



New Zealand Fish and Game Council

BOARD PACK

for

NZC Meeting 176

Friday, 29 August 2025

9:00 am (NZST)

Held at:

West Plaza Hotel

110 Wakefield Street, Te Aro, Wellington

INDEX

Cover Page

Index

Agenda

Attached Documents:

1.1 a	Gazette -Conduct of Meetings.png.....	10
1.3 a	Interests Register.....	11
1.4 a	27 Jun 2025 Minutes in Review NZC Meeting 175.pdf.....	12
1.5 a	Action items_176.docx.....	22
1.6 a	Letter to Graeme Nahkies.pdf.....	24
1.6 b	A-W queries on the NZC chair role.pdf.....	26
1.7 a	Health and Safety Report_176.docx.....	31
2.1 a	Magazine dissolution_176.docx.....	34
2.2 a	Process for Anglers Notice and Game Notice_176.docx.....	37
2.2 b	Annual Timeline for Fish and Game Processes.docx.....	43
2.3 a	Health and Safety Audits_176.docx.....	45
2.3 b	Appendix Scope HS audits_176.docx.....	50
2.4 a	Fish and Game Bill legal analysis_176.docx.....	52
2.4 b	Appendix 1 - Fish and Game Bill DOC Table_176.pdf.....	56
2.4 c	Appendix 2 Minister's Fish Game October Column_176.docx.....	67
2.4 d	Appendix 3 Fish and Game's Existing Advocacy_176.docx.....	71
2.5 a	Paper Terms of Reference Research Committee_176.docx.....	76
2.5 b	Terms of Reference Current.docx.....	80
2.5 c	Proposed Terms of Reference Draft.docx.....	81
2.6 a	Budget Recommendation Paper August 2025.docx.....	82
2.7 a	Infringement Notice System Implementation_176.docx.....	87

2.7 b	Appendix 1-I.N system briefing paper. August 2025-RAC.docx.....	90
2.7 c	I.N -Compliance and Enforcement policy-AUG 2025 review v1.docx.....	99
2.7 d	I.N processes flowchar-June 2024.docx.....	127
2.7 e	Prosecutions Policy- Update Aug 2025 v1.docx.....	128
2.9 a	Public Excluded Motion.docx.....	152
3.1 a	ACEO Report.docx.....	153
3.1 b	Appendix 1_Access Paper to the Minister for Hunting and Fishing_176.pdf.....	156
3.1 c	Apprndix 2-New public access benefits for fishing_176.pdf.....	174
3.1 d	Appendix 3 -NZC Maritime report Aug 8 2025.docx.....	177
3.1 e	Appendix 4 -NZC AIS report Aug 8 2025.docx.....	180
3.2 a	RMA Legal Fund Update_176-.docx.....	184
3.2 b	Appendix 1a_Whangamarino Weir reconsenting_176.pdf.....	188
3.2 c	Appendix 1b_About Whangamarino Wetland_176.pdf.....	195
3.2 d	Appendix 2_PC1 Interim Decision Update_176.pdf.....	196
3.2 e	Appendix 3a_NZC Advocacy Update_176.docx.....	202
3.2 f	Appendix 3b_Section 70 Amendment Paper_176.pdf.....	203
3.2 g	Appendix 4 RMA Fund 31 July 2025.pdf.....	206
3.2 h	Appendix 5 Available Funds in RMA Legal.pdf.....	207
3.2 i	Appendix 6_Access Charging PCL_176.pdf.....	209
3.2 j	Appendix 7_Management of Conservation Estate_176.pdf.....	211
3.3 a	Licence Sales Update August 2025 NZC_176.docx.....	216
3.4 a	NZC Finance Report June 2025_176.docx.....	221
3.4 b	Table 1 P&L NEW.pdf.....	226
3.4 c	Table 2 NZC P&L.pdf.....	228
3.4 d	Table 3 National P&L.pdf.....	230
3.4 e	Table 4 Balance Sheet.pdf.....	233
3.4 f	Table 5 Aged Receivables.pdf.....	235

3.4 g	Table 6 Aged Payables.pdf.....	236
3.4 h	Table 7 Research Fund.docx.....	238
3.4 i	Table 8 Staff Development Grant.docx.....	239
3.6 a	NZC Correspondence Register.docx.....	240
3.6 b	1. Letter to BarrIE NZC.pdf.....	241
3.6 c	2. Compliance with provisions of OIA - 250805 JMC-594 Letter to Barrie Barnes.pdf.....	242
3.6 d	3. License Fees JMC-583 - Hon James Meager to Barrie Barnes.pdf.....	243
3.6 e	4. 250806_NZC_B Barnes_OIA.pdf.....	245
3.6 f	5. 25-B-0011 - initial Briefing and Immediate Decisions.pdf.....	247
3.6 g	6. Composition of the F&G NZ Council – A Think Piece.pdf.....	255
3.6 h	7. JMC-522 - Hon James Meager to Barrie Barnes.pdf.....	259

AGENDA

NZC MEETING 176



Name:	New Zealand Fish and Game Council
Date:	Friday, 29 August 2025
Time:	9:00 am to 5:00 pm (NZST)
Location:	West Plaza Hotel , 110 Wakefield Street, Te Aro, Wellington https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjlxNzZiODEtYjhmOC00NDY0LTljYzAtNGZmYTRjZmZmMmVh%40thread.v2/0?context=%7b%22Tid%22%3a%228fe7a0b5-5d63-4589-bb23-c70d2971f612%22%2c%22Oid%22%3a%228d3a039c-6c43-4b5e-8c6b-449959af33a6%22%7d
Board Members:	Barrie Barnes (Chair), Bill O'Leary, Dave Harris, DAVE COLL, Euan Williamson, Greg Duley, Mark Sceats, Mike Barker, Romon Sargeson, Sam Speight, Steve Haslett
Attendees:	Daniel Isbister, Richard Cosgrove, Adrienne Murray, Graeme Nahkies, Jill Muench, Rosamond Connelly

1. Opening meeting

1.1 Chair to open up meeting

9:00 am (10 min)

Barrie Barnes

Supporting Documents:

1.1.a	Gazette -Conduct of Meetings.png	10
-------	----------------------------------	----

1.2 Apologies

9:10 am (5 min)

Barrie Barnes

1.3 Interest Register

9:15 am (5 min)

Barrie Barnes

Supporting Documents:

1.3.a	Interests Register	11
-------	--------------------	----

1.4 Confirm Minutes of Meeting 175

9:20 am (10 min)

Barrie Barnes

Supporting Documents:

1.4.a	27 Jun 2025 Minutes in Review NZC Meeting 175.pdf	12
-------	---	----

1.5 Actions Arising

Rosamond Connelly

Supporting Documents:

1.5.a	Action items_176.docx	22
-------	-----------------------	----

1.6 Auckland/Waikato Letter

Barrie Barnes

Supporting Documents:

1.6.a	Letter to Graeme Nahkies.pdf	24
1.6.b	A-W queries on the NZC chair role.pdf	26

1.7 HS NZC update

Adrienne Murray

Supporting Documents:

1.7.a	Health and Safety Report_176.docx	31
-------	-----------------------------------	----

2. Decision Required

2.1 Fish and Game Publishing Ltd

Richard Cosgrove

Supporting Documents:

2.1.a	Magazine dissolution_176.docx	34
-------	-------------------------------	----

2.2 Process for Game Notice and Anglers Notice

Richard Cosgrove, Rosamond Connelly

Supporting Documents:

2.2.a	Process for Anglers Notice and Game Notice_176.docx	37
2.2.b	Annual Timeline for Fish and Game Processes.docx	43

2.3 Health and Safety Audit

Adrienne Murray

Supporting Documents:

2.3.a	Health and Safety Audits_176.docx	45
2.3.b	Appendix Scope HS audits_176.docx	50

2.4 Fish and Game Bill Legal Analysis

Richard Cosgrove

Supporting Documents:

2.4.a	Fish and Game Bill legal analysis_176.docx	52
2.4.b	Appendix 1 - Fish and Game Bill DOC Table_176.pdf	56
2.4.c	Appendix 2 Minister's Fish Game October Column_176.docx	67

Supporting Documents:

2.4.d	Appendix 3 Fish and Game's Existing Advocacy_176.docx	71
-------	---	----

2.5 Research subcommittee TOR discussion and report

Barrie Barnes

Supporting Documents:

2.5.a	Paper Terms of Reference Research Committee_176.docx	76
2.5.b	Terms of Reference Current.docx	80
2.5.c	Proposed Terms of Reference Draft.docx	81

2.6 Budget discussion and licence Fees

Jill Muench

Supporting Documents:

2.6.a	Budget Recommendation Paper August 2025.docx	82
-------	--	----

2.7 Infringement policy

Barrie Barnes

Supporting Documents:

2.7.a	Infringement Notice System Implementation_176.docx	87
2.7.b	Appendix 1-I.N system briefing paper. August 2025-RAC.docx	90
2.7.c	I.N -Compliance and Enforcement policy-AUG 2025 review v1.docx	99
2.7.d	I.N processes flowchar-June 2024.docx	127
2.7.e	Prosecutions Policy- Update Aug 2025 v1.docx	128

2.8 Draft Chairs TOR - Verbal

Barrie Barnes

2.9 Move to public excluded

Barrie Barnes

Supporting Documents:

2.9.a	Public Excluded Motion.docx	152
-------	-----------------------------	-----

3. Reports to Note

3.1 ACEO Report

Richard Cosgrove

Supporting Documents:

3.1.a	ACEO Report.docx	153
3.1.b	Appendix 1_Access Paper to the Minister for Hunting and Fishing_176.pdf	156
3.1.c	Apprnx 2-New public access benefits for fishing_176.pdf	174

Supporting Documents:

3.1.d	Appendix 3 -NZC Maritime report Aug 8 2025.docx	177
3.1.e	Appendix 4 -NZC AIS report Aug 8 2025.docx	180

3.2 RMA Report

Richard Cosgrove

Supporting Documents:

3.2.a	RMA Legal Fund Update_176-.docx	184
3.2.b	Appendix 1a_Whangamarino Weir consenting_176.pdf	188
3.2.c	Appendix 1b_About Whangamarino Wetland_176.pdf	195
3.2.d	Appendix 2_PC1 Interim Decision Update_176.pdf	196
3.2.e	Appendix 3a_NZC Advocacy Update_176.docx	202
3.2.f	Appendix 3b_Section 70 Amendment Paper_176.pdf	203
3.2.g	Appendix 4 RMA Fund 31 July 2025.pdf	206
3.2.h	Appendix 5 Available Funds in RMA Legal.pdf	207
3.2.i	Appendix 6_Access Charging PCL_176.pdf	209
3.2.j	Appendix 7_Management of Conservation Estate_176.pdf	211

3.3 Licence Sales Report

Richard Cosgrove

Supporting Documents:

3.3.a	Licence Sales Update August 2025 NZC_176.docx	216
-------	---	-----

3.4 Finance report

Jill Muench

Supporting Documents:

3.4.a	NZC Finance Report June 2025_176.docx	221
3.4.b	Table 1 P&L NEW.pdf	226
3.4.c	Table 2 NZC P&L.pdf	228
3.4.d	Table 3 National P&L.pdf	230
3.4.e	Table 4 Balance Sheet.pdf	233
3.4.f	Table 5 Aged Receivables.pdf	235
3.4.g	Table 6 Aged Payables.pdf	236
3.4.h	Table 7 Research Fund.docx	238
3.4.i	Table 8 Staff Development Grant.docx	239

3.5 Research Report

3.6 Correspondence Register

Barrie Barnes

Supporting Documents:

3.6.a	NZC Correspondence Register.docx	240
3.6.b	1. Letter to BarrIE NZC.pdf	241
3.6.c	2. Compliance with provisions of OIA - 250805 JMC-594 Letter to Barrie Barnes.pdf	242
3.6.d	3. License Fees JMC-583 - Hon James Meager to Barrie Barnes.pdf	243
3.6.e	4. 250806_NZC_B Barnes_OIA.pdf	245
3.6.f	5. 25-B-0011 - initial Briefing and Immediate Decisions.pdf	247
3.6.g	6. Composition of the F&G NZ Council – A Think Piece.pdf	255
3.6.h	7. JMC-522 - Hon James Meager to Barrie Barnes.pdf	259

3.7 General Business

9:30 am (15 min)

Barrie Barnes

4. Public Excluded

4.1 Public Excluded Motion

9:45 am (60 min)

Barrie Barnes

5. Close Meeting

5.1 Close the meeting

Next meeting: No date for the next meeting has been set.

Friday Close 5.40 pm

Saturday Close 12.55 pm.

3.4 Conduct of Meetings

Disrespect

3.4.1 No member of the council or its committees may speak disrespectfully, or use offensive or malicious language at any meeting, including in reference to the council, a committee, any other member or a staff member. In addition, no member may impute improper motives or make offensive remarks about the private affairs of any other member of the councils or staff.

Retractions and Apologies

3.4.2 The chairperson may call upon a member or speaker to withdraw any offensive or malicious comments, and may require them to apologise. If the member refuses to do so, the chairperson may direct that they should leave the meeting immediately for a specified time.

Calling to Order

3.4.3 When the chairperson calls members to order, they must be seated and stop speaking. If the members fail to do so, the chairperson may direct that they should leave the meeting immediately for a specified time.

Disorderly conduct

3.4.4 The chairperson may require any member whose conduct is disorderly or who is creating a disturbance to leave the meeting immediately for a specified time.

3.4.5 If the disorder continues, the chairperson may adjourn the meeting for a specified time. At the end of this time, the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

3.4.6 The chairperson may also adjourn the meeting if other people cause disorder or in the event of an emergency.

Contempt

3.4.7 Where a meeting makes a resolution that a member is in contempt, it must be recorded in the meeting's minutes.

Removal From Meeting

3.4.8 A member of the police, or a council staff member, may, at the chairperson's request, remove or exclude a member from a meeting.

3.4.9 This standing order will apply where the chairperson has ruled that the member should leave the meeting and the member has refused or failed to do so; or has left the meeting, then attempted to re-enter it without the chairperson's permission.

[cl. 16(2), Schedule 7, LGA]

Interests Register

New Zealand Fish and Game Council

As of: 29 Aug 2025



Person	Organisation	Active Interests	Notice Date
Barrie Barnes	Alpha Pistol Club	Foundation Member	23 Aug 2022
	I love Fly Fishing	Owner	23 Aug 2022
	North Shore Flyfishers Inc	Treasurer	23 Aug 2022
Bill O'Leary	Nelson Conservation Board	Board Member	19 Apr 2024
Greg Duley	New Zealand Conservation Authority	Member	23 Aug 2022
	NZ Hunter - Magazine and TV Show	Owner	4 Dec 2021
Mike Barker	Mata Au Sports Fish Trust	Trustee	28 Nov 2023
Steve Haslett	ECAN/Brother-in-law Chair of risk, Finance & Audit committee	Extended Family	10 Feb 2023

Person	Organisation	Recently Closed Interests	Closing Date
Linn Koevoet	Civil Defense	Sector Coordinator	13 Aug 2025
	Waitaki River Volunteer Salmon Hatchery	Administration & Committee member	13 Aug 2025

MINUTES (in Review)

NZC MEETING 175



Name:	New Zealand Fish and Game Council
Date:	Friday, 27 June 2025
Time:	9:30 am to 12:55 pm (NZST)
Location:	Brentwood Hotel - Tawa Meeting Room, 16 Kemp Street, Kilbirnie, Wellington
Board Members:	Barrie Barnes (Chair), Bill O'Leary, DAVE COLL, Euan Williamson, Greg Duley, Linn Koevoet, Mark Sceats, Mike Barker, Sam Speight, Steve Haslett, Dave Harris, Romon Sargeson
Attendees:	Adrienne Murray, Corina Jordan, Graeme Nahkies, Jill Muench, Richard Cosgrove, Rosamond Connelly
Guests/Notes:	Debbie Oakley

1. Opening meeting

1.1 Chair to open up meeting

Barrie Barnes noted that the following guests were present at the meeting: Adrian McIntyre, David McGregor, Micheal Heartstonge, Bryce Johnosn and Corina Jordan.

The meeting was officially opened at 9.37.

1.2 Apologies

Greg Duley apologised for lateness.

1.3 Interest Register

1.4 Confirm Minutes of Meeting 174

Page 16 of the minutes from 11 April was amended to clarify that the recommendation was that the Adult whole season game licence be set at \$119 (an increase of \$4).



Confirm minutes of 174

With the noted clarification, NZC confirms the public minutes of NZC meeting #174 on 11/12 April.

Decision Date:	27 Jun 2025
Mover:	Mark Sceats
Seconder:	Bill O'Leary
Outcome:	Approved

2. Decision Required

2.1 Licence fee and LEQ Forecasts



Licence Fee and LEQ Forecast

That the Council:

1. **Receive** the information
2. **Considers** the consultation received from Regional Councils
3. **Agrees/Disagrees** the Licence fees and categories as set out in the appended schedule and specifically:
 - a) That the 2025/26 adult whole season sports fish licence fee is set at \$161 and that the adult whole season game licence is set at \$120 (inclusive of a \$5 fee for the Game Bird Habitat Stamp), with all proportional changes to remaining licence fees and categories.
 - b) The Sea-run Salmon licence endorsement of \$5 (as a cost-recovery mechanism). (no change from 2024/25).
 - c) That Designated Waters Licence, as a \$5 annual licence per Fish and Game region for resident anglers and as a day licence to non-resident anglers at a fee of \$40. (no change from 2024/25).
 - d) That the 2025/26 Non-Resident whole season sports fish licence fee is set at \$300 with all proportional changes to remaining non-resident licence fees and categories.
4. **Agrees** to set the Licence forecast of 72,975 Fish LEQ and 30,601 Game LEQ as per Table 2 and 2a and:
5. **Delegate** to the Chief Executive the authority to recommend to the Minister the NZC Licence fee recommendation.

Decision Date:	27 Jun 2025
Mover:	DAVE COLL
Seconder:	Steve Haslett
Outcome:	Approved

The following points were noted during the discussion:

The summary of feedback has transposed the comments from CSO and Otago. CSI did not support the proposal, while Otago did support the proposal.

Hawkes Bay requested a reduction in their LEQ forecast. Although this does not make a material difference for forecasting purposes.

Auckland/ Waikato do not believe the process followed what was required in the Act.

Euan Williamson voted against the motion.

Eastern region requested that the NZC reconsider its request to employ another compliance officer. The revised proposal is for an additional part-time compliance officer to be employed on a fixed term employment contract for 2 years.



Reconsideration of Eastern Budget Request

The motion: That New Zealand Council approve the Eastern region's budget request to employment a part-time compliance officer for a period of 2 years, funded from reserves was moved by Mark Sceats/ Linn Koevoet

An amendment to the above motion was moved and put. The substantive motion then became:

That the Council **approve** the Eastern region's budget request to employment a part-time compliance officer for a period of 2 years, funded from reserves.

This motion was lost.

Decision Date: 27 Jun 2025
Mover: Steve Haslett
Seconders: Linn Koevoet
Outcome: Not Approved

2.2 Family licence Feedback



Family Licence

That the Council:

1. **Note** the feedback received from regional councils regarding the family licence modernisation proposal.
2. **Note** that economic analysis indicates perfect substitution dynamics make expensive preference studies redundant, as rational consumers will predictably switch to the lower-priced option offering identical utility.
3. **Consider** that the revenue impact modelling already represents a worst-case scenario, with data suggesting many additional household licences are held by adult children rather than spouses.
4. **Consider** the three options presented for advancing this initiative.

Decision Date: 27 Jun 2025
Mover: Romon Sargeson
Seconders: Bill O'Leary
Outcome: Approved

The relative merits of the three options were discussed. A query about the role of the Licence Working Party and its terms of reference was raised. Was the Family Licence question within the scope of the Licence Working Party and should the input of the Licence Working Party have been fed into the analysis?

Action: Terms of Reference of the Licence Working party to be circulated.



Family Licence: preferred option

That the Council:

Approve Option 2: Modified Implement with Financial Safeguards Beginning 2025/26

Decision Date: 27 Jun 2025
Mover: Barrie Barnes
Seconders: DAVE COLL
Outcome: Approved

2.3 Anglers Notice Advice



Anglers Notice Recommendations

That the New Zealand Council:

1. **Agree** to the proposed Auckland/ Waikato Region trout daily bag limit reduction to two trout for all rivers and lakes.
2. **Agree** to the proposed Auckland/ Waikato Region expansion to bait fishing waters from 9 rivers to 49 rivers and the opening of an additional 65 streams for year-round fishing.

3. **Agree** to the proposed Taranaki Region condition changes to allow for scented artificial lure use, the prohibition of fish from other water bodies as bait.
4. **Agree** to the proposed Wellington Region bag limit of simplification of 2 Brown or Rainbow Trout (up from 1 Rainbow or Brown Trout and no limit on other sports fish)
5. **Agree** on the proposed West Coast Region to simplify rules on the Rough River.
6. **Agree** on the proposed North Canterbury Region season length on Lake Blackwater and Winding Creek to start the season a month earlier.
7. **Agree** to the proposed Central South Island Region introduction of a winter season for Lake Opuha/ Ōpūaha from 1 June to 30 August with a two fish daily bag limit and an open season for all waters of the Ahuriri River Catchment from 1 September to 30 April.
8. **Agree** to the proposed Central South Island Region introduction of an open season for the Awakino River/ Te Awakinonui 1st Saturday in November – 30 April with a 2 trout daily bag limit and fly and spin methods permitted. Designate as a sea-run salmon water. Introduce a sea-run salmon fishing season from the 1st Saturday in November to 31 March, and fly and spin methods are permitted.
9. **Agree** to the proposed Central South Island Region condition changes to allow for scented artificial lure use, prohibition of the use of any feed pellets used for the rearing of trout and salmon as bait and permission to use a portion of fish as bait, excluding trout, salmon and fish ova.
10. **Agree** to the proposed Central South Island Region bag limit introduction of a maximum 1 brown trout, subject to the existing 2 sports fish daily bag limit at Lake Alexandrina during the winter season and introduce a 2 sports fish bag limit for the upper Ōhau River, Wairepo arm and Kelland Pond
11. **Agree** that the proposed sea-run salmon season bag limit for 2025/26 for the CSIFG and NCFG regions complies with the threshold management strategy and the 2021 threshold management bands and is based on the final estimates of the combined Waimakariri, Rakaia and Rangitata sea-run salmon spawning population size available no later than 23 June 2025, as follows-
 - combined spawning population size between 1,200 and 5,100 fish – retain 2 fish season bag limit
 - combined spawning population size of less than 1,200 fish – implement 1 fish season bag limit
12. **Agree** the proposed Southland Region changes to simplify rules at Lake Manapouri

Decision Date: 27 Jun 2025
Mover: Dave Harris
Secunder: Mark Sceats
Outcome: Approved



Future process for Anglers Notice

That the Council **requests** that a discussion of the process for development and consideration of the Anglers Notice be put on the agenda for meeting #176

Decision Date: 27 Jun 2025
Mover: Euan Williamson
Secunder: Steve Haslett
Outcome: Approved

2.4 Consolidated Annual Report Policy



Consultation on Consolidated Annual Report Metrics

That the New Zealand Council:

1. Approves this set of draft consolidated annual report metrics for consultation with the regions and adoption at the next meeting

Decision Date: 27 Jun 2025

Mover: Sam Speight

Seconder: DAVE COLL

Outcome: Approved

2.5 Gamebird Monitoring Policy update



Game Bird Monitoring Policy and SOP

That New Zealand Council:

1. **Receive** this update and await the draft game bird policy and standards operating procedure at the August meeting.
2. **Request** the CEO prepare a paper ahead of convening a workshop of regional staff to discuss the scope and content of the monitoring policy
3. **Note** the purpose of a monitoring policy and SOP is to ensure the regulations are appropriate for achieving population sustainability

Decision Date: 27 Jun 2025

Mover: Mike Barker

Seconder: Linn Koevoet

Outcome: Approved

2.6 Research Subcommittee Update



Improving the operation of the Research Subcommittee

That the Council:

1. **Request** the CEO prepare some guidance on the scope of the Research Committee and how best to utilise their skills in organisational research
2. **Develop** an inventory of skills that possessed by staff in order to assist the research subcommittee/ research projects
3. In consultation with the NZC governance advisor and the CEO, **review** the Terms of Reference of the research subcommittee

Decision Date: 27 Jun 2025

Mover: Steve Haslett

Seconder: DAVE COLL

Outcome: Approved

2.7 Policy Feedback



Policies to be recirculated for further consultation

That New Zealand Council:

1. **Receives** the information.
2. **Notes** that a revised draft of the Resource Management and Legislation Policy, the Health, Safety and Wellbeing Policy, the Fatigue Management and Support Policy, and the Lone Worker Support Policy will be brought back to the

New Zealand Fish & Game Council for further comment prior to the final policies being developed.

Decision Date: 27 Jun 2025
Mover: Sam Speight
Seconder: Euan Williamson
Outcome: Approved

2.8 Managers Accord



Applicability of Managers Accord

That New Zealand Council:

1. **Recognises** that with the passage of time and the strengthening of the governance function, the original intent of the Managers Accord is no longer applicable.
2. **Note** that notwithstanding 1 above, there is an expectation that Managers will continue to meet to share best practice and discuss operational matters.

Decision Date: 27 Jun 2025
Mover: Mark Sceats
Seconder: DAVE COLL
Outcome: Approved

Dave Harris voted against this motion



That the Council: Agree, in principle, to formalising the current...

That the Council:

Agree, in principle, to formalising the current 'Chairs' meeting', and request further details be developed on its possible scope and operation, for discussion with Council chairs

Decision Date: 27 Jun 2025
Mover: Steve Haslett
Seconder: Mike Barker
Outcome: Approved

David Harris and Euan Williamson voted against this motion

2.9 Audit Letter and Final Annual report (Late)



Approve Performance Report and Audit Letter

That the Council:

1. **Approve** the Performance Report of the New Zealand Fish and Game Council for the year ended 31 August 2024
2. **Accept** the audit letter and instruct the CEO and Chair to sign this
3. **Authorise** the CEO to make any minor editorial changes to the Performance Report as required

Decision Date: 27 Jun 2025
Mover: Linn Koevoet
Seconder: Mark Sceats

Outcome: Approved

2.10 HS System Policy for Consultation



Health and Safety Framework

That New Zealand Council:

- 1. Endorse** the proposal to establish a national framework for Health, Safety, and Wellbeing (HS&W).
- 2. Investigate** the engagement of an HS&W consultant to provide advice ensuring the framework meets best practices, the most recent legislative requirements, and incorporates lessons learned from incidents such as Whakaari / White Island.
- 3. Note** that we will follow a structured approach, ensuring that national HS&W policy is positioned at the right level to enable effective oversight.
- 4. Note** that a national framework is required to ensure we meet legislation and align with best practice, and that our current framework does not meet legislative requirements
- 5. Note** that the current state of HS&W within Fish and Game Councils is essentially unknown at a national level

Decision Date: 27 Jun 2025
Mover: Steve Haslett
Seconder: Romon Sargeson
Outcome: Approved



Additional Audit Recommendation

That the Council **request** the CEO develop a system and schedule of Health and Safety audits to assess the compliance of regional Health and Safety policy and practice with current legislation and identify gaps/ opportunities for improvement. For completion and consideration at the November NZC meeting.

Decision Date: 27 Jun 2025
Mover: Euan Williamson
Seconder: Sam Speight
Outcome: Approved

2.11 Councilor Training Report



Councillor Training

That the New Zealand Council:

- 1. Receive** the information.
- 2. Note** the recommendations made by Dr West in his report.
- 3. Delegate** to the Chief Executive, in consultation with the NZC Chair, the authority to arrange Councillor training as per conversation with Grace Xu (DoC)

Decision Date: 27 Jun 2025
Mover: DAVE COLL
Seconder: Mark Sceats
Outcome: Approved

Dave Harris voted against this motion

3. Reports to Note

3.1 Review Regional Budget presentation process

3.2 CEO Report



CEO Report

That New Zealand Council:

1. **Receives** the CEO report

Decision Date: 27 Jun 2025
Mover: Mark Sceats
Seconder: Linn Koevoet
Outcome: Approved

Much of the discussion focused on the Cull and Disturb permits. Also the appropriateness of the word 'cull' was raised. Was 'managed' better than 'cull' reflecting the fact that we are talking about valuable introduced species.

A request to supply the terms of reference or commissioning brief was made.

3.3 RMA Fund Update



RMA Report

That the Council :

1. **Approves** the new funding application of \$30,403 additional funding for MCI report fee proposal from Russell Death as detailed in appendix 4
2. **Approves** the new funding application of \$23,845 for advice on Target Attribute States for Rivers and expert advice for the submission to the new national direction on freshwater with a fee proposal attached from Kate McArthur in appendix 5.
3. **Notes** update provided from Wellington Fish and Game regarding Wellington RPS detailed in appendix 2.
4. **Notes** that as of 30 April 2025, the RMA fund has committed funds of \$428,426. The remaining uncommitted funds of \$192,303 are available for new cases, including applications in this report. This is aside from the proposed (to be approved) RMA top up of \$100k in the new financial year (1 September 2025) detailed in appendix 1.

Decision Date: 27 Jun 2025
Mover: DAVE COLL
Seconder: Euan Williamson
Outcome: Approved

Dave Harris voted against the motion on the grounds that he found the paper difficult to follow.

Mike Barker abstained from the vote based on a concern that we were allocating large amounts of funding in advance of knowing what the Government's new freshwater targets were.

3.4 Communications Paper



Communications Update

That New Zealand Council:

1. **Receives** the Communications report

Decision Date: 27 Jun 2025
Mover: Mike Barker
Seconder: Euan Williamson
Outcome: Approved

3.5 Licence Sales Update



Licence Sales Update

That New Zealand Council:

1. **Receives** the Licence Sales report

Decision Date: 27 Jun 2025
Mover: Romon Sargeson
Seconder: Dave Harris
Outcome: Approved

3.6 Finance Update



Finance Report

That New Zealand Council:

1. **Receives** the Finance report
2. **Request** that for the new financial year the finance report is redesigned to show where we are at any point in time relative to the budget

Decision Date: 27 Jun 2025
Mover: Euan Williamson
Seconder: Sam Speight
Outcome: Approved

3.7 Correspondence Register

3.8 General Business

4. Public Excluded

4.1 Public Excluded Motion



That New Zealand Council:(a) pursuant to the provisions of the Lo...

That New Zealand Council:

(a) pursuant to the provisions of the Local Government Official Information and Meetings Act 1987 **exclude** the public from the following part of the proceedings of this meeting, for the reasons listed

(b) And that relevant NZC staff remain to provide advice to the Council on applicable items (all staff remained for the Cost Optimisation item, only Adrienne Murray remained for the CEO job description item and Adrienne and Richie Cosgrove were present for the North Canterbury discussion.).

Decision Date: 27 Jun 2025
Mover: Mark Sceats
Seconder: DAVE COLL
Outcome: Approved

5. Close Meeting

5.1 Close the meeting

Next meeting: NZC Meeting 175- PE - 28 Jun 2025, 9:00 am

Friday Close 5.40 pm

Saturday Close 12.55 pm.

Signature: _____

Date: _____

Action items from previous Fish & Game New Zealand Council Meetings

Date	Action item	Status and comment
28 June 2025	<p>Family Licence Discussion</p> <p>Noted: NZC requested that the Terms of Reference of the Licence Working Group be circulated to NZC members.</p>	<p>Status: Completed</p> <p>Comment: A review of the process for budgeting and licence setting will be necessary following clarity of the Governments Fish & Game reforms. It is recommended that this includes the ongoing role and scope of the Licence Working Group.</p>
28 June 2025	<p>Anglers Notice</p> <p>Noted: NZC requested that a paper outlining the process for setting the Anglers Notice be provided to an upcoming meeting</p>	<p>Status: Completed</p> <p>Comment: A paper is on the #176 agenda for consideration. Given the time of year and the proximity to the setting of the Game Bird Notice, officers thought it was appropriate to widen this paper to discuss the process for both notices.</p>
28 June 2025	<p>Consolidated Annual Report Metrics</p> <p>Noted: The timeline agreed said that these were to be circulated to regions ahead of the next meeting.</p>	<p>Status: Ongoing</p> <p>Comment: It was suggested that it would be a useful exercise to workshop these metrics with managers at a managers meeting. The managers meeting earmarked was originally scheduled for August but has been pushed out due to scheduling.</p>
28 June 2025	<p>Health and Safety Policies</p> <p>Noted: Policies to be circulated for further consideration.</p>	<p>Status: Ongoing</p> <p>Comment: Due to other priorities in the HR space there has not been capacity to advance this work in the current</p>

		period. Revised policies will be progressed in the next quarter.
28 June 2025	Communications Report ReWild campaign	On social media our ReWild campaign in June served 132,439 impressions and reached 98,052 unique people. During July we served 366,439 impressions and reached 233,061 unique people. We had 631 content interactions, including reactions/likes, comments, shares, saves and link clicks.
28 June 2025	Finance Report Noted: Finance report to be reformatted to show actual to date as compared to budget to date	Status: Completed



15/08/2025

Graeme Nahkies
 Governance Advisor
 New Zealand Fish and Game Council
 By email: graeme@boardworksinternational.co.nz

Dear Graeme,

We write to you in your role as Governance Advisor to the New Zealand Council (NZC) to seek clarification on several matters of concern regarding recent email correspondence from the Chair of NZC, which has come to the attention of our Council.

1. NZC Appointment – Confidentiality Concerns

The first matter relates to the recent decision by the Central South Island (CSI) region to replace their NZC appointee. The Chair's email appeared to provide an interpretation of the events that led to this change and concluded: *"This yet again demonstrates the 'fragility' of a NZC councillor appointment system, wherein for somewhat lesser issues that could be easily sorted by consultation, a valuable member of NZC gets replaced."*

Our understanding is that the decision to change the NZC appointee was discussed during a public-excluded meeting of the CSI Council. We therefore question the appropriateness of this commentary being shared more broadly.

We seek your guidance on the following points:

- **Under LGOIMA**, are councillors allowed to divulge confidential information discussed in public-excluded sessions if no formal resolution has been passed allowing its disclosure.
- If a member of another council receives information related to a public-excluded matter, do they also have a legal or ethical obligation to maintain confidentiality — even though the matter pertains to a different council?
- What actions, if any, should be considered appropriate when the Chair of NZC shares unverified or hearsay information as fact, particularly when it relates to another Council's internal decision-making?

Statutory managers of freshwater sports fish, gamebirds and their habitats.

Auckland/Waikato Region

156 Brymer Rd, RD 9, Hamilton 3289, New Zealand. Telephone (07) 849 1666
 Email: aucklandwaikato@fishandgame.org.nz www.fishandgame.org.nz

2. NZC Chair Comments Regarding Southland Manager

The second issue relates to an email from the NZC Chair to the Southland Chair regarding the upcoming Managers' Meeting. In this correspondence, the Chair suggested it was inappropriate for the Southland Manager to attend the meeting due to having tendered his resignation. Further, the Chair referenced comments allegedly made by the Manager and concluded: *"I will further add that, if it was my position as the employer, I would have considered a particular course of action available under the employment agreement, which I might add, may still be available."*

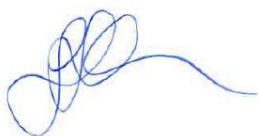
This has raised significant concerns regarding role boundaries and appropriateness. We therefore seek your view on:

- Whether it is within the role or authority of the NZC Chair to advise or request that regional staff not attend meetings for which they are otherwise entitled to participate.
- Whether it is appropriate for the NZC Chair to suggest or imply potential disciplinary action under a staff member's employment agreement, particularly when that staff member is employed by a regional council and not NZC.

Final Comments

These are not isolated concerns. Rather, they form part of a pattern of conduct that, in our view, oversteps the governance responsibilities and boundaries of the NZC Chair role. We would appreciate your considered response to the points raised above and guidance on what, if any, avenues are available to Councils when concerns of this nature arise regarding the conduct of the NZC Chair.

We thank you in advance for your time and assistance.



Grant Annan
Chair
Auckland/Waikato Fish and Game Council

19 August 2025

Grant Annan
Chair
Auckland/Waikato Fish & Game Council

(By email)

Dear Grant

You have sought my guidance (15 August 2025) on a range of points regarding the actions and/or role of the Chair of the Council of Fish & Game New Zealand (NZC). Please note that my comments are expressed from the point of view of a governance professional; they do not constitute legal advice, although you have asked me for a legal interpretation at some points.

CSI Appointment to the NZC – Confidentiality Concerns

- 1. Under LGOIMA, are councillors allowed to divulge confidential information discussed in public-excluded sessions if no formal resolution has been passed allowing its disclosure?**

Comment:

In my view, councillors (or staff) revealing confidential information discussed in public-excluded sessions without subsequent approval through a council decision to permit disclosure is a very poor governance practice because it likely damages trust and mutual confidence. A likely consequence is that important information will be withheld in the future, which may be to the detriment of council effectiveness and weaken its accountability. Individuals who do not respect confidentiality often become marginalised in terms of opportunity and influence.

A failure to observe formal expressions of confidentiality also goes against both the letter and spirit of the LOGIMA.

In addition to material subject to confidentiality via formal meeting procedures, the maintenance of trust and confidence both within and between Fish & Game entities and office holders requires that material that is offered 'In Confidence' (ie is labelled as such to addressees) should be treated with the same respect. It risks the same consequences.

- 2. If a member of another council receives information related to a public-excluded matter, do they also have a legal or ethical obligation to maintain confidentiality — even though the matter pertains to a different council?**

Comment:

If the recipient is aware of the Public Excluded status of the information provided to another council, of course, there is an ethical obligation to respect that. However, I am sure that the internal politics of Fish & Game being what they are, there will be second and third-hand recipients of Public Excluded information who are unaware of the original status of what they are told.

As noted previously, I cannot give you an unequivocal confirmation on the legal grounds.

I would also point out that “information related to a public excluded matter” can take many forms and may not necessarily compromise the original intention to consider a matter in Public Excluded. For example, the quoted passage regarding ‘the fragility’ of the NZC councillor appointment system is a matter being widely discussed in the context of the proposed changes to our legislation. Some might consider a change in a region’s nominee has nothing to do with anyone else. Still, it is undoubtedly a matter of some moment for the NZC and its chair, in particular, who must get the best out of the members that regions give him.

In the specific case, surely it is also a matter of wide (including probably ‘public’) knowledge that Linn Koevoet was to be replaced. Indeed, it had been signalled to him before the meeting was held. When the NZC chair advised fellow NZC members of the decision and expressed his appreciation to Mr Koevoet, the information he passed on had been provided without caveat. That being the case, it is not a reasonable assumption on your part that the confidentiality of the CSI’s Public Excluded discussion of the matter was breached.

3. What actions, if any, should be considered appropriate when the Chair of NZC shares unverified or hearsay information as fact, particularly when it relates to another Council’s internal decision-making?

Comment

It is not clear what you consider unverified or hearsay information in this case, but the NZC Chair advises me that the information he shared was confirmed by a CSI councillor and subsequently by the CSI Chair.

This and others of your queries suggest your council has a particular interest in the role of the NZC chair and how the incumbent interprets that. My view is that the chair of the national body is, in a governance context, the person best placed in the organisation to keep those in governance roles informed, including on matters concerning individual regional councils that are of broader interest and relevance. The current chair appears to be very proactive in that sense and necessarily so, as historically there have been many barriers to internal information flows to governors. I commend him for communicating directly with individual regional governors, given the potential for either conscious or unwitting gatekeeping by managers and chairs who, historically, have been the addressees for intra-organisational communication. I’m unsure how to interpret the fact that yours is the only regional council that has objected to councillors receiving direct communications from the NZC chair.

Referring back to an earlier comment in your letter that “*The Chair’s email appeared to provide an interpretation of the events that led to this change...*”, it is no more than we should expect from the chair of the national body that he attempts to make sense of what is

happening in different parts of the organisation, especially when those are relevant to the national body's coordination role and potentially impact the organisation's overall functionality and performance.

It seems that your council may be more concerned with the content of his interpretation than with whether an interpretation was made at all. Either way, you will not find it difficult to find examples of regional Fish & Game Council chairs and other council members sharing 'interpretations' of matters that catch their attention. You will also find many examples in other governance contexts of board chairs and others with formal spokesperson roles offering their interpretation of matters of the moment, both inside and outside their respective organisations.

It is up to the NZC chair's judgment as to who he shares his thinking with. In the case about which you appear to complain, I hope you don't mind me pointing out that it was with a very limited audience: the regional council he mentioned (CSI) and his fellow NZC members.

NZC Chair Comments Regarding South Island Manager

You have also asked me to comment on your concerns about the NZC chair's role boundaries and appropriateness arising from correspondence from him to the Southland chair and Deputy chair.

Your specific queries were:

- 1. Whether it is within the role or authority of the NZC chair to advise or request that regional staff not attend meetings for which they were otherwise entitled to participate.**

Comment:

I understand this correspondence (distinctly labelled 'In Confidence') was to provide information and advice pursuant to Southland-specific employment matters the Chair and his deputy had previously raised with and requested from the NZC chair. The NZC chair merely presented relevant matters for the Southland council's consideration. So, the answer, in this case, is clearly yes.

With respect, may I suggest that you may have your own confidentiality issues? As you don't mention that your council discussed this matter in Public Excluded, I have to assume that the Southland Manager became aware of the *In Confidence* Chair to Chair correspondence as a result of a communication from a source at your council. I understand there may be evidence of this having been the case.

Again, I suspect that your query here is more concerned with the advice than the fact that it was given. If you are up for it, you might care to discuss this directly with the Southland chair and seek his feedback on whether your council's dalliance with this matter has helped or hindered them. As your council's action has been both objectively improper and potentially compromised Southland's employment management process, I suspect the latter.

2. Whether it is appropriate for the NZC chair to suggest or imply potential disciplinary action under a staff member's employment agreement, particularly when that staff member is employed by a regional council and not the NZC.

Comment:

I have covered this above.

However, I do wonder if you are aware that NZC staff provide employment advice to the regions – both to managers and directly to the chairs or employment committees where these exist, and (b) the chairs frequently share experience and advice amongst themselves, particularly regarding staff/employment matters. As volunteers, few Fish & Game council members willingly or confidently take on the role of employing executive and professional staff and are generally grateful for all the help they can get. I would add that informed and experienced advice, whether from the NZC chair or other national office sources, falls a long way short of the sense of 'instruction' that is implied by your queries.

Final Comments

In the 'Final Comments' section of your letter, you say these are not isolated concerns and are part of a pattern of conduct in which the NZC chair oversteps the governance responsibilities and boundaries of the role. While I am sure that, like yours, the NZC (and its chair) is open to constructive feedback from a range of sources, defining the NZC chair's governance responsibilities and boundaries is ultimately and unequivocally the responsibility of the NZC to which the chair is accountable.

You ask, are there other avenues open to regions when concerns of this nature arise? In the first instance, that would depend on whether those concerns can be substantiated. The NZC chair's role flows from the role of the NZC itself, and as I have attempted to explain, the current chair's actions that you have queried are explicable and justified in that context. Further, the NZC chair's role is essentially one of a 'servant leader.' In addition to the NZC itself, the role often extends to the Fish & Game organisation as a whole, both desirably and unavoidably. We should all be grateful that there is a governance role that can speak for the organisation as a whole.

If I might have a 'final comment' myself, I have tried to play a straight bat in my responses to the matters you have asked me to comment on, taking them at face value and assuming they have been raised in good faith. However, while doing so, I could not avoid a strong sense of the irony in your implicit criticisms of the actions of the NZC chair.

For example, concerning the CSI matter, I note that the only way your council would have known of this matter is if it were shared with you by CSI sources and thus (if relevant) contrary to what you suggest was their own public excluded constraint. Alternatively, it would most likely have been brought to your attention by your nominee on the NZC, who was both a recipient of and respondent to the Chair's note. Even if he was not your source, you might like to remind him that as a member of the NZC, he is a nominee, not a 'representative' of your council. This is a critical distinction that your council (and your nominee) need to understand. It means he is obliged to put the interests of the national body (ie the wider organisation) ahead of those of your region.

Concerning the Southland matter, I am also wondering how correspondence clearly pertaining to employment issues at another council and labelled 'In Confidence' came into your

possession. And why it seems to have been discussed at sufficient length that you were motivated to write to me about it. Without wanting to add insult to injury, I have also had to assume that your council's discussion of the role and performance of the chair of the NZC and another region's staffing matters was in the presence of or at least with the knowledge of your staff as one of them (your Office Manager) effectively broadcast the content of that correspondence by distributing your letter to me, to other recipients.

Much of my professional governance consultancy practice involves helping client boards to make the best use of their limited time and attention. That being the case, it might be time for your Council to reflect on its priorities and apparent preoccupation with how the NZC, and other regional councils, go about their business. Is it possible that there are matters of significance to licence holders in your region that might be a better use of your council's time? I would be pleased to help your council develop a governance workplan that would complement the Minister's efforts to see that Fish & Game enhances people's opportunities to hunt and fish.

Yours sincerely

A handwritten signature in cursive script that reads "Graeme Nahkies".

Graeme Nahkies
Governance Advisor to the NZ Council of Fish & Game

Health & Safety Report

New Zealand Fish and Game Council Meeting 176: 29TH & 30th August 2025

Prepared by: Adrienne Murray, HR & HSW Advisor, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish and Game Council provides a report of the HS&W activities for the period to the August Council meeting

Financial considerations

Nil Budgetary provision / Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – ACEO Recommends

NZC Staff recommend the following motion:

That the New Zealand Fish and Game Council:

1. Receive the information.
2. Agree the continued actions for the HS&W National framework
3. Note that there have not been any significant incidents or accidents over the winter period, although there have been a number of staff who have suffered from the flu.
4. Agree to the recommendation that Councils consider providing flu vaccinations to all staff as a further commitment to Wellness

Executive Summary - Whakarāpopoto

- 1 A framework for employee engagement has been developed, which now needs to be consulted on with regions.

Background - Takenga mai

- 2 National HS&W framework
 - 2.1 Step One of the approach to develop a single structured framework that meets our needs in relation to legislation, and still enables regions the operational flexibility has been developed and will be consulted on with regions
- 3 Regional Reports
 - 3.1 Obtaining reports from regions continues to be inconsistent with differing styles of reports and differing information. As part of developing the framework, we will consider an improved method of reporting.

Discussion - Kōrerorero

- 4 National HS&W framework
 - 4.1 Legislation requires employees to have the opportunity to participate in the development and review of operational H&S policy and process, and the identification and management of risk and hazards.
 - 4.2 While most regions have H&S on the agenda for all staff meetings, some do not, nor is there an identified H&S representative in some regions.
 - 4.3 If we identify each region as its own entity, this does meet legislation. However, WorkSafe, CCA and Maritime all identify Fish & Game as a NZ wide organisation. This means that each region should elect a H&S representative and that person be given training to the level of NZQA unit standard 29315 (1 day at \$320) or online at \$200
 - 4.4 Once this is completed, my recommendation is that we elect from this group up to 6 representatives who will work with NZC on developing policies and processes that meet legislated requirements and support the provision of a safe and health workplace for all staff, volunteers and councillors.
 - 4.5 As steps 6.1 to 6.3 are required, consultation with regions will be on the number of representatives in the Fish & Game wide H&S team and the way in which we develop policies and processes.

5 Winter Flu's

- 5.1 I note that some regions have recommended to Councils that staff should be offered flu vaccinations. At a cost of \$30 (average) for those who are not eligible for free vaccinations, I concur with the recommendations.

Considerations for decision-making - Whai whakaaro ki ngā whakataunga

Financial Implications

- 6 The financial implications are:
- 6.1 Training for a H&S representative in each region (\$320 per region)
- 6.2 Flu vaccinations at \$30 per staff member (currently less than \$2000)

Legislative Implications

- 7 There are no legislative implications

Section 4 Treaty Responsibilities

- 8 There are no implications under Section 4 of the Conservation Act

Consultation

- 9 Regions will be consulted on this as we work our way through the development of the framework

Next actions - Ngā mahinga e whai ake nei

- 10 If agreed,
- 10.1 that we continue with the development of a new HS&W framework
- 10.2 that regions be encouraged to offer flu vaccinations for staff at the commencement of winter each year

Dissolution of Fish & Game Publishing Limited

New Zealand Fish and Game Council Meeting 176: 29TH & 30th August 2025

Prepared by: Maggie Tait, Principal Communications Adviser, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish & Game Council seeks approval to dissolve Fish & Game Publishing Limited and transfer all magazine publishing operations directly to Fish & Game New Zealand.

Financial considerations

Nil Budgetary provision / Unbudgeted (cost approx. \$50 annually)

Risk

Low Medium High Extreme

Ngā taunaki – Recommendation

NZC Staff recommend the following motion:

That the New Zealand Fish and Game Council:

1. Receive the information.
2. Agree to dissolve Fish & Game Publishing Limited (Company Number 6128947).
3. Delegate to the NZC Chair the authority to complete all necessary legal and regulatory processes to dissolve the company, including filing dissolution documents with the Companies Office, transferring any remaining assets to Fish & Game New Zealand, and completing final tax returns and regulatory obligations.
4. Note that this change will streamline operations and reduce administrative overhead while maintaining the quality and continuity of Fish & Game magazine.

Executive Summary - Whakarāpopoto

1. Fish & Game Publishing Limited was incorporated on 31 October 2016 specifically to facilitate the acquisition of Fish & Game magazine from Fairfax Media and manage its publication. After serving its intended purpose, Fish & Game New Zealand does not need a separate publishing company.

Background - Takenga mai

2. Fish & Game Publishing Limited (Company Number 6128947, NZBN: 9429043386901) was incorporated on 31 October 2016 under the Companies Act 1993 as part of the strategic acquisition of Fish & Game magazine from Fairfax Media. The company was established following confidential negotiations that culminated in November 2016, giving Fish & Game complete control over its brand, identity, and primary communication channel with licence holders nationwide. The publishing company structure was initially necessary to protect Fish & Game NZ from liability relating to existing subscribers to the commercial magazine provider.

Discussion - Kōrerorero

3. Fish & Game New Zealand has itself managed all aspects of magazine production, including editorial oversight, content development, design, printing coordination, and distribution.
4. Operating through a separate company creates additional administrative requirements and costs, including separate company filings and compliance obligations, and additional accounting and audit requirements, which are no longer needed since all commercial obligations have been satisfied.

Considerations for decision-making - Whai whakaaro ki ngā whakataunga

Financial Implications

6. Insignificant, but has an administrative burden.

Legislative Implications

7. No legislation, regulation or Ministerial approval is required to implement this proposal. The dissolution will be completed through standard Companies Office procedures under the Companies Act 1993, with all legal and regulatory compliance maintained throughout the transition process.

Section 4 Treaty Responsibilities

8. This proposal has no implications for NZC's obligations under Section 4 of the Conservation Act and is not inconsistent with our Treaty obligations.

Policy Implications

9. This proposal aligns with organisational efficiency.

Risks and mitigations

10. The dissolution presents minimal operational risk as all magazine functions will continue under direct Fish & Game management with the same staff, systems, and quality standards. Editorial and quality standards will remain unchanged.

Consultation

11. This proposal does not require regional consultation as it relates to internal corporate structure, with no impact on regional operations or services and does not impact the delivery of the magazine.

Next actions - Ngā mahinga e whai ake nei

13. If agreed, staff will assist the Chair to manage the company dissolution process, complete all required filings with the Companies Office, transfer magazine assets, contracts, and operations to Fish & Game New Zealand, finalise tax obligations and regulatory compliance requirements. The dissolution process will be completed within the next financial year.

Process for the enactment of the Anglers Notice and Game Bird Notice

New Zealand Fish and Game Council Meeting 176: 29TH & 30th August 2025

Prepared by: Ros Connelly, Governance and Policy Advisor, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

The purpose of the report is to advise the New Zealand Fish and Game Council on the process for the passage of the Anglers Notice and the Open Season for Game Notice (Game Notice).

Financial considerations

Nil Budgetary provision / Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – Recommendation

That the New Zealand Council:

1. Note the contents of this report and
2. Distribute to Regional Councils for information

Executive Summary - Whakarāpopoto

- 1 Regulations are an essential tool for preserving and advancing public interest. That said, the importance of regulation needs to be balanced against the importance of personal choice. The power to set and enforce regulations is a privilege which comes with obligations to follow good law-making processes – including consultation, options analysis and cost-benefit analysis.
- 2 The New Zealand Fish & Game Council has the function to coordinate the preparation of the Anglers Notice and Game Bird Notice, to recommend these to the Minister for approval, to advise the Minister on these notices and to arrange for their publication.
3. The process for enacting these Notices is: each region determines a set of Angling and Game Bird hunting rules and provides it to the New Zealand Council, along with evidence of their decision-making process and considerations. NZC Staff review these documents and determine whether the process meets the standard required. A set of staff recommendations is put to the New Zealand Council based on whether there is evidence of a good law-making process behind each of the proposals. NZC agrees on the set of recommendations to take to the Minister.
4. NZC staff then advise the Minister on NZC's conclusions and provide all the supporting evidence. Once the Minister's approval has been obtained, NZC staff work with Doc staff and the New Zealand Gazette to publish the notices.

Background - Takenga mai

5. Two of the most important functions of the New Zealand Fish and Game Council are the development of the Anglers Notice and the Game Bird Notice.
6. The Conservation Act explains at 26C that the function of the New Zealand Fish and Game Council includes:
 - (ba) In relation to Anglers Notices and notices for game seasons -
 - To coordinate their preparation and recommendation to the Minister for approval
 - To advise the Minister
 - To arrange for the publication under the Legislation Act 2019
7. In terms of timing, fishing licences go on sale on 1 September, with combined regulation and information booklets, and Game licences go on sale in early March, also with combined regulation and information booklets. This means that the work that underpins the Anglers Notice typically occurs in the first half of the calendar year, with NZC deciding on what to recommend to the Minister in June. While the work that underpins the Game Notice occurs in the second half of the calendar year with the NZC decision occurring at the February NZC meeting.

What is the purpose of the Anglers Notice and the Game Notice?

8. Under 26B of the Conservation Act, the purpose of the New Zealand Fish and Game is to represent nationally the interests of anglers and hunters and provide co-ordination of the management, enhancement and maintenance of sports fish and game.
9. While Fish & Game has other tools to achieve these aims (e.g. advocacy, events, etc), setting regulations is a key mechanism to manage, enhance and maintain hunting and fishing resources. By creating rules (and enforcing those rules through our compliance function), we can influence the population of fish and game birds and gather essential data to help inform future regulatory interventions.

What are the steps required to develop the Anglers Notice

10. Fish and Game's constituting legislation does not provide much guidance as to the steps required to develop the Anglers and Game notices. However, in 2023, Minister McClay provided advice that Fish and Game regulatory changes should be based on:
 - Evidence based assessments of game [fish and] bird populations
 - Licence holder preferences and expectations
 - Long-term sustainability outcomes
11. There are also a number of general guidance documents that we can look at to guide the development of regulation. For instance, the Australian Taskforce on Reducing Regulatory Burdens on Business identified the following six principles of good regulatory process :
 - i. Governments should not act to address 'problems' until a case for action has been clearly established. – This should include establishing the nature of the problem and why actions additional to existing measures are needed, recognising that not all 'problems' will justify (additional) government action.
 - ii. A range of feasible policy options (including self-regulatory and co-regulatory approaches) need to be identified and their benefits and costs (including compliance costs) assessed within an appropriate framework.
 - iii. Only the option that generates the greatest net benefit for the community, taking into account all the impacts, should be adopted.
 - iv. Effective guidance should be provided to relevant regulators and regulated parties in order to ensure that the policy intent of the regulation is clear, as well as the expected compliance requirements.
 - v. Mechanisms are needed to ensure that regulation remains relevant and effective over time.
 - vi. There needs to be effective consultation with regulated parties at all stages of the regulatory cycle.

12. Alongside the work required to develop new angling or hunting rules, NZC staff ask that regional staff enter the wording for the new regulations into a master notice document. This is just the notice from last year saved in the file structure so that regions can make this years' changes directly into their portion of the document. This part of the process is prone to errors, and NZC are working to introduce an additional quality control step into this process. When all regions have entered their changes, NZC staff tidy up the document for formatting, etc.

What New Zealand Fish & Game expects from the regions

12. The Conservation Act requires the New Zealand Fish and Game Council to advise the Minister on the Anglers Notice and Game Notice, as well as make recommendations. This creates an obligation on NZC to judiciously assess the notices recommended by the regions. We are not discharging our responsibility under the Act if we simply rubber-stamp regional decisions.
13. However, New Zealand Councillors have often pointed out that it is difficult for them to assess other regions' recommendations given a lack of local knowledge and context. There is a natural tendency to trust that each region is the expert in terms of its own sport fish and game resources and not to interfere.
14. The NZC staff resolve this difficulty by assessing the decision-making process rather than the decision itself.
15. NZC staff look for evidence that 1) robust population monitoring has been undertaken, 2) a problem has been identified, 3) multiple options for addressing the problem have been considered, 4) the costs and benefits of all the options have been considered, 5) consultation with anglers and hunters and other interested stakeholders have been considered, 5) based on the information a logical recommendation has been reached and 6) there is a plan to assess the impact of the changes.
16. In the instances where NZC staff have not supported adoption of a region's recommendations, it has been because one or more of these process steps have been missing. Typically, there have been shortcomings in the population monitoring component (although we are looking to standardise this), the consultation has been non-existent or insufficient, or a new option has been supported at the decision-making table without any analysis or consultation.
17. The absence of these required process steps makes it more likely that the wrong outcome will be reached and also opens the decision up to challenge.
18. NZC does not have to support staff recommendations, but in order to meet our obligations under the Act, staff must continue to scrutinise regional recommendations. The result of staff analysis, as well as the final NZC decisions, are then provided to the Minister along with a summary briefing.

What happens after the NZC recommendation goes to the Minister?

19. The Minister and his officials will review all the information provided.
Currently, the Minister can either approve an Anglers Notice or return it (via the NZC) to the relevant Fish & Game Council for further consideration. The Minister cannot amend anything in the notice.
20. Upon receiving a draft Game Notice, the Minister may either approve the notice, or require the notice to be amended in any way the Minister may specify before approving it.
21. Under the reform proposals approved by Cabinet, the Game Notice situation will apply to Anglers Notices after the new legislation is enacted by Parliament. This will prevent any stand-offs between the Minister and FGCs close to the start of the fishing season.
22. Finally, the New Zealand Council staff upload the approved Notice to the New Zealand Gazette. At this point, there is no further opportunity to amend the notice.

Considerations for decision-making - Whai whakaaro ki ngā whakataunga

Financial Implications

10. There are no direct financial implications arising from this paper, except to note that there is considerable staff resource (at both NZC and a regional level) involved in the development of these regulations. Any changes to the process would have to consider the ability of staff to support.

Legislative Implications

11. As a law-making body, Fish & Game has an obligation to follow due process when making regulations. Even after a notice has been promulgated, there is potential for review by the Regulations Review Committee. The Regulations Review Committee (a Parliamentary subcommittee) examines all regulations, investigates complaints about regulations and examines proposed regulation making powers in bills for consistency with good legislative practice. The committee reports to the House and other committees it identifies. The House can 'disallow' a regulation, meaning it no longer has force.

Section 4 Treaty Responsibilities

12. Consultation with iwi Māori should be part of any regulation making process. There is considerable scope for improvement in this space, although much of this is contingent on the development of enduring relationships, which will take time.

Policy Implications

13. none

Risks and mitigations

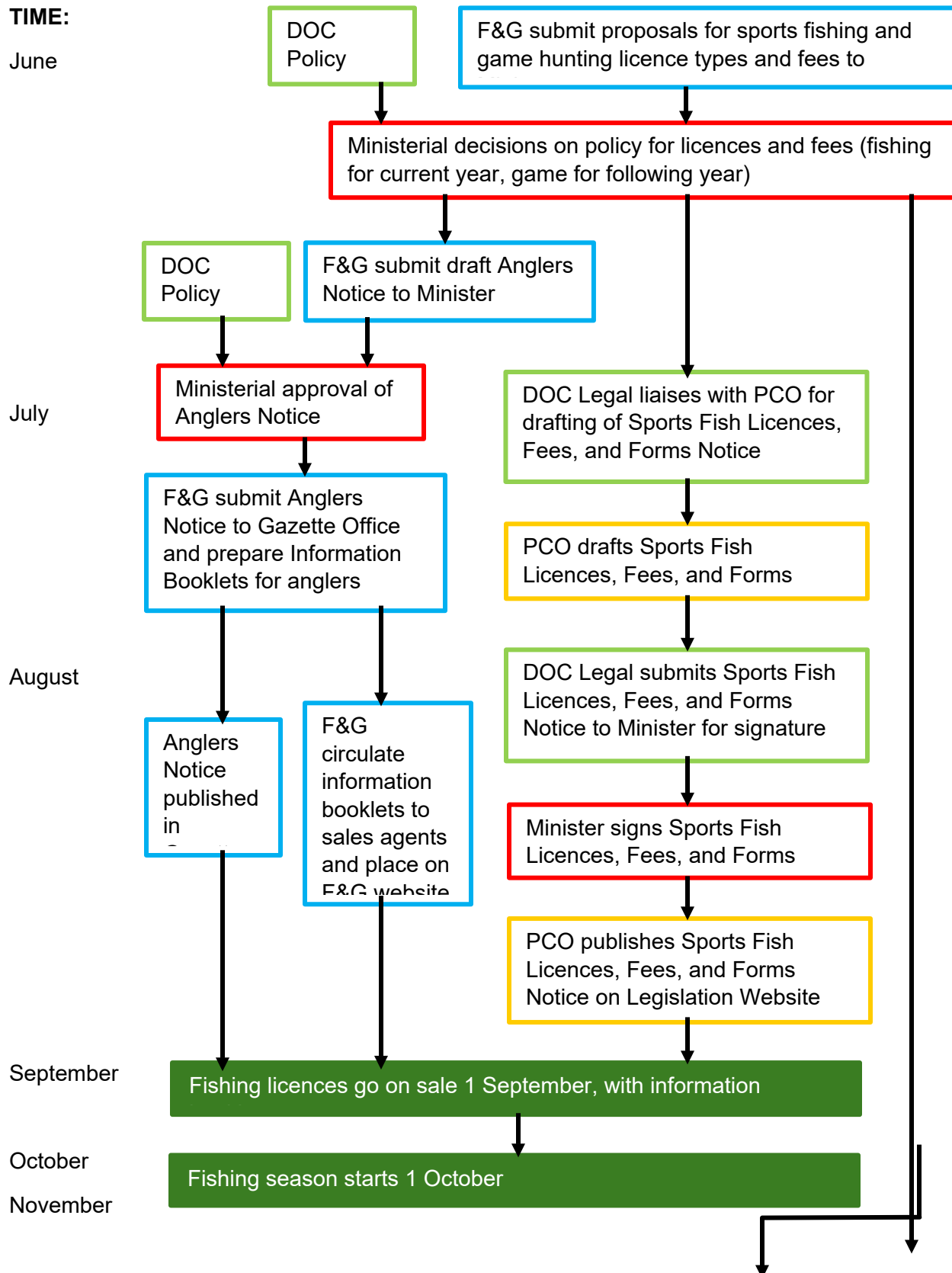
14. There are considerable risks to Fish & Game in not delivering good regulatory practice. Our licence to operate is contingent on following due process and being able to justify restrictions on people's rights.

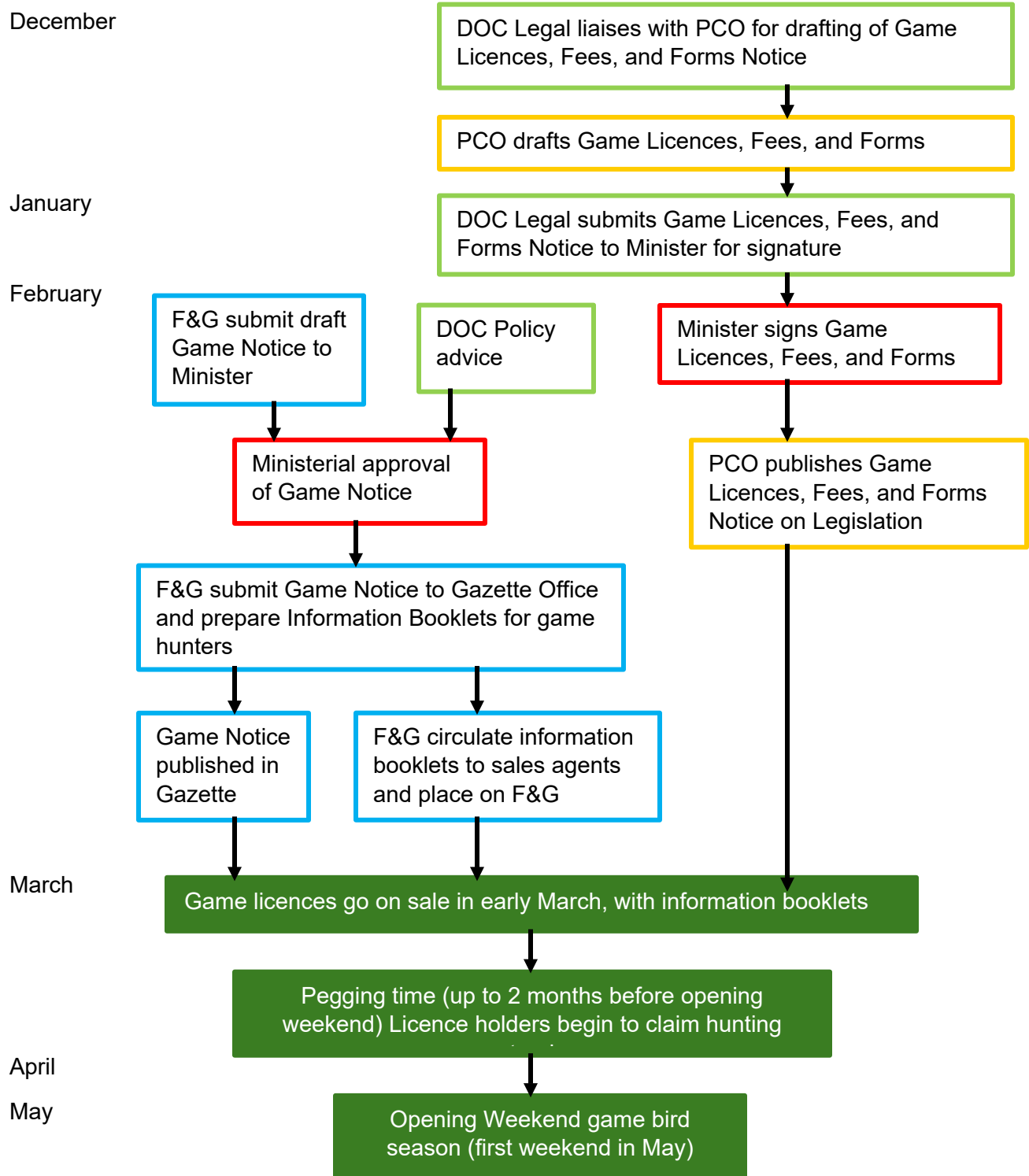
Next actions - Ngā mahinga e whai ake nei

It is recommended that the New Zealand Council:

1. Note the contents of this report and
2. Distribute to Regional Councils for information

Annual Timeline for Fish and Game Processes





Fish & Game Regional Council Health and Safety Audits

New Zealand Fish and Game Council Meeting 176: 29TH & 30th August 2025

Prepared by: Adrienne Murray, HR & HSW Advisor, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

The purpose of this report is to update the New Zealand Council on the progress made on regional health and safety audits and to seek guidance on the next steps.

Financial considerations

Financial considerations

Nil Budgetary provision / Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – Recommendations

That the New Zealand Fish and Game Council:

1. Note that the June New Zealand Council meeting resolved to undertake Health and Safety audits of all 12 regional Councils.
2. Note that the cost and feasibility of this proposal was not considered at the time the recommendation was agreed.
3. Note that staff are undertaking a pilot audit of the Northland region to inform the wider programme.
4. Agree to a reduced Health and Safety Audit schedule, covering 2 large regions and 2 small regions (one of which is the pilot region Northland)
5. Agree to carry over \$4,500 from the 2024/25 audit budget into the 2025/26 year.
6. Note the estimated cost of this programme is \$5,500 in budget 24/25 and \$15,000 in budget 25/26.

Executive Summary - Whakarāpopoto

1. At the June New Zealand Council meeting, the Council resolved that:

The CEO develop a system and schedule of Health and Safety audits to assess the compliance of regional Health and Safety policy and practice with current legislation and identify gaps/ opportunities for improvement. For completion and consideration at the November NZC meeting.

2. This recommendation sprung out of a conversation on the national HR framework and no advice around the cost or feasibility of the recommendation had been received.
3. This paper outlines the progress that has been made since the last meeting and asks the Council to consider a reduced schedule of audits. The proposed schedule can be completed within current budgets and will provide useful information that can be extrapolated for the purposes of the national HR framework. It is acknowledged that a reduced schedule will not meet all the outcomes that a comprehensive audit schedule would provide.

Background - Takenga mai

4. During a discussion on the development of a national HR framework it was noted that the current state of health and safety practice within Fish and Game Councils is essentially unknown at a national level. This led to a conversation about how many regions would value having an HR audit conducted so they could learn about their current state, and what actions are needed to come up to standard.
5. In good faith, a motion was passed directing the ACEO to develop a schedule of HR audits and that this should be delivered by November. It was understood that this discussion was requesting an audit of every region be conducted.
6. The NZC budget currently has a \$10,000 allowance for HR audits. The sufficiency of the budget nor the capacity of staff to deliver this task were discussed as part of the NZC deliberations.

Discussion - Kōrerorero

7. Following consideration of the NZC resolution, staff determined that the audits should be conducted by a qualified health and safety auditor. Additionally, the best approach was to undertake a pilot audit and take learnings from this into the development of wider schedule of audits.
8. An audit scope was developed (attached at Appendix 1) and a certified health and safety auditor was shouldered to conduct one health and safety audit of the Northland Council.

9. The quote for this single audit is attached as Appendix 2. This quote shows that the estimated cost for one audit is \$5,500. The audit has not been conducted at the time of writing this report, however the results should be available by the time of the August Council meeting and will be tabled at the meeting. The cost of the audit will fall in the 2024/25 financial year.
10. Based on a cost of \$5,500, NZC staff believe that we could conduct three further health and safety audits in the next financial year at a cost of \$15,000. This is achievable within the current fiscal envelope if we carry over the remaining money from this year's health and safety budget ($\$10,000 - \$5,500 = \$4,500$) and combine it with the money earmarked in next year's budget. Audits of all regions would cost in the order of \$50,000.
11. The auditor who is undertaking the Northland pilot audit suggested that 4 audits covering 2 large and 2 small regions will be sufficient to develop an initial view of whether regional policies and processes meet legislative requirements. This would also be sufficient to provide us with a baseline to build on as finances permit.
12. It is proposed that the three additional regions selected are North Canterbury and the Westcoast (to be conducted on one trip) and Auckland/ Waikato.
13. It is acknowledged that only conducting four audits will not give as fulsome a picture as an audit of every region in the country. Additionally, regions that have had an audit conducted will have a rich picture of the steps they need to take to improve their practice while regions who have not had an audit will not have the same level of information. However, the national budget position is challenging and \$35,000 would have to be found from other line items in to facilitate this spend.
14. A basic procurement process will be undertaken to select a health and safety auditor to conduct the remaining three audits. Staff will establish some key criteria for selection and approaching at least three suppliers to see who can provide the best value for money.

Options- Ngā kōwhiringa

15. The Council may elect to:
 - a. Continue with the full audit programme at a cost of \$50,000 (of which \$35,000 is unbudgeted and \$4,500 is carried over from the current budget).
 - b. Proceed with the reduced audit programme at a cost of \$15,000 (staff recommendation). This includes \$4,500 to be carried over from the current year to next year and the reconfirm the 2025/26 budget line item of \$10,000 for audits. Or
 - c. Cancel the health and safety audit programme recognising the risks this creates for the development of the national health and safety framework.

Considerations for decision-making - Whai whakaaro ki ngā whakataunga

Financial Implications

16. The financial considerations are:

- | | |
|---|-----------------|
| a. Cost of an audit with each region: | |
| i. \$1000 per day (3 days) | \$3000 |
| ii. \$150 for report writing (average 6 – 8 hours) | \$1200 |
| iii. Plus expenses - travel, accommodation (average \$200 p.d) | |
| b. Budget required for all regions to be audited within 12 months | \$50,000 |
| c. If we reduce the audits to 3 regions | \$15,000 |

Legislative Implications

17. Health, Safety & Wellness standards are set by the HS&W legislation of 2015 (and the updates). It is important that we meet all the standards set by the legislation.

Section 4 Treaty Responsibilities

18. There are no treaty responsibilities

Policy Implications

19. This project fits with the NZC programme of work and with the requirement of Fish & Game to meet legislation

Risks and mitigations

20. Work Safe, Maritime and CCA all identify Fish & Game as a single organisation under the H&S legislation. Therefore, the requirement for compliance to be consistent across all regions is important

21. The audits

- a. Meet the requirement of NZC; and
- b. Enable a comparison of HS&W compliance with NZC policy and legislation

Consultation

22. Northland has agreed to be the pilot for this project. Following the report back on the pilot, other regions will be consulted to determine the timetable for each audit.

Scope

Fish & Game Regional Office Health and Safety Audit

Purpose

The purpose of Fish & Game Regional Office Health and Safety Audits (the audits) are to:

- review compliance in accordance with Fish & Game New Zealand Policies and Procedures, legal requirements, and recognised best practices.
- identify and consider the risks associated with activities and practices and review the management of risks and hazards
- ensure that contractors and service providers consider and address relevant health and safety legislation and practices.
- confirm the suitability of systems and document controls for health and safety documentation.
- proactively review activities and associated control measures, and provide recommendations for improvement, where appropriate.

Scope

The audits are to cover:

1. Occupational Health and Safety Policy

including assessing whether there is a regional health and safety policy, whether it includes a commitment to comply with relevant legislations and Fish & Game New Zealand directive, whether it is appropriate to the nature and scale of the region's risks, whether it demonstrates a commitment to establish measurable objectives and targets to ensure continued improvement aimed at eliminating work-related injury and illness, whether the policy is documented, implemented, communicated to all councillors/employees/volunteers and maintained; whether it is accessible to all interested parties; and whether it is renewed periodically.

2. Identification of hazards, assessment and control of risks

Including whether the region has developed, implemented and documented a methodology for hazard identification, risk assessment and control of risks, based on its operational experience.

3. Responsibility and Accountability

Including whether the region has defined, documented and communicated the areas of accountability and responsibility (including with respect to contractors).

4. Training and competency

Including whether the region has, in consultation with employees, identified training needs in relation to performing work activities competently and whether procedures are in place to ensure that identified competencies are developed, maintained and documented. Whether training is carried out by persons with appropriate knowledge, skills and experience in health and safety and training. Certifications, where necessary, are recorded and kept up-to-date.

5. Consultation (Employee Engagement)

Including whether there are documented procedures, agreed to by the employees, for employee involvement and consultation in health and safety issues.

6. Control of Risks

Including whether the identified risks/ hazards have been controlled through the hierarchy of controls (elimination, substitution, engineering, administration and PPE). Noting that elimination is the first control of consideration. Whether there is a process for evaluation of hazard/risk identification, assessment and control.

7. Emergency Preparedness

Including whether the region has identified potential emergency situations and developed, implemented and practiced emergency preparedness and response procedures.

8. Monitoring and Measurement

Including whether the region has established monitoring and measuring procedures for the effectiveness of relevant controls, conformance with organisation's targets and objectives; and compliance with relevant health and safety legislation. Whether the monitoring data is reported to the region council on a regular basis.

Fish & Game Bill Legal analysis

New Zealand Fish and Game Council Meeting 176: 29th & 30th August 2025

Prepared by: Helen Brosnan, Senior Policy Advisor, NZ Fish & Game Council

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish & Game Council seeks approval for funding legal advice to assess the Fish & Game Bill and to advise about communicating with licence holders regarding the proposed changes to our advocacy function.

Financial considerations

\$15,000 to be re-purposed from existing "inputs control" funding in the RMA fund

Risk

Low Medium High Extreme

Ngā taunaki -- CEO Recommends

NZC Staff recommend the following motion:

That the New Zealand Fish & Game Council:

1. **Receive** the information included in this paper regarding advocacy in the Fish & Game Bill.
2. **Agree** to fund up to \$15,000 in legal advice for the Fish & Game Bill by re-purposing the "inputs control" funding in the RMA fund.
3. **Agree** to actively inform licence holders of the proposals when the bill is available.
4. **Delegate** to the Acting Chief Executive the authority to engage legal counsel and develop communications materials for licence holders.

Executive Summary - Whakarāpopoto

5. The Minister for Hunting and Fishing has indicated that our functions will change under the proposed Fish & Game Bill.
6. The changes will affect how we conduct advocacy and enforcement work at both the regional and national levels. Professional legal advice is needed to understand the implications and enable informed participation in the select committee process.

Background - Takenga mai

7. Fish & Game currently has advocacy powers under the Conservation Act to protect and enhance fish and game resources and their habitats. This includes participating in statutory planning processes, appearing before courts and tribunals, and advocating for access. The proposed bill will introduce changes to these functions that require careful analysis.

Discussion - Kōrerorero

8. The DoC consultation document outlines several key changes. This table is included in Appendix 1 for your information. The minister has also provided a press release for the next licence holders magazine, which provides an overview of the proposed changes, and this is included in Appendix 2.

The DoC consultation document includes the following changes to advocacy:

9. Item 5 proposes that NZC set a binding advocacy policy for regional councils, with regional councils requiring NZC authorisation for court proceedings.
10. Items 52 & 53 introduce additional considerations for fish and game management, including aviation safety, conservation of native fish populations, and impacts on other natural resources and habitat users.
11. Item 19 proposes reporting requirements for legal proceedings under the Conservation Act.
12. The consultation materials indicate that some aspects remain under development, including funding arrangements, staffing models, and the scope of national advocacy functions. Understanding how these changes will work in practice requires detailed legal analysis.
13. We have included a table in Appendix 3 outlining the advocacy work that we presently do, which includes both formal and informal processes.

Considerations for decision-making - Whai whakaaro ki ngā whakataunga

Financial Implications

14. The \$15,000 for legal advice can be re-purposed from existing "inputs control" funding in the RMA fund, representing no additional budget requirement. Future funding arrangements for advocacy functions will be clarified as the bill development process progresses.

Legislative Implications

15. The Fish & Game Bill will require parliamentary approval and will amend the Conservation Act. Legal advice will help identify how the proposed changes interact with our existing statutory functions and obligations.

Section 4 Treaty Responsibilities

16. Treaty responsibilities have not been detailed in the consultation materials to date. Legal advice will help assess any implications for our Section 4 obligations under the Conservation Act.

Policy Implications

17. Advocacy is central to our organisational strategy 2023-2028 and our statutory mandate under the Conservation Act. Legal advice will enable us to understand how the proposed changes align with our current functions and identify opportunities to influence the legislation to ensure we can continue delivering valuable advocacy work for fish and game resources and licence holders.

Risks and Mitigations

18. The main risk is proceeding without sufficient understanding of the legal implications of the proposed changes. Professional legal advice will enable informed decision-making and effective participation in the legislative process.

Consultation

19. Staff have received updated information from the Minister for Hunting and Fishing following the online meeting for elected members. Regional managers have requested clarity on the organisation's approach to the proposed changes and suggested that licence holders be informed and encouraged to participate in the select committee process.
20. Licence holder communication will occur following Council decisions, with a communications plan developed to support their participation in the democratic process.

Next actions - Ngā mahinga e whai ake nei

21. If agreed, engage legal counsel to review the bill and provide advice on implications, develop a communications plan for licence holder engagement,

monitor DOC communications about the select committee process, and prepare to provide informed input during the legislative process.

Attachments

Appendix 1 - Table from DOC detailing proposed changes, including advocacy

Appendix 2 - Minister's Fish & Game Column

Appendix 3 – Fish & Game's Existing Advocacy Work

[In Confidence]

Appendix One – Schedule of Legislative Amendments for Fish and Game Governance and Organisational Improvements Amendment Bill

Key to abbreviations used in table:

NZC = New Zealand Fish and Game Council; **FGC** = Fish and Game Council;
CA = Conservation Act 1987; **FFR** = Freshwater Fisheries Regulations 1983; **FGCER** = Fish and Game Council Elections Regulations 1990; **SFGMP** = sports fish and game management plan;
WA = Wildlife Act 1953; **WR** = Wildlife Regulations 1955; **TFR** = Taupo Fishery Regulations 2004

No.	Summary of problem	Summary of proposed changes
	Functions	
	Nationwide policy consistency	
1.	<p><i>General</i> NZC is responsible for coordinating the work of FGCs but has no function to develop policies for the work of FGCs. This impedes national coordination of work by FGCs.</p>	<p>The NZC to have the ability to develop national policies for the work of Fish and Game, both NZC and FGCs. These would be non-binding (except for certain specified areas (described below)) to maintain the independence of FGCs in their regional work.</p>
2.	<p><i>Compliance</i> Each FGC can decide its own policy for ensuring compliance with hunting and fishing regulations. This creates inconsistency of treatment across different regions, and raises questions about natural justice.</p>	<p>To create consistency of approach across councils, the NZC, in consultation with FGCs, to set policy binding on FGCs for things such as:</p> <ul style="list-style-type: none"> • How compliance activity is conducted (e.g., standards of behaviour and approach) • How compliance activity is reported • Spatial coverage of compliance work • How to apply any approved infringement policy in different circumstances (the Minister to continue to approve any infringement policy as set out in s.26HA(2) of CA). <p>The NZC, in consultation with FGCs, to set the minimum levels of compliance work undertaken by FGCs for this key activity.</p>
3.	<p><i>Monitoring</i> Each FGC can decide its own policy for resource and activity monitoring in its region, sometimes resulting in incomplete or inconsistent national-level data. This impedes national coordination and prioritisation of effort.</p>	<p>To create consistency of approach for monitoring activity (as set out in s.26Q(1)(a) of the CA) the NZC, in consultation with FGCs, to set policy binding on FGCs for things such as:</p> <ul style="list-style-type: none"> • Standardised methodologies for conducting monitoring activity – including monitoring of sports fish and game resources, licence holder activity and satisfaction, and habitat condition • Spatial coverage of different types of monitoring • Standardised reporting of data. <p>The NZC, in consultation with FGCs, to set the minimum levels of monitoring work undertaken by FGCs for this key activity.</p>
4.	<p><i>Corporate</i> Each FGC sets its own corporate, business, and personnel policies and processes, leading to duplication of effort and inconsistent standards and staff salaries across regions.</p>	<p>To create consistency of approach and systems for corporate activity, the NZC, in consultation with FGCs, to set policy binding on FGCs for things such as:</p> <ul style="list-style-type: none"> • Business processes and systems • Corporate policies • Health and safety (minimum standards)

[In Confidence]

No.	Summary of problem	Summary of proposed changes
		<ul style="list-style-type: none"> Personnel policies (including staff conditions). <p>This will ensure consistency of approach across the organisation, providing greater efficiencies, and enabling better planning and staff management.</p>
5.	<p><i>Advocacy</i> Some FGC advocacy work and court action has been contrary to wider Fish and Game interests, but the NZC has no way to intervene.</p>	<p>To create consistency of approach across councils and protect the interests of Fish and Game as a whole, the NZC, in consultation with FGCs, to set policy binding on FGCs for things such as:</p> <ul style="list-style-type: none"> General advocacy undertaken by FGCs to advance the interests and aspirations of anglers and hunters (including, potentially, a national advocacy strategy) Advocacy undertaken by FGCs via statutory planning processes to advance the interests and aspirations of anglers and hunters FGC appearances before courts and tribunals. <p>To ensure court action is timely but well considered, court proceedings, other than for enforcing offences, may only be filed by regional Fish and Game councils with the authorisation of the National Council or the responsible Minister as appropriate.</p> <p>Additionally, all FGC court action to be subject to the direction of the NZC, except when the FGC is challenging the NZC or another FGC.</p> <p>NZC to be empowered to intervene in local advocacy actions undertaken by FGCs when such actions are contrary to the agreed-upon binding advocacy policy.</p>
6.	<p><i>Sports Fish and Game Management Plans</i> NZC has no ability to determine policy content of sports fish and game management plans (SFGMPS) in the areas where the NZC can set policy binding on FGCs (see above).</p>	<p>To create consistency of approach across councils, the NZC, in consultation with FGCs, to determine minimum provisions for inclusion in draft SFGMPS prepared by FGCs in relation to:</p> <ul style="list-style-type: none"> compliance and enforcement monitoring of resources, and licence holder activity and satisfaction statutory planning processes.
	Functional support	
7.	<p><i>NZC Work Plan</i> The NZC is to have new operational functions and responsibilities, and appropriate transparency and accountability is needed.</p>	<p>The NZC to be required to prepare an annual operational work plan (as FGCs do currently). This will deliver transparency and accountability by providing outcomes and measures to report against (see also rows below).</p>
8.	<p><i>Specialist staff</i> The small size of many FGCs often prevents the engagement of specialist staff, and sharing staff between regions is administratively difficult.</p>	<p>The NZC to have a new function to provide specialist expertise to FGCs – such as planners, ecologists, scientists, lawyers, accountants, etc – who can work across several regions. Such staff may be located in the regions they work.</p>
9.	<p><i>Servicing and reporting</i> The servicing of councillors and business planning and performance reporting need to receive adequate attention and support.</p>	<p>The NZC to have a new function to determine, in consultation with FGCs, minimum work programmes to be implemented by FGCs in relation to the key activities of:</p> <ul style="list-style-type: none"> the servicing of FGC meetings and support to councillors annual business planning and performance monitoring.

[In Confidence]

No.	Summary of problem	Summary of proposed changes
		The NZC to have a responsibility to ensure that FGC minimum work programmes for all key activities (including rows 2 and 3 above) are adequately funded.
10.	<p><i>Templates and timeframes</i></p> <p>Each FGC may decide its own structure and format for work planning, annual reporting, and SFGMPs, which can lead to inconsistencies across councils and make comparisons difficult.</p> <p>Time delays can cause problems in collation work undertaken by the NZC.</p>	<p>The NZC to have a new function to determine the forms and templates to be used by FGCs in all work planning, performance reporting, and SFGMPs.</p> <p>Clarify that the NZC may determine processes and timeframes for work planning, annual reporting and the preparation of Anglers and Game Notices.</p>
	Issuing of licences	
11.	FGCs currently issue all licences, and collect all revenue, requiring multiple handling of money via inefficient redistribution mechanisms.	<p>The NZC to issue all sports fishing and game hunting licences and receive all fee revenue.</p> <p>Licences are currently sold via a central website – licence holders buy directly from website, and licence sales agents sell via a portal to this website. This method of selling licences would continue. The website is operated by a specialist contractor.</p> <p>To maintain clarity, rename “Special licences” as “Special permits” in FFR.</p>
	Allocation of funding	
12.	<p>Allocation of funding (derived from licence fee revenue) among FGCs has been problematic since licences issued by FGCs became valid nationwide.</p> <p>Annual allocation of funding to each FGC (after redistribution by NZC) is based largely on the level of funding received by each FGC in previous years. This means management effort is not always directed to areas of greatest potential benefit to licence holders.</p>	<p>Allocation of funding among FGCs to be determined by the NZC according to a funding model set in secondary legislation (<i>regulations or Gazette to be determined</i>).</p> <p>The funding model (yet to be fully developed) is expected to direct the bulk of funding to FGC regions in proportion to the level of licence holder activity in each region, while ensuring funding for key activities (see above), national research, and NZC work, and include a contestable fund.</p> <p>The NZC to have a new function to develop, in consultation with FGCs, a financial strategy.</p>
Transparency and reporting		
	Performance reporting	
13.	<p><i>Performance measures</i></p> <p>Operational work planning lacks accountability and transparency, and is not aligned with existing annual reporting requirements for Fish and Game</p>	<p>NZC and FGC annual operational work plans to be required to include:</p> <ul style="list-style-type: none"> • A concise explanation of what each class of outputs is intended to achieve • A concise explanation of how the performance of each class of outputs will be assessed. <p>NZC and FGC annual operational work plans to be considered final once dated and signed by the Chair and the Manager of the respective FGC or NZC.</p>

[In Confidence]

No.	Summary of problem	Summary of proposed changes
		NZC and FGC annual operational work plans must be consistent with any approved SFGMP and any binding policy set by the NZC.
14.	<i>Report against performance</i> NZC and FGC annual reporting in CA does not align with NZC and FGC requirements specified in Public Finance Act 1989 and Crown Entities Act 2004.	NZC and FGC annual reports to each contain statements of performance against the performance expectations in their annual operating plan. Each FGC annual report to be dated and signed by the FGC Chair and FGC Manager before submission to NZC.
15.	<i>Full reporting on enforcement</i> FGCs must report annually on enforcement activity under an infringements system, but not on actions leading to court action (complaints from public, adherence to procedures, etc)	Requirements on FGCs to report annually on enforcement work under any infringement system to be expanded to cover all enforcement work.
16.	<i>Combined annual report</i> NZC and each FGC is independent and provides its own separate annual report to Minister, none of which are reviewed individually, or across Fish and Game as a whole. (For example, there is no equivalent to the annual select committee reviews of Crown agencies.)	The NZC to compile NZC and FGC annual reports (currently 13 in all) into a single annual report for the Minister to present to the House. The NZC combined annual report be required to: <ul style="list-style-type: none"> • Contain the statements of performance against performance expectations for the NZC and each FGC (as provided by each FGC); and • Summarise any discrepancies between the performance and performance expectations of the NZC and each FGC; and • Provide an overall review of Fish and Game (all 13 councils) as a whole. The NZC combined annual report to be dated and signed by the NZC Chair and NZC Manager before submission to the Minister.
17.	<i>Information to enable coordination</i> The NZC has been hindered in its coordination role by FGCs declining to provide information necessary for coordination and oversight of Fish and Game work. FGCs have not been fully informed of NZC activities.	The NZC to have a clear oversight function and a new power to require Fish and Game Councils to provide information on request (for the functions where the NZC sets binding policy) related to: <ul style="list-style-type: none"> • financial information • performance reporting information • compliance information (including actions of enforcement officers) • monitoring information and data • matters relating to adherence with corporate policies, including personnel policies (subject to Privacy Act considerations for staff employed by the FGC rather than the NZC). FGCs to have a power to require the NZC to provide information on request (for the functions where the NZC sets binding policy) related to: <ul style="list-style-type: none"> • financial information • performance reporting information • compliance information (including actions of enforcement officers)

[In Confidence]

No.	Summary of problem	Summary of proposed changes
		<ul style="list-style-type: none"> • monitoring information and data • matters relating to adherence with corporate policies, including personnel policies (subject to Privacy Act considerations for staff employed by the NZC rather than the FGC) • matters relating to the development by the NZC of binding policies.
18.	<p><i>Information to inform audits</i></p> <p>NZC has a function to audit the activities of FGCs but lacks the necessary power to require FGCs to provide financial information to NZC, thus preventing NZC fulfilling its role.</p>	<p>The NZC to have a function to audit the activities and performance of FGCs, and of Fish and Game as a whole. An FGC must provide any information (including financial, performance, or other information on its activities, assets or liabilities) that is requested by the NZC as part of an audit.</p>
	Reporting to DOC	
19.	<p>DOC is not always aware of circumstances and results of legal proceedings under CA, despite having accountability for operation of Act</p>	<p>NZC and FGCs to be required to report to DOC on circumstances and results of all legal proceedings made under the CA, as is currently required under WA.</p>
	Modernising Fish and Game	
20.	<p><i>Communication with licence holders</i></p> <p>Fish and Game can have difficulty communicating with licence holders on matters of interest, including consultation on proposed Anglers and Game Notice conditions, and advising of SFGMP reviews.</p>	<p>Provide that, in addition to newspapers, Fish and Game may place public notices and consult with licence holders via electronic methods, Internet sites (with free public access) and by emailing eligible voters (who have provided an email address when buying a licence) or other electronic notification (e.g. subscription via website).</p>
21.	<p><i>Online meetings</i></p> <p>There is uncertainty about legality of NZC and FGC meetings held online.</p>	<p>Allow NZC and FGC meetings to be held online, and votes taken (including electronically), as if meeting was in person.</p>
22.	<p><i>Role clarity</i></p> <p>There has been uncertainty within Fish and Game about the NZC's role in processes for approvals of SFGMPs, Anglers Notices, and Open Season for Game Notices. Anglers Notices and Game Notices are becoming unnecessarily complex and different between regions, but there is also a need to maintain FGC independence over local resource management decisions.</p>	<p>NZC to collate and edit (form, readability and useability only) Anglers and Game Notices before submitting them to the Minister for approval.</p> <p>NZC may provide independent advice to the Minister on the sustainability (e.g. will the resource become depleted), suitability (e.g. is there a good rationale for a particular condition), and consistency (within and between regions) of Anglers and Game notice conditions recommended to the Minister by FGCs. However, the NZC will not be able to amend or decline the substance of Anglers and Game notices prepared by FGCs before submission to Minister.</p> <p>NZC may provide independent advice to the Minister on the suitability of provisions in draft SFGMPs submitted to the Minister for approval by FGCs.</p>
	Ministerial powers	
23.	<p><i>Review function</i></p> <p>Minister has no explicit function to review the operations or performance of FGCs and NZC</p>	<p>Minister to have a function to review operations and performance of Fish and Game as a whole, or individual FGCs or the NZC at any time.</p>

[In Confidence]

No.	Summary of problem	Summary of proposed changes
		NZC and FGC to be required to provide any information requested by the Minister as part of a review, including any financial, performance, or other information on their activities, assets, or liabilities.
24.	<i>Anglers Notice amendment</i> Minister cannot amend an Anglers Notice before approving it – unlike for a Game Notice where the Minister can amend before approving	Minister to be able to either approve a draft Anglers Notice or amend the draft notice before approving.
25.	<i>Game Notice amendment</i> Minister cannot amend an approved Game Notice until after season begins.	Minister to be able to amend an approved Game Notice before or during the Open Season that it relates to.
Governance		
Eligibility to vote in elections		
26.	<i>Everyone may vote</i> Only adult whole-season licence holders may currently vote; this excludes many licence holder interests. Licence holders must also ask to be listed on the electoral roll, creating an impediment to future participation in elections.	All New Zealand residents who have held an adult sports fishing or game bird hunting licence in the three years leading up to a Fish and Game election to be eligible to vote in that election. Buyers of licences to be automatically included on electoral roll, rather than needing to ask to be on roll. The partner of the holder of a family whole-season licence to be able to vote in FGC elections.
27.	<i>One vote only</i> Licence holders currently vote in the regions they buy their whole-season licence(s) from, and if they buy their fishing and hunting licences in different regions, they may vote in elections for two regions.	Licence buyers to be required to select a voting region for election purposes when buying a licence, and no longer able to vote in two regions. Where a person purchases more than one licence to hunt or fish in the three years before an election, the FGC region specified at the time the most recent licence was purchased shall be the region they are entitled to vote in. Where a region is to be divided at the time of an election (as part of a reorganisation of regions and boundaries), the NZC must ask eligible voters for that region which new region they wish to vote in.
28.	<i>No subregions</i> The current subregions do not deliver local representation as voters vote for candidates in all subregions and a candidate can stand anywhere.	Remove provisions for Fish and Game regions to have subregions.
29.	<i>Electoral roll maintenance</i> FGCs must maintain electoral rolls, but in practice this has long been done centrally	NZC to maintain electoral rolls rather than FGCs.
Elections procedures		
30.	<i>Allow electronic voting</i> The CA provides for electronic (online) voting, but the FGCE do not.	Electronic voting to be provided for in regulations. Voting papers able to be provided via email and Internet links, in addition to via post.

[In Confidence]

No.	Summary of problem	Summary of proposed changes
	The requirement for alphabetical listings on ballot papers favours candidates with surnames earlier in alphabet, affecting election outcomes.	Remove requirement for election candidates to be listed alphabetically by surname on ballot papers.
31.	<i>Publicity for elections and rolls</i> Elections and results currently advertised only via newspapers. Personal contact details are currently publicly available via electoral roll.	Elections and election results to be advertised also via electronic methods, Internet sites (with free public access), and by emailing eligible voters (who have provided an email address when buying a licence) or other electronic notification (e.g. subscription via website). Align voter privacy with modern expectations and privacy principles by making elector contact details (postal and email addresses) included on electoral roll no longer publicly available.
32.	<i>Keeping elections aligned</i> The discharge of a FGC would currently result in that FGC having future elections at different times to all other FGC elections	FGC election timing to be kept aligned across all regions in the event of a council being discharged by Minister. A council elected to replace a discharged council to hold office only until the next three-yearly elections (unless this would result in a term of less than 1 year, in which case the term shall be until the end of the term and for an additional 3 years.
	NZ Council membership	
33.	NZC will have increased functions and responsibilities. FGCs may replace their NZC representative at any time, which leads to NZC members focusing on maximising benefits for their FGC, not all licence holders nationally. NZC may replace its Chair at any time for any reason, creating policy continuity risks.	The NZC to be comprised of the Chairs of the FGCs, in recognition of the additional roles and responsibilities. To deter FGCs changing their NZC representative frequently (creating policy and governance continuity difficulties): <ul style="list-style-type: none"> • If a FGC replaces its Chair, the FGC must advise the NZC and Minister in writing of that replacement and the reasons for that replacement • If the NZC replaces its chair, the NZC must advise the Minister in writing of that replacement and the reasons for that replacement. The NZC and FGCs to appoint their own Chairs as currently.
	FGC membership	
34.	<i>Council size</i> The current size of 12 councillors per FGC is too large given the level of decision making required.	Each FGC to have up to eight elected members (not including co-opted or appointed members).
35.	<i>Include wider interests</i> Criteria for FGC membership are too narrow, and exclude many anglers and hunters from being councillors (and exclude the interests they might represent)	Any resident adult who has held a sports fishing or game bird hunting licence in the three years prior to an election to be eligible for election to a FGC. The partner of the holder of a family whole-season licence (held in the three years prior to an election) to be eligible for election in FGC elections.
36.	<i>Updated "fit and proper person" test</i> Current criteria whereby people are deemed unsuitable to hold FGC membership are too narrow – convictions for offences involving	A person is to be not eligible to stand for election to a FGC (or remain a councillor if in office) if they: <ul style="list-style-type: none"> • Are an undischarged bankrupt

[In Confidence]

No.	Summary of problem	Summary of proposed changes
	firearms, freshwater habitat, or any freshwater fish are as relevant as existing matters; matters from s.30 of Crown Entities Act 2004 are also relevant.	<ul style="list-style-type: none"> • Have been convicted of an offence involving freshwater fish, or game, or protected wildlife, or freshwater habitat, or the use of firearms (whether an offence under the CA or any other Act) • Have been convicted of an offence punishable by imprisonment for a term of 2 years or more, or who has been sentenced to imprisonment for any other offence, unless that person has obtained a pardon, served the sentence, or otherwise suffered the penalty imposed on the person • Are disqualified under another Act. <p>MoJ Criminal record check and public register check to be required of all election candidates to confirm eligibility prior to election (paid for by the FGC and facilitated by returning officer). Candidates to also sign a statement to that effect.</p> <p>(Note that committing an <u>infringement</u> offence would not prevent someone from standing for election.)</p>
37.	<i>Councillors not to be employees</i> Allowing people to be both councillors and employees can create accountability problems	No FGC or NZC councillor to be able to be an FGC or NZC employee while the councillor is in office.
38.	<i>Avoiding immediate re-election</i> If a person is removed from a FGC by the Minister there is nothing preventing them being immediately re-elected to office.	If an elected councillor has been removed from office by the Minister, that person is to be ineligible to be a FGC member for a period of three years from the date of removal (i.e. a full term stand-down).
39.	<i>Declaration of previous removal</i> If a person has previously been removed from office by the Minister, there is no requirement for electors to be advised of this.	If an elected councillor has previously been removed from office by the Minister (for any reason) and that person stands again for election, they must advise electors of the previous removal.
40.	<i>Remedying skills gaps</i> Elected FGCs sometimes lack the full range of skills required for good decision-making	Minister may appoint up to two members (additional to elected members) onto a FGC. Such appointed members to be entitled to vote on any matter, but may not be elected as the FGC chair by the council members.
41.	<i>Transparency of resignation</i> Any FGC member may resign by writing to Minister only, and NZC may not be immediately aware of situation and potential issues.	Any member of a FGC may at any time resign from a FGC by writing addressed to the Minister, signed and dated, with a copy to the FGC and NZC.
42.	<i>Non-democratic process to fill vacancies</i> Process for replacing elected FGC members who resign is not democratic.	At any election, all vacant positions must be filled unless there are fewer eligible candidates standing than vacancies. A FGC can choose to fill a vacancy or vacancies, or not, by election at any time during its term if the number of its elected members is below eight but at or above a minimum of three.

[In Confidence]

No.	Summary of problem	Summary of proposed changes
		A FGC must hold an election to fill all vacant positions if FGC membership falls below the minimum number of three elected members.
43.	<i>Member of multiple FGCs</i> It is possible for someone to be elected as a member of two FGCs at the same time, and potentially the chair of both leading to potential uncertainty about NZC voting rights.	Fish and Game councillors to be prohibited from serving on more than one Fish and Game Council at the same time.
	Behaviour while in office	
44.	<i>Removal of councillor for “just cause”</i> Circumstances under which Minister may remove a councillor from office are outdated and not aligned with similar legislation	The Minister to be able to remove any member of a FGC from office at any time for any “just cause”, including misconduct, inability to perform the functions of office, neglect of duty, and breach of any of the collective duties of the FGC or NZC or the individual duties of FGC or NZC members (depending on the seriousness of the breach).
45.	<i>Standards for conduct of meetings and councillors</i> Conduct of FGC meetings and behaviour of some councillors has often been less than optimal, including in relation to conflicts of interest	Ensure council meetings and councillor conduct is consistent with good public entity standards and practice, including noting and taking account of conflicts of interest, by enabling the Minister to establish by notice in the <i>Gazette</i> : <ul style="list-style-type: none"> • rules for the conduct of all NZC and FGC meetings • rules for the conduct of all NZC and FGC councillors while performing their duties. Compliance with these rules to be mandatory for all council meetings and councillors.
	Fees and expenses	
46.	<i>Expenses</i> FGC and NZC members cannot be reimbursed for expenses.	Enable NZC and FGC councillors to be reimbursed for actual and reasonable expenses (funded from licence fee revenue) incurred in performing functions as a councillor.
47.	<i>Fees</i> Elected FGC and NZC councillors will continue to be volunteers, but FGC councillors appointed by the Minister will also be unable to receive remuneration for their services.	Enable Ministerial appointees to FGCs to be paid meeting fees in accordance with Cabinet Fees Framework (funded from licence fee revenue). Elected FGC councillors and NZC members to continue to be volunteers, but the Minister to retain the ability to pay councillors in future (enabled by a regulation process).
48.	<i>No compensation for loss of office</i> Remove any entitlement to compensation or payment if no longer a council member.	An NZC or FGC councillor who leaves or is removed from their position as a councillor shall cease to be paid and will not be entitled to compensation for loss of office.
	Mergers of Fish and Game Regions	
49.	<i>Enable regional mergers</i> Currently, mergers of FGC regions are not feasible as the CA does not have the provisions needed to manage assets, end councillor terms of office, etc.	Minister to have power to alter or merger FGC regions, and consider requests for mergers from FGCs (no change from current powers). When regions are merged or altered: <ul style="list-style-type: none"> • The Minister to be able to allocate and transfer assets as Minister considers appropriate. • All proceedings by or against an FGC may be continued.

[In Confidence]

No.	Summary of problem	Summary of proposed changes
		<ul style="list-style-type: none"> Land Registrars be empowered to give effect to any transfer of land. All fishing and hunting licences, Anglers Notices, Game Notices, and SFGMPs in respect of affected regions to continue in force until their expiry, replacement or cancellation. <p>All councillors of a region that is abolished to continue to hold office until the end of the three-year term of office and (for clarity) at the election the old council(s) and region(s) cease to exist, and new ones come into existence.</p>
50.	<p><i>Minimum number of regions</i> Too many regional mergers could leave NZC with too few councillors, or FGCs with insufficient local knowledge</p>	Number of Fish and Game regions to be no fewer than 7 and no more than 12.
Needs of other interests		
51.	<p><i>Treaty partners</i> Treaty partners sometimes wish the periodic transfer of sports fish to isolated fisheries to cease, to meet cultural objectives. Minister responsible for Fish and Game currently has no ability to prevent this.</p>	The Minister to have a new power to prohibit the transfer of live sports fish to a location where the species already exists.
52.	<p><i>General functions</i> FGC management to maximise angler and hunter benefit often overrides the needs of other interests, and has sometimes impacted aviation safety and threatened native fish</p>	<p>The FGC function to manage, maintain, and enhance sports fish and game resources in the recreational interests of anglers and hunters to become <u>subject to</u> the following:</p> <ul style="list-style-type: none"> ensuring aviation safety is not compromised ensuring the conservation of isolated populations of threatened native fish is not impeded having regard to the impact of management on other natural resources and other users of the habitat
53.	<p><i>Provisions in SFGMPs</i> Similar to the above, the current requirement for sports fish and game management plans (SFGMPs) to maximise angler and hunter opportunities often overrides the needs of other interests</p>	<p>Have new requirement that SFGMPs must include provisions to:</p> <ul style="list-style-type: none"> ensure aviation safety is not compromised ensure the conservation of isolated populations of threatened native fish is not impeded describe how any conflict between sports fish and game management and “other natural resources and the needs of other users of the habitat” (i.e. non-hunting interests) will be managed.
54.	<p><i>Require compliance with policy</i> FGCs have not always complied with their approved sports fish and game management plans and there has been no way to make them comply.</p>	<p>Have a clear requirement that FGCs and NZC must comply with:</p> <ul style="list-style-type: none"> any approved SFGMPs any General Policies under conservation legislation any binding policy determined by the NZC (applies to FGCs only).
55.	<p><i>Empowered to manage game</i> FGCs have a function to manage game birds but lack the powers needed to manage game birds</p>	Director-General of Conservation to be able to delegate to FGCs the DG’s powers to directly manage game birds

[In Confidence]

No.	Summary of problem	Summary of proposed changes
	impacting farm crops or aviation safety. Requiring case by case permits from DOC is impractical.	impacting crops, etc, subject to any conditions specified by the DG. The DG would be able to revoke the delegation if an FGC used the delegation inappropriately or in ways contrary to any conditions required by the DG.
56.	<i>Enable establishment of commercial preserves</i> Authorisation of commercial upland game preserves currently requires an Order in Council, which is an unnecessary level of process.	Commercial upland game preserves to be authorised by Notice (in the same way that non-commercial preserves are authorised).
Other matters and removal of spent provisions		
57.	<i>Creation of Separate Act</i> There is a need to better recognise Fish and Game's role as a key organisation in the hunting and fishing sector.	Create a standalone Fish and Game Act, maintaining all necessary linkages with CA and other legislation (as modified by the reforms elsewhere in this schedule) but making no other changes to policy.
58.	<i>Appointment of staff</i> The CA has NZC and FGC councillors appointing all staff, not only NZC and FGC managers	Clarify that elected councillors appoint managers, and that managers appoint other staff (making current practice lawful) Appointments of managers and staff to be subject to staff policy determined by NZC (see above).
59.	<i>Use of money from court fines</i> Section 46(7A)(b) of CA largely restricts the uses of fines recovered to the operation of hatcheries.	Align with similar provisions in WA such that money from court fines under CA may be applied for purpose of any FGC functions.
60.	<i>Remedy appointment gap</i> Sections 26FA(1) and (2) of CA allows appointment for the purposes of the CA but not the Wildlife Act.	Allow appointments of enforcement officers for the purposes of WA also.
61.	<i>Update headings</i> Sections 26H and 26W of CA call NZC and FGCs "Crown Entities" when they are no longer such.	Update cross-headings to reflect current legislation (Public Entity status).
62.	<i>Remove transition provisions</i> Provisions relating to Transitional Fish and Game Council became spent over 30 years ago.	Remove spent provisions relating to transitional Fish and Game Councils from FGCR.

Fish & Game Column – Releasing October 1 (Start of Fishing Season)

In 2023 National released the country's very first hunting and fishing policy, which prioritised the establishment of the world's first ever Minister of Hunting and Fishing. The creation of that portfolio was set in motion by Todd McClay, who became your Minister, and then set about immediately work on the policies we were given a mandate by New Zealand hunters and anglers to implement. I have now inherited that role and am moving forward at pace with significant reforms to modernise Fish & Game, strengthening public access to hunting and fishing resources, and instigating work on giving statutory force to the concept of valued introduced species.

My first steps as Minister was to meet with every Fish & Game Regional Council to get a sense of their priorities and offer my support for any initiatives that make it easier for Kiwis to go hunting and fishing in New Zealand. I enjoyed the opportunity to connect with all our regions and hear directly about the issues you want addressed. The conversations I've had with passionate anglers and hunters have been energising and reaffirmed my belief of the huge potential to make positive change in the sector. We need to better support those wanting to get out on the water and fish, or into the maimai for a shoot. Both are activities which directly support our Government's economic growth agenda.

A key priority in the first half of this year has been to progress reforms to the structure and functions of Fish & Game, to modernise the organisation. To be frank, most punters don't see Fish & Game as individual, autonomous regions. When they buy a licence in Auckland, they use it to fish in Rotorua. When they meet up with their mates on opening day, they come from multiple regions to enjoy a day's hunting in Otago, like I and others did this year at Sinclair Wetlands in Waihola. The actions of one region, positive and negative, reflect on the entire organisation.

It was clear to me that after years of reviews and extensive feedback, the current system no longer meets a modern view of what Fish & Game should and does do, and a new way forward was required to strengthen the organisation.

I should be clear at the outset. I entered into these reforms with two fundamental beliefs. First, regions are best placed to manage and control the hunting and fishing settings within their area, including the prioritisation and allocation of licence holder fees. That must and will be protected.

Second, the rights of licence holders to receive value for money for the compulsory fees they pay to hunt and fish in New Zealand must be protected. Hunting and fishing is part of our cultural fabric. It connects generations, binds communities, and puts food on the table for many families.

Fish & Game has served Kiwis for decades. It's unique in that it is funded by licence holders, not directly by taxpayers. That independence is a strength, and we're not

touching it. These reforms are about ensuring that legacy is protected, so it can continue to operate well for many years to come.

At the heart of the reforms is governance. Fish & Game's structure is fragmented, with 12 regional councils sometimes pulling in different directions from the national purpose. This has led to inconsistency in decision-making, internal dysfunction, community disconnect and distrust, and inefficient use of licence revenue. The disconnect from licence holders is particularly concerning, with voter turnout for regional council elections low, undermining the democratic accountability of councillors.

We are moving towards a more unified model, with the New Zealand Council providing corporate services, strategic direction, better accountability for regional performance, and a stronger, more professional voice for licence holders at the national table.

Hunters and anglers should expect high standards of governance, just as you would in any organisation entrusted with millions of dollars of your licence fees.

Key changes include:

- Clarifying the roles and responsibilities so regional Fish & Game councils focus on delivering hunting and fishing opportunities on the ground, with the New Zealand Council responsible for administrative tasks, HR, and corporate policies.
- Shifting to a nationalised fee collection system to reduce double handling of licence fees and ensuring funding follows the statutory obligations of the regions, activity pressure, and the differing resource demands of regions with different natural resources.
- Making more licence holders eligible to vote and stand in Fish & Game elections and requiring councillors to comply with professional standards.
- Requiring more transparency from the national body to regional councils.
- Strengthening the existing requirement for councils to consider the interests of other stakeholders such as farmers and the aviation sector in decision-making.
- Requiring New Zealand Council to establish a national advocacy policy and restricting court proceedings to within that policy to avoid unintended reputational damage to the organisation.

Additionally, a stand-alone Fish & Game Act will be created, to better recognise the organisation's contribution to helping New Zealanders hunt and fish and to give it some standing and mana in the statutory framework.

Extensive work has gone into these long-overdue reforms. Thank you to everyone involved for their feedback to ensure we strike the right balance of improving the national management of hunting and fishing resources, while maintaining local control

over those resources. We are on track to introduce legislation later this year, with the opportunity for you all to submit to the select committee and share your views on how we can further strengthen and enhance Fish & Game as an organisation.

Wishing you all a great fishing season ahead.

Q&As:

Will the changes diminish Fish and Game's advocacy function?

Fish & Game Councils will continue to advocate locally, following consultation on the binding advocacy policies set by the New Zealand Council.

This will ensure its advocacy actions are coherent, consistent, and benefit licence holders. It will also be required to consider other interests, like aviation safety and the conservation of threatened native fish, in their decision-making and advocacy efforts. Court proceedings will be subject to the approval of the New Zealand Council.

Is Fish & Game being centralised?

No. My intention with these reforms is to free up administrative costs on regional councils and encourage more shared services so they can do what they do best. Several councils are already considering similar arrangements under the current structure, and they will be able to continue to be able to do so under the proposed reforms.

Regional councils will retain authority over local hunting and fishing conditions and be able to focus on improving opportunities for their hunters and anglers. The New Zealand Council will provide general direction to ensure greater cohesion.

Will Fish & Game lose funding as a consequence of the changes?

No. Fish & Game is funded primarily from licence fees and does not receive government funds. The New Zealand Council, made up of representatives from the regions, will play a greater role in managing revenue, reducing inefficiencies and ensuring funds are directed where they are needed most.

Ideally with shared services and administrative efficiencies, regions could be financially better off under these reforms as we focus more on service delivery and less on administration and paperwork.

Does the reform impact how I can get my game bird/fishing licence?

The reform does not change how or where you can buy your licence. You will still be able to purchase your licence online, by phone, at Fish & Game offices, or through your local retailer. What is changing is how the licence fee will be then collected and distributed, and the double-handling involved in that process.

When will these changes come into effect?

We intend to pass legislation in mid-2026, followed by phased implementation. Changes will be rolled out over a transition period, taking into account Fish & Game's elections and financial cycles to minimise potential disruptions to the organisation's day-to-day activities.

Why enact a stand-alone Fish and Game Act?

Fish & Game is currently governed by a complex regulatory framework. Creating a stand-alone act will make it easier to understand what rules apply to the entity and how to comply with them. It would also formally acknowledge Fish & Game's important role in the hunting and fishing sectors.

The creation of this is not intended to alter existing functions or responsibilities of the Department of Conservation.

Fish and Game Legislation that Provides for Advocacy and What We'd like to be Consulted on

Legislation	Topic / Issue	Formal / Informal
<p>Conservation Act NZCF&G <i>26C (1) (k) to perform such other sports fish and game functions as the Minister may require.</i> <i>26C (1)(g) to advocate generally and in any statutory planning process the interests of the New Zealand Fish and Game Council and, with its agreement, of any Fish and Game Council in the management of sports fish and game, and habitats</i> <i>26F (3) For the purposes of section 26C(1)(g), the New Zealand Fish and Game Council shall be entitled to appear before courts and tribunals in New Zealand and be heard on matters affecting or relating to the Council's functions.</i></p> <p>F&G Regions <i>26Q Functions of Fish and Game Councils</i> <i>(1) The functions of each Fish and Game Council shall be to manage, maintain, and enhance the sports fish and game resource in the recreational interests of anglers and hunters, and, in particular,—(see list)</i> <i>(1) (b)to maintain and improve the sports fish and game resource—</i> <i>(i)by maintaining and improving access; and</i> <i>(1) (e) in relation to planning,—</i> <i>(i)to represent the interests and aspirations of anglers and hunters in the statutory planning process;</i></p>	<p>Formal Consultation sought with DOC:</p> <ul style="list-style-type: none"> • Settlement Act Agreements involving angling and game bird habitat. • Concessions involving exclusive capture situations and game bird / angling habitat • Concessions involving water storage and hydroelectric power schemes • Concessions involving fish passage proposals in Trout habitat • Concessions involving waterbodies e.g. mining and quarrying operations in or near habitat of game birds and sports fish. • Concessions involving windfarms adjoining game bird habitat. • Future development of Area Plans and identification of sports fishing and game bird values and recreational opportunities relating to these values. • New biking tracks near game bird habitat and trout spawning streams. • We are asking DOC to consult us on any proposed exchanges and disposals and the Stewardship Land Review so that game bird hunting and angling values can be considered in these processes. • Policy and proposals involving RAMSAR sites that F&G are managers of or owns land adjoining. 	<p>Formal and Informal</p>

<p><i>26S (7) For the purposes of section 26Q(1), a Fish and Game Council shall be entitled to appear before courts and tribunals in New Zealand and be heard on matters affecting or relating to the Council's functions.</i></p>	<p>F&G consults with parties seeking special permissions and authorisations to remove sports fish.</p>	
<p>Wildlife Act <i>44D Functions of Board (NZ Game Bird Habitat Trust Board)</i> <i>The Board shall have the following functions:</i> <i>(a) primarily to improve New Zealand's game bird habitat and secondarily to improve the habitat of other wildlife:</i> <i>(b) to identify and evaluate areas of New Zealand worthy of protection, restoration, improvement, creation, or procurement primarily as game bird habitat and secondarily as habitat for other wildlife:</i> <i>(c) to negotiate, where appropriate, the protection, restoration, improvement, creation, or procurement of game bird habitat with landowners:</i> <i>(d) to receive submissions and applications from any person or organisation within New Zealand for the protection, restoration, improvement, creation, or procurement primarily of game bird habitat and secondarily of habitat for other wildlife, and to evaluate each submission or application for the purpose of determining whether or not to support it:</i> <i>(e) to promote and provide advice to prospective applicants on the protection, restoration, improvement, creation, or procurement of habitat suitable for game birds and associated wildlife.</i></p> <p><i>Section 44E Powers of Board</i></p>	<p>Fish and Game also advocate on game bird habitat issues as provided for in the Conservation Act.</p>	<p>Formal and informal</p>

<p><i>b) advocate the interests of the Board at any public forum or in any statutory planning process</i></p> <p><i>(5) The power conferred by subsection (2)(b) shall include the right to appear before courts and tribunals in New Zealand and be heard on matters affecting or relating to the Board's functions.</i></p>		
<p>RMA S95(e) Consent authority decides if person is affected person</p> <p>(1) For the purpose of giving limited notification of an application for a resource consent for an activity to a person under section 95B(4) and (9) (as applicable), a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).</p> <p>(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—</p> <p>(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and</p> <p>(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and</p>	<p>Resource Consents See the qualifier in s95(e) relating to controlled and RD activities and check. Therefore, more likely to apply to Discretionary and Non-Complying activities.</p> <p>Fish and Game are interested in being an affected party on the following applications:</p> <ul style="list-style-type: none"> • Hydro Electric and water storage dams in rivers that contain trout habitat. • Water takes, particularly in catchments where overallocation exists in trout habitat. • Intensification of farming systems in degraded catchments that involve trout habitat. • Gravel extraction, particularly over winter in trout spawning waters • Form and function consents involving changes to river and vegetation on the banks that form habitat for trout (these are often controlled activities so check regional rules). • Diffuse and point source discharges to salmonid habitat • All of the above as they relate to wetlands that are game bird habitat. • Structures in waterbodies that may impede fish passage where there is trout habitat. 	<p>Formal and informal pre application discussions</p>

	<ul style="list-style-type: none"> • Subdivision that affects public access to waterbodies that provide habitat for trout and salmon 	
RMA Policy	Fish and Game will review all RMA policy both at regional and national level, National Environmental Standards, Regulations, relevant legislation amendments. We will focus on similar issues to those listed for consents above.	Ongoing meetings and formal processes
<p>Fast Track Act 2024</p> <p>S53 Panel Invites Comments on Substantive Application S53 (2) (h) the owners of the land to which the substantive application relates and the land adjacent to that land; and</p> <p>(i)the occupiers of the land to which the substantive application relates and the land adjacent to that land unless, after reasonable inquiry, an occupier cannot be identified; and</p> <p>(k)relevant administering agencies;</p> <p>(m)if the approvals sought in the substantive application include—</p> <p>(ii)an approval described in section 42(4)(e) (concession), the persons listed in clause 5 of Schedule 6:</p> <p>(iii)an approval described in section 42(4)(g) (conservation covenant), the persons listed in clause 44 of Schedule 6:</p> <p>(iv)an approval described in section 42(4)(h) (wildlife approval), the persons listed in clause 4 of Schedule 7:</p> <p>(vi)an approval described in section 42(4)(l) or (m) (access arrangement), the persons listed in clause 5 of Schedule 11:</p> <p>(3) Comments may be invited from any other person the panel considers appropriate.</p>	<p>Fish and Game are interested in being consulted on the following applications particularly:</p> <ul style="list-style-type: none"> • Land that we own or manage • Solar Farms • Wind farms near game bird habitat • New hydroelectric power schemes involving trout habitat • New mines involving trout habitat • Water storage dams where this could enable intensification in already degraded catchments. • Irrigation schemes in already degraded and overallocated catchments that involve trout habitat. • Large scale subdivisions in proximity to fish and game bird habitat 	Formal

Reserves Act	Fish and Game are a requiring authority for some pieces of land. Therefore, consultation is required for issues relating to this land.	Formal
Overseas Investment Act	June 2024 Ministerial directive has removed new public access priority. We have asked for this benefit to New Zealand be re-introduced and that Fish and Game and Herenga a Nuku are consulted about opportunities for new access to waterbodies.	Informal
Biosecurity Act	Fish and Game recently submitted to proposed amendments as they relate to our license holders.	Informal
Arms Act	Fish and Game recently submitted to proposed amendments as they relate to our game bird licence holders.	Informal
Local Government Act	Fish and Game would like to be consulted on proposals to close Unformed Legal Roads that could negatively impact on access to game bird hunting and angling access. In practice District Councils have a public notification process and don't have to formally notify Fish and Game of such proposals.	Informal

Revised Research Subcommittee Terms of Reference

New Zealand Fish and Game Council Meeting 176

Prepared by: Ros Connelly, Policy and Governance Advisor, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

The purpose of this report to the New Zealand Fish and Game Council is to consider a revised Terms of Reference (ToR) for the Research Subcommittee

Financial considerations

Nil Budgetary provision / Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – Recommendations

That the New Zealand Fish and Game Council:

1. Agree to the revised Research Subcommittee Terms of Reference provided in Appendix 2.
2. Reconfirm membership of the Research Subcommittee

Background - Takenga mai

1. At the New Zealand Fish and Game Council meeting in June 2025, staff were asked to consider the Terms of Reference (ToR) for the Research Subcommittee, given an ongoing lack of clarity around its role.
2. It had been noted that the current ToR straddled the line between governance and operations. Additionally, the functions outlined in the ToR rely on members having professional research expertise – a condition that cannot be guaranteed on an ongoing basis.

Discussion - Kōrerorero

3. The current Terms of Reference of the Research Subcommittee (attached as Appendix 1) identifies the entity as a sub-committee of the New Zealand Council. This puts the subcommittee into the realm of Governance. However, clauses b) and c) spell out tasks that sit in the delivery space. Thus, blurring the lines between governance and operations.
4. Put simply, ‘Governors govern, and staff give advice and deliver on agreed actions.’
5. Currently, the Terms of Reference identifies three tasks for the Research Subcommittee:
 - a) Develop and recommend to NZC a research strategy that complies with approved priorities and objectives.
 - b) To evaluate and revise, as necessary, the research application process and make recommendations to NZC.
 - c) Consider research applications with the NZC CEO and make recommendations to the NZC.
6. Only the first of these functions can appropriately be considered to be a Governance function.
7. The Institute of Directors (IOD) defines the role of Governance Members as:

[Governors] set the vision and long-term goals of the organisation. This includes the strategy to achieve that vision, as well as the monitoring of the strategy implementation. [Governors] play an important role in ensuring the organisation complies with all necessary legislation and remains financially solvent.

It is important to note that [governors] DO NOT replace the management team. In fact, there is a very important distinction to be made between them. [Governors] supervise and complement the role of the management team by

offering long-term planning, financial oversight, and inside knowledge. In contrast, the management team is concerned with the operational running of the business.

8. Additionally, the Office of the Auditor General (OAG) identifies eight elements of effective governance, with Element 2 being:

Element 2: Have clear roles and responsibilities that separate governance and management

The roles and responsibilities of each party, including governing board members, shareholders, management, staff, and other parties (such as stakeholders) must be clearly defined. Clear roles and responsibilities make the differing interests transparent and foster effective decision-making.

9. However, the guidance provided by the Institute of Directors and the Auditor General suggests that there are additional Governance functions that should be fulfilled by the Research sub-committee. These are around evaluating the success of the strategy and recommending improvements.
10. Therefore, the following tasks are recommended to be included in the TOR of the Research Subcommittee:
- a) The adoption of a research strategy that complies with approved policies and priorities
 - b) A performance framework and a set of financial and performance metrics that determine whether the research strategy is being achieved.
 - c) The risks and issues that could prevent the fulfilment of the research strategy and recommend suitable risk mitigations.
 - d) The outcome and the significance of the research conducted against the objectives in the Research strategy and, annually, make recommendations for changes to the strategy, organisational policy and/ or performance framework.
11. These tasks clearly separate the task of administering the research functions (staff) from the task of determining the direction of organisational research and auditing whether the research achieves the identified objectives (governance). This differentiation of tasks will foster transparency and allow better decision-making and accountability. This is particularly important if NZC is to employ a research staff position (although this is currently undetermined following the funding situation).
12. The Draft revised TOR is provided in Appendix 2.

13. Note that the ToR (both the existing and the proposed versions) include a membership of at least three members. For this reason, it is proposed that the membership of the Research Subcommittee be reconfirmed and three members appointed.

Considerations for decision-making - Whai whakaaro ki ngā whakataunga

Financial Implications

- 1 There are no direct financial implications; however, a properly functioning governance committee with staff who are accountable for delivery will lead to optimisation of the research spend and better value for money.

Legislative Implications

- 2 There are no legislative implications.

Section 4 Treaty Responsibilities

- 3 There are no Te Tiriti o Waitangi implications.

Policy Implications

- 4 The revised Terms of Reference create a delineation between Governance and Operations, which is consistent with organisational policy and best practice.



31 January 2024

**Terms of Reference for the Fish and Game New Zealand Council (NZC)
Research Sub-Committee**

1. The name of the committee shall be the NZC Research Sub-Committee.
2. The committee will consist of three NZC Councillors and shall elect a chairperson.
3. The committee shall be a sub-committee of the NZC with the option to consult external experts.
4. The purposes of the committee are to:
 - a) Develop and recommend to NZC a research strategy that complies with approved priorities and objectives.
 - b) To evaluate and revise as necessary the research application process and make recommendations to NZC.
 - c) Consider research applications with the NZC CEO and make recommendations to the NZC.
5. The committee shall be bound by the Governance Policies of the NZC, the Conservation Act 26C(c), Local Government Official Information and Meetings Act 1987 and the Official Information Act, and by relevant sections of any amendments or replacements.
6. The committee shall be funded by the NZC budget.
7. The committee shall report on its activities to the NZC aligned with the meeting schedule of the NZC.



11 August 2025

**Terms of Reference for the Fish and Game New Zealand Council (NZC)
Research Committee**

1. The name of the committee shall be the NZC Research Committee.
2. The committee will consist of three NZC Councillors and shall elect a chairperson.
3. The committee shall be a sub-committee of the NZC with the option to consult external experts.
4. The purposes of the committee are to advise the NZC on:
 - a) the adoption of a research strategy that complies with approved policies and priorities
 - b) a performance framework and a set of financial and performance metrics that determine whether the research strategy is being achieved.
 - c) the risks and issues that could prevent the fulfilment of the research strategy and recommend suitable risk mitigations.
 - d) the outcome and the significance of the research conducted against the objectives in the Research strategy and, annually, make recommendations for changes to the strategy, organisational policy and/ or performance framework.
5. The committee shall be bound by the Governance Policies of the NZC, the Conservation Act 26C(c), Local Government Official Information and Meetings Act 1987 and the Official Information Act, and by relevant sections of any amendments or replacements.
6. The committee will be supported by relevant national office staff and funded to the extent provided for in the NZC budget.
7. The committee shall report on its activities to the NZC at least once per annum: initially for confirmation of the research strategy and then annual performance updates with recommendations for improvement.
8. The continued existence of the Committee shall be reviewed at the beginning of each triennium following Fish & Game elections.

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

Budget Recommendation

New Zealand Fish and Game Council Meeting #176

For Decision

Prepared by: Jill Muench, Finance Manager, Fish & Game

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish and Game Council seeks approval for the 2025 26 Budget Recommendation

Financial considerations

Nil

 Budgetary provision

 Unbudgeted

Risk

Low

 Medium

 High

 Extreme

Ngā taunaki - Staff Recommendations

That the New Zealand Fish and Game Council:

- 2 **Approve** the 8 funding applications to the value of \$293,449 approved from Reserves
- 3 **Approve** the Total Base Budgets of \$12,606,870.
- 4 Consider the approval of the NZC business cases totalling \$386,000 from Reserves

Takenga mai - Background

- 1 In July 2025 the Minister for Hunting and Fishing indicated that there would be no increases in licence fees for the 2025-26 year.
- 2 The budget has therefore been revised to the baseline for 2024-25 plus an increase of 2.5% for inflation.
- 3 Eight business cases were approved at meeting 174 in April 2025. Together the business cases requested an additional \$293,449 in funding.
- 4 In addition, NZC proposed 6 business cases which were approved representing \$386,000 in additional funding above the baseline. It is now proposed that these business cases be funded from NZC's reserves.

Projects formerly approved from licence Fee	
Project	Proposed funding
New Research Position	\$100,000.00
Increased Licence Costs 36K	\$36,000.00
Licence System RFP	\$50,000.00
Extra Magazine postage	\$50,000.00
RMA Fund Topup	\$100,000.00
Research Fund Topup	\$50,000.00
Total	\$386,000.00

- 5 LEQ forecasts recommended is 72,975 (last year 72,826 for Fish) (refer 24/245 Licence reforecast agenda item)
- 6 LEQ forecasts for Game 30,601 (last year 31,340)

Region	Extrapolated Fish 2025-26	Extrapolated Game 2026
Northland	618	1506
Auckland Waikato	3838	6436
Eastern	9005	2567
Hawke's Bay	3010	1888
Taranaki	1217	950
Wellington	2846	3214
Nelson		
Marlborough	4136	844
North Canterbury	10180	2576
West Coast	2200	363
Central South		
Island	12366	1914
Otago	15479	3923

Southland	8080	4420
NZC		
	72975	30601

- 7 Net Income from Licence Fees and Interest forecast with the above Licence fees is \$12,539,308

Table 2: Net Income Summary 2025/26			
	Net Licence		
	Income	Interest	Net Income
Northland	220,027	6,421	226,448
Auckland\Waikato	1,096,173	4,479	1,100,652
Eastern	1,410,546	19,820	1,430,366
Hawkes Bay	566,924	16,456	583,380
Taranaki	246,513	7,756	254,269
Wellington	668,435	12,306	680,741
Nelson-Marlb	616,821	2,821	619,642
Nth Canterbury	1,564,396	10,300	1,574,696
West Coast	320,133	7,688	327,822
Central SI	1,787,729	27,360	1,815,088
Otago	2,379,278	25,308	2,404,586
Southland	1,461,788	20,185	1,481,972
NZC only	0	39,646	39,646
National	0	0	0
Non Resident licence uplift	0	0	0
TOTAL	12,338,764	200,544	12,539,308

- 8 The Revised expenditure budget including one-offs from Reserves totals \$12,900,320.

National Budget	Net licence & Interest		Revised Budget				One Off Funding from Reserves	Ongoing Funding from Reserves	Revised Budget 25/26 (inc from Reserves)
	Income 25/26	Original Base Funds 25/26	Base funds 2024-25	from licence fee	Inflation adj 2.5%	Base Fund for 25/26			
Northland	226,448	610,346	592,081	592,081	14,802	606,883	0	0	606,883
Auckland/Waikato	1,100,652	966,026	881,824	881,824	22,046	903,870	0	0	903,870
Eastern	1,430,366	1,370,026	1,305,544	1,305,544	32,639	1,338,183	8,000	0	1,346,183
Hawkes Bay	583,380	473,059	434,624	434,624	10,866	445,490	87,000	0	532,490
Taranaki	254,269	427,292	427,816	427,816	10,695	438,511	0	0	438,511
Wellington	680,741	851,300	848,388	848,388	21,210	869,598	0	0	869,598
Nelson-Marlb	619,642	590,269	564,125	564,125	14,103	578,228	0	0	578,228
Nth Canterbury	1,574,696	1,064,645	1,009,935	1,009,935	25,248	1,035,183	39,000	0	1,074,183
West Coast	327,822	424,000	375,951	375,951	9,399	385,350	33,250	0	418,600
Central SI	1,815,088	1,030,235	945,235	945,235	23,631	968,866	85,000	0	1,053,866
Otago	2,404,586	1,324,478	1,240,968	1,240,968	31,024	1,271,992	0	0	1,271,992
Southland	1,481,972	885,171	823,059	823,059	20,576	843,635	41,199	0	884,834
NZC only	39,646	1,513,516	1,280,486	1,280,486	32,012	1,312,498		0	1,312,498
National	-	1,598,715	1,569,350	1,569,350	39,234	1,608,584		0	1,608,584
TOTAL	12,539,308	13,129,078	12,299,386	12,299,386	307,485	12,606,871	293,449	-	12,900,320

Kōrerorero - Discussion

Whai whakaaro ki ngā whakataunga - Considerations for decision-making

Financial Implications

We are currently forecasting a deficit of \$67,562. This will be funded from reserves across the 13 entities.

Net Licence Sales									12,338,764
Interest									200,544
Total Income									12,539,308
Less Approved Budget									12,900,320
Incl inflation 2.5%									
Less One-off Funding from Reserves									(293,449)
Total Surplus/(Deficit)									(67,562)

Table 5: Reserves Forecast as at 31 August 2026 - Based on Fish \$156 and Game \$116						
	Forecast Reserves Aug 2025	Use of Reserves	Forecast Reserve 31/8/26	Reserves required 20% of Budget	Top up Required to achieve 20% Reserves	Adjusted Reserves to no less than 20% 31/8/26
Northland	214,033	(3,252)	207,899	121,377	0	207,899
Auckland/Waikato	149,287	(4,844)	140,151	180,774	40,623	180,774
Eastern	660,651	(15,172)	639,125	267,637	0	639,125
Hawkes Bay	548,535	(89,387)	457,032	89,098	0	457,032
Taranaki	258,546	(2,350)	254,114	87,702	0	254,114
Wellington	410,195	(4,660)	401,405	173,920	0	401,405
Nelson-Marlb	94,030	(3,099)	88,185	115,646	27,460	115,646
Nth Canterbury	343,326	(44,548)	293,251	219,132	0	293,251
West Coast	256,274	(35,315)	219,129	77,070	0	219,129
Central SI	911,992	(90,192)	862,199	193,773	0	862,199
Otago	843,587	(6,817)	830,730	254,398	0	830,730
Southland	672,820	(45,720)	623,094	168,727	0	623,094
NZC/NAT	1,559,679	(15,655)	1,530,154	584,216	0	1,530,154
TOTAL	6,922,955	(361,011)	6,546,468	2,533,469	68,083	6,614,551

Legislative Implications

9. None

Section 4 Treaty Responsibilities

10. None

Policy Implications

11 Financial policies that include the use of reserves.

Risks and mitigations

12 That Fish and Game remain a financially stable organisation.

Consultation

13 All regions have been consulted.

Infringement Notice System Implementation

New Zealand Fish and Game Council Meeting 176: 29TH & 30th August 2025

Prepared by: Anthony Van Dorp, Compliance Coordinator, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish and Game Council seeks approval to circulate the draft Infringement Notice Compliance & Enforcement Policy and supporting documents for regional consultation prior to implementation of an infringement notice system.

Financial considerations

Nil Budgetary provision / Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – CEO Recommends

NZC Staff recommend the following motion:

That the New Zealand Fish and Game Council:

1. Receive the information.
2. Agree to consult on the draft Infringement Notice Compliance & Enforcement Policy and supporting documents with all Fish & Game regions.
3. Note that a further report will be presented to the next NZC meeting with consultation feedback and final recommendations.

Executive Summary - Whakarāpopoto

1. Fish & Game has developed a comprehensive Infringement Notice Compliance & Enforcement Policy to enable the issuing of infringement notices for minor offences under the Conservation Act 1987 and Wildlife Act 1953.

2. This system would provide an intermediate enforcement option between warnings and full prosecutions, reducing costs and court time whilst maintaining compliance outcomes.

Background - Takenga mai

3. Following the Conservation (Infringement System) Act 2018, Fish & Game was included in legislation enabling infringement notice systems.
4. Section 26HA of the Conservation Act requires Fish & Game NZ to develop a policy that must be approved by the Minister of Conservation (now delegated to the Minister for Hunting and Fishing) before any infringement system can operate.
5. The draft policy has been developed based on the Department of Conservation model and peer-reviewed by multiple enforcement agencies.

Discussion - Kōrerorero

6. The infringement notice system would replace most current prosecution and diversion processes for minor offences.
7. The briefing paper attached as Appendix 1 discusses in extensive detail the background and development of the system.
8. Key benefits include significant time and cost savings, consistency in outcomes, and keeping low-level offenders out of the court system.
9. The system would operate post-field investigation with notices issued by specifically warranted staff.
10. While infringement fees go to the Crown rather than Fish & Game, the operational savings are substantial.

Considerations for decision-making - Whai whakaaro ki ngā whakataunga

Financial Implications

6. Implementation will require technology platform costs and staff training. While initial setup costs are unbudgeted, significant ongoing savings in prosecution preparation, court costs, and staff time are anticipated to offset implementation expenses.

Legislative Implications

7. Ministerial approval under Section 26HA of the Conservation Act is required before the infringement system can operate. No other legislative changes are needed.

Section 4 Treaty Responsibilities

8. The proposal has no implications inconsistent with NZC's Treaty obligations under Section 4 of the Conservation Act.

Policy Implications

9. The infringement system aligns with Fish & Game's modernisation objectives and current enforcement priorities, providing more efficient and consistent compliance outcomes.

Risks and mitigations

10. Risk of regional non-participation could undermine consistency. This will be addressed through comprehensive consultation and highlighting operational benefits.

Consultation

11. All Fish & Game regions will be consulted on the draft policy documents. Regional feedback will inform final recommendations to Council.
12. Consultation will occur following this Council decision, with outcomes reported to the next NZC meeting.

Next actions - Ngā mahinga e whai ake nei

13. If agreed, the consultation process will commence immediately with all regions, targeting completion to enable decision at the next NZC meeting.

Background

In 2018, the Fish & Game New Zealand Council made submissions to the Parliamentary Select Committee on the Conservation (Infringement Systems) Bill. Fish & Game submitted in support of the Bill and lobbied strongly for Fish & Game councils to be included in the legislation to enable the issuing of infringement notices for offences against the Conservation Act and Wildlife Act.

The Bill was developed primarily to enable the Department of Conservation to move to an infringement notice system in an effort to streamline and modernise their compliance and prosecution system.

The focus of the submissions was that the ability to issue infringement notices would save time and cost to Fish & Game, and deal with lower-level offences at a level which is proportionate and reflective of the overall degree of seriousness and keep less serious offenders out of the court system, and thereby also saving court time and court costs.

Fish & Game submitted that the fees from notices should be retained by Fish & Game councils to offset costs of compliance and dealing with those matters, especially given that Fish & Game is user pays and not funded by Central Government.

Politicians were concerned about Fish & Game Councils using an infringement notice system for revenue collection. As a result, a decision was made that if Fish & Game were included in legislation permitting the use of infringement notices, the fines collected would be paid to the Crown Consolidated Account, not returned to the Fish & Game Council issuing the Infringement Notice.

It was agreed, however, in relation to Fish & Game, that the ability to issue infringement notices would be desirable to keep lower-level offenders and offences out of the court system and that use of such a system would save significant prosecution and court costs and time.

Subsequently, Fish & Game was included in the Bill provisions, and legislation was passed to enable Fish & Game councils to issue infringement notices, once approved to do so by the Minister of Conservation.

For this to progress, section 26HA of the Conservation Act requires Fish & Game NZ to develop an Infringement Notice and Compliance and Law Enforcement policy. The Minister of Conservation must approve this policy before any infringement system can be operated.

A policy as described has been drafted based on the DOC model, to be consistent with DOC processes, and was peer reviewed by several agencies, including Police, Fire and Emergency, MPI, SPCA, and DOC. These are all agencies that use Infringement Notice systems.

If an Infringement Notice (I.N) system were introduced, Infringement Notices would not be issued in the field by rangers but would be issued later after required checks and

assessments of the alleged offence(s) have been carried out. Systems to issue notices do not cater for the field issue of notices. Field issue of a notice in any event is a significant officer safety trigger point, and issuing a notice without a complete assessment of the offence and offender, as required by the Solicitor-General's Prosecution Guidelines, may lead to errors. There is no disadvantage to later processing and issuing an infringement notice by post. Selected staff will be warranted specifically to authorise issuing infringement notices.

Work was carried out in 2019 on a draft MOU with the Ministry of Justice, to allow for a link with MOJ and electronic filing of notices when fines have not been paid, so that MOJ can deal with those matters as with any other unpaid fines, or where a hearing is requested by a person who has been issued an infringement notice.

A preliminary investigation has been conducted to determine the necessary technology for operating an infringement notice system, but little progress has been made. There has been some advice that, at a basic level, the Xero system could possibly operate an infringement notice system.

Update on current situation

Within Fish & Game, there is some dissatisfaction at I.N fines not being paid to Fish & Game. However, use of an I.N system will lead inevitably to significant cost and time savings to councils, and if a system was in use, at some point after having used the system for a period of time submissions could be made for a review of this situation to allow for fines or at least a significant portion to be returned to Fish & Game councils. However, this would require an amendment to the Conservation Act, as Section 51Z stipulates that all infringement fees paid must be paid into a Crown Bank Account.

The matter of the cost of setting up an I.T system to issue and manage infringements is also a consideration. The Department of Conservation operates an infringement notice issuing system based at Rotorua. It is possible that Fish & Game could utilise this system to issue infringement notices on its behalf, rather than setting up a parallel system. It is understood that the DOC system may have sufficient capacity to issue additional infringement notices. Discussions would be required with DOC in relation to this.

Infringement fines are set by the Conservation (Infringement Offence) Regulations 2019, and the Wildlife Regulations 1955, by schedule, and Fish & Game (NZ Council) did make submissions to fine levels.

Fine levels as set by regulations range from \$200 to \$800, depending on the offence involved. Fishing without a licence, hunting without a licence, breach of angler's notice, and breach of game notice offences are all set by regulation at \$400 fines. While it is arguable that these fine levels are at the lower end of the scale compared to what some Fish & Game councils are requiring when operating diversion schemes, the purpose of infringement fines is to deliver what is essentially a 'short, sharp shock' to offenders. This, along with gear seizure when the offence is dealt with, acts as a deterrent. If an infringement notice system were implemented, it is suggested that a comprehensive review of the anglers' notice

should be undertaken to ensure that all regulations in force, which could be proceeded against be infringements, are necessary and of merit.

While legally Fish & Game councils can choose not to use an I.N system, if such a system is operating, it would be extremely desirable for credibility and consistency that all regions were dealing with offences in the same manner. Courts would also look poorly on filing charges for matters which could be dealt with via an I.N system, unless there was a good reason to file court charges.

The current Solicitor General's Prosecution Guidelines make it clear that the use of diversion schemes in a manner such as is operated by Fish & Game Councils is legally questionable, in that there is a fine line between the discontinuation of prosecution on the condition of monetary payment and diversion being a true alternative arrangement. The Solicitor General's Prosecution Guidelines, in the section 'Avoiding Unlawful Bargains' states:

A plea arrangement or diversion is likely to be unlawful where the reparation payment is the primary or pivotal reason for amending the charge or offering diversion.

It should not follow that the only criteria for successfully completing diversion is the ability of the person to pay the diversion amount of money, which is required; otherwise that they then default to prosecution.

At least one Regional Crown Solicitor's office has declined to act for a Fish & Game council in regard to conducting prosecutions of offenders with diversion due to concerns about the Fish & Game diversion scheme. Usually, diversion schemes operated by other agencies, if involving donations, have those donations made to an external charity and the funds are not administered by the agency operating the scheme. Fish & Game is unusual in this respect, as regions administer the funds paid in diversion donations, although ensuring that those funds do go back into non-operational areas, such as things that benefit the community as a whole.

Diversion is usually only offered to first offenders (those who have not come to Fish & Game notice before, or who have old historic and or unrelated convictions). The Solicitor General's Prosecution Guidelines, in the section dealing with assessing the Public Interest in a prosecution and in relation to young or first offenders, says:

Young people and first offenders. *Entry into the criminal justice system has been proven to have long-term negative impacts on a defendant, even if they are not convicted. The fact a person has been charged (and may be subject to bail conditions) can make it more difficult to retain employment and housing. Where the offending is not serious, those who do not have any prior convictions (and therefore may be disproportionately impacted by a decision to bring a prosecution) should be dealt with in an alternative manner if possible.*

This is relevant to the discussion around an infringement notice system and why it should be adopted by Fish & Game. Even if diversion is offered to first offenders, in some cases, offenders simply do not have the ability to make diversion payments or donations, and Fish & Game Councils generally have very limited ability to offer alternative diversion arrangements or conditions to payment of the donation amount. In many cases, this then

means that the person defaults on completing diversion and they then fall into the Criminal Justice system with the prosecution then taking its course.

Benefits of an Infringement Notice (I.N) System.

- I.N's keep low-level offences and offenders out of the court system.
- Significant savings in prosecution preparation time and costs, as it avoids having to prepare a full prosecution file, file charging documents in court, summons offenders, go through a diversion process (if diversion is used or offered), and subsequent administration, including with the court to have charges dismissed following diversion.
- The present situation is that charges must be filed at the court closest to the location of the offence or nearest to where the offender may be usually found, and this can involve extra cost and inconvenience when the Fish & Game office or prosecution staff are a significant distance away from that court, including engaging external legal representation to appear for Fish & Game at that court if staff are unable or unavailable to appear to prosecute. (Note: presently, only one region routinely has a staff member appear in court to prosecute offences – this being Southland).
- While in many cases diversion prosecutions can be resolved without either the defendant or prosecution having to appear at court, this is not always the case and still involves significant preparation and administration time and costs.
- If a defendant who is summonsed to court does not appear at court or does not take up a diversion offer and subsequently fails to appear, Fish & Game councils presently must either proceed via a formal proof process or seek a warrant to arrest the defendant, whichever is applicable to the offence category filed. This adds to time and expense, and if a prosecutor must be engaged, the costs escalate and can easily get into thousands of dollars of legal costs, which in many cases are not recovered when the matter is resolved.
- It is not uncommon for Fish & Game charges when dealt with at court to have multiple occasions where the matter is called at court, e.g, usually a defendant appears for an initial appearance then is often remanded to a further date or dates. This adds to prosecution costs.
- The courts generally see most Fish & Game type offences as low level especially when compared to the bulk of the criminal matters before the courts daily, and therefore suitable for alternative resolution to judicial intervention by the courts, such as infringement notice resolution.
- Clearly, when Fish & Game was included in the amendments to the Conservation Act to enable use of an infringement notice system, politically it was also agreed that it is appropriate that most Fish & Game offences would be dealt with by way of infringement notices. Comments at Select committee supported this.
- Use of I.N's ensures consistency in outcomes for similar offending, both in the system used, and in the fine / punishment imposed. At present a major failing of the system of charging offenders and using diversion, as well as matters which progress

through the courts, is the disparity in outcomes. Fish & Game councils have not been consistent in the fees or conditions imposed in diversion for the same offences, which leaves room for criticism, and similarly the Courts have not been consistent either with regard to outcomes.

- Use of I. N's brings Fish & Game into line with best practice with modern law enforcement agencies and brings Fish & Game into line with DOC who have been issuing I. N's for some years now at the Taupo Fishery for offences the same or similar to those dealt with by Fish & Game.
- There is reasonably a public expectation that offences which are the same across the country should be dealt with similarly.
- If infringement notice fines are not paid, the matters simply become outstanding fines matters which are then referred to the Ministry of Justice, and Fish & Game does not need to have any further involvement in the matter unless it somehow proceeds to a court hearing (usually only if the defendant or person receiving the fine elects to have the matter heard at court by pleading not guilty).
- In summary, use of I. N's would lead to very significant savings in time and cost.
- DOC staff who are using I.N's report significantly reduced time spent on offence reporting and file preparation and that the infringement system is working well.

What is needed to build an Infringement System?

- A technology platform to process offences and issue infringement notices to offenders, either owned and operated by Fish & Game or a system which will issue notices on behalf of Fish & Game, and which is linked to the Ministry of Justice by electronic link – not simply email.
- The system must be able to track payments and resolution of matters.
- It must be able to issue reminder notices if fines are not paid within 28 days of issue.
- If fines are not paid after a further 28 days of issue to then be able to refer that outstanding fine to the MOJ fines collection unit via the electronic link.
- To electronically file matters with MOJ where defendants elect a hearing.
- An MOU for this link and information sharing with the Ministry of Justice is required.

If an I.N System is operated by Fish & Game can charges still be filed in court?

- Yes, charges can be filed in court for all offences. However, the expectation should be that the first and preferred option for dealing with an infringement offence is the issuing of an I.N.
- However, there may be reasons why filing a charge is preferred, such as dealing with a recidivist offender, dealing with more serious offences, or where multiple offences have been committed by that offender.

- If forfeiture of gear is deemed necessary then a charge should be filed and forfeiture sought by the court, e.g., in serious matters where it is undesirable for the offender to be able to regain possession of the seized gear.
- If filing charges in court, it is still possible to use diversion – for any offence within reason, but there should be a good reason to not use an infringement notice. If using diversion, forfeiture of gear can be a condition of the diversion agreement.

How would an I.N System operate?

- The draft Infringement Notice and Compliance and Law Enforcement policy relates to the use of infringement notices and sets out guidelines and processes to ensure consistency and that correct processes are followed.
- Rangers field work will remain the same in terms of dealing with offenders including the seizure of gear and subsequent reporting of the offences. Seized gear is held until the offence is resolved; note further comment later in this section around seized gear.
- Infringement notices will not be issued in the field, but the reporting and assessment process will take place first before the issue of an I.N.
- On receipt of a ranger's offence report, the regional compliance officer will assess the file and make recommendations as to resolution to the regional manager, or C.E who in consultation with the compliance officer will decide how to proceed. An option may be to issue an infringement notice. If a notice is to be issued, the information will be forwarded to the processing and issuing point where further checks are made to ensure that the evidential sufficiency and public interest tests are met, and that the issue of an infringement notice is the best option for resolution.
- Essentially issuing an infringement notice is an additional resolution option, but which should replace almost all matters where charges are filed in court. Matters such as obstruction, giving false or misleading details are not infringement offences and will, as a matter of course require charges to be filed in court to proceed with those matters.
- Infringement notices will only be issued where the evidential test, and the public interest test in a prosecution as set out in the Solicitor Generals prosecution guidelines are met; all infringement matters must be to a standard where they are able to be proceeded with in court if the defendant elects a hearing. That is, issuing an infringement notice is not an option where in other circumstances the defendant would not be subject to prosecution. As appropriate, formal warnings should still be issued, along with education for the lowest level of offending.
- Regions will have a Compliance Decision Group – as outlined in the draft policy – to make decisions in technical or complex matters, or where their input is required, such as where there has been difficulty in deciding resolution.
- I.N's can be issued to international based non- residents, by sending to their postal address; and this is how DOC issue infringements to non- residents.

Dealing with Seized Gear

- In regard to seized gear, there is no forfeiture of gear provision when issuing an infringement notice. In most cases this is not of significance, however when an infringement notice is issued, and the offender does not pay the fine, the matter is then referred to the MOJ fines collection unit. At that point Fish & Game enforcement action is for all intents and purposes complete and as the gear is now not required to be retained for evidential purposes an offender can seek return of the seized gear. At this point Fish & Game will have no legal authority to retain the gear. However, the experience of the DOC system is that few if any offenders who have failed to pay the infringement fine will actively seek return of seized gear.
- If an offender pays the infringement fine, they are then written to and advised that they can uplift seized gear within a set timeframe (e.g., 28 days). If the gear is not uplifted, it can be disposed of.
- The Search and Surveillance Act 2012 deals with seized gear matters and requires that if property seized is not required to be retained for investigative or evidential purposes it must be returned to the owner or person entitled to possession of it.
- There is a process to give notice to persons gear has been seized from of an intention to destroy items that had been possessed unlawfully such as gear or equipment. This does not apply to game birds or sports fish which has been taken unlawfully.
- In summary, for most matters where subsequent possible return of seized items is not a problem, issuing an infringement notice would be appropriate.
- However, if it is not appropriate to return the seized gear to an offender, then a charge can be filed in court and an order sought for forfeiture of the gear.

How would an Infringement Notice be issued?

- If Fish & Game was to operate an infringement notice issuing system, the best practice method is to have notices printed (not handwritten) and then posted to the offender's last known postal address.
- Options to process notices and issue them include each region having the I.T system to do this, through to 1 issuing point for the whole country processing all notices for all regions, or engaging another agency that is already issuing infringement notices to issue notices on Fish & Game's behalf.
- If for example utilizing a central issuing point for regions, an option would be for regions to forward the required information to issue the infringement notice to the issuing point electronically. Prior to being issued final gate keeping processes will take place to ensure that issuing an infringement notice is correct and is the most appropriate resolution option.

Relationship of the National Policy on Prosecutions.

- The National Policy on Prosecutions has reference to the infringement notice system and should be read in conjunction with the Infringement Notice and Compliance and Law enforcement policy.

Relationship of the Compliance Policy – Rangers.

- The Compliance Policy – Rangers (draft) relates to the I.N system in that it defines standards and processes and procedures for field work by rangers, in terms of dealing with offences and subsequent reporting.
- Rangers will not issue I.N's in the field in any event, and the Conservation Act prohibits honorary rangers specially from being authorized to issue I.Ns.
- Gear seizure will still occur as usual in order to achieve deterrence and prevent further offending.

Disadvantages of operating an Infringement Notice System.

- The main disadvantage at present is that fines are not to be returned or paid to Fish & Game councils which take enforcement action and issue infringement notices.
- As a user pays organization this is a significant impediment to achieving unanimous agreement to operating such a system.
- However, as outlined it is suggested that the way ahead for Fish & Game as a compliance and enforcement agency is to pursue the use of an I.N system, and to use it well for a period of 2 to 3 years, then make an approach and submission to have the matter of fine retention by the Crown reviewed.
- It would be hoped that this is a relatively short-term disadvantage, which in time is rectified.

Costs to implement an Infringement Notice System

- Further work will need to be undertaken to assess the likely costs of implementation of an I.N system.
- There will be initial set up costs, or if working with an existing agency's system (e.g., DOC's) some costs of that agency issuing notices on Fish & Game's behalf.
- It is envisaged however that the cost savings in prosecution processes should mitigate the costs.

The Department of Conservation experience

- DOC has now been operating an infringement notice system for several years and staff who are using that system report that the advantages of the system are significant in terms of reducing workload in dealing with offences. This enables them to be more pro-active in CLE work and have the potential to direct more resources into field CLE work than dealing with prosecution preparation.
- DOC field staff using this system report that it is quick, simple, and beneficial not only to DOC but also to the public/offenders who receive an I.N rather than having to go through a court or diversion process.
- Fines issued by DOC do not return to DOC, but also go to the Crown Consolidated fund account.
- All DOC infringement notices for the whole country are issued from a central processing point at Rotorua.
- DOC field staff forward offence information to the I.N issuing office electronically. Once the information is sent, as long as everything has been done correctly, in almost all cases that is the last involvement that they have with the matter other than subsequent return of seized gear.

Summary

- As can be seen there are advantages and disadvantages to Fish & Game using an infringement notice system under the present legislated conditions. However, on balance it can be argued that there are far more advantages than disadvantages, especially if Fish & Game is seeking to move ahead as a modern CLE agency.
- The first step in moving ahead with an infringement notice system is to have the draft Infringement Notice and Compliance and Enforcement policy approved by the Minister. This is required pursuant to Section 26HA of the Conservation Act 1987.
- Once approved, options for operating an I.N system should be investigated, including the possibility of working with the DOC system, with notices issued on behalf of Fish & Game.
- If some Fish & Game regions decide to opt out of an I.N system, that is legally permissible even if not desirable.

Anthony van Dorp

Senior Fish & Game Officer

Eastern Region

11/08/2025



Infringement Notice Compliance and Enforcement Policy

CONTENTS

1	PURPOSE.....	3
2	ABOUT THIS DOCUMENT	4
	2.1 Amendments	4
	2.2 Terminology and definitions	4
3	PROCESS.....	5
4	INFRINGEMENT SYSTEM GUIDELINES	5
	4.1 Infringement offences	5
	4.2 Background on infringement offences	6
	4.2.1 What is an infringement offence?	6
	4.2.2 Infringement fees	6
	4.3 Compliance/enforcement consistency	7
	4.4 Deciding the level of compliance/enforcement response	8
	4.4.1 Advocacy, Education and Warnings	8
	4.4.2 Formal Options of Infringement Notice and Prosecution	9
	4.5 Deciding what option to take?	9
	4.6 Should an infringement notice be issued?	10
	4.6.1 Warning/infringement notice/prosecution?	10
	4.6.2 Infringement notice or prosecution?	10
	4.6.3 Scoring Processes	11
	4.7 Who makes the decision?	11
	4.7.1 Decision making roles	11
	4.7.2 The Compliance Decision Group (“CDG”)	12
	4.8 Seizure of property	12
	4.9 Training and authorisation to issue Infringement notices	13
	4.10 National Compliance Database	13
	4.11 Exercise of other Conservation Act and Wildlife Act Powers and reporting	13
	4.12 Annual Reporting	14
	APPENDIX 1 - INFRINGEMENT SYSTEM	16

1	Issuing of notices	16
2	Reminder notices	16
3	Payment	16
4	Other options and defended hearings	17
	Adjudication letters	17
	Defended hearing requests	17
	Hearing as to penalty requests	18
5	Non-payment – collection referrals	18
6	Withdrawal	19
7	Invalid notices	19
APPENDIX 2 - CDG SCORING		20
APPENDIX 3 - COMPLIANCE DECISION GROUP		22
1	Role of the CDG	22
2	When to have a CDG meeting?	23
3	Pre-CDG checklist	23
4	Preparation - What to do?	23
5	The meeting	23
6	What is considered during the meeting?	24
7	The outcome	24
8	Records	24
ATTACHMENT 1 - CDG CHECKLIST		24
ATTACHMENT 2 - CDG FORM.....		27

1 Purpose

This policy is in accordance with the requirements of Section 26HA of the Conservation Act 1987, which relates to:

- The authorisation of specified Fish & Game rangers to issue infringement notices under Section 51W(2) of the Conservation Act 1987 and Section 70V of the Wildlife Act 1953;
- The procedure to be followed by authorised Fish & Game Ranger to issue infringement notices under Section 51W(2) of the Conservation Act 1987; and Section 70V of the Wildlife Act 1953; and
- The exercise of other powers of Fish & Game rangers used to enforce, or ensure compliance with, the Conservation Act 1987 and / or the Wildlife Act 1953, including any regulations made under those Acts.

In order for Fish & Game NZ regions to issue infringement notices this policy must be approved by the Minister of Conservation by notice in the Gazette. On approval of this policy by the Minister the Director of the New Zealand Fish & Game Council may authorise trained and approved Fish & Game rangers to issue infringement notices under the Conservation Act.

This policy includes:

- Training of specific Fish & Game rangers to issue infringement notices;
- Matters around exercise of other Conservation and Wildlife Act powers; and
- Training of Fish & Game rangers in regard to powers and procedures; and
- Annual reporting requirements.

The policy sets out the principles and guidelines which Fish & Game Regions will follow when assessing offences for resolution action and specifically around resolution of offences by issuing of infringement notices. The policy is to ensure that action taken by regions is:

- a. Consistent;
- b. Transparent;
- c. Fair; and
- d. Complies with best practice.

2 About this document

2.1 Amendments

Amendment date	Amendment details	Version	Amended by
27/02/2018	Draft -guidelines		AVD
Feb. 2019	Draft -I.N CLE policy		A van Dorp & J
Mar 2019	Format & edits	(2)	Smyth
05 August 2019	Following peer review	(3)	R Sowman
May 2024	Review and updates	(4)	A van Dorp

2.2 Terminology and definitions

CDG Compliance Decision Group

Made up of the Regional Manager, Region Compliance Coordinator, and National Compliance Coordinator, as required, and any other technical or legal expert as required. The NZ Council Director (CEO) has a role as an arbiter in cases where a decision is unable to be reached by the CDG. The purpose of a CDG is to ensure consistency across regions as to how more complex or serious offences are dealt with, including recidivist offending.

I.N Infringement Notice

Note: An infringement notice may only be issued by a Fish & Game employee (ranger) who is warranted specifically to do this - this is a separate warrant from those held by a Fish & Game officer or ranger.

Director

Means the Chief Executive of the New Zealand Fish and Game Council

Fish & Game NZ

The collective name given to the NZ Fish and Game Council and 12 regional Fish & Game Councils.

Fish & Game Council

Means a Fish & Game Council established under Section 26 P of the Conservation Act 1987.

3 Process

- 3.1 Offence detected.
- 3.2 Offence extremely minor or trivial – no action or a warning and education may be appropriate.
- 3.3 Offence suitable for formal processes and further action; Fish & Game offence notice issued in field. This is the notification to the offender of the alleged offence(s) committed and a receipt for any seized gear (as distinct and different from an 'Infringement notice').
- 3.4
- 3.5 Offence file documentation provided to Region Compliance Coordinator by Fish & Game ranger.
- 3.6 National database checked, offence and offender entered in database.
- 3.7 Compliance coordinator recommends appropriate course to follow to Regional Manager, options include: warning and education, I.N, or consider prosecution, with or without diversion.
- 3.8 Regional Manager authorises I.N in straightforward and minor matters, as determined by the CDG offence checklist (attachment 1).
- 3.9 -More complex matters go to a Compliance Decision Group (CDG) for decision/peer review to determine whether the matter should be dealt with by issuing an I.N or whether a prosecution is the appropriate action to take.

4 Infringement System Guidelines

4.1 Infringement offences

- a. I.N's are intended as a means of dealing with offending which is not serious enough to warrant a full summary prosecution which may result in a criminal conviction.
- b. I.N's sit between warnings / education and prosecutions, so are considered to be an intermediate resolution in the enforcement toolkit.
- c. The use of I.N's and set infringement fees allows Fish & Game Regions (F&G) to quickly and simply resolve minor breaches of the law, while the seriousness of breaching the law is still conveyed to the offender, ensuring future compliance in many cases.
- d. The Conservation Act 1987 following amendment by the Conservation (Infringement System) Act 2018 provides for an infringement system to apply to the primary Acts the Department of Conservation (DOC) administers; and to the regulations, bylaws, and notices made under those Acts. This includes the Conservation Act 1987, the Wildlife Act 1953, Freshwater Fisheries Regulations 1983, Wildlife Regulations 1955, and the associated Angler and Hunting Gazette notices relevant to Fish and Game Councils.

4.2 Background on infringement offences

4.2.1 What is an infringement offence?

- a. Infringement offences are offences in respect of which an I.N can be issued.
- b. Infringement offences are listed within the Conservation Act 1987 and The Wildlife Act 1953.
- c. When an offence is detected, an I.N is a potential response to the offence. No action may be taken, a warning may be issued, an I.N may be issued, or the offence may be proceeded with summarily through the Court where court prosecution is warranted, either where the offence is of a type where an I.N does not apply as an option or where an I.N could apply to the offence type but in the circumstances an I.N is not the most appropriate outcome.
- d. I.N's are not to be issued to anyone under the age of 18 years old. (from 1 July 2019 the youth justice age – definition of Young Person- changed so that persons aged under 18 years old will be dealt with in Youth Court as Youth Offenders pursuant to the Oranga Tamariki Act 1989).
- e. Youth Offenders (those aged under 18 years as of 1 July 2019) are to be warned unless due to the seriousness of the offence and the nature and number of previous offences a warning is clearly inappropriate (Section 209 of the Oranga Tamariki Act 1989). Where a warning is clearly inappropriate, advice is to be taken as to appropriate resolution action.

4.2.2 Infringement fees

- a. Infringement fees for particular offences are set at prescribed levels pursuant to regulations made under the Conservation and Wildlife Acts.
- b. The fees cannot be altered or changed from that set for each offence by Regulation.
- c. If a defendant wishes to dispute the fee payable, a hearing must be held at a Court, and any money payable becomes a normal Court fine. A defendant who disputes the standard infringement fee payable is also likely to incur Court costs in addition to any fine imposed by the Court.
- d. Any financial penalty imposed by the Court (for example if the infringement offence is proceeded with summarily or an I.N is disputed) is called a fine rather than a fee.
- e. Infringement fees resulting from notices issued by warranted employees of Fish and Game Councils that have enforcement functions under the Conservation Act 1987 and Wildlife Act 1953 are payable into the Crown consolidated fund bank account.

4.3 Compliance/enforcement consistency

- a. The response to the level of offending must always be reasonable, transparent and proportionate and Fish & Game regions must act consistently and generally treat like cases alike.
- b. Where action more serious than warning/education is deemed necessary in regard to an alleged infringement offence, the issuing of an I.N is the first level of response and is to be the action taken unless there is reason not to..
- c. Reasons not to issue an I.N, but to consider filing charge(s) and pursue court prosecution include considerations as required by the Solicitor Generals Prosecution Guidelines including :
 - Seriousness of the offence;
 - That the offending involved actual or threatened violence against a Fish & Game ranger acting in the course of his or her duty;
 - The extent of any loss, harm or damage resulting from the offence;
 - Premeditation on the part of the offender and, if so, the level of premeditation involved;
 - The number, seriousness, date, relevance and nature of any previous relevant offending, including matters for which the offender is being sentenced or otherwise dealt with; and
 - Where it is necessary in the circumstances to seek a court order for forfeiture of the gear used in the commission of the offence; and
 - Commercial motivation for offending.
- d. If a matter proceeds to court prosecution that in itself does not prevent the possibility of offering the offender diversion in appropriate cases. Refer to the National Prosecution policy – diversion.
- e. Prosecution even with the option of diversion is not to be used in preference to issuing an I.N unless the intervention of the court is necessary **and** it is deemed that the I.N penalty in the circumstances is too low, and / or an order of forfeiture of seized gear is required.
- f. For non-infringement offences, the response and possible outcomes will be education / warning, or prosecution (with diversion consideration as appropriate).
- g. While every effort will be made to treat like cases alike, there will be situations where different responses may be appropriate. There will be occasions where the circumstances of a situation warrant no action being taken (e.g. the incident is reasonable or excusable in the circumstances and doesn't warrant compliance action). Decisions should be based on sound policy, and defensible judgments, and be in accordance with the Solicitor General's Prosecution Guidelines and the Fish & Game NZ National Prosecution policy. All matters considered for

prosecution (including issuing an infringement notice) must meet the Solicitor-Generals Prosecution Guidelines test for both evidential sufficiency **and** public interest in a prosecution.

4.4 Deciding the level of compliance/enforcement response

Fish & Game New Zealand has a range of options available to resolve situations where offences have been committed.

4.4.1 Advocacy, Education and Warnings

a. Advocacy & Education

- This type of response is appropriate for incidents of very minor non-compliance. The purpose of this response is to advise the alleged offender that non-compliance has been detected and promote the need for compliance to be observed in future and inform them of legal requirements. Resources such as leaflets or brochures may play a significant role in ensuring future compliance.
- Education is a valid and useful tool for use in minor matters where non-compliance was unintentional and / or trivial and educating the offender will achieve a desired outcome without the need for other compliance action. Education may extend to advising of the rules relating to the activity, providing alleged offenders with some understanding of the potential effects resulting from their actions.

b. Warnings

- There may be occasions when non-compliance has been detected but it is not appropriate to issue an I.N. This may occur where there has been a single instance of non-compliance, which was accidental, unforeseen or of a minor nature, but where there is a possibility of future non-compliance if some action is not taken by Fish & Game. A written formal warning advises the offender that they are in breach of the Act, regulation, or notice. It states what section of the Act, regulation, or notice has been breached and advises that no further enforcement action will be taken at this stage, but that the warning will be taken into account should they be involved in further offending against legislation enforced by Fish & Game New Zealand. For the avoidance of doubt, warnings should not be provided either orally and / or 'informally', i.e. all warnings should be formally issued in writing and a record made of it in the national compliance database. Warnings should only be issued where there is clear evidence of an offence having taken place, i.e. 'prima facie' evidence exists.
- A written formal warning is a document recording the non-compliance that can be taken into account by a Court should future non-compliance that results in court action occur.

4.4.2 Formal Options of Infringement Notice and Prosecution

The following options will be appropriate when an alleged offence has occurred, and there is a need to take action to avoid, remedy or mitigate adverse effects, ensure compliance, or provide deterrence and/or accountability. These options should also be accompanied by education and advocacy measures where practicable.

a. Infringement Notice

- An I.N is written notice that an offence is believed on reasonable grounds to have been committed. The I.N requires payment of an infringement fee within 28 days.
- A person subject to an I.N may; elect to pay the fee, write in to Fish & Game seeking withdrawal of the I.N, or dispute the alleged offence or the amount of the fee and seek to have the matter dealt with by a Court hearing.
- The use of I.N's and set infringement fees allows Fish & Game to quickly and simply resolve minor offending. The consequences of such offending are conveyed to the offender in a proportionate and efficient manner, and this will encourage future compliance in many cases.
- The infringement process is described in more detail in Appendix 1.

b. Prosecution

- Prosecution may be appropriate for more serious offending, or for repeat offenders.
- Any potential prosecutions must meet the Solicitor-Generals Prosecution guidelines test in that there must be a reasonable prospect of a conviction, and the prosecution is in the public interest.

4.5 Deciding what option to take?

Covering every contingency is difficult but the following factors will typically be taken into account in deciding on the response to offending:

- a. Seriousness of offending, including premeditation on behalf of the offender and if so, the level of premeditation involved;
- b. Purpose of offending – commercial, recreational, customary etc;
- c. The extent of any loss, damage or harm resulting from the offence;
- d. Explanation by the alleged offender;
- e. Degree of co-operation, remorse, contrition etc by the offender;
- f. Need for forfeiture of seized gear as a deterrent and or to remove illegal equipment and prevent re-use. (Forfeiture of seized property would not be a consequence of an I.N)

- g. Prevalence of the offending;
- h. Public interest factors in sending a deterrent message to the offender and like-minded individuals;
- i. Fish & Game's previous dealings with the offender, e.g. prior warning letters, prior infringement notices, and / or the offender's previous convictions.

4.6 Should an infringement notice be issued?

4.6.1 Warning/infringement notice/prosecution?

When making the decision whether to file a charging document, issue an I.N, or issue a formal warning the following issues will be considered:

- a. Is there credible, sufficient and admissible evidence that an offence has been committed by an identifiable individual?
- b. The degree of seriousness of this offending?
- c. The extent of any loss, damage or harm resulting from the offence?
- d. Has the person previously come to the notice of Fish & Game or other agencies for offences against the Conservation Act 1987 and / or Wildlife Act 1953, including any regulations made under those Acts?
- e. The nature of any explanation as to why they offended.
- f. Was the person co-operative and/or remorseful for their offending?
- g. Is forfeiture of seized property warranted for the offence?
- h. Is a prosecution or issuing an I.N in the public interest?
- i. Is the level of infringement fee for the circumstances appropriate?
- j. Is there anything else that may be relevant?

4.6.2 Infringement notice or prosecution?

When making the decision to issue an I.N rather than bringing a summary prosecution the same questions will be asked:

- a. Within the range of offending is the offence at the less serious end?
- b. Is the person a first offender or a recidivist offender?
- c. Has the person given an explanation of why they offended?
- d. Is the person co-operative and contrite?

- e. Is forfeiture of seized gear necessary for deterrence or to ensure illegal equipment is not able to be re-used?
- f. Is there anything else that may be relevant?

It may still be appropriate and preferable to issue an I.N in many cases, even if it is not a first offence that is being dealt with.

4.6.3 Scoring Processes

A numerical scoring system (appendix 2) has been devised that will give an indication of the severity of the offending, and assist decision making. If the score is low consideration may be given to either warning or issuing an infringement notice. If the score is mid-way, it may be appropriate to issue an infringement notice. If the score is high, it may be appropriate to take a prosecution. The scoring process should be seen as a guide only to assist decision making.

4.7 Who makes the decision?

4.7.1 Decision making roles

- a. Designated warranted Fish & Game employees who have received training in the infringement notice system and relevant legislation and have qualified may receive a further warrant to issue infringement notices for offences. This warrant will be issued by the Director of the New Zealand Fish & Game Council. In most cases this will include the Region Compliance Coordinator, the Regional Manager, and may also include some senior experienced compliance staff as required to ensure the region has adequate capacity to issue infringement notices when required. NB: only a limited number of trained Fish & Game staff will be able to issue infringement notices or authorise the issuing of infringement notices.
- b. In general, the procedure for dealing with offences in the field will not change; whether offences are dealt with by honorary rangers or by Fish & Game staff rangers. Suspected offending will be reported in the usual manner to the relevant Regional Compliance Coordinator following detection of an alleged offence.
- c. Honorary Fish & Game rangers cannot be warranted to issue infringement notices; that is specifically excluded by section 51W(3) of the Conservation Act 1987.
- d. I.N's will not be issued in the field.

- e. The decision as to how to proceed; whether to take no action, issue a written warning, issue an I.N or commence a prosecution, will be made by the Regional Manager in consultation with the Region Compliance Coordinator, with input from the Compliance Decision Group, as appropriate, particularly in more complex or serious matters. When deciding how to process offences the CDG checklist should be referred to ensure consistency.

4.7.2 The Compliance Decision Group ("CDG")

- a. The CDG is made up of:
 - The Fish & Game Compliance coordinator of that Fish & Game region;
 - The Regional Manager of that Fish & Game region;
 - The National Compliance coordinator; and
 - If the offence involves technical or legal issues, an appropriate expert who can address these. This may be a Fish & Game staff member with legal or compliance expertise, or external legal advice.

The Director of the NZ Fish and Game Council has a role as an arbiter if the CDG is unable to reach a decision as to appropriate resolution action.

- b. A CDG guideline is attached in Appendix 3. It sets out what needs to be done and the procedures. Note: CDG meetings may be held by phone or other networking systems, such as Skype / Zoom. CDG meetings are also useful to peer review decisions made at a Regional Manager level.
- c. When a decision has been reached by the CDG, the Regional Manager shall be responsible for signing it off and the Region Compliance officer or staff member responsible for prosecutions shall be responsible for implementing it. A written record of the decision shall be kept on the offence file.

4.8 Seizure of property

- a. If a Fish & Game ranger has reasonable cause to suspect that an offence has been or is going to be committed, they may seize items of property which they believe is or will be used in the commission of that offence, such as fishing and hunting gear. Property which has been seized under the Conservation Act 1987 and / or Wildlife Act 1953 must be securely stored by Fish & Game and held until the matter is resolved.
- b. Upon full payment of the infringement fee or completion of enforcement action, and at which time the seized gear is no longer required to be held for investigative or evidential purposes, the seized and impounded property must be returned to the offender or person entitled to possession of it, subject to compliance with any statutory requirements, including the Arms Act 1983.

- c. Items seized which have been taken illegally, e.g. unlawfully taken sports fish or game birds, are not returned to the offender on payment of the infringement fee.

4.9 Training and authorisation to issue Infringement notices

Employee rangers who are warranted to issue infringement notices must be trained to ensure:

- That they are familiar with this policy.
- That all alleged offences are assessed in accordance with the Fish & Game NZ national policy on prosecutions.
- That all alleged offences are assessed in accordance with the Solicitor General's Prosecution guidelines, i.e. offences meet the requirements of evidential sufficiency **and** that prosecution or issuing an I.N is found to be in the public interest. All offences must be assessed as if they are going to be dealt with in court in a defended hearing- full and complete evidence must exist and a prosecution must be in the public interest.

4.10 National Compliance Database

All Fish & Game regions have access to the Fish & Game New Zealand National Compliance Database. This database records details of all offenders and offences dealt with by Fish & Game Councils including resolution action and outcomes.

The Privacy Act 1993 controls how agencies collect, use, disclose, store and give access to personal information. Information is collected for lawful purposes of compliance, law enforcement, and prosecution functions of Fish & Game NZ, and the collection and holding or storing of the information is necessary for those purposes.

Information held will not be accessed or used for any purposes or in any manner that is incompatible with those purposes with which the information was collected and is held.

When dealing with offenders and considering resolution options the database shall be checked to determine if the offender in question has previously had a history of offending for Fish & Game matters.

To enable accurate information to be obtained from the database all Fish & Game regions shall enter offender and offence information into the database as soon as is practical after dealing with an offender. Once the matter is resolved the database is to be updated to show the outcome.

Updates should be done as soon as possible when offences are resolved and no later than monthly.

4.11 Exercise of other Conservation Act and Wildlife Act Powers Training and Reporting

- All Fish & Game rangers shall be fully trained in the exercise of rangers' powers under the Conservation Act 1987, the Wildlife Act 1953 and regulations made under those Acts. Those powers include in particular:

- Powers pursuant to Section 40A of the Conservation Act 1987, and Section 66A of the Wildlife Act 1953 which are powers to require an offender to supply information including name, address, and date of birth and verification – as each is applicable.
- Powers pursuant to Section 39 of the Wildlife Act 1953, and Section 40 of the Conservation Act 1987, which relate to powers of entry to property, of search, and of seizure of items used or intended to be used in breaches of those Acts, and in seizure of fish and game or other wildlife which has been unlawfully taken.
- Powers pursuant to Section 61 of the Wildlife Act 1953 which relates to persons in pursuit of game to produce licence, along with production of game and equipment used, and pursuant to Regulation 20 of the Freshwater Fisheries Regulations 1983 which relates to the obligation of anglers to produce licence, provide details and produce catch (bag) for inspection.
- All Fish & Game rangers shall receive regular training on powers and field procedures, with refresher training conducted at least annually. Differences in the nature of powers between the Conservation Act and Wildlife Act shall be emphasised, along with the application of those powers to staff and honorary rangers.
- Fish & Game NZ shall maintain and update as necessary a training manual and guide known as the 'Ranger Guide and health and safety manual'. This shall be distributed to all rangers as a training and field procedure guide.
- Use of powers must be proportionate, reasonable and necessary to enable Fish & Game rangers to carry out compliance and law enforcement functions, in particular powers of search, seizure, and of entry to property.
- The exercise of powers by Fish & Game rangers must be necessary to investigate suspected offences, apprehend offenders, and to ensure angler and hunter compliance with the Conservation Act and Wildlife Act.
- Where Fish & Game rangers exercise powers of search, seizure of property, and entry onto private property they must advise their regional compliance coordinator of the exercise of those powers as soon as possible in a report summarising their actions, the circumstances, and the necessity to exercise those powers.

4.12 Annual Reporting

In accordance with Section 261 of the Conservation Act 1987, the NZ Fish & Game council shall report annually to the Minister including:

- A summary of powers exercised during the year by Fish & Game rangers to enforce or ensure compliance with the Conservation Act or the Wildlife Act (including any regulations made under those Acts);
- Identify any complaints received in relation to exercise of those powers;
- A summary of action taken in response to any complaints; and
- Specify whether any powers were exercised in a manner inconsistent with this policy.

To enable the above Regional Fish & Game Councils will provide a summary of the information detailed above in annual reports.

DRAFT

Appendix 1 - Infringement system

1 Issuing of notices

- a. I.Ns shall be issued no later than 3 months after the date of the offence. This is due to the matter that if an I.N fee is not paid a reminder notice must be filed with the court no later than 6 months after the date of the offence, as is required by the Summary Proceedings Act 1957 Section 21.
- b. I.N's shall be posted to the offenders last known postal address / place or residence or usual address.
- c. When a Fish & Game ranger detects an infringement offence the ranger must report the offence to the Fish & Game Compliance Co-ordinator of that Fish & Game region.
- d. I.N's may be issued to international visitors by posting it to their last known postal address / place of residence or usual address in their country of residence.

2 Reminder notices

If the offender has not paid the fee or requested a hearing within 28 days after service of the I.N a reminder notice shall be issued.

- 3 The reminder notice gives another period of 28 days for the fee to be paid or for the offender to request a court hearing.

4 Payment

Infringement fees shall be paid to a Crown Bank account (consolidated fund); the information relating to that will be on the I.N. Infringement fees cannot be paid directly to Fish & Game regions, i.e. Fish & Game regions **should not** receive any payments for I.N's from offenders. In some cases where fees are however paid by offenders to Fish & Game instead of to the Crown account the funds can be held in a Trust account and then paid by Fish & Game to the Crown Bank account.

Payment of infringement fees must be made in full; partial payment or instalment payments will not be accepted. In total offenders have 56 days to pay infringement fees (time period of the initial infringement notice, plus the reminder notice period).

When an Infringement fee is paid, offenders shall produce evidence of payment in full to the relevant Fish & Game region to seek return of any seized and impounded gear.

When the Infringement fee is paid in full the file in relation to the matter shall be finalised and closed.

If the wrong fee amount is paid (under or over payment) offenders will be notified in writing and either refunded the excess or requested to pay the outstanding amount.

Underpayments that are not corrected will be liable for reminder notices and or referral as an unpaid fee to the District Court.

5 Other options and defended hearings

Adjudication letters

- a. Offenders who receive an I.N have the right to submit to the relevant Fish & Game region an explanation in defence of the alleged offence.
- b. Offenders may send an adjudication letter to the relevant Fish & Game region, outlining why they should be excused from paying the fee.
- c. When an adjudication letter is received, it shall be considered by the relevant Regional Fish & Game Manager. Before making a decision, the Regional Fish & Game Manager may consult with the Fish & Game officer who issued the I.N and with any other relevant technical/legal experts that may be required to properly assess the offender's explanation, including the CDG to ensure consistency across regions in how adjudications are dealt with.
- d. The Regional Fish & Game Manager shall:
 - Decide whether to accept the explanation and waive/withdraw the I.N or, reject the explanation and proceed with the I.N process; and
 - Advise the offender in writing of his / her decision in relation to the above.
 - In a case of the Regional Managers decision being challenged refer the matter to the CDG for review and a decision and then advise the offender in writing of that decision.

To avoid 'undue delay', adjudication letters should be considered and adjudicated on as soon as reasonably practical, wherever possible within a time period of 10 working days.

Defended hearing requests

- a. Offenders may dispute the I.N and request a defended hearing in Court. The offender must do this by writing to Fish & Game within 28 days of a reminder notice being served.

- b. The request is passed to the relevant Regional Fish & Game Manager, who shall review the file and decide whether to proceed with the defended hearing or withdraw the I.N. If it is decided to proceed with the hearing, the relevant forms shall be prepared and filed in Court.
- c. When it is decided to proceed with a defended hearing the file is assigned to the relevant Fish & Game region's prosecuting lawyer and/or compliance officer responsible for prosecutions, who shall prepare the case for Court.
- d. The Court will notify both the offender and the relevant Fish & Game region of the hearing date.
- e. Full disclosure under the Criminal Disclosure Act 2008 is required as soon as reasonably practicable after an offender has requested a defended hearing.

Hearing as to penalty requests

- a. Offenders may also request a hearing on penalty only. The offender may write to Fish & Game accepting liability for the offence and request a hearing as to penalty. Again, the relevant Fish & Game Regional Manager shall review the file and decide whether to proceed with the hearing or waive the I.N. If the I.N is not waived, forms for submission to Court must be prepared. Requests for hearings on penalty only in respect of an I.N are dealt with by way of written submission to the Court only.¹
- b. When it is decided to proceed with a hearing as to penalty the file is assigned to the relevant Fish & Game region's prosecuting solicitor and/or compliance officer.
- c. Disclosure under the Criminal Disclosure Act, unless specifically requested, is not required for a non-defended hearing.

6 Non-payment – collection referrals

If the offender has not paid the infringement fee or submitted a hearing request within 28 days of service of the reminder notice; Fish & Game shall file a copy of the reminder notice, which may be an electronic copy, with the District Court together with proof of service details. Referral to the Court must be within 6 months of the offence being committed.

¹ See *Adam v Wellington City Council* (2 April 1998) HC Wellington AP 18/98 unreported.

7 Withdrawal

I.N's can only be withdrawn with approval from the appropriate Regional Manager. I.N's can be withdrawn at any time, even after a notice has been referred to the Court for collections (in which case an Application to Withdraw will need to be completed and filed in Court).

It is important that any decision to withdraw an infringement notice is recorded on the file, including the reason for withdrawal, for transparency of the process and to ensure the decision was justified and nationally consistent.

8 Invalid notices

Occasionally I.N/s may be invalid. This can occur in situations where they have been issued to underage offenders, or if evidence subsequently comes to light that the I.N should not have been issued at all – for example, evidence showing the offence did not actually occur or that the I.N was issued to the wrong person. The I.N shall be invalidated on the instruction of the relevant Regional Fish & Game Manager.

In cases where there is a significant error in the I.N, but it remains appropriate to issue an I.N, the notice shall be invalidated and reissued under a different infringement number. The new I.N shall be sent to the offender with a letter explaining the previous error and supplying the new notice. Any such errors must be rectified promptly for the benefit of the offender, and in recognition of the tight timeframes for processing I.N's in the Court.

Appendix 2 - CDG Scoring

	0	1	2	3	4	5	6	7	8	9	10
Deliberate action or lack of due care		Unintentional		Lack of due care		Negligence		Deliberate			Deliberate to make \$\$\$
Failure to act on prior instruction; advice; notice	No					Verbal advice Has the person been spoken to before on the same or similar issue?		Prior Warning	Prior Warning letter	Prior - asked to desist	Prior I.N / previous prosecution
Fish or game taken/ impact or effect on resource	Nil taken	Low take				Moderate take		Moderate to high- limit or exceeds limit			Multiples of limit
Cooperation	Proactively cooperative	Fully cooperate		Somewhat cooperative		Reluctant			Non-cooperative		Aggressively Non-cooperative
Degree of deterrence needed	No deterrence required				All offences require some form of deterrence						Full deterrence required

Number Guide for assessing whether an Infringement is needed.

<u>Fish/Game take issues</u>	Low number = nil to low end of bag limit.	Moderate = mid bag limit	High = bag limit and above
------------------------------	--	---------------------------------	-----------------------------------

<15 consider I.N.

15 to 20 Consider I.N possible prosecution

>20 Consider prosecution

DRAFT

Appendix 3 - Compliance Decision Group

Compliance Decision Group Meetings

1 Role of the CDG

- a. The purpose of the CDG is to decide, in an objective and consistent manner, what action should be taken regarding non-compliance with legislation, regulations, and notices that a Fish and Game Council operates under. Most decisions in relation to straight forward matters will be made by the relevant Regional Fish & Game Manager, e.g. simple fish without licence, or hunt without licence matters. However, more complex matters involving multiple offences, and recidivist offenders will be decided by CDG process, which shall peer review the decision and process, and ensure as far as is possible consistency between regions in outcomes.
- b. At the meeting, the non-compliance shall be discussed in terms of the various factors set out in more detail below. The action to be taken is then agreed upon.

2 When to have a CDG meeting?

A CDG meeting could be held when there is a reliable and admissible evidence of a breach of the Conservation Act 1987 and / or Wildlife Act 1953, including any regulations made under those Acts, by an identifiable offender **and** there is any of the following:

- a. Previous offending, incidents or non-compliance;
- b. A potential and /or significant effect on the fish or game resource;
- c. Multiple offences; or
- d. Offences of technical or serious nature.

Also consider the degree of cooperation of offender, remorsefulness, and if forfeiture of gear is desired.

3 Pre-CDG checklist

- a. To assist in ascertaining whether a CDG process is needed, complete the Pre - CDG checklist (attachment 1).
- b. Before organising a CDG, check whether any Fish & Game Region is currently taking enforcement action against the offender, or has previously been dealt the offender with for an offence. To do this check the National Compliance Database.

If the offending does not meet the criteria for a CDG decision, the Regional Fish & Game Manager may authorise proceeding with issue of an I.N.

If the offending meets the criteria for a CDG, that course of action shall be proceeded with.

4 Preparation - What to do?

- a. Complete the CDG form (attachment 2), which includes:
 - Offenders details;
 - A brief outlined summary of the offence(s);
 - Previous enforcement action - check national data base);
 - The relevant Act and section/s breached;
 - Previous non-compliance by the offender and any enforcement action taken;
 - The outcome desired; and
 - The recommended action to reach that outcome.
- b. Provide the CDG form to the group with sufficient time for the matter to be considered prior to discussion.

5 The meeting

Using the CDG checklist, the CDG form, and the file, the group works through the sections of the CDG form (attachment 2) and makes a decision on the action to be taken. This may be one or more of the following:

- a. Formal written warning;
- b. Infringement notice (I.N); and / or
- c. Prosecution.

6 What is considered during the meeting?

Factors taken into account will include:

- a. What is the desired outcome?
- b. Whether Fish & Game or any other agency has previously dealt with the offender for offending against the Conservation Act 1987 and / or Wildlife Act 1953, including any regulations made under those Act;
- c. The seriousness of the offending and actual / potential effect on sports fisheries / game bird resources / habitat;
- d. The attitude of the offender; and
- e. The degree of deterrence required.

The offending can be scored using the CDG scoring system to ensure consistency between decisions.

7 The outcome

- a. All warning letters and I. N's should be issued within 14 days of the CDG decision.
- b. I.Ns shall be sent by domestic post to the offenders last known postal address / place or residence or usual address, and relevant copies shall be placed on the file, and for processing as an I.N.

8 Records

Ensure all records are kept on file,, and details entered into the National Compliance Database.

Attachment 1 - CDG Checklist

Offence(s):

Subject Name:

Is there:

1. Clear and sufficient evidence of an offence?
Y/N

and

2. any of the following:

- Previous incidents/offending/non-compliance by the person Y/N
- A potential and/or significant effect on the fish or game resource Y/N
- Multiple offences Y/N

- Offences of technical or serious nature Y/N

If yes to 1 only, no CDG is needed and Regional Manager can authorise I.N.

If yes to 1, & 2, CDG consultation is implemented.

Also consider the degree of cooperation of offender, remorsefulness, and if forfeiture of gear is desired.

Before completing CDG form:

- Check all previous enforcement action,
- Peruse the file,
- If offender is a company (rare for Fish & Game matters), check details on www.companies.govt.nz
- Google the person or business to see what is found,
- If there is any current enforcement action against the person? Check National database.

Complete the CDG form including:

- Responsible party/parties identified and verified, addresses and contact persons,
- Summary of offence,
- Previous enforcement action,
- Act/Sections breached,
- The outcome you want,
- Recommended action to reach the desired outcome,

Email all people involved in the CDG a copy of the CDG form, preferably at least one day before CDG.

Notes:

DRAFT

Attachment 2 - CDG Form

CDG meeting/consultation

Location of incident/offence(s).

Subject name:

Date of birth:

Address:

Offence(s).

Summary of incident.

Act and section(s) breached.

Previous enforcement history.

Outcome desired.

Evidential test is met.

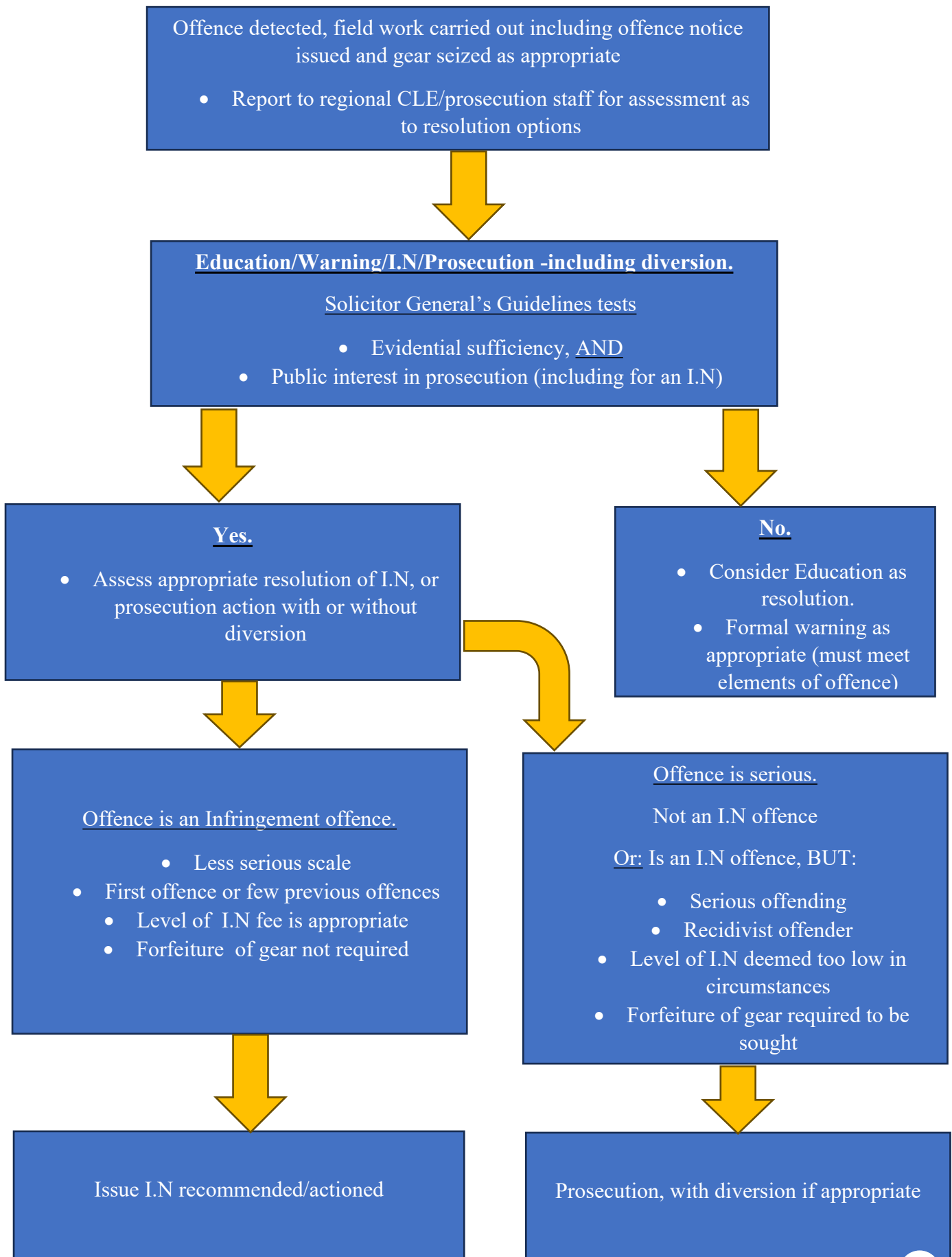
Prosecution or issue of I.N is in the public interest.

Result of CDG consultation/meeting.

Recommended action.

Outcome.

Infringement Notice – Prosecution Flow Chart





National Policy on Prosecutions Amended May 2024

Purpose

1. The purpose of this Policy is to set out principles and guidelines that Fish and Game Councils will follow in making the decision to initiate criminal proceedings, including infringement notice processes, and when considering appeals against Court decisions arising from prosecutions. This policy should be read together with:
 - a. The *Solicitor-General's Prosecution Guidelines 2013*;
 - b. The *Solicitor-General's Guidelines for Diversion Schemes 2021*;
 - c. The *Solicitor-Generals Guidelines for the Use of Warnings 2021*; and
 - d. The *Solicitor-General's Guidelines for Payments connected to Plea Arrangements or Diversion 2021*.

Accountability

2. This Policy must be adhered to by all Fish & Game New Zealand staff involved in the preparation and conduct of all prosecutions, including infringement notice processes. It applies in conjunction with the Fish & Game New Zealand Infringement Notice Compliance and Enforcement Policy.

Scope

3. This Policy applies to all prosecutions and potential prosecutions arising from enforcement action and investigations by Fish and Game Councils under legislation, including regulations, anglers' notices and game bird season notices applicable to Fish & Game New Zealand, and / or that Fish and Game Councils may deal with breaches of, or consider acting in relation to.

Conflicts of Interest

4. Fish and Game Councils and staff with duties or accountability under this Policy must act fairly, promptly, without any actual or potential conflict of interest and in accordance with the law.
5. Any person involved in the investigation, preparation or conduct of a prosecution who may have any actual or potential conflict of interest whatsoever must disclose the matter of concern immediately to their Regional Manager or Chief Executive.

Prosecution Decisions

6. The decision to prosecute – or not to prosecute- will be based on the following factors:
 - a. The Solicitor - General’s Prosecution Guidelines. This Policy adopts the Solicitor – General’s Guidelines and it must be read in conjunction with those guidelines;¹
 - b. The purpose of the legislation which Fish and Game Councils are seeking to enforce by a proposed prosecution;
 - c. The resources available to Fish and Game Councils relative to the public interest in a prosecution proceeding; and
 - d. Whether another prosecuting agency has or will bring criminal proceedings in relation to the same subject matter and the potential Fish & Game New Zealand prosecution.

Test for Prosecution

7. Prosecutions, including infringement notice processes, will be initiated only if both requirements set out in the Solicitor - General’s Prosecution Guidelines can be met, these are:
 - a. The evidence that can be adduced in court is sufficient to provide a reasonable prospect of conviction – the Evidential Test; **and**
 - b. Prosecution is required in the public interest - the Public Interest Test.¹

¹ See Appendix 1 – The ‘Public Interest’ test

8. Staff with accountabilities under this Policy must separately consider and be satisfied that each aspect of the above test is met before a decision to prosecute or if applicable, to issue an infringement notice, is made. The evidential sufficiency of a proposed prosecution must first be satisfied before the public interest is considered. All the evidence and information available must be analysed and evaluated in a thorough and critical manner. The evidence available must be capable of reaching the standard of proof required, i.e., beyond reasonable doubt.
9. If the conclusion is reached that there is insufficient evidence or that it is not in the public interest to prosecute (which includes issue of an infringement notice), a decision of “no prosecution” will be taken. A decision of “no prosecution” does not preclude any further consideration of a case, if new and additional evidence becomes available, or a review of the original decision is required.

Decision Making Procedures

10. Decisions to prosecute must be made in accordance with the Solicitor - General’s Prosecution Guidelines. The ability to commence prosecutions comes from the Criminal Procedure Act 2011, which applies to all charges and provides that:
 - a. “Any person may commence a proceeding”;² and
 - b. A criminal proceeding in respect of an offence is commenced by filing a charging document in the District Court.³

Section 26S(7) of the Conservation Act 1987 provides an authority for Fish & Game Councils to appear before courts in relation to matters affecting the Councils functions.

11. A recommendation by a region’s Compliance Coordinator or other person dealing with a matter, to commence a prosecution, or take an alternative course of action, must be approved by the Regional Manager or Chief Executive. To achieve this, the following procedures must be followed:

² Section 15 of the Criminal Procedure Act 2011.

³ Section 14(1) of the Criminal Procedure Act 2011.

Recommendation to prosecute/not prosecute

12. When rangers / Fish and Game Officers investigate a suspected breach of any Act, including the Conservation and Wildlife Acts, Regulation, Angler Notice, or Game Bird hunting Notice, a file must be produced containing:
 - a. All relevant evidence; and
 - b. A covering report, including a recommendation as to what action, if any, maybe appropriate.

13. The person within each region responsible for prosecutions must forward the file to the Regional Manager or Chief Executive for review and for consideration as to how the matter is progressed and / or resolved.

14. Resolution for any alleged offences may include the following:
 - a. No action;
 - b. Warning letter;
 - c. Youth warning with parental follow up;
 - d. Issuing an Infringement Notice; or
 - e. Prosecution (with or without diversion as appropriate).

15. The Regional Manager or Chief Executive receiving the file, report, and accompanying recommendation must promptly assess and consider the matter in accordance with this policy **and** in accordance with the processes outlined within the Fish & Game New Zealand Infringement Notice Compliance and Enforcement Policy.

16. The decision as to how to proceed; whether to take no action, issue a written warning, issue an infringement notice, or commence a prosecution, will be made by the Regional Manager in consultation with the Region Compliance Coordinator, with input from the Compliance Decision Group (CDG), as appropriate, particularly in

more complex or technical matters. The processes involved are outlined in the Infringement Notice Compliance and Enforcement Policy as is the make-up of the CDG.

17. The Regional Manager or Chief Executive may consider seeking legal advice and/ or refer the matter back to the Compliance Coordinator and / or investigating officer for further enquiries or to ensure the file is to a satisfactory standard.
18. The Regional Manager or Chief Executive reviewing the file must in accordance with this policy assess the appropriate level of action to be taken in relation to the file.
19. The following must be reviewed in relation to each file:
 - a. Thoroughly assess any proposed prosecution or infringement notice action in accordance with this policy, the Infringement Notice Compliance and Enforcement Policy, and the Solicitor - General's guidelines on prosecutions, diversion, and warnings.
 - b. Request any necessary further enquires or investigations, if further information is required, or the file is not to a satisfactory standard.
 - c. Check the offenders previous conviction history and any previous history of Fish & Game offending.
 - d. Authorise if prosecution is to proceed and note the file with reasons for this.
 - e. If authorising prosecution determine the number and nature of charges to be filed in Court.
 - f. In complex or technical matters refer the file to the Compliance Decision Group for assessment and decision.
 - g. If prosecution is authorised assess if diversion of charge(s) is appropriate as a resolution option. In making this assessment the factors outlined in the section titled 'Diversion' must be considered.
20. Proceedings begin by notifying the defendant of the prosecution, the charges, and details of the prosecuting agency. A defendant is usually notified of a prosecution by the prosecuting agency serving him / her with a summons to appear.

21. A summons may be issued before or after a charging document is filed and no more than 2 months before the required court appearance. The summons must include:
- a. the particulars of the defendant; and
 - b. the particulars of the charge; and
 - c. the court and date and time at which the defendant is required to appear; and
 - d. any other information required by rules of court.
22. If a summons is served before filing a charge, the case must be reviewed as soon as practicable under this policy. If any deficiencies are found, the summons must be cancelled and the offender notified.⁴
23. If a charging document is not filed before serving a summons, it must be filed as soon as reasonably possible afterward. The above case review will inform whether it is appropriate to file a charge.
24. If a summons is issued before filing a charging document, and the issuer decides that:
- a. No charge will be filed, or
 - b. A different charge will be filed than the one for which the summons was issued,
- the issuer must promptly notify the defendant of this decision before the required court date.
25. Summonses should not be served in the field at the time of the offence unless there are exceptional circumstances. This may be necessary if the offender is transient, hard to locate later, and the offence is serious.

When Prosecution is authorised

26. When prosecution is authorised:
- a. Refer the file to a prosecuting staff member of Fish and Game; or

⁴ The Criminal Procedure Act 2011 and the Criminal Procedure Rules 2012 set out the administrative requirements for prosecutions. Non-compliance may lead to costs being ordered against either the prosecution or defence.

- b. If an external solicitor is to be engaged with conducting the prosecution, forward the file to that solicitor with a request to conduct prosecution, and reasons for this.

When Prosecution with diversion is authorised

- 27. Ensure that the processes set out in the section titled 'Diversion' are followed.

- 28. If the Regional Manager or Chief Executive or Fish and Game prosecutor or solicitor engaged to conduct a prosecution does not endorse the proposed prosecution, the following procedure is to apply:
 - a. The matter shall be referred to the Compliance Decision Group (CDG) for further consideration.
 - b. The Compliance Decision Group shall take all steps to resolve the matter, which may include seeking legal and / or other expert advice.
 - c. A decision must be in accordance with the Solicitor - General's Prosecution Guidelines for prosecutions and for diversion schemes, or use of warnings.

Responsibility of Prosecutors

- 29. Once a decision to prosecute is made, accountability for the legal issues in connection with the prosecution passes to the Fish and Game staff member responsible to act as prosecutor, or to the external solicitor engaged to conduct the prosecution for Fish and Game. This includes:
 - a. Determining correct charges and wordings;
 - b. Ensuring the prosecution file is prepared to an appropriate standard;
 - c. Preparing a summary of facts;
 - d. Compliance with the Criminal Procedure Act 2011 and the Criminal Disclosure Act 2008;
 - e. The Prosecutor representing Fish & Game New Zealand with competency and to the ethical standards expected of prosecutors and by the Solicitor – General;

- f. Consulting with the regional manager or chief executive and staff about any developments that may affect the conduct of the prosecution; and
- g. Advising the Regional Manager or Chief Executive about any media interest in a prosecution.

Diversions

- 30. Diversion is a prosecution process where an offender charged with offence(s), is summonsed, and appears in Court, but the prosecution makes available to the defendant a means to remedy the wrong by an alternative resolution, and when that is completed the charge(s) are dismissed by the Court. Therefore, the defendant does not receive a conviction and is not subject to a Court imposed penalty. The intent is, however, to still address the public interest factors leading to the decision to prosecute.
- 31. Diversion can involve the offender paying a donation to Fish & Game along with a contribution to the prosecutions costs or could be another outcome, such as volunteer work.
- 32. If the defendant does not complete – or rejects- the diversion offer or conditions, the Court process continues, and the Court will deal with the matter as any other Court prosecution.
- 33. Diversion is a process recognised by the Criminal Procedure Act 2011⁵ and is used routinely by most prosecuting agencies. The purposes of diversion are typically to:
 - a. Address offending behaviour that has resulted in charge(s);
 - b. Balance the needs of victims, the offender and their communities;
 - c. Give an offender an opportunity to avoid conviction; and
 - d. Reduce re-offending.

⁵ See sections 147 and 148 of the Criminal Procedure Act 2011.

34. If a decision is made to prosecute an offender rather than issue an infringement notice, that does not mean that the offender cannot be considered for diversion.
35. Diversion must only be offered to a defendant, after the prosecution decision has been made and once a charge is filed. The reason for this is that prosecution instead of issuing an infringement notice must be for reasons around the seriousness and circumstances of the offence, **and** the need for judicial intervention. Having an offender summonsed to appear in Court reinforces the seriousness of the offending and the unsuitability of resolving it by an out of Court action by way of infringement notice.

Diversion eligibility

36. To be eligible for consideration to be offered diversion an offender:
- a. Should have no previous convictions or history of Fish & Game offences, including written warnings for offences against the Conservation and Wildlife Acts and / or any notices / regulations made under those Acts; and
 - b. If the offender has previous convictions or history of Fish & Game offences that those matters are either not recent, or the convictions or previous offence history is not relevant to the current offending and charge(s).
 - c. Has committed an offence that is of low to moderate seriousness. Generally, this will include Fishing or Hunting without a licence, Anglers Notice breaches, and Game Notice breaches.
 - d. More serious offences, like obstruction or providing false details / information, may be eligible for diversion if the overall level of wrongdoing is relatively minor and other factors apply. This includes factors such as the absence of prior or relevant prior convictions, the offenders' remorse and acceptance of responsibility, efforts to correct any harm caused, and the belief that the consequences of a conviction would outweigh the seriousness of the offence. In such cases, diversion will be seen as a suitable alternative to pursuing court prosecution.

- e. All offences must be *considered* for eligibility for resolution by diversion, with regard given to the circumstances of the offence/offending. Note the file if diversion is not appropriate and the reason(s) why this is the case.

Approach to diversion

- 29. The following principles apply to operation of the diversion scheme:
 - a. The existence of the diversion scheme must not be mentioned to potential defendants during an active investigation to avoid it becoming a factor in the decision to prosecute;
 - b. The existence of the diversion scheme (or any other resolution options) must not be taken into consideration until a decision to prosecute has been made;
 - c. The diversion decision maker must be distinct from the person who investigated the offence and who recommended a prosecution – this provides the necessary independence and detachment for the decision; and
 - d. Reasons for making an offer of diversion must be recorded in writing by the diversion decision maker.

Diversion processes

- 30. The processes involved in operating diversion are set out in the attached appendix 2 titled 'Diversion Guidelines'. This sets out the processes to follow in running a diversion process and in then notifying the court when diversion is complete and having the charge(s) dismissed.

Diversion conditions: donations

- 31. When a condition of diversion is a donation to Fish & Game within a reasonable time period, the level of donation should be set at a level consistent with an infringement fee for the same or similar offence (Infringement fees are set by Regulation, see table attached). If the offence being diverted is not an infringement offence, a decision as to fee level should be made considering infringement offences fee levels, and the overall circumstances of the offending.

32. In some circumstances Fish & Game regions may set the diversion donation fee at levels relevant to court-imposed penalties for similar offending.

Diversion conditions: contribution to costs of prosecutions

33. When a condition of diversion is a contribution to the prosecutions costs, this should be set at a level which is fair, reasonable, transparent, and consistent with other similar matters and in consideration of the circumstances of the matter and the actual costs incurred by Fish & Game.

Use of warnings

34. The public interest test of the test for prosecution recognises that not all behaviour that may amount to criminal conduct requires a prosecution response. Whether a warning is appropriate depends on the circumstances of the case, including the behaviour, the intended purpose of the warning and the evidence available to support the warning.
35. The warning decision maker must be distinct from the person who investigated the offence and who recommended a warning – this provides the necessary independence and detachment for the decision.
36. Reasons for issuing a warning must be recorded in writing by the warning decision maker.
37. Use of warnings must recognise and comply with the Solicitor-Generals Guidelines for the use of warnings.

Sufficiency of evidence when issuing warnings

38. Warnings should only be issued where the alternative is to prosecute and there is credible evidence that meets the evidential test of the test for prosecution.

Range of behaviour for warning

39. A warning may be issued for a range of behaviour where it is supported by the evidence. Whether a warning is appropriate depends on the circumstances of the case, including an assessment of the public interest considerations against

prosecution – see paragraph 4 of Appendix 1. It is intended that warnings will be issued as a one-off response rather than repeatedly.

Content of warning

40. A warning should be issued in writing and include the following matters:
- a. The context for issuing the warning, including:
 - i. Accurately setting out the key facts leading to the issuing of the warning, including any explanation, response or admission provided by the person; and
 - ii. The reasons for issuing the warning.
 - b. The consequences related to the warning, including:
 - i. Where the warning will be held and for how long;
 - ii. How the warning will be used; and
 - iii. Any consequences if, in the future, the person engages in similar behaviour.
 - c. The person's rights in relation to the warning, e.g., the right to have the warning reviewed within a certain period.
 - d. Any response of the person to the proposed warning.

Appeals

41. Any Fish and Game prosecution, which results in consideration for an appeal will be:
- a. Discussed by the Regional Manager or Chief Executive with the prosecutor involved, and any other relevant staff; and
 - b. Discussed with the NZ Fish and Game Council CEO.

Any appeal to be lodged will require:

- a. A legal opinion assessing the matter and suitability for appeal; and
- b. The Solicitor - General's approval obtained in accordance with the Criminal Procedure Act 2011.

Appendix 1 - The 'Public interest' test⁶

1. Once a prosecutor is satisfied that there is sufficient evidence to provide a reasonable prospect of conviction, the next consideration is whether the public interest requires a prosecution. The Solicitor - General's Guidelines in relation to the public interest test should be referred to in conjunction with this appendix.
2. The following section lists some public interest considerations for prosecution which may be relevant and require consideration by staff when determining where the public interest lies in any case. The following list is illustrative only.

Public interest considerations for prosecution:

- a. The predominant consideration is the seriousness of the offence. The gravity of the maximum sentence and the anticipated penalty is likely to be a strong factor in determining the seriousness of the offence;
- b. Whether the offence involved violence;
- c. Where there are grounds for believing that the offence is likely to be continues or repeated, for example, where there is a history of recurring conduct;
- d. Whether the defendant has relevant previous offending . Check for previous convictions, diversions and / or cautions / warnings;
- e. Where the offence is prevalent;
- f. Where the offender was a ringleader or an organiser of the offence;
- g. Where the offence was premeditated;
- h. Where the offence was carried out by a group;
- i. Where the offender has created a serious risk of harm;
- j. Where the offence has resulted in financial loss to Fish and Game;
- k. Where the offence was committed against a person carrying out a statutory function, for example a Fish and Game ranger;
- l. Where there is an element of false or misleading behaviour / conduct.

⁶ Solicitor – General's Prosecution Guidelines – As at 1 July 2013:
http://www.crownlaw.govt.nz/uploads/prosecution_guidelines_2013.pdf

- 3 For example, regional Fish and Game Councils decided to initiate prosecutions in the following cases:
- a. An honorary Fish and Game ranger approached and spoke to two lake shore anglers, who were both found to be spin fishing without current fishing licences. As the ranger spoke to the two unlicensed anglers a licenced companion of theirs approached the ranger and acted in an obstructive manner, threatened to physically injure the ranger, refused to provide the ranger with his name and details, displayed his bare buttocks at the ranger and threw stones at the ranger's boat as he retreated following the exchange. In response to the principal offender's behaviour, one of the unlicensed anglers refused to provide the ranger with his name and address or surrender his fishing equipment for seizure and displayed his bare buttocks at the ranger as he retreated. As a result of the incident the ranger seriously considered surrendering his warrant as an honorary Fish and Game ranger; and
 - b. An angler was found by a Fish and Game ranger fishing on a lake trolling for trout without a current fishing licence. The angler had been convicted in the District Court approximately 3 months earlier for fishing without a licence during the same season.
4. The following section lists some public interest considerations against prosecution which may be relevant and require consideration when determining where the public interest lies in any case. The following list is illustrative only. Again, the Solicitor - General's Guidelines should be referred to.

Public interest considerations against prosecution:

- a. Where the Court is likely to impose a very small or nominal penalty;
- b. Where the loss or harm can be described as minor and was the result of a single incident, particularly if it was caused by an error of judgement or genuine mistake;

- c. Where the offence is not of any test of a serious nature, and is unlikely to be repeated;
 - d. Where there has been a long passage of time between an offence taking place and the likely date of hearing such as to give rise to undue delay or an abuse of process unless:
 - i. the offence is serious; or
 - ii. delay has been caused in part by the offender; or
 - iii. the offence has only recently become known; or
 - iv. the complexity of the offence has resulted in a lengthy investigation.
 - e. Where a prosecution is likely to have a detrimental effect on the physical or mental health of a victim or witness;
 - f. Where the offender is elderly;
 - g. Where the offender is a youth;
 - h. Where the offender has no previous convictions;
 - i. Where the offender was at the time of the offence or hearing suffering from significant mental or physical ill-health;
 - j. Where the offender has rectified the loss or harm that was caused (although defendants should not be allowed to avoid prosecution simply because they pay reparation / compensation);
 - k. Where any proper alternatives to prosecution are available
5. For example, regional Fish and Game Councils decided to not initiate a prosecution in the following cases:
- a. An honorary Fish and Game ranger found a middle-aged male spin fishing for trout on a local river. The angler claimed to be employed and have recently brought a fishing licence from a local licence agent, which he could not find in his fishing bag. The ranger issued the angler with a failure to produce notification requiring him to produce his fishing licence, none was forthcoming. Initial enquiries by Fish and Game revealed that the angler did not have a current fishing licence as claimed. Prima facie evidence was available of the offender fishing without a licence (a strict liability offence, which meant that there was no need to prove the offender intended to

commit the offence) and providing the ranger with false / misleading information.

Subsequent enquiries by Fish and Game revealed that:

- i. The offender had a diagnosed intellectual disability, which meant that he could not read or write, had limited insight into his actions and was inclined to make things up; and
- ii. The offender received on-going assistance from community support services and worked in a local workshop for people with intellectual disabilities. Evidence was provided to Fish and Game by the offenders' support worker with respect to the nature and severity of the offender's intellectual disability.

In addition, after speaking with the ranger the offender's support worker assisted the offender with purchasing a fishing licence for the remainder of the season. Accordingly, a decision was made to explain to the offender the relevant rules and regulations and need for a fishing licence rather than prosecute.

- b. In another case a regional Fish and Game Council decided not to prosecute two middle aged males who were found by a ranger fishing without licences. The facts of the case were that the two were residents of a drug and alcohol rehabilitation facility and had been sent off trout fishing for the day to occupy them. It was evident that neither knew they had to have a trout fishing licence and were new to fishing, having borrowed spin rods. Enquiries found one of the two had suicidal tendencies when stressed, and their care giver had overlooked the fact that licences were required. Accordingly, a decision was made to explain to the offenders, and their carers the relevant rules and regulations and need for fishing licences for any future excursions.

Another (hypothetical) situation also illustrates this point. A person is found walking in a trout spawning stream and in so doing disturbing the spawning grounds of freshwater fish, during the spawning season. The person claims to be there to gather

watercress and is found in possession of freshly picked water cress and there is no evidence whatsoever that they are there to take trout. There is prima facie evidence of an offence against Section 26ZJ of the Conservation Act 1987, in that the ingredients or elements of the offence can be made out, and the offence is strict liability in that the prosecution does not need to prove that the defendant intended to commit the offence.

In considering the first part of the Solicitor - General's Prosecution Guidelines requirements – the Evidential Test, the evidential test may well be fulfilled, in that all elements of a charge are met. However, in considering the second part, the Public Interest Test, an examination of the matter may well result in the public interest test not being met. Particularly if any harm was minor, caused by an error of judgement or genuine mistake, and unlikely to be repeated. In such a case a decision can correctly be made of 'no prosecution.' Conversely in the same scenario, if the person can be shown to be reckless, caused much damage, and had no remorse, i.e., is likely to repeat the offence, then public interest may well dictate a prosecution is justified.

6. These considerations are not comprehensive or exhaustive. The public interest considerations which may properly be considered when deciding whether the public interest requires prosecution will vary from case to case. In Fish and Game prosecutions, which are often of a regulatory nature, relevant considerations will include:
 - a. Fish and Game's statutory objectives and enforcement priorities;
 - b. The effect of a decision not to prosecute on public opinion;
 - c. The obsolescence or obscurity of the law; and
 - d. The prevalence of the alleged offence and the need for deterrence.

7. Cost is also a relevant factor when making an overall assessment of the public interest.

8. None of the above factors are necessarily determinative in themselves; all relevant and applicable public interest factors must be weighed.

9. A decision whether or not to prosecute must not be influenced by:
 - a. The race, ethnic or national origins, sex, marital status, religious, ethical, or political beliefs of the offender; or
 - b. The prosecutor's personal views regarding the victim or the offender; or
 - c. Possible political advantage or disadvantage to Fish and Game; or
 - d. The possible effect on the personal or professional reputation or prospects of those responsible for the prosecution decision.

Appendix 2 - Diversion

How to use diversion as a process.

1. Offence meets the criteria for prosecution, i.e., meets prosecution guidelines tests for evidential sufficiency **and** prosecution is in the public interest.
2. Obtain an up-to-date criminal history for the defendant.
3. Check defendant is eligible for diversion – no previous relevant convictions (note that the point of diversion is generally to prevent a person getting a first conviction, although if previous convictions are old, or unrelated to the current offence, diversion may still be considered).
4. File charging document(s) in Court as per usual commencement of a prosecution in accordance with the Criminal Procedure Act 2011. Summons in accordance with Criminal Procedure Rules 2012 and initial disclosure package in accordance with Criminal Disclosure Act 2008 is served on the defendant.
5. Diversion can be offered once the defendant has appeared in Court at first appearance which is usually in Registrars List in the District Court. This can have the advantage of the process being seen to have more judicial oversight. Having an offender appear in Court reinforces the seriousness of the offending and the unsuitability of resolving it by an out of court action, including by way of an infringement notice(s).
6. When diversion is offered at first court appearance the matter would be remanded off to another date to allow the defendant and prosecution to arrange diversion conditions and to allow time for the defendant to complete them.
7. Alternatively, the diversion offer can be made in writing to the defendant along with the summons and initial disclosure package. The advantage of this approach is that the process is streamlined, and in many cases the matters can be resolved prior to

the date of first appearance in court, therefore in most circumstances negating the need for any court appearances by either the prosecution or the defendant. (Note: some courts may insist on a prosecutor appearing in Court to seek to have the charge dismissed in open court, although most courts will agree to dismiss charges administratively following written application).

8. Diversion conditions should include:
 - a. A contribution to summons service and prosecution costs. This should be set at a level which is fair, reasonable, transparent, and consistent with other similar matters and in consideration of the circumstances of the matter and the actual costs incurred by Fish & Game.
 - b. The diversion agreement conditions do not have to be negotiable; the offer and conditions can be put to the defendant, although overall circumstances of the offending and the offender should be considered.
 - c. A donation to an identifiable cause. For example, junior angler and hunter programmes, angler / hunter access, wetland development programmes. The level of donation should be set at a level consistent with an infringement fee for the same or similar offence. If the offence being diverted is not an infringement offence, a decision to fee level should be made considering infringement offences fee levels, and the overall circumstances of the offending.
 - d. Diversion can include surrender of gear for disposal, e.g., ammunition / fishing gear where there is good reason for this to happen.
 - e. A written apology may be required to demonstrate the defendant's acceptance of responsibility and remorse.
 - f. In some cases, diversion can include a donation to another external charity.

9. When the diversion conditions are met, the prosecution must ensure that the court is advised in writing that diversion is completed, and request the Court dismisses the charge(s). This is a requirement of Section 148 of the Criminal Procedure Act 2011. This can be done by the prosecutor at the next court date, or administratively by written application to the Court which is the most efficient process if diversion is

completed prior to the date of first appearance. For sake of transparency the court can be advised in this application what the diversion conditions were, although this is not a requirement. When advising the Court that diversion is complete an application should be also made for the charge(s) to be dismissed pursuant to Section 147 of the Criminal Procedure Act 2011.

10. If diversion is not completed by the agreed date the prosecution will proceed as per any other non-diversion prosecution, or an extension of time could be granted by the Court to complete diversion if the prosecution seeks an extension.

11. When diversion is completed, the defendant can be advised that they do not need to appear in Court at the next Court date, as the matter is being dismissed. If represented by a lawyer, the Criminal Procedure Act does not require the defendant to appear in court if they have already been excused.

Conservation (Infringement Offence) Regulations 2019

Schedule 2 Penalties for infringement offences under Conservation Act 1987

Section	Description of offence	Infringement fee (\$)	Maximum fine (\$)
51B(2)	Taking sports fish in contravention of Anglers Notice	400	800
51C(3)	Taking sports fish without licence	400	800
51D(2)	Possessing sports fish taken unlawfully	400	800
51E(3)	Establishing, managing, or operating fish hatchery for sports fish in breach of regulations	800	1,600
51F(3)	Failing to comply with section 51F(1) (which relates to unauthorised conduct in relation to spawning fish)	800	1,600
51G(2)	Failing to comply with restrictions on fishing	800	1,600
51H(2)	Transferring or releasing live aquatic life	800	1,600
51I(2)	Fishing in closed season	600	1,200
51J(3)	Buying or selling sports fish for purpose of sale contrary to Act	800	1,600
51K(2)	Possessing certain kinds of fish without approval	800	1,600
51L(3)	Using hazardous substances, etc, to take or destroy fish	800	1,600

[rr 4, 5](#)

Wildlife Regulations 1955

Schedule 5 Penalties for infringement offences under Wildlife Act 1953

Schedule 5: inserted, on 3 February 2020, by [regulation 120](#) of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

[r 47](#)

Section	Description of offence	Infringement fee (\$)	Maximum fine (\$)
70B(2)	Hunting during close season	600	1,200
70C(5)	Hunting without licence during open season	400	800
70D(2)	Contravening terms of open season notification	400	800
70E(3)	Hunting wildlife in contravention of conditions prescribed by Minister	400	800
70F(3)	Failing to produce licence on demand	200	400
70G(2)	Hunting or killing any absolutely protected wildlife	800	1,600
70G(2)	Hunting or killing any partially protected wildlife	600	1,200
70G(2)	Hunting or killing any game	400	800

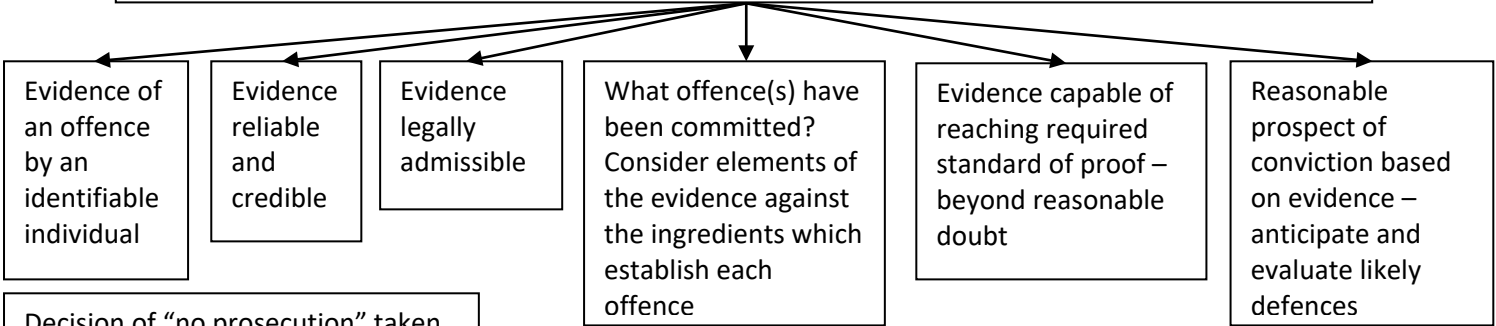
Section	Description of offence	Infringement fee (\$)	Maximum fine (\$)
70G(2)	Buying, disposing of, or possessing any absolutely protected wildlife	600	1,200
70G(2)	Buying, disposing of, or possessing any partially protected wildlife	400	800
70G(2)	Buying, disposing of, or possessing any game	400	800
70G(2)	Buying, disposing of, or possessing any skin, feathers, or other portion, or any egg, of any absolutely protected wildlife	600	1,200
70G(2)	Buying, disposing of, or possessing any skin, feathers, or other portion, or any egg, of any partially protected wildlife	400	800
70G(2)	Buying, disposing of, or possessing any skin, feathers, or other portion, or any egg, of any game	400	800
70G(2)	Robbing, disturbing, destroying, or possessing the nest of any absolutely protected wildlife	800	1,600
70G(2)	Robbing, disturbing, destroying, or possessing the nest of any partially protected wildlife	600	1,200
70G(2)	Robbing, disturbing, destroying, or possessing the nest of any game	400	800
70H(3)	Taking game in contravention of Act or notification	400	800
70I(3)	Failing to comply with condition of authority to take or kill wildlife	400	800

Prosecutions only to be initiated or continued if the test for prosecution is met
Test for prosecution met if:

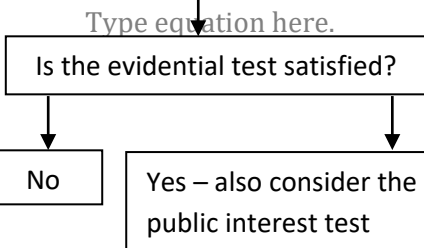
1. Evidence which can be adduced in Court is sufficient to provide a reasonable prospect of conviction – the Evidential Test; **and**
2. Prosecution is required in the public interest – the Public Interest Test.

Each aspect of test must be considered separately and satisfied before a decision to prosecute is made. Evidential test must be satisfied before public interest test is considered.

The Evidential test – Step 1
 Reasonable prospect of conviction exists if there is reliable and admissible evidence which prosecution can adduce before a Court and an impartial Judge or jury could reasonably be expected to be satisfied beyond reasonable doubt that individual prosecuted has committed an offence – Consider each of the following elements:

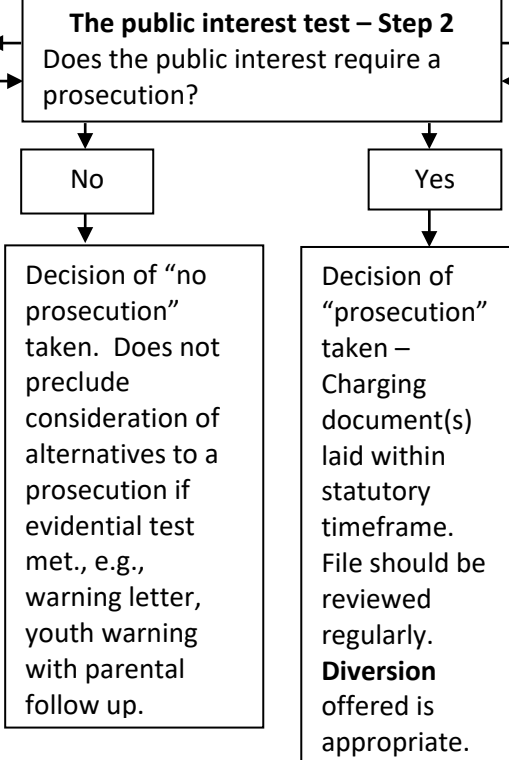


Decision of “no prosecution” taken if evidential test not met. Does not preclude further consideration of case if new and additional evidence becomes available, or a review of original decision is required (rare step)



Public interest considerations for prosecution (list is illustrative only):

- Seriousness of the offence – predominant consideration;
- Violence / threats involved;
- Prevalence of offence and need for deterrence;
- Defendant has relevant previous convictions and / or reparation / warnings for similar offences;
- Offence premeditated or carried out by a group;
- Defendant ringleader or organiser of offence;
- Offence resulted in financial loss / risk of harm;
- Offence committed against a Ranger serving the public;
- Offence involved false or misleading behaviour;
- Effect decision not to prosecute.



Public interest considerations against prosecution (list is illustrative only):

- Court likely to impose small / nominal penalty;
- Offence minor and unlikely to be repeated
- Loss or harm minor and result of a single incident, especially if judgment error or genuine mistake;
- Obscurity of the law;
- Age – youth / elderly;
- Physical / mental health of offender;
- No previous convictions;
- Offender rectified loss / harm caused – but shouldn’t be able to buy way out of prosecution;
- Proper alternatives to prosecution available;
- Cost of prosecution.

Standing Orders: Motion to Exclude the Public

New Zealand Fish and Game Council Meeting #176

For Decision

Motion to Exclude the Public

Recommendation:

1. *That the New Zealand Fish and Game Council:*
 - (a) *pursuant to the provisions of the Local Government Official Information and Meetings Act 1987 exclude the public from the following part of the proceedings of this meeting, namely:*

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
		Good reason to withhold exists under section 7
Confirm Public Excluded Minutes NZC Meeting 175 – 28 June 2025	For the reasons set out in the Part I minutes held with public present.	Section 48(1)(a)(ii) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
North Canterbury Initiative	9 (2) (a) Protect the privacy of natural persons, including that of deceased natural persons.	
CEO Job description update	9 (2) (a) Protect the privacy of natural persons, including that of deceased natural persons.	
Rakaia WCO update	7 (2) (g) To maintain legal professional privilege	

- (b) *And that relevant NZC staff remain to provide advice to the Council on applicable items.*

CEO Report

New Zealand Fish and Game Council Meeting 176: 28th and 29th August 2025

Prepared by: Richie Cosgrove, Acting CEO, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish and Game Council provides an update on other matters that the Acting CEO has been involved with.

Financial considerations

Nil Budgetary provision / Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – CEO Recommends

NZC Acting CEO recommend the following motion:

That the New Zealand Fish and Game Council:

1. Receive the information.

Executive Summary - Whakarāpopoto

- 1 Provided below is a summary of some actions and events undertaken by the Acting CEO since the last Council meeting.

Discussion - Kōrerorero

- 2 **Ministerial reforms** –I have continued to undertake a regular update communication programme with staff and the wider public.
- 3 **Authority to cull permits update** – Workload pressures in the Department of Conservation are delaying the completion of the updated delegations and issuing of permits to cull under the Wildlife Act, sections 53, 54 and 56 of the Act..
- 4 Noting again that the Fish & Game Act (if passed) will remove the need to have this delegation from the Director General of Conservation, as the authority will be mandated by statute.

5 Presentation to Select Committees

- Presentation and questions answered to finance select committee regarding our submission to Overseas Investment process occurred on 5th August.
- Presentation and questions answered to the Environment Select Committee regarding our letter of support for the Game Animal Council submission on Herds of Special Interest on 13th August.

8. External Meetings

External meetings of note, including attending the Hunting Leaders webinar, DOC meeting regarding New Zealand Conservation Policy and Conservation Acts (Land Management) Amendment Bill and Ministerial meetings regarding the fishing licence. Meetings have also been held with MPI and MFE, the eNGOs, Freshwater Biosecurity Partnerships meeting, and Police Commissioners' Firearms Advisory Forum.

9. F&G Meetings and Communications

All staff webinars on Golden Clams presented by Adam Daniels from AK / Waikato Fish and Game on 7th August.

Fortnightly managers' meetings resumed with operational issues discussed and a particular discussion around the licence fee increase refusal and the budget implications of that.

10. Gun City Video Podcast – I have participated in a podcast interview with Ferg Turnbull from Gun City. This podcast discusses many aspects of hunting, Fish & Game's role, and is around 90 minutes long and will air shortly on their social media channels.

6 Parliamentary hunt – With the support of Southland Fish & Game Chair David MacGregor, Deputy Chair Michael Hartstonge, and Councillor Lyndon Norman, National MP Joseph Mooney and his son Moritz were hosted to an end-of-season hunt near Lumsden.

7 Fish & Game Patron Dame Lynda Topp and I joined them to assist and maximise the opportunity to engage with important member of the National Party.

8 We were also hosted to a wetland tour on the property of Otago Fish & Game Chair, Adrian McIntyre, in South Otago. Mr McIntyre has converted almost 20% of his family farm to wetlands (approx. 50 hectares).

9 Licence price significance report – The Southwick Phase 1 report has been shared with regional chairs for distribution to staff as part of the update from meeting 175

10 Planning for the Parliamentary Fish – The date for this event has been set by the Minister as the weekend of 28, 29 and 30 November. It will be held

at Lake Rotoiti in the South Island and planning is well underway with support from Nelson Marlborough F&G staff.

- 11 **Mallard Monitoring policy** – I have received an initial draft report from Proteus consulting's team and envisage that the completed report will be presented at the next council meeting.
- 12 **Access paper** – Senior Policy Advisor Helen Brosnan has drafted an access discussion paper attached as Appendix 1 & 2. This has been sent to Minister Meager for his insights in developing an Access Strategy.
- 13 **Maritime NZ report** – an update on our Maritime NZ obligations is also attached as Appendix 3 from Coordinator Adam Daniel.
- 14 **Biosecurity update** – Technical lead Adam Daniel has also provided an update on the Biosecurity working group's activities, specifically around the Aquatic Invasive Species, and is attached as Appendix 4.
- 15 As always happy to take any questions on these and other matters in the meeting.

Why We're Losing Ground

Access to Game Bird Hunting and Angling Recreation

Paper from the New Zealand Fish and Game Council, 8th August 2025

Prepared by: Helen Brosnan, Senior Policy Advisor, NZ Fish and Game Council,
in conjunction with Eben Herbert and Jacob Smyth

Executive Summary

Increasingly, access to hunting and fishing recreational opportunities are being lost due to a variety of causes. Multiple pieces of legislation provide for public access, including hunting and fishing access. This paper aims to provide a brief overview of the legislation and key issues that arise, which we need your assistance with overcoming.

Each Fish and Game region is contributing to a database detailing specific access locations that have been lost. This loss of access has therefore reduced hunting and fishing opportunities. While the examples provided in this database are not exhaustive, they provide some key examples from each region. This work will sit alongside the Access Strategy (once written).

Ultimately, Fish and Game is working to maintain existing access, restore lost access (where possible) and look for opportunities to create new access. As we don't have a budget set aside for funding new access, we rely heavily on legislation that provides for new angling and hunting access opportunities.

Fish and Game has a slightly different focus than Herenga ā Nuku - Outdoor Access Commission, as, where appropriate, we seek access which also provides for:

- a) vehicular access to enable hunting and fishing. Front country access and modified landscapes can benefit from vehicular access, whereas vehicular access will not be possible for many backcountry sites.
- b) the carrying of firearms and access for game bird hunting dogs.

Fish and Game Recommendations

Fish and Game would like to see at least the existing provisions relating to access carried forward in legislation reform, including the Conservation Act (Fish and Game Act), RMA and Overseas Investment Act.

Conservation Act / New Fish and Game Act

Section 26F (3) provides for Fish and Game to appear before courts and tribunals on matters affecting or relating to the Council's functions. Section 26Q requires each Fish and Game Council to manage, maintain, and enhance the sports fish and game resource in the recreational interests of anglers and hunters, and, in particular (b) (i) by maintaining and improving access and (e) (vii) to advocate the interests of the Council, including its interests in habitats.

In the absence of detailed spatial mapping of habitats for all regions, we continue to ask to be consulted in this space so that we can identify and advocate for access to game bird hunting and angling recreational opportunities. We also ask for the Department of Conservation to consult us, as their knowledge of, particularly, game bird hunting areas is limited.

A key piece of work that will impact on recreational access will be the stewardship land review and changes to the criteria for land disposals, both of which we submitted to. We have also asked to be involved in this process so that game bird hunting and angling access can be provided for. We repeat here that much stewardship land has high values for recreation, including game bird hunting, angling and hunting generally. We have asked that disposal should not result in a net loss of public access.

Paper Roads and District Council enforcement action to keep them open

There is adequate provision in the existing legislation surrounding Unformed Legal Roads (ULR), otherwise known as paper roads. Unfortunately, some adjoining landowners illegally obstruct paper roads, for example, by placing padlocks on gates to prevent access. Our experience shows that few district councils carry out the necessary enforcement processes to ensure that public access remains open. We urge you to discuss this problem with other relevant Ministers and Local Government NZ as an issue to be rectified.

A minor change to legislation could provide for the removal of obstructions (such as padlocks on gates) by bodies other than the district council to allow the required access and to serve as a deterrent to this behaviour.

Fish and Game wants to be consulted regarding any road stopping applications if the access involves access to a water body such as a lake, river or wetland. This will

enable us to oppose the loss of such access if there would be a loss of game bird or angling recreation.

Fish and Game encourages you to promote game bird hunting and angling recreation to councils so that they do not enact bylaw provisions on paper roads that remove vehicle access or game bird hunting dog access.

We note the current case at Cape Palliser with the proposed Bylaw to close the ULR. We have not submitted on this proposal as it doesn't relate to our habitat, but we do not support this approach and are concerned that this case could form precedents that would be detrimental to public access generally.

Resource Management Reform

Fish and Game supports incentives that ensure public access is provided for in exchange for development rights in the form of subdivision of new, smaller lots, either in situ or transferable (Transferable Development Rights) to a more appropriate area. These district plan rules enable bonus lots where conservation/open space covenants are secured, including conditions that allow for access for hunting or fishing where resources exist.

As well as protecting the environment as a priority, replacement legislation needs to recognise and provide for natural values and include recreational use and enjoyment provisions. Including “*maintain and enhance public access to and along, and recreational use and enjoyment of the coastal marine area, wetlands, lakes and rivers*”. Additionally, protection of the habitat of trout and salmon needs (section 7 (h)) to be carried forward as salmonids are key indicator species for assessing ecosystem health. The Natural Build Environments Act, therefore, failed to provide for access, recreation and the best species for assessing ecosystem health (trout and salmon).

We assume that provisions for creating public access, such as esplanade reserves and strips, will be carried forward.

We have specifically requested in our Infrastructure and Renewable Electricity Generation submission that access provision is conditioned so that infrastructure projects can provide legal access for recreation. This is particularly important to and around hydro-electric power stations and the canal fisheries to provide public access to rivers and lakes for angling opportunities.

Water Conservation Orders (WCO) also provide for the protection of some of our most valued water bodies. Fish and Game were instrumental in the creation of many WCO's. Characteristics include the fishery, and ecological and recreational values associated with the waterbodies. We therefore urge you to ensure that existing and future WCO provisions are retained.

We also eagerly await the recommendation from the minister for the environment regarding the Ngaruroro River Water Conservation Order, which Fish and Game were a party to.

Overseas Investment Office

The Ministerial Directive issued in June 2024 instructed, among other matters, that for efficiency, only the primary benefit of each application is to be assessed by the Overseas Investment Office. Walking access is considered a secondary benefit of such applications. As such, the Overseas Investment Office is not currently assessing walking access and hasn't for approximately 1 year.

Fish and Game urges you to discuss this change with the Minister of Finance. We are concerned that this reduced consultation with both Fish and Game and Herenga ā Nuku has resulted in no new public access being secured via overseas-owned land for recreational opportunities for game bird hunting and angling opportunities and water bodies in general. This is the key point of our submission to the Overseas Investment (National Interest Test and Other Matters) Amendment Bill.

We are also concerned that the latest proposed amendments to the Overseas Investment (National Interest Test and Other Matters) Amendment Bill will effectively reduce the benefit to New Zealand Test, which will also result in very few conditions providing for access. We recommend that you promote the advantage to New Zealand of increasing public access to waterbodies, which also serves to acknowledge the importance of tourism and recreation to New Zealand.

Public access has been secured over recent years to swimming spots, many fishing spots and has provided new areas for recreation. Without this consultation and provision, we will lose a significant mechanism for securing public access. We also urge you to ensure that amendments proposed for this legislation this year also continue to provide for additional recreational (and particularly) game bird hunting and angling opportunities on overseas-owned land. See attached examples of recent Overseas Investment Act access that was secured before the ministerial directive (attachment 1).

We are also concerned that this change could have on existing public access to overseas-owned land. Continuation of Forestry agreements is a requirement of the Bill, however, these access agreements are not as effective for recreationists as legal easements and often involve closures for long periods of time with less than a reasonable explanation for closure. Therefore, the use of legal easements should be used in future in preference to access agreements.

Another way that this legislation could be improved is to require that land purchased adjacent to or formerly crown-owned land should be assessed for public access easements not only across land but around or adjacent to water bodies to provide

public access in perpetuity. This would essentially result in public access conditions that the Overseas Investment Act previously provided for.

Settlement Act Agreements

Again, Fish and Game asks to be consulted early in the process of drafting Settlement Act agreements. We have seen some well-intended clauses diluted, and now need to ensure we can provide for the continuation of existing game bird hunting and angling access and recreational opportunity. A good example of where vehicular/dog access has been lost is in Waikaremoana.

Crown Pastoral Leases

Better access to river, lake and wetland environments could be secured by using section 60 of the Land Act – Creation of Easements. Section 60 of the Land Act may allow the creation of easements on Crown pastoral land together with Crown Pastoral Land Act 1998 4 (1) a.) *to maintain or enhance inherent values across the Crown pastoral estate for present and future generations, while providing for ongoing pastoral farming of pastoral land.* We urge you to promote opportunities for new access via this mechanism. If you are interested in supporting this work, Fish and Game can work to identify specific examples where new access could be sought via this mechanism.

Mapping Existing Access Over Private Land

Funding digitisation work to give visibility to existing public access is a cost-effective win for public access to DOC land and rivers. The Public Access Easements capture is an obvious project that is ready to go now. Herenga ā Nuku has all the information. LINZ just need to digitise it. We ask you to discuss this project with LINZ and ask them to re-prioritise this work.

Making Access to Game Bird Hunting Resources on DOC land Easier

We suggest that DOC permits can be obtained at the same time as licences are issued from Fish and Game. We can provide DOC with a summary report of permits issued.

Summary table

Legislation	Key Issue	Minister Support this Issue?
Conservation Act	F&G Advocacy function	
	F&G consultation for conservation purposes, stewardship land review and any future exchange and disposal process involving game bird / sports fish habitat.	

RMA	Support environment as a priority in Resource management	
	New legislation to include natural value protections	
	New legislation to include recreational use and enjoyment provisions. Including <i>“maintain and enhance public access to and along, and recreational use and enjoyment of the coastal marine area, wetlands, lakes and rivers”</i>	
	Protection of habitat of trout and salmon	
	Continuation of esplanade reserve provisions and Water Conservation Orders	
	Access conditions to be created or retained where existing for Infrastructure and REG projects	
	Support and discuss recommendation of the Ngaruroro Water Conservation Order with the Minister for the Environment.	
Overseas Investment Land	Ask the Minister of Finance to amend the ministerial directive to provide requirement for overseas investors to provide access to waterbodies where their land could do so.	
	Recommend to the minister and Overseas Investment Office that access easements are preferable to access arrangements in forestry land.	
Settlement Act Agreements	Promote early consultation with Fish and Game where Settlement Act Agreements involve game bird and sports fish habitat.	
Crown Pastoral Leases	We urge you to promote opportunity for new access via this mechanism. If you are interested in supporting this work Fish and Game can work to identify specific examples where new access could be sought via section 60 of the Land Act and section 4 (1) (a) of the Crown Pastoral Land Act.	
LINZ to map existing public access over private land	Funding digitisation work to give visibility to existing public access is a cost effective win for public access to DOC land and rivers than paying compensation to landowners for new access.	
LINZ to map Public Access Agreements over private land	Herenga ā Nuku has all the information for LINZ to digitise it. We ask you to discuss this project with LINZ and ask them to re-prioritise this work.	

Land owner contact database	Land owner permission is required to access private land, eg to get to DOC estate. The rural community does not want their contact details made publicly available. This makes it difficult for hunters and anglers to pre-arrange access. This is an issue to be resolved.	
-----------------------------	---	--

Follow up Meeting to Discuss Access

We welcome your questions, comments and feedback on our suggestions in this paper. We have provided a table above to obtain a steer from you on specific issues that we are exploring in this paper ahead of writing the Access Strategy. We note that we are asking for help from you to liaise with other ministers and we understand that some of these suggestions you will support and others you may not.

It would be helpful to follow up with you regarding your thoughts from these recommendations as this will form the foundation of our **access strategy** that we plan to work on next.

Legislation Overview and Relevant Instruments

In this section, we aim to give a brief overview of the key pieces of legislation that provide for hunting and fishing access. Some of these instruments relate to private property and others to public land. This information is summarised mainly from the Herenga ā Nuku website unless otherwise referenced.

Mapping Existing Access Over Private Land

There is existing access over private land that isn't mapped, providing access to DOC conservation areas, hunting blocks, and fishing rivers. This existing access was created before the digitisation of the cadastre by LINZ. As these parcels were created on paper-based survey plans, they do not show as secondary land parcels in the existing cadastre. As most digital mapping systems are based on digital cadastre parcels, this means the easements created before 2007 (when it became compulsory for surveyors to create digital survey plans) are not normally visible on digital mapping systems. Herenga ā Nuku's map system works this way – new easements are visible as there are digital easement parcels. Anything that hasn't been digitised isn't visible.

The paper-based plans can be viewed online, so the information can be found, and then digitised by LINZ. Three years ago, Herenga ā Nuku worked through a list of Public Access Easements (PAEs) created under the Crown Forest Assets Act to have them digitised by LINZ. Most PAEs link to DOC land and provide practical hunting access. Some of these were digitised through this project. Unfortunately, when Herenga ā Nuku went to reactivate the project last year, LINZ said it was not a priority for them to do—unless external funding was provided to do the work. Herenga ā Nuku cannot fund this work. The Minister (for Hunting and Fishing) could consider giving visibility to existing public access that is invisible to the public by requesting that this project be elevated in LINZ's priority of work.

Funding digitisation work to give visibility of existing public access should be a much more cost-effective win for public access to DOC land and rivers than paying compensation to landowners for new access.

The PAE capture is an obvious project that is ready to go now. Herenga ā Nuku has all the information. LINZ just need to digitise it. Other easements that need mapping include:

- Many other DOC easements in gross created under the Reserves/Conservation Acts between 1987 and 2007, which aren't digitised, so we can't show them on our digital mapping system.
- Legal access easements, Fish and Game have that may also be in this category.
- There are also many easements that were created by Lands and Survey before 1987 that lead to what is now DOC managed land or rivers.

- Most DOC staff don't even know about these, as they are not visible in DOC maps either. We usually come across these when we get public enquiries about access to a block of DOC land or a river. Often, what people think is a block of 'landlocked' DOC land, or a legally inaccessible river, can simply have public access that isn't visible in digital maps and has no signage on site.

Mapping existing access is a more achievable project than exploring new access over private land.

Conservation Act 1987

Marginal strips are created on riparian margins on the disposition of Crown land under the Conservation Act 1987 and can include circumstances where Crown-owned land is leased or licensed for any purpose, such as grazing. The land is vested in the Crown and administered by the Department of Conservation. Strips created since 1990 move with movement in the related water margin. Earlier strips are fixed in location, and like roads, they can be affected by erosion and accretion. For sales of land sold by the Crown since 1948, the river width was reduced to 3m. Before 1990, marginal strips were created under section 58 of the Land Act 1948.

To qualify as a marginal strip, the bed of the river must be more than 3m in width. The Conservation Act defines a river bed as the space of land which the waters of the river cover at its fullest flow without overtopping its banks. The definition includes streams that are continually or intermittently flowing. Land can therefore be added or lost from adjacent land. Marginal strips created after 2007 will have been surveyed, and the location of the marginal strip will appear on the title of the plan for the land.

Walking Access Act 2008

Walkways using easements in gross in favour of the commission.

The Walking Access Act 2008 established the New Zealand Walking Access Commission (now Herenga ā Nuku), which has the objectives of providing the New Zealand public with "free, certain, enduring, and practical walking access to the outdoors". Specific responsibilities of Herenga ā Nuku include placing a priority on access over private land to parts of rivers and lakes where there is not already walking access, and to sports fish and game bird resources. These responsibilities align closely with the responsibilities and roles of Fish and Game Councils for access under the Conservation Act. Fish and Game Rangers and officers are, by right of office, enforcement officers under the Walking Access Act.

There will be instances where Fish and Game want vehicular / hunting dog access, which is not the priority for other recreational users.

Land Act 1948

Pastoral leases are the most common land use arrangement and were created in the 1940s and 1950s under the Land Act and Crown Pastoral Land Act 1948. Perpetual pastoral leases run for 33 years and can be continually renewed. No new leases are being created.

Pastoral leases give the person holding the lease – the lessee – exclusive possession of the land, and the right to graze the land. Lessees need permission to carry out other activities on their lease. Section 176 of the Act excludes public access to Crown land without authorisation.

Land Information New Zealand reviews the rent paid for pastoral leases every 11 years, basing the rent on how much stock the land can carry for pastoral farming. Land Information New Zealand has the following link on their web site which provides mapping of pastoral leases.

The Land Act directs Commissioners to support the New Zealand Walking Access Commission (Herenga ā Nuku) as far as practicable in meeting its public access objective where that relates to pastoral land (s24 (ia)).

Exclusive possession of pastoral lease land

On 12 May 2009, the High Court issued a judgment on the right of pastoral leaseholders to exclusive possession of pastoral lease land, after a hearing conducted in Wellington on 26 March 2009¹. Access easements can be required with tenure review of Crown Pastoral leases to provide access through newly created fee simple land. A map of Crown Pastoral Leases is found here: [Location of Crown pastoral land | Toitū Te Whenua - Land Information New Zealand](#)

Crown Forest Assets Act 1989

Easements to establish and protect public access rights, known as Public Access Easements (PAE), are a key form of access. PAE's are not always upheld, and access is often closed for long periods of time for forestry operations. PAE's generally permit public access on foot, bicycle, motorcycle, or light motor vehicles, although this can vary from forest to forest.

The licensee or landholder may close the access:

- during the hours of darkness
- for safety reasons
- to protect trees, buildings, plant equipment or related items on the land.
- during fire season

Over the years, we have seen some forest managers dilute existing PAE's to their most restricted possible interpretation. During the establishment of PAE, it is critical

¹ [Leases and licences on Crown pastoral land | Crown property Guidance](#)

to ensure that all elements of the access arrangement are clearly articulated in a way that prevents the dilution of these conditions. This includes having clear guidance on the use of vehicles, paid permitting, use of firearms, access for dogs, when and why to close down access, etc.

Public access arrangements to forests, designed to satisfy social requirements under the Forest Stewardship Council accreditation system, can also prove problematic. In many cases, such access is provided to the absolute minimum standard.

Reserves Act 1977

Reserves were established to preserve and manage land for their conservation, public recreational and educational values. Access can be restricted by bylaws under the Act to protect the reserve if necessary.

The Reserves Act 1977 provides for the acquisition of land for reserves, and the classification and management of reserves (including leases and licences). Reserves may be administered by the Department of Conservation or by other ministers of the Crown, boards, trustees, local authorities, societies and other organisations appointed to control and manage the reserve, or in whom reserves are vested. Under section 2 of the Reserves Act 1977, Fish and Game Councils have been appointed to be local authorities for the purposes of this Act (New Zealand Gazette 29 November 2001 Page 3949). This enables them to exercise the powers and functions of a local authority under the Reserves Act.

Resource Management Act

The creation of esplanade reserves or strips occurs in conjunction with subdivision applications meeting certain criteria. Esplanade reserves are vested in the territorial authority whereas esplanade strips remain in the ownership of the landowner and, when established by agreement, access may be restricted.

Public access can be incentivised via subdivision, which provides an opportunity to create public access through the creation of esplanade reserves and strips. It is important that the subdivision process doesn't perversely result in the fragmentation of public access. A development incentive in exchange for protecting and enhancing land via conservation or QEII covenant is promoted by some councils. The landowner gets additional lots (bonus lots) if they promise to protect something of value to the community, such as public access to riparian margins, wetlands, native forest areas, and access to a waterway or swimming hole. These access strips can be used to enable public access to or along water bodies or public land. They remain in the landowner's ownership. The Auckland Unitary Plan, Waipa District Plan and the proposed Waikato District Plan all demonstrate examples of these.

Land Transfer Act 2017

Right of way easement in gross are usually in favour of public bodies and provide enduring public access over private land.

Overseas Investment Act

Public access has previously been secured on overseas investment land as part of the benefit to New Zealand test. Access to river, lake, wetland or coastal habitats have been secured. These conditions need to be detailed and specifically provide for hunting or fishing access as relevant. In the past Fish and Game was consulted on Overseas Investment Act applications and until recently Herenga ā Nuku was also consulted.

A Ministerial directive issued in June 2024 instructed, among other matters, that for efficiency, only the primary benefit of each application is to be assessed by the OIO. Walking access is usually a secondary benefit of applications. As such, the OIO is not currently assessing walking access and has not been for approximately 1 year.

Investors must notify the Crown if they are acquiring an interest in land that includes marine or coastal areas or the beds of lakes or rivers. The Crown can acquire those interests but may decide not to. Again, Fish and Game can assist with these decisions, or where game bird hunting or angling opportunity exists, can consider management of these resources on behalf of the crown.

Fish and Game is concerned that the June 2024 Ministerial Directive has significantly reduced the opportunity for new access conditions. We draw your attention to the many examples of access secured by Herenga ā Nuku providing access for hunters and anglers see attachment 1 and they have also created access for swimmers, new coastal walkways, new esplanade reserves and new bike paths.

Marine & Coastal Area Act 2011

Public access to and along the marine and coastal area (previously called the foreshore and seabed) is defined in this legislation. It provides for the high tide line (landward side of the mean high-water springs) 12 nautical miles out to sea and includes harbours and beds of tidal rivers. Access is provided in this area but does not allow for crossing of private land. There may also be other restrictions under other laws or council bylaws or fishing regulations in place.

Practical access will depend on whether the land title has been surveyed and defined as a marine/ water boundary or a fixed boundary. Publicly accessible land may also sit between private and moveable marine and coastal area which could provide more practical public access above the tidal area.

Water Boundaries² and Hydro Parcels under Marine and Coastal Area Act 2011

Hydro parcels represent beds of water bodies such as lakes, rivers and sea beds extended to when the adjoining land was last surveyed. Not all water bodies and their beds have hydro parcels and not all hydro parcels cover the current physical location of a water body. Hydro parcels are shown on the Herenga ā Nuku website.

² [Water boundaries | Survey.Cadastral survey guidelines Guidance](#)

Some hydro parcels are accessible (e.g. formed legal road and the river) and some are not. Unformed legal road issues are also surveyed as static boundaries in association with hydro parcels. Sometimes these have changed and no longer align.

Hydro parcel is unconfirmed crown land, which means that the ownership or administering body/legislation is not defined. Within a hydro parcel, there will be areas that have been confirmed via status report and administered under the appropriate act (eg Land Act).

The concept of *ad medium filum aquae* provides for adjoining land owners to own to the centre line of non-tidal and non-navigable rivers. This AMF land is an issue as it is not administered by LINZ.

Local Government Act 1974

The Local Government Act 1974 provides the legal framework for the management of both formed and unformed legal roads (ULR) in New Zealand. These roads, whether formed or not, are legally designated for public use and cannot be obstructed without proper authority where there is no right of passage superior to that provided by a road. Formed roads are those built and maintained for vehicle or foot traffic, while ULR's (often referred to as "paper roads") exist on legal maps but may not be physically developed. Both types are important for public access, particularly for recreational activities, including hunting and fishing, because they provide legal entry to public land and waterways.

We are also concerned that property adjoining a ULR can apply for road stopping and the council can amalgamate the paper road with their title after determining that the land will not be required for utilities, roads or footpaths in future. As there is no requirement for the council to consult Fish and Game, we are concerned that ULRs which provide access to water bodies, could be lost. There is a public notification process, however in practice it is impossible to be aware of all public notices, and therefore submitting on such road stopping applications may be missed.

ULRs have the same status as a formed road. They are owned by the council or the crown, and not by the adjoining landowners. The public has the right to drive their vehicles and walk on foot along this road without having to ask for permission from a landowner. Some councils restrict vehicular access by using bylaws. Councils have no responsibility to form, maintain or repair an unformed legal road.

Landowners are permitted to install an unlocked gate: anyone using the ULR must not damage the gate and must leave the gate as they found it. Livestock must not prevent the use of a ULR, nor should it be obstructed with vegetation, trees, scrub or buildings.

The right to walk a dog, including hunting dogs, is permitted the same as on a public road (reserve). However, some councils will have provisions in their Dog Management Bylaw that specify that the dog must be under control on a lead or off-leash. If special circumstances exist, dogs can be prohibited or kept on a leash.

Public Works Act 1981

Section 45 of the Public Works Act 1981 allows local authorities to lease or license any land held for a road, including adjacent unformed legal road, to adjacent landowners for activities such as grazing.

Leases could exclude public access, as there are currently no provisions in the Public Works Act requiring that access be provided. The legislation also fails to provide direction for the management of land. A solution would be that upon completion of the public work for which the land was acquired, the surplus land is gazetted as land held under the Lands Act. This would provide for more management functions. Subsequently, under the Lands Act, public access easement could be added at a later date. Although ideally, access is designed into the original project. This would provide better access to water bodies and other recreational opportunities.

Coal Mines Act 1903

In some areas, the Coal Mines Act 1903 supports recreation and access by making the beds of all “navigable” rivers, no matter their width, the property of the Crown. This helps protect public access along these waterways, particularly where the river has meandered outside of its historically surveyed boundaries.

Settlement Act Agreements

Deeds of settlement are negotiated and drafted by the office for Maori Crown Relations (Te tari Whakatau) Crown land set aside for future treaty settlement are held in the "land bank" and administered by LINZ based on the legislation they are held under i.e Land Act, Public Works Act, Railways Act. At the final signing of the deed, the lands are transferred to the mandated Iwi group in fee simple and are no longer in any form of Crown ownership. While held in the land bank, the crown is required to consult with Iwi in regard to the creation of any encumbrances that may impact the value or condition of the land.

There are now several examples where guaranteed public access has been lost or unreasonably restricted following Treaty Settlement processes, through dubious interpretation or in direct breach of settlement conditions. The reluctance of individuals or agencies responsible for upholding these conditions to enforce them further exacerbates this issue.

A potential solution to this is to continue to advocate for the maintenance and improvement of access for hunters and anglers in Treaty Settlement processes, ensuring that any relevant provisions are expressed in a binding manner. Access and how this is to be granted, and who pays for maintenance and enforcement also needs to be clarified between all parties prior to signing in a manner which is acceptable to all.

Biosecurity Act 1993

When there are biosecurity incursions access to a geographical area can be closed or made more difficult. This could occur if there is an avian bird flu outbreak or foot and mouth outbreak. Concern about Golden Clams being introduced to Lake Ōkātaina recently closed access for biosecurity measures to be put in place.

Fish and Game participates actively in formulating solutions and promoting compliance with biosecurity measures. We submitted to public consultation in 2024 regarding proposed amendments and await the outcome of this process.

Other Instruments

Covenants

There are two types of covenants that may be created to support public access – these are conservation covenants and open space covenants, described below.

Conservation covenants

Conservation covenants are a type of covenant created pursuant to s77 of the Reserves Act 1977 to preserve the natural environment, landscape amenity, wildlife, freshwater life or marine life habitat or historical value of private land. For example, a conservation covenant could provide for the protection of conservation values of riparian margins, maintenance and enhancement of water quality and aquatic habitats.

From a landowner's perspective, a conservation covenant has the advantage of the landowner retaining ownership of the land and a greater ability to draft flexible arrangements and to amend them over time, including the width and period for which the covenant runs. A conservation covenant could not be created on the basis of public access alone; however, it could be a condition included as part of the covenant.

Open space covenants

An open space covenant is a covenant created between the Queen Elizabeth II National Trust (QEII Trust) and a landowner to protect a special open space feature in perpetuity. Established in 1977, the functions of the QEII Trust are to encourage and promote, for the benefit and enjoyment of present and future generations of the people of New Zealand, the provision, protection, and enhancement of open space. Open space is defined to mean any area of land or body of water that serves to preserve or facilitate the preservation of any landscape of aesthetic, cultural, recreational, scenic, scientific, or social interest or value. In this respect, an open space covenant could be created to preserve the recreational values of gamebird hunting or sports fishing.

The area for protection is spatially defined when created, and a covenant is registered against the title of the property specifying the values to be protected and a set of actions which are prohibited to maintain the stated values (e.g., not burning a forest or draining a wetland).

QEII Trust offers support with fencing areas (if this is needed) and management of covenant areas, with specialist advice and monitoring. Field officers visit a covenant site at least every two years. There is a contestable fund that covenant owners can apply to if they wish to undertake a conservation project in their covenant (e.g. pest control). We understand that reductions in funding has resulted in limited new work being undertaken by QEII Trust.

Informal agreement

This is the least secure form of access, but the easiest and cheapest to acquire. Fish and Game prefer formal agreements to minimise the loss of access in years to come or with a change of landowner. However, for landowners, it could provide opportunity to “try before you buy” so that formal arrangements can be put in place once they have trialled access.

Other Issues for Access

Reverse Sensitivity

Reverse sensitivity occurs when hunting opportunities are lost due to a new activity locating too close to the existing game bird hunting area. Rural subdivision, new walking and biking tracks, and other activities can bring other recreationists into close proximity of those recreating with firearms, which can cause tensions and result in the original activity being forced to stop.

Fish and Game ask landowners to consult with us so that we can work with them to locate new buildings or tracks so that existing natural values (hunting and fishing opportunity) is not compromised. We have attended Department of Conservation meetings and discussed their work relating to mountain biking tracks. We would also like to hear from territorial authorities when new subdivisions are proposed.

Fish and Game can be consulted to ensure that reverse sensitivity can be minimised.

Exclusive Capture and Ownership of Species (Game Birds and Fishing)

Exclusive capture is where a private property owner does not allow access to the public, but does provide access to fee-paying clients. Costs are often prohibitive for the general public and can result in the appearance that the landowner owns the wildlife on their property (which they don't). This doesn't apply to a property that

effectively farms deer or pheasants for hunting parties. It does apply to properties that are used for duck hunting and sports fishing parties.

While we appreciate that running this kind of enterprise is the prerogative of the landowner, we do think that there is an issue of species ownership that needs addressing when the Wildlife Act review occurs. Whilst we cannot force private property owners to provide public access, there is the issue that they may be appearing to take ownership of sports fish and game bird species that they do not own.

Health and Safety Law Reform

New Zealand Fish and Game collaborated on a submission written by Aotearoa Climbing Access Trust (ACAT) to the Ministry of Business, Innovation, and Employment, which highlighted the challenges for public access and recreation created by Health and Safety law.

[Outdoor recreation groups call for health and safety law changes to protect public access | Aotearoa Climbing Access Trust](#)

We note that the outcome from the White Island decision has confirmed that landowners are not liable for health and safety when providing access to recreational activities. This is good news for organisations like Fish and Game, and this should help with gaining more access arrangements in future.

Key Access Partners

Our key partners in access matters include

- Department of Conservation
- LINZ
- Walking Access Commission
- District Councils (legal roads)
- Regional Councils (flood defence schemes)
- iwi land owners
- forestry
- farmers
- overseas owners and
- other private property owners

This range of partners shows the number of different areas of government along with privately owned properties that are involved with access arrangements.

Attachments

Attachment 1 Examples of access secured to angling sites prior to June 2024
Ministerial directive.

New public access benefits for fishing created recently through Overseas Investment Act decisions

Compiled July 2025

July 2025, Taieri River, Otago.

Taieri Lake Grazing's public access OIO outcome has created two new walkway routes connecting the important Taieri River directly with State Highway 87 and the popular Central Otago Rail Trail. The northern walkway route is a short 430m and the southern route is a 570m connection, both including foot and cycle use. As part of the public access implementation, a variation to an existing walking easement halfway between the two new walkways has added cycles along it, giving various options for new loop tracks between the Rail Trail and along the river, linked by the existing unformed legal road along the river margin. This will eventually provide more options for Rail Trail riders and shorter tracks for the local community to connect to the river.

The Taieri River scroll plain in Otago is one of the most important and unique wetlands in New Zealand. The new access will support the work of a large community restoration project transforming the many twists and turns along the river catchment and focusing on the health of the Taieri River. More fishing opportunities along the Taieri River have also been opened up with the new walkways.

The benefits of the new public access made possible through this OIO outcome will result in more recreational opportunities for the local community to enjoy the outdoors and the river, increased economic benefits from expanding tourism opportunities for the popular Central Otago Rail Trail and guided fishing businesses, and contributing to the restoration of the health of one of New Zealand's most important and unique wetland river systems. A great example of the important additional benefits that overseas investment can provide.

May 2025, Kai Iwi Stream and Huripari Stream, Whanganui:

The Tuawhare Forest OIO outcome has resulted in the registration of a new 20m wide esplanade strip along the bank of Kai Iwi Stream, which forms the western property boundary. This forest is part of the Kai Iwi catchment area, known for its fishing and recreational use closer to the river mouth.

The OIO outcome for Te Ara To Waka Forest has resulted in the registration of a new 20m wide esplanade strip along the banks of Huripari Stream (on both sides of stream where the stream is within the property). These esplanade strips connect directly to State Highway 4, providing easy public access to the stream.

March 2025, Taharua River, Taupo:

The Taharua Station OIO outcome has resulted in new public foot access alongside the Taharua River, which passes through a long length of the property. Taharua River is a highly prized fishery, especially for brown trout, resulting in Hawkes Bay Fish and Game becoming a party to the public access covenant. A small waterfall on this section of the river will be of interest for the wider public to access.

May 2024, Ruakokoputuna River, Wairarapa:

The Haurangi Forest OIO outcome has resulted in the registration of 2 walkway easements for new public access. The two separate walkway easements link Haurangi Road with Ruakokoputuna River, around 16km south of Martinborough in the Wairarapa. The two easements are relatively short, the longest being less than 500m. However they provide important practical access to get to the marginal strip along the banks of Ruakokoputuna River, which in turn can be used to create a loop route between the two easements, or let anglers enjoy this part of the river. We are excited about the loop track providing free and enduring access for New Zealanders to enjoy in the future.

April 2024, Mangaotane Stream, Gisborne:

This OIO outcome for Te Rata Station has resulted in new esplanade strips being created on both sides of Mangaotane Stream, as well as several of its significant tributaries, so fishers have the opportunity to take advantage of this significant fishing resource in the upper Mangaotane catchment. A 4.7 km walkway easement has also been created for public access from Tarndale Road to get to Mangaotane Stream.

March 2024, Kaputone Creek, Christchurch:

This OIO outcome in Marshland Road, Christchurch, has resulted in a new esplanade reserve being created and vested in the Christchurch City Council alongside Kaputone Creek, with new public access to get to it from Marshland Road. This is a significant outcome as it links directly with the Council's work on the Source to Sea project for the Styx River catchment. Kaputone Creek is one of two tributaries in the Styx catchment. The Source to Sea project includes native restoration along the waterways and a public access corridor/trail from source to sea beside the waterways. Public access

will help with restoration work and pest trapping, along with enabling public enjoyment and engagement with the water.

The new esplanade reserve will eventually connect to the wider project, but in the meanwhile new public access created from Marshland Road as a result of this OIO outcome allows the public to enjoy the reserve in its own right. Restoration planting has already commenced on the new reserve, which will increase river health in the lower catchment for anglers.

January 2024, Waihopai River, Marlborough:

Ernslaw One Limited's OIO outcome at 4641 Waihopai Valley Road has resulted in 7 new esplanade strip parcels. One of these is on the northern bank of the Waihopai River, to provide practical public access along this side of the river for fishing and other recreational activities, where public access did not previously exist. The other 6 esplanade strip parcels are on either side of Byron Stream where the stream is within the property. These are intended to provide future access along Byron Stream as access links become available on adjoining properties over time, and will enable people fishing, hunting and tramping to progress up Byron Stream to reach the DOC managed Te Arowhenua Scenic Reserve.

February 2023, Rangitata River, Canterbury:

The Cumberland Dairy Farm OIO outcome in Canterbury has resulted in 7km of new public access along the true left bank of the Rangitata River (through esplanade strips being registered), along with 2 new public access tracks to get to the river (through access strips being registered). The Rangitata River is well known for its salmon and trout fishing. Fish and Game are particularly appreciative of this new fishing access.

Maritime New Zealand Update Aug. 2025

Prepared by: Adam Daniel

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish and Game Council is intended to update the council on potential issues likely to arise from the scheduled review of the Maritime Transport Operation Plan (boating safety plan).

Financial considerations

Nil Budgetary provision Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – CEO Recommends

Ngā taunaki - Staff Recommendations

NZC Staff recommend the following motion:

That the New Zealand Fish and Game Council:

1. NA

Whakarāpopoto - Executive Summary

- 1 The proposed changes to Fish & Game could impact the pending review of the Maritime Transport Operation Plan (MTOP). Due to the uncertainty involved, staff will begin consultation with regions on changes, but have signalled to Maritime NZ that the organisation is in a state of transition. Maritime NZ staff had significant issues with Fish & Game's single MTOP representing multiple independent regions without consistent policies or a single officer or PCBU. Maritime NZ staff made contact on the day potential changes to Fish & Game were announced by the Minister, inquiring about any change. A uniform health and safety policy will need to be developed for the new MTOP to be approved.

Background - Takenga mai

- 2 The previous Maritime NZ audit highlighted issues with inconsistencies in policy due to the independent nature of regions. For example, Fish & Game regions have at least five different procedures for monitoring staff in the field and regions are not required to adopt the national health and safety policy. There will be three significant issues to address during the renewal of the MTOP
 - Maritime NZ would like a top-down instead of a federal structure for operations and procedures relating to the MTOP.
 - A standard health and safety policy will need to be adopted by all regions in the program.
 - Fish & Game regions in the maritime program will need to develop a standard employee monitoring system.
- 2.1 Although Maritime NZ has no authority to dictate the structure of Fish & Game, their staff struggle with approving health and safety policy based on our current structure. Staff have signalled to Maritime NZ auditors that the organisation is undergoing change and may need to amend our MTOP.
- 2.2 Developing a single staff monitoring procedure will take significant consultation between regions and will likely require funding if an app-based program is adopted. Adopting a single staff monitoring procedure for all regions would be prudent, considering nine of the regions are involved in the maritime program.

Ngā kōwhiringa - Options

- 3 NA

Whai whakaaro ki ngā whakataunga - Considerations for decision-making

Financial Implications

- 4 There will likely be an increased cost associated with any real-time monitoring or app-based monitoring program for staff.

Legislative Implications

NA

Section 4 Treaty Responsibilities

NA

Policy Implications

- 5 Any change to Fish & Game that allows for a consistent health and safety policy will be welcomed by Maritime NZ.

Risks and mitigations

- 6 NZC is currently not compliant with the Maritime NZ audit recommendations due to a lack of uniform policy, specifically a trip reporting or fieldwork intentions log procedure. If an audit or accident occurs before developing a policy, NZC would likely be found negligent.

Consultation

- 7 There is a need to progress consultation on staff monitoring procedures..

Ngā mahinga e whai ake nei - Next actions

- 8 It would be prudent to assign a project leader and initiate consultation on a uniform staff monitoring procedure as this will be required for all staff in the maritime program.

Aquatic Invasive Species Update Aug. 2025

Prepared by: Adam Daniel

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish & Game Council is intended to update the council on potential issues likely to arise from the MPI response to the gold clam invasion of the Waikato River.

Financial considerations

Nil Budgetary provision Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – CEO Recommends

Ngā taunaki - Staff Recommendations

NZC Staff recommend the following motion: NA

Whakarāpopoto - Executive Summary

- 1 The MPI response to the gold clam invasion of the Waikato River has placed unjustified scrutiny on anglers and done little to address border security or likely expansion of the clam's current range. Staff identified wake boats as a significant biosecurity threat to MPI prior to the arrival of gold clams. The MPI response has been underfunded and focused on traditional check, clean, dry (CCD) procedures that are not effective for wake boats.

Background - Takenga mai

- 2 The recent arrival of two separate gold clam species in New Zealand has been associated with wake boats and wake boating gear. Wake boats can hold up to 40 litres of water when empty and then carry any invasive species in their internal tanks to the next water body that the boat is used in. It is currently legal to import used wake boats from overseas with no decontamination required, posing a significant threat to the New Zealand economy. Fish & Game staff warned MPI of the potential threat of importing used wake boats in early 2023, before the discovery of the gold clam. Two separate introductions of invasive calms over the past five years have signalled significant deficiencies in current border security, indicating New Zealand is vulnerable to a potential invasion of zebra mussels or a similar species. The introduction and spread of the gold clam in the Waikato River is associated with high-use areas for wake boats. The initial introduction and spread of the gold clam have not been associated with angler use.
- 3 Due to abundant data on angler use and overseas literature, fishing has been misidentified as a high-risk activity for biosecurity, resulting in a moderate threat to Fish & Game. Multiple agencies have requested the closure of fisheries based on perceived biosecurity threats. Hatchery releases have also been flagged as potentially risky. The spread of didymo via fishing has also put anglers in the spotlight for aquatic invasive species.
- 4 Providing MPI evidence and advice to shift their response and focus away from low-risk activities like fishing and to high-risk activities like wake boating is critical. Due to a lack of funding, MPI has adopted an educational approach based on a modified check, clean, dry message that is completely ineffective at addressing the movement of contaminated water in wake boats. Currently, there is no on-the-ground enforcement in the gold clam containment zone. The Waikato Regional Council has continued to allow both national and international wakeboarding events to be held within the containment zone over the last year, with no required decontamination for participants or boats. Without a significant improvement in compliance and enforcement, gold clams will likely be transported to neighbouring regions.
- 4.1 The staff scholarship was used to investigate aquatic invasive species programs in the USA to bring relevant procedures to the attention of MPI to improve border and domestic biosecurity. US agencies were solely focused on the movement of boats and did not see fishing as a specific threat for the spread of gold clams or freshwater mussel species. The information gathered via the staff scholarship has been disseminated to MPI, DOC, LINZ, Water NZ and multiple regional councils in a series of three webinars that have reached over 60 external industry

representatives and biosecurity experts. In addition, a webinar was presented to 19 Fish & Game staff.

Ngā kōwhiringa - Options

5 NA

Whai whakaaro ki ngā whakataunga - Considerations for decision-making

Financial Implications

- 6 The introduction of freshwater mussels (zebra mussels) from the USA would lead to mass closures of waterways and strict regulations on angling. Similarly, the continued spread of the gold clam will likely lead to closures of nearby waterways.

Legislative Implications

NA

Section 4 Treaty Responsibilities

NA

Policy Implications

- 7 The continued promotion of CCD is important for all anglers, but shifting the MPI's focus and funding to more effective border and domestic interventions is vital. It will be important to express concerns about border security and the inadequate response to the gold clam invasion to MPI staff and senior management.

Risks and mitigations

- 8 There is a significant risk of closures for fisheries if the spread of gold clams is linked to anglers. Any spread of gold clams or new aquatic invasive species is a financial risk to Fish & Game. Restricting the movement of wake boats will be essential to stop the spread of gold clams, requiring a policy shift from MPI. Continuing to publicly support MPI and the CCD message is important for Fish & Game's social licence.
- 8.1 From an operational perspective, it is important that hatcheries are testing for aquatic invasive species at least annually and that procedures are in place to ensure staff are following decontamination best practice when moving boats and field gear between waterbodies.

Consultation

- 9 It will be critical to elevate our concerns about border security and the gold clam response at least to the CEO level with MPI.

Ngā mahinga e whai ake nei - Next actions

- 10 A briefing document with recommendations based on successful aquatic invasive species programs in the USA will be developed for consultation with MPI.

RMA Fund Update

New Zealand Fish & Game Council Meeting 176 29th & 30th August 2025

For Decision

Prepared by: Helen Brosnan, Senior Policy Advisor, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

This report provides NZC with an update on RMA projects being funded through the RMA fund. One new funding application is sought for the Whangamarino weir consenting. Detailed updates are provided on Plan Change 1 (Ak/ Waikato). There is also an update on NZC advocacy since your last meeting. A separate item is provided in the public excluded session summarising the Rakaia WCO decision. A separate item is provided regarding the Fish and Game Bill and advocacy, and reallocation of RMA funds.

Financial Considerations

Nil Budgetary provision Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki - Staff Recommendations

That the New Zealand Council:

1. **Approves** the new funding application of \$645,000 over 5 years funding for Whangamarino Weir consenting, as detailed in Appendix 1 OR
2. **Approves a portion of the funding** [\$50k suggested] and directs Auckland Waikato to the business case round in April for further funding over 5 years.
3. **Notes** update provided by Auckland / Waikato Fish and Game regarding Plan Change 1, detailed in Appendix 2.
4. **Notes** overview of NZC advocacy that has occurred since the last NZC meeting, detailed in Appendix 3a. We have included an amendment to section 70 of the RMA in Appendix 3b.
5. **Notes** that as of 31 July 2025, the RMA fund has committed funds of \$432,678. The remaining uncommitted funds of \$155,555 are available for new cases, including the funding application in this report. This is aside from any (to be approved in the budget item) RMA fund top-up of \$100k in

the new financial year (1 September 2025). The RMA fund summary table is included in appendices 4 & 5.

Whakarāpopoto - Executive Summary

6. A new funding application of \$645,000 over 5 years for the Whangamarino Weir consenting has been submitted. Alternatively, \$50k funding to commence work until August 2026 is sought. This funding application is detailed in Appendix 1.
7. An update on Plan Change 1 interim decisions is provided in Appendix 2. A more detailed update will be provided in the future. A separate agenda item summarising the Rakaia WCO decisions is provided in the Public Excluded section of the agenda.
8. NZC advocacy work is summarised in Appendix 3.
9. As of 31 July 2025, the RMA fund has committed funds of \$432,678. The remaining uncommitted funds of \$155,555 are available for new cases, including the funding application in this report. This is aside from any (to be approved in the budget item) RMA fund top-up of \$100k in the new financial year (1 September 2025). The RMA fund summary table is included in appendices 4 & 5.
10. DOC has announced the decisions from their February consultation on Access Charging and Modernising Management of Conservation Estate. The outcomes of this consultation is included in the fact sheets attached in appendix 6 & 7..

Kōrerorero – Discussion

11. The focus of this paper will be on the new funding application detailed in Appendix 1. Of note, there are insufficient funds in the RMA fund to support this project, and the Auckland /Waikato Region has no reserves.
12. Given the Fish and Game Bill and uncertainty about the RMA fund and the proposed future funding allocation in the Fish and Game Bill, it would be difficult to approve the full funding application at this meeting.
13. NZC may choose to provide some funding to assist with the start of the project to see it through until the business case funding round in April 2026 occurs, and decisions are made in August 2026. The manager of Auckland/Waikato has proposed an amount of \$50k to get the project through to mid next year.

14. Last-minute changes to s70 have been made, which will allow regional councils to permit ongoing pollution where rivers are already degraded, including where there are conspicuous colour changes, or rendering of water unsafe for livestock drinking. The changes also include the removal of prohibitions on discharges that create floatable or suspended materials, enabling councils to allow new pollution in pristine waters.

The removal of these protections will have disastrous consequences for all users of freshwater. The proposed changes are included in Appendix 3b.

Whai whakaaro ki ngā whakataunga - Considerations for decision-making

Financial Implications

15. See Appendix 4 & 5 for balances for each RMA fund case.

Legislative Implications

16. As detailed in each appendix.

Section 4 Treaty Responsibilities

17. We note that there are likely to be Treaty / Settlement Act issues associated with some of the above legislation changes.

Policy Implications

18. As detailed in specific updates and submissions.

Risks and Mitigations

19. The risk of not being involved in the policy and legislation changes is that habitat protections could be removed to the detriment of the species that we manage.

Consultation

20. The wider RMA team has been involved with the development of some of the submissions that we have provided, particularly the National Direction submissions.

Attachments:

Appendix 1 – Whangamarino Weir consenting funding application.

Appendix 2 – Plan Change 1 Update from Auckland Waikato Fish and Game

Appendix 3 – NZC Advocacy update

Appendix 4 – RMA Fund update table

Appendix 5 – RMA Fund update table

Appendix 6 – Access Charging

Appendix 7 – Modernising Conservation Estate

RMA / Legal fund application

Whangamarino Weir – Replacement Resource Consent Application to Dam the Whangamarino River

Rationale – why should we support this case?	
Case Name	Whangamarino Weir Replacement Resource Consent
Court	Yet to be determined.
Focus Issues / Topics	<p>Auckland/Waikato Fish and Game and the Department of Conservation are joint consent holders for a large weir that dams the Whangamarino River. This consent has authorised the damming of the river since 1991 and has successfully raised minimum water levels in the Whangamarino Wetland. As a result, up to 7,000 hectares of wetland have been restored—most notably 1,500 hectares of swampland connected to the riverine network, including a significant area of Fish and Game-owned land.</p> <p>The weir was constructed in 1994 but failed the following year. The original consent was reviewed in October 1997, leading to modified consent conditions. Both the initial approval and the subsequent review were contentious, with nearby landowners opposing the damming due to perceived impacts on private property inundation.</p> <p>From 2017 to 2025, the consent underwent a further review, prompted by Waikato Regional Council’s concerns about the weir’s unanticipated effects on sedimentation, flood scheme capacity and operation, and private land drainage. This review has just been completed with a new agreed set of conditions.</p> <p>The current consent expires in October 2027. A new resource consent will be required to continue damming the Whangamarino River using the existing weir or an alternative structure.</p>
Relevant Legislation	Resource Management Act 1991 (and potentially Fast Track Approvals Act 2024).
Other parties Involved / Stakeholders / Collaborators / Partners?	Waikato Regional Council (as the consent authority, and managers of the flood scheme), Department of Conservation (as joint consent holder and manager of the majority of the Whangamarino Wetland), mana whenua, iwi authorities, local landowners and flood scheme committees
Legal Representation / SME’s/consultants involved	<p>To be confirmed. It is anticipated that the process to obtain a new resource consent for the damming of the Whangamarino River will involve a series of external consultants to understand the effects of the Whangamarino Weir. This is likely to include:</p> <ul style="list-style-type: none"> • Legal Representation; • Planner; • Iwi specialist to assess cultural values; • Water resources engineer / hydrologist / water modelling; groundwater effects; • Ecologists (terrestrial and wetland fauna, pest management); • Soil scientist; • Economist / social impact (TBC); and • Landscape architect (to demonstrate the benefits of the weir on landscape / character / amenity values in retaining the wetland).

	<p>Note that any costs associated with the above, and the process as a whole, will need to be split between Fish and Game and the Department of Conservation as joint consent holders.</p> <p>If it is determined through the process that a new structure is required (to replace the weir), further technical assessments may be required and may also involve land use considerations (i.e. consideration of the Waikato District Plan).</p>
Why Fish & Game?	<p>As noted above, Fish and Game is a joint consent holder for the Whangamarino Weir. The Whangamarino Wetland is the second-largest wetland complex in the North Island, covering over 7,200 hectares. Fish and Game owns and manages approximately 748 hectares within this area.</p> <p>The Whangamarino Wetland is designated as a RAMSAR site, recognising its international importance under the RAMSAR Convention. It provides critical habitat for a range of rare and endangered fish and bird species, as well as several nationally threatened and regionally rare plant species.</p>
Risk summary	<p>Taking no action is not a viable option, given that Fish and Game is a joint holder of the resource consents for the Whangamarino Weir—unless a decision is made to relinquish the consent entirely. However, failing to protect the Whangamarino Wetland and its associated values would lead to the progressive loss of this critical habitat and a further significant decline in wetland ecosystems across the region. Removal of the weir would result in an immediate decline in water levels by greater than 1.5 metres for distances upwards of 15 km (from the Weir), draining most of the wetland environments and reducing surface water to river channels only except during flood events.</p>
Resources – what’s needed to support this case?	
Staff Lead	David Klee is submitting the application and is the primary contact person.
Region/s	Auckland Waikato Fish and Game
Estimated Duration (weeks) and likely time of year this will occur (Q1,2,3,4)	<p>Estimate duration: now until the consent is approved. The process is likely to be contentious given the entrenched views of some parties that the weir has resulted in private land being flooded.</p> <p>It is noted that there are two processes that could be followed to obtain a replacement resource consent. These processes are described below, with the likely steps in the process (and approximate timeframes).</p> <p>Standard Process Under the Resource Management Act 1991</p> <ul style="list-style-type: none"> • Prepare application and assessment of environmental effects for a replacement resource consent to dam the Whangamarino River (including consultation with interested parties) – Now until April 2027. • Lodge application with the Waikato Regional Council – by April 2027. • WRC processing of the application and further information requests – April 2027 to October 2027. • Public notification (likely) of the resource consent and submissions– End of 2027. • Hearing (significant preparation required)– Second half of 2028.

	<ul style="list-style-type: none"> • Decision – Early 2029. • Environment Court Appeals (likely)– 2030. • Environment Court decision – 6 months to a year after the hearing. <p>Following an Environment Court decision, appellants can appeal to the High Court on points of law only. In our experience, an appeal to the High Court (or higher court following a High Court decision) is very rare.</p> <p>Process under the Fast Tracks Approvals Act 2024</p> <ul style="list-style-type: none"> • Prepare a referral application to use the Fast-track process and lodge with the Environmental Protection Authority (EPA) – Now until mid 2026 (or sooner – we likely have the required information to prepare the referral application now based on the work undertaken for the latest review process). • Referral application decision end of 2026 (decisions on referral applications are taking around 3 months at present). • Prepare substantive application to replace the Whangamarino Weir resource consent (including consultation with interested parties where required) – Now until April 2027 (substantive applications are similar to resource consent applications); • Lodge substantive application with the EPA – by April 2027. • Expert panel considers the substantive application, including inviting written comments from some people or groups listed in the Fast-track Act – this includes relevant local authorities, relevant iwi authorities, treaty settlement entities, relevant administering agencies etc. These groups have 20 working days to prepare comments – April 2027 to October 2027. • Hearing may be held – however there is no requirement for a panel to hold a hearing. • Opportunity for those providing comments on the application to comment on draft conditions – first half of 2028. • Expert Panel decision – mid 2028. <p>A panel’s decision to grant or decline an approval may be appealed to the High Court on points of law only – there is no ability under this Act to appeal to the Environment Court.</p> <p>In both of these processes, if the replacement resource consent application is lodged 6 months before the current consent expires (i.e. April 2027), Fish and Game and the Department of Conservation can operate under the expired consent until the decision on any replacement resource consent is determined and beyond challenge (i.e. following appeals).</p>		
<p>Budget – how much, for what? + /- contingencies</p>	<table border="1"> <tr> <td data-bbox="486 1787 813 2029"> <p><i>How much money do you need? What will you spend it on? Provide breakdown of total cost.</i></p> </td> <td data-bbox="813 1787 1495 2029"> <p>Cost estimates are based on recent costs incurred for the weir S128 review and extrapolated. The total costs of the S128 process amounted to approximately \$480,000 in external and \$300,000 in internal costs. Given the increased complexity and potential for a publicly notified hearing process, it is highly likely that the re consenting will incur greater costs.</p> </td> </tr> </table>	<p><i>How much money do you need? What will you spend it on? Provide breakdown of total cost.</i></p>	<p>Cost estimates are based on recent costs incurred for the weir S128 review and extrapolated. The total costs of the S128 process amounted to approximately \$480,000 in external and \$300,000 in internal costs. Given the increased complexity and potential for a publicly notified hearing process, it is highly likely that the re consenting will incur greater costs.</p>
<p><i>How much money do you need? What will you spend it on? Provide breakdown of total cost.</i></p>	<p>Cost estimates are based on recent costs incurred for the weir S128 review and extrapolated. The total costs of the S128 process amounted to approximately \$480,000 in external and \$300,000 in internal costs. Given the increased complexity and potential for a publicly notified hearing process, it is highly likely that the re consenting will incur greater costs.</p>		

	Estimate External Costs	
	Legal	\$250,000
	Planning	\$150,000
	Hydrological Expert	\$250,000
	Ecological Expert	\$100,000
	soil scientist	\$30,000
	Economist	\$30,000
	Cultural Expert	\$50,000
	Engineering Scoping and Design	\$150,000
	Landscape Architect	\$30,000
	Regional Council fees:	\$250,000
Total	\$1,290,000	
TOTAL REQUESTED \$	\$645,000 over 5 years, costs shared with DOC	
Endorsement/s		

Legal Case Risk & Assessment Criteria

**Associated risks and priority information will be included in Legal Case Tracking Database and regular updates of the progress of the case will be provided for reporting and outcomes tracking.*

Primary Criteria

Key Questions	Risk Weighting Score 1-3 [1= high 2= med 3= low]	Supporting Detail
What is the national precedent value in the proposed legal action?		As previously mentioned this is an internationally significant wetland. If we were to walk away from protecting its hydrological regime via the weir, it would have significant adverse effects on the wetlands ecosystem health and this would set a terrible precedent for the value of wetlands in NZ. Eco-hydrological investigations have shown that an even higher water level than the Weir currently delivers under baseflows would provide significant habitat increases for a range of species.
What degree of cross regional significance is the issue for which legal action is being contemplated?		NA
What degree of public or licence holder interests are there, and what is their engagement?		Whangamarino Wetland is listed as a site of national significance in the Auckland/Waikato Sports Fish and Game Bird Management Plan 2010. Fish and Game own and administer some 748 ha of the Whangamarino wetland, which have 144 balloted hunting stands. The Whangamarino is a RAMSAR site, protected under the RAMSAR convention. The Whangamarino is considered

		to be international importance for its flora and fauna, which support a number of rare and endangered fish, and bird species, and a number of nationally threatened and regionally rare plants. Whangamarino Wetland and Lake Waikare historically held the highest abundance of waterfowl in the Waikato Region and despite being highly degraded still have large aggregations of waterfowl and recreational hunter use. It is estimated that the loss of wetland habitat quality and extent in the greater Whangamarino complex has caused a 40% decline in wildlife (Reeves 2011).
RISK ASSESSMENT RESULT		<i>Total Score from above Score 3-4 = High risk approach Score 5-6 = Med risk approach Score 7-8 = Low risk approach</i>
Are there relationships to other synergies and co-dependency's?		
What is the risk of doing nothing?	High	As stated above doing nothing would mean the loss of large wetland extents in one of the largest remaining wetlands in the country, which would have irreversible effects for many species (introduced and endemic), furthering significant declines in wetland habitats in the region.
What is the likelihood of a negotiated settlement?	None	None. The weir has received vociferous opposition from local landowners who blame it for increased flooding on their farmland.
What is the likelihood of an appeal to a higher court?	High	High. Unless we can channel the application through the 'fast track' process it will invariably end up in the Environment Court.
Secondary Criteria		
Key Questions		Supporting Detail
What is the significance to Fish & Game of the resource under challenge, including its current benefits and potential use and value? For example: <ul style="list-style-type: none"> a. How many angler/hunter days does the resource support? b. Is it an important recruitment habitat? c. What benefit could it have in the future? 		<p>The Whangamarino Wetland is classified as a site of national significance for recreational game bird hunting in the Auckland/Waikato Sports Fish and Game Bird Management Plan—one of only two wetlands in the region with this status.</p> <p>Fish and Game owns and manages approximately 700 hectares across multiple land titles within the broader Whangamarino Wetland system. Four of these titles—Williamson, Sherrard, Central Shepherd, and Cocks wetlands—are directly adjacent to the Whangamarino River and lie within its floodplain, making them reliant on the water levels regulated by the weir.</p> <p>These wetlands have been maintained and enhanced specifically to support game bird habitat and provide hunting opportunities. The North and Central Shepherd Wetlands, located off Island Block Road and acquired by Fish and Game in 1975/76, cover 77 and 59 hectares respectively. The Cocks Wetland comprises 248 hectares, while the 354-hectare Eastern Whangamarino Wetland recently benefited from a \$1.1 million enhancement project.</p> <p>In the 2025 season, these wetlands supported 182 balloted pondholders and approximately 170 itinerant hunters. The number of hunters using the Department of Conservation-managed portion of the wetland is unknown but likely even higher.</p>

	<p>Unlike recreational fishing, it is more difficult to accurately measure hunter use within specific catchments, as the Game Bird Harvest Survey (GBHS) estimates harvest and hunting effort at a regional scale. However, by filtering GBHS data by location (2015–2024), it is estimated that hunters spend approximately 2,000 hunter-days annually in the Whangamarino Wetland—making it one of the most intensively used game bird hunting areas in the region.</p>
<p>What is the risk to that resource of the proposed action being taken without Fish & Game contesting/supporting the proposed action? For example:</p> <ol style="list-style-type: none"> a. What will be lost in terms of the resource? b. Would it affect license sales? c. Who uses the resource? 	<p>It is unlikely that the Department of Conservation (DOC) will be in a position to hold the resource consent for the Whangamarino Weir independently. The potential loss of the weir could be significant, leading to the progressive degradation of the Whangamarino Wetland, its associated values and potentially its RAMSAR status. This would contribute to a further decline in regional wetland habitats and would set a troubling precedent—one that runs counter to both national and regional policy directives requiring the <i>no net loss</i> of wetland values.</p> <p>While it is not possible to determine the total number of hunters using the Whangamarino Wetland annually—due to DOC not keeping site-specific records of game bird hunting on their lands—Fish and Game-managed areas alone supported 496 adult and junior whole-season licence holders in the 2025 season.</p>
<p>What is the likelihood of Fish & Game succeeding in contesting/supporting the proposed action?</p> <ol style="list-style-type: none"> a. To answer this question supporting advice needs to be supplied from legal and or RMA planning sources. 	<p>Given the importance of the Whangamarino Wetland, the policy framework protecting wetlands and the technical information confirming that the weir (in isolation) has not resulted in flooding of private farmland, it is considered there is a high likelihood of obtaining resource consent to dam the Whangamarino River – the process will, however, be contentious (resulting in extended timeframes and elevated budgets).</p>
<p>What are the other alliances could be considered in contesting/supporting the proposed action?</p> <ol style="list-style-type: none"> a. To answer this question, supply any approaches that have been made to other entities. 	<p>The Department of Conservation as joint consent holder / applicant will obviously be supporting the process.</p> <p>Similarly, given the national and international environmental significance of the wetland parties such as Forest & Bird, National Wetlands Trust, Environmental Defence Society, Environmental Law Initiative could be approached to provide support to the process.</p>
<p>What is the likely dollar cost of any action by Fish & Game to first hearing/court level with a breakdown of costs for lawyers, expert witnesses and scientific support? Indicate the timeframe over which the costs will span.</p> <ol style="list-style-type: none"> a. To answer this question supporting advice needs to be supplied from legal and or RMA planning sources. 	<p>See previous figures. As articulated, the total cost will also be contingent on whether we can use the fast-track route. At this stage the application is highlighting that there is a significant RMA case coming up in the Auckland/Waikato Region that will require financial assistance. As we get closer to the re-consenting timeframe and further strategic planning is undertaken, further cost estimates can be provided.</p>

<p>What is the likelihood of it being resolved at a particular level e.g. Council hearing, Environment Court, High Court, Appeal Court, i.e. the risk of it going to subsequent higher courts and the likely subsequent costs involved?</p> <p>a. To answer this question supporting advice needs to be supplied from legal and or RMA planning sources.</p>	<p>Under the standard RMA process, it is anticipated that any decision will be appealed to at least to the Environment Court.</p> <p>Under the Fast-track process, there is potential for an appeal to be made, but the subsequent hearing would have a much narrower scope – on matters of law only, reducing both cost and time of a hearing.</p>
<p>Are there any alternative options (to court proceedings) to achieve the same outcome?</p> <p>a. To answer this question supporting advice could be supplied from legal and or RMA planning sources.</p>	<p>No.</p>
<p>Are there any alternative funding opportunities including shared costs?</p>	<p>Sharing costs with the Department of Conservation at present.</p> <p>Potential for costs to be awarded following any court process.</p>
<p>What is the region's ability to generate external funding to help cover financial costs?</p>	<p>None.</p>

WHANGAMARINO WETLAND

The Whangamarino is a diverse fertile swamp habitat, ideal for ducks. Located at the junction of the Whangamarino and Maramarua Rivers. The large size of the flood plains and willow areas provide feeding grounds for thousands of waterfowl. There are also four large peat domes which add to the excellent wilderness experience.

The two rivers provide access to most of the waterfowl hunting areas in the Whangamarino.

Fish & Game (739.2ha) & DoC (4960ha) manage most of the wetland (80% of total area).

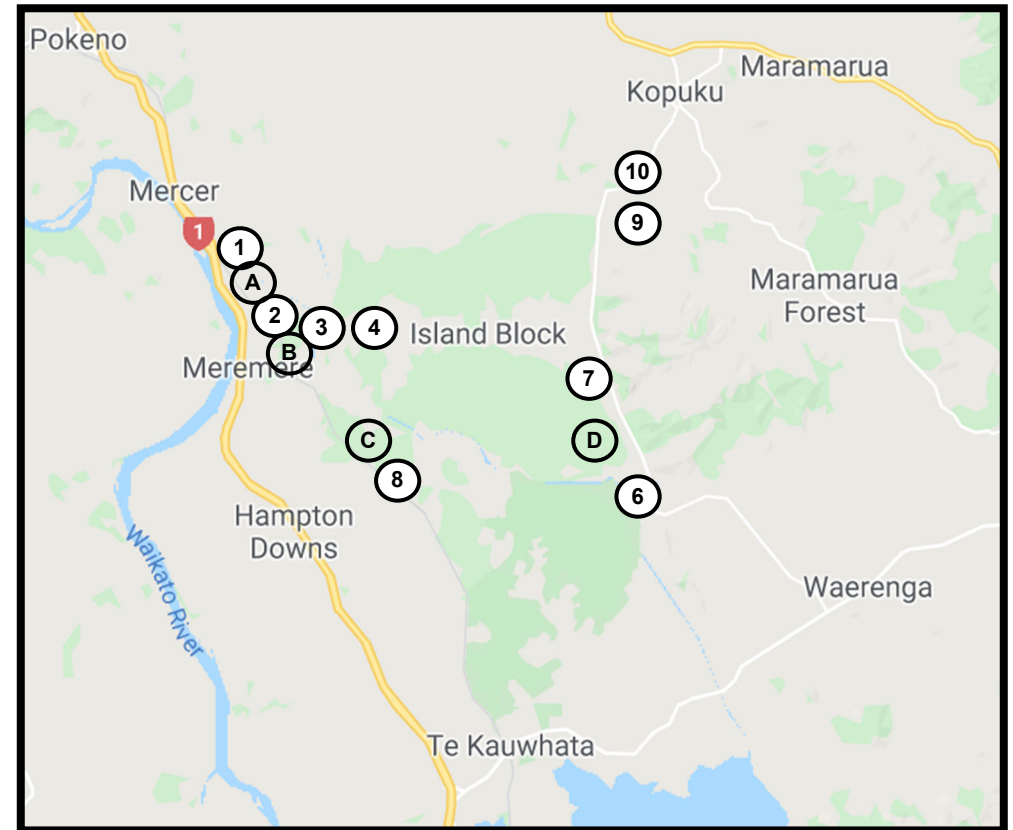
Fish & Game Properties:

- A. **North Shepherd Wetland** 59.2 hectares
- B. **Central Shepherd Wetland** 78.3 hectares
- C. **Cocks Wetland** 247.1 hectares
- D. **Williamson Wetland** 354.6 hectares

Ponds and maimais have been built on all of these properties. Entry permit (free) required for all areas. Fish & Game and DoC permits are available from Fish & Game office .

Access Points

1. **Oram Road, Meremere**
Year round parking and Foot access to North Shepherd Wetland from Oram Road next to Flood Control structure 2km south of Mercer.
2. **Island Block Road, Meremere**
Game season parking access and year round foot access to North Shepherd Wetland from Island Block Road 1 km east of Meremere Power Station.
3. **Island Block Road, Meremere**
Foot access (parking by side of road), to Central Shepherd Wetland from Island Block Road 1km east of Meremere Power Station.
4. **Island Block Road/Whangamarino River Bridge**
Boat ramp at bridge provides good access to Whangamarino and Maramarua Rivers and their adjacent wetlands. This site also provides foot access along the stopback to the Central Shepherd Wetland ponds that are next to the Whangamarino River.
5. **"The Causeway" (off Island Block Road).**
Foot and vehicular access (with key), is available via private causeway (a.k.a. "Bucketline Road") off Island Block Road. Contact Fish & Game Hamilton for access details. Permit essential. DoC permit required.
6. **Falls Road "so called Humpback Bridge"**
Boat ramp at Falls Road/Whangamarino River bridge provides good access to the eastern end of the swamp and river. DoC and/or Fish & Game entry permits required for adjoining wetlands as appropriate.



7. **Falls Road**
Foot access can be obtained to the Williamson Wetland from Falls Road. Parking beside road (note: 2 entry points). Fish & Game permit required.
8. **Wattle Road**
Vehicular and foot access available to Cocks Wetland (F&G permit required) and also adjacent Raeo Arm (DoC permit required). Boat ramp at the end of the track beside the Whangamarino River. Please park where signposted, not at the ramp. A key is required to get past mid-point gate. Otherwise park at this gate and walk—or a small boat ramp by this gate gives access to the Raeo Arm (no key required). DoC and/or Fish & Game access permits required.
9. **Finlayson Road**
Foot access off Finlayson Road to Kopuku area of the Whangamarino Wetland. Permission required from landowner to cross paddocks to swamp.
10. **Coalfields Road**
Foot access off public road to Kopuku swamp. DoC permit required.



MEMORANDUM

Date: 5 August 2025

To: David Klee, Manager, Auckland/Waikato Fish & Game Council

Subject: Summary Environment Court Decision *Oji Fibre Solutions (NZ) Ltd & Ors v Waikato Regional Council* [2025] NZEnvC 170

Introduction

1. The evidence showed a general degradation of surface water bodies in the Waikato and Waipa catchments, particularly lakes and the Whangamarino catchment.
2. PC1 sought to ensure that water quality ‘objectives’ based on the Vision & Strategy for the Waikato and Waikato catchments (Te Ture Whaimana), be achieved by 2096. These objectives were scientifically quantified, as ‘Target Attribute States’. Ten year and final (2096) states are set out in PC1, for a small range of attributes. Fish & Game sought some more attributes be included¹ but this was rejected.
3. In rejecting Fish & Games request for more attributes, the Court said the obligation to give effect to the NPSFM rests with WRC and “*it would be inappropriate for the Court to step into that process*”. Also the Court said it would require a more complete understanding of the catchment context (meaning more information on the costs to farmers of meeting these attributes). This need for more information about costs to farmers, was a common theme in the Interim Decision.
4. The seeking of more information to understand the impacts on farmers, also featured in the Court’s rejection of more refined FMUs (Freshwater Management Units). There are three large FMU’s in PC1. Fish & Game sought a separate FMU for the Whangamarino catchment, which is a RAMSAR wetland complex (a similar argument had been accepted down in Southland). The Court again said this was a matter for WRC, and it would require more complete evidence on the impact on farmers. Similarly, Fish & Game sought individual Lake FMUs. The Court said the establishment of these FMU’s is a matter for WRC, noting that enormous improvements would be required to reduce nutrient loads and restore lakes, which it said could not be achieved under PC 1. (Some of this reasoning seemed to either ignore the requirements of the NPSFM or at least refuse to step into the shoes of the Council to implement those requirements).

¹ Narrative attribute states for wetlands (other than the Whangamarino wetland), Maintenance states for lake and Dissolved oxygen TAS’s set at the NPSFM 2020 bottom line for the Lower Waikato FMU (Fish & Game had sought even more TAS’s at the Council-level hearings, but this was narrowed in the Environment Court).

5. The Court did acknowledge that the Whangamarino Wetland is under serious threat and significant changes would be needed to restore that wetland complex.² Further, the Court has accepted an ‘Implementation Method’ sought by DOC that the Lake Waikare and Whangamarino Wetland Catchment Management Plan is prioritised, a more detailed monitoring programme is required to determine trends in wetland conditions, and a review of the Lower Waikato Waipa Flood Scheme.

6. Therefore, the Court views PC 1 as only a ‘first step’. Nitrogen and Phosphorus targets need to be tested again, in another Schedule 1 process, a new plan being needed in 2035-2038. In the meantime:
 - 6.1. Farmers are to be provided with *information* for their subcatchments on improvements *estimated* to be required for nutrients and sediment targets (e-coli is difficult) so they know approximately the extent of improvements that may be required under the next Plan Change.³
 - 6.2. Farm Environment Plans will be the key tool for effecting change in farm management.
 - 6.3. Because there is insufficient information to provide certainty⁴, WRC will have a great deal of discretion when approving FEPs.
 - 6.4. The discretion will be guided by a policy approach that all land uses must demonstrate general improvement and reduce “*as low as practicable*” (if not already) over an “*appropriate specified period*”.
 - a. While the Council has been directed to respond with a definition for “*practicable*”, this is to consider a range of things, including the costs and benefits.⁵ This allows tailored approaches at the farm scale.
 - b. “*Appropriate*” period is generally not exceeding 10 years of PC 1 becoming operative, for over-allocated catchments, and no more than 12 years for such catchments (for

² “[1186] While we make no direction in relation to the Whangamarino Wetland, we repeat our findings in Part F19 that it is difficult to avoid the conclusion that without what are likely to be very significant changes to present management approaches to restore the wetland by addressing both causes of contaminant and hydrological effects, further deterioration of the wetland will be inevitable. As the significance of the site has been recognised by RAMSAR, it appears to us that WRC needs to give serious consideration to whether restoration of the wetland is likely to be achieved more effectively and efficiently if the Wetland has its own FMU or not.”

³ The way in which farmers will be informed on this, is still to be provided by WRC.

⁴ [101] “*There is currently no way to assess the effects of individual discharges on the environment. ... There is uncertainty and variability in the time it takes from when nitrogen is applied to land to when it reaches the receiving waters*”.

⁵ [509]: Practicability:

(a) *those discharging more must make greater reductions;*

(b) *the scale of water quality improvement required in the sub-catchment, including compatibility with any sub-catchment water quality management plans approved by WRC;*

(c) *the combination of mitigation options appropriate for use in the subcatchment that will result in the optimum environmental benefit; and*

(d) *the financial implications.*

[510] “... the costs of mitigation should be able to be assessed with reasonable accuracy based on whole-of-life costs including capital, operation, maintenance and finance costs. Available funding will differ from farm to farm and the collective determination of what is practicable will have social, cultural, environmental and economic consequences at a farm, community and regional level with the potential for economic consequences nationally.” (an element of discretion is required).

other catchments it is up to 15 years).⁶ This is important because Fish & Game do not want consents granted for longer periods that may inhibit greater reductions under a future plan change.

- 6.5. Priority mitigations are needed in the first 5 years, and other mitigations in 10 years (further mitigations may be required by future plan changes “*which should be considered in longer-term farm planning*” by farmers).
- 6.6. Within 5 years of PC 1 becoming operative slopes below 10 degrees must be fenced.⁷ FEP’s identify and set out a programme for those between 10 and 15 degrees to be fenced within 10 years or an alternative period. (There is some push-back on this from farmers and from the Council).
- 6.7. The farming sector wanted recognition of ‘Good management practices’ but the Court said GMPs not be the acid test, but are only a first step toward ensuring discharges are reduced to be as low as practicable.
- 6.8. A Policy will require farms draining into the Whangamarino catchment or lakes, generally to ‘do more’ (how this will work is still being finalised).
- 6.9. Soil, rainfall, slope, erosion potential and irrigation extent/intensity are to be taken into account at the consenting and FEPs phase, under Policy direction.
- 6.10. The Council is to consider whether FEP’s must identify farm scale erosion risks, because the Court noted sediment is a key problem.
- 6.11. ‘Critical source areas’ are to be mapped in FEPs (and the ones with the highest potential to generate surface runoff will require mitigation in 10 years - including ephemeral streams).

Which farms will require consent?

7. Under the Decisions version of PC 1, dairy farms required an Overseer assessment and were placed into bands of ‘low’, ‘medium’ or ‘high’ leaching for nitrogen, that equated to Permitted/Controlled and Discretionary resource consent requirements. (Drystock farm thresholds were based on stocking rates.) Overseer thresholds have been thrown out of PC1.

⁶ At [1137]: “*Notwithstanding Policy 6 of the Waikato Regional Plan:*

(a) land use activities in sub-catchments where the interim target attribute states are exceeded, including those draining to the Whangamarino Wetland or in a sub-catchment draining to lakes named in Table 3.11.3 or in a sub-catchment draining to wetlands listed in Table 3.7.7 of the WRP, will generally not be granted consent for a duration exceeding 10 years and in no case for a duration exceeding 12 years; and

(b) land use activities in all other sub-catchments may be granted consent for a duration of up to 15 years and ending no later than 31 December 2040;

(c) The term of consent may be reduced where insufficient mitigations are proposed to be implemented to ensure diffuse discharges are reduced to be as low as practicable within 10 years of the PC1 becoming operative.”

(Subparagraph (a) examples given where a greater term may be justified are where a feedpad or a barn is put in).

⁷ Stock exclusion on slopes up to 10 degrees is to be completed in all cases within 5 years of an activity being permitted or authorised by consent. For permitted activities, beyond 5 years will only be authorised when it “can be demonstrated in the FEP that the extended compliance period will not adversely affect sub-catchment water quality when other mitigation measures are taken into account” [1106] (Schedule C Standard 3).

The Court found the Overseer tool had too much uncertainty to use as the threshold between activity status's.⁸

8. The Court also found Overseer had too much uncertainty for requiring those farms in the top 75th percentile Overseer files, to reduce N-leaching to below the 75th percentile, noting that land use change may be required for some farms to achieve this. Again, the Court found that more evidence on the social and economic cost to such farms would be required.⁹
9. All farms draining to the Whangamarino catchment will be discretionary activities, and all other farms will either be permitted or controlled activities. Overseer will still have a function in measuring what reductions are achieved at a farm scale (i.e. comparing what an individual farm achieves at 5 yearly increments), for those farms that medium and high-risk (controlled activities). But for putting farms into the controlled or permitted activity classification, the Fonterra Nitrogen Risk Scorecard tool is to be used.
10. There could be as many as 2000 farms requiring consents – this depends on where the Fonterra NRS threshold is set. The demarcation between permitted and controlled status is somewhat arbitrary and whether 25% or 50% of farms will be permitted activities, is still being discussed. The Court said this didn't matter too much.
11. In summary, for dairy farms, permitted activities will be determined based on NRS assessments (low risk) and those with more than a low risk will be controlled activities required to produce an Overseer assessment at the time of the application and at 5 yearly intervals. Using Overseer for *drystock* farms to demonstrate a reduction in contaminant loads in 5 year reports, is still being discussed. If farmers want to use the NRS alongside Overseer in this reporting, this is encouraged because it could provide more information to compare the two tools in the future (but it is not required).
12. The Chief Executive of the Waikato Regional Council can allow alternative models to Overseer, comparing nitrogen loss rates, to be approved for regulatory use later. This is very concerning because other parties such as Fish & Game would not be have input then (although it does state such tools have to be 'peer reviewed'). The Court may have had in mind here, the MfE risk index tool.

⁸ Variability in Overseer was outlined: Conclusion "*Having considered all the latest evidence as well as our experience of other cases, we consider that a variability factor of 30 to 50% and possibly higher in some cases represents the best available information for most individual farms*" [343] noting that lower variability will occur at a sub-catchment wide or FMU basis (possibly future uses of Overseer). "... it is hard to see how Overseer variability of $\pm 50\%$ could be acceptable or tolerated, when the consenting risk for farmers could be that some could be required to obtain a restricted discretionary or discretionary resource consent when in reality their nitrogen losses fall into the permitted range".) and "... The evidence before us was that there had been a significant loss of confidence in the use of Overseer in regulation by sectors of the farming community, in particular by Fonterra, and by the CVP industry. On the other hand, Fish and Game did not accept that Overseer could not meet the requirement for certainty and submitted consistently that the use of Overseer as the drafting gate remained appropriate and was non-negotiable."

⁹ At [611] the Court said this would involve between 250-500 farms needing to reduce to the 75th percentile and "the evidence did not address what the environmental benefits or what the social and economic costs would be in a way that enabled us to undertake an informed evaluation". See also [606(e)].

13. For Commercial Vegetable production, the Court found Overseer cannot be relied on at all. Horticulture NZ is proposing that this sector just use FEP's to report 5 yearly on what reductions are achieved on each farm. Horticulture NZ also wanted FEP's to be carried out by industry but the Court said WRC could rely on audits carried out by industry bodies, but would need to undertake random audits in addition.
14. CVP also wants to retain a Policy in PC1 that allows contaminants (N, P, sediment and e-coli) to be 'traded off', and that trading off may occur in a different sub-catchments. The only restriction on this is that it may not allow an increase in the 'contaminants of most concern' in a subcatchment (to be defined through a future process). This framework can allow for an increase in nitrogen, that could cause adverse effects and cause interim target attribute states to be exceeded, to be addressed by a reduction in 'risk' of sediment in another catchment. Fish & Game is vehemently opposing this, because it may lead to a loss of values of the river, in particular ecosystem health and fishery values. At least the Court has found that such trading-off is not appropriate for point-source discharges. For diffuse discharges, the Court is yet to make a final decision on 'trading-off' contaminants. (CVP has high nutrient leaching rates but is in a position to reduce sediment and e-coli compared to other farming).

Stock exclusion/riparian

15. The Court rejected the Decisions-version of the Plan, and DOC and Fish & Game's submissions, that increased buffers from rivers and streams were required. The Court did not accept more would be required than the Stock Exclusion Regulations, as a standard, noting that the Council can consider this on a case-by-case basis when assessing FEPs. The costs were too great.¹⁰
16. 3 metre buffers are required unless not practicable, in which case a certified Farm Environment Plan must specify and must be 'as close as practicable' to 3m. (For named lakes it is to be 10m for named lakes and for named wetlands 10m¹¹ or if the wetland "supports a population of threatened species as described in the compulsory value for threatened species in the NPSFM 2020" - same requirement as in the Stock Exclusion Regulations)
17. The Court did not consider riparian planting could be required in these buffers, but would be "encouraged" where practicable, stating costs concerns and the potential for weeds in such buffers.

Intensive Winter Grazing

¹⁰ [747]-[748] *"Indicatively, the total costs of fencing and riparian planting with set-backs proposed by the Director General could be in the order of \$800 million based on the above information and significantly greater if fencing costs quoted to Mr Cameron were to apply, likely in excess of \$1 billion. These costs do not include land lost to production. ... their magnitude is so large that before any policy requirements more stringent than those in national regulations could be justified in terms of s 32 of the RMA, much greater certainty of benefits and costs would be required."*

¹¹ Under the Joint Witness Statement (JWS) dated 14 November 2023, an estimate of approximately 35,000 wetlands greater than 50 m² in area was adopted for the purposes of estimating the costs of fencing and riparian planting. Of these, an estimated 9,000 approximately were greater than 500 m², leaving an estimated 26,000 wetlands between 50 and 500 m² in area. [280] (the Court noting these numbers are uncertain).

18. These rules are still being finalised but at least more prescriptive regulation for intensive winter grazing is to be retained. IWG on slopes more than 10 or 15 degrees (to be determined) will require restricted discretionary or discretionary consents. On slopes of 10 degrees or less:
- a. Where water body already fenced and has a set back of less than 10m, grazing up to 5 m from the fence is permitted.
 - b. Where a water body is not fenced, a minimum buffer of 10m must be provided and the FEP must set out how this will be managed until fencing is in place.
19. (Noting this is an Interim Decision of the Court, we are anticipating some push-back on some of these proposals).

Tangata Whenua land

20. There is some recognition in the Court's decision that tangata whenua should be able to convert land e.g. land returned under treaty settlement. Other conversions (for example from forestry to dairy farming) are to be a non-complying activity for 10 years after PC 1 becomes operative.

Next Steps

21. A hearing may be reconvened in September this year to deal with outstanding issues, with the Court intending to issue a final Decision by the end of this year.

Appendix 4 - NZC Advocacy Update

NZC Policy has focused on the following items. View the full submission on our corporate documents tab on our website.

Overseas Investment (National Interest Test and Other Matters) Amendment Bill

23 July 2025

A ministerial directive issued in June 2024 has greatly reduced the ability to consider secondary benefits such as new public access over land to be purchased by an overseas investor. This has resulted in a reduced number of new access being created to outdoor recreation including game bird hunting and fishing resources. Submissions closed 23 July. Richie Cosgrove & Helen Brosnan presented the submission to the Finance Select Committee on 5th August.

Game Animal Council (Herds of Special Interest) Amendment Bill due 24 July 2025

A letter of support of the GAC submission was provided to this select committee process.

National Direction Consultation due 27 July 2025

The RMA team has been involved writing submissions to three of the four packages. Consultants assisted with the Freshwater submission. Previously called National Policy Statements, the government is amending existing and adding new statements called "National Direction". We have submitted on the following packages:

- Infrastructure / Renewable Electricity Generation
- Primary Production
- Freshwater

The freshwater submission also contains our recommendations for Target Attribute States for Lakes and Rivers.

New National Conservation Policy Statement due 22 August 2025

DOC is carrying out Targeted consultation on the National Conservation Policy Statement which will replace the Conservation General Policy and the General Policy for National Parks. Further consultation will occur later in the year including broader conservation amendments through the Select Committee process. Our submission will be added to our web site in due course.

RMA Team Training

The RMA team got together in Wellington to do submission writing training at the end of July. We also discussed opportunities for using Large Language Models (AI) in our work and issues around gravel extraction.

No 348

House of Representatives

Amendment Paper

Resource Management (Consenting and Other System Changes) Amendment Bill

Proposed amendments to Amendment Paper No 347

Hon Chris Bishop, in Committee, to move the following amendments:

Clause 15

Replace *clause 15* (page 14) with:

15 Section 70 amended (Rules about discharges)

- (1) Replace section 70(1)(c) with:
 - (c) the production of conspicuous oil or grease films, or scums or foams:
- (2) After section 70(2), insert:
- (3) Despite subsection (1), a regional council may include in a regional plan a rule that allows as a permitted activity a discharge described in subsection (1)(a) or (b) that may allow the effects described in subsection (1)(d), (f), or (g) if—
 - (a) the council is satisfied that those effects are already in the receiving waters; and
 - (b) the rule includes standards for the permitted activity; and
 - (c) the council is satisfied that those standards, or those standards in combination with any other provisions in the plan, will contribute to a reduction of those effects over a period of time—
 - (i) no greater than 10 years; and
 - (ii) commencing on the date that the rule becomes operative.

**Proposed amendments to
Resource Management (Consenting and Other System
Changes) Amendment Bill**

AP No 348

Clause 23A, new section 80QA

In *clause 23A, new section 80QA*, after “80Q” (page 19), insert “and of the date of that withdrawal”.

Schedule 2, new clause 49A

In *Schedule 2*, replace *new clause 49A* (page 80) with:

49A Application of amendments to section 70 (rules about discharges)

The amendments to section 70 made by clause 15 of the amendments Act apply to proposed plans notified before, on, or after the commencement, including any proposed plan notified before commencement that is the subject of an appeal and any ongoing court proceedings.

Explanatory note

This Amendment Paper amends Amendment Paper No 347, which amends the Resource Management (Consenting and Other System Changes) Amendment Bill (the **Bill**). The Bill amends the Resource Management Act 1991 (the **RMA**).

The Bill as reported back by the Environment Select Committee, inserted *new section 70(3)* into the RMA. *New section 70(3)* enables a regional council to include in its regional plan a rule that allows as a permitted activity a discharge of contaminants that may allow significant adverse effects on aquatic life in the receiving waters.

Before the council can include a permitted activity rule that may allow for those effects, the following criteria (the **relevant criteria**) must be met:

- those effects are already in the receiving waters; and
- the council must be satisfied that the rule includes standards for the permitted activity; and
- those standards will contribute to a reduction of those effects over a period no greater than 10 years.

This Amendment paper replaces *new section 70(3)* with a new provision. The main difference is that the replacement provision also enables the inclusion of a rule that allows as a permitted activity a discharge of contaminants that may allow the following effects in the receiving waters:

- any conspicuous change in the colour or visual clarity;
- the rendering of fresh water unsuitable for consumption by farm animals.

Before the council can include a permitted activity rule that may allow for those effects, the relevant criteria must be met.

This Amendment paper also amends Amendment Paper No 347 to remove the production of floatable or suspended materials from section 70(1)(c) of the RMA. The

**Proposed amendments to
Resource Management (Consenting and Other System
Changes) Amendment Bill**

AP No 348

production of those materials will no longer be included in the council's consideration of effects under section 70.

The transitional provision in *new clause 49A* of Schedule 2 is amended to incorporate the amendments to section 70(1).

Amendment Paper No 347 inserts *new section 80QA* into the Bill to require a local authority to give public notice of a proposed planning instrument being withdrawn under *new section 80Q*. This Amendment Paper clarifies that the public notice must also mention the date of withdrawal.

Appendix 4: RMA /Legal Fund Reserve

New Zealand Fish and Game Council										
As at 31 July 2025										
	Project Code	Project Name	Date Approved	Total Approved	Source	Total Spent to Date	Withdrawn	Under/Over Spent to date	Committed Funds	Status Update
Auck/Wai	Healthy Rivers	Healthy Rivers 1	22/08/2020	\$110,000	NZC Fund				\$0	Awaiting decision from commissioners. Small over spend anticipated.
Auck/Wai	162/1	Healthy Rivers 2	21/04/2023	\$100,000	NZC Fund	\$187,239	\$0	\$22,761	\$22,761	
Auck/Wai		Whangamarino Weir and Waikato Regional Council	11-Nov-17	\$50,000	NZC Fund	\$10,204	\$0	\$39,796	\$39,796	Funds need to be held for future re-consenting work.
CSI/NC & Southland	169/2	Sect 107 Case	18/06/2024	\$17,500	NZC Fund	\$0	\$17,500		\$0	This case is no longer proceeding.
H Bay	168/1	Tranch 2	19/04/2024	\$30,000	NZC Fund	\$34,050	\$0	-\$4,050	-\$4,050	A joint case was agreed with Tamaitea and Forest & Bird. Hearings and site visit have been completed. Decision is due at the end of August 2025.
H Bay	168/2	Tranch 2 - Reserves	19/04/2024	\$65,000	HB Reserves	\$27,241	\$0	\$37,759	\$37,759	see above update.
Nel Mar	NM MDC Plan Change	MDP - NPS	7/6/2019, 22/11/2019, 2016/16 & 27/07/2021	\$58,475	NZC Fund	\$57,362	\$0	\$1,113	\$1,113	Pelorus / Kaituna / Rai report completed and awaiting peer review.
Nel Mar		MeP appeal mediation	1/5/22 meeting 157th	\$50,000	NZC Fund	\$3,200	\$0	\$46,800	\$46,800	Sought legal advice regarding affected party interpretation for specific consent.
North Canterbury	162/2	Rakaia WCO/Hydrology	Exec approved 16/5/22 \$30k 5/7/22 \$70k, 180k April 23	\$280,000	NZC Fund	\$227,557	\$0	\$52,443	\$52,443	Decision received. Update in RMA paper on this case.
NZC	161/1 166/1	RMA Practice Notes	10/02/2023 - \$53,450 Nov 23 - \$35,000	\$88,450	NZC Fund	\$80,470	\$0	\$7,980	\$7,980	Project complete until new National Direction is passed later this year. Review of this information will be necessary once new NPS-FM is in place.
NZC	166/2	Ag Consultant	Nov-23	\$15,000	NZC Fund	\$0	\$0	\$15,000	\$15,000	We are awaiting the outcome of some MFE and Horizons work to write a practice note on inputs controls. This funding will provide the expert guidance for this.
NZC	NPS	NPS FM	Aug-20	\$150,000	NZC Fund	\$139,786	\$0	\$10,214	\$10,214	The remaining budget is set aside for RMA and NPS-FM amendment work. We will be updating you at each meeting going forward and hope to be able to do this work in house.
NZC	165/3 plus \$20k	Wild life Act Position paper	Aug-23	\$80,000	NZC Fund	\$56,288	\$0	\$23,712	\$23,712	This work is on hold while we await direction from the new government on the Wildlife Act and Conservation Act review which is due later this year.
NZC	168/3	NPS FM	Apr-24	\$50,000	NZC Fund	\$13,713	\$0	\$36,287	\$36,287	
NZC	166/3	RMA training on NPS FM plus trainers	Nov-23	\$30,000	NZC Fund	\$4,313	\$0	\$25,687	\$25,687	We have carried out "case management" training with Sally Gepp which was also available to managers as well as the RMA team. Evidence writing training occurred in November 2024.
NZC	171/1	Phase 3 RMA Reform	24-Dec-24	\$98,000	NZC Fund	\$24,583		\$73,418	\$73,418	Approved meeting 171 Dec24
Otago		Priority Consents	1-May-20	\$60,000	Otago Reserves	\$25,810	\$1	\$34,189	\$34,189	on going
Otago		RPS Land & Water - reserves	28-Aug-21	\$60,000	Otago Reserves	\$59,808		\$192	\$192	
Otago		Priority Plan Change	16-Feb-20	\$120,000	Otago Reserves	\$95,461	\$0	\$24,539	\$24,539	
Otago	169/1	Regional Policy Statement (RPS)	18-Jun-24	\$37,500	NZC Fund	\$37,302	\$0	\$198	\$198	Mediation has been completed and Otago has requested that this work is put on hold so there are significant risk of costs if the work proceeds with changes that could occur.
WGTN	139/2	GW Natural Resource Plan	24/11/2019	\$40,000	NZC Fund	\$36,109	\$3,891	-\$0	\$0	Unspent funds returned to RMA fund. Detailed update to NZC due in June 2025.
WGTN	165/1	GW RC hearing Plan Change 1	18/08/2023	\$80,000	NZC Fund	\$71,928	\$8,072	-\$0	\$0	Unspent funds returned to RMA fund. Detailed update to NZC due in June 2025.
WGTN	139/3	Horizons One Plan Change 2	23/11/2019	\$38,000	NZC Fund	\$24,622	\$0	\$13,378	\$13,378	Pre-Hearing mediation – technical, planning and legal advice required. Process merged into progressing E Court Hearing and evidence development. All allocated funds will be fully expended – should have had some expenditure allocated to this project rather than Hearing – but merged process between pre-Hearing and Hearing.
WGTN	165/3	Horizons Plan Change	18/08/2023	\$120,000	Wellington Reserves	\$116,170	\$0	\$3,830	\$3,830	Part of the Hearing expenditure funds derived from Wellington Fish and Game reserves.
WGTN	167/1	Horizons Plan Change 2	21/12/2023	\$107,770	NZC Fund	\$94,078	\$0	\$13,692	\$13,692	Part of the Hearing expenditure funds derived from Regional Legal Fund.
Southland		Southland Water & Land Plan appeal	23/Nov/18	\$84,000	Southland Reserves	\$204,114	\$0	-\$120,114	\$0	Completed. Resource Management (Freshwater and Other Matters) Act includes amendment to s107. It proposed amending section 107 to grant a discharge or coastal permit if a consent authority is satisfied the receiving waters were already subject to significant adverse effects and imposes conditions on the consent. However, the consent authority must be satisfied the conditions will contribute to a reduction in the adverse effects on aquatic life over the duration of the consent.
Southland		Southland Water & Land Plan appeal - NZC meeting 147	21/Aug/20	\$55,000	NZC Fund	\$55,000	\$0	\$0	\$0	Transferred to SWALP
Southland		Southland Water & Land Plan appeal - NZC meeting 156	18/Feb/22	\$74,361	NZC Fund	\$74,361	\$0	\$0	\$0	Rule 78 Permitted Activity for weed and sediment. A working group is being established to advance development of new rule structure to be notified through Plan Change Tuatahi – likely in late 2024 / early 2025. It has been decided to put the joint appeal on hold with a view to actively engaging with the working group. A work programme is currently being developed for the working group.
Southland	159/1	Waltuna Lagoon application- NZC meeting 159	25/Aug/22	\$20,000	NZC Fund	\$14,432	\$5,568	-\$0	\$0	Unspent funds returned to RMA fund. NZC requests update on this project.
	175/1	MCI Report _ Russell Death	28/Jun/25	\$30,403	NZC Fund			\$30,403	\$30,403	MCI Report - Russell Death
	175/2	Target attribute States for Rivers	28/Jun/25	\$23,845	NZC Fund			\$23,845	\$23,845	Target attribute States for Rivers
TOTAL ACROSS ORGANISATION										
				Live and Approved Applications		Spent to Date	Withdrawn	Under/Over Spent to date	Committed Funds	NZC Legal/RMA Fund 31/7/25
Totals									\$533,188	
Less RMA out of Regions Reserves									\$100,509	
Total Committed from National Budget									\$432,678	

Appendix 5 :Available Funds in RMA/Legal

RMA Fund Regional Reserves

Unallocated

Funds for

21/22	145,640
Budget for 2022/23	350,000
Budget for 2023/24	440,000
Budget for 2024/25	200,000
TOTAL TO Allocate since 2021	1,135,640

Less NZC Approvals

Date	Meeting	Region	For	RMA Fund	Regional Reserves
Aug-22	159/1	Southland	Waituna Lagoon	20,000	
Nov-22	160/1	NZC	Legal Advice NPS FM	9,000	
Nov-22	160/2	NZC	Expert Support Natural & Bu	65,148	
Nov-22	160/3	NZC	RMA Training	2,500	
Feb-23	161/1	NZC	RMA Practice Notes	53,450	
Apr-23	162/1	Akld Waikto	Waikato Healthy Rivers	100,000	
Apr-23	162/2	Nth Cant	Rakaia River WCO	180,000	
Aug-23	165/1	Wellington	Greater Well Regional Coun	80,000	
Aug-23	165/2	Wellington	Horizons Plan Change	-	120,000
Aug-23	165/3	NZC	Wildlife Act	60,000	
Nov-23	166/1	NZC	Additional RMA Practice No	35,000	
Nov-23	166/2	NZC	Ag Consultant input control	15,000	
Dec-23	167/1	Wellington	Horizons Plan Change	107,770	
Apr-24	168	NZC	Approval to Use of the NPS \$10,215		
Apr-24	168/1	Hawkes Bay	Tranch 2	30,000	
Apr-24	168/2	Hawkes Bay	Tranch 2 Reserves		65,000
Apr-24	168/3	NZC	RMA Reform and NPS - FM /	50,000	
Jun-24	169/1	Otago & others Sth Island Council	RPS	37,500	37,500
Jun-24	169/2	CSI/NC/Sthland High Court	Sect 107 Case (asked for 35t	17,500	
Dec-24	171/1	Phase 3 RMA Reform	Mtg 171 DEc24	98,000	
Jun 25`	175/1	MCI Report Russell Death	Mtg 175 Jun25	30,403	
Jun 25`	175/2	Target attribute States for Rivers	Mtg 175 Jun25	23,845	

Total		
Approved		
2021 to		
2025	1,015,116	222,500

Approved 2024/25

plus withdrawn (35,031)

Available for Funding via RMA	155,555
--------------------------------------	----------------

Table 3: Withdrawn this year

WGTVN	139/2	GW Natural Resource Plan	24/11/2019	\$3,891
WGTVN	165/1	GW RC hearing Plan Change 1	18/08/2023	\$8,072
Southland	159/1	Waituna Lagoon application- NZC	25/Aug/22	\$5,568
CSI/NC & Sothl	169/2	Sect 107 Case	18/Jun/24	\$17,500
Total Withdrawn 24/25				35,031

862868

Factsheet – Access Charging

The Government wants to deliver the best possible experiences for New Zealanders on conservation land and achieve better outcomes for conservation.

The Government is introducing a visitor fee for international tourists to access popular sites so everyone can continue to enjoy world-class experiences in nature while contributing to long-term protection.

We will be investigating a visitor fee at up to 10 locations, starting with four popular sites – Piopiotahi / Milford Sound, Aoraki / Mount Cook, Mautohe / Cathedral Cove and the Tongariro Alpine Crossing. Other sites will be explored in the future, based on learnings from the initial sites. Access charges will not be appropriate at all locations on public land.

With the new visitor fee, international visitors who visit these places, whether that be for sightseeing, a short walk or an overnight tramp, will be charged. This fee will mean we can provide world-class experiences while protecting our natural places. Charging visitors to national parks and conservation areas is standard practice in countries like Australia, Canada and the USA.

New Zealand's nature is a taonga for everyone

DOC manages nearly a third of the land in New Zealand and protects some of the world's most iconic landscapes, but it is up against significant financial and environmental challenges. More than 4000 of our species are at risk and many of our special places need help.

Every year, around 80% of Kiwis visit public conservation land. International visitors also love our nature – 65% go walking or tramping, and 45% visit a national park while in New Zealand. People come to see the natural environment at these iconic places, so we need to invest in activity to ensure that the natural environment is thriving.

International visitors consistently tell us they would be happy to pay for the experiences they currently get for free.

A fairer way to share the costs

Right now, only some visitors contribute directly to the upkeep of our huts, tracks, toilets, and biodiversity – mainly those who stay overnight or use services from concessionaires.

Short walks and hikes are increasingly popular, but those visitors do not directly contribute to the costs of maintaining these experiences. New Zealanders help fund conservation through taxes. International visitors do not, other than those who pay the International Visitor Conservation and Tourism Levy (IVL). This creates an imbalance. The visitor fee is a fairer way to ensure international visitors contribute to the places they enjoy.

The Government is conscious of the increasing costs for international visitors travelling to New Zealand

The Government is aware of the need to strike the right balance between covering the costs visitors generate and ensuring New Zealand remains affordable for domestic and international visitors alike. The Government will ensure the charge is reasonable and will consult with local communities and businesses on the specific rate at a later date. It is anticipated that it will be in the range of \$20 – \$40.

The fee will be different from the IVL currently paid by most tourists at the border, which contributes to tourism and conservation priorities at the national level. The visitor fee will be focused on popular conservation locations, creating a more sustainable way for international visitors to directly help fund the maintenance and improvement of the visitor experience at these sites. The visitor fee will apply to all international visitors, even those which are exempt from the IVL (e.g. Australians).

How much money will it raise and what will it be used for?

Charging international visitors at just four sites could raise an estimated \$62 million a year. This funding will be ringfenced for conservation work. Funding will be prioritised towards helping maintain and improve tracks, visitor facilities, and the natural environment at the locations where visitors are charged.

Access charging locations and annual visitor numbers

Sites	Annual visitor numbers	Percentage who are international visitors
Aoraki / Mt Cook	1 million	88%
Piopiotahi / Milford Sound	1.1 million	90%
Mautohe / Cathedral Cove	250,000	75%
Tongariro Alpine Crossing	100,000	80%

Next steps

A Bill is now being drafted to give effect to these decisions. The Government plans to pass these changes into law before the end of the current parliamentary term in mid-2026. Access charges will be in place by summer 2027 at the earliest.

Factsheet - Modernising Conservation Land Management

The Government wants to deliver the best possible experiences for New Zealanders on conservation land and achieve better outcomes for conservation.

The Government is modernising how conservation land is managed. Law change will unlock greater economic activity on public conservation land while protecting nature and our iconic landscapes.

Thousands of businesses operate on public conservation land, bringing in millions of dollars a year for local economies. We know businesses and community groups want shorter processing times for permits and other permissions. We want to build a system to deliver that.

A bill is now being drafted to give effect to these decisions. The Government plans to pass these changes into law before the end of the current parliamentary term in mid-2026.

The changes will streamline the system and bring greater flexibility by:

- Providing more certainty for business investment, with clearer updated rules and processes for granting concessions on conservation land
- Cutting red tape by allowing more types of activities to occur without needing a concession at all, or by providing the concession through a streamlined process
- Enabling more flexibility for the Department of Conservation (DOC) to exchange or dispose of conservation land where it makes sense from a conservation perspective
- Providing certainty about the government's Treaty obligations as they relate to conservation.

Management planning: Creating a more streamlined, purposeful and flexible system

The management planning system sets the rules for concessions (the permissions for activities on conservation land). These rules are outdated, complicated and hard to change, delaying processing of concessions.

Currently, approximately 80% of planning documents are overdue for review, some by more than 15 years. There is too much uncertainty for applicants, decision makers and Te Tiriti o Waitangi / Treaty of Waitangi partners (Treaty partners).

Changes will:

- Enable a broader range of activities to take place on conservation land
- Streamline and simplify management planning by revising national policies and creating a single layer of area plans



Concession processes: Setting clear process requirements and timeframes

The concessions system is no longer fit for purpose. It's expensive, slow and out of date. Bespoke analysis is undertaken for every single concession application, even for lower-risk similar activities.

Fixing how we do concessions will make it easier for Treaty partners and businesses to work with DOC. This will provide greater experiences and services to New Zealanders and support our regional communities. This will in turn support DOC to deliver better results for conservation.

We know business and community groups want shorter processing times for permissions, permits and concessions. We're going to deliver that by:

- Taking some applications out of the system by exempting or pre-approving some activities
- Setting new statutory timeframes for DOC to make decisions
- Streamlining public notification and reconsideration steps in the process
- Applying more standard pricing, terms and conditions
- Allowing longer terms for concessions that provide critical infrastructure, or based on the useful life of fixed assets and structure.

Competitive allocation of concessions

Competitive allocation of concessions can ensure fairness and drive innovation in services.

Under current law, DOC generally has to take a 'first in, first served' approach to concession applications. This makes it hard to use contestable processes to allocate new opportunities.

Changes will:

- Make it easier to contestably allocate new concession opportunities among multiple operators where demand is high and supply is limited (e.g. beehive permits or aircraft landing permits in particular locations)
- Clarify that Treaty principles do not require concessions to be made contestable.

The Government will make further decisions on whether there are any situations in which concessions must or must not be contestable.

Land exchange and disposal: Making the system more flexible, where it makes sense for conservation

The bar is high to exchange and dispose of conservation land, even where it could deliver greater conservation benefit. It is possible to enable more flexibility where it makes sense for conservation.

Changes will support better maintenance of conservation land by allowing:

- Land exchanges where it makes sense from a conservation perspective
- Land disposals when it is good for overall conservation management, subject to tests to protect conservation values and other factors such as cultural and historic significance and public access.

Approximately 40% of conservation land (the most precious parts) will not be eligible for land exchange and disposal under the new settings, including national parks, nature reserves, wilderness areas, Ramsar sites and World Heritage Areas.

Treaty of Waitangi obligations: Providing clarity around obligations

Currently, there is ambiguity about how to give effect to Treaty principles, which is required by section 4 of the Conservation Act. This has resulted in slow processes and decision-making in the conservation system.

Changes will provide clarity on what is required to give effect to Treaty principles by:

- Stating what is and isn't required to give effect to Treaty principles in relation to statutory planning, concessions, land exchanges and disposals, and amenities areas
- Adding requirements around procedural steps, new statutory roles for iwi and Treaty partners, and requirements to consider Treaty rights and interests where these are currently not explicit so that the expected standard to meet is clear for all
- Retaining section 4, and adding a descriptive clause linking to new requirements in law
- Making it clear that meeting the new requirements means complying with section 4 in relation to the relevant process or decision
- Clarifying that section 4 does not require concessions to be contestable – this is an area of ambiguity that results in major delays and legal risks in significant concession processes.

Treaty settlements will be upheld

Many Treaty settlement commitments provide for Treaty partner involvement in planning and concessions processes in the conservation system. Engagement with iwi and post-settlement governance entities is underway to discuss how to uphold the intent of Treaty commitments and takutai moana (marine and coastal area) rights in the context of these changes.

Treaty settlements will be upheld. Decisions on how specifically this will occur are yet to be made.

Amenities areas: A new way to allow for recreational and public facilities

Amenities areas are small areas on conservation land suitable for greater development in the form of visitor facilities and services. They play an important function: they show where tourism facilities can go to help visitors, while limiting the spread of buildings into the surrounding pristine environment. The current settings for amenities area are not fit to manage the growth in visitors across conservation land.

Changes will enable better strategic planning for tourism growth in conservation areas by:

- Broadening the types of conservation land in which amenities areas can be established under specific conservation criteria
- Creating an efficient process for establishing amenities areas, with a test to balance protecting and preserving conservation values in the wider area.



Licence Sales Update

New Zealand Fish and Game Council Meeting 176 – 29/30 August 2025

Prepared by: Kate Thompson, Eastern Fish & Game Council, Licence Working Party

Kōrero taunaki - Summary of considerations

1.0 Purpose

To inform the New Zealand Fish and Game Council of progress on licence sales year to date and compare results to the same period of prior seasons.

2.0 Fish Licence Sales 2024-25 Season YTD (Appendix 1)

- 2.1 Nationally, fish licence LEQs reported for the 2024-25 season YTD to 10 August are 0.2% (142 LEQs) ahead of sales reported for the same period of the 2023-24 season. (Appendix 1)
- 2.2 Despite being just 142 LEQs ahead of 2023-24 results YTD, actual fish licence revenue is ahead of the 2023-24 season \$209,164. This is due to the increased licence prices for the 2024-25 season.
- 2.3 The annual sales target has been exceeded by 0.7% YTD (\$73,019).
- 2.4 Seven regions exceeded their annual Fish Licence Sales Target as at 10 August.

3.0 Game Licence Sales 2025 Season YTD (Appendix 2)

- 3.1 Nationally game licence LEQs reported for the 2025 season YTD to 10 August are 1.3% (405 LEQs) behind sales reported for the same period of the 2024 season. (Appendix 2)
- 3.2 Despite sales reporting to be behind 2024 Season results YTD, actual game licence revenue is ahead of the 2024 season \$41,690. This is due to the increased licence prices for the 2025 season.
- 3.3 97.5% of the annual sales target has been met YTD.
- 3.4 Five regions have exceeded their annual Game Licence Sales Target as of 10 August.

4.0 Ngā taunaki - Staff Recommendations

NZC Staff recommend the following motion:

That the Council receive the information.

Appendix 1: National Fish Licence Sales Comparison 2024-25 vs 2023-24 YTD to 10 August

	Channel	FWF	FWA	FWNA	FLSA	FLAA	FWIA	FLBA	FSBA	FDA	FDNA	FWJ	FWNJ	FDJ	FDNJ	FWC	FWNC	FDNC	SRSE	DWLR	DWLN	Total Fish	Fish LEQ	Fish Var	Fish \$	Inc/Dec
Northland	Public Online	31	88	86	6	8	23	3	28	98	135	22	3	30	4	99	4	2	0	0	0	670				
	Agency Online	13	35	11	9	2	6	0	4	14	0	6	1	3	0	6	0	0	9	7	0	126				
	Total	44	123	97	15	10	29	3	32	112	135	28	4	33	4	105	4	2	9	7	0	796	460		\$61,136	
2023-2024	Public Online	49	117	122	12	10	19	4	29	148	200	35	7	42	10	124	9	3	0	0	0	940				
	Agency Online	8	35	6	8	3	6	0	0	10	4	6	0	2	0	5	1	0	3	5	0	102				
	Total	57	152	128	20	13	25	4	29	158	204	41	7	44	10	129	10	3	3	5	0	1,042	596	29.7%	\$80,818	\$19,683
Auckland Waikato	Public Online	361	924	184	171	124	130	13	197	1,109	524	245	13	218	11	712	7	7	0	0	0	4,950				
	Agency Online	209	547	45	98	50	49	10	61	199	40	66	2	22	0	124	0	2	13	26	0	1,563				
	Total	570	1471	229	269	174	179	23	258	1308	564	311	15	240	11	836	7	9	13	26	0	6,513	3,610		\$480,293	
2023-2024	Public Online	434	1,036	201	187	141	132	14	181	1,222	712	362	17	259	9	1,053	10	5	0	0	0	5,975				
	Agency Online	147	475	41	101	41	26	6	65	152	34	69	1	19	0	88	1	1	24	24	0	1,315				
	Total	581	1511	242	288	182	158	20	246	1374	746	431	18	278	9	1141	11	6	24	24	0	7,290	3,785	4.8%	\$513,402	\$33,109
Eastern	Public Online	1,262	1,030	183	259	564	251	54	748	2,918	928	299	24	424	26	1,234	8	16	0	0	0	10,228				
	Agency Online	926	775	117	238	852	160	23	261	793	467	189	6	129	21	120	0	6	48	24	47	5,202				
	Total	2188	1805	300	497	1416	411	77	1009	3711	1395	488	30	553	47	1354	8	22	48	24	47	15,430	8,428		\$1,121,293	
2023-2024	Public Online	1,355	1,171	214	300	688	298	34	802	3,208	1,021	380	25	443	49	1,652	15	17	0	0	0	11,672				
	Agency Online	867	774	98	243	858	173	19	210	634	395	211	6	137	18	91	2	7	33	21	27	4,824				
	Total	2222	1945	312	543	1546	471	53	1012	3842	1416	591	31	580	67	1743	17	24	33	21	27	16,496	8,892	5.5%	\$1,206,190	\$84,897
Hawke's Bay	Public Online	207	500	137	92	78	88	6	164	493	379	169	8	116	2	401	2	1	0	0	0	2,843				
	Agency Online	103	364	81	127	61	49	2	31	126	346	76	1	23	7	41	0	2	8	16	43	1,507				
	Total	310	864	218	219	139	137	8	195	619	725	245	9	139	9	442	2	3	8	16	43	4,350	2,428		\$323,063	
2023-2024	Public Online	227	626	188	111	117	78	16	193	568	389	292	10	153	8	657	3	6	0	0	0	3,642				
	Agency Online	114	372	116	134	79	44	6	37	137	374	113	3	27	1	96	0	2	7	15	73	1,750				
	Total	341	998	304	245	196	122	22	230	705	763	405	13	180	9	753	3	8	7	15	73	5,392	2,899	19.4%	\$393,290	\$70,227
Taranaki	Public Online	58	216	91	33	25	25	3	56	160	263	59	4	48	3	307	3	0	0	0	0	1,354				
	Agency Online	46	201	7	51	20	14	4	35	41	14	52	0	12	0	79	0	0	11	22	0	609				
	Total	104	417	98	84	45	39	7	91	201	277	111	4	60	3	386	3	0	11	22	0	1,963	1,015		\$134,997	
2023-2024	Public Online	90	280	144	44	21	30	1	59	195	352	96	9	74	14	466	2	2	0	0	0	1,879				
	Agency Online	37	157	11	51	17	14	3	14	31	12	57	0	13	0	86	0	1	6	7	0	517				
	Total	127	437	155	95	38	44	4	73	226	364	153	9	87	14	552	2	3	6	7	0	2,396	1,202	18.5%	\$163,084	\$28,087
Wellington	Public Online	224	807	124	155	146	95	10	73	539	284	231	3	148	7	794	3	2	0	261	76	3,982				
	Agency Online	155	655	11	142	104	43	3	26	83	39	162	0	49	2	162	0	0	43	65	0	1,744				
	Total	379	1462	135	297	250	138	13	99	622	323	393	3	197	9	956	3	2	43	326	76	5,726	3,030		\$403,130	
2023-2024	Public Online	251	806	63	174	175	80	4	64	494	171	331	4	135	5	884	1	0	0	244	62	3,948				
	Agency Online	130	560	16	158	119	43	3	20	130	15	228	2	64	0	230	0	0	31	58	1	1,808				
	Total	381	1366	79	332	294	123	7	84	624	186	559	6	199	5	1114	1	0	31	302	63	5,756	2,893	-4.5%	\$392,493	-\$10,637
Nelson/Marl	Public Online	323	558	239	134	118	71	5	89	627	392	179	8	171	6	730	8	6	0	775	204	4,643				
	Agency Online	413	926	312	229	104	56	11	37	179	187	118	1	26	3	181	1	2	280	1,081	386	4,533				
	Total	736	1484	551	363	222	127	16	126	806	579	297	9	197	9	911	9	8	280	1856	590	9,176	4,347		\$578,328	
2023-2024	Public Online	366	651	234	145	125	65	8	94	546	491	276	10	172	6	808	9	1	0	869	247	5,123				
	Agency Online	318	758	256	216	105	47	5	46	106	285	129	9	26	1	165	0	5	200	836	415	3,928				
	Total	684	1409	490	361	230	112	13	140	652	776	405	19	198	7	973	9	6	200	1705	662	9,051	4,159	-4.3%	\$564,141	-\$14,187
North Canterbury	Public Online	961	1,807	191	286	104	117	18	298	1,651	720	440	12	384	26	1,764	3	3	2,262	1,359	468	12,874				
	Agency Online	1,623	2,868	234	834	78	150	30	191	472	149	310	6	49	2	391	8	5	3,637	2,245	5	13,287				
	Total	2584	4675	425	1120	182	267	48	489	2123	869	750	18	433	28	2155	11	8	5899	3604	473	26,161	10,943		\$1,455,885	
2023-2024	Public Online	1,049	1,873	221	343	125	125	16	275	1,625	667	535	17	380	13	2,276	5	7	2,315	1,496	599	13,962				
	Agency Online	1,384	2,439	187	824	71	116	17	158	385	125	304	4	57	3	184	7	0	2,907	1,555	16	10,743				
	Total	2433	4312	408	1167	196	241	33	433	2010	792	839	21	437	16	2460	12	7	5222	3051	615	24,705	10,373	-5.2%	\$1,407,070	-\$48,816
West Coast	Public Online	280	367	280	82	88	22	9	142	452	325	102	7	132	8	445	4	3	0	618	175	3,541				
	Agency Online	113	191	12	50	71	10	1	22	61	226	41	1	11	17	16	0	13	64	97	0	1,017				
	Total	393	558	292	132	159	32	10	164	513	551	143	8	143	25	461	4	16	64	<						

Channel		FWF	FWA	FWNA	FSLA	FLAA	FWIA	FLBA	FSBA	FDA	FDNA	FWJ	FWNJ	FDJ	FDNJ	FWC	FWNC	FDNC	SRSE	DWLR	DWLN	Total Fish	Fish LEQ	Fish Var	Fish \$	Inc/Dec
Central South Is	Public Online	1,443	1,662	402	311	391	196	68	1,116	4,133	1,455	532	31	606	37	2,035	16	17	2,237	0	0	16,688				
	Agency Online	1,594	1,829	76	685	534	90	38	475	1,498	611	411	6	242	33	371	2	24	2,305	244	3	11,071				
	Total	3037	3491	478	996	925	286	106	1591	5631	2066	943	37	848	70	2406	18	41	4542	244	3	27,759	12,284		\$1,634,244	
2023-2024	Public Online	1,521	1,784	469	342	434	210	66	974	3,847	1,761	695	37	594	50	2,231	24	43	2,299	0	0	17,381				
	Agency Online	1,396	1,546	67	670	561	131	34	381	1,234	732	425	14	195	55	317	4	68	1,864	177	7	9,878				
	Total	2917	3330	536	1012	995	341	100	1355	5081	2493	1120	51	789	105	2548	28	111	4163	177	7	27,259	12,207	-0.6%	\$1,655,970	\$21,726
Otago	Public Online	1,939	2,389	597	375	363	171	41	438	2,858	2,537	594	48	452	160	2,011	23	98	0	1,531	644	17,269				
	Agency Online	2,074	2,955	212	755	153	100	19	159	562	794	392	12	74	54	13	12	45	512	1,397	138	10,432				
	Total	4013	5344	809	1130	516	271	60	597	3420	3331	986	60	526	214	2024	35	143	512	2928	782	27,701	15,366		\$2,044,303	
2023-2024	Public Online	2,029	2,627	621	363	424	209	45	548	3,098	2,986	804	71	425	176	2,468	30	121	0	1,616	655	19,316				
	Agency Online	1,768	2,613	211	816	156	114	24	158	532	747	456	26	63	69	54	8	46	382	1,160	269	9,672				
	Total	3797	5240	832	1179	580	323	69	706	3630	3733	1260	97	488	245	2522	38	167	382	2776	924	28,988	15,452	0.6%	\$2,096,130	\$51,828
Southland	Public Online	815	916	698	122	145	39	26	275	960	1,337	355	23	154	28	985	11	18	0	894	579	8,380				
	Agency Online	1,453	1,867	58	440	134	51	15	152	304	152	460	7	39	4	93	3	2	193	906	3	6,336				
	Total	2268	2783	756	562	279	90	41	427	1264	1489	815	30	193	32	1078	14	20	193	1800	582	14,716	8,710		\$1,158,870	
2023-2024	Public Online	724	933	816	127	186	64	18	294	1,054	1,416	422	28	156	40	1,075	12	27	0	940	569	8,901				
	Agency Online	1,207	1,563	37	462	149	32	16	138	312	163	433	5	44	3	69	1	7	135	805	2	5,583				
	Total	1931	2496	853	589	335	96	34	432	1366	1579	855	33	200	43	1144	13	34	135	1745	571	14,484	8,300	-4.7%	\$1,125,902	-\$32,968
2024-2025	Direct	7,904	11,264	3,212	2,026	2,154	1,228	256	3,624	15,998	9,279	3,227	184	2,883	318	11,517	92	173	4,499	5,438	2,146	87,422	38,356		\$5,103,076	
	AOL	8,722	13,213	1,176	3,658	2,163	778	156	1,454	4,332	3,025	2,283	43	679	143	1,597	26	101	7,123	6,130	625	57,427	34,415		\$4,578,741	
TOTAL	Total	16,626	24,477	4,388	5,684	4,317	2,006	412	5,078	20,330	12,304	5,510	227	3,562	461	13,114	118	274	11,622	11,568	2,771	144,849	72,772		\$9,681,817	
2023-2024	Direct	8,410	12,381	3,482	2,228	2,563	1,359	239	3,684	16,470	10,538	4,424	244	2,917	385	14,306	131	236	4,614	5,770	2,301	96,682	42,025		\$5,700,743	
	AOL	7,457	11,460	1,057	3,736	2,225	755	137	1,245	3,691	3,046	2,488	72	658	164	1,404	24	150	5,639	4,714	810	50,932	30,890		\$4,190,238	
2024-2025	Total	15,867	23,841	4,539	5,964	4,788	2,114	376	4,929	20,161	13,584	6,912	316	3,575	549	15,710	155	386	10,253	10,484	3,111	147,614	72,914		\$9,890,981	
National Variance against 2023/2024 YTD																							142	0.2%	\$209,164	\$209,164
2024-25 Summary YTD Actual vs Total Budget																										
2024-25 Annual Budget																							72,376	100.0%		\$9,817,962
2024-25 YTD Actual																							72,914	100.7%		\$9,890,981
Variance to Budget																							538	0.7%		\$73,019

Licence Category descriptions

FISH

FWF	Family Season	FWJ	Junior Season
FWA	Adult Season	FWNJ	Non -resident Junior Season
FWNA	Non-resident Adult Season	FDJ	Junior Day
FSLA	Loyal Senior Season	FDNJ	Non-resident Junior Day
FLAA	Local Area Season	FWC	Child Season
FWIA	Adult Winter	FWNC	Non-resident Child Season
FLBA	Adult Long Break	FDNC	Non-resident Child Day
FSBA	Adult Short Break	SRSE	Salmon Endorsement
FDA	Adult Day	DWLR	Designated Waters Licence Resident
FDNA	Non-resident Adult Day	DWLN	Designated Waters Licence Non-resident

Appendix 2: National Game Licence Sales Comparison 2025 vs 2024 YTD to 10 August

	Channel	GWA	GWJ	GWC	GDA	GDJ	Total	Game LEQ	Game Var	Game \$	Inc/Dec
Northland	Agency Online	1,178	123	30	21	1	1,353				
	Public Online	292	42	14	35	2	385				
	Total	1,470	165	44	56	3	1,738	1,513		\$142,101	
2023-2024	Agency Online	1,255	117	57	10	0	1,439				
	Public Online	255	46	30	38	1	370				
	Total	1,510	163	87	48	1	1,809	1,552	2.6%	\$149,789	\$7,688
Auckland Waikato	Agency Online	5,092	450	171	48	1	5,762				
	Public Online	1,189	189	92	183	4	1,657				
	Total	6,281	639	263	231	5	7,419	6,450		\$605,777	
2023-2024	Agency Online	4,866	441	194	38	1	5,540				
	Public Online	1,161	184	109	217	8	1,679				
	Total	6,027	625	303	255	9	7,219	6,202	-3.9%	\$598,610	-\$7,166
2024-2025	Agency Online	2,186	191	117	30	0	2,524				
	Public Online	396	84	34	96	1	611				
	Total	2,582	275	151	126	1	3,135	2,660		\$249,810	
Eastern	Agency Online	2,334	210	125	17	4	2,690				
	Public Online	416	69	31	99	7	622				
	Total	2,750	279	156	116	11	3,312	2,829	6.3%	\$273,039	\$23,229
2023-2024	Agency Online	1,440	126	49	28	1	1,644				
	Public Online	389	81	26	67	5	568				
	Total	1,829	207	75	95	6	2,212	1,888		\$177,308	
2024-2025	Agency Online	1,228	113	45	30	3	1,419				
	Public Online	480	86	30	85	7	688				
	Total	1,708	199	75	115	10	2,107	1,771	-6.2%	\$170,910	-\$6,398
Taranaki	Agency Online	776	68	31	7	0	882				
	Public Online	192	30	14	17	0	253				
	Total	968	98	45	24	0	1,135	992		\$93,136	
2023-2024	Agency Online	804	66	35	16	0	921				
	Public Online	230	26	16	45	0	317				
	Total	1,034	92	51	61	0	1,238	1,064	7.3%	\$102,730	\$9,595
2024-2025	Agency Online	2,562	235	94	50	2	2,943				
	Public Online	570	109	40	141	9	869				
	Total	3,132	344	134	191	11	3,812	3,237		\$303,953	
Wellington	Agency Online	2,522	242	113	41	6	2,924				
	Public Online	596	93	47	84	4	824				
	Total	3,118	335	160	125	10	3,748	3,210	-0.8%	\$309,798	\$5,845
2023-2024	Agency Online	713	57	23	20	0	813				
	Public Online	108	26	10	27	7	178				
	Total	821	83	33	47	7	991	847		\$79,507	
2024-2025	Agency Online	706	59	28	12	0	805				
	Public Online	160	23	16	33	1	233				
	Total	866	82	44	45	1	1,038	891	5.3%	\$86,022	\$6,515
North Canterbury	Agency Online	2,146	143	81	42	1	2,413				
	Public Online	361	52	32	86	4	535				
	Total	2,507	195	113	128	5	2,948	2,570		\$241,360	
2023-2024	Agency Online	1,994	151	61	30	2	2,238				
	Public Online	418	44	28	91	6	587				
	Total	2,412	195	89	121	8	2,825	2,475	-3.7%	\$238,890	-\$2,470
2024-2025	Agency Online	163	17	7	3	0	190				
	Public Online	185	21	24	30	0	260				
	Total	348	38	31	33	0	450	362		\$33,978	
West Coast	Agency Online	141	13	2	4	0	160				
	Public Online	194	28	22	26	0	270				
	Total	335	41	24	30	0	430	349	-3.5%	\$33,693	-\$285
2023-2024	Agency Online	1,509	135	43	13	0	1,700				
	Public Online	451	66	27	135	7	686				
	Total	1,960	201	70	148	7	2,386	2,028		\$190,473	
2024-2025	Agency Online	1,619	131	46	11	0	1,807				
	Public Online	550	66	29	149	3	797				
	Total	2,169	197	75	160	3	2,604	2,240	10.4%	\$216,198	\$25,725
Central South Is	Agency Online	3,088	229	80	19	0	3,416				
	Public Online	766	111	58	71	5	1,011				
	Total	3,854	340	138	90	5	4,427	3,938		\$369,815	
2023-2024	Agency Online	3,148	244	94	25	1	3,512				
	Public Online	1,042	166	75	59	2	1,344				
	Total	4,190	410	169	84	3	4,856	4,288	8.9%	\$413,890	\$44,075
2024-2025	Agency Online	3,088	229	80	19	0	3,416				
	Public Online	766	111	58	71	5	1,011				
	Total	4,190	410	169	84	3	4,856	4,288	8.9%	\$413,890	\$44,075

	Channel	GWA	GWJ	GWC	GDA	GDJ	Total	Game LEQ	Game Var	Game \$	Inc/Dec
Southland	Agency Online	3,616	375	123	20	2	4,136				
	Public Online	761	148	60	27	0	996				
2023-2024	Total	4,377	523	183	47	2	5,132	4,488		\$421,475	
2024-2025	Agency Online	3,040	321	115	18	0	3,494				
	Public Online	561	109	32	34	4	740				
2024-2025	Total	3,601	430	147	52	4	4,234	3,697	-17.6%	\$356,813	-\$64,662
TOTAL	Agency Online	24,469	2,149	849	301	8	27,776	24,946		\$2,342,732	
	Public Online	5,660	959	431	915	44	8,009	6,026		\$565,960	
2023-2024	Total	30,129	3,108	1,280	1,216	52	35,785	30,972		\$2,908,692	
2024-2025	Agency Online	23,657	2,108	915	252	17	26,949	24,126		\$2,328,637	
	Public Online	6,063	940	465	960	43	8,471	6,442		\$621,746	
2024-2025	Total	29,720	3,048	1,380	1,212	60	35,420	30,567		\$2,950,383	
National Variance against 2024 YTD								-405	-1.3%	\$41,690	\$41,690
2024-25 Summary YTD Actual vs Total Budget											
2024-25 Annual Budget								31,340	100.0%	\$3,024,991	
2024-25 YTD Actual								30,567	97.5%	\$2,950,383	
Remaining to meet budget								-773	-2.5%	-\$74,608	

Licence Category descriptions

GAME

GWA Adult Season

GWJ Junior Season

GWC Child Season

GDA Adult Day

GDJ Junior day

NZC Finance Report 30 June 2025

Prepared by: Jill Muench, Finance Manager, NZ Fish and Game Council

Kōrero taunaki - Summary of considerations

Purpose

This report to the New Zealand Fish and Game Council presents the NZC Finance Report for the 10 months ended 30 June 2025.

Financial considerations

Nil Budgetary provision / Unbudgeted

Risk

Low Medium High Extreme

Ngā taunaki – CEO Recommendations

The ACEO recommends the following motion:

That the New Zealand Fish and Game Council:

1. Receive the NZC Finance Report for the 10 months ended 30 June 2025 with a deficit of \$130,598.

Executive Summary - Whakarāpopoto

- 1 For the 10-month period ended 30 June 2025, the combined NZC and National Budget presents a deficit of \$130,598 against a YTD Budget Deficit of \$996,097.
- 2 The NZC only budget reports a surplus of \$1,357,990 against a total budget of \$1,834,564
- 3 The National only budget reports a deficit of \$1,488,588 against a total budget of deficit of \$2,299,850

Background - Takenga mai

- 4 This paper includes the following attachments:
 - Table 1: Statement of Financial Performance for the 10 months ended 30 June 2025
 - Table 2: Statement of Financial Performance – NZC only to 30 June 2025
 - Table 3: Statement of Financial Performance – National only to 30 June 2025
 - Table 4: Statement of Financial Position as at 30 June 2025
 - Table 5: Aged Receivables Summary as at 30 June 2025
 - Table 6: Aged Payables Summary as at 30 June 2025
 - Table 7: Research Fund as at 30 June 2025
 - Table 8: Staff Development Fund as at 30 June 2025

The Full Year Budget Deficit of \$465,286 is made up from the following approvals from the NZC.

Meeting	\$	Explanation
170 August 24	45,256	Approved Loss (excl Depreciation)
170 August 24	4,675	Diff between ARF and Depreciation
170 August 24	45,000	Carry over Research Optimisation Project from 2023
170 August 24	55,500	Carry over Co-ordination- Species -Game 2023
170 August 24	30,000	Carry over Digital Licence from Regulations Budget 2023
170 August 24	12,000	Carry over Managers Meeting from 2023
170 August 24	20,000	Carry over Cultural Leadership from 2023
170 August 24	30,000	Carry over the Te Ao Maori advisor from 2023
170 August 24	5,000	Carry over Governance Training Review from 2023
170 August 24	10,000	Carry over the Consolidated Annual Report review from 2023
174 April 2025	207,855	Additional Financial support to 31 August 2025
	465,286	TOTAL BUDGET DEFICIT 2024 25

5 The Split between the NZC and National Costs are:

	Actual YTD	Full Year Budget
Table 2 - NZC	1,357,990	1,834,564
Table 3 - National	(1,488,588)	(2,299,850)
Total as per Table 1	(130,598)	(465,286)
Table 1 - Combined	(130,598)	(465,286)

Discussion - Kōrerorero

Statement of Financial Performance

6 Income

6.1 Levies for the 10 months to 30 June 2025 are \$3,138,404 – 103% of the YTD budget.

6.2 Other income of \$17,580 has been received. This includes income from Advertising and Merchandise (\$2,624) and Magazine Contributions (\$14,200).

7 **Grants** – paid to regions of \$572,977 are at 75% of the YTD budget, mainly due to the timing of regional invoices.

8 **Outputs – Advocacy.** The total Advocacy Budget YTD is \$861,099. YTD, the Actual Expenditure on this budget is \$460,198 or 53% of the budget. Projects to Note:

9 National Public Awareness - \$33,555 compared to a YTD budget of \$21,363.

9.1 National Magazine cost YTD \$157,439 – 30% of the YTD budget of \$547,668. It is unlikely that the total budget will be spent, as there is only one more issue this year.

9.2 \$175,557 has been reimbursed to Regions for RMA projects YTD. The main projects funded include Healthy Rivers (Akld/Wai) \$1k, NM Plan Change \$17k, Otago Policy Statement \$20k and Rakaia WCO \$77k (Nth Cant). Please refer to the RMA paper that has a full list of the committed resources within RMA.

9.3 The YTD Budget for Marketing and Social Licence budget is \$91,668. YTD expenditure as at 30 June 2025 is \$46,381. This represents 51% of the budget spent.

10 **Outputs – Research** –YTD budget \$166,668 – spending YTD \$103,609`

10.1 Research Programme – reimbursements of \$46,762 have been made to Regions for projects this year against a YTD budget of \$100k. This includes funding for:

- 10.1.1.1 The Economic Contribution of Fresh Water Angling - \$44,906.
 - 10.1.1.2 Fishing for Mental Health - \$1,630.
- 11 Research fund commitments as at 30 June 2025 are \$172,444, with \$99,500 available for distribution. See Table 7 for a summary of spending and commitments for the Research fund as at 30 June 2025.
- 12 **Outputs – Co-ordination – YTD Budget \$1,082,751 – YTD spend 65% of Budget \$832,045**
- 12.1 Co-ordination – Administration/HR – YTD spent \$24,531 - these costs include the monthly costs for the EAP service, which supports all Fish and Game staff when required.
 - 12.2 Coordination – Species Game – YTD spend is \$0 – this budget of \$55,000 is a one-off for the Population Monitoring and Analysis SOP. This project should be completed by year's end, as a contractor – Darryl MacKenzie -has been engaged.
 - 12.3 Co-ordination RMA – YTD budget of \$15,833, which covers the WestLaw subscription and \$10k towards training (which has not been spent as at 30 June 2025).
 - 12.4 Elections \$123,007– against \$67,500 budgeted – this reflects the actual cost of the triennial elections.
 - 12.5 The Game Regulations YTD spend is \$31,437 (YTD budget \$26,668).
 - 12.6 Costs YTD \$213 for Maritime Compliance relate to Health and Safety assessment.
 - 12.7 The Staff Development Grant allocates \$10,000 per annum towards staff scholarships for conferences, etc. The costs YTD relate to 2 projects – Hamish Stevens \$2,525 and Adam Daniel \$4779 against a total commitment of \$8,400. See attached Table 8 that represents the current Staff Development grants status and the commitments for 2024/25.
 - 12.8 Website and Social Media costs are 87% of YTD budget, having spent \$77,596 YTD compared to the budget of \$88,710 – this is due to the Campaign Monitor costs of purchasing 4 million EDM credits.
 - 12.9 Ranger Co-ordination costs of \$10,625 include the Cert Training held in Hamilton, Upper Hutt and Dunedin in September 2024.
 - 12.10 Licencing costs of \$447,006 are at 82% of YTD budget and include the Licence Audit fee, Licence Contract, production/distribution of the Licence and support from Eastern to coordinate the Licencing system.

13 **Outputs – Governance**

13.1 New Zealand Council expenses YTD are \$82,124 – which is 155% of the YTD budget. There is still one meeting (August) yet to be accounted for. There are four main expenses –December 24 meeting \$28k, February 25 meeting \$23k, April 25 meeting \$21k and June meeting \$6k, with some charges still to come. This budget is for 4x meetings @ \$15,875 each, as it was anticipated that some of the 2024-25 meetings would be held online.

13.2 Governance Advice and Performance \$0 YTD. YTD Budget \$16,666. Costs in this area relate to Legal opinions requested.

14 **Outputs – Ministerial Review Implementation.** YTD \$61,127 spent vs a \$132k YTD budget.

The major project costs include \$35,713 for the Governance Advisor and \$14,509 for the Review of the Consolidated Annual Report.

15 **Outputs – Overheads.** Total overheads are \$1,216,192 (113% of the YTD budget).

Statement of Financial Position – refer Table 4

16 **Current Assets** – Total \$2.397M, this includes \$46,412 for Accounts Receivable – see Table 5.

17 **Total Liabilities** are \$323,867 – this includes \$85,663 for Accounts payable – refer to Table 6.

18 Restricted Reserves include the NAS, Research, RMA and Staff Development funds – these represent the funds that the NZC have committed to these funds. Total Restricted Reserves \$800,985. See Tables 7 and 8 for the Research and Staff Development Reserves. Refer to the RMA paper for the table for the RMA/Legal Fund.

Risks and mitigations

19 At this stage, most expenditures are within Budget – however, close monitoring of budgets is required to ensure this remains the case at year end.

Table 1: Statement of Financial Performance

New Zealand Fish and Game Council For the 10 months ended 30 June 2025

	YTD ACTUAL	YTD BUDGET	VARIANCE %	FULL YEAR BUDGET
INCOME				
Levies	3,138,404	3,038,643	103%	4,051,524
Interest Income	53,539	33,353	161%	40,025
Other income				
Advertising & Merchandise	2,624	26,668	10%	30,000
Contract Income	-	10,000	-	12,000
Magazine Contributions	14,200	110,000	13%	110,000
Sale of Fish and Game Cookbook	757	-	-	-
Total Other income	17,580	146,668	12%	152,000
Total INCOME	3,209,523	3,218,664	100%	4,243,549
GRANTS TO REGIONS				
Grants to Regions	572,977	763,969	75%	763,969
Total GRANTS TO REGIONS	572,977	763,969	75%	763,969
OUTPUTS				
ADVOCACY				
Advocacy - Legal & Specialist Advice	47,266	48,400	98%	55,400
National Public Awareness	33,555	21,363	157%	25,191
National Magazine	157,439	533,000	30%	533,000
RMA/Legal	175,557	166,668	105%	200,000
Marketing & Social Licence	46,381	91,668	51%	110,000
Total ADVOCACY	460,198	861,099	53%	923,591
RESEARCH				
Research Programme	46,762	100,000	47%	100,000
Research - Optimisation Model	39,456	45,000	88%	45,000
Research - National Anglers Survey	-	30,000	-	30,000
Research - Phd Programme	17,391	25,000	70%	25,000
Total RESEARCH	103,609	200,000	52%	200,000
CO-ORDINATION				
Marketing	1,608	-	-	-
Business & Financial Support	13,386	56,666	24%	84,000
Co-ordination National - CEO Travel	13,555	13,332	102%	16,000
Co-ordination - Administration/HR/HS	24,531	30,000	82%	36,000
Co-ordination - Species - Game	-	55,500	-	55,500
Co-ordination - RMA	(1,609)	15,833	-10%	19,000
Co-ordination - Compliance	17,482	-	-	-
Elections	123,007	67,500	182%	67,500
Fish and Game Cookbook	5,257	-	-	-
Fishing & Hunting Regulations	31,437	26,668	118%	32,000
Information Technology- National	44,423	66,790	67%	80,150

Table 1: Statement of Financial Performance

	YTD ACTUAL	YTD BUDGET	VARIANCE %	FULL YEAR BUDGET
Maritime NZ Compliance	213	15,000	1%	18,000
Manager Meetings	10,198	26,668	38%	32,000
Staff Conference	-	25,000	-	30,000
Staff Development Grant	7,304	7,500	97%	10,000
Youth Education Programme	6,000	7,000	86%	7,000
Website and Social Media	77,596	88,710	87%	106,450
Ranger Co-ordination	10,650	32,916	32%	39,500
Licencing	447,006	547,668	82%	635,500
Total CO-ORDINATION	832,045	1,082,751	77%	1,268,600
Total OUTPUTS	1,395,852	2,143,850	65%	2,392,191
GOVERNANCE				
New Zealand Council	82,124	52,918	155%	63,500
NZC Chair Travel & Advocacy	9,955	5,832	171%	7,000
Governance Advice & Performance	-	16,666	-	20,000
Governors Forum	1,894	12,000	16%	12,000
Regional Audit	-	10,000	-	10,000
Total GOVERNANCE	93,973	97,416	96%	112,500
MINISTERIAL REVIEW IMPLEMENTATION				
Governance Training Program	10,208	35,000	29%	35,000
Leadership & Cultural Training - Review	-	20,000	-	20,000
Cost Optimisation - Review	698	20,000	3%	20,000
Te Ao Maori Advisor	-	30,000	-	30,000
Governance Advisor	35,713	16,666	214%	20,000
Consolidated Annual report - Review	14,509	10,000	145%	10,000
Total MINISTERIAL REVIEW IMPLEMENTATION	61,127	131,666	46%	135,000
OVERHEADS				
Salaries & Contractors	1,065,312	953,308	112%	1,153,758
Staff Expenses	43,730	25,365	172%	31,850
Office Premises	41,282	46,775	88%	56,400
Office Equipment	2,042	1,500	136%	2,000
Communications/Consumables	13,414	20,167	67%	24,200
General (inc Insurance)	21,967	6,535	336%	8,600
Financial Audit Fee	15,734	18,000	87%	21,000
Vehicle Expenses	828	-	-	-
Habitat Stamp Programme	300	-	-	-
Depreciation	11,582	6,140	189%	7,367
Total OVERHEADS	1,216,192	1,077,790	113%	1,305,175
Total Expenses	3,340,121	4,214,691	79%	4,708,835
Net Surplus/(Deficit)	(130,598)	(996,027)	13%	(465,286)

Table 2: Statement of Financial Performance- NZC Budget only

New Zealand Fish and Game Council For the 10 months ended 30 June 2025

Region is NZC.

	YTD ACTUAL	YTD BUDGET	VARIANCE %	FULL YEAR BUDGET
INCOME				
Levies	3,138,404	4,051,524	77%	4,051,524
Interest Income	53,539	40,025	134%	40,025
Other income				
Advertising & Merchandise	2,159	-	-	-
Contract Income	-	12,000	-	12,000
Total Other income	2,159	12,000	18%	12,000
Total INCOME	3,194,101	4,103,549	78%	4,103,549
GRANTS TO REGIONS				
Grants to Regions	527,521	763,969	69%	763,969
Total GRANTS TO REGIONS	527,521	763,969	69%	763,969
OUTPUTS				
ADVOCACY				
Advocacy - Legal & Specialist Advice	29,309	50,400	58%	50,400
National Public Awareness	1,942	7,691	25%	7,691
RMA/Legal	390	-	-	-
Marketing & Social Licence	5,389	-	-	-
Total ADVOCACY	37,029	58,091	64%	58,091
CO-ORDINATION				
Business & Financial Support	13,386	84,000	16%	84,000
Co-ordination National - CEO Travel	2,731	16,000	17%	16,000
Co-ordination - Compliance	17,482	-	-	-
Information Technology- National	2,952	-	-	-
Total CO-ORDINATION	36,551	100,000	37%	100,000
Total OUTPUTS	73,580	158,091	47%	158,091
GOVERNANCE				
New Zealand Council	82,090	63,500	129%	63,500
NZC Chair Travel & Advocacy	9,696	7,000	139%	7,000
Governance Advice & Performance	-	20,000	-	20,000
Governors Forum	1,562	12,000	13%	12,000
Regional Audit	-	10,000	-	10,000
Total GOVERNANCE	93,348	112,500	83%	112,500
OVERHEADS				
Salaries & Contractors	998,930	1,066,758	94%	1,066,758

Table 2: Statement of Financial Performance- NZC Budget only

	YTD ACTUAL	YTD BUDGET	VARIANCE %	FULL YEAR BUDGET
Staff Expenses	32,080	28,100	114%	28,100
Office Premises	41,204	56,400	73%	56,400
Office Equipment	1,804	2,000	90%	2,000
Communications/Consumables	12,848	24,200	53%	24,200
General (inc Insurance)	21,693	8,600	252%	8,600
Financial Audit Fee	15,734	21,000	75%	21,000
Vehicle Expenses	682	-	-	-
Depreciation	7,780	7,367	106%	7,367
Ranger Training	195	-	-	-
Governance Advisor	8,713	20,000	44%	20,000
Total OVERHEADS	1,141,661	1,234,425	92%	1,234,425
Total Expenses	1,836,110	2,268,985	81%	2,268,985
Net Surplus/(Deficit)	1,357,990	1,834,564	74%	1,834,564

Table 3: Statement of Financial Performance- NATIONAL

New Zealand Fish and Game Council For the 10 months ended 30 June 2025

Region is National.

	YTD ACTUAL	NATIONAL BUDGET	REMAINING BUDGET	% OF BUDGET SPENT
INCOME				
Other income				
Advertising & Merchandise	465	30,000	29,535	2%
Magazine Contributions	14,200	110,000	95,800	13%
Sale of Fish and Game Cookbook	757	-	(757)	-
Total Other income	15,422	140,000	124,578	11%
Total INCOME	15,422	140,000	124,578	11%
GRANTS TO REGIONS				
Grants to Regions	45,456	-	(45,456)	-
Total GRANTS TO REGIONS	45,456	-	(45,456)	-
OUTPUTS				
ADVOCACY				
Advocacy - Legal & Specialist Advice	17,957	5,000	(12,957)	359%
National Public Awareness	31,613	17,500	(14,113)	181%
National Magazine	157,439	533,000	375,561	30%
RMA/Legal	175,168	200,000	24,832	88%
Marketing & Social Licence	40,992	110,000	69,008	37%
Total ADVOCACY	423,169	865,500	442,331	49%
RESEARCH				
Research Programme	46,762	100,000	53,238	47%
Research - National Anglers Survey	-	30,000	30,000	-
Research - Phd Programme	17,391	25,000	7,609	70%
Research - Optimisation Model	39,456	45,000	5,544	88%
Total RESEARCH	103,609	200,000	96,391	52%
CO-ORDINATION				
Marketing	1,608	-	(1,608)	-
Co-ordination National - CEO Travel	10,823	-	(10,823)	-
Co-ordination - Administration/HR/HS	24,531	36,000	11,469	68%
Co-ordination - Species - Game	-	55,500	55,500	-
Co-ordination - RMA	(1,609)	19,000	20,609	-8%
Elections	123,007	67,500	(55,507)	182%
Fish and Game Cookbook	5,257	-	(5,257)	-
Fishing & Hunting Regulations	31,437	32,000	563	98%
Information Technology- National	41,472	80,150	38,678	52%
Maritime NZ Compliance	213	18,000	17,787	1%

Table 3: Statement of Financial Performance- NATIONAL

	YTD ACTUAL	NATIONAL BUDGET	REMAINING BUDGET	% OF BUDGET SPENT
Manager Meetings	10,198	32,000	21,802	32%
Staff Conference	-	30,000	30,000	-
Staff Development Grant	7,304	10,000	2,696	73%
Youth Education Programme	6,000	7,000	1,000	86%
Website and Social Media	77,596	106,450	28,854	73%
Ranger Co-ordination	10,455	39,500	29,045	26%
Licencing	447,006	635,500	188,494	70%
Total CO-ORDINATION	795,299	1,168,600	373,301	68%
Total OUTPUTS	1,322,077	2,234,100	912,023	59%
GOVERNANCE				
New Zealand Council	34	-	(34)	-
Governors Forum	333	-	(333)	-
Total GOVERNANCE	366	-	(366)	-
MINISTRIAL REVIEW				
Governance Training Program	10,208	35,000	24,792	29%
Cost Optimisation - Review	698	20,000	19,302	3%
Te Ao Maori Advisor	-	30,000	30,000	-
Governance Advisor	27,000	-	(27,000)	-
Consolidated Annual report - Review	14,509	10,000	(4,509)	145%
Leadership & Cultural Training - Review	-	20,000	20,000	-
Total MINISTERIAL REVIEW	52,415	115,000	62,585	46%
OVERHEADS				
Salaries & Contractors				
Salaries				
Staff Salaries	62,274	83,500	21,226	75%
Contractors Salary	2,240	-	(2,240)	-
Kiwisaver Contribution	1,868	3,500	1,632	53%
Employment Expenses	8,500	-	(8,500)	-
Total Salaries	74,883	87,000	12,117	86%
Total Salaries & Contractors	74,883	87,000	12,117	86%
Staff Expenses				
ACC Levy	(1,000)	-	1,000	-
Staff Expenses	4,150	3,750	(400)	111%
Total Staff Expenses	3,150	3,750	600	84%
Office Premises	78	-	(78)	-
Office Equipment	238	-	(238)	-
Communications/Consumables	567	-	(567)	-
General (inc Insurance)	274	-	(274)	-
Vehicle Expenses	147	-	(147)	-
Habitat Stamp Programme	300	-	(300)	-
Depreciation	3,802	-	(3,802)	-

Table 3: Statement of Financial Performance- NATIONAL

	YTD ACTUAL	NATIONAL BUDGET	REMAINING BUDGET	% OF BUDGET SPENT
NZC Chair Travel & Advocacy	258	-	(258)	-
Total OVERHEADS	83,697	90,750	7,053	92%
Total Expenses	1,504,010	2,439,850	935,840	62%
Net Surplus/(Deficit)	(1,488,588)	(2,299,850)	(811,262)	65%

Table 4: Statement of Financial Position

New Zealand Fish and Game Council As at 30 June 2025

	30 JUN 2025	31 AUG 2024
Assets		
Current Assets		
Cash & Cash Equivalents		
NZ Fish and Game Council	1,648,450	814,476
NZ Fish and Game Council - Payroll '046	16,010	7,639
Serious Saver	271,944	364,126
Credit Cards	(4,516)	(7,028)
Total Cash & Cash Equivalents	1,931,889	1,179,213
Receivables		
Accounts Receivable	46,412	272,276
Accounts Receivable - Other	2,719	3,578
Interest Receivable	46,245	46,312
Total Receivables	95,376	322,167
Term Investments	370,045	1,809,238
Prepayments and Accrued Income	-	16,694
Total Current Assets	2,397,310	3,327,312
Non-current Assets		
Property, Plant & Equipment	72,533	17,419
Total Non-current Assets	72,533	17,419
Total Assets	2,469,843	3,344,731
Liabilities		
Payables		
Accounts Payable	85,663	662,234
Accruals and Prepaid Licences	33,690	88,455
PAYE Clearing	19,153	22,396
NZGBHT - Stamp Programme	296	178,623
GST	77,954	21,286
Total Payables	216,757	972,993
Employee Entitlements	102,991	95,163
Rounding	1	-
Non-current Liabilities		
Payroll Clearing Account	4,118	-
Total Non-current Liabilities	4,118	-
Total Liabilities	323,867	1,068,157
Net Assets	2,145,976	2,276,574
Equity		
Accumulated Funds		

Table 4: Statement of Financial Position

	30 JUN 2025	31 AUG 2024
Accumulated Funds	1,243,595	1,243,595
Transfer (To)/From Reserves	342,958	317,046
Net Surplus/(Deficit)	(251,561)	(120,963)
Total Accumulated Funds	1,334,992	1,439,677
Reserves		
Dedicated reserves		
Asset Replacement Reserve	10,000	10,000
Total Dedicated reserves	10,000	10,000
Restricted Reserves		
National Anglers Survey Reserve	105,125	105,125
Research Reserve	218,705	218,705
RMA/Legal Fund Reserve	474,654	500,567
Staff Development Grant Reserves	2,500	2,500
Total Restricted Reserves	800,985	826,897
Total Reserves	810,985	836,897
Total Equity	2,145,976	2,276,574

Table 5: Aged Receivables Summary

New Zealand Fish and Game Council

As at 30 June 2025

Ageing by due date

CONTACT	CURRENT	< 1 MONTH	1 MONTH	2 MONTHS	3 MONTHS	OLDER	TOTAL
Auckland/Waikato Fish & Game Council	69.00	69.00	-	-	69.00	69.00	276.00
Central South Island Fish and Game Council	69.00	69.00	-	-	-	69.00	207.00
Eastern Fish and Game Council	138.00	138.00	26,580.01	-	-	-	26,856.01
Hawke's Bay Fish and Game Council	14,681.63	484.50	-	-	-	-	15,166.13
Nelson Marlborough Fish & Game Council	69.00	69.00	-	-	-	69.00	207.00
North Canterbury Fish and Game Council	259.76	1,341.86	52.76	259.76	26.38	-	1,940.52
Northland Fish and Game Council	69.00	69.00	-	-	-	69.00	207.00
NZ Hunter Magazine Ltd	-	-	-	-	-	4,600.00	4,600.00
NZ Police – Firearms Safety Authority	-	-	-	-	-	(3,737.50)	(3,737.50)
Otago Fish and Game Council	138.00	138.00	-	-	-	-	276.00
Southland Fish and Game Council	138.00	-	-	-	-	-	138.00
West Coast Fish and Game Council	69.00	69.00	-	-	69.00	69.00	276.00
Total	15,700.39	2,447.36	26,632.77	259.76	164.38	1,207.50	46,412.16
Percentage of total	33.83%	5.27%	57.38%	0.56%	0.35%	2.60%	100.00%

Table 6: Aged Payables Summary

New Zealand Fish and Game Council

As at 30 June 2025

Ageing by due date

CONTACT	CURRENT	< 1 MONTH	1 MONTH	2 MONTHS	OLDER	TOTAL
Aged Payables						
2degrees	124.20	-	-	-	-	124.20
Adobe Systems Software - Creative Cloud	-	270.82	-	-	-	270.82
Air New Zealand Travel Card	6,024.50	-	-	-	-	6,024.50
Airport Palms Motel Chch	-	160.00	-	-	-	160.00
Auckland/Waikato Fish & Game Council	776.25	-	-	-	-	776.25
Barrie Barnes	275.13	-	-	-	-	275.13
BDMA Revolution Limited	437.00	-	-	-	-	437.00
BP Oil New Zealand	578.82	-	-	-	-	578.82
Computer & Telephone Services Ltd	65.42	66.18	-	-	-	131.60
Dave Coll	170.56	-	-	-	-	170.56
Disaster Prepare Limited	-	1,926.89	-	-	-	1,926.89
Eastern Fish and Game Council	154.97	5,985.75	-	-	-	6,140.72
Employment Hero Pty Ltd CC	-	-	-	-	2,833.60	2,833.60
Euan Williamson	423.40	-	-	-	-	423.40
Eyede Solutions Limited	550.71	-	-	-	-	550.71
Fuji Xerox New Zealand Limited	41.18	-	-	-	-	41.18
Hothouse Communications Limited	7,103.31	1,760.16	-	-	-	8,863.47
Id Solutions 1993 Limited	29.04	-	-	-	-	29.04
Instep	515.20	-	-	-	-	515.20
Jill Muench	142.48	-	-	-	-	142.48
Kahu Environmental Limited	7,618.75	-	-	-	-	7,618.75
Kelvin Hotel	180.00	-	-	-	-	180.00
Kinetic Recruitment	10,601.56	-	5,965.63	-	-	16,567.19
Latitude Strategy & Communication Limited	2,300.00	-	-	-	-	2,300.00
Lexis Nexis DD	-	-	-	-	17.39	17.39
n3 Limited	-	-	1,897.50	-	-	1,897.50
New Zealand Couriers	10.25	-	-	-	-	10.25
New Zealand Couriers- Wellington	10.25	-	-	-	-	10.25
New Zealand Mail Group	681.56	-	-	-	-	681.56
Redstripe Limited	4,092.09	-	-	-	-	4,092.09
Rieger's Print and Copy Limited	2,624.10	-	-	-	-	2,624.10
Sam Speight	1,067.97	-	-	-	-	1,067.97
Strategic Pay Limited	1,715.86	-	-	-	-	1,715.86
The Lab	604.90	-	-	-	-	604.90
Theo Boolieris Holdings Ltd	198.64	-	-	-	-	198.64
Wellington Fish and Game Council	2,675.10	-	-	-	-	2,675.10
West Coast Fish and Game Council	-	-	12,935.95	-	-	12,935.95

Table 6: Aged Payables Summary

CONTACT	CURRENT	< 1 MONTH	1 MONTH	2 MONTHS	OLDER	TOTAL
Windcave New Zealand Limited DD	50.03	-	-	-	-	50.03
Total Aged Payables	51,843.23	10,169.80	20,799.08	-	2,850.99	85,663.10
Total	51,843.23	10,169.80	20,799.08	-	2,850.99	85,663.10
Percentage of total	60.52%	11.87%	24.28%	-	3.33%	100.00%

Table 7 :Summary of Available Funds**As at 30 June 2025**

	Amount
Funding used 21/22 in advance	(6,502)
Pus Project 77.3 Withdrawn	65,830
Funding for 2022/23	75,000
Funding for 2023/24	100,000
Funding for 2024/25	100,000
Total Funding available from 2022 to 2025	334,328
Less Funding Approved since 2022	
56 Game harvest Analysis - annual amt	500
77.2 Womens Fishing Additional funding	3,500
79 Engaging with Mana Whenua	28,330
80 Insight work - environment synthesis - Gerhard uys	40,000
81 Species FW Science	30,000
82 Licence Sales insights - Heather	21,000
83 Australasian Shoverler - Matt M	8,000
84 Trout popualtion and relationships - Russel	38,790
78.1 Fishing fo Mental health - additional funding	1,727
85 NZIER Economic Contribution of Fresh Water Angling	62,481
TOTAL Approved for 2022 to 2024	234,328
Approved From Sept 24 to Aug 2025	
56 Game harvest Analysis - annual amt	500
TOTAL Approved in current year	500
Available (Unavailable)for Distribution	99,500
TOTAL FUNDS AVAILABLE	99,500

Table 8: Current Staff Development Projects and Commitments

New Zealand Fish and Game Council

As at 30 June 2025

APPROVED	REGION	AWARDED TO	Amount	ACTUAL	Refund	COMPI	COMMITMENT
				SPENT	W/drawn		
20/04/24	CSI	Hamish - San Francisco Delto Science conf	2500	2525		Y	
13/12/24	Otago	Jayde Couper- 2 Day Course Otolith prep & Techniques	14263				14263
13/12/24	Auckland/Waikato	Adam Daniel - Aquatic invasive species prevention in the USA	5900	4779.14			1120.86
TOTAL Commitment			22663	7304.14			15383.86

NZC Correspondence Register

Date	In/Out	Received From	Addressed To	Summary	Date Filed
23/06/2025	In	Alan Strong	Regional Chairs	FW: Letter to NZC	26/06/2025
26/06/2025	In	Rainsford Grubb	NZC Chair	FW: Legislative Change	26/06/2025
7/07/2025	in	Dean Bell	NZC Chair	FW: Guides Licence	7/07/2025
18/07/2025	In	Hon James Meager	NZC Chair	FW: JMC-522 Letter from Hon James Meager	22/07/2025
4/08/2025	In	Rainsford Grubb	NZC Chair	FW: OIA Bill	5/08/2025
4/08/2025	In	NZC Chair	Councillors	FW: Meeting of the Taupō Fishery Advisory Committee (TFAC)	5/08/2025
5/08/2025	Out	NZC Chair	NZC Councillors	Compliance with provisions of an OIA request	14/08/2025
5/08/2025	Out	NZC Chair	NZC Councillors	Ministers Decision on License Fees. Heads-Up for Councillors.	14/08/2025
7/08/2025	in	Andrew Simpson	NZC Chair and Min James Meager	FW: CSIFGC compliance with OIA obligations	14/08/2025
7/08/2025	In	Hon James Meager	NZC Chair	FW: Information released today relating to Fish and Game	14/08/2025
8/08/2025	Out	NZC Chair	Kelvin Ellis	RE: Fish & Game Bill Update	14/08/2025
13/08/2025	Out	NZC Chair	Hon James Meager	FW: Composition of the F&G NZ Council – A Think Piece	14/08/2025



19th June 2025

Barrie Barnes – Chair of New Zealand Council

Re Proposed Changes to Fish and Game

Dear Barrie

Whilst there are many positive changes proposed, there are also some matters of concern for the North Canterbury Fish and Game Council.

It is proposed to give the Minister of the day the power to block legal action taken by F&G. If the Government can block legal action taken by Fish and Game, then we lose our independence and ability to uphold the law to ensure the resource is protected.

We can read that this is explicitly proposed in the presentation documents the Minister sent to us Councilor's where it says;

'The NZC (or Minister, as appropriate), will authorise (or not) FGC's court proceedings (other than for license holder offences)'

Under such an arrangement our legal advocacy for the habitat of trout and salmon could be blocked by a Minister. It is also foreseeable that a future government could seek to designate our fish and gamebirds as pests because they are introduced species. If we tried to challenge this in court, that government would also have the power to block this action. These changes would not make it easier for New Zealanders to hunt and fish but rather remove protections that these sports currently enjoy.

Instead, we propose that ***The NZC authorise (or not) FGC's court proceedings (other than for license holder offences)***

This will support a strategic approach to legal action, whilst preserving the political independence which we need in order to protect fish, game and the habitat they live in. This is the position of our council, and we trust that the NZC will relay this to the Minister at every opportunity.

Kind Regards

Alan Strong

On behalf of the North Canterbury Fish and Game Council

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

North Canterbury Fish and Game

PO Box 50 Woodend 7641, North Canterbury, New Zealand

Telephone: (03) 366 9191 or 0800 347426 Email: northcanterbury@fishandgame.org.nz

www.fishandgame.org.nz



5 August 2025

JMC-594

Barrie Barnes
Chair
New Zealand Fish and Game Council

By email: bbarnes@fishandgame.org.nz

Dear Barrie

Recently I have been made aware of some Fish and Game Regional Councils' confusion about compliance with provisions of the Official Information Act 1982 (**OIA**).

You will be well aware that New Zealand Fish and Game is an "organisation" named in Part 2 of Schedule 1 of the Ombudsman Act 1975 and is therefore subject to the requirements of the OIA.

I am writing to ask you to please remind Regional Councils that they are also subject to the requirements of the OIA, as they are organisations named in Schedule 1 of the OIA. It is my expectation that all Councils adhere to their legal obligations under the Act.

As we undertake reforms to modernise Fish and Game, it is important that the public have complete confidence that all constituent parts of Fish and Game understand and adhere to their legal obligations. Please reinforce this expectation with each Regional Chair at the next available opportunity.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'James Meager', written over a large, stylized blue scribble.

Hon James Meager
Minister for the South Island
Minister for Hunting and Fishing
Minister for Youth
Associate Minister of Transport

Hon James Meager

Minister for the South Island
Minister for Hunting and Fishing
Minister for Youth
Associate Minister of Transport



05 AUG 2025

Barrie Barnes
New Zealand Fish and Game Council

JMC-583

By email: bbarnes@fishandgame.org.nz

Dear Barrie,

On 30 July 2025 I signed the 2024-25 Sports Fishing and Game Hunting Licence Fees and Forms Notice. I did not approve the proposed fees increase for Sports Fish and Game Bird licences for 2025/26. This letter provides a rationale for my decision. Please share my letter with Fish and Game councillors to ensure it is widely understood why I have declined an increase this year, and to help support the preparation of future licence fee proposals.

The Government has been clear as to its expectations of prudent financial management for Crown organisations and I would like to reiterate this sentiment to Fish and Game as well. Fish and Game should demonstrate what it is doing to reduce costs, improve efficiency and appropriately use available funds before proposing increases in fees for licence holders.

My priority is to make it easier for people to go hunting and fishing. Given the current cost of living for Kiwis, I do not want to disincentivise anglers and game bird hunters from participating in the upcoming season due to current financial constraints.

Specific Decisions

I have approved the whole-season family fishing licence definition change to align with the Taupō fishery family licence. I think this is a great and long overdue amendment to the licence. However, I cannot support an increase in the licence fee from \$203 to \$242 on this basis alone. I would prefer to see a staged approach to incrementally increase the family licence over time to match the Taupō family fishery fee with clear communication to the public from Fish and Game of this approach.

I have not received sufficient evidence or rationale to explain why the non-resident whole season fishing licence is being increased so much more (approximately 11.1% increase) than the proposed increase level (less than 3.5%) for resident whole season licences. It is important to note the value of fishing tourism to the economy. I want to be sure any increase in fees does not significantly deter visitors. I have also not approved an increase in the game bird licence fee. As outlined above, there is a lack of substantive evidence to support any increase in licence fees for the upcoming season.

Finally, I appreciate that there may be increasing costs for the organisation as part of the Government's proposed reforms. However, there was not enough information to understand these additional costs to support the licence fee increase.

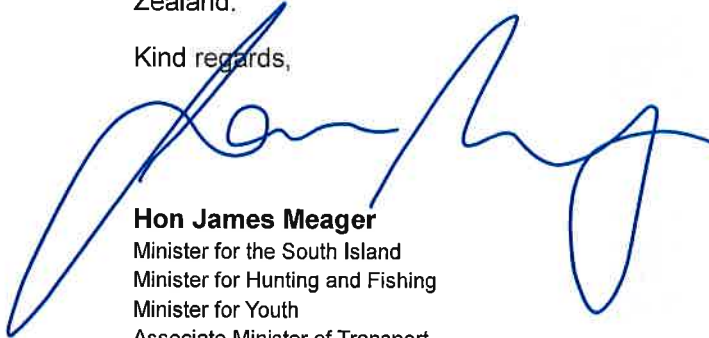
Next Year's Process

In the future I would like to meet with Fish and Game to discuss their proposed licence fees for the upcoming season ahead of receiving the formal documentation for consideration. I think this would

be a constructive way to share initial views and ask questions and ultimately pave the way for the swift approval of licence types and fees. We can then work together to manage and progress any potential changes.

I look forward to continuing to work together to improve angling and hunting opportunities in New Zealand.

Kind regards,



Hon James Meager
Minister for the South Island
Minister for Hunting and Fishing
Minister for Youth
Associate Minister of Transport

Cc Richie Cosgrove – rcosgrove@fishandgame.org.nz



6 August 2025

Barry Barnes
 Chairman
 NZ Fish & Game Council
 By email: Barrie Barnes bbarnes@fishandgame.org.nz
 Cc: James Meager MP J.Meager@ministers.govt.nz

Dear Barrie,

I refer to your email of 5 August addressed to me and other members of the Central South Island Fish and Game Council (CSIFGC) and the letter you attached from James Meager MP. CSIFGC entirely supports the Minister's emphasis on ensuring full compliance with the *Official Information Act 1982 (OIA)*.

It appears from your email, however, that there may be some misunderstandings regarding CSIFGC's practice in respect of requests under the OIA generally and in relation to the particular OIA request referenced in your email. I offer the following clarification regarding CSIFGC's practices and our handling of the specific request mentioned.

CSIFGC is fully aware that it is an "organisation" to which the OIA applies, being listed in Schedule 1 of the Act. We receive OIA requests from time to time and take very seriously our responsibility to respond promptly and appropriately. We have an established procedure for the proper handling of all OIA requests.

It is also important to note, however, that an individual is not in the same position as a department or organisation under the OIA. In particular, the OIA does not oblige an individual to disclose official information, except when the individual concerned is a Minister of the Crown. This is explicit in OIA section 12 which empowers any person to **"...request a department or Minister of the Crown or organisation to make available to him or it any specified official information."**

In addition, section 13 of the OIA requires a relevant organisation to "give reasonable assistance" to a person who has made a request that is not in accordance with section 12 or that is not directed to the appropriate organisation. CSIFGC complies with this obligation and provides such assistance when requests are not made in conformity with the Act.

Statutory managers of freshwater sports fish, gamebirds and their habitats.

Central South Island Region

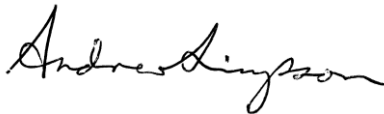
32 Richard Pearse Drive, Temuka 7920, PO Box 150 Temuka 7958. Telephone (03) 615 8400
 Email: csi@fishandgame.org.nz www.fishandgame.org.nz

In relation to the request mentioned in your email, the person making the request addressed it to named individuals rather than to the Council. Nevertheless, assistance was promptly provided as required by section 13. I wrote to the requester within two hours of the original request, stating: "*You perhaps intended to seek information from the Council, rather than from the individuals who comprise its members? If so, please confirm that to our CEO Steve McKnight who is copied on this email and whom I am sure will assist to respond.*" I am informed that the CEO has not received such confirmation, but I have asked the CEO to follow up on this with the requester.

CSIFGC remains committed to transparency and compliance with the OIA. We appreciate the Minister's concern and share his commitment to ensuring public confidence in Fish and Game's adherence to its legal obligations.

Please contact me directly if you have any other questions. I would be pleased to address any other misconception that might arise.

Yours sincerely,

A handwritten signature in cursive script that reads "Andrew Simpson".

Dr. Andrew Simpson

Chair

Central South Island Fish & Game Council



Briefing: Hunting and Fishing Portfolio - Initial Briefing and Immediate Decisions

To	Minister for Hunting and Fishing	Date submitted	24 January 2025
Action sought	Decisions on progressing urgent matters that relate to critical Cabinet or policy timeframes to support delivery of Government priorities.	Priority	Very High
Reference	25-B-0011	DocCM	DOC-7863279
Security Level	Sensitive – BUDGET		

Risk Assessment	High Time sensitive decisions are required.	Timeframe	Urgent: Legislative bids need to be submitted by 29 January.
Attachments	Appendix 1 – Briefing for Incoming Minister for Hunting and Fishing		

Contacts	
Name and position	Phone
Ruth Isaac , Deputy Director-General, Policy and Regulatory services	9(2)(a)
Stephanie Rowe , Deputy Director-General, Biodiversity, Heritage and Visitors	

Executive summary – Whakarāpopoto ā kaiwhakahaere

1. The Department of Conservation looks forward to supporting you in the Hunting and Fishing portfolio. This paper provides an initial briefing as an introduction to your new portfolio, and summarises several urgent items on which your direction is sought. These items all have time critical Cabinet or external deadlines, or meet milestones in delivering policy priorities.
2. A Briefing for the Incoming Minister (BIM) is attached, and provides context and background on your portfolio and the previous Minister's priorities.
3. The immediate decisions needed are:
 - to submit the Hunting and Fishing Legislative Bids for 2025 (briefing 24-B-0615 refers), with or without changes. The Cabinet Office deadline is 29 January;
 - whether to continue to progress urgent Budget night legislation to clarify that Herds of Special Interest may be designated in national parks. This requires the agreement of the Leader of the House. A Cabinet paper seeking policy decisions would need to be lodged for discussion at ECO on 19 February; and
 - whether to continue with Minister McClay's commitment to meet with online, or visit in person, all 12 regional Fish and Game Councils and the New Zealand Council before March 2025. This was part of Minister McClay's preferred engagement plan to support legislative reform of Fish and Game New Zealand by the end of term.
4. DOC provided several briefings to Minister McClay over the past few months which led to the decisions outlined above. We can discuss these issues in more detail at our first portfolio meeting, provisionally scheduled for 29 January, but are ready to meet with you earlier if you wish. Depending on your preferences and priorities, we can also prepare 'deep-dive' sessions to discuss different areas of the portfolio – including potential connections and interactions with your South Island Ministerial portfolio.
5. We also draw your attention to three operational matters with time critical deadlines on which you will shortly be briefed, separately. This includes taking a Cabinet paper to the Legislation Committee on the establishment of three new Game Preserves, and two matters requiring your authorisation or agreement to support the annual game bird hunting season.

We recommend that you ... (Ngā tohutohu)


		Decision
1.	Note the attached Briefing for the Incoming Minister (BIM), which provides background information on your portfolio and to support your decisions.	Noted ✓
2.	Note some decisions are needed urgently to meet critical Cabinet or legal deadlines, or current policy delivery timeframes, should you wish to continue with the previous Minister's plans.	Noted ✓
3.	Indicate whether you want to make any changes to the three draft legislative bids for the 2025 Legislative Programme (through briefing 24-B-0615), due with the Cabinet Office by 29 January.	Yes / No
4.	Indicate whether you want to continue to progress urgent Budget night legislation to clarify that Herds of Special Interest may be designated in national parks.	Yes / No

5.	Note that you must have the agreement of the Leader of the House to progress legislation under Budget night urgency.	Noted ✓
6.	Indicate whether you wish to meet online or visit in person each of the 12 regional Fish and Game Councils throughout February.	Yes / No
7.	Note that you are due to meet with officials on [29 January] and can discuss your priorities for the portfolio and the contents of this briefing then.	Yes / No



Date: 24 / 01 / 2025

Ruth Isaac
**Deputy Director-General, Policy and
 Regulatory Services**



Date: 27 / 1 / 25

Hon James Meager
Minister for Hunting and Fishing

Purpose – Te aronga

1. The Briefing for the Incoming Minister (BIM) is attached to this briefing that provides broader background on the portfolio, your responsibilities, and key relationships. The Department of Conservation is the lead advisor for the Government in this portfolio.
2. This paper also seeks your direction on items in your Hunting and Fishing portfolio that require immediate decisions so that Cabinet, external deadlines, or current policy delivery timeframes, can be met (if these align with your priorities).
3. A first portfolio meeting with officials is provisionally scheduled for 29 January, but we are ready to meet with you earlier if you wish. DOC will provide further context at this meeting.

Background and context – Te horopaki

4. The Hunting and Fishing Portfolio was introduced by this Government. Hunting and fishing matters were previously the responsibility of the Minister of Conservation. Vote Conservation funds delivery of the portfolio.
5. The previous Minister for Hunting and Fishing established four main priorities for the portfolio, building on pre-election policy manifestos, which are discussed in more detail in the BIM. Those priorities are:
 - managing game animals as valued introduced species to ensure numbers are best managed for each region's individual interests;
 - supporting Fish and Game New Zealand (Fish and Game) and the Game Animal Council (GAC);
 - introducing Herds of Special Interest (HOSI) to balance hunting and conservation objectives; and
 - increasing hunting access on public conservation land.
6. Over the last few months, DOC has provided advice on next steps to take these priorities forward and the previous Minister had provided direction on his preferences. Some of the next steps require externally driven timeframes to be met. Others are to meet preferences for how policy outcomes should be delivered by the end of term, some of which require you to agree next steps with your ministerial colleagues.

There are issues which require your immediate attention if you wish to progress these portfolio priorities

Out of Scope

Out of Scope

Legislative change to support the introduction of Herds of Special Interest (HOSI)

12. Minister McClay was progressing work on two HOSI for **sika** and **wapiti**. Work on a third HOSI for **tahr** is currently paused. These are the three herds of specific interest to hunters as candidates for HOSI, specified in National's plan for hunting and fishing.
13. Under a HOSI, animals within a specific geographical area of public conservation land can be managed to provide for hunting outcomes, whilst also providing conservation benefits. There are currently no designated HOSI in New Zealand. The BIM provides further information, and DOC will provide additional briefing as needed.
14. The Game Animal Council Act 2013 (GAC) allows the Minister to designate HOSI, including in national parks. HOSI are then managed for hunting purposes under a herd management plan (HMP). HOSI HMPs must be consistent with relevant conservation management plans and national park management plans.

Application of National Parks Act principles has created uncertainty as to the ability for HOSI to be designated within a National Park

15. The National Parks Act 1980 (the NP Act) sets out principles to be applied in national parks. The principles include the statement that "*introduced... animals shall as far as possible be exterminated*" in national parks except where the New Zealand Conservation Authority determines otherwise.
16. In 2024, the Royal Forest and Bird Protection Society of New Zealand (Forest & Bird) instigated a legal challenge to an existing community agreement between DOC and the Fiordland Wapiti Foundation in Fiordland National Park on the basis that the Agreement sought to 'manage' wapiti rather than 'exterminate' them, as required by the National Parks Act.
17. The legal challenge has been paused while further work is undertaken by the parties. However, the challenge highlights the legal uncertainty surrounding any proposal to 'manage' wapiti numbers in a national park, which would be the outcome sought from a wapiti HOSI. Without addressing the legal uncertainty there remains a risk of challenge to the designation of a HOSI.

Current process to deliver legislative change

18. Minister McClay was considering introducing legislation to remove the ambiguity between the NP Act and the HOSI provisions in the GAC Act. This would be a small clarification to provide certainty that HOSI can be designated in national parks as intended. As previously noted, Minister McClay planned to take this legislation under urgency on Budget night and DOC has been working at pace to support this. Work on the statutory process to introduce a wapiti HOSI would follow Royal Assent (memo 24-B-0632 refers).

19. **A decision to continue to progress this legislation through Budget night urgency is needed:** this requires agreement from the Leader of the House. DOC does not know whether this agreement had been secured by Minister McClay.
20. Timelines are very tight. We are ready to provide a full briefing and draft Cabinet Paper seeking Cabinet agreement to policy decisions towards the drafting of a Bill. If you wish to progress this, the paper would need to be lodged by 12 February (following Ministerial consultation) for discussion at ECO on the 19 February, to meet Budget night deadlines.
21. There are alternative routes to deliver the same legislation and support HOSI delivery by the end of this term (memo 24-B-0582 refers). DOC can discuss these options with you and provide additional briefing as needed.

Refocusing and modernising Fish and Game New Zealand

22. **A decision is needed on whether you wish to meet with or visit the New Zealand Fish and Game Council and all 12 regional Fish and Game Councils (FGCs) in February**, progressing a commitment made by Minister McClay.
23. The commitment to meet with these bodies was intended to support the policy process for taking forward initial decisions made by the previous Minister on policy changes to modernise Fish and Game in October 2024. These proposals for change have not yet been taken to Cabinet – Minister McClay’s intention was to undertake informal targeted engagement with Fish and Game and specific Post-Settlement Governance Entities (PSGEs) with a statutory relationship or arrangement with Fish and Game in their settlement or deed, and then go to Cabinet (in April/May).

Current engagement process towards final policy decisions

24. Minister McClay sent letters to the New Zealand Fish and Game Council and all 12 regional FGCs in November 2024 and to 20 PSGEs in December 2024. These letters sought feedback on the current operation and governance of Fish and Game on a range of questions. All Fish and Game responses have been received and we will provide you with a fuller policy briefing and analysis of the responses shortly.
25. In his letters, Minister McClay signalled his intention to meet or visit all FGCs either online or in their regions in the early new year. This was to build relationships, provide opportunities to discuss key issues, and inform final policy decisions and next steps. Rather than consult publicly on policy proposals, Minister McClay’s preference had been to focus effort on Fish and Game and relevant PSGEs, and engage stakeholders and the wider public on the Bill during the select committee stage.
26. If you wish to continue with the current process and timeline to pass legislation by the end of term, you will need to complete targeted engagement with FGCs by early March. This would enable you to take a paper to Cabinet in April/May to seek approval to draft a Bill.
27. This timeline is ambitious but would enable you to introduce and pass legislation before the end of term. Depending on your preferences, while public consultation on the policy proposals is still an option, timeframes mean that legislation could only be introduced by end of term, but not passed. We can discuss the detailed timeframes and implications with you further.

Other matters requiring urgent action

Establishing three new game preserves

28. We will shortly provide a briefing seeking your agreement to lodge a paper for Cabinet Legislation Committee (LEG) that will deliver on Cabinet’s earlier agreement to

establish three new upland commercial game preserves [CBC-24-MIN-0127]. Upland game preserves are privately owned land where captive game birds are released for paying guests to hunt recreationally.

29. This is a minor matter, but the paper must be lodged with the Cabinet Office by 13 February (following Ministerial consultation) for consideration at LEG on 20 February. This will ensure that the legislation enters into force in time for the preserves to operate at the start of the game bird hunting season at the beginning of May.

Authorising the sale of game bird hunting licences

30. We will also shortly provide a briefing seeking your approval of a statutory notice to enable the sale of game bird hunting licences for the 2025–2026 game bird hunting season. Policy for the notice – which determines the types of hunting licences available and the required fees – was approved by Minister McClay in 2024.
31. This is an annual regulatory process supporting game bird hunters. This notice must be published on the Government Legislation website and notified in the Gazette by 13 February 2025. This will enable licences to go on sale from 13 March 2025. This will allow approximately 38,000 game bird hunters to begin claiming hunting stands prior to the start of the season on 3 May 2025.

Approving game bird hunting conditions

32. The New Zealand Fish and Game Council will shortly provide a briefing seeking your approval of a statutory notice setting out the hunting conditions (such as daily bag limits and hunting seasons) for the 2025–2026 game bird hunting season. Policy for the notice will be recommended to you by the 12 regional Fish and Game Councils in the briefing. You will be able to amend the notice, if you wish, prior to approving it. DOC can provide further advice to support your decisions as needed.
33. This is an annual regulatory matter supporting game bird hunters. The notice must be approved and published in the Gazette in time for copies to be incorporated into regulations booklets, which need to be provided to hunters when they buy their licences from 13 March 2025.

Risk assessment – Aronga tūraru

34. This paper summarises decisions that are needed to progress several urgent policy and regulatory matters to meet external deadlines or timeframes set by the previous Minister. The key risk is that a delay to any of these decisions may mean that Cabinet or legislative deadlines, or existing policy timeframes, cannot be met. Alternative routes for delivering these priorities are available, and DOC can discuss these with you, including the consequences. Full risks for each policy proposal are considered in relevant briefings.

Treaty principles (section 4) – Ngā mātapono Tiriti (section 4)

35. Many iwi have interests related to hunting and fishing, and engagement with local hapū and iwi will be important for supporting policy priorities such as Herds of Special Interest (HOSI) and Fish & Game modernisation.
36. The Treaty implications for specific proposals and processes are outlined in relevant briefings previously provided to Minister McClay. DOC can discuss these with you and provide further information.

Consultation – Kōrero whakawhiti

37. No consultation with other departments or stakeholders has been undertaken in preparing this briefing.

Financial implications – Te hiraunga pūtea

38. There are no financial implications arising from this briefing.

Legal implications – Te hiraunga a ture

Out of Scope

Next steps – Ngā tāwhaitanga

40. A first portfolio meeting with officials is provisionally scheduled on 29 January, but we are ready to meet earlier if you wish. We suggest we discuss this briefing more fully at this first meeting.
41. Your decisions on the matters in this briefing are needed quickly to provide an immediate pathway on live issues if you wish to progress the established mechanisms and timeframes for delivery. Notably, your legislative bids [briefing 24-B-0615] need to be submitted to the Cabinet Office by 29 January.
42. DOC will provide more detailed policy briefings on both the HOSI and Fish and Game priorities to support confirmation and delivery of your Hunting and Fishing priorities.

ENDS



Hon James Meager
Minister for Hunting and Fishing

13AUG25

Dear James,

Composition of the F&G NZ Council – A Think Piece

I am grateful that, during the June meeting of the F&G NZC, you expressed a willingness to reconsider your original proposal, that of the F&G NZC being comprised of the chairs of the various twelve regional Fish & Game councils. Further, I recall you mentioning this same proposed governance structure of F&G NZC, when we met in Auckland. Since then, I have been pondering how to best achieve the outcome you desire, and yet keep F&G NZC independent of regional influence, and potential conflict, both nationally, and even possibly, inter-regionally.

Last week, I had the opportunity to discuss your proposal with the regular (monthly) meeting of regional Fish & Game Council chairs, the Chairs Forum – eight of the twelve regional chairs were present. The chairs welcome the intention behind your proposal, for it to reinforce the historic links between the national body, F&G NZ, and the regions.

However, the chairs do not view it as a workable option given the time they already dedicate as volunteers to the leadership of their regional councils. I am aware that most have provided this view to you directly. Additionally, they are worried about how it might affect their ability to advocate for their own regions and councils, to whom they owe their primary loyalty, as elected members. They recognise there would be an inherent conflict in striving to fulfil both roles effectively.

I would further like to add, from my own experience as the incumbent chair of F&G NZ, that it would be an impossible task should I, or a future F&G NZ chair, be required to also be a chair of a Fish & Game region. I will add that even now it is difficult enough, discounting any regional conflict, and regional time commitment, to be required to also be a regional councillor. I support my position on this, as I consider my F&G NZ time commitment, some 20 to 25hrs weekly, the amount of travel and the fact that, whilst having consideration for all twelve regions, not just one, I must remain unbiased regionally, and collectively nationally focussed. This national chair's role has proven to not to be a simple or easy one with its inherent responsibilities, which at times, receives a lot of personal criticism, sometimes very public – social media and other, when outcomes may not align with the thinking of some regional governors, and at times, upper-level management staff.

There is also a great responsibility working directly with F&G NZC staff, communicating daily on many topics, including issues that require much national consideration, some with enhanced levels of confidentiality, legal and personal. You may also add the required importance of political, and departmental relationships, being acutely aware of any ministerial action,



direction, reporting, and statutory compliance at a national level plus working with eNGOs and other national organisations e.g. GAC.

In that regard, I am reminded that when the current legislation was introduced, the then Minister of Conservation, the Hon Philip Wollaston, emphasised to members of the newly created F&G NZC at their first meeting on 24 July 1990 that:

Although you were nominated by your respective transitional councils, it is most important to realise you are not their representative...you are here to administer sports fish and game nationally. Your decisions must be made in the best interests of anglers and hunters without letting parochial interests colour your judgement.

The Minister's exhortation to regionally nominated members of the NZC, to put parochial interests aside, has proven a challenge over the years. When there is a perception that regional interests are threatened, councils do tend to see their nominees more as advocates representing their regions, and at times against national interests. That is one reason I have previously raised with you, the desirability of providing more security of tenure for F&G NZC members. Under the current form of appointment, F&G NZC members, are continually vulnerable to replacement when they prioritise the national interest over their own regions interest – ministerial confirmation of regional appointment may solve this. I will add that, this has happened on a number of occasions, and I have had personal experience of this, precipitating for me, a F&G region change, the circumstances around which Minister McClay is aware.

The response I note from the chairs, not only queries the viability of your proposal for the composition of F&G NZC, but also raises the question of what might be an acceptable alternative. Whether, for example, the current arrangement is conducive to the level of governance performance expected of a statutory body today.

Also, added to the above, while the desirability of changing the F&G NZC's composition to that of F&G regional chairs might be acknowledged by the council I chair, I am not confident that members would readily be supportive of that composition as an alternative to the current arrangement, especially without extensive consultation with their respective councils, and having knowledge of their regional chair's position on this subject.

I am pleased to report that those regional chairs present at the last Chairs Forum, are in support of my initiative, being to add more formality and structure, to their current informal monthly liaison arrangement. Of course I cannot speak for those chairs who did not attend. The Chairs Forum has led them to hold online meetings most months, quite informally, with no agenda, meeting minutes, or clear inter-regional direction and outcomes. I hasten to add, not being a regional chair, I am an invitee, and contribute from the national position as incumbent chair of F&G NZC. At these meetings, at times, important topics and challenges have been aired, and discussed, albeit usually without formalised outcomes.



My initiative, supported by F&G NZC, meeting 175, was for the regional chairs to consider formalising the Chairs Forum into a 'Chairs Accord.' As a formal group this would enable them to best contribute to the organisation's direction at a national level. I believe this would enable the chairs to perform the linking role you envisioned, with them having participation in the governance of the national body – F&G NZ.

As mentioned above, this initiative was supported by those regional chairs present at the last meeting of the Chairs Forum. Currently, a drafted Terms of Reference (TOR) is being prepared for circulated amongst the regional chairs for comment. Apart from the Chairs Accord function, the TOR will include the Chairs Accord/F&G NZC relationship and a number of options.

Two of those options would include that:

- *The chair of the Chairs Accord, or nominee on the day, would be co-opted to the F&G NZC with all the usual speaking rights at the F&G NZC meetings.*
- *A standing agenda item for F&G NZC meetings. This agenda item be specifically for the tabling and discussion of issues, matters and interests generated from the Chairs Accord meetings, as recorded and minuted.*

I also add at this point that, those regional chairs present also considered this initiative as meeting your considerations for the relationship between F&G regions and F&G NZC. When ready, I will present the TOR to F&G NZC for consultation, and ultimately for ratification and adoption. This I would hope to be completed at the F&G NZC meeting 176 at the end of August 2025.

Given the rapid pace of the drafting work you have underway, I have suggested to Graeme Nahkies, our governance adviser with extensive experience in these matters, that he write to you directly. His letter will address the broader reasons why your proposal might not align with the other governance changes you have proposed and outline credible alternative options.

Ngā mihi
Barrie

Barrie Barnes | Chair
New Zealand Fish and Game Council
Mobile 021 925 006

E BBarnes@fishandgame.org.nz W www.fishandgame.org.nz





18 JUL 2025

Barrie Barnes
New Zealand Fish and Game Council Chair
Level 1, Unit 2
166 Featherston Street,
Wellington, 6011

JMC-522 / 25-B-0154

By email: BBarnes@fishandgame.org.nz

Dear Barrie,

Thank you for providing me the New Zealand Fish and Game Council's (NZC) 2023-24 annual report. I will present the annual report to the House of Representatives, under section 150(3) of the Crown Entities Act 2004 (the Act).

Delivery of this report to my office is a key accountability of the NZC. The combined timeframe in the Act for sending the audited annual report to me is within five months of the balance date – I received this report ten months after balance day.

I note the delay was attributed to several factors, including the need to resolve audit issues and to engage external financial expertise due to key staff departures. While I understand these issues have been resolved, I would like to have confidence they were isolated incidents and will not contribute to delays of future annual reports.

I am advised the annual report from the Game Bird Habitat Trust Board, which NZC helps to prepare, is yet to be finalised. Please update the Department of Conservation with progress on this as soon as possible.

I look forward to receiving your future annual reports within the established timeframe.

Kind regards,



Hon James Meager

Minister for the South Island
Minister for Hunting and Fishing
Minister for Youth
Associate Minister of Transport

Cc Richie Cosgrove rcosgrove@fishandgame.org.nz