



## STAFF REPORT

**TO:** Environment & Planning Committee

**FROM:** Lindsay Vaughan, Biosecurity Co-Ordinator

**REFERENCE:** B101

**SUBJECT:** **THE FUTURE OF PEST MANAGEMENT IN NEW ZEALAND - EP08/12/08 - Report Prepared for Meeting of 16 December 2008**

---

### 1. PURPOSE OF REPORT

The purpose of this report is to update the Council on the issues that have been raised in two recent reports on the future of pest management in New Zealand and the implications for the Council.

### 2. BACKGROUND

Over millions of years, New Zealand ecosystems have evolved in relative isolation from those of other major land masses and, unlike most other areas, in the absence of mammals. The arrival of humans in New Zealand provided new pathways for the introduction of exotic animals and plants. The first animals were kiore (now thought to have arrived almost 2,000 years ago). They were followed by a range of animal pests (commencing with rats) associated with the early explorers, sealers and whalers, and then northern hemisphere animals, introduced by the early settlers and members of the acclimatisation societies. In the absence of predators, these animals, particularly possums, stoats, rats, goats and deer, have had a major impact on native plants and animals, resulting in extinction of many native species and causing many others to reach critically low levels.

Following the introduction of these animals, a large number of exotic plants have been introduced. There are estimated to be more than 25,000 species of introduced plants in New Zealand, about ten times the number of native species. A proportion of these have become naturalised, spreading and seeding from gardens into native ecosystems and smothering native plants. Some of the worst pests are climbers like Old Man's Beard and Banana Passionvine. Pests that have invaded agricultural ecosystems include woody shrubs (gorse and broom), grasses (Nassella Tussock), thistles, ragwort and giant buttercup.

The Department of Conservation has responsibility for controlling pests on the conservation estate to protect rare plants and threatened ecosystems. They lack the funds to manage pests over the whole of their estate and have a challenging role in setting priorities for the areas in which they will manage pests.

Their estate provide a wide range of recreational opportunities for many of the two million overseas tourists who visit New Zealand every year to enjoy our magnificent landscapes and experience the country's unique animals and plants, contributing \$8.8 billion (5%) to GDP in the process.

New Zealand's primary industries underpin our economy; they contributed two-thirds (\$23 billion) to export earnings and 23% (\$8 billion) to GDP for the 2008 March year. The productivity of these industries and our economic future is heavily dependent on freedom from unwanted pests and disease and the management of established animal and plant pests.

Control of pests is undertaken by a number of agencies. The Animal Health Board is responsible for the management of the National Bovine TB programme, a programme to control this disease in cattle and farmed deer. The principal wildlife carriers of this disease are possums and ferrets.

Land occupiers are primarily responsible for controlling pests on their land but public intervention may be necessary to achieve community goals. Although it is not a requirement, all regional councils have chosen to propose, adopt and implement a regional pest management strategy. Tasman District Council and Nelson City Council chose to implement a joint strategy and the current version became operative on 1 July 2007.

A major review of the national biosecurity system was undertaken in 2003 and major changes were instituted with MAF being charged with development and leadership of a comprehensive national biosecurity system. This led to the establishment of Biosecurity NZ, a division of MAF headed by their Deputy-Director General Barry O'Neill. Its responsibilities include facilitating international trade, protecting the health of New Zealanders and ensuring the welfare of our environment, flora and fauna, marine life and Maori resources.

There are a number of issues that have been providing regional councils with concern about the effectiveness and sustainability of current pest management regimes. To bring these into clearer focus, the councils commissioned a strategic review of the future of pest management in New Zealand from Gerard Willis of Enfocus Ltd.

Biosecurity NZ (now MAFBNZ) considered that it was desirable to undertake a similar review and commissioned a report from the Law and Economics Consulting Group (LECG) and consultant John Helstrom with a steering group of MAF, DOC and regional council representatives.

The two reports are not intended to be formal discussion documents but are written to stimulate discussion amongst pest management stakeholders. They will be used to provide input into a formal discussion document to be released in April/May 2009. This report summarises the findings of the two reports and the implications for council.

### **3. KEY ISSUES RAISED IN THE TWO REPORTS**

1. The pest management roles and responsibilities of the different agencies are unclear.
2. The Crown is not obliged to act as a "good neighbour"
3. Individual landowners do not have to take into account the impact of their pest management decisions on their neighbours
4. There is only a limited amount of collective action being taken

5. The legislative tools in the Biosecurity Act are too rigid and not fit for purpose
6. The control tools needed for pest management are at risk from inappropriate use

#### **4. DISCUSSION**

##### **1. The pest management roles and responsibilities of the different agencies are unclear**

The present roles and responsibilities of government pest management agencies are complex and the boundaries are uncertain. MAFBNZ is responsible for developing an “end to end” biosecurity system and providing national leadership but this is not considered to cover long-term pest management. The Department of Conservation is responsible for managing pest to safeguard conservation values on the conservation estate, and for control of pest fish and wild animals on and off their estate. Regional councils have no mandatory pest management function but have assumed a role consistent with national and community outcomes, and have statutory responsibilities for the maintenance of indigenous biodiversity. These roles need to be clarified and prescribed in legislation. The report on the Top of the South Marine Biosecurity Strategic Plan (EP 08/12/xx) highlights the confusion and complexity over responsibility for pest management in the marine environment.

##### **2. The Crown is not obliged to act as a “good neighbour”**

The crown should be obliged to comply with any pest management requirements introduced by central government, at least at the boundary with neighbours. The Enfocus paper suggests that the crown should be bound by regional pest management strategies on land adjoining neighbours and this should be achieved through tenure neutrality, in much the same way as crown land is treated under the Resource Management Act.

##### **3. Individual landowners do not have to take into account the impact of their pest management decisions on their neighbours**

A fundamental principle of public good pest management is the good neighbour (exarcebator) principle - acceptance that landowners will ensure pests are contained on their property and not spill over onto a neighbour’s property. The Enfocus paper suggests that there needs to be a clearer statutory duty on landowners to take responsibility for the spread of pests from their land. The LEGC paper suggests a “freedom from pests” property right.

##### **4. There is only a limited amount of collective action being taken**

There are many situations where collective action by interested parties could solve local pest management problems in situations where it is inappropriate for central and regional government to engage. The affected parties are the ones that are highly motivated to take action in such situations if they are the beneficiaries, but there have been very few local actions. The tools provided by the Biosecurity Act are national and regional pest management strategies and these involve long and onerous processes before adoption. One contributing factor is the difficulty in determining the boundaries between public, group and private benefits and the

incentives for transfer costs of other parties. Another contributing factor is the reluctance of potentially affected parties to appreciate the risk and/or the belief that it is someone else's responsibility to take action. Both papers suggest the removal of barriers and the provision of incentives to encourage group action.

#### **5. The legislative tools in the Biosecurity Act are too rigid and not fit for purpose**

There is a need to have an intervention tool that can deal with rapid intervention at a local or regional level. The tool needs to have safeguards against the inappropriate interventions but not too onerous to deter its use. It also needs to be efficient in terms of time and cost. The process for the development of a Regional Pest Management Strategy is complex and time consuming and it is not a tool that is well suited for intervention. Councils cannot deal with incursions unless the pest is listed in the RPMS. Unlike the RMA where its provisions apply as soon as it is publicly notified, the provisions of RPMS do not apply until all appeals have been finalised. Furthermore, it is not possible to make substantive changes to the RPMS without undergoing a full review, unlike the RMA in which changes can be made through a public process. There is a provision under S 100 to deal with minor incursions that could be eradicated or controlled with three years, but this is unsuitable for long-term management. Both papers suggest the Biosecurity Act needs to be reviewed to provide a more effective legislative tool for intervention by central and regional government.

#### **6. The control tools for pest management are at risk from inappropriate use**

The LECG paper notes concern that the tools available for pest management are reducing, as a result of barriers to the development or importation of control tools, and the decreasing public acceptability of those tools. There is increasing regulation of the use of these tools occurring under the RMA. At the same time, there are increasing barriers to development or entry into the New Zealand market for new tools being posed by ERMA. Trends in toxin development towards highly targeted tools were seen as a positive for effective pest management, but would reduce the potential quantity of sales in New Zealand, potentially making it uneconomic for overseas chemical companies to sell into the New Zealand market. The decline in public acceptance is attributed to public perceptions of risk and a lack of understanding of the importance of the control tools such as 1080 and aerial application of BTK. It noted that those who are assumed to most highly value the indigenous environment often appear to be against the tools that may offer the greatest effectiveness in protecting it. New developments in biological control may eventually reduce pest health and pest numbers but this is likely to be at least two decades away. Biological controls often have limitations as can be seen with the illegal introduction of an inferior strain of rabbit calicivirus disease (RCD) and the emergence of new generations of resistant rabbits with a decade.

### **5. NEXT STEP**

MAFBNZ are proposing to hold discussions with central and regional government and to hold a series of workshops in February and March 2009 with stakeholder groups to seek feedback. The workshops will focus on ensuring all the issues have been identified and considering solutions and their feasibility - those already identified and others to be suggested. Regional councils are well-positioned to play a significant role

with the establishment of a subcommittee of the Regional Affairs Committee chaired by Basil Chamberlain and including Mayor Kempthorne, with input from the Chief Executives Forum, the Regional Managers Group and Biosecurity Managers Group.

## **7. RECOMMENDATION**

It is recommended that the Committee:

**Receive** this report

Lindsay Vaughan  
**Biosecurity Co-Ordinator**