

Meeting of the  
**New Zealand Fish and Game Council**  
Conference Centre, Wellington Airport  
Friday 19 September 2014  
*Commencing at 9.18 am*

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## **INTRODUCTION**

### **Present** (in geographical appointee order)

Chris Lynch, Lindsay Lyons, Graeme Jobey, Alan Flynn, Andrew Morris, Paul Dixon-Didier, Jean Willis, Chris Goom, Matthew Hall, Dave Witherow and Stephen Brown (in attendance for Paul Stenning).

### **In Attendance**

Dr Rick McGovern-Wilson (D-G Conservation's representative), Bryce Johnson (Chief Executive), Robert Sowman (Policy & Planning Manager), Alison Lyall (Finance & Administration Manager) and Jay Graybill (Chief Executive, Central South Island Fish and Game Council).

Corina Jordan (Environmental Manager, Wellington Fish and Game Council) arrived at the meeting before the morning tea break .

## **1. Welcome**

The Chairman welcomed everyone and extended particular greetings to Stephen Brown standing in for Paul Stenning and to Jay Graybill the Central South Island Fish and Game Council Chief Executive.

## **2 Apologies**

Colin Sherrard and Paul Stenning.

Resolved (Matthew Hall/Graeme Jobey)

**That the apologies from Colin Sherrard and Paul Stenning be accepted.**

## **3 Identification of other Urgent Business and agree on Agenda order**

No additional items identified.

Agenda order as set out was accepted.

## **4 Annual Agenda/Conflicts of Interest Register**

Discussion occurred on the merits of a Councillor self-appraisal review listed in the Annual Agenda as an annual item for September. Governance policy 2.6 and 2.7 make provision for this and was put in place with the review of the governance policies by the Institute of Directors in 2006. A self-appraisal review has been undertaken twice since then. A similar process is undertaken by two other F&G councils (Northland and Eastern). There were some differing opinions on the merits of continuing with this policy. It was recognised that the governance policies need to be reviewed and this would present an opportunity to evaluate the merit for a self-appraisal provision being retained. Chris Lynch **agreed** to review the provision of these self-appraisal policies and consider the process undertaken by Northland and Eastern and report back to the council.

The Chairman spoke of the conflict of interest between the Otago appointee and the NZ Council Chief Executive. This matter appeared to have been mostly resolved with the

appointment of a new Otago councillor (Dan Rae) to this position. Following assurances from Dan Rae in July that he would remain Otago's appointee, the NZ Council was surprised to learn Otago had reappointed Dave Witherow as its NZ Council appointee and that this again raised the matter of the conflict of interest.

(Chris Lynch/Paul Dixon-Didier)

To move into public excluded at 9.48 am.

### **RESOLUTION TO EXCLUDE THE PUBLIC**

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

Time: 9.48 am.

**Resolved** (Chris Lynch/Paul Dixon-Didier)

**That the public (including staff except the Chief Executive) be excluded from the following parts of the proceedings of this meeting, to discuss conflict of issue matters.**

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:

<b>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</b>	<b>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER</b>	<b>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION</b>
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:

<b>ITEM</b>	<b>REASON UNDER THE OFFICIAL INFORMATION ACT 1982</b>	<b>SECTION</b>	<b>PLAIN ENGLISH REASON</b>	<b>WHEN REPORT CAN BE RELEASED</b>
	Maintain legal professional privilege	Sec 9(2)(h)	To enable the Council to discuss legal advice.	Once the matter is completed and the legal advisor agrees to its release.

**Note**

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

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

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

Time: 11.00 am.

**Resolved** (Jean Willis/Andrew Morris)

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

## **5 Minutes of the NZ Council Meeting held in Wellington 18 – 20 July 2014.**

Corrections were identified in the minutes to:

Page 8 Balance Awards should be Ballance.

Page 12 Walking Access Commission is due for review in 2018 not 2008.

Page 13 Dan Rae's name was incorrectly spelt as Raw.

**Resolved** (Andrew Morris/Chris Lynch)

**That subject to the corrections recorded above, the minutes be a true and correct record of the 18 – 20 July 2014 meeting.**

## **6 Matters arising from the Meeting Minutes**

No matters arising were recorded.

## **7 Confirmation of Minutes from the Public Excluded Meeting held on 20 July 2014**

Requires Council to be in a Public Excluded session to approve these minutes. Was agreed to deal with them in this way later in the meeting.

## **8 Review of Accumulated Action from Previous Meetings**

The status of these actions are to be completed and the action sheet circulated to Councillors.

## **9 National Licence Sales Licence System Update**

No discussion occurred under this item.

**Resolved** (Andrew Morris/Matthew Hall)

**That the licence sales YTD table and licence system update be received for information.**

## **10 Reasons behind Increases and Declines in Licence Sales**

The NZ Council was grateful for comments received from managers on the reasons behind individual region's licence sales and asked that this be acknowledged.

## **11 RM/Legal Update Report**

It was agreed the new format for the RM/Legal report makes it easier to read. It was pointed out that the Selwyn Waihora and Canterbury Land and Water Plan Appeal projects have still to be approved by NZ Council and should not be shown as approved in this report.

**Resolved** (Jean Willis/Paul Dixon-Didier)

**That the September 2014 RM/legal update report be received.**

## **12 Research Report**

Nothing was raised as a result of this report. However, a note from the Research Coordinator on uncompleted research reports was discussed under project 1880 in the Operational Report later in the meeting.

At this point in an effort to speed up consideration of agenda items, it was agreed to accept the Consent Agenda items from 2.1 to 2.8 as having been read with the expectation that Councillors would have raised any issues earlier with staff.

Resolved (Jean Willis/Andrew Morris)

**That the Consent Agenda items 2.1 to 2.8 be received.**

### **13 Environmental Scan**

Again, in order to make up time, it was agreed not to discuss the proposed environmental scan at this meeting. It was noted that at future meetings this item should appear earlier in the agenda.

### **14 Governors' Workshop**

The Council affirmed its wish to continue to host this meeting in line with the minute of the July meeting. The Chief Executive agreed to flesh the first four items of the strategic issues Council had identified and propose these in a form able to be considered for high-level, future focussed discussion.

It was accepted that recognising and celebrating environmentally sustainable best on farm practice needed to feature. Something akin to the cultural health index could also be developed.

The suggestion of external facilitation of this session needs to be thought out with one suggestion being the possibility of utilising the NZ Council's communications advisors in this role. The session also should recognise the need to make it a two-way process to achieve communication rather than be prescriptive. Caution should also be taken not to include too many items for discussion.

Fish & Game would also need to reflect on the election outcome and contemplate what the new Government is going to do with legislation and the National Policy Statements on Freshwater. Depending on the election outcome it may also be necessary to discuss how to deal with future resource management proposals, along with the content and significance of any associated media strategy. There is a need to have a review of imminent RM legal cases and the process to determine which ones to advance or not, with criteria to apply consistently by Fish and Game across the country. The possibility of a contribution on behalf of regional staff was also mentioned.

Lunch break taken at 12.50 pm, with the meeting reconvened at 1.20 pm.

### **15 CEO Committee Update**

The two papers (Remuneration/CEO/Executive Committee report and Terms of Reference – NZ Council Executive Committee) tabled at the meeting were discussed and agreed to be tabled for adoption at the following meeting.

It was accepted that there is a need to ensure subsequent references in the governance policies are accordingly amended. Any identified examples should be referred to Paul Dixon-Didier to be included in a final amendment paper for adoption by the Council in November.

Resolved (Andrew Morris/Chris Goom)

**That the Remuneration/CEO/Executive Committee report and Terms of Reference – NZ Council Executive Committee be received.**

## 16 Scoping of National Office Review

A paper developed by the Chairman in collaboration with the Executive Committee was discussed to advance the previously agreed office review. Discussion concluded with adoption of modified recommendations from the paper.

Resolved (Andrew Morris/Jean Willis)

**That the Executive Committee, with input from the CE, finalise terms of reference for discussion and engagement with Andrew Wilson of Fore Consulting to:**

- review the relevance and adequacy of the Council's current governance policies in relation to the national office.
- review the achievement of the Council's statutory purpose and functions through the national office.
- carry out a financial risk analysis.
- carry out a personnel survey.
- make recommendations where deemed appropriate.

## 17 NZ Council Coordination Role

The Council noted that it had previously received a presentation at its July meeting from Sir Geoffrey Palmer on his analysis and formal Opinion on the NZ Council's coordination role. This had been circulated to regions for their information. It is proposed that this Opinion be discussed at the Governors' Forum and that Sir Geoffrey be invited to make a similar presentation to this wider Governors' group, with a view to the Governors identifying areas where it could be applied for the benefit of the wider Fish and Game organisation.

## 18 Review of Financial Management of F&G NZ

This item was not considered at this meeting.

## 19 2013/14 Business Plan Reporting on Results

This document had been circulated to Councillors along with agenda papers. No further discussion on it occurred.

Resolved (Chris Lynch/Jean Willis)

**That the NZ Council agree that the Reporting of Results on the NZ Council 2013/14 Business Plan records an acceptable level of performance.**

## 20 Operational Report

Several points were raised for discussion. These were under the following project headings:

**Project 1210 Habitat Advocacy General:** With the Land and Water Forum now having reported to Government, it was acknowledged that Fish and Game should reserve its future involvement in any continued Forum pending the outcome of the election and the subsequent intentions of the next Government in relation to Part 2 of the RMA. The chief executive explained that in light of extensive LWF recommendations it may be better to now focus on working directly with individual sectors whose activities impinge the most on Fish & Game's interests.

**Project 1220 Water Conservation Order:** Discussion focused on the point that sponsorship within Hawke's Bay would help advance a WCO on the Ngaruroro and how it was disappointing that this had not been advanced within the community already.

**Project 1270 Advocacy Assistance:** Neil Dean’s comment on the Environment Canterbury Matrix of Good Management Practices and delivery of adequate water quality and quantity underlines the need for Fish & Game to remain involved with a view to ensuring it delivers outcomes beneficial to Fish & Game’s needs.

The NZ Council agreed to acknowledge Neil’s good work through a letter from the Chairman.

**Project 1420 Public Awareness and Support:** The Council discussed the resulting public and political commentary after the Minister of Conservation’s meeting with the NZ Council in July, noting the Prime Minister’s subsequent public reassurance that any changes to Fish & Game’s legislation would only be those Fish & Game requested.

**Project 1450 Website and social media:** It was pointed out that the Fish & Game website needs to be updated to correct the change in NZ Council Chairman and its councillors.

**Project 1880 Research Programme:** The NZ Council agrees that for previously approved research projects not yet completed or published, the authors be provided a definite date for providing the report after which the allocated funds will be withdrawn.

Resolved (Jean Willis/Andrew Morris)

**That the operational report for September 2014 be received.**

At this point in the meeting it was agreed to consider the minutes of the public excluded session from the previous meeting.

## **RESOLUTION TO EXCLUDE THE PUBLIC**

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

Time 3.23 pm

Resolved (Jean Willis/Graeme Jobey)

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

**1. Minutes of the public excluded meeting held on 20 July 2014.**

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

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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
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.

#### Note

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Time: 3.35 pm

Resolved (Chris Lynch/Alan Flynn)

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

## 21 NZ Council 2013/14 Bi-Monthly Financial Report No. 5

The Council complimented the Finance & Administration Manager on the revised presentation of this information. It was noted that the heading of the bi-monthly report should read 1 September 2013 – 31 August 2014.

Resolved (Chris Lynch/Graeme Jobey)

**That the financial report to 31 August 2014 be accepted.**

## 22 National Finance Report

No discussion occurred on this report.

Resolved (Chris Lynch/Paul Dixon Didier)

**That the national financial report to 31 August 2014 be received.**

## 23 Specific Proposal for Capital Expenditure

No specific proposals were submitted in September for capital expenditure.

Resolved (Andrew Morris/Paul Dixon Didier)

**That the specific proposals for capital expenditure report be received.**

## 24 Application for Legal Funding

It was noted the amended NPS has changed the basis on which sub-regions in Canterbury will operate. This makes it difficult to anticipate future legal costs for Fish and Game.

It was agreed, the two affected regions should obtain from ECAN the schedule of hearings for the sub-regions to better understand the likely future hearings that Fish & Game needs to anticipate being involved with.

Resolved (Chris Lynch/Chris Goom)

1. **That the application by Central South Island for funding from the national legal fund of legal costs of \$132,000 (49,167 in retrospect), to advance the CLWP appeal, be approved.**
2. **That the application by North Canterbury for funding from the national legal fund of legal costs of \$55,000 for preparation and presentation of expert evidence at the Selwyn/Waihora hearing, be approved.**

## 25 Bequests, Donations and Gifts

Councillor Matthew Hall undertook to further scope options that Fish & Game can consider and discuss in a workshop setting at a future meeting.

## 26 Council Meeting Schedules

NZ Council meetings for 2015 were discussed and agreed as shown below. Possible meetings outside of Wellington remain undecided, but could occur with the March and/or November meetings. It may be possible to make the July meeting one-day but it was accepted that one-day meetings made it difficult to deal with a full agenda.

March	Friday 20 <sup>th</sup> to Sunday 22 <sup>nd</sup>
May	Friday 22 <sup>nd</sup>
June	Telecom Wednesday 17 <sup>th</sup>
July	Friday 24 <sup>th</sup> to Saturday 25 <sup>th</sup>
September	Friday 25 <sup>th</sup>
November	Friday 20 <sup>th</sup> to Sunday 22 <sup>nd</sup>

Resolved (Matthew Hall/Chris Lynch)

**That the NZ Council meetings for 2015 as per the schedule be agreed.**

## 27 Correspondence

Resolved (Chris Lynch/Chris Goom)

That the correspondence be received

Two specific letters were considered by the Council.

A letter of complaint was received regarding river works in the CSI region with the NZ Council **agreeing** after examining the evidence provided by both parties that it was satisfied with the explanation and action taken by CSI and saw no need to take the matter further. This decision is to be relayed to the complainant.

A further letter on lead shot, the demise of mallard and the operation of NZ Council was received. It was acknowledged that the NZ Council is acting on many of the issues raised and that this should be conveyed to the correspondent.



## **28 Other Business**

There were no other items discussed.

## **Closing Remarks**

The Chairman thanked councillors for attendance.

There being no further business, the Chairman declared the meeting closed at 4.45 pm Friday 19 September 2014.

Confirmed: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/2014