

Meeting of the
New Zealand Fish and Game Council
Brentwood Hotel, Kilbirnie, Wellington
Saturday 23 and Sunday 24 March 2013
Commencing at 10.20 am

1. Present

Chris Lynch, Colin Sherrard, Lindsay Lyons, Aaron Wakeford, Alan Flynn, Andrew Morris, Paul Dixon-Didier, Jean Willis, Peter Robinson, Matthew Hall, Dave Witherow and Paul Stenning.

2. In Attendance

Bryce Johnson (Chief Executive), Jenny Norris (Finance & Administration Manager), Hamish Carnachan (Communications and Marketing Manager), Robert Sowman (Policy & Planning Manager).

INTRODUCTION

3.1 Welcome

The Chief Executive began the meeting in the Chair and welcomed Colin Sherrard, Paul Dixon-Didier and Paul Stenning to their first meeting as NZ Councillors.

3.2 Apologies

Apologies were received from Catherine Tudhope (Director-General of Conservation's representative).

Resolved (Chris Lynch/Jean Willis)

That the apology from Catherine Tudhope be accepted.

3.3 Appointment of Chairman and Committee Members

The Chief Executive called for nominations for the position of New Zealand Fish and Game Council Chairman. There were two nominations.

Lindsay Lyons/Jean Willis
Nominated Peter Robinson

Dave Witherow/Alan Flynn
Nominated Chris Lynch
Chris Lynch withdrew his nomination.

Resolved (Lindsay Lyons/Jean Willis)

That Peter Robinson be appointed as Chairman of the New Zealand Fish and Game Council.

There being no further nominations, Peter Robinson was declared the new Chairman of the Council and assumed the Chair.

Peter as the new Chairman expressed his appreciation for the faith the Council has shown in nominating him as Chairman and explained his background as a teacher and headmaster with committees and Board of Governors that he believes will assist him in this new role. He wishes to see the new Council focus on the job in hand and acknowledged the work Matthew

Hall has done as the outgoing Chairman. The Council is currently faced with critically important work to do in accordance with its statutory requirement to focus nationally on the interests of anglers and hunters. He underlined the need for the NZ Council to operate under its own statutory functions and not be a collection of regional representatives. Peter favours a portfolio approach with individual members of Council taking responsibility for particular areas of interest. He invited members to contact him where they have an interest in a subject matter they would like to help promote. He also stated he would like to operate on the basis of a climate of consensus with robust debate and not be so divided. Members should come to the meeting having read the agenda papers and come with an opinion and then be prepared to focus on and discuss any report recommendations.

Resolved (Chris Lynch/Alan Flynn)

That the Council express its appreciation of the work carried out by Matthew Hall as the outgoing Chairman and record its thanks for his efforts and the amount of time he put into the position.

The Chairman invited Council members to outline what their aspirations for the NZ Council in the new triennium might be, the key themes of which were:

- Governance improvement and greater attention to the Council/CE responsibilities and inter-relationship
- Greater unity across the organisation
- Urgent progress on mallard duck research
- Defence of the habitat and recreation related provisions of the RMA and around freshwater management
- Defence of the angling and hunting heritage, and greater national effort to restore and protect rivers.

Address by Right Honourable Sir Geoffrey Palmer

The Council meeting paused at this point at 11.05 am Saturday for an address to the NZ Council on the RMA review by the Right Honourable Sir Geoffrey Palmer.

Sir Geoffrey explained his historical involvement with the original development and introduction of the RMA and how the current Government's proposals for the Act itself, and the future management of freshwater in particular, posed a very great threat to not only fish and game habitat but to the heritage and future existence of the Fish & Game organisation. He further explained that under the Government's economic growth focussed proposals the substantive body of case law, to which Fish & Game has been a major contributor, would be lost, as would existing Water Conservation Orders. In his view the central thrust of the Government's proposals were short-sighted and aimed at converting the RMA into an 'economic development act', as had also been the view of the Parliamentary Commissioner for the Environment. For this reason he believed it was essential that Fish & Game at all levels become actively engaged.

Sir Geoffrey reminded the Council that it is empowered to be an advocate for anglers and hunters. The statutory purpose is to represent nationally anglers and hunters and the protection of sports fish and game bird habitats.

Resolved (Dave Witherow/Lindsay Lyons)

That the NZ Council seek analysis and advice from Sir Geoffrey Palmer on the nature, extent and implications for protection of the natural environment and its

recreational enjoyment by all New Zealanders of the Government's proposals to amend the Resource Management Act and reform freshwater management.

The NZ Council was unanimously supportive of this action and required that this be recorded to reflect its resolve.

Resolved (Peter Robinson/Andrew Morris)

The NZ Council Chairman write to regional Fish and Game Council chairs explaining the Council has resolved to engage the Right Hon Sir Geoffrey Palmer to assist Fish & Game NZ develop a strategic position to protect its environmental interests in the proposed review of the Resource Management Act and reform of freshwater management.

The Chairman reconvened the meeting after the lunch break.

Item 3.3 continued:

The Chairman called for nominations for the positions of NZ Council's Standing Committee for the Chief Executive's Remuneration Committee.

Resolved (Lindsay Lyons/Andrew Morris)

That the members of the Standing Committee for the Chief Executive's Remuneration Committee in this new term of the Council be Peter Robinson (Chair), Matthew Hall and Chris Lynch.

MEETING REVIEW

4.1 Identification of other Urgent Business

No other business identified.

4.2 Annual Agenda/Conflicts of Interest Register

No amendments to the annual agenda or conflicts of interest were recorded at the time this item was considered.

4.3 Confirmation of Minutes

The meeting considered the Minutes of the New Zealand Council meeting held in Nelson in November 2012.

Resolved (Andrew Morris/Aaron Wakeford):

That the Minutes of the New Zealand Council meeting held 23 to 25 November 2012 be confirmed as a true and correct record.

4.4 Matter Arising from the Minutes

- It was acknowledged that additions requested for the 2012/13 Business Plan have been included.
- The Chairman to write to Chairman of the Federation of Freshwater Anglers about its request for a copy of confidential correspondence. This letter is still to be prepared.

4.5 Confirmation of Confidential Minutes of 24 November 2012

There were no additional matters raised.

Resolved (Andrew Morris/Chris Lynch)

That the Confidential Minutes of the New Zealand Council meeting held 24 November 2012 be confirmed as a true and correct record.

4.6 Action Log from Minutes of Previous Meetings

No items identified for discussion apart from access review which is reported on in the operational report.

GOVERNANCE AND STRATEGIC DIRECTION

5.1 Governance Presentation and Review of Governance Policies

There was general discussion and agreement on the Chief Executive providing a presentation of the purpose and approach to the Council's governance policies, purpose, functions and powers at the next meeting of the Council.

Resolved (Andrew Morris/Lindsay Lyons)

That the NZ Council Chief Executive conduct an induction session on the Council's governance policies, purpose, functions and powers.

It was recognised that aspects of governance policy needed some explanation and a review of policy will emerge as a result of the Chief Executive going through these policies in his presentation.

As part of a review of policies, the Council agreed it would be helpful to have Jenny Norris provide a written interpretation of budget policy in the form of an exit report on her retirement in April.

5.2 Strategic planning meeting resolutions

Discussion continued based on the outcome of the workshop on strategic planning held at the November 2012 meeting in Nelson. It was suggested that one of the aspirational outcomes should be highlighted at each meeting and a brief discussion held on how this might be advanced. The Chief Executive recommended that staff identify what could be done by taking the outcomes to another layer down and providing further detail.

Resolved (Chris Lynch/Aaron Wakeford)

That NZ Council adopt aspirational outcomes 1, 2, 3, 4, 5 and 6 as key issues to be promoted by it and the wider Fish and Game organisation.

Resolved (Matthew Hall/Andrew Morris)

The Chief Executive to scope and provided suggested courses of action on the six aspirational outcomes.

NZ COUNCIL BUSINESS

6.1 Chief Executive's Operational and Financial Reports

The Council considered the operational report on a page by page exception basis, with discussion or further clarification occurring on several items.

Project 1110: Species Advocacy

The Director General of Conservation's representative provided (due to her absence from the meeting) a written response to the Chief Executive's question about Grey Teal and Canada geese. It was **agreed** that this response is to be made available to regional Fish and Game managers.

It was also suggested that the Council raise, for consideration at the next meeting with the Minister of Conservation, the option of Fish and Game reinstating trend counts for monitoring Canada goose numbers as a means of determining what is actually happening to goose populations.

Project 1210: Habitat Advocacy

Following discussion on a wide range of initiatives being undertaken to do statutory reforms, development proposals and communication with various stakeholders it was agreed the RMA reforms presented the greatest threat to Fish and Game's interests and must be given its full attention.

The Council also discussed the letter from the Land Care Trust Chairman and his request for an appointee from Fish and Game on its Trust Board.

Resolved (Chris Lynch/Paul Stenning)

That the Chief Executive be appointed as Fish and Game's representative on the NZ Land Care Trust Board.

Project 1250: Game Bird Habitat Stamp Programme

Discussion occurred around a request to make the artwork of the Habitat Stamp programme available for commercial use by a private individual. Concern was expressed over this proposal having an effect of devaluing the items within the Habitat Stamp programme, reducing the collectability of the limited edition prints.

Resolved (Chris Lynch/Jean Willis)

That the NZ Council does not wish to make its artwork from the Game Bird Habitat Stamp Programme available for other commercial interests.

There being no further discussion on the Operational Report it was:

Resolved (Jean Willis/Aaron Wakeford)

That the Chief Executive's Operational Report of March 2013 be received.

6.2 Financial Report

Following discussion on the cost of legal and expert witness expenses, it was **agreed** the Chief Executive report for the next meeting on the range of options available. It was also recognised that in order for the NZ Council to better understand the process undertaken around these costs, and the resulting development of licence fee recommendations, the NZ Council could have a representative attend the meeting of managers to participate in budget setting discussions.

Resolved (Paul Dixon-Didier/Chris Lynch)

That the Financial Report to 28th February 2013 be adopted.

6.3 Specific proposals for Capital Expenditure

It was confirmed that purchases over \$2,000 are capitalised. It was identified at the meeting that the South Island Public Awareness Officer has the skills to prepare media quality footage and that a broadcast camera of this quality would provide Fish and Game greater opportunity to capture prime-time coverage of some items and can be purchased within the existing budget.

Resolved (Andrew Morris/Paul Stenning)

That the request for capital expenditure for the purchase of a broadcast quality camera be accepted and funded within the NZ Council's current budget.

6.4 Auditor's Business Issues Report for year ending 31 August 2012

The Business Issues Report was discussed. No significant deficiencies were identified in the Auditor's Report.

The recommendation by the Auditor to write-off the outstanding amount owed to the NZ Council by CSI was held over until consideration of an associated issue was dealt with in a public excluded session later in the meeting. The Council then returned to this item following its in-committee deliberations to record in the public included session:

Resolved (Chris Lynch/Colin Sherrard)

That the NZ Council write-off the penalty interest incurred by Central South Island Council, as a gesture of goodwill. In doing so, however the National Policy regarding penalty interest is endorsed as a future disincentive for regions to withhold necessary national funding and redistribution of regional surplus income.

Resolved (Jean Willis/Andrew Morris)

That the Auditor's Business Issues Report for year ending 31 August 2012 be received.

NEW ZEALAND FISH AND GAME COUNCIL RESOLUTION TO EXCLUDE THE PUBLIC

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

Time: 5.07 pm Saturday

Resolved (Andrew Morris/Paul Dixon-Didier)

That the public be excluded from the following parts of the proceedings of this meeting, namely agenda items 4.5 Remuneration Committee Report, 4.6 Cllr Witherow complaint and 4.7 the CSI issue.

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

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
Consideration of governance policies and potential breaches where a conflict of interest may arise) Good reason to withhold exists) under section 9 of the Official Information Act 1982	Section 48(1)(a)(ii)

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

ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
	Protect the privacy of natural persons.	Sec. 9(2)(a)	Information provided identifies a particular person or can easily be connected with a particular person.	Once the person to whom the information relates consents to its disclosure.
	Maintain legal professional privilege	Sec. 9(2)(h)	To enable the Council to discuss legal advice.	Once the matter is completed and the legal advisor agrees to its release.

Note

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

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

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

Time: 10.34 am Sunday

Resolved (Colin Sherrard/Chris Lynch)

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

Resolved (Aaron Wakeford/Andrew Morris)

That the resolutions agreed in public excluded be recorded into the public included meeting minutes.

The resolutions passed in the public excluded session of the meeting included:

Chief Executive’s Remuneration Committee Report

Resolved (Matthew Hall/Chris Lynch)

The Council direct that the Remuneration Committee present a final draft job description and performance agreement for the Chief Executive (having consulted with him on the draft) for the Council’s consideration at its May 2013 meeting.

A vote of thanks was recorded to Matthew Hall for all the work he has done.

Resolved (Peter Robinson/Dave Witherow)

The Council selects a Councillor to interview Jenny about her experiences and her advice as the Finance and Administration Manager and that the Councillor reports back to Council.

Councillor Witherow Complaint

Resolved (Dave Witherow/Aaron Wakeford)

That this Council does not go any further with Mr Kynaston's recommendation and this Council reconsider its position on this matter.

6 voted for, 4 against and 2 abstained. Paul Dixon Didier, Peter Robinson, Lindsay Lyons and Jean Willis asked that it be recorded they voted against the resolution.

Resolved (Matthew Hall/Chris Lynch)

On behalf of the New Zealand Fish and Game Council, Mr Kynaston reviews Mr Witherow's additional evidence and advise the Council on the options available to it in handling the complaint.

10 voted for and 2 against this resolution. Lindsay Lyons and Jean Willis asked for their names to be recorded as voting against the resolution.

CSI issue

The following four resolutions were moved and seconded by the same two people:

Resolved (Chris Lynch/Andrew Morris)

When considering matters relating to the review of governance policies, the Council take into account the issues raised by CSI.

In the review of governance policies, the NZ Council place emphasis on consultation in the light of its statutory functions and the CSI experiences.

More particularly, when NZ Council considers the complaints policy, it makes sure there are procedural steps that are applicable that fairly reflect situations, including those raised by CSI.

NZ Council reply to CSI and acknowledge its concerns and advise them of the actions the NZ Council shall take as a result of its submission.

The 1st three resolutions were carried unanimously, the last resolution Dave Witherow voted against.

6.5 Draft Complaints Policy

It was accepted that the draft proposed paper is a welcomed and overdue addition to NZ Council policy. It was **agreed** the Council should set up a sub-committee to consider the paper more fully and enable additional comments from individual Councillors to be considered. A copy of

the paper is to be circulated to Councillors to allow them to forward these comments to the Sub-Committee Chairman.

A sub-committee with Chris Lynch taking responsibility for the subject portfolio is proposed to coordinate comments and revise the paper. The sub-committee will be made up of Chris Lynch (Chair), the NZ Chairman Peter Robinson and Robert Sowman. The intention is for the Sub-Committee to finalise the paper for the Council to reconsider as NZ Council policy at a future meeting.

NATIONAL FISH AND GAME ITEMS

7.1 Year End Review

Discussion occurred on North Canterbury Fish and Game Council's consistent long term pattern of actual expenditure in excess of approved budget funding. It was accepted that any response to North Canterbury should include reference the NZ Council is reacting in accordance with National Policy 2.6 and 2.7.

Resolved (Chris Lynch/Jean Willis)

That the recommendation from the Meeting of Managers of February 2013 that a letter be written to the Chairman of the North Canterbury Council regarding that Council's continued expenditure over budget, be endorsed.

That the 2011/12 Year End Review Report be received.

7.2 National Research Programme Update

Discussion focused on the Mallard Research programme. Councillors recognised they must have trust in staff who have the skills to develop this programme and make the necessary decisions for a best fit with the resources available to them.

Resolved (Lindsay Lyons/Paul Stenning)

That the Fish & Game New Zealand Research Programme update for March 2013 be received.

7.3 Research Strategy

It was accepted that the concerns raised earlier by the Council have been addressed. Regions may want to raise other points and these can be considered by the NZ Council and the strategy further adjusted where necessary once these comments from regions are received.

Resolved (Andrew Morris/Aaron Wakeford)

That the NZ Council receive the Research Strategy and circulate it to regional Fish and Game Councils for comment and acceptance for confirmation as national policy at a future NZ Council meeting.

7.4 National Finance Report 3: 2012/13

Comments were raised about the under expenditure for the year to date by Auckland/Waikato Fish and Game Council.

Resolved (Aaron Wakeford/Chris Lynch)

That the National Finance Report to 28th February 2013 be received.

7.5 Update of Approved Legal Cases

Discussion further highlighted the need for consideration of other options in dealing with matters currently committing significant Fish and Game funds.

Resolved (Paul Stenning/Jean Willis)

That the Legal Update Report be received.

The Council sought to confirm the earlier resolution agreeing to seek advice from the Right Honourable Sir Geoffrey Palmer that would allow the Chief Executive to discuss this advice with its strategic allies.

Resolved (Chris Lynch/ Jean Willis)

That the advice from the Right Honourable Sir Geoffrey Palmer is shared with Fish and Game's strategic allies

7.6 South Island Public Awareness Update

The agenda paper provides a general update of the appointment of the Public Awareness Officer, Andrew Currie. His knowledge and contacts has provided Fish and Game with an incredible resource that it should be, and is being, used across a diverse range of issues both nationally and regionally.

Discussion on public awareness raised the question of how many Fish and Game councillors nationwide receive the daily Mediamine Report? It was suggested this needs to be made available to all.

A weekly or fortnightly communication news sheet outlining issues and activity of the moment would be useful for information and to show what is being done and needs to be done by others. From a Council's perspective it needs to be a marketing message to outline what is behind the public awareness effort and what regions can do.

Resolved (Chris Lynch/Jean Willis)

That the South Island Public Awareness Update be received for information.

Resolved (Lindsay Lyons/Andrew Morris)

That the NZ Council records a vote of commendation to Andrew Currie in recognition of his early success in raising public awareness of Fish and Game interests at a national and regional level.

7.7 Appointment of members of the NZ Game Bird Habitat Trust Board

Following the request from the Department of Conservation for nominations to the NZ Game Bird Habitat Trust Board no later than 30 August 2013, it was **agreed** this request be conveyed to regional Fish and Game managers for consideration by respective Councils. They are invited to submit names of suitable candidates capable of advancing the interests of the Board to the NZ Council for its consideration and recommendation to the Minister of Conservation.

7.8 Youth Participation Strategy

Discussion recognised that a lot of regions are running kids' fish out days but there needs to be some form of extension to take them to another level of getting a licence and remaining part of Fish and Game's anglers and hunters. At the end of the day this is about driving participation.

Resolved (Andrew Morris/Paul Stenning)

That the NZ Council

- i) Supports in principle a pilot 'Young Angler' programme in the North Canterbury region to test and refine the youth programme initiative for possible implementation nationally.**
- ii) Authorises the Chief Executive to assist North Canterbury Fish and Game Council to find sponsorship to fund a Young Anglers' National Facilitator to implement and oversee the pilot scheme with a view to expanding the role into a national position if proven successful.**

The Chairman abstained from voting due to his strong interest in the proposal.

7.9 2012 Regional Fish and Game Elections

A question was raised about the number of candidates shown in the table and that this be checked. It was **agreed** that a revised paper that promotes changes able to be considered without amendments to legislation should then be circulated for consultation with regional Fish and Game Councils. Meanwhile it was accepted:

Resolve (Chris Lynch/Paul Stenning)

That the NZ Council receive the Returning Officer's 2012 Election report.

7.10 National Licence Sales

An explanation was provided on how to read the sales table and general discussion followed. A suggestion made was to provide a graph table showing licence sale trends over time at the next meeting.

Resolved (Aaron Wakeford/Colin Sherrard)

That the licence sales YTD table be received for information.

7.11 Licence Administration Agreement Renewal

A vote of thanks was extended to Robert Sowman and the Licence Working Group (Niall Watson, Jay Graybill, Phil Teal and Kate Thompson) for the work that they have put into this exercise.

7.12 Licence Category & Pricing Research Presentation

A presentation was provided by the Q+A Research consultant Christine Palmer. This presentation was recorded so that it could also be viewed by regional Fish and Game Councils. It was **agreed** that the NZ Council circulate the Licence Research Presentation in the form of a CD-Rom and accompanying PowerPoint material to regional Fish and Game Councils for comment and acceptance.

7.13 Game Notice Issues to Note

Discussion occurred on the issue of regulations in place for the 2013 game season in Auckland/Waikato Fish and Game Council and that proposed for the 2014 game season by

Southland Fish and Game Council. No decisions were made but the information was noted and received.

CORRESPONDENCE

8 Correspondence to the Chairman

Letters were received from a number of correspondents. Following general discussion it was agreed that the letters be received and that the Chairman prepare a reply to those letters he believed warranted such a reply and copy any reply to NZ Council members.

NEW ZEALAND FISH AND GAME COUNCIL RESOLUTION TO EXCLUDE THE PUBLIC

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

Time: 3.05 pm

Resolved (Andrew Morris/Aaron Wakeford)

That the public be excluded from the following parts of the proceedings of this meeting, namely correspondence received on the Otago appointee to the NZ Fish and Game Council.

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

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Time: 3.45 pm

Resolved (Jean Willis/Lindsay Lyons)

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

The NZ Council records for the public included minutes that it was of the opinion there was insufficient time and that the material was received too late to proceed with this item at this meeting.

URGENT BUSINESS

9 Urgent Business

No further business was recorded.

There being no further business, the Chairman declared the meeting closed at 3.47 pm Sunday 24 March 2013.

Confirmed: _____

Date: ____/____/2013