CE to be asked for draft terms of reference and suggested membership.

2. **Membership on the NZ Council**

- a. Lindsay Lyons - letter dated 5 September 2012 plus attachments

The question before Council is how to respond to Councillor Lyons' three personal letters given he is a member of the NZ Council. The Chairman proposed that Councillor Lyons be free to use all information that is in the public domain.

Resolved (Dave Witherow/Dan Madsen)

The NZ Council agrees not to respond to Lindsay Lyons on the matter raised.

Motion put and lost.

It was considered that Council may be better able to consider the nature of any reply to Mr Lyons once it had discussed and decided on a course of action in relation to other related correspondence before the Council.

Resolved (Peter Sutton/Matthew Hall)

That the letter dated 5 September 2012 from Lindsay Lyons lie on the table.

At this point it was agreed that the Council needed to confirm the public-excluded minutes from the previous meeting as they included consideration of matters that were potentially relevant to some of the remaining correspondence for discussion at this meeting.

RESOLUTION TO EXCLUDE THE PUBLIC

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

Time 1.40 pm

Resolved (Chris Lynch/Peter Robinson)

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

- 1. Confirmation of the public-excluded minutes from the previous meeting that included consideration of some correspondence items.**

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 43(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: 2.00 pm

Resolved (Peter Sutton/Peter Robinson)

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

That for the purpose of transparency the decisions taken in public excluded be recorded in this open minute. Accordingly:

Resolved (Chris Lynch/Lindsay Lyons)

That the public-excluded session of the NZ Council on 20 July 2012 is a true and correct record.

Resolved (Peter Sutton/Peter Robinson)

That the public-excluded minutes of 25 May and 20 July 2012 become a record in the Council's open minutes.

(These two sets of public-excluded minutes are included at the end of the substantive minutes of this meeting.)

Continuation of the September 2012 meeting:

NZ Council then agreed to revisit its resolution concerning Lindsay Lyons' letter dated 5 September 2012 plus attachments.

Resolved (Chris Lynch/Andrew Morris)

That the Chairman writes to Lindsay Lyons as per resolutions to date of the NZ Council.

Consideration of further correspondence.

3. Official Information Act Request – Exclusive Capture/Conflict of Interest Legal Opinion.

- a. Stewart Jewell NZFFA – emailed letter dated 11 September 2012

The Council has decided not to release the advice of legal counsel. It will provide a copy of the revised conflicts of interest governance policy that it resolved to adopt at this September 2012 meeting.

- b. Wellington Chairman – letter dated 10 September
Prepare a similar response to that for NZFFA.

- c. Doug Stevens – email to Bryce dated 7 September

The NZ Council voted not to release the legal advice, and the chairman clarified that the reference in the resolution to the 'protection of natural persons' refers to the NZ Council wanting to protect itself from legal challenges.

d. Tom O'Conner - letter dated 30 August
Prepare a similar response to Doug Stevens & NZFFA.

4. Conflict of Interest and time in Public Excluded sessions

a. Eastern Chairman - letter dated 21 August
Prepare a similar response to that for NZFFA.
Plus explain NZ Council will endeavour to limit the need for it to deal with issues in public-excluded sessions.

5. NZ Council use of Public Excluded sessions

a. Wellington Chairman - letter dated 10 September 2012
Explain that NZ Council will endeavour to limit the need for it to deal with issues in public-excluded sessions. The use of public excluded sessions is not a function of being dysfunctional but the need to protect it against legal claims.

b. Southland Acting Chairman - letter to all regional F&G Chairs dated 17 August 2012

Southland wrote to all regional councils but not to the NZ Council. Not obliged to respond but the information conveyed to others to be sent to Southland Fish and Game.

c. Nelson/Marlborough Chairman - letter dated 11 September 2012
Agreed that the reply be along similar lines as above.

6. NZ Council Functions

a. Northland Regional Manager - letter dated 22 August 2012
It was agreed that the letter be received.

7. Declaration of Interests

a. Northland Regional Manager - letter dated 22 August 2012
Comments about amending the Election Regulations in time for the 2015 Fish and Game Elections will be incorporated as part of wider review of necessary changes to related legislation.

NZ Council agreed that the chairman should reply to each of the respective correspondents, responding similarly on the common matters and specifically on any additional matters raised in their respective letters. The replies would also cover what the Council had resolved regarding new conflict of interest governance policy.

Doug Stevens, present at the meeting as both President of the NZ Federation of Freshwater Anglers and as a member of the public, asked permission to speak to the Council. He spoke about the need for the Council to be open and transparent with matters such as councillor conflicts of interest and on subjects of wider public interest. The Chairman assured Mr Stevens he would be replying to him as agreed above. Mr Stevens expressed his disappointment with the Council's handling of this matter and commented that he would be pursuing his information request further. Mr Stevens then left the meeting.

15 2013 NZ Council meeting schedule

A decision about a two day meeting in May is to be resolved at the March meeting. The schedule was agreed in principle.

Resolved (Peter Sutton/Dan Madsen)

That the NZ Council meeting schedule for the 2013 calendar year be:

Saturday 23 – Sunday 24 March	Wellington	NZC/Governance
Friday 24 May (and Saturday 25?)	Wellington	NZC/Budget
Wednesday 19 June	Tel Conf	NZC/Fee
Friday 19 – Sunday 21 July	Taranaki	NZC/Field trip
Friday 20 September	Wellington	NZC
Friday 22 – Sunday 24 November	Away	NZC/Strategy

NATIONAL FISH & GAME ITEMS

16.1 National Finance Report

Resolved (Andrew Morris/Dan Madsen)

That the National Financial Report to 31 August 2012 be received.

16.2 National Licence Sales Report

A table of licence sales was provided at the meeting as information only, with no decision required. However, concern was raised by Council about the need to promote licence sales to maintain increasing sales trends. It was agreed if councils need more incentives, this should be raised by them with the NZ Council.

16.3 Energy Policy

Council accepted the paper as submitted as a good starting document. It was accepted that with regional feedback, the NZ Council can continue to refine its position.

Resolved (Peter Robinson/Lindsay Lyons)

That the New Zealand Council

- a. agree to adapt its proposed energy policy towards a general policy position against any threat to the management, enhancement, and maintenance of sports fish and game and in particular the habitat of sports fish and game, namely that
- b. Fish and Game is opposed to any development that threatens significant sports fishery and game bird values because of:
 1. the finite nature of New Zealand's river resources and river fisheries,
 2. the very significant sacrifice of rivers that has already occurred through hydro development,
 3. the consequent high recreational and amenity value that needs to be placed on those rivers that remain as features of the New Zealand landscape and identity,
 4. the maintenance of sufficient water in water bodies for the survival of sports fish and waterfowl. This includes setting minimum flows and flow regimes of water and levels above the minimum and a cap on abstraction to protect both minima and variability.
- c. that associated advocacy not oppose benign options from a Fish and Game perspective and openly challenge energy developers

to contemplate the consequences of their actions on the finite stock of free flowing rivers and confront the two fundamental questions:

- i. Where to after the last river?
 - ii. Why not go there now, and retain in their natural state the wild and natural free flowing rivers that still remain?
- d. that regional Fish and Game councils be consulted on this this general policy stance before it is adopted as national policy.

17 Tasks left from over from the July 2012 NZ Council meeting

The Chairman expressed his wish to discuss tasks left over from the last meeting before this meeting closed.

These items included:

17.1 Dealings with CSI

The advice from the Institute of Directors was that it was not equipped to assist with a review of actions taken between two Fish and Game councils but that NZ Council could consider engaging a QC for advice.

17.2 Review of the NZ Council office structure

The Chairman reported that he had approached Price Waterhouse about a possible review of the NZ Council office structure. He also observed that the Council's review of its governance policy is overdue. The Chairman believed the two reviews are related.

The CE asked to see the actual comments received from councillors by the Chairman about the need for a review of the NZ Council office structure. The Chairman agreed to provide what he had received from those councillors who had responded to the request following the decision to conduct the review. The CE also asked for the terms of reference for such a review and the Chairman confirmed that none had been prepared at this stage. The CE expressed his concern at the manner in which the review was being created and for what purpose, and that with this Council having only one meeting of its term left before the Fish and Game elections he questioned the wisdom of imposing such a structural review on a new Council. He also commented that the normal convention in such matters is for 'form to follow function' and that with the NZ Council yet to conclude a prioritised strategic plan for the organisation's future direction a review of the national office structure was premature.

Mr Dixon-Didier suggested that if a review of the NZC office was to occur there would be suitably qualified people within the organisation, such as himself with tertiary commerce qualifications and administrative judicial experience, which would be a substantial cost saving to employing external consultants.

Resolved (Dave Witherow/Bruce Bates)

That the NZ Council engage Price Waterhouse in the review of the NZ Council office structure.

Those opposed to the motion were Peter Sutton, Peter Robinson, Lindsay Lyons and Jean Willis

17.3 Dave Witherow complaint

The Chairman reported that professional advice was to either set up a committee of council to consider the complaint, or alternatively to seek an independent reviewer. It was agreed an internal committee would have too many opposing conflicts.

Resolved (Matthew Hall/Lindsay Lyons)

That the Chairman engage Buddle Findlay as legal counsel to look at the requirement of NZ Council acting as a good employer.

Resolved (Bruce Bates/Chris Lynch)

That the Chairman engage an independent reviewer regarding the complaint from Dave Witherow.

Peter Sutton, Peter Robinson, Lindsay Lyons and Jean Willis asked that their names be recorded as opposing the resolution.

It was agreed that items remaining on this agenda will be carried over to the November meeting

- New Tier of Volunteers
- Ownership of water
- Use of organo-phosphate

18 Urgent General Business

There being no urgent general business, the Chairman declared the meeting closed at 4.20 pm Saturday 22 September 2012.

Confirmed: _____

Date: ____/____/____ 12

Resolutions from the public-excluded meeting:

1. Confirmation of the public excluded minutes 20 July 2012

Resolved (Chris Lynch/Lindsay Lyons)

That the public-excluded session of the NZ Council on 20 July 2012 is a true and correct record.

Resolved (Peter Sutton/Peter Robinson)

That the public-excluded minutes of 20 July and 25 May 2012 become a record on the Council's open minutes.

Minutes of Public Excluded Session of New Zealand Fish & Game Council 25 May 2012

South Island High Country Federated Farmers and Canada Geese

Discussion focused on F&G's engagement with the South Island High Country Federated Farmers on a range of issues, including access and Canada geese. It was acknowledged that for farmers the more pressing issue were geese, not access. However, with the Canada goose no longer a game bird Fish and Game had no mandate to continue to be part of goose management.

Resolved (Matthew Hall/Dave Witherow)

That Fish and Game liaise with the Federation of High Country Farmers on issues of mutual interest, including access and Canada geese.

Peter Sutton asked that it be recorded he voted against the motion.

Chief Executive's Remuneration Committee

The Chairman expressed concern that the Committee had not met for some time and was required to do so under the Council's governance policies. The CE advised that he had some relevant matters to raise with the Committee. The Chairman advised the Council that he may need to seek professional advice to ensure the Council was meeting its "good employer" obligations, which was acknowledged.

Resolved (Dave Witherow/Chris Lynch)

That with some urgency professional advice be sought on a review of the structure of the National Office.

Jean Willis and Peter Sutton asked that the minutes record they voted against the motion.

Confirmation of public-excluded minutes from the previous meeting

The public-excluded minutes of the New Zealand Council meeting held at Lake Okataina, Rotorua on 16 & 18 March 2012 were considered.

Resolved (Chris Lynch/Peter Sutton)

That the in-committee minutes of the New Zealand Council meeting held on 16 & 18 March 2012 be confirmed as a true and correct record.

Bruce Bates and Barry Rodrick left the meeting. However, before Councillor Bates left, he made the request that he is given a copy of the papers that had been provided by the National Office to Mai Chen for her information when preparing the opinion on conflict of interest and Councillor Bates, as his lawyer wished to see them.

Peter Sutton left the meeting soon after at 4.45 pm.

Legal advice on conflicts of interest

Discussion occurred around the OIA requests for this information from five different sources. It was considered by some that the Council had previously resolved to release the opinion subject to Mai Chen's further advice, while others thought this information should remain in

public-excluded and not be released. However, in considering this matter the Council recognised it will need to revisit this matter in the immediate future.

Resolved (Dave Witherow/Alan Flynn)

That the Mai Chen legal advice on conflicts of interest not be released, ever.

Resolved (Chris Lynch/Dave Witherow)

That the NZ Council meet Bruce Bate's request by releasing to him NZ Council's instructions about the conflict of interest opinion, and seek his response in writing.

DECLASSIFIED

Minutes of Public Excluded Session of New Zealand Fish & Game Council 20 July 2012

Confirmation of the public excluded minutes 25 May 2012

Councillor Sutton's recorded vote against the motion for South Island High Country Federated Farmers and Canada geese was for Canada geese, not Federated Farmers. He asked that this be made clear in the minutes.

Resolved (Chris Lynch/Dan Madsen)

That the public-excluded session of the NZ Council on 25 May 2012 is a true and correct record subject to the one correction.

Robin Blackmore and Bruce Bates (both absent when this item was considered at the previous meeting) abstained from voting.

Legal opinion about the conflict of interest of a NZ Councillor.

Bruce Bates left the meeting at 10.56 am after expressing his concerns about the handling of the legal opinion on his perceived conflict of interest but before the item was discussed.

The Council was advised that before releasing the document under section 48 of the OIA, the NZ Council needs to record the process it has gone through at arriving at its decision to release the material, should this be the outcome.

Councillor Lynch outlined a Notice of Motion set out in an email to fellow councillors of 11 July 2012 that sought to rectify what he considered to be an unfortunate and rushed resolution at the end of the previous meeting. This was introduced by Councillor Lynch at the meeting and discussed before being put.

Resolved (Chris Lynch/Peter Robinson)

That the NZ Council meeting of 20 May resolution "That the Mai Chen legal advice on conflicts of interest not be released ever" be rescinded.

The following motion as part of Councillor Lynch's Notice of Motion was also introduced and discussed but when put the motion was subsequently lost.

Resolved (Chris Lynch/Jean Willis)

That the Mai Chen legal opinion on exclusive capture be released subject to the provisions of Section 48 of the Official Information Act, after appropriate redaction by Mai Chen to protect the privacy of any individual or business identified in that opinion.

Motion lost.

The following motion was introduced with an amendment being promoted during discussion.

Amendment (Andrew Morris/Peter Robinson)

Add the words, "for the protection of natural persons".

Resolved (Dave Witherow/Dan Madsen)

That the Mai Chen legal advice of 7 March 2012 on conflicts of interest not be released for the protection of natural persons.

Robin Blackmore left the meeting at 11.25 am for a prior arranged appointment.

Bruce Bates returned to the meeting at 11.30 am on completion of discussion about his perceived conflict of interest.

Issues arising on NZ Council's dealings with a Fish and Game Council.

This item deals with Central South Island (CSI) issues. As CSI's appointee to the NZ Council, the Chairman recognised that it could be alleged he has a perceived conflict of interest so he vacated the Chair.

Matthew Hall vacated the Chair and left the meeting at 11.30 am.

Resolved (Peter Sutton/Peter Robinson)

That Chris Lynch become the acting Chair to discuss the item on Central South Island issues.

Resolved (Jean Willis/Bruce Bates)

That the letter of 10 July 2012 from the Chairman of Central South Island Fish and Game Council be received.

It was agreed a letter from the Acting Chair should be sent to CSI outlining that the purpose of the Desired Outcomes is to focus Fish and Game on future direction. It does not reflect on past or present actions or positions as CSI had implied.

The reply to CSI is also to outline the proposed path forward as resolved by the NZ Council, namely an independent reviewer to be appointed to look into the handling of the dispute between the two councils.

Resolved (Peter Robinson/Bruce Bates)

That an independent review of the CSI/NZC dispute be undertaken to provide a neutral viewpoint on the handling of the Tom O'Connor complaint by both CSI/NZC.

Matthew Hall was invited to return to the meeting at 12.05 pm to join the discussion on how an independent review might be organised.

Lindsay Lyons also joined the meeting at 12.05 pm after being delayed due to air travel problems.

Discussion on who to consider as an independent advisor resulted in the Institute of Directors being proposed. In arriving at this decision it was pointed out that no funding had been allocated in the NZ Council's 2012/13 budget for this purpose.

Resolved (Peter Sutton/Bruce Bates)

That the Institute of Directors be asked by the Chairman to provide a proposal including costs to carry out an independent review of the CSI/NZC dispute on the handling of the Tom O'Connor complaint by both CSI/NZC.

Resolved (Andrew Morris/Dan Madsen)

That the proposal and cost be discussed and agreed at a subsequent NZ Council Telephone Conference and any decision be adopted in open forum at the next NZ Council meeting.

Resolved (Dave Witherow/Bruce Bates)

That Chris Lynch as Acting Chairman vacate the chair and Matthew Hall be reinstated as the NZ Council Chair.

Correspondence from Councillor Witherow

Resolved (Chris Lynch/Bruce Bates)

That the NZ Council receive the correspondence dated 5 July 2012 from Dave Witherow.

Discussion then followed as to the process for dealing with the correspondence. Councillor Willis pointed out that this correspondence had crossed into employment dispute territory and as such needed to be treated according to the correct process set out under the relevant legislation.

Resolved (Jean Willis/Lindsay Lyons)

That the NZ Council dismiss the complaint from Dave Witherow.

Motion is lost.

At 1.00 pm was agreed to stop for lunch. The meeting resumed after lunch at 1.30 pm, going back into a public excluded session.

It was recognised that the subject of this correspondence had a right of reply and that the matter should not be dealt with until both sides had the opportunity to be heard. It was also recognised that the NZ Council did not have a complaints procedure policy. Therefore it:

Resolved (Bruce Bates/Andrew Morris)

That in the absence of a complaints procedure, the Council authorise the Chairman to seek advice on how to proceed.

Jean Willis and Lindsay Lyons asked for the record to show they did not support the motion.

8. Governance Policy on Conflict of Interest

Currently Wellington F&G base our procedures for dealing with conflicts of interest in the *Controller & Auditor-General's Good Practice Guide – Managing Conflicts of Interest: Guidance for Public entities June 2007* included in the Policy Folder.

The attached NZF&GC Governance Policy has been updated in October 2012 which follows legal advice from Chen Palmer 18 May 2012.

There has been a request from NZ Council that regional Fish & Game Councils may wish to consider Mai Chen's analysis and advice for possible inclusion in their own governance policies.

Recommendation: Consider and decide course of action

MEMORANDUM TO: Regional Fish and Game Councils

GOVERNANCE POLICY ON CONFLICT OF INTEREST

At the September meeting of the New Zealand Council it was resolved:

That the NZ Council:

- a. **Adopt the Conflicts of Interest policy proposed by Chen & Palmer in its memorandum dated 18 May 2012**
- b. **Replace current Conflict of Interest policy contained in the NZ Council Governance Policies (adopted November 2006) with those contained in the Chen & Palmer memorandum.**

And further:

That the NZ Council agree to present this revised Conflict of Interest policy to other Fish and Game Councils for consideration.

The origin of this matter arose from a resolution of the New Zealand Council back in March 2011 where it was resolved:

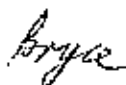
That the NZ Council seek a legal opinion on the real or perceived Conflict of Interest arising from Bruce Bates as an appointee to the NZ Council.

This comprehensive legal opinion was finally submitted to the New Zealand Council on 7 March of this year and accepted.

One consequence of Mai Chen's substantive analysis and conclusions in that opinion was that the New Zealand Council's current governance policy on 'Conflict of Interest' was inadequate to cover all situations that might arise in the Fish and Game context, including where a Councillor is engaged in activities that are potentially in conflict with the fundamental purpose of the organisation. The NZ Council subsequently accepted Ms Chen's offer to redraft a more comprehensive Conflict of Interest governance policy suitable for Fish and Game.

This advice was received on 18 May 2012 and, as noted above, has been adopted in full by the New Zealand Council.

Following consideration and adoption of this comprehensive Conflict of Interest policy, the New Zealand Council considered regional Fish and Game Councils may wish to consider Mai Chen's analysis and advice for possible inclusion in their own governance policies. The original advice is attached as Appendix One. Should your Council wish to adopt this more comprehensive Conflict of Interest governance policy, a Word version of the policy adopted by the NZ Council can be obtained from Jenny.



W B JOHNSON
Chief Executive
8 November 2012

38

Statutory managers of freshwater sports fish, game birds and their habitats

Confidential and Legally Privileged

MEMORANDUM

TO: Bryce Johnson, New Zealand Fish and Game Council
FROM: Chen Palmer New Zealand Public and Employment Law Specialists
DATE: 18 May 2012
SUBJECT: Conflict of Interest Policy

Instructions

- 1 In your letter of 30 April 2012, you requested that we provide you with a draft conflict of interest policy for the Council to consider adopting.

Summary

- 2 As noted in our advice of 7 March 2012, Part 5A of the Conservation Act 1987, which establishes the New Zealand Fish and Game Council ("NZFGC"), does not prescribe how the NZFGC is to address conflicts of interest.
- 3 While the NZFGC is not a Crown entity and therefore not subject to the conflict of interest disclosure rules under sections 62 to 72 of the Crown Entities Act 2004, those rules form a useful base on which to develop a conflict of interest policy for the NZFGC and have accordingly informed the policy set out below.
- 4 In drafting this policy, we have also considered:
 - (a) Our previous advice to you on conflicts of interest;
 - (b) The current NZFGC Governance Policies;
 - (c) The Auditor-General's good practice guide: *Managing Conflicts of Interest: Guidance for Public Entities*;
 - (d) *Managing Conflicts of Interest in the Public Sector*, guidelines published by the New South Wales Independent Commission Against Corruption (ICAC);

- (e) Sections of the Crimes Act 1981 relating to bribery and corruption;
- (f) *Saxmere Co Ltd v Wool Board Disestablishment Co Ltd* [2010] 1 NZLR 35;
- (g) *Auckland Casino Ltd v Casino Control Authority* [1995] 1 NZLR 142 (CA); and
- (h) *Howe v Keown* (unreported, High Court, Christchurch, CIV 2011-409-1493, 2 September 2011, Fogarty J).

5 The draft policy seeks to address conflicts of interest (where there is actual or apparent bias) and potential conflicts of interest. While the draft policy shares some similarities to the original policy (attached at Appendix A), we have drafted a new policy rather than editing the original, since so many changes were needed.

Proposed new policy

6 The draft conflict of interest policy is as follows:

2.8 Conflicts of Interest

2.8.1 For the purposes of this policy, "Matter" means:

- (a) the Council's performance of its functions or exercise of its powers as set out in Part 5A of the Conservation Act 1987, subject to the Council's statutory purpose set out in section 26B(1) of the Conservation Act; or
- (b) an arrangement, agreement, or contract made or entered into, or proposed to be entered into, by the Council.

Conflict of Interest

- 2.8.2 For the purposes of these Governance Policies, a Conflict of Interest arises in respect of a Matter when the Member can be shown to have actual bias or apparent bias.
- 2.8.3 A Member can be shown to have actual bias when a Member's decision or act in relation to a Matter could give rise to an expectation of financial gain or loss (that is more than trivial) to the Member (and/or to the Member's parent(s), child(ren), spouse, civil union partner, de facto partner, business partner(s), debtor(s) or creditor(s)).
- 2.8.4 A Member can be shown to have apparent bias when a Member's official duties or responsibilities to the Council in relation to a Matter could reasonably be said to be affected by some other interest or duty that the Member has.
- 2.8.5 A Member's "other interest or duty" includes the interests of that Member's parent(s), child(ren), spouse, civil union partner or de facto partner that may be affected by the

matter at issue. It also includes the interests of a person with whom the Member has a close, personal relationship where there is a real danger of personal favouritism.

- 2.8.6 There is no Conflict of Interest where the Member's other interest or duty is so remote or insignificant that it cannot reasonably be regarded as likely to influence him or her in carrying out his or her responsibilities.

Potential Conflict of Interest

- 2.8.7 For the purposes of these Governance Policies, a Potential Conflict of Interest arises when:

- (a) There is a realistic connection between the Member's private interest(s) and the interest(s) of the Council;
- (b) The Member's other interest could specifically affect, or be affected by, the actions of the Council in relation to a Matter;
- (c) A fair-minded lay observer might reasonably consider that the Member's private interest or duty may influence or motivate the actions of the Member in relation to a Matter; and
- (d) There is a risk that the situation could undermine public trust and confidence in the Member or the Council.

Disclosure

- 2.8.8 A Member with a Conflict of Interest or a Potential Conflict of Interest must identify the conflict and disclose it to the Council in a timely and effective manner. The Member must disclose:

- (a) the nature of the interest and the monetary value of the interest (if the monetary value can be quantified); and/or
- (b) the nature and extent of the interest (if a monetary value cannot be quantified).

- 2.8.9 If a Member is uncertain of whether there is any Conflict of Interest or Potential Conflict of Interest, the Member should disclose it to the Council as a Potential Conflict of Interest for consideration by the Council.

- 2.8.10 The disclosure of any conflict must be recorded in the minutes and entered in a separate interests register.

Dealing with a Conflict of Interest

2.8.11 When a Conflict of Interest arises in respect of a Matter, the affected Member:

- (a) Will be excluded from discussions regarding the Matter (including not being in the same room when the Matter is discussed);
- (b) Will not vote on issues related to the Matter;
- (c) Will not receive papers or any other information on the Matter; and
- (d) Will not discuss the Matter with other Members.

Dealing with a Potential Conflict of Interest

2.8.12 Where there is a Potential Conflict of Interest, the Council (excluding the affected Member) will determine an appropriate course of action, which may include the following:

- (a) Applying some or all of the actions applied to a Member with a Conflict of Interest (set out at 2.8.11);
- (b) Sending a written explanation to stakeholders, members and licence holders outlining why there is no legal conflict of interest; and/or
- (c) Monitoring the Matter to determine whether at any point the Matter changes such that there is a Conflict of Interest.

2.8.13 In determining the appropriate course of action, the Council will have regard to:

- (a) The type or size of the Member's other interest;
- (b) The nature or significance of the relevant Matter; and
- (c) The extent to which the situation could undermine public trust and confidence in the Member or the Council.

2.8.14 The Member will be given the opportunity to be heard by the Council on the points in 2.8.12 and 2.8.13 and the Member's submissions will be taken into consideration by the Council.

Predetermination

2.8.15 Where a Member can be shown to have a closed mind to a decision, such that their approach to a Matter is likely to be predetermined, they will be excluded from participating in the Matter in the manner set out in 2.8.11.

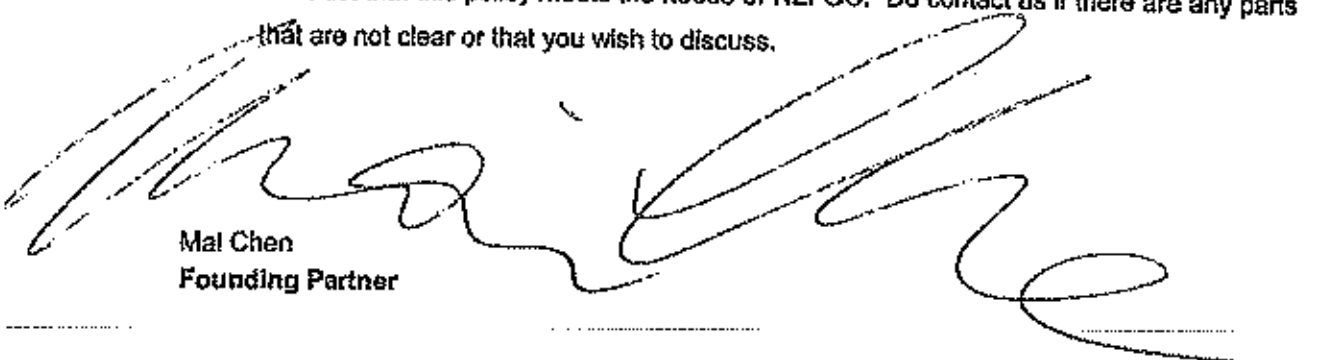
Gifts, rewards or benefits

2.8.16 Members will not use their official position for personal gain, or solicit or accept gifts, rewards or benefits which are likely to be perceived as inducements and which are likely to compromise their integrity.

2.8.17 Members will exercise care and judgement in accepting any gifts, and advise the Chair and/or Council of any offer received.

Conclusion

7 We trust that this policy meets the needs of NZFGC. Do contact us if there are any parts that are not clear or that you wish to discuss.



Mal Chen
Founding Partner

APPENDIX A

Current conflict of interest policy

- 1 A Member who is 'interested in a transaction' of the Council must, as soon as practicable, disclose the nature of the interest to the Council.
- 2 Subject to [6], Members must not take part in any deliberations or decision of the Council relating to a transaction in which they are interested.
- 3 The disclosure of any interests must be recorded in the minutes and entered in a separate interests register.
- 4 "Interested in a transaction" is defined as: "If the Council member:
 - (a) Is a party to, or will derive a material financial benefit from, the transaction;
 - (b) Has a material financial interest in another party to the transaction; or is a Chief Executive, member, officer or trustee of another party to, or person who will or may derive a material financial benefit from, the transaction; or
 - (c) Is the parent, child or spouse (or de facto partner) of another party to, or person who will or may derive a material financial benefit from the transaction; or
 - (d) Is otherwise directly or indirectly materially interested in the transaction."
- 5 Members recognise that at times there may arise a 'perception of interest' which is a wider interpretation than that defined above. Members agree that the appropriate procedure is to raise such matters of interest in the first instance with the Chairman, who will determine an appropriate course of action.
- 6 Members agree that the Council may, where appropriate, decide that a Council Member who has declared an interest in matters to be discussed by the Council [1] should leave the meeting room for the duration of discussion on such matters or [2] remain in the room and contribute to the discussion and be allowed to vote or [3] remain in the room and contribute to the discussion but not be allowed to vote.
- 7 Members will not use their official position for personal gain, or solicit or accept gifts, rewards or benefits which might be perceived as inducements and which could compromise their integrity.
- 8 Members will exercise care and judgement in accepting any gifts, and advise the Chair and/or Council of any offer received.

THE NEW ZEALAND FISH AND GAME COUNCIL

GOVERNANCE POLICIES

The New Zealand Fish and Game Council

Governance Policies

Contents

DEFINITIONS	3
1. PURPOSE	3
1.1 THE PURPOSE OF THE NEW ZEALAND FISH AND GAME COUNCIL.....	3
1.2 THE FUNCTIONS OF THE COUNCIL.....	3
1.3 THE POWERS OF THE COUNCIL.....	4
1.4 FUNDAMENTAL PURPOSE.....	5
1.5 THE ROLE OF THE COUNCIL.....	5
1.6 THE ROLE OF THE CHAIRMAN.....	6
1.8 THE ROLE OF THE CHIEF EXECUTIVE.....	7
1.9 KEY COMPETENCIES FOR COUNCIL MEMBERS.....	8
1.10 THE STRATEGIC PLANNING PROCESS.....	10
1.11 ACCOUNTABILITY.....	11
2. CULTURE	12
2.1 CODE OF CONDUCT FOR COUNCIL MEMBERS.....	12
2.1.2 COMMITMENT.....	12
2.1.3 COLLECTIVE RESPONSIBILITY.....	12
2.1.4 SEPARATION OF ROLES.....	13
2.1.5 EMPLOYMENT RELATIONSHIP.....	14
2.1.6 COMPLAINTS.....	14
2.1.7 LEGISLATIVE COMPLIANCE.....	15
2.1.8 MEDIA AND PUBLIC COMMENT.....	15
2.2 COUNCIL PROCEDURES.....	16
2.3 COMMITTEES OF THE COUNCIL.....	17
2.4 INDUCTION.....	19
2.5 PROVISION OF SERVICES TO THE COUNCIL BY COUNCIL MEMBERS.....	19
2.6 TRAINING.....	19
2.7 EVALUATION OF THE COUNCIL.....	20
2.8 CONFLICTS OF INTEREST.....	20
2.9 CONFIDENTIALITY.....	23
2.10 ACCESS TO INFORMATION BY THE COUNCIL.....	23
3. ACCOUNTABILITY	24
3.1 COUNCIL - MANAGEMENT RELATIONSHIP.....	24
3.2 ACCOUNTABILITY OF THE DIRECTOR TO THE COUNCIL.....	24
3.3 MANAGEMENT LIMITATIONS.....	25
3.4 APPOINTMENT OF THE CHIEF EXECUTIVE.....	25
3.5 PERFORMANCE MANAGEMENT.....	26
3.6 REPORTING.....	27
3.7 CHIEF EXECUTIVE'S EMPLOYMENT CONTRACT.....	28
3.8 DELEGATIONS.....	29
4. COMPLIANCE	32
4.1 LEGISLATION.....	32
4.2 RISK MANAGEMENT.....	32
4.3 ASSET PROTECTION.....	32
4.4 EQUAL EMPLOYMENT.....	32
4.5 TREATMENT OF STAFF AND CUSTOMERS.....	33
4.6 AUDIT.....	33
4.7 GOVERNANCE POLICY REVIEW.....	33

2.7 Evaluation of the Council

- 2.7.1 The Council will, each year, critically evaluate its own performance, and its own processes and procedures to ensure that they are not unduly complex and are designed to assist the Council in effectively fulfilling its role. Chairs of all Regional Councils will be asked to provide the views of their respective Councils, to the extent they are able, on the National Council's processes and performance.
- 2.7.2 Each year, individual Members will be evaluated by a process whereby the Council determines questions to be asked of each Member and the Chief Executive about him or herself and about each other including the Chairman, each Member answers the questions, and the responses are collected and collated by the Chairman who then discusses the results with each Member and the Chief Executive. The Chairman's own position is discussed with the rest of the Council.
- 2.7.3 The Chief Executive will be invited to evaluate the NZC as a whole annually.

2.8 Conflicts of Interest

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 - (b) Sending a written explanation to stakeholders, members and licence holders outlining why there is no legal conflict of interest; and/or
 - (c) Monitoring the Matter to determine whether at any point the Matter changes such that there is a Conflict of Interest.
- 2.8.13 In determining the appropriate course of action, the Council will have regard to:
- (a) The type or size of the Member's other interest;
 - (b) The nature or significance of the relevant Matter; and
 - (c) The extent to which the situation could undermine public trust and confidence in the Member or the Council.
- 2.8.14 The Member will be given the opportunity to be heard by the Council on the points in 2.8.12 and 2.8.13 and the Member's submissions will be taken into consideration by the Council.

Predetermination

- 2.8.15 Where a Member can be shown to have a closed mind to a decision, such that their approach to a Matter is likely to be predetermined, they will be excluded from participating in the Matter in the manner set out in 2.8.11.

Gifts, rewards or benefits

- 2.8.16 Members will not use their official position for personal gain, or solicit or accept gifts, rewards or benefits which are likely to be perceived as inducements and which are likely to compromise their integrity.
- 2.8.17 Members will exercise care and judgement in accepting any gifts, and advise the Chair and/or Council of any offer received.

2.9 Confidentiality

2.9.1 Members recognise that they receive information that is both public and private and that the release of information, and access to and handling of information, is governed by the Official Information Act 1982 and the Privacy Act 1993. In order to protect the Council and Management from inappropriate use of information:

- 2.9.1.1 Members will make themselves familiar with this legislation, and refer any requests for information to the Chairman.
- 2.9.1.2 Members will not disclose publicly any business discussed at a meeting or part of a meeting held 'in committee', and/or information for which good reason exists for it to be withheld from the public, unless the Council decides by resolution to make such information public.
- 2.9.1.3 Members accept that they may acquire information of a confidential nature. Members agree not to use any such information for personal advantage, nor to disclose it to any other person unless first authorised by the Council.

2.10 Access to information by the Council

2.10.1 The Council by resolution is entitled to have access, at all reasonable times, to all relevant organisational information and to Management.

9. Draft Game Season Conditions – to adopt for referral to the Minister

See individual recommendations from staff.

Preliminary Recommendations for 2013 Game Regulations

Maillard/grey duck

Key Concepts and Points:

- Grey duck's demise is attributable to hybridisation with the mallard duck (Williams and Basse, 2002¹). Existence of pure grey duck in the Wellington region unlikely.
- Mallard and grey bag limits shall be defined as an aggregate due to difficulty in discriminating hybrids.
- Hunter success rate (# mallard/grey shot per hour hunted) in 2012 was 0.65 birds per hour. The 1987–2011 average of ducks shot per hour hunted is 0.64.
- Grey/mallard survival rates – In Manawatu (1986-90) are low (0.49 adult ♂; 0.44 juvenile ♂; 0.39 adult ♀; 0.38 juvenile ♀ [similar to Auckland/Waikato 2002-2008]. This may infer high hunting mortality², and, using a productivity formula,³ 3.2 young are required to be reared to fledging per adult female to maintain a stable population.
- Grey/mallard survival rates in Wairarapa mallards (1976-1981) have similar survival rates to other regions⁴
- Availability of high duck numbers contributes to hunters perception of satisfaction – not season length or bag limits⁵.
- Length of season is the most effective means of managing total harvest – related to number of hours available for hunting and actually hunted. Strong correlation between total number harvested and total hours hunted.
- Interpreting the transect data – this provides an estimate of population change immediately prior to each season. If trending down and climatic conditions are not favourable to recovery then a conservative restrictive set of conditions should prevail. If the population estimate indicates a “normal situation” that is not significantly trending down then a “normal” set of conditions should be recommended.

¹ Williams, M. and B Basse (2002). Indigenous grey ducks *Anas superciliosa* and introduced mallards *Anas platyrhynchos* in New Zealand: processes and outcome of a deliberate meeting. Proceedings International Ornithological Conference 2002.

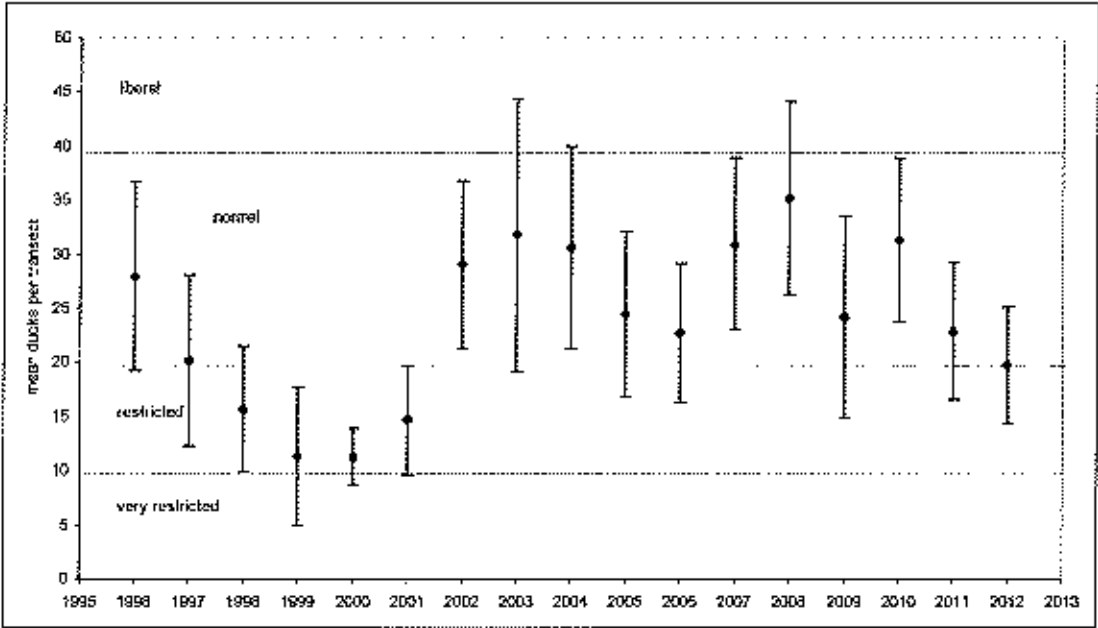
² Barker, R. 1994. Report on Fish & Game Monitoring Programmes.

³ Anderson, D.R. 1975. *Population Ecology of the Mallard. V. Temporal and geographic estimates of survival, recovery, and harvest rates.* US Fish Wildlife Service Research Publication 125. 110pp

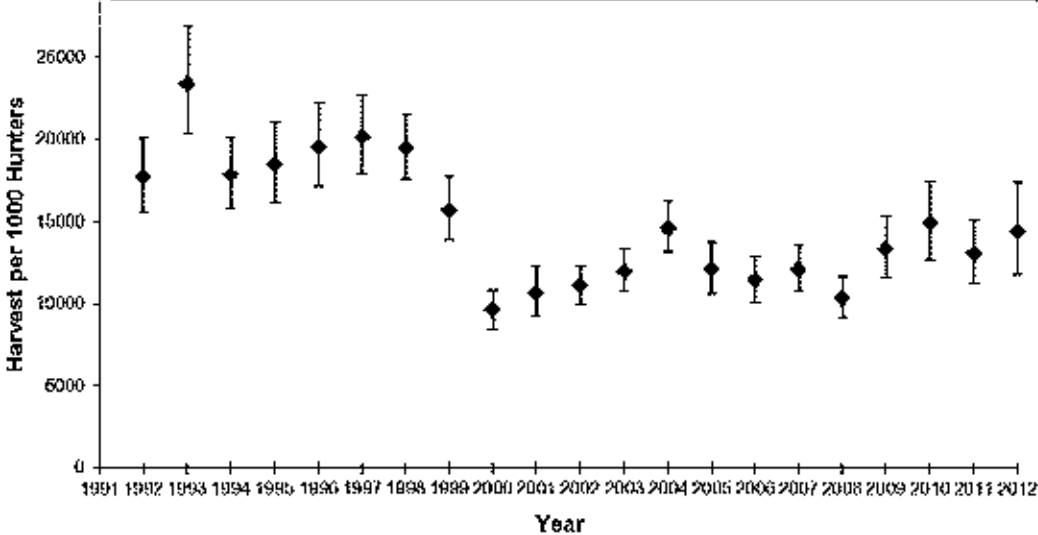
⁴ Nichols, J.D., M Williams, and T Caithness. 1990. Survival and band recovery rates of mallards in New Zealand. *Journal of Wildlife Management* 54(4): 629-636

⁵ Taylor, P.H. 2004. Duck hunter satisfaction levels with the 2004 game season and the duck hunting experience – contributing factors and their comparative importance. Wellington Fish & Game Council Internal Report.

AUTUMN TRANSECT COUNTS FOR MALLARD/GREY 1996-2012



HARVEST RATE PER 1000 HUNTERS FOR MALLARD/GREY 1992-2012



- The transect counts indicate a downward trend with a borderline figure between 'normal' and "restricted".
- The eight week season has potentially influenced the total harvest rate (birds per 1000 hunters).

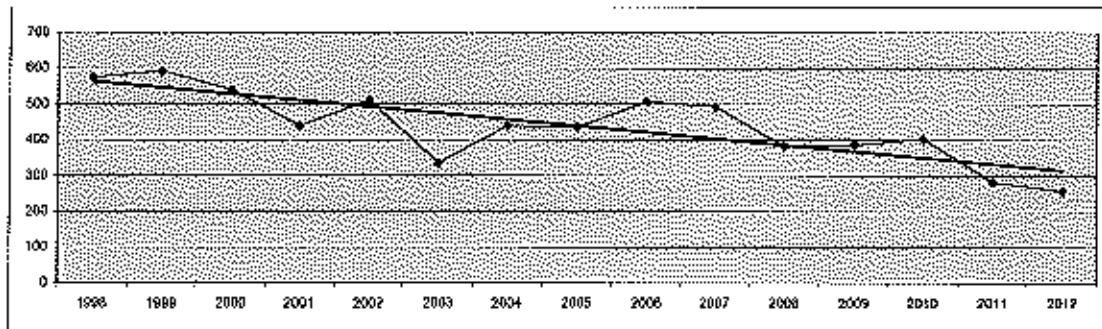
Recommendation:

That season conditions be 'restricted' as defined by Council policy, and the season reduced to 6 weeks in duration.

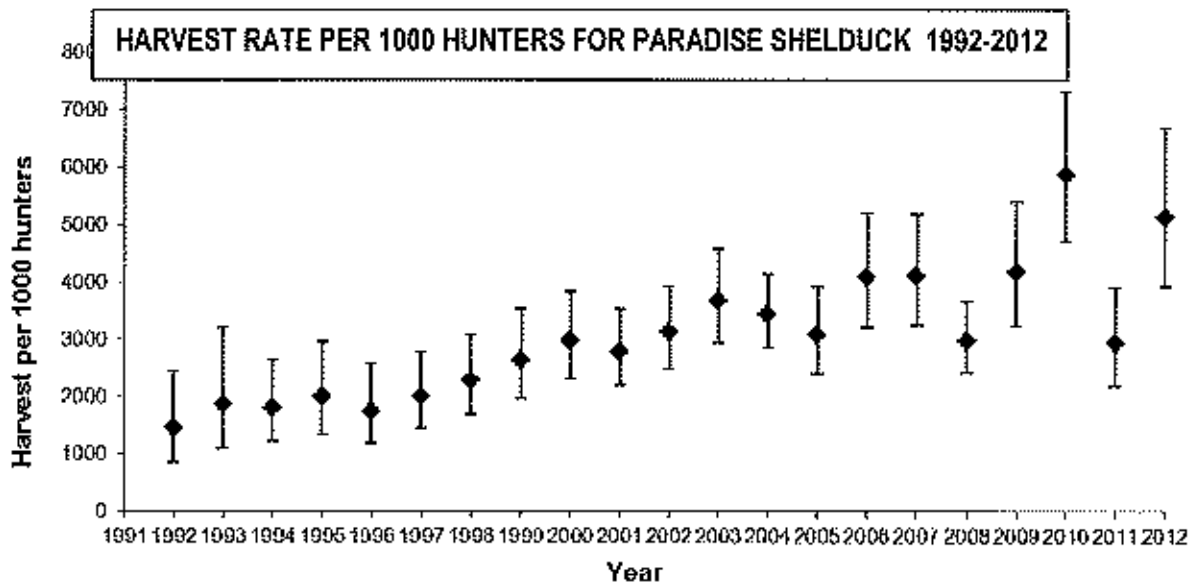
Paradise Shelduck

Key Concepts and Points:

- Paradise shelduck have significantly increased their range into Manawatu/Ikorowhenua in last 2+ decades.
- Numbers at traditional moult sites have been declining in last 13 years [Wellington West – 14% and Wellington East – 9%].



- A decreased number of complaints of nuisance aggregations in H/12 - (74 in 09/10, 65 in 10/11 and 51 in 11/12).
- Special seasons are held in summer to help alleviate nuisance damage to crops.
- A five-bird limit for a two-week period (3 weekends) occurs in mid Feb primarily to disperse the birds.



Recommendation:

Pending January moult site counts and taking particular notice of the effect of harvest from the summer special season.

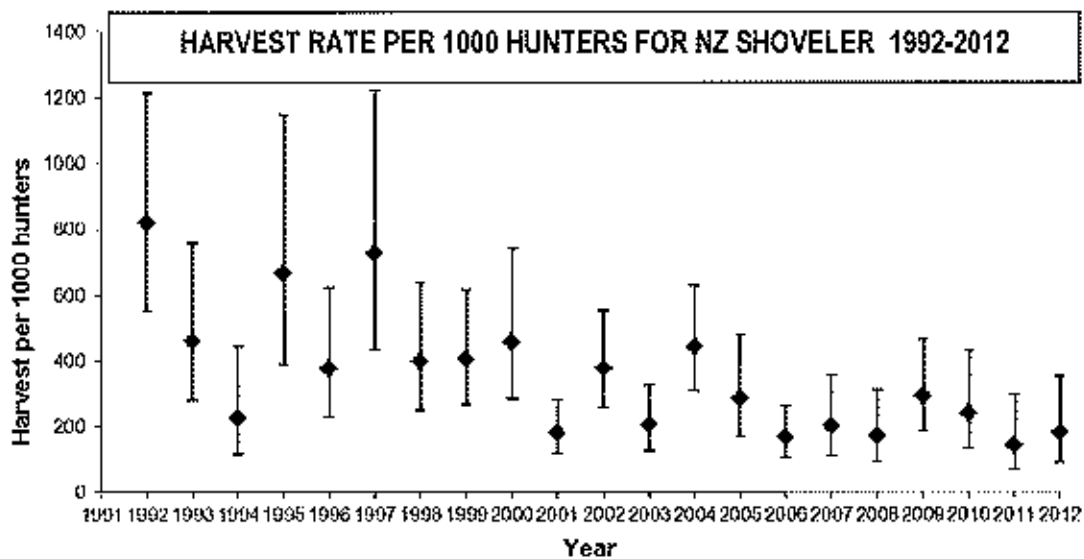
NZ Shoveler

Key Concepts and Points:

- NZ Shoveler population is monitored nationally because of its mobility, in early August on an annual basis.
- Results from this monitoring should be reflected in season conditions.
- Throughout NZ a total of 12,119 birds were counted at 228 sites. The population of shoveler duck at the sites counted appears to be stable. The sex imbalance of more males (1.52) to females is consistent with previous years. (McDougal 2012).

McDougal M (2012): A trend count of NZ Shoveler Duck 2012. Preliminary Report to Fish and Game

- In the Wellington region 1217 shoveler were counted between the 6th and 7th August 2012 at 32 sites.
- Regardless of the efficacy of the monitoring technique - all regions should be considering conservative limits.
- Season length may be an important factor in determining total harvest - although very restrictive bag limits may also play a significant role.
- In 2008, a shortened one month season was introduced. It is uncertain if this has affected total harvest or if harvest is reflecting the reduced population.



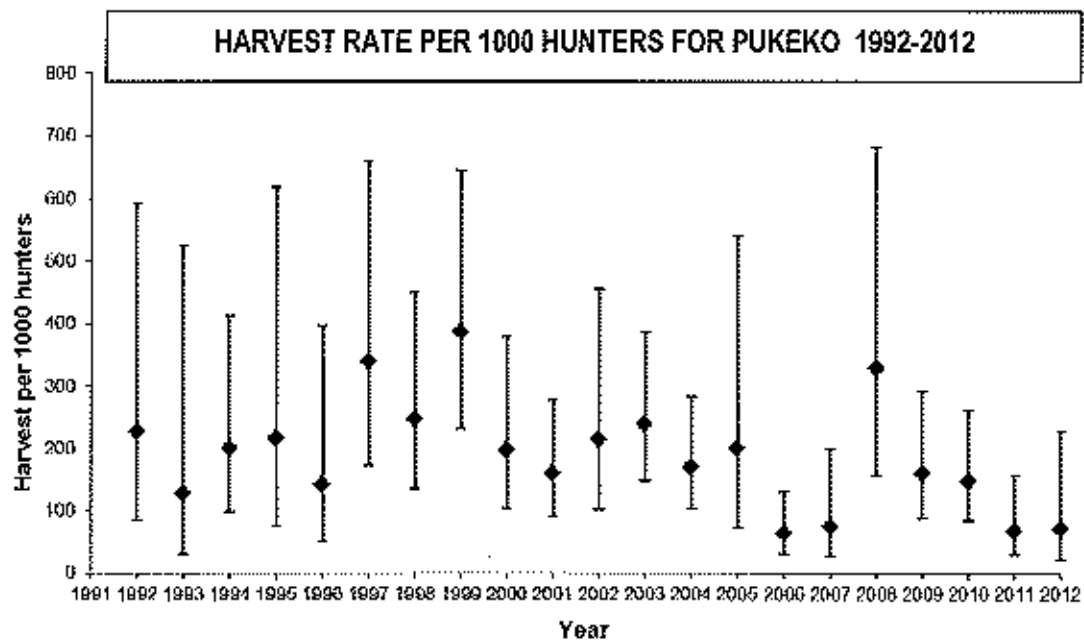
Recommendation

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

Pukeko

Key Concepts and Points:

- Prior to 2009, pukeko harvest was restricted in the Rangitikei Area B and Western Wairarapa Area A. Since 2010 there has been a 5 bird daily limit in all areas.
- Permit to Disturb/Cull are issued mainly in areas A1 and B1 where there is intensive cropping.
- Monitoring of transects (road) began in 2005 so trends analyses are not yet useful, although populations are relatively stable (the population has changed between a 16% decline and a 10% increase with an estimated mean change equating to a 4% decline since the monitoring began).



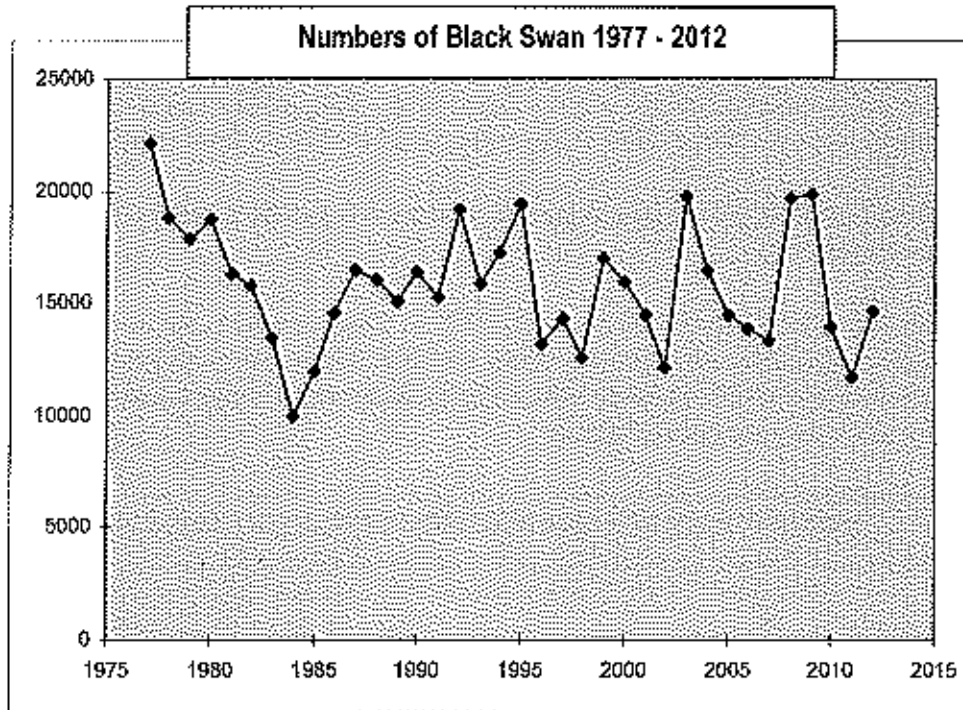
Recommendation:

Same bag limit (5) for all areas.

Black Swan

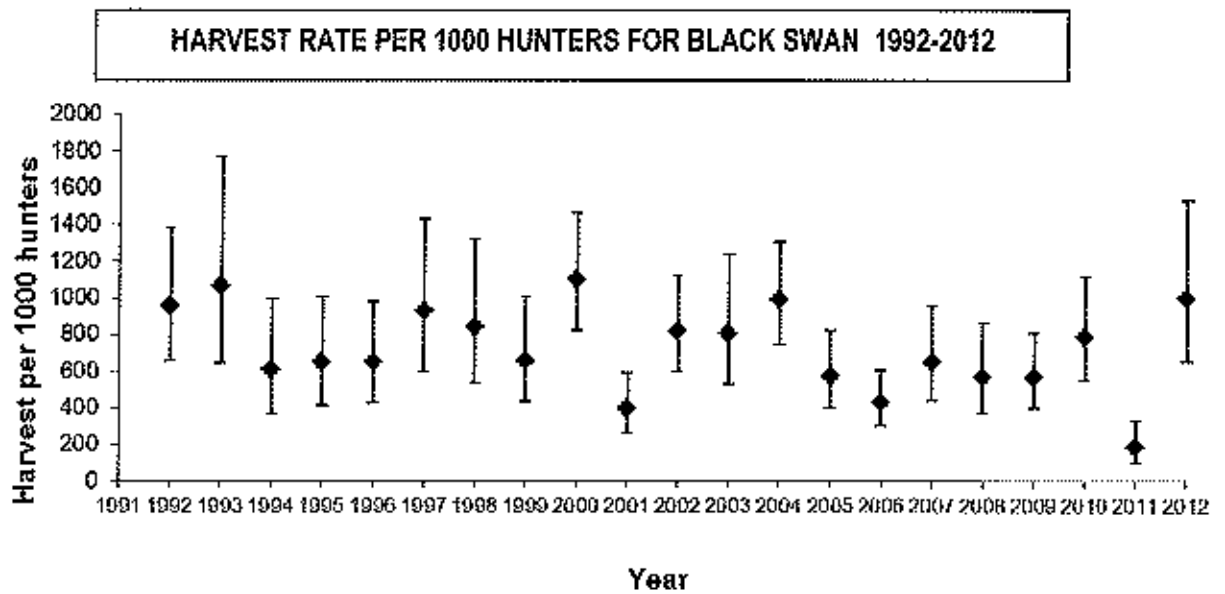
Key Concepts and Points:

- Managed as a central NZ population (defined in 1970's)
- Regulation setting model used by several regions.



	2008	2009	2010	2011	2012
Wanganui	355	285	301	261	268
Nelson/Marlborough	14235	13113	7750	5924	7826
Lake Wairarapa	4276	5272	4515	4076	4884
Wellington West	867	1241	1445	1452	1687
TOTAL	19733	19911	14011	11713	14665

- For the 2011/12 hunting season, black swan regulations were “simplified” in the Wellington Fish and Game district. Numbers counted in Wellington West / East were considered as the principal determinant in liberal / normal / restrictive conditions. For the 2011/12 season, a liberal season was adopted with a daily bag of 3 birds.



Recommendation:

Pending January trend counts.

Bobwhite Quail

- Rathmoy Game Preserve has requested that Bobwhite quail be placed on the game licence for Registered Game Preserves. There are positive reasons to have more substantial releases and to be hunted – the latter activity will promote interest in rearing more birds as has happened at other sites in the North Island.

Recommendation:

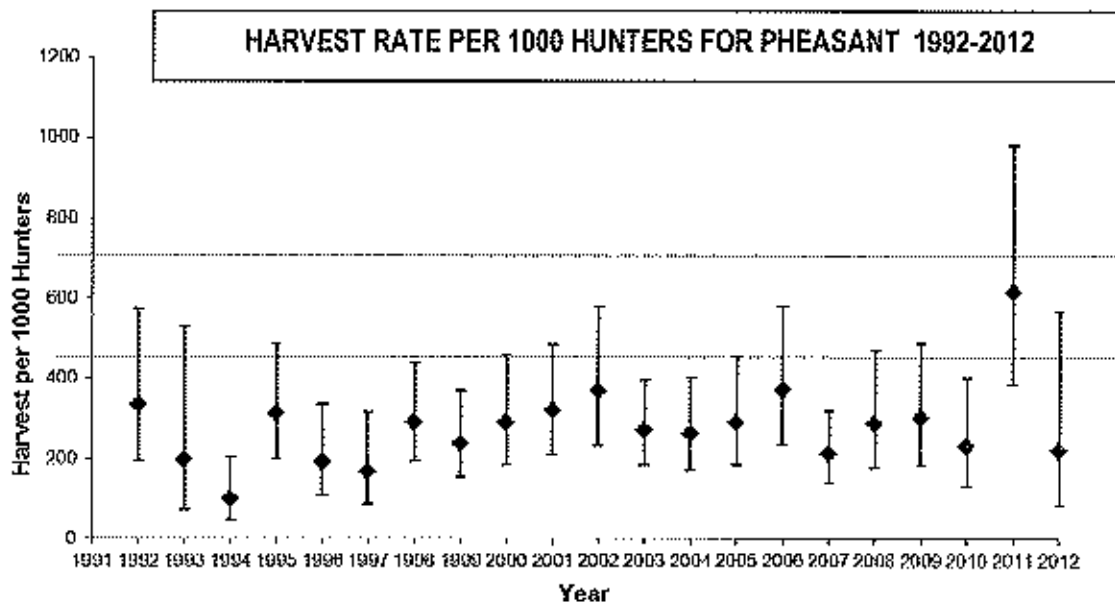
Same as 2012 – All areas No limit

Canada Goose

Canada Geese have been removed from schedule 1 in the Wildlife Act and placed into schedule 5, therefore Fish and Game is no longer responsible for their management.

Pheasant

- Apart from 2011, harvest for pheasant is relatively consistent, with no significant changes in harvest rate (between 210 and 375 birds per 1000 hunters).
- In 2011 there was a marked increase in harvest – due to either increased hunters targeting pheasants and/or one (or more) of the hunters in the game harvest survey shot on the Game Preserve, thus skewing the results.



- Rathmoy Game Preserve has no limit. There is a requirement to cull concentrations of cock pheasants after the conclusion of the main season, as high concentrations of cock birds are known to get highly aggressive and territorial during the spring breeding period. This can be done with a Section 54 Wildlife Act 1953 permit obtained from Fish & Game or DoC. There will not be a significant change in sustainability of the wild population if the season is extended but may have animal welfare benefits in reducing cock pheasant density.

Recommendations:

The main season conditions for all areas remain the same.

Red-Legged Partridge

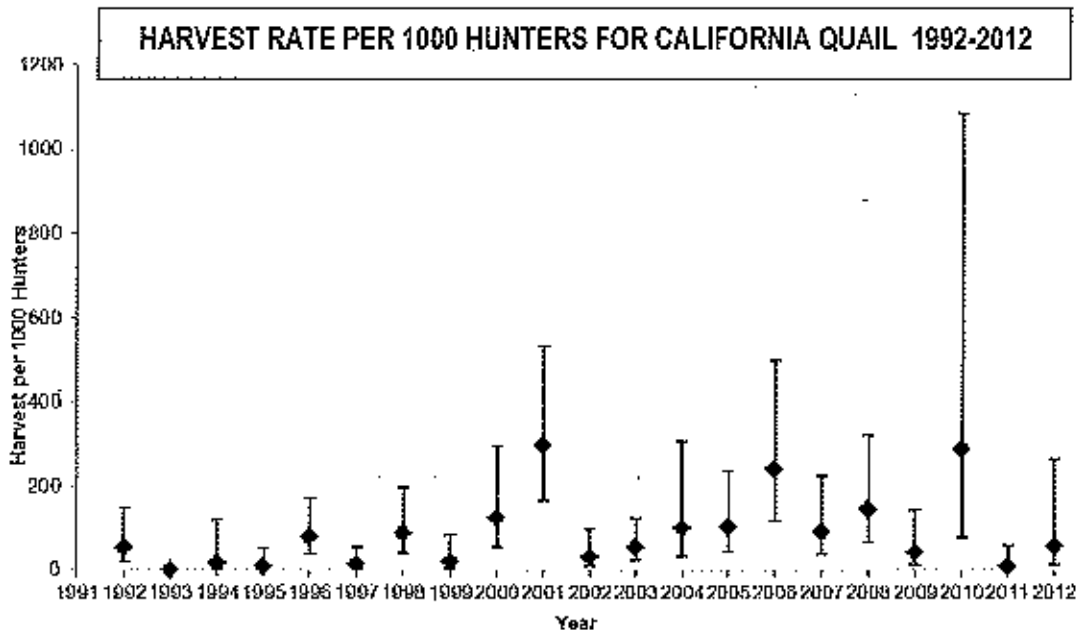
- Rathmoy Game Preserve release red-legged partridge on the property. There is currently a 'no-limit' for red-legged partridge regulation for the whole region.

Recommendation:

- Retain same season lengths and limits with consideration given to restricting the hunting to the upland game property (game preserve) with specific conditions to allow the establishment of a wild population adjacent to the property.

California Quail

- Harvest for Californian quail was relatively consistent between 30 and 125 birds per 1000 hunters over the ten years prior to 2010.
- Quail harvest numbers have slightly increased from the previous season's harvest. The recent 5 year trend appears stable. With very few hunters targeting this species the result of one hunter will influence the harvest considerably.



Recommendation:

No change to season length or bag limits.

10. 201 DOC Consultation with Council on Applications to Reduce the Width of Proposed Marginal Strips.

DoC have requested advice on applications to reduce the width of proposed marginal strips.

- 1. Taupo Stream Plimmerton – Not likely to be of recreational use for anglers or hunters (neutral position)**



- 2. Manakau Stream South of Levin – Not likely to be of recreational use for anglers or hunters (neutral position)**



3. Keneperu Stream Porirua – Not likely to be of recreational use for anglers or hunters (neutral position)



29 OCT 2012



Our ref: PAA-09-14 -07; 21; 27
10th October 2012

Phil Teal
Regional Manager
Fish and Game New Zealand
Wellington Region
P. O. Box 1325
Palmerston North 4440

Dear Phil

Subject: Consultation with the Council on applications to reduce the width of proposed marginal strips

Purpose

-to seek advice of Council on 3 different applications:

1. To reduce the width of a marginal strip; and
2. Whether Council is satisfied for each application it is reasonable in the circumstances to publicly notify the proposal.

Fish and Game Council and Conservation Board role

Where the Minister receives an application to reduce the width of a marginal strip, the Minister is required to consult with the relevant Conservation Board and Fish and Game Council, pursuant to Section 24BA of the Conservation Act 1987 (the Act). On being satisfied that it is reasonable in the circumstances to publicly notify the proposal, the Conservation Board and/or Fish and Game Council may request the Minister to do so.

Statutory tests for reasonableness

In considering whether or not it is reasonable in the circumstances to publicly notify an application, the Board or Fish & Game Council shall [s. 24BA (4) the Act] have regard to:

- (a) The purposes specified in section 24C; *and*
- (b) The interests of the public in marginal strips; *and*
- (c) The potential costs of notification (including the costs of public notification) that is likely to be incurred by the seller and the purchaser of the land.

The applications

There are three applications for reduction in a proposed marginal strip, each of which are attached and separately described:

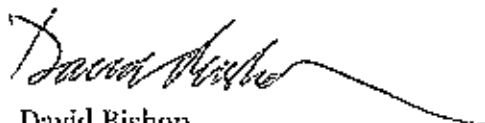
- Taupo Stream (at Plimmerton, adjacent State Highway One)-a proposed reduction to 5 metres;
- Manakau Stream (at Waiauti, adjacent State Highway One, south of Levin)-a proposed reduction to 3 metres;
- Kenepuru Stream (in Porirua, between NIMT railway and State Highway One)-a proposed reduction to 5 metres.

Request:

That Council considers the material supplied for each application, and gives its advice on:

1. the proposed reductions;
- and
2. the reasonableness of public notification of any these proposals.

Yours sincerely



David Bishop
SLM Advisor
Wellington Service Centre-National Office
for Director-General
DDI 04-4713-275; Email dbishop@doc.govt.nz

Appendix One –Legislative guidance

Part IVA (section 24) Conservation Act 1987

This section provides for marginal strips to be reserved from sale or other disposition of land by the Crown. A marginal strip being a strip of land 20 metres wide which extends along and abuts the landward margin of any foreshore; or the normal level of the bed of any lake not subject to control by artificial means; or the bed of any river or stream, being a bed that has an average width of 3 metres or more.

A qualifying waterway is one where the bed of the stream exceeds 3 metres in width at its fullest flow without overtopping its bank.

On being notified of any forthcoming Crown agency disposition of land, DOC provides advice to the disposing agent on whether or not a 20 metre wide (or wider) marginal strip would meet the requirements of the Act.

Marginal strips when created are managed by DOC as conservation areas; however there are provisions for other parties such as a neighbour to be appointed to manage a marginal strip.

Purposes of a marginal strip

The purposes of marginal strips (Section 24C The Act) provide that all marginal strips shall be held under the Conservation Act 1987:

- (a) For conservation purposes, in particular-
 - (i) The maintenance of adjacent watercourses or bodies of water; and
 - (ii) The maintenance of water quality; and
 - (iii) The maintenance of aquatic life and the control of harmful species of aquatic life; and
 - (iv) The protection of the marginal strips and their natural values; and
- (b) To enable public access to any adjacent watercourse or bodies of water; and
- (c) For public recreational use of the marginal strips and adjacent watercourses or bodies of water.

Notes: Conservation purposes means “the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for the appreciation and recreational enjoyment by the public, and safeguarding the options of future generations”.

Public Notification

Section 49 of the Conservation Act 1987 provides for a public notice to be placed in a newspaper circulating in the area; ...objections or submissions received not less than 40 working days (2 months approx) following the notice...; a Hearing is held if requested by an objector; a summary of submissions is prepared for the decision maker with a recommendation as to whether the submissions or objections are accepted or not accepted.

Minister of Conservation consent

Section 24A(2) of The Act provides that the delegate of the Minister of Conservation may approve the reduction in width of the strip to not less than three metres if he/she is satisfied that the values in terms of the purposes of a marginal strip will not be diminished.

Appendix Two

Taupo Stream (at Plimmerton, adjacent SH One)-reduction to 5 metres;

Applicant: New Zealand Transport Agency

Location: 85, 87, & 91 St Andrews Road, Plimmerton

Reduction: NZTA is seeking a reduction to a 5 metres width marginal strip.

Description:

Each of these properties has a State Highway One frontage with Taupo Stream passing through the rear of each parcel. The stream bed at this location is over 3 metres in width so meets the test under the Act for being a qualifying waterway.

Taupo Stream flows southwards from Taupo swamp towards the sea, which it enters near the NIMT railway crossing on Steyne Avenue/South Beach Road. While on occasion a shingle bar may be present at the stream mouth, the stream regularly erodes the bar and provides a vital link for native freshwater fish species migrating between the sea and the wetland.

Field inspection by DOC staff within each of the disposal properties shows a greater than 5 metre wide stream with significantly steep stream bank, particularly on the State Highway side of the parcel. With suitable stream bank vegetation to be planted on the top of the bank and for access, a five metre set-back from the stream bank is desirable.

DOC Assessment:

The purposes specified in section 24C

Taupo Stream is the waterway which provides conduit from the sea to Taupō swamp wetland. The stream is wide and slow flowing at the point behind the subject properties, and with appropriate stream bank planting and overhanging shrub tree species will be of great significance to in-stream native fish species (long fin and short fin eel, giant kokopu) which use the waterway.

The interests of the public in marginal strips

The importance of providing access to and opportunities for recreation to land around the sea coast and waterways has been recognised in NZ since 1840. Nowadays, the Queens Chain is described by Section 24 of the Act as a strip 20 metres wide reserved from the sale of land by the Crown. It is often regarded by the public as a bastion of publicly owned land around significant sites and should not be diminished.

At this location, there will be little recreational use or access by public as the marginal strip is disjointed from other public land (e.g. Taupō Stream esplanade reserve and Ulric Street reserve to the north).

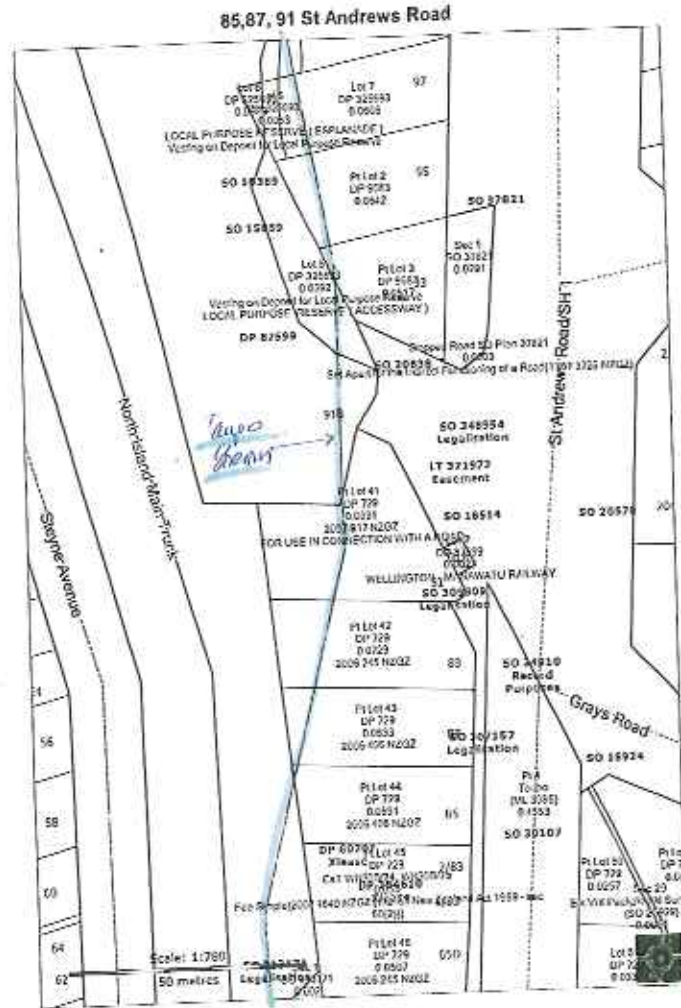
The potential costs of notification (including the costs of public notification) that is likely to be incurred by the seller and the purchaser of the land

The costs of public notification in a local or regional newspaper (e.g. Dominion Post) to determine the interests of the public in a reduction of marginal strip would amount to around \$600 for each Public Notice; however there would be cost savings if each application was able to be notified together. Costs are recoverable from the NZTA.

Fish and Game Council response:

Proviso	Fish & Game Council advice
Reduction in width	
Reasonableness of public notification	

Location Photo's: 85, 87, & 91 St Andrews Road, Plimmerton



85, 87 & 91 St Andrews Road



Appendix Three

Manakau Stream, (at Waiauti, adjacent State Highway One, south of Levin) - reduction to 3 metres

Applicant: New Zealand Transport Agency

Location: SH 1 at Waiauti, Manakau, Horowhenua District

Reduction: NZTA is seeking a reduction to a 3 metre width marginal strip.

Description:

This property is Site 4 on the disposal plan, being within Lot 3 DP 337197, CFR 152556. The Waiauti stream and the Manakau Stream join together immediately east of the SH, then as the combined Manakau Stream it passes beneath the SH before heading roughly north through the subject property. An access ROW to a commercial plant nursery runs along the south boundary of Lot 3. The subject property was subdivided in 2004 which led to the registration of esplanade strips for access of 3 metres width on both banks. The strip provides for a prohibition on public access during night hours (sunset to sunrise), with further prohibitions on lighting fires, carrying/discharging firearms, camping, taking vehicles or animals on the strip.

A marginal strip will not override an esplanade strip since in this case they are held for different purposes.

DOC Assessment:

The purposes specified in section 24C

Field inspection by DOC staff shows that while public access is afforded along the stream banks, the planting and management of suitable stream bank is highly desirable to improve in-stream values, particularly for freshwater fish species, with a 5 metre set back recommended by DOC.

The interests of the public in marginal strips

The importance of providing access to and opportunities for recreation to land around the sea coast and waterways has been recognised in NZ since 1840. Nowadays, the Queens Chain is described by Section 24 of the Act as a strip 20 metres wide reserved from the sale of land by the Crown. It is often regarded by the public as a bastion of publicly owned land around significant sites and should not be diminished.

At this location, there will be a small degree of recreational use by locals who know of its location and values. Public access through adjoining titles has not been secured.

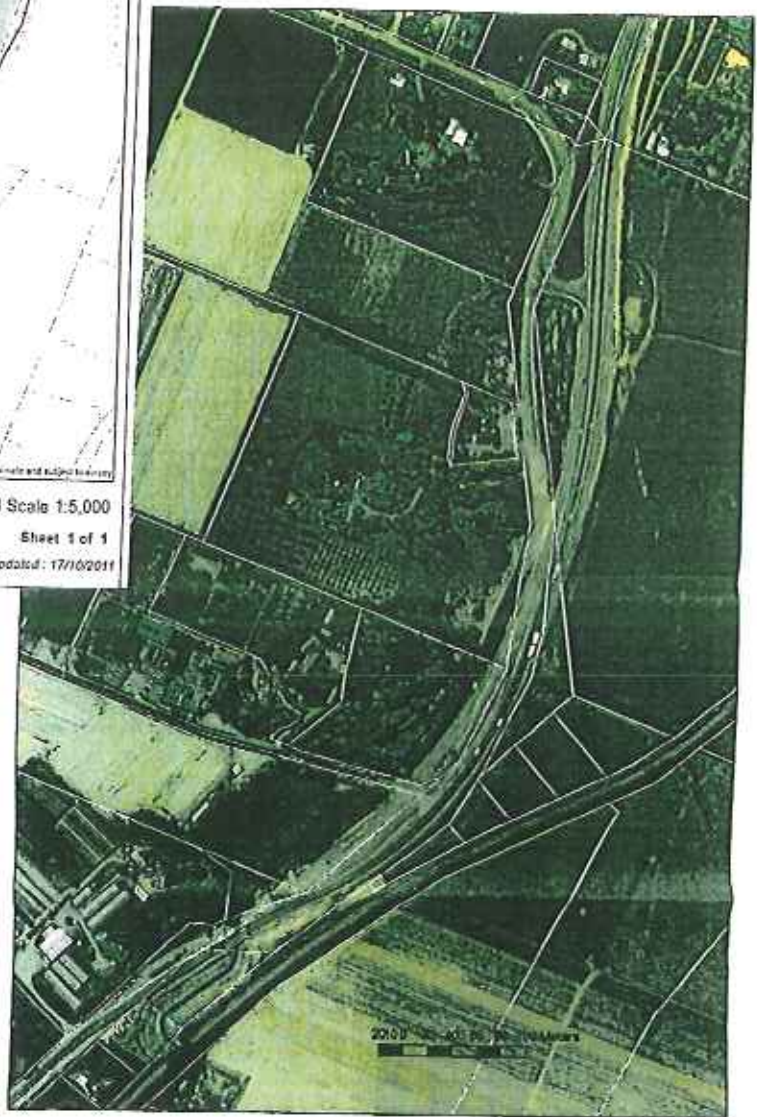
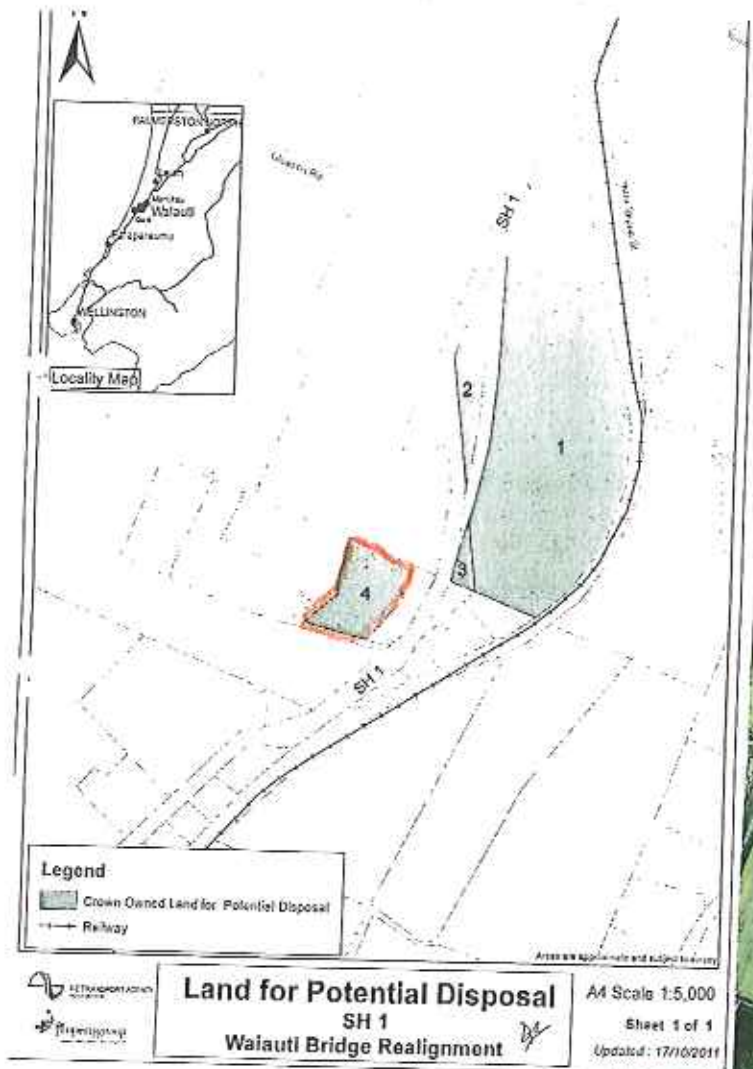
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Fish and Game Council response:

Proviso	Fish & Game Council advice
Reduction in width	
Reasonableness of public notification	

Location Photo's: Manakau Stream, adjacent SH 1 at Waiauti, Manakau, Horowhenua District



Appendix Four

Keneperu Stream (in Porirua, between NIMT railway and SH One)-reduction to 5 metres

Applicant: New Zealand Transport Agency

Location: Off SH 1 to the west and south of the motorway overbridge to Parumoana Street, Mungavin (Piggy Packers Rentals occupies the south bank of the property)

Reduction: NZTA is seeking a reduction to a 5 metre width marginal strip on both banks.

Description:

The composite parcel is of 3 hectares comprised in 2 titles and 3 gazette notices. This section of the water way is tidal, it being influenced by Porirua Harbour where it enters Porirua stream. The original position of the oxbow associated with Keneperu stream was filled-in as part of former roading works to ensure the Keneperu stream entered Porirua Stream away from the built environment. By sec 24 (4) of the Conservation Act 1987 the imposition of marginal strip provisions does not affect the right, title or interest in any lawfully existing improvements sites on the stream bank. The true right bank has natural vegetation of grasses and some native shrub species while on the true left bank a 5 metre set back leads to a wire netting fence, then a tar-sealed roadway with car parks. Part of one building encroaches within the nominal 20 metre width but is outside a 5 metre reduction/set back area.

DOC Assessment:

The purposes specified in section 24C

Keneperu Stream will likely contain both long and short fin eel species and those of the whitebait genera, it being a migratory route to stream headwaters in the suburb of Porirua East. The true left bank has exotic weeds such as pampas and honeysuckle which do provide some shading and bank cover. The true right has potential for stream bank restoration which would lead to improvements in water quality.

The interests of the public in marginal strips

The importance of providing access to and opportunities for recreation to land around the sea coast and waterways has been recognised in NZ since 1840. Nowadays, the Queens Chain is described by Section 24 of the Act as a strip 20 metres wide reserved from the sale of land by the Crown. It is often regarded by the public as a bastion of publicly owned land around significant sites and should not be diminished.

A walking track has been built on the true left bank of Keneperu Stream linking Mepham Place on the east side of the motorway, thence beneath the motorway to the Porirua railway station. The true right bank is relatively isolated from public access due to it being encircled by the SH 1 motorway, the NIMT railway, and the stream itself.

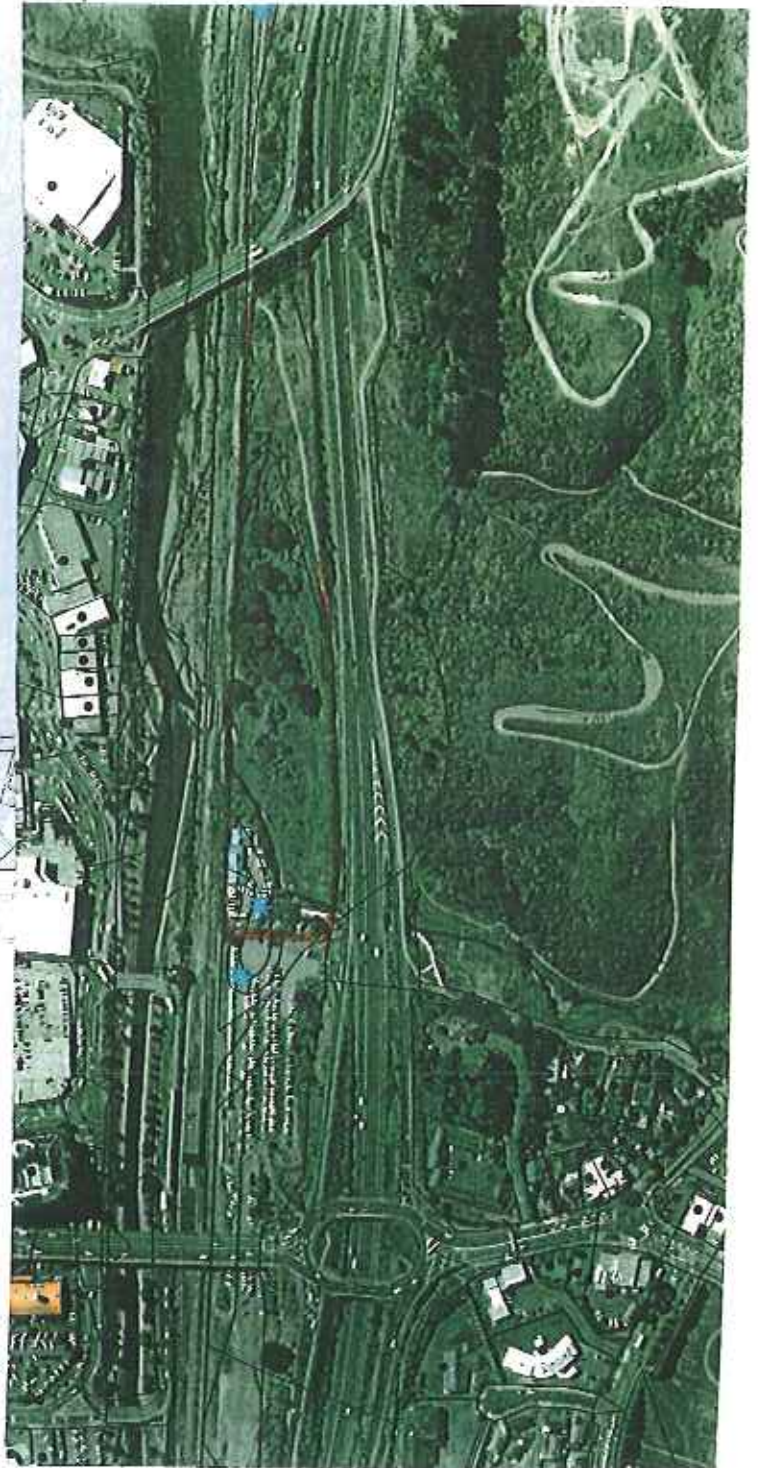
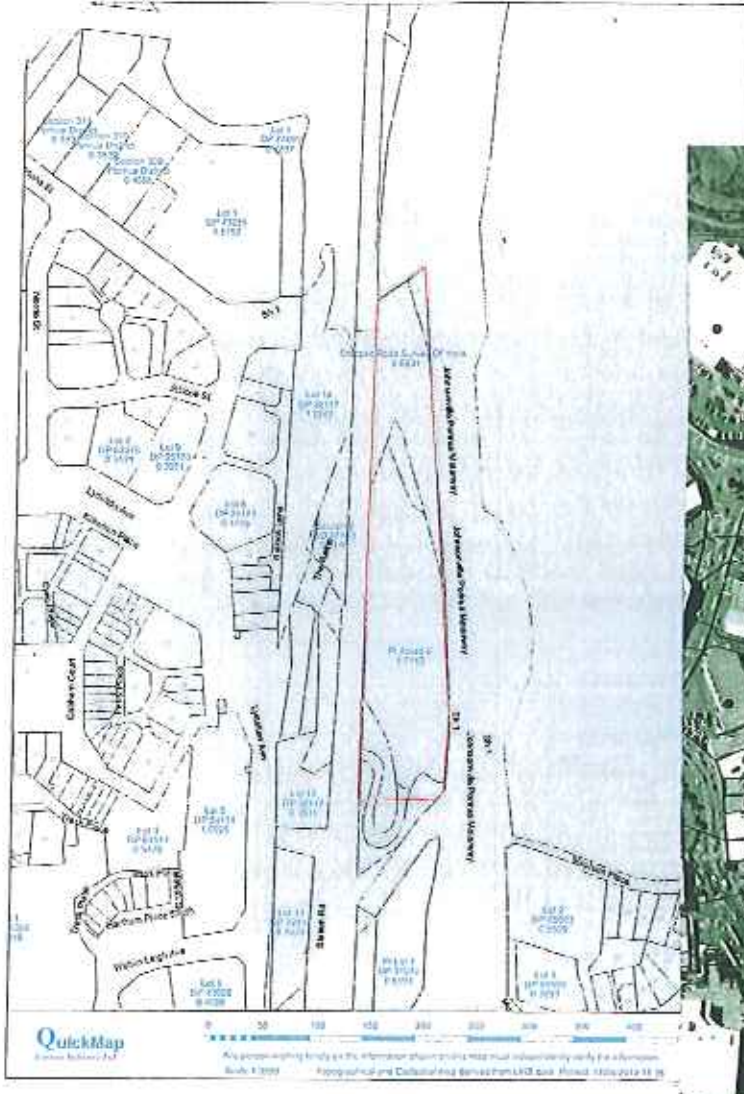
The potential costs of notification (including the costs of public notification) that is likely to be incurred by the seller and the purchaser of the land

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Fish and Game Council response:

Proviso	Fish & Game Council advice
Reduction in width	
Reasonableness of public notification	

Location Photo's: Keneperu Stream (in Porirua, between NIMT railway and SH One)



13. Management Report

Items of Note:

1112 Rangitikei Trout Fishery Management – contact with Ministry of Defence regarding access

1113 River Control Fishery Assessment - Flood Management Plans are being developed for the Schemes in the Wairarapa Valley.

1161 Trout Liberations noted

1211 RMA PROJECTS

Staff have been assisting other regional F&G regions on

- Ruataniwha Project (Hawke's Bay) – providing technical appraisal and leading project – hearings will be held through an EPA process.
- Hawke's Bay RPS – providing technical planning overview and co-ordinating submission
- ECan Plan – providing technical critique and co-ordinating external assistance – Commissioners appointed with hearings being held in January under the ECan Act.

ONE PLAN – High Court Appeal update

Wairarapa Water Use Project will gather momentum early next year

Met with senior staff from Greater Wellington RC to discuss their regional plan process.

Kapiti DC consent application for water take from Waikanae River and Borefield has been advertised.

1341 Communications : Weekly electronic newsletters are increasing in popularity, but issues with provider

Recommendation:

Council receive the Management Report – October to Mid November

MANAGEMENT REPORT

For the Period 1 October – 19 November 2012

SPECIES MANAGEMENT

1111 Sportsfish Population Monitoring

Staff have been documenting results from spawning surveys undertaken in rivers as part of the monitoring plan.

1112 Rangitikei Trout Fishery Management

NZ Council has contacted NZ Defence HQ to assist with progress and defining any issues. Some further points of clarification have been requested to NZ Defence Ministry.

1113 River Control Fishery Assessment

Fish & Game staff have attended river 'walk-over' with Greater Wellington Regional Council staff and scheme representatives in the Waikanae catchment. There are issues relating to gravel aggregation in the lower reaches below Otaihanga Domain which might require (wet) gravel extraction.

Discussions ensued on the Otaki River management options below the SH1 bridge with hard rock wall or groynes with wet gravel extraction options being considered. The latter is more preferable for F&G's interests.

Flood Management Plans are being developed for the Waiohine River Scheme and other Schemes in the Wairarapa Valley. The Regional Council staff are keen to have F&G input but acknowledge the time resources required to participate in workshops and meetings.

1114 Gamebird Population Assessment

Results of the shoveler survey as part of the National monitoring programme presented to Council - results co-ordinated by Eastern F&G staff.

1121 National Game Harvest Survey

Undertaken all of the game harvest surveys – summary report on results presented to Council.

1161 Trout Liberations

Liaised with Eastern region F&G regarding fish orders for 2012/13 and additional opportunities.

1000 2yr+ rainbows delivered to Hokowhitu Lagoon for Childrens Fish Out Day.

Had opportunity to uplift fish from Turangi hatchery that were surplus to their requirements, and distributed accordingly. While most of the waters in the Wellington region are self-sustaining, there are sites that need to be occasionally topped up where spawning may be unreliable or limited:

- Kourarau Dam east of Carterton 3500 fingerlings and 360 yearlings
- Centennial Lagoon, Palmerston North 150 yearlings
- Henley Lake 1500 fingerlings
- Manawatu Palmerston North 2500 fingerlings
- Duddings Lake 1000 yearlings and 3000 fingerlings
- Kapiti and Rangitikei reservoirs 3500 fingerlings and 300 yearlings

1171 Season Regulations

Regulation booklet produced and confirmed for Fish Season.

Game season conditions reviewed and report prepared for Council.

1172 Keep and Release Approvals (Game Preserves)

The application for Upland Game Property with Special Conditions renewal at Hunterville processed – Game Preserve operator has been unavailable to sign-off agreement and awaiting for this prior to finalization of all Section 54 permits via DOC area office.

1181 Bird Dispersal

Several permits to disturb issued – no significant issues brought to our attention.

HABITAT PROTECTION / MAINTENANCE

1211 Resource Management General

Staff have been assisting other regional F&G regions on

- Ruataniwha Project (Hawke's Bay) – providing technical appraisal and leading project – hearings will be held through an EPA process.
- Hawke's Bay RPS – providing technical planning overview and co-ordinating submission
- ECan Plan – providing technical critique and co-ordinating external assistance – Commissioners appointed with hearings being held in January under the ECan Act.

ONE PLAN - Update of Current Position:

Two parties (Federated Farmers and Hort NZ) have appealed to the High Court, the decision of the Environment Court regarding the One Plan. Horizons Regional Council and Fish & Game have submitted to be heard regarding the appeals, but the Minister of Conservation (based on departmental advice) have not registered to be heard in the High Court.

The Environment Court judgment was released on 4 September 2012 and the Regional Council had until 2 November to submit the relevant changes to rules and limits that resulted from the decision. All parties have provided comment on the final draft to the Environment Court by 9 November. Once the final changes are confirmed by the Environment Court the appeals to the High Court can proceed.

The Environment Court decision has recently been incorporated in the rules and limits set out in the Plan, and parties provided comment on the final draft. Once this process is completed and the Environment Court accepts the final draft, the appeals the decision already registered with the High Court on "points of law" will proceed.

Case scope and case management memorandum are currently being prepared and submitted to the High Court by respective counsel.

Attended meeting of Wairarapa Water Use Stakeholders Group – continuing with narrowing down of options. The Stakeholders Group has been receiving a series of technical reports and demand projections – but little information has been given on the narrowing down of sites (presumably to protect landholder privacy). They have started the storage site investigations recently, with landowners of possible storage sites advising they wanted to retain privacy requirements until a first call is made as to whether their land is suitable site or not. All sites will be visited by end of November : Further schedule of activity will be:

1. Undertake & complete assessment of possible storage sites and distribution system configurations (December/January)
 2. Advise farmers of our preliminary findings regarding their land (January)
 3. Seek feedback from and then meet with the Stakeholders Groups (during February/March)
- Section 96 Submission in opposition – Taratahi & Carrington Water Race Schemes – draft conditions defined and currently in discussions prior to pre-hearing.
 - Section 95 approval sought for global consent for NZTA to do works on bridges and culverts in Wellington State Highway network – draft conditions reviewed and NZTA is modifying their application to include dry abrasive blasting.
 - Levin Sewage Treatment Plant application to discharge on hold until Shannon consent finalised. Hearing decision made but appeals have already been lodged by other parties.
 - Section 96 submission in opposition to the Shannon Wastewater Treatment Plant consent application. Decision recently released but both applicant and submitters in

opposition have lodged appeals. It is unlikely that Fish & Game will join the appeal as a section 274 interested party.

- Martinborough Waste Water Treatment Plant discharge consent draft AEE received and comments made
- Section 96 submission in opposition to Mount Munro Wind Farm in Tararua district – focused on construction effects relating to increased sedimentation. Continuing
- Section 96 submission in opposition to the Feilding Wastewater Treatment Plant consent application. Continuing
- Section 96 submission in opposition to the Carterton Wastewater Treatment Plant consent application. Hearing adjourned seeking additional information. Proposals to amend draft conditions focus on ability to discharge at prescribed times (not regularly) rather than emergency conditions only and to extend the period of consent from 3- 5 years. Discussions continuing.
- Seeking further information on acidity and effects of alum at guideline concentrations for an application to discharge filter backwash sediment to Waingawa River
- Staff met with consultant for a global consent on Wainuiomata River for 8 landowners to do minor works. It has been sent back to the applicants for a more detailed approach with base level information seen as inadequate for the application to proceed as initially outlined.
- Met with senior staff from Greater Wellington RC to discuss their regional plan process. It appears that there will be a regional plan developed then catchment plans added following an approach of zone/catchment management – which allows the community stakeholders (normally bereft of technical understanding and overtly advocates of commercial interests) to determine water values and limits. This approach has stretched the resources of other F&GC's RMA capacity, and has the potential to be unduly influenced by an unbalanced "collaborative approach".
- They have also continued with a number of stakeholders meetings organised by Greater Wellington RC to discuss aspects of the Regional Plan review.
- Attended several meetings regarding the Rangitikei River – as a Rangitikei River Forum – but has failed to engage effectively with the public with principally agencies in attendance.
- The River Charge consent application by Kapiti DC for the Waikanae River and Borefield has been advertised. Fish & Game will put in a submission to retain legal status – there is still uncertainty on the level of periphyton growth increase that will be occurring with different water source.
- Ohau River bridge on SH1 is exhibiting erosion signs on the southern side, and NZTA wish to install riprap protection on this side, which will require temporary dewatering and sediment release. Comments provided.
- At the Wellington/Hawke's Bay Conservation Board 3 August 2012 the following was included in the minutes regarding the new strategic alliance:
Nature Central: Nature Central is a concept adopted by Horizons, Hawke's Bay, and Wellington Regional Councils and the Department of Conservation. It signals a significant shift in the way the organisations intend to approach the management of natural resources across the lower North Island. The aim of the collaboration will be to achieve:
 - *Better understanding and integration of social, economic, and cultural considerations into planning and decision-making processes;*
 - *More efficient promotion and management of recreation facilities;*
 - *More effective and consistent engagement and communication with communities; and*
 - *More effective use of limited resources and less duplication of services and processes.**The Department will prepare a paper for the Board to update this initiative*
(None available for October meeting)

1213 Trout Habitat (Didymo, Pest Fish etc)

Nothing to report

1222 Lake Wairarapa Habitat

Attended meeting for the Wairarapa Moana interests group which focused on water quality monitoring on Lake Wairarapa. Information on water input and output in terms of quantity and quality were discussed briefly regarding Matthews Lagoon and Bartons Lagoon.

John Cheyne (HB F&G) has been engaged to undertake an overview of Simmonds Lagoon,

1231 Wetland Habitat

Liaised with site managers that had received funding from Gamebird Habitat stamp.

Landcare Trust confirmed interest and funding to undertake habitat work around Lake Omanu as part of the Manawatu River Accord Clean Up funds.

LICENCE HOLDER PARTICIPATION

1123 Angler Opinions & Participation

Nothing to report.

1124 Hunter Opinions & Participation

Conducted as part of the Gamebird Harvest Survey – presented to Council.

1311 Angler Access

Replaced a small number of angler access signs. Additional work is continuing on access signage and further access pamphlet – potentially Hutt River.

Took photos and GPS co-ordinates for the Walking Access Mapping System layer. Have contributed the Rangitikei data to Walking Access Commission and are a formal party to incorporate Fish & Game data on their mapping system. Additional work has been completed for Wairarapa and Manawatu rivers. This will be used as a 'model' for other Fish & Game regions to pursue.

1312 Lake Wairarapa Hunter Access

Started documenting structures including maimais as they are coming under increasing scrutiny.

1313 Hunter Access

Seeking further information on Pencarrow lake management which may have implications for hunter access.

1331 Magazine & Newsletter

- A4 Information Sheet Fishing Season – prepared and distributed with regulation guide
- Newsletter in preparation.

1341 Information to Clients

- Completed Reef Life articles on a monthly basis.
- Weekly Newsletter sent out on Thursdays– new supplier required when existing supplier curtailed service. Revamp undertaken following comments from several anglers on content potential and requirements to increase appeal.
- Discussed website and content with NZ Council's Communication Manager.

1351 Hunter Training

Liaised with other regional F&G staff as they also continue an adhoc approach to junior hunter recruitment.

1361 Club Liaison

Attended meetings in Upper Hutt Anglers Club .

LICENCE DISTRIBUTION / SALES

1611 Licencing

There were four agents that had an overdue payments (1 month plus) totaling \$ 26217.15 at the end of October. One agent is of high concern in payment (as outlined at August meeting) but has been put on a repayment plan, agency suspended, and licence books retrieved.

COMMUNITY ADVOCACY / LIAISON

1411 Advocacy and Liaison

Have had numerous meetings with regional councils, and other groups regarding a range of issues such as access, funding.

1441 Public Awareness

Harvest Manawatu – participated in this event in Palmerston North in early October. Wider interest and participants than 'harvest' only but promises to be a popular event.

1442 Public Promotions Centennial Lagoon

Liaised with Manawatu Anglers to make the event another outstanding success. Interest still needs to be retained for post-event retention.

LAW ENFORCEMENT

1511 Compliance

Completed all compliance issues summarised in report for Council.

1521 Ranger Management

- Organised CERT Systems ranger training for remaining rangers who have not undertaken the course.

COUNCIL COMMITTEE / CLUB SERVICING

1711 Council General

Completed requirements for Council meeting.

PLANNING , REPORTING,

1811 Management Plan & Policy

Nothing to report.

1821 Annual Plan & Budget

Undertook more detailed and fine tuning of project planning to assist in detailed planning for staff and will also allow specific information of expenditure to Council.

1831 Annual Report & Audit

Followed up items to be completed for Annual Report and aspects for Auditor.

NATIONAL ISSUES

1841 National Liaison

Reported back financial information to NZ F&G Council.

Attended NZF&G Managers' Meeting

1842 National Projects (Guides Licence etc)

Licencing System – involved in the licence system review as part of the Licence Working Party. Workload on this is very high due to confirmation of RFP Request for Proposal requirements, assessment of RFI Request for information shortlisting, and responding to potential suppliers on RFP clarifications, and undertaking an intensive interview process. Negotiations about to commence following drafting of agreement.

1845 New Zealand Fish & Game Council (Minutes etc)

REGULATORY

Nothing to report

WELLINGTON FISH AND GAME COUNCIL

The Chairman
Wellington Fish and Game Council

EXPENDITURE REPORT/FINANCIAL TRANSACTIONS

Recommendations

1. Expenditure Report for 31st October 2012
2. That Financial Transactions for September and October 2012 be approved.

Sue Wray & Jilli Steedman
Office Manager
21 November 2012

September / October 2012

Species Management	Net Period		Net Year to Date									
	Current Period Budget	Current Period Actual	Current Year Budget	Current YTD Budget	Previous YTD Actual	Current YTD Actual	Sept/Oct 2012	Nov/Dec 2012	Jan/Feb 2013	Mar/Apr 2013	May/Jun 2013	Jul/Aug 2013
1111 Sports Fish Population Assessment	10,772	687	57,280	10,772	2,353	697	687					
1112 Rampage Trout Fishery	2,229	328	4,590	2,229	403	328	328					
1113 River Control Fishery	587	282	1,532	567	280	246	246					
1114 Gamebird Population Assessment	-	2,420	47,539	-	5,089	2,420	2,420					
1122 National Hunter Survey	-	1,108	5,809	-	1,454	1,108	1,108					
1123 Regional Angler Survey	2,184	246	5,304	2,184	188	246	246					
1124 Regional Hunter Survey	-	287	3,411	-	-	287	287					
1181 Trout Liberations	-	3,552	19,956	-	447	3,552	3,552					
1171 Season Regulations	2,000	387	5,532	2,000	281	387	387					
1172 Keep & Reveal Approvals	397	112	562	397	112	112	112					
1181 Gamebird Dispersal	682	574	6,823	682	574	574	574					
Habitat Protection	1,113	246	6,823	1,113	381	246	246					
1211 Resource Management Act	17,066	18,472	306,013	17,066	41,215	18,472	18,472					
1212 Habitat Advocacy	2,911	335	16,526	2,911	335	335	335					
1222 Lake Waikarepa Habitat	9,317	389	80,020	9,317	2,984	389	389					
1233 JK Donald Drain Clean	-	-	2,000	-	-	-	-					
1234 JK Donald Access	-	-	-	-	-	-	-					
1231 Wetland Enhancement	2,413	861	19,203	2,413	559	861	861					
1232 Habitat Management Opportunities	333	-	2,000	333	-	-	-					
1233 Trout Reservoir Feasibility & Mgt	367	-	2,200	367	-	-	-					
1234 Trout Liberations - Reservoir Feasibility - HU Participation	-	-	550	-	-	-	-					
1311 Angler Access	4,870	3,582	15,164	4,870	1,285	3,582	3,582					
1312 Lake Waikarepa Hunter Access	1,280	205	9,734	1,280	280	205	205					
1313 Hunter Access Permits	500	533	16,529	500	1,524	533	533					
1314 Contestable Ranging Access	-	-	-	-	-	-	-					
1331 Magazine & Newsletters	8,164	2,635	24,272	8,164	12,481	2,635	2,635					
1341 Information to Licenseholders	3,078	1,354	18,178	3,078	4,026	1,354	1,354					
1342 Lapsed Participants - Newsletter	1,174	-	2,288	1,174	-	-	-					
1351 Hunter Training, Lake Ohmanu	400	-	337	400	-	-	-					
1354 Junior Fish Training	6,187	-	37,476	6,187	-	-	-					
1361 Club Liaison	1,019	2,010	5,823	1,019	1,800	2,010	2,010					
1371 Kilmore Lodge	-	17	-	-	26	17	17					
Public Interface	-	-	-	-	-	-	-					
1411 Advocacy & Liaison	2,911	1,682	3,785	2,911	6,878	1,682	1,682					
1412 W/L Liaison	374	184	3,411	374	-	184	184					
1441 Public Awareness	4,243	2,830	12,846	4,243	3,989	2,830	2,830					
1442 Public Promotions Centennial Lagoon	-	3,323	4,456	-	2,135	3,323	3,323					
1443 Promotions	187	565	5,000	187	-	565	565					
Compliance	-	-	-	-	-	-	-					
1511 Ranger Management	3,369	1,385	10,171	3,369	4,133	1,385	1,385					
1521 Ranger Training	-	-	1,000	-	-	-	-					
1531 Compliance	2,038	684	8,734	2,038	2,181	684	684					
Licensing	-	-	-	-	-	-	-					
1611 Licensing	1,165	2,281	10,111	1,165	2,567	2,281	2,281					
1621 Licence Agents	1,185	-	6,114	1,185	112	-	-					
Council	-	-	-	-	-	-	-					
1721 Council	5,222	4,458	25,001	5,222	3,187	4,458	4,458					
Planning / Reporting	-	-	-	-	-	-	-					
1811 Management Planning	582	-	8,888	582	-	-	-					
1821 Annual Plan	145	82	3,539	145	58	82	82					
1831 Annual & Other Reporting	3,639	1,364	15,057	3,639	260	1,364	1,364					
1841 National Liaison	1,185	697	8,734	1,185	697	697	697					
1842 National Projects	1,019	1,841	5,085	1,019	1,504	1,841	1,841					
	52,330	60,657	594,730	52,330	109,693	60,657	60,657					

Current Period					
September / October 2012					
	External Costs	Hours	Internal Costs	Income	Nett Costs
Species Management					
1111 Sports Fish Population Assessment	-	17	697	-	697
1112 Rangitikei Trout Fishery	-	8	328	-	328
1113 River Control Fishery	-	0	-	-	-
1114 Gamebird Population Assessment	-	59	2,420	-	2,420
1122 National Hunter Survey	-	27	1,108	-	1,108
1123 Regional Angler Survey	-	6	246	-	246
1124 Regional Hunter Survey	-	7	287	-	287
1161 Trout Liberations	368	73	2,994	-	3,362
1171 Season Regulations	-	0	-	-	-
1172 Keep & Release Approvals	-	14	574	-	574
1181 Gamebird Dispersal	-	6	246	-	246
Habitat Protection					
1211 Resource Management Act	669	434	17,803	-	18,472
1212 Habitat Advocacy	-	0	-	-	-
1222 Lake Wairarapa Habitat	-	9	369	-	369
1223 JK Donald Drain Clean	-	0	-	-	-
1224 JK Donald Access	-	0	-	-	-
1231 Wetland Enhancement	-	21	861	-	861
1232 Habitat Management Opportunities	-	0	-	-	-
1233 Trout Reservoir Feasibility & Mgt	-	0	-	-	-
Participation					
1311 Angler Access	75	85	3,487	-	3,562
1312 Lake Wairarapa Hunter Access	-	5	205	-	205
1313 Hunter Access Permits	-	13	533	-	533
1314 Contestable Funding Access	-	0	-	-	-
1331 Magazine & Newsletters	1,500	35	1,436	-	2,936
1341 Information to Licenceholders	-	33	1,354	-	1,354
1342 Lapsed participants * Newsletter	-	0	-	-	-
1351 Hunter Training, Lake Omana	-	0	-	-	-
1354 Junior Fish Training	-	0	-	-	-
1361 Club Liaison	-	49	2,010	-	2,010
1371 Kilmore Lodge	-	0	-	17	17
Public Interface					
1411 Advocacy & Liaison	-	41	1,682	-	1,682
1412 Iwi Liaison	-	4	164	-	164
1441 Public Awareness	-	69	2,830	-	2,830
1442 Public Promotions Centennial Lagoon	-	81	3,323	-	3,323
1443 Promotions	565	0	-	-	565
Compliance					
1511 Ranger Management	483	22	902	-	1,385
1521 Ranger Training	-	0	-	-	-
1531 Compliance	65	17	697	68	694
Licensing					
1611 Licensing	2,281	0	-	-	2,281
1621 Licence Agents	-	0	-	-	-
Council					
1721 Council	989	84	3,446	-	4,435
Planning / Reporting					
1811 Management Planning	-	0	-	-	-
1821 Annual Plan	-	2	82	-	82
1831 Annual & Other Reporting	-	33	1,354	-	1,354
1841 National Liaison	-	17	697	-	697
1842 National Projects	-	40	1,641	-	1,641
	6,995	1311	53,777	85	60,687

Year to Date					
September / October 2012					
Species Management	External Costs	Hours	Internal Costs	Income	Nett Costs
1111 Sports Fish Population Assessment	-	17	697	-	697
1112 Rangitikei Trout Fishery	-	8	328	-	328
1113 River Control Fishery	-	0	-	-	-
1114 Gamebird Population Assessment	-	59	2,420	-	2,420
1122 National Hunter Survey	-	27	1,108	-	1,108
1123 Regional Angler Survey	-	6	246	-	246
1124 Regional Hunter Survey	-	7	287	-	287
1161 Trout Liberations	368	73	2,994	-	3,362
1171 Season Regulations	-	0	-	-	-
1172 Keep & Release Approvals	-	14	574	-	574
1181 Gamebird Dispersal	-	6	246	-	246
Habitat Protection					
1211 Resource Management Act	669	434	17,803	-	18,472
1212 Habitat Advocacy	-	0	-	-	-
1222 Lake Wairarapa Habitat	-	9	369	-	369
1223 JK Donald Drain Clean	-	0	-	-	-
1224 JK Donald Access	-	0	-	-	-
1231 Wetland Enhancement	-	21	861	-	861
1232 Habitat Management Opportunities	-	0	-	-	-
1233 Trout Reservoir Feasibility & Mgt	-	0	-	-	-
Participation					
1311 Angler Access	75	85	3,487	-	3,562
1312 Lake Wairarapa Hunter Access	-	5	205	-	205
1313 Hunter Access Permits	-	13	533	-	533
1314 Contestable Funding Access	-	0	-	-	-
1331 Magazine & Newsletters	1,500	35	1,436	-	2,936
1341 Information to Licenceholders	-	33	1,354	-	1,354
1342 Lapsed participants * Newsletter	-	0	-	-	-
1351 Hunter Training, Lake Omani	-	0	-	-	-
1354 Junior Fish Training	-	0	-	-	-
1361 Club Liaison	-	49	2,010	-	2,010
1371 Kilmore Lodge	-	0	-	17	17
Public Interface					
1411 Advocacy & Liaison	-	41	1,682	-	1,682
1412 Iwi Liaison	-	4	164	-	164
1441 Public Awareness	-	69	2,830	-	2,830
1442 Public Promotions Centennial Lagoon	-	81	3,323	-	3,323
1443 Promotions	565	0	-	-	565
Compliance					
1511 Ranger Management	483	22	902	-	1,385
1521 Ranger Training	-	0	-	-	-
1531 Compliance	65	17	697	68	694
Licensing					
1611 Licensing	2,281	0	-	-	2,281
1621 Licence Agents	-	0	-	-	-
Council					
1721 Council	989	84	3,446	-	4,435
Planning / Reporting					
1811 Management Planning	-	0	-	-	-
1821 Annual Plan	-	2	82	-	82
1831 Annual & Other Reporting	-	33	1,354	-	1,354
1841 National Liaison	-	17	697	-	697
1842 National Projects	-	40	1,641	-	1,641
	6,995	1311	53,777	85	60,687

FISH & GAME NZ - WELLINGTON REGION

Statement of Income & Expenditure for Period ended 31/10/2012

		Sept-Oct ACTUAL	Sept-Oct BUDGET	YTD ACTUAL	YTD BUDGET	VARIANCE (%)	ANNUAL BUDGET
INCOME							
Licence Sales							
Game Licence Sales		0	0	0	0	0	267811
	LEQ	0	0	0	0		
Fish Licence Sales		106179	19543	106179	19543	0	317917
	LEQ	1071	197	1071	197		
Other							
Interest		470	0	470	0		12082
Other (loss Levy)		0	0	0	0		-3058
Total Income		108648.9	19543	0 108648.9	19543		694732

PROJECT EXPENDITURE

Species Management							
Sports Fish Monitoring		1025	7876	1025	7876	-87	73192
Gamebird Population Monitoring		2420	1	2420	1	241900	47583
Angler & Hunter Surveys		1641	2184	1641	2184	-25	14654
Trout Liberations		3363	-2000	3363	-2000	-268	10958
Season Regulations		0	291	0	291	-100	5532
Keep & Release Approvals		574	582	574	582	-1	582
Gamebird Dispersal		246	1113	246	1113	-78	6823
Habitat Protection							
Resource Management		18473	17086	18473	17086	8	106013
Lake Wairarapa Habitat & Access		369	12228	369	12228	-87	48616
Wetland Enhancement		861	2745	861	2745	-69	17203
Trout Reservoirs		0	367	0	367	-100	2750
Participation							
Angler Access		3562	2670	3562	2670	33	16184
Hunter Access		738	790	738	790	-7	28033
Information to Clients		4290	12376	4290	12376	-65	44678
Hunter & Angler Training		0	5797	0	5797	-100	33163
Club Liaison		2010	1019	2010	1019	97	5823
Kilmoe Lodge		-17	1	-17	1	-1800	0
Public Interface							
Liaison & Advocacy		1846	3285	1846	3285	-44	7186
Public Awareness		2831	4243	2831	4243	-33	12646
Public Promotions		3888	167	3888	167	2228	5456
Compliance							
Ranger Management		1385	3369	1385	3369	-59	11171
Compliance		695	2038	695	2038	-66	8734
Licensing							
Licensing and Agency		2281	2330	2281	2330	-2	18225
Council							
Council		4435	5222	4435	5222	-15	29001
Planning & Reporting							
Planning & Reporting		1436	4367	1436	4367	-67	25678
National Liaison		2338	2184	2338	2184	7	13829
Project Total		60890	92331	0 60890	92331	241191.01	0 594736

OVERHEADS

191 Salaries		35948	61432	35948	61432	-29	359345
192 Staff Expenses		335	5098	335	5098	-93	15700
194 Office Premises		6678	7307	6678	7307	-22	43050
195 Office Equipment		1452	832	1452	832	-10	5000
196 Communications/consumables		910	2911	910	2911	-30	17479
197 & 198 General		3072	8732	3072	8732	-75	13150
199 Vehicles		6368	8801	6368	8861	-52	53162
		53781	95173	0 53781	95173	-311	0 508886

WELLINGTON FISH AND GAME

September/October 2012

1114 : Gamebird Population

Oct:2012/13

This Period: 43.48

	GST	Debit	Credit
19/10/2012 6348208 Steve Pilkington (Expenses)	\$ 3.44	\$ 22.96	\$ -
19/10/2012 6348208 Steve Pilkington (Expenses)	\$ 3.08	\$ 20.52	\$ -
	\$ 6.52	\$ 43.48	\$ -

1122 : National Hunter Survey
Sep:2012/13

This Period: 26.30

	GST	Debit	Credit
20/09/2012 719880 Noelene Allen (Survey Tolls)	\$ 3.95	\$ 26.30	\$ -
	\$ 3.95	\$ 26.30	\$ -

1161 : Trout Liberations

Sep:2012/13

This Period: 8,329.93

	GST	Debit	Credit
20/09/2012 719880 Eastern Region Fish & Game (Capital)	\$ 1,239.05	\$ 8,260.36	\$ -
20/09/2012 5182 New Zealand Police	\$ 10.43	\$ 69.57	\$ -
	\$ 1,249.48	\$ 8,329.93	\$ -

Oct:2012/13

This Period: (2,701.72)

	GST	Debit	Credit
19/10/2012 6348208 Steve Pilkington (BOC)	\$ 5.43	\$ 36.23	\$ -
19/10/2012 6348208 Steve Pilkington (BOC)	\$ 5.26	\$ 35.09	\$ -
19/10/2012 6348208 Steve Pilkington (Expenses)	\$ 5.14	\$ 34.27	\$ -
19/10/2012 6348208 Steve Pilkington (BOC)	\$ 5.43	\$ 36.23	\$ -
19/10/2012 6348208 Steve Pilkington (BOC)	\$ 10.87	\$ 72.46	\$ -
19/10/2012 6348208 Steve Pilkington (Expenses)	\$ 12.60	\$ 84.00	\$ -
25/10/2012 3173511 Wellington Fly Fishing Club	\$ 450.00	\$ -	\$ 3,000.00
	-\$ 405.27	\$ 298.28	\$ 3,000.00

1.181 : Gamebird Dispersal									
Sep:2012/13									
	This Period: 756.00								
	20/09/2012	719880 Electrotek (Birdscarer)							
			\$	113.40	\$	756.00	\$		
			\$	113.40	\$	756.00	\$		
1.211 : Resource Management Act									
Sep:2012/13									
	This Period: 318.70								
	7/09/2012	2184558 Palmerston North City Council							
	20/09/2012	719880 Palmerston North City Council							
	20/09/2012	5182 New Zealand Police							
	20/09/2012	719880 Phil Teal (Expenses)							
	20/09/2012	5181 Wellington City Council (Parking)							
			\$		\$	40.00	\$		
			\$		\$	12.00	\$		
			\$		\$	80.00	\$		
			\$	26.20	\$	174.70	\$		
			\$		\$	12.00	\$		
			\$	26.20	\$	318.70	\$		
Oct:2012/13									
	This Period: 349.91								
	19/10/2012	6348208 Phil Teal (Christchurch Meeting 4							
	19/10/2012	6348208 Palmerston North City Council							
	19/10/2012	6348208 Palmerston North City Council							
	19/10/2012	6348208 Palmerston North City Council							
			\$	47.09	\$	313.91	\$		
			\$		\$	12.00	\$		
			\$		\$	12.00	\$		
			\$		\$	12.00	\$		
			\$	47.09	\$	349.91	\$		
1.222 : Lake Wairarapa Habitat									
Sep:2012/13									
	This Period: 2,392.00								
	20/09/2012	5193 Allens Weed & Pest							
			\$	358.80	\$	2,392.00	\$		
			\$	358.80	\$	2,392.00	\$		
1.232 : Habitat Management									
Sep:2012/13									
	This Period: 850.00								
	5/09/2012	1310821 Phil Teal (Laser)							
			\$	127.50	\$	850.00	\$		
			\$	127.50	\$	850.00	\$		
1.311 : Angler Access									
Sep:2012/13									
	This Period: 1,889.00								
	20/09/2012	719880 Graphic Press							
			\$	283.35	\$	1,889.00	\$		
			\$	283.35	\$	1,889.00	\$		

Oct:2012/13	This Period: 75.00					
		GST	Debit	Credit		
1313 : Hunter Access Permits Sep:2012/13	19/10/2012	6348208	Mirae Sians (Waioaikih Valley	\$ 11.25	\$ 75.00	\$
				\$ 11.25	\$ 75.00	\$
	This Period: (497.84)					
	6/09/2012	DC	Turners Sportsworld (INV864516)	GST 9.39	Debit -	Credit 62.61
	12/09/2012	3173500	King & Henry (INV864509)	4.70	-	31.30
	20/09/2012	DC	Sportsworld Dannevirke (INV864504)	5.22	-	34.78
	20/09/2012	DC	Deadeye Dicks (INV864510)	5.22	-	34.78
	21/09/2012	3173503	Taranaki Fish & Game Council	11.02	-	73.50
	27/09/2012	3173505	Oraki Hunting & Fishing (INV864514)	26.09	-	173.91
	27/09/2012	DC	Hamilts Palmerston North (Deadeye	13.04	-	86.96
				\$ 74.68	\$ -	\$ 497.84
1331 : Magazine & Newsletters Sep:2012/13	12/10/2012	3173507	Mainly Hunting (INV864513)	GST 15.65	Debit -	Credit 104.35
	23/10/2012	Page 260	Hutt Valley Hunting Fishing	52.17	-	347.83
	31/10/2012	Page 261	Dannevirke Hunting & Fishing	1.04	-	6.96
				\$ 68.86	\$ -	\$ 459.14
	This Period: 1,466.00					
	20/09/2012	719880	Graphic Press	GST 219.90	Debit 1,466.00	Credit -
				\$ 219.90	\$ 1,466.00	\$
	This Period: 1,500.00					
1372 : Kilmore Lodge Fees Sep:2012/13	19/10/2012	6348208	New Zealand Fish & Game Council	GST 225.00	Debit 1,500.00	Credit -
				\$ 225.00	\$ 1,500.00	\$
	This Period: (17.39)					
	12/09/2012	3173501	Andrew McGreor	GST 2.61	Debit -	Credit 17.39
				\$ 2.61	\$ -	\$ 17.39
				\$ 2.61	\$ -	\$ 17.39

Oct:2012/13		This Period: (104.35)		GST	Debit	Credit
1441 : Public Awareness	16/10/2012	3173509 John Cheyne (Kilmore Lodge)	\$	10.43	\$	69.57
Sep:2012/13	25/10/2012	3173512 Ian Sinclair	\$	5.22	\$	34.78
			\$	15.65	\$	104.35
This Period: 300.00						
1443 : Promotions	20/09/2012	719880 Fish & Game New Zealand (Gettina)	\$	45.00	\$	300.00
Sep:2012/13			\$	45.00	\$	300.00
This Period: 490.43						
	5/09/2012	1310821 Upper Hut Cassie Club (Fishing Diving)	\$	-	\$	100.00
	5/09/2012	1310821 Phil Teal (TV,DVD)	\$	58.56	\$	390.43
			\$	58.56	\$	490.43
This Period: 75.00						
Oct:2012/13	19/10/2012	6348208 Mirae Signs (Anton Oliver Poster)	\$	11.25	\$	75.00
			\$	11.25	\$	75.00
This Period: 482.52						
1511 : Ranger Management	19/10/2012	6348208 Phil Teal (Ranger Warrants Post)	\$	1.63	\$	10.87
Oct:2012/13	19/10/2012	6348208 Arrow Uniforms (Caps)	\$	46.61	\$	310.75
	19/10/2012	6348208 New Zealand Fish & Game Council	\$	24.14	\$	160.90
			\$	72.38	\$	482.52
This Period: 101.74						
1521 : Ranger Training	17/10/2012	5186 John Beattie	\$	15.26	\$	101.74
Oct:2012/13			\$	15.26	\$	101.74
This Period: 586.96						
1531 : Compliance	20/09/2012	719880 McNaughton Computer (Compliance)	\$	9.78	\$	65.22
Sep:2012/13	20/09/2012	719880 Peter Coles (Clay Williams Prosecution)	\$	78.26	\$	521.74
			\$	88.04	\$	586.96

1953 : Office Equip Maintenance							
Sep:2012/13							
		GST	Debit	Credit			
This Period: 517.59							
20/09/2012	719880 Online Security Services	8.70 \$	58.02 \$				
20/09/2012	719880 Ricoh	68.94 \$	459.57 \$				
		77.64 \$	517.59 \$				
Oct:2012/13							
19/10/2012	6348208 Ricoh	158.35 \$	1,055.67 \$				
19/10/2012	6348208 DTSI	30.56 \$	203.75 \$				
		188.91 \$	1,259.42 \$				
1961 : Telephone / Fax							
Sep:2012/13							
This Period: 921.31							
19/09/2012	5180 Vodafone New Zealand Ltd	68.65 \$	457.69 \$				
20/09/2012	719880 Telecom NZ Ltd (Wellington Office)	26.27 \$	175.15 \$				
20/09/2012	719880 Telecom New Zealand Ltd (Palmerston)	33.54 \$	223.57 \$				
21/09/2012	D/Dbt TelstraClear	9.74 \$	64.90 \$				
		138.20 \$	921.31 \$				
Oct:2012/13							
This Period: 978.80							
17/10/2012	5189 Vodafone New Zealand Ltd	72.67 \$	484.50 \$				
19/10/2012	6348208 Telecom New Zealand Ltd (Palmerston)	33.48 \$	223.21 \$				
19/10/2012	6348208 Telecom NZ Ltd (Wellington Office)	26.22 \$	174.83 \$				
23/10/2012	D/Dbt TelstraClear	14.44 \$	96.26 \$				
		146.81 \$	978.80 \$				
1963 : Courier							
Oct:2012/13							
This Period: 348.43							
19/10/2012	6348208 New Zealand Couriers Ltd	52.27 \$	348.43 \$				
		52.27 \$	348.43 \$				
1964 : Stationery							
Sep:2012/13							
This Period: 117.99							
20/09/2012	719880 OfficeMax	17.70 \$	117.99 \$				
		17.70 \$	117.99 \$				
Oct:2012/13							
This Period: 192.18							
19/10/2012	6348208 Phil Teal (Rolling Organiser)	1.96 \$	13.04 \$				
19/10/2012	6348208 OfficeMax	26.87 \$	179.14 \$				
		28.83 \$	192.18 \$				

1974 : Bank Charges		This Period: 20.00					
Sep:2012/13				GST	Debit	Credit	
	10/09/2012 D/Dbt	Eftpos New Zealand Ltd		\$ -	\$ 20.00	\$ -	
	20/09/2012 D/Dbt	ANZ (ANZ Direct Software Fee)		\$ -	\$ 2.00	\$ -	
	20/09/2012 D/Dbt	ANZ (ANZ Direct Transaction Fee)		\$ -	\$ 2.50	\$ -	
	21/09/2012 DC	ANZ (Reversal of Bank Fee)		\$ -	\$ -	\$ 2.50	
	21/09/2012 DC	ANZ (Reversal of Bank Fee)		\$ -	\$ -	\$ 2.00	
				\$ -	\$ 24.50	\$ -	\$ 4.50
Oct:2012/13				GST	Debit	Credit	
	10/10/2012 D/Dbt	Eftpos New Zealand Ltd		\$ -	\$ 20.00	\$ -	
	23/10/2012 Page 260	ANZ (Bank Fee Direct Online Software		\$ -	\$ 2.00	\$ -	
	23/10/2012 Page 260	ANZ (Bank Fee Direct Online		\$ -	\$ 12.25	\$ -	
				\$ -	\$ 34.25	\$ -	
1975 : Office Consumables	Sep:2012/13		This Period: 50.97	GST	Debit	Credit	
	5/09/2012	1310821 Phi: Teal (Expenses)		\$ 4.91	\$ 32.74	\$ -	
	5/09/2012	1310821 Phi: Teal (Expenses)		\$ 2.74	\$ 18.23	\$ -	
				\$ 7.65	\$ 50.97	\$ -	
Oct:2012/13			This Period: 5.91	GST	Debit	Credit	
	19/10/2012	6348208 Phi: Teal (Dom Post)		\$ 0.89	\$ 5.91	\$ -	
				\$ 0.89	\$ 5.91	\$ -	
1976 : Insurance - General	Sep:2012/13		This Period: 2,981.24	GST	Debit	Credit	
	20/09/2012	8382707 Crombie Lockwood		\$ 447.19	\$ 2,981.24	\$ -	
				\$ 447.19	\$ 2,981.24	\$ -	
1979 : Eyede Fees	Sep:2012/13		This Period: 2,016.57	GST	Debit	Credit	
	10/09/2012 DC	Eyede (Internet Settlement)		\$ 260.03	\$ -	\$ 1,733.57	
	10/09/2012 DC	Eyede (Internet Settlement)		\$ -	\$ -	\$ 283.00	
				\$ 260.03	\$ -	\$ 2,016.57	
Oct:2012/13			This Period: 636.62	GST	Debit	Credit	
	10/10/2012 Page 259	Eyede (Internet Sales)		\$ 14.48	\$ -	\$ 96.55	
	10/10/2012 Page 259	Eyede (Internet Sales)		\$ -	\$ -	\$ 540.07	
				\$ 14.48	\$ -	\$ 636.62	

1999A : Vehicle Running FYG593
 Sep:2012/13

This Period: 1,261.47

10/09/2012 D/Dbt BP Oil New Zealand Ltd
 20/09/2012 8382707 Crombie Lockwood

	GST	Debit	Credit
\$	91.27	\$ 608.49	\$
\$	112.95	\$ 752.98	\$
\$	204.22	\$ 1,361.47	\$

Oct:2012/13

This Period: 1,374.22

10/10/2012 D/Dbt BP New Zealand Ltd
 19/10/2012 6348208 Palmfield Motors (Service)

	GST	Debit	Credit
\$	115.66	\$ 771.07	\$
\$	90.47	\$ 603.15	\$
\$	206.13	\$ 1,374.22	\$

2100 : Fish Licence Income

Sep:2012/13

This Period: (10,622.61)

10/09/2012 DC Eyede (Internet Settlement)
 12/09/2012 3173502 Arthur Whitman (Fishing Licence)
 24/09/2012 3173504 Phil Teal (Cook) (Fishing Licence)
 28/09/2012 D/Dbt Eyede NZ Ltd (INV15072)

	GST	Debit	Credit
\$	1,577.74	\$	\$ 10,518.26
\$	15.65	\$	\$ 104.35
\$	15.65	\$	\$ 104.35
\$	15.65	\$ 104.35	\$
\$	1,593.39	\$ 104.35	\$ 10,726.96

Oct:2012/13

This Period: (25,534.96)

10/10/2012 Page 259 Eyede (Internet Sales)
 10/10/2012 Page 259 Eyede (Retail Settlement)
 12/10/2012 3173506 Tree Care Services (Peter Pearce)
 18/10/2012 3173510 Gareth S Bestor (Family Fishing)
 28/10/2012 D/Dbt Eyede (INV15536)

	GST	Debit	Credit
\$	3,717.39	\$	\$ 24,782.61
\$	220.85	\$	\$ 1,472.35
\$	15.65	\$	\$ 104.35
\$	20.35	\$	\$ 135.65
\$	144.00	\$ 960.00	\$
\$	3,830.24	\$ 960.00	\$ 26,494.96

2105 : Fish Licence Income -

Sep:2012/13

This Period: (5,371.37)

10/09/2012 DC Eyede (Internet Settlement)
 10/09/2012 DC Eyede (Retail Settlement)
 28/09/2012 D/Dbt Eyede NZ Ltd (INV15375)

	GST	Debit	Credit
\$	39.26	\$	\$ 261.74
\$	860.10	\$	\$ 5,733.98
\$	93.65	\$ 624.35	\$
\$	805.71	\$ 624.35	\$ 5,995.72

Oct:2012/13

This Period: (23,831.56)

10/10/2012 Page 259 Eyede (Internet Sales)
 10/10/2012 Page 259 Eyede (Retail Settlement)
 16/10/2012 3173508 Rangitikei Rods & Rifles (INV626852)

	GST	Debit	Credit
\$	27.13	\$	\$ 180.87
\$	3,542.03	\$	\$ 23,613.52
\$	5.58	\$	\$ 37.17
\$	3,574.74	\$	\$ 23,831.56

2205 : Game Licence Income -
 Sep:2012/13

This Period: (10,995.63)

Date	DC	Description	GST	Debit	Credit
3/09/2012	DC	Mark Grace (INV626900)	12.39		82.61
3/09/2012	DC	Mark Grace (INV864519)			711.30
7/09/2012	DC	Mark Grace (INV864520)	106.70		220.87
10/09/2012	DC	Evede (Internet Settlement)	33.13		109.57
10/09/2012	DC	Evede (Retail Settlement)	16.43		10,393.83
24/09/2012	DC	New Zealand Fish & Game Council	1,559.07		402.67
28/09/2012	D/Dbt	Evede NZ Ltd (INV15375)	60.40	925.22	
			138.78		
			1,649.34	925.22	11,920.85

Oct:2012/13

This Period: (13,023.79)

Date	DC	Description	GST	Debit	Credit
10/10/2012	Page 259	Evede (Retail Settlement)	1,576.17		10,507.83
16/10/2012	Page 260	Hamilis Palmerston North (Deadeye)	410.52		2,736.83
28/10/2012	D/Dbt	Evede (INV15596)	33.13	220.87	
			1,953.56	220.87	13,244.66

2900 : Interest Received

Sep:2012/13

This Period: (488.01)

Date	DC	Description	GST	Debit	Credit
14/09/2012	DC	ANZ (Credit Interest Paid)			488.01
					488.01

Oct:2012/13

This Period: (595.96)

Date	DC	Description	GST	Debit	Credit
15/10/2012	Page 259	ANZ (Credit Interest Paid)			388.13
31/10/2012	Page 261	ANZ (Credit Interest Paid)			207.83
					595.96

BANK 1: Cheque Account 00

Sep:2011/12

Open: 1,705.28

Close: 5,623.51

Oct: 2011/12

Open: 5,623.51

Close: 4,437.89

BANK 2: ANZ Plus Account 83

Sep:2011/12

Open: 216,707.62

Close: 126,847.26

Oct: 2011/12

Open: 126,847.26

Close: 154,105.49

BANK3: Term Deposit 357637

Sep:2011/12

Open: 126,003.46

Close: 126,003.46

Oct: 2011/12

Open: 126,003.46

Close: 131,477.90

BANK6: Term Deposit 521918

Sep:2011/12

Open: 66,722.85

Close: 66,722.85

Oct:2011/12

Open: 66,722.85

Close: 69,513.62

Electric Fishing Machine Replacement/Upgrade

Our current Electric Fishing Machine is over 15+ years old and is known as the NIWA backpack. These are very useful for presence absence studies but are not powerful enough for quantitative studies (dubious results at best). In the past NIWA had a generator fishing machine but these are now not able to be used as certification for these models has lapsed.

An alternative EFM from Australia is suitable for undertaken quantitative studies and can be legally used in NZ.

There has been discussion within F&G that our EF capabilities need to be updated.

If we are to continue to be part of the Cumulative Effects Project and if we want to do more effective sampling in sites in the Rangitikei or Hutt rivers then we should have access to one.

Currently the Asset Replacement Fund has \$6000 for EFM replacement

With current bulk order anticipated from F&G to Smith-Root Australia the cost would be \$12500.

Potential sharing of resources across several regions is possible but the machines are likely to be used at similar times, with transport costs high per use.

Recommendation: Purchase from Rangitikei Fisheries Dedicated Reserves for work on Rangitikei River and other projects including Cumulative Effects Project

Phil Teal

From: Maurice Rodway [maurice.rodway@southlandfishgame.co.nz]
Sent: Monday, 29 October 2012 11:26 a.m.
To: Bryce Johnson; Daren Smith; Dean Kelly; Doug Emmett; Hamish Carnachan; Jay Graybill; Neil Deans; Niall Watson; Pete McIntosh; Phil Teal; Rob Pitkethley; Robert Sowman; Rod Cullinane; Rudi Hoetjes
Cc: John Hayes
Subject: FW: Smith Root electric fishing machines
Attachments: EFM Comparison NIWA vs Smith Root.xlsx

Hi All, here is the original email from John about the need for the new EFMs.

Maurice

From: John Hayes [mailto:John.Hayes@cawthron.org.nz]
Sent: Monday, 30 July 2012 6:47 p.m.
To: Maurice Rodway
Cc: rsowman
Subject: Smith Root electric fishing machines

Hi Maurice

Further to our phone conversation today, I have recently become aware of the sorry state of electric fishing capability in New Zealand – among research providers and particularly within Fish and Game NZ. Since NIWA management decreed that the NIWA mains (generator powered) electrofishing machine was unsafe because it does not comply with the NZ code for electrical equipment, provision and maintenance of powerful electric fishing machines adequate for quantitative sampling of salmonids in small – moderate sized rivers (up to 10m wide) has been allowed to fall by the way side in NZ. And now there are few people still working who have experience with such machines. NIWA have continued to provide and maintain their small battery-powered EFM300 machine but these are inadequate for quantitative sampling of salmonids other than in very small streams (i.e., up to 2 m wide and < 30 cm deep). Unfortunately the new generation of F&G staff have no experience with machines more powerful than the EFM300 and so are unaware of how effective electrofishing can be if the right equipment and techniques are used on salmonids and other fish.

This sorry state of affairs has obvious strategic relevance to F&G's capability to execute a core function – monitoring sports fish. It also has more immediate relevance to a research project that Cawthron is undertaking with F&G which is part of NIWA's Cumulative Effects programme. As you know this project is aimed at determining relationships between the pollution status of streams/rivers and the health of trout populations/fisheries. The idea is to try and identify tipping points in relationships between trout abundance, growth and condition and key pollutants (stressors) such as nitrogen, phosphorus, sediment etc. This research is long overdue because it directly tackles the issue of what degree of land/farming intensity is compatible with healthy trout populations/fisheries. The research is timely too because it is relevant to Government's interest in limits-based management of freshwaters under the national policy statement.

In order for us to be able to do the sampling for the above project we need powerful electric fishing equipment. Until today we had been exploring continuing to use NIWA mains machines still used by Cawthron and CSIFGC. However, we have become aware that under the terms of the Cumulative Effects subcontract with NIWA we won't be able to use these machines because NIWA management consider them to be unsafe and they have final say with subcontractors in what can and can't be done with respect to health and safety. Our opinion, based on experience, is that NIWA management have over estimated the health and safety risk posed by these machines, but that's another matter. An alternative that Cawthron was exploring, and will now pursue, is to purchase Smith Root electrofishing machines which are made in the USA and which comply with international (and NZ) safety codes for electrical equipment. We investigated the power and voltage outputs of Smith Root battery backpack and generator-powered mains machines. A requirement for sampling salmonids in rivers > 3 m wide is to be able to fish with 2 or more anodes in order to have a sufficiently wide electric field to prevent fish escaping past the operators. Mains machines can operate with 2 anodes or alternatively 2 backpack machines can be used with 1 anode each or with a cathode and anode being fished in tandem (i.e., to give 4 electrodes among 2 backpack machines). We decided that the backpack machines offered greater versatility (they are a bit

heavy but can be lightened considerably if the standard batteries are replaced with more expensive lithium ones). So Cawthron is committed to purchasing 2 Smith Root LR24 backpack machines this financial year so we can begin sampling for the Cumulative Effects project this summer (we are into the 3rd year of the 6 year term of that programme). See the attached spreadsheet for the specs and price for this machine and those for other Smith Root machines and the NIWA EFM300 and mains machines.

Here's where F&G comes into the picture. As I told you today we are reliant on F&G assisting with the field programme of the Cumulative Effects programme over the next 3 years. Cawthron staff can begin sampling this summer with the 2 Smith Root LR24s but by the following summer we really need a serious injection of F&G field capability in order to collect data on enough rivers to make the project a success. We are hoping that F&G will see the merits in investing in some Smith Root LR24 backpack electrofishing machines to service its monitoring requirements into the future and to assist Cawthron in the near term with the Cumulative Effects project. A minimum capability would be 2 LR24s held by F&G to complement the 2 LR24 machines held by Cawthron. That would allow two teams to work over the country in the 2013-2014 summer (i.e., with 2 machines operating in tandem on each river). An even better option would be if F&G invested in 4 LR24s allowing 3 teams to work simultaneously. There is strategic value in F&G having at least 2 or more LR24s available in each the North and South islands. Regions could cooperate and pool machines when necessary.

You asked about servicing Smith Root machines. Servicing is available in Australia. My expectation is that we are going to have to look to the likes of Smith Root for EF machines and servicing in the future anyway because NIWA already has restricted its product range to one underpowered machine and it is likely they will continue to reduce their investment in electrofishing services because it is not very profitable. Marty Bonnet (NIWA) has been made redundant so that puts training within NZ in doubt in the future too.

Here's the Smith Root web page if you are interested in more information:
<http://www.smith-root.com>

I hope you can discuss this matter at your next managers meeting.
 Cheers John

Dr John Hayes
 Senior Scientist: Freshwater Fisheries

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EFM Comparison

Prices do not include freight/transportation costs

	EFM300 (NIWA Backpack)	Smith Root LR24 Backpack	Smith Root LR209 Backpack	NIWA Mains (Bankside set) Bankside	Smith Root VR-A Bankside
Backpack/Bankside	Backpack	Backpack	Backpack	Backpack	Backpack
Price (NZ) kit	\$ 9,000.00	\$ 12,223.75	\$ 12,096.25	\$ paid \$850 for unit in 2003 + \$400 for generator	\$ 20,736.25
Weight (kg)	10	27	11		117
Max watts (continuous)	300	400	400		5000
Max watts (peak)	300	3960	2400	300	
Max volts	600	990	990	500	
Safety features	Tilt, out of water	Tilt, out of water, emersion	Tilt, out of water, emersion	NIJ	AC 707 / DC 1000
					Bankside foot and hand switch for observer, all anodes must be on to activate

Fishing timer
Conforms to safety standards

Minutes	seconds
Yes	Yes
	seconds
	seconds

NIJ	No

General comments

Limited voltage and frequency adjustment
Highly adjustable but with quick setup ability
Voltage and relay sensitivity controls only

Similar controls to EFM300

Output Mode Selector Switch: Selects the output wave shape and frequency, Pulse Width Control: This adjusts the pulse width in DC output modes.

INVITATION TO SUPPORT A NATIONAL STUDY ON CUMULATIVE EFFECTS: COLLABORATION BETWEEN CAWTHRON INSTITUTE, FISH & GAME NZ AND REGIONAL COUNCILS

The study

Cawthron Institute is undertaking a three year research project with Fish & Game NZ. This project is part of a larger collaborative research programme, "Management of Cumulative Effects of Stressors on Aquatic Ecosystems", led by NIWA and funded by the Ministry of Business, Innovation & Employment. The research contributes to better understanding of the effects of farming and how to farm in an environmentally sustainable manner; an issue that science providers, regional councils, Fish & Game and other environmental organisations have long been involved in on a national level.

Unfortunately there is still a large 'information vacuum' on contaminant limits on freshwater fisheries. We simply don't yet know enough to define optimal levels of N and P and the tipping points in fish populations that would indicate excessive levels for fishery quality. Nevertheless, such knowledge is needed for developing policies to control non-point source pollution from agriculture, and to determine what levels of farming intensity and practices are compatible with clean freshwater systems.

Activities

Cawthron (with 'in-kind' support from Fish & Game NZ) plan to sample fish populations in 50 rivers around NZ over the next three summers (2012–2015). For the purposes of this study, we will measure the response of fishery quality values to a gradient in dairy and intensive farming pressures. While the main focus will be on trout, the development of a specific monitoring protocol for assessing future change in fishery values due to intensive agriculture (like dairying) will also translate into benefits for native fisheries.

This summer we aim to survey three rivers in the Wellington/Horizon region, possibly the Makiekie (Cold) Creek, Mangatainoka River, and the Mangatarere River. This will include electric-fishing surveys in December (2012) and March/April (2013), as well as habitat surveys and information gathering about land-use and trout fishery quality changes over the last decades.

These surveys will potentially be made more comprehensive with support from Regional Councils to assist with:

- site selection (to ensure that we are able to make the most of existing state of the environment monitoring data)
- provide complimentary data, such as flow statistics, nutrient, water temperature if all of these are not already available;
- assisting with documenting historical land-use and/or trends in each catchment.

Outcomes

Simply put, to sustain fishery values in streams it is important to find an optimal balance between anthropogenic use of the catchment and quality of the stream habitats. A national study of this kind will be valuable to assist councils (and other stakeholders) to define limits in regional and catchment plans, developing policies to control non-point source pollution, and assessing changes in fishery values due to dairying and other land use pressures. Results will contribute greatly toward a better understanding how trout abundance and growth vary over the gradients of land use intensity, N, P water clarity, suspended sediments and other aspects of water quality in New Zealand; providing information such as:

- defining what the balance is between agricultural land-use in the catchment and salmonid productivity
- identifying thresholds, above which freshwater systems and/or fishery quality abruptly decline.

We are keen to get regional council involvement in the project and will be in contact within a week to discuss your involvement. In the meantime, please don't hesitate to contact myself, Roger or John if you have any further questions.

Yours sincerely

Rasmus Gabrielson, Roger Young and John Hayes

Freshwater Scientists

Cawthron Institute

Phil Teal

From: Rasmus Gabrielson [Rasmus.Gabrielson@cawthron.org.nz]
Sent: Tuesday, 13 November 2012 2:25 p.m.
To: Phil Teal; Corina Jordan
Cc: Steve Pilkington
Subject: FW: INVITATION TO SUPPORT A NATIONAL STUDY ON CUMULATIVE EFFECTS: COLLABORATION BETWEEN CAWTHRON INSTITUTE, FISH & GAME NZ AND REGIONAL COUNCILS

Attachments: Letter For Wellington_Horizon Regional Council.docx

Hi Phil , Corina and Steve

Hope all is well on the other side of the "ditch".

Thought I would follow up the phone conversations I have had with Phil and Corina by sending through a copy of the letter we have been circulation to the regional councils regarding the CE programme FYI.

As you can see the letter outlines the first three rivers/streams that we had intended to start the monitoring work for the cumulative effects programme on In your region: the Makiekie (Cold) Ck, Mangatainoka River and the Manatarere River. I have also talked to Alton Perrie regarding the already available SOE and WQ data on these catchments so now have a better idea of what further information/data we need collect.

In short one site on each of these rivers will need to be visited in early December to deploy a temperature data logger, collect a sample of YOY trout to quantify the length and weighs of fish, and in more detail define the exact reaches that can be electric fished quantitatively (i.e. using stop nets and three pass EF depletion surveys) at late summer low flows (March/April). This is not expected to be more than a quick site visit, although I do appreciate that it will take some time to drive around to all the sites.

The late summer sampling event is likely to be considerably more time consuming and may require 4-5 field workers. But as we are intending to use the new EFM from Smith Root for this work, and given that you might or might not have been able to purchase that type of equipment by then, we can discuss the need for me or another person over to come up and help you with these surveys.

I will be contacting Steve in the latter half of the week to discuss where the likely sites will be and the monitoring protocol in more detail, however please don't hesitate to contact me if you have any questions regarding the overall programme or the letter we send out to regional councils.

Sincerely

Rasmus

Rasmus Gabrielson
 Freshwater Ecologist

CAWTHRON INSTITUTE . 98 Halifax Street East, Nelson 7010 . Private Bag 2, Nelson 7042 . NEW ZEALAND
 Tel +64 3 548 2319 . DDI +64 3 5393277 . Fax + 64 3 546 9464 . www.cawthron.org.nz

Attention:

Phil Teal

From: Maurice Rodway [mailto:maurice.rodway@southlandfishgame.co.nz]
 Sent: Friday, 16 November 2012 12:05 p.m.
 To: Dean Kelly; Ian Hedland; Jay Graybill; Ben Wilson
 Cc: Phil Teal
 Subject: FW: Quotes for 5 LR24 Combs

Hi Here is a reply from our accountant regarding the EFM and the GST see below. As the GST is included here there should be no further GST to pay and we claim back what we paid in GST using the invoice which we are yet to get.

This is front end " The transport costs would be similar as 4 out of 5 units go through Christchurch. The quote is DDP that means Delivered Duty Paid. So you receive the equipment with nothing further to pay. New Zealand GST is paid as part of DDP. There is no Australian GST as the goods are coming direct from the USA."

So the price is \$A 12639.74 or NZ\$15 495 (at 0.78 exchange rate) as indicated, less the A\$1670 we claim back in GST, about 13,500. Assuming we claim the converted amount back.

These machines can't be compared to the existing HAWA ones as those are not effective for the purpose of estimating fish populations in larger streams. So if we don't have them we won't be able to effectively survey the streams we need to survey for the Cavthron project, and future surveys of a similar kind. We could share the machines I suppose but if we reduce the number then the reduction is reduced to 55%. Say Otago and Southland could share one and pay half the cost each, same for CSI and West Coast and perhaps Wellington would be willing to share the cost with AW so we would then get three rather than 5 and the cost would be about \$7600 each ex GST.

What do you think?

Maurice

From: Greg Thomas [mailto:greg.thomas@bdo.co.nz]
 Sent: Thursday, 15 November 2012 5:38 p.m.
 To: Maurice Rodway
 Subject: RE: Quotes for 5 LR24 Combs

Maurice the delivery duty paid (DDP) term seems to mean that the Australia exporter pays to NZ customs the required costs (their responsibility) rather than NZ Customs invoicing you for duty and GST.


On that basis it would appear that your GST claim is based on the price you pay. The only issue from a GST claim point of view is whether a valid tax invoice is held.

As the original document was a quote only I am not sure what form the final invoice would take but again it would appear that the DDP covers this off.

Regards

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From: Maurice Rodway [mailto:maurice.rodway@southlandfishgame.co.nz]
 Sent: 15 November 2012 1:27 p.m.
 To: Greg Thomas
 Subject: FW: Quotes for 5 LR24 Combs

Hi Greg, here is the response regarding the goods from Australia. So I assume we can claim the NZ GST portion converted to NZ dollars?

Maurice

From: Les Ohlbach [mailto:lohbach@simlif-nyot.com]
 Sent: Thursday, 15 November 2012 12:43 p.m.
 To: Maurice Rodway
 Subject: RE: Quotes for 5 LR24 Combs

Hi Maurice

The transport costs would be similar as 4 out of 5 units go through Christchurch. The quote is DDP that means Delivered Duty Paid. So you receive the equipment with nothing further to pay. New Zealand GST is paid as part of DDP.

Centennial Lagoon Promotion

Each year for the last three years we have allocated \$3000 in budget for this event to underwrite or cover around a third of fish costs. This has been fully uptaken in the first two years but additional sponsorship has meant that final allocation might be in the order of \$1000.

For your information

Weekly Newsletter Fishing Season and Hunting Season

Our existing supplier gave us no notice of continuance of their service three weeks into the Fishing season.

This sent out the e-newsletter on a weekly basis at unit cost 1 cent per unit (approx \$50 per week – 30weeks \$1500 approx).

An alternative supplier that we use for the website Hothouse Design has urgently undertaken a replacement which was a \$400 set up fee, and charge \$105 flat fee for what ever size pack of emails)

Costs for this function therefore will be approx \$3000

Recommendation: That funds be re-allocated out of the promotional/communications budget to cover weekly email comms

WELLINGTON FISH AND GAME COUNCIL

The Chairman
Wellington Fish and Game Council

FISHING & GAME LICENCE SALES TO 21st November 2012

1. Purpose

The purpose of this paper is to advise Council of this seasons fishing licence sales figures as of the 21st November 2012; no decision other than to receive the paper is required

Sue Wray
Office Manager

21st November 2012

SCHEDULE B										
FISH LICENCE SALES AS AT 21st November 2012										
Agents Using Agency-Online										
		06/07 Fish	07/08 Fish	08/09 Fish	09/10 Fish	10/11 Fish	11/12 Fish	12/13 Fish	% Total	
NORTHERN MANAWATU - Taihape, Marton, Hunterville		LEQ	263.1	276.3	290.2	227.7	268.4	169.8	39.3	23
Rangitikei Rods & Rifles	Marton	42.9	42.0	43.0	42.4	30.7	18.0	0.0	0	0
Farmlands Marton	Marton	0.0	4.2	4.3	1.0	3.0	8.1	10.0	12.3	0
Taihape Sports	Taihape	192.5	170.1	168.7	153.7	179.3	128.1	28.3	23	0
Tarata Fishway	Taihape	17.8	14.8	18.3	8.3	11.4	4.2	0.0	0	0
Taylor's 1998 Limited	Hunterville	8.3	11.9	16.4	10.1	19.3	7.9	0.0	0	0
The Hub Café	Mangaweka	29.3	22.3	23.6	11.2	14.7	2.6	0.0	0	0
FEILDING		LEQ	152.8	158.5	133.5	142.4	129.7	143.4	32.0	22
DJ's Sports Power	Feilding	9.4	8.9	5.7	8.1	4.8	6.4	0.0	0	0
Turners Sportsworld	Feilding	143.6	147.8	127.8	134.3	124.9	137.0	32.0	23	0
PALMERSTON NORTH		LEQ	762.7	860.4	847.1	913.1	881.0	795.8	223.8	28
Manawatu Hunting and Fishing	Palmerston North	572.8	769.4	732.8	763.6	735.9	635.1	209.0	33	0
Hamlets Palmerston North	Palmerston North	130.1	137.6	154.8	105.3	110.2	98.3	0.0	0	0
Wellington Fish and Game Council	Palmerston North	14.8	20.9	31.0	32.3	33.5	54.8	14.8	27	0
Rebel Sport	Palmerston North	44.9	41.0	28.5	11.8	0.0	0.0	0.0	0	0
Smith City Southern Ltd	Palmerston North	0.0	1.2	0.0	0.0	0.0	0.0	0.0	0	0
Adventure Services	Palmerston North					0.0	0.0	0.0	0	0
Reelhunters Bait & Tackle	Palmerston North					1.4	8.8	0.0	0	0
LEVIN		LEQ	63.8	42.7	42.9	32.9	22.6	29.1	0.0	0
Farmlands Levin	Levin	0.0	1.0	0.0	2.6	1.0	1.0	0.0	0	0
Sportsworld Levin	Levin	63.8	41.7	42.9	30.3	21.5	28.1	0.0	0	0
KAPITI COAST		LEQ	67.9	160.2	145.7	147.3	128.2	107.5	0.0	0
Okaki Hunting & Fishing	Okaki	25.9	139.8	121.8	129.8	110.1	107.5	0.0	0	0
Stirling Sports Kapiti	Parapareumu	42.0	20.6	24.1	17.5	18.1	0.0	0.0	0	0
WELLINGTON		LEQ	545.5	477.8	587.4	686.3	627.4	590.4	316.3	54
Hutt Valley Hunting and Fishing NZ	Lower Hutt	419.3	336.4	426.2	428.4	376.5	345.4	230.7	67	0
The Sports Den	Lower Hutt	35.7	58.1	29.1	20.7	13.5	7.7	0.0	0	0
Maldstone Sports Limited	Upper Hutt	69.4	67.0	45.6	42.1	36.1	27.7	9.0	32	0
Upper Hutt Gun Shop	Upper Hutt	17.8	13.2	13.1	5.4	9.8	10.6	0.0	0	0
New Zealand Fish & Game Council	Wellington	4.3	4.1	5.8	0.0		0.0	0.0	0	0
Hamlets	Wellington			67.7	169.8	191.7	169.4	78.6	40	0
Mainly Hunting	Wellington			1.8	11.6	0.0	9.8	0.0	0	0
NORTHERN WAIRARAPA - Dannevirke, Eketahuna, Pahiatua, Woodville		LEQ	104.6	104.7	88.7	70.0	83.3	81.6	5.0	6
Farmlands Dannevirke	Dannevirke	58.4	65.3	54.8	41.2	49.8	13.7	0.0	0	0
Sportsworld Dannevirke	Dannevirke					2.4	23.4	0.0	0	0
Eketahuna Information Centre	Eketahuna	1.0	6.8	2.0	1.9	4.6	4.0	0.0	0	0
Farmlands Pahiatua	Pahiatua	33.2	23.6	15.0	13.6	15.8	19.9	0.0	0	0
Taranui I-Site	Woodville	12.0	9.2	9.6	6.5	10.9	8.8	5.0	78	0
Telford Timber & Hardware	Woodville			11.5	6.8		0.0	0.0	0	0
Dannevirke Hunting & Fishing	Dannevirke						14.0	0.0	0	0
MASTERTON		LEQ	341.7	384.3	283.3	309.1	297.0	260.1	0.0	0
King and Henry Limited	Masterton	81.0	49.3	30.9	46.6	48.2	78.5	0.0	0	0
Wairarapa Hunting and Fishing	Masterton	260.7	335.1	252.4	262.6	249.4	181.5	0.0	0	0
SOUTHERN WAIRARAPA		LEQ	39.9	48.1	38.8	38.8	27.8	21.1	0.0	0
Adamsons Service Station	Featherston	10.7	12.4	8.3	15.4	6.7	6.0	0.0	0	0
Farmlands Greytown	Greytown	6.2	14.5	6.9	5.2	2.8	6.8	0.0	0	0
Pain and Kershaw Mire 10 Limited	Martinborough	22.9	21.2	22.4	16.0	18.3	8.5	0.0	0	0
Outdoor Supplies	Carterton					0.2	0.0	0.0	0	0
FOXTON		LEQ				0.8	1.9	0.0	0.0	0
Pioneer Outfitters	Foxton				0.8	1.9	0.0	0.0	0	0
DIRECT		LEQ	652.9	604.3	730.3	764.1	783.6	889.9	646.2	72
Internet Sales		428.4	478.8	601.8	684.3	738.3	804.3	840.8	646.2	72
Mail Order		115.1	123.0	120.7	73.2	43.4	0.0	0.0	0	0
Phone Order		11.4	4.5	8.0	6.5	1.9	5.8	5.6	100	0

SCHEDULE C									
Fish Licence Sales 21st November 2012									
		06/07 Fish	07/08 Fish	08/09 Fish	Fish 09/10	Fish 10/11	Fish 11/12	Fish 12/13	% Total
NORTHERN MANAWATU - Taihape, Marton, Huntlyville	LEQ	263.1	276.3	290.2	227.7	268.4	169.8	39.3	23.1
FEILDING	LEQ	162.8	156.6	133.6	142.4	128.7	143.4	32.8	22.3
PALMERSTON NORTH	LEQ	762.7	980.4	947.1	813.1	881.0	795.8	223.8	28
LEVIN	LEQ	63.8	42.7	42.0	32.9	22.5	29.1	0.0	0
KAPITI COAST	LEQ	67.9	160.8	145.7	147.3	128.2	107.5	0.0	0
WELLINGTON	LEQ	545.6	477.8	587.4	686.3	627.4	690.4	316.3	64
NORTHERN WAIRARAPA - Dannevirke, Eketahuna, Pahiatua, Wairoa	LEQ	104.6	104.7	88.7	76.0	83.1	81.6	6.3	6
HASTERTON	LEQ	341.7	384.3	283.3	309.1	297.8	280.1	0.0	0
SOUTHERN WAIRARAPA	LEQ	30.9	48.1	38.8	38.6	27.8	21.1	0.0	0
FOXTON	LEQ				0.8	1.9	0.0	0.0	0
DIRECT	LEQ	552.9	604.3	730.3	764.1	783.6	899.9	646.2	72
		2804.9	3216.4	3287.7	3030.2	3241.5	3090.0	1202.0	205.1
FISH LICENCE SALES BUDGET COMPARISON									%
			Budget	Actual					
			FISH	FISH					
			12/13	12/13					
			LEQ	LEQ to					
			3201	date					
				1263					39

Performance?

Dear *Martin*,

As you are well aware, the recent performance of the New Zealand Council has become a matter of some concern within the wider organisation. Allegations are in circulation, asserting, amongst other things, that: the NZC spends too much time in committee: the NZC is divided: the NZC is dysfunctional.

The present situation is neither fortuitous nor accidental. It has arisen from the events of the past few years, and the NZC's achievements – or lack of them. This sad state of affairs is, I believe, a consequence of an ever-growing disjunction between the priorities of the CEO, Bryce Johnson, and the majority of the Councillors.

The paper presented below – in the form of a questionnaire – is an attempt to achieve some constructive feedback upon the highly inflammatory issues that underlie our present situation.

I would appreciate your taking the time to read through this paper and responding to the questions posed at the end of each section.

Rivers Campaign.

At a Fish and Game conference in Christchurch in 2006 a budget of \$500,000 was allocated to a national Rivers Campaign – by far the most ambitious PR operation in Fish and Game's history. This organisation-wide decision, which was to be implemented with urgency, reflected the serious and accelerating threats to our river fisheries, especially in Canterbury.

The Rivers Campaign never happened. Successive kick-off dates were announced and then postponed, and gradually the whole thing was shifted into the background. Excuses were produced. Bryce variously claimed that the campaign

had "been overtaken by events"; that "the government is on to the problem", and that "the public are already on our side", and "the farmers know the game is up".

None of this was true. The plain fact was that running a campaign at this level was beyond our operational capacities. We missed our prime chance of influencing events, and, as we know all too well, the situation with respect to our rivers has continued to grow worse year by year. (Bryce, ironically and much too late, is now suggesting a new campaign!).

The people who authorised the Rivers Campaign – the regions – were never informed that their instructions had been circumvented and ultimately discarded.

Do you think that the CEO, Bryce Johnson, should be held responsible for this failure?

Yes. []

No. []

Public Access.

The original objective of Fish and Game's public-access strategy – delegated to Bryce – was "the completion of the Queen's Chain" – as had been promised by the Labour administration of the day. The government dithered for years and then put forward a watered-down alternative – the five-meter "deemed access" plan – which was finally scrapped as well. The only eventual result was the establishment of a "Walking Access Commission" – which Bryce claims as a major success. But no improvement in secure access has yet been achieved, and in some areas (eg: central North Island), the situation is measurably worse. And, as further proof that all previous efforts were a waste of time, the NZC at its last meeting agreed to set up a special committee to look into all aspects of the access problem.

Do you agree that this outcome is unsatisfactory?

Yes. []

No. []

Triennial pre-election advocacy.

Bryce has periodically reminded us of the significant window of opportunity available during the lead-in to national elections. Two elections ago, in line with this advice, the NZC authorised a series of informational ads to be published in the main newspapers. These advertisements – deliberately intended to be provocative - were to focus on the accelerating environmental problems associated with ill-advised economic growth. The PR manager, Ric Cullinane, after disputing the wisdom of such a strategy, produced drafts so at variance with the council's instructions that the whole campaign was abandoned. Another opportunity lost through operational incapacity.

Do you consider this failure significant?

Yes. []

No. []

High Country Review.

This legal challenge - which alarmed the politicians and was seen as extremely threatening by many in the farming community - was undertaken without the required consultation with the regions. Fish and Game lost its case, and, against Bryce's advice, decided not to appeal.

The adverse consequences of this defeat were greatly exacerbated when a steamed-up section of the farming lobby was allowed free rein to insult and ridicule Fish and Game in the national media. Our organisation was depicted as extremist, anti-private-property, and bent on facilitating the opening-up of the

countryside to criminals. Despite employing a fulltime PR officer, we did nothing to refute any of these damaging allegations.

Do you consider that this initiative was of any benefit to Fish and Game?

Yes. []

No. []

License Fee Freeze.

Relations with our Minister (Kate Wilkinson), which became notably strained prior to the removal of Canada Geese from the Game Schedule, were rumoured to have been a factor in her refusal to accept Fish and Game's license-fee recommendations the following year (2010). True or not, this deterioration in our most vital relationship clearly should not have been allowed to happen. Yet Bryce proposed to add fuel to the flames by advocating a judicial review of the Minister's decision. Only a majority vote of council averted this disastrous course of action.

Do you think a judicial review would have been wise?

Yes. []

No. []

Guides License.

The Guides License has been on Bryce's completion list for decades. Numerous excuses have appeared, but the license seems as far away as ever.

Are you happy with this?

Yes. []

No. []

Governor's Forum (Sept. 2009).

This forum became highly contentious when its formally-agreed six-point agenda was replaced without notice or consultation. The new agenda – focussing on “internal cohesion” – caused some dismay, and there was wholesale annoyance among the “governors” on finding the range of concerns they thought would be addressed had been surreptitiously dumped. The manipulative nature of this forum (fully predicted by Gary Rooney) led to dispute and dissent, followed by votes of no-confidence in Bryce, and letters of protest from several regions. (It is a wonderful irony that the Governors Forum, hijacked in the name of “internal cohesion”, achieved exactly the opposite outcome).

Was the Forum a useful exercise?

Yes. []

No. []

Central South Island Affair.

The New Zealand Council was unwittingly dragged into this extraordinary business by its then Chair, Rob Roney, upon the advice of the CEO.

On 12/2/10 New Zealand Councillors were informed by Rob that “at the suggestion of the Office of the Auditor-General” he had instructed Bryce to engage Mr Graeme Nahkies to investigate a complaint to that Office made by Mr Tom O'Connor, an ex-councillor of the CSI. The complaint alleged procedural irregularities by the CSI chair, Gary Rooney, and also claimed that Mr Rooney had a large number of conflicts of interest in his role as chairman.

Five days later Rob emailed Mr Rooney and Mr O'Connor, stating that "the Office of the Auditor General has requested the NZC to carry out an Audit of the Central South Island Council".

This was not true. The Audit Office had neither "suggested", nor "requested" an Audit of the CSI - which Bryce knew very well. Yet he allowed Rob to misinform both his own councillors and the CSI, and thereby set off a needless war with a regional council.

The proposed Audit was regarded as a hostile act by the CSI, whose legal defence soon forced Bryce to approach NZC lawyers, Chen Palmer, for advice. Mai Chen suggested that O'Connor circumvent the problem by shifting his complaint to the Ombudsman - which he promptly did. Chen then, on Bryce's instructions - and unbeknown by Council - began work on a submission to the Ombudsman on behalf of O'Connor, paid for by NZC. The Council knew nothing of these manoeuvres - and in fact had been specifically told, by Rob Roney, that its role in the matter had ended with O'Connor's change in direction. Bryce, from this point on, was deliberately misleading the Council.

Three points need to be emphasised.

1. For the past two years and more Bryce has repeatedly denied playing any part in O'Connor's shifting of his complaint to the Ombudsman. These denials are not compatible with what Mai Chen has finally confirmed.
2. For the past two years and more Bryce has claimed that Chen's submission on behalf of O'Connor was the consequence of a request for information from the Ombudsman, rather than a pre-emptive instruction from himself. We now know -from Mai Chen - that this story, repeated time after time, was a construction designed to cover his own unauthorised actions.
3. For the past two years and more Bryce has maintained that the only relevant instructions he gave Mai Chen were in his advice-seeking letter of 21/5/10 - a letter which contains no instructions. We have now been advised by Chen that the O'Connor submission was indeed prepared in

consequence of Bryce's specific instructions. This advice is incompatible with Bryce's version of events.

The CSI/Gary Rooney affair, which was orchestrated by Bryce from start to finish, has been an unprecedented disaster, consuming about three years of Council time and a very large sum of money. Nothing useful has come out of it. None of the numerous allegations made have stood up to scrutiny.

Bryce drove this affair, but it was the culpable negligence of the NZC that allowed him to get away with it. The majority of councillors were rubber stamps, allowing themselves to be dragged into a disreputable affair that was little more than a personal vendetta. Time after time these Councillors passively endorsed decisions already made. They asked no pertinent questions – even when it was becoming obvious that the whole exercise was based upon abuse of due process.

And even now, when we have proof positive of the CEO's evasions, fabrications, and manipulations, a minority of Councillors seem unable to see anything amiss!

Do you think the CEO should be required to answer for his actions in this matter?

Yes. []

No. []

Bryce and the Audit Office. (A Prequel).

Three weeks before Tom O'Connor's complaint reached the Audit Office – on 19/10/09 - Bryce just happened to call at the same Office. His visit concerned none other than Gary Rooney, who was evidently much on his mind. Bryce went into a lengthy description of Gary's failings and excesses. Gary was an "intimidating person", said Bryce. He was said to be "very domineering", and "bullying". And, worse still, Gary was in a position to manipulate the CSI Council in his own commercial interests.

Bryce produced a detailed, six-point summary of Gary's business operations, all of which he claimed were incompatible with being a Fish and Game Councillor. He suggested ulterior motives on Gary's part, and finished by inquiring as to whether the NZC could become involved in the CSI's affairs via its statutory Audit function.

In sum Bryce produced an almost carbon copy of Mr O'Connor's subsequent bill of complaints to the Auditor. Yet, when this extraordinary episode was brought to light, the majority of NZC Councillors swallowed Bryce's story that this was "just a coincidence".

Do you find Bryce's explanation convincing??

Yes. []

No. []

The Bruce Bates Boondoggle.

This, the NZC's most recent mega-dollar runaround, shares many of the characteristics of the CSI affair. Both operations targeted strong-minded regional Fish and Game Chairmen having a history of conflict with Bryce. Both exhibited the same rapid escalation from minor hiccup to full-scale Mai Chen involvement. Both could have been resolved without difficulty by normal mediation, given a minimum of goodwill and common sense. And both have ended, after great and superfluous expenditure, with the victims cleared and nothing achieved apart from some tinkering with our conflict of interest policy.

Bryce's behaviour throughout the trumped-up Bruce Bates affair has been particularly reprehensible. He was conflicted from the beginning. He alone briefed Mai Chen, piling up a catalogue of alleged transgressions that Bruce was kept unaware of – and thus unable to respond to. Bruce was excluded from discussion of his own situation, and denied access to the initial drafts of legalese dealing with his alleged conflicts of interest. Finally, after the preparation of a 35-page opinion, Bruce was given the opportunity – at his own expense – to provide a measure of

corrective input. The NZC itself has concluded that this procedure was unfair and unjust.

The ultimate responsibility for this unedifying debacle must rest with Bryce, whose increasingly paranoid views on conflict of interest threaten the eligibility of an ever-growing section of the populace from serving as Fish and Game Councillors. (Farmers are probably non-starters, as are the owners of earthmoving machinery).

Do you consider the treatment of Bruce Bates by Bryce Johnson was fair or reasonable?

Yes. []

No. []

Conduct at Meetings.

At the September NZC meeting Bryce stated that he had been considering a Personal Grievance suit against the Council.

He also accused a Councillor of plotting his removal via the proposed Office Review.

He has regularly directed disparaging remarks at both individual Councillors and the Council in general, and advised the Chair not to circulate sensitive material because "certain Councillors could not be trusted", and that "there are simply too many people round the NZC table that I don't trust". He has accused an NZC Councillor of "engaging in anti-Fish and Game activities", and advised that he "has come to the view that the NZC is incapable of self-restoration".

Would you tolerate this kind of thing in your own CEO?

Yes. []

No. []

It would be very helpful if you could complete and return this questionnaire to me within the next few days, so that as full a range of views as possible are available for the next NZC meeting on the 26th of this month.

Please send returns to: Dave Witherow,

Box 109,

Balfour, 9746, Southland.



Our ref 1843

10 September 2012

Matthew Hall
Chairman
NZ Fish & Game Council
PO Box 13-141
Wellington 6440

Dear Matthew

PUBLIC EXCLUDED EXECUTIVE IN-COMMITTEE SESSIONS

At the Wellington Fish & Game Council meeting on 22 August 2012 concern was expressed by Wellington Fish & Game Council of the degree of in-committee public excluded sessions being held by NZ Fish & Game Council.

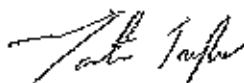
Wellington Fish & Game Council resolved that it express:

- *concern at the of degree of use of in-committee public excluded sessions;*
- *there should be reporting for resolutions from in-committee sessions as resolved at the March 2012 NZ Council meeting;*
- *that the substantial use of executive in-committee sessions is suggestive of a dysfunctional NZ Council and that human resources are likely being wasted on matters that could be better managed by a more effective Council. The Wellington Council is concerned over this matter and requests rapid resolution of the persistent matters that seem to require executive session or that the matters be brought into the public meeting.*

It was considered that nearly two-thirds of the meeting was being held in public excluded sessions on what appeared to be persistent matters. This has the effect of having reduced time left in open public meeting to consider other agenda items of importance to Fish & Game regions. Wellington Council considered that these matters needed to be resolved so that issues of importance to Fish & Game regions can be considered in a more efficient manner.

Further discussion ensued at the Wellington Council meeting regarding the procedures that NZ Council had resolved when public excluded meetings were held. There was an apparent absence of reporting of resolutions from in-committee sessions contrary to the approach that Wellington Council understood had been resolved at the March 2012 NZ Council meeting.

Yours sincerely

A handwritten signature in black ink, appearing to read "Martin Taylor". The signature is written in a cursive style with a long, sweeping underline.

Martin Taylor
Chairman

Cc Regional Fish & Game Council chairs



12 November 2012

Martin Taylor
Chairman
Wellington Fish and Game Council
PO Box 1325
PALMERSTON NORTH 4440

Dear Martin

PUBLIC EXCLUDED EXECUTIVE IN-COMMITTEE SESSIONS

I can advise your Council's letter dated 10th September 2012 was discussed in open meeting at the New Zealand Council's meeting dated 21st September 2012. I have been overseas for one month and have not been able to respond to you before this time.

I would advise under the Conservation Act 1987, that the New Zealand Fish and Game Council may...

sec 26F (2) (a) Make rules for the Conduct of its Business.....

The provisions of 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 give the reasons why relevant parts of meetings would be prejudiced if held in public. The New Zealand Fish and Game Council have not acted in breach of these provisions.

I must say I am a naturally cautious person and where there is a risk of a legal challenge, or there is professional privilege, or there is a risk of privacy being breached, as described by the Act, I have erred on the side of caution. I maintain this is both a sensible and a lawful approach.

Because of the pressure some Councillors and/or their Councils have placed on me and on the New Zealand Council, against my better judgement, I have called for openness at meetings. As a result of this approach, other than the 20 minutes it took to approve the in-committee minutes, at the last meeting all the meeting was held in open meeting. In addition to this the 'in-committee minutes' of the previous meeting were approved as if they were held in open meeting. It was an oversight on my part as Chairman that resolutions from the July meeting were not originally reaffirmed in open session and I would apologise for this.

To answer the bullet points in your letter I advise

- If the current approach taken by the New Zealand Council continues there should be very little meeting time in - committee.
- Resolutions from in-committee sessions you refer to are available as public minutes.
- I am not aware of any authority that suggests the fact that business held 'in-committee' is a measure of an organisation being dysfunctional. You do not quote your authority and I believe there is none. I take a contrary view to you. With Fish and Game Council's currently subject to elections and a newly appointed New Zealand Fish and Game Council likely before

the end of the year, regional Fish and Game Councils have the opportunity of availing themselves of the provisions of Section 26D of the Act by appointing councillors on the New Zealand Council, of their own choosing. Further to this, if you read section 26D (2) of the Act, such appointments can be made at any time which means if regional Fish and Game Councils are concerned about the effectiveness of Councillors and/or the Council they may change their representative.

In my view if the New Zealand Fish and Game Council is being forced into more openness at meetings this principle should be adopted across the country because clearly there is considerable business at regional Fish and Game Council meetings being discussed in closed sessions. I would hypothesise that much of the in-committee business relates to internal criticisms within Fish and Game, of individuals, of Councillors and of regions. For as long as I have been on Fish and Game (since 1990) the New Zealand Council has been the butt of regional criticism. In my view there is a lack of understanding by some, of the respective roles of Councils and while there is some collaboration, co-ordination and support across the organisation, this could be greatly improved. As a suggested initiative, I do believe key people within the organisation should meet from time to time because this would be extremely helpful in securing the overall objectives of the organisation.

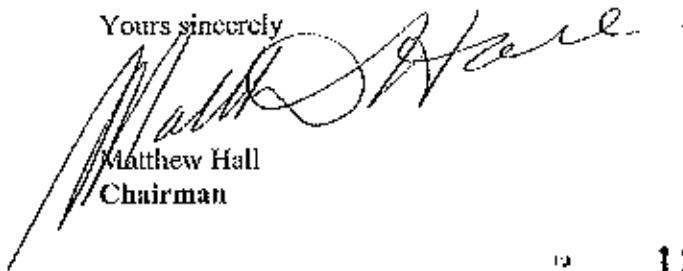
I am of the view that, other than the internal conflicts that are often not generated by the New Zealand Council, the Council operates efficiently and effectively. An objective examination of the business listed in the business papers does show the broad spectrum of activity covered and in my view this is impressive.

Across the nation the New Zealand Council is particularly supportive of initiatives involving the protection and/or enhancement of the environment. The very significant contribution to the One Plan is an example. Some of this work is hugely expensive and far beyond the financial resources of an individual region. It is easy to be critical of the New Zealand Council which only meets about ten days a year. Under my chairmanship all Council decisions are democratically made and at all times I have worked for the organisation to the best of my ability. I have strived for the best outcome I can see for Fish and Game. Frankly, as a volunteer, the pressure and criticism of the position are not worth the sacrifice and in the new term the Council can enjoy the pleasure of a new Chairman.

Your letter is perhaps erroneously headed Public Excluded Executive In-Committee Minutes. I would advise there is no executive committee and there have been no meetings of such a committee. The implication could be taken, by a member of the public reading your letter, that there is some elite, executive deciding the business of the New Zealand Council and this is not the case. The Chief Executive and/or the full Council make the decisions. There is some delegation to the Chairman but this has not been used other than in arranging meetings or as dictated by resolution of Council.

I do hope this letter is helpful and seen as an explanation rather than as being confrontational.

Yours sincerely



Matthew Hall
Chairman



Office of Hon Kate Wilkinson

Minister of Conservation
Minister for Food Safety

Associate Minister of Immigration

23 NOV 2012

AoG | Agenda

20 NOV 2012

Phil Teal
Manager
Wellington Fish and Game Council
PO Box 1325
PALMERSTON NORTH 4440

Dear Phil

PARTICIPATING IN THE ALL-OF-GOVERNMENT CONTRACTS

I am writing to encourage you to participate in the All-of-Government (AoG) contracts and if you have good reason not to participate to agree this with the Chief Executive of the Ministry of Business, Innovation and Employment (MBIE).

As you are aware there are a number of AoG contracts¹ in place that have been established to deliver significant savings to the State sector. I believe that collectively these contracts provide better deals to government-linked agencies and the greatest value comes from full participation.

Participation in the AoG contracts was discussed at the Cabinet Committee on State Sector Reform and Expenditure Control on 2 July 2012 where it was noted that these contracts have been successful and are estimated to provide a minimum of \$353 million in savings to participating agencies. It was also noted that agency commitment to participating in these contracts is variable, meaning that in many cases savings are being overlooked.

You may be aware that, as part of Government's Better Public Services programme, the Chief Executive of MBIE has been appointed functional leader for procurement across State Services. A key part of the mandate of the Procurement Functional Leader is strengthening and accelerating the current government procurement reform programme, including achieving stronger and broader uptake of AoG initiatives.

¹ AoG contracts have been established for office consumables, passenger vehicles, laptop/desktop computers, single & multi-function print devices, external legal services (in conjunction with Crown Law), air travel, travel management services, energy management services, electricity, external recruitment services, and mobile telephony. Work is underway for industrial consumables, advertising and banking.

The participation of your organisation is important to the overall and on-going success of the programme. The evidence clearly shows us that better aggregation of government demand leads to greater benefits for all participating agencies across the State sector.

Cabinet agreed that responsible Ministers would write to their agency Chief Executives to request their full participation in AoG contracts, or if not, to ensure the reasons for non-participation are well understood and agreed.

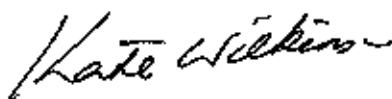
I encourage you to give consideration to signing up to all these contracts as soon as possible. If you wish to 'opt out' from participating in any of the contracts, please agree the reason with the Chief Executive of MBIE in his capacity as Procurement Functional Leader. It is important that we understand the reasons behind non-participation so that we can take action to ensure the AoG contracts continue to meet organisational needs and offer the best deals. If you require any information on your organisation's current level of participation in the AoG contracts, please contact Grant Lyons (Acting Manager, AoG Contracts at MBIE) on +64 4 901 1456 or at Grant.Lyons@med.govt.nz.

MBIE has been directed to report back to the Cabinet Committee on State Sector Reform and Expenditure Control on agency participation figures, as part of the 31 December 2012 quarterly reporting. Therefore, I am taking a keen interest in how crown-linked agencies that are part of my portfolio are responding in this respect.

Finally, Government is fully committed to on-going procurement reform across government and is confident that increased involvement of State sector agencies will achieve significant savings that can be used to ensure we deliver Better Public Services.

I thank you in advance for your continued support and co-operation.

Yours sincerely



Hon Kate Wilkinson
Minister of Conservation

cc David Smol, Chief Executive, MBIE



Office of Hon Kate Wilkinson

MP for Waimakariri
Minister of Conservation
Minister of Labour
Minister for Food Safety

6:1 NOV 2012 ^{Martin}
(emailed)
1210

Associate Minister of Immigration

25 OCT 2012

Martin Taylor
Chairman
Wellington Region
Fish & Game New Zealand
PO Box 1325
Palmerston North 4440

Dear Martin

Thank you for your letter of 11 October 2012 regarding the Environment Court's decision on the Horizon's One Plan.

The High Court has been asked to determine questions of law, and I am comfortable leaving these issues to the other parties involved.

I may become involved again, however, should the High Court refer any matters back to the Environment Court.

Yours sincerely

Hon Kate Wilkinson
Minister of Conservation



Office of Hon Kate Wilkinson

MP for Waimakariri
Minister of Conservation
Minister of Labour
Minister for Food Safety

Associate Minister of Immigration

15 October 2012


Martin Taylor
Chairman
Fish & Game New Zealand – Wellington Region
PO Box 1325
Palmerston North 4440

Dear Martin

The Hon Kate Wilkinson, Minister of Conservation has asked me to acknowledge and thank you for your letter dated 11 October 2012 requesting that the Minister be party to the Horizons Regional Council's One Plan appeal.

Your letter has been placed before the Minister for her consideration. She will reply to you shortly.

Yours sincerely


Gavin Rodley
Private Secretary (Conservation)



Our ref: 1210

11 October 2012

Kate Wilkinson
Minister of Conservation
Parliament Buildings
WELLINGTON

REQUEST FOR MINISTER OF CONSERVATION TO BE PARTY TO ONE PLAN APPEAL

Wellington Fish & Game Council urgently requests that the Minister of Conservation participate in the High Court appeal regarding the Horizons Regional Council's One Plan.

There are a number of issues involving the Biodiversity chapter that provided improved clarity of interpretation for case law. This was a reflection of the excellent work of the DoC team, and its technical experts are to be commended.

Our advice is that the Minister of Conservation's absence would greatly weaken the case in defence of the Environment Court decision on these important elements of the Plan, the protection of which is a central aspect of the Department's statutory obligation to advance conservation. In our Council's view, the High Court will find it anomalous that the lead agency on these issues has not rated these matters of sufficient importance to be worthy of defence.

Fish & Game staff are already dealing with instances in other regional planning processes where this decisions of the Environment Court now needs to be applied but which may now be unnecessarily delayed if an inadequate defence of the Environment court's decision results in the decision being returned for reconsideration by that Court.

My understanding is that the time for notification to be represented in the appeals is imminent and request that you urgently undertake the simple legal requirements to register your wish to be a participant.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Martin Taylor'.

Martin Taylor
Chairman

Cc Al Morrison, Director-General, Department of Conservation

127

Statutory managers of freshwater sports fish, game birds and their habitats

Wellington Region



MANAWATU FRESHWATER ANGLERS CLUB INC.

P.O. Box - 1656
Palmerston North

17th October 2012
NZ Fish and Game Council,
P.O. Box 1325
PALMERSTON NORTH

Re Clean Waterways and Horizons' recent Court Rulings

Dear Phil,

On behalf of our members we write to thank you for all your endeavours and significant contribution toward the recent Environment Court rulings which Horizons' RC has recently achieved. As a Club we have tried to encourage Horizons in the past and now feel so pleased with the recent outcomes that it could have many implications on the whole country in due course.

The committee appreciates that Corina's seemingly endless energy in her Resource Consent submissions has been more than just a significant part of F&G's credibility in such Court rulings and we personally wish to thank her for her continuing efforts. It's also apparent that Steve has also played his part as have all your staff and to them we wish to express our full support and appreciation for their endeavours.

The write feels that it is to you Phil that full credit must go – it is you who has 'turned things around' from what had become a very hard organization with which to communicate, into one of outstanding co-operation and initiative. Many members used to complain about our (then) F&G office where one felt to be almost a nuisance at times with very little information or assistance available, either voluntarily or requested. Today it is almost the inverse of that – an example being to be able to find that drift-dives have not only been resumed but that the data is readily available – such a contrast giving us a feeling of well-being and co-operation. We also really appreciate the effort and funding of the re-introduced Children's Fishing Day at the Hokowhitu lagoon – and event we can now feel confident in saying it is an annual one and not dependent upon any one major sponsor.

All this letter is intended to do is to say thank you from all our members and we hope that your great work will continue – please also pass this on to your Rangers and ancillary staff, we appreciate all your efforts.

With great thanks -- Yours sincerely

DAVE BOOTH (Secretary)

Environment Court upholds One Plan

By ROS HILDON

The Environment Court has released its decision on the Horizons Regional Council's One Plan appeals process, and reaction has been mixed.

Farming groups have expressed their disappointment. DairyNZ flat out called it "a bad outcome" -- while bodies with a greater focus on the environment have welcomed the regulatory framework it will bring.

Andrew Heppard, provincial president of Federated Farmers for Manawatu-Rangitikei, reiterating farmers' commitment to sustainability, said that the One Plan's requirements "are more likely to force farmers off land than enable them to improve it".

He said that figures from Horizons' own 2016 report show that the cost to farmers could be "tens or even hundreds of thousands of dollars".

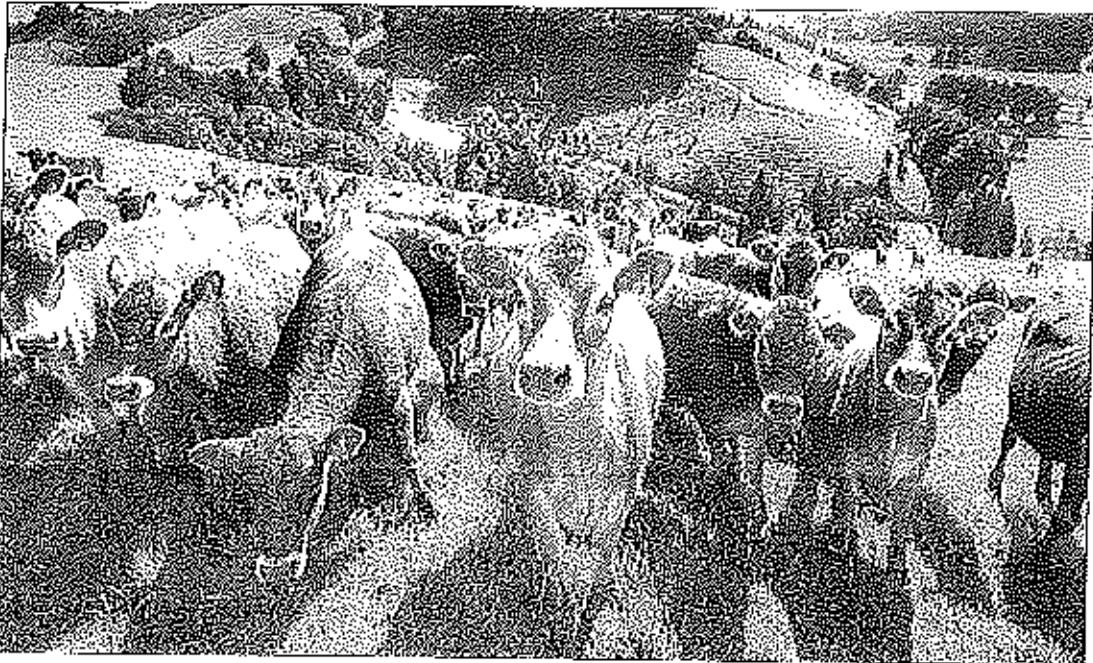
In its decision, the Court ruled objections that farmers might encounter financial challenges under new nitrogen limits, but stated that in this they were no different from any other business in a changing regulatory environment, and would have to adapt.

"There is nothing that gives farmers a privileged place in the scheme of things," it said.

It cited another Horizons report, which concluded that the average cost of N-loss mitigation to farmers would be less than five per cent of annual cash farm expenses.

It acknowledged that this cost would be greater at the higher end, but suggested that a farm-by-farm approach might be able to find cheaper solutions.

Phil Teal, Fish & Game manager for the Wellington area, called the decision "a seismic shift in natural resource and freshwater management in New Zealand," adding that "unsustainable land development and agricultural intensification [has exacted] a



WHO, US?: Dairy cows were a focus of the One Plan, but beef, cropping and sheep will join them in having to adapt to the plan's requirements.

voluntary schemes such as the Clean Streams Accord were good measures but their language meant they didn't go far enough.

"Keeping stock out of waterways is such a basic step in protecting waterways from effluent pollution that it must be regarded as an absolute requirement," the Court said, by way of example. "Seeking to do so is simply not good enough."

The goal of the One Plan was to bring various regulatory regimes together into a single

developing the plan, undertaking community consultation and seeking expert advice. It has stressed its intention to support farmers through the implementation process.

A hotline has been set up for people to find out about the how the Court's decision will affect the One Plan.

Call 0800 41 PLAN (7526) between 9am and 5pm, Monday to Friday, to learn more.

■ The full text of the Environment

DECISION'S KEY POINTS

- Sheep, beef and horticulture to be classed as *intensive land use*, joining dairy under a new sediment and nutrient management regime.
- "Grandparenting", where the regulatory load is borne mostly by new farmers, rejected. Land Use Capability (LUC) instead used to determine nitrogen-loss limits.
- Lake Horowhenua and other coastal dune lakes -- environmental features appearing in just a handful of locations in the world -- to be brought under a management regime to mitigate further water quality deterioration. Lake Horowhenua's problems recognised to be "long-standing and complex".
- Stronger steps to be taken against erosion. Resource consent required for cultivation of land sloped steeper than 20 degrees. Streams wider than 1m must have a margin of 5m, extended to 10m in the case of 20 degree slope or "important natural values".
- All rare and threatened natural habitats to be designated "of national significance" under the Resource Management Act and given a high

Change Horizon



they work their way through a manageable transition into the new plan.

There is a lot of work going on in this field throughout New Zealand.

The recently approved National Policy Statement for fresh water management will require us to set measurable water quality objectives and limits, just as is the intent of the Manawatu River Accord.

The One Plan sets a precedent in this regard, as it has drawn a line in the sand.

The challenge here relates to the country's need to significantly boost agricultural production, and at the same time continue to fast track the improvement of our waterways and native habitat.

Much of this relates to the use of phosphate, nitrogen and water (the three key factors in current production increments), and the consequential effect this has on our waterways.

It demonstrates the need for science to provide us with good, sound solutions to these challenges, and the importance of the Government's Primary Growth Partnership and its relationship and partnerships with the dairy, sheep and beef sectors.

One last thing: The Plan has been appealed and the country will be watching this unfold over the next few months with great interest as it will to some extent define our future.

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Donald & [unclear]

One Plan challenge

By EMMA HORSLEY

Farmers and vegetable growers are fighting an Environment Court decision to uphold strong rules designed to protect the environment and control land use.

Horticulture New Zealand and Federated Farmers have both lodged appeals against Horizons' One Plan in a bid to keep some control over their industries.

The ground-breaking One Plan initiated by Horizons Regional Council has drawn criticism from primary production organisations as being too stringent.

Several aspects of the plan were appealed against by Federated Farmers, Fonterra and HortNZ to the Environment Court and on September 5 the court made the plan tougher than farmers expected.

Fifteen days were given to lodge an appeal to the High Court and it had been a race against time to get the necessary paperwork done, a Federated Farmers representative said.

Manawatu Rangitikei Federated Farmers chairman Andrew Hoggard said that while it was not yet known how the new-look One Plan would affect daily farming practices, the organisation had no option but to appeal.

"There are concerns around whether intensive farming should be termed a permitted activity and be given that status."

He said there were also some wording issues on several points.

Both HortNZ and Federated Farmers expressed concerns that the new

rules could see some farmers and growers go out of business.

HortNZ chief executive Peter Silcock said the industry could not afford to let the decisions go unchallenged and 200 growers in the region were worried about the consequences that the new rules could have on staff levels and businesses.

"Some people will definitely struggle, there's no doubt about that," Mr Silcock said.

He said the main bone of contention was with the nutrient management rules that had been put in place as there was no accurate programme available for measuring nutrient loss that could be used by the industry.

"We are looking at some, but nothing so far has been practical or suitable."

The court acknowledged that some farmers would need to adapt their practices, but said it was achievable.

The horticulture industry had not previously had to monitor any nutrient losses into surface or ground water, unlike the dairy industry.

Mr Silcock said the consumer could bear the brunt of the cost to the industry with a rise in fruit and vegetable prices and some growers could move elsewhere, where the rules were not so tough.

"We could lose some people, which will hurt the local economy."

Bulls-based arable farmer Hew Dalrymple, vice-chairman of Federated Farmers' grain and seed division, said the organisation respected the legal process, but felt the Environment Court had gone too far.

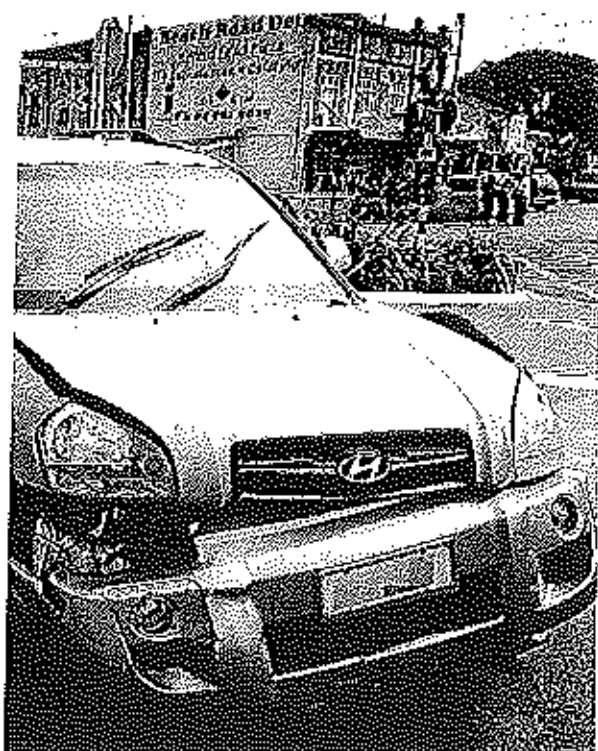
"Any appeal is based on what we see as being errors in law," he said.

WOF - Services - Repairs

- Farm Machinery (including Tractors)
- Field Service available
- Commercials • 4 x 4 • Cars

All makes and Models vehicles
Private and Commercial

Collection and delivery of vehicles



injured in a crash near the railway crossing, highway just before 1.45pm. Police central communications blocked. Traffic was diverted through the town at Ames St to Wellington Hospital with chest injuries. She was in critical condition. Photo: MAARIEN HOLL/FAIRFAX NZ

Fish & Game gets hooks into minister over no-show

MARTY SHARPE

CONSERVATION Minister Kate Wilkinson has been criticised for refusing to take part in a court action that will have a dramatic impact on waterways.

Fish & Game chief executive Bryce Johnson said he had urged her to make sure the ministry was represented in a High Court appeal by Federated Farmers and Horticulture NZ against a recent landmark Environment Court decision on reducing water pollutants.

She had been involved in the case before the Environment Court decision on Horizons Regional Council's One Plan, Mr Johnson said, and he told her she needed to stand firm against the latest appeal.

He sent emails to this effect on October 4 and October 9. Ms Wilkinson had not responded other than to acknowledge receipt, he said.

In the emails, released by Fish & Game under the Official Information Act, Mr Johnson said the court's decision was undeniably an "extremely significant case for biodiversity on private land, sustainable land use and conservation in relation to public water bodies", and "it is essential that you are represented at the High Court".

He said it was "manifestly unfair" that the burden of defending the court's decision would fall on Fish & Game, a non-profit organisation.

"DOC has a clear statutory obligation to advance conservation, and the minister's absence before the High Court will inevitably attract substantial public and political criticism if you fail to appear in this case," Mr Johnson wrote.

A spokeswoman for Ms Wilkinson said she had made the decision not to join the appeal "on advice from the Department of Conservation".

"The High Court has been asked to determine questions of law.

ONE PLAN TIMELINE

2003-07: Consultation on draft plan

May 2007: Proposed One Plan notified

2007-10: Further consultation

2008-10: Council hearings

August 2010: Hearings panel decisions issued. More than 20 appeals lodged

2011: Further consultation and mediation

2012: Environment Court hearings
September 4: Environment Court decision released.

September 25: Decision appealed to the High Court by Federated Farmers and Horticulture NZ.

October: Ravensdown and Fish & Game file notice to be party to the appeal, meaning they can be heard at the hearing, which is likely to be in Wellington or Palmerston North early next year.

"The minister is comfortable with leaving these issues to the other parties involved.

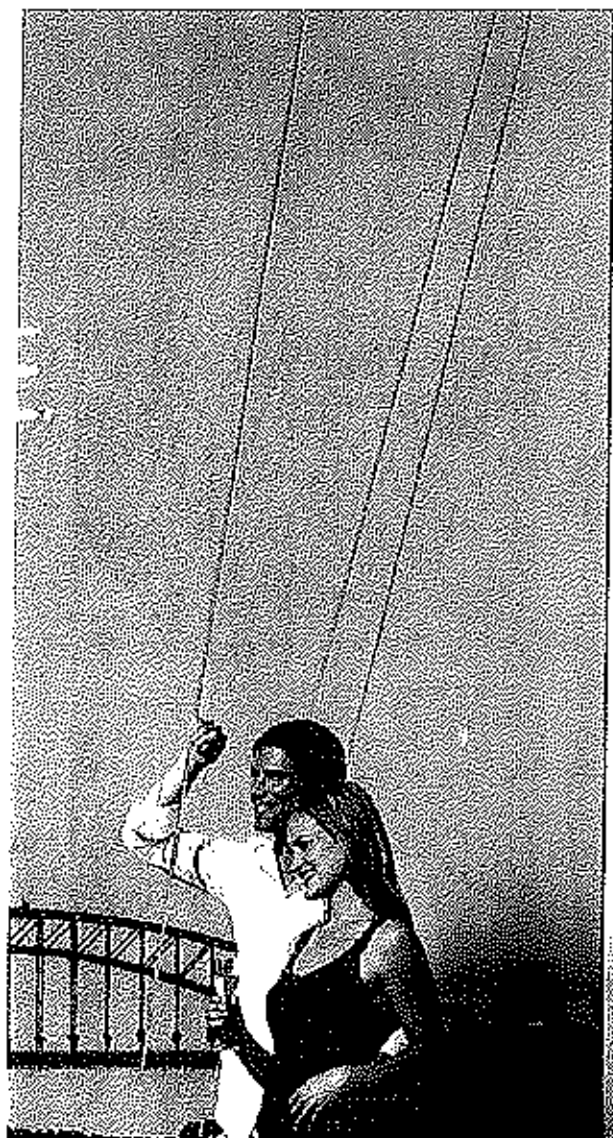
"The minister may become involved again should the High Court refer any matters back to the Environment Court."

The Environment Court ruling in August would allow the council to limit the amount of nitrogen applied to land used for dairying, intensive sheep and beef farming and horticulture in the Manawatu and Whanganui catchments.

The ruling was hailed by environmentalists as it would reduce the amount of runoff to waterways and was likely to set a precedent for other councils.

Federated Farmers and Horticulture NZ appealed last month, saying they felt the ruling had "gone too far" and would threaten the livelihood of some farmers.

They felt the court had made an error in law.



One Plan could help Rangitikei grow

Three weeks in the House are now being followed by a two-week recess. That means a very busy time for me, as I have a number of electorate visits by ministers and plenty to catch up on.

Minister Carter visited Taumarunui and Ohakune last week, where he had plenty of interest in both his Local Government and Primary Production portfolios. He was also in the lower part of the electorate on Wednesday where he further discussed the implications of the One Plan and opened Archives Central in Feilding.

This is followed by Minister Joyce visiting Palmerston North and Feilding to open a new business

centre for Baker No-Tillage and attending business meetings in the city. The Hon Steven Joyce is the Minister of Economic Development, Science and Innovation, Tertiary Education Skills and Employment, and Associate Finance Minister, and as such this area has a huge interest in all of his portfolios.

In the past two weeks a lot of my time has been taken with getting a better understanding of the One Plan and its potential ramifications for our electorate, which is completely in Horizons jurisdiction. In fact, the Rangitikei electorate makes up well over 50 per cent of the council's area. This plan is a significant challenge for us all as it



has the potential, if not managed appropriately, to impact this region's economic future. Managed and implemented appropriately, it equally could put us all in a great position from which to grow. The

plan has been appealed.

I attended Project Marton's annual meeting last weekend and was impressed with the enthusiasm they are putting into their town. It reminds me of Feilding Promotions early days in the development of the town. Our rural towns need strong advocacy, as they are now only a small part of much larger council areas whereas pre-1989 they had their own councils and mayors.

The real challenge for these towns is to become great places to live as we create more opportunity to work out of town. Marton has CMP and Chakes nearby, and Wanganni and Palmerston North it can target for residents. The key to the success of

a policy like this will be how we organise and plan future transport links to these work places. If managed well, this would certainly make the small towns of our area attractive places to live in.

The other attraction of a policy to attract residents to these towns is that they already have infrastructure in place to cater for residential growth in the form of sewerage treatment plants, water supplies etc. These cannot necessarily cater for large industrial growth, and this is better placed where their infrastructure is already in place, such as the cities.

Iain Mackelvie
MP Rangitikei

One Plan

The timeline is simply 'too long'

Richard Renne
@Richard.Renne2nz.com

At least one regional council is hoping policy streamlining is one lesson to be learned from One Plan's difficult birth.

"What the One Plan process has highlighted is the delays caused by a two stage process of having council decision policy at a political level and then have that policy examined at a technical level in the Environment Court. It is simply taking too long. We have to try to find a way to combine the two and shorten the process," the policy manager for Waikato Regional Council (WRC), Vaughan Payne, said.

He has proposed a one stop hearing process, chaired before an Environment Court judge with technical expertise, hearing all technical and political views.

"Analysis has shown that policy takes around seven years from point of notification to being in place. By the time policy is in place, it is possible it is not what is required by then."

WRC is hoping to learn from difficulties like One Plan when developing its latest water quality policy.

"We have got a technical alliance together up front, people who typically would be arguing against each other later in the Environment

Court, and hold them to come to agreement in the early stages."

He was "very hopeful" such a structure may help avoid groups facing off in the Environment Court later on.

On Horizons' other boundary, Taranaki Regional Council chief executive Basil Chamberlain is relaxed about One Plan's implications, if any, on his patch.

"No doubt there is some precedent setting stuff in there, but the reality is that every region is remarkably different, and Taranaki particularly so from the Huttensis region," Chamberlain said.

The council is conducting its 30 yearly freshwater management plan review. This includes an assessment of how the council is performing around water quality management.

Last year the council also had an external performance audit of its freshwater management conducted by the Auditor General.

A council summary of that audit noted the region's water quality was "being maintained and in some places enhanced" with many of the council's processes for managing water proving successful. This included its "innovative non regulatory riparian management scheme".

The council has just purchased 500,000 native plants for riparian planting, provided at cost to the



Basil Chamberlain: "There cannot be a one size fits all plan for all the country."

region's land owners. Taranaki has enjoyed a relatively co-operative approach to land and water management work between council and land owners.

"This region is fortunate in that it is not having to be crisis managing a problem and it allows the luxury of a more measured and timely response than some other regions have," Chamberlain said.

He also acknowledged geography played a big part in what plans councils adopted, and how urgently they adopted them.

"As soon as you have lowland areas and lakes in the system there are more issues over quality. However, there cannot be a one size fits all plan for the country."

Chamberlain's views are reiterated by Hawke's Bay lawyer Martin

Williams. "My personal take on the case is that it does have nationwide implications, but would sit alongside rather than supersede the Land and Water Forum process, which are all about collaboratively setting limits in specific catchments," he said.

Options for groups like Federated Farmers to change the One Plan are now limited to points of law, and by the expense of court hearings.

Federated Farmers senior policy advisor Richard Gardner was heavily involved in Feds submissions to the Environment Court. He said the plan has largely been accepted by the court as it stands, but opponents have until September 24 to lodge an appeal.

"At this stage I could not comment on whether we will do that or not. We are still working through to see if there are any issues worth appealing on," Gardner said.

The farmer group has had to concede some significant losses in the Environment Court decision, including pastoral farming becoming a controlled rather than permitted activity in the region.

"It basically means farmers will require resource consent to farm, similar to what farmers in the Taspo region had to do. It cannot be reversed, but it will mean conditions have to be met, including coming up with a nitrogen management plan."

While Taupo farmers each had

their own nitrogen discharge allowance (NDA), the One Plan farmers will be allocated nitrogen discharge based on their land use capability (LUC).

It includes a stepped reduction in nitrogen discharge allowance, dropping in years one, five, 10 and 20, with a review process to consider achievability of the goals.

The court had a choice of either the council approach (three years grace for farms to reduce nitrogen), or Fish and Game's, they picked Fish and Game's approach.

The Feds had also challenged the logic of LUC classification.

"We saw it as arbitrary and provided evidence to that effect. Nitrogen discharge from animals is the same whether that animal is on a slope or on the flats."

Dr Doug McKenzie who submitted on behalf of the Feds described the LUCs as "fatally flawed" (trapping farmers in a "1900s time warp").

He said they disadvantaged farmers with poorer quality soils who have made the investment in modern pastures and managerial practices.

Gardner fears the One Plan may have complicated council planning. Horizons also has to now grapple with land and water plans required under the government's National Policy Statement for Freshwater Management.



How the ruling spans sea to sky

Court rejects most opposition views

Surface water quality and non point discharges:

The issue of surface water was the most contentious and highly contested aspect of the One Plan heard by the Environment Court.

It centred on the amount and types of rainfall, primarily nitrogen and phosphorus from farming.

The council's position under the One Plan is to base nitrogen leaching allowances on the land use capability (LUC) class. The council was to provide a three year period of grace for existing dairy farms to comply and there would be a review in 2017 with the possibility all land uses come into the regime at that point. Nitrogen trading systems could develop from then.

Federated Farmers argued there was no scope to include extensive sheep and beef within the nitrogen regime, but that intensive sheep and beef operations should be included.

Fonterra proposed all land uses be included, but arguing not to weight an unfair burden of the nitrogen responsibility under the plan.

It proposed a "hybrid approach" to managing nitrogen, including capping.

The Environment Court ruled the plan needed to allow for all intensive land uses including cropping and intensive sheep-beef under the rules.

It acknowledged there was not scope at present to include extensive sheep and beef operations, and this would require a council plan change.

It supported the use of the contentious LUCs, and in turn their use to determining leaching limits.

These limits will be reduced at years one, five, 10 and 20 under plan rules. Intensive farming is also to get controlled, not permitted status in the region.

Sustainable land use - accelerated erosion:

Management of erosion prone hill country was also key focus of the One Plan, and a key area of contention for Federated Farmers and HortNZ.

Both organisations sought a softening of the plan's objective that stated farm best management

practices be put in place to minimise accelerated erosion and to "provide for water management values," by reducing sediment loads entering waterways.

The Feds and HortNZ had proposed this goal be replaced by a softer aim to "advance the achievement of the water management values".

But the court rejected this on grounds it would not meet RMA demands to promote sustainable management of natural and physical resources.

The court also agreed with Fish and Game that a 10m setback zone was needed for sites valued for trout spawning and accepted a 5m setback for natural watercourses. The Feds had sought a universal 5m setback for all rivers, lakes and wetlands in the region.

On steeper country with a 20 degree-plus slope Judges agreed a 10m setback was more appropriate and similar to that used by neighbouring Waikato Regional Council.

The court also ruled that cultivation on Hill Country Erosion Management Areas (ECMA), or land with greater than 20 degree slope, would be classed a "restricted discretionary activity" and require resource consent.

Any earthworks undertaken to mitigate erosion, such as sediment control would also require resource consent.

Biodiversity:

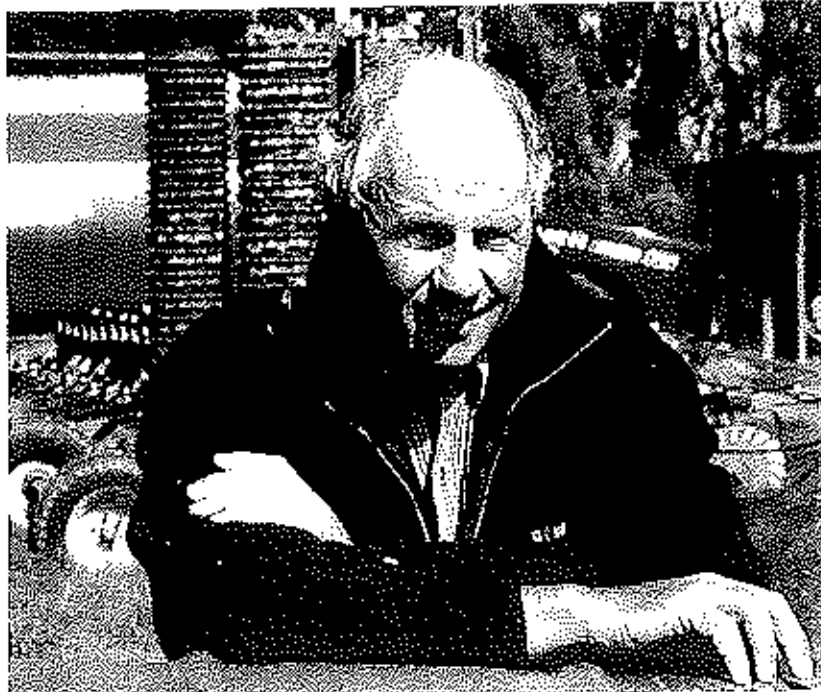
Federated Farmers had submitted there was no need to manage native biodiversity at a regional council level and opposed the framework of the One Plan to do so.

The One Plan requires areas of significant native vegetation and habitat to be protected and enhanced, where appropriate.

However, the court found there were sound reasons for maintaining biodiversity through the One Plan.

It cited the "parlous" state of native biodiversity in the region and the immediate need for regulation.

The court also ruled an aspects of natural landscapes that affected power companies and wind turbines.



Hew Dalrymple: "Not not even questioned about our evidence."

Photo: Graeme Brown

Award winner says farmers were ignored

Richard Rennie
richard.rennie@nzf.co.nz

Farmers and environment award winner Hew Dalrymple has castigated the Environment Court process over HortNZ's One Plan.

Dalrymple was one of several farmers who presented evidence to Environment Court judges, but questions how closely that evidence was noticed.

"What really got me about the court hearing was the complete and utter lack of respect the judge offered to farmers. It was an almost dismissive approach," he told *The New Zealand Farmers Weekly*.

Dalrymple farms more than 2200ha of light sandy country south west of Bulls and is one of around 10 cropping operations to be affected by the One Plan's Land Use Capability (LUC) rules.

Prior to going before the Environment Court, Dalrymple felt the earlier commission's hearings had resulted in a "pretty reasonable sort of plan".

"They at least made the effort to understand our position and what concerns were about the plan, and even suggest changes. Now however, we are right back with the original plan. I had a feeling the judges had already made their minds up on where they were going."

The personal touch for Dalrymple obviously runs deep. The supreme farm environment award winner for Manawatu in 2007 said he was dumbfounded at the lack of weight judges seemed to give farmer submissions.

"We were not even questioned about our evidence and why we did or did not think the plan would work."

He said the whole One Plan process raised issues about how appeals and hearings should proceed for such all encompassing legislation.

He agreed with a Waikato Regional Council (WRC) policy manager (see accompanying article) who believed the planning process required major trimming and

condensing. "Where do you stop? Does it go to the High Court, the Supreme Court, the World Court?"

"It is all money and time, all because someone did not like the decisions the Commissioners made earlier."

The case had not been helped by industry groups not being carefully "on the same page", with each group tending to focus overly on their own sector at hearings.

"I believe the judges used that as a means to push the plan through, maintaining that because we did not appear to be all in this together as much as we should, they could ride over it and send the plan back to HortNZ as they wanted it."

Dalrymple has yet to fully assess the plan's impact across his farm's soil types, with prospects that nutrient losses will be based on the LUC of each soil type.

"We presented strong evidence to show the LUC classifications are out of date and flawed, and needed to be updated. There was no room for them to change them."

Waikato

One Plan result a travesty

The One Plan, which aimed to allow sustainable farming while protecting the environment in a large swath of the North Island spreading from coast to coast and from Levin in the south to Taumaranui in the north, has been controversial from the start. After years of debate, hearings and decisions it has now been subject to an Environment Court ruling. Manawatu farmer and former Manawatu-Rangitikei Federated Farmers president Shelley Dew-Hopkins is not impressed.



Shelley Dew-Hopkins: The result of the One Plan process is a slap in the face to dairy farmers.

Horizons, also known as the Manawatu-Wanganui Regional Council, should do the right thing by its ratepayers.

It is a travesty when an Environment Court judge can overturn a hearing commission's decisions and effectively wipe out years of debate and negotiation over a plan that was fundamentally flawed when first drafted, largely as the investigation of a now departed employee, but greatly improved through the submission process.

If we had started in 2007 with a good plan we could have ended up with a great plan - not the mess we have now.

The Environment Court decisions have set us back years and impact on all Horizons ratepayers by the potential economic impact on our region.

The 2011 BERR Regional Rankings Report already highlights the economic decline in our region.

Three out of four of our district councils are struggling economically and feature in the bottom three rankings.

Horizons has fallen to the bottom of the regional council rankings.

Our regional economy is in trouble and if the One Plan is implemented in the pre-2007 form, as it currently has been revealed to, the farming community will struggle



to sustain itself, let alone increase its productivity and therefore underpin any economic recovery in the urban sector that supports us.

The downstream impact on

business growth is potentially huge.

For dairy farmers the roadshow bawling by media over how environmentally responsible and damaging they are is not evident in the June 2012 report by the Environment Protection Team to the Horizons environment committee.

Significant non-compliances halved to 7%, abatement notices were down to 12 from 53 last year and 99 in the 2008-09 season and infringement notices were down to 36 from 41 last year and 74 in 2008-09 (HRC environmental committee minutes 13.6.12).

Changes in on-farm environmental management are a bit like a sugar tanker, it takes time to turn the ship around.

Part of the improvement has been because of Horizons getting alongside dairy farmers and actively helping them to understand why and how they were not compliant, using their dairy liaison people who understand dairy farming.

Given dairy farmers have battled through a global financial crisis they have taken on board new information and technology that has steadily enabled them to enhance and develop good environmental practices on farm and 94% of dairy farmers are meeting their compliance obligations.

This result is a slap in the face to

them and their efforts.

The territorial authorities are the sector that stands out as not being compliant and in need of strong guidance and support to improve their environmental footprint in our region.

For drystock farmers the impact of this decision is just as bad.

We have had the Red Meat Sector Strategy released which has highlighted our need to improve productivity and profitability in the hill country.

We have lost a lot of finishing options because of other land uses.

If we are to improve our bottom lines we have to look at new ways of farming with new pastures via copping programmes and fattening more of our stock on farm to meet the specifications of our meat companies.

To have decisions made by the Environment Court that say we are unable to cultivate a slope more than 20 degrees without consent, new rules for riparian setback distances and small scale land disturbance is very concerning and could have significant ramifications for all of us.

To give Feds their due they have worked hard to get a plan that was practical and workable for all farmers in the Manawatu-Wanganui region.

What a disappointment when

we have what appears to be Wellington Fish and Game and DoC, a government department, working together against farmers.

No one with a gun licence will be shooting on our face next season as we refuse to subsidise an organisation that is draconian and works against the very farmers who give it access.

With the land-based primary sector up/north/forestry (year ended March 31) being 71% of New Zealand's merchandised exports we have DoC obviously not in line with the Government's goal of lifting the ratio of exports to gross domestic product from 30% to 40% by 2025.

The Government needs to review DoC and how it functions.

As for Horizons, it should take responsibility and find a way to appeal against these Environment Court decisions which have gone further than they should have.

Instead, it has set up a helpline for dairy farmers.

Your View

Get a view on some aspect of farming you would like to get across? The Pulpit offers readers the chance to have their say. info@farmersweekly.co.nz Phone 03 357 4650

FARMING

Farmers fume at legal line drawn in soil over leaching



Jon Morgan
Reporting from
Ottawa

HILL hath no fury like a farmer scorned. To publish a phrase, "The vibration unleashed by the Environment Court's decision on the Manawatu-Whanganui One Plan is a light to behold."

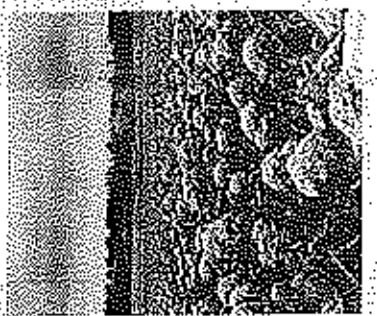
Farmers' organizations were spurned by the court, their requests dismissed and their former subsidies ignored.

Forterra was treated with contempt.

The backlash, led by Federated Farmers and Horticulture NZ, has been unabated across the rural media with little attempt at balance.

An obvious target is Elini & Co., whose experts, along with those of the Conservation Department, had a big influence on the court.

The Feds and HortNZ are spreading the decision — which, among other



things, sets retrogress leaching. Appeals for farms — to the High Court.

Environment Court did not give enough weight to the economic effects of its decisions on the region.

I'm not sure what success they will have. Appeals can only be on points of law and the legal view I have is that the judgment is so well-grounded in evidence-backed facts that little can change.

Harvest hit by leaching rules will be dairy farmers on sandy and gravel soils.

Federated Farmers argues that some will be put out of business.

The court spent some time on this and concluded that those few who could not meet the leaching levels should not be exempted.

I must admit the court's rather odd dismissal was a surprise. It said such cases were inevitable.

In other words, you can't make an omelette without breaking eggs.

If accepted evidence from Waikato dairy consultant Allison Dewes that a 10 per cent leaching restriction could be

Fig. 1000: Vegetable growing is a high-leakage area without affecting productivity and even cuts of 20-40 per cent could be made while actually improving productivity. Others who believe they will be severely

affected are vegetable growers and grain growers.

At the heart of the new regime is a computer program called Overseer, which will be used to measure nutrient leaching. It is already in use in three other regions and proposed for two more.

Overseer has been developed over the past 20 years at a cost of \$16 million.

Most of that has come from the Primary Industries Ministry and the government-owned research institute AgResearch. So you could say your taxes have paid for it.

Other funding has come from FarmResearch, owned by farmer co-operatives, so farmers are also contributing to Overseer's development. Of course, farmers are taxpayers too.

Farmers and growers say Overseer is intended on cropping and horticulture land.

is to reduce leaching in stages over 20 years in 2012. This may be acceptable for dairy but not for horticulture to achieve.

The court recognized growers' concerns about the latest version of Overseer and said it was prepared to consider an "interim solution" while it was being refined. That is something for the regional council to come back to the court with.

However, ease of the environment trumps all, as Judge Craig Thompson made clear in these comments: "We will never know all there is to know."

"But what we undoubtedly do know is that in parts of the region the quality of natural water is degraded to the point of being not potable for humans or stock, unsafe for contact recreation, and its aquatic ecosystems range between sub-optimal and imperilled. "We also know what is causing the decline and how to stop it and reverse it."

A regulatory regime to set measurable standards and enforce compliance was simply "the right thing to do" (his italics).

across Overseer's accuracy is acceptable.

Backlog this has been a significant factor in the past week by FarmResearch upholding the quality of the latest version of Overseer.

It says "a very significant" upgrade to the arable model in a previous version has been better integrated into the new one.

Horticulture was removed from the One Plan by a previous appeal panel, as well as land in the lower Rangitikei and Horowhenua. The court reinstated them all, much to the dismay of growers.

There's no doubt vegetable growing is a high-leakage area. Crop calculation by Plant and Food Research's Brent Clouston is that nitrogen leaching on vegetable-growing land averages about 100 kg per hectare a year. However, other research has it at 18-28kg, depending on the vegetable.

This is still high. According to Overseer, dairy leaching in the region averages 20kg, below the national average of 30kg.

On the most vulnerable land the plan

'Back-breaking' turns survival into success

An award-winning small fruit and vegetable farm has made it into the black after five years of hard work, says Jon Morgan.

ASKING Dot Plissett how hard she works is tiring with a laugh. The soon-to-be co-owner, with husband Alan, of a small farm and shop — the Woo Red Barn — on the outskirts of Masterton, suddenly beams out of her chair.

"Look at these hands," she demands, thrusting her arms forward. "Those aren't girl's hands. They're dry, calloused and muddy and the nails are stubby and cracked. Go and conquer them to an after-dinner drink."

the fruit firm, and the help of a secret brew of nutrients.

Strawberries are the biggest crop, with 40,000 plants growing in eight neat beds on racks. This "table top" system avoids crop rotation in the ground, reduces chemical use and makes picking easier.

Overseer, the British company that developed the system and also sells poly tunnels for crops, plays a big part in the couple's lives.

"They've been magnificent," says Dot, 48, and Alan, 50, who run the farm near St. Albans and Alan was running a retail farm that used Hydrovore tunnels. Within a year they were making sand and they had joined his workforce.

Five years later, in 2007, they bought a century-old driveway washes and its surrounding overgrown vineyard across from the Opaki racecourse. The idea was

have stayed for another year," Alan asks. "Only looks like us, it was too late to turn back; we were half way up the hill and it was too hard to go back down."

An added incentive was to prove wrong the people who told them they would never survive.

It wasn't easy. "One time I remember smashing a crop against the wall in my frustration. I was thinking, 'It's not worth it, leaching's going right. It was just dealing with people, finding the eyes you can trust."

"After three years, still in business and employing 20 seasonal pickers, people started talking like this: 'We were going to do something like this,' and they knew they had passed some sort of test. They who seen as part of the local landscape. It is now the new and the Woo Red Barn's business sheet has moved from the red to the black.

"We've proved a lot of people wrong."



Reality belts farmers with own money

29-10-2012

Seeing a smiling studio mugshot of Horizons chairman Bruce Gordon in Farmers Weekly on October 15 over the headline Economy, environment one and the same, made me wonder if some sense might have entered the debate.

Alas, on reading the article it wasn't to be. The statements and reality were widely different as Gordon's PR department should have known. Almost Churchillian it may have been, realistic it wasn't.

There has been much written on the vaunted One Plan and all its ramifications and I don't intend revisiting the entire sorry saga but will start with a few pertinent points.

The thing has been incubating for about eight years and some have suggested if all groups had talked more back then we wouldn't have ended up with the current snarl-up.

While the point is fair it is important to remember that back then Horizons was promoting its Green Rig. Its central premise was two guilty secrets, the first was that farmers were applying fertiliser, a pollutant, and the second was that animals defecating and urinating further exacerbated pollution.

At no point was any mention made of the contribution farming made to the region. That was the vocabulary originally set by Horizons.

I'd further argue that over the period there were some environmental evangelists who, courtesy of weak governance, had their way.

Now you have an Environment Court prescribing a system that is at total variance with Gordon's statement that the economy and environment are one and the same.

Local Feds president Andrew Hoggard says his view of the One Plan was what you'd introduce if you "wanted to shoot the local economy in the foot".

He added "There will be a loss of production, more council staff will encourage a rates increase for farmers, we'll have more paperwork and our costs will increase."

The winner of the Balance Nutrient Management Award last year, Jim Galloway from Eketahuna, suggests "There is no way we can get to the required levels and make money. We have high rainfall here, that and cows contribute to our N loss" and "our costs will go up and the value of our asset will go down."

He suggests that an option would be to reconvert from dairy to beef with the subsequent loss of revenue for the community.

He adds "I don't think Horizons have thought about that."

Grant Barber of Himatangi says "We've asked for advice and over a third of our cows will have to go. It will not be economic to farm and we told them it would take a third off our property value."

Horticulture producers were also concerned they wouldn't be able to continue profitably and, if they couldn't, the price of vegetables would go up for everyone.

So much for the economy and environment being one and the same.

There are three other issues.

The first is that the method used to measure will be Overseer 6 whereas the standard used to date was Overseer 5.4.

Feds regional policy advisor Dr Tessa Miss says that difference will make it "highly unlikely that many farmers will be

THE NATIONAL

Farming REVIEW



Christchurch's donations: Where all the money went P23

NATIONAL POLICY

Farmers appeal

Federated Farmers appeals against Horizons Regional Council's One Plan P3

Safe in the air

Farmers need to ensure the future of our agricultural aviation industry P5

Farmers necessary

Land and Water Forum chairman discusses freshwater objectives P68

REGIONAL POLICY

Recipe for water

Drafting rules will not necessarily clean up waterways P8

Power struggle

Work to block Transport's proposed buffer zones continues P8

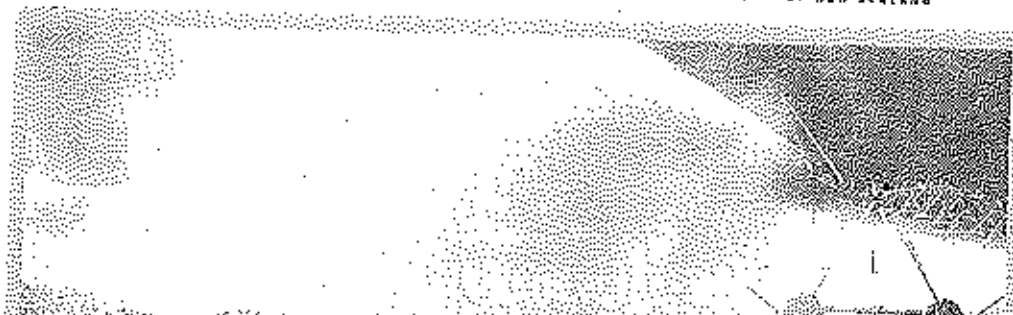
INDUSTRY GROUPS

Crime fighters

Federated Farmers Goes Industry Group now represents all sectors P16

Goats group grows

Sensible steps and reporting incidents could drastically reduce theft P18



THE BIG WATER ISSUE

WATERWAYS AND RIVERS - NO



BOOK GIVEAWAY

Federated Farmers has a signed copy of physiographers' Chris Martin and Tony Briggs's *Out There: North to give away*. To enter send your name, address and telephone number to competitions@fedfarm.org.nz

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One Plan to rule them all

Farmers have moved forward with water practices, improving their sustainability and environmental impact. It's time councils did the same.

I am against heavy-handed regulation. It is expensive, inefficient and, of course, bureaucratic. It does nothing to build good working relationships between councils and their ratepayers. To date, I have seen no evidence that heavy-handed regulation actually improves water quality. What improves water quality is enthusiastic landowners working with positive and progressive councils to make a difference.

I am for a growing economy, offering jobs for its young and increasing incomes for its people. Farming has a big part to play in this. I am also for environmentally sustainable farming. Profitability and sustainability go hand-in-hand. A bit like councils and cities; you cannot have one without the other!

Yes, we do need to do better with our water and our environment, but one thing I do see in my role is the encouraging progress that farmers are making. Agreements have changed and action is being taken. Sure, things may not be happening as quickly as some would wish, and changing habits and actions does take time. What I know for certain is this whole



BRUCE WILLS
Federated
Farmers president

water issue is now front and centre for all farmers; it is certainly our number one focus here at Federated Farmers. This is one of my issues with Horizons Regional Council, the One Plan and the very disappointing decisions that have come from the Environment Court. The One Plan has now been under action for longer than I have been a farmer. While One Plan has been working its way through disputes and courts, costing millions of dollars, farmers have been getting on with improving practices around water and water management.

Just look at Taranaki Regional Council – a model for innovative, non-regulatory, environmental improve-

The One Plan has now been under action for longer than I have been a farmer.

ment. I am told the region's riparian planting programme has seen over 2 million plants to the ground, with a further 360,000 native plants ordered for next year's planting. All this without any heavy-handed regulation and without the considerable costs that go with councils and bureaucracy.

Does the neighbouring council and the Environment Court not realise things have changed? Agreements and actions have moved on. Farmers now get it and want to work with progressive councils to do better. Heavy-handed regulation is not needed, is not welcome and is not sensible.

The future ain't what it used to be



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American baseball coach Yogi Berra famously said "the future ain't what it used to be". When it comes to water in New Zealand, he's right. Right now, everything to do with water is at play. The laws and rules around its ownership, allocation, management, quality and storage are all under review.

What happens in the next few months will determine the next 160 years. This is complex, so we must get it right. There are huge risks, not only for the farming community, but for all New Zealanders. We care about the environment and a prosperous future. We need both.

The Government has recognised the importance of water to the economy with the allocation of \$485 million to water storage infrastructure.

Alongside this, there are local government reforms seeking to change councils' focus, while the Resource Management Act is also to undergo further amendments.

The National Policy Statement (NPS) on fresh water management was passed last



CONCO ENGLISH
Federated
Farmers chief
executive officer

year. The land and Water Forum is trying to help peel it to inform further law change. In the meantime, Horizons Regional Council, Otago Regional Council and Environment Canterbury have produced plan changes seeking to implement the NPS. Despite best efforts, it could be said none have got it right. Diffuse natural discharges are not the same as point source discharges and the Overseer management system is not a water meter.

Federated Farmers is involved in all of this. The focus needs to be on finding solutions, based on sound science and

profitable and sustainable farming.

Farmers are custodians of the land and water, harvesting for the benefit of today and future generations. They want to leave it better than they found it.

While some still need to pull their socks up, farmers have spent hundreds of millions of dollars putting in efficient systems, excluding stock from waterways, measuring fertilizer and investing in more efficient irrigation. That investment has allowed export growth, earning money to pay the bills for hospitals, schools and other services. It provides jobs and has improved the environment.

Water-quality measures must include all those whose discharge into rivers, including places like Palmerston North.

There is no free lunch. When it comes to water, it is critical our whole society gets the balance right, does not overreact and throws the baby out with the bathwater. The future may not be what it used to be, but we need profitable and sustainable farming for the benefit of all New Zealand.

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One Plan one step too far

By Felicity Wolfe

Last week, Federated Farmers appealed the Environment Court's decision on Horizons Regional Council's One Plan. As it stands, the plan threatens agriculture's ability to operate profitably in the region. Federated Farmers Manawatu-Rangitikei provincial president Andrew Hoggard says the current version would poorly serve the community. He says the Federation has identified several points of law it believes have not been properly considered.

"This plan has been seven years in the making, but for all that, the end result is disappointing for farmers and the primary sector in general," Mr Hoggard says.

The plan was always an ambitious project. It stirred up concern from many interested in resource management, environmental sustainability and primary production when it was notified in May 2007.

From the outset the primary sector had serious reservations. Perhaps most relevant were practical difficulties in implementing the strategy and the associated rules.

"There were numerous reasons why the initial rules were impractical and inappropriate, but after a lengthy hearing process the decisions version released in 2010 was significantly changed from the notified version by the independent commissioners," Mr Hoggard says.

The changes resulting from the submissions and hearings processes were received more favourably by farmers. In many instances, Federated Farmers indicated it was relatively comfortable with the decisions version of the plan. The



SUSTAINABLE SOLUTION NEEDED: Horizons region farmers want to improve the quality of rivers, but Federated Farmers fears the regional council's One Plan could regulate farmers off the land, which would not help them, the consistency of the environment.

Federation became involved in the appeals process and extensive mediation throughout 2011, but there were still a number of matters to be put before the Environment Court.

Federated Farmers, along with the other primary sector groups including Horticulture New Zealand, Poultry and Ravensdown, represented the interests of the primary industries in response to the positions put forward by Fish and Game and Department of Conservation. Horizons took some middle ground.

The Environment Court released its One Plan findings on September 4.

The court's directions for the water chapters, as well as some additional changes to the biodiversity and land chapters, make the plan similar to the 2007 notified version.

For farmers, the water chapters of the notified version had significant shortcomings. Perhaps the most important was the inability to apply the rules outlined in these chapters to many intensive land-use enterprises. This is because, despite all intensive land uses being captured by the rules, the tools to apply and monitor the rules are not applicable to many primary industries.

The re-introduction of resource consent requirements for other intensive land uses, including cropping, commercial vegetable production and irrigated sheep and beef, is hugely significant to the region's primary sector.

Many farmers recognised throughout the One Plan process that an all-in approach to managing water quality was the most appropriate mechanism.

However, if land use is to be managed in a catchment-wide approach, the tools for that management must be fit for purpose, expectations for water quality must be realistic and farming must be able to continue to ensure the economic and social wellbeing of these catchment communities.

The plan as it has now emerged has:

- A nitrogen-leaching loss limit assigned to existing and new intensive land uses, based on the farm-use capability of the soil
- A sinking lid on nitrogen-leaching loss over 20 years

- Requirements on farmers to get consent to farm where they have existing intensive land use in the priority water management zone, or if they seek new intensive land use anywhere in the region
- Indigenous biodiversity managed at a regional, rather than district, level.

Although all farmers in the region are affected by the One Plan, some are more directly affected than others. For example, it is likely that, given production constraints and limitations to future land use, this plan will cause the value of all farm land in the region to drop.

"This is my interpretation of the One Plan," Mr Hoggard says.

"All other parties have also been working out what the plan will mean to their businesses and Horticulture New Zealand also lodged an appeal.

"At this stage there is considerable uncertainty about how the plan will be implemented, but if the plan is not practical to apply, it won't work," he says.

"The administrators of the plan depend on land-owners taking action so let us hope that, out of necessity, common sense will prevail."

Livestock tax changes will affect many farmers

By Nick Clark

Federated Farmers general policy manager

The Government has introduced a Bill expanding its Budget 2012 legislation on livestock tax, which is likely to have implications for many farmers.

Herd scheme elections were made irrevocable from August 18, 2011, preventing farmers from taking advantage of livestock value fluctuations to receive unintended tax breaks.

The Inland Revenue Department (IRD) estimated these would have cost the

Government \$26 million over six years had the rules not changed.

The new Bill provides a little more flexibility around exiting the herd scheme.

The Government has agreed to allow farmers to make an election to a cost-based scheme if they change their farming regime from breeding to fattening.

The useful 'bifurcative valuation option' will continue to be available. The increases in the number of a class of livestock for which a herd scheme

election has been made would not need to be valued under the herd scheme.

In recent years some accountants advised farmers to use the election available to those ceasing farming and selling their livestock.

Sales were made to 'associated persons', usually a company, without any change in economic ownership. IRD is considering nullifying some cases.

Therefore, the Government has decided that from March 28, 2012, purchasers in 'associated party transactions' must adopt the vendor's herd

scheme elections and base herd numbers.

Federated Farmers was concerned about the potential impact on farm succession where genuine sales are made to children or grandchildren. The Government listened and included an exception when there is a complete inter-generational change of ownership. To qualify, the vendor must cease farming and the recipients cannot have had previous interests in the livestock.

Another change is the combination of the friction and jersey dairy classes and the red and wapiti deer classes.

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One Plan to rule them all, according to Overseer



Over The Fence
Jon Morgan

His path no fuy, like a farmer scorned. To putting a phrase. The vituperation unleashed by the Environment Court's decision on the Manawatu-Wairarapa One Plan is a sight to behold.

Farmer organisations were spurned by the court, their experts dismissed and their farmer supporters ignored. Forterra was treated with contempt.

The backlash, led by Federated Farmers and horticulture NZ, has been splashed across the rural media with little attempt at balance.

An obvious target is Fish and Game, whose appeal, along with those of the Ministry of Conservation, had a big influence on the court. Some farmers are now blaming anglers and hunters from their land.

The Peds and Horvitz are appealing the decision - which, among other things, sets nitrogen loading levels for farms - to the High Court. They will be arguing the Environment Court did not give enough weight to the economic affects of its decisions on the region.

In not sure what success they will have. Appeals can only be on points of law and the legal view I have is that the judgment is so well-grounded in science-based facts that little can change.

Mostest hit by teaching rules will be dairy farmers on sandy and gravel soils. Federated Farmers argues that farms will be put out of business.

The court spurnt some time on the and concluded that those few who cannot meet the teaching levels should not be exempted.

I must admit the court's rather cold dismissal was a surprise. It said such casualties in a "changing rule regime" were inevitable. In other words, you can't make an omelette without breaking eggs.

It accepted evidence from Waikato dairy consultant Alison Dewes that a 10 per cent teaching reduction can be made without affecting profitability and even cuts of 30-40 per cent can be made while actually improving profitability.

Others who believe they will be severely affected are vegetable growers and grain croppers. At the heart of the new regime is a computer programme called Overseer, which will be used to measure nutrient loading. It is already in use in three other regions and proposed for two more.

Overseer has been developed over the past 20 years at a cost of \$14 million. Most of that has come from the Primary Industries Ministry and the government-owned research Institute for Research. So you could say your taxes have paid to find ways to ensure farrows clean up rivers.

Other funding has come from FerReseach, owned by farmer co-operatives, so farmers are also contributing to Overseer's development. Of course, lawyers are taxpayers too.

Farmers and growers say Overseer is unrelated to cropping and horticulture land. But the

Environment Court accepted the expert opinion of what it termed a "galaxy" of scientists that even with teaching resources as diverse as livestock or carrots Overseer's accuracy is acceptable.

Behind this has been a statement released in the past week by FerReseach upholding the quality of the latest version of Overseer. It says "a very significant" upgrade to the earlier model in a previous version has been better integrated into the new one.

Horticulture was removed from the One Plan by a previous appeal panel, as well as land in the lower Rangitikei and around some lakes including Lake Horowhenua. The court restricted that all, much to the dismay of growers.

There's no doubt vegetable growing is a high loader. One calculation by Plant

and Food scientist Brent Cleather is that nitrogen loading on vegetable-growing land averages 215kg per hectare a year, an incredible amount. However, other research has it at 18-65kg, depending on the vegetable.

This is still high. According to Overseer, dairy loading in the region averages 27kg, below the national average of 36kg.

On the most vulnerable land the plan is to reduce loading in stages over 30 years to 18kg. This may be acceptable for dairying but harder for horticulture to achieve.

The court recognised growers' concerns about the latest version of Overseer and said it was prepared to consider an "interim" solution while it was being studied. That is something for

the regional council to come back to the court with.

However, care of the environment trumps all, as Judge Craig Thompson made clear in these comments: "We will never know all there is to know."

"But what we undoubtedly do know is that in parts of the region the quality of natural water is degraded to the point of being not potable for humans or stock, unsuitable for contact recreation, and its aquatic ecosystems range between sub-optimal and impaired."

"We also know what is causing the decline and how to stop it and reverse it."

A regulatory regime to set measurable standards and enforce compliance was simply "the right thing to do".
— *Forfior NZ*

One Plan changes defended

BY BRUCE JOHNSON

IT WAS disappointing that Rural News' September 19 coverage of the Environment Court ruling on the One Plan didn't include what the Fisheries Minister said about the plan. Bruce Gordon rightly refers to as "highly influential" from the Environment Court.

Indeed, the views along with Gordon and DairyNZ, have been widely highlighted for their same arguments about the consequences of the ruling.

What's interesting though is the criticism from industry insiders - that's loggers and respected supporters of fisheries and agricultural - such as respected Donlin Jon Morgan who calls the reaction "wonderfully free ranging penitance". I suggest what response is due to flying a kite with not much wind.

Both use an apt term - penitance - when you consider Morgan's concluding argument that there are many positives in the One Plan for forestry farmers, chiefly because voluntary measures have failed and vegetation practices "they now

know what the boundaries are and they can get on with it".

Morgan explains that the many farmers who are doing the right thing to reduce their impact on waterways and the environment have nothing to fear either, it's the more aggressive who will be most affected by the new requirements. So we now have the bonus of what could easily become a conventional form of environmental degradation.

And this is what makes the "penitence" reaction by Peter Somers, Technical and DairyNZ all the more curious. Why are they so eager to defend, particularly by their own logic, what's been consistently saying the opposite in public? Has all this talk about the industry's commitment to environmental standards been nothing more than a bluff?

As for the claims about financial implications - it's not the largest issue of One Plan rules. The Environment Court fully received such industry and Separates Party-inspired nonsense, withholding from economic evidence to the contrary. Rude, the court

could that for those who need to let their guard down the average cost of no longer being a farmer is "not as expensive" as they claim to be.

The media ruling is unappealing in itself - from a rebalancing of the One Plan which has far too long favoured environmentalists. We now have a judgement that's not only a double-edged sword but also a regional one.

Given that the Environment Court says in and out that it creates a standard that other regions would be wise to follow - a world better to respect, compliance with a warning of losses.

Finally, the country is on track to ensure agriculture is moved from an environmental liability to a contributing sector. This will mean the best the economy and the environment by providing much-needed investment. The 2006 Plan, also given broad that is well a vital pillar of difference from our leading industries - fishing and tourism - in the river and national marine.

beginning of the end of the long-standing divide between urban and rural New Zealand ever wider - provided that the opportunity has been taken. We've all got a wide choice of what to do with the One Plan once we've made our minds up to be diverse about it.

Editors reply

Editorial comment: The Environment Court ruling on the One Plan is a landmark decision. It's a good example of the court's role in balancing the interests of different groups. We're glad to see that you're taking an interest in the story. We'll continue to provide you with the latest news and analysis on this and other issues.



Bruce Johnson, Chief Executive, Rural & General NZ

TOWN & COUNTRY NEED TO CLEAN UP WATER

YOUR EDITORIAL "One plan from the Government cannot go unchallenged. There is an argument to address the issue of water ways, particularly in Manawatu where the Manawatu River has been so seriously polluted across the entire length of the river."

Councils in the Plan have been reported in terms of setting a goal that a half of the story. Undoubtedly farming practices are a contributing factor, but so are urban based councils pouring sewage and stormwater into rivers. For example, the Manawatu, the Tairāhema,

News

Primary sector appealing against the One Plan

Richard Rempe
7 October 2012 10:26 am

Barb Horvitz and Federal Farmers are launching an appeal against the Environment Court decision on the Harcourts One Plan.

Feeds legal adviser Richard Gardner said a key plank in the Court's appeal was a departure in the court's ruling from original submissions about two words. These were the phrases requiring farmers to carry out every step that was "reasonably practicable" to mitigate nutrient loss.

"Simply put, the Environment Court erred in the sense of the regional council when it heard submissions. The court has taken out the words 'reasonably practicable' from the plan, yet at one submitted to have that removed. This is in effect the 'step too far' we talk about," Gardner said.

The recent Fish and Game had asked for the phrase to be removed in its closing submissions to the court, despite submitting those words be included in its original submission to the plan.

Feds was also concerned about the Land Use Capability (LUC) categories used in the plan.

"We do not think the LUCs are consistent or compatible with



How DairyNZ's plan was a good one after review.

the National Policy Statement on Freshwater Management. The joint on concept of advice leading to the LUCs is now science not a judgement."

Primary sector opposition is also being ramped up with Horvitz's appeal launched the same day.

Horvitz chief executive Peter Slesick said the organization was "profoundly concerned about the impacts of the court's decision on vegetable growers in the region."

"While only accounting for 3% of the total land mass, the growers constitute a considerable portion of the produce supply to metropolitan centres of Wellington and the upper North Island."

"The concern is largely around the use of crop rotations in the course of business. There are some provisions in the decision on resource consent being required if you are changing land use."

Growers were changing land use almost on a seasonal basis as they moved crops around different areas. Slesick noted the irony in this was that rotations meant an environment was protected by reducing the level of erosion and leaching agricultural use.

"The plan does not stop this, but is certainly makes rotation more difficult and cumbersome, requiring consent."

He said the court had not fully thought through the implications its decision would have on the viability

and practicality of vegetable growers in the region.

The Manawatu region is one of three key potato growing areas in New Zealand, while Otago is a key carrot supply area.

"A court acknowledged there are no suitable processes available for growers to use to prevent run off, yet it has ruled they need to do this."

"The industry was far from sitting on its hands over negotiating recent losses in Northwairaka."

"We are remaining James around nitrogen loading and processes to manage it, but have not found anything that is suitable at this point."

While not subject to the group's appeal, Slesick agreed the whole planning process was in the need of re-examining.

"At present it is also very inflexible and drawn out. We think there is a need there to try and manage large ports collaboratively, possibly with independent commissioners who

daily undertake the issues and can make decisions that are clear for all involved."

Slesick agreed with DairyCoop's former New Zealand's with maintaining the One Plan was "a pretty good one" after the



Andrew Haggard, Feds's in law.

commissioners had reviewed it earlier, and the Court decision has left and users with something far closer to the original plan than was ever desired.

Both DairyCoop and Feds carry their for Manawatu's former Haggard believe the Environment Court has made errors in law, and it is a responsible step to straighten them out.

"As the court is now before the court we are pretty much limited by what we can say from now on," Haggard said.

Gardner anticipated it would be a full six months before a decision on the appeal would be announced by the High Court.

One Plan decision heads for appeal

By LAURA RICHARDS

Two farming organisations, concerned with members' livelihoods, have lodged appeals at the High Court in regards to Horizon Regional Council's One Plan.

Horiculture New Zealand chief executive Peter Slocock, along with Federated Farmer's vice-chairman of grain and seed, New Zealand's grain, have come out against the One Plan in different fields of concern.

The Environment Court last month ruled all intensively farmed land, including horticulture operations, would need nutrient management plans and consents and there would be more stringent rules on hill country erosion control and the protection of biodiversity.

Those left in the four key areas of the court's concern: water quality and quantity, hill country land use and threatened native habitats.

Farmers with irrigated sheep, beef, cropping, dairy farms and marker gas, Horvitz has 200 commercial growers

who could be affected in the region covered by Horizons.

Mr Slocock said: "Following discussions with growers in the region we believe we have no choice but to appeal the ruling."

"The industry simply can't afford to let it go unchallenged."

One of Horvitz's points is that the Environment Court may not have fully considered the implications the decision will have for horticulture and, specifically, vegetable growers, nor did it understand alternative land use and crop rotation.

The Environment Court was called on to rule on the way the One Plan proposed to control ammonia and types of run-off and leachates resulting from farm activities.

"The court acknowledged there are no suitable processes available for growers to use to measure run-off, and yet it has decided they all need to do this," Mr Slocock said.

"But the biggest issue for us is the way the court appears to have completely failed to understand the implications of alternative land use and crop rota-

tion practices in their decision. These practices are very important for growers and are critical to their business sustainability, productivity and reducing impacts on the environment."

Mr Dalrymple said Federated Farmers wanted legal clarity on what the organisation saw as ruling errors in law.

"Whatever the outcome, everyone will be affected in some way, whether it is through job prospects, enjoyment of the environment or the future prospects for our region."

"We need good environmental outcomes, good economic outcomes and good community outcomes," Mr Dalrymple said.

Water and its quality are vitally important.

"Like everyone else in the community, farmers want good water quality too. This is why farmers have invested millions of dollars and have positively changed how we farm over the past decade."

"As irrigating farmers, we want to find and implement practical solutions that work not only for growers, but the wider community we are a part of."

Carter voices concern

The Minister for Primary Industries is concerned about how Horizon Regional Council's One Plan could affect all farmers in the region.

David Carter told *Scratch Turrow* he did not want to see farming activities hindered by the Environment Court's ruling.

Mr Carter received a report from his office late last month about the One Plan and the court's decision.

"The report did not surprise me. I have read the decision by the Environment Court and watched the development of the One Plan," Mr Carter said.

His concern is about economic growth in the area covered by Horizons Regional Council — Palmerston North, along with Rangitikei, Manawatu and Kapiti. Mr Carter said: "The ruling may have overbalanced towards the environment — we need to balance this with economic growth."

Opinion

One Plan shy of economic analysis

Andrew Hoggard

In a recent issue of *The New Zealand Farmer*, Michael Stone was a guest on the views of other councils about the implications of the One Plan initiative. Some good points were made but some fundamental flaws in the process that led to the One Plan were missed.

I believe the biggest unexamined pre-empted possibility set by this Environment Court decision, is that heretofore decisions can be made on virtually no solid economic analysis of what a council plan may involve.

Councils are supposed to conduct what are called Section 32 reports for any proposed plan examining the case one scenario of it.

The Section 32 report case for the One Plan was a complete joke. It contained an actual economic analysis, but some opinions that the effects will be minimal.

Why? Believe this is important is because once a plan becomes notified it seems that it takes on a life of its own and various things become stretched in it. The elected councillors have little ability to do anything about it. In my experience, it seems the only opportunity the people elected representatives have is when they vote to notify the plan. The big problem for me is that councillors make their decisions based only on the information that the council staff provides them.

Are the same staff who created the proposed plan likely to improve every aspect of their own ideas? So those councillors are given a whole bunch of information from the same source and told to make a decision. They may feel uneasy about the plan but they have nothing solid to base their on.

Think if any proposed plan stand with a proper cost benefit analysis independently done by Treasury, along with impact statements from the Ministry for



Primary Industries, Department of Conservation and other government agencies. This surely councillors will then make a far better informed decision, when it comes to heretofore. Following that hearing commissioners will also have more solid data on which to use.

A lot of opinions has been written about the One Plan decision, a lot of it quite critical of the decision. I just want to make one thing clear to those people, we are not opposed to stock exclusion from waterways, we are not opposed to the effective recording of ethanol to land under 1 hectare, stock owners, we are not opposed to good nutrient management practices either.

Where activities fail to achieve water quality outcomes the community desires we need to know these have been balanced against economic, social, and cultural outcomes that community also desires. Ultimately, if nutrient targets and labelling that nutrient allocation leads actually improve water quality, who could be against that? When we are opposed to it is ridiculous bureaucracy, inequitable nutrient targets and no opportunity to work together first to solve issues using non-regulatory means first.

While Fish and Game may say that the non-regulatory approach

to nutrient management has failed and therefore rules and limits are the way to go, I beg to differ. In my opinion, the non-regulatory approach to nutrient management has not been pushed hard enough for any conclusion to be made.

The Clean Streams Accord was particularly about getting streams better off, which by and large has been done. Fewer dairy cows are getting into waterways. A non-regulated win.

The real push for the industry was for good nutrient management systems. There have been rules and regulations around nutrient dispersal since 1992 and the current non-compliance rate has been unacceptably high at around 20% nationwide.

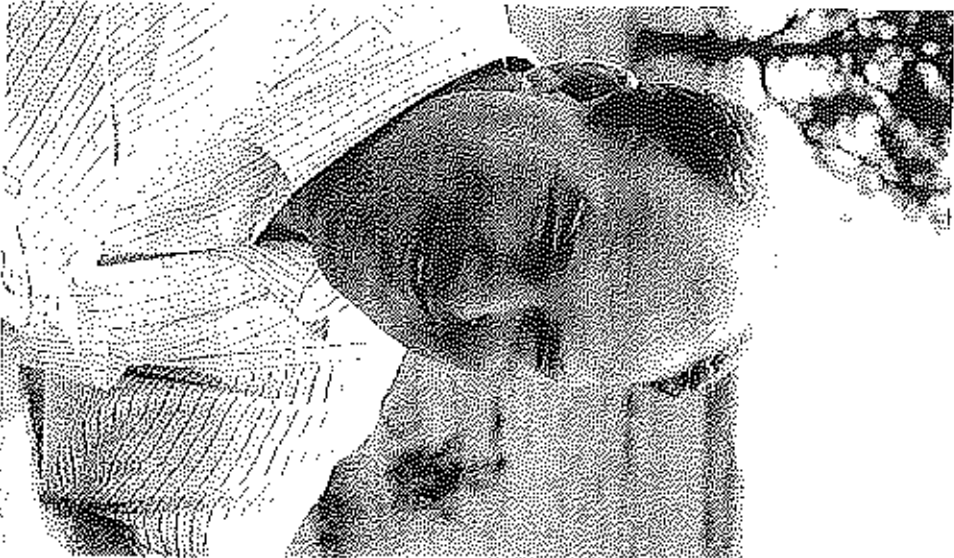
In order to make this non-compliance rate, the whole industry got together and produced the Farm Dairy System (FDS) Design Standards and FDS Design Codes of Practice, and the last year has been spent educating farmers, shepherds, good designers and engineers.

The result is that most farmers have spent the money that now give better effluent management systems in place and many more are compliant. It was the education of the industry and farmers that has brought this compliance rate up, not rules and regulations.

Now is the time to really push the non-regulatory approach to nutrient management. Farmers are ready to participate on the issue and the industry is providing more solutions to help farmers. If this plan, then okay, by all means do the regulated way. Give farmers a choice - so far they haven't chosen. Farm limits should be the tool of last resort.

Your View

Got a view on some aspect of farming you would like to get across? The Pulpit offers readers the chance to have their say. nzfarmersweekly@xtra.co.nz Phone 03 359 4658



ANDREW HOGGARD is the Arahauru Political president of Regional Farmers and Ararua was president of the Feds City section. He runs 550 cows in a family equity partnership on Coulter's vine, north of Redding.

Horizon Regional Council's One Plan

'Little respect' shown at hearing

By Laura Richards

THE Environment Court has been accused of showing little respect for submitters at a recent hearing on Horizon's One Plan.

Mr Dalrymple, a farmer from Rangitikei District, told Straight Furrow when he attended with his witness submissions, the judge and two commissioners did not ask him any questions. However, he said, the judge did ask others from the scientific community — "what would the farmers think?"

"The Environment Court hearing showed little respect for farmers who made submissions," he said.

"It's hard to hold respect for the judge in the Environment Court when there were two farmers in the room," he said in regards to the day he was there. "The scientists were cross-examined, but not the farmers."

"They didn't bother to get to depth about farm farmers. They should be ashamed of them."

Looking towards the future of the One Plan, Mr Dalrymple said he really did not know to what extent it could affect the farming operations at Waitarua where family farm stock, forestry and cropping. Some of the land was on sand country which required irrigation.

"I believe Horizons still will not know how to effectively deal with the Environment Court rulings right now," Mr Dalrymple said. However, he is afraid that "the real impact on farmers could be that they ended up relying on stall attitude on the day."

"That is not a pleasant situation for most affected stakeholders." Without a doubt, Mr Dalrymple said, "a lot of farmers want to learn in the best possible way that comes from science and knowledge." The Environment

Court left a lot to be desired," as far as he was concerned, "the Environment Court sent the One Plan back to Horizons and it has got to come up with how to implement it."

Another view Mr Dalrymple was opposed to involved the Overseer programme that was being used to help farmers determine how intense they could farm their properties. He said it has not been designed to cover all of New Zealand agriculture and used out of date land classification information.

Root farmer John Morrison, whose family property is just outside of Marton, said most farmers had a natural distrust of politicians, but trusted science.

About the One Plan, Mr Morrison said he supported most people would just look for what bills and pieces that apply to them. "While at the end of the day he was supportive of the One Plan, Mr Morrison also said, "Whatever we do, we won't get

into trouble if we follow the science. This is our planet, our land we don't want to muck it up."

Manawatu-Rangitikei Federated Farmers provincial president Andrew Hoggard said the opposition and farmers were unhappy with the ruling. Farmers will have to hit targets to reduce nitrogen over a span of two decades.

Mr Hoggard also said he hoped the Overseer 6 programme used by farmers had overcome past difficulties. Dairy New Zealand general manager or policy and advocacy Simon Tucker is disappointed.

"Dairy NZ supported Fonterra's position with expert evidence that there are nitrogen targets with cross significant partnership for farmers and economic plan for the region, because of the level of change required," Mr Tucker said.

And now, council keen to begin plan's implementation

By Laura Richards

HORIZON Regional Council Environmental Court achieved the Environment Court in hand is now starting to work towards the implementation of the One Plan.

However, getting to this point has included many years of meetings and documentation reviews.

The One Plan tackles four key issues: a decline in water quality and increasing demand for it, hill country land use and threatened native habitats.

While the majority of the plan was settled in legislation, 50 per cent of appeals to the plan went to the Environment Court. Some of the appeals focused on nutrient management and land-use by.

"The plan has brought irrigated sheep and beef farms and horticulture into the management regime. The Environment Court ruling said some farmers would need to adapt to the plan's boundaries."

Also, the region's coastal lakes, including Lake Horowhenua would be brought

back into the nutrient management framework.

The ruling from the Environment Court acknowledged the region only had 23 per cent of its original vegetation cover and only three per cent of original wetlands in existence. It noted rare and threatened habitats, in part or whole, could suffer the Resource Management Act.

Impact on these environments were to be avoided but the court ruled if impossible, then measures are to be put into place to offset by making improvements elsewhere.

Greg Carlyon is the former executive member of Horizons regional council who led the development of the One Plan and the Sustainable Land Use Initiative (SLUI).

"Development of the plan involved a huge amount of national science expertise including scientists from Crown Research Institutes, universities and Horizons' own science team," Mr Carlyon said.

Mr Carlyon said this was its strength. "The One Plan was prepared

over an eight-year process with hundreds of meetings held including on-site visits and group sessions during which people were tested on the impact of the plan on their lives and businesses," he said.

"We invited people to be quite selfish through the process as plans only matter when they're tough down on a real issue." Mr Carlyon, himself a rural resident in Rangitikei District, said "we wanted people to describe what they wanted the region to look like in a government's time."

Part of the plan's basic premise is to provide an environment residents can be proud of and will continue to maintain classic New Zealand values like sharing a swim in a local river on a sunny day.

"It doesn't matter who you are or what you do, there are some things common to us all." At pre-hearing meetings, Horizons offered opportunities to help those in the horticultural, agricultural, forestry and dairy sectors along with sheep and beef farmers working within the boundaries set out by the One Plan.

he said this included plenty non-regulatory initiatives which sector representatives declined and he found that disappointing.

The first hearings of the One Plan were in 2009-2010 and the commissioners decided while problems existed in the agricultural environment the plan did not need to be as strong as it was.

"They said some of the catchments don't need the restrictions suggested by council said," Mr Carlyon said. "The commissioners proposed a diluted plan which as it now turns out did not meet anyone's needs or the huge number of appeals to the Environment Court demonstrated."

"Our farming community has been led a diet of fear and hysteria over the past few years about what the One Plan said," Mr Carlyon said.

"There are a number of people who are operating their properties within the One Plan now, with no problems. "When our environment, including its soil and water is healthy, it follows that our economy will prosper forever."

laura.richards@straightfurrow.com



Former executive staff member at Horizons, Greg Carlyon led the One Plan's development and Sustainable Land Use Initiative (SLUI). PHOTO: LAURA RICHARDS

Minister looks into council's One Plan

By Laura Richards

THE Minister for Primary Industries is looking into Meriton Regional Council's One Plan.

One Plan brings together several regional planning documents and tackles four key issues: decline in water quality and increasing demand for it, soil country land use and threatened native habitats.

Some farmers have spoken out against it while others have spoken in support of programers within it like the Sustainable Land Use Initiative.

Minister David Carter said last week that he was taking an active interest in this matter.

A representative from the Minister's office said Mr Carter has now received a report from his officials and he is discussing this further with his ministerial colleagues.

However, Federated Farmers' provincial president for Manawatu-Rangitikei Andrew Hoggard said Straight Turnrow's too blunder late for them to do anything now.

"It's good that he is responding now, but there should be something in place so various departments are able to put in submissions," Mr Hoggard said.

He said during the submission process for One Plan, the ministry had written a submission but it was pulled. But the submission by the Department of Conservation went ahead.

"Department should be able to have equal access to resources so that the sub picture can be preserved," Mr Hoggard said.

"This ought help to make changes so situations like this do not happen."

Mr Hoggard went on to comment about a meeting held on Monday morning, September 17 at the Newbury Hall

in Manawatu for Federated Farmer members, which he chaired.

"Between 75 to 100 people attended," he said.

"As we went through the implications for farmers, Harrison representatives went through several points."

The mood was not hysterical but neither were people chilled out, he said.

"Everyone is worried about it," Mr Hoggard said.

"It was a good meeting. There were lots of questions. No one was jumping up and down - there were a lot of honest questions and statements."

Federated Farmers could be appealing the Environment Court's rulings and with still a few days left to consider the option, Mr Hoggard said whether there would be an appeal "is still unknown".

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■ More on One Plan on page 5 and www.straightturnrow.com

A plan aimed at growing region for better future



Bruce Gordon

A lot of you will be aware, the Environment Court recently released its interim decisions on Horizons Regional Council's One Plan. Those of you who hold concerns regarding these decisions and I know the question on many farmers' lips will be: so what does this mean for my farm? Essentially, the decisions mean that

existing intensive land use in some parts of the region and conversations to intensive land use across the region will become controlled activities once the Plan is finalised.

While a consent will be necessary, it must be granted if conditions are met. Based on Horizons' consents for irrigation, about 44% of the 900 dairy farms in our region will be affected by the nutrient management aspect of the Plan as well as a smaller number of irrigated sheep and beef, horticulture and existing cropping properties. In addition to these farmers, councils and businesses that discharge into waterways will also have to meet new One Plan standards in relation to nitrogen. However, there is no need for anyone to

make changes at this stage. It's important to note that the Environment Court decisions are interim decisions. A final decision from the Court is not expected before the end of November and there is still some work to be done around how the final Plan will roll out. We are committed to working with landowners to implement any required changes and we will do so in a way and timeframe that is workable for all parties. You will not be on your own.

A toll free number 0800 41 FARM (0508 417 583) has been set up to provide information around what the Plan could mean for landowners. This line is staffed between 9am and 5pm, Monday to Friday and you are more than welcome to call with any queries or concerns you may

have. More information and a copy of preliminary estimates is also available on the Horizons website www.horizons.govt.nz/oneplan

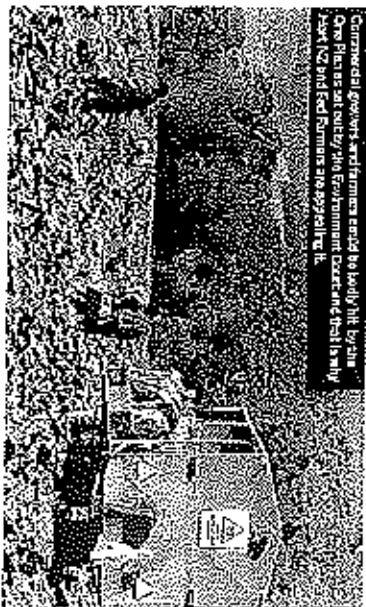
Developing a plan for the way our region's natural resources will be managed was never going to be easy. As a community we have had to weigh up competing interests and make decisions based around the best outcome for the region as a whole. With the focus now shifting from planning to implementation we will continue to work in the best interests of our region's economy and environment and are committed to continuing to work with you.

Bruce Gordon is chairman of Horizons Regional Council.

HortNZ and Feds appeal One Plan

BY PETER BURKE

AGRICULTURE New Zealand (HortNZ) and Federal Farmers have lodged appeals to the High Court on the Block-zee Regional Council One Plan.



Commercial growers' performance could be helped by the One Plan as set out by the Environment Canterbury and the High Court. HortNZ and Federal Farmers are appealing it.

"Our appeals are on points of law so what we believe the Environment Court has failed to place sufficient weight on evidence put before it. Two areas of concern to both appellants are that the Environment Court failed to take sufficient account of economic issues and that some of the decisions are impractical to implement on-farm."

Peter Slingsby, chief executive of HortNZ, says the Horowhenua regional by-product for vegetable production in New Zealand, with product being shipped to many parts of the country, including Auckland. The regional by-product is used as a soil improver and provides the nutrients for the One Plan on their pastures.

"You've looked at the directions of the Environment Court, mainly and

we've also talked to growers about the impact the decisions will have on their businesses. Our lawyers have identified some critical points of law that we believe can be challenged."

"We are particularly concerned about the impact the decisions would have on the regional growers. It will be that business and some farming years."

Growers lease 1000 hectares just a paddock or even half a paddock to grow crops. Under the new One Plan, they would need to purchase cover-crops every three years.

hasn't a paddock. This is seen as silly and unnecessary and would be costly to growers."

"The croppers are not able to do this in a timely way but that will affect businesses hugely. It's not going to be good for the environment either because those croppers will not be planted. As it is the plan does not say you can't do it, you seem to make it more difficult. We see the situation as being exacerbated to people growing crops. It will also affect sheep and beef production and horticulture."

"While it will be bad for dairy farmers and growers, I don't see it as a major issue. It's not a major issue for the majority of growers. The majority might not be able to get on with it. But it will be bad."

Block-zee on the other side of the world. HortNZ and Federal Farmers are appealing the High Court decision on the One Plan. HortNZ and Federal Farmers are appealing the High Court decision on the One Plan.

a booklet. It says that the appeal is about the way the High Court has interpreted the One Plan. HortNZ and Federal Farmers are appealing the High Court decision on the One Plan.

MPI concern

THE MINISTER for Primary Industries, Dave Carter, says research from the Department on One Plan says it could reduce the amount of water available for horticulture and other sectors. He says the research shows that the One Plan will reduce the amount of water available for horticulture and other sectors.

disputes in the country, transfer to him, provided to use that water." Carter says research from the Department on One Plan says it could reduce the amount of water available for horticulture and other sectors. He says the research shows that the One Plan will reduce the amount of water available for horticulture and other sectors.

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Since securing the water for the past few years, the water has been used for horticulture and other sectors. He says the research shows that the One Plan will reduce the amount of water available for horticulture and other sectors.

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management policies

environmentally sound means to increase production. The Ministry for Primary Industries website says, "Irrigation plays an important role in agricultural productivity and is a major contributor to the New Zealand economy".

"In 2002/03, irrigation was estimated to contribute about \$920 million net GDP 'at the farm gate', over and above that which would have been produced from the same land without irrigation."

"The ministry has identified a further 1.0 million hectares which could benefit from irrigation and has allocated \$435 million for developing more water storage infrastructure.

Given the above contexts, while the NPS states the effects of its implementation should be reviewed by the Minister for the Environment after no more than five years, there are strong grounds for holding that review now.

This is for two reasons. Firstly, there seems no point in JAWF collectively spending many thousands of hours and dollars in meetings hosted at Federated Farmers' boardrooms thrashing out what can be agreed on

how, when and what to do about water management in New Zealand, only to be trumped by premature implementation of the NPS by overzealous councils.

The recommendations need time to be debated by a wider public and then enacted, before we continue to interpret and reinterpret the NPS region by region.

Secondly, we need to ensure we get the economic and environmental mix right, through agreed, evidence-informed, community-led and catchment-based processes.

The removal of subsidies had a profound effect on agriculture. So will setting water-quality limits but Kiwi farmers are adaptive, innovative and resilient and will respond to the limits.

We need to make sure we have learned our lessons from the mid-80s. The social, mental and economic toll of overnight subsidy removal on rural communities and the economy was horrific.

Instead of jumping into such sweeping changes, farmers need to be given a chance.

REGIONAL CASESTUDY

Otago bursts out of the starting blocks

When it comes to implementing the National Policy Statement on Freshwater (NPS), the Otago Regional Council (ORC) seems to have taken a cue from Usain Bolt, bursting out of the starting blocks with Plan Change 6A.

This aims to give effect to ORC's Rural Water Quality Strategy and is currently gaining submissions from farmers and other groups.

The Otago approach to water management is different from other regions' strategies, because ORC is not relying on resource consent to enforce the plan.

Instead, ORC's preference is for most farming activities to be permitted, as long as certain water-quality limits are met over time, an approach which has sparked debate among experts on whether it will fulfil the NPS requirements.

The plan sets both quantifiable objectives for all of the region's water-bodies and limits on how much nitrogen, phosphorus, sediment and how many bugs can be in water leaving a property when it reaches a waterway. This is certainly a unique approach, but farmers at the hearings are still wondering what exactly it means for them and their businesses.

Farmers submitting on the plan change have been supportive of not paying consultants to improve resource consents in order to continue farming.

However, they are asking hard questions about whether the proposal is achievable. One farmer from South Otago, for example, has double-fenced all his waterways, installed a stock water scheme and reduced his stocking rate, yet believes he will not be able to comply with the plan.

Others are questioning the use of the Overseer farm nutrient management programme as a measurement tool, as it gives wildly differing results when



WASTED INVESTMENT: Farmers are worried that despite spending thousands of dollars on fencing and riparian planting, their properties still may not be able to meet Otago Regional Council's requirements.

estimating farms' nitrogen loss. Still more have called for a more robust discussion to take place at a catchment level, about what the limits should be and how best to achieve them.

All Otago farmers are nervous about how the rules around on-farm water limits, meeting waterways will be enforced, having heard horror stories of farmers' experiences with Environment Court prosecutions, resulting in huge fines and criminal convictions, with no greater certainty of outcomes for environmental protection. It is important ORC creates certainty in the plan.

It also needs to develop farmers' trust so they get a better understanding of their own's effect on water quality and what they need to do to improve it, this avoiding court.

Instead, farmers with a proactive approach ought to be rewarded, like Olympic athletes, with medals round their necks and proud reputations to uphold.

Water policies, region by region

■ Auckland Regional Council is establishing Interim Freshwater Objectives and Guidelines, followed by catchment-by-catchment limits. The council is collating technical data and talking with communities about values for water, then looking at what nutrient limits might meet these values.

■ Waikato Regional Council has enacted nitrogen caps in Lake Taupo catchment, and will work with landowners through riparian resource consents to reduce nitrogen loss by a further 20 per cent.

■ Bay of Plenty Regional Council has adopted a directive regional policy statement focused on enhancing water quality by managing nutrient losses and land-use change. Its Land and Water Plan has capped the existing nitrogen and phosphorus loss from land use activities around the Hotorua lakes.

■ Hawke Bay Regional Council's Land and Water Management Strategy takes a catchment approach with values, guiding principles, objectives, policies and proposed actions.

■ Greater Wellington Regional Council is currently consulting with stakeholders and the public on developing a new Regional Plan, possibly to be notified later in 2013.

■ Tasman District is reviewing its classification of different water-bodies and their status before undertaking discussion on limit setting.

■ Marlborough District Council is in the early stages of considering requiring new dairy farms to gain resource consents.

■ West Coast Regional Council has developed a specific plan for the Lake Brunner catchment, focused on managing phosphorous.

■ Canterbury Regional Council is consulting on a new land and water regional plan, classifying each of the region's catchments by their nutrient state, in over-allocated, or not and sensitive zones, land-use changes over the next five years require a 'non-complying' resource consent. It has adopted a tough threshold for nitrogen at 20 kilograms of nitrogen per hectare per year.

■ Environment Southland has introduced a regional rule requiring resource consents for all new dairy farming. The council is working through focus activities including hill country development, nutrient management and winter grazing. The council is in the process of deciding catchment-based limits.

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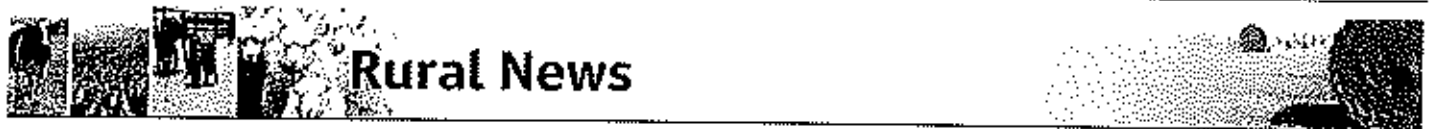
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Rural News

Test to reduce nitrogen pollution

By JANETTE BUSCH

Lincoln University animal scientist and PhD candidate Paul (Long) Cheng has developed a technique which has the potential to reduce environmental pollution caused by nitrogen compounds excreted by grazing animals.

"Although there are methods available to measure nitrogen excreted by animals they are almost impossible to use with grazing animals because they involve the collection of urine samples over 24 hours for at least five days," said Paul. "So this is a

very time consuming endeavour.

"The current models to predict potential nitrogen excretion were developed from the total mixed ration (TMR) system and are not suitable for applying to grazing environments.

"This test is an important advance that will help farmers and others in their efforts to reduce the effects of increased nitrogen run-off from New Zealand pastures and has the potential to be used in other pasture-based grazing systems worldwide," said Paul.

Nitrogen excretion by grazing

animals is caused by the inefficient uptakes of nitrogen from feed the animals eat and results in the release of nitrous oxide (a greenhouse gas) and the leaching of nitrate (a nitrogen containing compound) into ground water.

In developing the new model Paul began by measuring the urine nitrogen output from a small number of sheep fed on various feed types then compared these results with those given by a pre-existing computer model for predicting nitrogen output from feed samples.

He then developed a more accu-

rate model for predicting urinary nitrogen output using a newly identified nitrogen metabolism biomarker from blood samples using a spectrophotometric analysis of 16N (a non-radioactive isotope of nitrogen).

When the new method was trialled the 15N measurements combined with dietary nitrogen concentration provided moderately strong predictions of urinary nitrogen excretion.

"This spot sample 16N technique is easy to conduct on a large number of grazing animals such as sheep and it can be used to

quantify excretion and provide support on decision making for mitigation strategies against nitrogen run-off," said Paul.

Paul will now validate the technique using a larger number of animals. He will then refine the technique further by elucidating how the animals' diets and the animals' characteristics also contribute to the variation he found in the urinary nitrogen figures.

The results will be presented at the AAAP (Asian Australasian Association of Animal Production Societies) conference in Thailand later this year.

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Big dairy player praised for environment stance

Fish & Game New Zealand is congratulating Fonterra and the dairy industry for accepting the direction of the Environment Court about the need for the sector to move to mandatory environmental best practice.

By not appealing the recent ruling on Horizons Regional Council's One Plan, Fonterra and the wider industry is recognising and accepting the need to get on with the job and work to the One Plan parameters, set out to reduce the sector's environmental impact, says Fish & Game New Zealand chief executive Bryce Johnson.

"This signals to the wider public that the biggest player in the New Zealand dairy sector is now prepared to show the lead and take responsibility for 'avoiding, remedying or mitigating' dairying's adverse environmental effects, as required by the RMA (Resource Management Act)."

"The One Plan decision will now also assist the current rewrite of the Unifying and Clean Streams Accord, and Fish & Game NZ is keen to assist in its drafting and promotion," Mr Johnson says.

Plans welcomed: Fish & Game believes the Environment Court ruling on the One Plan will set a national precedent and make scenes like this a thing of the past.

The Environment Court heard from independent experts on agricultural land uses, best practices, and the cost of complying with rules such as nitrogen leaching targets and riparian buffer zone fencing.

Mr Johnson says the judgment will ensure agriculture is moved onto an environmentally sustainable footing.

"New Zealanders want their

rivers, streams and lakes restored to being 'swimmable, fishable and safe for food gathering'. And with the Government asking its own Land and Water Forum to come up with recommendations that resonate with middle New Zealand, the One Plan has also provided a solid backdrop to underpin the Forum's final recommendations to Government."

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FARMING

How to make a profit and reduce nitrogen leaching

A group of Upper Waikato dairy farmers are proving they can lower their nitrogen-leaching levels and still make money. Jon Morgan reports.

DAMY associated with the word 'farming' is a classic image. They put on a hat and a pair of boots and go out to work the land. The world has changed, but the image remains. Dairy farmers are no longer the stereotypical image of a man in a hat and boots. They are now seen as a more professional and business-like group.



Jon Morgan, a dairy farmer, is shown in a field with sheep. He is wearing a dark jacket and a light-colored shirt. The background shows a rural landscape with trees and a fence.

This is not what former sheepfarmers have been saying lately. The recent Environmental Conservation Act has led to a new set of rules for dairy farmers. They now have to reduce their nitrogen leaching levels and still make a profit.

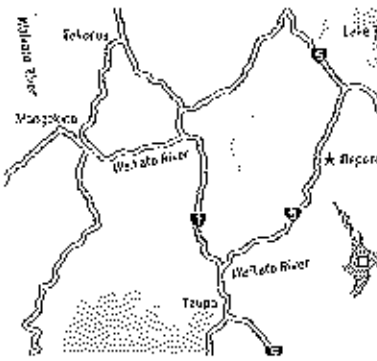
The Upper Waikato River catchment, where Guyton farms, is expected to be the first area to feel the full force of the new rules. The Waikato Regional Council is working to reduce the average leaching figure by 50 per cent.

But Guyton is not worried. He is looking for his 50 kilograms of nitrogen a hectare, but his catchment average, and that of his neighbours, is only 14 kilograms. He is looking for a return on assets of 12 per cent.

That is based on a milk price of \$5 a kg, close to the latest from Fonterra, but the return on assets also in 11.5 per cent with a price of \$4.50 a kg.

He is a member of a group of 20 farmers who are working on reducing leaching and increasing productivity. They are being monitored by the Waikato Regional Council and the Environment Department.

They have been able to reduce their leaching levels by 50 per cent. They have done this by using a combination of different techniques, including cover crops and reduced fertiliser use.



The map shows the Waikato River catchment area, including locations like Teitua, Waikato River, and Teapua. It highlights the area where the new nitrogen leaching rules will be implemented.

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Tasty lambs' tails may soon be off the barbecue menu



Jon Morgan, a dairy farmer, is shown in a field with sheep. He is wearing a dark jacket and a light-colored shirt. The background shows a rural landscape with trees and a fence.

It's a time of the year when it is necessary to prevent greater pain later. The long, dangling tail can be a source of trouble for the sheep. It can be a source of infection and disease. It can be a source of pain and discomfort.

There's an art to docking. Many farmers have a docking ring. It's a ring that is used to dock the tail of the sheep. It's a ring that is used to dock the tail of the sheep. It's a ring that is used to dock the tail of the sheep.

But everyone's a critic. The sheep farmers complain about the extra work and the loss of income. They say that the docking process is too painful and too stressful for the sheep.

Longer tails are common in Britain and Europe, but they don't have the Aussie blowfly to contend with. Some New Zealanders have agreed to stop docking, but it will be hard to convince a farmer who has had to watch sheep suffer from flystrike.

It's not just the docking process that is causing concern. It's the fact that the docking process is too painful and too stressful for the sheep. It's the fact that the docking process is too painful and too stressful for the sheep.

They're building confidence quickly and they're wanting to be a bit more transparent with their investors. They're building confidence quickly and they're wanting to be a bit more transparent with their investors.

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Some lamb tail docking may become a thing of the past. The image shows a farmer using a docking ring on a sheep's tail.

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Financial crisis means lamb remains a luxury. THE global financial crisis has put the squeeze on sheep and lamb growers. Lamb market manager for Britain, John Munn, says it is a struggle to persuade growers to keep buying lamb, one of the lowest meats in the supermarket.

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General Business

Procedures for Issuance of Permits to Disturb

Summary of Lake Wairarapa and Wetlands Actions

AGENDA FOR ANNUAL GENERAL MEETING

Location: Tuesday 4th December 2012, Palmerston North RSA, 200 Broadway Avenue, Palmerston North, at 7.00pm.

1. Present and In Attendance
2. Apologies
3. Welcome by Chairman
4. Minutes of previous Annual General Meeting, Upper Hutt 30th November 2011
5. Matters Arising from the Minutes
6. Adoption of Annual Report for the year ended 31 August 2012 -- to be moved
7. Presentation of Annual Report
- Discussion on matters arising from the Annual Report
8. Closure

UNCONFIRMED
WELLINGTON FISH & GAME COUNCIL

MINUTES OF ANNUAL GENERAL MEETING OF THE WELLINGTON FISH & GAME COUNCIL, HELD ON WEDNESDAY 30 NOVEMBER 2011 AT 7.15PM AT THE UPPER HUTT COSMOPOLITAN CLUB, LOGAN STREET, UPPER HUTT, WELLINGTON.

1. **Present:**
Chairman Martin Taylor, Councillors Chris O'Meara, Tim Allen, Richard Moore, Mark Grace, Strato Cotsilinis, Brad Johnson, Eric Neumann.

2. **In Attendance:**
Staff: Phil Teal (Manager), Nic Cudby.

Licenceholders: Gordan Clode, Allan Jury, Porky Sexton.

3. **Apologies:**
Councillors Duncan Thomas, Jim Cook, Andy Tamrock, Andrew Morris.

Staff: Corina Jordan, Steve Pilkington

Licenceholders: Bryce Johnson, Dave Hooper, Nick Berry,

It was moved that:
the apologies be accepted.

Brad Johnson/Tim Allen
Carried

Chairman Taylor welcomed the members of the public as licenceholders, and gave them an opportunity to speak.

Mr Allan Jury commented on the operation of the flood pumps of the neighbouring landowner at the JK Donald Wetland. He noted that the landowner had possible concerns regarding efficient operation the flood gates if water was held constantly in the reserves.

Mr Sexton noted that the Lake Wairarapa Domain concept plan had been drafted with additional submissions sought prior to Christmas.

Councillor Allen that there was potential for motorbikes and 4WD vehicles to increase their use in the area.

4. **Minutes of Previous AGM Meeting of 24 November 2010:**

After brief discussion
it was moved that:

the Minutes of the Annual General Meeting of the Wellington Fish & Game Council of 24 November 2010 be approved as a true and correct record of the proceedings of that meeting.

Richard Moore/Strato Cotsilinis
Carried

5. Matters Arising
None.

6. Annual Report 2010/11

The draft Annual Report for the Financial Year 2010/11 was tabled and Chairman Martin Taylor presented the Chairman's report relating to this report. He emphasised in particular:

- the recent passing of former councillor Karen Nielsen - noting that she was a passionate hunter, and acknowledged the contribution she made to Fish & Game in her capacity as a Wellington councillor and appointee on the NZ F&G Council;
- that the wildlife classification for Canada geese had been changed from Schedule 1 *Game Bird* to Schedule 5 *Not Classified*. That time and resources spent on internal governance issues were viewed as not being productive considering the issues that Fish & Game faced;
- thanked the contribution of staff - with the efforts of Corina Jordan and Phil Teal in the One Plan case being noted, as was the importance of this case as a possible template for the rest of the country. He concluded that Fish & Game needed to present the best case it could regardless of the result.

It was then moved that

The Chairman's report for the operations of Wellington Fish and Game Council for the year ended 31st August 2011, be accepted

Martin Taylor/Richard Moore
Carried

After discussion that noted we were operating prudently within our budget constraints it was moved

that the Annual Report of Wellington Fish and Game Council for the year ended 31st August 2011 be adopted

Richard Moore/Brad Johnson
Carried

7. General Business
None.

There being no further business the meeting was closed at 7.35pm.

Chairman _____ Date _____

UNCONFIRMED

AGENDA FIRST MEETING OF NEW COUNCIL

Location: Tuesday 4th December 2012, Palmerston North RSA, 200 Broadway Avenue, Palmerston North, commencing at the closure of the Council's Annual General Meeting, estimated at 8.00pm.

1. Present and In Attendance
2. Apologies
3. Election of Chairperson
4. 2013 Meeting Timetable/Venues
5. Election of Member of New Zealand Fish and Game Council
6. General Business
7. Closure

Note: The Manager will chair this meeting from its commencement until a Chairperson has been elected. The Chairperson will assume the chair upon their election, and will chair the rest of the meeting.

3. ELECTION OF CHAIRPERSON

The election of a Chairperson is governed by Section 26 ZC(l) of the Conservation Act 1987

Recommendation:

Council to appoint one of their number to be the Chairperson for the term of that member's appointment or for such lesser period as the members think fit.

Note: The Manager will chair this part of the meeting, and will call for nominations and seconders for the position of Chairperson. If there is more than one nomination, the result will be decided by the Council by a show of hands, or by secret ballot if Councillors prefer.

4. 2013 MEETING TIMETABLE/VENUES

Consideration of timetable for 2013 meetings to be undertaken and confirmed.

Recommendation:

Council consider timetable for 2013 meetings to inform NZ Council (can be amended subsequently within time constraints).

WELLINGTON FISH AND GAME COUNCIL

The Chairman
Wellington Fish and Game Council

PROPOSED MEETING DATES & VENUES 2013

Recommendation:

13 February 2013	Palmerston North
10 April 2013	Wellington
12 June 2013	Masterton
21 August 2013	Palmerston North
9 October 2013	Wellington
4 December 2013	Masterton



timeanddate.com

Calendar for year 2013 (New Zealand)

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Holidays and Observances:

1 Jan	New Year's Day	25 Apr	Anzac Day
2 Jan	Day after New Years Day	3 Jun	Queen's Birthday
6 Feb	Waitangi Day	28 Oct	Labour Day
29 Mar	Good Friday	25 Dec	Christmas Day
1 Apr	Easter Monday	26 Dec	Boxing Day

5. ELECTION OF MEMBER OF NEW ZEALAND FISH & GAME COUNCIL

The election of a member of New Zealand Fish and Game Council is governed by Regulation 26 of the Fish & Game Council Election Regulations 1990.

Recommendation:

Council members to appoint one of their number to be a member of the New Zealand Fish & Game Council. The appointment shall be by majority vote of the Council.

