



**28 February 2025**

**Submission to “Proposal to Modernise the Conservation System”**

**[Proposals to modernise the conservation system : Consultations 2024](#)**

**Exploring charging for access to some public conservation land**

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**How to modernise conservation land management:**

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on behalf of

Corina Jordan CEO

New Zealand Fish and Game Council

A handwritten signature in black ink, appearing to be 'Helen Brosnan', on a light grey background.

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

**New Zealand Council**

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**About Fish and Game**

- 1.1 Fish and Game is the statutory manager for sports fish and game, with functions conveyed under the Conservation Act 1987. The organisation is an affiliation of 12 regional Councils and one national Council. Together, these organisations represent approx. 130,000 anglers and hunters.
- 1.2 The sports fish and game resource managed by Fish and Game are defined and protected under the Conservation Act and the Wildlife Act 1953. The species within include introduced sports fish and a mix of native and introduced waterfowl and upland game<sup>1</sup>.
- 1.3 Our vision, purpose and values are illustrated below:

OUR VISION	OUR PURPOSE	OUR VALUES
Our vision is a New Zealand where freshwater habitats and species flourish, where hunting and fishing traditions thrive and all Kiwis enjoy access to sustainable wild fish and game resources.	Fish & Game New Zealand maintains and enhances sports fish and game birds, and their habitats, ensuring access for current and future generations of New Zealanders.	TRUST INCLUSION CONNECTION SERVICE

- 1.4 Fish and Game is entirely funded by licence holder fees and private contributions, meaning the delegated function of managing the species for the public good is funded entirely by the users. It is a democratic '*user pays, user say's* organisation. Using this system, Fish and Game funds public good research to ensure fisheries and game populations are managed sustainably; undertakes compliance with the licencing system;

<sup>1</sup> Most New Zealanders refer to these species as 'game birds', distinguishing them from other types of large game, such as deer or pigs. The Wildlife Act 1953 defines these birds simply as 'game' and this phrase is used in the context of this submission.

and contributes to public planning processes to ensure that hunters and anglers values are recognised and provided for.

- 1.5 In relation to planning, Fish & Game have the statutory function to advocate for hunters and anglers values and ensure that the habitats of gamebirds and sports fish are provided for. At any one time we may have around 150,000 licence holders, and a larger number (approximately 300,000) that are transient licence holders. The habitat we specifically advocate for includes lakes and rivers that contain trout and salmon (and other sports fish) and wetlands where game bird hunting occurs.

## **Fish and Game in resource management**

- 2.1 Fish and Game has a statutory obligation to maintain and improve access to sports fisheries and game bird hunting areas in the recreational interests of anglers and hunters. Fish and Game works to provide for the ongoing enjoyment of hunting and freshwater fishing assets, the maintenance (or enhancement) of public access to rivers, lakes, and wetlands for hunting and fishing, and the protection of the habitat of trout and salmon.
- 2.2 Hunting and angling require legal and physical access both to habitats and the resource itself. Maintenance and enhancement of access is critically important to the pursuits of our licence holders. The maintenance and enhancement of public access to and along lakes and rivers is listed in the RMA 1991 as a matter of national importance.
- 2.3 Elements of the experience sought by recreational hunters and anglers include the wilderness experience, the opportunity to engage in the sports, and the opportunity to obtain food or enjoyment in a naturally quiet, non-built, wilderness environment, with minimal restriction. For many hunters and anglers, New Zealand's conservation lands and waters, represents the last remaining bastion for this experience. This is a significant recreational and cultural aspect of PCL, particularly given the projected increasing footprint of settlement and development across the country, and with lowland habitat diminishing in some areas, and access to private land becoming more restricted.
- 2.4 Fish & Game seek amendments to proposals to Modernise the Conservation System to provide improved access for hunting or fishing.



This also includes as a form of mitigation for any loss of values on site. We seek that Fish and Game are consulted as an expert advisor where gamebird and or sports fishery values could be impacted. Fish & Game can work with government officials to ensure outcomes that achieve both economic imperatives, along with recognising and providing for hunting and fishing values, are achieved.

2.5 We specifically seek the protection of:

- i. habitat of trout and salmon.
- ii. maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers where sports fishing and game bird values exist.
- iii. preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, lakes and rivers and their margins where sports fishing and game bird values exist.
- iv. Recognition and provision for freshwater angling/game bird hunting and amenity values.

## **Exploring Charging for Access to Some Public Conservation Land**

- 3.1 This submission focuses on the parts of the discussion documents that relate to the duties and functions of Fish and Game councils. We focus mostly on continuing to enable access to Public Conservation Land (PCL) and for the retention of recreational values such as game bird hunting and angling. The following submission expands on points from our questionnaire submission which is also attached to this submission (attachment 4).
- 3.2 F&G oppose charging for access to PCL for anglers and hunters. Fish and Game as an organisation work to manage, maintain and enhance access for hunting and freshwater fishing.
- 3.3 F&G support reasonable charging for premier huts, and consider that there could be some examples of locations where charging for car parking / toilets may be appropriate, for example for areas which have high visitor numbers. The very popular “honey pot” locations could be suitable for this purpose via a car parking charge.

However we caution you that there are areas where charging for services would be challenging to implement for example Hokitika Gorge (fishing) and Welcome Flat (hunting) carpark, as it is likely that locals will just park up the road, beyond the paid car park and therefore avoid paying access charges.

We also note that elsewhere in New Zealand where charging is used, it is more commonly used for the purpose of reducing congestion problems

rather than for the generation of income/revenue. It is likely that an automated system would have a 10 year pay back and may not result in the degree of increased revenue that DOC anticipate.

- 3.4 Anglers and hunters are passionate custodians of the environment, spending countless hours immersed in nature while ensuring the sustainable harvest of fish and game. Their intimate connection with the outdoors fosters a deep respect for natural resources and a commitment to preserving traditions for future generations. As regular visitors to rivers and lakes, anglers serve as vigilant guardians, acting as eyes and ears that help protect these precious ecosystems from threats and degradation. As such Fish & Game submit that hunters and anglers should be exempt from any charging regimes.
- 3.5 The economic impact of angling is substantial, with anglers contributing significantly to local economies through licences, equipment purchases, accommodation, and other related spending. Beyond economics, recreational activities like fishing and hunting offer proven benefits for physical and mental wellbeing. In New Zealand, where the cost of living continues to rise, these activities also provide a sustainable and affordable food source that is critical for many communities. Hunters frequently share their harvest, processing game meat for donation to food banks or hosting dinners for vulnerable community members.
- 3.6 The scale of participation is remarkable, with over 65,000 hunters taking to the field annually. Duck hunters in particular play a crucial role in wetland conservation—Fish & Game and hunters invest hundreds of thousands of dollars each year in wetland protection, creation, and enhancement efforts. No other organisation does more for these

threatened ecosystems, which would be in an even more precarious state without their dedicated involvement. Hunters also conduct essential predator control work, setting and monitoring tens of thousands of traplines throughout the country to protect vulnerable ducklings and other wildlife.

3.7 These conservation efforts benefit not just game species but all wetland inhabitants, including numerous rare and vulnerable native plants and animals. Sustainable hunting practices help maintain balanced populations—without them, duck numbers could surge uncontrollably, leading to crop predation, starvation during winter months.

3.8 We consider that any distribution of any funds raised through access charges should involve a split between reinvesting back into the place of collection, and the remainder going into a national pot paying towards maintenance of front country infrastructure and priority projects.

### 3.9 **Charging for National Park Access**

F&G oppose access charging for national park entry, except when charged as part of an existing concession or use of a certain facility e.g. very popular car park. Many local fishing spots and even front country walking spots are located in national parks in Southland so charging locals for access to both land and water would be cost prohibitive for those users. In other regions it appears that waterbodies are not part of the National Park (e.g. Otago) so therefore access charging may not apply for angling so this would need to be clarified.

### 3.10 **Guiding and Access Charges**

F&G has discussed this idea with the New Zealand Fishing Guides Association (NZPFGA), who currently have a concession for guiding on PCL. Unfortunately, there are many fishing guides who are not members of this association who guide on PCL and who do not pay a concession. This places the members of NZPFGA in a situation where these non-member guides have an unfair advantage over NZPFGA members. It is important to note that NZPFGA members have strict requirements around health and safety, professional standards, etc, and when non-member guides don't have such requirements, it is not a level playing field. Therefore, if you are charging for a concession for a particular commercial activity, then all people/entities who are undertaking that commercial activity should be treated equally.

### **3.11 Exclusive use and exclusive capture**

F&G doesn't support exclusive use situations on PCL where hunting or fishing "rights" would be exclusively held on PCL. This is already occurring on private land and should not be allowed to happen on PCL in order to ensure that everyone can have access to hunting and fishing opportunities. This practice also fails to prioritise conservation, recreation and access values ahead of economic gain in the management of PCL. We discuss a hierarchy for the legislation more in section 5 of this submission.

- 3.12 We urge you to consider other income streams for providing income for conservation. Rather than charging more for access, we recommend that you look into charging highly profitable concessionaires more to encourage a larger contribution towards conservation efforts.

- 3.13 We have also filled out your proforma submission form and that is attached for your reference as attachment 4.

### **Help Us Modernise Conservation Land Management**

- 4.1 Sports Fish and Game Management Plans and advice from our regional Fish and Game staff is a critical source of information for proposed activities that impact game bird hunting and fishing opportunities. F&G invite applicants to carry out preapplication discussions early and would like to be a statutory consultee for concessions that may impact on our licences holders. This would include concessions located in / near or on stream / river / lake and wetland environments.
- 4.2 Table 1 page 14 we are particularly interested in permits for guiding, easements for access. When considering grazing licences potential impacts on these sensitive natural environments should be considered. We encourage you to exclude stock from critical source areas and streams and adhere to best practice setback fencing and riparian planting to protect freshwater health. We would also like you to ensure that PCL is not used for intensive winter grazing and therefore grazing licences should also include provisions to ensure that adverse environmental impacts are being managed. Some of these issues are detailed in attachment 6.
- 4.3 **Consultation with Fish and Game / amending when public notification must happen**

Fish and Game would like to be consulted about new concession activities in each region. Our licence holders have lost hunting and fishing opportunities where new mountain biking tracks have not been sensitively located, too close to existing game bird hunting spots. This is a reverse sensitivity problem that needs to be provided for in conservation law in a similar way to resource management by mapping and providing priority for existing recreational values as an existing use right.

Additionally Fish and Game would like to be notified as a statutory consultee of new national policy and area plans. We would like to check these documents for consistency with our Sports Fish and Game Management Plans and identified recreational values for game bird hunting and fishing.

F&G would like to see mapping layers developed for PCL. This should not only include land classification, but hunting and angling opportunities including access. We anticipated that this work would be carried out as part of the long awaited Stewardship Land Review. We would like to assist with this process and ensure that Valued Introduced Species and their geographic locations are correctly identified.

#### **4.4 Prohibited Activities and Non Complying Activities**

Activities that have a significant adverse effect on the values of PCL, where these effects cannot be avoided or mitigated, should be a prohibited activity. Examples could include new impoundment or diversion type hydroelectric dams, open cast mining, land clearance and development. In relation to hydroelectric dams, run of river dams may

have less effects if an ecological flow is maintained. Some run of river designs may be suitable as a non-complying activity.

Water Storage Dams can enable intensification of land uses, that may result in increased diffuse or direct discharges to freshwater environment, changes in hydrological regimes, and changes in the physical form and function of freshwater environments. Water storage dams, may also provide for cumulative effects and as such these impacts need to be considered, in particular where natural resources are at, or approaching overallocation. Therefore, activities that would result in land use changes and intensification within PCL, where the cumulative or direct impacts would impact on the values of PCL should be a non-complying activity. With either activity class there should be a mechanism for refusing these activities if environmental consents are not obtained.

#### **4.5 Exempted Activities and Activities Permitted in Advance**

Very few examples have been provided for these activities, our suggestion is that it must be paid for (including monitoring fee) prior to them receiving their permission. We would also like to receive more detail on these activities as we would like you to still retain a mechanism to be able to pivot if cumulative effects occur necessitating DOC to restrict by condition or retract consent. This is also an issue if you plan to not include limits on activities as you do not have a threshold where you can signal to applicants that additional consents are unlikely to be approved.

#### **4.6 Include Other Activity Classes**



We suggest that you also include other activity classes such as controlled, discretionary and non-complying activities so that you have more options for management. Discretionary and Non Complying activities should signal that these activities can be refused if e.g. cumulative effects are not appropriate and conservation, access and recreational values cannot be suitably retained. The proposed permitted or prohibited system will not give sufficient management options. We have included a table below showing the activities and the types of concessions that could be included for these activities.

**Table of Concession Activities on PCL (DRAFT)**

<b>Existing use</b>	<b>Permitted</b>	<b>Controlled (permitted in advance)</b>	<b>Discretionary</b>	<b>Non Complying</b>	<b>Prohibited</b>
To avoid “reverse sensitivity” effects you need to protect existing recreational values	What monitoring of these activities will occur?	Conditions on consents, generally approved but should have short expiry dates e.g. 5 years so that consent can be withdrawn if negative effects experienced.	Can refuse application and will involve consent conditions	More likely to refuse application or at least ensure conditions render acceptable effects. Likely to require public notification.	Not allowed to do
Eg angling values		Drones	Commercial Guiding	New run of river hydro	New impoundment or diversion

				electric dams.	type hydro electric dams not providing for fish passage.
Eg Game Bird hunting values		Drain maintenance	Aircraft / boating	Structures in waterways that will not have temporary effects e.g. Large scale water storage	
Firing ranges		Culverts that provide for fish passage	Culverts that do not provide for fish passage	Activities resulting in permanent change to instream habitat	
		Telecoms - set criteria	Wind farms Solarfarms	Defined lighting in dark skies accord areas	
		Accommodation on defined PCL, if criteria not met or exclusive use Discretionary Activity	Riparian Vegetation removal	Instream works during spawning	
		Grazing – non intensive	Grazing - intensive	Grazing – IWG not	

		(these tend to be grazing leases)	(conditions about fertiliser application and stocking rates)	provided for on PCL	
		Filming / Photography	Gravel extraction with defined threshold	Gravel extraction with defined threshold	
		Carbon Forestry using native species	Plantation forestry - continuous cover	Plantation forestry - exotics (this requires a change of legislation )	
		Collecting geological samples / research	Access and local government infrastructure concessions	mining	
		Wild animal control in locations identified in Area Plans.	Accommodation		
			Events		
			Ski Fields		

#### 4.7 Enable Competitive Allocation of Concession Opportunities

F&G support this idea in principle, however it may be unfair to concessionaires if this occurs periodically once they have invested heavily in infrastructure. The practical elements of allocation will need to be thought through. We understand that some concessionaires in

Southland have stopped re-investing in infrastructure until their concessions are renewed as they are concerned that they may lose their existing concession.

#### **4.8 Market Value vs Fair Return to the Crown**

Replacing reference to 'market value' with 'fair return to the crown'. We support this idea in principle but a method for fee increase needs to be developed further. You will also need to consider if you are charging for the resources that you are "giving away". Realistic market rates for all existing operators and new operators need to be charged so that money is sought from commercial uses rather than charging public for access as New Zealanders already pay towards PCL via their taxes.

#### **4.9 Exchanges and Disposals**

F&G agree that economic development and revenue making should not be the policy driver and that additional conservation revenue from transfer or sale of PCL should be reinvested to improve biodiversity, recreation and heritage (para 88, page 133 cabinet paper 28 Oct 2024).

4.10 F&G support the continued protection for land that is disposed, through instruments such as covenants that allow for continued public access, including the carrying of firearms and fishing rods.

4.11 F&G is concerned that Land that is 'surplus to conservation needs' is yet to be defined. We are concerned that without strict criteria, a lot of PCL that is currently used for hunting / game bird hunting and fishing, or access could be lost. We are also concerned a significant amount of Stewardship Land (SL) has not been classified, much of it containing high conservation

values. Therefore any exchange or disposal of SL should be subject to full public consultation processes.

- 4.12 F&G is concerned about the “Net Conservation Benefit” idea as there is very little detail about how this would operate. F&G broadly agrees with criteria that EDS has suggested in their submission:

- a. The assessment of net conservation benefit must not incorporate money provided as part of an exchange, off-setting and mitigation on measures, promises of work or other contributions.*
- b. The net gain must be to conservation values broadly, not only to PCL.*
- c. The criteria set under Policy 6(a) of the Conservation General Policy should apply and additional criteria set to incorporate climate change considerations, prevention of extinction and protection for taonga species.*
- d. Greater weighting should be given to benefits to “nature conservation” (over recreational or amenity value, for example).*
- e. Clear exclusions need to be set, incorporating the criteria listed in Policy 6(d)(i)-(iii) of the Conservation General Policy. Policies 6(d)(iv)-(vii) should also be taken into account.*
- f. The rights and interests of mana whenua need clarification. Sites of high cultural significance should be excluded and relevant iwi and hapū provided with a Right of First Refusal before any land is exchanged or disposed of permanently.*

- 4.13 F&G would like to assist with developing methodology to assess a “net conservation benefit” from a disposal. The process would also need to involve fish and Game as a consultee to ensure hunting and fishing recreational values are not lost as this is not presently mapped or included

in CMS documents. It is unlikely that like for like comparisons will be available to test net benefit. This will result in like-unlike comparisons. If the land being disposed of is of low or moderate conservation value, a net conservation benefit test for disposals will be a more simplistic assessment. A net conservation benefit test for disposals of higher conservation values should include safeguards. We have suggested additional safe guards to define the kind of land that should not be disposed of.

#### **4.14 Stewardship Land and Hunting and Fishing Values**

F&G note that in the case of stewardship land, it cannot be assumed that land does not have conservation value or that this land is surplus to conservation needs. All stewardship land would need to be assessed ahead of being considered for disposal rather than using any blanket approaches. We note that there are vast areas of hunting / Game Bird Hunting and Angling values associated with stewardship land and therefore we do not support proposals to exchange stewardship land. We recommend that exchanges need to be restricted to small boundary adjustments only until the stewardship land review occurs. Attachment 7 includes our Stewardship Land review submission from March 2022.

#### **4.15 Fish and Game does not support the proposed radical change to the criteria for exchanges and disposals. Our species need the range of habitats. We include our submission from October 2022 regarding high country waterways to provide an example of detrimental impacts land use change can have to the species that we manage (see attachment 6).**

4.16 To ensure specifically that the species that we manage are protected, we recommend that you include the following additional criteria for exchanges and disposals (para 4.16 – Para 4.22):

- Consultation with Fish and Game on all exchanges and disposals to Identify Game Bird Hunting and Fishing Values.
- Consultation with Fish and Game to work out if there are any hunting or fishing values. If there are, remove that portion of land from the exchange / disposal proposal. I.e. we support no net loss of game bird hunting and fishing recreational opportunities.
- Public Ownership should be given priority over Overseas Investors for exchanges and disposals.
- Disposals to other entities (outside public ownership) must have conservation and public access values front of mind and continue to provide for conservation, recreation and access.
- Funds received from Disposals should be used for Conservation and ring-fencing for purchasing land to add to conservation estate so no net loss.
- Public Access to Disposed of Conservation Land  
Where land is disposed of it must be done subject to the creation of public access reserves, easements or corridors to ensure there is no loss of public access to wetlands, lakes and rivers as a result

of the disposal. Public access must also provide for the carrying of firearms and fishing equipment.

- Land disposals could include land that is covered by Land covenants or QEII covenants or SNAs to ensure that the new owner continues to uphold conservation values on site. This detail will be explicit on the title of the land, so it is clear to future landowners that conservation covenants exist on site.

#### **4.17 Water Conservation Orders**

- Land surrounding and providing access to Water Conservation water bodies should be retained and not disposed of. WCO are like our national parks for water bodies. They are some of the most valued water bodies in New Zealand.

#### **4.18 Outstanding Waterbodies**

- Under the RMA regional councils are in the process of identifying outstanding waterbodies in their regions. Land abutting and providing access to these waterbodies should also be retained as PCL and not exchanged or disposed of.

#### **4.19 Fish and Game as Requiring Authority**

- Any land that Fish and Game is the requiring authority clearly has game bird hunting or fishing values and therefore will not be considered for exchange or disposal. Neighbouring land providing access should also be retained so that these areas do not become land locked without road access.

#### **4.20 Wetlands**



- No further loss of wetlands (or historical wetlands) should be provided for and any wetland should not be exchanged or disposed as ownership is the best way to ensure that conservation values are retained.
- It is also not appropriate to destroy remaining wetlands for mining. It is also not appropriate to compromise remaining wetlands for inappropriately located solar farms.
- RAMSAR wetlands should also not be exchanged or disposed of under any circumstances.
- If land is exchanged / disposed of that contains wetlands, prior to exchange or disposal a covenant should be created and the wetland should be fenced with a 20m setback to any grazing stock / plantation forestry. If the wetland is in a degraded state, a management agreement including timeframes and actions should be agreed to ensure that ongoing maintenance, weeding and re-planting and other appropriate actions are carried out.
- If land is exchanged / disposed of that contains wetlands, prior to exchange or disposal a covenant or easement should be created providing continued public access to the wetland, including provision for the carrying and use of firearms and fishing equipment.

#### **4.21 Climate Change**

- Public Conservation Land plays a critical role in water quality outcomes. Generally speaking catchments with PCL involve higher water quality than other land ownership. See further detail in our submission dated October 2022 regarding cattle in and / or near High Country waterways included in attachment 6.
- Climate change will have an impact on both indigenous and valued introduced species. Salmonids require plenty of cool, sediment and nutrient free water. As our climate changes, the abundance of the species we manage may change, seeking out water with cooler temperatures. Therefore F&G urges DOC to retain PCL and only in exceptional circumstances consider exchanging it for other high value land.
- “Severe climate change impacts could drive nine native fish species to extinction or near-extinction and cause substantial declines in another eight native species. Seven nonnatives are also predicted to decline substantially, including a 30%–40% reduction in the extent of trout. To avert these potential extinctions, it is crucial to mitigate climate change severity and improve land use impacting freshwater ecosystems”<sup>2</sup>.
- **Suggested Preliminary Report Process for Exchanges or Disposals**  
When an applicant wants to apply for an exchange or disposal a preliminary background report should be requested and a fee paid to DOC to collate information about the land in question, including

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<sup>2</sup> Canning, Zammit & Death 2025: The Implications of Climate Change for New Zealand Freshwater Fish.

hunting and fishing values, biodiversity values, land form values and recommendations for detailed reports that may be needed to enable them to decide if they will dispose of the land eg ecological reports etc. This early pre-application work may also encourage a conversation about if the disposal or exchange would be likely to be approved or not.

#### **4.22 Notification and Reporting**

- F&G suggests that any proposed exchanges or disposals should be subject to a full public notification process.
- Fish and Game also recommend that DOC retain ownership of land used for public utilities and infrastructure and charge for this use rather than exchange or dispose of the land. This ultimately will mean that you need to prioritize using PCL for conservation.
- An example of uses that can have negative conservation outcomes include hydroelectricity dams and mining operations.
- Other uses which we are often concerned about include water storage dams if this will allow for intensification of land use and significantly increase diffuse source discharges resulting in reduced water quality in the habitats containing the species that we manage.
- F&G support in principle renewables such as solar and wind farm developments. Often the design and layout of solar panels can be conditioned to overcome our concerns. However, there will be instances where a proposed solar farm in a wetland will result in loss of recreational values (game bird hunting opportunity) and we would object to that kind of proposal.

## Other Points We Would Like to Discuss Further

5.1 The priority of conservation, recreation and public access needs to be set over commercial interests including tourism and concessions as an overarching policy as the cornerstone for any new legislation and conservation policy. Like freshwater management, there will be winners and losers and therefore stating clearly what gets priority will be necessary from the outset. This hierarchy needs to be set out in the purpose of the new legislation.

5.2 Valued introduced species is defined in Te Mana o Te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020: “*Valued introduced species are introduced species, including sports fish, game animals and species introduced for biocontrol, which provide recreational, economic, environmental or cultural benefits to society.*”

The scope of this strategy also notes “*Introduced (or non-indigenous) biodiversity is an ecological reality in Aotearoa New Zealand that is neither ‘all good’ nor ‘all bad’, with the benefits or impacts of introduced species to their surrounding environment often depending on the situation. In Te Mana o te Taiao – ANZBS, we recognise and prioritise the special responsibility we have towards indigenous species, while still recognising the recreational, economic and cultural benefits and human sustenance of valued introduced species. Protecting and restoring biodiversity can, in some cases, be compatible with its sustainable use. Therefore, while Te Mana o te Taiao – ANZBS is focused on the protection and restoration of biodiversity, its scope also includes aspirations around customary harvest and sustainable use.*” We would like to continue these lines of conversations that are relevant to the species that we manage.

- 5.3 Fish and Game needs to be a statutory consultee with the development of new policy documents, area plans and concessions involving game bird and fishing habitats. F&G have been a leader in environmental advocacy not only for the species that we manage, but for indigenous species that also live in our freshwater habitats. Therefore, our input is useful to decision makers and represents our license holders.
- 5.4 Fish and Game urge you to improve the practice of charging bonds for concessions where there is permanent modification of the landscape so that there are funds held for site remediation if necessary. This will reduce the likelihood of the New Zealand taxpayer needing to pay for this when concessions go wrong.
- 5.5 The consultation appears to be driven by the need to raise funds for the Department of Conservation's operational functions. Charging more to concessionaires/lease and licenses to operate on PCL is the obvious way to raise this revenue. Selling or exchanging land is not a good option; the best way to make money here is to earn a land rental and retain the ownership of the land.
- 5.6 Any reform should be cognisant of other management plans, such as Sports Fish and Game Management Plans that Fish and Game have for each region in accordance with the Conservation Act. This could be similar to section 61 (2) a) i) in the Resource Management Act that requires regional policy statements to have regard to any "*management plans and strategies prepared under other Acts*".

- 5.7 Reform should need conservation policies and area plans and concessions to be consistent with other conservation legislation, such as Water Conservation Orders, similar to section 62 (3) of the Resource Management Act, which requires regional policy statements *“A regional policy statement must not be inconsistent with any water conservation order and must give effect to a national policy statement, a New Zealand coastal policy statement, or a national planning standard.”*

## **Conclusion**

- 6.1 NZ Fish and Game Council is prepared to work collaboratively with the Government and Conservation Act changes. We are mindful that you wish to find a way of making more revenue out of Conservation Land.
- 6.2 We thank you for your consideration of this submission.
- Fish and Game wish to be heard in support of this submission. The following attachments are included to give you more detail about the work we have done in our waigoodpolicy web page and more general information about what Fish and Game does as well as the questionnaires and relevant past submissions.

Attachment 1 – Waigoodpolicy overview.

Attachment 2 – About Fish and Game poster

Attachment 3 – The species that we manage

Attachment 4 – Questionnaire charging for access

Attachment 5 – Questionnaire modernising conservation land management

Attachment 6 – Summarised Fish and Game Values Compromised by  
Cattle in / near High country Waterways.

Attachment 7 - Stewardship Land Review March 2022

## **Attachment 1 - Waigoodpolicy Overview**

### **Pooling resources to protect our wai**

Our communities have very strong connections to their rivers, lakes, wetlands, and estuaries and want them to be healthy now and in the future. To help navigate policy and rules a group of organisations has worked together on guidance to make it easier.

There has been a significant public push in recent years for stronger policy and stronger national direction to protect and restore the health of waterways. In some parts of the country water degradation means communities are losing swimming spots, the ability to gather kai and having poor drinking water quality. We are increasingly experiencing the amplified effects of this degradation as climate change impacts intensify.

The guidance was formulated under the Resource Management Act and to work with the new National Policy Statement on Fresh Water. The guidance offers useful ways of managing freshwater health that are science based and which are founded on an integrated catchment management approach. We will review this guidance as the Government makes its changes but the fundamentals are likely to be enduring under new policy settings.

Regional planning processes can put regions and catchments on the right path to responding to these issues, and to restore the health of our waterways to support the health of our communities.

The waigoodpolicy practice notes will be of interest to regional council policy and science teams, regional council councilors, iwi and hapu groups, Department of Conservation scientists, policy staff, environmental and community groups. This work will also be useful to others who are looking for information, resources and evidence.

The web site was created by Fish & Game, Forest and Bird and Choose Clean Water. Fish & Game is a statutory organisation mandated to manage sports fish and game bird species in New Zealand.

Pulling together the most relevant research and case studies we have developed best practice notes for fresh water policy development and implementation. We hope that these resources can support your work creating regional plans that meet the needs of your communities while safeguarding fresh water health for current and future generations.

Eighteen topics are covered and include; protecting the habitat of trout and salmon, indigenous fish species, natural form and character and river extent, protecting drinking water supplies, and environmental flows and take limits.



# What does Fish & Game do?

**Who are we?** Fish & Game New Zealand manages, maintains and enhances sports fish and game birds and their freshwater habitats in the best long-term interests of anglers, hunters and all New Zealanders.

## Our vision

A New Zealand where freshwater habitats and species flourish, where game bird hunting and fishing traditions thrive and all New Zealanders enjoy access to sustainable wild fish and game resources.

**Together, let's ensure a thriving future  
for fishing and game bird hunting!**

## What we do

- Manage fishing and hunting regulations
- Conduct research to monitor fish and game bird populations
- Collaborate with communities to protect natural habitats
- Provide educational programmes and resources
- Advocate for valued habitats and species
- Negotiate and maintain access for anglers, hunters and all New Zealanders

**fishandgame.org.nz**  
**#ReWild**





## What does Fish & Game do?

**Species management:** We monitor and survey species populations; set season regulations; and sustainably manage pressure on the resource.

**Habitat protection:** Advocate and take action to protect and enhance lakes, rivers, streams and wetlands; and secure 'national park' status to important rivers through Water Conservation Orders.



**Access and participation:** Negotiate and advocate so all New Zealanders can access our natural places; maintain access signage, information and brochures; organise fishing and hunting events and classes.

**Public awareness:** Maintain public advocacy; schools programmes; website and newsletters; community liaison; promote the right of licensed anglers and game bird hunters to pursue their chosen pastime.



**Compliance:** Recruit, train, equip and coordinate warranted rangers, to educate and enforce regulations to ensure the fish and game resource is sustained.

**Licensing:** Provide a nationwide licensing system with a range of licence categories and sales channels that makes it easy to buy a licence. We are solely funded by licence holders.



**Council:** Hold public meetings of elected licence holders to approve regulations and budgets, set policies and provide governance for the Fish & Game system.

**Coordination and planning:** Provide research, planning and reporting; financial management and general coordination across Fish & Game New Zealand.



[fishandgame.org.nz](https://fishandgame.org.nz) #ReWild



# Species we manage



Black Swan Kakianau



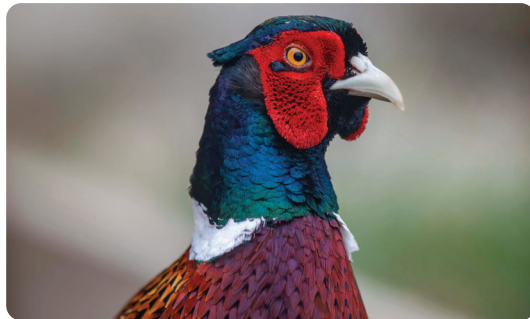
Californiaian Quail Koitareke



Mallard Rakiraki



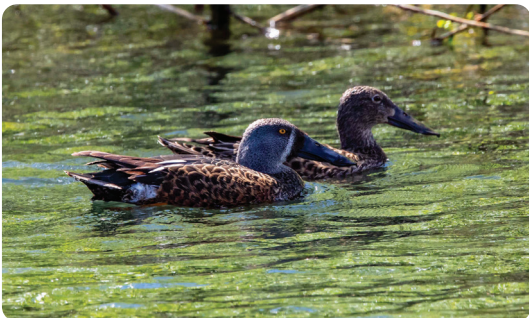
Paradise Shelduck Pūtakitaki



Pheasant Peihana



Pūkeko



Shoveler Kuruwhengi



Chukar



Grey Duck Pārera



Brown Trout



Rainbow Trout



Chinook Salmon



Sockeye Salmon



Brook Trout



Tiger Trout



Perch



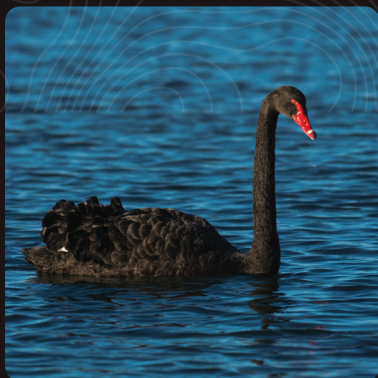
Tench



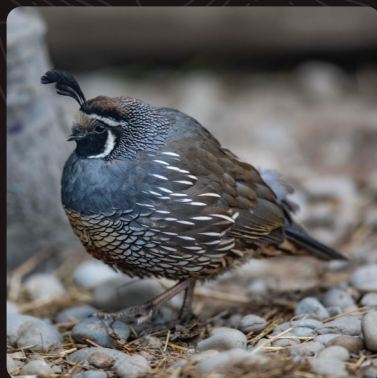
# Species we manage



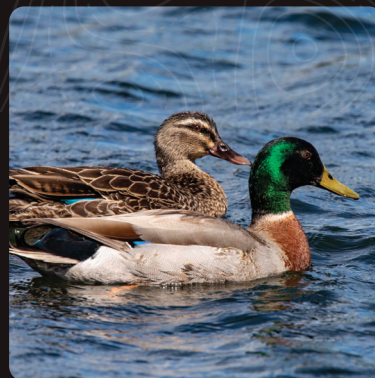
## GAME BIRD SPECIES



Black Swan  
Kakianau



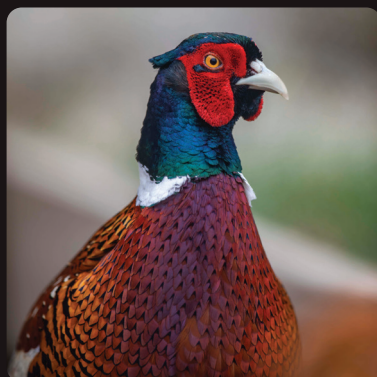
California Quail  
Koitareke



Mallard  
Rakiraki



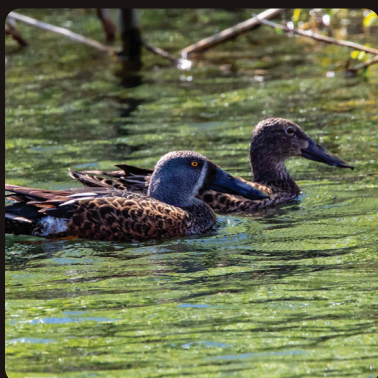
Paradise Shelduck  
Pūtakitaki



Pheasant  
Peihana



Pukeko



Shoveler  
Kuruwhengi



Chukar



Grey Duck  
Pāpera



# Species we manage



## FISH SPECIES



Brown Trout



Rainbow Trout



Chinook Salmon



Sockeye Salmon



Brook Trout



Tiger Trout



Perch



Tench

# Submission form – Exploring charging for access to some public conservation land

## The Government is seeking feedback on their proposal to charge for access to some public conservation land.

This is the submission template for responding to the discussion document *Exploring charging for access to some public conservation land*.

The Department of Conservation (DOC) seeks your comments by **5pm on Friday 28 February 2025**.

Please make your submission as follows:

1. Fill out your details under the “Your name and organisation” heading and, if applicable, check the boxes underneath on privacy and confidentiality.
2. Fill out your responses to the discussion document questions. Your submission may respond to any or all of the questions. Where possible, please provide relevant facts, figures, data, examples and documents to support your views.
3. All submissions are subject to the Official Information Act 1982 and can be released, if requested, under that Act. If you have specific reasons for wanting parts, or all, of your submission withheld, please note these on page 2. DOC will consider them when making any assessment about the release of submissions. Please refer to DOC’s privacy statement for further information.<sup>1</sup>
4. Submit your comments by:
  - a. emailing your submission as a Microsoft Word document or searchable PDF to [accesschargingconsultation@doc.govt.nz](mailto:accesschargingconsultation@doc.govt.nz)
  - b. mailing your submission to us at:

Department of Conservation  
PO Box 10420, Wellington 6143  
Attention: Access charging consultation submissions

Please direct any questions that you have in relation to the submissions process to [accesschargingconsultation@doc.govt.nz](mailto:accesschargingconsultation@doc.govt.nz).

To check the boxes in the template, please double click on box, then select ‘checked’.

## Submission on *Exploring charging for access to some public conservation land*

[To check the boxes above: Double click on box, then select 'checked']

Name	Fish and Game NZ Each region of Fish and Game?
Organisation (if applicable)	New Zealand Fish and Game
Contact details	
<b>Please tell us what kind of submitter you are.</b>	<input type="checkbox"/> Interested individual <input type="checkbox"/> Local government (or related entity) <input type="checkbox"/> Conservation group <input type="checkbox"/> Tourism business <input type="checkbox"/> Iwi, hapū or Māori organization <input type="checkbox"/> Not-for-profit or club <input type="checkbox"/> Industry association <input checked="" type="checkbox"/> Other - Fish and Game New Zealand

### Release of information

Please let us know if you would like any part of your submission to be kept confidential.

☐ I would like to be contacted before the release or use of my submission in the summary of submissions that will be published by DOC after the consultation.

☐ I would like my name, or any other personal information, to be kept confidential in any summary of submissions or external disclosures.

☐ I would like my submission (or identified parts of my submission) to be kept confidential, and have stated below my reasons and grounds under the Official Information Act that I believe apply, for consideration by DOC.

I would like my submission (or identified parts of my submission) to be kept confidential because [Insert text]  n/a  My reasons and the grounds under the Official Information Act that I believe apply are [Insert text]  n/a
---

## Responses to questions

[To check the boxes below: Double click on box, then select 'checked']

### Part 3 – Issues

1.	<p>Do you agree with the issues and how they have been presented?</p> <p> <input type="checkbox"/> Strongly agree           <input type="checkbox"/> Agree           <input checked="" type="checkbox"/> <b>Neutral</b>           <input type="checkbox"/> Disagree           <input type="checkbox"/> Strongly disagree           <input type="checkbox"/> Unsure       </p> <p>Add any comments below.</p> <hr/> <p>We note that the examples provided for the Mueller Hut and the Heaphy track are deficiencies based on a hut usage or not, and we note that no charging system will be perfect. Using these examples pushes submitters to address in principle for paying to use a track. Fish &amp; Game supports charging for use of services and facilities. For the Mueller Hut and Heaphy track DOC could charge for using toilets, but this would then encourage people to not use the toilets and go between huts. Fish &amp; Game does not support charges for simply walking the track or charges that relate to going hunting on a piece of land that isn't tracked. As shown on the Tongariro Alpine Crossing example, most walkers are charged as most walkers use track transport and access fees are already incorporated in their concession charge.</p> <p>Fish &amp; Game is concerned that the focus is on creating revenue, rather than retaining PCL to maintain recreational opportunities and biodiversity. There remains a need for the government to address the conservation funding gap.</p>
2.	<p>a. Have any issues been missed?</p> <p> <input checked="" type="checkbox"/> <b>Yes</b>           <input type="checkbox"/> No           <input type="checkbox"/> Unsure           <input type="checkbox"/> No comment       </p> <p>Add any comments below.</p> <hr/> <p>The kind of revenue needed from access charging (although this is not named) is likely to be beyond what most New Zealanders would support. Some additional revenue could be collected from international visitors for hut usage, or obtaining more of the international visitor levy, but overall we do not agree that Fish &amp; Game license holders or the general NZ public will want to pay for access as they expect this to be paid by taxes.</p> <p>Fish &amp; Game are also concerned that charging for access, beyond hut usage may “encourage” private land owners to charge for access to rivers or lakes or game bird hunting wetlands. This in turn could reduce recreational opportunity for our license holders.</p> <p>Concessionaire based charges (Option A) and voluntary access charges (Option B), both of which are possible now, remain valuable tools The cost of administering and regulating charging for access has not been considered. only Option C (compulsory access charges) needs to be enabled through legislative change. Voluntary access charging is a valuable intermediary tool, that could be more widely deployed for New Zealand citizens, ahead of any formal access charging.</p> <hr/> <p>b. Do you have any examples or data that demonstrate your view on the issues?</p>



#### Part 4 – Access charging – part of the solution?

3. a. Do you support the Government introducing the ability to charge for access to some parts of public conservation land?

☐ Strongly support ☐ Support ☐ Neutral ☒ **Oppose** ☐ Strongly oppose ☐ Unsure

Response: We as an organisation in principle oppose charging for access as we represent over 300,000 hunters and anglers, many of whom charging would deter them from going into the outdoors. Fish & Game's functions under the Conservation Act includes maintaining and improving access and promoting recreation based on sports fish and game.

We strongly oppose "Exclusive Capture" where access is barred by payment for access eg a river valley so that only one group can have an uninterrupted wilderness experience.

However, we do support the existing charging for DOC huts as there are costs associated with maintaining these facilities (eg firewood, toilets and maintenance). We support the existing backcountry hut pass system that allows for access to huts on an annual card (but excludes Great Walks huts etc). The price point for this pass needs to be kept low so that people purchase it and we recommend this pass is kept under \$300 per annum for adults and covers all but Great Walks huts.

We may support car park charging using parking meters in extreme cases where a destination is very popular such as Cathedral Cove in Coromandel. However, we warn that our members and locals will probably park up the road rather than pay for parking if DOC bring charges in locations such as Hokitoka Gorge or Welcome Flat. As such we urge DOC not to resort to collecting revenue in this manner. We are also concerned that overseas visitors will likely comply and pay, but New Zealanders may not. It would be interesting to look at the costs of any enforcement system that will motivate payment of parking fees.

b. Could you share any evidence or data that has informed your opinion?

4. Are there any international examples available that you think the Government could learn from?

☐ Yes ☐ No ☐ Unsure ☐ No comment

Add any comments below.

5. Do you agree with the assessment of voluntary and concessionaire-based access charges?

☐ Strongly agree ☒ **Agree** ☐ Neutral ☐ Disagree ☐ Strongly disagree ☐ Unsure

	Add any comments below.
	Fish & Game support the continuation of concessionaires being charged for using conservation land as they are undertaking a commercial activity.

## Part 5 – Who should pay an access charge?

6.	<p>To what extent do you support:</p> <p>a. Option A: Charging everyone</p> <p><input type="checkbox"/> Strongly support <input type="checkbox"/> Support <input type="checkbox"/> Neutral <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> <b>Strongly oppose</b> <input type="checkbox"/> Unsure</p> <p>Add any comments below.</p>
	<p><b>As noted above, in principle Fish &amp; Game do not support charging for access to PCL.</b></p>
	<p>b. Option B: Charging everyone but charging New Zealanders less than international visitors</p> <p><input type="checkbox"/> Strongly support <input type="checkbox"/> Support <input type="checkbox"/> Neutral <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> <b>Strongly oppose</b> <input type="checkbox"/> Unsure</p> <p>Add any comments below.</p>
	<p>Fish &amp; Game do not support access charges for access to areas or tracks. Reasonable fees for hut usage is however supported. Significant increases in these fees are likely to result in more non-payment.</p>
7.	<p>c. Option C: Charging only international visitors</p> <p><input type="checkbox"/> Strongly support <input checked="" type="checkbox"/> <b>Support</b> <input type="checkbox"/> Neutral <input type="checkbox"/> Oppose <input type="checkbox"/> Strongly oppose <input type="checkbox"/> Unsure</p> <p>Add any comments below.</p>
	<p>Fish and Game support to some extent charging a differential fee to international visitors, as far as hut fees go. We also have a differential fee for our licence sales and in our designated waters (popular fisheries).</p> <p>We note that Austrialians can get a residency visa on entry, and therefore obtaining more revenue from that source is unlikely unless you also stipulate a “living in NZ for 200 days per year” requirement or you could look at where someone is a tax resident, but then NZers who live overseas would be captured.</p>
	<p>a. Is there anything else the Government should consider when thinking about who should pay an access charge?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure <input type="checkbox"/> No comment</p> <p>Add any comments below.</p>

DOC could review the compensation paid by infrastructure companies wanting to lease land on DOC estate – is this a market price or is it a cheap rental compared to commercial leases? Is money set aside for clean up if there are problems with the activity or removal of the infrastructure if the activity is discontinued. Bonds could be used to ensure that DOC isn't left carrying the can when a concessionaire goes into insolvency.

b. Are there any other groups the Government should consider charging for access to some public conservation land?

☐ Yes ☐ No ☐ Unsure ☐ No comment

Add any comments below.

Iwi are likely to be detrimentally effected by access charging with mahinga kai practices. Ownership of crown land is also still an outstanding grievance which will be exacerbated if there is widespread charging for access (and income earnt).

With charging for access, DOC will need to enforce these provisions. Fish and Game employ effectively (46 staff) and (93 voluntary rangers) to check licences. How are you going to enforce an access charging system if you implement it across the board? Once you pay wages to do enforcement work or purchase tech to do this work, how profitable is this going to actually be?

Overseas often the problem is congestion and wanting to limit parking, not revenue generation per se so you are trying to use a tool that is used for scarcity of space to generate revenue which may not provide as much revenue as you think you will get.

## Part 6 – Where should access charges be used?

8. a. Do you agree that the use of access charges should be limited to some areas of public conservation land?

☐ Strongly agree ☐ Agree ☐ Neutral ☐ Disagree ☒ **Strongly disagree** ☐ Unsure

Add any comments below.

Fish and Game do not support access charges.

b. If you strongly agree or agree, where should these places be?

Fish and Game do not agree with access charges in principle, however if DOC decide to implement them we consider they should only be for car parking charges in places under pressure from high numbers of visitors, and where the car park is not used by hunters or anglers. We support the status quo which involves using tax revenue to pay for the management of DOC estate.

9. a. We have identified the types of places where access charges could be effective, which may include one or more of the following features:

	<ul style="list-style-type: none"> <li>• Places facing unsustainable pressure from visitors</li> <li>• Places popular with international visitors</li> <li>• Places with high biodiversity and scenic values</li> <li>• Places where user groups are defined</li> </ul> <p>Do you agree with the features identified for where access charging could be used?</p> <p><input type="checkbox"/> Strongly agree   <input type="checkbox"/> Agree   <input checked="" type="checkbox"/> Neutral   <input type="checkbox"/> Disagree   <input type="checkbox"/> Strongly disagree   <input type="checkbox"/> Unsure</p> <p>Add any comments below.</p>
	<p>Fish and Game is concerned that a lot of areas where our license holders hunt and fish could also meet the above criteria, especially scenic values and high biological diversity. Furthermore, our licence holders often leave their car over night or for a week at a time to go hunting or fishing. Therefore charging for carparking in those locations maydeter people collecting kai or going to those paid car parks.</p> <p>We would therefore like the following criteria to also be included:</p> <p>-not places with high hunting and fishing recreational opportunities.</p>
	<p>b. Are there any additional features we should consider?</p> <p><input type="checkbox"/> Yes   <input type="checkbox"/> No   <input type="checkbox"/> Unsure   <input type="checkbox"/> No comment</p> <p>Add any comments below.</p>
	<p>Fish and Game would like to be involved in identifying places to be included or exempt inorder to ensure that places with high hunting and fishing values and recreational opportunities are not captured.</p>
10.	<p>Are there any features of a place that would mean access charging should not be introduced there?</p> <p><input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No   <input type="checkbox"/> Unsure   <input type="checkbox"/> No comment</p> <p>Add any comments below.</p> <p>Fish and Game manage a number of reserves and lakes for hunting and fishing values. We do not wish to start charging for public access to these areas.</p> <p>Access charging can also introduce overnight parking restrictions which will not work for anglers and hunters that are going away for a multiday trip. If access charging is introduced, overnight vehicle parking should continue to be provided for.</p> <p>We would therefore like a criteria to also be included:</p> <p>-not places with high hunting and fishing recreational opportunities.</p>
11.	<p>To what extent do you support the 'parks pass' approach?</p> <p><input type="checkbox"/> Strongly support   <input type="checkbox"/> Support   <input type="checkbox"/> Neutral   <input type="checkbox"/> Oppose   <input checked="" type="checkbox"/> <b>Strongly oppose</b>   <input type="checkbox"/> Unsure</p> <p>Add any comments below.</p>

Fish and Game strongly opposes a 'parks pass' approach to collecting fees. Although a licence is required from DOC for hunting in conservation areas, we would oppose payment for access to forest parks for game bird hunting and fishing if this was introduced.

We also note that the water equivalent of National Parks is the Water Conservation Orders, many of which were established by Fish and Game for Salmonid fishing values. Obviously any such parks charging (for access) in these areas would also not be supported by Fish and Game.

We repeat that the other reason why we don't support charging as this may set a precedent and create an expectation that all private land owners may follow suit and begin to charge for access over their land. For some of our license holders this additional cost would be a major deterrent to hunting and angling opportunity.

## Part 7 – How should the additional revenue be used?

12.

To what extent do you support:

a. Option A: More of the money should be invested at the place it is collected in

☐ Strongly support ☐ Support ☐ Neutral ☒ **Oppose** ☐ Strongly oppose ☐ Unsure

Add any comments below.

Fish and Game oppose collection of access fees but if you do go ahead with this idea the funds should firstly pay for costs in the area e.g. maintenance of toilets and concrete at the car park it is collected. As a second priority it could be used for other projects around the country (not necessarily in the region).

b. Option B: More of the money should be invested within the region it is collected in

☐ Strongly support ☐ Support ☐ Neutral ☐ Oppose ☒ **Strongly oppose** ☐ Unsure

Add any comments below.

See above

c. Option C: Invest the money in priority projects across New Zealand, regardless of where it is collected

☐ Strongly support ☐ Support ☐ Neutral ☐ Oppose ☐ Strongly oppose ☐ Unsure

Please add any additional comments below.

See above

d. Explain why this is your preferred approach or combination of approaches.

13.	<p>Are there any international approaches to spending money from access charging that you think the Government should consider?</p> <p> <input checked="" type="checkbox"/> Yes         <input type="checkbox"/> No         <input type="checkbox"/> Unsure         <input type="checkbox"/> No comment       </p> <p>Add any additional comments below as to why this approach should be considered.</p> <p>One of New Zealand's unique selling points is that it may cost more to get here as it is far away from other countries, but once you get here you're not charged for everything you do e.g. there is free entry into public parks and conservation estate.</p> <p>NZ is an important destination for international tourist for fishing with world renown trout fisheries. Increasing concession fees for guiding may not deter fishing, but introducing access charging could be a deterrent.</p>
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## Part 8 – Working with Iwi (and Hapū)

14.	<p>How can the Government best meet its Treaty obligations in designing and implementing access charging?</p> <p>The biggest impact of access charging will be to iwi and particularly those who regularly go hunting and fishing.</p>
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## Part 9 – Other design questions

15.	<p>Some groups other than the DOC manage land with conservation values. Do you think these groups should be allowed to charge people to access this land, if it meets certain features in Part 7, to help pay for upkeep and improvements?</p> <p> <input type="checkbox"/> Strongly agree         <input type="checkbox"/> Agree         <input type="checkbox"/> Neutral         <input type="checkbox"/> Disagree         <input checked="" type="checkbox"/> <b>Strongly disagree</b> <input type="checkbox"/> Unsure       </p> <p>Add any comments below.</p> <p>Fish and Game manages a number of reserves around the country with high conservation values. We however we don't charge for access to these reserves other than a small Koha for kids fishing days. Whilst licenses are required to hunt and fish, and ballots and tags required to use certain maimai, we as an organization do not support the principle of charging to access land.</p> <p>Fish and Game do not plan to charge people to access the land we manage at this stage.</p>
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## **Summarised Fish & Game values compromised by cattle in and/or near High Country waterways**

12 October 2022

Author: Rebecca Reed  
Senior Environmental Advisor  
New Zealand Fish and Game Council  
[reed@fishandgame.org.nz](mailto:reed@fishandgame.org.nz)

This document is a brief summary of the freshwater environmental values, supported by Fish & Game, that can be affected by the presence of cattle in High Country landscapes. Consideration has been given to the bio-physical characteristics of high elevation freshwater ecosystems and the impacts of having heavy hard-hooved grazing stock within these systems on the indigenous biodiversity and valued introduced species of sports fish and game birds.

### **High Country landscape characteristics**

DoC defines the High Country system as:

*“The South Island high country is an extensive inland area (6.7m ha), consisting of land, rivers and lakes located from mountain tops to low altitude valleys, comprising a broad range of indigenous vegetation of which tall tussock grassland is the most common. Since the mid 1800s the high country has been used for pastoral farming, and the natural vegetation cover has been modified through fire, grazing and the introduction of exotic species. The high country is and has been sparsely populated.”*

Critically, small headwater / first order streams in pastoral catchments (that don't require stock exclusion) make up the largest proportion of total streams in New Zealand. Small streams and intermittent streams can have very high biodiversity values, including being critical for certain life stages of certain species.

### **Impacts of stock in High Country waterways**

Historically, New Zealand High Country has been utilised for stock grazing, along with most other landscape types. With an increasing awareness of the negative impacts of stock on freshwater ecosystems and the dual crisis' of climate change and biodiversity loss, it has become a priority to protect against further environmental degradation from established grazing practices.

The adverse effects of livestock on aquatic habitat and water quality are well recognised in scientific literature and reflect the Fish & Game values impacted by stock in High Country. Additionally, small streams account for an average of 77% of the national nutrient load of



total river catchments.<sup>1</sup> As intermittently flowing streams and rivers can contain water for large parts of the year and during that time stock access represents a considerable risk to values. Braided rivers and High Country plateaus enable easy access for stock into waterway, intensifying the impacts of pugging, riparian damage, erosion and other impacts typical of stock grazing activities.

These impacts can be summarised as:

- Significant damage to local habitat quality - including damage to riparian vegetation, bank erosion, damage to in-stream habitat and impacts on fish, particularly spawning and juvenile rearing.
- Contaminant introduction of three major types of contaminants:
  - a. *pathogens / microbial contaminants* – from direct deposition of urine and faeces into water ways, on the riparian margins and within critical source areas, which can be flushed into the stream by rising water levels, overland flow, or subsequent stock incursions.
  - b. *sediment* – from livestock disturbing and carrying soil into waterways.
  - c. *nutrients* – nitrogen (N) and phosphorus (P). Nitrogen levels can be increased by direct deposition of urine into or near water and inputs from paddocks through surface and groundwater flow pathways. Direct deposition stock faeces within the channel zone, riparian margins, and critical source areas can result in significant contributions of microbial contaminants to water ways.

Each of these impacts translates to reduced freshwater ecosystem health and resilience, which in turn will affect the diversity and population dynamics of the species within these systems, including sports fish and game birds. Additionally, there are significant downstream impacts observed from degradation.

Protecting High Country ecological ecosystems are also of utmost value to Fish & Game in how they relate to:

- recreational access to these landscapes and waterways.
- the hunting and fishing opportunities they provide.
- the cultural values intrinsic to engaging in traditional NZ pastimes of fishing and game bird hunting.
- Māori cultural role of kaitiakitanga of the ecosystem and its components. This is also recognised within the RMA 1991.

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<sup>1</sup> McDowell, R. W., Cox, N., & Snelder, T. H. (2017). Assessing the Yield and Load of Contaminants with Stream Order: Would Policy Requiring Livestock to Be Fenced Out of High-Order Streams Decrease Catchment Contaminant Loads?. *Journal of environmental quality*, 46(5), 1038-1047.





## About Fish and Game

Fish and Game is the statutory manager for sports fish and game, with functions conveyed under the Conservation Act 1987. The organisation is an affiliation of 13 separate Fish and Game Councils – 12 regional Councils and one national Council. Together, these organisations represent roughly 140,000 anglers and hunters.

The sports fish and game resource managed by Fish and Game is defined and protected under the Conservation Act and the Wildlife Act 1953. The species within include introduced sports fish and a mix of native and introduced waterfowl and upland game.<sup>2</sup> These species are also recognised within the NZ Biodiversity Strategy – Te Mana o te Taiao as 'valued introduced species' with significant cultural, economic and recreational contributions within New Zealand.

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<sup>2</sup> Most New Zealanders refer to these species as 'game birds', distinguishing them from other types of game, such as deer or pigs. The Wildlife Act 1953 defines these birds simply as 'game' and this phrase is used in the context of this submission.

17 March 2022

## **Submission on *Stewardship Land in Aotearoa New Zealand***

This written submission is provided to the Department of Conservation by Fish & Game New Zealand (referred to subsequently as **Fish and Game**), which is comprised of the 13 Fish and Game Councils.

### **Submitter Details**

Submitter: Fish & Game New Zealand

Contact person	Jack Kós
Council	New Zealand Fish and Game Council
Email address	jkos@fishandgame.org.nz
Office phone	04 499 4767
Postal address	Level 2, Dominion Building, 78 Victoria Street, Wellington 6011

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### **Introduction**

1. Fish & Game New Zealand broadly supports the recommendations of the discussion document, subject to a number of caveats that will be set out through the body of this submission.
2. Fish & Game New Zealand is a collection of statutory bodies operating under the Conservation and Wildlife Acts, which manage New Zealand's sports fishery and game bird hunting on behalf of the crown. Accordingly, we have substantial interest in the reclassification of stewardship land, in particular preserving public access to these areas and ensuring that conservation values are enhanced or maintained through this process.
3. In particular, there is a significant amount of stewardship land in the areas managed by West Coast Fish and Game Council and Southland Fish and Game Council, however stewardship land exists in every Fish and Game region. As a result, and in particular to achieve a functional shortened notification and submission period, we would seek automatic notification of the regional Fish and Game Council in which the stewardship land is within and the New Zealand Fish and Game Council as the statutory managers of a public resource.
4. We would also seek to engage directly with the panel considering reclassification at the earliest available opportunity so that the recreational and environmental values that we represent can be factored into any assessment of the land that would then be consulted upon.
5. This submission will be structured to respond to each question in turn.

### **Key Recommendations**

6. That the reclassification process must serve the public, including through ensuring that public access and recreational opportunities are protected as core conservation values.
7. That Fish & Game, as the statutory manager of a public resource, is given the opportunity to engage with the panels at the earliest available opportunity.

8. That the disposal of stewardship land is made subject to the points set out in Q's 16 & 19 to disincentivise disposal being done to generate revenue or as a political tool.
9. That when land is disposed of it is done subject to adequate public access protections being put in place to ensure there is no net loss of public access.

### **Submission**

1. *Do you agree with the objectives listed above?*
  - a. Yes, subject to the additions noted below.
2. *Should any other objectives be included in this review?*
  - a. Yes. A fundamental objective of this review should be that the reclassification process serves the public. The definition of conservation under the Act is broad and includes intrinsic values, providing for appreciation and recreational enjoyment and safeguarding for future generations. These elements should be directly stated within the objectives to minimise the chance of them being lost within the reclassification process.
  - b. Doing so will allow for due consideration to be given to maintaining/enhancing public recreational opportunity and access. This is particularly important in considering the disposal of stewardship land as it is conceivable that a situation could arise where land has a perceived low or minimal conservation value but high recreational value or provides access to an area of high recreational value. This could be addressed by instituting a formal consultation with statutory bodies that manage recreational resources such as Fish & Game, the Game Animal Council and Walking Access Commission prior to disposing or reclassifying land.
3. *Do you agree with the description of the problem? If not, please provide reasons to support your answer.*
  - a. Yes.
4. *Do you think there are any additional factors that have contributed to stewardship land reclassification not being progressed on a large scale? If so, please describe them.*
  - a. -
5. *Do you think there are any other issues or impacts caused by the delay in reclassifying stewardship land on a large scale that have not been described here? If so, what are they and who/what do they affect?*
  - a. -

### **Improving consistency of public notification and submission process**

6. *Please identify your preferred option. You may provide further analysis or comments to support your choice.*
  - a. Fish & Game support option 1.1.
  - b. However, we believe that in order to make a shortened timeframe feasible and equitable there is a need to very clearly and promptly communicate with mana whenua, stakeholders and members of the public in order to ensure that there is adequate representation of all views to the hearing panel.
  - c. From our own perspective we would seek that there is an automatic notification to the Fish and Game Council in whose region the stewardship land that is being considered sits.

- d. We would also seek to engage directly with the panel considering reclassification at the earliest available opportunity so that the recreational and environmental values that we represent can be factored into any assessment of the land that would then be consulted upon.
  - e. We do not support option 1.2 as we agree with the summation in the document around the benefits of hearings in providing engagement.
- 7. *Do you think 20 working days (1 month) is adequate to prepare a written submission? If not, what period would be adequate?*
  - a. Yes, we believe this would be adequate provided there is sufficient and immediate communication with stakeholders and public.
- 8. *What role or function do you consider hearings currently play?*
  - a. Hearings provide the opportunity for public and stakeholder feedback in a more substantial sense than written submissions, act to supplement written submissions and provide the opportunity for the panel to seek further comment on a particular point.
- 9. *Are there any further options you think DOC should consider that would meet the objectives set out above?*
  - a. –
- 10. *Please identify your preferred option. You may provide further analysis or comments to support your choice.*
  - a. In general, we found it difficult to respond to this section as there are very few specifics outlined. Given the proposed short timeframe we see the public notification and submissions process as critical and would seek specifics on how the national panels would carry this out prior to forming a view.
  - b. In the absence of these specifics we would defer to Option 2.2, the status quo, as DOC is resourced to undertake public notification and submissions across a range of different subjects.
- 11. *If the national panels carried out the public notification and submissions process, what impact do you think this would have on the reclassification or disposal process?*
  - a. Minimal provided the specifics of their process were sufficient. However, as noted above there is minimal information as to how this would be undertaken or resourced.
- 12. *Are there any further options you think DOC should consider that would meet the objectives set out above?*
  - a. We believe the notification and submission process, and how this would be resourced, should be specified.
- 13. *What particular expertise/experience do you consider the national panels bring to this process?*
  - a. There is a probability of stronger local knowledge of the significance of the land to mana whenua and community and from an ecological standpoint with the national panels, given they have a defined geographic area, than the NZCA. Under the status quo local knowledge occurs through consultation and public submission, but does not necessarily rest with the final recommending body.

- b. Fish & Game do, however, strongly believe that the current requirement to consult with the New Zealand Fish and Game Council should be retained.
- c. Fish & Game further believe that the future composition of these panels should include representation from recreational users, who often have very strong affinities and connection with these lands.

*14. If the national panels were responsible for making recommendations to reclassify land to national parks, do you consider this would create any risks?*

- a. No

*15. Are there any further options you think DOC should consider that would meet the objectives set out above?*

- a. –

*16. Please identify your preferred option. You may provide further analysis or comments to support your choice.*

- a. Fish & Game support Option 4.1.
- b. This support is subject to the retention of the strict parameters around the types of public conservation land that can be disposed of.
- c. In general, we have reservations about the disposal of stewardship land and would seek for the following protections to be put in place:
  - i. For there to be clear direction on circumstances in which land can be disposed of (additional to the requirement for it to have low or no conservation value). As noted above, the definition of conservation is broader than the common interpretation of conservation and it is critical that the national panels consider the legislated definition, and from our perspective particularly the recreational enjoyment component of that definition, when assessing stewardship land for reclassification.
  - ii. A very high bar needs to be set for the disposal of stewardship land. Although NZ has a high proportion of public land by international standards much of it is hidden away in remote areas and is therefore not readily accessible. This means that the land available to the public is in reality quite limited. Public land is easy to sell but often difficult and expensive to acquire. Land that is disposed of will likely be lost for good to the public. This is particularly significant in light of the fact that one aspect of conservation, defined by the act, is to safeguard options for future generations. In most cases, disposing of public land will remove options, rather than safeguarding them.
  - iii. When disposing of land, preference should be given to transferring it to alternative forms of public ownership. For example, gifting it to local authorities rather than sale on the open market.
  - iv. Thought needs to be given to the activity the proposed purchaser intends to undertake on the land, as this may be inconsistent with conservation values on adjacent land (i.e. forestry development reducing catchment water yield, agricultural intensification adding to cumulative nutrient accumulation in a catchment). Specifically, we have also noticed that there has been a tendency on the West Coast of New Zealand for disposed stewardship land adjacent to rivers to be subject to significant stop-bank work or other activities that constrain river channels, to the detriment of the health of the river. Where possible stewardship land should only be disposed of where low impact activities are proposed for the land.

17. *Are there any alternative options that have not been discussed here? Please provide analysis or comments to explain your answer.*

a. –

18. *Do you think there are any other risks or impacts associated with declaring all section 62 land to be held for a conservation purpose via a legislative change that have not been identified here?*

a. No, provided there is sufficient safeguards around the disposal subsequent to the declaration that held is held for a conservation purpose we do not see any further risks.

19. *Please identify your preferred option. You may provide further analysis or comments to support your choice.*

a. Fish & Game support option 5.1, however we wish to ensure that there is adequate protection in place at a legislative level to prevent the disposal of stewardship land being seen as a revenue source or political in the future. Accordingly, we support 5.1 on the following provisos:

- i. Funds received from the disposal of stewardship land must be held for the purpose of purchasing additional land to add to the conservation estate or for other mechanisms to increase public access to the conservation estate.
- ii. Mechanisms must be put in place to disincentivise the disposal of public land (through sale or other disposal mechanisms such as via Treaty settlements) such as:

1. Preference being given to its transfer to other forms of public ownership.
2. Ensuring disposed land is not used for activities inconsistent with conservation values.
3. Ring-fencing received funds for purchasing land to add to conservation estate or public access easements so as to preclude disposal of stewardship land being a revenue source.

iii. Where land is disposed of it must be done subject to the creation of public access reserves, easements or corridors to ensure there is no loss of public access as a result of the disposal.

20. *What are the risks or impacts associated with allowing the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC that have not been identified here?*

a. We see the primary risk of Option 5.1 as having the potential to incentivise the disposal of stewardship land, resulting in a loss of public land and access. However, we believe this can be managed via the mechanisms outlined above.

21. *Are there any further options you think DOC should consider that would meet the objectives set out above?*

a. –

22. *Please identify your preferred option. You may provide further analysis or comments to support your choice.*

a. Fish & Game do not support either of the two outlined options. See Q's 23-25 for further details.

23. *If a concession is inconsistent with a new land classification or on land that has been recommended for disposal, should it be allowed to continue? Please explain your answer.*
- No. Where a concession is inconsistent with a new land classification they should not be allowed to continue as conservation values should take precedence over commercial activities.
  - This should be clarified via amendment to the legislation that existing concessions on stewardship land will continue under agreed terms unless land is reclassified and said concession is inconsistent with the new land classification.
  - However, if this was not feasible, we would also support there being a set review time period (say three years) post reclassification for existing concessions to be reassessed.
24. *Are there any other risks or impacts associated with allowing inconsistent concessions to continue?*
- As outlined above, it is critical that conservation values (including public access and recreational opportunities) take precedence over commercial activities.
25. *Are there any further options you think DOC should consider that would meet the objectives set out above?*
- As set out above, Fish & Game support an amended option 6.2 that clarifies via legislation that existing concessions on stewardship land will continue under agreed terms unless land is reclassified, and the concessions is inconsistent with the new land classification. At such point the concession's terms should be reviewed.
  - This will enable national panels to continue with the reclassification of stewardship land, whilst providing some security to commercial operators that there is an intention for their concession to continue.
26. *Are there any other non-regulatory options to help streamline the process for reclassifying stewardship land that we should consider? Please explain your answer.*
- 
27. *Are there any additional evaluation or monitoring measures that you think should be implemented? Please explain your answer.*
- Allowing the Statutory Land Management team to consider concessions on reclassified land excludes local input from regional DOC offices. This has led to unmonitored and inappropriate concessions for grazing leases in the past. For example, a lease on the upper Mangatutu on conservation land was granted to an intensive dairy farm. The river has lost 25% of its water clarity since the conversion. There should be an element of local or area office oversight included in the reclassification structure/submission process. The evaluation of the process should be based on improvements in conservation and recreational values not merely on the speed of the process.