

Interim Draft Canterbury Regional Pest Management Plan

Under the Biosecurity Act 1993

Staff Narrative Report

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Purpose of Report

1. By Minute 1, dated 11 October 2017, the Hearing Panel directed Council Staff to prepare a revised Proposal for the Canterbury Regional Pest Management Plan (RPMP).
2. This revised Proposal is in the format of an interim draft plan and the Proposal elements have been removed.
3. Staff have amended the document in response to the written submissions received (and noted in the Staff Report), and the discussions and evidence presented during the hearing.
4. Staff have prepared this report to accompany the interim draft RPMP to provide context and further information relating to the recommended changes. This report also addresses key changes discussed during the Hearings that Staff do not recommend.
5. There are also some further comments outlining approaches recommended to occur outside the RPMP process.

Introduction

6. The Hearing for the Proposal for the Regional Pest Management Plan (PRPMP) was held over a two week period commencing 11 September 2017 and closing 26 September 2017. Hearings were held in Christchurch, Timaru and Amberley. 40 submitters spoke to their submissions¹.
7. The key themes raised in the hearings included:
 - requests for additional pests to be included in the RPMP
 - specific comments on gorse and broom, wilding conifers, Bennett's wallaby, Russell lupin
 - comments on funding.

Key changes incorporated into the interim draft plan

Chilean needle grass

8. Staff made three recommendations in the Staff Report regarding Chilean needle grass (CNG). These include; a new rule for management of CNG within properties; amendments to the rule requiring occupiers to be party to a management agreement; and an amendment to the funding split for CNG.
 - 1) New rule for management of Chilean needle grass within properties

¹ Organisations are listed as a single submitter.

Staff recommend an additional rule for CNG to ensure that infestations of CNG within property boundaries are managed, should the current approach become untenable. Currently, Environment Canterbury works alongside occupiers to develop a plan for managing internal infestations, with control being undertaken by both the occupier and Environment Canterbury in some cases.

- 2) Amendments to the rule requiring occupiers to be party to an agreement to prevent the spread of CNG

Staff recommend minor modifications to rule 6.4.8, including:

- amending the 'Chilean needle grass (CNG) Management Agreement to 'a CNG Management Plan'
- inserting an additional matter as part of the Definition: 'to address specifically, the use of CNG infested land for recreational use'.

- 3) Amendment to the funding split for CNG

Staff consider that the Cost Benefit Analysis understated the regional and biodiversity benefits of controlling CNG, and have recommended that the funding split is consistent with Nassella tussock (25% regional community and 75% occupiers).

9. These recommendations do not result in an increase in costs to implement the RPMP.

Nassella tussock

10. Staff recommended a change in the Staff Report to the criteria determining properties that are required to meet the 31 October finish date. Staff recommended that the following criteria for the later finish date is applied: property is 50% or more hill country and is greater than 250 hectares in size.
11. Staff consider that the criteria is more relevant than geographic location to determine the finishing date, as the critical element is the effort required to ensure that seeding and spread within properties or to nearby properties is prevented.
12. This does not result in an increase in costs to implement the RPMP.

Lagarosiphon

13. As a result of written submissions, Staff recommended in the Staff Report that lagarosiphon is included as a site led programme. A sustained control approach is recommended to manage existing incidences of lagarosiphon and exclusion approach is recommended to prevent new incursions in other lake areas in Canterbury.
14. This does not result in an increase in costs (this was initially budgeted for as part of preparing for notification of the Proposal).

Russell lupin

15. As a result of evidence and discussion at the Hearings, and further discussions through the joint agency working group for Russell lupin issues², Staff recommend provisions for Russell lupin are included in the RPMP.
16. These will be part of the Sustained Control programme with a focus on precluding the establishment of wild Russell lupin and also precluding the establishment of any Russell lupin within specified setbacks from waterways.
17. The provisions proposed are similar to those suggested by the Department of Conservation (DOC) and Land Information New Zealand (LINZ). The provisions consist of;
 - Setbacks from waterways (for both planted Russell lupin and wild Russell lupin) on rurally zoned land
 - 200 metres from the outer gravel margin of braided rivers
 - 50 metres from any non-braided river
 - 10 metres from artificial watercourses
 - Setbacks from adjoining property boundaries for planted Russell lupin (10 metres)
 - Good neighbour rule for wild Russell lupin, to ensure that neighbours controlling Russell lupin are not adversely effected (10 metres).
18. These provisions apply region-wide, and seek to manage existing infestations on non-Crown land impacting braided river systems and to protect the investment in control by DOC, LINZ and other groups. The provisions also seek to prevent the establishment of new incursions of Russell lupin into sensitive river environments.
19. The provisions controlling planted Russell lupin will be developed as **pest agent** rules. This means that wild Russell lupin is classified as a pest but Russell lupin itself is not a pest and can continue to be communicated, released, spread, sold, and propagated (subject to the requirements of the pest agent rules in the RPMP).
20. The enforcement of the rule is recommended to be on a complaint and prioritised basis. This enables protection and intervention region-wide and can be achieved with a moderate increase to operational budgets.
21. Discussions with Environment Canterbury Staff and the joint agency working group have identified that the map provided by DOC and LINZ in evidence does not include all infestations of Russell lupin in Canterbury. It is envisaged that surveillance will be the initial focus of the programme. This will also involve initial discussions with land occupiers identified as part of the surveillance exercise that may need to undertake control of Russell lupin.
22. Due to the scale of this programme, a cost benefit analysis will need to be undertaken to ensure that the requirements of the Biosecurity Act for developing a proposal/plan are met.

² This group includes Environment Canterbury, the Department of Conservation, Land Information New Zealand, NZ Merino Ltd, Federated Farmers. BRaid were contacted separately.

Staff are working to gather the required information to undertake this analysis and will include the details of this analysis in the final draft version of the RPMP.

23. This approach will lead to increase in implementation costs by \$50,000 / year.

Feral goats

24. Staff have identified that there may be value in including provisions for feral goats in the RPMP. This is to address the limitations of the Wild Animal Control Act 1977 (WAC Act), administered by DOC.

25. Staff recommend a definition similar to the feral goat definition in the WAC Act. However, the key difference from the WAC Act is that goat is considered as feral once it is no longer effectively constrained (even if it is tagged or otherwise identified). This will enable enforcement to occur once a goat has escaped from the property.

26. The recommendation is that feral goats are managed in a site-led programme restricted to the Banks Peninsula area.

27. Staff recommend two provisions: requiring goats to be identifiable (for example ear tagged) and to be effectively constrained.

28. The reason for requiring identification is to enable a Biosecurity Officer to take enforcement action for feral goats and recover costs for non-compliance.

29. Staff are not recommending that provisions specify the method for how goats must be constrained. This is intentional and provides land occupiers with the flexibility to identify the most cost effective and practical solution for their property. It also reduces the compliance effort required to enforce fencing or other constraint methods.

30. It is anticipated that these provisions will be enforced on a complaint or prioritised basis.

31. Staff are preparing a map of the Banks Peninsula region that these provisions and the pest status would apply to. This will be available as part of the interim draft RPMP released on 10 November 2017.

32. Feral goats have already been assessed as part of the cost benefit analysis, and there are no significant changes to the initial information provided, Staff do not consider that further analysis is required.

33. Controlling feral goats through the RPMP is estimated to cost \$20,000/year. This includes inspection, monitoring (checking and reporting on the effectiveness of the provisions in the RPMP), and advocacy and advice.

Wilding conifers

34. Staff recommend a number of modifications to the wording of the wilding conifer provisions. These are in response to both written submissions and evidence and discussion at the

Hearings. Staff are not recommending substantial changes are introduced for managing wilding conifers, this is further discussed in the 'Changes not recommended' section below.

35. Key changes to wilding conifer provisions include;

- 1) Amending the objective to provide greater clarity with what will be achieved by the RPMP.
- 2) Amending the phrasing of 'cleared' through control operations to provide greater clarity.
- 3) Including a good neighbour rule for boundary control (sits in parallel with rule 6.3.2).
- 4) Amending rule 6.3.1 to better describe in which situations wilding conifers are required to be removed (the trigger for the rule occurring upon a control operation destroying wilding conifers and/or the named conifer species.)
- 5) Amending rules 6.3.1 and 6.3.2 to improve the description of the trigger for the rules.
- 6) Amending rule 6.3.1 to remove action being required following written direction from an authorised person. This means occupiers will need to comply proactively with this rule, rather than upon notification from Environment Canterbury.
- 7) Amending rule 6.3.2 to ensure that the investment in control operations as part of the National Wilding Conifer Control project (undertaken prior to commencement of the plan, during 2016, 2017 and 2018) are protected.
- 8) Amending the explanations of rules 6.3.1 and 6.3.2 based on evidence from the Ministry for Primary Industries. These changes will also be applied to the recommended Good Neighbour Rule.
- 9) Including a statement regarding the proactive and non-regulatory engagement with occupiers regarding shelter belts and small plantings in high spread risk areas that are subject to wilding conifer control.
- 10) Including 'water users' in the list of beneficiaries to wilding conifer control in Table 35 in the document.
- 11) Including an advice note to advise users of the RPMP of the exemption process available under section 78 of the Biosecurity Act.

36. These changes to the wilding conifer provisions do not result in an increase in costs.

Organisms of interest

37. Staff recommend that the following list of organisms is added to the Organisms of Interest list: Chilean glory vine, tree lupin, tree lucerne, false tamarisk. Staff note that polypodium is

already on the Organisms of Interest list (common polypody), this is also an Unwanted Organism.

38. These organisms may warrant further surveillance and or future control. It is important to note that this work would need to be prioritised as part of the wider biosecurity programme.

Prioritisation would consider:

- funding arrangements (joint partner funding)
- threat and the impact of the organism
- “pestiness” of the organism
- incidence, how widespread it may be, how prone Canterbury is to the organism
- tools that are available for control
- other control that is occurring in the area
- objective for management of the organism and whether this is achievable
- principal measures, and how the objective will be achieved
- rules (if regulatory site-led programme is required)
- cost benefit analysis (depending on the scale of the project).

Key changes not recommended by staff

39. There are further changes which have been considered by Staff, but due to a number of factors, these are not recommended to be included in the RPMP. The rationale for this is set out below.

Russell lupin

Planting protocol

40. Staff have considered including guidelines or requirements regarding the ways Russell lupin are used for commercial purposes. A draft guide to the establishment and management of Russell lupin for pastoral sheep production purposes has been developed by New Zealand Merino. Staff do not support including provisions for planting protocols beyond the setbacks requirements which have been recommended. Staff consider that the finalisation or further development of planting guidelines sit with industry or those wishing to use Russell lupin for commercial purposes. On farm practices to reduce the spread of Russell lupin may be considered through non-regulatory programmes, such as the On Farm Biosecurity workstream.

Prohibiting/limiting seed sales

41. Regional Councils are limited in restricting organisms for sale for specific uses. To enact restrictions, Russell lupin would need to be declared a pest outright, which would restrict any communication, release, spread, sale, propagation, breeding or multiplying of Russell lupin.

42. The National Pest Plant Accord is the national mechanism for preventing the sales, distribution and propagation of pest plants. This is coordinated by MPI. Given the potentially significant cost implications of restricting all communication, release, spread, sale,

propagation, breeding or multiplying of Russell lupin, staff consider that it is appropriate for this to be considered at a national level.

43. Staff acknowledge there may be an issue with non-discriminate spreading and broadcasting of Russell lupin seed along road reserves and public areas primarily in the Mackenzie District. Staff do not consider that rules will be effective in preventing this practice occurring, as anecdotally this is done by tourists. Staff would need to undertake further investigation to understand the drivers and the circumstances of this behaviour in order to develop an appropriate response. It would also be challenging to enforce rules preventing the broadcasting of seed, as evidence of the act and details of the person undertaking the offence is required.
44. Staff recommend this is managed outside the RPMP. Initial discussions with the Mackenzie District Council, and local tourism operators is likely to be a more effective approach.
45. If Russell lupin is classified as a pest and sales are prevented region-wide costs to ensure that this is not sold and distributed may be up to \$50,000 annually.

Other waterway weeds

46. Staff have further considered the ability of the RPMP to prevent the adverse impacts to sensitive braided and other river systems in Canterbury from weeds. Riverbeds are typically managed by the Department of Conservation or the Crown (through Land Information New Zealand). The Good Neighbour Rule is the only mechanism available to regional councils to require the Crown to comply with pest management rules. Application of this rule is limited due to the National Policy Direction criteria for what these rules can require (primarily the boundary control requirement). For this reason, Staff do not consider that the RPMP can effectively address the impacts from weeds in riverbeds where the ownership sits with Crown agencies.
47. The RPMP can provide support where there is a seed source on private land that is impacting the waterways. Staff have not received sufficient evidence through the hearing that the problem is exacerbated by seed source from privately occupied land. Therefore, inserting rules requiring private land occupiers to remove these organisms may not address the current issue in waterways.
48. Working collaboratively with the Crown and other partners to develop work plans to control these organisms is considered to be more effective. Where needed, Environment Canterbury and other Crown agencies may need to work with private land occupiers to remove seed source organisms (in a non-regulatory manner).
49. Costs would increase if provisions or new joint work programmes are established to manage waterway weeds. Costs cannot be estimated without full information of the sites to be controlled (the organisms, the size of the site, the density and distribution of the organisms, the ongoing control that will be required, commitment from other agencies and groups).

Feral pigs

50. The Conway Flat Biodiversity Group sought to include feral pigs in a site-led programme for the Hawkswood Range. The group is self-funding control for feral pigs, but the success of the control is undermined by one property that is not willing to take part in the operation.
51. The Wild Animal Control Act (WAC Act), contains provisions for the management of wild pigs. The definition of a wild pig in the WAC Act³ is considered by Staff to provide the ability for DOC to control pigs in situations as described by the Conway Flat Biodiversity Group. This definition does not have the same limitations as the definition for feral goats.
52. Staff do not recommend the inclusion of provisions for feral pigs in the RPMP in order to resolve this isolated issue. Staff consider that the existing legislation in the WAC Act can be used to address the issue.
53. Including provisions in the RPMP for feral pigs, not only has costs associated with inspection and compliance but also increased costs for monitoring the population of feral pigs as part of the site-led programme and reporting back on the effectiveness of the RPMP provisions.
54. It is estimated at costing approximately \$20,000 every five years to undertake additional surveillance to scope the extent of the problem.

Wilding conifers

Pest agent status

55. Staff have reconsidered provisions which would manage new non-NES⁴ plantings of Douglas fir and radiata. This would include shelter belts, small woodlots under 1 ha, amenity plantings, erosion control planting and carbon forests.⁵ Territorial authorities may also control the planting of Douglas fir and radiata in their district plans to manage the risk of wilding spread, including the through the choice of species, planting locations and the management of plantings.⁶ When the NES comes into force in May 2018, territorial authorities will be required to change their plans address any inconsistency between district plan rules and the NES.

³ Under the WAC Act a wild animal includes any pig that is living in a wild state and is not being herded or handled as a domestic animal or kept within an effective fence or enclosure for farming purposes.

⁴ National Environmental Standard for Plantation Forestry.

⁵ The National Environmental Standard for Plantation Forestry (NES) applies to plantation forestry. Plantation forestry is defined in section 3 of the NES and was addressed in the Staff Response to Hearing Panel Minute 3.

⁶ Method 3 of Policy 5.13.3 provides that territorial authorities will set out objectives and policies, and may include methods in district plans which minimise the risk of wilding tree spread.

56. In considering the inclusion of pest agent rules in the RPMP, Staff wish to avoid any duplication or inconsistency with existing district plan rules. Given the new regulatory framework of the NES and the need to district plans to be amended to address any inconsistency with the NES, Staff consider it more appropriate to liaise with Territorial Authorities to address this issue in future plan reviews.
57. There are also budgetary factors to consider with a rule of this type. An extensive awareness campaign would be required to ensure that occupiers were cognisant of the planting prohibition before completing the planting. Staff estimate that this could be up to an additional \$20,000 per year.
58. There would also be additional compliance costs to inspect and enforce such provisions. This would require additional staff time or contractor resource. This cost is estimated at \$120,000 annually.
59. Staff will work with TAs during district plan reviews, to ensure that the impact from wilding conifers is considered and provide support to include provisions restricting the planting of Douglas fir and radiata pine in certain circumstances.
60. A non-regulatory awareness campaign could be developed providing advice and information on the most appropriate conifer or other species to use in small lots and shelter belts (non-NES planting situations). This would need to be prioritised and budgeted as part of the wider biosecurity programme.

Keeping clear areas clear

61. Staff have also reconsidered a rule that would seek to keep areas which are free of wilding conifers clear. Staff agree that this may greatly assist with achievement of the wilding conifer objective. However, this involves considerable cost and implementation issues.
62. Environment Canterbury does not have sufficient information regarding areas clear of wilding conifers (other than as part of the National Wilding Conifer Control Programme). Enforcement of this rule would not be possible upon commencement of the RPMP and significant scoping exercises would need to be undertaken.
63. Scoping would need to be undertaken on foot, as young trees may be lower than other standing vegetation, and not seen by aerial surveys. This would require dedicated staff resource, and may need to be completed over at least a two year timeframe.
64. Resource would also be required after the completion of the initial scoping to undertake inspections and ensure compliance with the rule. To reduce the cost to occupiers to control wilding conifers, ground based inspections to identify trees in the early stages of growth would be required. This activity is significantly more costly than aerial inspections. This may cost up to \$120,000 annually, but could be a shared cost with the pest agent planting provision (described in paragraph 57).
65. Such a rule, is likely to cause frustration for the community as this rule may not address the seed source of the wilding conifers (non-named pest species), but would require an occupier to undertake ongoing control.

Alpine village conifers

66. Staff consider that the exemption process is the best mechanism to manage and review the impacts of non-compliance with the rules. The individual situation can be assessed and identified if there are alternate ways to manage the impacts and still achieve the programme objective.

Organisms of interest

67. Staff do not consider rock pigeon appropriate for inclusion as part of the Organisms of Interest list. It is not anticipated that Environment Canterbury would undertake control or surveillance of this organism, other than potentially participating in a joint action plan for bird strike management as part of a Christchurch International Airport Ltd led approach. Including this organism may result in the community expecting Environment Canterbury to resolve any issues related to Rock Pigeon and lead to an increase resources to respond to complaints.

Region wide possum provisions

68. Staff do not recommend that further provisions are included in the RPMP to manage possums in areas other than Banks Peninsula. The current provisions in the Proposal classify possums as a pest across the region. This enables Biosecurity Officers to use specific powers to access property and take measures to control possums anywhere in the region. These powers could be used to support a non-regulatory programme for possums in other parts of the region. However, as there are no specific rules for occupiers to control possums, the control would need to be undertaken by Environment Canterbury.
69. Further work would be required to consider further non-regulatory possum control programmes. This would need to be prioritised within the wider Biosecurity programme.

Funding

70. Staff note that the Hearings Panel requested exploration of alternative scenarios for allocating costs between occupiers and the regional community, based on a general acceptance that pest management has a regional benefit
71. Staff are working to gather the required information to undertake this analysis and will include the details of this analysis in the final version of the RPMP.

Recommendations outside the RPMP Process

Marine

72. Staff consider that the education and awareness programme as suggested by submitters could be developed outside of the RPMP and that work on this could begin in the near future. It would need to be budgeted as part of the Long Term Plan process. A steering group could be established to discuss and set up the awareness programme.

73. Development of a comprehensive marine biosecurity programme would take considerably longer. Based on approaches taken in other regions, any programme requires a strong partnership approach to be successful. Staff consider that this requires discussion as part of Council Long Term Plan discussions.

Wallabies

74. Staff consider that the rules outlined in the Proposal provide Environment Canterbury with sufficient ability to manage wallaby from a regulatory perspective. However, staff note that to reduce and prevent the spread of wallabies from the containment area, and eliminate wallabies outside of this area, greater effort than application of the RPMP alone is required. This includes

- undertaking scoping to identify whether a coordinated wallaby control unit would be cost effective
- facilitating land occupier coordinated control
- undertaking control outside of the containment area and control to reduce pressure of the boundaries of the containment area
- communication and media promotion regarding wallaby sightings.

75. Staff are committed to working in partnership with Otago Regional Council to prevent spread across the regional boundary, as well as working in partnership at a regional and national level to progress research and development and promote action by central government to better identify and control wallabies.