

One hundred and fifty fourth meeting of the  
**New Zealand Fish and Game Council**  
27<sup>th</sup> and 28<sup>th</sup> August 2021  
By Zoom

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**PRESENT**

**NZ Councillors:**

Ray Grubb (Chair), Debbie Oakley, Noel Birchall, Andy Harris, Dan Isbister, Nigel Juby, Dave Harris, Richard McIntyre, Dave Coll, Gerard Karalus, Greg Duley, Bill O'Leary.

**NZC Staff:**

Di Taylor, Acting Chief Executive, Carmel Veitch CFO, Brian Anderton GM, Jack Kós Senior Policy Advisor, Richard Cosgrove Senior Media and Communicators Advisor, Steve Doughty Marketing and Communications Manager

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**1. Welcome and Chairperson's Introduction**

- Meeting started 8:35am
- Chair welcomed councillors and specifically thanked those councillors that are not standing for re-election.
  - Cr. O'Leary: Looking forward to going fishing, duck shooting and deer stalking. The time commitment with these roles is greater than people realise and requires the support of your whole family. It's time for me to reappraise my commitments and focus on myself and my family. Appreciated the opportunity to work with you all. Thank you.
  - Cr. Birchall: Been on acclimatisation societies and Fish & Game councils for 54 years. I'd like to have some more time for myself and I'm a little concerned at the direction we're heading. Thanks to you all and I appreciate your efforts for the organisation.
  - Cr. Isbister: Twelve years with fish and game now, and done enough time. I went fishing once last year and I'm trying to simplify my life. Looking forward to a lot more time to go fishing and hunting. I'm a little concerned at where the organisation is going. The quality of councillors could be a symptom of the social media era – previously the people were there to do their bit for the betterment of the organisation and sport. I wish the organisation all the best but think it's in for a rocky time. I don't plan on ending my involvement with Fish and Game, but I think I can give more volunteering in other capacities.
- Chair thanked these councillors for their support and their contribution as members of the exec.
- Chair spoke to the past three years of this council. Believe we have made huge progress in the past 15 months.
- Chair gave thanks to the staff and the huge commitment that they are giving. Particular thanks given to Steve for the incredible workload he has

**2. Apologies received**

- Cr. McIntyre apologised for late arrival.

**Moved:** Crs. D Harris & Coll

**Carried**

### 3. Conflicts of Interes

- Chair added director of NZ Landcare Trust.

### 3a. Extraordinary Business

- AW Letter on Pheasant Preserves
- Angus and Associates Displacement Research
- Confidentiality around elections (PE) 18a
- Update on Staff Resource Stocktake (PE) 18b

**Moved:** Crs. Grubb & McIntyre

**Carried**

### 4. Health and Safety Report

**Moved:** Crs. Karalus & Harris

**Carried**

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### 5. Approve Minutes 152

- Question over action list and correspondence register. Confirmed this will be reinstated moving forwards.

**Recommendation:**

1. *That these minutes be approved.*

**Moved:** Crs. O’Leary & Oakley

**Carried**

### 6. Approve Minutes 153

**Recommendation:**

1. *That these minutes be approved.*

**Moved:** Crs. Isbister/Birchall

**Carried**

### 7. Fish & Game Review

*This paper introduced communication from the Minister of Conservation on the Fish and Game Review and discussed the establishment of a group to review the amalgamation of regions.*

- Chair opened for discussion.
- Cr. Birchall: Few points – when will we see TOR for amalgamations?
  - Drafting occurring currently with people nominated to work on review.  
Received feedback last night. Can try redraft and present tomorrow?
- Cr. Birchall: Doesn’t have to be tomorrow.
- Chair: Detailed proposed composition. General proposal is blank page review looking at what should be ideal structure. TOR would be socialised with NZC and regions, working towards prelim report feb and final report March prior to budget cycle.
- Cr. Juby: Concern on whose authority this is set up? Have IG – if RG as chair of NZC took it upon himself to set up I have an issue – if IG set up and directing Fish & Game matters I have issue with that. Think 3 person team is inadequate. Who set this up and on what basis?
- IG asked by F&G to do this, and that is what they’re doing.

- Cr. Juby: Don't think asked to do this. Just that an analysis needed to be done. Could be confused by powers of IG. Surprised that IG feels it can direct F&G staff without approval of NZC or employers of those staff.
- Chair: Chairs of WC & Wel approached to release managers for this. IG won't be involved in this – whole process done by F&G.
- Cr. Juby: Don't think IG or RG as Chair of NZC should be setting up system to investigate. At least go through NZC if not wider organisation.
- Chair: How else to do?
- Cr. Juby: Start with NZC and ask what is supported.
- Cr. Oakley: Remember at NZC meeting in workshop that we would discuss approach to review and recommended we get buyin by asking regional managers to be involved
- Chair: and that's what we're doing
- Cr. Karalus: Preference is that we do it as its unfolding otherwise get parochial arguments coming through.
- Cr. D. Harris: Agree with Nigel. Too much happening that we don't know about.

Meeting adjourned at 9am for guest speaker, Minister of Conservation Kiritapu Allan

Meeting resumed 10:15am.

## 8. Reserves top-up determination

*This paper sought to confirm what financial years the reserves top up was to be applied to and that reserve top ups will be considered in the following year's CF bid process.*

- If licence sales same as this financial year we won't need to do any top ups at all as far as I can see. Budgeted same income as last financial year with higher income than expected.

### Recommendations

*1 That the NZC agrees that the top up of reserves to the 20% level of budget was intended to be for the*

- 1.1 2019/20-year end; and*
- 1.2 2020/21-year end; and*
- 1.3 Due to the request for regions to use reserves again in the 2021/22 year the NZC agrees to top up reserves to the 20% level in the 2021/22-year end subject to there being no unapproved spending from reserves.*

**Moved:** Crs. Oakley/McIntyre

**Carried.**

From later in meeting:

*1.4 Any top up of reserves required to the 20% level will be considered in the following year contestable funding pool.*

**Moved:** Crs. Grubb/D. Harris

**Carried.**

## 9. Ratification of decisions

*This paper sought to ratify decisions of NZC made by email.*

**Recommendation:**

1. That NZC formally ratifies the following decisions made by email:

a. That NZC agree for NZC staff to seek the approval of the Minister for a Sea Run Salmon Licence Category for 2021.

AND

2. That NZC agrees for the Acting CE to contract with ESL for the administrative side of the sea run salmon licence.

**Moved:** Crs. Coll/Birchall

**Carried**

**10. Legal/RMA Applications**

*This paper recommended the reallocation of funds regarding the Lindis appeal, requested that Southland put in an application to use their reserves and put forward a Legal/RMA fund bid application from Otago.*

- Clarification that there are two separate processes: the Lindis appeal and the future RPS.
- Cr. Birchall: What is the process for approving expenditure in excess of the grant application? Danger to approve a grant application for \$100k and it swelling to \$200k.
  - Chair: Lindis case raised huge questions. Overspent whole way through. Working on at NZC to develop peer review of any decision to take any legal action and to provide advice to the region concerned. Haven't had that legal peer review process in the past.
- Cr. Juby: Clarification that there was money approved but it has overrun – have Otago applied for the overspend?
- CFO: Confirmed that it was a case taken by NZC because of the national priority. This has come out of the NZC reserves. So NZC needs to say what fund it is coming out of. Case now closed. So no further funds required. Simply determining where the costs are allocated to.
- Cr. Juby: Is it an option to ask for Otago to fund it out of their reserves?
- Chair: NZC supported this appeal at the time and this is the result. Have to fund from 2021 RMA budget.
- CFO clarified that \$52k is overspend from appeal case. Second recommendation – Southland using reserves and have requested to use \$84k but spent \$152k. Can't forecast what their reserves are if haven't approved to spend from reserves. Final recommendation is a legal/rma funding bid for Otago for \$60,000 for RPS process.
- Carmel and Di to flag comment from Minister about support for funding.

**Recommendations:**

1. NZC allocate \$52,000 from:

a. the 2021/22 RMA Budget for the overrun in the NZC/Otago High Court Lindis appeal

2. *NZC request that Southland put in an application to use their reserves for the over budgeted SWALP and anticipated costs going forward.*
3. *NZC approve Otago \$60,000 funding from the 2021/22 RMA legal fund for the RPS Land and Water.*

**Moved:** Crs. Grubb/Birchall

**Carried**

## **11. 2020/21 Financial Report Process and Sign Off**

*This paper sought to confirm the Chair's signing delegation for the 2020/21 performance report.*

- Chair detailed that this is a routine process that happens each year.

### **Recommendations**

*1 That, subject to the audited annual accounts being circulated to the Council members for approval and any queries satisfactorily explained, the Chairperson be authorised to sign the 2020/21 Performance Report on behalf of the Council.*

**Moved:** Crs. Coll/Oakley

**Carried**

## **12. Annual Meeting and Budget Timetable 2021/22**

*This paper proposed meeting dates and a budget timetable for the 2021/22 year.*

- Chair commented that we could relate better to Governors. Think it is key we get all chairs together first thing next council cycle to discuss changes to governance, strategic planning process etc. Create environment we are not only talking to managers.

### **Recommendation:**

*That NZC:*

*1. Agree that the proposed NZC meeting dates for 2021/22 become:*

- *December 4<sup>th</sup> 2021 in Wellington*
- *February 18<sup>th</sup> and 20<sup>th</sup> 2022 in Wellington*
- *April 29<sup>th</sup> and 30<sup>th</sup> 2022 in Wellington*
- *June 16<sup>th</sup> 2022 by zoom at 7.00-9.00pm*
- *August 23<sup>rd</sup> & 25<sup>th</sup> 2022 by zoom at 7.00pm- 9.00pm*
- *November 25<sup>th</sup> & 26<sup>th</sup> 2022 in Wellington*

*2. Agree that a Governors forum be held:*

- *February 19<sup>th</sup> in Wellington – (NZC & Chairs)*

*3. Agree that that managers meeting be held:*

- *28<sup>th</sup> April 2022 with joint meeting Friday 29<sup>th</sup>*

*4. Note: These dates may be subject to change due to the Review.*

5. Agree to consult with the regions on the proposed dates.

**Moved:** Crs. Birchall/D. Harris

**Carried**

### **13. Staff Development Grant Reserve**

*This paper proposed the establishment of a staff development grant reserve.*

- Cr. Birchall: Not in favour of creating another reserve fund that ties up F&G's funds. Believe the staff development grant should be one that's there to be used and if not used it should not carry forward.
- Cr. Isbister: Agree.
- CFO detailed the reasons why it could be important to have this as a dedicated reserve because of the number of cancelled/rescheduled trips etc. Reserve could be capped at \$30k?
- Cr. Coll: Agree with cap.
- Chair: Cap at \$20k incentivises it to be used.
- Debate around cap size – support for \$30k.
- Cr. Isbister: Do individual regions have staff development funds?
- Chair: Yes, but no necessarily explicit.
- Cr. Isbister: Does this have to be in the interest of the national organisation?
- CFO: Yes, and report back to NZC.

#### **Recommendations**

*1 That NZC create a Dedicated Reserve capped at \$30k for the Staff Development Grant Reserve as at 31 August 2021; and*

*2 That the refunded \$4,128 from the 19/20 year be transferred to the new dedicated reserve as at 31 August 2021; and*

*3 In future any unallocated funds from the \$10,000 budgeted will be transferred to the Reserve to a cap of \$30k.*

**Moved:** Crs. Karalus/McIntyre

**Carried**

### **14. Approval of NZC/National 2021/22 Financial Budget**

*This paper set out the NZC/National Financial Budgets for approval.*

- Chair detailed that this year the budgets are split into NZC budget and National budget. Question around the vehicle purchase?
- Clarified it is an ARF fund and was deferred from last year because of Covid.
- Cr. Birchall: Clarified year is wrong in recommendation. Also don't believe we need to approve ARF for existing assets.
- CFO confirmed this is for an auditing perspective to just cover matters off as they are above delegation.
- Clarified that ARF and depreciation within \$100 so didn't note.

## **Recommendations**

- 1. That NZC approve the Financial Budget presented in the Statement of Financial Performance for the year ended 31 August 2022 of \$143,785 Deficit; and*
- 2. That NZC approve Capital Purchases for the year of \$43,500*

**Moved:** Crs. D. Harris/Oakley

**Carried**

Meeting adjourned at 11:10am.

Meeting recommenced at 9:00am

Chair briefly outlined NZC work program, particularly in advocacy.

## **15. North Canterbury Exceptional Funding Application**

*This paper put forward an exceptional funding application for North Canterbury for salmon monitoring.*

- Chair thanked the North Canterbury councillors for the work that they have undertaken in aligning North Canterbury's budget with the remainder of the country.
- CSI appointee supported this initiative and suggested there could be cost savings for both regions through a shared monitoring.
- NC appointee spoke to this and said they wished to keep costs as low as possible in order to minimise spending from reserves.
- Confirmed this will not cause North Canterbury to drop below 20% reserves.
- Cr. D. Harris: Concerns around the cost and the changing of methods.
- Chair noted that this is an operational matter and we should not be getting involved in operational methodology

## **Recommendations**

*1 That NZC approves the exceptional funding application for \$45,373 for monitoring salmon spawning on a one-off basis from North Canterbury reserves.*

*2 NZC write to CSI and North Canterbury, regarding the formulation of an interregional monitoring plan for the 2022/23 years and beyond.*

*3 NZC request a new contestable funding application for the 2022/23 budget round.*

**Moved:** Crs. Grubb/Juby

**Carried.**

## **16. Exclusion of the Public**

*That the New Zealand 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:*

| <b>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</b> | <b>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER</b>   | <b>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION</b>   |
|--|--|---|
| Confirm Public Excluded minutes for meeting 152 & 153  | Section 9(2)(i) OIA<br>The withholding of information is necessary to enable a Minister of the Crown or any department or organisation holding the information to carry out, | Section 48(1)(a)(ii)<br>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. |
| Confidentiality of Elections                           | without prejudice or disadvantage, commercial activities.  |   |
|  | Section 9(2)(h) OIA<br>The withholding of information is necessary to maintain legal professional privilege.   |   |
| Update on Staff Resource Stocktake                     | Section 9(2)(f)(iv) OIA<br>The withholding of information is necessary to protect the confidentiality of advice tendered by Ministers and officials                          | Section 48(1)(a)(ii)<br>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. |



|  |  |   |
|--|--|---|
|  | <p>Section 9(2)(i) OIA<br/>The withholding of information is necessary to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> | <p>Section 48(1)(a)(ii)<br/>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.</p> |
|  | <p>Section 9(2)(i) OIA<br/>The withholding of information is necessary to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> | <p>Section 48(1)(a)(ii)<br/>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.</p> |
|  | <p>Section 9(2)(f)(iv) OIA<br/>The withholding of information is necessary to maintain the constitutional conventions which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</p>                        | <p>Section 48(1)(a)(ii)<br/>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.</p> |
|  | <p>Section 9(2)(f)(iv) OIA</p>   | <p>Section 48(1)(a)(ii)<br/>That the public conduct of the whole or the relevant part of the</p>  |

|  |   |   |
|--|---|---|
|  | The withholding of information is necessary to maintain the constitutional conventions which protect the confidentiality of advice tendered by Ministers of the Crown and officials.  | proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.  |
|  | Section 9(2)(i) OIA<br>The withholding of information is necessary to enable a Minister of the Crown or any department or organisation holding the information to carryout, without prejudice or disadvantage, commercial activities. | Section 48(1)(a)(ii)<br>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) And that staff remain to provide advice to the Council on all items.*

**Moved:** Crs. Juby/Oakley

**Carried**

Motions from Public Excluded:

1. *That the Remuneration committee be re-established comprising Colin Weatherall, Andy Garrick, Phil Teal and Di Taylor.*

**Moved:** Crs. Oakley/McIntyre

**Carried**

1. *That in their review of the 2021 elections Electionz.com include in the review a discussion around:*

- a. *One returning officer.*
- b. *Residential qualifications (standing in area you live)*
- c. *Fit and proper test*
- d. *Not publishing names.*

**Moved:** Crs. McIntyre/Grubb

**Carried.**

1. *That these minutes be approved.*

**Moved:** Crs. McIntyre/Duley

**Carried**

1. *That these minutes be approved subject to the above amendment.*

**Moved:** Crs. Birchall/Coll

## Carried

### 17. Chair's Report

- Chair spoke to CE's delegations and outlined the limits and reporting process. Ask for resolution that we confirm the delegations and reporting by line item?
- Cr. Birchall: Delegations covered in governance policies and this is already covered in this policy.
- Chair: Yes, but there is scope to review and this should be reconfirmed with the appointment of a new CE.
- CE clarified that all this is seeking to do is make any large spending within budget transparent. This is not a change of permissions or delegation limits, just a change of reporting process.

1. *That the spending delegations of the CE are confirmed.*

**Moved:** Crs. Coll/Juby

**Carried.**

- Like a resolution to congratulate Nigel Paragreen and Jack Kos for their work on the NBEA.
- 1. *That NZC congratulate Nigel Paragreen and Jack Kos for their work on the NBEA submission*

**Moved:** Crs. Grubb/Karalus

**Carried**

- Discussion around catchment groups and their merits. Noted that there is a substantial variation amongst catchment groups and their alignment with F&G. F&G needs a presence.
- Chair: Should we perform a more catalytic role in stimulating catchment groups, perhaps through jobs for nature fund? Does anyone have an objection to that to go back to regions on?
- Cr. Isbister: This could be a role NZC could play.
- Cr. McIntyre: If catchment groups successful money could be pulled from legal/rma. F&G place in catchment group will depend on how they involve themselves.
- Cr. Juby: Have we worked with DOC closely on – a lot of our wetlands are on DOC land – the NPS/NES? For example, maimais and walkways and control of weeds.
- Chair: Wetland regs up for debate and we have Mischa coordinating a response from FG. Locally we work with DOC ok. But it's absolutely clear that DOC have dropped ball on freshwater advocacy – has come to a head of Manuherikia where DOC not a supporter on Ngāi Tahu paper.

1. *That the report be received.*

**Moved:** Grubb/Juby

**Carried.**

### 18. CEO Operations Report

- Paper accepted as read.

## **19. NZC Finance Report**

- Paper taken as read.

### **Recommendations**

*1 The NZC Finance Report for July 2021 be accepted.*

**Moved:** Crs. Birchall/Duley

**Carried.**

## **20. National Finance Report**

- CFO spoke to paper. Only slight outlier is NZC and that is explained in report. Other regions working within budget and no discrepancies.

### **Recommendations**

*1 The National Finance Report for July 2021 be accepted.*

**Moved:** Crs. Oakley/Coll

**Carried.**

## **21. RMA/Legal Update**

- Paper taken as read

### **Recommendations**

*1. That the report be received.*

**Moved:** Crs. Grubb/Isbister

**Carried.**

## **22. Research Fund Update**

- Clarified what the structure of the research committee was.
- Cr. Juby: Preferable to have some governance representation on the committee and should get an update on this with every council meeting.
- Chair: Like to recommend that CE prepares a proposal on how to best organise a research group with clear objectives and reporting processes and a membership including governance.

### **Recommendation**

*1. That CE prepares a proposal on how to best organise a research group with clear objectives and reporting processes and a membership including governance.*

**Moved:** Crs. Grubb/D. Harris

**Carried.**

## **23. Licence Sales Update**

- Telling how significant spin fishing was and we need to take that in to consideration.

## **24. Action List:**

- No comments

## **25. Consultation Register**

- Requested for councils to cc Jack in to all correspondence.

## **26. AW Letter on pheasant preserves**

*Extraordinary business discussion based on communication from Auckland/Waikato seeking to recommend to the Minister that no new commercial game preserves be established without agreement from the relevant Fish and Game Council.*

- Paper in summary recommends that all regions recommend to the Minister on the game preserves in their regions and that these can only be established with the agreement of regional fish and game councils.
- Cr. Isbister: Fair request, but this could mean a preserve established with a permissive council, council changes and could want to shut it down.
- Cr. Juby: Intent is just around new preserves.
- Cr. D. Harris: How does someone go about setting up a pheasant preserve how do they go about it?
- S6 Notice between DOC and Minister.
- Clarified that there is scope to advise the Minister but the weight of the advice differs from now.
- Cr. McIntyre: Discussion around ‘new’ makes a big difference.
- Say we support recommendation by AW and that this advice is given to the Minister for new pheasant preserves

### **Recommendation**

1. *That NZC support the approach by AWFGC and offers advice to the Minister that new commercial pheasant preserves should only be established with agreement from the appropriate Fish and Game Council.*

**Moved:** Crs. McIntyre/Karalus

**Carried.** (one abstention – Cr. Juby).

## **27. Angus and Associates Research**

*Extraordinary business discussion based on a research proposal for assessing angler displacement.*

- Cr. D. Harris: Had a look and there has already been a lot of research on this and going on with Southland/Otago. Detailed the Oreti survey work that has been undertaken in Southland. Don't need to do more research to know that anglers are being displaced. There are issues with aspects of this proposal that would have huge bearing on tourism industry. Won't come up with any new answers and is very expensive.
- Cr. Oakley: Know this has been discussed at length and we were thinking of limiting 10 day fishing duration only in sensitive areas.
- Chair: It isn't just about sensitive areas – this is real social impact research. It has been suggested to me that a lot of this can be solved through the guides licence but that isn't accurate. Need research to back that up
- Cr. Isbister: Would the first step be compiling research already done in the regions? Southland have done study, CSI have done study.
- Cr. D. Harris: You said about doing research – Otago and southland have also done research on attitudes. There has been research done.
- Cr. Juby: Think Dave has a lot of good points. Personally I don't think I'm at the point of making a decision on this. I'd like to see this come back to NZC with advice from research committee and regions.
- Cr. Birchall: We've set up a research group with the responsibility to see what research Fish and Game require and whether the research is appropriate – then it should come back to the NZC to approve spending. This hasn't been through research

group and need more advice as to whether it's needed or appropriate or can be obtained through some other means.

- Chair: First of all need to reconstitute research group with Di chairing. What you would like to do is get research group to analyse whether there is a need for social impact research on psf and international anglers and guides. Also to test out different regimes etc.
- Cr. D. Harris: and take into account research already carried out by regions.

### **Recommendation**

1. *That this be referred to the reconstituted research group to undertake an analysis of the material available and bring back a research proposal that accomplishes those answers.*

**Moved:** Crs. Grubb/D. Harris.

**Carried.**

Chair thanked all NZC for their contribution over the past 3 years and wished those well who are standing in the election. Thanks given for the willingness to challenge the status quo.

Looked at dates after meeting yesterday and proposed dates (if required) – Thursday 7 Oct 7-9pm Zoom. To be circulated by email.

### **Returning to Agenda Item 8**

Everyone agreed, but point of order in how reserve top ups generally work – if a region below that threshold they apply for it in the next CF round for their reserves to be topped up. Problem with that is it draws from NZC reserves without being part of their budget round. Wish to add 1.4:

- a. 1.4 Any top up of reserves required to the 20% level will be considered in the following year contestable funding pool.

**Moved:** Crs. Grubb/D. Harris

**Carried.**

Meeting closed at 11:30am.