



NORTH CANTERBURY FISH AND GAME COUNCIL

BOARD PACK

for

North Canterbury Fish & Game Council Meeting

Thursday, 22 February 2024

6:30 pm (NZDT)

Held at:

NORTH CANTERBURY FISH AND GAME COUNCIL

595 JOHNS ROAD, HAREWOOD, CHRISTCHURCH

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AGENDA

NORTH CANTERBURY FISH & GAME COUNCIL MEETING



Name:	NORTH CANTERBURY FISH AND GAME COUNCIL
Date:	Thursday, 22 February 2024
Time:	6:30 pm to 8:30 pm (NZDT)
Location:	NORTH CANTERBURY FISH AND GAME COUNCIL, 595 JOHNS ROAD, HAREWOOD, CHRISTCHURCH
Board Members:	ALAN STRONG (Chair), CHRIS BRANKIN, DAVE BARRON, DAVE COLL, GRAEME NAHKIES, KEN LLOYD, PHILLIP MUSSON, RICHARD O'KEEFE, TEHAU ANGLEM, TREVOR ISITT
Attendees:	RASMUS GABRIELSSON, RICHARD COSGROVE
Apologies:	NIALL COSTER

1. Opening Meeting

1.1 Welcome by Chairman 6:30 pm (5 min)

ALAN STRONG

1.2 Karakia 6:35 pm (5 min)

TEHAU ANGLEM

Whakataka te hau ki te uru
 Whakataka te hau ki te tonga
 Kia mākinakina ki uta
 Kia mātaratara ki tai
 E hī ake ana te atakura
 He tio, he huka, he hau hū
 Thei mauri ora!

Translation:

Cease the winds from the west
 Cease the winds from the south
 Let the breeze blow over the land
 Let the breeze blow over the ocean
 Let the red-tipped dawn come with a sharpened air.
 A touch of frost, a promise of a glorious day.

1.3 Interests Register 6:40 pm (5 min)

ALAN STRONG

Supporting Documents:

1.3.a Interests Register	9
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1.4 Council Discussion on Issues and Risks That May Require Council Attention 6:45 pm (20 min)

ALAN STRONG

2. FOR DECISION

2.1 Consultation Papers From New Zealand Council 7:05 pm (20 min)

ALAN STRONG

Feedback due to NZC by 15 March 2024

Supporting Documents:

2.1.a	FOR DECISION - NZC DRAFT DRUG AND ALCOHOL POLICY.pdf	10
2.1.b	FOR DECISION - NZC DRAFT DRUG AND ALCOHOL PROCEDURE.pdf	13
2.1.c	FOR DECISION - NZC DRAFT GOVERNANCE CODE OF CONDUCT.pdf	20
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2.2 Kaputone Stream Consultation

ALAN STRONG

Consultation feedback to DoC.

Supporting Documents:

2.2.a	FOR DECISION - KAPUTONE STREAM CONSULTATION.pdf	40
2.2.b	KAPUTONE STREAM - 1ST LETTER.pdf	42
2.2.c	KAPUTONE STREAM - 2ND LETTER.pdf	46

2.3 Rangers Fishing Competition Application 7:25 pm (5 min)

RASMUS GABRIELSSON

Supporting Documents:

2.3.a	FOR DECISION -POLICY NCFG FISHING COMPETITIONS.pdf	51
2.3.b	FOR DECISION - RANGERS COMPETITION 2024.pdf	57
2.3.c	FOR DECISION - RANGERS COMPETITION APPLICATION.pdf	59

2.4 Fishing Regulations 2024 7:30 pm (10 min)

RASMUS GABRIELSSON

Supporting Documents:

2.4.a	FOR DECISION - FISHING REGULATIONS 2024.pdf	61
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3. GENERAL BUSINESS

3.1 Confirm Minutes Dated 7 December 2023

7:40 pm (5 min)

ALAN STRONG

Supporting Documents:

3.1.a Minutes : NCFG COUNCIL MEETING - 7 Dec 2023

63

3.2 General Business

7:45 pm (15 min)

ALAN STRONG

4. PUBLIC SESSION

4.1 Public Session

8:00 pm (10 min)

ALAN STRONG

5. STANDARD REPORTS

5.1 Chairman's Report

8:10 pm (5 min)

ALAN STRONG

Report to be Supplied

Supporting Documents:

5.1.a CHAIRMAN'S REPORT - Feb 2024.pdf

68

5.2 Operational Update Report

RASMUS GABRIELSSON

To provide North Canterbury Fish & Game Council (NCF&G) with an update on work done by staff.

Supporting Documents:

5.2.a OPERATIONAL PROGRESS REPORT_FEBRUARY 2024 (1).pdf

69

5.3 Finance Report

RASMUS GABRIELSSON

Supporting Documents:

5.3.a FINANCE REPORT TO 31 JAN 24.pdf

77

5.4 NZC Report

DAVE COLL

Verbal update due to travel

Supporting Documents:

5.4.a NZC REPORT (1).pdf

87

5.5 RMA Update

RASMUS GABRIELSSON

Update to Council regarding the RMA workstream, and Rakaia WCO compliance concerns.

Supporting Documents:

5.5.a	RMA REPORT FEBRUARY 24.pdf	90
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5.6 Compliance Report

RASMUS GABRIELSSON

Supporting Documents:

5.6.a	COMPLIANCE REPORT FEBRUARY 2024.pdf	92
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5.7 Health and Safety Report

RASMUS GABRIELSSON

(1) Update to Council on health and safety systems and processes to achieve stated goals.

(2) Consider staff funding proposal for IMPAC Risk Management Software Prog.

Supporting Documents:

5.7.a	HEALTH & SAFETY REPORT_FEBRUARY 24.pdf	95
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5.8 FIF Project Report

CHRIS BRANKIN

This update to Council is an Activity Report for the Freshwater Improvement Fund Project supplied by S Terry. The Report will be available prior to the Council meeting.

Supporting Documents:

5.8.a	FIF PROJECT FEBRUARY 24 UPDATE.pdf	98
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5.9 Updates from Sub-Committees of Council (Verbal)

8:15 pm (5 min)

ALAN STRONG

6. FOR INFORMATION STAFF REPORTS

6.1 For Information Papers

Supporting Documents:

6.1.a	FOR INFORMATION - PARI-SWAN FLIGHT.pdf	101
6.1.b	FOR INFORMATION - 2024 LICENCE SALES UPDATE.pdf	111
6.1.c	FOR INFORMATION - NZC GOOD EMPLOYER OBLIGATIONS - LEGAL OPINION.pdf	122
6.1.d	FOR INFORMATION - 2023-2024 MEETING & BUDGET SCHEDULE.pdf	127

7. Close Meeting

7.1 Close the meeting

Next meeting: North Canterbury Fish & Game Council Meeting - Budget Setting Workshop - 14 Mar 2024, 5:30 pm

Interests Register

NORTH CANTERBURY FISH AND GAME COUNCIL



As of: 15 Feb 2024

Person	Organisation	Active Interests	Notice Date
ALAN STRONG	Fonterra	Contractor to Fonterra	23 Sept 2022
CHRIS BRANKIN	Co-opted Member	MFE staff member	21 Oct 2020
DAVE BARRON	Tallarook Dairies, Nectar Group	Director of Company which leases land for the purpose of dairy farming, Owner of Nectar Group. Not involved in Fish and Game service or support decisions.	9 Nov 2021
DAVE COLL	N/A	No interest recorded	7 Dec 2023
GRAEME NAHKIES	BoardWorks - Practice Leader	Governance expert in residence and occasional consulting assignments with primary sector organisations	17 Mar 2022
KEN LLOYD	N/A	No interest recorded	18 Nov 2022
NIALL COSTER	N/A	No interest recorded	18 Nov 2022
PHILLIP MUSSON	Fonterra	Shareholder Fonterra and ECAN Selwyn River Liaison Committee	15 Feb 2022
RICHARD O'KEEFE	N/A	No interest recorded	18 Nov 2022
TEHAU ANGLEM	Ngai Tahu Representative	No interest recorded	28 Sept 2023
TREVOR ISITT	N/A	No interest recorded	18 Nov 2022



DRAFT DRUG AND ALCOHOL POLICY

Section	Operational
Contact/Owner	NZC HR
Last Review	New Policy
Next Review	
Approval	NZC
Effective Date	

1. PURPOSE

The purpose of this Policy is to:

- Demonstrate Fish and Game NZs commitment to health and safety and to outline our expectations and requirements regarding a drug and alcohol-free work environment, and also to provide a safe work environment for all employees.
- Provide advice and guidance to ensure that all employees fully understand their responsibility under this policy
- Outline our approach to prevention, education, screening and assistances with regards to drugs and alcohol in the workplace

2. POLICY

Being at work while impaired or at risk of impairment from drugs or alcohol is a serious health and safety risk.

Employees are strictly prohibited from:

- The use, sale, supply, transfer or possession of drugs unless use and possession are medically prescribed and do not impair or are a risk of impairment.
- Attending work with drugs or alcohol in their system, with levels above those set out in Appendix A of the Drug and Alcohol Procedures

3. Personal Conduct and Responsibilities

It is everyone’s responsibility to identify concerns about health and safety at work. If an employee feels unsafe working with one of their colleagues because they suspect that he/she is in breach of this policy, they should refer the matter to their manager.

If an employee discloses they have a drug or alcohol problem that is affecting their work, Fish and Game encourages the employee to ask for help from their manager or Human Resources at an early stage (before the employee is the subject of testing), without fear of reprisal or disciplinary action.

Proactive disclosure of drug or alcohol problems will be kept confidential as a health-related matter.

VALUES

TRUST

We are trusted as consistent and capable providers

INCLUSION

We recognise and respect diverse perspectives and cultural interests

CONNECTION

We are deeply connected with anglers, hunters, regulators and the public

SERVICE

We are enthusiastic, professional, kind and accountable

4. Drugs and Alcohol in the Workplace

Workplaces are defined as any place where an employee performs work related tasks, including (but not limited to) offices, Fish and Game vehicles and boats, places where field work is undertaken, travel between workplaces, training courses or conferences and accommodation provided by Fish and Game.

No alcohol may be consumed in the workplace, on or offsite, by any Fish and Game employee **except**, where formal staff functions have been arranged and approval is given by the manager. Alcohol may be consumed at social events at places and times designated in advance by Fish and Game. Employees and management are responsible for ensuring that all staff are able to get home safely.

No illicit or restricted drugs are to be brought into Fish and Game's workplaces at any time or consumed during work hours.

Legal drugs (prescribed by a medical practitioner) or non-prescription over the counter drugs are deemed to be acceptable as long as work duties and safety are not impaired. Employees using legal drugs that might impair performance must immediately notify their manager prior to commencing work.

5. Enforcement of the Policy

Alleged breaches of the key requirements by Fish and Game employees may be investigated as serious misconduct. While a potential breach of the policy is being investigated, Fish and Game may:

- Apply a safety stand-down to an employee from employment, to enable an appropriate investigation to occur for health and safety/wellbeing reasons.
- Require the employee to undergo further drug/alcohol screening tests and return a negative result before returning to work
- Suspend the driving privileges of a Fish and Game vehicle or boat until the investigation is concluded.
- Temporarily assign modified or restricted duties.

Following an investigation, Fish and Game New Zealand may:

- Offer, at its discretion the opportunity for the employee to participate in a rehabilitation programme, and/or;
- Take disciplinary action up to and including summary dismissal

The nature and severity of the breach will determine the disciplinary action that is taken.

6. Search and Surveillance

In order to assist with achieving the objectives set out in this policy, Fish and Game New Zealand reserves the right to undertake searches for drugs and alcohol within any Fish and Game New Zealand property and/or workplace

Fish and Game New Zealand property includes offices, vehicles, boats, workstations and storage areas but does not include the employees' home or place of residence if it is used for flexible working or working from home.

7. Drug and Alcohol Testing

Fish and Game New Zealand may undertake drug and/or alcohol testing to ensure compliance with this policy.

The processes for drug and alcohol testing are detailed in the Fish and Game New Zealand Drug and Alcohol Procedure. Testing will be undertaken by a professional drug detection agency such as the TDDA.

Pre-employment testing

Prospective employees may be required to undergo pre-employment or engagement drug and

alcohol testing.

If a prospective employee returns a positive or non-negative result for the presence of drugs or alcohol, Fish and Game New Zealand may discontinue their application, or if the applicant has already been appointed, their employment or engagement may be stood down and/or employment terminated.

Post incident/event testing

If there is an incident, accident, near miss or property damage involving an actual or potential compromise of health and safety standards and an employee's actions, or lack of action, may have been a direct or indirect contributory factor (incident, accident or near miss/close call), then an alcohol and drug test may be required.

Reasonable cause testing

If Fish and Game New Zealand suspects on reasonable grounds that an employee is under the influence of drugs or alcohol. Reasonable cause may be based on a pattern of behaviour, actions or conduct. See Appendix B of the Drug and Alcohol Procedures for examples of behavioral indicators.

Fish and Game managers must carefully consider the grounds for suspicion and should seek advice before making a judgement as to whether reasonable cause has been established.

8. Employee Disclosure, Assistance and Rehabilitation

Employees will have access to assistance from Instep's Alcohol and Other Drug Programme.

If an employee discloses that they have a drug or alcohol problem that is affecting their work, Fish and Game New Zealand encourages the employee to ask for help from their manager or HR, at an early stage (before the employee is the subject of testing), without fear of reprisal or disciplinary action.

Proactive disclosures of drug or alcohol problems will be kept confidential as a health-related matter.

If the employee is not comfortable discussing the problem with their manager, they may contact another manager and Fish and Game New Zealand's Employee Assistance Programme (EAP) provider -Instep. Instep provide a free and confidential service, which is independent from Fish and Game New Zealand.

Fish and Game New Zealand will consider what reasonable steps it can take to assist an employee who proactively discloses a drug and / or alcohol problem, including referral to appropriate treatment providers.

If an employee returns a positive drug and / or alcohol test (as noted in Section 9) and subsequently discloses a drug or alcohol problem, Fish and Game New Zealand may take disciplinary action up to and including summary dismissal and/or any other actions available to it pursuant to this policy and the Fish and Game New Zealand Drug and Alcohol Procedure.

DOCUMENT MANAGEMENT CONTROL

Prepared by: Jane Hutchings, HR Business Partner
Owned by: NZC/NZC CEO
Authorised by: Fish and Game New Zealand National Council
Date Issued (for Consultation):
Next Review:



DRAFT DRUG AND ALCOHOL PROCEDURE

Section	Operational
Contact/Owner	NZC HR
Last Review	New Procedure
Next Review	
Approval	NZC
Effective Date	

1. Purpose

The purposes of this Procedure are to:

- Support the Fish and Game New Zealand Drug and Alcohol Policy by setting out the procedural arrangements and testing processes.
- Assist management to enforce the drug and alcohol policy in a consistent and fair way
- Outline support options that may be available to employees
- Enable Fish and Game NZ to comply with the Health and Safety at Work Act 2015, in particular the duty to ensure, so far as reasonably practicable, the provision and maintenance of a work environment that is without risks to health and safety and that the health and safety of other persons is not put at risk from work carried out as part of the conduct of our business.

2. Application of Policy and Procedure

Managers are responsible for taking all reasonably practicable steps to ensure the health and safety of employees undertaking work under their direction. This procedure must be followed if a manager:

- Observes or has reasonable cause to suspect that an employee is breaching the Fish and Game New Zealand Drug and Alcohol Policy; or finds evidence of such a breach; or
- Learns from an eyewitness that the employee may have breached the Fish and Game New Zealand Drug and Alcohol Policy.

Any manager may instruct an employee to undergo an initial drug and/or alcohol screening test administered by a collecting agency such as the TDDA, if they suspect that the employee may have breached the policy.

The manager will arrange an appointment with the drug agency and the employee will be accompanied to the appointment by the manager.

Employees who undergo drug and/or alcohol testing will be told the purpose of the test, where the information will go, the name and address of the collecting agency and the likely consequences if they refuse to participate.

VALUES

TRUST

We are trusted as consistent and capable providers

INCLUSION

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The employee will be asked to sign a written consent to the test by the collecting agency.

At any stage of the processes or procedures herein, employees may request the presence of a support person or representative.

Every person subject to this procedure is entitled to confidentiality (insofar as practicable) and just treatment.

If the test results show the presence of drugs or alcohol in excess of the amounts set out in Appendix A of this Procedure, then a disciplinary process will be commenced where rehabilitation may be offered.

3. Safety Stand -down

If the absence of drugs and alcohol cannot be established through an initial test (i.e. returns an invalid result) then a safety stand-down may be required.

Stand-down is a health and safety precaution. It is not suspension because, in the case of employee, does not involve the person being sent away unilaterally from the workplace and is not disciplinary action.

While an employee is 'stood-down', nothing has been proven; the employee remains at work on pay and can be given reasonable instructions with which they must comply; their dignity, confidentiality and privacy should be maintained; and they must not operate any vehicle or boat or undertake other high-risk tasks.

Please note that if an employee may be impaired by drugs or alcohol, they must not be permitted to drive a Fish and Game vehicle or boat until such time as they are able to return a negative test result. This is to protect both the employee's own personal safety and the safety of others.

4. Compromised, diluted or adulterated test specimens

Deliberate compromise of process

If an employee makes a deliberate attempt to compromise the integrity of a specimen or the testing process when taking a drug test (for example by providing a specimen that is not his or her own, or adulteration e.g. by use of a masking agent), or the collector has reasonable grounds to suspect that the employee has tampered with a specimen, then the manager may in respect of an employee take disciplinary action up to and including summary dismissal.

Temperature

If an employee provides a specimen that is not within acceptable temperature testing range, meaning that the manager cannot verify it was provided by the employee or the specimen is otherwise compromised, the employee may be provided with one further opportunity to provide an acceptable specimen within 2 hours.

If the second specimen is also not acceptable for testing, this may be treated as a refusal or failure to take a drug and/or alcohol test or to provide an acceptable specimen (refer next section).

Dilution

A specimen may be too dilute to be accepted for testing if the specimen provider has consumed high quantities of water or other fluids or a diluent has been added.

The employee will be given one further opportunity to provide an acceptable specimen within 24 hours. The employee may have to reduce his/her fluid intake during this period.

If the second specimen is also not acceptable for testing, this may be treated as a refusal or failure to take a drug and/or alcohol test or to provide an acceptable specimen (refer next section).

5. Refusal or failure to take a drug or alcohol test or provide an acceptable specimen

Refusal to comply with an instruction to undertake a drug or alcohol test, or refusal or failure to provide an acceptable specimen without reasonable explanation, will be treated as a breach of the Fish and Game New Zealand Drug and Alcohol Policy.

If an employee is instructed to take a drug or alcohol test but refuses or fails to do so, the employee

must be given an opportunity to explain the refusal or failure.

The manager will consider any explanation given, and the circumstances leading up to refusal or failure.

If the manager considers the explanation is unreasonable in the circumstances, then they may take disciplinary action in respect of an employee up to and including summary dismissal.

6. Employee Assistance and Rehabilitation

An employee making a voluntary disclosure may be granted extended leave to participate in a drug and alcohol rehabilitation or treatment programme.

If requested by the employee, Fish and Game New Zealand will fund up to three treatment sessions, and may consider further assistance on a case-by-case basis.

The employee's return to work after successful completion of the course of treatment within a reasonable period of time agreed by the manager will depend on the Fish and Game Council's needs at that time and will be on the recommendation of the service provider.

If an employee who has not made a voluntary disclosure returns a positive test result, the manager may, at their sole discretion, permit him or her to continue in their employment subject to the requirement that they undertake a rehabilitation and/or treatment programme approved by Fish and Game New Zealand.

Failure to take part or complete the programme within a reasonable timeframe may result in disciplinary action up to and including summary dismissal.

The employee may be allocated alternative or restricted duties during the programme (if available, and at the manager's discretion).

Fish and Game New Zealand may, at its sole discretion, and upon the employee's request, fund an initial assessment by a rehabilitation provider nominated or approved by Fish and Game New Zealand.

Process for rehabilitation agreement

The employee must agree in writing to the programme and follow up testing.

The manager will arrange an initial appointment for the employee to meet with the rehabilitation specialist;

The employee will be given a phone number to contact the rehabilitation specialist;

All communications between the specialist and employee will remain confidential save as provided in the contract;

The rehabilitation specialist will arrange for treatment or further specialist advice as considered necessary;

Rehabilitation will commence and the rehabilitation provider will provide the manager with information on the attendance of the employee in accordance with the contract and will advise whether or not the employee has successfully completed the programme;

The rehabilitation specialist will report to the manager after three sessions on the necessity or value of further treatment. Further sessions are at the employee's cost

With the written permission of the employee, the employee's representative or support person may be informed of progress.

Post-treatment testing

On completion of the programme, the employee will be required to return a negative drug and alcohol test (the cost of which testing shall be met by the employee) prior to returning to normal duties.

The employee may subsequently be required to complete up to 12 random drug and alcohol tests over the next 24 months.

A positive test during or following treatment may result in disciplinary action up to and including summary dismissal.

7. Search and Surveillance

In accordance with and for the purposes of the Fish and Game New Zealand Drug & Alcohol Policy, the Fish and Game Council may undertake lawful searches and/or surveillance.

The manager may search any Fish and Game Council workplace or area in the Council's possession or control. This may include the Council's buildings, vehicles, boats, workstations, and storage

The manager or someone authorised by the manager, may not search an employee’s person or personal property (including looking inside bags) without genuine necessity, reasonable cause, and the explicit consent of the employee.

8. Confidentiality and Privacy

All information gathered as a result of testing or participation in a rehabilitation or treatment programme is collected for the purpose of implementing, enforcing and achieving the purpose of the Fish and Game New Zealand Drug and Alcohol Policy.

A copy of the results of any drug and/or alcohol test is retained by the collecting agency and will be provided to the employee as well as their manager.

Results may be used in evidence and disclosed in disciplinary or legal proceedings.

Information will be held for the duration of the individual's employment/engagement, or longer where Fish and Game New Zealand has a legitimate reason or as required by law.

Except when required by law, no information relating to any testing or rehabilitation will be disclosed to an external party without the written consent of the employee concerned.

9. Definitions

Adulteration	The deliberate use by the donor of a diluent or masking agent, or providing a substitute urine specimen, in order to compromise the detection of drugs/metabolites in their urine.
Alcohol	As per common usage and definition.
Collecting agency and collector	Respectively an accredited agency and a person qualified to collect specimens and take samples for the purpose of detection and quantitation of drugs of abuse within the specimen.
Drug	<p>For the purposes of the Fish and Game New Zealand Limited drug and alcohol policy and this procedure, “drug” and “drugs”:</p> <ul style="list-style-type: none"> Includes any substance listed in the schedules of the Misuse of Drugs Act 1975, including future amendments and additions; Includes substances listed in the AS/NZS 4308:2008: Procedures for specimen collection and quantitation of drugs of abuse in urine; Includes any synthetic or natural psychoactive substances that may be referred to as ‘designer drugs’, ‘drug analogues’, ‘synthetic cannabinoids’ or ‘herbal highs’ (whether or not they are controlled); May include any volatile substance deliberately used or misused for the purpose of achieving an altered state of mind; May include prescription and non-prescription (‘over-the-counter’) medication that the user knows or ought to know can impair the user’s mental or physical ability and pose a safety risk in the circumstances (e.g. driving while affected by opiate medications);
Non-negative	A test result that is non-negative but has not been confirmed by an accredited laboratory as positive.
Sample	A portion taken from a specimen, on which the test or assay is actually carried out.

Stand-down	Temporarily assigning modified or restricted duties to an employee or having them cease duties for a short period but not leave the workplace, while appropriate steps set out in this procedure are implemented.
Work and workplace	For the purpose of this procedure, includes work carried out on behalf of Fish and Game New Zealand by any employee or contractor; in an OSPRI workplace. Workplace has the meaning given in the Health and Safety at Work Act 2015.

FURTHER INFORMATION

INFORMATION AND ADVICE ABOUT DRUGS AND ALCOHOL CAN BE FOUND AT WWW.DRUGFOUNDATION.ORG.NZ

DRAFT

APPENDIX A

MAXIMUM ACCEPTABLE LEVELS OF DRUGS AND ALCOHOL

Confirmatory test cut-off concentrations (as total drug): AS/NZS 4308:2008 compound	Cut-off level (micrograms/litre)
Morphine	300
Codeine	300
6-Acetylmorphine	10
Amphetamine	150
Methyl amphetamine	150
Methyl enedioxy methyl amphetamine	150
Methyl enedioxy amphetamine	150
Benzylpiperazine*	500
Ephedrine*	500
Phentermine*	500
Pseudoephedrine*	500
11-nor-9-tetrahydrocannabinol-9-carboxylic acid	15
Benzoyllecgonine	150
Ecgonine methyl ester	150
Oxazepam	200
Temazepam	200
Diazepam	200
Nor diazepam	200
Hydroxyl-alprazolam	100
7-amino-clonazepam	100
7-amino-flunitrazepam	100
7-amino-nitrazepam	100

ALCOHOL LIMITS

For the test to be positive there must be a level of alcohol in the employee’s system higher than 100 micrograms of alcohol per litre of breath while in paid work or greater than the NZ Land Transport legal driving limit (for all other circumstances).

All aspects of the testing procedure will be carried out in a confidential and private manner by a trained Breath Alcohol Tester using a calibrated breath alcohol testing device, which complies with the AS 3547-1997/Amendment 1-2000 (type 2), for the measurement of alcohol.

APPENDIX B – REASONABLE CAUSE INDICATOR

When determining “reasonable cause”, physical symptoms and/or unusual or out of character on site observable behaviours must be considered. One symptom on its own is not enough evidence to reach a conclusion of drug use.

Examples of physical symptoms or behaviours include, but are not limited to:

- excessive lateness
- absences often on Monday, Friday or in conjunction with holidays
- increased health problems or complaints about health
- emotional signs – outbursts, anger, aggression
- changes in personality
- changes in alertness – difficulty with attention span
- changes in appearance – clothing, hair, personal hygiene
- less energy
- involvement in various minor accidents
- feigning sickness or emergencies to get out of work early
- going to the bathroom more than normal
- defensive when confronted about behaviour
- dizziness
- slurred speech
- hangovers
- violent behaviour
- impaired motor skills
- bloodshot eyes
- impaired or reduced short term memory
- reduced ability to perform tasks requiring concentration and co-ordination
- intense anxiety or panic attacks
- impairments in learning and memory, perception and judgement
- irritability
- depression
- odour of alcohol or drugs

Reasonable grounds testing may also take place where the Company learns, from a credible source, that the employee is working under the influence of drugs and/or alcohol, or where the employee is observed using, possessing, distributing or consuming drugs or alcohol during work time or during any breaks.



DRAFT GOVERNANCE CODE OF CONDUCT

Section	Governance
Contact/Owner	NZC HR
Last Review	New Policy
Next Review	
Approval	NZC
Effective Date	

1. PURPOSE

This Code sets out the minimum standards of conduct for all Councils and supports the values of Fish and Game NZ. Reflected in this *Code of Conduct* is the importance of trust and confidence in the relationship between Fish and Game Councils and their employees.

It is intended that this Code can be included in, or used as a template to update the Council's current Governance Policies.

2. POLICY

Council Members are expected to act reasonably at all times in compliance with their Councils Standing Orders and Governance policies and taking into account the interests and welfare of other Members and Council staff and their obligations under the Public Sector Act 2020 to be a "good employer".

The "good employer" principle means that Councils must operate employment policies that provide for fair and proper treatment of employees in all aspects of their employment, including recruitment, development, diversity, remuneration and health and safety.

Members are expected to maintain the highest integrity, discretion and ethical conduct when performing their duties or representing the Fish and Game Council. Members are expected to exercise good judgement to determine what action should be taken in any given situation and be able to withstand scrutiny from internal and external parties.

3. EXPECTED BEHAVIOURS

1. Personal responsibilities:

- act in good faith
- act honestly and with integrity in all aspects of Council activity;
- respect the rights of others and treat others courteously and without discrimination or harassment and comply with Fish and Game's Bullying and Harassment Prevention Policy and Process;
- be respectful of, and responsive to all genders, cultures, values and beliefs;
- exercise reasonable care, diligence and skill at all times
- lay aside all private and personal interests in decision making

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- comply with relevant Fish and Game policies, processes, standards, Vision, Mission, values, and SOPs delete (The Fish and Game Strategy, including the Vision, Mission and Values are attached)
- understand the Council's responsibilities as a PCBU under the Health and Safety at Work Act 2015 and ensure that these requirements are adhered to and implemented.
- act in a safe manner to protect your health and safety and that of other Council members and employees of the Council, and comply with all Health and Safety policies and procedures.

2. External relationships:

- actively promote and support the Council and its decisions in all relevant fora
- act reasonably, honourably and in good faith when working with the fishing and hunting communities
- create and maintain positive relationships and networks with others.
- don't undermine other Members, the Council or Council staff in any media, including social media

3. Confidential information:

- be responsible for the security and confidentiality of any personal information that you have acquired;
- ensure that any information you have acquired through the Council is not used for personal advantage; and
- ensure that financial and non-financial information gathered by Fish and Game and your knowledge of its systems and processes is used solely to perform Fish and Game business.

4. Conflicts of interest:

- avoid or register any financial interest in any undertaking that could be seen to compromise your responsibilities to Fish and Game,
- do not allow personal relationships with staff or licence holders to affect or appear to affect the professional relationship with them; and
- when your personal views differ from those of Fish and Game, you must ensure that both your personal integrity and the integrity of Fish and Game are not compromised. If you are likely to find yourself in this situation, then you should discuss the matter with your Chair first.

5. Uphold the reputation of Fish and Game:

- act with integrity at all times;
- ensure your participation in political matters does not conflict with your duty to your Fish and Game Council and any partnerships with government agencies delete?; and
- ensure your private activities do not reflect adversely on Fish and Game, on Fish and Game staff or key stakeholders.

6. Additional expectations for Members as Good Employers:

- Ensure that employment policies are in place that provide for fair and proper treatment of employees in all aspects of their employment
- Ensure that all practicable steps are taken to minimise or eliminate health and safety risks for employees. This includes bullying, harassment or mistreatment of employees.
- Be supportive of employees of the Council and do not criticise employees or the service provided by the Council and Management to anyone other than the Chair or Executive Committee
- Support the Chief Executive/Regional manager to implement the decisions of the Council but not interfere with the management of Council staff except where the CE/RM has breached employment policies or law
- lead by example and model the standards of behaviour expected of Council employees
- do not communicate privately with employees of the Council on matters which fall under the Council or Chief Executive responsibility in such a way as to threaten or weaken the relationship between the Council and the Chief Executive.

7. Miconduct:

- If any Member of the Council is disrespectful or uses offensive or malicious language at a meeting, the Chair has the authority to remove that member from the meeting, under the Standing Orders, if the member refuses to withdraw the comments or to apologise.
- Similarly, if a Member’s conduct is disorderly, the Chair may require that Member to leave the meeting (See Clause 3.4 of the Standing Orders)
- If a Member has strong views about a Matter that create a risk of bias, prejudice or pre-determination that is inconsistent with performing their duties in an impartial manner, they will be excluded from the meeting when that Matter is being discussed as per Section.....of the Council’s Standing Orders or Conflict of Interest Policy
- As a last resort and following a fair investigation, the Minister may remove any Council Member from office for misconduct under Section 26ZA2 of the Conservation Act,

8. Other relevant information

- Code of Conduct for Crown Entity Board Members
<https://www.publicservice.govt.nz/guidance/code-of-conduct-for-crown-entity-board-members/>
- Council Standing Orders
- Council’s Governance Policies
- Health and Safety at Work Act 2015, Duties of a PCBU
<https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976894.html>

To be signed with Oath of Office

I agree to abide by this Code of Conduct in all aspects of my Council activity

Signed: Date:

4. DOCUMENT MANAGEMENT CONTROL

Prepared by: Jane Hutchings, HR Business Partner
Owned by: NZC/NZC CEO
Authorised by: Fish and Game New Zealand National Council
Date Issued (for Consultation):
Next Review:

Prevention of Bullying and Harassment Policy

Section	Operational
Contact/Owner	NZC HR
Last Review	New Policy
Next Review	
Approval	NZC
Effective Date	

PURPOSE

The purpose of this policy is to:

- Show that unacceptable or unwelcome behaviours as set out below will not be tolerated
- make clear our commitment to being an effective and sustainable organisation with a culture of mutual respect
- provide you with the information you need to understand:
 - bullying, harassment and victimisation
 - how to prevent it
 - where this is not successful, how to report and resolve concerns

Support our values:

- Trust
- Inclusion
- Connection
- Service

This Policy applies to all Fish and Game NZ staff and Councillors

DEFINITIONS

Bullying

Bullying is unreasonable and unwanted, repeated and ongoing behaviour towards a person or group that can lead to physical and/or psychological harm.

This covers actions which a reasonable person wouldn't do in similar circumstances. It includes victimising, humiliating, intimidating or threatening a person.

Repeated behaviour can include a range of actions, which can be clear, direct and obvious, or more indirect and subtle. It can affect a person's dignity, psychological or physical integrity.

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A single incident isn't considered bullying but should be addressed by management, as inappropriate behaviours can escalate if ignored. Also, a single incident, if serious enough, can amount to harassment. See the definition of harassment in the next block of information.

Examples of bullying include, but are not limited to:

- threats
- intimidation
- physical violence
- shouting
- interfering with equipment or possessions
- excluding or isolating a person from colleagues or from work events
- 'ganging up'
- defamatory gossip
- unjustified criticism, such as a manager being unavailable to give feedback then finding fault with work not done as they wanted
- unjustified threats of dismissal
- unfair treatment
- public humiliation
- setting unrealistic deadlines, over-pressuring, over-working
- underworking, creating a feeling of uselessness
- removing responsibility without justification
- adding responsibility without justification
- changing targets or deadlines without justification
- any other means of undermining a person's right to dignity at work.

Workplace bullying is not:

- mutually acceptable, well-intentioned friendly banter, good-natured jokes and compliments
- friendships and relationships where the parties consent to the relationship
- issuing reasonable instructions and expecting them to be carried out
- warning or disciplining someone, including suspension or demotion, in line with our policy and procedures
- insisting on high standards of performance for core responsibilities, as well as in areas such as quality, safety, team cooperation, and attendance
- legitimate criticisms about work performance
- giving critical feedback, including in a performance discussion
- performance improvement or performance management processes
- disciplinary investigations
- robust discussion about issues or concerns in the workplace
- differences of opinions and non-aggressive conflicts
- a single incident of minor unreasonable behaviour.

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Harassment Harassment is unwanted and unwarranted behaviour that a person finds offensive, intimidating or humiliating. The behaviour is repeated, or significant enough as a single incident, to have a detrimental effect on a person's dignity, safety and wellbeing.

Harassment can be physical, psychological, verbal or visual behaviour. As with bullying, harassment might be clear, direct and obvious, or more indirect and subtle.

This is most commonly sexual or racial harassment (both defined below) but can include other forms, such as:

- emotional harassment
- psychological harassment
- physical harassment
- derogatory comments directed at someone's status or role in the organisation.

Sexual harassment Sexual harassment is any unwelcome or offensive sexual behaviour that is repeated, or is significant enough as a single incident to have a harmful effect on a person.

It can involve spoken or written material, images, digital material or a physical act.

Sexual harassment is unlawful under the [Human Rights Act \(1993\)](#) and the [Employment Relations Act \(2000\)](#). Sexual violation, any activity done without a person's consent, and indecent assault are unlawful under the [Crimes Act 1961](#).

Electronically (including online) sharing of sexual photographs, videos, rumours, comments or information about another person without their consent are unlawful under the [Harmful Digital Communications Act \(2015\)](#). This Act includes a new criminal offence to help tackle the most serious instances of bullying and harassment by people using digital technology. It is illegal to send messages and post material online that deliberately cause someone serious emotional distress.

The [Victims' Rights Act \(2002\)](#) ensures that if someone has suffered harm as a result of an offence of a sexual nature, they are to be treated with courtesy and compassion and have their dignity and privacy respected.

Examples of sexual harassment include, but are not limited to:

- offensive sexual remarks or jokes
- implied or actual threats of being overlooked for work opportunities or promotions if a person declines a manager's advances
- unwelcome touching, patting, or pinching by any personnel
- intentionally exposing or flashing private body parts
- being hassled for a date, regardless of acceptance, or being followed home or elsewhere by any personnel
- images or other material of a sexually explicit or offensive nature in the workplace, including in electronic form
- intrusive or unwelcome questions about a person's personal life.

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Racial harassment

Racial harassment is behaviour that is racist (about someone's ethnicity, colour, or national origin) and unwelcome, hurtful, offensive, belittling or threatening and is either repeated or serious enough to have a harmful effect on a person, and expresses hostility, contempt or ridicule.

Examples of racial harassment include, but are not limited to:

- offensive remarks or jokes about a person's race, colour, ethnicity or nationality
- mimicking how a person speaks, e.g. if they have an accent
- calling someone a racist name or using 'slurs'
- racially offensive material in the workplace
- deliberately mispronouncing a person's name
- excluding or isolating a person because of their race, colour, ethnicity or nationality.

Discrimination

Discrimination is behaviour that results in a person being treated unfairly or less favourably than another person in the same or similar circumstances.

Under the Human Rights Act 1993 it is unlawful to discriminate based on:

- sex – includes pregnancy and childbirth, and discrimination against transgender and intersex people because of their sex or gender identity
- marital status – includes whether a person is or is not single, married, in a civil union, or in a de facto relationship, divorced, widowed, separated or with a domestic partner
- religious belief – not limited to traditional or mainstream religions
- ethical belief – not having a religious belief, whether in respect of a particular religion or religions or all religions
- colour, race, or ethnic or national origins – includes nationality or citizenship
- disability – including physical disability or impairment, physical illness, psychiatric illness, intellectual or psychological disability or impairment, any other loss or abnormality of psychological, physiological, or anatomical structure or function, reliance on a guide dog, wheelchair, or other remedial means, the presence in the body of organisms capable of causing illness
- age – people are protected from age discrimination if they are over 16 years old
- political opinion – the lack of a particular political opinion or any political opinion
- employment status – being unemployed, a volunteer, or being a recipient of a benefit under the Social Security Act 2018 or an entitlement under the Injury Prevention, Rehabilitation, and Compensation Act 2001
- family status – includes having or not having children or other dependants, being married to, in a civil union, de facto relationship with, or a relative to a particular person
- sexual orientation – being heterosexual, homosexual, lesbian or bisexual.

Unlawful discrimination covers a wide range of attitudes and behaviours, and

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includes discrimination against someone because of their past, present or assumed circumstances. For example, it is unlawful to discriminate against someone because they have a mental illness, have had one in the past, or because someone assumes they have a mental illness.

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Victimisation Victimisation means punishing a person, or negative behaviour or action towards a person because they were involved in a dispute or complaint (either as the person making the complaint or allegations, witness, support person, person complained about, or otherwise).

The [Human Rights Act 1993](#) also protects all people from being victimised because they:

- were involved in a dispute
- supported another person to make a complaint
- contacted the Human Rights Commission about harassment or discrimination.

The [Employment Relations Act 2000](#) also protects employees against victimisation of this kind.

Accountabilities

The Manager and the Council We will work to respond to and minimise workplace bullying, harassment and victimisation. We will do this by:

- establishing and promoting respect for the broad range of human values and character strengths required for Fish and Game NZ
- actively looking for ways to support positive workplaces that workers feel are pleasant, fair, rewarding and positively challenging
- encouraging positive leadership styles, and investing in and supporting all our personnel to achieve this
- training key personnel on how to receive bullying and harassment reports and give support and advice
- where appropriate, directing attention towards behaviour rather than people
- aiming to promote harmonious relationships across Fish and Game NZ
- giving workers who believe they've been bullied, harassed or victimised a range of options to resolve the issue and access support
- offering a range of solutions up to and including taking formal actions, where appropriate
- aiming to repair the working relationship and promote positive work values
- openly discussing bullying, harassment and victimisation in both formal and informal settings
- providing information and training about bullying, harassment and victimisation
- identifying factors that contribute to bullying, harassment and victimisation
- putting effective control measures in place to address those and prevent them from happening again
- ensuring our processes and systems for addressing bullying, harassment and victimisation are fit for purpose and reviewing them regularly.

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When dealing with an allegation of bullying, harassment and victimisation, we will:

- treat all matters seriously
 - where appropriate, investigate promptly and impartially
 - reasonably support all parties involved
 - find appropriate remedies and consequences for confirmed bullying as well as false reports
 - communicate the process and its outcome (though not necessarily any action taken against a person if that violates their privacy)
 - ensure confidentiality
 - apply the principles of natural justice
 - keep good documentation
-

Manager

The Manager agrees to:

- ensure personnel are clear on what their roles involve
 - intervene early to call out and deal with any unreasonable behaviour before it escalates
 - record and, where appropriate, investigate complaints fairly and in line with our policies and processes
 - not ignore issues raised
 - where there is a conflict of interest, defer responsibility to another manager, where appropriate
 - cooperate with investigations
 - look for informal solutions (self-help, giving feedback, mediation or facilitation) before escalating an issue to higher levels (such as investigation) where appropriate.
-

All staff

All staff agree to:

- tell their manager if they experience or see any bullying, harassing or victimising behaviours
 - if the manager is the person considered to be behaving in an inappropriate manner, tell another manager or HR
 - try low-level solutions (e.g. talking to the person initially, if safe to do so)
 - follow our informal or formal processes (**as outlined in the Process for Managing Bullying and Harrassment**) when making a complaint
 - keep an eye out for other people and provide support when they see a person being isolated or experiencing reprisals.
-

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DOCUMENT MANAGEMENT CONTROL

Prepared by: Jane Hutchings, HR Business Partner
Owned by: NZC/NZC CEO
Authorised by: Fish and Game New Zealand National Council
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Next Review

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Process for Managing Bullying and Harassment

Section	Operational
Contact/Owner	NZC HR
Last Review	New Process
Next Review	
Approval	NZC
Effective Date	

Introduction Raising concerns, as either the person making the complaint or allegations, or a bystander can be challenging. We are committed to ensuring that all employees who raise concerns are treated fairly and with respect, and to maintaining confidentiality as appropriate.

Principles for managing complaints We have procedures in place for making and managing complaints to ensure we treat any complaint or query as confidentially as possible, take it seriously, and act on it promptly.

We prefer to provide options, appropriate support and appropriately tailored solutions, rather than taking a 'one size fits all' approach. For example, options can include:

- exploring informal solutions before taking formal action, if this is appropriate
- exploring informal solutions without requiring formal action, if this is appropriate
- proceeding straight to a formal investigation if necessary.

We will:

- apply the principles of natural justice
- treat all parties fairly
- respect and support all parties through the process
- take all practicable steps to prevent retaliation or victimisation against anyone who makes a complaint.

Raising and managing complaints There are several methods for responding to bullying, harassment or victimisation. There's no need to start with self-help if another option is more appropriate.

Before raising concerns, it can be helpful to seek advice and support. Identify someone appropriate to tell as soon as possible – their accounts may also be used as evidence, and their advice and support may also help in other ways.

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It can be useful to talk with a trusted friend or advisor, or seek advice from a colleague, manager, HR, or counsellor (including EAP).

Another option is to contact a public sector agency or helpline, etc.

Take notes of incidents – names, dates, times, places, and witnesses – and your response. It is best to note these as close as possible to the time they occur, as they may be used as evidence in a formal complaint.

Sexual harassment complaints

It may be difficult to talk about sexual harassment:

- You may have experienced behaviour which you do not feel is appropriate but are uncertain if it is or could be seen as sexual harassment.
- You may be embarrassed about discussing this, or worry that you will not be believed, or that complaining might make the situation worse and that you might face repercussions for your working relationships.
- You may be worried that complaining could impact your role or impact others.

We take all complaints and disclosures seriously and are committed to empowering all personnel to feel safe to talk about and come forward when people behave inappropriately in the workplace.

Self-help

This option can be used to address issues at the lower end of the spectrum of concerning behaviours, or when a person making a complaint or allegations feels safe to have a face-to-face conversation.

- Act quickly – if possible, the person making the complaint or allegations should discuss concerns early with the person behaving inappropriately. Often, the earlier you call out behaviour, the easier it is to stop it.
- Describe the behaviours. Be as objective and accurate as possible – describing specific incidents can help. Explain how the behaviour is affecting you, and ask the person to stop
- Explain the next steps – the person making the complaint or allegations should explain what they will do if the behaviour continues (such as formally report the behaviour).
- Give the other person time to respond to your complaint – both parties should give the other person time to consider what has been said before discussing the best way forward. Some people need to think about what they've been told before they can respond to it. It's also hard for most people to hear they're doing something that is causing someone else discomfort or distress, and that can make them come across as defensive.
- Behave appropriately – these are often difficult conversations to have and it's important for all parties to safeguard themselves by behaving appropriately no matter how the other person responds.
- Engage enough support. This may mean that the person making the complaint or allegations talks to someone both before and after they talk to the person complained about. There is a list of support options at the end of this policy.

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Informal intervention

The person making the complaint or allegations should use this option when they need additional support or are not comfortable having a face-to-face conversation without a third-party present, but do not wish to make a formal complaint.

- First, if it's safe, the person making the complaint or allegations should speak to their manager about the conduct and seek their guidance on dealing with the situation.
- If their concerns are about their line manager, they can go to their Council Chair or one of the NZ Council staff for advice and support.
- They should consider speaking to a support person for advice or assistance.
- Use informal approaches such as facilitated meetings (generally through HR) to address the conduct effectively. This includes agreeing on a 'road map' for future communications.
- Make sure these outcomes are clearly documented to avoid any confusion about what has been agreed moving forward.

Formal intervention

Use this option:

- if self-help and/or informal intervention hasn't worked:
- in the first instance if the person making the complaint or allegations believes the behaviour is repeated or serious enough to have a detrimental effect.

There are different ways to make a complaint:

- Usually the person making the complaint or allegations can complain directly to their line manager, to their Council Chair or to HR.
- Depending on the circumstances and how the person making the complaint or allegations wants the matter resolved, a formal investigation may be initiated.

External intervention

If the person making the complaint or allegations is not satisfied with the outcome of self-help, informal or formal options, they can seek external intervention through the following organisations:

- the [Human Rights Commission](#) – for complaints about discrimination on one of the 13 grounds prohibited in the Human Rights Act (see [Definitions](#) > Discrimination, above) and for sexual or racial harassment
- [WorkSafe](#) – for complaints about a breach of the duty of care to take all practicable steps to provide a safe workplace, e.g. workplace bullying
- [New Zealand Police](#) – report all threats of violence, actual physical violence or other criminal acts to the Police as well as your manager
- the Ministry for Business, Innovation and Employment's [Mediation Services](#) – to help resolve employment relations problems:

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- between the employee and the organisation, or
- between two employees – if both parties agree, the employees can attend mediation to work out a way forward in which they can work together while upholding both parties’ rights
- [Employment Relations Authority](#) – for employees to lodge a personal grievance (PG) for claims such as unjustified disadvantage or constructive dismissal.

Note:

- This is for action against the employer, i.e. the organisation, not a person.
- The ERA will almost always require good faith attempts at mediation before it will hear and determine a grievance – employees should approach the mediation service first.

Anonymous complaints

- You can make anonymous complaints
 - in writing
 - in person with a manager or HR representative.
- We will assess each case according to its own circumstances.
- We can only investigate an anonymous complaint if doing so without naming the person making the complaint or allegations would be fair to all parties involved

Malicious complaints

If an investigation concludes that the person complained about did not behave as the person making the complaint or allegations alleged, we may investigate whether the complaint was frivolous, false or malicious. If we find that a complaint was frivolous, false or malicious, we may take disciplinary action against the person making the complaint or allegations.

Misconduct and serious misconduct

Conduct may amount to misconduct or serious misconduct if

- an allegation of harassment, bullying or victimisation is substantiated
- if any part of this policy or our Code of Conduct is breached.

We are committed to addressing breaches of this policy promptly and effectively by taking appropriate disciplinary action.

Potential outcomes

The outcomes of a breach of this policy will depend on all of the circumstances of the situation. Conduct that amounts to misconduct or serious misconduct will be addressed via appropriate disciplinary action.

Confidentiality

We will treat bullying, harassment and victimisation confidentially, as far as the circumstances allow. Parties to a complaint must maintain confidentiality, but may inform those with a genuine need to know e.g. a formal support person

We take breaches of confidentiality seriously. We may deem them misconduct or serious misconduct and take appropriate disciplinary action.

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How to make a complaint

Complaints in writing

To make a written complaint, email your manager, your Council Chair or HR with the following details:

- What happened?
- When and where did it happen?
- How did you respond at the time?
- Were there any witnesses?
- What was the impact on you?
- What resolution do you want to see?

It is best to complain in writing because:

- it helps us clearly understand the details
- it prevents us from misinterpreting any specifics
- it speeds up the process.

Verbal complaints

To make a verbal complaint There must be a record of the conversation – either:

- someone must make a sound recording, or
 - the person receiving the complaint takes notes.
2. This record is transcribed or typed up.
 3. The person making the complaint or allegations reviews the transcription to ensure the information is accurate and that it conveys all that they wish to convey to us.

This process can be time-consuming, and for this reason, we prefer written complaints.

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Bystanders and upstanders

Bystanders and upstanders

Bystanders and upstanders play an important role when they witness bullying, harassment, or victimisation:

- A bystander is someone who observes unacceptable behaviour.
- An upstander takes steps to help or support the person being harmed.

We expect you to speak up when you see unacceptable behaviour, where it is safe to do so, take responsibility for ensuring that the work environment is safe and team members are operating in a safe place.

Bystanders and upstanders have different options, depending on the circumstances. These include:

- Speaking with the person who was subjected to the behaviour and making them aware of their options
- Approaching the person who is displaying the behaviour and explaining what you have seen and why you do not feel that it is appropriate
- Raising the matter with a manager
- Reporting the issue to HR

Bystanders and upstanders should feel able to speak up to help us rid our workplaces of inappropriate behaviours.

It is not acceptable to:

- Support people initiating unwanted behaviour
- Turn a blind eye to unwanted behaviour and walk past it

If you have witnessed bullying, harassment or victimisation, advise an appropriate person immediately, and remember that support and advice are also available for you.

Links, resources and support

Sexual harassment

For those affected by sexual harassment, external support options include the [Safe to Talk](#) sexual harm helpline, which helps people to engage with local specialist sexual violence support agencies.

Instep EAP counselling : 0800 284 678

Mediation services

The Ministry of Business, Innovation and Employment provides free mediation services. When a party brings a personal grievance, it will be referred to mediation. It is not necessary to bring a personal grievance to gain access to the free mediation when there is a workplace relationship problem. The service mediates between employees, or between an employee and the organisation.

Contact Mediation Services on 0800 800 863 or visit their webpage

<https://www.employment.govt.nz/resolving-problems/steps-to-resolve/mediation/>

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WorkSafe NZ

As the health and safety regulator, WorkSafe provides resources about managing health and safety risks. They can also receive complaints about breaches of obligations under the [Health and Safety at Work Act 2015](#) to take all reasonably practicable steps to provide a safe workplace.

Contact WorkSafe on 0800 030 040 or visit <https://worksafe.govt.nz/>

Human Rights Commission

The Human Rights Commission offers a free service to deal with both informal enquiries and complaints related to discrimination and racial and sexual harassment issues.

Contact the Human Rights Commission on 0800 496 877 or visit <https://www.hrc.co.nz/>

Office for Disability Issues

The Office for Disability Issues is the focal point in government for disability issues, supporting implementation of the United Nations Convention on the Rights of Persons with Disabilities and the New Zealand Disability Strategy.

Contact The Office for Disability Issues on 04 916 3300 or visit <https://www.odi.govt.nz/>

New Zealand Police

Report threats of violence, actual physical violence or other criminal acts to the Police:

- phone 111 for emergencies
- phone 105 for non-emergencies
- go to <https://www.police.govt.nz/>
- go to your local police station.

Legislation

[Health and Safety at Work Act 2015](#)

We all have important responsibilities under the Health and Safety at Work Act 2015. We all have a duty to take reasonable care that our acts or omissions do not harm the health and safety of other people. Bullying, harassing or victimising another person is behaviour that can be harmful to a person's health and wellbeing. A person behaving in such a manner could be prosecuted and fined.

[Human Rights Act 1993](#)

[Employment Relations Act 2000](#)

[New Zealand Bill of Rights Act 1990](#)

[Privacy Act 2020](#)

VALUES**TRUST**

We are trusted as consistent and capable providers

INCLUSION

We recognise and respect diverse perspectives and cultural interests

CONNECTION

We are deeply connected with anglers, hunters, regulators and the public

SERVICE

We are enthusiastic, professional, kind and accountable

FOR DECISION

To: North Canterbury Fish and Game Council

From: Emily Craig

Date: 13 February 2024

Subject: DOC PUBLIC NOTIFICATION CONSULTATION FOR KAPUTONE STREAM

Purpose

1. For the Department of Conservation to consult with the Council on publicly notifying an application to be exempt from the marginal strip provisions of the Conservation Act 1987.

Recommendations

2. That the Council **agrees** to consider the material provided for the exemption of the proposed disposal from the marginal strip provisions of the Conservation Act 1987, and give its advice in accordance with Section 24BA of the Conservation Act 1987 on the reasonableness, or not, of public notification of the proposal.

Background

3. The Department of Conservation has received an application from The Property Group, on behalf of Waka Kotahi NZ Transport Agency (Waka Kotahi), under Section 24B Conservation Act 1987, seeking an exemption to the requirement for a marginal strip along part of the Kaputone Stream, Belfast.

Points of Information

4. The land will support Christchurch City Council's "Vision 2000-2040 The Styx" initiative
5. One of the key actions for this initiative includes "Investigating methods to increase the number of trout and the number and range of native fish species within the Styx River".
6. Development will include overall ecological restoration of the area (weed/pest plant control & eradication, native vegetation restoration), and construction of a new walkways, linking with other pathway projects to create a "source to sea" walkway.

Strategic Implications

7. The Kaputone Stream is a small spring fed tributary of the Styx River, surfacing in the Northwood subdivision and meandering through residential and industrial areas before converging with the Styx River slightly upstream of the Janet Stewart Reserve in Marshland.
8. It is an important ecological area near its confluence with the Styx River, as Lamprey have been found, prompting major changes to past roading projects in the area.

9. According to the NZ Freshwater Fish Database (NIWA), no salmonids have been identified in the Kaputone Stream. However, brown trout are present in the Styx River. Sampling in the Kaputone Stream has occurred as recently as May 2023.

More information about the “Vision 2000-2040 The Styx” initiative can be found at:
[The Styx Visions | The Styx](#)



Our ref: R258047

2 October 2023

The Chair
 North Canterbury Fish & Game Council
 PO Box 50
 WOODEND 7641

By email: northcanterbury@fishandgame.org.nz

Subject: Consultation with the Council on publicly notifying an application to be exempt from the marginal strip provisions of the Conservation Act 1987.

Background

The Department has received an application from The Property Group, on behalf of Waka Kotahi NZ Transport Agency (Waka Kotahi), under Section 24B Conservation Act 1987, seeking an exemption to the requirement for a marginal strip along part of the Kaputone Stream, Belfast.

Waka Kotahi acquired the subject land for roading purposes, but it is now surplus to requirements. It is described as Section 2 SO 475773 and is 9982m². The Christchurch City Council wishes to acquire the land to support the "Vision 2000-2040 The Styx" initiative. This plan aims to achieve the following 5 objectives for the Styx River, its tributaries and wetlands;

1. A viable spring fed river ecosystem, complementing other representative protected ecosystems of Christchurch.
2. A source to sea experience, through the development of an Urban National Reserve
3. A living laboratory, focussing on learning and research opportunities.
4. To establish the Styx river as a place to be, by maintaining and enhancing the special character and identity of the area.
5. To foster partnerships through raising the quality of partnerships with stakeholders.

Development on the property will be limited to;

- Control/eradication of woody weeds and other pest plants
- Planting and establishment of native riparian and forest ecosystems
- Construction of a crusher-dust surfaced source to sea walkway
- Possible inclusion of a boardwalk/bridge crossing over the stream to link the walkway with the Northern Arterial shared path.

The CCC own an adjoining local purpose (esplanade) reserve to the north of the subject land (Section 4, SO 475773 contained in RT 666753). The acquisition of the subject land is therefore a natural extension of the existing reserve and will contribute to the objectives in the initiative.

The adjoining reserve has an exemption from section 24 of the Conservation Act 1987. This was granted in 2015 as the status of the land (as esplanade reserve) fulfilled one of the criteria for an exemption; "that any value the land has in terms of the purposes of marginal strips, can be protected effectively by another means".

The CCC wish the subject land to be transferred to them with an exemption from the marginal strip requirement under Section 24B of the Conservation Act 1987 so that they may gazette it as Local Purpose (Esplanade) Reserve and manage it under the same terms as the existing reserve. It believes the purposes of a marginal strip can be met by managing it as a local purpose (esplanade) reserve.

Statutory Provisions

Section 24B Conservation Act 1987 provides that the Minister may, before the disposition by the Crown of land extending along and abutting the bed of any river or stream over 3 metres wide, declare by a notice in the Gazette that section 24 will not apply to the proposed disposition.

An exemption declaration can only be made if the land that would be marginal strip is of little or no value as a marginal strip or if any value it may have as a marginal strip can be protected effectively by another means.

When considering such proposals, the Minister is required to consult with the relevant Conservation Board and Fish and Game Council, as outlined in Section 24BA of the Act. The Board and Council are to consider whether it is reasonable to publicly notify the proposal and in determining this shall have regard to:

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

Recommendation:

- (a) That the North Canterbury Fish & Game Council **agrees** to consider the material provided for the exemption of the proposed disposal from the marginal strip provisions of the Conservation Act 1987, and give its advice in accordance with Section 24BA of the Conservation Act 1987 on the reasonableness, or not, of public notification of the proposal.

Ngā mihi



Dinah Wakelin
Senior Statutory Land Management Advisor
Otepoti/Dunedin Office
DDI: 03-474-6921; Email: djwakelin@doc.govt.nz

Appendix One –Legislative guidance

Part 4A Conservation Act 1987 – Marginal Strips

Section 24 of the Act provides for marginal strips to be reserved from sale or other disposition of land by the Crown. A marginal strip being a strip of land 20 metres wide which extends along and abuts the landward margin of any foreshore; or the normal level of the bed of any lake not subject to control by artificial means; or the bed of any river or stream, being a bed that has an average width of 3 metres or more.

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

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

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

Purposes of a marginal strip

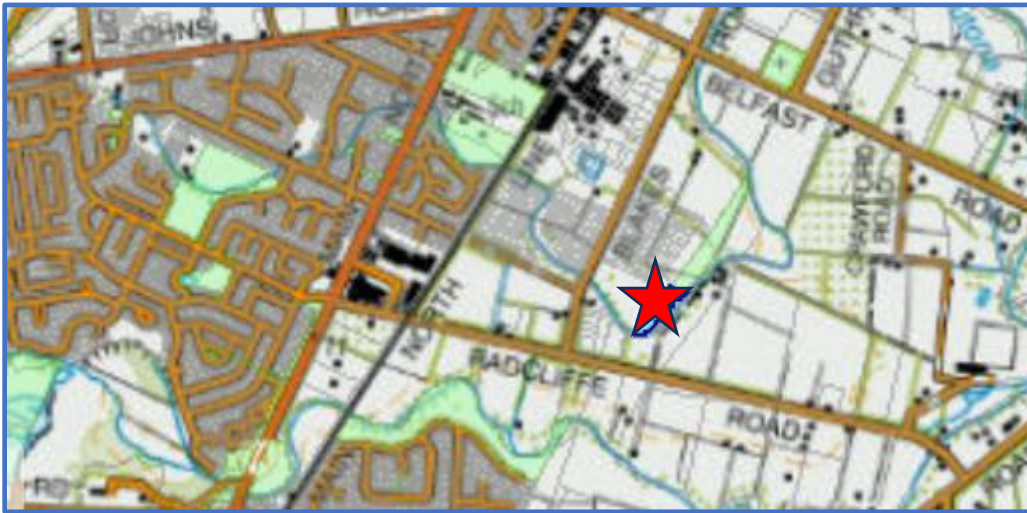
The purposes of marginal strips (**section 24C the Act**) provide that all marginal strips shall be held under the Conservation Act 1987:

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

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

Public Notification

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



Location of subject land. Adjacent green area to the north is the existing esplanade reserve



Section 2 SO 475773 (blue) and existing local purpose (esplanade) reserve (green)



Our ref: R258047

14 February 2024

The Chair
North Canterbury Fish & Game Council
PO Box 50
WOODEND 7641

By email: northcanterbury@fishandgame.org.nz

Subject: Consultation with the Council on publicly notifying an application to be exempt from the marginal strip provisions of the Conservation Act 1987.

Background

The Department has received an application from The Property Group, on behalf of Waka Kotahi NZ Transport Agency (Waka Kotahi), under Section 24B Conservation Act 1987, seeking an exemption to the requirement for a marginal strip along part of the Kaputone Stream, near Radcliffe Road, Belfast.

Waka Kotahi acquired the subject land for roading purposes, but it is now surplus to requirements. It is described as part Lot 10 DP 890 (0.9846 ha) and Section 29 SO 490397 (0.2159 ha). The Christchurch City Council intends to acquire the land for public reserve and ecology initiatives to support its “Vision 2000-2040 The Styx” initiative. It wishes to enrich the community’s relationship with nature while safeguarding critical ecosystems for future generations.

The proposed development on these sections is;

- Planting and establishment of native riparian and forest ecosystems
- Construction of a 2.6m wide walkway
- A boardwalk/bridge crossing of Ka Putahi Creek

The CCC wish the subject land to be transferred to them with an exemption from the marginal strip requirement under Section 24B of the Conservation Act 1987 so that they may gazette it as Local Purpose (Esplanade) Reserve and manage it under the same terms as its other reserves adjoining the Kaputone Stream. It believes the purposes of a marginal strip can be met by managing it as a local purpose (esplanade) reserve.

Statutory Provisions

Section 24B Conservation Act 1987 provides that the Minister may, before the disposition by the Crown of land extending along and abutting the bed of any river or stream over 3 metres wide, declare by a notice in the Gazette that section 24 will not apply to the proposed disposition.

An exemption declaration can only be made if the land that would be marginal strip is of little or no value as a marginal strip or if any value it may have as a marginal strip can be protected effectively by another means.

When considering such proposals, the Minister is required to consult with the relevant Conservation Board and Fish and Game Council, as outlined in Section 24BA of the Act. The Board and Council are to consider whether it is reasonable to publicly notify the proposal and in determining this shall have regard to:

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

Recommendation:

- (a) That the North Canterbury Fish & Game Council **agrees** to consider the material provided for the exemption of the proposed disposal from the marginal strip provisions of the Conservation Act 1987, and give its advice in accordance with Section 24BA of the Conservation Act 1987 on the reasonableness, or not, of public notification of the proposal.

Ngā mihi



Dinah Wakelin
Senior Statutory Land Management Advisor
Otepoti/Dunedin Office
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Appendix One –Legislative guidance

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

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

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

Purposes of a marginal strip

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

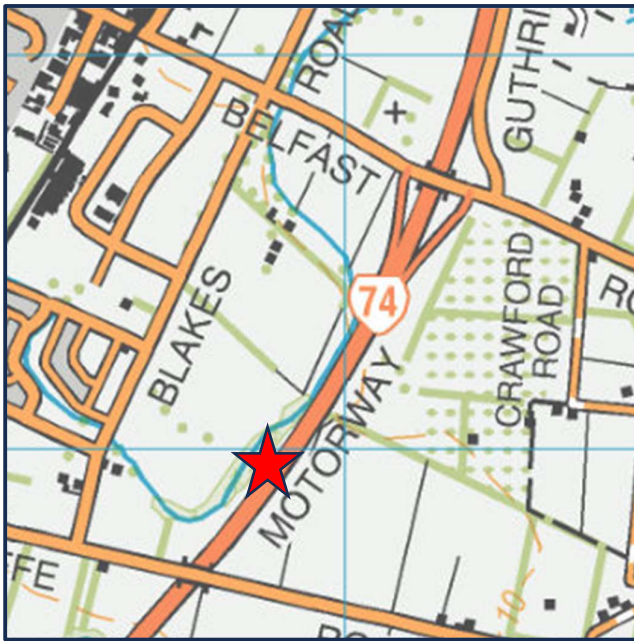
- (a) for conservation purposes, in particular-
 - (i) the maintenance of adjacent watercourses or bodies of water; and
 - (ii) the maintenance of water quality; and
 - (iii) the maintenance of aquatic life and the control of harmful species of aquatic life; and
 - (iv) the protection of the marginal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

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

Public Notification

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

Location of subject land. Adjacent green area to the north is the existing esplanade reserve



Land subject to this request: Lot 10 DP 890 and Section 29 SO 490397 shaded yellow.
The green area is subject to the earlier exemption request.



FOR INFORMATION

To: North Canterbury Fish and Game Council
From: Richard Cosgrove
Date: 12 February 2024
Subject: DRAFT FISH COMPETITION POLICY

Purpose

1. Clarify the process and requirements upon Council for approving Fishing Competitions

Points of Information

2. No one can hold a fishing competition in respect of sports fish unless they have the written approval of the Fish and Game Council that has jurisdiction over the waters concerned.
3. This power is conferred on the Council through [Section 7a of the Freshwaters Fisheries Regulation 1983](#) which covers the regulations surrounding the holding of sports fish competitions.
4. The provisions of the above regulations do not allow the delegation of the approval to staff, and explicitly state must be approved by the Council.
5. This is because an unsuccessful applicant has the right to appeal to the New Zealand Council.
6. The Council can also approve any council competitions held through the approval of the annual Operational Work Plan.
7. With that in mind, a draft policy for the North Canterbury Fish & Game Council has been formulated and is attached below in Appendix 1.
8. A copy of the Draft Application Form is attached as Appendix 2.

Next steps

Consider the Draft Policy and provide feedback for staff to include in an update for ratification at the next council meeting.

Appendices:

Appendix 1

Draft North Canterbury Fishing Competitions Policy

Fishing Competitions are regulated by [Section 7a Freshwater Fishing Regulations 1983](#) and, as such, are the guiding parameters for this policy.

For the Council to consider an application to hold a fishing competition, every application must have the following information from the applicants:

- (a) the water or waters in respect of which it is proposed to hold the competition.
- (b) the dates on which the competition will be held:
- (c) the anticipated number of entrants:
- (d) the classes, and respective fees (if any), of entry:
- (e) the categories of competition for which prizes will be offered:
- (f) the kinds and values of prizes to be offered:
- (g) details of procedures to be followed by the applicant to ensure that all entrants hold a current fishing licence and are aware of the provisions of the relevant Anglers Notice:
- (h) details of the kind of catch or scientific data (if any) to be collected during the competition and provided to the Fish and Game Council:
- (i) details of proposed actions (if any) to be taken by the applicant to reduce the impact of the competition on fish stocks or the habitat:
- (j) the rules of the competition:
- (k) the purposes for which any profits are proposed to be used.

The Council will then consider the application in regard to the following requirements of the Freshwater Fisheries Regulations 1983:

- (a) any sports fish and game management plans approved for its region under [section 17M](#) of the Conservation Act:
- (b) any relevant national policy of the New Zealand Fish and Game Council and any relevant general policy that has been approved under the Act:
- (c) the potential for any significant impact on the sports fishery or the habitat, and on the recreational opportunities for anglers:
- (d) any views expressed in writing by the Director-General, or his or her nominee.

The Council can require an application to be modified to meet their conditions, and the approval or declining of an approval can be according to those conditions being met.

The Council will vote on each application, and once a decision is made, staff will communicate that decision to the applicant.

Where a fishing competition is held, and an entrance fee is charged, the holder of the competition must pay the Council the applicable rental fees as described in [Section 7a Freshwater Fishing Regulations 1983](#).

Efforts will be made to ensure that licence holders and fishing competition organisers know the requirements and promptly get their applications into the Council.

Appendix 2

Copy of the Draft Application Form to hold a Fishing Competition



APPLICATION TO HOLD A FISHING COMPETITION RELATING TO SPORTS FISH IN THE NORTH CANTERBURY FISH & GAME REGION

Name of Club	
Address	
Email Address	
Phone / Cell phone No	
Contact Person	

Pursuant to section 57b (Applications) of the Freshwater Fisheries Regulations 1983, every application for approval of a fishing competition shall specify the following particulars:

Water(s) where the proposed competition is to be held	
Dates of the competition	
Anticipated numbers of entrants	
The Classes, and respective fees (if any) of entry	
Categories of competition for which prizes will be offered	
The kinds and value of prizes to be offered	
Details of procedures to be followed to ensure all entrants hold a current fishing licence and are aware of the provisions of relevant District Anglers Notice	
Details of kind of catch or scientific data (if any) to be collected during the competition to provide to the Fish and Game Council	

Details of proposed actions (if any) to be taken by the applicant to reduce the impact of the competition on fish stocks or habitat	
The rules of the competition. (To be supplied on a separate sheet if necessary).	
The purpose for which any profits are proposed to be used	

Please return all paperwork to the following email address as soon as possible for consideration by the North Canterbury Fish and Game Council: northcanterbury@fishandgame.org.nz

FOR DECISION

To: North Canterbury Fish and Game Council
From: Emily Craig
Date: February 2024
Subject: 2024 RANGERS COMPETITION APPLICATION

Purpose

1. To approve Fishing Competitions for the North Canterbury Region as per Section 7A of the Freshwater Fisheries Regulations 1983

Recommendations

2. That the 2024 Rangers Competition run by North Canterbury Fish & Game be approved by Council.

Background

3. A club/person/organisation must not hold a sports fishing competition unless such club/person/organisation has prior written approval from the Fish & Game Council that has jurisdiction over the waters concerned.
4. The club/person/organisation above have filled out the relevant information as required in the Freshwater Fisheries regulations (attached as an application form).
5. The Rangers Competition is a salmon fishing competition that has been run since 1975.
6. This competition, along with the Lake Coleridge Fishing Competition in November, are the two major angler engagement events run by North Canterbury Fish & Game during the year.

Points of Information

7. The Rangers Competition is primarily a socialisation event and allows North Canterbury Fish & Game Staff and Councillors the opportunity to connect with licence holders and celebrate the end of the sea-run salmon season together with a sausage sizzle and prizegiving.
8. It provides a fantastic opportunity for Fish & Game to engage with the demographic of anglers that may not receive regular digital communications and have been attending the competition as tradition since its inception.

9. The competition also provides an avenue for salmon anglers to return their sea-run salmon season bag card at the end of the season (important for the angler demographic that may not use the online return form).
10. The competition also includes Fish & Game awarding the 'Jack Kerapa Memorial Trophy' to an angler for "Rangers Fisherman of the Year", adding to the engagement aspect of the competition.
11. The allowing of competitions managed in a sustainable way, and in reference to the management of the species concerned, enables Council to meet Strategic Goals 2 (key stakeholders are more engaged) and 3 (participation in sports fishing and game bird hunting is increased).

Strategic implications

12. Organisation of the event will require staff time in producing communications/event promotion and liaising with sponsors to obtain spot prizes.
13. Staff time will be required on the day for set-up, ranging activities, and running of the competition.
14. Ingredients for the free sausage sizzle will be taken from the Participation and Engagement budget.
15. All spot prizes are donated to North Canterbury Fish & Game for the competition and therefore does not impact on budget.



APPLICATION TO HOLD A FISHING COMPETITION RELATING TO SPORTS FISH IN THE NORTH CANTERBURY FISH & GAME REGION

Name of Club	North Canterbury Fish & Game
Address	595 Johns Road, Harewood, Christchurch 8011
Email Address	ncevent@fishandgame.org.nz
Phone / Cell phone No	(03) 366 9191
Contact Person	Emily Craig

Pursuant to section 57b (Applications) of the Freshwater Fisheries Regulations 1983, every application for approval of a fishing competition shall specify the following particulars:

Water(s) where proposed competition is to be held	Waimakariri River – from the mouth to the Kairaki Yacht Club on the North side only.
Dates of the competition	Friday 26 th April
Anticipated numbers of entrants	~100 entrants (inclusive of spot prize draw entries). 2023 competition had no salmon entered.
The Classes, and respective fees (if any) of entry	Free event – anglers only need to register when weighing in a salmon, or when entering the spot prize draw.
Categories of competition for which prizes will be offered	No prize for heaviest salmon, but spot prizes for adults and juniors who register their fishing licence at the Fish & Game tent.

<p>Details of procedures to be followed to ensure all entrants hold a current fishing licence and are aware of the provisions of relevant District Anglers Notice</p>	<p>Anglers must present their current fishing licence AND filled sea-run salmon bag limit card when entering a salmon at weigh-in. Rangers will be patrolling the area and checking licences also on the day.</p> <p>Spot prize draw only open to anglers who present their current fishing licence.</p>
<p>Details of kind of catch or scientific data (if any) to be collected during the competition to provide to the Fish and Game Council</p>	<p>Weight, length, fin-clip, time of catch, sex (if known at time of weigh-in)</p>
<p>Details of proposed actions (if any) to be taken by the applicant to reduce the impact of the competition on fish stocks or habitat</p>	<p>The competition in its current format is more of a celebration for the end of the sea-run salmon fishing season and is not expected to negatively impact the wild sea-run salmon spawning population. All salmon caught during this competition are within each angler's season bag limit of 2 fish as per the sea-run salmon adaptive management plan.</p>
<p>The rules of the competition. (To be supplied on a separate sheet if necessary).</p>	<p>No pre-registration is required. Competition fishing may start at the designated time, and all entries must be weighed in by the designated weigh-in closing time. Any fish brought to the weigh-in station after weigh-in closing time will not be accepted.</p> <p>Anglers must carry their current season fishing licence and sea-run salmon bag limit card while fishing as per standard regulations.</p> <p>Anglers must show their current fishing licence AND filled salmon bag limit card when entering a salmon. Salmon brought to the tent for weigh-in, where the angler cannot present their fishing licence and/or season bag card will not be permitted to enter the competition and compliance action may be taken if necessary.</p>
<p>The purpose for which any profits are proposed to be used</p>	<p>No revenue is gathered from this event.</p>

Please return all paperwork to the following email address as soon as possible for consideration by the North Canterbury Fish and Game Council: northcanterbury@fishandgame.org.nz

FOR INFORMATION

To: North Canterbury Fish and Game Council
From: Richard Cosgrove
Date: 12 February 2024
Subject: FISHING REGULATIONS CONSULTATION

Purpose

1. Inform the Council of the minor tweaks to fishing regulations that staff are proposing and other regulations staff intend to consult on for this year.

Proposed Recommendations

2. Consult on Controlled Fishery options in the North & South Branch of the Hurunui River Designated Waters Fisheries and any other Designated Waters or similar pressure-sensitive fisheries.
3. Consult on clarifications to the boundary of the Upper Rakaia sea-run salmon fishery.
4. Change the Hope River Designated Waters Fishery name to the Lewis Pass Designated Water Fishery for clarity (this was suggested by the Ministerial Advisors and Parliamentary Counsel Office to make it clearer for anglers).
5. Corrections and clarifications to fix errors by the regulation booklet printers.
6. Consult on removing Hackett's Creek from the regulations; the site is not actually a gazetted location. It is a local name only and a tiny tributary of the Kowai River, which is already covered with its own regulation which covers its tributaries.

Points of Information

7. We usually conduct our regionwide regulations review on a two-year basis.
8. In the intervening year, we normally only make adjustments for corrections and or clarity.
9. However, we are committed to the successful implementation of the Designated Waters Fisheries system, so we need to keep a continual eye on the system.
10. This will involve surveying Designated Waters licence holders and wider consultation around the system's effectiveness.
11. It will highlight if other control measures are required if the system is not achieving the desired results.

12. Plus, it will alert us to any instances of angling pressure displacement.

13. Feedback from this consultation and recommendations will be collated for Council.

Next steps

14. Staff will undertake consultation through the normal channels and provide a report with recommendations to Council in July.

CHAIRMAN'S REPORT

To: North Canterbury Fish and Game Council

From: Alan Strong

Date: February 2024

Purpose

Provide an update from the Chair of the North Canterbury Fish and Game Council.

Update

Welcome to 2024, this year the council has already been working hard have spent last weekend working on the issues in the North Canterbury area. The council uses this time to determine our priorities and work focus for the next year (2024-2025).

This work is used by staff to help them develop an operational work plan and a budget to deliver that plan.

During this workshop we talked about our backcountry lakes and in doing so it reminded me how much quality and diverse fishing we have in our region. As summer draws to a close I hope you can all get out and make good use of this resource.

This weekend I am attending a chairs forum and meeting with the New Zealand Council to discuss governance matters. This is always an interesting and challenging day and I look forward to working with the other regions to improve the overall organisation.

I am seeing some good photos of successful duck hunts and look forward to seeing a few more Salmon photos in the next month. The heat wave in the sea and climate are not helping our Salmon runs at the moment however when conditions are more favourable we should see a recovery in the numbers coming back to our braided rivers.

I would like to congratulate our CE Rasmus Gabrielsson on completing and being awarded his PHD. Well done Dr Rasmus!!!

Tight lines and hot barrels

Regards

Alan Strong

OPERATIONAL PROGRESS REPORT

To: North Canterbury Fish and Game Council

From: Rasmus Gabrielsson

Date: FEBRUARY 2024

PURPOSE

1. To provide North Canterbury Fish & Game Council (NCF&G) with an update on work done by staff.

BACKGROUND

2. Below is a brief overview of achievements, risks, or issues that help or hinder progress on council priorities, followed by a summary of how we are tracking with the Operational work plan projects and activities.
3. This Operational Progress Report aims to provide a higher-level outline, but also allow governors an opportunity to ask the CE about things that may have changed in the operating environment (internal or external) or to expand on operational activities and areas of specific interest.

PRIORITY OUTCOMES

1. **We are effective in discharging our statutory duties as set out in applicable legislation.**

The regional team are making good progress on discharging our statutory duties to the best of our ability. The reduced communication staff availability due to NZC Secondment has restricted our ability to ramp up communications efforts. We are currently reviewing and adjusting our Secondment agreement in consultation with the NZC CEO and Communications Officer, to ensure regional needs and requirements can be met.

Risk: that there are not enough resources to be able to fulfil statutory duties to protect the regional sports fish and game bird resource (or habitats) that underpins our financial sustainability and delivery of ongoing levy payments to NZC.

2. **We hold licence holders accountable for compliance with applicable regulations.**

Feedback from anglers demonstrates that increased compliance efforts are delivering positive public recognition and compliance outcomes. Both across our new Designated Waters system, our sea-run salmon fisheries and the region's many trout fisheries. As expected, offenders exposed by our compliance operations are not thrilled to have been

caught. However, where a Diversion fine has been offered the voluntary uptake rates have been very high. We are currently processing several offences from the holiday period, including proceeding with prosecution action for an offender who declined to accept the diversion offer. We have engaged external legal assistance to support case reviews and prosecutions and continue to increase our regional compliance law enforcement capacity and capability.

Risk: The public perception that staff is doing too much compliance work and not focusing efforts elsewhere, for example on public access / R3 / habitat protection and advocacy.

3. More sophisticated data analysis informs our decision concerning species management and user satisfaction.

The regional team is making excellent progress, with the assistance of our Quantitative Ecologist Heather Sanders Garrick. As demonstrated by staff reports, scientific publications and workshop presentations, we have over the last year been able to significantly improve our understanding in several key areas, including licence sales, population monitoring and harvest assessments. Combined with an improved ability to survey licence holders efficiently to generate robust estimates (with appropriate confidence intervals) we have with Heather's help now significantly improved the ability of both staff and governors to inform decisions using sophisticated data analysis.

Staff member also recently co-authored two scientific publications underpinned by sophisticated data analysis. Links to these papers which focused on improving the protection and health of braided river systems, and a detailed investigation of drivers of duck hunter satisfaction, are included below. For more details contact the respective staff members / co-authors.

New Zealand's braided rivers: the land the law forgot

<https://onlinelibrary.wiley.com/doi/abs/10.1002/esp.5728>

Taking matters into their own hands: effects of effort and success on duck hunter satisfaction

<https://www.tandfonline.com/doi/full/10.1080/10871209.2023.2294065?src=>

Risk: Not retaining Heather Sanders Garrick's capability and support long-term.

SECONDARY STRATEGIC OUTCOMES

1. Our Species Populations Are Enhanced

To help identify ways to improve the protection and carrying capacity for ecosystem health and trout and waterfowl populations staff have been engaging in discussions with staff members from DOC, regional and district councils, universities, irrigators and Iwi.

Ongoing efforts and actions taken include meeting with key irrigators and stakeholders entities to communicate findings from improvements to game bird and sports fish monitoring to aid in, and build support for solving the pressures that create a need for reactive emergency salvages of sports and freshwater fish from rivers under stress due to water and land management and climate change pressures.

Strategic implications

Collaboration opportunities help Fish & Game's public profile, improve habitat protection and identify funding and partnership opportunities that will help deliver on the council priority outcome. Improvements to monitoring programmes ensure more effective species management. Discussions with consent holders aim to identify ways to improve the operation of projects to provide for better environmental outcomes.

2. Key Stakeholders Are More Engaged

On a regional level, staff are continuing to make good progress in planning and building a foundation for delivering on this priority.

Staff continue to deliver and develop regional projects that align with national efforts aimed at improving stakeholder engagement. Staff have also supported national projects to benefit engagement overall. However, more effort is needed to increase our external regional communication flow and profile. The CE and Communications Officer are working together with NZC staff to attain increased outputs and improve our impact in this area.

Strategic implications

These types of activities help improve stakeholder awareness, the social licence and positive views of Fish & Game and its staff, both regionally and nationally.

3. Participation In Sports Fishing and Game Bird Hunting Is Increased

Staff continue to explore options for other potential stepping-stone fishery locations similar to Lake Rotokohatu, and finding partnerships that can help fund these initiatives. Planned fish releases for Lake Rotokohatu over 2024 are currently being finalised.

Planning has begun for the 2024 Rangers Competition, and analysis of the 2023 Lake Coleridge Competition satisfaction survey has provided insight for the 2024 competition and key sponsors to increase participation. Preparations for the game bird hunting season are also underway. Including informing hunters and landowner about the summer season via media articles in regional newspapers.

Staff are working with DOC, TRONT and local authorities to retain a network of vehicle access laneways to ensure continued access for game bird hunters. However, the DOC has signalled a strong desire to end all vehicle access within the Greenparks Sands area.

Risk: That proposed restrictions / closure to public vehicle access along unformed legal roads (paper roads) around Greenpark Sands (Te Waihora / Ellesmere) will make it difficult for game bird hunters to continue to use that area. Historically hunters have relied on established vehicle track identified in the Joint Management Plan for Te Waihora to access hunting areas and maimais.

4. The Council Has Achieved a Positive, Sustainable Financial Position

We have now engaged a local account to support our efforts to improve financial planning, which will help ensure we continue to make good progress on improving the longer-term financial sustainability of the region. The national review of financial efficiency, led by an independent contractor is progressing. NZC has commissioned this review to help identify areas where potential efficiency gains can be made. It will (hopefully) provide helpful insights to safeguard the wider organisations financial sustainability.

Risk: There is a real risk that regional licence sales continue to decline, as seen over previous years. If this occurs regional reserves will soon be unable to cover all the loss to meet NZC Levy payments without breaching the 20% of baseline budget threshold.

5. The North Canterbury Fish and Game Council Has a Relationship With Iwi In Its Region Consistent With Its Obligations To Give Effect To The Principles Of The Treaty of Waitangi

The key focus has continued to be on working with Iwi partners to identify pathways forward to build authentic relationships, understand engagement expectations, and explore co-management opportunities. This has included provisions for cultural harvest, planning towards removal of derelict maimais on TRONT land, and meetings with Te Waihora & Muriwai locals, including a Whakakohanga korero.

OPERATIONAL WORK PLAN UPDATE

OUTPUT AREA 1: SPORT FISH AND GAME BIRD SPECIES MANAGEMENT

Population Monitoring

Paradise shelduck moulting

Conducted a pilot study on moulting season occupancy of Paradise Shelducks. The goal of this study is to provide information that will allow us to improve the quality of the population index produced by the annual paradise shelduck survey and, where possible, reduce the cost.

Paradise shelduck & black swan counts

Conducted aerial counts of Black swan and Paradise shelduck.

Provided data analysis and graphical services for the annual paradise shelduck and black swan survey.

Trout fishery assessment

Visted Mt White Station to conduct a brief fishery assessment of the Esk River and Lake Letitia to improve current status of the fishery for access agreement discussions.

Designated Waters regime

Attendance at national Designated Waters meetings to discuss creel surveys, compliance, end-of-season surveys and any other issues arising from regime in its first season.

Sea Run Salmon Fishery Assessment

Preparations and planning for upcoming ground-based and aerial spawning surveys have begun. The importance of Lake Heron as a nursery area and unique sub-population with a distinctive life

history strategy has been recognised. A strategy and pathway for addressing the current anomaly on the protection of lake-rearing salmon is being developed.

Harvest Assessment

Sea Run Salmon Harvest Surveys

Consulted with staff in Central South Island on the results of the 2022/23 salmon harvest survey.

Design and consultation with CSI region staff and Hothouse for implementation of new online reporting form for sea-run salmon harvest for the 23/24 season.

Species Rescue

Reactive emergency rescues

Staff and volunteers conducted a reactive fish salvage on the Ashley River following low flow conditions. Fish were relocated to areas of suitable flow. Communications to licence holders followed.

Assessments of other locations on the Ashley after notification by public and other statutory bodies.

Regulations

Angling regulations review

Discussed in a paper in this meeting

Species Management and Control

Game bird Control

Staff have responded to queries, evaluated, and processed applications for game bird control permits. Financial Year-to-date, 15 control/disturbance permits have been issued (5 for pukeko, 2 for black swans, 7 for paradise ducks, 1 for mallards. An additional 3 permits have been issued for cultural harvest of Paradise shelduck and Black swan (birds and/or eggs).

Sports fish Control

Staff have responded to queries regarding special permits for sports fishing. Financial Year-to-date, 6 sports fishing permits/special licences have been issued (3 for coarse fishing at Lake Rotokohatu out of season, 1 for a special licence (school group), and 2 for fishing out of season/without a licence for attendees of Fish & Game's ReWild campaign.

Research

University of Canterbury collaboration

Staff provided operational support to relevant PhD projects in the Waimakariri catchment relating to trout/native fish interactions and trout removal.

Kaikoura salmon project

Training on and processing salmon heads for otolith and DNA extraction for future analysis.

OUTPUT AREA 2: HABITAT PROTECTION, MAINTENANCE AND ENHANCEMENT

Statutory Planning Process

For a more detailed overview of the RMA advocacy and planning work done to represent the interests and aspirations of anglers and hunters in the statutory planning process see the separate RMA Report.

OUTPUT AREA 3: PARTICIPATION

Increase Participation

Positive impacts of sports fishing

Contributed to an ongoing study on the impact of sports fishing on mental health & wellbeing (NZC). Results of this study will be used to support the social licence of Fish & Game, as well as to encourage more people to engage in the sport.

R3 Programme

Conduct a study on R3, licence holder insights, and factors influencing licence sales (NZC). Results of this study will be used to help better forecast sales and improve our understanding of licence holder purchasing behaviours.

R3 Angling and Hunting Events

Further communications with the Kids Fishing Charitable Trust have resulted in a pathway forward for the 2024 Take a Kid Fishing day. Communications are ongoing.

Satisfaction Surveys

Staff carried out a satisfaction survey of the 2023 Lake Coleridge fishing competition, which provided insight into angler opinions on the competition and high country fisheries in the area. Staff will use the information gathered to improve management and decision-making for future competitions to increase participation going forward. The information also provides an opportunity for improved relationships with key sponsors through increased communications

Involvement in the development of a National Game bird hunter satisfaction survey.

Access

Access advocacy

Conducted large amounts of coordination and engagement with Te Waihora/Lake Ellesmere access group/ECAN. Early signs indicate ECAN will contribute \$47,000 towards Fish & Game directed works (gravelling the Halswell boat ramp road, clean up at the lake).

Continually monitoring the Griggs Road access issue and advising the new land owner on a solution.

Access maintenance/development

Extensive works have been planned and are being executed at Te Waihora/Lake Ellesmere. This includes fencing laneways, trash cleanup, etc.

Newsletters**Fish and Game Magazine**

Prepared an access map depicting upcoming access improvement project on Te Waihora for publication in the Fish & Game magazine.

Produced content for magazine articles for the Fish & Game 2024 game bird season magazine.

Ezines

Produced Weekly Fishing Report content

Regional articles

Staff have contributed to and produced content on fishing and game bird hunting matters for the regional and national newsletters, and local newspapers.

Website

NCFG website updates and Facebook page updates have been produced regularly.

New Fish & Game National website support.

Client Relations**Club Relations**

Undertaking meeting with Coarse anglers club following the Annual Public Meeting, the Canterbury Fly Fishing Club around organising fly fishing training for licence holders and the 2025 NZ Trout Festival

OUTPUT AREA 4: PUBLIC INTERFACE**Liaison**

The key focus has continued to be on working with Iwi partners to identify pathways forward to build authentic relationships, understand engagement expectations, and explore co-management opportunities. Additional focus areas include meeting with strategic landowners and statutory agencies (e.g., LINZ/ DOC/ECan) that are involved in the management and access to our key habitats and resources.

Provided geographic information services for an upcoming project removing derelict maimais from Te Waihora.

Conducted extensive engagement and visits with locals around Te Waihora/Lake Ellesmere and Muriwai/Cooper's Lagoon (Les Walhalla, Don Brown, Whakakohanga korero).

Provided operational support to Forest & Bird's annual National Pūteketeke/Australasian Crested Grebe count while conducting ranging checks on Lake Sumner. This activity has helped foster the relationship between Fish & Game and Forest & Bird which may provide benefits in the future.

OUTPUT AREA 5: COMPLIANCE

For a more detailed overview of the compliance and enforcement activities carried out in the region, see the separate Compliance Report.

OUTPUT AREA 6: LICENCING

Licence production/distribution

Staff continue to oversee licence production and replacement in the office and have partaken in licence database discussions with NZC staff, Regional Managers, and members of NZC's Licence Working Party.

Agent Servicing

Produced a report on game bird licence sales patterns for primary licence agents in preparation for the upcoming game bird season.

Assisting with queries from licence agents regards licencing issues and regulations.

OUTPUT AREA 7: COUNCIL

The CEO and staff have assisted the Council Chairman in administrating the preparation of updates and Reports/Papers for both Annual Public meeting and bimonthly Council meetings and regional and national subcommittee workshops.

OUTPUT AREA 8: PLANNING AND REPORTING

Planning and Reporting

Staff have updated recording documents for electric fishing progress, and for fish transfers and releases.

Staff have made improvements to Health & Safety documents. For more detail see the Health & Safety report.

INPUT AREA 9: ADMINISTRATION

Staff Training

Staff training for new TrackMe system & subsequent follow ups.

Staff Safety Induction with Christchurch City Council for access to Bromley Oxidation ponds for game bird counts and other game bird work.

Workshop with Dr Robin Holmes (Cawthron Institute) regarding Hatchery operations and discussions for future trout monitoring plans.

Office Premises Maintenance

Staff have carried out general maintenance of the office grounds.

OTHER WORK:

NZ Council

Provided data analysis services to supply effective response to OIA request for NZ Council.

Prepared papers on the status of the Research Fund and proposed research for NZC and Regional Managers Meetings (NZC).

FINANCE REPORT

To: North Canterbury Fish and Game Council

From: Rasmus Gabrielsson

Date: 13 February 2024

Subject: FINANCE REPORT YEAR TO 31 JANUARY 2024

1. PURPOSE

To inform Council on the financial performance and position, using an accounting accrual basis. It documents income and expenditure versus the current annual budget. Note this Report covers the months up to and including January 2024.

Please note: *the financial cut off date for this Report was 13th February, so not all January invoices may not have been received as yet. This Report has been confirmed by our Accountant, Ben Davidson from Leech & Partners.*

The Report gives comments at the bottom of the Profit and Loss Report for each code that has incurred spending over \$1,000.

2. RECOMMENDATION

That the Finance report be accepted to 31 January 2024.

3. POINTS FOR INFORMATION

a. Profit and Loss – Table 1

This Profit and Loss Report reports direct costs for the period stated to 31 January 2024. The Report has been set up in the same format as the year-end Annual Report.

The approved 23/24 Budget used in this Report is \$1,077,807. This is made up of baseline funding of \$1,003,286, with the addition of a one-off approval for the use of regional reserves of \$74,521.

Revenue

- i. Licence sales are received by two methods: Public On–Line is paid to NCFG monthly, and Agency On-Line is paid to NCFG bi-monthly.
- ii. The sea-run salmon endorsement charge of \$5.00 is separated from licence income and is used to offset printing costs for the sea-run salmon licence card.
- iii. As of this financial year, the Designated Waters Licence replaces the Non-Resident Licence and will be accounted for separately for use in future year's budgets.

b. Balance Sheet – Table 2A

- i. Employee Entitlements: is annual leave and PAYE owing at month end
- ii. Income In Advance: \$13,271 - (year-end transaction) – this relates to an accounting accrual for whole season fish licences that still have 1/12th of the licence remaining as at the balance date. This will be reversed out and replaced with values as of 31 August 24.

b. Cashflow - Table 2B

Not available for this Report. Currently being reviewed by the Accountant.

c. Asset Register – Table 5

Reports on purchases and disposals for the financial year 2023/24.

Table 1 : Profit and Loss

North Canterbury Fish and Game Council For the month ended 31 January 2024

	JAN 2024	YTD ACTUAL	23/24 BUDGET	% OF TOTAL BUDGET	2023
REVENUE					
Fish and Game Licence Sales					
Fish Licence Sales	126,624	1,401,947	1,483,168	95%	1,452,165
Game Licence Sales	-	197	223,607	0%	226,239
Total Fish and Game Licence Sales	126,624	1,402,145	1,706,775	82%	1,678,404
Other Income	15,339 ²	96,873	126,800	76%	141,992
Total REVENUE	141,963	1,499,017	1,833,575	82%	1,820,396
EXPENSES					
Outputs					
Species Management	2,813 ³	7,950	135,769	6%	83,669
Habitat protection & Management	5,777 ⁴	25,023	12,500	200%	64,918
Angler & Hunter participation	700	10,019	7,500	134%	10,871
Public Interface	-	(1,131)	400	-283%	505
Compliance	(744) ⁵	2,165	5,500	39%	5,262
Licensing	4,247 ⁶	59,129	91,193	65%	88,792
Council	-	1,952	6,000	33%	10,446
Planning & reporting	2,278 ⁷	3,180	15,504	21%	10,774
Total Outputs	15,070	108,285	274,366	39%	275,237
Overheads					
Employee Related Expenses					
Salaries & Wages	55,399	347,145	848,022	41%	703,068
Staff Expenses	68	2,998	17,200	17%	22,551
Other Overheads					
Office Premises	2,369 ⁸	9,028	30,760	29%	56,268
Office Equipment	154	770	3,250	24%	1,724
Communications/consumable	2,994 ⁹ ₁₀	15,400	17,500	88%	27,245
General/Insurance	1,130	29,860	31,650	94%	24,492
General Equipment	- ¹¹	3,257	4,000	81%	3,442
Vehicles/Marine	3,181	16,109	43,500	37%	53,661
Total Other Overheads	9,828	74,425	130,660	57%	166,832
Total Overheads	65,294	424,568	995,882	43%	892,450
Depreciation	9,675 ¹²	48,240	108,000	45%	106,459
NZ Fish & Game Levies	162,216	324,433	648,864	50%	654,627
Bad Debts	-	44	-	-	424
Total EXPENSES	252,256	905,569	2,027,112	45%	1,929,197
FIF - Income / Expenditure					
FIF - Income	-	136,740	-	-	173,415
FIF In Kind Expenditure	(48)	(7,772)	-	-	(8,956)
FIF Culvert	-	(100,974)	-	-	(7,163)

Table 1 : Profit and Loss

	JAN 2024	YTD ACTUAL	23/24 BUDGET	% OF TOTAL BUDGET	2023
FIF - Salaries	(10,000)	(53,000)	-	-	(130,500)
FIF Kiwisaver	(300)	(1,590)	-	-	(3,915)
FIF Land Purchase - Legal Costs	-	-	-	-	(24,781)
FIF Lidar Mapping	-	-	-	-	(11,700)
Total FIF - Income / Expenditure	(10,348)	(26,596)	-	-	(13,599)
Net Profit	(120,641)	566,852	(193,537)	-293%	(122,401)

1. LICENCING INCOME

In comparison to 2023, January fish sales are down by \$6,938. The YTD overall licence sales are up by \$121,475. The Account has reversed an accrual made as at 31 August 2023 for licence sales purchased in August but relate to the 23/24 financial year commencing 1 September 2023.

2. OTHER INCOME

Made up of the secondment income for two staff to NZC, RMA costs for the Rakaia Water Conservation Order reimbursed by NZC, agency Eftpos sales, interest and rental income.

3. SPECIES MANAGEMENT

Gamebird survey flight.

4. HABITAT PROTECTION & RESTORATION

Includes a successful application for project funding from the Habitat Restoration Reserve for restoration work on the Craigieburn Stream. Legal advice on the Rakaia Water Conservation Order (however, costs are reimbursed by NZC).

5. COMPLIANCE

Negative balance as income from purchases of ranging kits from other regions offset by compliance expenditure.

6. LICENCING

Made of Eyede commissions and bank charges.

7. PLANNING AND REPORTING

Initial cost for advice from Leech & Partners (new accountants to NCFG)

8. OFFICE PREMICES

Normal expenditure including the quarterly rates payment.

9. COMMUNICATIONS / CONSUMABLES

Most of the expenditure relates to the instillation of Starlink and the new telephone system.

10. GENERAL / INSURANCE

Main cost was the subscription to BoardPro (Council's council meeting management programme).

11. VEHICLES

Normal spending including fuel running costs, boat maintenance and road user charges.

Table 1: Profit and Loss

12. NZ FISH AND GAME LEVY'S

Levy payment is now paid quarterly.

Table 2A: Balance Sheet

North Canterbury Fish and Game Council As at 31 January 2024

	31 JAN 2024	31 AUG 2023
Assets		
Bank		
Non-Resident Reserve (Dedicated)	55,492.47	59,936.59
Income/ Expense Everyday	540,640.86	116,977.34
General Reserves (Bank A/C) (old a/c)	-	178,441.44
Te Waihora (Lake Ellesmere) Mai Mai Reserve (Restricted)	83,370.25	68,719.02
Asset Replacement Reserve (Dedicated)	47,443.62	17,238.32
Donations / Promotions Reserve (Dedicated)	2,257.00	2,257.00
Rakaia Reserve (Restricted)	84,710.88	82,836.46
General Reserve New	99,034.17	-
Muruwai (Coopers Lagoon) Mai Mai Reserve (Restricted)	8,471.65	-
Habitat Restoration (Dedicated Reserve)	19,003.79	-
Total Bank	940,424.69	526,406.17
Current Assets		
Accounts Receivable	293,431.06	137,535.55
Other Receivables	-	50,652.27
GST	-	7,031.00
Total Current Assets	293,431.06	195,218.82
Fixed Assets	2,150,491.72	2,126,803.32
Total Assets	3,384,347.47	2,848,428.31
Liabilities		
Current Liabilities		
Accounts Payable	219,495.88	62,610.40
Visa	1,551.77	4,118.23
Accruals	10.43	31,071.25
Employee Entitlements	101,597.37	106,180.66
GST	33,588.85	-
Income in Advance	-	183,196.39
Total Current Liabilities	356,244.30	387,176.93
Total Liabilities	356,244.30	387,176.93
Net Assets	3,028,103.17	2,461,251.38
Equity		
Accumulated Funds		
Accumulated Funds	1,820,333.56	1,942,734.55
Current Year Earnings	566,851.79	(122,400.99)
Transfer to and from Reserves	241,133.99	246,131.00
Total Accumulated Funds	2,628,319.34	2,066,464.56
Dedicated Reserves	223,231.05	220,153.24

Table 2A: Balance Sheet

	31 JAN 2024	31 AUG 2023
Restricted Reserves	176,552.78	174,633.58
Total Equity	3,028,103.17	2,461,251.38

Table 3: Aged Payables Summary

North Canterbury Fish and Game Council

As at 31 January 2024

CONTACT	CURRENT	< 1 MONTH	1 MONTH	OLDER	TOTAL
Aged Payables					
Action Signs	49.17	-	-	-	49.17
Anderson Lloyd	558.72	-	-	-	558.72
ANZ Merchant	5.24	-	-	-	5.24
BP FUELCARD	1,998.47	-	-	-	1,998.47
Bunnings	115.45	-	-	-	115.45
Busy Bees Services Limited	80.50	161.00	-	-	241.50
Christchurch City Council	2,068.16	-	-	-	2,068.16
Christchurch Helicopters	3,234.38	-	-	-	3,234.38
Code 9	49.45	-	-	-	49.45
Eastern Fish and Game Council	90.19	-	-	-	90.19
Environment Matters	4,370.00	-	-	-	4,370.00
Fish & Game, Eyede Solutions Ltd for	588.00	-	-	-	588.00
Flock Hill Farm	4,600.00	-	-	-	4,600.00
Genesis	353.85	-	-	-	353.85
Hothouse Communications Limited	805.00	-	-	-	805.00
Icon Marine	485.40	-	-	-	485.40
John Hayes	1,485.00	-	-	-	1,485.00
Leech & Partners	2,530.00	-	-	-	2,530.00
Lightwire	67.85	-	-	-	67.85
Nectar	3,142.14	-	-	-	3,142.14
New Zealand Fish and Game Council	187,696.08	-	-	-	187,696.08
NZ COURIERS	12.59	-	-	-	12.59
Office Max	315.56	-	-	-	315.56
ONE	1,858.00	-	-	-	1,858.00
Ricoh	55.46	-	-	-	55.46
Spark	136.33	-	-	-	136.33
Twin Needle	-	2,444.90	-	-	2,444.90
Worldline	21.74	-	-	-	21.74
Z Energy	117.25	-	-	-	117.25
Total Aged Payables	216,889.98	2,605.90	-	-	219,495.88
Total	216,889.98	2,605.90	-	-	219,495.88 ¹

1. EXPLANATIONS OVER \$1,000

BP Fuel Card - Fuel
 Christchurch City Council - Rates
 Christchurch Helicopters - Gamebird Survey Flights
 Environment Matters - Glenariffe Stream Resource Consent
 Flock Hill Farm - Project for the Craigeburn Stream (successful application from the Habitat Restoration Reserve)
 John Hayes - Rakaia Water Conservation Order consulting
 Leech & Partners - Initial accountant consultations and advice
 Nectar - completion of Starlink and telephone system
 New Zealand Fish and Game Council - quarterly levy payment

Table 3: Aged Payables Summary

One - Starlink initiation and staff cell phone charges
Twin Needle - ranging kit with three regions being charged for their share

Table 4: Aged Receivables Summary

North Canterbury Fish and Game Council

As at 31 January 2024

CONTACT	CURRENT	< 1 MONTH	1 MONTH	OLDER	TOTAL
Eastern Fish and Game Council	291.36	-	-	-	291.36
Eyede Agent	-	-	-	43.70	43.70
EYEDE AGENT - 23/24	182,097.75	9,709.00	-	-	191,806.75
EYEDE POL - 23/24	85,793.05	-	-	-	85,793.05
New Zealand Fish and Game Council	14,636.33	-	-	-	14,636.33
Otago Fish and Game Council	291.36	-	-	-	291.36
Wellington Fish and Game Council	568.51	-	-	-	568.51
Total	283,678.36	9,709.00	-	43.70	293,431.06 ¹

1. EXPLANATIONS

Eyede Agent and POL - licence sales for January 2024

New Zealand Fish and Game Council - reimbursement for contractor salaries and Rakaia Water Conservation Order invoices

TABLE 5

ASSET REGISTER PERIOD 1 SEP 23 TO 31 JAN 24

Date	Description	Net
	Opening Balance	17,238.32
	ARF Budget for 23/24	20,000.00
	Reimbursement made after balance date	10,791.53
	Interest	3.76
	Reversal of payments made for 22/23 year	-5,384.65
	BANK BALANCE AS AT 31 OCTOBER 23	42,648.96
6004 - Plant & Equipment		
26 Oct 2023	Nioa - Zero Tech Spotting Scope	2,015.67
	Total 6004 - Plant & Equipment	2,015.67
6010 - Vehicles		
21 Sep 2023	ACE Engineering - Purchase DNA450C 2023	47,398.51
24 Nov 2023	Sale of Fish Tanker	(4,782.94)
	Total 6010 - Vehicles	42,615.57
	Total	44,631.24
	TOTAL ASSET REPLACEMENT AS AT 31 OCTOBER 2023	-1,982.28

Note: This account is temporarily overspent as waiting on the sale of the Woolridge boat.

NZC REPORT

To: North Canterbury Fish and Game Council

From: Dave Coll

Date: February 2024

Purpose

1. This report has been prepared for North Canterbury Fish and Game Council to summarise key New Zealand Council activities undertaken for the period to November 2023 -February 2024.

Introduction and Background

2. At the time of writing this report the NZ Council is due to meet over 3 days - Friday 16 February to Sunday 18 February 2024. Included in these 3 days are meetings with the Regional Chairs and a session on Governance with Westlake Governance.

Updates from the weekends NZC meeting are in red.

Analysis

3. Items of interest since the last meeting and for discussion at the 16 – 18 Feb meeting follow:
 - a. Three applications have been made for funding for research into the economic value of freshwater angling to New Zealand. The applications are from NZIER, Cawthron and Deloitte. These applications will be considered at the meeting.

It was agreed to accept the application from NZIER which was the lowest cost one and the best for what we are seeking. In the current financial climate this work was seen as critical to enable us to show that the pursuit of sports fish and gamebirds contributes significantly to the overall economy of the country. The cost for this proposal will be \$54,430.

- b. The NZC Chairman has proposed changes to the contestable funding bid process. The proposal is to have regional Chairs more involved in the process, particularly the ranking of CFBs that are governance based, and to have the CFBs considered against the Fish and Game Organisational Strategy.

The proposed change is to include a step in the process where all regional chairs meet to discuss and confirm the CFBs presented by the regional managers, and they will consider the national importance of all CFBs to ensure that they have a full understanding of the CFBs from an overall national position.

- c. Work is continuing on the Ranger Compliance update. This is a process to implement a national policy for coordination of compliance activities across Fish and Game. This is to include matters such as enforcement priorities, training and health and safety requirements.

Draft Health and Safety policies will be circulated to regions for feedback. The H&S Policies have been separated into a general H&S Policy and a second one specifically for rangers because of the NZC CEO responsibility as the PCBU for rangers.

- d. A draft Protected Disclosures Policy and Procedures has been prepared for the NZC to consider. This policy is a requirement of the Protected Disclosures (Protection of Whistleblowers) Act which came into force in July 2022.

The draft policy was accepted at the meeting and will be circulated to regions as part of the consultation process for new policy development.

- e. Licence forecasting for the 2024/25 year has been carried out by the Licence Working Party and they are predicting a reduction in LEQ for fish licence sales from a national total of 73276 in 2023/24 to 72435 in 2024/25.

The corresponding figures for Gamebird licence sales are 31763 and 31298. These figures would result in a reduction in income nationally of \$248,000 using the same licence fees as for the current year. The estimates will be reforecast at the end of March 2024 but at this stage the Regional Councils will be required to use these figures in their budgeting process.

The Minister has indicated that he will not approve any increase in licence fees for 2024/25. This is in line with an instruction to Government departments to reduce costs by 7%. A letter will be sent from the NZC CEO to give guidance to regional councils regarding budget setting and contestable funding applications for the 2024/25 financial year.

The following issues are repeated from my report to the November 2023 meeting as they are still current and worth keeping in mind.

- f. The 2 working groups that have been commissioned (Future Finance Group and Future Structure Working Group) will both have reports ready to be considered by NZC before the end of this year and these will be combined into a single report with a final report to be presented by April.
- g. A strategy is to be developed on public access advocacy. Regions will be asked to detail issues within their region around loss of or restricted access to fish and game resources.
- h. Sports Fish and Game Management Plans guidelines templates have been drafted to assist regions in the preparation of 10-year plans for Ministerial approval. These are still being worked on by NZC staff, RMA team and the managers.

Templates and guidance notes will be provided for the 19 April NZC meeting. Currently there are 8 regions with SFGMPs that have expired.

- i. A draft Governance Code of Conduct has been prepared to provide a template for those Councils that do not have a code and as a comparison for those Councils that do. This will be circulated to the regions for comments.
- j. The NZ Council has adopted the Health and Safety policies that have been circulated to regions for their feedback with a few minor changes following this feedback. The Council has also agreed to establish a National Health and Safety Committee to provide input into a Drug and Alcohol policy, a Bullying and Harassment Policy and procedures and Fatigue Management Guidelines as well as being able to support a national approach to risk management and incident and accident reporting.

At the time of writing this report I was not aware that the policies had not yet been circulated with the process being held up following a recommendation from the Managers to split the policies into two separate policies with one policy for ranger activities, as that is where the NZC CEO has a PCBU responsibility, and one general policy. The general policy incorporates the standard regional H&S policy, but the introduction explains the PCBU responsibilities of the CEO of the NZC and the expectations that the NZC has of the regional councils. These policies were adopted in draft form at the NZC meeting last weekend and will now be circulated to the regions under the consultation process.

- k. The Cost Optimisation Project has been supported by all except 3 regions and their qualified support is expected to be forthcoming following discussions with the NZC Chair. The project will proceed regardless, and its success is critical to allow NZC to make robust financial decisions for the organisation and its ongoing financial solvency.
- l. The NZC Chairman gave a verbal summary of recent discussion that he has had with the Minister of Hunting and Fishing. Points covered were:
 - The Minister may decide to have the upcoming elections for Fish and Game Councils delayed by at least 1 year to allow time for him to make and implement some of the decisions he is considering regarding the future management of Fish and Game.
 - As stated above he has indicated that he will not approve any request to increase licence fees for the 2024/25 seasons.
 - The Minister has indicated that he has no appetite for introducing a licensing system for professional guides. His reasoning is that if this is done for fishing guides it would then open the door for licensing of guides for big game hunting, sea fishing etc.
- m. An updated Variance Report for the 2022/23 financial year was presented at the meeting and there were several issues with this report that reflected poorly on several Regional Councils including North Canterbury. The main issue was that depreciation and Asset Replacement Funds (ARF) were included in the reports of affected regions that indicated these regions overspent their budgets, in our case by \$77,000. A closer examination of the report and questions that I put to the CFO lead to clarification that this was not a true picture of the situation, and I was given an assurance that this would not happen in future years. I voiced my disappointment in this report and the Council resolved to accept the report without my support.

RMA REPORT

To: North Canterbury Fish and Game Council

From: Emily Craig

Date: February 2023

Purpose

1. This report has been prepared for Council to summarise key RMA activities undertaken by the NCFG team throughout the period December 2023 to February 2024.

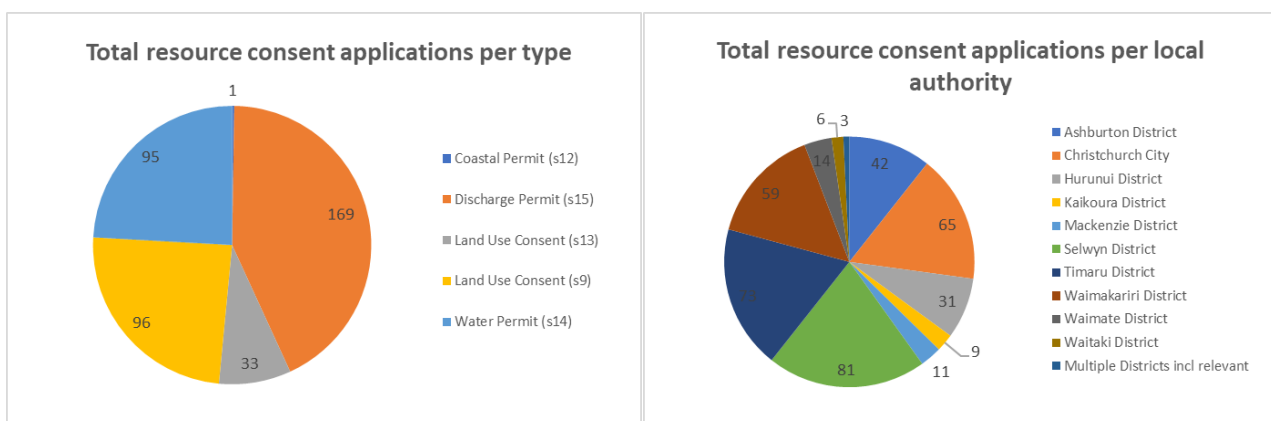
Background

2. As the statutory management agency for sport fish and game birds we are required to consider the Legislation, the RMA, local plans, regional plans, and National Policy Statements applicable to our Region.

Points of Information

Resource Consents General

3. All resource consent applications lodged with the regional council are presented weekly to affected parties to assess whether these are relevant to us. Where relevant we provide feedback to Regional Councils and where necessary propose these be publicly notified.
4. Through the period December-February we have received and assessed **171** resource consent applications of the type and locations presented below and a total for the year of **394**.
5. The total consents relevant to NCFG account for **239** of these with the remainder spread between Nelson/Marlborough and Central South Island regions.



6. Common themes/priority applications for the December-February period include discharge permits (71) and land use consents (51). A majority of discharge permits are either to air or land, and the majority of land use consents are for earthworks.

Sport Fish and Game 10-year plan

7. Revisions of 10-year Sport Fish and Game management plans has paused nationally pending outcomes of a NZC review of our management plan structure and templates. Currently, 9 of 12 regional Management Plans around the country have expired.

The purpose of implementing a standardised national format is to help ensure Fish & Game management plans are consistent, effective, and recognised by regulators and government policymakers. The NZC team has yet to produce updated templates and guidelines for how they want regional councils to draft revised 10-year management plans.

North Canterbury is progressing the development of our regional management frameworks (e.g., Pressure Sensitive Fisheries, Sea-Run Salmon, and/or Game Bird Harvest Strategy), which will form the foundation/cornerstones of the updated 10-year plan. This will ensure we are ready to quickly progress the development of our revised 10-year plan once the new format and guidelines are available.

8. Rakaia Water Conservation Order

Fish & Game and EDS have been engaging with ECan and other river advocates over the last few years to clarify who has the responsibility for monitoring and managing the Rakaia and other Water Conservation Orders. Early on the parties agreed to seek a declaratory judgment from the Environment Court on a set of legal questions of clarification with ECan leading the process. This agreement made sense as ECan is the entity mandated to manage the Rakaia River catchment's land and water resources under the RMA. The declaration questions were simply intended to clarify who was responsible for monitoring aspects of the Rakaia WCO.

After significant work and following a lengthy judicial conferencing ordered by the Environment Court questions for the proceedings were expected to be finalised and lodged in November 2023. However, to everyone's surprise, ECan announced via a media release that they would withdraw from the declaration proceedings. After significant work at short notice, Fish & Game staff and our legal advisors and allies were able to resubmit an application to the court and restart the declaration proceedings.

A positive aspect of the change is that Fish and Game and EDS now drive the process as the main applicants to the Court, including decisions on the list of questions to be submitted. ECan remains involved in the proceedings as a respondent, but it has been signalled that other parties (e.g., those representing hydro generators and irrigation interests) may consider withdrawing.

9 Regional plans

ECan continues to notify NCFG of regional plan work and current works. Waimakariri District Council has also notified of relevant regional works.

10 Fish Screens

Staff have attended a multi-agency workshop with Amuri Irrigation Company to discuss the re-consenting of the Leslie Hills Scheme on the Hurunui River and updates to their screening facilities as whole. Staff from NCFG and CSI also attended a multi-agency meeting with Central Plains Water Limited regarding future monitoring and compliance planning for the replacement Rakaia River screen. Discussions with both irrigation companies are ongoing to achieve best outcomes for fish screening practices on these two rivers, including an advisory group for CPW with potential NCFG involvement to aid in screen and bypass monitoring (as required by their consent conditions).

FOR INFORMATION

To: North Canterbury Fish and Game Council

From: Richard Cosgrove

Date: 13 February 2024

Subject: COMPLIANCE ACTIVITIES TO JANUARY 2024

Purpose:

1. To update the Council on Compliance activities undertaken during the 2023-2024 financial year.

Background:

2. Compliance with the angling and hunting regulations is a key performance measure for all Fish & Game Councils.

Points of Information:

3. The North Canterbury Fish & Game Compliance Team now consists of five warranted staff members and 15 fully trained and effective honorary Rangers.
4. The focus for this team is to increase ranging presence within the North Canterbury region.
5. With the introduction of the Designated Waters programme, staff and honorary rangers have increased ranging efforts in the North Canterbury region's nominated Designated Waters – Hope River & tributaries, upper Waiau Uwha River & tributaries, and both the North and South branches of the Hurunui River.
6. With a new team, an increased effort on compliance was noted, with over 307 licences checked throughout the region since September 2023. See Appendix, Table 1 for a breakdown of these checks.

(Note: these checks include those made by *ranging teams* during fishing competitions, but do not include licence numbers recorded during competition entry - unlike previous years).

7. Overall, it is good to see that anglers have been largely compliant.
8. Ranging efforts were also made on a number of other waterbodies however no anglers were found at the time of checks. These included the Doubtful River, Harts Creek, Broken River, Porter River, Lake Henrietta, upper Waimakariri River tributaries, and lakes Marymere, Hawdon and Sarah.

9. Ranging efforts have increased on Lake Coleridge due to improved capacity for ranging from the DNA boat which is suited to lake conditions, and efforts have paid off so far.
10. Being able to pull up next to other boats on the water is key; anglers have been surprised to see us on the water and three offences have been detected this way on Lake Coleridge so far.
11. Staff and honorary rangers have also visited the sea-run salmon rivers in the jetboat. This method of ranging is the most effective way for staff to show a presence along large parts of the rivers and check anglers efficiently, and in areas that would otherwise take a much larger effort to range by vehicle & foot.
12. The combined efforts of the staff and honorary Ranging team has resulted in more fishing offences being detected than in previous seasons.
13. The Compliance team has processed nine angling offences since the start of the 2023/24 fishing season.
14. Four of these offences were issued with warning letters, with the remaining five offences currently being processed for more serious offences.
15. We have received great support from our honorary ranging team with some of the offences having been detected by them, and follow-up procedures completed in a timely fashion.
16. The location of these offenders was spread across the region. Offences detected were in the high-country lakes, Designated Waters, close to Christchurch, and at the river mouths.

Strategic Implications:

17. With overall compliance efforts increasing, it gives the new team a better overall understanding of compliance in the North Canterbury region.
18. The 2024-2025 season will see a new licence check targeting system introduced.
19. By dedicating 1000 hours to compliance as per the Operational Work Plan, it is difficult to quantify productive compliance efforts from a reporting perspective. Are the hours spent ranging specific areas productive or unproductive, and overall where are the hours being spent?
20. The new method will allow the team to focus efforts at a catchment level within the North Canterbury region; compliance targets would be set for each catchment by using the data from the national angler's survey and previous ranging efforts.
21. This method will give us a good indication on how many hours it will take to reach target numbers for each catchment going forward.
22. It will spread our compliance effort throughout the region more evenly, so more anglers are reached and checked.

Appendix:

Table 1. Number of licence checks performed in each waterbody and catchment

Waterbody by catchment	# of checks
Lake Coleridge	67
Lake Evelyn	1
Lake Selfe	2
Lake Georgina	10
Lake Lyndon	17
Non-specified lakes	27
Glenariffe Stream	1
Rakaia River	52
Rakaia Catchment total	177
Lake Ellesmere	1
Lake Forsyth	7
Halswell River	2
LII River	1
Selwyn River	3
Ellesmere Catchment total	14
Lake Pearson	2
Lake Grasmere	4
Waimakariri River	25
Lake Rotokohatu	13
Waimakariri Catchment total	44
Ashley River	12
Ashley Catchment total	12
Lake Sumner	7
Lake Taylor	18
Loch Katrine	4
Hurunui River	4
Hurunui Catchment total	33
Boyle River	17
Lewis River	2
Hope River	8
Waiau Uwha Catchment total	27
Total all catchments	307

HEALTH & SAFETY REPORT

To: North Canterbury Fish and Game Council
From: Rasmus Gabrielsson
Date: February 2024

PURPOSE

1. This report has been prepared for the Council to provide a summary of health and safety across the organisation.

INTRODUCTION / BACKGROUND

2. This report provides a summary of:
 - a. The health and safety performance across the organisation inclusive of any contract work.
 - b. Health and safety risk across the organisation.
 - c. Any significant health and safety incidents for the months reported and any recent updates on past incidents.
 - d. Any near-miss events and subsequent follow-up actions.
 - e. The progress against the Health and Safety Strategy Work Programme.
 - f. The report also responds to any matters arising from the last Council Meeting.

ANALYSIS

3. The table below summarises the reporting statistics for this period. Further information regarding context and follow up process is captured in a register.

Lost time injuries this period	Lost time injuries this year	Incidents this period	Incidents this year	Near Miss Events this period	Near miss events this year	New Hazards reported this period	New Hazards reported this year
0	0	0	1	0	6	0	5

4. This dataset continues to build over time particularly as our work programme grows and health and safety reporting culture are ingrained into our work ethos.

Near Miss and Incident Events

5. No Near Miss or Incident events have occurred in this period.

Health and Safety Culture

6. The overall Health and Safety culture in our organization continues to be positive and proactive.
7. Staff have created an updated Job Safety Analysis/Field Safety Form to consolidate Health & Safety paperwork when going into the field. An activity-specific form for Electric Fishing has been created and has been used in the field with success. Further activity-specific forms will be subsequently created for other important and recurring field activities. Each specific form will include both general and specific hazard management and checklists relevant to the activity. A hazard matrix included with the form provides a base for assessing and recording new hazards in the field.
8. The TrackMe system has been working well for Staff in the field, especially for lone worker situations. Live location maps on the TrackMe dashboard have allowed further clarity on Staff activities in the field and have helped to alleviate concerns on staff whereabouts and movements during the day. Staff have had a refresher and update session in January with TrackMe's Tony Glentworth to further optimise usage of the system.
9. Following a review by Maritime NZ in December, updates have been made to the SeaFlux boating programme. A SeaFlux phone app (in addition to the desktop dashboard) will be utilised going forward for monthly safety checks, training, logs, intentions & safety briefings, and risk assessments. Updates to the programme allows oversight at a NZ Council level. A follow-up Audit by Maritime NZ will be carried out in the next month.

H&S Meetings

10. Staff are still conducting weekly health and safety discussions as part of the Monday morning meeting agenda, these discussions provide a useful forum to discuss and improve general health and safety culture.

Contractors

11. Paul van Klink (also contracted to Otago Fish & Game) was contracted to undertake ranging activities in the region in the December – February period. His primary focus has been the Designated Water fisheries.

Staff Competencies and Training

12. Two staff members are due for a First Aid refresher in March 2024.

RECOMMENDATIONS TO IMPROVE HEALTH AND SAFETY

13. Discussions have been had at a National level about applying for funding to create a National Health & Safety platform to provide a consistent H&S system throughout Fish & Game.
14. Staff continue to work on new documents to improve Health & Safety in the field.

CONCLUSION / DISCUSSION

15. NCFG is tracking well toward our Health & Safety goals. We need further National investment to ensure systems and processes are adhered to and good cultures continue to be developed.

FOR INFORMATION

To: North Canterbury Fish and Game Council

From: High Country Wetland & Waterway Protection Project Governance Group

Date: 22 February 2024

Subject: **GLENARIFFE PROJECT UPDATE**

Purpose

1. To provide North Canterbury Fish & Game Council (NCF&G) with an update on work done by the High-Country Wetland & Waterway Protection Project (HCWWP) and objectives for Q3 of the financial year.

Background

2. The Canterbury High Country Wetland & Waterway Protection Project is a project to increase the protection of valuable, yet vulnerable wetlands and waterways in the high country.
3. The focus is on increasing knowledge of the effects of adjacent land use on waterways and the benefits of interventions such as strategic land retirement.
4. It is hoped that by engaging with landowners and agencies we can actively progress protection projects and increase knowledge around high country issues. The goal is to achieve a halt to declining water and habitat quality trends in the high country and where possible facilitate improvements.

Points of Information

Final Stage FIF Project

5. Key deliverables to complete our contractual obligations to the Ministry for the Environment are:
 - Complete bridge on Ensor's driveway. We have a contract with Mark Ensor to undertake this work.
 - Gain resource consent to re-naturalise Double Hill & Glenariffe streams.
 - Hold a workshop at F&G to discuss future high country wetland and waterway protection.
 - Work with landowners to identify further areas worthy of protection and help apply for funding.

Glenariffe

6. Bridge construction is progressing ahead of schedule, and we are now ensuring that we have the correct permitting processes in place. The bridge is not on NCF&G's parcel of land.
7. Fish & Game have engaged two local consultants (Instream Consulting and Environment Matters) to support the completion of both the Assessment of Environmental Effects (AEE) and resource

consent application for the stream diversion permits needed to restore the natural flow path of Glenariffe stream and enable wetland restoration.

8. We anticipate the mandatory AEE and resource consent applications will be submitted to Environment Canterbury (ECan) before the end of February. A separate application is also being made for consent fees to be waived (now estimated to total ~\$15,000) and instead recognised as an in-kind contribution from ECan.
9. In December 2023 it became clear we are at present unable to establish a QEII covenant, as this would essentially “freeze” the current status of the land purchased and hinder both short- and long-term stream and wetland restoration plans and activities.
10. To accomplish objectives for improving the overall ecosystem health and undertake habitat restoration initiatives that enhance the carrying capacity of freshwater fish and game bird species it’s important to retain the ability to adaptively manage the restoration of the land purchased using and adaptive and stepwise approach / method.
11. Fish & Game staff are preparing advice on how to establish Fish & Game covenants for the land, to satisfy our short term MfE contract requirement, and will continue discussions for longer-term options with QEII Trust.
12. A site visit to the retired land with Stephen Brailsford was had to look at options for planting in the wetland. Discussions around scoping an approach to this are planned with the governance group and will be presented to Council when ready for consideration.
13. Key decisions that will influence current budget projections:

BUDGET REMAINING 2024			
INCOME		REMAINING EXPENSES	
MfE	\$74,105.00	Salaries	\$64,375.00
Fish & Game	\$41,410.00	Bridge	\$50,000.00
QEII	\$20,000.00	Consent to divert stream	\$15,000.00
	\$136,515.00		\$114,375.00

- ECan determination on whether to waive consenting fees.
- Our decision on whether to progress with a QEII covenant and secure the associated \$20k that comes with it.

Project Extension

14. A funding application is being prepared for a further \$70,000 to retire addition wetlands and native bush blocks on the Redcliffes Station.
15. A funding application for \$104,000 is being prepared for similar projects on Quartz Hill Station.
16. A funding application to help re-naturalise Craigieburn Stream flowing into Lake Grasmere has been prepared.

17. Discussions with the landowners of Double Hill Station resulted in plans to fence 5km of wetlands and waterways, encompassing 24ha of land retirement. Funding was sourced from Rakaia River Fishing Promotions for \$70,000 (excl gst), along with Manawa Energy's Rakaia Environment Enhancement Fund \$43,478.26 (excl gst).
18. Once funding was secured, the landowner additionally retired a further 53ha, along with contributing to the fencing costs, to enable 11.3km of new fencing. This fencing project has established riparian buffers around a number of headwater springs, including three large wetland reserves in the Glenariffe Stream headwaters on Double Hill Station.
19. These vulnerable wetlands host many native plant communities, the restoration of which will help protect water quality and downstream species in the Glenariffe Stream and the Rakaia River in perpetuity. This collaborative fencing project with Rakaia River Fishing Promotions, in conjunction with the land purchase on Glenariffe Station has effectively completed the riparian protection of the Glenariffe catchment.
20. Discussions with the landowner of Mt. Algidus Station have led to a QEII covenant being placed on a 300ha block encompassing the Hydra Waters, including Titan Stream, a complex system of spring-fed streams and wetlands in the Rakaia headwaters, accounting for around 30% of salmon spawning in the Rakaia. This area has not been grazed for around 30 years now, with this additional level of protection ensuring future landowners continue to protect this area.
21. In July 2023 the HCWWP was successful in securing \$72,000 from Manawa Energy's Rakaia Environment Enhancement Fund, to fence 24ha of wetlands and a vulnerable hillside valley and vegetation on Redcliffes Station, located opposite the Trust Power (now Manawa Energy) Lake Coleridge power station.

FOR INFORMATION

To: North Canterbury Fish and Game Council
From: Matthew Garrick & Heather Sanders Garrick
Date: February 2024
Subject: PARADISE SHELDUCK/BLACK SWAN FLIGHTS

Purpose

1. To update the Council on the paradise shelduck & black swan monitoring

Background

2. The annual paradise shelduck/black swan count is conducted during mid-summer to gauge population status of black swan and paradise shelduck to inform hunting regulations.
3. The survey aims to count flightless/moulting birds at traditional sites at the same time every year.

Points of Information

4. This survey was completed on January 24th, 2024.
5. Some sites were surveyed from the ground to save money in helicopter time.
6. This annual survey counted 7,338 black swans and 9,477 paradise shelduck (see attached report for more information).
7. It is important to note that the change in methodology (in particular, the helicopter flights were flown at lower altitude) will have increased detection probability of both birds, so it is difficult to compare to past survey data.
8. Currently, survey methodology is not fit for purpose for monitoring paradise shelduck. North Canterbury Fish and Game is conducting a pilot study of paradise shelduck occupancy as a first step to developing a robust monitoring program (see attached report for more information).

Strategic Implications

9. Both black swan and paradise shelduck counts were above the long-term average.
10. The next few years will see major changes to paradise shelduck monitoring methodology to build a robust defendable monitoring program that can withstand expert scrutiny.

Population Index of Paradise Shelduck and Black Swans in North Canterbury Region 2024

Matthew Garrick, North Canterbury Fish and Game
Heather Sanders Garrick, North Canterbury Fish and Game



Executive Summary

NCFG conducted annual aerial summer surveys of moulting paradise shelducks and black swans on January 24th, 2024. There were 7,338 black swans and 9,477 paradise shelducks counted. This was the first year of the mixed mode survey with some sites being counted from the ground and others from helicopter. Helicopter counts allowed flying all sites at lower altitude, which would have increased detection probability of birds.

Introduction

North Canterbury Fish and Game Council (NCFG) is charged with the management of sports fish and game bird resources in the recreational interests of anglers and hunters. Under the Conservation Act 1987, the functions of each Fish and Game Council shall be to manage, maintain, and enhance the sports fish and game bird resource in the recreational interests of anglers and hunters, and in particular—

- 1) *to assess and monitor—*
 - a. *sports fish and game bird populations*

NCFG staff conducted annual aerial surveys in 2024 to

- 1) Assess the population status of paradise shelducks and black swans

Methods

Aerial flights were conducted via helicopter January 24th with one observer. Flights were conducted between 300-500ft AGL. Voice recorders were used for recording bird counts throughout the survey. There were five sites across the region counted from the ground with binoculars and spotting scopes. There were a total of 14 locations surveyed (Figure 1).



Figure 1. Paradise shelduck and black swan survey locations in North Canterbury, 2024.

Results

There were 9,477 paradise shelducks counted, 8% above the long-term average (Figure 2). A total of 7,338 black swans were counted, 24% above the long-term average (Figure 3).

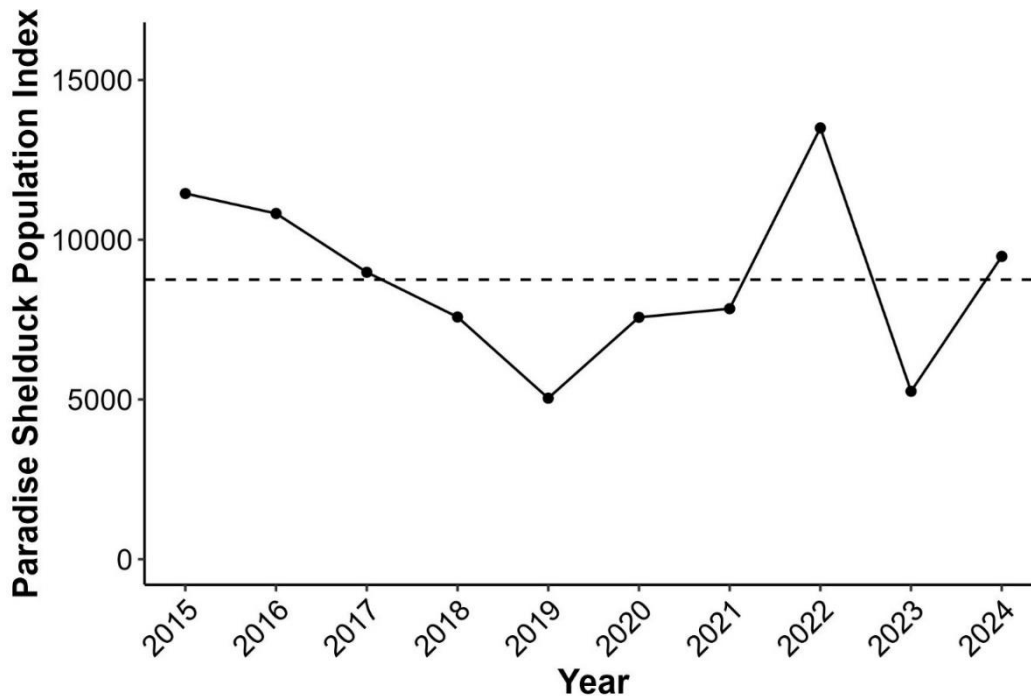


Figure 2. Paradise shelduck population counts of moulting birds 2015-2024.

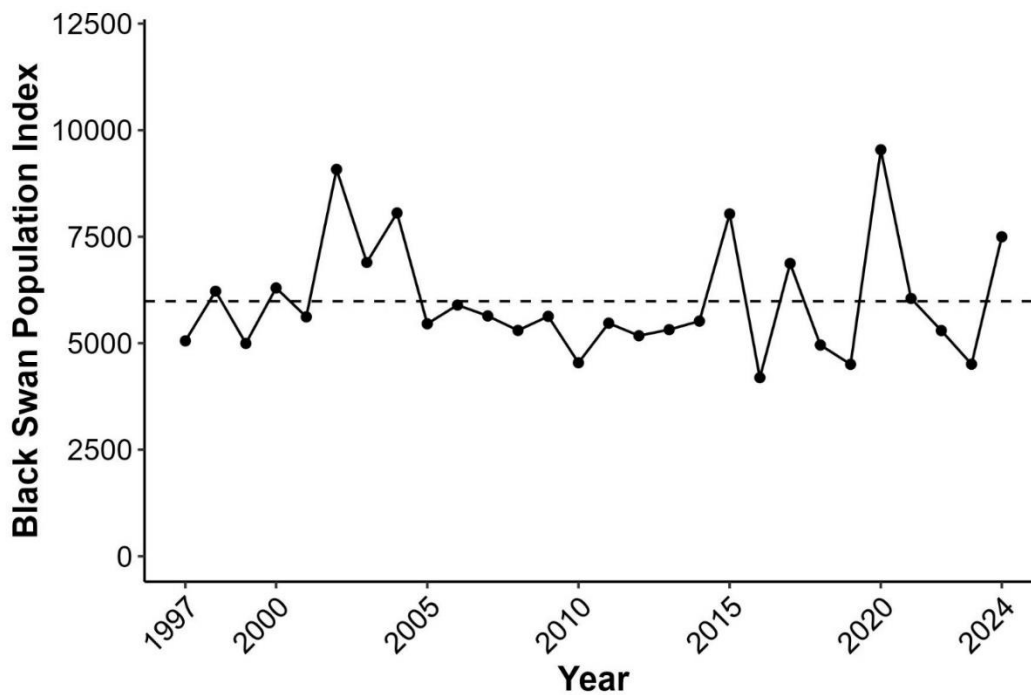


Figure 2. Black swan population index for North Canterbury 1997-2024.

Discussion

Population indices can provide important information for management; however, objectives and methodology must be clearly defined (Engeman 2003). The primary issue surrounding population monitoring is appropriate versus inappropriate experimental design and data analyses to achieve the investigators' objectives (Engeman 2003).

Surveys of congregated moulting birds are an effective method for sampling a portion of the population when the methodology is consistent, i.e., *when*, *where*, and *how*. Historically, this survey has been conducted across a wide range of survey dates spanning mid-January to mid-February, which is not conducive to sampling the same portion of the population. Wing moult in paradise shelducks takes approximately four weeks to complete; however, the chronology of wing moult varies in that sub-adults and failed breeders moult in January, and successful breeders moult in February and March (Williams 1979). Therefore, year-to-year comparisons are meaningless when the number of sites varies *and* survey dates vary over a month. This results in both different age classes of the population being compared and location bias data.

The number of sites surveyed decreased from 110 locations to 26 locations in 2020. It has been further reduced again in 2024 to 12 sites that have been consistently monitored over the life of the survey. When 110 locations were surveyed, the numbers of paradise shelduck counted were between 9,000 and 15,000. Estimates of paradise shelduck harvest in the region during the May-July season are typically between 10,000 and 15,000 birds (Fish and Game, unpublished data), with another 5,000 harvested during the summer season in February (Garrick and Sanders Garrick 2023). Assuming harvest rate is somewhere between 10% and 20%, the population of paradise shelduck in North Canterbury may be between 100,000 and 200,000 birds. It is a “leap of faith” to make generalisations to the greater population when the survey counts 5-10% of the population and also relies heavily on assumptions around population distribution and site fidelity (Mackenzie and Royle 2005, Barker et al. 2010).

Waterfowl surveys are commonly flown between 30 and 150 m above ground level (Reinecke et al. 1992, Pearse et al. 2008, Ramsey and Fanson 2021). Undoubtedly, detection probability is negatively correlated with the height above ground level. In past years, our surveys were flown at least 213 m and, at times, over 300 m above ground level. Detection of paradise shelducks at 300 m is near zero for birds swimming and loafing and is unacceptably low for the much larger-bodied swans. The mixed mode method used this year of flying some sites with a helicopter and surveying from the ground is much more appropriate and fit for purpose than fixed wing flights flown at a much higher altitude.

Management Implications

This year marked the first year of flying the survey with a helicopter. Surveys were conducted between 90 m and 150 m height above ground level. There were also a number of sites surveyed from the ground. Wairewa (Lake Forsyth), Te Waihora (Lake Ellesmere), and the Bromley Estuary with the surrounding oxidation ponds encompass the majority of black swans in North Canterbury. Although the black swan count is up considerably from last year,

this is mainly attributed to the change in methodology, not a population increase. This will need to be considered in the context of harvest management plans in place.

To properly inform harvest regulations and management, a more robust survey is needed. This will require quantifying paradise shelduck habitat across the landscape and a proper survey design to estimate total population size (Mackenzie and Royle 2005). A pilot for these works has been started in North Canterbury, and will be progressing over the next couple of years to replace current survey methodology.

Further, monitoring by itself is important; however, because there are currently no specific population objectives or management frameworks in place, harvest regulations of paradise shelducks and black swans have historically not been informed in a consistent, scientific manner. Developing clear objectives is essential for designing any population monitoring protocol (Witmer 2005). Population management plans need to be developed and implemented as soon as feasible.

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Field Report

Paradise Duck Occupancy Study Pilot – January 2024

North Canterbury Fish & Game

H. Sanders Garrick

Objective

Assess the feasibility of a study into the occupancy of paradise shelducks during molting season. Collect preliminary data on paradise shelduck occupancy.

Background

The current method for estimating population trends for paradise shelduck (Pūtangitangi; *Tadorna variegata*; henceforth paradise duck) involves annual counts of birds at known molt sites in late January. These sites were selected in the 1980s based on staff knowledge of where flocks of molting ducks congregated. In recent years, staff in several regions have grown concerned that the molting sites originally selected for the survey no longer provide a robust population index. Further, a study from 2005 indicated that paradise shelduck have a lower molting site fidelity than previously assumed (Barker et al. 2005). As such, it is crucial to evaluate ways to improve the efficacy of the annual population survey.

Methods

Study design for this pilot was performed using QGIS (QGIS 3.30.1-'s-Hertogenbosch). We downloaded existing data on the location of wetlands, ponds and lakes from the LINZ online database (LINZ 2023, LINZ 2024a). We used the public roads layer (LINZ 2024b) to restrict data to wetlands that were within a surveyable distance from public roads, 150 m. Fifty ponds were selected at random from the ponds shapefile and 50 from the lakes shapefile using the random selection tool in QGIS. The randomly selected wetlands from both shapefiles were combined, and each was evaluated using aerial imagery to eliminate wetlands which would not be accessible or safely surveyable from public roads or footpaths.

The remaining wetlands were surveyed between 9-25 January 2024. Each wetland was approached by vehicle using public access roads. Wetlands were surveyed for the presence or absence of paradise ducks, and the surrounding habitat type was noted. We also noted if the wetland could not be safely surveyed from public roads or if the wetland was dry. For wetlands which could not be surveyed from the vehicle but could be accessed using public footpaths, the vehicle was safely parked and the wetland was surveyed on foot.

Instances in which flocks of molting paradise ducks were observed on wetlands which were not selected for the survey, those wetlands were surveyed and noted as incidental. Similarly, due to the difficulty discovered in surveying agricultural wetlands several agricultural wetlands which were not selected for the survey but were safely surveyable from public roads were surveyed and noted as incidental. Additionally, data was supplemented using the data from the 2024 annual paradise duck trend count performed by North Canterbury Fish & Game.

Preliminary Results

Attempts were made to survey 67 wetlands. Of those, 23 could not be surveyed: 3 were dry, 8 were not accessible using public roads, 10 were accessible but were not visible due to obstruction by berms or vegetation, and 1 was off a major motorway and was not safe to survey. The remaining 44 wetlands were successfully surveyed. Of the sites that were successfully surveyed, paradise ducks were present at 21 (or 47.7%).

Habitats surveyed based on surveyor notes at the site included native wetland cover (45%), agriculture (23%), oxidation ponds (14%), quarries (7%), and lawn or golf courses (18%). Several of the sites surveyed were recorded as being surrounded by both native and agricultural habitat.

Occupancy was highest for oxidation ponds: 100% of all oxidation ponds surveyed had at least one paradise duck present. Occupancy for agricultural ponds was also high at 70%. Occupancy for sites identified as native habitat was 40%, quarries was 33%, and lawns and golf courses were 12.5%.

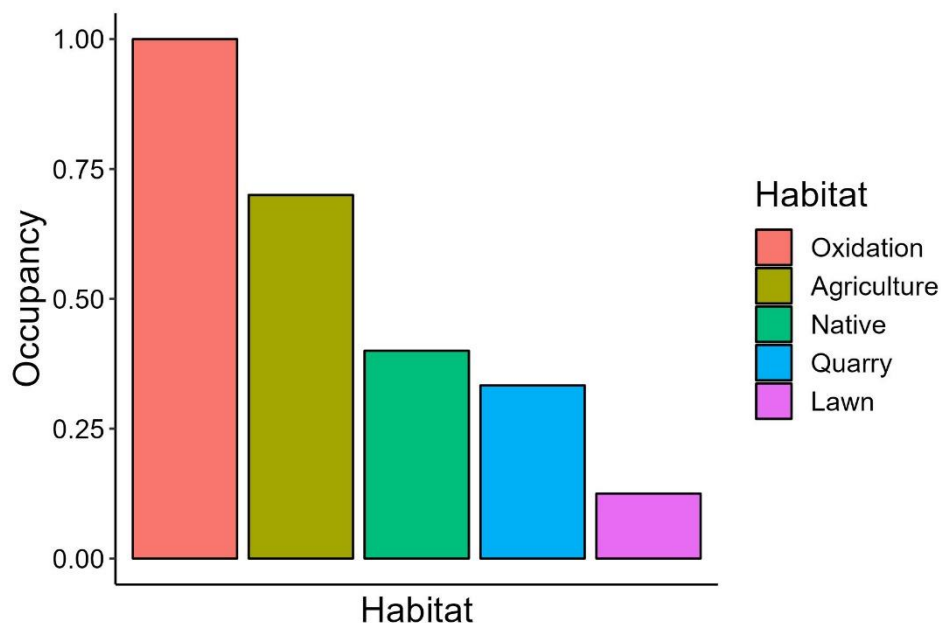


Figure 1. Estimated occupancy of molting paradise ducks based on wetland habitat type, calculated from preliminary data collected in North Canterbury in 2024.

Discussion

While most habitats had mixed occupancy, there were two notable exceptions. Paradise ducks were present at every oxidation pond surveyed. Conversely, paradise ducks were present at none of the wetlands surveyed on lawns. While paradise ducks were observed on one golf course wetland, it is worth noting that that wetland is part of a larger wetland complex which has a complex shape and predominantly native vegetative cover.

Analysis of aerial imagery will provide more detailed insight into the habitat preferences of molting paradise ducks, however there are some hypotheses we developed in the field. We suspect that greenness relative to the surrounding area, measured using the Normalised Difference Vegetation Index, increases the likelihood of occupancy by molting ducks. We also suspect that human disturbance may reduce the likelihood of occupancy by molting ducks; public parks with trails that bisected the wetland or had very little space between the wetland and housing or industry seemed to have a lower occupancy than similar wetlands in public parks that provided more natural area.

Finally, oxidation ponds and agricultural ponds that resemble oxidation ponds seem to be a favourite of molting paradise ducks. Unfortunately, due to the shape of these wetlands they tend not to be visible from the road. In order to adequately survey these wetlands to better understand how paradise ducks use the landscape during molting season either aerial surveys or landowner permissions will be required.

References

- Barker, R., G. C. White, M. McDougall. 2005. Movement of paradise shelduck between molt sites: a joint multistate-dead recovery mark-recapture model. *The Journal of Wildlife Management* 69:3, 1194-1201. [https://doi.org/10.2193/0022-541X\(2005\)069\[1194:MOPSBM\]2.0.CO;2](https://doi.org/10.2193/0022-541X(2005)069[1194:MOPSBM]2.0.CO;2)
- Land Information New Zealand. 2023. NZ Pond Polygons (Topo, 1:50k). <https://data.linz.govt.nz/layer/50310-nz-pond-polygons-topo-150k/>.
- Land Information New Zealand. 2024a. NZ Lake Polygons (Topo, 1:50k). <https://data.linz.govt.nz/layer/50293-nz-lake-polygons-topo-150k/>
- Land Information New Zealand. 2024b. NZ Roads: Road Section Geometry. <https://data.linz.govt.nz/layer/53378-nz-roads-road-section-geometry/>

FOR INFORMATION

To: North Canterbury Fish and Game Council
From: Heather Sanders Garrick
Date: February 2024
Subject: FISHING LICENCE SALES

Purpose

1. To update the Council on fishing licence sales, salmon licence sales, and designated waters licence sales for the 2023/24 fishing season.

Background

2. There are 3 main licence types sold by North Canterbury Fish & Game during the 2023/24 fishing season: general fishing licences, salmon licences, and designated waters licences.

Points of Information

3. As of the reporting date, 12,460 fishing licences have been sold by North Canterbury Fish & Game (9,864 LEQs), 12,967 salmon licences, and 3,658 designated waters licences.
4. General fishing licence sales are 3.3% below the 5-year average.
5. 34.4% of licences sold were whole season licences and 19.5% were family licences.
6. The overwhelming majority of salmon licences were sold to residents of North Canterbury.
7. Only 15% of licence holders who purchased a designated waters licence from North Canterbury Fish & Game purchased a designated waters licence for more than 1 region.

Strategic Implications

8. Despite angler reports of a slow salmon season, salmon licence sales are slated to outpace the 2022/23 fishing season.
9. North Canterbury Fish & Game only has access to designated waters licences sold by North Canterbury Fish & Game as opposed to licences sold for North Canterbury designated waters, which limits our ability to estimate pressure on designated waters in North Canterbury. Efforts to establish access to all North Canterbury designated waters licences are underway.



Mid-Season Report

Fishing Licence Update February 2024

North Canterbury Fish & Game

H. Sanders Garrick

This report is based on the data available as of 12 February 2024 to staff at North Canterbury Fish & Game. This data includes all fishing licences sold by North Canterbury Fish & Game, but does not include licences for designated waters or salmon endorsements.

As of 1 February 2024, North Canterbury Fish & Game has sold 12,460 Fishing Licences, the equivalent of 9,864 whole season licence equivalencies (LEQs).

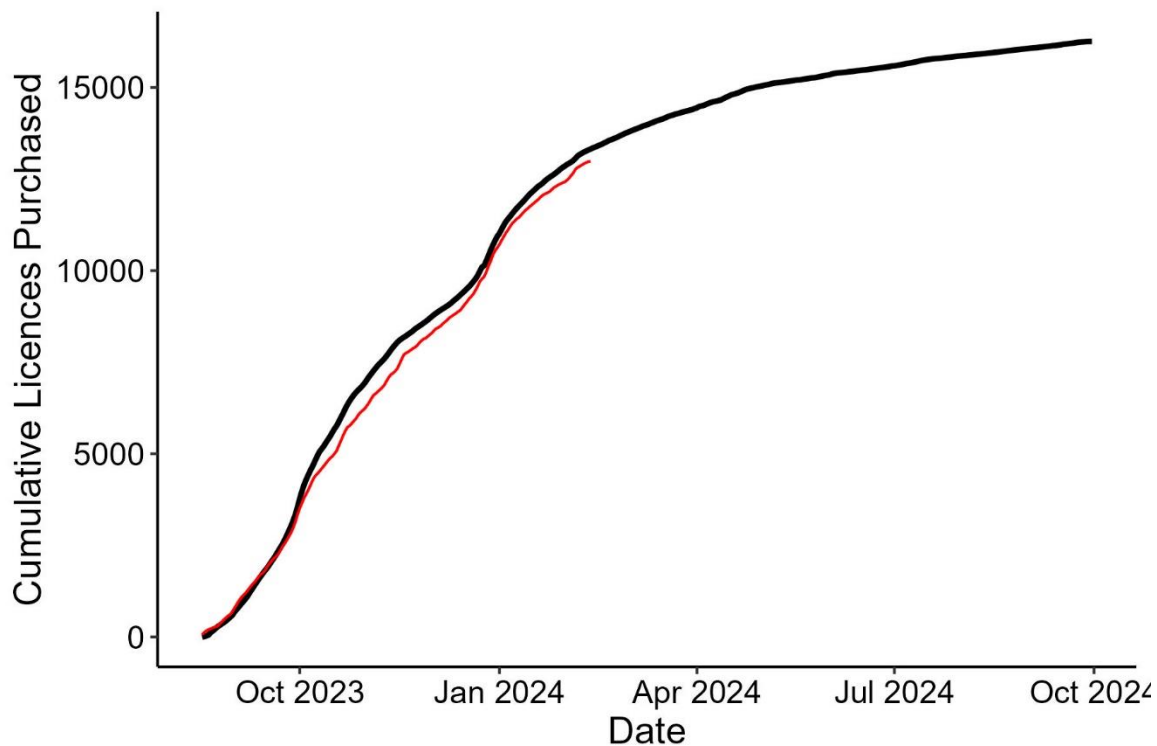


Figure 1. The number of fishing licences sold by North Canterbury Fish & Game during the 2023/24 fishing season in red compared to the 5-year average sales by date.

Cumulative licence sales are currently 3.3% below the previous 5-year average.

Table 1. The number of licences sold by the first of the month, October – February, for the 5-year average, the 2023/24 fishing season, and the relationship between the current sales and the 5-year average.

Date	5-Year Average	Current Sales	Percent of Average
1-Oct	3,779	3,515	93.0%
1-Nov	7,025	6,318	89.9%
1-Dec	8,753	8,305	94.9%
1-Jan	11,013	10,713	97.3%
1-Feb	12,891	12,460	96.7%

The majority of licences sold have been adult whole season resident licences (34.4%), followed by family (19.5%) and child licences (12.2%).

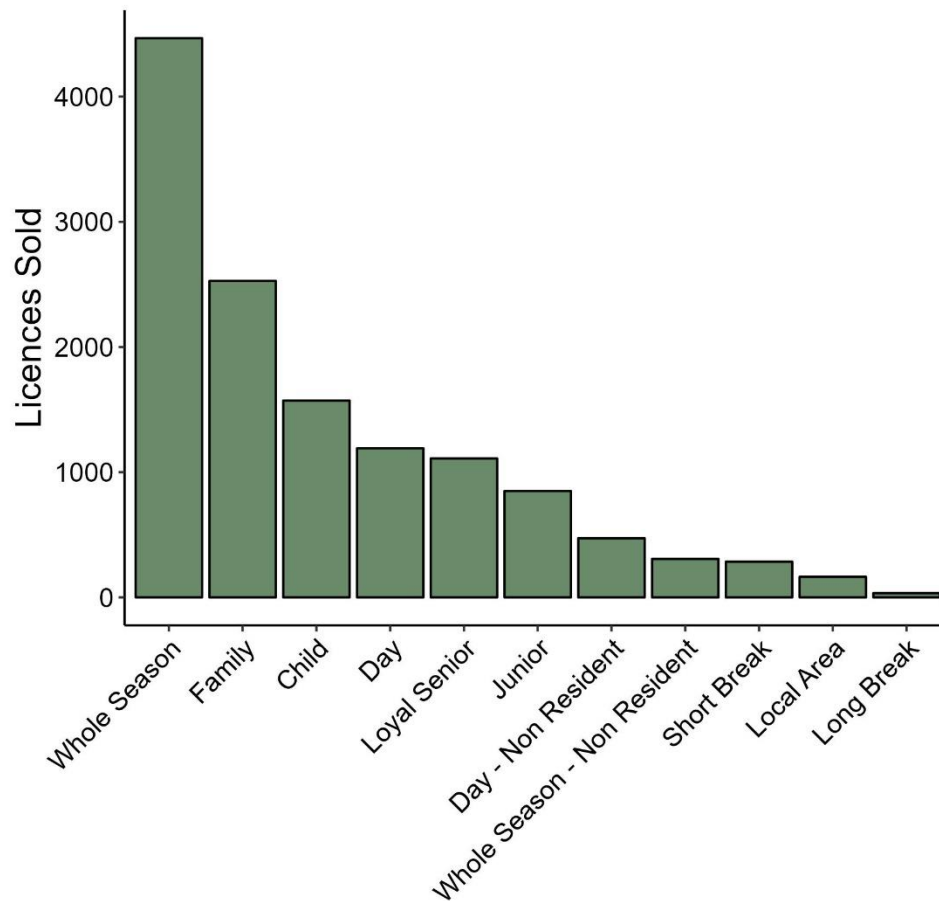


Figure 2. The number of fishing licences sold by North Canterbury Fish & Game prior to 12 February 2024 by licence category.



Mid-Season Report

Salmon Licence Update

February 2024

North Canterbury Fish & Game

H. Sanders Garrick

This report is based on the data available as of 12 February 2024 to staff at North Canterbury Fish & Game. This data includes all salmon licences sold by North Canterbury Fish & Game, but does not include salmon licences sold by other Fish & Game regions.

As of 12 February 2024, North Canterbury Fish & Game has sold 12,967 salmon licences. Similar to general fishing licence sales, most salmon licences were purchased around 1 October.

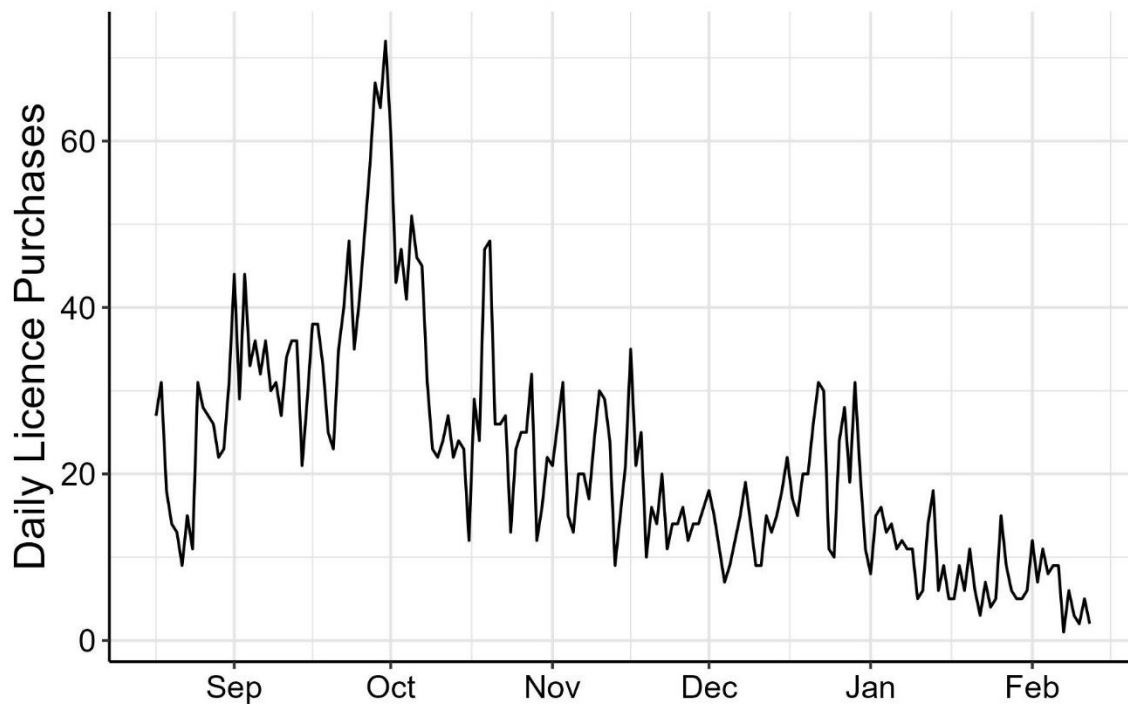


Figure 1. The number of salmon licences sold daily by North Canterbury Fish & Game during the 2023/24 fishing season. Sales include licences sold by North Canterbury but do not include licences sold by other regions.

The overwhelming majority of salmon licences sold by North Canterbury Fish & Game were sold to anglers who reported they live in North Canterbury (92.3%), followed by residents of Central South Island (2.5%) and Nelson/Marborough (2.3%).

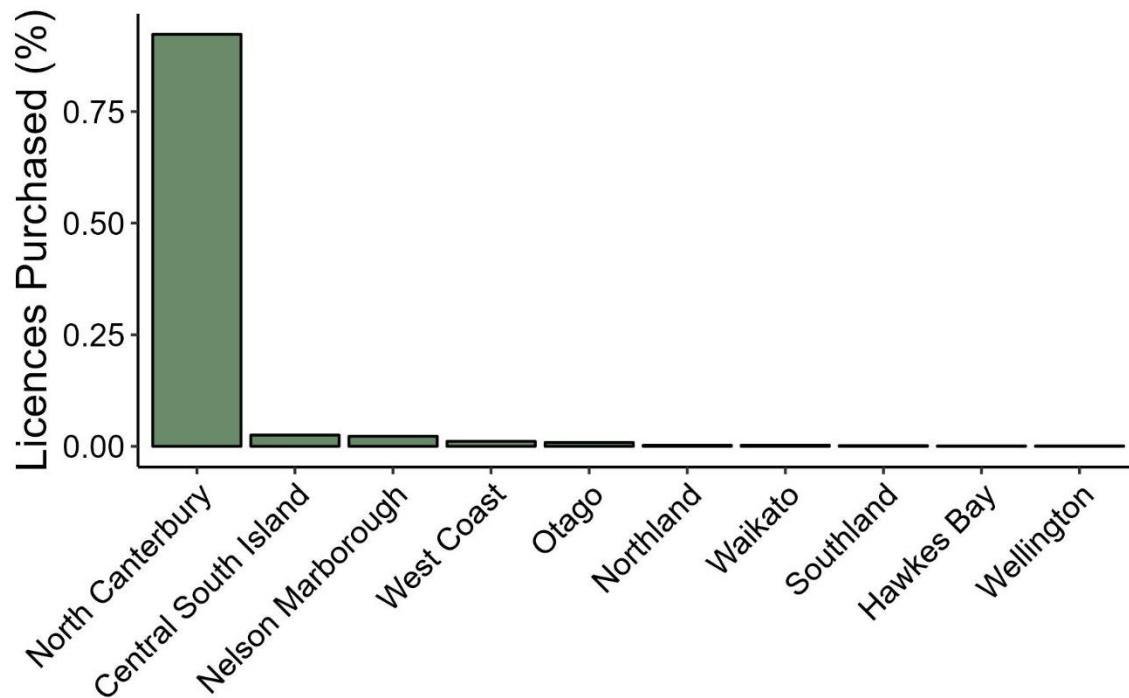


Figure 2. The number of salmon licences purchased from North Canterbury Fish & Game by angler region of residence. Region of residence is determined using the address provided at point of sale for anglers who provided a valid address.



Mid-Season Report

Designated Waters Update

January 2024

North Canterbury Fish & Game

H. Sanders Garrick

This report is based on the data available as of 29 January 2024 to staff at North Canterbury Fish & Game. This data includes all designated waters licences sold by North Canterbury Fish & Game, but does not include licences for designated waters in North Canterbury sold by other Fish & Game regions.

As of 29 January 2024, North Canterbury Fish & Game has sold 3,658 Designated Waters Licences.

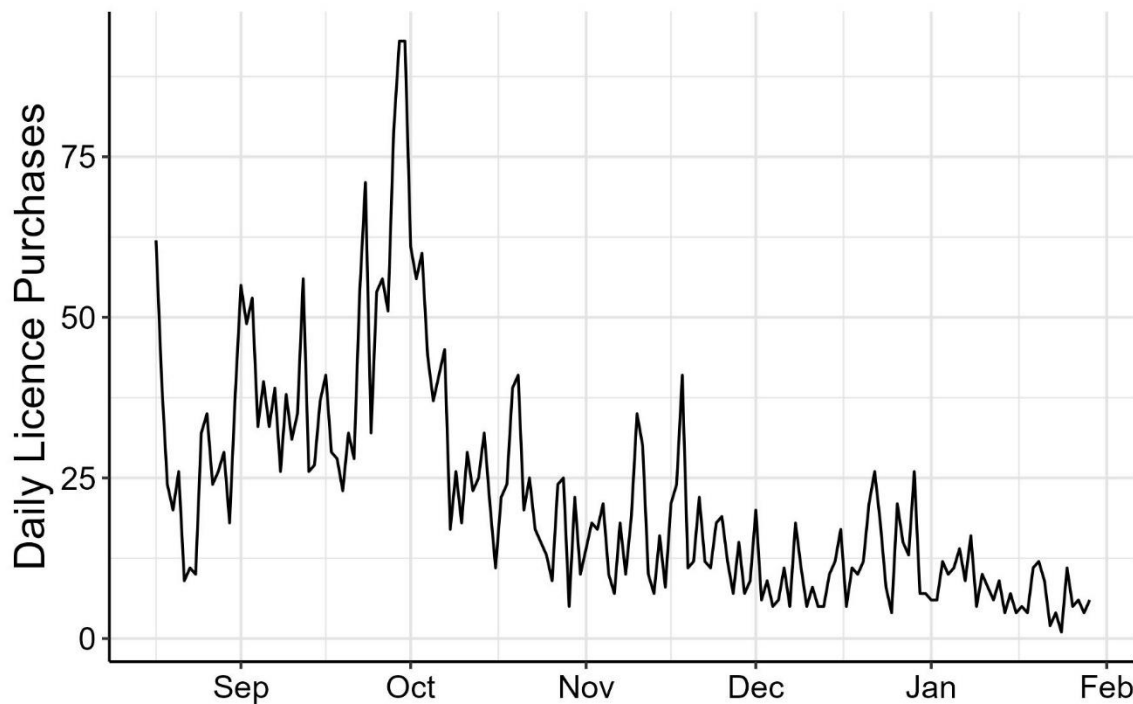


Figure 1. The number of designated waters licences sold daily by North Canterbury Fish & Game during the 2023/24 fishing season. Sales include licences sold by North Canterbury for designated waters in other regions.

The overwhelming majority of licences sold by the North Canterbury region were sold for North Canterbury designated waters. Licences were also sold for Otago, West Coast, Nelson/Marlborough, Southland, and Wellington (respectively).

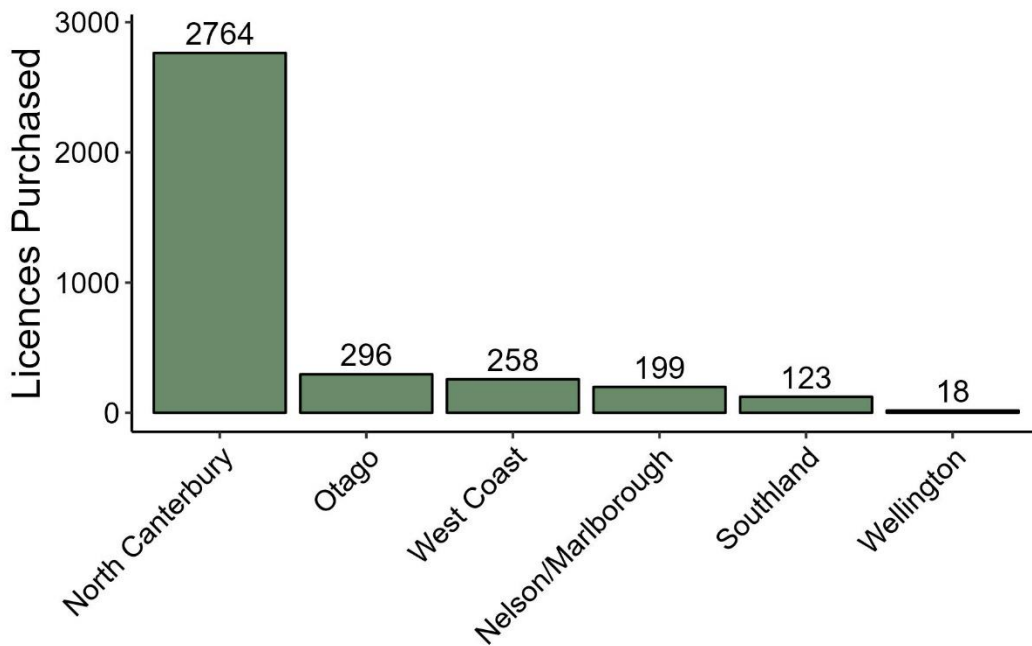
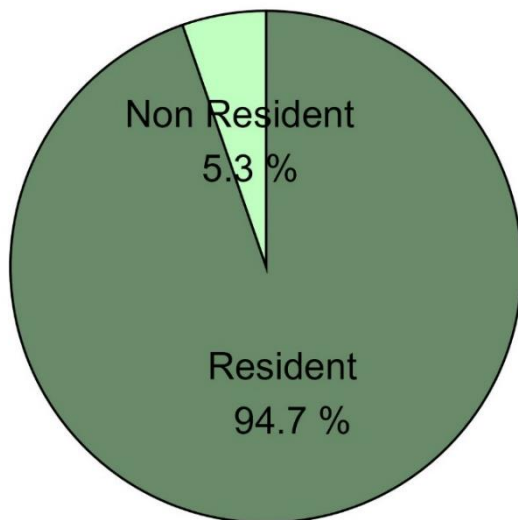


Figure 2. The number of designated waters licences sold by North Canterbury Fish & Game by the region the licence was purchased for during the 2023/24 fishing season.



Of licences sold for North Canterbury designated waters, 94.7% of licences sold by North Canterbury were sold to residents. Only 5.3% of licences were sold to non-residents. North Canterbury did not sell non-resident licences for any other region. One hundred five non-resident anglers have purchased 194 designated waters licences. Half of non-resident anglers have only purchased one license, 26 have purchased 3 or more, and only 3 have purchased 5. All non-resident licences were sold for designated waters in the North Canterbury Region.

Figure 3. The proportion of North Canterbury designated waters licences sold by North Canterbury Fish & Game that were sold to residents v. non-residents.

The overwhelming majority of anglers who purchased designated waters licences from North Canterbury Fish & Game only purchased a designated waters licence for one region, approximately 85%. Less than 4% of anglers purchased licences for 4 or more designated waters, and only 12 anglers purchased licences for all 6 designated waters.

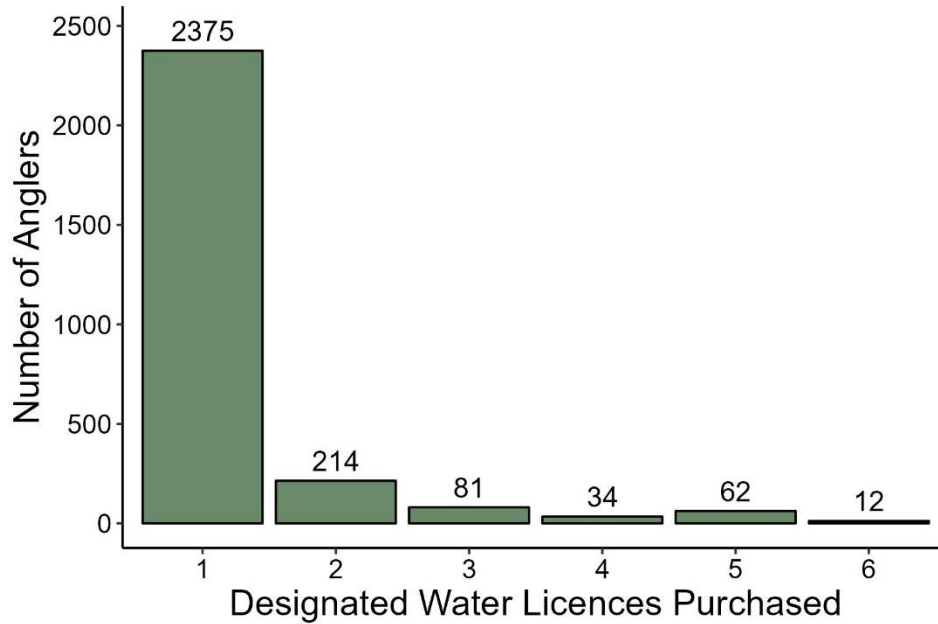
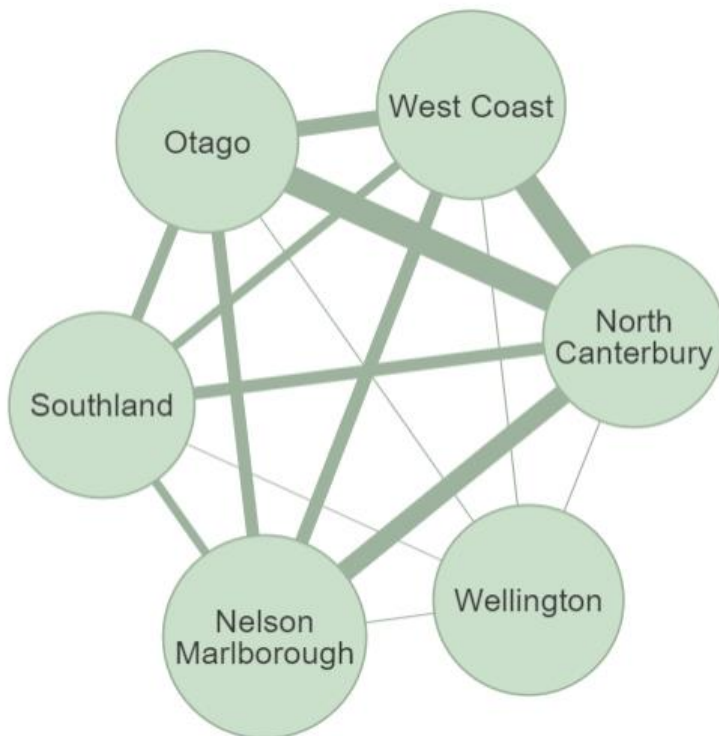


Figure 4. The number of anglers who purchased a designated waters licence by the number of regions for which a designated waters licence was purchased from North Canterbury Fish & Game.



The most common combination for anglers who purchased more than one designated waters licence was North Canterbury and Otago, followed by North Canterbury and the West Coast. Wellington was included in licence combinations least frequently.

Figure 5. A network map depicting the relationship between the designated waters licences purchased by anglers for anglers who purchased multiple licences from North Canterbury Fish & Game.

Only 977 people who purchased designated waters licences from North Canterbury provided valid addresses, approximately 27%.

Of the licence holders who purchased designated waters licences from North Canterbury Fish & Game, 84.6% lived in North Canterbury, followed by 5.2% in Nelson/Marlborough, 3.8% in Otago, and 1.9% in Central South Island (Table 1).

Table 1. The region of residence for anglers who purchased their designated waters licence from North Canterbury during the 2023/24 fishing season, for licence holders who reported a valid address.

Region of Residence	Number of Licence Holders	Proportion of Licence Holders
Northland	1	0.1%
Auckland Waikato	7	0.7%
Eastern	8	0.8%
Hawke's Bay	2	0.2%
Taranaki	1	0.1%
Wellington	3	0.3%
Nelson Marlborough	51	5.2%
West Coast	12	1.2%
North Canterbury	827	84.6%
Central South Island	19	1.9%
Otago	37	3.8%
Southland	9	0.9%

The following pages contain maps depicting region of residence by the region for which an angler purchased their designated waters licence for anglers who purchased their licence from North Canterbury Fish & Game and reported a valid address.

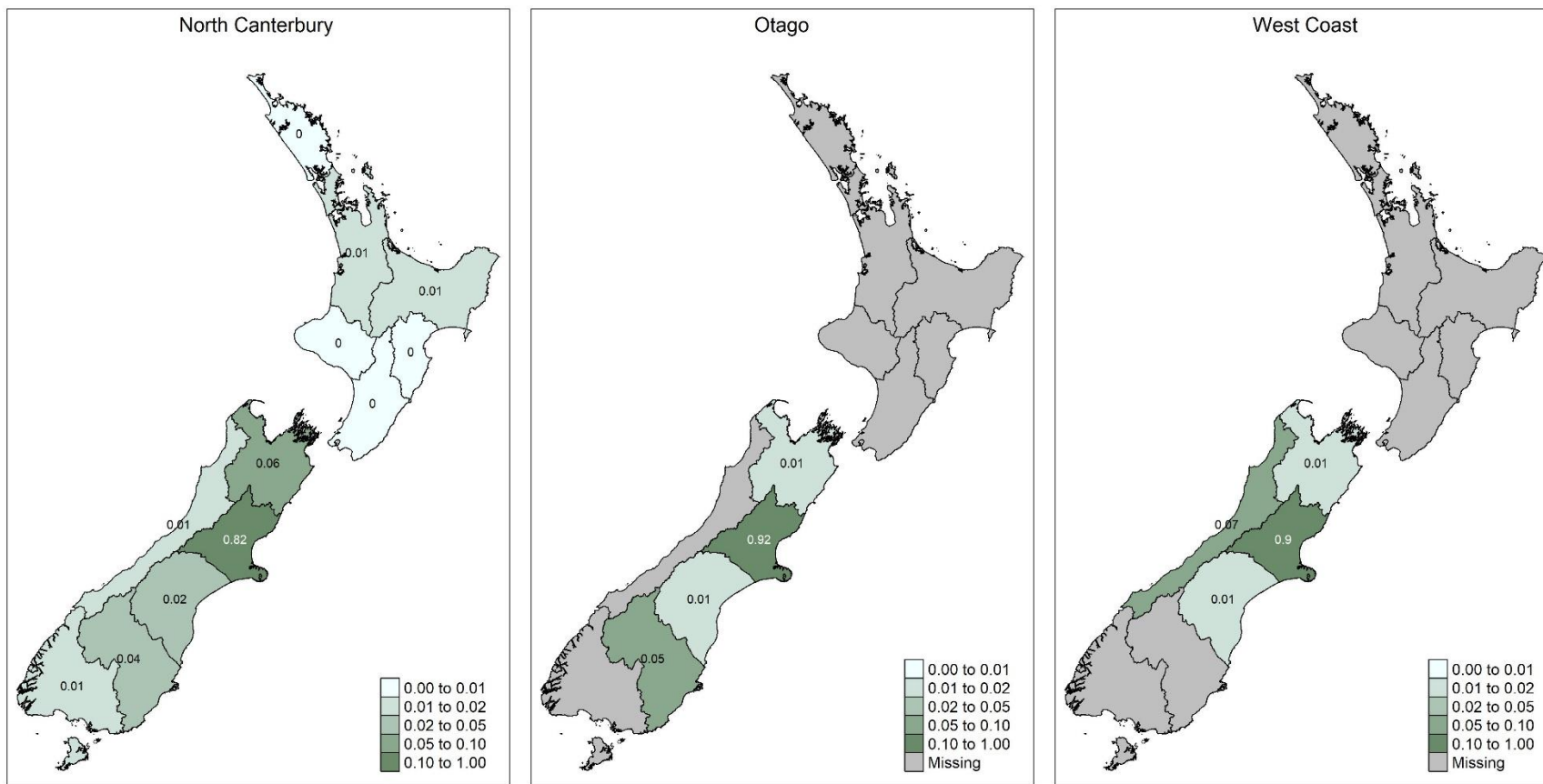


Figure 6. The proportion of licence holders who purchased a designated waters licence for a given region by their reported region of residence for designated waters licences sold by North Canterbury Fish & Game during the 2023/24 fishing season.

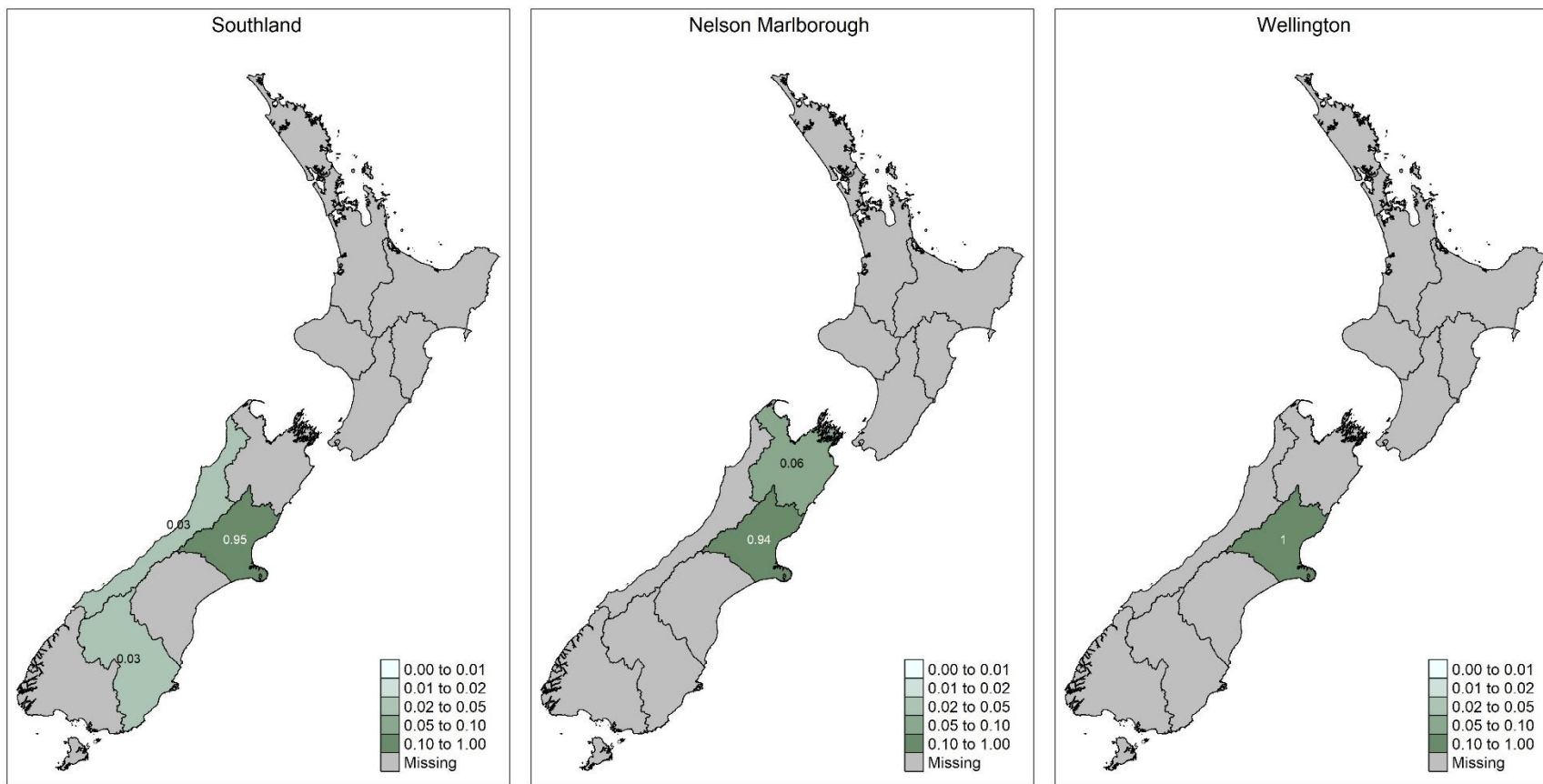


Figure 6 (continued). The proportion of licence holders who purchased a designated waters licence for a given region by their reported region of residence for designated waters licences sold by North Canterbury Fish & Game during the 2023/24 fishing season.

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15 November 2023

Corina Jordan
Chief Executive
New Zealand Fish and Game Council
WELLINGTON

By email: cjordan@fishandgame.org.nz; JHutchings@fishandgame.org.nz

Dear Corina,

FISH AND GAME'S GOOD EMPLOYER OBLIGATIONS

1. I refer to Jane Hutchings' email of 28 September 2023 asking for my legal advice on the obligation to act in accordance with the principle of being a "good employer" and what that obligation means for Councils, and individual Council and Committee members.
2. In summary, my advice is that:
 - a. The "good employer" principle means that Councils must operate an employment policy that provides for the fair and proper treatment of employees in all aspects of their employment. This requires Councils to have employment policies in place to address issues such as recruitment, development, diversity, remuneration, and health and safety.
 - b. The Councils also have general employment obligations under health and safety and human rights legislation to ensure safe working conditions for their staff. In addition, Council and Committee members owe individual obligations under health and safety legislation, including to ensure that their conduct does not adversely affect the health and safety of others in the workplace.
 - c. In order to meet these obligations, I recommend that the New Zealand Council and regional Fish and Game Councils:
 - i. Ensure that they have in place up-to-date employment policies and procedures to address the matters identified in paragraphs 3, 6 and 10 of this advice.

- ii. Adopt a Code of Conduct for Council and Committee members setting out clear expectations for their behaviour, along with a policy and process for dealing with alleged breaches of the Code. This could be based on the Local Government New Zealand template. It would be preferable to have a single Code applying across all Councils, using a template adopted by the New Zealand Council as national policy.
- iii. Pending the adoption of a Code, Councils should issue an instruction to Council and Committee members setting out expectations with respect to their behaviour.

Good Employer and Health and Safety Obligations

“Good employer” obligations

3. The New Zealand Council and regional Fish and Game Councils must comply with the principle of being a “good employer” set out in the Public Sector Act 2020.¹ A “good employer” is expected to operate an employment policy that provides for the fair and proper treatment of employees in all aspects of their employment.² This includes the following matters:³
 - a. The impartial selection of suitably qualified people for appointment;
 - b. Good and safe working conditions;
 - c. An equal opportunities programme;
 - d. Recognition of the aims, aspirations, and employment requirements of Māori and the need for greater involvement of Māori in the public service;
 - e. Opportunities to enhance individual employees’ abilities;
 - f. Recognition of the aims and aspirations, employment requirements, and cultural differences of ethnic and minority groups;
 - g. Recognition of the employment requirements of women;
 - h. Recognition of the employment requirements of people with disabilities;
 - i. Recognition of the importance of achieving pay equity between female and male employees; and
 - j. Recognition of the importance of decisions about remuneration being free from bias (including gender bias).

¹ Conservation Act 1987, sections 26G and 26T.

² Public Service Act 2020, sections 73, 74 and 75.

³ Public Service Act 2020, section 73(3).

4. Councils are required to have employment policies in place to address these issues.⁴ These employment policies would apply to the Council as the legal employer and to all Council employees, including the CEO/Regional Manager.
5. As Council and Committee members are not Council employees they would not be bound by Council employment policies. To address this, it is recommended that all Councils should adopt a Code of Conduct setting expectations of behaviour on the part of Council and Committee members, along with a policy and process to deal with alleged breaches.

Obligations under the Health and Safety at Work Act 2015

6. The “good employer” obligation to provide “good and safe working conditions” reinforces the Councils’ general obligations under the Health and Safety at Work Act 2015.⁵ Councils have a legal duty under that Act to take reasonably practicable steps to eliminate or minimise health and safety risks at work.⁶ The range of potential workplace health and safety risks is broad and includes bullying, harassment, and mistreatment of employees.⁷
7. Council and Committee members also owe individual legal duties under the Health and Safety at Work Act 2015:
 - a. As officers of the Council, Council members must exercise due diligence to ensure that the Council is meeting its duty to eliminate health and safety risks.⁸
 - b. As persons at a workplace, Council and Committee members must take reasonable care for their own safety, take reasonable care that their acts or omissions do not adversely affect the health and safety of others, and comply with any reasonable instruction given by the Council to enable the Council to meet its health and safety obligations.⁹
8. These duties apply to Council and Committee members even though their roles are unpaid and they are exercising statutory functions under the Conservation Act 1987.¹⁰
9. The potential penalties for breaches of the Health and Safety at Work Act vary.¹¹

⁴ Public Service Act 2020, section 73.

⁵ Health and Safety at Work Act 2015,

⁶ Health and Safety at Work Act 2015, s 36.

⁷ “Health” is defined to mean both physical and mental health: Health and Safety at Work Act 2015, s 16. For WorkSafe guidance on bullying as a health and safety risk see: <https://www.worksafe.govt.nz/topic-and-industry/bullying/>

⁸ Health and Safety at Work Act 2015, s 44. Section 44(3) of the Health and Safety at Work Act exempts members of regional councils and territorial authorities from compliance with the due diligence obligations. There is no case law on whether a member of a Fish and Game Council could establish that that exemption should also apply to them. Given the narrow framing of s 44(3), it would be prudent for Fish and Game Council Members to proceed on the basis that they are subject to the due diligence obligations.

⁹ Health and Safety at Work Act 2015, s 46.

¹⁰ Health and Safety at Work Act 2015, ss 17(2) and 51.

¹¹ While s 26ZB of the Conservation Act 1987 provides that no member of a Council shall be personally liable for any default made by the Council or one of its members in good faith during the course of operations, it is unclear whether this provision would protect a Councillor from liability as an officer under the Health and Safety at Work Act 2015. The relevant obligations under that Act are owed individually, rather than by the Council. In any event, to establish that s 26ZB should apply, a Councillor would need to show that his or her

Breaches by a Council can attract fines of between \$500,000 to \$3 million depending on their seriousness.¹² The most serious breaches by individuals attract fines of up to \$300,000 or up to five years' imprisonment.¹³ For lesser breaches, the maximum fines range from \$50,000 to \$100,000.¹⁴ It is not possible to insure against these fines, and a Council cannot indemnify individual Council or Committee members against them.¹⁵ Failure to ensure a safe working environment also presents a separate legal risk of an employee bringing a personal grievance against the Council.

Obligations under the Human Rights Act 1993

10. The “good employer” obligations with respect to diversity and “good and safe working conditions” also reinforce Councils’ general obligations under the Human Rights Act 1993. That Act prohibits employers from discriminating on the grounds of age, gender, religion, race, ethnic background, sexual orientation, family or marital status, or disability.¹⁶ It also requires Councils to take steps to protect their staff from sexual or racial harassment.¹⁷ Failure to take appropriate steps may result in a complaint by an employee against the Council and payment of compensation.¹⁸

Political and organisational considerations

11. In addition to the above legal risks, bullying, discrimination, or mistreatment of employees could result in a Council member being removed from office on the grounds of “misconduct”.¹⁹ It is also likely to undermine both the Minister’s and licence holders’ confidence in Councils and Council members. Poor treatment of employees additionally presents an organisational risk due to the well-established costs of recruiting and replacing an existing employee.²⁰

conduct was in good faith, which would be difficult in circumstances where the alleged breach was based on bullying or mistreatment of employees.

¹² Health and Safety at Work Act 2015, ss 47 to 49.

¹³ Health and Safety at Work Act 2015, ss 47 and 48. Note that under s 51 of the Health and Safety at Work Act 2015 an unpaid Council member cannot be fined for a breach of their duties as an officer, but can be fined for a breach of their duties as a person at a workplace.

¹⁴ Health and Safety at Work Act 2015, s 49. Breaches of the duties of an officer carry a maximum potential penalty of \$100,000 whereas breaches of the duty on a person in a workplace result in a maximum potential fine of \$50,000. Note that under s 51 of the Health and Safety at Work Act 2015 an unpaid Council member cannot be fined for a breach of their duties as an officer, but can be fined for a breach of their duties as a person at a workplace.

¹⁵ Health and Safety at Work Act 2015, s 29.

¹⁶ Human Rights Act 1993, s 22.

¹⁷ Human Rights Act 1993, s 68.

¹⁸ Either in the form of a personal grievance or as a complaint to the Human Rights Commission under the Human Rights Act 1993.

¹⁹ Conservation Act 1987, s 26ZA(2).

²⁰ See, for example, The Work Institute, *The Cost of Replacing an Employee*, which refers to estimated costs of employee turnover ranging from 33 to 200% of the departing employee’s salary: <https://workinstitute.com/breaking-down-the-direct-costs-of-employee-turnover/>.

Recommendations

12. The best way to ensure that Councils, and Council and Committee members, comply with their “good employer” and associated obligations is for all Councils to:
 - a. Ensure that they have up-to-date employment policies in place that address the matters set out in paragraphs 3, 6 and 10 of this advice.
 - b. Adopt a Code of Conduct for Council and Committee members. The Code of Conduct should set out: clear expectations of behaviour on the part of Council and Committee members; and a policy and process for dealing with alleged breaches. It would be preferable for this Code to be identical across all Fish and Game Councils.²¹ Local Government New Zealand has produced a helpful Code of Conduct which could be used as a template.²²
13. Until a Code of Conduct can be implemented, Councils should consider issuing an instruction to Council and Committee members setting out expectations with respect to their behaviour. I envisage that those expectations would largely replicate the principles set out in the Local Government New Zealand template.²³
14. I hope that this advice is helpful. Please get in touch if you have any queries or you would like to discuss any aspect of this advice further.

Yours sincerely,



Elana Geddis
Barrister



Alison Gordon
Barrister

²¹ In the form of a template adopted by the New Zealand Council as national policy under s 26C(1)(a) Conservation Act 1987.

²² Local Government New Zealand, Code of Conduct 2022, available at <https://www.lgnz.co.nz/assets/Induction/Code-Of-Conduct-.pdf>.

²³ Including, for example, the expectation that councillors treat one another, Council staff, and members of the public with respect, and that they do not bully, harass, or unlawfully discriminate against any person including Council employees.

2023-24 Annual Budget & Meeting Schedule

Key:

	Public Holiday
	NZ Council Meeting
	Regional Managers/CEs Meeting
	GBHT Board Meeting
	Governors Forum (Regional Chairs & NZC)

Year: 2023			
Month	Date	Meeting/Activity	Location
September	Friday 1 Sep	Fish & Game New Financial Year	
	Friday 22 Sep Saturday 23 Sep	GBHT Board Meeting <i>(Including Saturday field trip)</i>	Hawke's Bay
October	Sunday 1 Oct	Sports Fishing Opening	
	Monday 23 Oct	Labour Day	
November	Wednesday 1 Nov	High Country Sports Fishing Opening	Otago & Southland
	Thursday 2 Nov	Regional Managers/CEs Meeting <i>(Feed into 24 & 25 Nov NZC Meeting)</i>	Online
	Saturday 4 Nov	High Country Sport Fishing Opening	Nth Canterbury & CSI
	Friday 24 Nov Saturday 25 Nov	NZ Council Meeting (Held over 2 days) <i>(Set 2024/25 Strategic Priorities)</i>	Wellington
December	Thursday 14 Dec	Regional Managers/CEs Meeting (TBC)	Online
	Friday 22 Dec	All Variance Reports & Reserves Schedules Submitted to CFO	
	Monday 25 Dec	Christmas Day	
	Tuesday 26 Dec	Boxing Day	
	Friday 29 Dec	All Regional Council 2023 Meetings to be complete/held	
Year: 2024			
January	Monday 1 Jan	New Year's Day	
	Tuesday 2 Jan	New Year's Day Observed	
	Friday 26 Jan	Summary of Variance Reports & Reserves Updates <i>(Returned to Managers with queries)</i>	
	Wednesday 31 Jan	Licence Working Party Licence Sales Forecast <i>(Forecast week before 29th report)</i>	
	Wednesday 31 Jan	Regulation Details Due for Game Notice <i>(From all Regional Councils)</i>	
February	Friday 2 Feb	World Wetland Day/Release of 2024 Habitat Stamp	
		Variance Reports Final Circulation to Managers	
		Draft Game Notice Submission to DOC for comment	
	Tuesday 6 Feb	Waitangi Day	
	Thursday 8 Feb	Regional Managers/CEs Meeting	Online
	Friday 9 Feb	Game Regulation Guide Content Due to NZC Office	
	Monday 19 Feb	Game Notice & Submission to MOC & Gazette Office	
	Friday 16 & Sunday 18 Feb	NZ Council Meeting (Held over 2 days) <i>(Includes Licence Forecast)</i>	Wellington
Saturday 17 Feb	Governors Forum - Regional Chairs & NZC <i>(Planning & Governance)</i>	Wellington	
Friday 23 Feb/ following week	Publish Game Notice in NZ Gazette		

Year: 2024			
Month	Date	Meeting/Activity	Location
March	Thursday 14 Mar	Game Bird Hunting Licences on Sale (<i>2nd Thursday</i>)	
	Monday 18 Mar	Game Magazine Released	
	Wednesday 20 Mar	Draft Budgets & Contestable Fund Applications Due	
	Thursday 28 Mar	Staff Development Grant Applications Close	
	Friday 29 Mar	Good Friday	
April	Monday 1 Apr	Easter Monday	
	Sunday 7 Apr	Mark-up/Pegging Day (<i>4 weekends before opening</i>)	
	Friday 12 Apr	Budgets, Budget Summaries & Contestable Fund Applications Circulated	
	Thursday 18 Apr	Regional Managers/CEs Meeting	Wellington
	Friday 19 Apr	NZ Council & Regional Managers/CEs Joint Meeting (am)	Wellington
	Saturday 20 Apr	NZ Council Meeting	Wellington
	Thursday 25 Apr	Anzac Day	
May	Saturday 4 May	Game Bird Season Opening	
	Thursday 23 May	Regional Managers/CEs Meeting (<i>Feed into 18 & 19 June NZC Meeting</i>)	Online
	Friday 31 May	Regional responses to Licence Fee proposals, Anglers Notice & SFLFFN backcountry/sea run salmon Due to NZC Office	
June	Monday 3 June	King's Birthday	
	Tuesday 18 June Wednesday 19 June	NZ Council Meeting (Held over 2 half days) (<i>Consider Licence Fee, Anglers Notice & SFLFFN</i>)	Online
	Thursday 20 June	Licence fee, Anglers Notice & SFLFFN submission to MOC	
	Thursday 27 June	GBHT Grant Applications Due	
	Friday 28 June	Matariki	
July	Tuesday 9 July	GBHT Grant Applications Distributed to Board	
	Wednesday 17 July	GBHT Board Meeting (11am)	Online
	Thursday 18 July	Anglers Notice Published in NZ Gazette	
August	Thursday 1 Aug	Regional Managers/CEs Meeting	Online
	Monday 12 Aug	Fish & Game Election Nominations Open	
	Thursday 8 Aug	Sports Fishing Licences on Sale (<i>2nd Thursday in August</i>)	
	Thursday 29 Aug	Fish & Game Election Nominations Close	
	Friday 23 Aug Saturday 24 Aug	NZ Council Meeting (Held over 2 days)	Wellington
	Monday 26 Aug	Fishing Magazine Released	
	Saturday 31 Aug	Fish & Game End of Financial Year	
September	Wednesday 11 Sep	Election Roll Closes	
	Friday 6 Sep Saturday 7 Sep	GBHT Board Meeting (Held over 2 days)	TBC
	Thursday 19 Sep	Fish & Game Election Voting Papers Out	
October	Tuesday 1 Oct	Sports Fishing Opening	
	Tuesday 15 Oct	Election Postal Dates Close	
	Wednesday 30 Oct	Elected Members Take Office	
	Monday 28 Oct	Labour Day	

Year: 2024			
Month	Date	Meeting/Activity	Location
November	Friday 1 Nov	High Country Sports Fishing Opening	Otago & Southland
	Saturday 2 Nov	High Country Sport Fishing Opening	Nth Canterbury & CSI
	Thursday 7 Nov	Regional Managers/CEs Meeting <i>(Feed into 13 & 14 Dec NZC Meeting)</i>	Online
	Wednesday 20 Nov	New Regional Councils Last Day to hold Inaugural Meeting <i>(3 weeks after taking office)</i>	
December	Friday 13 & Saturday 14 Dec	NZ Council Meeting (Held over 2 days) <i>(2025/26 Strategy)</i>	Wellington
	Friday 20 Dec	All Variance & Reserves Schedules to CFO	
	Tuesday 31 Dec	All Regional Council 2024 Meetings to be complete/held	