

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

Friday 9th and Saturday 10th August 2019
Commencing 9.30 am

PRESENT

NZ Councillors

Noel Birchall, Lindsay Lyons (Chair), Kevin Williams, Paul Blewman (observer from Taranaki), Paul Shortis, Bill O'Leary, Andy Harris, Roy Knight, Dan Isbister, Colin Weatherall, and Chris Owen.

In Attendance

Martin Taylor Chief Executive, Carmel Veitch Finance, Jack Kos Policy Advisor, Brian Anderton Senior Communications Advisor, Richie Cosgrove Senior Communications Advisor and Robert Sowman Policy & Planning Manager.

Also Present:

Mervyn English, Department of Conservation for Friday 9th, arriving at 10.30 am.

INTRODUCTION

1. Welcome

The Chairperson extended a welcomed to all and in particular noted Paul Blewman, the Taranaki Fish and Game Council Chairman is standing in until Taranaki confirm an appointee to replace Alan Flynn. Alan Flynn joined NZ Council in 2011 and attended some 85 actual meetings days and 41 of those he took annual leave. This example of commitment of a volunteer councillor is something to be recognised and celebrated.

Nigel Juby has had to stop being an appointee for Auckland/Waikato. This was to have been his last meeting. Auckland/Waikato have yet to announce a new appointee from its Council.

Andrew Simpson is the new Chairperson of CSI. Alan will join the meeting after the public excluded session and join the Council for lunch.

The Chairperson raised a point of conduct about emailing during Council only time and public excluded sessions of a NZ Council meeting. Colin Weatherall explained he was working on NZ Council business and travel arrangements. An apology was extended with sincere assurance that confidentiality was never in question. The apology was accepted. The Chairperson then requested that in future mobile or computer devices were not to be used during public excluded items and Council only time.

Paul Blewman arrived 9.18 am and joined the meeting. He was welcomed and introduced by the Chairperson.

The Chairperson went on to outline the agenda programme for the two days. Mervyn English is coming at 10.30 am Friday for a public-excluded item. All other items in public excluded will then follow before returning to the public agenda

Extra items to be considered include:

- Department of Conservation letter on 1080 – to be dealt with in public excluded.

- Update on Horizon's One Plan – Plan Change 2 from Wellington Fish and game Council – to be dealt with as new item: 3.11, requiring decisions.

2. Apologies

Nigel Juby advised he is stepping down as the Auckland/Waikato Fish and Game Council appointee to the NZ Council and will not attend the August 2019 meeting.

Resolved (Roy Knight/Andy Harris)

That the apologies for Nigel Juby at the August 2019 New Zealand Fish and Game Council meeting be accepted.

3. Conflicts of Interest Register

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

4. Confirmation of Minutes from 7 & 8 June 2019 Meeting

No discussion

Resolved: (Chris Owen/Bill O'Leary)

That the minutes of the New Zealand Fish and Game Council meeting of 7 & 8 June 2019 be confirmed as a true and correct record.

5. Review of Accumulative Action List from Previous Meetings

The Chief Executive went through the list from the last meeting, acknowledging what has been done or is in progress. Discussion followed on some topics, but no actions recorded.

6. Health & Safety report

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

Resolved: (Chris Owen/Colin Weatherall)

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

REPORTS REQUIRING DECISIONS

7. NZ Council 2018/19 Bi-Monthly Financial Report No. 4

The purpose of this paper is to update the NZ Council financial position to the month ended 30 June 2019. To date the Net deficit of \$151,042, against a budgeted deficit YTD of \$481,111. Discussion occurred on interest income and the uncertainty this creates in managing budgets.

Resolved: (Noel Birchall/Kevin Williams)

That the NZ Council Financial Report as at 30 June 2019 be accepted.

8. National Financial Report to 30 June 2019

This provides an update on the YTD expenditure by Fish and Game Councils against the 13 budgets through the financial year. It is a snapshot of where councils are at. Overall the combined Councils are sitting at 78% of total budget spent with 10 months of the financial year completed. The report has been adjusted to show RMA expenditure. There was discussion on underspending and how this

can be accounted for. This was recognised as a subject for the Strategic Finance Sub-committee to consider and report back to NZ Council.

Resolved: (Paul Owen/Dan Isbister)

That the National Financial Report as at 30 June 2019 be accepted.

9. New Contestable Fund Application Forms

The purpose of this item is to discuss an updated Contestable Fund (CF) and Reserves Funding Application form for use in the 2020/21 Budget rounds. It was recognised that a revised form was long overdue. The form has been sent out to regions for comment. Discussion included views on whether the +/- 10% criterion remains valid for assessing approval/non-approval of CF applications.

Resolved: (Roy Knight/Andy Harris)

That the updated Contestable Fund and Reserves Fund Application forms be used in the 2020/21 budget round.

10. Sub-Committee Membership and Terms of Reference

This item sets out the names that have been put forward for membership of three new NZ Council sub-committees and to review the Licence Sub-Committee's Terms of Reference.

10.1 Remuneration Sub-committee

Membership to consist of two NZ Councillor and two Fish and Game Council appointees. NZ Councillors appointed in June 2019 are Bill O'Leary and Colin Weatherall.

Nominees for two appointees include:

Phil Teal, Wellington
Ken Cochrane, Southland
Andy Garrick, Eastern

Resolved: (Colin Weatherall/Chris Owen)

That the NZ Council Remuneration Sub-Committee membership consists of Bill O'Leary, Colin Weatherall and Ken Cochrane.

Resolved: (Paul Shortis/Dan Isbister)

That the Sub-committee appoint Phil Teal as its fourth member.

The meeting paused at this point with the arrival of Mervyn English, Department of Conservation to consider the Hawke's Bay Audit and other items to be discussed in a public excluded forum.

Move into Public-Excluded

11. Public Excluded Meeting

10.45 am Resolved: (Colin Weatherall/Paul Shortis)

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. Hawke's Bay Audit

- c. Local body elections
- d. CE Advocacy report
- e. Firearms Reform positioning
- f. Alternative sources of revenue: Business Development position
- g. OIA responses

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

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

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

ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
XX.	Protect the privacy of natural persons.	Sec. 9(2)(a)	Information provided identifies a particular person or can easily be connected with a particular person.	Once the person to whom the information relates consents to its disclosure.
	Protect information which is subject to an obligation of confidence ... where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied	Sec 9(2)(be)(i)	Disclosing the information would jeopardise the relationship with the supplier because the supplier may no longer trust the Council to hold its information in confidence.	Not unless there is a public interest in disclosure of the specific information.
	Maintain legal professional Privilege	Sec. 9(2)(h)	To enable the Council to discuss legal advice.	Once the matter is completed and the legal advisor agrees to its release.
	Enable a Minister of the Crown or any Department or organisation holding information to carry out without prejudice or disadvantage, negotiations.	Sec.9(2)(j)	To enable the Council to discuss the information without improper gain or advantage being given to third parties.	Once agreement has been reached or contract signed.

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: 2.45 pm.

Resolved: (Roy Knight/Andy Harris)

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

12. Resolutions from Public Excluded

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

Resolved (Noel Birchall/Kevin Williams)

Agreed that the following resolutions taken in public excluded be moved to the public minute.

Local body elections

Resolved: (Bill O'Leary/Chris Owen)

1. *That the Drink Water, Think Water, Vote Water campaign be approved.*
2. *That \$1,000 be allocated to help run this campaign from the Public Awareness and Support Budget.*
3. *That the donation tab on Fish & Game's website be supported.*

Firearms reform

Resolved: (Colin Weatherall/Chris Owen)

1. *That a survey be undertaken to canvas the views of licence holders and regions.*
2. *open a dialogue with NZ Deerstalkers Association on firearm law reform and firearm safety.*

1080 letter from the Department of Conservation

Resolved: (Kevin Williams/Bill O'Leary)

1. *That the Chief Executive write to the Director General inviting him to cover 50% of the cost of completing further research on the impact of 1080.*
2. *The letter to be shared with Nelson/Marlborough Fish and Game Council*

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

10.2 Strategic Finance Sub-committee

Membership to consist of two NZ Councillor and two Fish and Game Council appointees.

NZ Councillors appointed in June 2019 are Dan Isbister and Paul Shortis.

Nominees for two appointees include:

Richard O'Keefe, North Canterbury
Dave Harris, Southland
Ray Grubb, Otago

Resolved: (\Paul Shortis/Dan Isbister)

That the NZ Council Strategic Finance Sub-Committee membership consists of Dan Isbister, Paul Shortis, Richard O'Keefe and Ray Grubb.

The Chairperson is to write to each of the appointees confirming membership of the Sub-committees.

10.3 Licence Sub-committee

The Otago Fish and Game Council requested changes to be made to the Licence Sub-committee Terms of Reference (TOR). Following discussion of the points raised by the Otago Council it was decided to add the work coordination to the TOR.

Resolved: (Kevin Williams/Roy Knight)

The purpose of the sub-committee is to be responsible for:

- a). **the coordination of the national licence sales system (including evaluate and recommend to the NZ Council and twelve Fish and Game Councils the best provider of a licensing system, associated CRM platform and continuing technical support).**
- b). **licence categories, and**
- c). **licence category pricing.**

Membership of the Licence Sub-committee consists of two NZ Councillor and three Fish and Game Council appointees. NZ Councillors appointed in June 2019 are Noel Birchall and Chris Owen and invited three appointees from the old Licence Working Party to join the Sub-committee:

Jay Graybill, Central South Island
Ian Hadland, Otago
Phil Teal, Wellington

Resolved: (Andy Harris/Roy Knight)

That the NZ Council Licence Sub-Committee membership consists of Noel Birchall, Chris Owen, Jay Graybill, Ian Hadland and Phil Teal.

Move into Public-Excluded

3.10 pm **Public Excluded Meeting**

Resolved: (Paul Shortis/Andy Harris)

Move into public excluded

To consider commercially sensitive information and quotes for services for a new licensing administration system.

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. Licence Request for Proposals and the Licence Sub-Committee.

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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ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
	Protect information which is subject to an obligation of confidence ... where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied	Sec 9(2)(be)(i)	Disclosing the information would jeopardise the relationship with the supplier because the supplier may no longer trust the Council to hold its information in confidence.	Not unless there is a public interest in disclosure of the specific information.

Note

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3.12 pm. **Move out of public excluded.**

In was agreed when in public excluded to move the following resolutions into the public minute:

12. Licence Sub-Committee

Resolved: (Kevin Williams/Chris Owen)

That the Chief Executive’s memo on the National Licence Sub-committee be received.

That the NZ Fish and Game Council:

1. Agree for the sub-committee to prepare a draft paper for circulation to the regions on the licence sales system options
2. Agree approval for the paper can be given by NZ Councillors on email
3. Agree to progress the CRM decision separately.

13. 2019/20 Budget & Meeting Schedule

A draft timetable for 2019/20 budget consultation, preparation of notices, licences and meetings of the NZ Council, managers and the Game Bird Habitat Trust Board was presented and discussed. Seek advice from Otago on where improvements can be made to the consultation policy.

Correct markup day in 2020 is 5th April (4 weeks prior to opening weekend). Amend dates for February meetings to 14 & 15.

Resolved: (Chris Owen/Andy Harris)

That the NZ Council

1. Note NZ Council meeting dates proposed for 2020 are:
 - February 14 & 15 in Wellington
 - April 3 & 4 in Wellington
 - June 12 & 13 in Wellington
 - September 11 & 12 in Wellington
 - November 20 to 22 in Taranaki region.
2. Agree to consult with Fish & Game Councils before confirming these dates in November.

14. Correspondence to be considered

Two letters were received and considered. One from the Minister of Conservation, Hon Eugenie Sage and the other from Benesia Smith, Executive Director Royal Commission of Inquiry into the Attack on Christchurch Mosques.

The letter from the Minister of Conservation will require Fish and Game to show it has matters in hand and is working towards making Fish and Game more effective as a regulator of a public resource.

The letter from the Royal Commission of Inquiry has been responded to by NZ Council staff after consulting with Fish and Game regions.

Resolved: (Paul Shortis/Chris Owen)

That the letters from the Minister of Conservation and the Royal Commission of Inquiry into the attack on Christchurch Mosques be received.

15. New Zealand Game Bird Habitat Trust Board

The NZ Game Bird Trust Board members are appointed by the Minister of Conservation under section 44F of the Wildlife Act 1953. The Terms of Appointment of the current Board expire on 31 March 2020. This item is to agree on a consultation process to identify suitable candidates to be recommended to the Minister by the NZ Council.

Resolved: (Roy Knight/Chris Owen)

That the NZ Council:

1. Note the Minister of Conservation consults with it on 3 people to be appointed to the Game Bird Habitat Trust Board and takes advice on a possible Chairperson.
2. Agree that Fish and Game Councils be consulted on nominations for these 3 positions with feedback from them required by 1st November 2019.

3. **Agree to consider feedback and finalise recommended names at the November NZ Council meeting for submitting to the Minister of Conservation.**

16. Horizon's Regional Council One Plan

Plan Change 2 is about Horizon's managing nutrient loss from existing land uses in target water management sub-zones. By providing an option for a discretionary consenting pathway for landowners to apply.

EDS is proposing a collaborative approach and Wellington Fish and Game is proposing to make a submission by 21 October 2019.

The request for RM legal support requires Wellington Fish and Game Council to complete the approved NZ Council funding application form.

Resolved: (Chris Owen/Paul Shortis)

1. **That NZ Council invite Wellington Fish and Game Council to complete the application on the approved form.**
2. **That consideration of the Wellington application by NZ Council be given by email.**

17. Central South Island Audit

This item was considered by Council without staff.

The meeting closed for Friday at 4.25 pm.

9.00 am Saturday start for a Councillor only meeting.

Consideration of the public agenda meeting commenced at 10.20 am.

REPORTS TO BE RECEIVED

18. NZ Council CEO and Staff Activities Report

Council staff presented their report of activities involving them since last reporting to the NZ Council. Questions were asked and discussion held on points raised, but no issues or actions resulted.

Resolved: (Chris Owen/Andy Harris)

That the CEO and staff activities report for August 2019 be noted and received.

19. Marketing R3 Report

The R3 consultant has presented a progress report for the May – June 2019 period on achievements and progress in the R3 project. This notes the completion of the following milestones:

- i. Meeting with R3 Reference Group
- ii. Attend pilot regions council meetings
- iii. Workshops with managers and key staff in each pilot region
- iv. Present at NZ Council and meeting of managers
- v. Produce a R3 report on each of the pilot regions
- vi. Provide report to CE of NZ Council on activity, actions and recommendations

Resolved: (Kevin Williams/Paul Shortis)

That the bi-monthly R3 report for August 2019 be received.

20. National Salmon Committee update

An oral update was provided by NZ Councillor Roy Knight, Chairperson of the National Salmon Sub-committee. A visit from MPI Biosecurity attended one of the meetings and discussed hatchery protocols. Fish screen policies and bag limit initiatives have been refined. The Sub-committee is now looking at hatchery guidelines.

Resolved: (Colin Weatherall/Chris Owen)

That the bi-monthly oral report for August 2019 be received.

21. RM/Legal update

This item provides an update for those legal projects already approved and where there has been some action since reported at the last meeting. CSI RDR consent appeal has now been settled.

Resolved: (Andy Harris/Kevin Williams)

That the Legal/RMA Fund report as at 30 June 2019 be accepted.

22. Research Programme Update Report

This item provides an update for those research projects already approved and where there has been some action since reported at the last NZ Council meeting. There is still a need to see action in completing some of these projects. Project coordinators have a responsibility to complete these each time.

Resolved (Colin Weatherall/Noel Birchall)

- 1. That the August 2019 Research Programme update report be received.**
- 2. The Chief Executive to present a paper on options available to improve management of the research programme.**

23. National Licence Sales Update.

An update on licence sales was provided with a comparison of YTD figures to 22 July 2019 for the 2018/19 seasons. Analysis was also provided on fish non-resident licence sales, with graphic representation by regions, value across top ten countries and sales by agents.

Resolved: (Bill O'Leary/Paul Shortis)

That the August 2019 licence sales update be received.

24. Non-Resident Licence Revenue report

This item presents an analysis of the non-resident licence revenue income and expenditure from 2014. Discussion raised a number of questions about whether the system was working well or needed changes. The levy is not included in the budget process and becomes additional income to the region that sells the licence. This levy income is transferred to the reserve and spending from this reserve is for the purpose of backcountry and sensitive fisheries. Currently the total fund continues to increase as non-resident reserves greater than it is allocated for special projects. This becomes a subject for consideration by the Strategic Financial Sub-committee.

Resolved: (Noel Birchall/Chris Owen)

- 1. That the August 2019 non-resident licence revenue report be received.**
- 2. Refer the matter of the non-resident licence levy to the Strategic Finance Committee to come up with options for consideration before the next budget round.**

25. Closing Remarks

The next meeting in November is to include a one-day session with Fish and Game Chairs. It will include budget thinking, the outcome of the three audits, issues to do with conflicts of interest and the term “reset” used by the Minister.

Colin Weatherall left the meeting at 11.50 am.

The Chairperson raised his interest in re-introducing an environmental scan for councillors to speak on matters of concern.

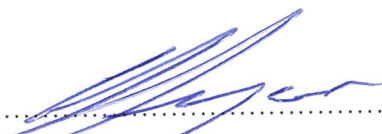
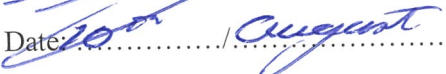
November consideration of annual accounts often occurs before the accounts are finalised. It would assist the process if the Council agreed to a process to authorise the accounts outside of formal meetings.

Resolved: (Noel Birchall/Roy Knight)

That subject to the audited annual accounts being circulated to NZ Council members for approval, and any queries satisfactorily explained, the Chairman be authorised to sign the 2018/19 financial statements on behalf of the Council.

The Chairperson thanked Council and staff for their participation and acknowledged the team spirit evident for this meeting.

There being no further business, the Chairperson declared the meeting closed at 12.20 pm Saturday 10th August 2019.

Confirmed: .....
Date: /2019