



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			s9(2)(a)
Stephanie Rowe, Deputy Director-General, Biodiversity, Heritage and Visitors			

Executive summary – Whakarāpopoto ā kaiwhakahaere

1. Out of scope
- 2.
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

4. Out of scope
- 5.

We recommend that you ... (Ngā tohutohu)

Out of scope

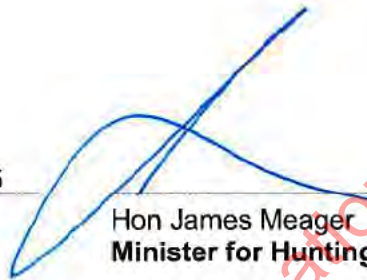
4.	Indicate whether you want to continue to progress urgent Budget night legislation to clarify that Herds of Special Interest may be designated in national parks.	<input checked="" type="radio"/> Yes <input type="radio"/> No
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Out of scope



Date: 24 / 01 / 2025

Ruth Isaac
Deputy Director-General, Policy and
Regulatory Services



Hon James Meager
Minister for Hunting and Fishing

Date: 27 / 1 / 25

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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

Portfolio Legislative Bids are due with Cabinet Office by 29 January

7.



8.

- Game Animal Council Act Amendments Bill legislative bid;



9. The order of these legislative bids reflects the priority order preferred by the previous Minister. Minister McClay's preference was to escalate the Game Animal Council Act Amendments Bill to first priority on the basis of his preferred route to progress this

legislation under urgency on Budget night 2025. This route and timing are linked to making a technical legislative change to support the subsequent establishment of Herds of Special Interest (HOSI) (paragraphs 12-21 discuss this further).

10. As discussed below, the previous Minister intended to discuss his desire to seek Budget night legislation with the Leader of the House, and to advise the Minister of Conservation, ahead of legislative bids being submitted.

11. **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.

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Out of scope

ENDS

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