

Date: Thursday 20 February 2025
Time: 10.00am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
 301-305 Queen Street
 Auckland

Te Komiti mō te Kaupapa Here me te Whakamahere / Policy and Planning Committee

OPEN ATTACHMENTS

ADDITIONAL ATTACHMENTS
UNDER SEPARATE COVER

ITEM	TABLE OF CONTENTS	PAGE
12	Summary of Policy and Planning Committee information memoranda, workshops and briefings (including the Forward Work Programme) – 20 February 2025	
	B. Letter from Hon Louise Upston relating to food insecurity and ministry of Social Development funding for the community food sector, 1 November 2024	3
	C. Auckland Council’s submission on Proposed amendments to the Biosecurity Act, 11 December 2024	5
	D. Memorandum – Update on the Safeswim programme 2024/2025, 12 December 2025	33
	E. Chair’s Report - City Centre Advisory Panel, 16 December 2024	51
	F. Memorandum - Natural Hazards Risk Management Action Plan progress report: January – June 2024, 16 December 2024	55
	G. Letter – Auckland Urban Heat Assessment, Arup Technical Report, 16 December 2024	83
	H. Auckland Council’s submission on the Principles of the Treaty of Waitangi Bill, 7 January 2025	85

Note: The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

ITEM TABLE OF CONTENTS**PAGE**

I.	Memorandum – Resource Management (Consenting and Other System changes) Amendment Bill, 13 January 2025	119
J.	Memorandum - Te Mahere Whanake Ōhanga: Economic Development Action Plan progress report 2024, 16 January 2025	125
K.	Memorandum - Te Tupu Ngātahi – Update on North Auckland projects, 23 January 2025	163
L.	Memorandum - Update on the Future Development Strategy 2023-2053 Implementation Plan and Future Development Strategy 2023-2053 Monitoring Report 2023/2024, 28 January 2025	167
M.	Auckland Submission on the Review of Sustainability Measures for Spiny Rock Lobster (CRA 2) for 2025/26, 28 January 2025	251
N.	Memorandum - Takaanini Level Crossings and South Frequent Transit Network future transport projects – Auckland Transport Decision on Notices of Requirement, 30 July 2025	259
O.	Memorandum - Impacts of reduced Government co-funding of Auckland climate action transport projects, 4 February 2025	261
P.	Auckland Council's submission on the RMA Phase 2 Bill, 10 February 2025	263
Q.	Memorandum - Upcoming public consultation on Manaaki Tāmaki Makaurau: the draft Auckland Open Space, Sport and Recreation Strategy, 11 February 2025	265
R.	Auckland Council's submission on the RMA Phase 2 Bill, 10 February 2025	267
S.	National Policy Statement: Freshwater Management Political Working Group, 16 December 2024	391

Hon Louise Upston

Minister for the Community and Voluntary Sector
Minister for Disability Issues
Minister for Social Development and Employment
Minister for Child Poverty Reduction



Councillors Josephine Bartley, Richard Hills and Angela Dalton
Auckland Council
c/- chris.mcavoy@aucklandcouncil.govt.nz

01 NOV 2024

Dear Josephine, Richard and Angela,

Thank you for your letter dated 4th October, 2024 about your concerns relating to food insecurity and Ministry of Social Development (Ministry) funding for the community food sector.

The Government acknowledges that the high cost of living is challenging for many New Zealanders, and we are focused on easing this. From 1 April 2024, approximately 1.4 million New Zealanders received cost of living relief through increased government assistance.

As Minister for Social Development and Employment, my number one priority is encouraging more people off benefits and into work. Work improves outcomes for New Zealanders across a range of indicators, including improved financial security and access to opportunities, social connectedness, and better health outcomes.

People experience food insecurity for a variety of reasons including unemployment. Further to the Government's primary focus on supporting people into employment, income support such as Special Need Grants for food, is available for those who meet the needs assessment. Community groups and non-government organisations also have an important role in supporting those in need, when all other support options have been exhausted.

I acknowledge that the last few years have been incredibly busy for the food community sector. This includes the demand for support in response to the COVID-19 pandemic, the effects of major weather events, and cost of living pressures.

The Ministry's Food Secure Communities (FSC) programme was established in 2020 as a response to the increased demand for food driven by the COVID-19 pandemic. The FSC programme supports the community food sector, who work alongside people and whānau experiencing food insecurity, including families with children. This has included funding for the distribution of bulk essential food supplies, as well as investments in initiatives which seek to increase food insecurity through increasing access to affordable and healthy food. You can find out more about FSC and what they do here: www.msd.govt.nz/what-we-can-do/community/food-secure-communities/index.html.

For this financial year (F2024/25), there is existing funding in place to support the maintenance of the community food distribution infrastructure, and this continues to 30 June 2025 (\$7.5m for national support partners and regional community food hubs).

In consideration of the increased demand for ongoing food support in the community, the Government has agreed that \$7.5 million of time-limited funding will also be available in F2024/25 to support the community food sector. This funding is being allocated to:

- support 60 community food providers, such as foodbanks, to meet high demand (\$6m)
- invest in or expand up to ten food security initiatives which aim to increase the amount of healthy and affordable food in communities (\$1.5m).

The Government's ongoing focus will be on funding community food distribution infrastructure and longer-term approaches to food security.

Budget 2024 supports the continuation of the Healthy School Lunches programme, alongside a new targeted programme to provide food for 10,000 two-to-five-year-old children who attend low-equity, not-for-profit, community-based early learning centres. These programmes are designed to deliver nutritious food for students, which will contribute to improved outcomes for Kiwi kids.

Additionally, in Budget 2024, we announced significant investment to support families with children currently experiencing poverty. This included measures to lift incomes of working households by increasing personal income tax thresholds and increasing the In-Work Tax Credit. Early childhood education can be a significant cost for young families, so we have also announced FamilyBoost, which is a new payment for low-to-middle income households to help with the cost of childcare. Treasury modelling shows that the direct impacts of these changes are estimated to lift around 17,000 children out of poverty by 2026/27 (using the measure of family incomes after housing costs are met).

The Government is focused on rebuilding the New Zealand economy so that it works for all New Zealanders and ends the cost-of-living crisis. This will help ease the pressure on household incomes, reduce food insecurity, and reduce material hardship.

I trust the information I have provided addresses your concerns and that you are reassured that food security is being tackled head-on by the Government.

Thank you for writing.

Sincerely



Hon Louise Upston
Minister for Social Development and Employment



11 December 2024

Biosecurity system policy team
Ministry for Primary Industries
Via email: BiosecurityBill@mpi.govt.nz

Auckland Council's submission on Proposed amendments to the Biosecurity Act

Thank you for providing Auckland Council with the opportunity to submit on the *Proposed amendments to the Biosecurity Act*. The Auckland Council group submission is attached.

This submission is approved by the Policy and Planning Committee, acting on behalf of the Governing Body.

The Auckland Council group submission incorporates feedback from Auckland Council directorates, local boards, council-controlled organisations Watercare and Tātaki Auckland Unlimited, and the council-owned Ports of Auckland.

If you have any queries regarding Auckland Council's submission, please contact:

Simon Fraser
Senior Analyst, Natural Environment Strategy
Policy Department
simon.fraser@aucklandcouncil.govt.nz

Ngā mihi,

A handwritten signature in black ink, appearing to be 'Richard Hills'.

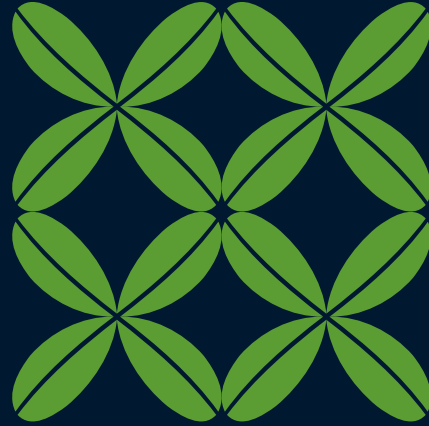
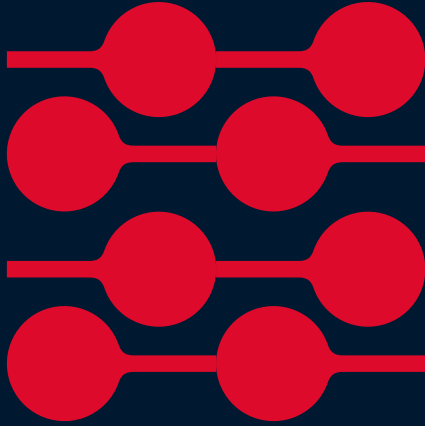
Cr Richard Hills
Chair
Policy and Planning Committee

A handwritten signature in black ink, appearing to be 'Edward Ashby'.

Member Edward Ashby
Houkura - Independent Māori Statutory Board
member

Item 12

Attachment C



Submission to the Ministry for Primary Industries



Proposed amendment to the
Biosecurity Act 1993

11 December 2024

aucklandcouncil.govt.nz



Mihimihi

Ka mihi ake ai ki ngā maunga here kōrero,
ki ngā pari whakarongo tai,
ki ngā awa tuku kiri o ōna manawhenua,
ōna mana ā-iwi taketake mai, tauiwi atu.
Tāmaki – makau a te rau, murau a te tini,
wenerau a te mano.
Kāhore tō rite i te ao.

*I greet the mountains, repository of all that
has been said of this place,
there I greet the cliffs that have heard the
ebb and flow of the tides of time,
and the rivers that cleansed the forebears of
all who came those born of this land
and the newcomers among us all.
Auckland – beloved of hundreds, famed
among the multitude, envy of thousands.
You are unique in the world.*

Contents

Executive summary	4
Introduction	5
General feedback and additional issues	9
Detailed feedback to individual proposals.....	12

Executive summary

1. Thank you for providing Auckland Council with the opportunity to submit on the *Proposed amendments to the Biosecurity Act*.
2. Auckland Council recognises the importance of a strong biosecurity system. The biosecurity system is a key component of protecting our values from the impacts of harmful pests and diseases. The council supports this consultation by the Ministry for Primary Industries (MPI) to ensure that the Biosecurity Act remains fit-for-purpose, as well as adaptable in the future, as new and unforeseen issues arise.
3. The Auckland Council group submission incorporates feedback from Auckland Council directorates, local boards, council-controlled organisations Watercare and Tātaki Auckland Unlimited, as well as the council-owned Ports of Auckland. The submission responds to those proposals that either directly impact the council, or that have a significant impact on the Auckland region.
4. In particular, the submission strongly supports proposals to enable:
 - access to infringement offences for regional councils
 - enhanced compliance options for breach of a Controlled Area Notice
 - faster declarations for biosecurity emergencies
 - improved processes for pest, pathway, and small-scale management plans
 - precedence for biosecurity considerations over relevant sports fishing provisions within the Conservation Act and its Freshwater Fisheries regulations, as well as the Wild Animal Control Act.
5. The submission also identifies issues missing from the consultation proposals for further consideration and exploration by MPI. These issues relate to:
 - improving funding of environmental outcomes and long-term management
 - incorporation of Māori rights and facilitating participation in decision-making
 - improved coordination across the biosecurity system
 - ensuring ongoing public engagement and education across communities.
6. Auckland Council is committed to meeting its legal obligations to Māori, including responsibilities derived from Te Tiriti o Waitangi. Auckland Council supports direct engagement by MPI with the mana whenua and mataawaka of Tāmaki Makaurau on issues that may impact the rights and interests of Māori.
7. Auckland Council also supports the submission made on behalf of the regional sector by Te Uru Kahika – Regional and Unitary Councils Aotearoa, collectively representing New Zealand’s 16 regional and unitary councils. On matters where the Auckland Council submission is not aligned with Te Uru Kahika, the views expressed within Auckland Council’s submission take precedence as our position.

4 Submission to the Ministry for Primary Industries - Proposed amendment to the Biosecurity Act 1993

Introduction

Tāmaki Makaurau context

8. Auckland Council is a unitary authority and the largest local government agency in New Zealand. Its unique governance structure includes: a governing body focusing on region-wide strategic, planning, and regulatory directions; 21 local boards making decisions on local issues and representing Auckland's diverse communities; and Houkura – Independent Māori Statutory Board, which has a statutory responsibility to promote Issues of Significance to Māori (mana whenua and mataawaka) in Tāmaki Makaurau Auckland, and to monitor Auckland Council's performance in responding effectively to these priorities.
9. Auckland Council provides a range of services and programmes to the region. Auckland Council has four substantive council-controlled organisations (CCOs):
 - Watercare Services Ltd provides safe and reliable water and wastewater services to the people and businesses of Auckland.
 - Auckland Transport manages and controls the physical systems, networks, corridors, structures and facilities that enable the provision of transport-related infrastructure services and the movement of people, goods and services on land, water and air.
 - Tātaki Auckland Unlimited promotes economic and cultural development for Auckland for Auckland residents and visitors. This includes delivering arts, cultural, conservation, sports and heritage experiences across the region, including Auckland Zoo.
 - Eke Panuku Development Auckland works with Auckland Council, other CCOs and local boards towards implementing the Auckland Plan and encouraging urban regeneration.
10. Tāmaki Makaurau is home to one-third of New Zealand's population, with over 1.7 million people. Nearly a quarter (23.3%) of the total New Zealand Māori ethnic population live in Tāmaki Makaurau, equating to 13.8% of Auckland's total population. Auckland Council is committed to meeting its legal obligations to Māori, including responsibilities derived from Te Tiriti o Waitangi.
11. Tāmaki Makaurau is the main international gateway in and out of New Zealand. Auckland is home to two of the largest and most active ports in the country; Auckland International Airport, and Ports of Auckland (which is owned by Auckland Council).
12. Auckland International Airport is the largest international airport in the country. In the 2023/2024 financial year, Auckland Airport recorded 9.3 million international passengers. More than \$26.6 billion worth of freight passed through Auckland Airport's facilities in the 2023/2024 financial year, accounting for almost 17% of New Zealand's total trade (by value)¹.
13. Ports of Auckland Limited is the second largest seaport in New Zealand, behind the Port of Tauranga. In the 2023/2024 financial year, it saw almost 845,000 containers, and over 3.1 million tonnes of bulk cargo. It also saw over 335,000 cruise passengers arrive that same year².

¹ EY Economic Impact Analysis of Auckland Airport, October 2024 - <https://corporate.aucklandairport.co.nz/-/media/Files/Corporate/241015-Final-Auckland-Airport-Economic-Impact-Analysis.ashx>

² Ports of Auckland Limited 2024 Annual Report - <https://www.poal.co.nz/media-publications/resultsandreviews/2024%20Annual%20Report.pdf>

14. While Auckland is generally seen as an urban centre, the rural economy plays an important role both regionally and nationally. Auckland has around 7,500ha of horticultural activity, including one of New Zealand's largest vegetable growing areas, Pukekohe. Pukekohe is responsible for approximately 26% of New Zealand's total domestic vegetable production value³.

Alignment with Auckland Council's strategic direction

Auckland Plan 2050

15. The Auckland Plan 2050 is our long-term spatial plan (as required by the Local Government (Auckland Council) Act 2009) to ensure Auckland grows in a way that will meet the opportunities and challenges of the future. It is required by legislation to contribute to Auckland's social, economic, environmental and cultural well-being.
16. The Auckland Plan 2050 consists of six key outcome areas. Biosecurity plays a particularly important role within the following outcome areas:
- Environment and cultural heritage – by helping us preserve, protect and care for the natural environment and natural resources
 - Māori identity and well-being - recognising and providing for te Tiriti o Waitangi outcomes, particularly supporting mana whenua's role as kaitiaki
 - Opportunity and prosperity - creating the conditions for a resilient economy, particularly for our primary production, and travel and trade-related industries in the region.

Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan

17. Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan is our long-term approach to climate action. It sets out the priority action areas to deliver our goals to reduce emissions and adapt to the impacts of climate change.
18. The Natural Environment priority within Te Tāruke-ā-Tāwhiri recognises the need to ensure the resilience of Auckland's indigenous biodiversity, habitats and ecosystems. The biosecurity system has a major role to play in this – as our climate changes, we will be susceptible to new pests and diseases alongside the changing distributions and impacts of those pests and diseases already here. Flooding and other extreme weather events as a result of our changing climate also increase the spread of pests around the region. A strong biosecurity system is vital to support the resilience of our natural environments to pests and diseases and to help us protect Auckland's indigenous biodiversity.

Kia ora Tāmaki Makaurau: Auckland Council's Māori Outcomes Framework

19. Kia ora Tāmaki Makaurau is the council's Māori Outcomes Performance measurement framework. The framework provides the Auckland Council Group with the structure to support its response to the needs and aspirations of mana whenua and Māori communities.
20. Kia ora Tāmaki Makaurau aligns Auckland Council's policy-planning approaches with ten outcome areas that Māori in Tāmaki Makaurau have identified as mattering most to them. The proposed amendments align with the following Kia ora Tāmaki Makaurau outcome areas:
- Kia ora Te Taiao (mana whenua exercise kaitiakitanga of taiao in Tāmaki Makaurau)
 - Kia ora Te Hononga (mana whenua and Māori are active partners, decision-makers, and participants alongside Auckland Council Group)

³ New Zealand's Food Story – The Pukekohe Hub. Deloitte - prepared for Horticulture New Zealand, 2018

⁶ Submission to the Ministry for Primary Industries - Proposed amendment to the Biosecurity Act 1993

21. Kia ora Te Taiao seeks to support mana whenua to actively exercise their kaitiakitanga in Tāmaki Makaurau. It recognises kaitiaki provide an aligned approach to remediate, protect, and enhance the mauri of their treasured environments of Tāmaki Makaurau for present and future generations.
22. The Kia ora Te Taiao outcome area includes the biosecurity system as an integral aspect of maintaining (and improving) mana whenua environs and landscapes. These proposed amendments provide an opportunity to embed and enable mātauranga-led responses and solution making to enable mana whenua to exercise their kaitiakitanga responsibilities across the biosecurity system.
23. Kia ora Te Hononga seeks to support mana whenua decision-making and partnership across the council group. These proposed amendments provide an opportunity for the Crown to engage and discharge these responsibilities to mana whenua across the biosecurity system and identify new mechanisms to enable (and improve) mana whenua biosecurity decision-making.

Schedule of Issues of Significance

24. The Schedule of Issues of Significance is a statutory document prepared by Houkura to promote and advocate to Auckland Council for and on behalf of Māori in Tāmaki Makaurau.
25. Relevant Issues of Significance that are represented across the biosecurity system include:
 - Customary rights: iwi are empowered to exercise a range of customary rights by a council that understands, respects and genuinely considers the customary rights of iwi.
 - Environmental Resilience, Protection and Management: Māori are empowered and treasured in their customary role as kaitiaki over lands, cultural landscapes, sites of significance and wāhi tapu.
 - Water Quality: the mauri of our waterways is restored, maintained, and preserved for future generations.

Auckland Council's contribution to the biosecurity system

26. Auckland Council has a mandated role under the Biosecurity Act 1993, as a unitary authority responsible for regional council functions, to manage pests at a regional and local level. Auckland Council also works alongside MPI and other biosecurity stakeholders to manage 'new to New Zealand' invasive species, as well as in long-term pest management programmes.
27. Biosecurity is a front-of-mind issue for many Aucklanders, with Auckland having faced (and still facing) several high-profile biosecurity issues in Auckland in recent years, including kauri dieback, Caulerpa, and multiple fruit fly incursions. Effective biosecurity interventions are utilised as key tools in protecting and enhancing the region's indigenous biodiversity, as well as our natural environments that Aucklanders cherish for recreation and amenity.
28. Auckland is uniquely under pressure from biosecurity threats. We face a much greater pressure from harmful pests and diseases than other regions due to our high population base and status as New Zealand's international gateway.
29. There is a vast range of human activities that contribute to Auckland's biosecurity pressures. These include international arrivals of passengers and goods, the spread of exotic species of plants from home gardens, the growth and trade of medicinal plants, the impacts of domestic and escaped pet species, the movement of large and small marine craft, impacts of extreme weather events (as seen in the 2023 severe North Island weather events), the rapid growth of online trade, and subdivision and land use changes.

30. Pest control programmes are guided by Auckland Council's Regional Pest Management Plan 2020-2030. It sets out priorities and goals for managing animal and plant pests in Auckland so that they no longer pose a threat to our economy, natural biodiversity, health and cultural identity. Over 300 species in total are managed across Auckland through our Regional Pest Management Plan – these include weeds, mammals such as possums and feral pigs, turtles, birds, kauri dieback disease, wasps and marine pests.
31. Consequently, we have a large operational programme for pest management. Auckland Council's expenditure on pest management is larger than any other regional council or unitary authority, and roughly double that of the next largest regional council.⁴ This expenditure supports biosecurity and pest management work across both private and publicly owned land, including the over 40,000 hectares of Auckland's 28 regional parks.
32. This work is largely funded through the Natural Environment Targeted Rate (NETR). The NETR was established in 2018 to fund activities under our Regional Pest Management Plan, alongside providing funds for track upgrades and other activities to protect kauri, to expand community conservation, and build the tools to support those activities. The NETR is expected to raise around \$32.6 million in 2024/2025.
33. Alongside the implementation of our Regional Pest Management Plan, the NETR also supports the following biosecurity related programmes:
- Pest Free Auckland programme is both council-led and non-council led conservation action. It is a restoration initiative to build a movement that enables conservation action, recognising that protecting and restoring biodiversity cannot be solved by the council, or any one agency, alone. It is designed to engage the community in managing pest animals, plants, and pathogens, and restoring and connecting native ecosystems.
 - Coordination and implementation of the accelerated Kauri dieback management programme to protect our Kauri forests, aligned with the National Pest Management Plan for Kauri dieback.
 - Supporting the biosecurity response to stop the spread of the exotic *Caulerpa* seaweeds, and working towards inter-regional alignment of marine pathway management.
 - Implementation of the Hauraki Gulf Controlled Area Notice, to prevent the spread of pests to Hauraki Gulf Islands and within the surrounding marine environment.
 - Implementation of the Auckland Indigenous Biodiversity Strategy which involves protecting high-priority indigenous species and ecosystems through site and species-focused actions, in partnership with land managers/owners, mana whenua and stakeholders.
 - Specialist technical expertise, data and information to guide decision-making and support the council's regulatory and policy functions to maintain indigenous biodiversity and manage biosecurity pressures.
 - Providing resources and digital conservation tools to support communities that are interested in or already carrying out conservation and climate activity.
 - Continue investing in community stewardship of public and private green spaces and partnership support for mana whenua to exercise kaitiakitanga.

⁴ Economic costs of pests to New Zealand - <https://www.mpi.govt.nz/dmsdocument/48496-Economic-costs-of-pests-to-New-Zealand-Technical-report>

⁸ Submission to the Ministry for Primary Industries - Proposed amendment to the Biosecurity Act 1993

General feedback and additional issues

34. Auckland Council recognises the importance of a strong biosecurity system. The council supports efforts to strengthen and improve the legislative and regulatory framework that underpins New Zealand's biosecurity system.
35. The biosecurity system is a key component of protecting our values from the impacts of harmful pests and diseases. This includes our:
 - natural environment, including our unique indigenous biodiversity, as well as our natural ecosystems and the ecosystem services they provide.
 - economy, including our primary production sector as well as the many other industries supported by travel and trade in and out of New Zealand.
 - cultural values, and in particular Māori values to protect our taonga and allow for Māori to exercise their rights of kaitiakitanga.
 - social values, including protecting human health, protecting infrastructure, and access to natural spaces for recreational and amenity.
36. The council supports this consultation by MPI to ensure that the Biosecurity Act remains fit-for-purpose, as well as adaptable in the future, as new and unforeseen issues arise.

Funding of environmental outcomes and long-term management

37. The funding of biosecurity interventions is a significant issue. Resources to undertake biosecurity work are always limited and require significant prioritisation and targeting to areas of highest risk and greatest benefit.
38. Often when a biosecurity incursion occurs and the initial response is unsuccessful, particularly for those pests and diseases that impact our natural environment and indigenous biodiversity, the costs of ongoing long-term management falls to regional councils and ratepayers, with some support from central government.
39. The council notes the success of the Government-Industry Agreements (GIA) to share the costs of biosecurity readiness and response activities with industry. This partnership approach shares the costs and risks of harmful primary production pests and diseases with those who receive the greatest benefit from strong biosecurity interventions and robust biosecurity system. However, there is no equivalent funding pool for environmental pests and diseases, and threats to our indigenous biodiversity and natural ecosystems.
40. We recommend that MPI undertake further investigation of options to continue to supplement biosecurity funding through regulatory and non-regulatory means. Some suggestions for further exploration include:
 - creation of additional funding pools that are ringfenced to support the management of environmental pests and diseases, and in particular for biosecurity threats to our indigenous biodiversity, including for agencies involved in biosecurity, on-the-ground community groups undertaking biosecurity activities at a local level, and for landowners.
 - greater investment by central government to share the costs for biosecurity and pest management with the regional sector, including for shared surveillance, and compliance and enforcement activities that recognise the inter-regional benefits of these interventions.

- additional and/or increased levies to seek contributions from other sectors that are directed towards environmental pests and disease. Existing means that potentially could be utilised include ring-fencing a portion of Border Clearance Levy for wider environmental outcomes, or seeking a modest contribution from industry through the GIA in recognition of protecting natural ecosystems and the ecosystem services primary production relies on.
- seeking additional funding from central government to support increased management of pests and diseases that threaten our indigenous biodiversity, including increased research and development for new and improved control tools for environmental pests and diseases.

Incorporation of Māori rights and facilitating participation in decision-making

41. Auckland Council recognises that biosecurity is a matter of importance to Māori and is an integral aspect of kaitiaki responsibilities. The council supports the overarching recognition across the reform programme which realises that Māori hold key responsibilities, and statutory roles in the management of natural resources.
42. The council also recognises that Māori have consistently called for greater participation in biosecurity decision and solution making and recognise their calls for the utilisation, incorporation and integration of mātauranga Māori to inform biosecurity decision-making.
43. In general, the Act makes limited specific reference or consideration of Māori values and encompasses them within the general term of ‘cultural values’. There are some specific protections within Part 5 of the Act (Pest Management) to facilitate the development of instruments that maintain Māori relationships with culture, traditional and ancestral lands, water, sites, wāhi tapu and taonga, and specific Māori engagement requirements in the development of national and regional pest management plans and pathway management plans.
44. We recommend that greater consideration is made of where specific reference to Māori values can be incorporated into the Act, outside of the general term of cultural values. The council supports (and defers to) iwi on the development of appropriate protections across the Act that safeguard and ensure Māori participation, and enable recognition of Crown obligations under Te Tiriti o Waitangi. Reference to this is highlighted in our feedback on relevant individual proposals below.
45. A specific example of this would be the relationship between rāhui and Controlled Area Notices (CANs). We have received diverse advice from Tāmaki Makaurau iwi on this matter. Several iwi have indicated their support for the use of a CAN to support rāhui, as the rāhui itself (under biosecurity legislation) does not have a legal standing that is enforceable. However, several iwi do not support this, with recognition that a rāhui would stand alone with its own mana and be recognised with enforcement powers under the Act.
46. Issues can also arise where a CAN changes over time and no longer matches the rāhui. This has been seen in the Auckland region during the incursion response to *Caulerpa*, where iwi and MPI have taken different approaches to rāhui and CANs respectively.
47. We recommend that MPI explore options for how the Act can more effectively take into account rāhui enacted for biosecurity purposes. This may also consider options for giving rāhui legal standing under the Act. We recommend that the exploration of these options is undertaken in partnership with Māori on the development of appropriate options to consider the role of rāhui more effectively for biosecurity purposes.

10 Submission to the Ministry for Primary Industries - Proposed amendment to the Biosecurity Act 1993

Improved co-ordination across the biosecurity system

48. The biosecurity system involves many agencies and organisations. This spans from central government to regional and local authorities, across relevant industry groups, and right down to grassroots community organisations and individuals interacting with biosecurity. Coordinating across the biosecurity system is an ongoing challenge due to the breadth of those involved, and is often seen as an issue by those working on-the-ground across various biosecurity interventions.
49. In some circumstances, effective management requires coordination across administrative boundaries. Examples include the national-level wallaby control and eradication programme, or managing the inter-regional spread of marine pests across marine pathways. At times, funding is a key constraint to this coordination and effective interventions. We see a key role in central government to fund coordinated action in such situations.
50. Recognising MPI's key role in leading the biosecurity system, we recommend further exploration of measures to improve co-ordination across the biosecurity system. Some suggestions for further exploration include:
 - further defining roles and responsibilities across the biosecurity system in either legislative or non-regulatory mechanisms, including the relationships between key central and local government entities (including, but not limited to, MPI, Department of Conservation, Maritime New Zealand, Land Information New Zealand, regional councils and territorial authorities).
 - increased funding and co-ordination of cross-boundary biosecurity interventions, including between central government departments so that relevant departments are acting together as 'one government', and between central government and local authorities.
 - improving processes for engagement and coordination with local organisations (such as local boards and community groups), particularly for readiness and education activities ahead of key biosecurity threats. This could include further expansion of the Ko Tātou - This Is Us initiative as a starting point, building on the previous work from this programme.

Ensuring ongoing public engagement and education across communities

51. Auckland Council would also like to highlight the need for ongoing public engagement and education regarding biosecurity. Everyone has a part to play in the ongoing success of our biosecurity system – people must know their role in the system, and be empowered to act when necessary.
52. It is crucial to implement comprehensive public education programs tailored to and accessible by our diverse communities, particularly given the many legislative changes proposed in this consultation. Public education and engagement should focus on educating individuals about the measures they can take to prevent biosecurity risks, both at home and when travelling. An example of an area for more education is in relation to online trade of pests species, particularly from overseas platforms. Our communities, including those from the Pacific and Asia regions, are equally committed to protecting New Zealand from biosecurity risk. A mix of regulatory and non-regulatory approaches will be required to achieve this.
53. Auckland Council will continue to support efforts by MPI to improve public engagement and education on biosecurity issues at a national, regional and local level.

Detailed feedback on individual proposals

54. Feedback on the individual proposals from the consultation documents follows. The feedback also incorporates responses to the consultation questions posed where possible. Responses are only provided to proposals that in our assessment either impact Auckland Council group (the council), or that have a significant impact to the Auckland region.

Proposals 1 & 2 - Purpose clauses in the Biosecurity Act

55. The council supports MPI's preferred approach of Proposal 2 - Include new purpose clauses, as well as revise existing purpose clauses, for selected parts of the Biosecurity Act.
56. A general overarching purpose clause would help provide direction and guidance for interpreting the Act. An overarching purpose statement for the Act should be an overview of what the Act aims to achieve (a descriptive purpose clause) and supported by more specific purpose clauses (policy purpose clauses) in relevant parts of the Act where further legal direction is needed.
57. An overarching purpose statement within the Act should include the following key elements, in order of importance:
- that the Act is about the effective management of biosecurity risk
 - defining the effective management of biosecurity risk as including the exclusion, eradication and effective management of harmful pests and diseases (similar to the long title of the Act)
 - that effective management includes minimizing the impacts of biosecurity risks to environmental, economic, cultural and social values
 - specific reference (outside of 'environmental values') to prioritising protection of indigenous biodiversity, including indigenous species and ecosystems
 - specific reference (outside of 'cultural values') to incorporating mātauranga Māori and Māori views within decision-making, and honouring the Crown's commitment to Te Tiriti o Waitangi
 - that management of biosecurity risk can occur off-shore, at the border, and within New Zealand, with an emphasis on earlier interventions to manage biosecurity risks where possible.
58. The council believes it is important that specific reference is given to Māori values outside of the broad consideration of 'cultural values'. This will give greater guidance to enable Māori participation and involvement in biosecurity decision-making, as highlighted above (paragraphs 40-46).
59. The incorporation of mātauranga Māori also needs to allow for flexibility to respect diverse views. Mātauranga is iwi and hapū specific, and any incorporation of mātauranga Māori needs to respect the rangatiratanga of each iwi based on their taiao.
60. The suggested statements within the discussion document of giving effect to international agreements, that trade (both imports and exports) is facilitated, and that the biosecurity system being operationally efficient would be elements better suited to additional policy purpose clauses within relevant parts of the Act.

Proposal 3 - Ministerial involvement in significant decisions

61. The council does not support this proposal. Vesting Ministers with 'call-in' powers on significant biosecurity decisions may lead to political considerations overriding technical considerations and evidence.

- 12 Submission to the Ministry for Primary Industries - Proposed amendment to the Biosecurity Act 1993

62. The current practice (as described in the discussion document) of the Minister for Biosecurity bringing significant biosecurity decisions before Cabinet allows for the management of potential consequences outside technical grounds and portfolio considerations to be effectively managed. We do not see any evidence that this practice is currently lacking.
63. High-profile biosecurity decisions often require significant technical understanding. This is a level of detail and knowledge that a Minister may not have, nor be expected to have. Acting on technical evidence may be the difference in the success or failure of biosecurity interventions. There is a fine balance required between making decisions and acting on technical evidence and for decisions being made based on wider considerations outside of technical evidence. In an ideal world, both technical and wider considerations should be considered and weighed up.
64. If the proposal to increase ministerial involvement in significant decisions were to proceed, our preference would be for option 3a over 3b (to vest the Minister responsible for the Biosecurity Act with a 'call-in' power).
65. If implemented, this proposal should further clarify the threshold of 'significant criteria'. The criteria outlined in the discussion document are open for interpretation, particularly in regard to what is deemed as 'significant' or 'serious'.

Proposal 4 – Local knowledge in decision-making

66. The council supports the proposal to enable local knowledge to inform or guide decision-making within Part 3 (importation of risk goods) and Part 4 (surveillance and prevention). We note and agree with the assertions within the discussion document that incorporating local knowledge can enrich technical evidence and lead to more holistic decision-making, as well as enhance effective partnership and participatory biosecurity practices.
67. The discussion documents define local knowledge to include indigenous knowledge, including mātauranga Māori. The incorporation of mātauranga Māori is an important aspect in local, place-based decision-making, in partnership with mana whenua and in support of their role as kaitiaki. The council considers it may be more appropriate to include a separate reference to the consideration of mātauranga Māori alongside the consideration of local knowledge. As noted above in paragraph 58, flexibility needs to be allowed for as mātauranga is iwi and hapū specific. Further engagement with mana whenua is recommended to inform how this is best enacted within the legislation.
68. Specific reference to consult regional councils in regard to local knowledge should also be included where possible. This could be in tandem with provisions to consult government departments (such as in section 23(3)(a) of the Act).
69. To avoid any potential confusion, the council recommends that other parts of the Act that include provisions for the utilisation of local knowledge (such as Part 5 – Pest Management, for example) are also updated to ensure alignment across legislative provisions and avoid confusion regarding the incorporation of local knowledge.

Proposal 5 – Clarification on biometric information

70. The council supports this proposal, noting that provisions for the collection, use and storage of biometric information should align with the Privacy Act 2020.

Proposal 6 – Power of arrest for obstruction during searches

71. The council supports this proposal.

Proposal 7 - Border fines for travellers with high-risk goods

72. The council supports this proposal.

73. With the high number of travellers entering New Zealand through sea- and airports in Auckland every year, our region is more at risk to the impacts of biosecurity incursions through the passenger pathway. This is shown by the repeated incursions and subsequent biosecurity responses to Queensland Fruit Fly in recent years, most recently in 2019. These biosecurity responses, while necessary to protect our native environments and horticultural industries, have significant impacts on the communities within Auckland.

74. Due to this increased risk to our region, the council supports an additional level of infringement fine for erroneous declarations for higher-risk goods to further deter breaches of biosecurity rules. The council also recommends that this additional level of infringement fine considers intent alongside risk – lower level offending to deliberately circumvent biosecurity rules (through concealment, for example) should also be subject to increased infringement fines. The council still supports higher-level offending to be escalated to prosecution where appropriate.

Proposal 8 - Regional council access to infringement offences for pest and pathway management plans

75. The council strongly supports this proposal, including the level of infringement fine being set using the Legislation Design and Advisory Committee guidance.

76. Access to infringement offences for regional councils has been a long-standing request for the local government sector. As noted in the Regulatory Impact Statement regarding this proposal, contravention of rules within pest management plans is frequently occurring. Having access to infringement offences would give regional councils an additional tool to deter and manage low-level breaches of Regional Pest Management Plans (RPMPs) and improve biosecurity outcomes at a local level.

77. As it currently stands, Auckland Council manages low-level breaches of regional pest management provisions through either:

- utilising relevant infringement powers under other legislation, predominately the Resource Management Act; or
- undertaking higher-level prosecution pathways through the courts (which use considerable time and resources that often outweigh the results handed out for a successful prosecution).

78. The council agrees with the assertions made within the discussion document on the benefits of progressing this proposal (reducing regulatory burden, promoting better biosecurity, and improving effective enforcement of pest management plans).

79. Noting the process described for a regional council to establish infringement offences, there are concerns that the requirement for MPI to consider infringement offences on a case-by-case basis for each offence required could create significant barriers and administrative burden. This may effectively deter regional councils from trying to access infringement powers.

14 Submission to the Ministry for Primary Industries - Proposed amendment to the Biosecurity Act 1993

Attachment L

Item 12

Placeholder for Attachment P

Summary of Policy and Planning Committee
information memoranda, workshops and briefings
(including the Forward Work Programme) – 20
February 2025

Auckland Council's submission on the RMA Phase 2
Bill, 10 February 2025

Item 12

Attachment P

