

CONFIRMED MINUTES OF THE 202nd MEETING OF THE EASTERN FISH AND GAME COUNCIL, HELD AT THE ROTORUA OFFICES OF FISH & GAME NEW ZEALAND ON THURSDAY 8th JUNE 2023 AT 11.00 AM

PRESENT

Crs. Ngahi Bidois, Murray Ferris, Debbie Oakley, Lindsay Lyons, Mike Jarvie, Mark Sceats, Scott Nicol, Kevin Coutts, and Ken Coombes.

IN ATTENDANCE

Arash Alaeinia, Kate Thompson, Matt McDougall, Eben Herbert, Eden Mutton, Mark Sherburn, Anthony van Dorp and Matt Osborne (departed 11.25am) (Eastern Fish & Game).

1.0 WELCOME AND KARAKIA

- 1.1 Cr Ngahi Bidois opened the meeting with a karakia at 11:00am, and welcomed all present.
- 1.2 Ngahi thanked Council for their kind words over his father's recent passing and spoke of his dad's history and love of the Awahou river.

2.0 APOLOGIES AND ACCEPTANCE OF RESIGNATION

- 2.1 Apologies were received from Crs. Jay Tapsell, and Alan Simmons; Sara Carley (Bay of Plenty Conservation Board); James Barnett (Department of Conservation Taupo); Ken Raureti and Arapeta Tahana (Te Arawa Lakes Trust).
- 2.2 *Agreed (Murray Ferris/Lindsay Lyons) that the apologies for the 202nd meeting of the Eastern Region Fish and Game Council be sustained. [23/06/2.2]*
- 2.3 Council acknowledged Geoff Thomas' resignation from Council. Some discussion occurred regarding whether the Minister of Conservation needed to formally accept this resignation, the outcome being that advice to the Minister was deemed sufficient.

3.0 MINUTES OF THE PREVIOUS MEETING (6 APRIL 2023)

- 3.1 *Agreed (Murray Ferris/Lindsay Lyons) that the minutes of the meeting held on 6 April 2023 be confirmed as a true and correct record. [23/06/3.1]*

3.2 IDENTIFICATION OF RESOLUTIONS FOR INCLUSION IN COUNCIL POLICY

No items were identified for inclusion in Council policy from the minutes of the meeting held 6 April 2023.

3.3 MATTERS ARISING

There were no matters arising from the minutes of the meeting held 6 April 2023.

4.0 MINUTES OF THE MEETING (9 FEBRUARY 2023)

- 4.1 *Agreed (Murray Ferris/Debbie Oakley) that the minutes of the meeting held on 9 February 2023 be confirmed as a true and correct record. [23/06/4.1]*

4.2 IDENTIFICATION OF RESOLUTIONS FOR INCLUSION IN COUNCIL POLICY

No items were identified for inclusion in Council policy from the minutes of the meeting held 9 February 2023.

4.3 MATTERS ARISING

There were no matters arising from the minutes of the meeting held 9 February 2023.

5.0 RECONFIRMATION OF RESOLUTIONS MEETING OF 6 APRIL

5.1 Council reviewed the resolutions that were made at the 6 April 2023 Council meeting where a quorum was not present and proceeded to reconfirm all of those resolutions including the two resolutions which were carried as a result of Cr Alan Simmons connecting via a device in order to vote on the matter. Reconfirmed resolutions follow:

APOLOGIES

5.2 *Agreed (Mike Jarvie/Lindsay Lyons) that the apologies for the 201st meeting of the Eastern Region Fish and Game Council be sustained. Reconfirmed meeting 8 June 2023 (Murray Ferris/Mike Jarvie). [23/06/5.2]*

OPERATIONAL REPORTS

5.3 *Agreed (Mike Jarvie/Ken Coombes) that Council receives the Health and Safety report. Reconfirmed meeting 8 June 2023 (Murray Ferris/Mike Jarvie). [23/06/5.3]*

5.4 *Agreed (Debbie Oakley/Mark Sceats) that Council receives the Finance Report and approves payments for January and February 2023 totalling \$429,476.19. Reconfirmed meeting 8 June 2023 (Murray Ferris/Mike Jarvie). [23/06/5.4]*

2023-2024 OPERATIONAL WORK PLAN

5.5 *Agreed (Mark Sceats/Mike Jarvie) that Council approves the six contestable fund applications as detailed on pages 1-12 of the Papers for Information. [23/04/9.11] Reconfirmed meeting 8 June 2023 (Murray Ferris/Mike Jarvie). [23/06/5.5]*

5.6 *Agreed (Ken Coombes/Lindsay Lyons) that Council approves the draft Operational Work Plan for the 2022-2023 year. [23/04/9.14] Reconfirmed meeting 8 June 2023 (Murray Ferris/Mike Jarvie). [23/06/5.6]*

WAIKAREMOANA SPORTS FISH HABITAT ENHANCEMENT FUND

5.7 *Agreed (Mark Sceats/Mike Jarvie) that Council approves funding of up to \$6,500 from the Waikaremoana Sports Fish Habitat Enhancement Fund as submitted. Reconfirmed meeting 8 June 2023 (Murray Ferris/Mike Jarvie). [23/06/5.7]*

6.0 NOTIFICATION OF ITEMS FOR GENERAL BUSINESS

- Cr Murray Ferris – Working bee at Waikaremoana
- Cr Debbie Oakley – Feedback REM Policy
- Cr Scott Nicol – Fresh water clams
- Arash Alaeinia – Future of Fish & Game
- Arash Alaeinia – Governance training
- Arash Alaeinia – Council and chair review process

7.0 CONFLICT OF INTEREST REGISTER

7.1 Councillors were asked to inform the chair of any conflicts of interest. No conflicts of interest were recorded.

8.0 OPERATIONAL REPORTS

8.1 *Health and Safety Report* – Report taken as read. Arash Alaeinia highlighted an incident occurring after writing of the report which related to a repetitive strain injury resulting from a solid period of mowing due to weather conditions leading up to the Game Season opening. He said a full report was yet to be written and options to mitigate this from occurring in the future needed to be considered.

8.2 *Agreed (Scott Nicol/Ken Coombes) that Council receives the Health and Safety report. [23/06/8.2]*

- 8.3 *Finance Report* – Cr Debbie Oakley asked that items noted on the Councils bank transaction lists as “Staff expense – reimbursed” be itemised as to what they related to referring to requirements set out in the Council’s sensitive expenditure policy. Kate Thompson acknowledged there was provision for staff purchasing within the Sensitive Expenditure Policy but was not aware that it stipulated that staff spending must be itemised. Arash Alaeinia advised that he would review the Policy and report back to Council.
- 8.4 Cr Lindsay Lyons queried the significant spend in the Awaiti WMR and whether other parties had contributed to this. Kate Thompson advised that \$4,000 had been funded by the Department of Conservation and a portion of the spending was to also come from the Ballot Holder Habitat Maintenance reserve. In John Meikles absence Eben Herbert provided a brief overview of the works which were required.
- 8.5 Cr Ken Coombes wished to express his disappointment that Council would consider removing any benefits staff might gain through their employment with Fish & Game. In his experience he felt it was common for employees to benefit from their employers’ relationships and believed that the current level of detail was sufficient. Arash Alaeinia reiterated that he would review the Sensitive Expenditure Policy and update Council at its next meeting.
- 8.6 *Agreed (Murray Ferris/Scott Nicol) that Council receives the Finance Report and approves payments for March and April 2023 totalling \$255,195.30. [23/06/8.6]***
- 8.7 *Management Report* – Items discussed included.
- Sharing of our Instagram page by our contacts for increased exposure.
 - Query Wildlife Act review on hold?
 - Efforts made to consult with Timberlands.
 - More forests are being closed to public for security and health & safety reasons.
 - Insurance for anglers using forests and acting as eyes and ears for increased security.
 - Nationally access is a concern with more forests being purchased for carbon credits.
- 8.8 *Licence Sales Report* – Cr Lindsay Lyons expressed concern about the current variance to budget for licence revenue and particularly that the non-resident revenue appeared to be propping up the loss of resident licence sales. Arash Alaeinia advised the latest variance for fish licence sales was currently 3.9% below last season, adding that nationally fish licence sales are up 1.9%. He said this result was disappointing but considering the terrible weather over summer we had this season and the global and national economic climate he felt this was not as bad as it could have been. Improved weather would see a more positive impact on licence sales in the new season. Cr Murray Ferris commented that he was surprised that there was no non-resident licence for Game Bird Hunting.
- 9.0 2023-2024 OPERATIONAL WORK PLAN**
- 9.1 Arash Alaeinia informed Council that this 2nd draft of the 2023-24 Operational Work Plan once accepted at today’s meeting would be shared with other stakeholders for

comment before final consideration and approval was needed at the August meeting of Council.

9.2 *Agreed (Scott Nicol/Ken Coombes) that Council approves the second draft of the 2023-24 Operational Work Plan and approves its circulation to other parties for comment. [23/06/9.2]*

10.0 2023-2024 ANGLER'S NOTICE

10.1 Arash Alaeinia summarised the final minor change to the anglers notice which would conclude the Anglers Notice Process for the 2023-2024 Season.

10.2 *Agreed (Debbie Oakley/Lindsay Lyons) that Council supports the recommendation to change Note 5.5 (2) wording to 'No boats are permitted under the Bay of Plenty Regional Navigational Safety Bylaws to anchor in the Ohau Channel'. [23/06/10.2]*

10.3 *Agreed (Debbie Oakley/Lindsay Lyons) that Council concludes the Anglers Notice Process for the upcoming 2023-24 Season. [23/06/10.3]*

11.0 2023-2024 LICENCE FEES

11.1 The increase in the Game Bird licence price was of concern to some Councillors as they felt the perception from hunters in this region was that it is not good value for such a restrictive season particularly in relation to the daily bag limit for mallard/grey duck. Cr Kevin Coutts queried Matt McDougall of the likelihood of a more relaxed season in the next year or two. Matt McDougall advised that from hunter surveys the average bag for around 75% of hunters was approximately 2.5 or less ducks per day. He said that surveys had shown that less than 10% of hunters were responsible for harvesting a very high percentage of the ducks and the limits controlled the harvest for that group but were adequate for the harvest of over 75% of Game Bird hunters. It was acknowledged that its more the perception that it is not good value because many hunters did not reach their limits during the season. Some additional discussion included:

- Family licence option for Game Bird hunting.
- The licence constitutes a small component of the total hunting cost of opening weekend.
- It's about the experience for many not the number of birds taken.
- \$22.60 per weekend for the 5 weekends mallard/grey duck hunting available compared with the low cost of fishing.
- The increase is less than inflation, prices of all things are rising.
- Query a higher opening day limit.
- F & G advocates for game bird hunters e.g. Gun law reforms
- Gisborne hunters don't see value as they don't actively see F & G.
- Social challenges facing Game Bird Hunting in NZ.
- Fish & Game is the voice for Hunters & Anglers in statutory planning processes.
- Wildlife Act review and potential impacts for Game Bird hunting.
- Misconception of licence holders that F & G is Government funded.
- New gun law requirements, \$600-\$700 (unconfirmed) for firearms licence may impact Game Bird hunting licence sales further.
- Eastern F&G, fisheries team substitute man hours/costs in supporting statutory needs for Game bird management in Eastern region due to the higher labour needed for less than a quarter of angler licence holder numbers against Game bird licence holders.

- 11.2 Cr Debbie Oakley pointed out that the increase in the licence fee covers the increased costs of Fish & Game and if Council does not support the fee increase it needs to consider what it will not undertake to offset that cost. Staff highlighted that there was significant work undertaken for Game Bird Hunting throughout the region that is not necessarily in the public arena through planning and consenting processes which protect habitat and advocates for the species on behalf of licence holders. Fish & Game operates on a minimal budget and does a lot with the resources from licence revenue but in fact is unable to fulfill all its mandated responsibilities in terms of Game Birds due to not having the resources to do so. The cost ratio for managing Game Bird hunting in this region is a lot more than for managing the fisheries. Council agreed that F & G could improve licence holder perception by keeping people informed of the work we are doing for our licence holders.
- 11.3 *Agreed (Debbie Oakley/Ken Coombes) that Council supports the proposed licence fees for 2023-2024 of \$153 (GST inclusive) for the Adult Whole Season Fishing licence, and \$113 (GST inclusive) for the Adult Whole Season Game licence (which includes \$5 for the Game Bird Habitat Trust). Motion was passed 4 in favour, 3 against, 2 abstained. Crs. Lindsay Lyons and Mark Sceats requested their vote against this motion be recorded. [23/06/11.3]***
- 11.4 Cr Lindsay Lyons expressed concern over the significant increase in licence fees for non-resident anglers pointing out the cost of five days for a non-resident to fish designated water was \$505 - a significant discrepancy compared with resident licence prices. He added that he had been communicating with Australian contacts who were not happy and felt that this will impact sales to non-residents. Cr Debbie Oakley provided some background information about why this category was being introduced noting the displacement of resident anglers in sensitive fisheries due to non-resident angling pressure in South Island fisheries particularly.
- 11.5 Cr Debbie Oakley also informed Council that all regions were contributing to the cost of the new system requirements for the Designated Waters licence even though not all regions had allocated designated waters.
- 11.6 *Agreed (Murray Ferris/Ken Coombes) that Council supports the introduction of the new Designated Waters Licence, available as a \$5 annual licence per Fish & Game region for resident anglers and as a day licence to non-resident anglers at a fee of \$40. Motion was passed 5 in favour, 3 against, 1 abstained. Crs. Lindsay Lyons and Mark Sceats requested their vote against this motion be recorded. [23/06/11.6]***

Council broke for lunch at 12.30pm, resuming at 1.00pm.

12.0 RESIDENT/NON-RESIDENT DEFINITION

- 12.1 The proposed change to the Non-Resident definition to align with that of DoC Taupo and the Immigration Act was discussed. Council's rationale not to support this proposal was primarily due to the high cost of a non-resident licence being placed on international students and those on work visas, excluding an estimated 200,000 people p.a. Eben Herbert said he understood that one of the reasons for the introduction of the higher priced non-resident licence was because international tourists did not contribute as much for access to angling as the New Zealand taxpayer and obviously those on work visas and students supporting NZ's tertiary institutions did so through taxes and fees. Compliance was also raised as a potential issue.
- 12.2 *Agreed (Debbie Oakley/Lindsay Lyons) that Council supports amending the definition of resident and non-resident to align with the Immigration Act and Doc Taupo. Motion not passed. 2 in favour, 7 against. Cr. Scott Nicol requested his vote against this motion be recorded.***

13.0 NATIONAL RESERVES POLICY

13.1 Council briefly discussed and supported the National Reserves Policy. The rationale for this was primarily that this region is large enough to operate on the lower threshold meaning existing reserves may be drawn down to 20% for future one off project expenditure rather than being added to the licence fee.

13.2 *Agreed (Murray Ferris/Mike Jarvie) that Council supports the Draft National Reserve Policy. [23/06/13.2]*

14.0 FISH & GAME, LICENCE HOLDER DISCONNECT

14.1 Cr Lindsay Lyons spoke to his paper regarding licence holder disconnect. Lindsay's principal concern was that Eastern region was not following up on lapsed licence holders. Lindsay pointed out that he did not purchase a licence this year due to being unable to fish and was concerned that he had not received an email, he understood that other regions had contacted lapsed participants by email and phone. Kate Thompson explained that a pre-Christmas email was sent to lapsed participants but did exclude a relatively small group of anglers aged 72/73 years plus. She and other regional administration staff were wary of sending multiple communications to the older lapsed licence holders as they were more likely to have been unable to participate. Despite this Kate advised that the difference in uptake between the group that were emailed and the group that were not was insignificant which suggested that the email was possibly not as successful as we might like to believe.

14.2 Arash Alaeinia advised that surveys completed in 2012 and 2021 had shown that the highest churn was in the 45-54 age group and the primary reason for lapsing was competition for time. Arash summarised the communications sent to licence holders as follows:

- Pre-Season Fish & Game magazine (Mailed to all Season licence holders)
- Pre-Season email "Licences on sale" (to all prior Season licence holders with email)
- Pre-Christmas email reminder (to lapsed from prior Season)
- Reel Life newsletter distributed to 140,000 past and present anglers
- Both Barrels newsletter distributed to 35,000 past and present hunters

14.3 Arash Alaeinia also commented on the Coastguard's direct debit approach and his recent donation to them following forgetting to cancel his subscription and questioned whether this would be a good approach for our licence holders that just forget to repurchase. Arash thanked Lindsay for taking the time to communicate his thoughts for discussion.

14.4 Cr Debbie Oakley highlighted that as she was required to be named as the primary holder of their family licence to stand on Council and as a result her husband had received several communications regarding his lapsed licence. Eben Herbert highlighted to the meeting that it is a statutory requirement for Fish & Game Councillors to hold a Whole Season Licence. He said it has occurred in the past where Councillors have unwittingly let their licence lapse.

15.0 LIAISON OFFICER REPORTS

15.1 *Report from the Bay of Plenty Conservation Board.*

No Report

15.2 *Report from the Department of Conservation*

No Report

15.3 Report from the New Zealand Council

Cr Debbie Oakley referred to NZC CE's summary contained in the Papers for Information. Debbie advised that the Terms of Reference for the New Zealand Council's Future Structure and Future Finance working groups had been completed. Debbie also commented on a change in the way contestable funding applications were considered/approved and thanked Cr Scott Nicol for attending the New Zealand Council meeting via zoom to support Eastern's bids in the absence of the Chair, Ngahi Bidois.

Debbie highlighted the need for Council to provide feedback on the REM policy contained within the papers for information. Arash Alaeinia advised that the paper was written to the effect that feedback was sought from management, however Debbie pointed out that as Council are the employers of staff it was appropriate for Council to provide feedback also. Discussion ensued as to whether Council are in fact the employers of staff as it was the understanding of some that Council employs the Manager, who is entirely responsible for the employment of staff. The liability of individual members of Council was also questioned, for example in terms of Health and Safety. As Cr Ngahi Bidois' experience as a Governor on other boards was contrary to what had been recently advised to Cr Debbie Oakley through her role as NZC appointee, Ngahi asked that advice be sought regarding the Council's position on employment and member liability. Arash Alaeinia proceeded to summarise the background and basis for the REM policy. Cr Ngahi Bidois suggested that Council could feedback directly to Debbie as our NZC representative.

Cr Mark Sceats queried the research funding granted to Eastern Fish & Game and why Council had not been informed of this application and its intent, which was contained within the Papers for Information for Australasian Shoveler Management project of \$8000. Matt McDougall advised that funding for this project was sought and approved prior to Covid but had been deferred. It was resubmitted and subsequently approved for 2023-24. Matt advised that the purpose of this funding was for GIS expertise to prove the statistical robustness of the national shoveler survey.

16.0 GENERAL BUSINESS

- 16.1 Cr Kevin Coutts requested that Cr Jay Tapsell's suggestion of weekend Council meetings be considered and put up for discussion on the August meeting agenda.
- 16.2 Cr Scott Nicol queried the recent news of the invasive freshwater clams found in the Waikato and asked if staff had any further updates? Arash Alaeinia confirmed that Council has the latest update and highlighted possible issues for this region. Eben Herbert advised that Eastern's fisheries staff had close ties with AWFG staff, particularly Adam Daniels, who was at the forefront of the issue. Council asked for updates of interest.
- 16.3 Cr Murray Ferris advised that the Waikaremoana Boating & Fishing Assn (WBFA) were holding a working bee 22-24 June at Waikaremoana, and he would forward email to Council as open invite to help. Murray added that the WBFA had also gained approval from Tuhoe to install the shallow water markers applied for previously and we can expect that an application for these will be resubmitted to Council in due course.
- 16.4 Arash Alaeinia advised that the Council and Chair review process is due and that he has provided the current questionnaire along with that of the Auckland Waikato Council for information. Arash advised that he aims to complete the review process for the August meeting and asked Council to inform him if they felt additional questions were necessary.

Otherwise, the version presented will be sent out and to be returned to the Chair to present a summary at the August meeting.

- 16.5 Cr Kevin Coutts asked for the Council agenda and papers to be couriered due to postal delays. Arash suggested once emailed please contact him if papers have not been received within a few days. It seemed local deliveries were worst affected, therefore Arash suggested that staff could deliver local copies otherwise if we are notified, we can have copies available at the meeting.
- 16.6 Cr Lindsay Lyons requested that a reminder be sent to Councillors a few days out from a meeting to ensure attendance and a quorum is achieved. Arash Alaeinia advised that the meeting calendar was provided to all but was happy to send additional reminders to assist Councillors if needed.
- 16.7 Discussion had occurred earlier in the meeting about the “Future of Eastern Fish & Game” paper. Arash Alaeinia thanked Crs. Lindsay Lyons and Jay Tapsell for their written responses. Cr Murray Ferris and others questioned the relevance of limiting Councillor terms to three consecutive terms, citing the loss of institutional knowledge in doing so. Cr Debbie Oakley advised a change to Councillor terms is not likely to happen soon as this would require a change to the legislation. She believed Council needed to focus on what could be achieved without changes to legislation. Debbie advised that Fish & Game needs to and is taking control of its own destiny. She commented on NZC working groups such as the Future Finance group which was reviewing existing Policies and Guidelines to do better and implement more structure in our processes under the existing legislation. Further, we need to take control to ensure our viability and fairness within regions. Debbie advised that they were aiming for outcomes by the end of this year.
- 16.8 Arash Alaeinia advised that an approved user had been selected for Governance training and options were to undertake this in person or electronically. Arash suggested electronically to make it easier for all to attend.

17.0 PUBLIC EXCLUDED SESSION

17.1 *Agreed (Debbie Oakley/Murray Ferris) that pursuant to Section 48 (1) of the Local Government Official Information and Meetings Act 1987, the public be excluded at 2.18 pm from the following parts of the proceedings of this meeting, namely, to review possibility of amalgamation with Hawke’s Bay Fish & Game Region.*

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 |
|---|---|---|
| Assess operational and governance structure of an amalgamation of | Good reason to withhold exists under section 9 of the Official Information Act 1982 | 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 |

| | | |
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| Eastern and Hawke's Bay Fish & Game Regions. | | for which good reason for withholding would exist. |
|--|--|--|

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 that Act 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 ACT | SECTION | PLAIN ENGLISH REASON |
|---|------------------|--|---|
| 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. |

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.”

17.2 That Council moves out of public excluded at 3.15 pm.

17.3 That the public be re-admitted to the meeting at 3.15 pm.

18.0 MEETING CLOSED

18.1 The meeting closed at 3.16pm.



Ngahi Bidois
Chairman

Summary of Resolutions

- 2.0 APOLOGIES AND ACCEPTANCE OF RESIGNATION
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17.2 *Agreed (Debbie Oakley/Murray Ferris) that Council moves out of public excluded at 3.15 pm. [23/06/17.2]*

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