

One-hundred-and-twentieth meeting of the  
**New Zealand Fish and Game Council**  
Lake Resort, Cromwell  
Friday 18 and Sunday 20 March 2016  
*Commencing 8.30 am*

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## **PRESENT**

**NZ Councillors** (in geographical North to South appointee order)

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

## **In Attendance**

Bryce Johnson Chief Executive, Alison Lyall Finance & Administration Manager, Don Rood Communications Manager, Robert Sowman Policy & Planning Manager.

## **Participation**

Otago Fish and Game Councillors and staff – Niall Watson (Chief Executive) Friday 8.30 am, Vicky Whyte (Otago F&G Councillor) Friday 8.40 am, Monty Wright (Chair), Adrian McIntyre and Murray Neilson (Otago F&G Councillors) arrived Friday 9.10 am, Ian Hadland (Operations Manager Otago Fish and Game Council) Friday 11.00 am. All Otago attendees stayed to the end of the meeting on Friday afternoon.

Jay Graybill (Chief Executive Central South Island Fish and Game Council) Friday 8.30 am to end of meeting Friday afternoon.

Martin Unwin, NIWA (Friday 10.30 am – 3.00 pm)

Dr Brent Lovelock, Otago University (Friday 11.00 am – 3.00 pm)

## **INTRODUCTION**

### **1. Welcome**

The Chairman extended a welcome to all. He expressed his enthusiasm at being in Otago. Introductions were provided for guests present at the start of the meeting and for new arrivals following completion of debate on the item under discussion at that time.

### **2. Apologies**

Colin Sherrard and John Jillett.

Noel Birchall put in his apologies for Saturday and Sunday.

Resolved: (Paul Dixon-Didier/Andrew Morris)

**That the apologies from Colin Sherrard and John Jillett for the three days and Noel Birchall for Saturday and Sunday of the March 2016 meeting be accepted.**

### **3. Identification of Other Urgent Business and Agreement on Agenda Order**

No changes were identified as necessary to the agenda order and no other urgent business proposed.

### **4. Annual Agenda**

March annual items include initial draft business plan, review of governance policies and standing orders. All are addressed as items in the March agenda.

## **5. Conflicts of Interest Register**

The conflict of interest register was made available with councillors asked to identify those topics to be discussed at this meeting where they perceive a potential conflict may arise and record these during the meeting.

## **6. Environmental Scan**

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

- Rainbow Station up for sale. Access under a new owner could become an issue. If a foreign owner buys the Station, access would have greater protection under the Overseas Investment Act than should it be a Kiwi owner. The matter of who owns the road would be something to follow-up.
- Northland dairy water quality survey shows 13% of farms are non-compliant.
- Kai Iwi Lake Management review remains of concern to Northland.
- The decline of the estuarine brown trout fishery in North Canterbury has become of concern with the intention to close the waterways east of SH1 to protect successful spawning recruitment by mature riverine trout during the first half of winter.

## **7. Confirmation of Minutes from 20 & 22 November 2015 Meeting**

Nothing was identified in the minutes of the November meeting requiring further discussion.

Resolved: (Paul Dixon-Didier/Matthew Hall)

**That the minutes of the New Zealand Fish and Game Council meeting of 20 & 22 November 2015 be confirmed as a true and correct record.**

## **8. Matters Arising from Minutes**

No matters arising in the minutes of the previous meeting that are not elsewhere on the agenda were raised.

## **9. Confirmation of Minutes from 27 February 2016 Meeting**

Nothing was identified in the minutes of the September meeting requiring further discussion.

Resolved: (John Cumberpatch/Kevin Williams)

**That the minutes of the New Zealand Fish and Game Council meeting of 27 February 2016 be confirmed as a true and correct record.**

## **10. Matters Arising from Minutes**

One matter arising in the minutes of the previous meeting was the wish to see the Terms of Reference of the Finance Review Committee. The committee is a working party to report back to the NZ Council. It was agreed there is a need to send terms of reference of the finance working party to NZ Councillors.

## **11. Review of Accumulative Action List from Previous Meetings**

Points were clarified with discussion resulting on some but no recommended action recorded.

## **12. National Licence Sales & Licence Systems Update**

There was discussion on the new licence categories and sales for the year to date.

Discussion followed the description of each table or graph provided in the agenda. Fishing and hunting is in competition with other recreational activities. This generated further discussion on what are the reasons for lapsed participation. Interest centred on looking at lapsed participants within some regions.

Resolved: (Andrew Morris/Allan Flynn)

- 1. Note the significance of 2014/15 licence sales as being a good year financially, even though more licences are being sold this year.**
- 2. Agree to better understand why people are not re-joining and determine how far this is abnormal behaviour or not by further analysing lapsed participation within a sample of regions.**
- 3. Ask Department of Conservation Taupo Fishery what work has been done in that fishery on lapsed participation.**
- 4. Agree to support the continuation of the same licence structure before considering changes for the coming financial year.**

### **13. RM/Legal Update Report**

The RM/Legal update report was received.

There was discussion on the merits of the Matrix of Good Management by ECan. It was pointed out, this matrix relies heavily on good management practice which is largely voluntary. Reducing nutrient levels therefore becomes questionable. Fish and Game needs greater participation in development of good management practices.

Concern was raised over the ongoing threat to Water Conservation Orders by recent Government proposals.

The Selwyn Waihora Variation was recognised as an early initiative by regional government that warrants close monitoring, especially given the lag time (in nutrient reductions) in some parts of the catchment.

Resolved: (John Cumberpatch/Alan Flynn)

**That the March 2016 RM Legal Update Report be received.**

### **14. Research Projects Update**

The research update report was received.

A question was raised over the need for management papers without a governance inference being included as agenda papers. The paper by Darryl MacKenzie on mallard reporting generated discussion on accuracy of methodology used. It was noted that the difficulties of getting reliable data are constantly being worked on and improved.

Resolved: (Lindsay Lyons/Andrew Morris)

**That the Mallard reporting paper be referred to regional managers for consideration as management based research.**

### **15. Operational Report**

The bi-monthly Operational Report was considered with questions raised mainly for information. A number of questions were raised under various project headings. These were answered or the point clarified.

**Project 1140: Commercial users of the resource**

It was agreed the MOU with NZ PFGA needs to be circulated to new NZ Councillors.

**Project 1220: Water Conservation Orders**

Discussion occurred on the vulnerability of Water Conservation Orders with current thinking on amendments to RM legislation. It was observed that Local Water Conservation Notices were a regional level WCO under previous Water and Soil legislation. The question is whether these old Notices are being recognised in new regional water plans.

**Project 1240: Regional Legal Fund**

Expectations on implementation of Court cases have become an issue of concern for Fish and Game. Making councils implement plans as the Court has intended is the subject of a legal opinion and possible legal action over the Horizon One Plan.

**Project 1320 Access to the Resource**

It was accepted that Fish and Game needs to make full use of the Walking Access Act and the work of the Commission. Especially given that a review of the Commission is due in a couple of years' time. The Chief Executive indicated he intends to raise the matter again with regional managers.

**Project 1420: Public Awareness and Support**

There is an opportunity under health and safety to promote good practice in gun safety. This could facilitate entry into game bird hunting. A certified programme endorsed by Fish and Game was suggested as one way. It was agreed to ask managers to report on the proposal.

**11.30 am Friday.**

**Presentations**

The meeting paused at this point for two presentations either side of the lunch break on the:

1. **National Anglers' Survey** by Martin Unwin, NIWA

Martin Unwin has coordinated the last four National Angler Surveys (NAS) and provided a summary of the most recent – the 2014/15 survey – he is in the process of finalising. Martin pointed out recent conversation with Robert Sowman and Maurice Rodway about the need to plan for a new coordinator to complete the next NAS in 7 years' time.

The 2014/2015 National Angling Survey is now essentially complete. The survey has not been without a few mishaps, most notably the loss of data due to a single "rogue interviewer" in SIT's otherwise highly competent interview team. Other potential problem areas, which have emerged only recently, are the non-availability of full 2014/2015 licence records for the Taupo Conservancy; and Fish & Game NZ's concerns about data quality in response to the "Where do you intend to fish?" question for part-season licence holders.

The data will be made available for regions to 'dig deeper' into usage of specific waterways. Examples of how this data can be used were shown to illustrate the wealth of information available.

*Lunch*

2. **Non-resident anglers' survey** by Brent Lovelock, Otago University

Brent Lovelock was the Tourism Studies supervisor of a Master's student thesis on international angling experience in New Zealand. The student was Stu Hayes, who was overseas at the time, hence the presentation to the NZ Council was made by his supervisor. Ian Hadland (Otago Fish & Game Council) had the opportunity to direct it in a way that maximised Fish & Game's benefits from the survey. The results were presented by Stu Hayes to the Otago Fish and Game Council in February.

The survey identifies key characteristics of international anglers fishing in NZ. Unsurprisingly it found these to be mostly from Australia, US and UK and to be older fly-fishing anglers. The day licence international angler tended to be from a younger age group and angler cross-section.

The economic value of these anglers was assessed to be some NZ\$5,800 compared to the average tourist spend of \$2,713.

Overall a high level of satisfaction was recorded of the NZ angling experience with general acceptance of the value of the NZ fishing licence. Acceptance of value of the licence was lower from the Australian angler.

Perceptions of Fish & Game's role and the overall management of the freshwater fisheries identified:

- Lowland rivers as the most favoured type of water – surprisingly, but to be qualified by the range of what was recognised as ‘lowland’ – all other than backcountry and lakes.
- A lack in the range of licence category choice available to non-residents
- A wish to see how licence revenue is used by Fish & Game.
- The message to “use us” in Fish & Game's efforts to look after the resource – engage support of international anglers when lobbying against detrimental effects to the fishery.

Stu Hayes is preparing an article on his thesis results for the Fish and Game magazine.

The meeting resumed at 1.15 pm Friday.

#### **Project 1520: Compliance & Enforcement**

Concern was raised over the precedent being set in the Wildlife (Powers) Amendment Bill with Fish and Game being excluded from the powers being proposed.

Resolved (Noel Birchall/Alan Flynn)

**That the NZ Council raise its concerns with the Minister of Conservation or Director-General of Conservation over the exclusion of Fish and Game rangers in powers set out in the Wildlife (Powers) Bill.**

#### **Project 1621: Eyede New Functionality**

This item to introduce a backcountry endorsement programme into the national licence database extended into a discussion on expenditure of the “extra revenue” of Non-resident Licences. It was accepted that the revenue could have been available for national projects such as the new functionality described.

#### **Project 1630: Licence Production**

Questions were raised about the licence system's ability to cope with demand the day-before Opening Day. Experience to date suggests the system will handle the demand. The issue is to change behaviour and get hunters to buy earlier in the lead up to Opening Day.

Resolved (Andrew Morris/Paul Stenning)

**That the Operational Report for March 2016 be received.**

## **16. NZ Council Bi-Monthly Financial Report No 2**

Several questions were raised and answered for clarification on expenditure to do with elections and the magazine.

It was pointed out that there were no schedules attached (reported as attached in the agenda paper) to this item. This was a result of insufficient time available to revise the schedules and not removing reference to them in the covering memorandum.

Resolved: (Noel Birchall/Paul Dixon-Didier)

**That the Financial Report to 29<sup>th</sup> February 2016 be accepted.**

## **17. Fish & Game NZ Finance Report**

No discussion raised.

Resolved: (Andrew Morris/Paul Stenning)

**That the National Financial Report to 29<sup>th</sup> February 2016 be received.**

## **18. Specific Proposal for Capital Expenditure**

Resolved: (Paul Stenning/John Cumberpatch)

**That the Specific Proposals for Capital Expenditure report be received.**

## **19. Applications for legal funding**

Applications submitted for legal funding are circulated in advance by the authors to regional CE/managers for comment and support. No regional dissenting comments were recorded for the applications below.

NZ Council suggested that an extra statement be added to the summary for each legal case in future RM/Legal Update Reports providing an indicative completion date as set out in the recently revamped Research Update Report.

### **a) Kai Iwi Lakes (Northland)**

Resolved: (Paul Dixon-Didier/Matthew Hall)

**That the application by Northland Fish and Game Council for funding from the National Legal Fund of legal costs of \$10,000 be approved.**

### **b) Infinity Investment – Hakataramea River (Central South Island)**

Resolved (Andrew Morris/Kevin Williams)

**That the application by Central South Island Fish and Game Council for funding from the National Legal Fund of legal costs of \$47,000 be approved.**

### **c) Oreti Cycleway (Southland)**

Resolved: (John Cumberpatch/Noel Birchall)

**That the application by Southland Fish and Game Council for funding from the National Legal Fund of legal costs of \$26,000 be approved.**

## **20. Auditor's Business Issues Report for Year-End 31 August 2015.**

It was agreed that the report be deferred to the next meeting.

Any issue(s) can be raised by email to Alison Lyall with a reply circulated back to all NZ Councillors.

## **21. Declaration of Interest/Conflict of Interest**

The requirement is a common approach adopted by many public and private agencies. The requirement is for disclosures on all related transactions that are either controlled or significantly influenced by that Council member.

Resolved (Andy Harris/Andrew Morris)

- 1. That individual New Zealand Fish and Game Councillors complete and sign the declaration of interest.**
- 2. That these individual declarations become a register that records Council members' interests in other legal entities with direct or indirect links with, or influence over, freshwater sports fish, game birds or their habitats and associated recreational access.**

## **22. Resolutions for action from Governors' Forum**

It was recognised that the subject lends itself to a workshop to discuss and advance particular action.

Resolved: (John Cumberpatch/Matthew Hall)

**That outcomes from the Governors Forum to be referred to a workshop at the next meeting.**

## **23: 2016/17 NZ Council Business Plan**

Possible new projects to feature in the 2016/17 Business Plan were discussed. The need to review existing commitments before adding further projects was also recognised. Additional work proposals will be considered again at the May NZ Council meeting along with any other proposals that may result, for example from the workshops on the Financial Review, etc.

Resolved (John Cumberpatch/Noel Birchall)

**That the NZ Council:**

- 1. Note that before adding additional work to the plan, a commitment is made to reviewing the existing plan commitments.**
- 2. Agree to consider a draft of the full business plan in May for final approval at the July meeting once licence fees have been approved by the Minister of Conservation.**

## **24. Reparation policy as National Policy**

It was noted that the national compliance database needs to be regularly maintained to provide assurance over whether an offender has offended in another region. This is a function of regional compliance coordinators who have the responsibility to enter their data on a frequent basis.

Resolved: (Andrew Morris/Paul Dixon-Didier)

**That the NZ Council**

- 1. Agree, that reparation not be used for more serious offences**
- 2. Agree that reparation funds be held in designated accounts and reported on annually**
- 3. Agree that the letters attached to the policy be for guidance purposes only**
- 4. Agree that subject to changes proposed at the meeting, the document (v.2 Mar16) become national policy.**

## **25. Decisions taken that can impinge on others**

Councillor Andrew Morris presented his paper on actions by one council having the potential to impinge on another by setting a precedent.

Resolved: (Andrew Morris/Andy Harris)

**That the NZ Council Chairperson write to regional chairs encouraging individual Fish and Game Councils to consult before finalising positions on matters that may then influence options available for other Councils when considering similar matters.**

## **26. Review of Standing Orders – process for review**

It was agreed that a hard copy of the document be forwarded to all NZ Councillors inviting them to make comments on the Standing Orders and return them to Robert Sowman for collation in a tracked change document. This document should then be discussed in a workshop basis at a future meeting.

Resolved: (Andy Harris/Paul Stenning)

**That the Standing Orders be read, discussed and agreed before adoption at the next one or two meetings of the Council, commencing with the May 2016 meeting.**

## **27. Correspondence**

Correspondence received during the period was considered with recommended replies provided for the Chairman to include in his responses.

## **28. General Business**

The Chief Executive Otago Fish and Game Council handed out an itinerary for the Saturday field trip and spoke about the day's event.

*The meeting adjourned on Friday at 5.20 pm and was reconvened on Sunday morning at 11.10 am*



## Sunday 20 March 2016.

The Sunday morning session commenced with workshops and a public excluded session of the meeting before time ran out to reconvene the public meeting, other than to signal its closure.

### Present for Sunday:

**NZ Councillors** (in geographical North to South appointee order)

Lindsay Lyons, Kevin Williams, Alan Flynn, Andrew Morris, Paul Dixon-Didier, Andy Harris, John Cumberpatch, Matthew Hall, and Paul Stenning.

### In Attendance

Bryce Johnson Chief Executive, Alison Lyall Finance & Administration Manager, Don Rood Communications Manager, Robert Sowman Policy & Planning Manager.

### Participation

Otago Fish and Game Councillors and staff – Niall Watson (Chief Executive), Monty Wright (Chair), Adrian McIntyre and Murray Neilson (Otago F&G Councillors), Ian Hadland (Operations Manager Otago Fish and Game Council) from 8.20 am Sunday to

Jay Graybill (Chief Executive Central South Island Fish and Game Council) from 8.20 am Sunday to 11.05 am Sunday.

Andrew Wilson, ForeConsulting, arrived Sunday 11.30 am to 12.00 noon.

At 11.05 am the workshops ended with the Chairperson recommending the NZ Council March meeting as a public excluded session to consider the:

## 29. National Office Review & Staff matters

11.05 am Resolved (Paul Dixon-Didier/Cumberpatch)

### 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. The National Office Review.**
- b. Staff 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>
	Protect the privacy of natural persons.	Sec. 9(2)(a)	Information provided identifies a particular person or can easily be connected with a particular person.	Once the person to whom the information relates consents to its disclosure.
	Protect information which is subject to an obligation of confidence ... where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied	Sec 9(2)(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**

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.”

12.15 pm      Resolved      (Matthew Hall/Paul Stenning)

**To move out of Public Excluded and back into a Public Session of the Meeting**

**Closing Remarks**

The Chairman thanked Council and staff for their support and acknowledged the hospitality shown by the Otago Fish and Game Council.

There being no further business, the Chairman declared the meeting closed at 12.15 pm Sunday 20 March 2016.

Confirmed: .....

Date: ...../...../2016