



Notice is given of a Regional Pest Management Joint Committee Deliberations to be held on:

Date: Thursday 11 July 2024
Time: 9:30am - RPMP Deliberations
Meeting Room: Tasman Council Chamber
Venue: 189 Queen Street, Richmond
Zoom conference link: <https://us02web.zoom.us/j/89919078066?pwd=FPeajTWb2ARzUv6tH2RN5qVIEbRmo.1>
Meeting ID: 899 1907 8066
Meeting Passcode: 792444

Regional Pest Management Joint Committee

Deliberations AGENDA

MEMBERSHIP	Tasman District Council	Nelson City Council
Chairperson	Cr C Butler	
Deputy Chairperson		Cr R Sanson
Members	Deputy Mayor S Bryant	Cr M Benge
	Cr M Kininmonth	Cr A Stallard

Quorum 3 members – (a member from each Council must be present)

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AGENDA

- 1 OPENING, WELCOME, KARAKIA
- 2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That apologies be accepted.

- 3 DECLARATIONS OF INTEREST
- 4 LATE ITEMS
- 5 CONFIRMATION OF [MINUTES](#)

That the minutes of the Regional Pest Management Joint Committee Hearing meeting held on Monday, 27 May 2024, be confirmed as a true and correct record of the meeting.

- 6 REPORTS
 - 7.1 Deliberations report on the partial review of the Tasman Nelson Regional Pest Management Plan 2019-2029..... 3
- 7 CONFIDENTIAL SESSION

Nil
- 8 CLOSING KARAKIA

7 REPORTS

7.1 DELIBERATIONS REPORT ON THE PARTIAL REVIEW OF THE TASMAN NELSON REGIONAL PEST MANAGEMENT PLAN 2019-2029

Report To:	Regional Pest Management Joint Committee
Meeting Date:	11 July 2024
Report Author:	Guinevere Coleman, Team Leader Biosecurity & Biodiversity
Report Authorisers:	Rob Smith, Environmental Information Manager; Kim Drummond, Group Manager - Environmental Assurance
Report Number:	RRPMC24-07-1

1. Purpose of Report

1.1 The purpose of this report is to:

- 1.1.1 provide a summary of the submissions received on partial review of the Tasman Nelson Regional Pest Management Plan 2019-2029 (RPMP) (the Proposal), supporting information, and concurrent consultations;
- 1.1.2 provide the Regional Pest Management Joint Committee (the Committee) with an opportunity to discuss and obtain advice from staff on proposed changes raised in the submissions;
- 1.1.3 seek decisions on the proposed changes from the partial review process that are to be included in the 2019-2029 RPMP.

1.2 This report is structured to discuss each proposed change separately. Most submitters commented on more than one proposal, so their submissions are split into the appropriate sections

2. Report Summary

2.1 The Regional Pest Management Joint Committee is responsible for the development and review of the Tasman Nelson Regional Pest Management Plan 2019-2029 (RPMP), a joint RPMP between Tasman District Council and Nelson City Council.

2.2 This partial review is considering changes to the RPMP, with new organisms proposed to be added and rule changes to other organisms already named as pests, related to:

- Blue passionflower
- Boneseed
- Moth plant
- Pampas
- Sabella
- Vietnamese Parsley
- Water Celery
- Pest conifers, including wilding conifers
- Feral and stray cats

- 2.3 The proposed rule changes were approved by the Committee to go out for public consultation in December 2023. Consultation ran for one month in February 2024. 101 submissions were received, and 12 submitters spoke in hearings on Monday 27 May 2024.
- 2.4 This deliberations report presents revised changes to the Proposal in response to the submissions.
- 2.5 Submissions were overall supportive of the proposed changes. No changes to the Proposal are advised for blue passionflower, boneseed, pampas, moth plant, water celery and Vietnamese parsley.
- 2.6 In response to submissions, changes are recommended for Wilding/pest conifer, cat and sabella rules. A marked-up version of the relevant sections of the Proposal is provided for the Committee to consider and approve.
- 2.7 Next steps will take the finalised Proposal to both Tasman District Council and Nelson City Council full Council meetings for adoption.

3. Recommendations

That the Regional Pest Management Joint Committee

- 1. Receives the Deliberations report on the partial review of the Tasman Nelson Regional Pest Management Plan 2019-2029 RRPMP24-07-1; and**
- 2. Receives the Feral and stray cat provisions for the Tasman Nelson Partial Regional Pest Management Plan 2019-2029 Review Revision in response to submissions and hearings (marked-up version) (Attachment 1 to the agenda report); and**
- 3. Receives the Wilding/pest conifer provisions for the Tasman Nelson Regional Pest Management Plan 2019-2029 Partial Review Revisions in response to submissions and hearings (marked-up version) (Attachment 2 to the agenda report); and**
- 4. Receives the summary of submissions with staff recommendations for the Tasman Nelson Regional Pest Management Plan 2019-2029 (Attachment 3 to the agenda report); and**
- 5. Acknowledges the late submission to the Tasman Nelson Regional Pest Management Plan 2019-2029 received from Project De-vine Environmental Trust on 23 April 2024; and**
- 6. Approves the proposed rules as written in the Tasman Nelson Regional Pest Management Plan 2019-2029 Proposal document for blue passionflower, boneseed, moth plant, pampas, water celery and Vietnamese parsley; and**
- 7. Approves the proposed changes to the Tasman Nelson Regional Pest Management Plan 2019-2029 rules for feral and stray cats in Nelson City, Abel Tasman National Park enclaves and the St Arnaud environs to:**
 - a. Clarify the rationale for inclusion section to include the complete list of proposed changes in all site-led programmes.**
 - b. Edit description and adverse effects to clarify feral and stray cats come from reproduction and illegally released companion cats; and impact of toxoplasmosis on native wildlife.**
 - c. Amend the Nelson City specific rule (a) from “must report to “shall report”.**

- d. Amend the explanation of the rules (a) to clarify that reported sightings will be recorded and used to consider management needs at site.
 - e. Amend the Nelson City rule that no person shall deliberately release into the wild *any cat, including a companion cat*.
 - f. Amend the St Arnaud specific rule from “must report to “shall report” and include explanation that reports will be recorded and used for considering management at the site.
 - g. Amend St Arnaud rule (b) to No person shall deliberately release into the wild (into the Nelson Lakes National Park and environs) *any cat, including a companion cat*.
 - h. Amend the Abel Tasman site-led rule to include (b) No person shall deliberately release into the wild (into the Abel Tasman National Park and private enclaves) *any cat, including a companion cat*. This is a specific pest agent cat rule for the Abel Tasman National Park and enclaves site-led programme; and
8. Approves the inclusion of Bell Island into the Waimea Inlet site-led programme for feral cats; and
9. Approves the proposed changes to the Tasman-Nelson Regional Pest Management Plan 2019-2029 rules for pest conifers, which also include wilding conifers to:
- a. Amend “Pest Conifer and Wilding conifers” to “Pest Conifers” and amend the category to refer to “subjects”. Ten individual species are designated pests in any regional situation while the wilding conifer sub-class of subjects covers two species, and their pest designations apply only when they occur in wilding states.
 - b. Amend definition of wilding conifers to be ‘self-seeded’ rather than natural.
 - c. Amend definition of pest conifers to recognise that some species have commercial worth, as while an unwanted organism, *contorta* can have economic value in some circumstances.
 - d. Amend definition of pest conifers to:
 - i. Radiata pine and Douglas fir are commercially grown in the region. The Tasman-Nelson Regional Pest Management Plan 2019-2029 is not concerned with preventing production or permanent forestry operating within an occupier’s private property. However, plantations of these species may result in self-seeded and unintentional spread, hence self-seeded trees of these two species, outside of existing forest plantations, are deemed to be ‘wilding conifers’¹.
 - e. Amend definition of pest agent conifers to:
 - i. ‘Pest agent conifer’ - means any introduced conifer (that is not otherwise specified as a pest within the Tasman-Nelson Regional Pest Management Plan 2019-2029) that is capable of helping the spread of wilding conifers and is not located within a forest plantation (e.g. a shelter belt of Douglas fir under 1 ha. in an area that is clearly exacerbating seed spread issues for a neighbouring property).

¹ Douglas fir seed spreads long distances and creates a greater seed spread risk than *P. radiata*.

f. Amend adverse effects of pest conifers to:

- i. Wilding conifers cause significant impacts on native ecosystems in the Tasman-Nelson region, such as invading iconic tussock grasslands, alpine herblands and (in particular) the ultramafic areas of Dun Mountain and the Red Hills.**
- ii. National analysis of trends indicates that wilding conifers can outcompete native species in regenerating scrub for space, water and nutrients, adversely affect recreational and visual/landscape values, alter soil and soil fauna, reduce pastoral farming availability, reduce water availability (for irrigation and hydro power generation) and may help create or contribute to wildfire risks.**
- iii. All these impacts are also likely to adversely affect tāngata whenua values across Te Tau Ihu. Some adverse effects may be exacerbated by the potential impacts of climate change (e.g. more frequent or intense drought/dry conditions which could make some catchments more prone to flow sensitivity). Having increasing infestations of wilding conifers may lead to increased uptake of available water in vulnerable catchments.**

g. Amend the “Rationale for inclusion” to:

- i. Pest and wilding conifers are included for the first time in the Tasman-Nelson Regional Pest Management Plan 2019-2029 to help manage their spread more effectively². A key objective is operationally focused - to maintain the gains of prior and current control efforts in four designated operational areas.**
- ii. The general approach (including regulation) aligns with Marlborough District Council and Environment Canterbury pest conifer policies and is practical and adaptable while advocating for negotiated agreements between parties as an alternative to enforcing rules (where the result may achieve the same or similar outcomes as rules).**
- iii. Equally, there are two strategic objectives to support their inclusion:**

Firstly, to help stop further spread and protect land in Tasman-Nelson that has not been impacted by pest conifers to date (or to control infestations that are just becoming noticeable). History has shown that an important contributor to pest conifer spread problems is a lack of early action, and that the cost of control increases significantly the longer spread is left uncontrolled.

Secondly, the inclusion of wilding radiata pine and wilding Douglas fir is intended to address the negative effects of wild dispersal of these species from planted situations such as plantation forests, hedgerows, and specimen trees. The intention is to enhance the existing obligation

² Their inclusion now also provides a lead in for a full review in 2028/29 when the whole operative RPMP requires reviewing.

on the forestry industry to manage seed dispersal effects as part of that sectors' social licence to operate in Tasman-Nelson.

- h. Amend the rationale for inclusion to include: The development of appropriate rules to support these objectives is important - (1) to help prevent new areas of pest conifers becoming established due to a lack of proactive action; and (2) land occupiers neighbouring onto forest plantations should not be liable for, or have to undertake pest control on their land through, the spread of self-seeded conifers from forest plantations.
- i. Amend Plan rules and inclusions to clarify the 'Pest Conifer' programme, which is divided into two sub programmes: Nelson-Tasman wide; and within four specific Operational Areas.
- j. Amend Region-wide programme explanation to clarify the clear land rule, the planted forest (wilding spread) rule, and the pest agent conifer rule.
- k. Amend Rule (a) to:

Occupiers must destroy all pest conifers present on land they occupy, unless the land they occupy falls within a named pest conifer operational area (as shown in *Maps*), urban areas or areas of high intensity land use (as determined by an Authorised Person), or unless there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement.

- l. Amend Rule (b) to:

From 1 July 2024, occupiers of forest plantations (greater than 1 hectare), outside of named pest conifer operational areas, are liable for the costs of removal of any new wilding conifers present (i.e. subsequently occurring) on adjoining land (where that land is clear of any infestation of wilding conifers as of 30 June 2024). This requirement is limited to adjoining land within 200m of the forest plantation property's boundary and the adjoining occupier must be taking reasonable steps to control wilding conifers elsewhere on the property. This obligation will be on written direction from an authorised person, following a complaint from an adjoining affected neighbour, and where there is evidence that wilding spread has occurred from the planted forest to an adjoining property. A negotiated agreement between the Management Agency and the two occupier parties is an alternative way to achieve this agreement.

Reasonable steps: means an occupier is proactively managing wilding conifers and using approaches, methods and tools advocated in the National Programme's Best Practice Guidelines for managing wilding conifers.

Evidence of spread includes (but is not limited to):

- That the wilding conifers are the same species as those in the forest plantation.
- That the source forest plantation trees were of cone-bearing age on 1 July 2024, and
- There are no other likely seed sources located on the adjoining land or other neighbouring land.

m. Amend rule (c) to:

Occupiers must destroy any pest agent conifer on their land, on direction of an authorised person, where an adjoining occupier is undertaking proactive wilding conifer control on their land and that evidence of wilding spread is clearly attributable to the pest agent conifer(s), or there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement.

n. Amend the current operational Areas under management to clarify the need for the area to be under the National Wilding Conifer Control Programme and that the property is in a state of transition be managed by land occupiers into the future.

o. Amend Current Operational areas under management to reflect sub programme naming change with two rules: A maintain the gains rule; and a Good Neighbour rule.

p. Amend rule (d) to:

Occupiers must destroy any pest conifers on their land where the property is located within one of the four named operational areas that has received prior control, or there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement. This rule does not imply any obligations on occupiers of planted forests of species not listed as pest conifers and does not apply until a property has received initial and maintenance control, as described above.

q. Amend rule (e) to:

Occupiers within any of the four named operational areas must destroy any pest conifers on their land within 200m of an adjoining property boundary, where the adjoining property has previously been cleared of pest conifers through prior control and the adjoining occupier is also taking reasonable steps to control pest conifers within 200m of their property boundary. This is a Good Neighbour Rule (GNR) and will apply unless there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement.

r. Amend Explanation of the rules to rule (a) to:

Rule (a) places a general obligation on relevant occupiers to remove any pest conifer to prevent new infestations occurring. The principal objective is to provide the Management Agency with powers allowing it to focus on land which is ostensibly clear of wilding conifers to remain clear. Although the majority of wilding conifer spread is predictable, a characteristic of spread (particularly in highly susceptible areas) is also the occurrence of random, irregular, long distance spread into areas previously unaffected. This rule provides an early intervention trigger for vulnerable or susceptible areas. Exemptions may be sought under s. 78(2) of the Act (e.g. for protected 'specimen' conifer trees named in District Plans made under the Resource Management Act).

s. Amend Explanation of the rules to rule (b) to:

Rule (b) aims to ensure that forestry occupiers (of both plantation and permanent forests) are liable for (to pay and/or control) any new wilding spread of conifer seedlings from their forests onto immediately neighbouring land, from 1 July 2024 onwards, with the proviso that the land adjoining the planted forest was free of wilding conifers at this date. It is unreasonable for affected occupiers adjoining planted forests to have to clear wildings and/or pay for this control work (i.e. the ‘exacerbator pays’ principle). Implementation of this rule is based on the opinion of an appropriate council officer and must be backed with proof of spread occurring. The rule only applies where the adjoining occupier (making the complaint) is making reasonable attempts to keep their land clear of wilding conifers.

A four-step process is followed to enact the rule:

- Step 1: Complaint received by council.**
- Step 2: Complaint investigated by an appropriate Authorised Person (with powers of entry) to validate complaint.**
- Step 3: Meeting held between the parties to engage with them and to reach a negotiated agreement.**
- Step 4: If no agreement can be reached, Tasman Nelson Regional Pest Management Plan enforcement provisions may be enacted.**

t. Amend Explanation of the rules to rule (c) to:

Rule (c) is a ‘pest agent conifer rule’ which aims to prevent wilding conifer establishment across property boundaries principally through the control of conifer woodlots and shelterbelts (under 1 hectare in size) or individual trees that are determined, in the opinion of an authorised person, to be genuine sources of seed spread. The same ‘evidence’ criteria from rule b applies. This rule is triggered by a complaint made by a neighbour to the Management Agency, and that person must be taking reasonable steps to control pest/wilding conifers on their property. ‘Reasonable steps’ definition from rule b also applies.

u. Amend Explanation of the rules to rule (d) to:

Rule (d) is about ‘maintaining the gains’ of prior control work to ensure that the benefits of this control are not lost through inaction (or for any other reason) by any occupier. ‘Prior’ means any work underway from 1 January 2016 (when the national programme commenced) to the present day. ‘Control’ means any work funded all or in part through formalised or planned programmes (e.g. national, regional or local operations including environmental trust led initiatives, and as deemed valid by the Management Agency). This definition extends to include individual private property control programmes, on a case by case basis. ‘On their land’ refers to any property located within one of the mapped operational areas, provided there has been control undertaken on that property. The obligation applies anywhere on that property (hence a property wide obligation).

v. Amend Explanation of the rules to rule (e) to:

Rule (e) is a ‘good neighbour rule’ designed to protect an occupier who has been taking reasonable steps (e.g. control work using best practice) on their property and is being impacted by pest conifer infestations on a neighbouring property (e.g. through inaction or unsatisfactory/incomplete control). The 200m distance

is based on science that notes the majority of conifer seeds fall within this space from source trees. In practicable terms this is the only way to bind the Crown to meet its Tasman Nelson Regional Pest Management Plan obligations, however the GNR is not limited in only applying to Crown land. A GNR generally seeks to manage the externality impacts arising from pests spilling over from one property to a neighbouring property that is free of, or being cleared of that pest.

- 10. Approves the proposed changes to the rule explanation for sabella.
 - a. In relation to rule (a), extend the exemption for vessels normally moored in Nelson-Tasman and leaving the region for short periods from 24 hours to three (3) calendar days; and****
- 11. Agrees that staff give effect to the recommendations referred to in Resolutions 6, 7, 8, and 9 when preparing the amended Tasman Nelson regional Pest Management Plan 2019-2029; and**
- 12. Agrees that the amended Tasman Nelson regional Pest Management Plan 2019-2029 and the Deliberations report be presented to both Councils for consideration; and**
- 13. Recommends to the Nelson City and Tasman District Councils that the amended Tasman Nelson Regional Pest Management Plan 2019-2029 be adopted, subject to the same agreement by the other Council.**

4. Background and Discussion

- 4.1 The Regional Pest Management Joint Committee is responsible for the development and review of the Tasman Nelson Regional Pest Management Plan 2019-2029 (RPMP), a joint RPMP between Tasman District Council and Nelson City Council.
- 4.2 Under the Biosecurity Act 1993, a partial review of RPMP's can be undertaken at any time, and if the changes are deemed significant must go through appropriate consultation.
- 4.3 This partial review is considering changes to the RPMP with new organisms to be added and rule changes to other organisms already named as pests, related to:
 - 4.3.1 Blue passionflower
 - 4.3.2 Boneseed
 - 4.3.3 Moth plant
 - 4.3.4 Pampas
 - 4.3.5 Sabella
 - 4.3.6 Vietnamese parsley
 - 4.3.7 Water celery
 - 4.3.8 Pest conifers, including wilding conifers
 - 4.3.9 Feral and stray cats
- 4.4 A number of key stakeholders were included in early consultation at the request of the Joint Committee. These included government agencies, adjoining Councils, sector groups and companies, and community organisations. Feedback from this early consultation helped form the Partial Review Proposal that went to public consultation. These groups were invited to further engage in the public submission process.
- 4.5 At its Tuesday 22 August 2023 meeting, the Regional Pest Management Joint Committee resolved to recommend the draft partial review proposal to both Tasman District and Nelson City Councils for approval to notify.
- 4.6 At its Friday 8 December 2023 meeting, the Regional Pest Management Joint Committee recommended to Tasman District Council and Nelson City Council that they approve public notification of the draft Regional Pest Management Plan 2019 – 2029 Partial Review Consultation document for the partial review of the Tasman–Nelson Regional Pest Management Plan 2019-2029, commencing 23 February 2024, for a period of one month, closing on 23 March 2024.
- 4.7 Tasman District Council and Nelson City Council approved public notification of the partial review consultation document in December 2023.
- 4.8 The consultation period was open for one month and closed on 23 March 2024. We received 101 submissions on the partial review via the Shape Tasman submission form, and 10 full written submissions. We received one late submission from Project De-Vine Environmental Trust.
- 4.9 Fourty four submitters requested to speak to their submission. Of these, 12 submitters spoke at the hearings on Monday May 27 2024.
- 4.10 Subsequent to the hearings, staff have reviewed submissions and made relevant changes to the proposed changes for pest conifers, feral and stray cats, and sabella in response. Given the complexities of some of the changes, the relevant sections of the Proposal with marked-

up proposed changes are provided for feral and stray cats (Attachment 1) and pest conifers (Attachment 2).

- 4.11 Where maps are required to illustrate rule boundaries the proposed changes currently refer to “*map*”. These specific references will be updated once the full RPMP is edited to include the new rules and maps re-ordered and finalised.

General Feedback

- 4.12 Generally, the RPMP partial review proposed changes were well supported. Submitters requested consideration be given to good education around identification and control; improved funding through the Long Term Plan (LTP), other species that were posing a problem in the district (Old Mans Beard); and a recognition that tackling pest plants early was important. Several submissions requested Site Led Programmes or extensions to new ones which is outside of the scope of this review but have been noted for consideration for the future full review.
- 4.13 A summary count of submissions supporting or opposing the management of each of the subject pests presented in the proposed limited review of the Tasman and Nelson Regional Pest Management Plan is presented in the below table. Not all submitters indicated outright support or opposition. Where this is the case, we have taken the sentiment expressed in the submission as either being supportive of the proposal or not.

Subject Pest	Total # Submissions regarding pest	% support or supportive	% opposed or negative
All subject species*	3	100%	0%
Blue passion flower	28	100%	0%
Boneseed	10	90%	10%
Moth plant	11	100%	0%
Pampas grass	18	89%	11%
Water celery and Vietnamese parsley	10	100%	0%
Feral and stray cats	69**	90%	7%
Sabella	6	100%	0%
Pest conifers (including wildings)	37	78%	22%

Blue Passion flower

- 4.14 There were 28 submissions in relation to blue passionflower, all expressing support for the proposal.

- 4.15 Proposed rule:

Over the duration of this Plan, occupiers within the Tasman-Nelson region must:

- a. Report sightings of blue passion flower on their land to Tasman District Council within five working days of their sighting.
- b. Destroy any blue passion flower on their property, on an annual basis, on the direction of an authorised person.

Boneseed

4.16 There were 10 submissions in relation to boneseed, most in support of the proposal. The submission in opposition disagrees with the potential for exemptions to be considered for steep, inaccessible areas.

4.17 Proposed rule:

Specific Rule for Boneseed in the Port Hills area:

Over the duration of this Plan, occupiers in the Port Hills area of Nelson, *as shown on Map*, must destroy any boneseed on their land, on an annual basis, prior to the completion of flowering, unless there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this rule.

Moth plant

4.18 There were 11 submissions in relation to moth plant, all expressing support for the proposal.

4.19 Proposed rule:

Over the duration of this Plan, occupiers within the Tasman-Nelson region must report sightings of the named Eradication Pests on their land to Tasman District Council within five working days of their sighting.

Pampas Grass

4.20 There were 18 submissions in relation to pampas grass. Almost all are supportive of the proposal. Two submissions recorded as “opposed” oppose the limited extent of control, vehement in their request for extension into other areas or across the region. Eight others were deemed generally ‘supportive submissions’, but also wanted control to be extended into other areas or across the region, or to include as a good neighbour rule, bringing the total proportion of submission seeking extension to 56%.

While staff support the sentiment of extending the control area for pampas, the negative Cost Benefit Analysis overall for pampas rules out this as an option at this point in time.

4.21 Proposed rule:

Over the duration of this Plan:

- a. Occupiers in Golden Bay (within the Sustained Control areas - Aorere Valley and Whanganui Inlet to Puponga) as shown on Map 2 (in this Proposal) must destroy any common and purple pampas on their land, on an annual basis, prior to the completion of flowering
- b. Occupiers in Golden Bay (adjoining the Sustained Control areas - Aorere Valley and Whanganui Inlet to Puponga) as shown on Map 2 (in this Proposal) must destroy any pampas within 200m of their property boundary (before completion of flowering) where the adjoining occupier (within the Sustained Control area) is taking reasonable steps to destroy pampas on the adjoining land. This is a Good Neighbour Rule.

Water Celery and Vietnamese Parsley

4.22 There were 10 submissions relating to water celery and Vietnamese parsley, all expressing support for the proposal.

4.23 Proposed rule:

Over the duration of this Plan occupiers within the Tasman-Nelson region must:

- a. Destroy any water celery and Vietnamese parsley on their land, on the written direction of an authorised person, on an annual basis, prior to the onset of flowering.
- b. Remove all fragments of water celery and Vietnamese parsley from their places (i.e. machinery, equipment and craft that have been in contact with waterway vegetation) when leaving infested waterways, and dispose of all fragments to landfill.

Feral Cats

- 4.24 In total there were 69 submissions in relation to the inclusion of feral and stray cats in site-led programmes. One was withdrawn and is not included in this analysis. One submitter expressed neither support nor opposition, advocating for humane reduction of feral and stray cats. Overall, the response was extremely positive with 90% of submitters being supportive of the proposals. There were no submissions opposing the inclusion of feral or stray cat management. The five submitters recorded as “opposed” oppose the limited extent of control, vigorous in their requests to extend the proposal across the region and/or to also manage companion cats.
- 4.25 The request for rules across the district will be addressed in Tasman through the proposed cat management bylaw. Nelson are currently conducting early engagement with the view to match the Tasman proposal. Staff do not believe it is an appropriate use of the Regional Pest Management Plan to have district-wide rules on companion cats. A cost-benefit analysis for management of cats at this scale would likely come out negative. Therefore we recommend that companion cats are best managed through a bylaw.
- 4.26 Two submitters highlighted a risk of the St Arnaud rules being interpreted to mean that a companion cat from outside of the St Arnaud area could legally be released. The proposed rule has been amended to address this.
- 4.27 One submitter questioned the reality of a rule requiring people to report sightings of cats in Nelson. Staff have amended this rule in response. The purpose of this rule is to support data gathering in order to inform future RPMP rules and operational planning.
- 4.28 One submitter requested extension of the Waimea Inlet site-led programme specifically relating to feral cat management on Bell Island and Dominion Flats. The submitter has since withdrawn a request to add other places. Attachment 1 depicts the proposed change. Staff believe that the addition of Bell Island has merit as it would not impose obligations that the land occupier would not otherwise be willing to accept and there would be no affected neighbours. Staff are concerned that the addition of Dominion Flats may affect adjacent occupiers who have not had an opportunity to be appropriately consulted on the proposed change.
- 4.29 Proposed Rules:
- Over the duration of this Plan, and with regard to high value sites within Nelson City:
- a) Any person who suspects the presence of any feral or stray cat in any named high value site shall report its presence and location to Nelson City Council within 48 hours of their sighting.
 - b) No person shall feed or shelter any feral or stray cat in any named high value site.
- Specific pest agent cat rule for the Nelson City site-led programme

No person shall deliberately release into the wild (i.e., in any named high value site in Nelson as shown on *Map*) any cat, including a companion cat.

Specific rule for feral and stray cats in the St Arnaud environs site-led programme

Over the duration of this Plan, and with regard to the St Arnaud site-led programme (as shown on *Map*):

Any person who suspects the presence of any feral or stray cat observed within the mapped area shall report its presence and location to Tasman District Council within 48 hours of their sighting.

Specific pest agent cat rule for the St Arnaud environs site-led programme

Over the duration of this Plan, and with regard to the St Arnaud site-led programme (as shown on *Map*):

- a. No person shall keep, hold or harbour any companion cat within the mapped area unless it is desexed and its identity is microchipped and the chip is registered on the New Zealand Companion Animal Register.
- b. No person shall deliberately release into the wild (into the Nelson Lakes National Park and environs) any cat, including a companion cat.

Additional rule for Abel Tasman National Park private enclaves

Following existing rules a. and b. and in relation to the ATNP site-led programme areas – Awaroa, Torrent Bay and Marahau North, as shown *map*:

- a. Any person who suspects the presence of any feral or stray cat within the ATNPSLP shall report its presence and location to Tasman District Council within 48 hours of their sighting.
- b. No person shall deliberately release into the wild (into the Abel Tasman National Park and private enclaves) any cat, including a companion cat. This is a specific pest agent cat rule for the Abel Tasman National Park and enclaves site-led programme.

Sabella / Clean hull

4.30 There were six submissions related to sabella, all generally supportive of the proposal. One submitter was concerned about one aspect of the rule in the proposal. This related to the rule explanation for rule (a) (Rule a. is also not intended to apply to those craft that are usually moored in the Tasman-Nelson region and leave the region for no more than 24 hours before returning) where the suggested timeframe was too short to be realistic. Staff suggest extending this timeframe to 3 calendar days. This would allow for local boaties to go on long weekend trip to neighbouring regions without triggering the rule, but so long that they would be able to visit high risk ports and inadvertently bring back pests.

4.31 Proposed rule:

Over the duration of this Plan:

- a. The owner or person in charge of any marine craft entering the Tasman-Nelson region must ensure that the fouling on the hull and niche areas of the craft does not exceed level 2 on the Cawthron level of fouling (LoF) scale, unless:
 - i) The craft is entering Tasman-Nelson for the purpose of hauling out. The haul out must be undertaken within 24 hours of arriving. Proof via receipt from a haul out facility must be provided to an Authorised Person if requested, or
 - ii) The craft is entering Tasman-Nelson for emergency purposes and the craft leaves the region within 24 hours of arrival (or otherwise the occupier needs to comply with the rule), or
 - iii) The craft is required to enter Tasman-Nelson in response to a declaration of a state of emergency, as determined by the Ministry of Civil Defence & Emergency Management.

Wilding conifers

- 4.32 In total, there were 37 submissions in relation to wilding conifers. Most (78%) were supportive of the proposals. Of those recorded as “opposed”, opposition centres around the use of rules, rule wording, the lack of specificity in the analysis of costs and benefits, and/or a lack of clarity. One submission in opposition and two that are generally supportive expressed preference for greater use of incentives over the use of rules.
- 4.33 A key concern raised by the forestry sector revolve around the proposal to use a rule (rule b) to impose an obligation on the occupiers of plantation forests to bear the cost of wilding *Pinus radiata* control on adjacent properties where it is evident that the source of wilding spread is the plantation forest and it is evident that the adjacent property is clear of or being cleared of pest conifers. Staff recommend amending rule b to reflect the rule wording proposed by the forestry joint submission.
- 4.34 Another concern raised related to the accuracy of the maps of operational areas where rules to maintain areas that have been cleared of pest conifers under nationally and regionally-funded control programmes apply. The concern was that the rule might impose an obligation on forestry to remove legitimately planted conifers in areas of overlap. Given the continuous change in mapped boundaries and over time, staff recommend referring to given maps as guidance only. When a complaint is received by an Authorised person, part of the investigation would be to accurately map the relevant boundaries, understand where plantation boundary is, and where the rule applies to ensure the purpose of the rule is met. In complex situations, staff are of the view that the issue might better be approached using negotiated management agreements rather than altering the maps.
- 4.35 In addition to the forestry sector, other submitters have commented that the cost benefit analysis did not reflect the regional situation. To add more regional context, the “Wilding Conifers Scenario Exploration” tool developed by Landcare Research (<https://wildingconifers.landcareresearch.co.nz/>) has been used to generate the return on investment of wilding conifer control within infested Tasman District and Nelson City catchments. The model takes into consideration the cost to biodiversity, the cost of reduction in water yield, the benefit of erosion reduction, loss of pastoral productivity, and change in head fire intensity. The results are presented in Attachment 2.
- 4.36 Proposed rule:

Over the duration of this Plan, within the Tasman-Nelson region and prior to cone bearing:

- a. Occupiers must destroy all pest conifers present on land they occupy, unless the land they occupy falls within a named pest conifer operational area (as shown in *Maps*), urban areas or areas of high intensity land use (as determined by an authorised person), or unless there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement.
- b. From 1 July 2024, occupiers of forest plantations (greater than 1 hectare), outside of named pest conifer operational areas, are liable for the costs of removal of any new wilding conifers present (i.e. subsequently occurring) on adjoining land (where that land is clear of any infestation of wilding conifers as of 30 June 2024). This requirement is limited to adjoining land within 200m of the forest plantation property's boundary and the adjoining occupier must be taking reasonable steps to control wilding conifers elsewhere on the property. This obligation will be on written direction from an authorised person, following a complaint from an adjoining affected neighbour, and where there is evidence that wilding spread has occurred from the planted forest to an adjoining property. A negotiated agreement between the Management Agency and the two occupier parties is an alternative way to achieve this agreement.

Reasonable steps: means an occupier is proactively managing wilding conifers and using approaches, methods and tools advocated in the National Programme's Best Practice Guidelines for managing wilding conifers.

Evidence of spread includes (but is not limited to):

- That the wilding conifers are the same species as those in the forest plantation.
 - That the source forest plantation trees were of cone-bearing age on 1 July 2024, and
 - There are no other likely seed sources located on the adjoining land or other neighbouring land.
- c. Occupiers must destroy any pest agent conifer on their land, on direction of an authorised person, where an adjoining occupier is undertaking proactive wilding conifer control on their land and that evidence of wilding spread is clearly attributable to the pest agent conifer(s), or there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement.

Over the duration of this Plan, within the above operational areas under current management, in the Tasman-Nelson region (as shown in *Maps*) and prior to cone bearing:

- d. Occupiers must destroy any pest conifers on their land where the property is located within one of the four named operational areas that has received prior control, or there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement. This rule does not imply any obligations on occupiers of planted forests of species not listed as pest conifers and does not apply until a property has received initial and maintenance control, as described above.

- e. Occupiers within any of the four named operational areas must destroy any pest conifers on their land within 200m of an adjoining property boundary, where the adjoining property has previously been cleared of pest conifers through prior control and the adjoining occupier is also taking reasonable steps to control pest conifers within 200m of their property boundary. This is a Good Neighbour Rule (GNR) and will apply unless there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement.

Options

4.37 Staff recommend Option 2

Option 1: Make no changes to the proposal document in response to submissions	
Advantages	<ul style="list-style-type: none"> •
Risks and Disadvantages	<ul style="list-style-type: none"> • The submission process brought in a number of valid concerns, and well considered suggested changes. Not changing the proposed rules in response (where appropriate) would not be following good practice
Option 2: Support the staff recommended changes to the proposal document in response to submissions for all proposed rules	
Advantages	<ul style="list-style-type: none"> • Changes take into consideration all reasonable requests for change from the submission process. Changes have been made to: <ul style="list-style-type: none"> Sabella – increasing the time local boats can leave the area to 3 days. ○ Feral Cats - minor re-wording to clarify rule intention, inclusion of bell island in Waimea Inlet site led programme ○ Various minor re-wording changes to wilding conifers to clarify intent of the rules, change to "Rule B" in response to forestry submission • Rules are deemed appropriate for operational delivery and have been agreed on by biosecurity staff in NCC and TDC

Risks and Disadvantages	<ul style="list-style-type: none"> • Joint Committee may have opinions or changes they wish to see that are not reflected in the proposed changes • Not every submission request has been actioned and some submitters may feel they have not been represented in the changes
<p>Option 3: Support the changes to the proposal document in response to submissions recommended by staff in part with some changes (note changes to the proposed rules must be in response to submissions and within scope of the TOR for the Joint Committee)</p>	
Advantages	<ul style="list-style-type: none"> • Joint Committee members may have changes they would like to see reflected in the proposal following deliberations.
Risks and Disadvantages	<ul style="list-style-type: none"> • More than minor changes may have a direct effect on operational delivery and may need further consideration

<p>Considerations for Decision Making</p>	
<p>1. Fit with Purpose of Local Government</p>	<p>Section 13.1(c) of the Biosecurity Act 1993 gives power to regional councils to prepare proposals for, make, and implement regional pest management plans and regional pathway management plans:</p>
<p>2. Consistency with Community Outcomes and Council Policy/Legal requirements</p>	<p>The Tasman Nelson Regional Pest Management Plan 2019-2029 is funded through the LTP of both Tasman District Council and Nelson City Council.</p> <p>The RPMP delivers some outcomes within the Tasman Biodiversity Strategy and Nelson Biodiversity Strategy.</p>
<p>3. Strategy and Risks</p>	
<p>4. Financial impact/Budgetary implications</p>	<p>The proposed changes can be delivered within the current Councils LTP budgets in the short to medium term. The cost benefit analysis guides making rule changes that are beneficial in the long term.</p>
<p>5. Degree of significance and level of engagement</p>	

This matter is of high significance due to the direct impact of some of the proposed policy changes to the community.

There is a cost outcome Therefore the following engagement/feedback/consultation will occur in the form of...

6. Climate Impact

Biosecurity supports the resilience of indigenous biodiversity to the impacts of climate change. A complete ecosystem, free of the pressure of pests is much more capable of responding to the changing climate. The reduction of wilding conifers improves the water storage capabilities of the land.

7. Inclusion of Māori in the decision making process

The proposed changes were uploaded to both NCC and TDC Iwi engagement portals.

The 'RPMP Joint Committee' has the responsibility for:

- a. Considering recommendations for amendments (limited review) to Tasman-Nelson Regional Pest Management Plan 2019 – 2029;
- b. The review will be limited to considering:
 - Alignment of Sabella rules to those of Marlborough District Council to provide consistency across the Top of the South; and
 - Extending control of boneseed into the Port Hills area currently excluded from eradication; and
 - Control of wilding conifers, water celery, Vietnamese parsley, purple pampas, blue passionflower, and moth plant.
- c. Hearing and deliberating on the public submissions related to amendments (limited review) of the Tasman-Nelson Regional Pest Management Plan 2019 - 2029; and
- d. Making recommendations to the Tasman District and Nelson City Councils to adopt any changes (limited review) of the Tasman-Nelson Regional Pest Management Plan 2019 – 2029.

5. Conclusion and Next Steps

- 5.1 The Committee will make a recommendation to both Councils that the proposed changes to the RPMP be adopted.
- 5.2 The recommendation will be taken to full council at both Tasman District Council and Nelson City Council for adoption.

6. Attachments

1. ↓	Feral and Stray Cat Provisions	21
2. ↓	Wilding Pest Conifer Provisions	34
3. ↓	Summary of submissions with staff recommendations	49

Feral and stray cat provisions for Tasman-Nelson Partial RPMP Review

Revision in response to submissions and hearings (marked up version)

July 2024

Several edits are identified for the feral/stray cat policy provisions for the RPMP partial review. The starting point was the policy contained in the public Proposal notified in February 2024. Following submissions, and subsequent internal discussions on these submissions, staff have made suggested changes for consideration during deliberations. For clarity to the Regional Pest Management Joint Committee and submitters, staff's suggested edits are presented below in a marked up version of the feral and stray cat section of the original Proposal.



4.4 Pest animals

4.4.1 Feral and stray cats (*Felis catus*)

Current status: Feral cats, only, are included in the Waimea Estuary site-led programme.

Proposed management category:

Exclusion	Eradication	Progressive Containment	Sustained Control	Site-Led
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Further site-led programmes are proposed for both feral and stray cat management in Tasman and Nelson.

Rationale for inclusion: Both Councils wish to step up feral and stray cat management at sites with important biodiversity values and further promote responsible companion cat ownership overall. Cats in general contribute to negative impacts on indigenous biodiversity (e.g. direct predation on native birds, reptiles and insects, freshwater fish and invertebrates across the region, or indirectly through nest or colony desertions). This proposal concerns management of feral and stray cats at several named high-value sites:

- Nelson City – inclusion of general management rules and a pest agent cat rule at numerous named publicly owned/managed sites.
- Abel Tasman National Park (ATNP) private enclaves – by adding a general reporting rule to the existing site-led programme and including a new pest agent cat rule.
- St Arnaud site-led programme – inclusion of a general reporting rule and a pest agent cat rule.
- Waimea site-led programme – addition of Bell Island.

The ability to distinguish companion cats from feral and stray cats may rely over time on bylaws or national cat regulations (around compulsory microchipping) being implemented to support RPMP provisions (and vice versa). Desexing of cats also assists with long term management.

Description and adverse effects:



Feral and stray cats originate from reproduction of feral or stray cats or illegally released/dumped companion cats. They are usually short-haired and slightly built, with large heads and 'sharp' features. Coat colours revert to black, tabby or tortoiseshell, with varying extents of white. Adult male cats are generally larger than females and can weigh up to 5kg. They can produce two or three litters per year with an average of four young in each.

New Zealand's unique native wildlife is particularly vulnerable to predation by all cats. Feral and stray cats in particular kill young

