

8 March 2019

# Memorandum

<b>To:</b>	<b>Environment and Community Committee</b>
<b>Subject:</b>	<b>Update on kauri dieback National Pest Management Plan</b>
<b>From:</b>	Barry Potter, Director Infrastructure and Environmental Service Phil Brown, Biosecurity Manager

## Purpose

- To provide an update on:
  - Auckland Council's kauri dieback management programme since last reported to committee; and
  - the forthcoming kauri dieback National Pest Management Plan and its implications for Auckland Council.

### Summary

- Adoption of a Natural Environment Targeted Rate in 2018 has allowed council to increase investment in kauri dieback management. Key elements that have been progressed since then include track upgrades, surveillance, phosphite treatment and work on local parks
- Central government is currently leading the development of a national pest management plan for kauri dieback, which will have a range of implications for Auckland Council as follows:
  - a signalled shift towards a model of multi-party shared decision-making which may affect council's decision-making role. For example, rules within the proposed plan may affect council's decision-making powers as a land manager by potentially requiring council's to comply with specified track standards.
  - may affect council's role as a regulator by impacting on the rules and controls within the Regional Pest Management Plan and Unitary Plan
  - may have funding implications, both for Auckland Council activities and for Auckland landowners
- Auckland Council staff have been working closely with the Ministry for Primary Industries, and other agencies, on the development of this national plan and have been advocating for consideration of local specific implications and the potential impact for Auckland within the plan.
- Initial public consultation on the proposed plan occurred in late 2018.
- A further round of public consultation on the National Pest Management Plan began on 18 February 2019 and the first public meetings in Auckland are on 10 March 2019.

## Context/Background

- Since confirmation of the Natural Environment Targeted Rate, and increased investment for kauri dieback management, council has been expanding its kauri protection programme while working with the national programme to develop an improved national approach.
- As described in previous reports to the Environment and Community Committee (CP2017/26950 and CP2017/26950), central government is leading the development

of a National Pest Management Plan for kauri dieback, under the Biosecurity Act. The creation of a national plan will enable greater consistency throughout kauri lands and across regional borders.

4. A new management agency is to be set up to lead implementation of the National Pest Management Plan. The nature of this agency has not yet been finalised.
5. Council staff have been involved in ongoing discussions with central government and other parties, on the design of the national plan and the roles of council and other agencies in the plan's implementation.
6. The Ministry for Primary Industries has led two rounds of public consultation. Auckland Council and the Ministry have also undertaken joint engagement with mana whenua in the Auckland region. A summary of consultation feedback is available on the kauri dieback website: <https://www.kauridieback.co.nz/consultation/>

## Discussion

### Developments in Auckland Council's kauri dieback management since April 2018

7. The adoption of a Natural Environment Targeted Rate in 2018 has allowed council to increase investment in kauri dieback management. Key elements that have been progressed have been reported to the Environment and Community Committee in October 2018 and February 2019. Specifically:
  - A new kauri dieback team has been established within council's Biosecurity group to enhance council's capacity to resource kauri dieback management
  - Fourteen local parks/reserves in the Kaipātiki local board area have been closed or have had track closures to prevent the spread of kauri dieback
  - Two tracks on Waiheke Island were temporarily closed, as was one track in the Clevedon Scenic Reserve. In both areas detailed investigations are underway to determine appropriate mitigation measures so that they can be safely re-opened
  - Staff have reviewed tracks in 350 local parks with kauri ecosystems in the region
  - Staff are currently making recommendations to 11 local boards about which tracks should be upgraded or closed
  - Four tracks around and including Kitekite Track have been upgraded to a high standard and opened on 26 December 2018
  - A programme for further regional park track upgrades in 2019/20 is underway with additional tracks to be re-opened by Easter.
  - Staff are currently consulting with the public on options for longer-term track upgrades in the Waitākere Ranges.
  - Aerial surveillance is underway in the Rodney District to complete the northern survey which commenced in 2018.
  - Staff are in the final stage of an RFP evaluation, before finalising contracts that will survey south of the bridge, as well as Waitākere local parks, and Hauraki Gulf islands.
  - Large-scale phosphite treatment of kauri trees in the Waitākere Ranges has been extended. Results from preliminary trials are promising. National Pest Management Plan

## **National Pest Management Plan Implications**

8. The creation of the National Pest Management Plan will have a range of implications for Auckland Council. There remains some uncertainty as to shape and scope as details are not yet finalised. However, staff have summarised the issues which currently appear to be of most importance for council in the following paragraphs.

### *Governance and decisions on priorities – proposed regional committees*

9. The draft implementation plan signals the establishment of regional management committees. It is anticipated that council would be a participant on such a committee. Other participants may include mana whenua, the new kauri dieback management agency, Department of Conservation, and representatives of community and industry.
10. It is not yet clear what decision-making mandate the regional committee will have. However, there is a clearly signalled shift towards a model of multi-party shared decision-making. It is not yet clear what will happen if there is misalignment between council's views and those of other parties.

### *National Pest Management Plan implications (Council as land manager)*

11. There is potential for rules within the National Pest Management Plan to affect council's autonomy in decisions as a land manager.
12. Of note, all tracks in kauri forest that are open to the public will likely be required to reach a specified standard within three years of the plan coming into effect. Council would not be forced to close tracks but could be prosecuted for non-compliance with the rule if sub-standard tracks remained open.
13. The natural environment targeted rate provides for most high use tracks to be upgraded to the standard within the three-year period. However, there may still be some tracks which are unable to meet the standard within three years, and therefore will need to be closed.
14. Further, there may be instances where council would otherwise choose to protect tracks through other methods (e.g. enhanced hygiene stations). The National Pest Management Plan may force council to instead invest in track upgrades if we want them to remain open. This would have cost implications and may come at the expense of other activities.
15. As the new management agency has yet to be established, it is not yet clear how strictly such provisions may be enforced.

### *National Pest Management Plan implications (Council's regulatory role)*

16. Kauri dieback is also included as a pest in Auckland's proposed Regional Pest Management Plan, which is due for adoption as an operative plan at the March 2019 Environment and Community Committee.
17. The Biosecurity Act requires that a Regional Pest Management Plan is not inconsistent with a National Pest Management Plan for the same species.
18. Once the National Pest Management Plan comes into effect, council will need to consider whether the regional plan is inconsistent with the national plan. If there are inconsistencies, these may be addressed through a partial plan review under s100D of the Biosecurity Act. Currently, there do not appear to be major areas of misalignment between the two forthcoming plans.
19. Some proposed rules in the National Pest Management Plan also cover similar activities to those covered by the Unitary Plan (e.g. earthworks rules). This potentially creates a dual consenting situation, where applicants would need to apply to two separate agencies for consent.

### *National Pest Management Plan funding (Council perspectives)*

20. It is not yet clear how the costs of implementing the National Pest Management Plan will be shared among agencies.
21. Some aspects of funding are likely to remain the same as they have been in the past. For instance, central government currently funds signage, and this is likely to continue under the new management agency. Similarly, council is likely to continue to be responsible for funding its own track infrastructure.
22. Funding of other elements such as communication, pig control, and the division of funding is less clear. For instance, communications materials may be funded both by council and the central management agency. However, the division of this funding is not yet clear. Similarly, Council already invests in some pig control which limits the spread of the disease, but this may not be enough to meet the National Plan's requirements. It is not yet clear whether the management agency will fund additional pig control, or whether that cost may fall on councils.
23. Council has an interest in how central government funds are allocated among regions. Other regional councils have previously invested less in kauri dieback management than Auckland Council has. There is therefore a risk of central government funds being allocated more to other regions to make up this shortfall. Auckland Council would therefore be disadvantaged for its more proactive approach.
24. Staff are working closely alongside the Ministry for Primary Industries and other regional councils to ensure this risk is recognised and mitigated.

### *National Pest Management Plan funding (Land occupier perspectives)*

25. There may also be cost implications for Auckland land owners to comply with rules in the proposed national plan. Of note, many areas of kauri forest will be required to be fenced to exclude livestock. This is likely to be a manageable cost to Auckland Council as a land manager as most areas are already fenced. However, the costs to private farmers within the region may be substantial.
26. It is likely that central government will subsidise 50 per cent of fencing costs. Council could choose to provide further subsidies, but this would need to be evaluated against other planned investment. There is a risk to the entire programme that fencing costs may drain much of the available funding at both national and regional levels if this rule is enforced widely.

### **Public Consultation on the proposed National Pest Management Plan for Kauri**

27. A further round of public consultation on the National Pest Management Plan is scheduled to begin on 18 February 2019, with the first meetings in Auckland from Sunday 10 March 2019. Dates and locations of Auckland events are shown in Table 1. Consultation material can be found at [www.kauridieback.co.nz/consultation](http://www.kauridieback.co.nz/consultation)

**Table 1. National Pest Management Plan for Kauri – Auckland Engagement Schedule**

<b>Location</b>	<b>Date</b>	<b>Time</b>
Arataki Visitor Centre	Sunday 10 March	7 - 9:30pm
Te Atatū Peninsula Community Centre	Sunday 10 March	7 - 9:30pm
Orewa Arts and Event Centre	Monday 11 March	7 - 9:30pm
Glenfield Community Centre	Monday 11 March	6 - 8:00pm
Clevedon Community Hall	Tuesday 12 March	7 - 9:30pm

28. MPI and council staff will undertake further direct mana whenua engagement on the shape of the National Pest Management Plan and management agency. Auckland Council and the Department of Conservation also expect to have joint engagement

with mana whenua on how the National Plan might best be implemented in the Auckland region.

### **Next steps/implementation**

29. The National Pest Management Plan is expected to become operative in September 2019. The new agency to lead the plan's implementation is expected to be established by then, with recruitment beginning in May 2019.
30. Council staff will continue to work with the Ministry for Primary Industries on the development and implementation of this plan and will provide an update to the committee once the plan becomes operative.

**Key Contact:** Phil Brown, Manager Biosecurity