



Submission closing date 5 pm 13 December 2024 (updated 5 November 2024)  
[BiosecurityBill@mpi.govt.nz](mailto:BiosecurityBill@mpi.govt.nz)

Link to discussion document: [Proposed amendments to the Biosecurity Act | NZ Government](#) on MPI web page.

### **Submission on proposed amendments to the Biosecurity Act**

The following submission relates to Fish and Game's position on the proposed amendments to the Biosecurity Act. Fish & Game is specifically responding to discussion document 7 (Surveillance and Legislative Interfaces), as this contains proposals of direct interest to Fish & Game.

Fish & Game comprises 13 entities, 12 regional Fish and Game Councils and the New Zealand Council. The New Zealand Fish & Game Council has the statutory function to *"advise the Minister on issues relating to sports fish and game"* (s26C(1)(b)).

On matters that relate to legislation changes, the New Zealand Fish & Game Council, under section 26C (g) of the Conservation Act 1988, has the statutory function *"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"*:

If you have any questions relating to our submission, we would be more than happy to answer them in a meeting in person or online.

Ngā mihi

A handwritten signature in blue ink, appearing to be 'Corina Jordan', is shown on a white background.

**Corina Jordan**  
**CEO New Zealand Fish and Game Council**

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Fish & Game's specific submission points are made under each topic. There are some topic areas where we have not provided any comment.

## **Summary**

### **About Fish and Game**

Fish and Game is the statutory manager for sports fish and game, with functions conveyed under the Conservation Act 1987. The organisation is an affiliation of 12 regional Councils and one New Zealand Council. Together, these organisations represent approx. 150,000 anglers and hunters.

The sports fish and game resource managed by Fish and Game is defined and protected under the Conservation Act and the Wildlife Act 1953. The species include introduced sports fish and upland game, along with a mix of native and introduced waterfowl.

In 2024, the New Zealand Fish and Game Council commissioned NZIER to estimate the economic contribution of recreational freshwater angling and to assess the wider well-being impacts.

The report estimates domestic and international Fish and Game licence holders spend \$113 million - \$139 million per year on angling trips. This results in a total (direct and indirect) output of between \$96 - \$118 million, of which \$66 - \$81 million is value added (GDP). Angling also supports between 952 - 1,168 jobs across the country.

The report also found evidence that freshwater angling enhances physical and mental health outcomes and is part of a cluster of physical recreational activities in which anglers participate, such as hiking, kayaking and swimming, to name a few.

## **Scope of Biosecurity Legislation**

Sports fish and game birds must be considered as valued biodiversity (Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020<sup>1</sup>). Valued Introduced Species (VIS) do not warrant pest designation in Aotearoa/New Zealand. A delineation between biodiversity (under the purview of the RMA/ National Direction and Biosecurity (under the Biosecurity Act) should be maintained. Fish & Game also note that trout management issues require a focus on individual river reaches where problems can be resolved meaningfully and effectively. Landscape level approaches often overshadow localised solutions and can have detrimental impacts on fish populations, including valued introduced species and indigenous species.

## **Compensation**

Fish & Game notes in the recent bird flu outbreak that the poultry farmer in Otago was compensated for losses associated with the outbreak. Fish & Game would also like to discuss what avenues there are for compensation or support should Fish & Game suffer a significant decline in licence sales due to a biosecurity event such as H5N1. We note that licence sales are not our “own property” and that Fish & Game do not own the species that we manage. Due to our predominate revenue source being licence fees, the closure of a fishing or hunting season would create a significant financial burden for the organisation, while there would still be species management tasks that needed to be undertaken.

## **Valued Introduced Species**

Fish and Game reiterate that valued introduced species are not pests and believe that it would be valuable if this position was clarified in any amendment to the Biosecurity Act. Species such as sports fish and game birds are already provided for in other legislation. Fish & Game seek that the Biosecurity Act is amended to include the definition set out below for Valued introduced species.

Page 9 of Te Mana o te Taiao provides a definition of species and valued introduced species, and we seek that this definition is adopted in the Biosecurity Act:

*“Species means a group of living organisms consisting of similar individuals capable of freely exchanging genes or interbreeding. In this strategy, the term ‘species’ also includes subspecies and varieties.*

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<sup>1</sup> [Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020: Biodiversity](#)

- *Indigenous species refers to species that occur naturally in Aotearoa New Zealand.*
- *Non-indigenous species, or introduced species, refers to species that have been brought to New Zealand by humans, whether intentionally or unintentionally.*
- *Valued introduced species are introduced species, including sports fish, game animals and species introduced for biocontrol, which provide recreational, economic, environmental or cultural benefits to society."*

### **Pest Species Definition**

Fish & Game notes that the current definition for pest is *"pest means an organism specified as a pest in a pest management plan"*.

The definition of pest species needs to specifically exclude sports fish and game birds. Fish & Game has examples where MPI has used an incorrect definition in some working papers. We request that these are amended, and the correct definitions be used in future.

New Zealand Fish and Game Council would be a valuable source of information for effective decision-making and should be named as a statutory consultee (along with other relevant stakeholders such as Game Animal Council).

Fish & Game support the suggested change to the decision maker to declare a national emergency (Governor General to Minister for Biosecurity) on the premise that this would reduce any delay between the detection of, e.g. Foot and Mouth Disease and the declaration of a biosecurity emergency.

### **Support Biosecurity Act Taking Precedence Over Sports Fishing Benefits**

Fish and Game support the Biosecurity Act taking precedence over sports fishing in certain situations. Fish & Game has cooperated with restrictions associated with the spread of Golden Clams. Fish & Game will continue to work with MPI on biosecurity measures to stop the spread of this and other biosecurity outbreaks such as didymo.

### **Biosecurity MOU**

A MOU between Fish and Game, DOC and MPI would better co-ordinate the roles of different bodies and encourage working collegially on topical areas.

### **Biodiversity Management**

Fish & Game encourage you to retain the status quo regarding biodiversity and leave this management to regional councils and DOC to lead on. Fish & Game have worked with them on specific projects involving Sports Fish and Game Birds. Fish & Game believe that the focus of the Biosecurity Act should continue to be on biosecurity threats and incursions.

## **1. Overview**

The presence of sports fish in Aotearoa/New Zealand, which have been present in the country for over 150 years, does not pose a significant biosecurity threat to the indigenous fauna of Aotearoa/New Zealand. Their designation as sports fish does not impede the effectiveness of the biosecurity system in this country, and no change to their status as sports fish or the hierarchy of legislation governing the management of sports fish is warranted.

Fish and Game are concerned that the proposed changes to the Biosecurity Act (BA) will allow for the unnecessary removal of sports fish, including salmonids. An increasing trend is the “Introduced bad, native good” catch-cry in some circles of bureaucracy. The criteria should not provide for sports fish to be listed in regional pest management plans (RPMPs) as pest fish. Criteria such as impacts on threatened species, indigenous plants, water quality or Māori cultural values is far too broad to safeguard the potential and will likely lead to unintended outcomes. Furthermore, sports fish management is being used as a wedge in the regulatory arena, dividing stakeholders such as environmentalists, farmers, and irrigators. This is specifically impeding collaborative efforts and could be used to weaken Fish & Game’s functions.

While the introduction of over 70 terrestrial vertebrates has had a devastating impact on New Zealand’s national bio distinctiveness, the impact of 20 freshwater fish introduced to our streams, rivers and lakes is less pronounced. Compared to the 43 terrestrial extinctions since human colonisation, including widespread deforestation, only one native fish, the grayling (*Prototroctes oxyrhynchus*), has become nationally extinct.

Sports fish, including brown trout (*Salmo trutta*), arrived in New Zealand over 150 years ago and have since woven themselves into the country’s cultural and ecological fabric. With their superior requirements for clean and abundant fresh water, sports fish and their habitats are formally protected under New Zealand legislation, which has played a key role in the protection of New Zealand’s waterways and rivers for all riverine fish. Other freshwater fish, however, have proven less benign examples, including specific instances where koi and bullhead catfish/mosquito fish deserve pest status due to the *actual* risk they pose to indigenous biodiversity more broadly.

There is now a growing body of evidence that some of these introduced, whilst controversial species, are playing key roles in supporting native species and protecting native fish species (Kavermann et al. 2021, Stewart et al. 2024<sup>2</sup>).

Despite this fact, some people and groups continue to actively demonise sports fish with the belief that removing sports fish from aquatic systems will restore native aquatic communities to pre-human states. This view negates or simply ignores the major drivers of native fish population declines, the impacts of habitat loss and land-use intensification, which have been far more catastrophic for our indigenous fish fauna but which cannot be managed under the Biosecurity Act<sup>3</sup>. A growing body of research is showing that habitat protection is the most essential factor to provide for both indigenous and valued introduced species such as trout, as well as to mitigate adverse impacts such as competition for resources, extreme flooding events and climate change. An overly simplistic view, treating valued introduced species as pests, does not appreciate the highly complex ecological communities involved and have had catastrophic effects on native fish assemblages as 150 years of ecological and evolutionary coexistence is undone.

However, different approaches to sports freshwater fish around the country leaves Fish & Game in a challenging position. Having a national policy or MOU with relevant agencies is essential for maintaining the integrity of our social licence to operate.

Similarly, this isn't to say that sports fish don't have any impact on some isolated native fish populations. The latest research by (see Coughlan 2022<sup>4</sup>) shows populations of highly vulnerable native species will likely be negatively impacted by trout predation. Coughlan states (2022) that this occurs in a small fraction of the country's entire flowing waterways – 10 per cent – and where this overlap is not favourable towards the indigenous fish community, we acknowledge it, we collaborate with other parties. Fish & Game do intervene to exclude trout to protect the native species. This has been carried out effectively and collaboratively with regional councils in numerous site-specific locations around the country without needing a change in legislation.

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<sup>2</sup> [Multiple lines of evidence suggest that de-stocking predatory trout from a lake will release competition and drive native kōaro to extinction - Fish Futures](#)

<sup>3</sup> [\(PDF\) Decline in New Zealand's freshwater fish fauna: effect of land use | Mike Joy - Academia.edu](#)

<sup>4</sup> Coughlan, A. (2022) Risk assessment and mitigations of the potential impacts of trout predation on New Zealand's indigenous fish species. Massey University, Palmerston North: 92.

Our specific submission points are as follows:

## 2. System-wide issues.

<p>Proposal 1 – insert overarching purpose clause in the Biosecurity Act <b>Oppose inclusion of biodiversity</b></p>	<p>The focus of the Act must remain on effective management of biosecurity risk. Biodiversity is better managed under other mechanisms. Support proposed clause:</p> <ul style="list-style-type: none"> <li>• <i>A statement about the protection of valued introduced species (valued biodiversity).</i></li> <li>• <i>A statement about giving effect to international agreements.</i></li> <li>• <i>Clarification that trade (both imports and exports) is facilitated.</i></li> <li>• <i>Reference to the system being operationally efficient in delivering biosecurity outcomes.</i></li> <li>• <i>Reference to environmental, economic, social, and cultural values, so there is a legislative mandate to consider them in decision-making.</i></li> <li>• <i>Clarification that the Biosecurity Act is about effective management of biosecurity risks.</i></li> </ul>
<p>Proposal 2 – include a new purpose clause <b>Support</b></p>	<ul style="list-style-type: none"> <li>• <i>Part 3 – Importation of risk goods: amending to also reference the need for operational efficiency when managing biosecurity risks.</i></li> <li>• <i>Part 4 – Surveillance and protections: amending to enable monitoring and surveillance of all organisms to include endemic diseases and not just unwanted organisms. It could also include the ability to consider local knowledge as an additional source of evidence to support decision-making.<sup>5</sup></i></li> <li>• <i>Part 9 – Miscellaneous provisions: amending the sections relating to compensation to clearly set out the policy intent of compensation, or a ‘mixed’ purpose to set out the policy intent as well as the criteria and process for decision-making on this issue.</i></li> </ul>
<p>Question 10 What do you think the purpose of the</p>	<p>The definition of pest species needs to specifically exclude sports fish and game birds, which have already been incorrectly classified by MPI in some working papers<sup>6</sup>. The</p>

<sup>5</sup> <https://www.mpi.govt.nz/dmsdocument/43906-Developing-a-new-Special-Permit-Purpose>

<sup>6</sup> <https://www.mpi.govt.nz/dmsdocument/43906-Developing-a-new-Special-Permit-Purpose>

<p>biosecurity system should be? Do you agree with the elements we have set out for proposal one? Is there something that should not be included?</p> <p><b>Oppose in part</b></p>	<p>definition of pest should also exclude the wider suite of valued introduced species.</p> <p>The focus of the Biosecurity Act should be on unwanted pest species and diseases, not species covered under existing legislation or issues better covered by a review of the Wildlife Act, Freshwater Fisheries regulations or that can already be achieved by the RMA, particularly regarding biodiversity.</p>
<p>Proposal 3A Ministerial Involvement in significant decisions</p> <p><b>Support on the condition that biodiversity remains addressed through other mechanisms and the Act remains focused on Biosecurity risk management .</b></p>	<p>Vest the Minister responsible for the Biosecurity Act with a call in power. Ideally, where access or opportunity will be restricted or shut down, we request that the Minister for Hunting and Fishing is notified and each applicable regional Fish &amp; Game office so we can work out if there are any angling or hunting values impacted.</p>
<p>Page 9 Local Knowledge in decision making</p> <p><b>Support</b></p>	<p>Regarding this requirement, we would like to point out that we have completed annual aerial trend counts for game birds and duck banding surveys and have done so for over 30 years for some species, so we have the best available information relating to game bird population monitoring. We also do several river/fishing and spawning surveys to keep abreast of the angling opportunities in a given place.</p> <ul style="list-style-type: none"> <li>• <i>an expert in biological sciences to provide information about the incidence, prevalence, or distribution of a specified organism for purposes of surveillance (section 48).</i></li> </ul>
<p><b>Page 10</b> <b>Proposal 4</b> – Enable local knowledge to inform or guide decision making in specific parts of the BA. Question 14</p>	<p>New Zealand Fish and Game Council would be an ideal source of information for effective decision making and should be named as a statutory consultee. Game Animal Council is another example of a statutory consultee that you should consult on matters that are relevant to the animals that they manage.</p>



<b>Page 12</b> <b>Proposal 5</b> Use of Biometric information at the border	Support.
<b>Page 14</b> <b>6 Powers</b> of inspectors during searches	Support for power to arrest or for obstruction during searches.
<b>Page 21</b> 6C Regional Council access to infringement offences for pest pathway management plans	Support Fish & Game would like to be involved in the development of operational policies around the use of infringement notices to ensure the protection of valued introduced species.
<b>Page 25</b> <b>6D</b> Enhancing compliance options for breach of a Controlled Area Notice, proposals 9	No comment
6E First arrivals compliance, 6F Arrest Powers of police, 7 Sentencing	No comment

### 3. Funding and compensation – based on discussion document

<b>Compensation to Fish and Game</b>	Fish & Game notes that 1/3 of our income comes from the sale of game bird licence fees. If HPAI (H5N1) has a significant impact on game bird populations, this would not only have devastating impacts on the species we manage, it could lose us an income of approximately \$3 million per annum. Fish & Game notes that the organisation does not pay into the Government Industry Agreement (GIA). It is conceivable that due to HPAI and the necessary actions of the government (closing hunting areas due to Avian Bird Flu and or amending and or cancelling a game hunting season) the result would be a direct loss of income. This would create a significant financial burden for the organisation, while there would still be species management tasks that needed to be undertaken.
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	<p>F &amp; G and the licence holders they represent stand to lose a recreational resource without compensation. We would also like to point out that hunting and fishing resources not only provides food for the table but also provide for mental health and well-being for those that participate in this form of recreation.</p>
<p><b>Page 7 Proposal 14</b></p>	<p>We support option 14B to set out a cost share framework in legislation to guide cost share arrangements with GIA partners. We would consider becoming a GIA partner at a future time when we could show licence holders that the sector protections to sports fish and game justified the additional levy</p>
<p><b>Page 10 Proposal 15A 15B</b> Cost recovery from non signatory beneficiaries of the GIA</p>	<p>At this stage any such upfront fund should only be levied to commercial growers.</p>
<p><b>Page 16 Proposal 16, 17 and 18 and now non compliance would make a person ineligible for compensation</b></p>	<p>No comment</p>
<p><b>Page 19 option 20A - E</b></p>	<p>No comment</p>
<p><b>Question 46</b></p>	<p>Fish and Game maintains financial reserves for unforeseen events. However these reserves are unlikely to be sufficient if a significant event such as avian bird flu or there was a foot and mouth outbreak that shut down hunting and/or fishing for a season or longer.</p>
<p><b>Compensation and compliance with pest pathway plan compliance</b></p>	<p>No comment</p>
<p><b>Other</b></p>	<p>Fish &amp; Game wishes to discuss compensation, or financial support should actions in relation to a Biosecurity incursion cause the loss of a fishing or hunting season. Our current financial model means that we would be financially exposed should a closure be necessary. We believe that we are a valuable ally in Biosecurity responses, but this work is only possible through our collection of licence fees.</p>

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**4. Border and imports – no comment**

**5. Readiness and response.**

**Declaration of Biosecurity Emergency – proposal 39**

Fish and Game notes that sports fish and game bird animals are defined under the Wildlife Act and Freshwater Fisheries Regulations and should not be included in industry organisations.

However, we are interested in further discussing liability, for example, if there is an avian bird flu outbreak. As noted previously in this submission, Fish & Game do not think we should be levied as we do not farm species or contain or control them, so our ability to contain an outbreak (e.g. bird flu) is not comparable to farmed animals.

Fish & Game are interested in the discussion on page 12 relating to “faster emergency declarations” as the example involves Foot and Mouth Disease (FMD), which, during the outbreak in the UK in the early 2000s, shut down the countryside. This could also have a widespread impact on our business as we are a user pays organisation that receives no central government funding.

Fish & Game support the suggested change to the decision maker to declare a national emergency (Governor General to Minister for Biosecurity) on the premise that this would reduce any delay between the detection of, e.g. FMD and the declaration of a biosecurity emergency.

**General Biosecurity Duty in the Biosecurity Act – proposal 40**

Fish & Game notes your compliance orders and enforcement provisions; however, Fish & Game notes that border control is the best way to check hunting and fishing equipment before international travellers enter Aotearoa/New Zealand.

Our rangers do licence checks, but it is not possible to get around all licence holders to also check gear every time someone goes hunting and fishing. Therefore, good communication with licence holders is the best method for reminding our individual licence holders of their responsibilities. Fish & Game will continue to be vigilant and encourage everyone to do the right thing in relation to golden clams and didymo. Still, Fish and Game as an organisation cannot be held responsible for compliance under the Biosecurity Act. This needs to be made clear in any amendments.

#### **Specific Risk Management Requirements and regulations – proposal 41**

Fish and Game has been actively encouraging MPI to do this work, especially regarding the Golden Clams outbreak. Your example, “a requirement could be put in place requiring the cleaning of machinery and equipment before moving it from one site to another,” is supported by our organisation. Fish & Game would also like to continue to be involved in developing such regulations or protocols to ensure that proposals work for our licence holders.

#### **Businesses to Develop their own Risk Management Plan – proposal 42**

From the discussion document, it is unclear whether risk management plans would be required from Fish and Game. Fish & Game have developed a draft national response plan for a bird flu outbreak. However, the Risk Management Plan may not provide any benefit as the animals that we manage are not farmed or contained. Therefore we are unlikely to support this approach for our organisation.

### **6. Long-term management.**

Fish and Game would like it made clear in amendments to the Biosecurity Act that valued introduced species are not pests and species such as sports fish and game birds are already provided for in other legislation. Biosecurity legislation should not include biodiversity issues as this is already covered by regional councils and other legislation. Therefore, Fish & Game anticipates that all references to “pests” will not relate to any of the species that Fish & Game manage.

Page 7, “who MPI works with,” should include Fish and Game as we actively promote doing the right thing in relation to didymo, golden clams, etc. Fish & Game is also a landowner of wetlands and reserves around lakes. On occasion, Fish & Game are also contracted to control non game birds that have become pests.

#### **Simplified national and regional pest management pathway plans – proposal 44**

Support, subject to pests being defined in legislation as not including sports fish and game bird species. Fish & Game notes that the existing process provides for the pest management issue to be discussed with the Minister before undertaking the full piece of work and undergoing the public consultation process. Fish & Game considers this a good step to continue to include in the process rather than just ministerial approval at the end, where the plan may not be approved, and then the resources put into that process are for no gain. Fish & Game would also like to be involved in the management plan if it affects our species.

Fish & Game is also concerned that the following key consideration is too broad and should be removed: *“ the subject being capable of causing adverse effects on the economy, native plants or animals, the environment, social and cultural wellbeing, human health, recreation, animal welfare, and the relationship of Māori with the environment;”*

**Enable integrated national and regional pest and pathway management plans - proposal 45**

Support

**Enable more regional council decision making proposal 46 - 52 (except 50 see below)**

Neutral – does not apply to Fish and Game

**Enable management agencies and regional councils the function of issuing permissions for pests in national and regional pest and pathway management plans – proposal 50**

Support if sports fish and game birds are not defined as pests, and this definition is changed to make this clearer.

**Enable national direction, new regulations, amend decision maker etc proposal 52 – 54** Neutral

Part 5 – Management of unwanted and notifiable organisms – not relevant to the species that F&G manages, so no comment is included. Proposal 55 – 61.

Part 6 - Definitions related to unauthorised goods Proposal 62 – no comment.

Part 7 – Section 115 use of dogs and devices – proposal 63 – no comment.

**7. Surveillance and legislative interfaces.**

Reference	Reason / Detail
<p>Proposal 64 Page 4 of discussion document <b>Support</b> Enabling the Biosecurity Act to take precedence over sports fishing benefits</p>	<p>Fish and Game are willing to cooperate with Biosecurity directions to control a specified outbreak. This may occasionally result in a temporary loss or compromise over sports fishing benefits. For the greater good, we think that in certain situations, this is reasonable. Fish &amp; Game considers that the focus of the Biosecurity Act is management of Biosecurity risk. Biodiversity is better addressed through other mechanisms.</p>

In RMA Site Specific Effects Management Plans, there are clauses such as the following: *“Any pest fish caught will be removed from the catchment and disposed of appropriately and humanely”*.

At present, a special licence from Fish & Game is required to kill sports fish, and we think that this system is working well.

Fish & Game is a statutory entity established by Parliament under the Conservation Act 1987 to manage, maintain and enhance sports fish throughout the country. Thus, this management function is already being achieved at no cost to ratepayers or local government. Note that this is a species' responsibility. The Department of Conservation has similar responsibilities for indigenous freshwater fish.

Within some agencies, there appears to be a misunderstanding between sports fish and sports fisheries. Sports fish are a living species, existing in most places in New Zealand, with management responsibilities delegated to regional Fish and Game councils. A fishery is an area of a catchment, or multiple catchments, that is used for or supports recreational fishing across the entire lifecycle of the fish. The legislation and regulations relate to fish, not fisheries, regardless of whether there is any access to the site for public fishing, responsibilities for the statutory management of sports fish remain under regional Fish and Game council jurisdiction, and we argue that this function should not change.

Fish and Game think the criteria set out are too broad, which will not only impact coarse fish but trout fisheries too, as many populations overlap. *“Causing harm to environmental, amenity, recreational, cultural and economic values”* could be anything and needs to include specific outcome-based criteria like those listed in 2c.

This section should also explicitly exclude all existing salmonid populations.

	<p>There is no evidence that biosecurity outcomes or water quality outcomes would be improved by the proposed amendments and that in some, if not many cases, the biodiversity outcomes would be worse. No evidence has been provided that would indicate water quality or ecological improvements have been blocked/ impeded by the current legislation. This paper by Joy provides some valuable insights regarding the decline in freshwater fish and the effects of land use<sup>7</sup>.</p> <p>A MOU between Fish and Game, DOC and MPI would better co-ordinate the roles of different bodies and encourage working collegially on topical areas.</p> <p>Regional Councils take a proactive approach to collaborating, or at the least cooperating with Fish and Game over sports fish management in their regions. This model provides ample opportunity to coordinate on further management issues if necessary.</p> <p>Fish &amp; Game are also concerned that there has been no comment on the benefits to the public associated with sports fishing. Fish &amp; Game are concerned that sports fish are referred to as a biosecurity issue, which they are not. Fish &amp; Game is concerned that a balanced view has not been provided.</p>
<p>Proposal 65 Page 5 discussion document <b>Oppose</b> Enabling the Biosecurity Act to take precedence over sports fishing benefits following agreement from a chief technical officer</p>	<p>Fish and Game are the mandated organisation and the Minister for Hunting and Fishing is responsible for approving designations regarding sports fish. For the reasons listed above, we do not support enabling the Biosecurity Act to take precedence over sports fishing following the agreement for a chief technical officer.</p>
<p>Proposal 66 <b>Oppose</b></p>	<p>Fish &amp; Game do not believe this proposal is necessary. The relationship between Fish &amp; Game and Regional Councils</p>

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<https://www.researchgate.net/publication/327550994> Decline in New Zealand's freshwater fish fauna Effect of land use

<p>Enabling biosecurity powers, functions or duties to take precedence over other provisions where fish is also an <i>unwanted organism</i></p>	<p>current provides protection for Sports fish and there is the flexibility to undertake further Sports fish management actions if necessary.</p>
<p>Proposal 67 <b>Oppose</b> Amend the Biosecurity Act to require Ministerial Decision Making if a Regional Council and Fish and Game do not agree</p>	<p>New Zealand Fish and Game Council (NZC) are statutory managers of sports fish and are responsible for their management. NZC is willing to work with Regional Councils on sports fish management where it is unequivocally deemed necessary, with decision making based on just and sound, robust science.</p> <p>Fish &amp; Game is concerned that ministerial decision making would allow for politically based decision making. If Regional Councils are allowed to list sports fish (excluding salmonids) in their RPMP, the criteria listed in section 2c should be required in addition to guaranteed funding from the RC for the proposed ongoing removal efforts.</p> <p>Fish &amp; Game submit that sports fish and game birds should not be listed as a pest species in RPMP.</p> <p>The above changes are unlikely to result in the best outcomes for sports fishing and are already provided for in the RMA. Fish &amp; Game is concerned that the criteria would go beyond biosecurity objectives “as well as broader sports fishing and conservation interests”. Fish &amp; Game do not agree that the Biosecurity Act is the best place to manage and preside over the management of sports fish species.</p>
<p><b>Questions 105</b> Do you think it is appropriate for biosecurity outcomes to take priority over sports fishing benefits? When should one outweigh the other, and what might cause the priority to change?  <b>Oppose</b></p>	<p>There will be times when stopping the spread of something will involve the cessation of the use of a resource in a defined geographical area. Golden Clams is a good example, although check clean dry is often sufficient for anglers.</p> <p>There is current agreement not to expand the number of catchments where trout reside. However, the New Zealand Biodiversity Strategy (DOC 2020) also does not promote a significant reduction in the current distribution of trout.</p>



	<p>Fish &amp; Game is already actively managing trout in some areas to eliminate interactions with non-diadromous galaxiids. This work, undertaken with the need for a change in designation or hierarchy of legislative powers, is but one example of F&amp;G managing sports fish for improved biodiversity benefits.</p> <p>Ultimately, the specific problem will dictate the priority. Fish &amp; Game are concerned that the proposed changes to the Biosecurity Act will be used by regional councils to get rid of trout and salmon because it is easier to manage waterways for indigenous species that have lower habitat requirements than trout and salmon, i.e. they can cope with higher temperature, less flow, more nutrients (contamination) etc</p> <p>Fish &amp; Game are not opposed to the removal of some sports fish but are opposed to the needless killing of sports fish and loss of recreational opportunity if there is no achievable outcome (also see Bomford and O'Brien 1995)<sup>8</sup>. Regional councils have frequently demonstrated they are willing to waste ratepayer money by repeating failed attempts to remove sports fish. Considering there is no evidence to support the need for legislative changes enabling the BA to take precedence over sports fishing benefits is fundamentally flawed.</p>
<p><b>Question 106</b>  What decision-making criteria for proposals 64 and 67 do you think should be included in the Biosecurity Act? How can these best reflect the importance of biosecurity as well as sports fishing benefits?  <b>Oppose</b></p>	<p>Earlier this year, Fish &amp; Game provided some criteria to the Otago Regional Council for their draft land and water plan consultation process relating to species interactions.</p> <p>These processes are best left in the resource management domain and not pulled into the scope of biosecurity management.</p>

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<sup>8</sup> Bomford, M., and P. O'Brien. 1995. Eradication or control for vertebrate pests? Wildl. Soc. Bull. 23:249-255.

<p>Page 9 Surveillance under the Marine Mammals Protection Act</p>	<p>Support proposals Fish &amp; Game also asks that you let Fish &amp; Game know the results of your work so we can draw on it, e.g., in relation to HPAI. Fish &amp; Game also do an annual duck banding survey, and Fish &amp; Game have more than 25 years' worth of data in our monitoring programme, which will be key to draw from if we get an Avian Bird Flu outbreak.</p>
<p>Proposal 68 – enable monitoring for pests, notifiable organisms, unwanted organisms and other organisms</p>	<p>Support It makes sense for MPI to be able to monitor WOH listed avian diseases.</p>
<p>Proposal 69 includes a reference to the Marine Mammals Protection Act in Biosecurity Act</p>	<p>Neutral – Leave it to DOC and iwi to answer.</p>
<p>Question 107 Do you agree with our preferred approach to progress proposals 68 and 69? Why, or why not?</p>	<p>Neutral</p>
<p>Question s 108 What other changes could be made to ensure that the surveillance system is robust and delivers information quickly?</p>	<p>Fish &amp; Game suggests that you urgently develop a citizen science app so that the GPS location of e.g., a dead sea bird can be provided to you when people find animals and suspect Avian Bird Flu.</p>
<p>Question 109 What safeguards are required to ensure that surveillance activities do not adversely affect considerations such as marine mammal protection?</p>	<p>There have been news articles overseas showing that drone surveillance of oystercatchers can cause them to leave their nests and have detrimental impacts, so ongoing monitoring of new monitoring methods will need to be considered.</p>
<p>Question 110 What alternatives are there to the proposals above that could deliver the same or better outcomes?</p>	

Question 111 How do we best get a balance between the needs of the biosecurity and biodiversity systems?	An all encompassing Wildlife Act could address both biosecurity and biodiversity issues; however, if we make the scope too wide, the work will not be completed within a reasonable timeframe, and that is why the status quo is likely to remain.
Page 13 Interaction with the Wild Animal Control Act	Fish & Game will leave GAC to respond specifically to these provisions.
Page 14 Proposal 70 – Clarify that regional councils can enter private land to control wild animals	Fish & Game will leave it to the regional council or LGNZ to respond to this issue.
Proposal 71 Amend with the more technically correct phrase “other than land held or managed under the Conservation Act 1987 or the Acts listed in Schedule 1 of that Act”.	Support

**Appendix 1** – The species we manage

**Appendix 2** – About Fish and Game

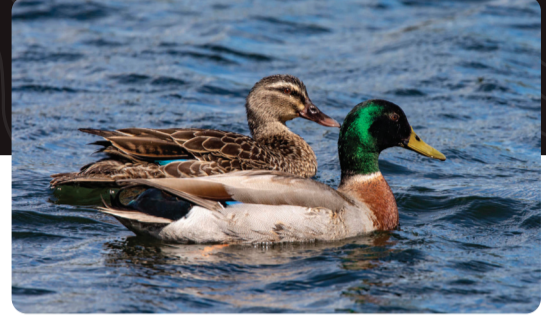
# Species we manage



Black Swan Kakianau



Californiaian Quail Koitareke



Mallard Rakiraki



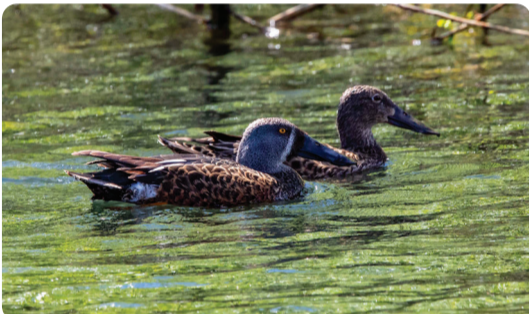
Paradise Shelduck Pūtakitaki



Pheasant Peihana



Pūkeko



Shoveler Kuruwhengi



Chukar



Grey Duck Pārera



Brown Trout



Rainbow Trout



Chinook Salmon



Sockeye Salmon



Brook Trout



Tiger Trout



Perch

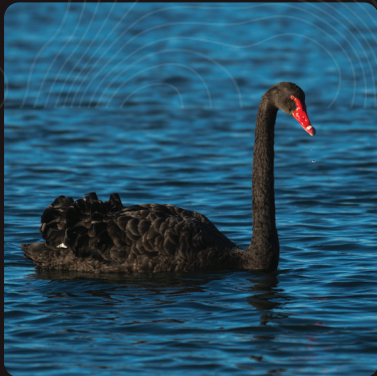


Tench

# Species we manage



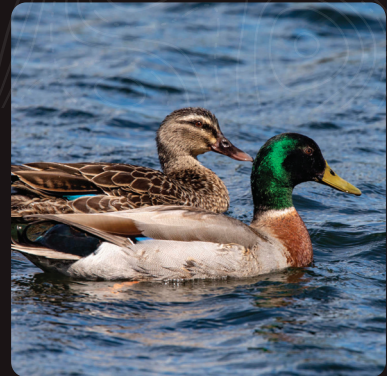
## GAME BIRD SPECIES



Black Swan  
Kakianau



Californiaian Quail  
Koitareke



Mallard  
Rakiraki



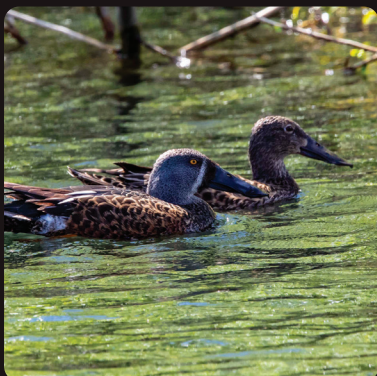
Paradise Shelduck  
Pūtakitaki



Pheasant  
Peihana



Pukeko



Shoveler  
Kuruwhengi



Chukar



Grey Duck  
Pāera

# Species we manage



## FISH SPECIES



Brown Trout



Rainbow Trout



Chinook Salmon



Sockeye Salmon



Brook Trout



Tiger Trout



Perch



Tench



# What does Fish & Game do?

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

## Our vision

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

## What we do

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

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

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



## What does Fish & Game do?

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

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



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

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



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

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



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

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



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