

# Cabinet Paper Talking Points: Game Animal Council (Herds of Special Interest) Amendment Bill: Approval for Introduction

<b>To</b>	Minister for Hunting and Fishing		
<b>Committee</b>	Cabinet Legislation Committee		
<b>Date of meeting</b>	8 May 2025		
<b>Reference</b>	25-K-0013	<b>DocCM</b>	DOC-10295189
<b>Minister lead</b>	Minister for Hunting and Fishing		
<b>DOC Contact/s</b>	Sam Thomas, Director Policy, s9(2)(a)		
<b>Security Level</b>	In Confidence		

## Purpose – Te aronga

1. You are taking a paper to the Cabinet Legislation Committee (LEG) on 8 May 2025 titled “Game Animal Council (Herds of Special Interest) Amendment Bill: Approval for Introduction”
2. This memo provides suggested talking points and Q&As to support your attendance at LEG.

## Cabinet paper

3. The Cabinet paper seeks agreement to introduce a Bill that would amend the Game Animal Council Act 2013 for the purpose of clarifying that animals that are part of a Herd of Special Interest (HOSI) are not subject to the National Parks Act 1980 requirement to exterminate introduced animals. Policy approvals were provided by Cabinet on 24 February.

## Talking points are attached to this paper

4. Appendix 1 contains suggested talking points, and Appendix 2 contains a list of Q&As on topics that Cabinet colleagues may raise. There are 18 items being considered by LEG on 8 May, so it is unlikely there will be sufficient time to discuss papers in detail.

## Next steps – Ngā tāwhaitanga

5. Your Cabinet paper will be considered by LEG on 8 February at 9.30-10am.
6. DOC officials will be present in the lobby outside the Cabinet Committee room and can be called upon to answer technical questions if needed. Officials can also meet you ahead of the meeting to discuss should you find this useful.

**ENDS**

## ***Appendix 1: Talking points***

### **This Bill will address legal risk around Herds of Special Interest in national parks**

- On 24 February, Cabinet agreed to the policy intent for this Bill - which is to clarify that if the Minister designates a Herd of Special Interest (HOSI) in a national park – the National Parks Act requirement to exterminate introduced animals will not apply to those HOSI animals.
- To be clear: the Game Animal Council Act already allows the Minister to designate HOSI in national parks. But current legislation does not align well: you cannot manage animals for hunting purposes while also seeking to ‘exterminate’ them.
- This draft bill is limited in scope and straightforward. It adds two paragraphs to the Game Animal Council Act 2013:
  - a) One paragraph says that that if a Herd of Special Interest is designated in a national park, the National Parks Act requirement to exterminate introduced animals does not apply to those animals, and
  - b) One paragraph clarifies (to avoid doubt) that the National Parks Act does not limit the Minister’s ability to designate a HOSI.

### **This Bill does not establish a HOSI**

- The Bill does not establish a HOSI. The process to develop a HOSI is a separate statutory process that will not be directly impacted by this Bill.
- I intend to initiate that separate process to develop a wapiti HOSI as soon as possible.
- This Bill will provide certainty that if a HOSI is developed and duly designated in a national park, there will not be a risk of challenge on the basis of the National Parks Act requirement to exterminate introduced animals.

- This is needed because a recent legal challenge from Forest & Bird against DOC has created uncertainty around the Minister's ability to designate HOSI in national parks.
- Forest & Bird have pointed to a provision in the National Parks Act that says introduced animals (like game animals) in national parks need to be 'exterminated as far as possible' unless the New Zealand Conservation Authority determines otherwise.

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## **Appendix 2: Questions and Answers**

<b>Question 1: What are the economic benefits of HOSI?</b>	
<b>Answer</b>	<ul style="list-style-type: none"><li>• At a national level, designation of HOSI will raise New Zealand's profile as a hunting destination and help drive an increase in hunting tourism.<ul style="list-style-type: none"><li>○ This will help boost our hunting guide industry – an industry that is estimated to generate over \$100M in direct investment and employ around 530 people.</li></ul></li><li>• More directly, the Fiordland Wapiti Foundation undertakes significant conservation and animal control on behalf of the Department of Conservation. A HOSI designation would provide long-term certainty for the Foundation that they can continue to undertake this work.</li></ul>
<b>Question 2: What is the legal challenge around wapiti in Fiordland National Park?</b>	
	<ul style="list-style-type: none"><li>• DOC and the Fiordland Wapiti Foundation have been working together to manage the effects of deer and undertake animal control activities in Fiordland National Park since the 2005.</li><li>• The Foundation is effectively subcontracted by DOC via a so-called "community agreement". This agreement enables the Foundation to undertake management activities in the wapiti area of the National Park.<ul style="list-style-type: none"><li>○ The Foundation's work is mostly self-funding via meat sales and hunting ballot fees, and it has been successful in managing animal numbers to acceptable levels.</li></ul></li></ul>

	<ul style="list-style-type: none"> <li>• Forest &amp; Bird's challenge asserts that ongoing management of the herd in line with the agreement is inconsistent with the National Parks Act requirement to 'exterminate introduced species as far as possible'.</li> <li>• DOC does not share this view. But this highlights the uncertainties that might plague a HOSI designation and interfere with success.</li> </ul>
<b>Question 3: Will this Bill reduce conservation protections?</b>	
	<ul style="list-style-type: none"> <li>• The Game Animal Council Act includes robust conservation safeguards, and this Bill does not remove any of these protections.</li> <li>• The GAC Act makes it clear that HOSI management must be consistent with conservation outcomes for the area they are set up in.</li> <li>• This means that for a HOSI to be set up in a national park, it would still have to be consistent with all other National Parks Act requirements and management plans.</li> <li>• This amendment would simply mean that the animals can be managed rather than exterminated, as intended.</li> </ul>
<b>Question 4: What are the Conservation benefits of HOSI?</b>	
	<ul style="list-style-type: none"> <li>• Designating HOSI will enable the hunting community to take a larger role in conservation management – and the more volunteer hunters we have willing to work to control game animals on public conservation land, the better.</li> <li>• More specifically, HOSI management will have important conservation benefits because it will ensure the herd size is kept at a level that doesn't undermine conservation values.</li> </ul>

	<ul style="list-style-type: none"> <li>• There will be monitoring requirements included in HOSI Herd Management Plans to ensure biodiversity outcomes alongside hunting outcomes.</li> </ul>
<b>Question 5: What other HOSI might be set up in national parks?</b>	
	<ul style="list-style-type: none"> <li>• In addition to wapiti, there are at least two potential candidates for HOSI that exist in national parks: <ul style="list-style-type: none"> <li>○ Himalayan tahr is one of the species we've publicly identified for potential HOSI designation, and their feral range overlaps with three national parks (Aoraki/Mt Cook, Westland Tai Poutini and Mt Aspiring National Park).</li> <li>○ Whitetail deer on Stewart Island/Rakiura National Park has also been raised as a potential candidate. There may be other herds in national parks that could be suitable for HOSI designation as well – and I'm keen to engage with the hunting community to hear their proposals.</li> </ul> </li> </ul>
<b>Question 6: How will World Heritage Area status be impacted?</b>	
	<ul style="list-style-type: none"> <li>• This Bill will not have any impact on World Heritage Status or our international obligations.</li> <li>• If a HOSI is developed for a herd that is within a World Heritage Area (like wapiti in Fiordland) officials will undertake an assessment of the likely impacts and consider whether it impacts the values for which the World Heritage Area was designated.</li> </ul>
<b>Question 7: Will meat from HOSI be subject to biosecurity testing?</b>	
	<ul style="list-style-type: none"> <li>• Hunters are not required to test meat they hunt for themselves.</li> </ul>



	<ul style="list-style-type: none"> <li>• Meat from HOSI that is recovered and sold for consumption may be tested under the Biosecurity Act 1993 (BSA) as part of disease prevention and control programmes. Meat recovered from HOSI may also be tested under the Animal Products Act 1999 (APA) to ensure that food safety standards are met.</li> <li>• Typically, testing occurs in the field (BSA) or at meat processing and storage sites (BSA and APA) by qualified individuals. This will be reflected in concessions for Wild Animal Recovery Operations (WARO) which is required to recover meat for sale from public conservation lands. This will continue to apply for HOSI.</li> </ul>
<p><b>Question 8:</b> Will all carcasses of shot HOSI shot be removed? How will biosecurity risks around this be managed?</p>	
	<ul style="list-style-type: none"> <li>• It is expected that hunting of HOSI species will follow routine hunting practices. This means not all carcasses will be removed. Biosecurity risks include spread of diseases due to other animals coming into contact with or consuming carcasses, and water leaching. However, actual risk is minimal due to             <ul style="list-style-type: none"> <li>a) the disease-free or low prevalence status of New Zealand from many transmissible deer diseases (e.g. Foot and Mouth Disease, Chronic Wasting Disease);</li> <li>b) the inability of disease-causing organisms to survive in the environment; and</li> <li>c) the low likelihood of farmed animals coming into direct contact with carcasses.</li> </ul> </li> <li>• DOC, alongside government and industry stakeholders, will continue to educate with and advocate for good biosecurity processes already undertaken by New Zealand hunters.</li> </ul>

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### **Appendix 3: Copy of Recommendations**

The Minister for Hunting and Fishing recommends that the Cabinet Legislation Committee:

- 1 note that the Game Animal Council (Herds of Special Interest) Amendment Bill holds a category 4 priority on the 2025 Legislation Programme (to be passed by the end of 2025 if possible);
- 2 note that the Bill will clarify that the National Parks Act 1980 section 4(2)(b) requirement to exterminate introduced animals “as far as possible” unless the New Zealand Conservation Authority determines otherwise does not apply to animals that are part of a herd designated as a Herd of Special Interest under section 16 of the Game Animal Council Act 2013;
- 3 approve the Game Animal Council (Herds of Special Interest) Amendment Bill for introduction, subject to the final approval of the government caucus and sufficient support in the House of Representatives;
- 4 agree that the Bill be introduced in the week of 12 May 2025;
- 5 agree that the government propose that the Bill be:
  - 5.1 referred to the Environment Select Committee for consideration;
  - 5.2 enacted before the end of 2025.

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