

One hundred and thirtieth meeting of the
New Zealand Fish and Game Council
Greymouth Ashley Hotel
Friday 16 to Saturday 17 March 2018
Commencing 2.00 pm Friday

PRESENT

NZ Councillors

Lindsay Lyons (Chairperson), Noel Birchall, John Cumberpatch, Paul Dixon-Didier, Alan Flynn, Matthew Hall, Andy Harris, John Jillett, Andrew Morris, Colin Sherrard, Paul Stenning, and Kevin Williams.

In Attendance

Martin Taylor Chief Executive, Don Rood Communications Manager, Ritchie Cosgrove Communications Advisor, Robert Sowman Policy & Planning Manager.

Present:

Saturday: Rob Roney (afternoon only) & Bruce Erickson, West Coast Fish and Game Councillors. Lee Crosswell West Coast Fish and Game Council staff.

INTRODUCTION

1. Welcome

The Chairperson extended a welcome to all. He thanked Andy Harris for putting together the notes of interest to Fish & Game on the journey by train to the West Coast.

He conveyed the Council's condolences to John Jillett in the recent loss of John's wife Barbara.

The Chair explained that he saw it as an exciting time with a new Government, new NZ Council CEO & staffing structure and new programmes.

2. Apologies

Dean Kelly, Manager West Coast Fish and Game Council extended his apologies and absence from this meeting.

Resolved: (Paul Stenning/Kevin Williams)

That the apologies from Dean Kelly, Manager West Coast Fish and Game Council for absence from the March 2018 New Zealand Fish and Game Council meeting be accepted.

3. Conflicts of Interest Register

Councillors now sign the register and identify whether there were any topics to be discussed at this meeting they perceive to be a potential conflict of interest. A COI sheet was passed around at the meeting for people to note any conflicts with the listed agenda items.

At this point the Chair proposed to defer the order set out in the agenda for initial items until Saturday and commence with the Public Excluded items. There was acceptance to do that.

4. Public Excluded session of the meeting

2.00 pm Resolved: (John Cumberpatch /Andy Harris)

To move into a Public Excluded session of the meeting

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

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

- a. Minutes from the last meeting taken in public excluded.
- b. Office Review
- c. CE Advocacy report
- d. Strategic planning discussion
- e. Guide licence
- f. Pay structure for managers
- g. Councillor’ self-appraisal
- h. Captive reared mallard
- i. Media strategy
- j. Licence administration Agreement
- k. Office seismic condition.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

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

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 9 of the Official Information Act 1982 which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
	Protect the privacy of natural persons.	Sec. 9(2)(a)	Information provided identifies a particular person or can easily be connected with a particular person.	Once the person to whom the information relates consents to its disclosure.
	Protect information which is subject to an obligation of confidence ... where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the	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	Not unless there is a public interest in disclosure of the specific information.

	public interest that such information should continue to be supplied		hold its information in confidence.	
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Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the Council.”

Time: Friday, 5.40pm

Resolved: (Andy Harris/Andrew Morris)

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

5. Resolutions made in public excluded session to be bought back into the minutes of the public meeting

a. Confirmation of public excluded minutes from November 2017 Meeting

The public excluded minutes from the last meeting included discussion on the CEO's contract and the CEO's strategic report.

Resolved: (Paul Stenning/Kevin Williams)

That the public excluded minutes of the New Zealand Fish and Game Council meeting in November 2017 be confirmed as a true and correct record.

b. Office Review

The impact of the NZ Council office review and recent appointments along with the impact this has had on the NZ Council budget have been set out for discussion.

Resolved: (John Cumberpatch/Andrew Morris)

Accept the Office Review Report

c. CE Activities Report

The CEO set out the main activities and advocacy he has been involved with in the last two months. His intention is to visit to all F&G regions.

He then spoke about the expenditure of the Water Conservation Order on the Ngaruroro in Hawke's Bay being some \$600K over five years. The application has now been split into two – upper and lower from the original single application. This was not expected or known when Fish & Game agreed to cover legal costs. The splitting of the WCO by the Tribunal has not occurred before.

Resolved (John Cumberpatch/Noel Birchall)

That the NZ Council agree to the CEO exploring options on the WCO.

d. Strategic Planning discussion

The NZ Council held a strategic review in October 2017 where Councillors were asked if it were possible to achieve two things in the next three years what would they be? The next task is to consider this list and see if it covers the broad areas the Council wants to focus on and what should be priorities. It was agreed

That the NZ Council hold another strategic planning session on Saturday of the April meeting

e. Guide Licence Proposal

Preparation of a further submission on the guide licence was deferred until matters of concern with Fish & Game's statutory status are determined. There is still no indication as to how long this matter will remain unresolved. Hence it is proposed that the NZ Council proceed with a revised submission to the Minister of Conservation to ensure it is dealt with within the time frame set by the previous Minister of Conservation – before September 2018.

Resolved: (Kevin Williams/Andy Harris)

That the NZ Council send the Guide Licence Application to the Minister of Conservation by 13 April 2018.

f. Pay structure for managers

Each region deals with its annual manager performance and pay scales in various ways. There is no 'level playing field' to ensure all regions deal with this appropriately. More transparency and discoverable processes is wanted. The sizing information supplied to managers has been provided to the NZ Council, with the agreement of managers, by Niall Watson, Chief Executive Otago Fish and Game Council.

It was argued NZ Council might agree to the need for a common approach to remuneration, but it would need the support of regional councils. This could be a subject for a governors' forum.

Resolved: (Andy Harris/John Cumberpatch)

- 1. That the job sizing report be received***
- 2. That Niall Watson, Chief Executive for Otago Fish and Game Council be thanked for his assistance.***

g. Release of Captive Reared Mallards

The subject of captive reared mallard is a growing practice in parts of the North Island and has generated diverse opinion on its legal and ethical position. There is a wish to develop policy that can be followed in a consistent way across all of Fish and Game, hence discussion papers were shared with regional Fish and Game Councils for discussion has been shared with regional Fish and Game councils, including a submission from Jeff Niblett, the provider of juvenile mallard.

Resolved: (Noel Birchall/Paul Dixon-Didier)

- 1. Note the issue is 'still under active consideration'.***
- 2. Circulate to Fish & Game Councils' the table summarising regional responses.***

h. Media Strategy

The CEO has been maintaining a critical line against intensive farming specifically dairying. The reason for doing so is to keep fresh water at political issue number two to maintain enough public support for the Government to introduce a NPS on freshwater which negatively affects intensive agriculture and benefits the environment.

Resolved: (Lindsay Lyons/Matthew Hall)

- 1. Note the contents of this report*
- 2. Agree to continue the current media strategy noting deficiencies of regional council initiatives in protecting the environment and to continue to highlight farmers who are being environmentally sustainable*
- 3. Agree for the Chair and CEO to draft an appropriate reply to Federated Farmers.*

i. Office Seismic Condition

Technical advice has been sought to establish the safety of the office in terms of earthquakes and what liabilities as employers this may mean. A company has been engaged and has prepared an ISA report, concluding that the building is earthquake prone with a seismic capacity in the range of 20-25% of the new building standard.

Resolved: (Andrew Morris/Matthew Hall)

Endorse the CEO locating other premises and moving as soon as practicable.

Saturday

8.30 am start. The meeting resumed, with West Coast Fish and Game Councillors & staff present.

The Chair announced an invitation had been extended to Katie Milne, President of Federated Farmers (who lives and farms nearby) to attend this meeting in Greymouth and join the Council for dinner this evening (Saturday). This invite was later acknowledged with apology due to other commitments.

6. Confirmation of Minutes from November 24 to 26 2017 Meeting

Nothing was identified in the minutes requiring further resolution.

Resolved: (Matthew Hall/Noel Birchall)

That the minutes of the New Zealand Fish and Game Council meeting of 24 to 26 November 2017 be confirmed as a true and correct record.

7. Review of Accumulative Action List from Previous Meetings

Points were clarified on some items, but no recommended action recorded.

Discussion followed on the need to determine what the NZ Council wants to audit to undertake a function it has not completed for some time.

Other items included RM/Legal and need for a template to be completed in submitting an application and the review of financial policy.

8. Environmental Scan

This item is intended to last up to 30 minutes and allows councillors to raise or comment on recent media issues or matters occurring in the regions. Subjects raised at this meeting included:

- Climatic events create havoc where forest cutting has occurred with silt logs and debris washing down slopes and into waterways. Forest practices are resulting in significant setbacks to important spawning fisheries. Raises questions of liability & responsibility.

Questions that might warrant a legal opinion. Would need a narrow focus for initial investigation. Raise issue with relevant Ministers.

- Botulism with dead waterfowl is again evident in many areas with hot humid weather.
- Northland has established an office in northern part of the region and is working closely with local iwi and DOC.
- South Island salmon run this year is extremely poor, maybe worst ever. This could affect F&G's income.
- Plastic in the environment is becoming an increasing issue with growing public awareness.

9. NZ Council 2017/18 Bi-Monthly Financial Report No. 2

Several questions were raised and answered for clarification on expenditure. The YTD position is over spent by \$140,726 or about 3.5%.

Question raised on Accounts payable and whether they can be listed for each month?

Council congratulates the work that has gone into revising the format and information provided in this report.

It was agreed to add a column in the table to indicate the level of general reserves and show as a percentage of expenditure.

Resolved: (John Cumberpatch/Paul Stenning)

That the NZ Council Financial Report as at 31 January 2018 be accepted.

10. National Financial Report to 31 January 2018

Overall the combined regions and NZ Council are sitting at 41.28% of total budget spent.

Question raised as to why some councils follow accrual and others use cash practices in reporting.

It was agreed to add a column in the table to indicate the level of general reserves and show as a percentage of expenditure.

Resolved: (Kevin Williams/Paul Dixon-Didier)

That the National Financial Report as at 31 January 2018 be accepted.

11. NZ Council Contestable Funding Proposals

All Fish & Game councils are eligible to apply for contestable funding, either as a one-off or on-going budget increase on its bulk fund. These proposals are considered in the April Budget setting round and listed in order of priority depending on the size of total budgets and agreed increase in licence fee. The NZ Council proposals need to be confirmed by the Council before putting into the April Budget round.

Consideration of the first recommendation was initially deferred until the item on R3 was discussed later in the meeting, allowing a better understanding of what was being recommended.

Resolved: (Paul Dixon-Didier/Paul Stenning)

1. Agree to support a R3 National Co-ordinator contestable funding bid.

Resolved: (Paul Stenning/John Cumberpatch)

2. Agree to support a RMA Co-ordinator part time.

12. RM/Legal – approved funds & new applications

The RM/Legal commitments to date are set out in an Excel Spreadsheet – Live & Approved Legal/RMA Fund Applications. These represent \$619,459 in committed funds.

March 2018 RM/Legal Applications for consideration by NZ Council included three proposals that had been presented to the February Meeting of Managers and accepted by them.

There was a wide-ranging discussion on what information is supplied with applications and how this varies, with a need for a template that all applications should comply with to allow a full and fair assessment. Elements of the application and funding should be an item for joint discussion with managers in April.

Questions were also raised as to whether the money should be paid from the RM/Legal fund when a Council has reserves exceeding its 30%. For the Otago application the Otago Chief Executive had been contacted on this option and replied, "if there is so much pressure on the Fund that resources are short then he would be comfortable using reserves". However, he also noted the "we need to address how to fund the activity and use of general reserves "and that this "is something all councils could consider". This point caused some NZ Councillors to believe until this had been discussed and a formal position taken on the use of reserves as an alternative that it should not be applied on an ad hoc basis here. Nevertheless, given the Otago Chief Executive had been asked, and given the sum sought was a large amount, the NZ Council agreed to follow this approach with the Lindis application.

Resolved: (Noel Birchall/Andy Harris)

- 3. That the application by Otago Fish and Game Council for funding for Lindis minimum flow plan change from the Otago Reserves of legal costs up to \$180,000 be approved.**

John Jillett and Paul Stenning asked it be recorded they opposed this resolution.

Resolved: (Matthew Hall/Kevin Williams)

- 4. That the application by Eastern Fish and Game Council for funding for Crop Survival Water Allocation from the National Legal Fund of legal costs up to \$82,828.50 be approved.**

Resolved: (Matthew Hall/Kevin Williams)

- 5. That the application by Northland Fish and Game Council for funding for Northland Regional Council's Regional Plan from the National Legal Fund of legal costs up to \$78,000 be approved.**

13. Exceptional Expenditure

Exceptional Expenditure policy was introduced for where a council has unavoidable, unforeseen or emergency additional costs which have not been considered and approved within the budget round.

Resolved: (Paul Dixon-Didier/Andrew Morris)

- 1. That the application by Central South Island Fish and Game Council for funding for court process against ECan for disturbance to spawning grounds in Bowyers Stream from CSI reserves up to \$45,000 be approved.**

Resolved: (Paul Stenning/Allan Flynn)

- 2. That the application by the NZ Fish and Game Council for funding for securing a new licence system agreement from NZ Council reserves up to \$65,000 be approved.**

14. Increasing Participation Report

The purpose of the report is to consider strategies for increasing revenue, which can only happen by increased participation, other than continually putting the licence fee up or attracting sponsorship

and/or donations. The paper continues the need to focus on increasing participation through a recruitment, retention and reactivation programme.

Resolved: (John Cumberpatch/Andrew Morris)

3. **Agree to accept the “Developing Revenue Through Increased Participation’ report.**
4. **Agree that Fish & Game needs to focus on increasing participation.**
5. **Agree to circulate the paper to regions with the NZ Council endorsement for feedback by 30 June.**
6. **Agree to propose a contestable fund bid to establish a position focused on delivering a recruitment, retention and reactivation strategy for the whole organisation.**

The meeting stopped for lunch with the intention to recommence at 1.00 pm with a presentation from the West Coast Chairman and staff on the region’s resources, performance, issues and opportunities.

1.00pm Saturday

The meeting recommenced with the Chair introducing the arrival at the meeting of Rob Roney an ex NZ Council Chairman and current West Coast Councillor. The Chair then indicated that at this point in the meeting the Chairman of the West Coast Fish and Game Council would be invited to speak on issues and opportunities in his region.

West Coast Fish and Game Council presentation

The Presentation by West Coast commenced with introductory remarks by the Chairman and NZ Council appointee Andy Harris.

NAS shows angler numbers have doubled in the last 20 years yet WC sales are remained relatively constant. Fishing pressure is such that conflict on certain water is not uncommon. There is feeling fisheries should be managed first for local anglers rather than visitors.

The WC pays a levy to F&GNZ and uses its reserves for operational purposes, both being unsustainable.

School rolls have dropped significantly meaning youth population is not the same to involve them in sports fishing and game bird hunting.

South Westland is thriving with dairying, but Western areas are suffering due to the decline of the coal industry.

WC F&G Councillors were concerned over recent statements against farm dumps. This matter has been discussed earlier in the meeting.

WC F&G has not had a full compliment of councillors for some time. Currently there are 8 Councillors which make it difficult in meetings with conflict of interest and absenteeism.

Lee Crosswell spoke about backcountry fisheries – Karamea/Mokihinui. An angling survey and drift dives have been used to gain further information about these fisheries. There is about a 50/50 split with resident and non-resident use. There are issues with catchability and angler usage.

Access requires anglers to cross private land, even though large tracts of the Coast are administered by the Department of Conservation. There remain many waters with no assurance of access other than goodwill of landowners.

Salmon runs of 100-500 fish on the West Coast. Not a large number of spawning areas.

Releases have been positive contributing to the number of returning adults. This season has been highly productive so far.

Gamebird habitat is very good. There are a high number of out of region hunters contribute to harvest. Length of the region makes compliance difficult and challenging. Landowner privileges make it hard to know harvest details or understanding of regulations.

15. National Salmon Committee

Resulting from the two-day symposium to discuss the South Island's troubled wild salmon fishery, it was proposed that a National Salmon Committee be established. Matthew Hall as convenor of the Symposium prepared a draft Terms of Reference for the Committee which was approved by the Symposium Steering Committee and subsequently circulated to regions for feedback.

Resolved: (John Cumberpatch/Kevin Williams)

- 1. That the Terms of Reference for the Committee as supported by the NZ Council be conveyed to the National Salmon Committee for consideration and recommendation back to the NZ Council.**
- 2. That the NZ Council move to appoint committee members based on an appointee from Nelson/Marlborough, West Coast, North Canterbury, Central South Island and Otago Fish and Game Councils, the NZ Salmon Angler Association, South Canterbury Salmon Anglers Association and the NZ Council Chief Executive.**
- 3. That appointees to the National Salmon Committee be identified and meet for the first meeting of the Committee by 16 April 2018.**

16. Camouflaged unmoored boats

A question was raised at the November 2017 meeting as to whether the word "camouflage" can be changed to "any unmoored boat." The reason behind using the word camouflage is to stop a blended-in craft from drifting close to unsuspecting hunters on the bank of the river and to allow such hunters to use a boat to access their hunting spot or pick up downed game.

Resolved: (Colin Sherrard/Paul Stenning)

That the word "camouflage" remain.

17. Confirmation of 2018 meeting dates

Changes have occurred with the proposed May meeting now becoming a joint budget day with regional managers in April and moving the September meeting back a week to allow for those who wish to participate in the opening weekend of the new fishing season on 1 October.

There was little support for holding a governors' forum prior to the F&G Elections in 2018 with the suggestion it be moved to 2019.

It was agreed, the July 2018 NZ Council meeting to become a one-day meeting on Thursday 19th.

At the September meeting each year the meeting schedule for the new calendar year is agreed. It was proposed that in September 2018 further consideration be given to a date for the governors' forum.

Meanwhile discussion will be held with Eastern staff to determine a location for the November meeting.

18. Specific letters to be considered

Four letters had been received and required consideration by the NZ Council.

These were considered as a topic in previous items on the agenda.

19. NZ Council Staff Activities Report

A bi-monthly activities report was prepared by NZ Council staff on key tasks performed since the last NZ Council meeting.

There was an argument made for the previous method reporting against the business plan. The old operational report were driven by budgets. What is missing is tasks that have not been completed. These could be raised and noted in future activities report. Meanwhile it was accepted that the CEO consider the points raised and how best to meet specific points.

Other discussion ranged on various aspects but not resolutions required.

20. Health & Safety Bi-monthly Report

A NZ Council health and safety policy was approved in July 2016. This policy is now supported by bi-monthly reporting to Council on health & safety action as recorded by Council staff. It was acknowledged by staff that there had been little to add since the last report apart form correspondence with the NZ Council Office landlord.

A request was made for the inclusion in future reports that it was raised at the weekly staff meeting.

Resolved: (Alan Flynn/Andrew Morris)

That the Health & Safety report for March 2018 be received.

21. National licence sales & licence systems update

An update on licence sales was provided with a comparison of YTD figures to 6 March 2018 for the 2017/18 seasons and the daily cumulative LEQ's sold over the last six fishing seasons. A copy of the 2018/19 LEQ Targets based on the performance of the last two complete years was included. The LEQ Targets form the basis for 2018/19 budgets.

There was discussion on the number of licences sold and the revenue generated.

It was proposed the Licence Working Party be asked to determine what changes are needed to restore revenue based on the average of three years before and three years after the introduction of the new licence categories.

Resolved: (Noel Birchall/Colin Sherrard)

The Licence Working Party be requested to review the licensing structure at a minimum to restore a three years before and three years after average of income levels since the new licence categories were introduced.

22. Financial Review Committee

The CEO explained how the financial review had been undertaken by a committee of NZ Councillors and F&G staff. This review has been ongoing for two years. This has been overtaken by work being completed by the CEO and Finance officer.

Other items raised for discussion at the next meeting:

- Reimbursement rates need to be updated.
- Research fund report was absent from the March 2018 agenda
- Health & Safety & the use of helicopters. What is the view on use of helicopters and what liability cover is held.

23. Closing Remarks

The Chairperson thanked Council and staff for their participation.

There being no further business, the Chairperson declared the meeting closed at 5.00 pm Saturday 17 March 2018.

Confirmed: 

Date: *28 June*/2018