



Responses due by 5pm 28 February 2025

Submission to the MPI

**Regarding Government Partnering with Private Sector to Plant Trees on
Low Value Crown Land**

Email to: RFI@mpi.govt.nz

Contact Details

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on behalf of

Corina Jordan CEO

New Zealand Fish and Game Council

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About Fish and Game

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

New Zealand Council

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- 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 game¹.
- 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 and contributes to public planning processes to ensure that hunters' and anglers' values are recognised and provided for.

¹ 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.

- 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 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 We see the opportunity for proposals to be required to provide improved access both to their sites and other nearby areas that involve hunting or fishing values 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. We can work with government officials to ensure outcomes that achieve both economic imperatives, along with recognising and providing for hunting and fishing values.
- 2.4 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.

Partnering to Plant Trees on Crown Owned Land:

Request for Information:

The Government wants to explore partnership opportunities to afforest (plant native or exotic trees) or promote native forest regeneration on Crown-owned land (excluding National Parks) that has low farming value and low conservation value.

This will:

- *contribute to climate change targets*
- *spur economic growth through a thriving forestry and wood processing sector*
- *improve native biodiversity and water quality.*

3.1 Fish and Game submitted to the Crown Pastoral Land Reform Act: Proposed Regulations and Standards in August 2022. We note that much of this submission is relevant to this submission and therefore we attach it for your reference in attachment 2.

3.2 The Following submission summarises our views on the proposed RFI and we will focus mainly on issues relating to freshwater health and access for our licence holders which are key issues for our licence holders. There are appropriate locations for production forestry, and inappropriate locations (eg tussock, alpine and tundra environments). Fish and Game (F&G) are not fundamentally opposed to conversion to commercial forestry however we urge you to consider where this would be appropriate. F&G have a preference where afforestation is being considered, for continuous cover forestry as set out in the

National Environmental Standard for Commercial Forestry (NES-CF) or the planting of indigenous forestry to be prioritised.

Fish & Game proposes that the risk of wilding pines, and avoidance of planting exotic plantation forestry on Public Conservation Land (PCL) near tussock, alpine and tundra environments, should be considered.

3.3 The Importance of Preserving the Top of the Catchment

In many areas, the only remaining areas of good water quality and quantity is located in the headwater section of the catchment which is often held in public conservation land. Generally speaking the further down a river you go, the more modified the freshwater environment becomes. Whole scale land use conversion at the top of the catchment to production exotic forestry could increase, at times of harvest, the sedimentation of water in a water body. This can negatively impact on the species that we manage. With climate change the upland sections of the catchment will be particularly important to our species as refugia, as lower sections become warmer, and hydrological flows potentially reduced.

3.4 Afforestation of Crown Owned Land Proposed in the Second Emissions Reduction Plan

In principle, F&G support native afforestation in appropriate locations on crown owned land to reduce emissions, particularly where there are benefits to freshwater health and/or biodiversity.

3.5 Reason and Goals of Afforestation

Where land has been “taken back” from farming leases, the reasoning for this was to prioritise biodiversity and freshwater values and this should still be adhered to. Achieving this would generally prioritise the non-commercial

establishment of native species, especially in locations in close proximity to wetlands, streams, lakes and rivers.

In cases where conversion to exotic production forestry is being considered, applicants should be required to provide biodiversity and freshwater health benefits.

Biodiversity examples include: kiwi programmes, habitat for NZ falcons, trapping programmes, covenanting pockets of native bush, native planting margins, upland game hunting opportunities in exotic forestry.

Freshwater health benefits include: effect of shading for emerging species, interception of nutrients, planting to create good riparian management, 20m native planting setback from waterbody.

3.6 Game Bird and Angling Access to Public Owned Land

F&G would like to see the ongoing maintenance and improvement of existing public access to public conservation land. If land use changes to forestry, additional public access for game bird and angling would need to be created that specifically provide for this form of recreation. This means that we would like to see access easements to wetlands and upland game habitat for game bird hunting, as well as access easements along rivers and streams with salmonid fishing values. This would be the case if the land was owned by overseas companies via the Overseas Investment Act requirements anyway so the provision of legal access in this manner is a reasonable request. Access easements or covenants need to also specifically provide for the carrying and use of firearms for game bird hunting and or the carrying and use of fishing equipment.

3.7 Native Planting Around Water Bodies and Retaining a 20m Set back

Existing legislation prevents exotic trees from being planted on most public conservation land. F&G has discussed this in the sections above. Where forestry conversion is being considered, the impacts on the landscape values, and freshwater health should be considered.

If exotic planting does occur, F&G recommend that appropriate native planting take place around water bodies on site, with at least a 20m native planting set back of non-harvestable planting adjacent to waterbodies.

We note that land with “low farming and conservation value” can still have high value to our licence holders for recreation.

3.8 Potential Changes in Water Quality and water quantity from Exotic Tree Harvest Practices

F&G are concerned about the potential increased sediment load during harvesting and increased erosion associated with the harvest of plantation forestry on erosion prone land. Sports fish do not thrive in sediment laden rivers, and sedimentation of spawning streams is particularly problematic for reproduction and recruitment. Therefore, the aforementioned 20m setback in section 3.7 would provide a good starting point for reducing sediment run off.

Wholesale changes in land uses can result in changes to hydrological flow regimes in freshwater. Reduced water yield in catchments can reduce downstream water availability and assimilative capacity. This can impact freshwater health and freshwater species including salmonid populations and fishery values. Sports fish and indigenous species are negatively impacted by dry

stream beds, increased water temperature and reduced macro invertebrate production. These potential impacts should be considered and suitable management practices put in place to minimise the adverse effects from conversion to plantation forestry and harvest.

We note that the NES-CF provides as a permitted activity for vehicle crossings in the wetted riverbed (up to 20 axle movements per day), for instream structures and double culverts. These activities can be detrimental to the species that we manage, especially during spawning times of the year which generally occur in winter, and as such Fish & Game seek the exclusion of instream works including river crossings during spawning periods, associated with changes in land use and potential harvest activities.

3.9 What does “Low Forestry and Conservation Values” mean?

It is not clear what low forestry and conservation values mean. These values can change over time. Criteria defining this concept has not been included in the consultation document and the map of applicable land is too coarse to illustrate the land that you look to apply this to. We repeat from earlier in our submission that tussock, alpine and tundra habitats are part of the mountains to sea environment that our species live in. We are also want to preserve and enhance stream, river, lake, estuary (salmon) and wetland habits where our species are most commonly found.

3.10 Carbon Storage Maximisation

Pine trees sequester carbon quickly, however much of this is released back into the atmosphere when the trees are harvested and processed every 25-30 years. Therefore to maximise carbon gains, native tree planting, continuous cover forestry , or/and long lived species should be considered.

3.11 Crown Owned Land Exemption

Crown owned land should not be exempt from restrictions on ETS registrations on land use class 6. Much of the agricultural leases were taken back with the view of biodiversity and water quality gains and therefore planting this land in exotics will not necessarily achieve this purpose. Your criteria will still need to comply with the zones in the NES-CF or a controlled activity resource consent will be needed.

3.12 Exchange and Disposal Conservation Law Reform

F&G are also submitting to DOC's Conservation Law reform process closing on 28th February 2025. We submit that exchange and disposal was intended for minor boundary adjustments when the Conservation Act was written. This level of protection still applies today. However, if radical change from the status quo is planned, we have recommended a number of additional criteria for consideration of exchanges and disposals to ensure that land with conservation values (including recreational values associated with game bird and fishing) is retained.

Conclusion

- 4.1 NZ Fish and Game Council is prepared to work collaboratively with the Government. We are mindful that to be sustainable, development needs to be carried out within environmental limits. F&G urges you to look at the resultant catchment changes with any proposed land use change. Where forestry is considered appropriate, preference should be given to native planting or continuous cover over exotic planting to maximise carbon gains and minimise sediment runoff. Furthermore, with any exotic forestry planting a 20m native planting setback to waterbodies should be provided. Of course this is not practical for small streams, which best left planted with native vegetation for optimal water quality outcomes.
- 4.2 Our second request is that we ask you to continue to provide public access to publicly owned land. This access must provide for the use and include allowance for firearms where game bird hunting values exist.
- 4.2 We thank you for your consideration of this submission.
Fish and Game would happily meet with you to discuss any questions that you have.

Attachment 1 - Some Examples of Environmental Standards for providing salmonid fishery values

Attachment 2 – August 2022 Fish and Game Submission to the ‘proposed new regulations and standards to support the implementation of the Crown Pastoral Land Act Reform 2022’.

Attachment 3 – About Fish and Game poster

Attachment 4 – The Species that we Manage

Attachment 1 - Some Examples of Environmental Standards for providing salmonid fishery values

Standard	Detail
E. coli	If a single sample from a monitoring site is greater than 540 E. coli per 100 mL, the regional council must, as soon as practicable, take all practicable steps to notify the public and keep the public informed that the site is unsuitable for primary contact, until further sampling shows a result of 540 E. coli per 100 mL or less.
Phytoplankton (trophic state)	<2 annual median attribute band A <10 annual maximum Unit: milligrams chlorophyll-a per cubic metre
Periphyton	Use only the 17% exceedance threshold in Table 2 NPS-FM if that level of exceedance would have occurred under natural occurring processes. The term “conspicuous” has been removed from the NPS-FM 2020 (previously in the 2017 version). Conspicuous periphyton had been interpreted to mean “growing on rocks”. Because of this, approximately 25% of the nation’s rivers (naturally soft-bottom reaches) were excluded from consideration for nutrient outcomes to control periphyton in the NPS-FM 2017. Changes in periphyton abundance and frequency of blooms can be expected to increase as a result of climate change impacts. Warmer weather, longer periods of low flow, and less frequent ‘flushing flows’ to remove periphyton can be expected in many parts of the country. As such, you can expect increased periphyton growth during these conditions. This means controls on nutrients to limit periphyton growth will become even more important in the future.
Nitrogen concentrations	Nutrients impact the water quality and induce algae blooms that can decrease water clarity and dissolved oxygen, causing death to sensitive aquatic species. Nutrients also impact macroinvertebrate species composition, reducing food availability for trout, salmon and indigenous fish species. These effects

	start to occur at nitrogen concentrations above 0.8 mg/l.
Sediment	Deposited sediment cover in most places should be no higher than 20% and below 10% in important habitat/spawning areas for both native fish and trout and salmon. Suspended sediment should provide for water clarity of at least 0.61 - 2.22m, with this varying depending on the waterbody and needing to be much higher where threatened species, trout fishing and spawning, or swimming are identified values.
Temperature	for water bodies during spawning season cool water below 11 degrees for trout. Salmon require water below 14.5 degrees to successfully spawn and 16 degrees for egg maturation.
Dissolved Oxygen	If fish cannot take up enough oxygen to meet their energy demand for essential functions, ultimately they will suffocate and die. We expect dissolved oxygen target attribute states to be set above the national bottom line outlined in Table 7 of the NPS-FM, and applied throughout the catchment, not just downstream of point source discharges. In salmon spawning reaches during spawning season, dissolved oxygen must not be allowed to fall below 7 mg/l at any time.
Habitat Extent	Natural form and extent as well as river habitat and shading can be measured by the Habitat Quality Index and the Natural Character Index, Rapid Habitat Assessment and Stream Ecological Valuation.
Nutrient standards	DIN limits should be < 1.0 mg/L to protect salmonid fishery values. Outcomes for DIN concentrations should be set at around 0.3 - 0.6mg/L and median DRP concentrations should be set at around 0.01 - 0.03mg/L, where these nutrient limits are already met, or are achievable. Where nutrient concentrations exceed these values, reductions overtime should be considered. Changes may be intergenerational.
Hydrological Variability	Hydrological variability should be within 10% of natural flows for small streams and 20% for larger rivers. This does not include permitted activity takes which is largely an unknown quantity.

Submission form

Crown Pastoral Land Reform Act: Proposed regulations and standards

Once you have completed this form, email it to CPLC@linz.govt.nz

Alternatively, you can post your submission to: Crown Pastoral Land Consultation, Land Information New Zealand, PO Box 5501, Wellington 6145, New Zealand.

Submissions must be received no later than 5pm Friday 19 August 2022.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details

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Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. LINZ will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission

Please refer to the following pages for the detailed submission from Fish and Game New Zealand.



19 August 2022

Submission on the 'proposed new regulations and standards to support the implementation of the Crown Pastoral Land Act Reform 2022'

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

Submitter Details

Contact person	Rebecca Reed	Angela Christensen
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Summary

1. Fish and Game welcomes the opportunity to comment by the Land Information New Zealand (LINZ) on the proposed new regulations and standards to support the implementation of the Crown Pastoral Land (CPL) Reform Act 2022.

2. Fish and Game supports:

- the overarching intent of the CPL regulation and standards to address public concern about the management of Crown pastoral land, including degradation of biodiversity and landscape values on current and former Crown pastoral land over time; and
- implementing an outcomes-based approach that considers adverse effects on inherent values (including cumulative effects) on Crown pastoral land
- additions and clarifications of terminology including indigenous vegetation, indigenous wetlands, wetlands and vegetation clearing as these have significant potential to involve land / landscapes of importance to Fish and Game, and our statutory responsibilities.
- Consideration of the need for ongoing monitoring of any adverse effects of activities on Crown land, as well as continued access to areas for recreational angling and hunting.

About Fish and Game

3. 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.
4. 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.¹ 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.
5. Wetlands and their health play a key role in Fish and Game’s operations as the primary habitat for the majority of game birds and we have a statutory mandate to maintain and enhance this habitat. Nationally, Fish and Game manage a number of freshwater ecosystems as well as routinely operating restoration programmes to enhance the quantity and quality of these habitats including wetlands. These operations have a dual benefit, creating increased habitat for game birds and sports fish and accordingly increased opportunity for anglers and hunters as well as providing increased habitat for a number of critically endangered or at risk/declining indigenous species.

¹ 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.

6. Currently \$4 per game bird licence issued by Fish and Game goes to the Game Bird Habitat Trust, which oversees a grant programme for wetland restoration and construction – representing millions of dollars invested in freshwater habitat restoration activities to-date by Fish and Game. Since its inception in 1990 Fish and Game has been one of the strongest voices for freshwater in New Zealand.
7. 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 says' organisation. Using this system, the organisation funds public good research to ensure fisheries and game bird populations are managed sustainably; undertakes compliance with the licencing system and regulations; and contributes to public planning processes.
8. In relation to planning, the Councils share a similar function to advocate on behalf of anglers and hunters and to advocate in the Councils' interest, including their interest in habitat and access to land. Overwhelmingly, the advocacy sought by anglers, hunters and their elected Council representatives has been to seek environmental protection and restoration of degraded ecosystems, while preserving the ability of recreational access to these landscapes.
9. At the direction of its licence holders, Fish and Game has become one of the nation's best-known advocates for freshwater ecosystems. A detailed list of recent achievements led by Fish and Game is listed in the appendices.
10. To achieve this, Fish and Game staff includes ecology, planning and policy specialists. The local-facing structure of the organisation, combined with generally low turn-over rates and a focus on freshwater means that these staff are experts in freshwater policy and its implementation.
11. This submission has been developed using the combined expertise and experience of Fish and Game's environmental policy staff.

Detailed submission

Section 100R(1)(a)- Discretionary pastoral activity, Commercial recreation permits and Stock limitation exemption

Commercial recreation permits

It is not clear from the discussion document how public access will be recognised in this process of commercial recreational permit applications. For commercial activities, it appears that there is an incentive for the permit holder to have exclusive rights to the area, which could lead to the lessee of

the property denying discretionary access to other recreational users. This needs further clarification and elaboration on how the granting of permits will affect other users and the access to land.

Stock Limitation Exception

A description of the area affected by the activity, including the size and scale of effects as well as identifying any inherent values affected is required. Detailed mapping should be included to identify features such as waterbodies, critical source areas, fence lines, etc. The map should also indicate where stock will be located and at what intensity.

The mapping and description should include any indigenous vegetation assessments and onsite or neighbouring SNAs. If the property has not been surveyed, there should be a requirement to survey the property to fully inform the description of the area prior to permitting relating to stock.. This would allow for better consideration of the activity on the landscape and ecosystem scales and would help determine whether the proposal will contribute to achieving Part 4 outcomes.

It is noted that the proposed Chief Executive Standards at 7(1) includes criteria to determine if the inherent values likely to be affected by the proposed activity have been identified. The point above could be picked up there; however, the direction to seek this information contains the wording 'where relevant'. It is not clear how relevancy is determined in these cases. This is discussed again below.

Adverse Environmental Effects (AEE's)

It is advised that there should be included a description of how any adverse effects will be monitored and by whom, if consent is granted for the activity. Ongoing monitoring will be essential to determining if compliance is achieved and to enable actions if adverse environmental effects are being generated by an activity. Monitoring will also ensure success in the goal of minimising AEE's and improving environmental performance.

Proposed monitoring timeframes such as frequency should also be included with the monitoring proposal. Additionally, it is unclear what is being monitored and why. Monitoring without a clear process to address any unanticipated outcomes is a pointless exercise. Will thresholds be stipulated to indicate that if effects are greater than anticipated, a response mechanism will then be triggered? What is monitoring to achieve and what is the feedback loop mechanism in response to monitoring outcomes?

Further detail around what is to be monitored, why it is taking place and what it is to achieve to meet the Part 4 outcomes of the Act. Is strongly suggested.

Section 100R(1)(b)- Matters the Commissioner must take into account

Scale and extent of activity-

It is not clear if the example provided for 'scale' limits what can be considered. For instance, can the scale i.e., intensity of a farming operation be considered? Intensive beef farming in sensitive high-country areas can adversely impact on inherent values. The examples given for scale are related to structure size, not scale/intensity of an activity.

Cumulative effects-

This concept is supported and should be included but it is uncertain how this will be assessed given that the activities are applied for individually, particularly if individually, they are assessed as 'no more than minor' but overall, the cumulative effect of these may not meet Part 4.

Commissioner of Crown Land's Standard on Easements, Transfers and Subleases affecting Crown pastoral land

Section 100S(1)- Standards in relation to the administration of pastoral land and its inherent values, including monitoring the state of the land.

Within clause 6 Easement Applications, how can public access be considered here? Currently the consultation process reads as being only required to consult with Director-General under 60(6) Land Act. Consultation with the public is strongly supported to facilitate a comprehensive consultation process.

Section 100S(1)-Clause 10(2)(b)-

Clause 10(2) is for the purpose of determining whether any past request for public access over the land was unreasonably refused under 89(2A) of the Land Act. Subclause (b) directs that the Commissioner will seek from the Crown agency a summary of views from a number of parties, agencies and iwi. Fish and Game is not included in this list but could fall under subclause (b)(v)- Any other group the Commissioner has requested.

Fish and Game has a specific function under the Conservation Act to maintain and improve access. Fish and Game works on access issues across the country and each Fish and Game Region is intimately familiar with access, including receiving complaints from both licence holders and the general public about access issues. It is considered that Fish and Game holds relevant and helpful information about access including historical issues. Fish and Game requests that included in the list of parties under 10(2)(b), that a (vi) be included; the relevant Fish and Game Regional Council.

Chief Executive Crown Pastoral Land Standard

Section 100S(2)- standards in relation to the framework for determining applications for discretionary pastoral consents, commercial recreation permits, or stock limitation exemptions.

Clause 5(1)(c)- The ability for the Commissioner to consider the matters under (c) is helpful to determine whether the information is sufficient to enable assessment of the application. It is not clear how all of the information will be obtained as different entities/organisations hold this. For example, Fish and Game are the statutory managers of the sports fish and game resource but it is not clear how these values are considered as part of this process or what the avenue is for these important values to be considered.

Clause 7(1)- Identification of Inherent Values

The aspects included are supported; however, the inclusion of the term 'where relevant' in (1) is unclear. How is relevance determined? It is considered that all the information should be sought and if there is not a particular value associated with a site, this should be made known.

The discussion document states "This clause sets out the different types of information that the Commissioner must source and receive to ensure that inherent values likely to be affected by the proposed activity have been identified. In some cases, there will be no inherent values affected or only some types of inherent values, but the Commissioner will receive information to confirm this when considering an application under new sections 10 to 12." This gives a different interpretation as to what is required than the proposed drafting, which inserts the words 'where relevant'.

Suggested action: Amend to delete the relevance test and direct that information on all matters is collected.

Clause (8)- No more than minor adverse effects on inherent values

This clause sets out to determine how 'no more than minor' and 'more than minor' are assessed. This ties back to 100R(1)(b) and types of effects to be assessed. There is still the concern around incremental loss of inherent values (ie cumulative effects) where a discretionary consent is issued where activities may be considered 'no more than minor' but over time, the whole of these activities have adverse effects that degrade inherent values.

Clause (9)- Reasonable Alternatives

Fish and Game support this clause as it outlines the criteria to help determine what a 'reasonable alternative' to a proposed activity is. This helps provide clarity around appropriateness, in particular subclause (c).

Appendix

Advocacy and freshwater ecosystems protection achievements by Fish and Game.

Since 1991, when the RMA came into effect, Fish and Game has:

- I. protected the Hakatamea River from overallocation²;
- II. protected the Nevis River from damming (via an amendment to the Kawarau Water Conservation Order);
- III. set minimum flow on select rivers, and allocation limits and water quality standards on all rivers in Otago through environment court processes;
- IV. participated in the deemed permit process in Otago to restore ecosystems degraded by historic abstraction, including the Lindis High Court process, the Kyeburn Environment Court appeal and the Environment Court Plan Change 7 first instance hearing;
- V. secured enhancement requirements for regionally significant wetlands in Otago, including recognising game hunting as a reason for protection;
- VI. successfully sought an Environment Court declaration that Horizons Regional Council was not implementing the One Plan in a lawful manner by issuing multiple consents for intensive farming with nitrogen leaching figures significantly over those identified as necessary to achieve the Plan's water quality outcomes;
- VII. lead the evidence which provided for the protection of the Tukituki catchment and established nitrogen limits in the Tukituki waterways, and preventing the building of the proposed Ruataniwha Dam;
- VIII. secured recognition and provisions for the protection of salmon spawning sites in the Canterbury Land and Water Regional Plan;
- IX. secured a prohibition on damming the Hurunui River due to the presence of the outstanding trout fishery;
- X. increased the minimum flow in the Hurunui River based on salmon passage requirements;
- XI. worked with environmentally aligned parties to secure incontrovertible recognition that agricultural land use was a significant contributor to degraded water quality in Southland's rivers, lakes and estuaries;³

² *Infinity Investment Group Holdings Ltd v Canterbury Regional Council* [2017] NZEnvC 36.

³ <https://www.stuff.co.nz/southland-times/southland-top-stories/113363858/federated-farmers-admits-its-time-to-start-cleaning-up-southland-rivers>

- XII. maintained a hydrological periodicity for wetlands such as Pukepuke Lagoon, Lake Omanu and the eastern Lake Wairarapa shore wetlands – the latter under the Lake Wairarapa Water Conservation Order;
- XIII. successfully opposed a 35-year resource consent application, which was declined as a result,⁴ by Open Country Dairy to more than double the amount of wastewater it discharges year round into the degraded Wairoa River;
- XIV. secured 13 out of the total of 15 current Water Conservation Order's;
- XV. provided feedback / written submissions as an affected party to thousands of consents affecting freshwater habitat and ecosystems nationally;
- XVI. advocated for an active program to identify and remove fish passage barriers;
- XVII. instigated research to place limits on discharges which increase instream water temperature to assist with the health of trout and native fish species population; and
- XVIII. worked with flood protection management through the resource consent process to protect and preserve the geomorphological characteristics of rivers.

⁴ [Dairy company seeks to double its river discharge \(newsroom.co.nz\)](http://newsroom.co.nz)

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 #ReWild

Species we manage



Black Swan Kakianau



Californiaian Quail Koitareke



Mallard Rakiraki



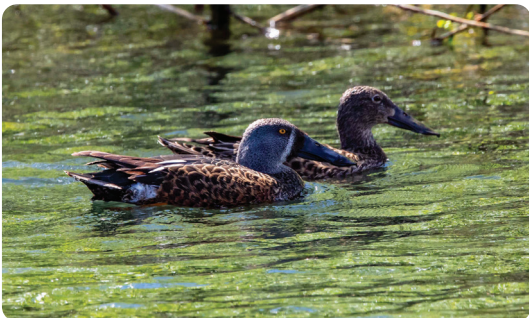
Paradise Shelduck Pūtakitaki



Pheasant Peihana



Pūkeko



Shoveler Kuruwhengi



Chukar



Grey Duck Pārera



Brown Trout



Rainbow Trout



Chinook Salmon



Sockeye Salmon



Brook Trout



Tiger Trout



Perch

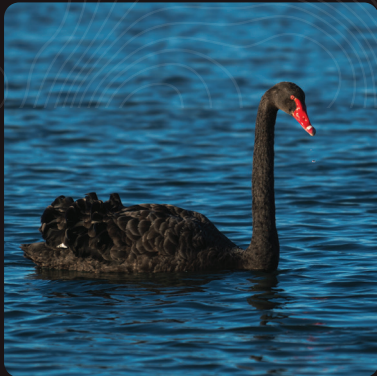


Tench

Species we manage



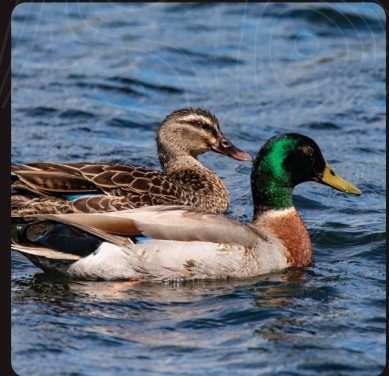
GAME BIRD SPECIES



Black Swan
Kakianau



California Quail
Koitareke



Mallard
Rakiraki



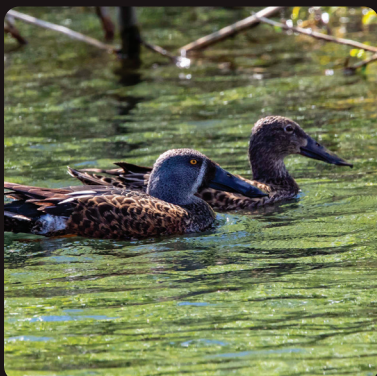
Paradise Shelduck
Pūtakitaki



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