



**SOUTHLAND REGION**

**AGENDA  
FOR THE COUNCIL MEETING TO BE HELD  
THURSDAY 25 SEPTEMBER 2025  
COMMENCING AT 6.00PM  
17 EYE STREET  
INVERCARGILL**

## **NOTICE OF MEETING:**

The next meeting of the Southland Fish & Game Council will be held on  
**Thursday 25th September 2025** at the Fish & Game Office Boardroom,  
17 Eye Street, Invercargill  
Commencing at **6.00pm**

### **AGENDA:**

1	Welcome
2	Apologies
3a	Confirmation of Minutes. <ul style="list-style-type: none"><li>• Confirm Minutes of the SFGC Public meeting held 31 July 2025.</li></ul>
3b	Conflict of Interest register
4	Public Excluded <ul style="list-style-type: none"><li>• Staff H&amp;S incident letter to Council</li><li>• H&amp;S incident report</li></ul>
5	Notices of Motion. <ul style="list-style-type: none"><li>• Receive and approve Health &amp; Safety Report</li></ul>
6	General business <ul style="list-style-type: none"><li>• Update on manager position.</li><li>• Discussion on powers of the executive.</li><li>• Discussion on potential theft of signage leading into the season and approach to be taken.</li><li>• Discussion on the NC proposal.</li><li>• Discussion on vehicle signage and email.</li><li>• ES awards night.</li><li>• Discussion on allowance in budget to use F&amp;G funds for Council members to take kids, MPs, VIPs, patron or the Minister hunting/fishing.</li><li>• Update on Chris Dillon access.</li></ul>
7	Staff Report
8	Correspondence for information <ul style="list-style-type: none"><li>• Health &amp; Safety at Southland Fish &amp; Game – Brief summary report to Council</li><li>• New policy on issuing of Special Licences and special licence template</li><li>• Staff concerns about Family Licence Changes</li></ul> <p><i>Inwards correspondence</i> Annual timeline for F&amp;G processes Compliance and Enforcement Policy Processes flowchart Process for Anglers and Game Notice Prosecutions Policy Summary NZC meeting Joint CEO announcement Budget MOU between Southland F&amp;G, DOC, Te Rūnaka o Ōraka-Aparima</p> <p><i>Outwards correspondence</i> Five hand-delivered letters to landowners adjoining the river in Cattle Flat and Waikaia areas advising them of signage updates in the area.</p>

9	Financial Reports
9	NZ Council update
10	Items for the next agenda
11	Close meeting

**Unconfirmed Minutes of the Fish and Game NZ, Southland Region council meeting held at the Southland Fish and Game Offices, 17 Eye Street, Invercargill on 31<sup>st</sup> July 2025, commencing at 6.00pm.**

**Present:**

Dave MacGregor	Mike Turner (Departed 8pm)
Lyndon Norman via zoom	Mike Hartstonge
Craig Horrell	Dave Harris

**In Attendance**

Zane Moss (Manager), Cohen Stewart. Ben Febery, Jacob Smyth, Dwight Grieve and Steve McCartney (minutes).

Members of the public: Lindsay Withington

**1 Welcome:**

The Chairman opened the meeting at 6.08pm and welcomed those in attendance.

**2 Apologies:**

Cyril Gilroy, Bruce Diprose

**Resolved D Harris/M Hartstonge that apologies be accepted. Carried.**

**3 Declarations of Interest:**

The individual member declaration of conflicts of interest with any item on the agenda had been circulated to members before the start of the meeting.  
Any conflicts were noted by the Chairman.

**4 Confirmation of Minutes.**

The minutes of the public meeting held 29<sup>th</sup> May 2025 were considered.

**Resolved M Turner/D Harris that meeting be moved to Public Excluded pursuant to the provisions of the local Government Official Information and Meetings Act 1987, Section 7, 2, (a) (ii) where it would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. Carried.**

**Resolved M Hartstonge/M Turner to move the meeting from public excluded. Carried.**

**5 Notices of Motion**

**Health & Safety Report.**

The Council Health & Safety report for the period was attached to the agenda for consideration. All known hazards were listed in the Southland Health & Safety Plan.

Cohen advised that he is reviewing our H & S plan and policy and as a benchmarking exercise he approached NZC's H & S specialist for a copy of their plan but was advised that they did not have one that we could use. Cohen subsequently obtained one from CSI, with the caveat from Steve McKnight that their policy has not received a full review. However, NZC is supposedly conducting a review with the view to producing a nationwide policy document.

Main matters to cover were that the policy is fit for purpose and hazard identification was up to date. Our policy has been updated to include councillor volunteer obligations (pg 1, 38,39) Councillor Harris asked that the obligation applicable to all to act in the event of seeing someone acting unsafely. Also to be added is the hazard re psycho/social harm.

**Resolved D Harris/C Horrell: That the Health and Safety Report and amendments be received and accepted. Carried.**

### **Gamebirds on crop**

Currently there are two separate permits, one for disturbance and dispersal and a second permit for control. Now to be combined. After 2 weeks (expiry of permit), staff to contact applicant for feedback re methods employed, numbers of birds killed and assessment of success.

**Resolved D MacGregor/M Turner to accept framework for management of birds on crop. Carried.**

### **Summer Mallard Season.**

Cohen led a discussion on this matter in response to Council's request for a framework for a summer season option should we need it.

Weather and water conditions through the brood rearing period (October) is a key driving factor. Essentially the soil moisture levels (upper quartile) would likely be a suitable measure in respect of anticipated population numbers.

**Resolved D Harris/D MacGregor that staff recommendations as appearing on page 20 be accepted. Carried.**

### **Complimentary Group Fishing Licences**

Legislation allows for the provision of free special licences. Councils can apply these special licences where they align with R3 objectives.

There was universal agreement that the Council continue to supply these free to non-profit community groups and organisations, such as schools, scouts, churches, youth groups etc.

Robust discussion was held regarding eligibility for complimentary group fishing licences where there is a commercial element involved.

There is a longer-term view that these events participants may take up the sport, and become future licence holders. To deny these commercial ventures completely, would be to turn our backs on the recruitment efforts and influence of the private sector.

**Resolved M Hartstonge/M Turner to ask staff to create a formalised policy for Council to consider. Carried. D Harris abstained.**

### **Wellbeing Fund**

Cr Harris advised that The Southland Fly Fishing Club celebrated its 50<sup>th</sup> anniversary this year and a suggestion was made to establish a Angling for wellbeing fund with SFGC and to donate \$5000 to that fund to be held as a Restricted reserve. This would align with our R3 and wellbeing work.

**Resolved D Harris/D Macgregor to establish a Restricted reserve to receive these monies. Carried.**

### **Staff Report**

Zane drew the Council's attention to a paper Cohen has produced – Recreational Trout Fishing and Mental Health and Wellbeing in Aotearoa. Reviewer's comment was that this paper sets a benchmark for that type of research.

Council acknowledged this work and congratulated Cohen on his effects in producing this high calibre paper.

**Resolved D Macgregor/D Harris that the council accept the Staff report as presented. Carried**

### **Correspondence**

- Councillor Health, safety & Wellbeing responsibilities
- Governor's code of Conduct (as requested)
- Southland Fish Game crop protection guide FINAL
- Game bird disturbance and control permit FINAL
- Ardlussa Bridge Access signage
- Manager's indication of intention to retire
- Governance code of conduct
- Procedure for identifying and raising wellbeing and mental health concerns
- Letter to Wyndham Anglers Club

Ardlussa bridge – LINZ has leased land to Chris Dillon who had been grazing without a lease. Vehicle access to the river is now limited to part way down the access road.

### **Financial reports**

Invoice \$211.50 received from Route 6 Café (via Dave MacGregor) for catering for Duck shooting weekend. Invoice forwarded to Richie Cosgrove at NZC for payment.

**Resolved D Harris/D MacGregor to accept financial reports as presented. Carried.**

### **NZC update.**

Councillor's MacGregor, Hartstonge and Harris attended the last meeting.

D Harris advised discussions held on fishing regulations for next season. Budgets approved. Email update sent to councillors by NZC Chair.

**Sports Fish and Game Management Plan**

Council asked Zane to contact the Minister to apply for an extension

**Resolved D MacGregor/D Harris for the Manager to apply to the Minister for an extension to the renewal date. Carried**

Jacob asked on behalf of staff for better communication from Council in respect of what is happening with Zane’s position and matters around the review that may influence their decision. The chair advised that the council would inform staff as quickly as possible.

**Motion to Exclude the Public**

Recommendation:

1. That the Southland Fish and Game Council:

(a) pursuant to the provisions of the Local Government Official Information and Meetings Act 1987 exclude the public from the following part of the proceedings of this meeting, namely:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
To consider the Council's options for the replacement of the manager	s.7 (2) (a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a)(ii) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

(b) That Council staff not be required for this discussion

**Resolved D MacGregor/D Harris to move meeting to public excluded. Carried.**

**Public excluded session:**

**Manager’s resignation and proposed recruitment:**

**Present:** Dave Macgregor, Michael Hartstonge, Dave Harris and Craig Horrell.

**Apologies:** Lyndon Norman, Bruce Diprose, Mike Turner (Mike provided comments to Michael for him to speak to before he left).

**Acceptance of manager’s resignation:**

The group acknowledged the manager’s resignation which was received on 26 June 2025. While the Council are disappointed to lose someone of Zane’s experience the Council accepted the resignation and wish him all the best with his future endeavours.

Action: Dave to write formally to Zane acknowledging his resignation.

Noted a leaving function is to be arranged after discussions with staff in terms of the best way to do this in a way that is fitting.

**Replacement options and recruitment proposal:**

While some informal discussions have occurred it was noted that this was the first opportunity for the Council to formally discuss possible options and that all options should be discussed.

There was some discussions around temporary measures including the option of engaging a temporary manager (until such time that we have a better idea of what the proposed legislation intends) or employing someone on a fixed term so that once the reforms have been completed Council may look to either extend the term, make the position permanent, or readvertise based on the final shape of the organisation post the reforms.

Ultimately the discussion came to the conclusion that it would be better to engage a manager on a permanent basis and that we will not wait to see the outcome of the reforms. Cr Macgregor and Cr Hartstonge spoke of their recent meeting with the Minister. This gave them confidence that we could look to recruit and advertise for a permanent position rather than wait for the changes.

What was discussed with the Minister was that it was highly likely that going forward the NZC would be requested to standardise the manager's job descriptions. With this in mind and in the interests of wanting to get a fit for purpose job description in place, it was agreed that we would seek the assistance of the NZC to help draft the job description as they have the ability to pull together the various job descriptions that exist around the regions and the resource to assist with this.

In terms of the position title the idea of chief executive versus manager was discussed. It was agreed that it was not appropriate to name the position chief executive and instead it would remain at manager. This was based around the fact that the NZC have a CE already and it did not seem fitting to duplicate this title when our operation was relatively small in terms of staff numbers, budgets and overall responsibility.

The process of recruitment was discussed and the following was agreed upon:

1. The manager position will be a permanent position.
2. Recruitment working group to be established consisting of Cr Macgregor, Cr Hartstonge, Cr Norman and Cr Horrell.
3. Sheffields will be engaged to assist with the appointment process subject to final proposal by them being accepted by the working group.
4. Job description and subsequent remuneration range to be drafted by NZC and the working group based on standardisation of existing JDs around the country to help future proof it.
5. Once JD is drafted comment to be sought from existing manager and Sheffields with potential for changes at this point at the discretion of the working group.
6. Final draft job description, remuneration range and final recruitment process proposal by Sheffields to be taken to the full Council for them to vote on.
7. Position advertised.
8. Interviews of shortlisted candidates to be by full Council.
9. Selection of successful candidate to be by full Council.

The above process was put as a motion to accept by Cr Hartstonge, seconded by Cr Macgregor. All voted in favour. No one against.

A motion to take the above motion and discussion points out of committee was then put by Cr Hartstonge, seconded by Cr Macgregor. All voted in favour. No one against.

**Interim steps:**

The Council is mindful of the impact of having no manager for a period and so discussion was had on steps that could be taken to assist the staff through this period.

The following ideas were discussed:

1. Utilising accounting firm Leech and Partners to assist with accountancy support. This firm currently assists North Canterbury and provides guidance and support to the NZC.
2. Utilising the likes of the current manager or others on a short-term contract to work on specific projects or functions. This would be subject to approval by the full Council.
3. NZC have offered to provide administrative support where necessary.
4. The Chairman to meet with staff to discuss concerns and areas where we may need support until such time as a manager is appointed.

The above ideas were put as a motion to investigate by Cr Harris, seconded by Cr Horrell. All voted in favour. No one against.

A motion to take the above motion and discussion points out of committee was then put by Cr Harris, seconded by Cr Horrell. All voted in favour. No one against.

A motion to take the meeting out of public excluded was the made by Cr Hartstonge, seconded by Cr Macgregor. All voted in favour. No one against.

The full meeting was then closed at 9:20pm by the Chairman.

Next meeting scheduled to be held on 25<sup>th</sup> September 2025.

Chairman \_\_\_\_\_ Date \_\_\_\_\_

## **Health and Safety Report – August-September 2025**

### Work requiring health and safety planning – tailgate forms completed

- MLC fish pass
- Black swan nest search
- Chainsaw use
- Grounds maintenance
- Installing angler access signs
- Brightwater Spring bridge construction (new tailgate form)

### H&S audits

The yearly review of our H&S plan has been completed.

### Next audit areas:

The Southland Fish & Game region has been selected as one of the South Island regions to participate in an internal review of H&S systems. Staff welcome this opportunity, as it will allow our systems to be independently assessed, highlighting areas for improvement. We look forward to working with NZC staff and any external H&S advisors to ensure our systems remain fit for purpose. The review will also provide the Council with additional assurance that our H&S practices are aligned with best practice.

### Incidents/accidents/near misses/new hazards

#### *Incident – Psychosocial Harm*

Two staff members attended a meeting with the Council where the meeting became tense and adversarial towards staff. This placed significant stress on staff, particularly in the absence of a manager, and resulted in some staff requiring stress leave the following day.

In response, the process for identifying and managing psychosocial hazards was followed. This included identifying the source and cause of the issue, assessing the impact on personnel, and implementing measures to minimise or eliminate the risk. Steps taken included:

- The manager offering direct support to staff.
- Leave entitlements being made available.
- Staff being reminded of EAP service availability.
- Staff given the option of excluding themselves from Council meetings while a manager is not present.
- Before his departure, the manager engaged an external mediator to assist staff and Council in finding a constructive pathway forward in the absence of a manager.

## Hazards

Fatigue (particularly when driving) has been added to the Hazard Register. A new section on managing fatigue has also been included in the H&S appendices. Staff have discussed this hazard and agreed on processes to help minimise or eliminate the associated risks.

### Workplace accident register as of 30 August 2024:

No injuries to report

Number of workplace injuries in 2025-2026 year	0
Number of workplace injuries in 2024-2025 year	1
Number of workplace injuries in 2023-2024 year	1
Number of workplace injuries in 2022-2023 year	0
Number of workplace injuries in 2021-2022 year	1

### Training in progress/completed

None required

### General discussions/actions

In the absence of a manager, staff continue to take a proactive approach to H&S matters. Each Monday morning, staff hold a brief meeting to discuss the weekly work plan, with H&S matters addressed as required.

New smoke flares have been purchased for the Stabi and McLay vessels. These smoke flares will replace expired rocket flares.

Fire extinguishers have been serviced in the TA office, vehicles, boats and workshop.

TA staff now have cell phones with satellite text capability which will improve their communication ability and safety while on the F&G vessels, particularly in Fiordland.

A new tailgate form for black swan nest searches has been developed

### Staff recommendation

That this report be received.

## **Southland Fish & Game Staff report – August-September 2025**

### **1100 Species Management Projects**

#### **1121 Gamebird hunter telephone surveys**

All data from our gamebird harvests surveys has been entered into the national harvest database and provided to North Canterbury F&G staff to contribute to the South Island Hunter Harvest Report.

#### **1173 Cultural harvest**

Staff have undertaken nest searches for black swan to better understand nesting locations and timing, using a drone at Awarua Bay, Waituna Lagoon, and the Waituna Mahinga Kai Pa. To date, no nests have been located on public land. Recent observations suggest that black swans favour freshwater environments for nesting rather than marine areas, with almost no birds recorded using Awarua Bay in late July.

Additional insights on nesting sites have been received from hunters relating to private land. Staff have also communicated with Invercargill Airport regarding access for egg harvest as part of population management in the airport area.

### **1200 Habitat Protection/ Management**

#### **1211 RMA – Proposed Southland Water and Land Plan (pSWLP)**

Fish & Game appeals on Rules 24 and 78 of the pSWLP remain before the Courts (Rule 24 – Environment Court; and Rule 78 – High Court).

#### **Rule 24 – Incidental discharges from farming**

Fish & Game’s Environment Court appeal on Rule 24 sought to strengthen it by requiring stricter conditions before farming discharges of nitrogen, phosphorus, sediment and microbial contaminants could be permitted without a resource consent.

The Resource Management (Consenting and Other System Changes) Amendment Bill, which proposed a new section 70(3) (see Clause 15), was passed on 21 August 2025.

Under s 70(3) Councils may include rules permitting discharges that would otherwise breach section 70(1)(g) of the RMA — including those with significant adverse effects on aquatic life — if:

- Significant adverse effects are already occurring in the receiving water; and
- The plan includes standards that will help reduce those effects within 10 years (the timeframe for plan review).

These changes apply to all notified plans, including those under appeal or before the Courts—such as the proposed Southland Water and Land Plan (pSWLP).

Following the passing of s 70(3), Environment Court appeals on Rule 24, including Fish & Game's appeal, are tentatively set to resume with a 3-day hearing in mid-October 2025. “Will say” statements for

Environment Southland witnesses (planning and freshwater ecology) were filed on 10 September 2025 – these provide:

- Changes in water clarity and rendering of freshwater as unsuitable for consumption by farm animals are occurring in parts of Southland.
- Significant adverse effects on aquatic life are widespread throughout Southland (as shown in Schedule X of the pSWLP).
- Farming activities are a major source of nitrogen (N), phosphorus (P), sediment (S), and microbial contaminants (MC).
- Controls under Rules 20 (farming), 20A (intensive winter grazing), 20B (pasture-based winter cattle), 25 (cultivation), 35A (feed pads / lots), 35B (sacrifice paddocks), 70 (stock exclusion from water bodies), and Appendix N (Farm Environment Management Plans) of the pSWLP will reduce these effects within 10 years.

Simply put, the question is whether the controls in the pSWLP are strong enough to reduce these freshwater ecosystem degradation effects, by how much, and within 10 years as required by s 70(3)? Environment Southland commissioned modelling indicates large contaminant load reductions are required throughout much of Southland to achieve desired freshwater and estuary outcomes. <sup>1</sup>

#### Rule 78 – Weed and sediment removal for drainage maintenance

A further meeting between parties, including Environment Southland was held in early September 2025. Progress is being made between parties on an agreed rule.

#### **1212 RMA - Consents evaluation**

<b>Discharge</b>	<b>Instream works</b>	<b>Land Use</b>	<b>Gravel / Rock</b>
	Environment Southland (Catchment Management Division) - resource consent application to undertake berm maintenance and the extraction of gravel, sediment and vegetation to ensure the capacity of the Waihopai River is maintained to its original design capacity.	Waikaia Gold Ltd – publicly notified resource consent application to undertake alluvial gold mining adjacent to tributary of Waikaia Stream, including multiple proposed bed relocations to facilitate mining activities.	Environment Southland (Catchment Management Division) - resource consent application to undertake extraction of gravel to increase the capacity of the lower Oreti River.

<sup>1</sup> Environment Southland Catchment Summaries – September 2024.  
<https://www.es.govt.nz/environment/water/catchment-science>

	Milford Sound Tourism Limited - resource consent application relating to the operation of the Knobs Flat hydro power scheme in the Eglinton Valley, Fiordland National Park.		Mataura Island Dairies Ltd – resource consent application to extract gravel and vegetated overburden from three sites within the bed of the lower Mataura River.
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### 1232 Pond/wetland identification and advice

The Game Bird Habitat Trust has approved a grant for the construction of two large wetlands, 5ha and 2ha respectively) near Brydone. These will be constructed during the 25/26 summer and become outstanding wetland habitats.

#### Wetland Plants

Staff have met with representatives from Invercargill Prison and signed the attached MOU. Fish and Game will supply soil, seeds and planter bags each year, while the prison horticulture staff will oversee inmates propagating them from seed, and growing them until they are sufficiently robust to not need too much post-planting involvement.

These plants will be supplied free to the landowners who we work with for wetland development, and the Brightwater Spring QEII.

This relationship will benefit all parties involved. Fish and Game will gain access to cheap plants at scale which will improve our wetland work, the prison will have another line of work through which the inmates will develop new skills, and landowners will gain free plants so the only costs they'll incur is the planting and ongoing management for ~12months until they are established and independent.

Note: In the past, Southland Fish and Game has paid a local teen to propagate *carex secta* which we have used to plant along our dams for erosion protection and provide edge-water cover and shading. This new MOU with the prison will significantly increase our planting and habitat work, for less financial outlay.

### 1241 Waiau River hydro power effects (periphyton, WWP)

It was a near record dry July with only 27mm recorded at Manapouri Airport for the month. Weekly meetings were held with Meridian staff to discuss best management of Upper Waiau flows for the longer-term security of rainbow trout redds.

A calculated flow reduction was made on August 8 which still just covered the most at-risk redds. Subsequently, a change in weather patterns from repeated high-pressure systems to more westerly rain-bearing systems has seen lake storage rebound and flows in the river able to be increased.

### 1242 MLC Fish Pass

Continuing rain events have seen the Mararoa River rise with significant turbidity necessitating the temporary closure of the fish pass.

# 1300 Participation

## 1311 Maintain, protect and enhance access

Staff have ordered new Matura and Waikaia Beat Signs. These will be erected in the days leading up to the new season.

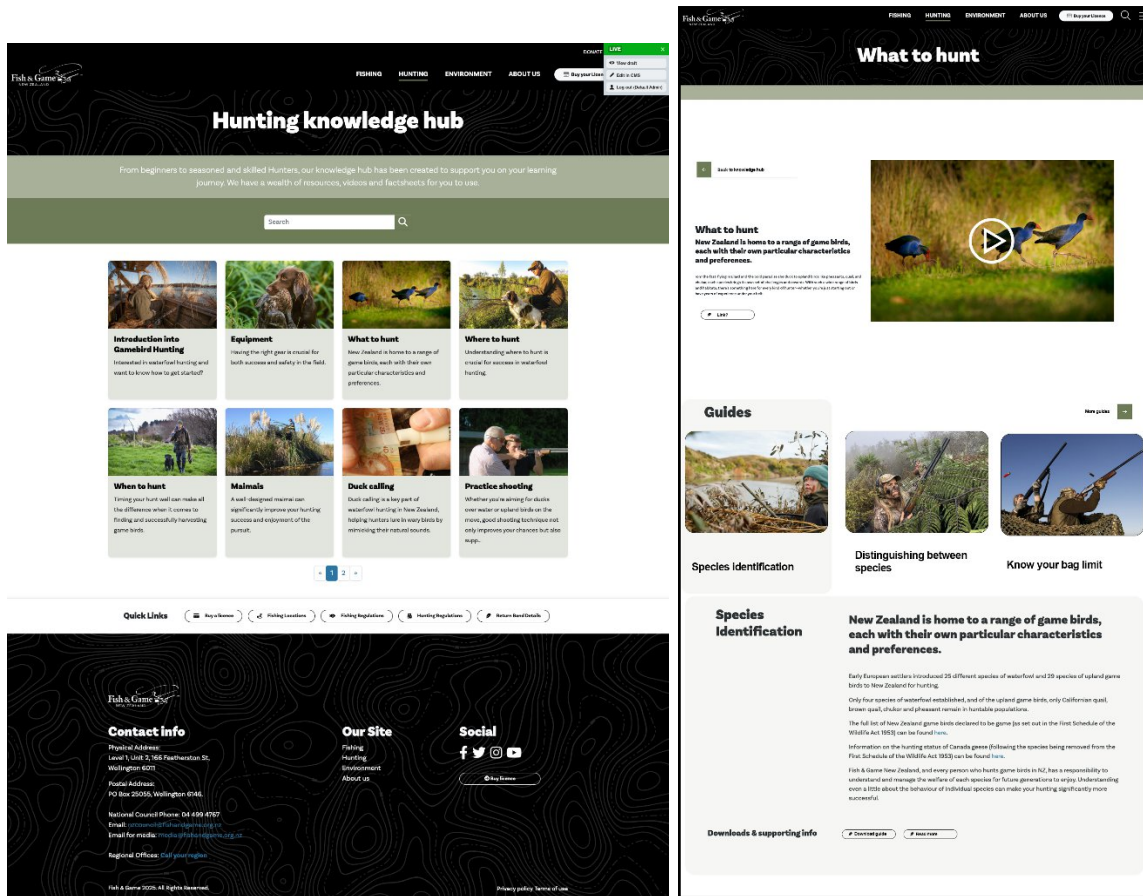
Staff have also liaised with DoC and Gore District Council staff regarding access to the lower Matura River between Matura and Gore and intend to erect new access signage before the start of the season.

Staff met with a farmer near Etal Creek (on the Aparima River) and angler access was reinstalled.

Damaged signs have been replaced on the Oreti River at Mount Nicholas Bridge and Castlerock.

## 1334 R3 Promote fish/hunt magazine, internet & print

Southland staff have assisted NZC staff by producing the first draft of educational hunting resources for inclusion in a new website segment – (Hunting Knowledge Hub). These resources are designed to provide beginner hunters, or those interested in taking up game bird hunting, with the basic knowledge needed to participate. The written material will be supported by accompanying video content. A mock-up of the new material is provided below.



## ***1400 Communication***

### **1423 Communication with farmers**

Staff have met with several farmers to discuss angler access and signage options in areas where signs had been removed. Letters were also hand-delivered advising of the intention to erect access signage where legal public access exists. The response has generally been positive, with good access results achieved, including access arrangements over private land.

### **1424 Communication with local authorities**

Invercargill Airport staff have contacted both DOC and our office concerning an increase in black swan numbers (and other bird species) and the associated risk to aviation safety. This is the first time the Invercargill airport has contacted Fish & Game. Airport staff are seeking advice to improve the efficacy and legitimacy of their monitoring and control activities. Staff are actively working with and cooperating with airport staff.

Staff have been liaising with Environment Southland around the upcoming Community Awards Night.

### **1426 Communication with anglers and hunters**

Staff are starting to receive increasing numbers of queries regarding the upcoming fishing season and have replied to various email, Facebook, phone and office queries.

### **1433 Trout fishing and wellbeing**

Staff have been working with NZC on planning communications around the recently published mental health and wellbeing study. An extensive communications plan has been developed, covering print, social, and television media. Communications around this study is planned for Mental Health Awareness Week.

### **1441 Fishing competitions**

Preparation for Fish and Game's involvement with the annual Labour Weekend Stabicraft Te Anau – Manapouri Classic, and the Take a Kid Fishing competitions has begun. Following email prompts to previous entrants, the organisers have received approximately 600 'early bird' entries. This is close to 50% more than last year.

## ***1500 Compliance and enforcement***

### **1531 Informations / Prosecutions**

All remaining Fish & Game prosecutions in the Invercargill District Court under the Conservation and Wildlife Acts have been resolved through completed diversion.

## ***1800 Planning and reporting***

### **1831 OWP Preparation**

Preparation of the material for the annual report is ongoing.

## ***1900 Administration***

### **1913 Maintenance and Office Admin Te Anau**

The upgrades (new woodburner, drapes, and bedroom stopping & painting) to the Te Anau Wildlife Park house have been completed. Age-related maintenance to the Te Anau Office building (60+ years old) has been ongoing.

Roadside vegetation is being reestablished following the removal of large trees earlier this year. This includes hedge planting over approx 80m which will form a visual and sound buffer.

### **1916 Staff training and health & safety**

#### Staff training

Cohen attended an otolith preparation and fish ageing workshop in Christchurch with other Fish & Game regional staff. Delivered by NIWA and funded through the NZC staff scholarship fund, the course provided valuable training in improved otolith preparation techniques. Regional staff are now better equipped to accurately age fish and peer-review colleagues' assessments, enhancing consistency and reliability. In addition, work will progress on the development of a national otolith database.

#### New staff appointment

With Bill Jarvie set to retire from his role in Te Anau, the Senior Field Officer position was recently advertised and has now been filled by Joshua Tabak.

Many on Council will know Josh from his time as CCD advocate and as a summer field officer in the Te Anau Basin (2018–2021). He holds a Master of Science in Ecology and is an experienced boat skipper, having grown up fishing and skippering boats on Auckland's West Coast from a young age. Josh also brings strong practical skills, compliance experience, and leadership capability from time spent managing landscaping crews, making him a strong fit for the role. Josh is due to start in early November.

## **Health & Safety at Southland Fish & Game – Brief summary report to Council**

### Background

At the request of Council, staff have prepared this overview of Southland Fish & Game's Health & Safety (H&S) approach. The report summarises our key policies, plans, registers, and processes, and demonstrates how we manage risks across our activities.

### Health & Safety Policy

- Sets clear expectations for the Manager, staff, Councillors, and visitors.
- Signed jointly by the Manager and Chair.
- Reviewed and re-signed at least every three years, or sooner if legislation or circumstances change.
- Displayed prominently at both the Invercargill and Te Anau offices.
- Forms the foundation of our organisation's H&S culture and compliance.

### Health & Safety Plan and Appendices

Southland Fish & Game maintains a comprehensive H&S plan with supporting appendices. The plan:

- Aligns with the Health and Safety at Work Act 2015 (HSWA).
- Provides annual timetables for audits, inspections, and reporting.
- Details worker participation, training, PPE requirements, hazard identification, incident reporting, and emergency procedures.
- Covers specific risks relevant to our activities, including fieldwork, working alone, boating, vehicle use, ranging, office security, and volunteer involvement.

The appendices provide practical tools and procedures, including:

- Accident and notifiable event reporting template.
- Fieldwork and boating procedures.
- Contractor and volunteer agreements.
- Fatigue management, zoonotic hazards, and processes for managing employee wellbeing.
- Fire evacuation and emergency plans.

These documents are available to staff and volunteers and ensures they have access to clear guidance for day-to-day operations when required.

## Hazard Register

Southland Fish & Game maintains a comprehensive hazard register covering offices, hatchery, wetlands, and office grounds.

A hazardous substances register, and corresponding Material Safety Data Sheets (MSDS) are kept up to date in designated staff H&S folder.

Hazard register and list of hazardous substances is a requirement for organisations.

New hazards identified during fieldwork are added to the master register, ensuring continual improvement.

## Core Processes

To help the Council understand some of the ways we regularly use elements outlined in our H&S Plan, please see a couple of examples below:

### 1. Field and Boating Intentions

To help keep track of the whereabouts of staff when conducting fieldwork, staff complete a field intentions form prior to leaving. These forms record key details e.g., tasks, team members, vehicles/boats, destination, return time, SAR time and designated emergency contact.

For field intentions, and in the Invercargill office, copies of intentions forms are provided to the office administrator. In the Te Anau office, field intentions are shared amongst field staff. When both Te Anau based staff are involved in fieldwork, Invercargill office staff become emergency contacts.

Our boating intentions reporting process is a little different. Boating intentions forms are filled out and three copies are made. One copy remains with the vehicles at the boat ramp, one copy remains at the office, and the final copy is shared to both the primary and secondary shore contact. See example that was recently filled out.

If staff do not return or make contact by the agreed time on their field or boating intentions form, escalation procedures are in place and include contacting Police with detailed information for search and rescue.

### 2. Tailgate Forms

These forms are designed to be used in the field before undertaking fieldwork.

Within our H&S folder, we have tailgate form folder. Each task has a generic tailgate form that has expected hazards pre-populated and space within the form so new hazards can be added as they are observed on the day the field work is conducted. The forms also include strategies to eliminate or minimise the hazards.

Completed forms are filed and recurring hazards are incorporated into the master tailgate form.

### 3. Incident and Event Reporting

Incident and event reporting is an important H&S obligation. All incidents, near misses, and notifiable events are recorded and investigated. We must keep an incident register – this is provided in the Council H&S report each meeting.

Learnings from investigations are shared with staff and, where relevant changes made to H&S processes.

#### Summary

Southland Fish & Game takes a proactive and structured approach to Health & Safety, consistent with the requirements of the Health and Safety at Work Act 2015. Our policy, comprehensive plan, hazard registers, and operational processes provide a robust framework for keeping staff, volunteers, Councillors, and visitors safe.

Through field intentions reporting, tailgate forms, boating safety processes, and continual hazard management, we ensure that risks are identified, managed, and monitored.

Council can be assured that Health & Safety is a priority within our organisation, and that our systems are both comprehensive and practical. That said, the Southland Fish & Game region has been selected as one of the South Island F&G regions to participate in an internal review of H&S systems. Staff welcome this opportunity, as it will allow our systems to be independently assessed, highlighting both strengths and areas for improvement. We look forward to working with NZC staff and any external H&S advisors to ensure our systems remain fit for purpose. The review will also provide the Council with additional assurance that our H&S practices are aligned with best practice.



# Southland Fish & Game Council

## Special Fishing Licence

### Licence Details

Event / Occasion:

Date:

Location / Fishery:

Group / Organisation:

No. of Participants (approx.):

Supervisor / Facilitator(s):

### Conditions

- Issued by Southland Fish & Game Council under powers given by the Freshwater Fisheries Regulations 1983, Amendment No. 9, Regulation 4A Special Licences.
- Issued in alignment with the Southland Fish and Game Council policy on Special Licences.
- This licence is valid only for the group activity listed above. Individuals fishing outside this activity must hold their own licence.
- All participants must adhere to the Southland Sports Fishing Regulations. See [here](#).
- To protect our waterways from aquatic pests, everyone must follow [Check, Clean, Dry procedures](#).
- Southland Fish and Game Council can revoke this licence if conditions are not met.

### Declaration

By fishing under this licence, the licensee(s) agree to the conditions outlined above.

Issuer: S. McCartney [Administration Manager, Southland Fish & Game Council]

Signed:

Date:

*Statutory managers of freshwater sports fish, game birds and their habitat*

**Southland Region**

Postal: PO Box 159, Invercargill 9840, New Zealand. Telephone: (03) 215 9117. Email: [southland@fishandgame.org.nz](mailto:southland@fishandgame.org.nz)

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# Boating Log and Intentions Form

A duplicate copy of this form must be left with the Office or a suitable contact person

Vessel: \_\_\_\_\_ Date: \_\_\_\_\_ Master: \_\_\_\_\_ Crew: \_\_\_\_\_

Waterbody & locations \_\_\_\_\_

Departure time: \_\_\_\_\_ Return time: \_\_\_\_\_ No later than: \_\_\_\_\_ (or Police contacted)

Shore based contact person: \_\_\_\_\_ Phone: \_\_\_\_\_

Alternative person: \_\_\_\_\_ Phone: \_\_\_\_\_

## Pre trip checks:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Sufficient fuel                 | <input type="checkbox"/> Induction/Crew briefing | <input type="checkbox"/> Maintenance Checks     |
| <input type="checkbox"/> Alternative means of propulsion | <input type="checkbox"/> Bung(s)                 | - Visual check motor and prop                   |
| <input type="checkbox"/> Lifejackets for everyone        | <input type="checkbox"/> Flares                  | - Test EPIRB/SPOT unit                          |
| <input type="checkbox"/> Check weather                   | <input type="checkbox"/> Anchor and warp         | - Battery power                                 |
| <input type="checkbox"/> Cellphone/VHF/GPS               | <input type="checkbox"/> Fire extinguisher       | - Steering function                             |
|  |  | - Hull/Transom check for cracks                 |
|  |  | <input type="checkbox"/> Other safety equipment |

## Specific hazards for this trip

Hazard	Mitigation

Intentions form duplicate left at office or with Contact person?

## Trip Completion and Signout:

Total Boat Hours: \_\_\_\_\_

Accidents or new hazards identified:
Boat maintenance undertaken or required:
Training/Drills Undertaken:

Signed: \_\_\_\_\_

Tailgate Form: Yard work – including chainsaw use

Date: 8/19/15

Time: 1300

Location: Te Anan Office Yard area.

Team Leader: D Arrive

Staff Present: B Jarvis

Description of activity: Clear trees along driveway to office.

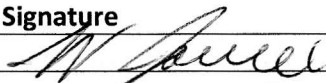
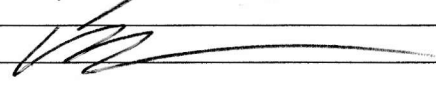
Hazard	Injury or Illness	Significant	Eliminate	Isolate	Minimise	Proposed Control
Remote locations	Ability to access help if required.	Y			Y	Carry cell phone and personal locator beacon to request assistance if needed. At least one guaranteed method of emergency communication required.
Uneven terrain	Falls, sprains and broken bones	Y			Y	Personnel will wear suitable footwear to minimise risk of falls, breaks and sprains.
Inclement weather	Hypothermia	Y			Y	Personnel will be prepared, taking sufficient and suitable clothing.
Insect stings	Mild discomfort to severe anaphylaxis	Y			Y	Personnel will be careful of insects especially in areas where there are hives/nests. If you are highly allergic to stings carry an Epi-pen with you (this is the individual's responsibility).
Machinery (chainsaws, scrub bars)	Cuts, limb damage, hearing damage, eye damage, respiratory problems, death	Y			Y	Personnel will be appropriately trained (official chainsaw training) in the safe use of chainsaws. All safety equipment will be used – chaps, steel capped boots, hard hat, visor and/or safety glasses, gloves, earmuffs/plugs. Chainsaw to have pre – work check before use every day used or when operator changed. If chainsaw is producing too much smoke, cease work and get the saw serviced.

					<p>Chainsaws and scrub bars will be professionally serviced regularly. First Aid Kit with appropriate major trauma items carried and readily available for use.</p> <p>Minimum 2 people at site with only 1 person operating a chainsaw at any given time with second person in a position to render assistance if required. Both people holders of current First Aid Certificate.</p> <p>Before starting site inspected and any trees/branches of particular danger and/or outside of chainsaw operators ability and/or size of chainsaw available identified. Special consideration to identify where trees/branches will fall once cut. Appropriate action taken in regard to these – avoid/different route/higher trained/experienced operator/larger saw etc. Any trees/branches of potential difficulties to have second person acting as “spotter” during cutting. Active identification and discussion on particular characteristics of trees/branches being cut before starting – ie Crack Willow snaps unexpectedly/fast during cutting. Care in identification of possible sources of electricity that could be cut or hit by falling trees/branches. Regular breaks to be taken due to physical nature of the work with consideration of dehydration – plenty of fluids to be readily available to drink.</p>	
Petrol and oil	Burns, skin irritation, respiratory problems	Y			Y	Petrol and oil will be stored in approved containers only. Petrol/oil will be kept away from sources of ignition (no smoking near fuel sources). Personnel will use gloves when transferring fuel from containers to chainsaws/scrub bars.
Hand tools – hand saws – cutters – pruning tools	Cuts, limb damage, eye damage	Y			Y	Care in use – not use tools for unintended purposes – be aware of sharp edges – use gloves and glasses when appropriate

**Other hazards identified on the day**

Hazard	Injury or Illness	Significant	Eliminate	Isolate	Minimise	Proposed Control
People entering area of work	Injury	N			Y	Vehicle parked blocking driveway – one person acting as spotter watching area of work to intercept anybody if required

**Signed and read as understood**

Name	Signature
W JARME	
D Currie	

# Southland Fish and Game Council

## Policy on Special Licences

Date: September 2025

## 1. Background Information

---

Trial experiences are a proven entry point into recreational fishing. For many people, their first encounter with the sport comes through group-based, community, or introductory events. These experiences are a key part of Fish & Game's **Recruitment, Retention, and Reactivation (R3)** objectives, as outlined in the Outdoor Recreation Adoption Model.

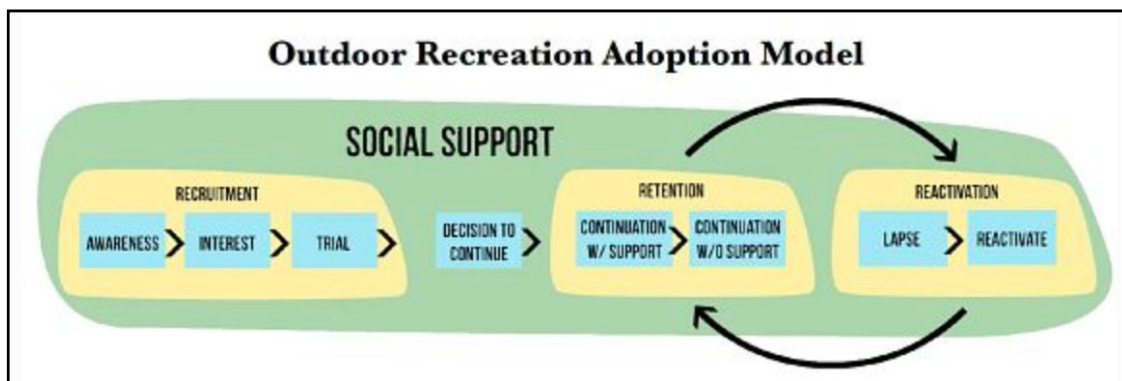


Figure 1: Outdoor Recreation Adoption Model

Special Licences play an important role in:

- Supporting youth and new anglers to try fishing without initial barriers.
- Building goodwill and advocacy for Fish & Game through positive first impressions.
- Encouraging participants to transition into becoming regular, paying licence holders.

Requests for Special Licences are received from a variety of groups, including schools, youth organisations, volunteer-led programmes, women's angling initiatives, and more recently, commercial ventures offering introductory fishing experiences.

Historically, these requests have been managed on an ad hoc basis which has caused some inconsistencies. This policy provides clear guidance on when and how Special Licences may be granted, ensuring fairness, alignment with R3 objectives, and accountability.

## 2. Policy

---

### Manager Discretion

The Manager has authority to approve complimentary special licences **on a case-by-case basis**.

Each request will be considered on its individual merits, with decisions guided by the principles of recruitment value, fairness, and alignment with Fish & Game objectives.

#### a. Children and Youth

- Special Licences are **primarily for the benefit of children and youth**.
- Schools, youth services, Scouts, Churches or similar community organisations will be strongly supported.
- These opportunities are seen as an investment in the future of recreational fishing.

#### b. Adults

- Special Licences for adults are **not intended as a substitute for standard licence purchases** and are only to be provided for **group fishing**.
- Adults may receive Special Licences for **introductory or one-off experiences** (e.g. community taster sessions, Fishing for Farmers, migrant fishing).
- For **recurring events**, Special Licences may cover each attendees **first two sessions** only, after which participants are expected to purchase an individual licence.

#### c. Commercial Ventures

- Special Licences will only be issued to commercial events where **all of the following conditions are met**:
  - o The event provides an **introductory fishing experience** including education about fishing, fisheries management, and the licence system.
  - o The activity is delivered in a **group format**.
  - o Fishing is a **minor component** of the overall programme.
  - o A participant list (including names of all adults) is supplied to Southland Fish & Game.
- These licences are **not for 'guiding' or 'fishing trips'**, but for educational events that directly support R3 objectives.

### Conditions and Expectations

- Special Licences must comply with **all Sports Fishing Regulations**.
- They will **not** be issued for **Designated Waters Fisheries**.

- Southland Fish & Game Council reserves the right to **revoke** licences where objectives are not met, expectations are not satisfied, or regulations are breached.
- Information collected on adult participants will only be used to **evaluate R3 outcomes**, including whether participants later purchase licences.

### **Staff Responsibilities**

- Staff will **maintain a register** of all Special Licences issued.
- Staff will seek **post-event feedback** where possible to evaluate recruitment value.
- Records will support future Council reviews and policy refinement.

## **3. Review**

---

This policy will be piloted during the **2025/26 and 2026/27 fishing seasons** and reviewed after two full seasons to measure effectiveness and alignment with national direction.



# Southland Fish & Game Council

## Special Fishing Licence

### Licence Details

Event / Occasion:

Date:

Location / Fishery:

Group / Organisation:

No. of Participants (approx.):

Supervisor / Facilitator(s):

### Conditions

- Issued by Southland Fish & Game Council under powers given by the Freshwater Fisheries Regulations 1983, Amendment No. 9, Regulation 4A Special Licences.
- Issued in alignment with the Southland Fish and Game Council policy on Special Licences.
- This licence is valid only for the group activity listed above. Individuals fishing outside this activity must hold their own licence.
- All participants must adhere to the Southland Sports Fishing Regulations. See [here](#).
- To protect our waterways from aquatic pests, everyone must follow [Check, Clean, Dry procedures](#).
- Southland Fish and Game Council can revoke this licence if conditions are not met.

### Declaration

By fishing under this licence, the licensee(s) agree to the conditions outlined above.

Issuer: S. McCartney [Administration Manager, Southland Fish & Game Council]

Signed:

Date:

*Statutory managers of freshwater sports fish, game birds and their habitat*

**Southland Region**

Postal: PO Box 159, Invercargill 9840, New Zealand. Telephone: (03) 215 9117. Email: [southland@fishandgame.org.nz](mailto:southland@fishandgame.org.nz)

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## **Staff Concerns Following Changes to the Family Fishing Licence**

### **Background Information**

The New Zealand Family Fishing Licence is unique in the world and has historically served as a key recruitment and participation tool for Fish & Game. It allows two adults and up to four children or grandchildren to fish under one licence, making fishing more accessible and affordable for households. The licence was never inherently discriminatory — in fact, many “secondary licence holders” have been male.

The Family licence was established on the sound evidence that most anglers are introduced to fishing through a family member, not fishing independently.

Recent media coverage of the licence changes has not accurately reflected the initial purpose or creation of the family licence category. The commentary has mischaracterised the Family Licence as outdated or exclusionary, without acknowledging its success in supporting recruitment and inclusion.

### **Secondary Licence Holders**

The change allowing secondary licence holders to fish independently was researched, widely consulted, modelled, and has ultimately been well received by the public. It removes the need for a rigid “primary/secondary” structure, giving both adults equal standing. This represents a genuine step forward and supports the licence’s purpose of encouraging broader participation.

### **Requirement for Children**

The eligibility criteria for the Family Licence is set out in the Sports Fish Forms and Fees Notice.

Sports Fish Licences, Fees, and Forms Notice 2024 Clause 18 (3) states

*A family whole-season licence must also specify the full names of 1 or more of the following family members of the holder:*

*(a) the holder’s partner:*

*(b) up to 4 children or juniors who are—*

*(i) dependants of the holder, or of the holder’s partner, who ordinarily or periodically reside with them; or*

*(ii) grandchildren of the holder or the holder’s partner.*

## Sports Fish Licences, Fees, and Forms Notice 2025 Clause 18 (4)

*A family whole-season licence must also specify the full names of at least 1 and up to 4 eligible family members.*

The removal of 'a holder's partner' and the singular requirement to name eligible family members on the Family Licence has not only caused short-term confusion but has been problematic by narrowing the definition of a "family."

The change now excludes a wide range of households that previously benefitted from the Family Licence, including:

- Couples without children, including younger couples who are yet to start a family.
- Same-sex couples without children.
- Couples who cannot, or choose not to, have children.
- Couples who may have lost their child/children.
- 'Empty nesters', through to older couples who may not have grandchildren.

Excluding these families undermines the purpose of the Family Licence as a participation tool. Licence holders from families listed above will now be forced to purchase an individual fishing licence, and many may choose not to because of the added cost and administrative burden for their relatively small amount of fishing activity.

In practice, it risks reducing participation (particularly by women) — the opposite of what the changes were intended to achieve. Narrowing the Family Licence to only those with children creates a policy that is less inclusive, more discriminatory, and economically restrictive for many households.

Fish & Game is yet to see and experience the full extent of the public backlash against this change. We expect it to peak in November/December as Family Licence sales are usually made in time for the summer holidays.

### **Problems recently identified**

#### Invercargill office

In the Fish & Game office, staff have already seen some problems with the new family licence structure. An older gentleman visited the Invercargill office to purchase his fishing licence. He had been a licence holder for ~50 years and in recent years has been purchasing a family licence so his wife can occasionally fish with him. As they do not have grandchildren, they are not eligible for a family licence. He left our office without buying a licence and we see he is yet to purchase one.

#### Licence Agents

Staff have also received feedback from licence agents. They have noted the following:

- Changes to the family licence are confusing and time-consuming to explain to customers (when purchasing a licence).
- When customers understand that they could list any child, some provide details of children that are not theirs. Agents are aware some anglers have named their pets.
- It's a barrier to the transaction occurring.
- Retail staff are also confused and being drawn into discussing a customers' family structure to recommend suitable licence category.
- Staff are put under more pressure than they were in the past, or than is necessary for what should be a simple transaction.
- Selling a licence takes longer, occupying more staff time and causing queues during busy periods.

Further, from an administrative perspective, Fish and Game has no means of accurately enforcing the legitimacy of those named children/grandchildren. Fish and Game does not have the means to identify or verify the names given which undermines the credibility of enforcing this licence condition.

### **The view of the Southland Fish and Game Council staff**

Southland staff are:

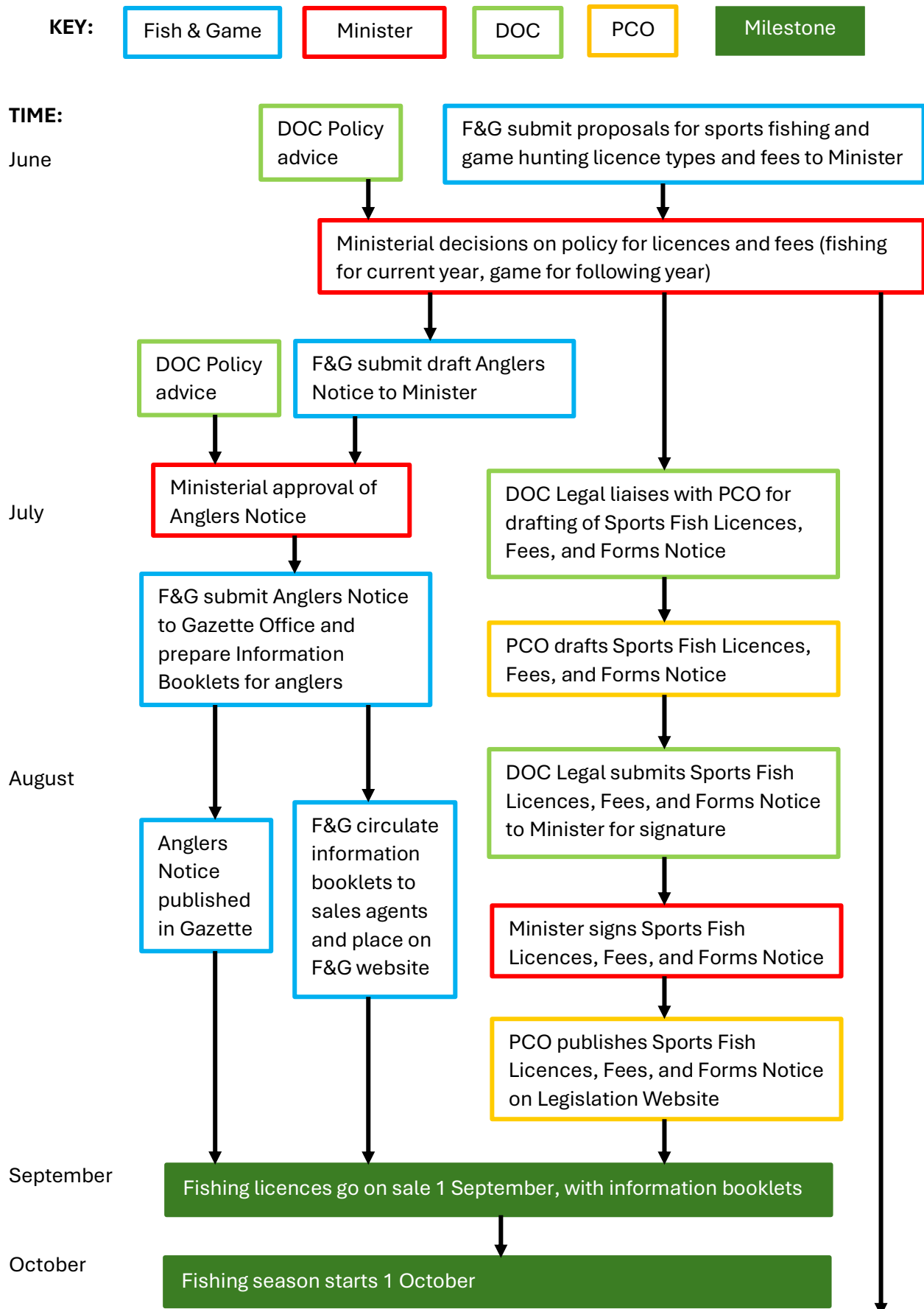
- Supportive of the change to allow the secondary licence holder to fish independently and the process this has gone through.
- Being asked to explain this change regarding eligibility without having been provided with an explanation as to the rationale of the change.
- Concerned with some of the unintended consequences of the change.

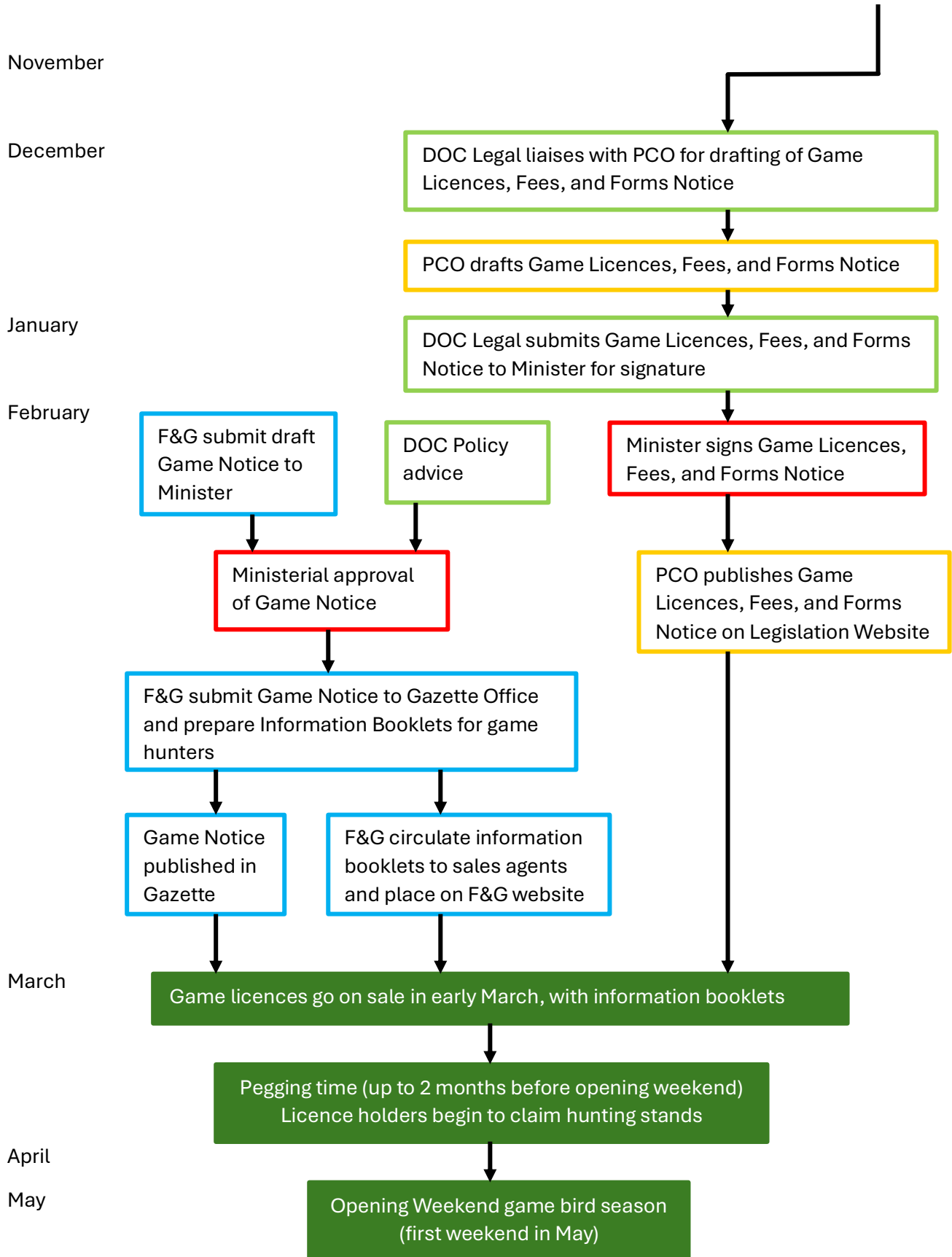
### **Potential course(s) of action**

The Southland Fish and Game Council could write to NZC and:

- Seek an explanation regarding rationale for the change.
- Outline concerns around the new requirement for a child to be listed on the family licence.
- Inform NZC of some of the problems occurring when licences are being purchased.
- Ask NZC to conduct a review of Family Licence sales in early 2026 with results informing the 2026 Sport Fish Licences, Fees, and Forms Notice.

## Annual Timeline for Fish and Game Processes







# **Infringement Notice Compliance and Enforcement Policy**

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## 1 Purpose

This policy is in accordance with the requirements of Section 26HA of the Conservation Act 1987, which relates to:

- The authorisation of specified Fish & Game rangers to issue infringement notices under Section 51W(2) of the Conservation Act 1987 and Section 70V of the Wildlife Act 1953;
- The procedure to be followed by authorised Fish & Game Ranger to issue infringement notices under Section 51W(2) of the Conservation Act 1987; and Section 70V of the Wildlife Act 1953; and
- The exercise of other powers of Fish & Game rangers used to enforce, or ensure compliance with, the Conservation Act 1987 and / or the Wildlife Act 1953, including any regulations made under those Acts.

In order for Fish & Game NZ regions to issue infringement notices this policy must be approved by the Minister of Conservation by notice in the Gazette. On approval of this policy by the Minister the Director of the New Zealand Fish & Game Council may authorise trained and approved Fish & Game rangers to issue infringement notices under the Conservation Act.

This policy includes:

- Training of specific Fish & Game rangers to issue infringement notices;
- Matters around exercise of other Conservation and Wildlife Act powers; and
- Training of Fish & Game rangers in regard to powers and procedures; and
- Annual reporting requirements.

The policy sets out the principles and guidelines which Fish & Game Regions will follow when assessing offences for resolution action and specifically around resolution of offences by issuing of infringement notices. The policy is to ensure that action taken by regions is:

- a. Consistent;
- b. Transparent;
- c. Fair; and
- d. Complies with best practice.

## 2 About this document

### 2.1 Amendments

Amendment date	Amendment details	Version	Amended by
27/02/2018	Draft -guidelines		AVD
Feb. 2019	Draft -I.N CLE policy		A van Dorp & J
Mar 2019	Format & edits	(2)	Smyth
05 August 2019	Following peer review	(3)	R Sowman
May 2024	Review and updates	(4)	A van Dorp

### 2.2 Terminology and definitions

#### **CDG** Compliance Decision Group

Made up of the Regional Manager, Region Compliance Coordinator, and National Compliance Coordinator, as required, and any other technical or legal expert as required. The NZ Council Director (CEO) has a role as an arbiter in cases where a decision is unable to be reached by the CDG. The purpose of a CDG is to ensure consistency across regions as to how more complex or serious offences are dealt with, including recidivist offending.

#### **I.N** Infringement Notice

Note: An infringement notice may only be issued by a Fish & Game employee (ranger) who is warranted specifically to do this - this is a separate warrant from those held by a Fish & Game officer or ranger.

#### **Director**

Means the Chief Executive of the New Zealand Fish and Game Council

#### **Fish & Game NZ**

The collective name given to the NZ Fish and Game Council and 12 regional Fish & Game Councils.

#### **Fish & Game Council**

Means a Fish & Game Council established under Section 26 P of the Conservation Act 1987.

### 3 Process

- 3.1 Offence detected.
- 3.2 Offence extremely minor or trivial – no action or a warning and education may be appropriate.
- 3.3 Offence suitable for formal processes and further action; Fish & Game offence notice issued in field. This is the notification to the offender of the alleged offence(s) committed and a receipt for any seized gear (as distinct and different from an 'Infringement notice').
- 3.4
- 3.5 Offence file documentation provided to Region Compliance Coordinator by Fish & Game ranger.
- 3.6 National database checked, offence and offender entered in database.
- 3.7 Compliance coordinator recommends appropriate course to follow to Regional Manager, options include: warning and education, I.N, or consider prosecution, with or without diversion.
- 3.8 Regional Manager authorises I.N in straightforward and minor matters, as determined by the CDG offence checklist (attachment 1).
- 3.9 -More complex matters go to a Compliance Decision Group (CDG) for decision/peer review to determine whether the matter should be dealt with by issuing an I.N or whether a prosecution is the appropriate action to take.

### 4 Infringement System Guidelines

#### 4.1 Infringement offences

- a. I.N's are intended as a means of dealing with offending which is not serious enough to warrant a full summary prosecution which may result in a criminal conviction.
- b. I.N's sit between warnings / education and prosecutions, so are considered to be an intermediate resolution in the enforcement toolkit.
- c. The use of I.N's and set infringement fees allows Fish & Game Regions (F&G) to quickly and simply resolve minor breaches of the law, while the seriousness of breaching the law is still conveyed to the offender, ensuring future compliance in many cases.
- d. The Conservation Act 1987 following amendment by the Conservation (Infringement System) Act 2018 provides for an infringement system to apply to the primary Acts the Department of Conservation (DOC) administers; and to the regulations, bylaws, and notices made under those Acts. This includes the Conservation Act 1987, the Wildlife Act 1953, Freshwater Fisheries Regulations 1983, Wildlife Regulations 1955, and the associated Angler and Hunting Gazette notices relevant to Fish and Game Councils.

## 4.2 Background on infringement offences

### 4.2.1 What is an infringement offence?

- a. Infringement offences are offences in respect of which an I.N can be issued.
- b. Infringement offences are listed within the Conservation Act 1987 and The Wildlife Act 1953.
- c. When an offence is detected, an I.N is a potential response to the offence. No action may be taken, a warning may be issued, an I.N may be issued, or the offence may be proceeded with summarily through the Court where court prosecution is warranted, either where the offence is of a type where an I.N does not apply as an option or where an I.N could apply to the offence type but in the circumstances an I.N is not the most appropriate outcome.
- d. I.N's are not to be issued to anyone under the age of 18 years old. (from 1 July 2019 the youth justice age – definition of Young Person- changed so that persons aged under 18 years old will be dealt with in Youth Court as Youth Offenders pursuant to the Oranga Tamariki Act 1989).
- e. Youth Offenders (those aged under 18 years as of 1 July 2019) are to be warned unless due to the seriousness of the offence and the nature and number of previous offences a warning is clearly inappropriate (Section 209 of the Oranga Tamariki Act 1989). Where a warning is clearly inappropriate, advice is to be taken as to appropriate resolution action.

### 4.2.2 Infringement fees

- a. Infringement fees for particular offences are set at prescribed levels pursuant to regulations made under the Conservation and Wildlife Acts.
- b. The fees cannot be altered or changed from that set for each offence by Regulation.
- c. If a defendant wishes to dispute the fee payable, a hearing must be held at a Court, and any money payable becomes a normal Court fine. A defendant who disputes the standard infringement fee payable is also likely to incur Court costs in addition to any fine imposed by the Court.
- d. Any financial penalty imposed by the Court (for example if the infringement offence is proceeded with summarily or an I.N is disputed) is called a fine rather than a fee.
- e. Infringement fees resulting from notices issued by warranted employees of Fish and Game Councils that have enforcement functions under the Conservation Act 1987 and Wildlife Act 1953 are payable into the Crown consolidated fund bank account.

#### 4.3 Compliance/enforcement consistency

- a. The response to the level of offending must always be reasonable, transparent and proportionate and Fish & Game regions must act consistently and generally treat like cases alike.
- b. Where action more serious than warning/education is deemed necessary in regard to an alleged infringement offence, the issuing of an I.N is the first level of response and is to be the action taken unless there is reason not to..
- c. Reasons not to issue an I.N, but to consider filing charge(s) and pursue court prosecution include considerations as required by the Solicitor Generals Prosecution Guidelines including :
  - Seriousness of the offence;
  - That the offending involved actual or threatened violence against a Fish & Game ranger acting in the course of his or her duty;
  - The extent of any loss, harm or damage resulting from the offence;
  - Premeditation on the part of the offender and, if so, the level of premeditation involved;
  - The number, seriousness, date, relevance and nature of any previous relevant offending, including matters for which the offender is being sentenced or otherwise dealt with; and
  - Where it is necessary in the circumstances to seek a court order for forfeiture of the gear used in the commission of the offence; and
  - Commercial motivation for offending.
- d. If a matter proceeds to court prosecution that in itself does not prevent the possibility of offering the offender diversion in appropriate cases. Refer to the National Prosecution policy – diversion.
- e. Prosecution even with the option of diversion is not to be used in preference to issuing an I.N unless the intervention of the court is necessary **and** it is deemed that the I.N penalty in the circumstances is too low, and / or an order of forfeiture of seized gear is required.
- f. For non-infringement offences, the response and possible outcomes will be education / warning, or prosecution (with diversion consideration as appropriate).
- g. While every effort will be made to treat like cases alike, there will be situations where different responses may be appropriate. There will be occasions where the circumstances of a situation warrant no action being taken (e.g. the incident is reasonable or excusable in the circumstances and doesn't warrant compliance action). Decisions should be based on sound policy, and defensible judgments, and be in accordance with the Solicitor General's Prosecution Guidelines and the Fish & Game NZ National Prosecution policy. All matters considered for

prosecution (including issuing an infringement notice) must meet the Solicitor-Generals Prosecution Guidelines test for both evidential sufficiency **and** public interest in a prosecution.

#### 4.4 Deciding the level of compliance/enforcement response

Fish & Game New Zealand has a range of options available to resolve situations where offences have been committed.

##### 4.4.1 Advocacy, Education and Warnings

###### a. Advocacy & Education

- This type of response is appropriate for incidents of very minor non-compliance. The purpose of this response is to advise the alleged offender that non-compliance has been detected and promote the need for compliance to be observed in future and inform them of legal requirements. Resources such as leaflets or brochures may play a significant role in ensuring future compliance.
- Education is a valid and useful tool for use in minor matters where non-compliance was unintentional and / or trivial and educating the offender will achieve a desired outcome without the need for other compliance action. Education may extend to advising of the rules relating to the activity, providing alleged offenders with some understanding of the potential effects resulting from their actions.

###### b. Warnings

- There may be occasions when non-compliance has been detected but it is not appropriate to issue an I.N. This may occur where there has been a single instance of non-compliance, which was accidental, unforeseen or of a minor nature, but where there is a possibility of future non-compliance if some action is not taken by Fish & Game. A written formal warning advises the offender that they are in breach of the Act, regulation, or notice. It states what section of the Act, regulation, or notice has been breached and advises that no further enforcement action will be taken at this stage, but that the warning will be taken into account should they be involved in further offending against legislation enforced by Fish & Game New Zealand. For the avoidance of doubt, warnings should not be provided either orally and / or 'informally', i.e. all warnings should be formally issued in writing and a record made of it in the national compliance database. Warnings should only be issued where there is clear evidence of an offence having taken place, i.e. 'prima facie' evidence exists.
- A written formal warning is a document recording the non-compliance that can be taken into account by a Court should future non-compliance that results in court action occur.

#### 4.4.2 Formal Options of Infringement Notice and Prosecution

The following options will be appropriate when an alleged offence has occurred, and there is a need to take action to avoid, remedy or mitigate adverse effects, ensure compliance, or provide deterrence and/or accountability. These options should also be accompanied by education and advocacy measures where practicable.

##### **a. Infringement Notice**

- An I.N is written notice that an offence is believed on reasonable grounds to have been committed. The I.N requires payment of an infringement fee within 28 days.
- A person subject to an I.N may; elect to pay the fee, write in to Fish & Game seeking withdrawal of the I.N, or dispute the alleged offence or the amount of the fee and seek to have the matter dealt with by a Court hearing.
- The use of I.N's and set infringement fees allows Fish & Game to quickly and simply resolve minor offending. The consequences of such offending are conveyed to the offender in a proportionate and efficient manner, and this will encourage future compliance in many cases.
- The infringement process is described in more detail in Appendix 1.

##### **b. Prosecution**

- Prosecution may be appropriate for more serious offending, or for repeat offenders.
- Any potential prosecutions must meet the Solicitor-Generals Prosecution guidelines test in that there must be a reasonable prospect of a conviction, and the prosecution is in the public interest.

#### 4.5 Deciding what option to take?

Covering every contingency is difficult but the following factors will typically be taken into account in deciding on the response to offending:

- a. Seriousness of offending, including premeditation on behalf of the offender and if so, the level of premeditation involved;
- b. Purpose of offending – commercial, recreational, customary etc;
- c. The extent of any loss, damage or harm resulting from the offence;
- d. Explanation by the alleged offender;
- e. Degree of co-operation, remorse, contrition etc by the offender;
- f. Need for forfeiture of seized gear as a deterrent and or to remove illegal equipment and prevent re-use. (Forfeiture of seized property would not be a consequence of an I.N)

- g. Prevalence of the offending;
- h. Public interest factors in sending a deterrent message to the offender and like-minded individuals;
- i. Fish & Game's previous dealings with the offender, e.g. prior warning letters, prior infringement notices, and / or the offender's previous convictions.

4.6 Should an infringement notice be issued?

4.6.1 Warning/infringement notice/prosecution?

When making the decision whether to file a charging document, issue an I.N, or issue a formal warning the following issues will be considered:

- a. Is there credible, sufficient and admissible evidence that an offence has been committed by an identifiable individual?
- b. The degree of seriousness of this offending?
- c. The extent of any loss, damage or harm resulting from the offence?
- d. Has the person previously come to the notice of Fish & Game or other agencies for offences against the Conservation Act 1987 and / or Wildlife Act 1953, including any regulations made under those Acts?
- e. The nature of any explanation as to why they offended.
- f. Was the person co-operative and/or remorseful for their offending?
- g. Is forfeiture of seized property warranted for the offence?
- h. Is a prosecution or issuing an I.N in the public interest?
- i. Is the level of infringement fee for the circumstances appropriate?
- j. Is there anything else that may be relevant?

4.6.2 Infringement notice or prosecution?

When making the decision to issue an I.N rather than bringing a summary prosecution the same questions will be asked:

- a. Within the range of offending is the offence at the less serious end?
- b. Is the person a first offender or a recidivist offender?
- c. Has the person given an explanation of why they offended?
- d. Is the person co-operative and contrite?

- e. Is forfeiture of seized gear necessary for deterrence or to ensure illegal equipment is not able to be re-used?
- f. Is there anything else that may be relevant?

It may still be appropriate and preferable to issue an I.N in many cases, even if it is not a first offence that is being dealt with.

#### 4.6.3 Scoring Processes

A numerical scoring system (appendix 2) has been devised that will give an indication of the severity of the offending, and assist decision making. If the score is low consideration may be given to either warning or issuing an infringement notice. If the score is mid-way, it may be appropriate to issue an infringement notice. If the score is high, it may be appropriate to take a prosecution. The scoring process should be seen as a guide only to assist decision making.

#### 4.7 Who makes the decision?

##### 4.7.1 Decision making roles

- a. Designated warranted Fish & Game employees who have received training in the infringement notice system and relevant legislation and have qualified may receive a further warrant to issue infringement notices for offences. This warrant will be issued by the Director of the New Zealand Fish & Game Council. In most cases this will include the Region Compliance Coordinator, the Regional Manager, and may also include some senior experienced compliance staff as required to ensure the region has adequate capacity to issue infringement notices when required. NB: only a limited number of trained Fish & Game staff will be able to issue infringement notices or authorise the issuing of infringement notices.
- b. In general, the procedure for dealing with offences in the field will not change; whether offences are dealt with by honorary rangers or by Fish & Game staff rangers. Suspected offending will be reported in the usual manner to the relevant Regional Compliance Coordinator following detection of an alleged offence.
- c. Honorary Fish & Game rangers cannot be warranted to issue infringement notices; that is specifically excluded by section 51W(3) of the Conservation Act 1987.
- d. I.N's will not be issued in the field.

- e. The decision as to how to proceed; whether to take no action, issue a written warning, issue an I.N or commence a prosecution, will be made by the Regional Manager in consultation with the Region Compliance Coordinator, with input from the Compliance Decision Group, as appropriate, particularly in more complex or serious matters. When deciding how to process offences the CDG checklist should be referred to ensure consistency.

#### 4.7.2 The Compliance Decision Group (“CDG”)

- a. The CDG is made up of:
  - The Fish & Game Compliance coordinator of that Fish & Game region;
  - The Regional Manager of that Fish & Game region;
  - The National Compliance coordinator; and
  - If the offence involves technical or legal issues, an appropriate expert who can address these. This may be a Fish & Game staff member with legal or compliance expertise, or external legal advice.

The Director of the NZ Fish and Game Council has a role as an arbiter if the CDG is unable to reach a decision as to appropriate resolution action.

- b. A CDG guideline is attached in Appendix 3. It sets out what needs to be done and the procedures. Note: CDG meetings may be held by phone or other networking systems, such as Skype / Zoom. CDG meetings are also useful to peer review decisions made at a Regional Manager level.
- c. When a decision has been reached by the CDG, the Regional Manager shall be responsible for signing it off and the Region Compliance officer or staff member responsible for prosecutions shall be responsible for implementing it. A written record of the decision shall be kept on the offence file.

#### 4.8 Seizure of property

- a. If a Fish & Game ranger has reasonable cause to suspect that an offence has been or is going to be committed, they may seize items of property which they believe is or will be used in the commission of that offence, such as fishing and hunting gear. Property which has been seized under the Conservation Act 1987 and / or Wildlife Act 1953 must be securely stored by Fish & Game and held until the matter is resolved.
- b. Upon full payment of the infringement fee or completion of enforcement action, and at which time the seized gear is no longer required to be held for investigative or evidential purposes, the seized and impounded property must be returned to the offender or person entitled to possession of it, subject to compliance with any statutory requirements, including the Arms Act 1983.

- c. Items seized which have been taken illegally, e.g. unlawfully taken sports fish or game birds, are not returned to the offender on payment of the infringement fee.

#### 4.9 Training and authorisation to issue Infringement notices

Employee rangers who are warranted to issue infringement notices must be trained to ensure:

- That they are familiar with this policy.
- That all alleged offences are assessed in accordance with the Fish & Game NZ national policy on prosecutions.
- That all alleged offences are assessed in accordance with the Solicitor General's Prosecution guidelines, i.e. offences meet the requirements of evidential sufficiency **and** that prosecution or issuing an I.N is found to be in the public interest. All offences must be assessed as if they are going to be dealt with in court in a defended hearing- full and complete evidence must exist and a prosecution must be in the public interest.

#### 4.10 National Compliance Database

All Fish & Game regions have access to the Fish & Game New Zealand National Compliance Database. This database records details of all offenders and offences dealt with by Fish & Game Councils including resolution action and outcomes.

The Privacy Act 1993 controls how agencies collect, use, disclose, store and give access to personal information. Information is collected for lawful purposes of compliance, law enforcement, and prosecution functions of Fish & Game NZ, and the collection and holding or storing of the information is necessary for those purposes.

Information held will not be accessed or used for any purposes or in any manner that is incompatible with those purposes with which the information was collected and is held.

When dealing with offenders and considering resolution options the database shall be checked to determine if the offender in question has previously had a history of offending for Fish & Game matters.

To enable accurate information to be obtained from the database all Fish & Game regions shall enter offender and offence information into the database as soon as is practical after dealing with an offender. Once the matter is resolved the database is to be updated to show the outcome.

Updates should be done as soon as possible when offences are resolved and no later than monthly.

#### 4.11 Exercise of other Conservation Act and Wildlife Act Powers Training and Reporting

- All Fish & Game rangers shall be fully trained in the exercise of rangers' powers under the Conservation Act 1987, the Wildlife Act 1953 and regulations made under those Acts. Those powers include in particular:

- Powers pursuant to Section 40A of the Conservation Act 1987, and Section 66A of the Wildlife Act 1953 which are powers to require an offender to supply information including name, address, and date of birth and verification – as each is applicable.
- Powers pursuant to Section 39 of the Wildlife Act 1953, and Section 40 of the Conservation Act 1987, which relate to powers of entry to property, of search, and of seizure of items used or intended to be used in breaches of those Acts, and in seizure of fish and game or other wildlife which has been unlawfully taken.
- Powers pursuant to Section 61 of the Wildlife Act 1953 which relates to persons in pursuit of game to produce licence, along with production of game and equipment used, and pursuant to Regulation 20 of the Freshwater Fisheries Regulations 1983 which relates to the obligation of anglers to produce licence, provide details and produce catch (bag) for inspection.
- All Fish & Game rangers shall receive regular training on powers and field procedures, with refresher training conducted at least annually. Differences in the nature of powers between the Conservation Act and Wildlife Act shall be emphasised, along with the application of those powers to staff and honorary rangers.
- Fish & Game NZ shall maintain and update as necessary a training manual and guide known as the 'Ranger Guide and health and safety manual'. This shall be distributed to all rangers as a training and field procedure guide.
- Use of powers must be proportionate, reasonable and necessary to enable Fish & Game rangers to carry out compliance and law enforcement functions, in particular powers of search, seizure, and of entry to property.
- The exercise of powers by Fish & Game rangers must be necessary to investigate suspected offences, apprehend offenders, and to ensure angler and hunter compliance with the Conservation Act and Wildlife Act.
- Where Fish & Game rangers exercise powers of search, seizure of property, and entry onto private property they must advise their regional compliance coordinator of the exercise of those powers as soon as possible in a report summarising their actions, the circumstances, and the necessity to exercise those powers.

#### 4.12 Annual Reporting

In accordance with Section 261 of the Conservation Act 1987, the NZ Fish & Game council shall report annually to the Minister including:

- A summary of powers exercised during the year by Fish & Game rangers to enforce or ensure compliance with the Conservation Act or the Wildlife Act (including any regulations made under those Acts);
- Identify any complaints received in relation to exercise of those powers;
- A summary of action taken in response to any complaints; and
- Specify whether any powers were exercised in a manner inconsistent with this policy.

To enable the above Regional Fish & Game Councils will provide a summary of the information detailed above in annual reports.

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## Appendix 1 - Infringement system

### 1 Issuing of notices

- a. I.Ns shall be issued no later than 3 months after the date of the offence. This is due to the matter that if an I.N fee is not paid a reminder notice must be filed with the court no later than 6 months after the date of the offence, as is required by the Summary Proceedings Act 1957 Section 21.
- b. I.N's shall be posted to the offenders last known postal address / place or residence or usual address.
- c. When a Fish & Game ranger detects an infringement offence the ranger must report the offence to the Fish & Game Compliance Co-ordinator of that Fish & Game region.
- d. I.N's may be issued to international visitors by posting it to their last known postal address / place of residence or usual address in their country of residence.

### 2 Reminder notices

If the offender has not paid the fee or requested a hearing within 28 days after service of the I.N a reminder notice shall be issued.

- 3 The reminder notice gives another period of 28 days for the fee to be paid or for the offender to request a court hearing.

### 4 Payment

Infringement fees shall be paid to a Crown Bank account (consolidated fund); the information relating to that will be on the I.N. Infringement fees cannot be paid directly to Fish & Game regions, i.e. Fish & Game regions **should not** receive any payments for I.N's from offenders. In some cases where fees are however paid by offenders to Fish & Game instead of to the Crown account the funds can be held in a Trust account and then paid by Fish & Game to the Crown Bank account.

Payment of infringement fees must be made in full; partial payment or instalment payments will not be accepted. In total offenders have 56 days to pay infringement fees (time period of the initial infringement notice, plus the reminder notice period).

When an Infringement fee is paid, offenders shall produce evidence of payment in full to the relevant Fish & Game region to seek return of any seized and impounded gear.

When the Infringement fee is paid in full the file in relation to the matter shall be finalised and closed.

If the wrong fee amount is paid (under or over payment) offenders will be notified in writing and either refunded the excess or requested to pay the outstanding amount.

Underpayments that are not corrected will be liable for reminder notices and or referral as an unpaid fee to the District Court.

## 5 Other options and defended hearings

### Adjudication letters

- a. Offenders who receive an I.N have the right to submit to the relevant Fish & Game region an explanation in defence of the alleged offence.
- b. Offenders may send an adjudication letter to the relevant Fish & Game region, outlining why they should be excused from paying the fee.
- c. When an adjudication letter is received, it shall be considered by the relevant Regional Fish & Game Manager. Before making a decision, the Regional Fish & Game Manager may consult with the Fish & Game officer who issued the I.N and with any other relevant technical/legal experts that may be required to properly assess the offender's explanation, including the CDG to ensure consistency across regions in how adjudications are dealt with.
- d. The Regional Fish & Game Manager shall:
  - Decide whether to accept the explanation and waive/withdraw the I.N or, reject the explanation and proceed with the I.N process; and
  - Advise the offender in writing of his / her decision in relation to the above.
  - In a case of the Regional Managers decision being challenged refer the matter to the CDG for review and a decision and then advise the offender in writing of that decision.

To avoid 'undue delay', adjudication letters should be considered and adjudicated on as soon as reasonably practical, wherever possible within a time period of 10 working days.

### Defended hearing requests

- a. Offenders may dispute the I.N and request a defended hearing in Court. The offender must do this by writing to Fish & Game within 28 days of a reminder notice being served.

- b. The request is passed to the relevant Regional Fish & Game Manager, who shall review the file and decide whether to proceed with the defended hearing or withdraw the I.N. If it is decided to proceed with the hearing, the relevant forms shall be prepared and filed in Court.
- c. When it is decided to proceed with a defended hearing the file is assigned to the relevant Fish & Game region's prosecuting lawyer and/or compliance officer responsible for prosecutions, who shall prepare the case for Court.
- d. The Court will notify both the offender and the relevant Fish & Game region of the hearing date.
- e. Full disclosure under the Criminal Disclosure Act 2008 is required as soon as reasonably practicable after an offender has requested a defended hearing.

#### Hearing as to penalty requests

- a. Offenders may also request a hearing on penalty only. The offender may write to Fish & Game accepting liability for the offence and request a hearing as to penalty. Again, the relevant Fish & Game Regional Manager shall review the file and decide whether to proceed with the hearing or waive the I.N. If the I.N is not waived, forms for submission to Court must be prepared. Requests for hearings on penalty only in respect of an I.N are dealt with by way of written submission to the Court only.<sup>1</sup>
- b. When it is decided to proceed with a hearing as to penalty the file is assigned to the relevant Fish & Game region's prosecuting solicitor and/or compliance officer.
- c. Disclosure under the Criminal Disclosure Act, unless specifically requested, is not required for a non-defended hearing.

#### 6 Non-payment – collection referrals

If the offender has not paid the infringement fee or submitted a hearing request within 28 days of service of the reminder notice; Fish & Game shall file a copy of the reminder notice, which may be an electronic copy, with the District Court together with proof of service details. Referral to the Court must be within 6 months of the offence being committed.

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<sup>1</sup> See *Adam v Wellington City Council* (2 April 1998) HC Wellington AP 18/98 unreported.

## 7 Withdrawal

I.N's can only be withdrawn with approval from the appropriate Regional Manager. I.N's can be withdrawn at any time, even after a notice has been referred to the Court for collections (in which case an Application to Withdraw will need to be completed and filed in Court).

It is important that any decision to withdraw an infringement notice is recorded on the file, including the reason for withdrawal, for transparency of the process and to ensure the decision was justified and nationally consistent.

## 8 Invalid notices

Occasionally I.N/s may be invalid. This can occur in situations where they have been issued to underage offenders, or if evidence subsequently comes to light that the I.N should not have been issued at all – for example, evidence showing the offence did not actually occur or that the I.N was issued to the wrong person. The I.N shall be invalidated on the instruction of the relevant Regional Fish & Game Manager.

In cases where there is a significant error in the I.N, but it remains appropriate to issue an I.N, the notice shall be invalidated and reissued under a different infringement number. The new I.N shall be sent to the offender with a letter explaining the previous error and supplying the new notice. Any such errors must be rectified promptly for the benefit of the offender, and in recognition of the tight timeframes for processing I.N's in the Court.

Appendix 2 - CDG Scoring

	0	1	2	3	4	5	6	7	8	9	10
<b>Deliberate action or lack of due care</b>		Unintentional		Lack of due care		Negligence		Deliberate			Deliberate to make \$\$\$
<b>Failure to act on prior instruction; advice; notice</b>	No					Verbal advice Has the person been spoken to before on the same or similar issue?		Prior Warning	Prior Warning letter	Prior - asked to desist	Prior I.N / previous prosecution
<b>Fish or game taken/ impact or effect on resource</b>	Nil taken	Low take			Moderate take		Moderate to high- limit or exceeds limit			Multiples of limit	
<b>Cooperation</b>	Proactively cooperative	Fully cooperate		Somewhat cooperative		Reluctant			Non-cooperative		Aggressively Non-cooperative
<b>Degree of deterrence needed</b>	No deterrence required				All offences require some form of deterrence						Full deterrence required

Number Guide for assessing whether an Infringement is needed.

Fish/Game take issues

**Low number** = nil to low end of bag limit.

**Moderate** = mid bag limit

**High** = bag limit and above

<15 consider I.N.

15 to 20 Consider I.N possible prosecution

>20 Consider prosecution

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# Appendix 3 - Compliance Decision Group

## Compliance Decision Group Meetings

### 1 Role of the CDG

- a. The purpose of the CDG is to decide, in an objective and consistent manner, what action should be taken regarding non-compliance with legislation, regulations, and notices that a Fish and Game Council operates under. Most decisions in relation to straight forward matters will be made by the relevant Regional Fish & Game Manager, e.g. simple fish without licence, or hunt without licence matters. However, more complex matters involving multiple offences, and recidivist offenders will be decided by CDG process, which shall peer review the decision and process, and ensure as far as is possible consistency between regions in outcomes.
- b. At the meeting, the non-compliance shall be discussed in terms of the various factors set out in more detail below. The action to be taken is then agreed upon.

## 2 When to have a CDG meeting?

A CDG meeting could be held when there is a reliable and admissible evidence of a breach of the Conservation Act 1987 and / or Wildlife Act 1953, including any regulations made under those Acts, by an identifiable offender **and** there is any of the following:

- a. Previous offending, incidents or non-compliance;
- b. A potential and /or significant effect on the fish or game resource;
- c. Multiple offences; or
- d. Offences of technical or serious nature.

Also consider the degree of cooperation of offender, remorsefulness, and if forfeiture of gear is desired.

## 3 Pre-CDG checklist

- a. To assist in ascertaining whether a CDG process is needed, complete the Pre - CDG checklist (attachment 1).
- b. Before organising a CDG, check whether any Fish & Game Region is currently taking enforcement action against the offender, or has previously been dealt the offender with for an offence. To do this check the National Compliance Database.

If the offending does not meet the criteria for a CDG decision, the Regional Fish & Game Manager may authorise proceeding with issue of an I.N.

If the offending meets the criteria for a CDG, that course of action shall be proceeded with.

## 4 Preparation - What to do?

- a. Complete the CDG form (attachment 2), which includes:
  - Offenders details;
  - A brief outlined summary of the offence(s);
  - Previous enforcement action - check national data base);
  - The relevant Act and section/s breached;
  - Previous non-compliance by the offender and any enforcement action taken;
  - The outcome desired; and
  - The recommended action to reach that outcome.
- b. Provide the CDG form to the group with sufficient time for the matter to be considered prior to discussion.

## 5 The meeting

Using the CDG checklist, the CDG form, and the file, the group works through the sections of the CDG form (attachment 2) and makes a decision on the action to be taken. This may be one or more of the following:

- a. Formal written warning;
- b. Infringement notice (I.N); and / or
- c. Prosecution.

6 What is considered during the meeting?

Factors taken into account will include:

- a. What is the desired outcome?
- b. Whether Fish & Game or any other agency has previously dealt with the offender for offending against the Conservation Act 1987 and / or Wildlife Act 1953, including any regulations made under those Act;
- c. The seriousness of the offending and actual / potential effect on sports fisheries / game bird resources / habitat;
- d. The attitude of the offender; and
- e. The degree of deterrence required.

The offending can be scored using the CDG scoring system to ensure consistency between decisions.

7 The outcome

- a. All warning letters and I. N's should be issued within 14 days of the CDG decision.
- b. I.Ns shall be sent by domestic post to the offenders last known postal address / place or residence or usual address, and relevant copies shall be placed on the file, and for processing as an I.N.

8 Records

Ensure all records are kept on file,, and details entered into the National Compliance Database.

Attachment 1 - CDG Checklist

**Offence(s):**

**Subject Name:**

**Is there:**

1. Clear and sufficient evidence of an offence?  
Y/N

**and**

2. any of the following:

- Previous incidents/offending/non-compliance by the person Y/N
- A potential and/or significant effect on the fish or game resource Y/N
- Multiple offences Y/N

- Offences of technical or serious nature

Y/N

**If yes to 1 only, no CDG is needed and Regional Manager can authorise I.N.**

**If yes to 1, & 2, CDG consultation is implemented.**

Also consider the degree of cooperation of offender, remorsefulness, and if forfeiture of gear is desired.

**Before completing CDG form:**

- Check all previous enforcement action,
- Peruse the file,
- If offender is a company (rare for Fish & Game matters), check details on [www.companies.govt.nz](http://www.companies.govt.nz)
- Google the person or business to see what is found,
- If there is any current enforcement action against the person? Check National database.

**Complete the CDG form including:**

- Responsible party/parties identified and verified, addresses and contact persons,
- Summary of offence,
- Previous enforcement action,
- Act/Sections breached,
- The outcome you want,
- Recommended action to reach the desired outcome,

Email all people involved in the CDG a copy of the CDG form, preferably at least one day before CDG.

Notes:

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Attachment 2 - CDG Form

**CDG meeting/consultation**

**Location of incident/offence(s).**

**Subject name:**

**Date of birth:**

**Address:**

**Offence(s).**

**Summary of incident.**

**Act and section(s) breached.**

**Previous enforcement history.**

**Outcome desired.**

**Evidential test is met.**

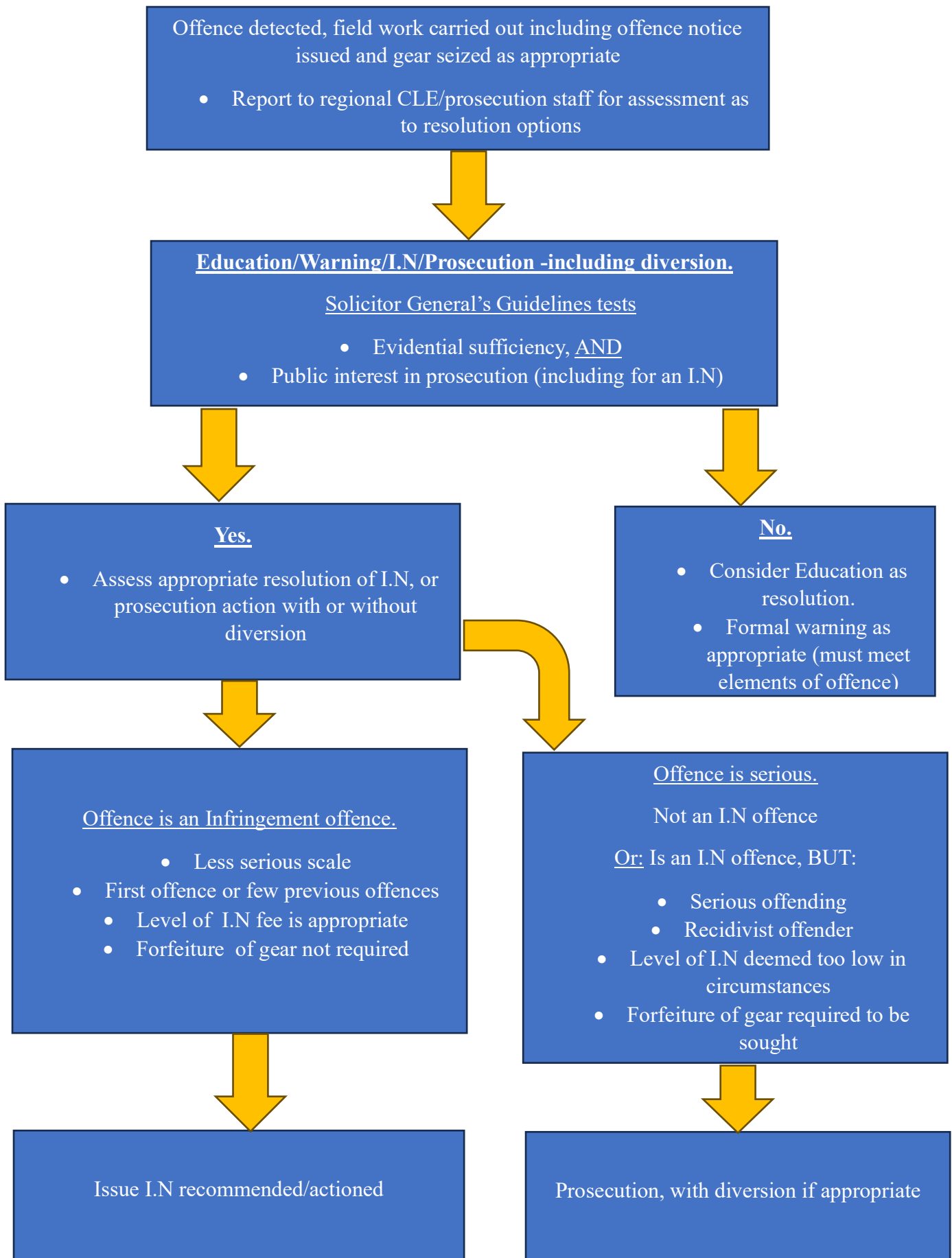
**Prosecution or issue of I.N is in the public interest.**

**Result of CDG consultation/meeting.**

**Recommended action.**

**Outcome.**

# Infringement Notice – Prosecution Flow Chart



# Process for the enactment of the Anglers Notice and Game Bird Notice

New Zealand Fish and Game Council Meeting 176: 29<sup>TH</sup> & 30<sup>th</sup> August 2025

Prepared by: Ros Connelly, Governance and Policy Advisor, NZ Fish and Game Council

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## Kōrero taunaki - Summary of considerations

### *Purpose*

The purpose of the report is to advise the New Zealand Fish and Game Council on the process for the passage of the Anglers Notice and the Open Season for Game Notice (Game Notice).

### *Financial considerations*

Nil  Budgetary provision /  Unbudgeted

### *Risk*

Low  Medium  High  Extreme

## Ngā taunaki – Recommendation

That the New Zealand Council:

1. Note the contents of this report and
2. Distribute to Regional Councils for information

## **Executive Summary - Whakarāpopoto**

- 1 Regulations are an essential tool for preserving and advancing public interest. That said, the importance of regulation needs to be balanced against the importance of personal choice. The power to set and enforce regulations is a privilege which comes with obligations to follow good law-making processes – including consultation, options analysis and cost-benefit analysis.
- 2 The New Zealand Fish & Game Council has the function to coordinate the preparation of the Anglers Notice and Game Bird Notice, to recommend these to the Minister for approval, to advise the Minister on these notices and to arrange for their publication.
3. The process for enacting these Notices is: each region determines a set of Angling and Game Bird hunting rules and provides it to the New Zealand Council, along with evidence of their decision-making process and considerations. NZC Staff review these documents and determine whether the process meets the standard required. A set of staff recommendations is put to the New Zealand Council based on whether there is evidence of a good law-making process behind each of the proposals. NZC agrees on the set of recommendations to take to the Minister.
4. NZC staff then advise the Minister on NZC's conclusions and provide all the supporting evidence. Once the Minister's approval has been obtained, NZC staff work with Doc staff and the New Zealand Gazette to publish the notices.

## **Background - Takenga mai**

5. Two of the most important functions of the New Zealand Fish and Game Council are the development of the Anglers Notice and the Game Bird Notice.
6. The Conservation Act explains at 26C that the function of the New Zealand Fish and Game Council includes:
  - (ba) In relation to Anglers Notices and notices for game seasons -
    - To coordinate their preparation and recommendation to the Minister for approval
    - To advise the Minister
    - To arrange for the publication under the Legislation Act 2019
7. In terms of timing, fishing licences go on sale on 1 September, with combined regulation and information booklets, and Game licences go on sale in early March, also with combined regulation and information booklets. This means that the work that underpins the Anglers Notice typically occurs in the first half of the calendar year, with NZC deciding on what to recommend to the Minister in June. While the work that underpins the Game Notice occurs in the second half of the calendar year with the NZC decision occurring at the February NZC meeting.

## **What is the purpose of the Anglers Notice and the Game Notice?**

8. Under 26B of the Conservation Act, the purpose of the New Zealand Fish and Game is to represent nationally the interests of anglers and hunters and provide co-ordination of the management, enhancement and maintenance of sports fish and game.
9. While Fish & Game has other tools to achieve these aims (e.g. advocacy, events, etc), setting regulations is a key mechanism to manage, enhance and maintain hunting and fishing resources. By creating rules (and enforcing those rules through our compliance function), we can influence the population of fish and game birds and gather essential data to help inform future regulatory interventions.

## **What are the steps required to develop the Anglers Notice**

10. Fish and Game's constituting legislation does not provide much guidance as to the steps required to develop the Anglers and Game notices. However, in 2023, Minister McClay provided advice that Fish and Game regulatory changes should be based on:
  - Evidence based assessments of game [fish and] bird populations
  - Licence holder preferences and expectations
  - Long-term sustainability outcomes
11. There are also a number of general guidance documents that we can look at to guide the development of regulation. For instance, the Australian Taskforce on Reducing Regulatory Burdens on Business identified the following six principles of good regulatory process :
  - i. Governments should not act to address 'problems' until a case for action has been clearly established. – This should include establishing the nature of the problem and why actions additional to existing measures are needed, recognising that not all 'problems' will justify (additional) government action.
  - ii. A range of feasible policy options (including self-regulatory and co-regulatory approaches) need to be identified and their benefits and costs (including compliance costs) assessed within an appropriate framework.
  - iii. Only the option that generates the greatest net benefit for the community, taking into account all the impacts, should be adopted.
  - iv. Effective guidance should be provided to relevant regulators and regulated parties in order to ensure that the policy intent of the regulation is clear, as well as the expected compliance requirements.
  - v. Mechanisms are needed to ensure that regulation remains relevant and effective over time.
  - vi. There needs to be effective consultation with regulated parties at all stages of the regulatory cycle.

12. Alongside the work required to develop new angling or hunting rules, NZC staff ask that regional staff enter the wording for the new regulations into a master notice document. This is just the notice from last year saved in the file structure so that regions can make this years' changes directly into their portion of the document. This part of the process is prone to errors, and NZC are working to introduce an additional quality control step into this process. When all regions have entered their changes, NZC staff tidy up the document for formatting, etc.

### **What New Zealand Fish & Game expects from the regions**

12. The Conservation Act requires the New Zealand Fish and Game Council to advise the Minister on the Anglers Notice and Game Notice, as well as make recommendations. This creates an obligation on NZC to judiciously assess the notices recommended by the regions. We are not discharging our responsibility under the Act if we simply rubber-stamp regional decisions.
13. However, New Zealand Councillors have often pointed out that it is difficult for them to assess other regions' recommendations given a lack of local knowledge and context. There is a natural tendency to trust that each region is the expert in terms of its own sport fish and game resources and not to interfere.
14. The NZC staff resolve this difficulty by assessing the decision-making process rather than the decision itself.
15. NZC staff look for evidence that 1) robust population monitoring has been undertaken, 2) a problem has been identified, 3) multiple options for addressing the problem have been considered, 4) the costs and benefits of all the options have been considered, 5) consultation with anglers and hunters and other interested stakeholders have been considered, 5) based on the information a logical recommendation has been reached and 6) there is a plan to assess the impact of the changes.
16. In the instances where NZC staff have not supported adoption of a region's recommendations, it has been because one or more of these process steps have been missing. Typically, there have been shortcomings in the population monitoring component (although we are looking to standardise this), the consultation has been non-existent or insufficient, or a new option has been supported at the decision-making table without any analysis or consultation.
17. The absence of these required process steps makes it more likely that the wrong outcome will be reached and also opens the decision up to challenge.
18. NZC does not have to support staff recommendations, but in order to meet our obligations under the Act, staff must continue to scrutinise regional recommendations. The result of staff analysis, as well as the final NZC decisions, are then provided to the Minister along with a summary briefing.

## **What happens after the NZC recommendation goes to the Minister?**

19. The Minister and his officials will review all the information provided. Currently, the Minister can either approve an Anglers Notice or return it (via the NZC) to the relevant Fish & Game Council for further consideration. The Minister cannot amend anything in the notice.
20. Upon receiving a draft Game Notice, the Minister may either approve the notice, or require the notice to be amended in any way the Minister may specify before approving it.
21. Under the reform proposals approved by Cabinet, the Game Notice situation will apply to Anglers Notices after the new legislation is enacted by Parliament. This will prevent any stand-offs between the Minister and FGCs close to the start of the fishing season.
22. Finally, the New Zealand Council staff upload the approved Notice to the New Zealand Gazette. At this point, there is no further opportunity to amend the notice.

## **Considerations for decision-making - Whai whakaaro ki ngā whakataunga**

### ***Financial Implications***

10. There are no direct financial implications arising from this paper, except to note that there is considerable staff resource (at both NZC and a regional level) involved in the development of these regulations. Any changes to the process would have to consider the ability of staff to support.

### ***Legislative Implications***

11. As a law-making body, Fish & Game has an obligation to follow due process when making regulations. Even after a notice has been promulgated, there is potential for review by the Regulations Review Committee. The Regulations Review Committee (a Parliamentary subcommittee) examines all regulations, investigates complaints about regulations and examines proposed regulation making powers in bills for consistency with good legislative practice. The committee reports to the House and other committees it identifies. The House can 'disallow' a regulation, meaning it no longer has force.

### ***Section 4 Treaty Responsibilities***

12. Consultation with iwi Māori should be part of any regulation making process. There is considerable scope for improvement in this space, although much of this is contingent on the development of enduring relationships, which will take time.

### ***Policy Implications***

13. none

### ***Risks and mitigations***

14. There are considerable risks to Fish & Game in not delivering good regulatory practice. Our licence to operate is contingent on following due process and being able to justify restrictions on people's rights.

**Next actions - Ngā mahinga e whai ake nei**

It is recommended that the New Zealand Council:

1. Note the contents of this report and
2. Distribute to Regional Councils for information



## **National Policy on Prosecutions      Amended May 2024**

### **Purpose**

1. The purpose of this Policy is to set out principles and guidelines that Fish and Game Councils will follow in making the decision to initiate criminal proceedings, including infringement notice processes, and when considering appeals against Court decisions arising from prosecutions. This policy should be read together with:
  - a. The *Solicitor-General's Prosecution Guidelines 2013*;
  - b. The *Solicitor-General's Guidelines for Diversion Schemes 2021*;
  - c. The *Solicitor-Generals Guidelines for the Use of Warnings 2021*; and
  - d. The *Solicitor-General's Guidelines for Payments connected to Plea Arrangements or Diversion 2021*.

### **Accountability**

2. This Policy must be adhered to by all Fish & Game New Zealand staff involved in the preparation and conduct of all prosecutions, including infringement notice processes. It applies in conjunction with the Fish & Game New Zealand Infringement Notice Compliance and Enforcement Policy.

### **Scope**

3. This Policy applies to all prosecutions and potential prosecutions arising from enforcement action and investigations by Fish and Game Councils under legislation, including regulations, anglers' notices and game bird season notices applicable to Fish & Game New Zealand, and / or that Fish and Game Councils may deal with breaches of, or consider acting in relation to.

### **Conflicts of Interest**

4. Fish and Game Councils and staff with duties or accountability under this Policy must act fairly, promptly, without any actual or potential conflict of interest and in accordance with the law.
5. Any person involved in the investigation, preparation or conduct of a prosecution who may have any actual or potential conflict of interest whatsoever must disclose the matter of concern immediately to their Regional Manager or Chief Executive.

### **Prosecution Decisions**

6. The decision to prosecute – or not to prosecute- will be based on the following factors:
  - a. The Solicitor - General’s Prosecution Guidelines. This Policy adopts the Solicitor – General’s Guidelines and it must be read in conjunction with those guidelines;<sup>1</sup>
  - b. The purpose of the legislation which Fish and Game Councils are seeking to enforce by a proposed prosecution;
  - c. The resources available to Fish and Game Councils relative to the public interest in a prosecution proceeding; and
  - d. Whether another prosecuting agency has or will bring criminal proceedings in relation to the same subject matter and the potential Fish & Game New Zealand prosecution.

### **Test for Prosecution**

7. Prosecutions, including infringement notice processes, will be initiated only if both requirements set out in the Solicitor - General’s Prosecution Guidelines can be met, these are:
  - a. The evidence that can be adduced in court is sufficient to provide a reasonable prospect of conviction – the Evidential Test; **and**
  - b. Prosecution is required in the public interest - the Public Interest Test.<sup>1</sup>

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<sup>1</sup> See Appendix 1 – The ‘Public Interest’ test

8. Staff with accountabilities under this Policy must separately consider and be satisfied that each aspect of the above test is met before a decision to prosecute or if applicable, to issue an infringement notice, is made. The evidential sufficiency of a proposed prosecution must first be satisfied before the public interest is considered. All the evidence and information available must be analysed and evaluated in a thorough and critical manner. The evidence available must be capable of reaching the standard of proof required, i.e., beyond reasonable doubt.
9. If the conclusion is reached that there is insufficient evidence or that it is not in the public interest to prosecute (which includes issue of an infringement notice), a decision of “no prosecution” will be taken. A decision of “no prosecution” does not preclude any further consideration of a case, if new and additional evidence becomes available, or a review of the original decision is required.

#### **Decision Making Procedures**

10. Decisions to prosecute must be made in accordance with the Solicitor - General’s Prosecution Guidelines. The ability to commence prosecutions comes from the Criminal Procedure Act 2011, which applies to all charges and provides that:
  - a. “Any person may commence a proceeding”;<sup>2</sup> and
  - b. A criminal proceeding in respect of an offence is commenced by filing a charging document in the District Court.<sup>3</sup>

Section 26S(7) of the Conservation Act 1987 provides an authority for Fish & Game Councils to appear before courts in relation to matters affecting the Councils functions.

11. A recommendation by a region’s Compliance Coordinator or other person dealing with a matter, to commence a prosecution, or take an alternative course of action, must be approved by the Regional Manager or Chief Executive. To achieve this, the following procedures must be followed:

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<sup>2</sup> Section 15 of the Criminal Procedure Act 2011.

<sup>3</sup> Section 14(1) of the Criminal Procedure Act 2011.

### **Recommendation to prosecute/not prosecute**

12. When rangers / Fish and Game Officers investigate a suspected breach of any Act, including the Conservation and Wildlife Acts, Regulation, Angler Notice, or Game Bird hunting Notice, a file must be produced containing:
  - a. All relevant evidence; and
  - b. A covering report, including a recommendation as to what action, if any, maybe appropriate.
  
13. The person within each region responsible for prosecutions must forward the file to the Regional Manager or Chief Executive for review and for consideration as to how the matter is progressed and / or resolved.
  
14. Resolution for any alleged offences may include the following:
  - a. No action;
  - b. Warning letter;
  - c. Youth warning with parental follow up;
  - d. Issuing an Infringement Notice; or
  - e. Prosecution (with or without diversion as appropriate).
  
15. The Regional Manager or Chief Executive receiving the file, report, and accompanying recommendation must promptly assess and consider the matter in accordance with this policy **and** in accordance with the processes outlined within the Fish & Game New Zealand Infringement Notice Compliance and Enforcement Policy.
  
16. The decision as to how to proceed; whether to take no action, issue a written warning, issue an infringement notice, or commence a prosecution, will be made by the Regional Manager in consultation with the Region Compliance Coordinator, with input from the Compliance Decision Group (CDG), as appropriate, particularly in

more complex or technical matters. The processes involved are outlined in the Infringement Notice Compliance and Enforcement Policy as is the make-up of the CDG.

17. The Regional Manager or Chief Executive may consider seeking legal advice and/ or refer the matter back to the Compliance Coordinator and / or investigating officer for further enquiries or to ensure the file is to a satisfactory standard.
18. The Regional Manager or Chief Executive reviewing the file must in accordance with this policy assess the appropriate level of action to be taken in relation to the file.
19. The following must be reviewed in relation to each file:
  - a. Thoroughly assess any proposed prosecution or infringement notice action in accordance with this policy, the Infringement Notice Compliance and Enforcement Policy, and the Solicitor - General's guidelines on prosecutions, diversion, and warnings.
  - b. Request any necessary further enquires or investigations, if further information is required, or the file is not to a satisfactory standard.
  - c. Check the offenders previous conviction history and any previous history of Fish & Game offending.
  - d. Authorise if prosecution is to proceed and note the file with reasons for this.
  - e. If authorising prosecution determine the number and nature of charges to be filed in Court.
  - f. In complex or technical matters refer the file to the Compliance Decision Group for assessment and decision.
  - g. If prosecution is authorised assess if diversion of charge(s) is appropriate as a resolution option. In making this assessment the factors outlined in the section titled 'Diversion' must be considered.
20. Proceedings begin by notifying the defendant of the prosecution, the charges, and details of the prosecuting agency. A defendant is usually notified of a prosecution by the prosecuting agency serving him / her with a summons to appear.

21. A summons may be issued before or after a charging document is filed and no more than 2 months before the required court appearance. The summons must include:
  - a. the particulars of the defendant; and
  - b. the particulars of the charge; and
  - c. the court and date and time at which the defendant is required to appear;  
and
  - d. any other information required by rules of court.
22. If a summons is served before filing a charge, the case must be reviewed as soon as practicable under this policy. If any deficiencies are found, the summons must be cancelled and the offender notified.<sup>4</sup>
23. If a charging document is not filed before serving a summons, it must be filed as soon as reasonably possible afterward. The above case review will inform whether it is appropriate to file a charge.
24. If a summons is issued before filing a charging document, and the issuer decides that:
  - a. No charge will be filed, or
  - b. A different charge will be filed than the one for which the summons was issued,the issuer must promptly notify the defendant of this decision before the required court date.
25. Summonses should not be served in the field at the time of the offence unless there are exceptional circumstances. This may be necessary if the offender is transient, hard to locate later, and the offence is serious.

### **When Prosecution is authorised**

26. When prosecution is authorised:
  - a. Refer the file to a prosecuting staff member of Fish and Game; or

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<sup>4</sup> The Criminal Procedure Act 2011 and the Criminal Procedure Rules 2012 set out the administrative requirements for prosecutions. Non-compliance may lead to costs being ordered against either the prosecution or defence.

- b. If an external solicitor is to be engaged with conducting the prosecution, forward the file to that solicitor with a request to conduct prosecution, and reasons for this.

#### **When Prosecution with diversion is authorised**

- 27. Ensure that the processes set out in the section titled 'Diversion' are followed.
  
- 28. If the Regional Manager or Chief Executive or Fish and Game prosecutor or solicitor engaged to conduct a prosecution does not endorse the proposed prosecution, the following procedure is to apply:
  - a. The matter shall be referred to the Compliance Decision Group (CDG) for further consideration.
  - b. The Compliance Decision Group shall take all steps to resolve the matter, which may include seeking legal and / or other expert advice.
  - c. A decision must be in accordance with the Solicitor - General's Prosecution Guidelines for prosecutions and for diversion schemes, or use of warnings.

#### **Responsibility of Prosecutors**

- 29. Once a decision to prosecute is made, accountability for the legal issues in connection with the prosecution passes to the Fish and Game staff member responsible to act as prosecutor, or to the external solicitor engaged to conduct the prosecution for Fish and Game. This includes:
  - a. Determining correct charges and wordings;
  - b. Ensuring the prosecution file is prepared to an appropriate standard;
  - c. Preparing a summary of facts;
  - d. Compliance with the Criminal Procedure Act 2011 and the Criminal Disclosure Act 2008;
  - e. The Prosecutor representing Fish & Game New Zealand with competency and to the ethical standards expected of prosecutors and by the Solicitor – General;

- f. Consulting with the regional manager or chief executive and staff about any developments that may affect the conduct of the prosecution; and
- g. Advising the Regional Manager or Chief Executive about any media interest in a prosecution.

## **Diversion**

- 30. Diversion is a prosecution process where an offender charged with offence(s), is summonsed, and appears in Court, but the prosecution makes available to the defendant a means to remedy the wrong by an alternative resolution, and when that is completed the charge(s) are dismissed by the Court. Therefore, the defendant does not receive a conviction and is not subject to a Court imposed penalty. The intent is, however, to still address the public interest factors leading to the decision to prosecute.
- 31. Diversion can involve the offender paying a donation to Fish & Game along with a contribution to the prosecutions costs or could be another outcome, such as volunteer work.
- 32. If the defendant does not complete – or rejects- the diversion offer or conditions, the Court process continues, and the Court will deal with the matter as any other Court prosecution.
- 33. Diversion is a process recognised by the Criminal Procedure Act 2011<sup>5</sup> and is used routinely by most prosecuting agencies. The purposes of diversion are typically to:
  - a. Address offending behaviour that has resulted in charge(s);
  - b. Balance the needs of victims, the offender and their communities;
  - c. Give an offender an opportunity to avoid conviction; and
  - d. Reduce re-offending.

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<sup>5</sup> See sections 147 and 148 of the Criminal Procedure Act 2011.

34. If a decision is made to prosecute an offender rather than issue an infringement notice, that does not mean that the offender cannot be considered for diversion.
35. Diversion must only be offered to a defendant, after the prosecution decision has been made and once a charge is filed. The reason for this is that prosecution instead of issuing an infringement notice must be for reasons around the seriousness and circumstances of the offence, **and** the need for judicial intervention. Having an offender summonsed to appear in Court reinforces the seriousness of the offending and the unsuitability of resolving it by an out of Court action by way of infringement notice.

### **Diversion eligibility**

36. To be eligible for consideration to be offered diversion an offender:
  - a. Should have no previous convictions or history of Fish & Game offences, including written warnings for offences against the Conservation and Wildlife Acts and / or any notices / regulations made under those Acts; and
  - b. If the offender has previous convictions or history of Fish & Game offences that those matters are either not recent, or the convictions or previous offence history is not relevant to the current offending and charge(s).
  - c. Has committed an offence that is of low to moderate seriousness. Generally, this will include Fishing or Hunting without a licence, Anglers Notice breaches, and Game Notice breaches.
  - d. 

More serious offences, like obstruction or providing false details / information, may be eligible for diversion if the overall level of wrongdoing is relatively minor and other factors apply. This includes factors such as the absence of prior or relevant prior convictions, the offenders' remorse and acceptance of responsibility, efforts to correct any harm caused, and the belief that the consequences of a conviction would outweigh the seriousness of the offence. In such cases, diversion will be seen as a suitable alternative to pursuing court prosecution.

- e. All offences must be *considered* for eligibility for resolution by diversion, with regard given to the circumstances of the offence/offending. Note the file if diversion is not appropriate and the reason(s) why this is the case.

### **Approach to diversion**

- 29. The following principles apply to operation of the diversion scheme:
  - a. The existence of the diversion scheme must not be mentioned to potential defendants during an active investigation to avoid it becoming a factor in the decision to prosecute;
  - b. The existence of the diversion scheme (or any other resolution options) must not be taken into consideration until a decision to prosecute has been made;
  - c. The diversion decision maker must be distinct from the person who investigated the offence and who recommended a prosecution – this provides the necessary independence and detachment for the decision; and
  - d. Reasons for making an offer of diversion must be recorded in writing by the diversion decision maker.

### **Diversion processes**

- 30. The processes involved in operating diversion are set out in the attached appendix 2 titled 'Diversion Guidelines'. This sets out the processes to follow in running a diversion process and in then notifying the court when diversion is complete and having the charge(s) dismissed.

### **Diversion conditions: donations**

- 31. When a condition of diversion is a donation to Fish & Game within a reasonable time period, the level of donation should be set at a level consistent with an infringement fee for the same or similar offence (Infringement fees are set by Regulation, see table attached). If the offence being diverted is not an infringement offence, a decision as to fee level should be made considering infringement offences fee levels, and the overall circumstances of the offending.

32. In some circumstances Fish & Game regions may set the diversion donation fee at levels relevant to court-imposed penalties for similar offending.

#### **Diversion conditions: contribution to costs of prosecutions**

33. When a condition of diversion is a contribution to the prosecutions costs, this should be set at a level which is fair, reasonable, transparent, and consistent with other similar matters and in consideration of the circumstances of the matter and the actual costs incurred by Fish & Game.

#### **Use of warnings**

34. The public interest test of the test for prosecution recognises that not all behaviour that may amount to criminal conduct requires a prosecution response. Whether a warning is appropriate depends on the circumstances of the case, including the behaviour, the intended purpose of the warning and the evidence available to support the warning.
35. The warning decision maker must be distinct from the person who investigated the offence and who recommended a warning – this provides the necessary independence and detachment for the decision.
36. Reasons for issuing a warning must be recorded in writing by the warning decision maker.
37. Use of warnings must recognise and comply with the Solicitor-Generals Guidelines for the use of warnings.

#### **Sufficiency of evidence when issuing warnings**

38. Warnings should only be issued where the alternative is to prosecute and there is credible evidence that meets the evidential test of the test for prosecution.

#### **Range of behaviour for warning**

39. A warning may be issued for a range of behaviour where it is supported by the evidence. Whether a warning is appropriate depends on the circumstances of the case, including an assessment of the public interest considerations against

prosecution – see paragraph 4 of Appendix 1. It is intended that warnings will be issued as a one-off response rather than repeatedly.

### **Content of warning**

40. A warning should be issued in writing and include the following matters:
  - a. The context for issuing the warning, including:
    - i. Accurately setting out the key facts leading to the issuing of the warning, including any explanation, response or admission provided by the person; and
    - ii. The reasons for issuing the warning.
  - b. The consequences related to the warning, including:
    - i. Where the warning will be held and for how long;
    - ii. How the warning will be used; and
    - iii. Any consequences if, in the future, the person engages in similar behaviour.
  - c. The person's rights in relation to the warning, e.g., the right to have the warning reviewed within a certain period.
  - d. Any response of the person to the proposed warning.

### **Appeals**

41. Any Fish and Game prosecution, which results in consideration for an appeal will be:
  - a. Discussed by the Regional Manager or Chief Executive with the prosecutor involved, and any other relevant staff; and
  - b. Discussed with the NZ Fish and Game Council CEO.

Any appeal to be lodged will require:

- a. A legal opinion assessing the matter and suitability for appeal; and
- b. The Solicitor - General's approval obtained in accordance with the Criminal Procedure Act 2011.

## **Appendix 1 - The 'Public interest' test<sup>6</sup>**

1. Once a prosecutor is satisfied that there is sufficient evidence to provide a reasonable prospect of conviction, the next consideration is whether the public interest requires a prosecution. The Solicitor - General's Guidelines in relation to the public interest test should be referred to in conjunction with this appendix.
  
2. The following section lists some public interest considerations for prosecution which may be relevant and require consideration by staff when determining where the public interest lies in any case. The following list is illustrative only.

### **Public interest considerations for prosecution:**

- a. The predominant consideration is the seriousness of the offence. The gravity of the maximum sentence and the anticipated penalty is likely to be a strong factor in determining the seriousness of the offence;
- b. Whether the offence involved violence;
- c. Where there are grounds for believing that the offence is likely to be continues or repeated, for example, where there is a history of recurring conduct;
- d. Whether the defendant has relevant previous offending . Check for previous convictions, diversions and / or cautions / warnings;
- e. Where the offence is prevalent;
- f. Where the offender was a ringleader or an organiser of the offence;
- g. Where the offence was premeditated;
- h. Where the offence was carried out by a group;
- i. Where the offender has created a serious risk of harm;
- j. Where the offence has resulted in financial loss to Fish and Game;
- k. Where the offence was committed against a person carrying out a statutory function, for example a Fish and Game ranger;
- l. Where there is an element of false or misleading behaviour / conduct.

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<sup>6</sup> Solicitor – General's Prosecution Guidelines – As at 1 July 2013:  
[http://www.crownlaw.govt.nz/uploads/prosecution\\_guidelines\\_2013.pdf](http://www.crownlaw.govt.nz/uploads/prosecution_guidelines_2013.pdf)

- 3 For example, regional Fish and Game Councils decided to initiate prosecutions in the following cases:
- a. An honorary Fish and Game ranger approached and spoke to two lake shore anglers, who were both found to be spin fishing without current fishing licences. As the ranger spoke to the two unlicensed anglers a licenced companion of theirs approached the ranger and acted in an obstructive manner, threatened to physically injure the ranger, refused to provide the ranger with his name and details, displayed his bare buttocks at the ranger and threw stones at the ranger's boat as he retreated following the exchange. In response to the principal offender's behaviour, one of the unlicensed anglers refused to provide the ranger with his name and address or surrender his fishing equipment for seizure and displayed his bare buttocks at the ranger as he retreated. As a result of the incident the ranger seriously considered surrendering his warrant as an honorary Fish and Game ranger; and
  - b. An angler was found by a Fish and Game ranger fishing on a lake trolling for trout without a current fishing licence. The angler had been convicted in the District Court approximately 3 months earlier for fishing without a licence during the same season.
4. The following section lists some public interest considerations against prosecution which may be relevant and require consideration when determining where the public interest lies in any case. The following list is illustrative only. Again, the Solicitor - General's Guidelines should be referred to.

**Public interest considerations against prosecution:**

- a. Where the Court is likely to impose a very small or nominal penalty;
- b. Where the loss or harm can be described as minor and was the result of a single incident, particularly if it was caused by an error of judgement or genuine mistake;

- c. Where the offence is not of any test of a serious nature, and is unlikely to be repeated;
  - d. Where there has been a long passage of time between an offence taking place and the likely date of hearing such as to give rise to undue delay or an abuse of process unless:
    - i. the offence is serious; or
    - ii. delay has been caused in part by the offender; or
    - iii. the offence has only recently become known; or
    - iv. the complexity of the offence has resulted in a lengthy investigation.
  - e. Where a prosecution is likely to have a detrimental effect on the physical or mental health of a victim or witness;
  - f. Where the offender is elderly;
  - g. Where the offender is a youth;
  - h. Where the offender has no previous convictions;
  - i. Where the offender was at the time of the offence or hearing suffering from significant mental or physical ill-health;
  - j. Where the offender has rectified the loss or harm that was caused (although defendants should not be allowed to avoid prosecution simply because they pay reparation / compensation);
  - k. Where any proper alternatives to prosecution are available
5. For example, regional Fish and Game Councils decided to not initiate a prosecution in the following cases:
- a. An honorary Fish and Game ranger found a middle-aged male spin fishing for trout on a local river. The angler claimed to be employed and have recently brought a fishing licence from a local licence agent, which he could not find in his fishing bag. The ranger issued the angler with a failure to produce notification requiring him to produce his fishing licence, none was forthcoming. Initial enquiries by Fish and Game revealed that the angler did not have a current fishing licence as claimed. Prima facie evidence was available of the offender fishing without a licence (a strict liability offence, which meant that there was no need to prove the offender intended to

commit the offence) and providing the ranger with false / misleading information.

Subsequent enquiries by Fish and Game revealed that:

- i. The offender had a diagnosed intellectual disability, which meant that he could not read or write, had limited insight into his actions and was inclined to make things up; and
- ii. The offender received on-going assistance from community support services and worked in a local workshop for people with intellectual disabilities. Evidence was provided to Fish and Game by the offenders' support worker with respect to the nature and severity of the offender's intellectual disability.

In addition, after speaking with the ranger the offender's support worker assisted the offender with purchasing a fishing licence for the remainder of the season. Accordingly, a decision was made to explain to the offender the relevant rules and regulations and need for a fishing licence rather than prosecute.

- b. In another case a regional Fish and Game Council decided not to prosecute two middle aged males who were found by a ranger fishing without licences. The facts of the case were that the two were residents of a drug and alcohol rehabilitation facility and had been sent off trout fishing for the day to occupy them. It was evident that neither knew they had to have a trout fishing licence and were new to fishing, having borrowed spin rods. Enquiries found one of the two had suicidal tendencies when stressed, and their care giver had overlooked the fact that licences were required. Accordingly, a decision was made to explain to the offenders, and their carers the relevant rules and regulations and need for fishing licences for any future excursions.

Another (hypothetical) situation also illustrates this point. A person is found walking in a trout spawning stream and in so doing disturbing the spawning grounds of freshwater fish, during the spawning season. The person claims to be there to gather

watercress and is found in possession of freshly picked water cress and there is no evidence whatsoever that they are there to take trout. There is prima facie evidence of an offence against Section 26ZJ of the Conservation Act 1987, in that the ingredients or elements of the offence can be made out, and the offence is strict liability in that the prosecution does not need to prove that the defendant intended to commit the offence.

In considering the first part of the Solicitor - General's Prosecution Guidelines requirements – the Evidential Test, the evidential test may well be fulfilled, in that all elements of a charge are met. However, in considering the second part, the Public Interest Test, an examination of the matter may well result in the public interest test not being met. Particularly if any harm was minor, caused by an error of judgement or genuine mistake, and unlikely to be repeated. In such a case a decision can correctly be made of 'no prosecution.' Conversely in the same scenario, if the person can be shown to be reckless, caused much damage, and had no remorse, i.e., is likely to repeat the offence, then public interest may well dictate a prosecution is justified.

6. These considerations are not comprehensive or exhaustive. The public interest considerations which may properly be considered when deciding whether the public interest requires prosecution will vary from case to case. In Fish and Game prosecutions, which are often of a regulatory nature, relevant considerations will include:
  - a. Fish and Game's statutory objectives and enforcement priorities;
  - b. The effect of a decision not to prosecute on public opinion;
  - c. The obsolescence or obscurity of the law; and
  - d. The prevalence of the alleged offence and the need for deterrence.
  
7. Cost is also a relevant factor when making an overall assessment of the public interest.

8. None of the above factors are necessarily determinative in themselves; all relevant and applicable public interest factors must be weighed.
  
9. A decision whether or not to prosecute must not be influenced by:
  - a. The race, ethnic or national origins, sex, marital status, religious, ethical, or political beliefs of the offender; or
  - b. The prosecutor's personal views regarding the victim or the offender; or
  - c. Possible political advantage or disadvantage to Fish and Game; or
  - d. The possible effect on the personal or professional reputation or prospects of those responsible for the prosecution decision.

## Appendix 2 - Diversion

### How to use diversion as a process.

1. Offence meets the criteria for prosecution, i.e., meets prosecution guidelines tests for evidential sufficiency **and** prosecution is in the public interest.
2. Obtain an up-to-date criminal history for the defendant.
3. Check defendant is eligible for diversion – no previous relevant convictions (note that the point of diversion is generally to prevent a person getting a first conviction, although if previous convictions are old, or unrelated to the current offence, diversion may still be considered).
4. File charging document(s) in Court as per usual commencement of a prosecution in accordance with the Criminal Procedure Act 2011. Summons in accordance with Criminal Procedure Rules 2012 and initial disclosure package in accordance with Criminal Disclosure Act 2008 is served on the defendant.
5. Diversion can be offered once the defendant has appeared in Court at first appearance which is usually in Registrars List in the District Court. This can have the advantage of the process being seen to have more judicial oversight. Having an offender appear in Court reinforces the seriousness of the offending and the unsuitability of resolving it by an out of court action, including by way of an infringement notice(s).
6. When diversion is offered at first court appearance the matter would be remanded off to another date to allow the defendant and prosecution to arrange diversion conditions and to allow time for the defendant to complete them.
7. Alternatively, the diversion offer can be made in writing to the defendant along with the summons and initial disclosure package. The advantage of this approach is that the process is streamlined, and in many cases the matters can be resolved prior to

the date of first appearance in court, therefore in most circumstances negating the need for any court appearances by either the prosecution or the defendant. (Note: some courts may insist on a prosecutor appearing in Court to seek to have the charge dismissed in open court, although most courts will agree to dismiss charges administratively following written application).

8. Diversion conditions should include:
  - a. A contribution to summons service and prosecution costs. This should be set at a level which is fair, reasonable, transparent, and consistent with other similar matters and in consideration of the circumstances of the matter and the actual costs incurred by Fish & Game.
  - b. The diversion agreement conditions do not have to be negotiable; the offer and conditions can be put to the defendant, although overall circumstances of the offending and the offender should be considered.
  - c. A donation to an identifiable cause. For example, junior angler and hunter programmes, angler / hunter access, wetland development programmes. The level of donation should be set at a level consistent with an infringement fee for the same or similar offence. If the offence being diverted is not an infringement offence, a decision to fee level should be made considering infringement offences fee levels, and the overall circumstances of the offending.
  - d. Diversion can include surrender of gear for disposal, e.g., ammunition / fishing gear where there is good reason for this to happen.
  - e. A written apology may be required to demonstrate the defendant's acceptance of responsibility and remorse.
  - f. In some cases, diversion can include a donation to another external charity.
  
9. When the diversion conditions are met, the prosecution must ensure that the court is advised in writing that diversion is completed, and request the Court dismisses the charge(s). This is a requirement of Section 148 of the Criminal Procedure Act 2011. This can be done by the prosecutor at the next court date, or administratively by written application to the Court which is the most efficient process if diversion is

completed prior to the date of first appearance. For sake of transparency the court can be advised in this application what the diversion conditions were, although this is not a requirement. When advising the Court that diversion is complete an application should be also made for the charge(s) to be dismissed pursuant to Section 147 of the Criminal Procedure Act 2011.

10. If diversion is not completed by the agreed date the prosecution will proceed as per any other non-diversion prosecution, or an extension of time could be granted by the Court to complete diversion if the prosecution seeks an extension.
  
11. When diversion is completed, the defendant can be advised that they do not need to appear in Court at the next Court date, as the matter is being dismissed. If represented by a lawyer, the Criminal Procedure Act does not require the defendant to appear in court if they have already been excused.

## Conservation (Infringement Offence) Regulations 2019

### Schedule 2 Penalties for infringement offences under Conservation Act 1987

Section	Description of offence	Infringement fee (\$)	Maximum fine (\$)
<a href="#">51B(2)</a>	Taking sports fish in contravention of Anglers Notice	400	800
<a href="#">51C(3)</a>	Taking sports fish without licence	400	800
<a href="#">51D(2)</a>	Possessing sports fish taken unlawfully	400	800
<a href="#">51E(3)</a>	Establishing, managing, or operating fish hatchery for sports fish in breach of regulations	800	1,600
<a href="#">51F(3)</a>	Failing to comply with <a href="#">section 51F(1)</a> (which relates to unauthorised conduct in relation to spawning fish)	800	1,600
<a href="#">51G(2)</a>	Failing to comply with restrictions on fishing	800	1,600
<a href="#">51H(2)</a>	Transferring or releasing live aquatic life	800	1,600
<a href="#">51I(2)</a>	Fishing in closed season	600	1,200
<a href="#">51J(3)</a>	Buying or selling sports fish for purpose of sale contrary to Act	800	1,600
<a href="#">51K(2)</a>	Possessing certain kinds of fish without approval	800	1,600
<a href="#">51L(3)</a>	Using hazardous substances, etc, to take or destroy fish	800	1,600

[rr 4, 5](#)

## Wildlife Regulations 1955

### Schedule 5 Penalties for infringement offences under Wildlife Act 1953

Schedule 5: inserted, on 3 February 2020, by [regulation 120](#) of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

[r 47](#)

Section	Description of offence	Infringement fee (\$)	Maximum fine (\$)
<a href="#">70B(2)</a>	Hunting during close season	600	1,200
<a href="#">70C(5)</a>	Hunting without licence during open season	400	800
<a href="#">70D(2)</a>	Contravening terms of open season notification	400	800
<a href="#">70E(3)</a>	Hunting wildlife in contravention of conditions prescribed by Minister	400	800
<a href="#">70F(3)</a>	Failing to produce licence on demand	200	400
<a href="#">70G(2)</a>	Hunting or killing any absolutely protected wildlife	800	1,600
<a href="#">70G(2)</a>	Hunting or killing any partially protected wildlife	600	1,200
<a href="#">70G(2)</a>	Hunting or killing any game	400	800

<b>Section</b>	<b>Description of offence</b>	<b>Infringement fee (\$)</b>	<b>Maximum fine (\$)</b>
<a href="#">70G(2)</a>	Buying, disposing of, or possessing any absolutely protected wildlife	600	1,200
<a href="#">70G(2)</a>	Buying, disposing of, or possessing any partially protected wildlife	400	800
<a href="#">70G(2)</a>	Buying, disposing of, or possessing any game	400	800
<a href="#">70G(2)</a>	Buying, disposing of, or possessing any skin, feathers, or other portion, or any egg, of any absolutely protected wildlife	600	1,200
<a href="#">70G(2)</a>	Buying, disposing of, or possessing any skin, feathers, or other portion, or any egg, of any partially protected wildlife	400	800
<a href="#">70G(2)</a>	Buying, disposing of, or possessing any skin, feathers, or other portion, or any egg, of any game	400	800
<a href="#">70G(2)</a>	Robbing, disturbing, destroying, or possessing the nest of any absolutely protected wildlife	800	1,600
<a href="#">70G(2)</a>	Robbing, disturbing, destroying, or possessing the nest of any partially protected wildlife	600	1,200
<a href="#">70G(2)</a>	Robbing, disturbing, destroying, or possessing the nest of any game	400	800
<a href="#">70H(3)</a>	Taking game in contravention of Act or notification	400	800
<a href="#">70I(3)</a>	Failing to comply with condition of authority to take or kill wildlife	400	800

**Prosecutions only to be initiated or continued if the test for prosecution is met**

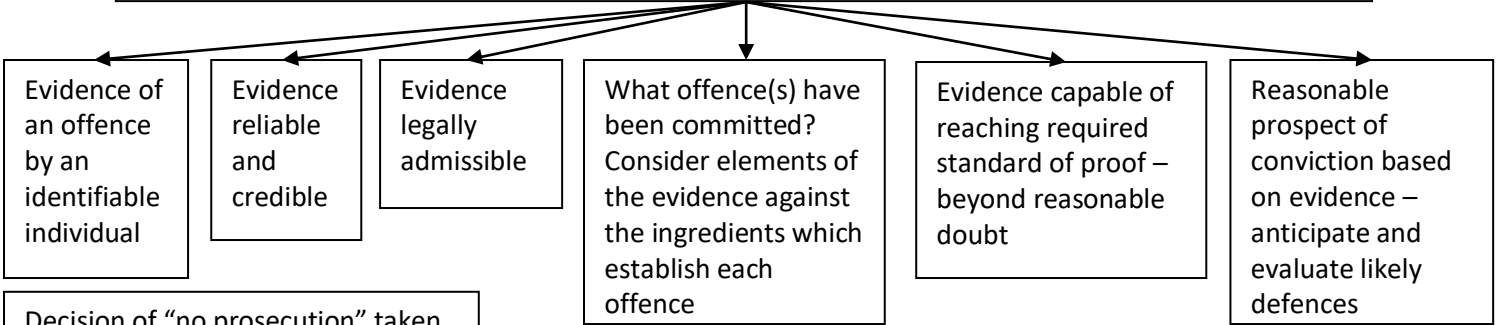
**Test for prosecution met if:**

1. Evidence which can be adduced in Court is sufficient to provide a reasonable prospect of conviction – the Evidential Test; **and**
2. Prosecution is required in the public interest – the Public Interest Test.

Each aspect of test must be considered separately and satisfied before a decision to prosecute is made. Evidential test must be satisfied before public interest test is considered.

**The Evidential test – Step 1**

Reasonable prospect of conviction exists if there is reliable and admissible evidence which prosecution can adduce before a Court and an impartial Judge or jury could reasonably be expected to be satisfied beyond reasonable doubt that individual prosecuted has committed an offence – Consider each of the following elements:



Decision of “no prosecution” taken if evidential test not met. Does not preclude further consideration of case if new and additional evidence becomes available, or a review of original decision is required (rare step)

Is the evidential test satisfied?

No

Yes – also consider the public interest test

Public interest considerations for prosecution (list is illustrative only):

- Seriousness of the offence – predominant consideration;
- Violence / threats involved;
- Prevalence of offence and need for deterrence;
- Defendant has relevant previous convictions and / or reparation / warnings for similar offences;
- Offence premeditated or carried out by a group;
- Defendant ringleader or organiser of offence;
- Offence resulted in financial loss / risk of harm;
- Offence committed against a Ranger serving the public;
- Offence involved false or misleading behaviour;
- Effect decision not to prosecute.

**The public interest test – Step 2**  
Does the public interest require a prosecution?

No

Yes

Decision of “no prosecution” taken. Does not preclude consideration of alternatives to a prosecution if evidential test met., e.g., warning letter, youth warning with parental follow up.

Decision of “prosecution” taken – Charging document(s) laid within statutory timeframe. File should be reviewed regularly. **Diversion** offered is appropriate.

Public interest considerations against prosecution (list is illustrative only):

- Court likely to impose small / nominal penalty;
- Offence minor and unlikely to be repeated
- Loss or harm minor and result of a single incident, especially if judgment error or genuine mistake;
- Obscurity of the law;
- Age – youth / elderly;
- Physical / mental health of offender;
- No previous convictions;
- Offender rectified loss / harm caused – but shouldn’t be able to buy way out of prosecution;
- Proper alternatives to prosecution available;
- Cost of prosecution.



8 September 2025

## **Communique issued following meeting 176 of the New Zealand Fish & Game Council**

The August meeting (August 29 and 30) was held at the West Plaza Hotel, rather than our usual location, the Brentwood Motel. A few members of the NZC were away overseas and therefore unable to attend, and we welcomed Dan Isbister as the new Central South Island NZC representative.

Many matters of significance were discussed at the August meeting, as well as some more administrative items. A summary of the substantive decisions is provided below.

### **Anglers Notice and Fish and Game Notice process**

The 2025/2026 Anglers Notice went on sale at the beginning of last week. In many ways, this is a culmination of months of work for the organisation. Similarly with the Game Bird Notice, the point of sale represents the last step in a complex process. As requested at the previous NZC meeting, a paper was produced outlining the process for publishing the Anglers and Game Bird Notice. This includes a reminder about Ministerial expectations in terms of population monitoring, consideration of multiple options and consultation with the wider community, as well as those directly affected. The paper is being shared with all regions (and you are welcome to send it out further) so that everyone is aware of the steps involved.

### **Health and Safety Audits**

At the June NZC meeting, a motion was passed to conduct Health and Safety Audits of every regional council over the rest of this year. While the intention of this is good, analysis at NZC suggested this was going to be challenging to deliver within existing budgets. An audit of the Northland region was completed as a pilot, and a verbal summary of the results of this audit was presented at the meeting. The new proposal is that three additional health and safety audits would be completed (West Coast, North Canterbury and Auckland) this year. This will be funded by rolling over the remaining budget in the 2024/2025 FY and earmarking the 2025/2026 audit budget. NZC still holds the aim of undertaking an audit for all regions over the next few years.

### **Legal Analysis**

NZC agreed to fund up to \$15,000 in costs towards legal advice to allow us to thoroughly understand the implications of the Fish & Game Bill and enable informed and effective participation in the select committee process. The Fish & Game Bill will require parliamentary approval and will amend the Conservation Act. Legal advice will



help identify how the proposed changes interact with our existing statutory functions and obligations. The \$15,000 has been repurposed from existing input controls funding in the RMA fund, meaning that no additional funding is required.

### Research Subcommittee Terms of Reference

Following a request from the June meeting, a paper was presented on the Research Subcommittee, which looked at whether the current structure of the Subcommittee was appropriate. A particular concern was that the current Subcommittee structure relied on having NZC members who had an academic research background. This is not guaranteed under the Fish & Game democratic mechanisms. A discussion followed about the best way to structure these functions (especially given that the funding for the research position has been approved). The idea of creating a research expert panel to provide input into research and monitoring undertaken, and the methodology was proposed and got support from around the table. A paper on this model will be presented at the next meeting.

### Budget Recommendations

In July 2025, the Minister for Hunting and Fishing indicated that there would be no increases in licence fees for the 2025-26 year. Therefore, the August meeting had to make some decisions around how to revise the budget in light of cost pressures. The decision was made to revert back to the baseline 2024/25 budgets plus an additional 2.5% increase to allow for inflation. In addition, a further eight regional funding applications totalling \$293,449 were approved to be funded by regional reserves. While the following six NZC projects were also approved to be funded from NZC reserves:

Projects formerly approved from licence Fee		
Project		Proposed funding
New Research Position		\$100,000.00
Increased Licence Costs 36K		\$36,000.00
Licence System RFP		\$50,000.00
Extra Magazine postage		\$50,000.00
RMA Fund Topup		\$100,000.00
Research Fund Topup		\$50,000.00
<b>Total</b>		<b>\$386,000.00</b>



### **Infringement Notice System Implementation**

Fish & Game has developed a comprehensive Infringement Notice Compliance and Enforcement Policy to enable the issuing of infringement notices for minor offences under the Conservation Act 1987 and the Wildlife Act 1953. This system will provide an intermediate enforcement option between warnings and full prosecutions, reducing costs and court time while maintaining compliance outcomes. The NZC agreed to consult on the Draft Infringement Notice Compliance and Enforcement Policy and supporting documents with all regions. Feedback on the Draft Policy is requested by 31 October.

### **RMA Fund Update**

The RMA Fund update for August included information on a funding request from Auckland/ Waikato for costs associated with reconsenting the Whangamarino weir. Auckland/Waikato Fish and Game and the Department of Conservation are joint consent holders for a large weir that dams the Whangamarino River. This consent has authorised the damming of the river since 1991 and has successfully raised minimum water levels in the Whangamarino Wetland. As a result, up to 7,000 hectares of wetland have been restored—most notably 1,500 hectares of swampland connected to the riverine network, including a significant area of Fish and Game-owned land. The current consent expires in October 2027. A new resource consent will be required to continue damming the Whangamarino River using the existing weir or an alternative. NZC had many questions about the exact nature of the project and what the funds would be used for. Instead of approving any funding at this meeting, the Council has requested more information on the budget and the risks of the project.

### **Other matters**

In the regular reports, there was information regarding the authority to cull permits, unfortunately, work pressure at the Department of Conservation means that updates to the delegations and issuing of permits to cull under the Wildlife Act have been delayed. An initial draft report on the Mallard Monitoring policy has been received from Proteus Consulting, and the completed report will be presented to the next Council meeting. Updates were provided on Access, Maritime and Biosecurity. On this last matter, Adam Daniel provided an update specifically on Aquatic Invasive Species. The MPI response to the gold clam invasion of the Waikato River has placed unjustified scrutiny on anglers and done little to address border security or likely expansion of the clam's current range. Staff identified wake boats as a significant biosecurity threat to MPI prior to the arrival of gold clams. The MPI response has been underfunded and focused on traditional check, clean, dry (CCD) procedures that are not effective for wake boats.



Finally, the date for the last meeting of the year has been moved from the last weekend in November to December 5 and 6. This is due to the Parliamentary Fishing event being locked in for the November dates. The location of this meeting is yet to be confirmed.

Kind regards,

Barrie Barnes  
Chair  
Fish & Game National Council

## **REACTIVE MEDIA STATEMENT**

### **Fish & Game New Zealand announces leadership structure to support Ministerial reforms**

The New Zealand Fish & Game Council has announced a leadership change to provide Strategic direction for the sector and support the implementation of proposed legislative changes designed to strengthen and modernise the organisation.

Corina Jordan, current CEO of the Game Animal Council, will be seconded to serve as CEO of both New Zealand Fish & Game and the Game Animal Council on a fixed term basis.

This joint role recognises the significant overlap between licence holders and the interests of big game hunters who fish, shoot and hunt our valued introduced species, particularly their shared environmental and community values.

The sharing of a joint CEO at this time, also recognises that both Fish and Game and the Game Animal Council are being faced with legislative changes. As such, strong strategic and coordinated leadership is required to ensure that the hunting and freshwater fishing sector retains its own statutory representation, and that valued introduced species are recognised and sustainably managed for hunting and freshwater fishing.

Hunting and fishing bring both economic and societal benefits to the New Zealand community. The value of which can be measured in more than dollar terms, including improved mental health and physical wellbeing, a sense of community, conservation benefits, and attracting the next generation of hunters and anglers to continue our outdoor traditions that Kiwis value so much.

The joint CEO, Ms Jordan, will be supported in Fish & Game by the newly created role of Chief Operating Officer. Richie Cosgrove, who has been serving as Acting CEO, will transition to this role. In this position, Mr Cosgrove will provide operational management of Fish & Game whilst supporting the implementation of legislative changes with minimal disruption to day-to-day business. This will ensure that Fish & Game maintains its capability to fulfil its current purpose whilst best placing the organisation to work with its stakeholders and the government to ensure that legislative changes strengthen the organisation and the sector.

Ms Jordan was previously CEO of New Zealand Fish & Game from 2022 to 2025, and had led significant change across Fish & Game in modernising the organisation. The legislative changes that will be considered provide further opportunity to build on this work, and as such having continuity in strategic leadership is important.

New Zealand Fish & Game Council Chairman Barrie Barnes said: "This is a measure that draws on Corina's extensive knowledge, policy expertise and leadership skills to support and guide Fish & Game through the legislative process.

“It will help ensure the proposed reforms are implemented effectively, while looking after the interests of New Zealand’s angling and hunting community.

“Richie will remain a leader in his new role as Chief Operating Officer, ensuring the day to day Implementation of Fish and Games’ core statutory functions, and working closely with our regions to maintain a unified organisation during this period of change.”

The arrangement will see costs shared between the two statutory bodies and is designed to support the effective management of strategy and implementation of the Ministerial changes whilst maintaining Fish & Game's accountability to licence holders.

The sharing of a joint CEO with the Game Animal Council, along with the creation of the COO position, will ensure that Fish and Game continues to build on the substantial work undertaken over the last 3 years in meeting the needs of gamebird hunters and anglers, increasing value for licence holders, and promoting healthy habitats and ecosystems. Importantly, this will also best place the organisation to represent licence holders and strengthen the recognition of hunting and fishing and valued introduced species and their management, through this period of legislative reform.

*For media enquiries contact:*

**Table 3: Base Funds 2025 26 - Revised**

National Budget	Net licence & Interest Income 25/26	Original Base Funds 25/26	Base funds 2024-25	Revised Budget from licence fee	Inflation adj 2.5%	Base Fund for 25/26	One Off Funding from Reserves	Ongoing Funding from Reserves	Revised Budget 25/26(inc from Reserves)
	Northland	226,448	610,346	592,081	592,081	14,802	606,883	0	0
Auckland\Waikato	1,100,652	966,026	881,824	881,824	22,046	903,870	0	0	903,870
Eastern	1,430,366	1,370,026	1,305,544	1,305,544	32,639	1,338,183	8,000	0	1,346,183
Hawkes Bay	583,380	473,059	434,624	434,624	10,866	445,490	87,000	0	532,490
Taranaki	254,269	427,292	427,816	427,816	10,695	438,511	0	0	438,511
Wellington	680,741	851,300	848,388	848,388	21,210	869,598	0	0	869,598
Nelson-Marlb	619,642	590,269	564,125	564,125	14,103	578,228	0	0	578,228
Nth Canterbury	1,574,696	1,064,645	1,009,935	1,009,935	25,248	1,035,183	39,000	0	1,074,183
West Coast	327,822	424,000	375,951	375,951	9,399	385,350	33,250	0	418,600
Central SI	1,815,088	1,030,235	945,235	945,235	23,631	968,866	40,000	0	1,008,866
Otago	2,404,586	1,324,478	1,240,968	1,240,968	31,024	1,271,992	0	0	1,271,992
Southland	1,481,972	885,171	823,059	823,059	20,576	843,635	41,199	0	884,834
NZC only	39,646	1,513,516	1,280,486	1,280,486	32,012	1,312,498		0	1,312,498
National inc Resea	-	1,598,715	1,569,350	1,569,350	39,234	1,608,584		0	1,608,584
<b>TOTAL</b>	<b>12,539,308</b>	<b>13,129,078</b>	<b>12,299,386</b>	<b>12,299,386</b>	<b>307,485</b>	<b>12,606,871</b>	<b>248,449</b>	<b>-</b>	<b>12,855,320</b>

# Memorandum of Understanding Te Punanga Manu

## Between

Te Rūnaka o Ōraka-Aparima, [Southland Fish and Game Council](#), Department of Conservation and Great South (the parties)

## 1. The Parties

- 1.1. Te Rūnaka o Ōraka-Aparima [\(add description\)](#)
- 1.2. [The Southland Fish and Game Council \(Fish & Game\)](#) is one of 12 [autonomous regional Fish and Game Councils, a public benefit entity under the national New Zealand Fish & Game Council, a non-governmental organisation](#) established under the Conservation Act 1987. It is responsible for managing, protecting, and enhancing freshwater sports fish and game bird resources and their habitats in the Southland region, on behalf of licence holders.
- 1.3. The Department of Conservation (DOC) is the central government agency responsible for the conservation of New Zealand's natural and historic heritage. In Southland, DOC manages an extensive and diverse conservation estate, including Fiordland National Park, Rakiura National Park (Stewart Island), and large parts of Te Waipounamu World Heritage Area.
- 1.4. Great South was established as the Southland Regional Development Agency in March 2019 with a vision of "Even better lives through sustainable regional development".
- 1.5. The parties have agreed that a collaborative approach to look at the future of the Te Anau Bird Park. To this end the parties have agreed to enter into this Memorandum of Understanding ("MOU") to set out how the parties will work together.

## 2. Background

[Add summary text regarding our process to date, from our comms plan. Just to give context of what we have been doing, how this works.](#)

[Clarify the role and link of each party to the bird park here or in 1.](#)

## 3. Purpose

This Memorandum of Understanding (MoU) establishes a framework for collaboration between Te Rūnaka o Ōraka-Aparima, Fish & Game, Department of Conservation and Great South to work together for the future of the Te Anau Bird Park or Te Punanga Manu.

[This framework outlines the parameters on how all parties can work collaboratively for the future of the Te Anau Bird Park and also the identification of operational processes for the Bird Park. ¶](#)

It also recognises the respective parties' expectations with respect to any future development of the site, to provide certainty for any potential commercial party or external entity, and within the parties bound by this MOU.

### 3. Principles

- a. The parties recognise that the following principles underpin their relationship:
  - i. **Communication:** Regular and open communication at all levels of the organisation including acting in good faith and co-operatively on issues of information sharing and mutual disclosure.
  - ii. **Co-operation:** Achieving synergies by exploring opportunities for and working openly and collaboratively together on the long term future of the Te Anau Bird Park.
  - iii. **Continuity:** Fostering a long-term, sustainable relationship based on trust, understanding, and continued co-operation.
  - iv. **Commitment:** Making clear commitments to each other where appropriate to achieve mutually beneficial outcomes.
  - v. **Operational:** Acting in good faith, keeping in regular contact etc.

### 4. Areas of Common Interest

Co-operation is encouraged in all areas of mutual interest, how the following areas are agreed priorities:

- **Sharing Information:** Exchange relevant environmental, economic, and planning data to support decision-making.
- Strengthening partnerships for environmental and cultural benefit.¶
- 
- 

### 5. Expectations & Limitations¶

- Fish & Game commits to providing free use of the land for a development that appropriately promotes cultural values (as determined by Oraka-Aparima) and/or conservation values (all parties) associated with Oraka-Aparima Runaka rohe. Fish & Game's expectation is that Fish & Game values associated with habitat, water quality and trout are included as part of any such development. ¶
- Depending on the scale of any subsequent development, Fish & Game reserves the right to negotiate some compensation, or development of alternatives, if their existing office premises or house, that are currently on site, require removal and/or demolition.¶

¶

¶

### 6. Responsibilities of the Parties

All parties are committed to:

- Communicating openly and respectfully.
- Sharing relevant data, expertise, and resources.

- Respect the unique values, knowledge systems, and statutory obligations of each party.
- Support collective decision-making processes in good faith.

- 

### **7.6. Governance and Oversight**

- A joint steering group comprising representatives from Te Rūnaka o Ōraka-Aparima, Fish & Game, DOC and Great South shall oversee the operationalisation of this MoU.
- Regular meetings will be held to assess the effectiveness of collaboration and address any operational challenges.
- Any disputes arising from this MoU shall be resolved through mutual discussion and agreement.

### **87. Responsibilities**

#### **96. Duration and Amendments**

- This MoU shall commence on 5 August 2025 and remain in effect until terminated by any party with reasonable notice. There will be an annual review of the MOU to be undertaken by the joint steering group.
- Amendments to this MoU must be agreed upon in writing by both parties.

#### **106. Signatories**

Signed on [Date] by:

#### **For Environment Southland:**

Name and Role?

Te Rūnaka o Ōraka-Aparima  
[Signature]

#### **For Fish & Game:**

David Macgregor  
Chair

Name and Role?  
[Signature]

#### **For Department of Conservation:**

Name and Role?  
[Signature]

#### **For Great South:**

Name and Role?  
[Signature]



Dear Rockytommy Farming Limited manager or owner

**Re: Re-erection of Angler Access Signage – Mataura River**

As a landholder adjoining the Mataura River, and with the new fishing season approaching, I am writing to inform you of Fish & Game's intention to re-erect angler access signage in the Cattle Flat area.

Last season, some signage was removed or damaged, and to support a positive experience for anglers and landowners alike, we are working to reinstall appropriate signage at key access points. The signage will provide helpful information for anglers, including guidance on access etiquette, to ensure positive experiences for both landowners and the angling public.

Please find enclosed aerial images showing the location/s where signage is planned. These locations correspond to points where there is legal public access to the Mataura River via formed or unformed public roads (marked in purple), Land Information New Zealand (LINZ) hydro parcels (marked in blue), Department of Conservation Land (marked in green).

If you have a lease on any of the adjoining LINZ or DoC land, with any specific public access conditions, please let us know and we can include this on any access signage.

If you would like to discuss access signage in this area, please don't hesitate to contact the Fish & Game office. We are happy to work with you to ensure the signage is appropriately placed and respectful of your adjoining property.

Sincerely,

Cohen Stewart

Senior Field Officer



Dear Grant and Helen McFelin,

**Re: Re-erection of Angler Access Signage – Mataura River**

As a landholder adjoining the Mataura River, and with the new fishing season approaching, I am writing to inform you of Fish & Game's intention to re-erect angler access signage in the Cattle Flat area.

Last season, some signage was removed or damaged, and to support a positive experience for anglers and landowners alike, we are working to reinstall appropriate signage at key access points. The signage will provide helpful information for anglers, including guidance on access etiquette, to ensure positive experiences for both landowners and the angling public.

Please find enclosed aerial images showing the location/s where signage is planned. These locations correspond to points where there is legal public access to the Mataura River via formed or unformed public roads (marked in purple), Land Information New Zealand (LINZ) hydro parcels (marked in blue), Department of Conservation Land (marked in green).

If you have a lease on any of the adjoining LINZ or DoC land, with any specific public access conditions, please let us know and we can include this on any access signage.

If you would like to discuss access signage in this area, please don't hesitate to contact the Fish & Game office. We are happy to work with you to ensure the signage is appropriately placed and respectful of your adjoining property.

Sincerely,

Cohen Stewart

Senior Field Officer



Dear Raymond Keown,

**Re: Re-erection of Angler Access Signage – Mataura River**

As a landholder adjoining the Mataura River, and with the new fishing season approaching, I am writing to inform you of Fish & Game's intention to re-erect angler access signage in the Cattle Flat area.

Last season, some signage was removed or damaged, and to support a positive experience for anglers and landowners alike, we are working to reinstall appropriate signage at key access points. The signage will provide helpful information for anglers, including guidance on access etiquette, to ensure positive experiences for both landowners and the angling public.

Please find enclosed aerial image/s showing the location/s where signage is planned. These locations correspond to points where there is legal public access to the Mataura River via formed or unformed public roads (marked in purple), Land Information New Zealand (LINZ) hydro parcels (marked in blue), Department of Conservation Land (marked in green).

If you have a lease on any of the adjoining LINZ or DoC land, with any specific public access conditions, please let us know and we can include this on any access signage.

If you would like to discuss access signage in this area, please don't hesitate to contact the Fish & Game office. We are happy to work with you to ensure the signage is appropriately placed and respectful of your adjoining property.

Sincerely,

Cohen Stewart

Senior Field Officer



Dear Glenfruin Farm manager/owner,

**Re: Re-erection of Angler Access Signage – Waikaia River**

As a landholder adjoining the Waikaia River, and with the new fishing season approaching, I am writing to inform you of Fish & Game's intention to re-erect angler access signage in the Waikaia area.

Last season, some access signage was removed or damaged, and to support a positive experience for anglers and landowners alike, we are working to reinstall appropriate signage at key access points. The signage will provide helpful information for anglers, including guidance on access etiquette, to ensure positive experiences for both landowners and the angling public.

Please find enclosed aerial images showing the location/s where signage is planned. These locations correspond to points where there is legal public access to the Waikaia River via formed or unformed public roads (marked in purple), Land Information New Zealand (LINZ) hydro parcels (marked in blue), Department of Conservation Land (marked in green).

If you have a lease on any of the adjoining LINZ or DoC land, with any specific public access conditions, please let us know and we can include this on any access signage.

If you would like to discuss access signage in this area, please contact the Fish & Game office. We are happy to work with you to ensure the signage is appropriately placed and respectful of your adjoining property.

Thanks,

Cohen Stewart

Senior Field Officer



Dear Maxwell Horrell,

**Re: Re-erection of Angler Access Signage – Waikaia River**

As a landholder adjoining the Waikaia River, and with the new fishing season approaching, I am writing to inform you of Fish & Game's intention to re-erect angler access signage in the Waikaia area.

Last season, some assess signage was removed or damaged, and to support a positive experience for anglers and landowners alike, we are working to reinstall appropriate signage at key access points. The signage will provide helpful information for anglers, including guidance on access etiquette, to ensure positive experiences for both landowners and the angling public.

Please find enclosed aerial images showing the location/s where signage is planned. These locations correspond to points where there is legal public access to the Waikaia River via formed or unformed public roads (marked in purple), Land Information New Zealand (LINZ) hydro parcels (marked in blue), Department of Conservation Land (marked in green).

If you have a lease on any of the adjoining LINZ or DoC land, with any specific public access conditions, please let us know and we can include this on any access signage.

If you would like to discuss access signage in this area, please contact the Fish & Game office. We are happy to work with you to ensure the signage is appropriately placed and respectful of your adjoining property.

Thanks,

Cohen Stewart

Senior Field Officer

## FISHING LICENCE SALES PROGRESS

Current season sales Fish 2024/2025			Current season sales Fish 2023/2024			Complete season sales Fish 2022/2023		
Category	No Sold		Category	No Sold		Category	No Sold	
Whole season adult	2498	\$389,688.00	Whole season adult	2784	\$425,952.00	Whole season adult	2969	\$430,505.00
Whole season Jun	859	\$26,629.00	Whole season Jun	817	\$25,327.00	Whole season Jun	780	\$22,620.00
NR Adult whole season	853	\$230,310.00	NR Adult whole season	757	\$199,848.00	NR Adult whole season	722	\$180,500.00
NR Junior whole season	33	\$1,683.00	NR Junior whole season	30	\$1,500.00	NR Junior whole season	35	\$1,645.00
NR Child	16	\$816.00	NR Child	14	\$700.00	NR Child	14	\$658.00
NR Day Adult	1616	\$61,408.00	NR Day Adult	1503	\$55,611.00	NR Day Adult	1174	\$41,090.00
NR Day Junior	44	\$1,012.00	NR Day Junior	32	\$704.00	NR Day Junior	23	\$483.00
NR Day Child	35	\$805.00	NR Day Child	20	\$440.00	NR Day Child	13	\$273.00
Local Area	335	\$41,875.00	Local Area	279	\$34,038.00	Local Area	304	\$35,264.00
Senior Loyal	589	\$78,337.00	Senior Loyal	562	\$73,060.00	Senior Loyal	571	\$66,236.00
Family	1932	\$392,196.00	Family	2268	\$449,064.00	Family	2478	\$465,864.00
Adult Day	1397	\$34,925.00	Adult Day	1282	\$30,768.00	Adult Day	1330	\$30,590.00
Junior Day	202	\$1,212.00	Junior Day	194	\$970.00	Junior Day	152	\$760.00
Short Break	438	\$24,528.00	Short Break	435	\$23,925.00	Short Break	421	\$21,892.00
Long Break	34	\$3,706.00	Long Break	41	\$4,387.00	Long Break	29	\$2,929.00
Winter Adult	98	\$9,212.00	Winter Adult	91	\$8,372.00	Winter Adult	99	\$8,613.00
Searun Salmon Card	135	\$675.00	Searun Salmon Card	193	\$965.00	Searun Salmon Card	257	\$1,285.00
Designated Waters - Res	1745	\$8,725.00	Designated Waters - Res	1800	\$9,000.00			
Designated Waters - NR	571	\$22,840.00	Designated Waters - NR	582	\$23,280.00			
<b>TOTAL</b>	<b>13430</b>	<b>\$1,330,582.00</b>	<b>TOTAL</b>	<b>13684</b>	<b>\$1,367,911.00</b>	<b>TOTAL</b>	<b>11371</b>	<b>\$1,311,207.00</b>
<b>LEQ'S</b>	<b>8529</b>		<b>LEQ'S</b>	<b>8941</b>		<b>LEQ'S</b>	<b>9043</b>	

LEQ TARGETS FOR FISH 2024/2025 = 8595

LEQ TARGETS FOR FISH 2023/2024 = 9167

FISH LICENCE LEQ'S ARE 99.2% OF TARGET. LAST YEAR AT SAME TIME 97% OF TARGET

--

STHLD FISH LICENCE SALES AS AT 31st AUGUST 2025 ARE DOWN 4.6% ON LAST YEARS SALES AT THE SAME TIME.

NATIONALLY THE FISH LIC SALES ARE UP 0.3% ON LAST YEARS SALES TO THE SAME TIME

## GAME LICENCE SALES COMPLETE SEASON

Current season Game 2025			Current season Game 2024			Final Game 2023		
Category	No Sold	7/31/2025	Category	No Sold	7/31/2024	Category	No Sold	7/31/2023
Adult WS	3601	\$406,913.00	Adult WS	4377	\$494,601.00	Adult WS	4522	\$483,854.00
Junior WS	430	\$11,180.00	Junior WS	523	\$13,598.00	Junior WS	488	\$12,200.00
Ad Day	52	\$1,352.00	Ad Day	47	\$1,222.00	Ad Day	37	\$925.00
Jun Day	4	\$40.00	Jun Day	2	\$20.00	Jun Day	2	\$18.00
Child WS	147	\$735.00	Child WS	183	\$915.00	Child WS	169	\$845.00
<b>TOTALS</b>	<b>4234</b>	<b>\$420,220.00</b>	<b>TOTALS</b>	<b>5132</b>	<b>\$510,356.00</b>	<b>TOTALS</b>	<b>5218</b>	<b>\$497,842.00</b>
<b>LEQ'S</b>	<b>3719</b>		<b>LEQ'S</b>	<b>4516</b>		<b>LEQ'S</b>	<b>4653</b>	

LEQ TARGETS FOR GAME 2024/25 = 4574  
GAME LICENCE LEQ'S ARE CURRENTLY 81.3% OF TARGET.

LEQ TARGETS FOR GAME 2023/24 = 5218  
LAST YEAR AT SAME TIME 86.54% TARGET

STHLD GAME LICENCES AS AT 31st AUGUST 2025 ARE DOWN 17.6% ON LAST YEARS SALES AT THE SAME TIME  
NATIONALLY THE GAME LIC SALES ARE DOWN 1.3% ON LAST YEARS SALES TO THE SAME TIME

## END OF SEASON FISHING LICENCE SALES

2012/2013		
Category	No Sold	
Adult WS	4148	\$ 497,760.00
Junior WS	647	\$ 15,528.00
Winter Ad	144	\$ 10,368.00
Winter J	21	\$ 294.00
24 hr Adult	2211	\$ 50,853.00
24 hr Junior	109	\$ 763.00
Family	2595	\$ 404,820.00
<b>Totals</b>	<b>9875</b>	<b>\$980,386.00</b>
<b>LEQ'S</b>	8170	

2011/2012		
Category	No Sold	
Adult WS	4234	\$ 491,144.00
Junior WS	682	\$ 15,686.00
Winter Ad	163	\$ 11,410.00
Winter J	23	\$ 322.00
24 hr Adult	2146	\$ 49,358.00
24 hr Junior	119	\$ 833.00
Family	2614	\$ 394,714.00
<b>Totals</b>	<b>9981</b>	<b>\$963,467.00</b>
<b>LEQ'S</b>	8306	

Sales Channels as at 31/08/2013	
Home Internet	10.90%
Agency On Line	46.70%
Retail Bks	42.40%

LEQ TARGETS FOR FISH 2012/2013 = 8011

LEQ TARGETS FOR FISH 2011/2012 = 8272

## END OF SEASON GAME LICENCE SALES

2013		
Category	No Sold	
Adult WS	5099	\$458,910.00
Junior WS	464	\$9,280.00
Ad Day	52	\$1,040.00
Jun Day	1	\$6.00
Child	151	\$302.00
<b>TOTALS</b>	<b>5767</b>	<b>\$469,538.00</b>
<b>LEQ'S</b>	5217	

2012		
Category	No Sold	
Adult WS	5149	\$453,112.00
Junior WS	495	\$9,405.00
Ad Day	59	\$1,121.00
Jun Day	3	\$18.00
Child	153	\$306.00
<b>TOTALS</b>	<b>5859</b>	<b>\$463,962.00</b>
<b>LEQ'S</b>	5272	

LEQ TARGETS FOR GAME 2012/2013 = 5160

LEQ TARGETS FOR GAME 2011/2012 = 5134

NB \* Licence sales achieved over two financial years so figures will differ from actual financial year 2013 figures.

## SOUTHLAND FISH & GAME COUNCIL PAYMENT LIST OF ACCOUNTS PAID SINCE THE LAST MEETING

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### Direct Credits paid:

7/20/2025	Metalon South Ltd	\$1,722.70	new Desk
7/20/2025	CBRE Ltd	\$1,150.00	Valuations for Insurance renewal purposes
7/20/2025	Cameo Picture framer	\$238.50	framing of Game Bird habitat print & stamps
7/20/2025	NZ Fish & Game council	\$138.00	Seaflex mthly sub x 2 - May
7/20/2025	NZ Fish & Game council	\$138.00	Seaflex mthly sub x 2 - June
7/20/2025	Mararoa Motors	\$139.47	WOF trailer 1920G - McLay
7/20/2025	McLeay Jewellers	\$327.00	Engraving & medals - Nightcaps Clay target Club
7/20/2025	Eastern Fish & Game	\$83.09	Xero sub
7/20/2025	Fuji Xerox	\$108.00	photocopies
24/07/2025	Wanaka Helicopters	\$9,775.00	Mallard monitoring
25/07/2025	Michael Hartstonge	\$568.10	travel reimbursement
25/07/2025	Inland revenue	\$13,128.95	GST - May/June
28/07/2025	P R Law	\$845.25	Moss/linklater matter
30/07/2025	Fortuna Group ltd	\$1,500.00	pond subsidy
1/08/2025	BNZ	\$1.00	Bank fee
3/08/2025	One NZ group	\$401.60	Cellphones
4/08/2025	Still Building Ltd	\$11,585.10	replace windows on Te Anau house
11/08/2025	Meridian Energy Ltd	\$387.05	power - Eye Street
14/08/2025	NZ Transport Agency	\$1,532.44	RUC - NUF117 Zane's truck
20/08/2025	Velocitynet Ltd	\$244.00	Internet access
20/08/2025	NZ Transport Agency	\$1,532.44	RUC - PGR681 dwight's truck
20/08/2025	Te Anau Boating Club	\$185.00	Annual membership sub
20/08/2025	Fuji Xerox	\$45.34	photocopies
20/08/2025	Officemax	\$43.07	stationery
20/08/2025	Mararoa Motors	\$60.00	puncture repair
20/08/2025	Mararoa Motors	\$60.00	puncture repair
20/08/2025	Eastern F & G	\$89.99	Xero mthly sub
20/08/2025	Fiordland marine	\$648.30	McLay boat - marine safety check
20/08/2025	Three Dogs Drafting	\$759.00	Plans and documnts for Te Anau house fireplace
20/08/2025	Inland revenue	\$17,077.32	PAYE deductions
20/08/2025	Fish & Game NZC	\$221,671.72	1/4ly Levy
20/08/2025	Auto Solutions Ltd	\$435.26	Full Service MFQ353
20/08/2025	Sally Gepp	\$1,271.90	SWALP HC Appeal 8th Interim decision
20/08/2025	Aon NZ	\$1,755.62	Insurance Premium for new truck
20/08/2025	Te Anau Earthworks	\$115.00	culvert pipe to cover creek at wildlife park
20/08/2025	Auto Solutions Ltd	\$92.47	WOF - MFQ353
20/08/2025	Otago Fish and Game	\$164.64	Accommodation 1 staff re Otolith workshop
20/08/2025	Sthld District Council	\$138.22	rates - Sinclair Road
20/08/2025	NZ Fish & Game	\$138.00	Seaflex mthly sub x 2
20/08/2025	ACC	\$2,135.93	Annual workplace cover levy
20/08/2025	2Tyre tracks	\$183.99	Bobcat hire for Brightwater
20/08/2025	Otago F & G	\$189.00	Share of Catering re Tapanui meeting
20/08/2025	Sally Gepp	\$1,645.42	SWALP
20/08/2025	Sthld District Council	\$223.72	rates - Te Anau office site
20/08/2025	Joss Stroud	\$225.00	Cleaning - eye Street.
20/08/2025	ICC	\$1,578.00	Rates - 17 Eye Street
25/08/2025	B & K Frew	\$200.00	wetland subsidy
27/08/2025	M & C Turner	\$266.00	Meeting travel
27/08/2025	NZ Transport Agency	\$2,304.88	RUC arrears MFQ353
27/08/2025	NZ Transport Agency	\$392.44	RUC for MFQ353
28/08/2025	Carmel Veitch	\$1,200.00	Accounting services YE to 31/8/2025
1/09/2025	BNZ	\$0.60	IBB fee
2/09/2025	Meridian Energy Ltd	\$312.29	power 178 Manapouri + Connection fee 162

**Plus Direct Debits**

21/07/2025	Velocitynet Ltd	\$244.00 Internet access
21/07/2025	Paymark Ltd	\$21.74 EFTPOS mthly sub
24/07/2025	NZ Transport Agency	\$2,339.13 RUC arrears MFQ353
11/08/2025	B P Oil NZ	\$1,917.08 Fuel - fleet
14/08/2025	NZ Transport Agency	\$1,532.44 RUC - NUF117 Zane's truck
20/08/2025	Velocitynet Ltd	\$244.00 Internet access
20/08/2025	NZ Traansport Agency	\$1,532.44 RUC - PGR681 dwight's truck
20/08/2025	Paymark Ltd	21.74 EFTPOS - mthly sub
3/09/2025	One NZ Group	\$499.46 cellphones
10/09/2025	BP Oil NZ	\$2,005.03 Fuel

**Sub total**

**\$301,153.81**

11/08/2025

BNZ Visa

\$5,035.58	Garmin - freedom plan	25
	Hunters Element - Staff gear allowance - D	164.97
	Cactus Outdoor - Staff Gear allo	189
	Placemakers - Handicrete (Te Anau House)	317.92
	Placemakers - Handicrete (Te An	233.56
	Freshchoice - milk	3.09
	PGG Wrightson - frencing spade	257.54
	Bridon NZ - Wire rope for Brightv	458.69
	Speights Ale hoouse - council lunch	83.2
	Mitre 10 Te Anau - window film for Te Ana	37.78
	Adobe - PDF converter	58.08
	Adobe - PDF converter	13.57
	BNZ - card fees x 7	14
	Bombay Palace - catering for Council meet	205.7
	Wattyl - paint for Te Anau house	177.94
	Pak n sav - coffee	53.7
	Burgerfuel - lunch Zane +	66.05
	Supercheap Auto - Wheel brace	16.99
	Placemakers - materials for Te Anau house	261.64
	freshchoice - milk, coffee	30.99
	2Talk - prepaid landline calls	51.75
	microsoft - 365 business standard	232.3
	Pak n sav - tea	15.38
	Pak n sav - gift card - oncharge to NZC -res	500
	Paperplus - courier	9.7
	NZ Transport Agency - trailer rego	52.94
	MGL Lumsden - diesel	50
	Hero internet - prepaid calls	31.05
	Trademe - listing for Managers position	535.52
	Paperplus - courier bags	29.1
	Freshchoice - milk	3.09
	NZ Transport Agency - RUC	772.44
	Pak v sav - tea, coffee	36.33
	Placemaker - te anua - smoke alarms, wild	296.65
	Mitre 10 - paint, sandpaper	211.47
	MGL lumsden - diesel	50
	Garmin - freedom safety plan	25

11/008/2025

BNZ Visa

\$5,510.14	Pak n sav - coffee	20.97
	Pleasure and Marine - boat flares	399.96
	BP North Road - fuel (Cohen)	131.58
	Freshchoice - groceries	6.49
	Mitre 10 Re Anau - curtain hooks	6.98
	Adobe - PDF software Zane	58.08
	Adobe - PDF software Zane	13.57
	BNZ - cards fees 8 x \$2	16
	Wear on Earth - staff gear allw - Jacob	370
	Pak n sav - coffee	25.17
	Ascolour - staff gear allw - Cohen	207
	Mitre 10 Te Anau - insulation tape	19.96
	Rocks Café - staff lunch	277.4
	Trademe - ute listing	169.99
	Onstret parking - Jaacob	2.1
	PGG Wrightson - staff gear allw	117.3
	PGG Wrightson - post rammer, spade	166.15
	Microsodt - 365 business standard	232.3
	the coffee bomb - Brightwater	14.8
	Nicols café	45.3
	Freshcoice - milk	3.09
	Spotlight Dunedin - Curtains	1116.5
	Pak n sav - groceries	29.49
	Hero internet - phones	31.05
	Pak n sav - milk	2.89
	MGL Lumsden - diesel	80
	just Jeans - staff gear allw - Steve	79.99
	Southern Adventure - staff gear allw - Coh	120
	NZ Transport Agency - Rego QTG474	247.71
	Noel Lemming - microphone	134.84
	Pak n sav - coffee	28.31
	Placemakers Te Anau - fence posts	100.86
	Garmin - freedom plan	25
	BP North road - diesel	29.54

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<b>Grand Total</b>	<b>\$322,056.59</b>
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# Profit and Loss

## Fish and Game New Zealand, Southland Region For the year ended 31 August 2025

	2025	2025 OVERALL BUDGET	VARIANCE TO BUDGET	% OF BUDGET SPENT
<b>REVENUE</b>				
<b>Fish and Game licence sales</b>				
Fish Sales	1,128,938	1,165,930	36,992	97%
Game licence	356,253	441,490	85,237	81%
Designated Waters Licence Sales - Southland	26,224	-	(26,224)	-
Water quality & ecosystem monitoring	-	12,000	12,000	-
Information & Prosecutions	-	5,000	5,000	-
<b>Total Fish and Game licence sales</b>	<b>1,511,415</b>	<b>1,624,420</b>	<b>113,005</b>	<b>93%</b>
<b>Donations &amp; other similar revenue</b>				
Donations/koha from the public	13,820	-	(13,820)	-
<b>Total Donations &amp; other similar revenue</b>	<b>13,820</b>	<b>-</b>	<b>(13,820)</b>	<b>-</b>
<b>Interest</b>				
Interest Public Trust	533	-	(533)	-
Interest Other	2,288	39,923	37,635	6%
<b>Total Interest</b>	<b>2,821</b>	<b>39,923</b>	<b>37,102</b>	<b>7%</b>
<b>Other Income</b>				
Contract Income	22,995	-	(22,995)	-
Fiordland compliance & CCD	-	25,000	25,000	-
Profit on sale of Assets	41,459	-	(41,459)	-
Diversion Scheme Game	1,400	-	(1,400)	-
Diversion Scheme Fishing	4,401	-	(4,401)	-
Fine Income (Courts)	752	-	(752)	-
Dept. of Conservation Contracts	6,100	-	(6,100)	-
MLC Fish Pass Management- Meridian	12,718	-	(12,718)	-
MPI - Biosecurity CCD programme	30,000	-	(30,000)	-
NIWA Monitoring	39,924	-	(39,924)	-
RMA Oncharge NZC Income	500	-	(500)	-
Rent - Office Space Eye St	2,100	1,800	(300)	117%
Sale of Products	358	-	(358)	-
Sundry	5,289	50	(5,239)	10,579%
Waiau Trust	1,225	-	(1,225)	-
Eftpos transactions	-	-	-	-
<b>Total Other Income</b>	<b>169,220</b>	<b>26,850</b>	<b>(142,370)</b>	<b>630%</b>
<b>Total REVENUE</b>	<b>1,697,276</b>	<b>1,691,193</b>	<b>(6,083)</b>	<b>100%</b>
<b>EXPENSES</b>				
<b>Outputs</b>				
<b>Species management</b>				
Population monitoring	15,855	20,000	4,145	79%
Harvest assessment	-	4,000	4,000	-

	2025	2025 OVERALL BUDGET	VARIANCE TO BUDGET	% OF BUDGET SPENT
Releases	121	150	29	81%
<b>Total Species management</b>	<b>15,976</b>	<b>24,150</b>	<b>8,174</b>	<b>66%</b>
<b>Habitat protection &amp; management</b>				
RMA Consents evaluation	-	50	50	-
RMA Plans & Policy	-	50	50	-
ES Water & Land Plan Appeal	4,455	-	(4,455)	-
Works & management	312	2,100	1,788	15%
Assisted habitat	11,844	50	(11,794)	23,688%
Assessing & monitoring	250	-	(250)	-
<b>Total Habitat protection &amp; management</b>	<b>16,861</b>	<b>2,250</b>	<b>(14,611)</b>	<b>749%</b>
<b>Angler &amp; Hunter participation</b>				
Access	3,068	1,000	(2,068)	307%
Other Publications	1,198	5,400	4,202	22%
Pressure sensitive fisheries	5,189	400	(4,789)	1,297%
Training & R3	9,657	1,500	(8,157)	644%
<b>Total Angler &amp; Hunter participation</b>	<b>19,112</b>	<b>8,300</b>	<b>(10,812)</b>	<b>230%</b>
<b>Public interface</b>				
Communication	135	905	770	15%
Public promotions	32	130	98	24%
Visitor facilities	404	300	(104)	135%
Fish in schools programme	1,018	500	(518)	204%
<b>Total Public interface</b>	<b>1,589</b>	<b>1,835</b>	<b>246</b>	<b>87%</b>
<b>Compliance</b>				
Ranging	1,518	1,250	(268)	121%
Ranger training	-	3,600	3,600	-
Compliance	5,682	4,700	(982)	121%
<b>Total Compliance</b>	<b>7,200</b>	<b>9,550</b>	<b>2,350</b>	<b>75%</b>
<b>Licensing</b>				
Commission	57,450	64,297	6,847	89%
<b>Total Licensing</b>	<b>57,450</b>	<b>64,297</b>	<b>6,847</b>	<b>89%</b>
<b>Council</b>				
Council meetings	9,761	8,500	(1,261)	115%
<b>Total Council</b>	<b>9,761</b>	<b>8,500</b>	<b>(1,261)</b>	<b>115%</b>
<b>Planning &amp; reporting</b>				
Mngt Plan	-	1,000	1,000	-
Reporting	9,214	12,000	2,786	77%
National Liaison	-	1,500	1,500	-
<b>Total Planning &amp; reporting</b>	<b>9,214</b>	<b>14,500</b>	<b>5,286</b>	<b>64%</b>
<b>Total Outputs</b>	<b>137,164</b>	<b>133,382</b>	<b>(3,782)</b>	<b>103%</b>
<b>Overheads</b>				
<b>Employee related costs</b>				

	2025	2025 OVERALL BUDGET	VARIANCE TO BUDGET	% OF BUDGET SPENT
Salaries and wages	692,296	738,359	46,063	94%
Fringe Benefit Tax	11,401	5,000	(6,401)	228%
ACC Levy	1,857	1,300	(557)	143%
Staff training & other expenses	5,133	10,300	5,167	50%
KiwiSaver contributions	27,692	-	(27,692)	-
<b>Total Employee related costs</b>	<b>738,380</b>	<b>754,959</b>	<b>16,579</b>	<b>98%</b>
<b>Other expenses</b>				
Communications & Consumables	14,796	14,400	(396)	103%
Field equipment	6,487	2,500	(3,987)	259%
General	39,347	33,700	(5,647)	117%
Office equipment	2,079	7,000	4,921	30%
Office premises	58,044	74,200	16,156	78%
Vehicles	41,696	38,904	(2,792)	107%
<b>Total Other expenses</b>	<b>162,449</b>	<b>170,704</b>	<b>8,255</b>	<b>95%</b>
<b>Total Overheads</b>	<b>900,829</b>	<b>925,663</b>	<b>24,834</b>	<b>97%</b>
Depreciation	67,408	15,164	(52,244)	445%
<b>Total EXPENSES</b>	<b>1,105,401</b>	<b>1,074,209</b>	<b>(31,192)</b>	<b>103%</b>
<b>Operating Surplus/(Deficit)</b>	<b>591,876</b>	<b>616,984</b>	<b>25,108</b>	<b>96%</b>
<b>Less other Expenses</b>				
NZ Fish & Game Levy	(771,032)	(771,032)	-	100%
<b>Total Less other Expenses</b>	<b>(771,032)</b>	<b>(771,032)</b>	<b>-</b>	<b>100%</b>
<b>NET SURPLUS/(DEFICT)</b>	<b>(179,156)</b>	<b>(154,048)</b>	<b>25,108</b>	<b>116%</b>