

Date: Thursday 11 July 2024
Time: 9:30am - RPMP Deliberations
Meeting Room: Tasman Council Chamber
Venue: 189 Queen Street, Richmond

Regional Pest Management Joint Committee

ATTACHMENTS

ATTACHMENTS UNDER SEPARATE COVER

These are the tracked changes versions of Attachments 1 and 2 to the agenda report, unfortunately the tracked changes did not come through in those versions in the agenda

ITEM	PAGE
7.1 Deliberations report on the partial review of the Tasman Nelson Regional Pest Management Plan 2019-2029	
4. Feral and Stray Cat Provisions tracked changes version	3
5. Wilding Pest Conifer Provisions tracked changes version	17

**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.

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Proposed management category:

Exclusion	Eradication	Progressive Containment	Sustained Control	Site-Led

Further site-led programmes are proposed for both feral and stray cat management in Tasman and Nelson.

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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:

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- 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.

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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.

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

and adult birds and occasionally take eggs and prey on native lizards, fish, frogs and large invertebrates. Cats in general are highly efficient predators, and have been known to cause local extinctions of seabird species on islands around the world. Birds that nest or feed on or near to the ground are particularly at risk. Feral and stray cats are aggressive towards companion (owned) cats and also carry parasites and toxoplasmosis, which can cause serious illness in people, abortions in sheep, and may adversely affect native birds in the region.

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*The following cat definitions apply when reading this Plan.

Type	Relationships with humans	Considerations
Companion cat	Directly dependent	Has owner/guardian
Stray cat	Directly or indirectly dependent	Community cat(s), semi-owned, unowned, managed or unmanaged as a single cat or colony
Feral cat	Independent and unsocial	Wild animal, considered a pest in many regions in NZ

Source: SPCA/NZ Cat Management Strategy

Any cat can also be deemed a 'pest agent cat' under the RPMP, with rules. Pest agent cat definition under this Plan is: any cat that in any way leads to the replication or survival of feral or stray cat populations.

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Plan rules and explanations of rules:

New approaches for (i) Nelson City – specific high value sites, (ii) current ATNP site-led programme and (iii) new St Arnaud environs site-led programme. Rules are noted as follows:

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Specific rule for feral and stray cats in the Nelson City site led programmes
Over the duration of this Plan, and with regard to high value sites within Nelson City (as shown on Map 3.1 in this Proposal):

- 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.

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Explanation of the rules

Rule a. is in accordance with section 73(5)(a) of the Act to assist NCC in detecting the presence of feral or stray cats for the purposes of biodiversity protection and wildlife management. Reporting of feral and stray cats in these areas by the public is encouraged. Reports will be

recorded in an appropriate council database and the information considered when assessing the need for any management at the site(s).

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Rule b. is in accordance with section 73(5)(d) of the Act to discourage people supporting cat colonies on public land with recognised high biodiversity values.

Specific pest agent cat rule for the Nelson City site-led programme

No person shall deliberately release into the wild (in any named high value site in Nelson as shown on Map 3.1 in this Proposal) any cat, including a companion cat.

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Explanation of the rule

This pest agent rule is in accordance with sections 73(5)(e), (j) and (l) of the Act and aims to support council and community efforts in Nelson to protect wildlife and biodiversity values, by restricting the ability for companion cats potentially breeding with feral or stray cats. It also assists with reducing the likelihood of companion cats being released into the wild, at named sites, and causing long term effects.

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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 3.2 of this Proposal):

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.

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Explanation of the rule

This rule is in accordance with section 73(5)(a) of the Act to assist TDC and DOC in detecting the presence of feral or stray cats for the purposes of biodiversity protection and wildlife management. Reporting of feral and stray cats in this area by the public is encouraged. Reports will be recorded in an appropriate council database and the information considered when assessing the need for any management at the site.

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Specific pest agent cat rules 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 3.2 of this Proposal):

- 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.

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Explanation of the rule

Pest agent rules a. and b. are in accordance with sections 73(5)(a), (d) and (h) of the Act and aim to support existing St Arnaud community work to protect wildlife and biodiversity values, by restricting the presence of companion cats living in the St Arnaud area and potentially

breeding with feral or stray cats. It also assists with reducing the likelihood of companion cats being purposely released into the wild around St Arnaud and causing long term impacts.

Additional rules 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 in three maps (Map 3.31, 3.32 and 3.33, respectively, of this proposal):

- c. 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.
- d. 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.

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Explanation of the rule

Note: the current rule explanation is generic to cover the intent of the inclusion of feral/stray cats but needs to be edited to read 'named pest plants and pest animals' in two places.

A breach of any of the above rules is an offence under Section 154N(19) of the Act.

Plan change to include Bell Island in the Waimea Estuary Site-led Programme

Note: This change is an extension to the existing Waimea Estuary Site-led Programme and covers all of the pests listed in that programme. The change requires minor editing of the RPMP. It does not introduce any new rules or obligations on occupiers except for the occupier of Bell Island (Tasman District and Nelson City Councils) who must report the presence of the named pests to Tasman District Council and allow access to an authorised person to control the pest. This is not a material change to that occupier's current obligations under the RPMP and does not affect adjacent occupiers.

Proposed changes are as follows (underlined):

- Site Description (Table 10, page 58, paragraph 5). "...areas along the southern side of Waimea Estuary and Bell Island to protect..."
- The map of the Waimea Inlet Side-led Programme (RPMP Map 19, page 107) to be updated to include Bell Island (as per Map 3.34 in this Proposal).

Alternate options:

1. Do nothing additional to what's already included in RPMP – this won't address the growing call from environmental groups and the community for both Councils to step up their leadership to address declining biodiversity values.
2. Rely on bylaw development by both councils to better manage all cats - however bylaws should not be used to manage pest situations and the RPMP deals with pests only and should not entertain companion animal management (other than via pest agent rules).
3. Rely solely on national cat legislation developed. However, any national cat legislation would likely be years away.

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Further assumptions explain the rationale for inclusion of feral / stray cats in the Proposal:

- The RPMP is the most suitable legal tool to consider feral / stray cat management regimes, but realistically only through site-led programmes.
- Local bylaws are best suited for the widespread management of companion cats through bylaws around compulsory microchipping and desexing, in the absence of national cat management legislation.
- It is difficult to impose rules in the RPMP requiring occupiers to control / destroy cats as they are highly mobile (i.e., it would be difficult to use land tenure as the identifier for non-compliance) and may be owned (i.e., a cat may also be property) but not identified as such.
- Any cat could be deemed a 'pest agent cat' in certain circumstances, such as a companion cat which, in any way leads to the replication or survival of stray or feral cat populations.

RPMP edits required:

- Add principal measure 'd.' to Site Led Pests Programme (pg. 57): [Service delivery: the Councils, their agents, or other parties authorised by the Councils may undertake direct control of named pests in the site-led category at their discretion \(e.g. as part of an integrated predator animal control at named high value sites\), as outlined in the RPMP Operational Plan.](#)
- Add new site led programmes, [edit programme descriptions, and add/edit maps](#) as outlined above¹.

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¹ Note: A revised site-led programme has been drafted but is not included in this Proposal due to its length. Note also to ensure that the maps are consistent with the existing RPMP, the map references and formats may change.

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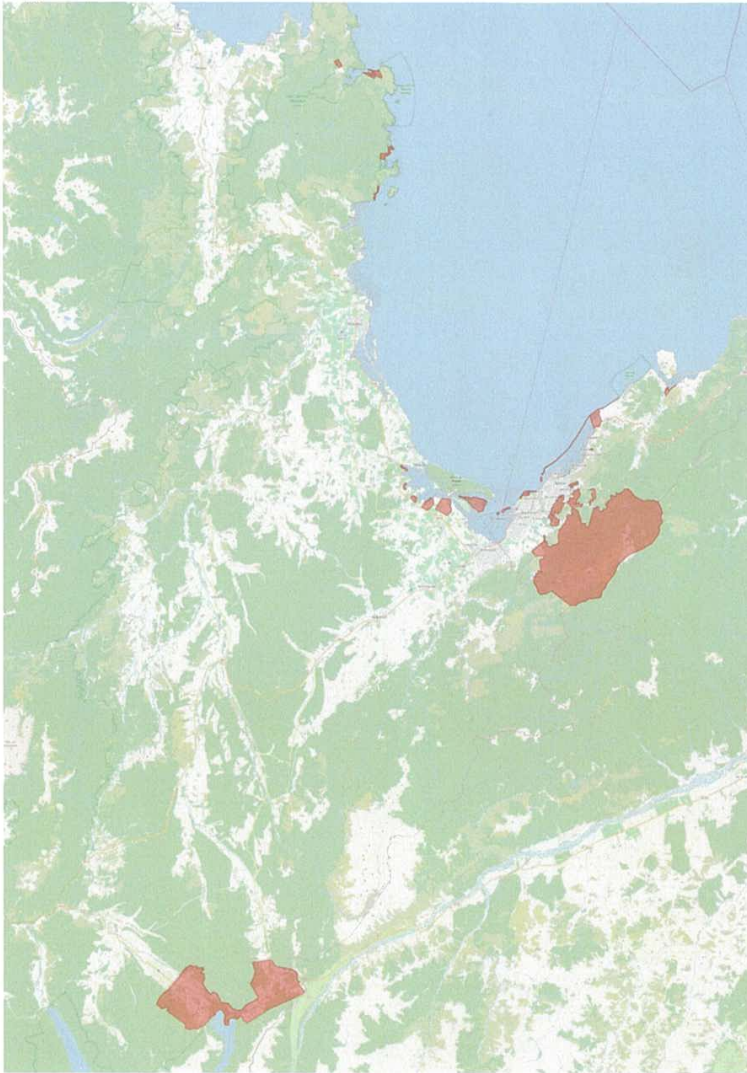
Regional Pest Management Plan



Feral and Stray Cat-related Site-led Programmes (overview only)

Map 3

Mapped Area: Nelson and Tasman – all sites



Map background courtesy of OpenStreetMap and its contributors

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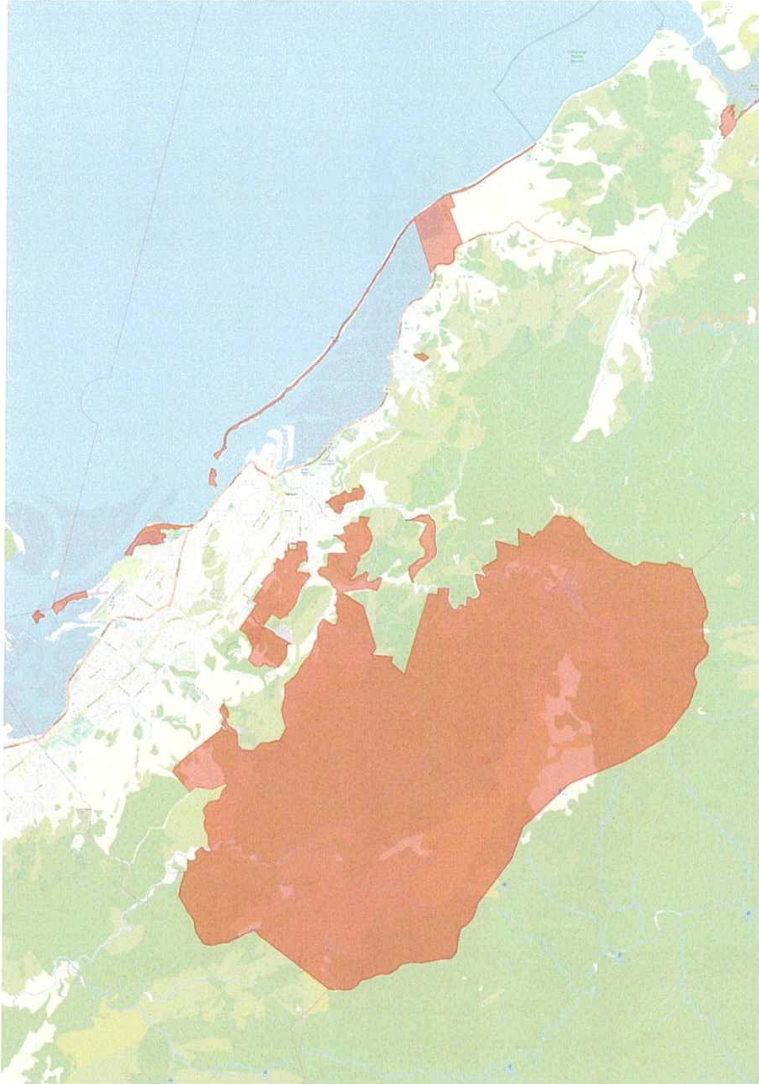
Regional Pest Management Plan



 Feral and Stray Cats in Site-led Programmes

 Map 3.1

Mapped Area: Nelson City high value sites



Map background courtesy of OpenStreetMap and its contributors

Regional Pest Management Plan



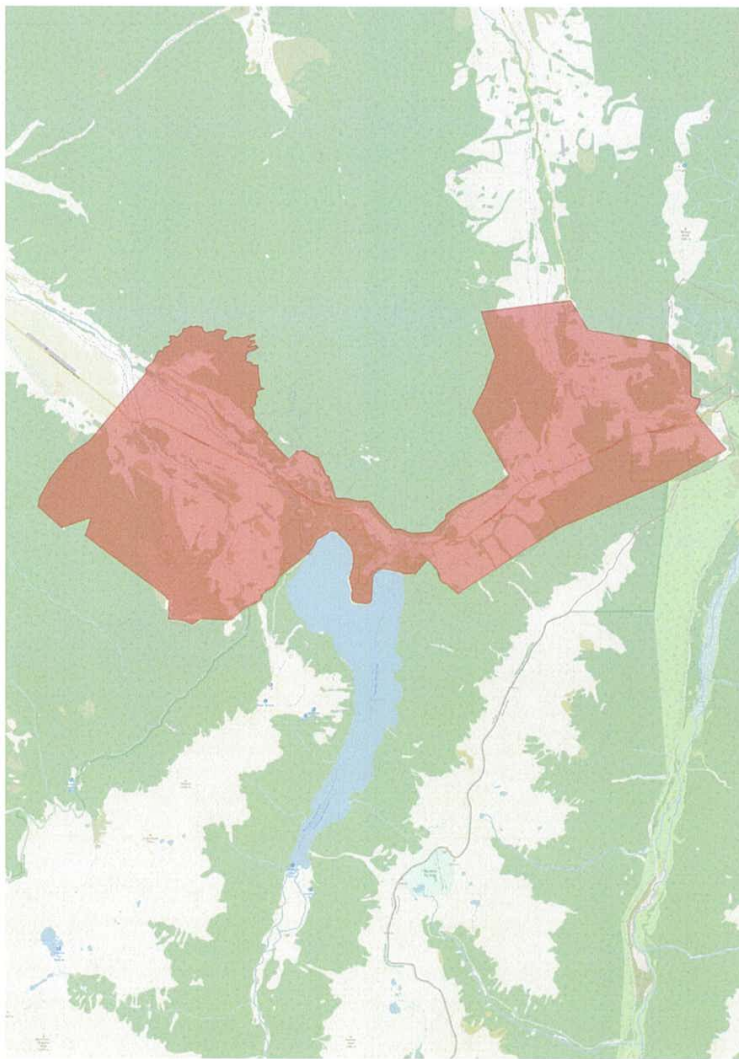
 Feral and Stray Cats in Site-led Programmes

Map 3.2

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Mapped Area: St Arnaud environs



Map background courtesy of OpenStreetMap and its contributors

Regional Pest Management Plan



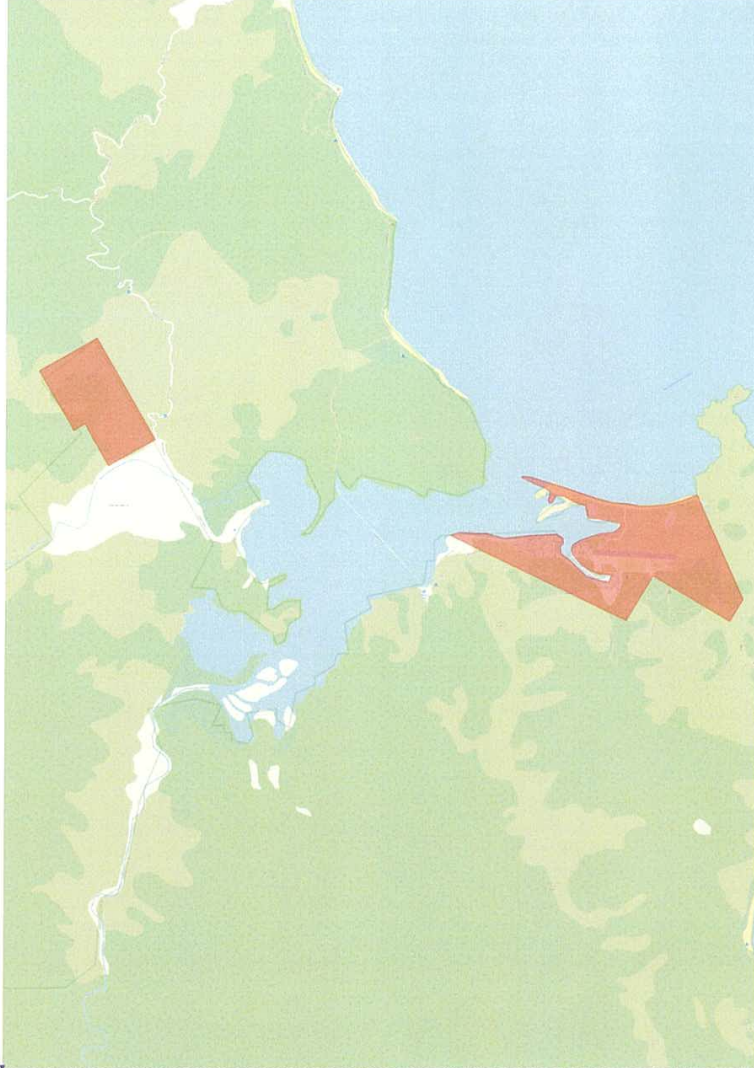
 Feral and Stray Cats in Site-led Programmes

Map 3.31

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Mapped Area: Abel Tasman NP – Awaroa



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Map background courtesy of OpenStreetMap and its contributors

Regional Pest Management Plan

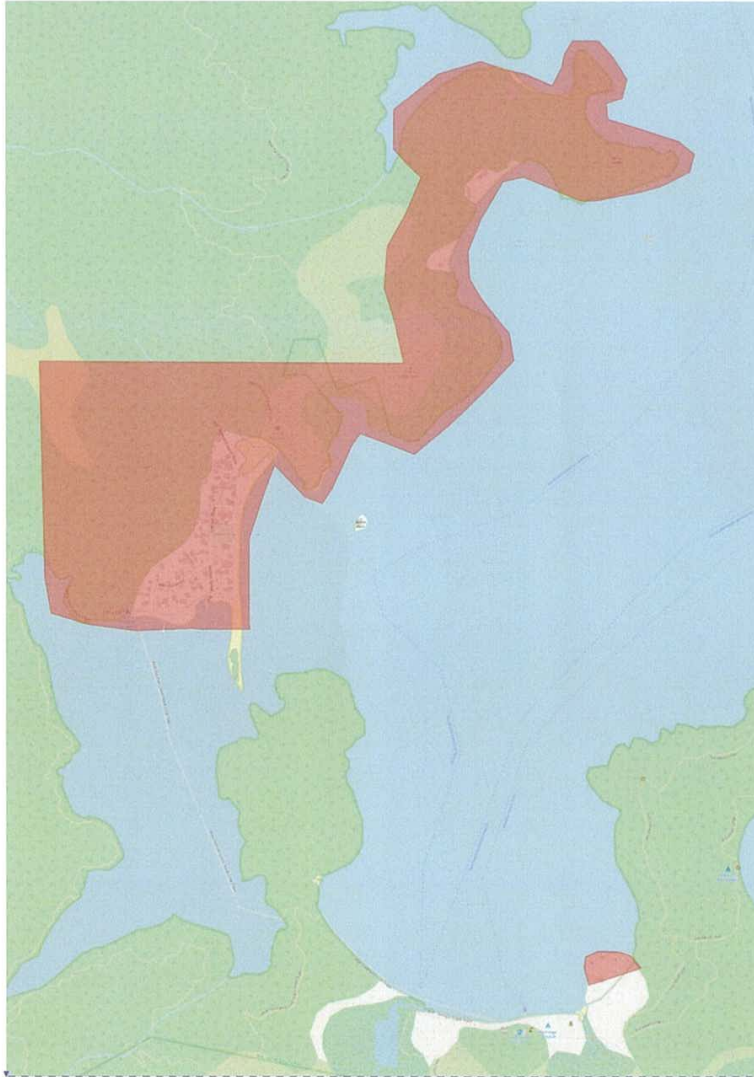


Feral and Stray Cats in Site-led Programmes

Map 3.32

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Mapped Area: Abel Tasman NP – Torrent Bay




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Map background courtesy of OpenStreetMap and its contributors

Regional Pest Management Plan

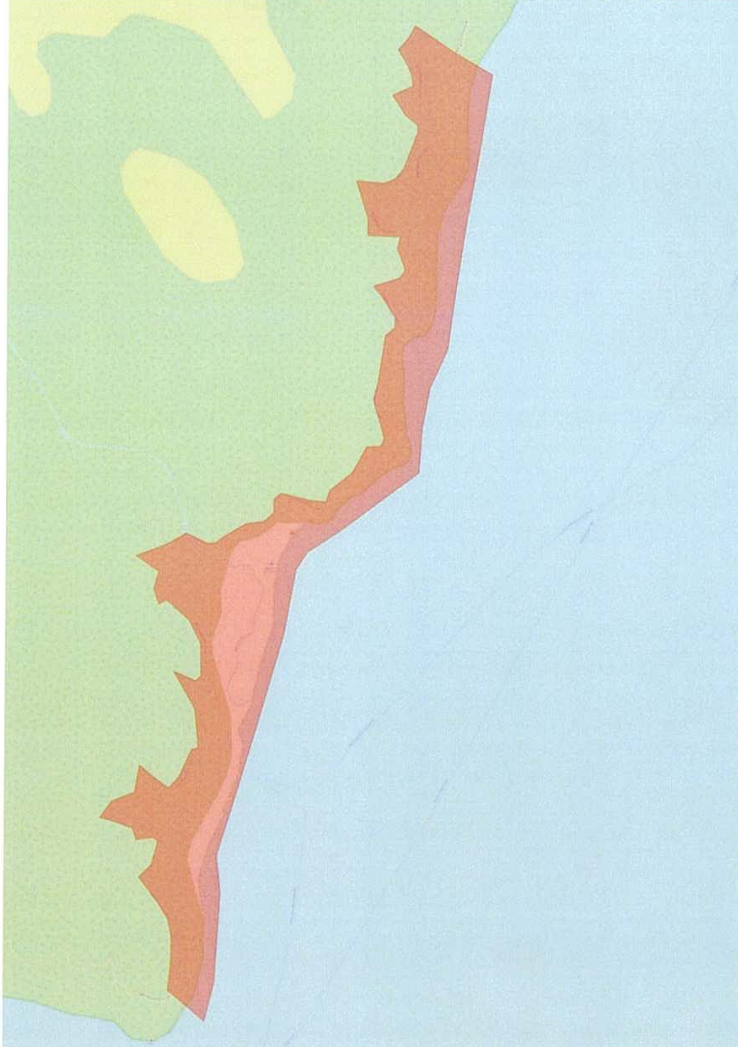


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 Feral and Stray Cats in Site-led Programmes

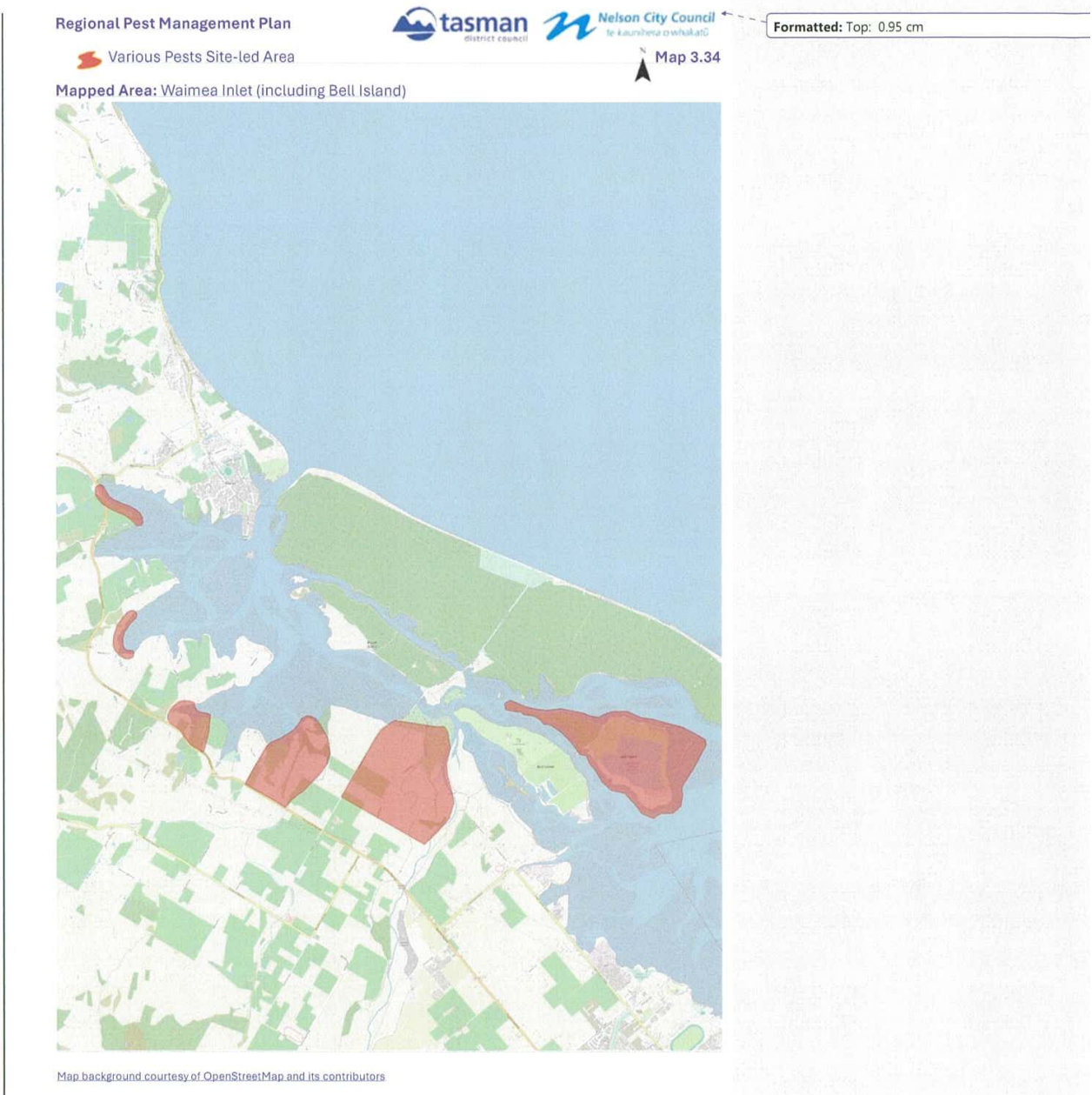
Map 3.33

Mapped Area: Abel Tasman NP – Marahau North



Map background courtesy of OpenStreetMap and its contributors

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**Pest conifer provisions for Tasman-Nelson RPMP Partial
Review**

**Revisions in response to submissions and hearings (Marked
up version)**

July 2024

Several edits are identified for the pest conifer 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 pest conifer section of the original Proposal.



4.5 Pest conifers

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Current status: No species of conifers are currently named as pests except for Douglas fir, and only within the Abel Tasman National Park enclaves and subsequent ATNP site-led programme.

Proposed management category:

Exclusion	Eradication	Progressive Containment	Sustained Control	Site-Led
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Subjects covered and definitions:

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There are 12 conifer species declared pest conifers in the RPMP, as listed in Table 6. 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.

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Table 6: Subjects of the pest conifer programme

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Individual subjects	
<ul style="list-style-type: none"> Bishops pine (<i>Pinus muricata</i>) Contorta pine (<i>Pinus contorta</i>) Corsican pine (<i>Pinus nigra</i>) 	<ul style="list-style-type: none"> Maritime pine (<i>Pinus pinaster</i>) Mexican weeping pine (<i>Pinus patula</i>) Ponderosa pine (<i>Pinus ponderosa</i>)
<ul style="list-style-type: none"> Mountain pine (<i>Pinus mugo</i>) including sub-species and botanical variants 	<ul style="list-style-type: none"> Scots pine (<i>Pinus sylvestris</i>)
<ul style="list-style-type: none"> European larch (<i>Larix decidua</i>) and botanical variants 	<ul style="list-style-type: none"> Western white pine (<i>Pinus monticola</i>)

Definition

‘Pest conifers’ - refers to organisms included in the Progressive Containment Programme in the RPMP that are declared pests and for which there are legal implications for occupiers¹.

Class of subjects

Wilding conifers

Definition

‘Wilding conifers’ - means any introduced conifer tree, including (but not limited to) any of the species listed in the above table, established by self-seeded means, unless it is located within a forest plantation and does not create any greater risk of wilding conifer spread to adjacent or nearby land than the forest plantation that it is a part of. For the purposes of this definition, a forest plantation is an area of 1 hectare or more of predominantly planted conifer trees.

Species for the purposes of the wilding conifers class description include (but are not limited to):

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¹ The single term ‘pest conifer’ is predominantly used (rather than pest/wilding conifer) when referring to any of the named subjects in Table 6, but still enables use of the sub-category term ‘wilding conifers’ when this is relevant or is all that is intended to be captured by a rule.

- [Douglas fir \(*Pseudotsuga menziesii*\)](#)
- [Radiata pine \(*Pinus radiata*\)](#)

[Pest conifers](#) impact on [numerous](#) regional values. Contorta pine is the most invasive of this group and is deemed an [Unwanted Organism](#) nationally. Some [species](#) have commercial worth where they have been planted prior and progressively harvested. However, most have little or no economic worth, in contrast to the significant environmental cost of their spread.

[Radiata pine and Douglas fir](#) are commercially grown in the region. The RPMP 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'².

This Plan also refers to [pest agent conifers](#). '[Pest agent](#)' has the same meaning as in the [Biosecurity Act 1993: in relation to any pest, means any organism capable of helping the pest replicate, spread or survive.](#)

Definition

'[Pest agent conifer](#)' - means any introduced conifer (that is not otherwise specified as a pest within the RPMP) 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).

Adverse effects:

[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](#).

[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](#).

All these impacts are also likely to [adversely affect tangata 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.

Rationale for inclusion:

² Douglas fir seed spreads long distances and creates a greater seed spread risk than *P. radiata*.

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A further group of conifers comprises two species grown a commercial crops can also naturally spread contribute to wilding conifer adverse effects. Two species of conifer are proposed to be declared 'wilding conifers' in the RPMP as listed in Table 7.¶

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Table 7: Conifer species in the wilding conifer control programme¶

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Douglas fir (*Pseudotsuga menziesii*)

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Pest and wilding conifers are included for the first time in the RPMP to help manage their spread more effectively³. A key objective is operationally focused - to maintain the gains of prior and current control efforts in four designated operational areas (refer to Map 4):

- Mt Richmond Wilding Conifer Management Unit⁴;
- Takaka Hill – Takaka Hill Biodiversity Group Trust;
- Abel Tasman National Park (ATNP) - Project Janszoon; and
- Golden Bay (including the ATNP Halo) - Project De-Vine Environmental Trust.

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).

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

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) landowners 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.

Plan rules and explanations of rules:

One pest conifer programme will be implemented, which includes two sub-programmes - one that applies to the entire Tasman-Nelson region and another covering the four specific operational areas.

i. Region-wide programme

³ Their inclusion now also provides a lead in for a full review in 2028/29 when the whole operative RPMP requires reviewing.

⁴ The Mt Richmond MU (through prior administrations) has a long history of locally funded wilding conifer control operations occurring. Operations in the MU now involve a consortium of national, regional and local stakeholders (including MDC) and are funded locally/regionally as well as through the National Programme. At least \$5M has been spent on control to date.

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There are three rules;

- A 'clear land rule' – that focuses on the eradication of pest conifer seedlings before they can proliferate and spread;
- A 'planted forest (wilding conifer spread) rule' – to manage self-seeded spread from forest plantations onto neighbouring land; and
- A 'pest agent conifer rule' – to manage potential seed sources that may impact neighbouring properties and halt the spread of wilding conifers in general.

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Specific rules applicable across the whole region

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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 4.1, 4.2, 4.31 and 4.32), 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.

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Outside of named wilding conifer operational areas, after July 2025, occupiers of land that is clear or relatively clear of pest or wilding conifer must destroy any pest or wilding conifer on their land, to ensure that land that is clear or relatively clear of pest or wilding conifers remains clear, or the written direction of an authorised person, unless there is a negotiated agreement in place between the Management Agency and occupier as an alternative way to achieve this requirement. ¶

➤ 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.

Deleted: <#>'Clear land' is defined as parts of the region that are currently clear, (or infestations are at a low or very low density), but highly susceptible to wilding conifer spread if a seed source becomes established. 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 these vulnerable or susceptible areas. Further, protected 'specimen' conifer trees named in District Plans (made under the Resource Management Act) may be exempt from this requirement on a case by case basis. ¶

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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.

(ii) Current operational areas under management

An assumption is made that current priority control areas and programmes (included in the National Wilding Conifer Control Programme) will continue to be funded until the 'back of each problem' is broken (i.e. no coning trees remain on target properties) and responsibility for ongoing control can be transitioned (i.e. transferred) back to individual land occupiers to manage into the future. 'Transitional criteria' nationally at the time of writing were not fully agreed, however the following rules would not be implemented until an operational area had received initial control and up to 2-3 rounds of maintenance control (with varying years, i.e. typically 3-5 years, between control cycles, dependant on the species)⁶.

There are four pest conifer control operational areas in Tasman-Nelson which are the subject of this sub-programme. There are two rules:

- A 'maintain the gains rule' - to safeguard prior control and investment; and
- A 'good neighbour rule' (GNR) - for boundary management of pest conifers that prevents an occupier's inaction on control work impacting their neighbour.

Specific rules applicable across parts of the region (as listed below):

- Mt Richmond Wilding Conifer Management Unit;
- Takaka Hill community project;
- Abel Tasman National Park (ATNP) - Project Janszoon; and
- Golden Bay (including ATNP Halo) - Project De-vine.

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.

A breach of any of the above rules is an offence under Section 154(N)19 of the Act.

⁶ The level of control received will be proportionate to the infestation size and density and other factors such as seed banks.

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Explanation of the Rules

The purpose of these rules is in accordance with sections 73(5)(h), as outlined below:

- 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).

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- 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.

Deleted: <#>Rule (a) is a 'clear land rule' and requires occupiers to take specific actions to control pest or wilding conifers when instructed to by appropriate council officer in writing. The intent of the rule is to primarily protect high value biodiversity areas which are deemed vulnerable to any wilding conifer spread where infestations are small (and densities low to very low) and control now is feasible and cost effective, as determined by council officers. The rule could also be used to protect production land or for cultural/aesthetic reasons where wilding or pest conifers are impacting on these values. A negotiated agreement between the Council and occupier is a valid alternative way to meet this rule requirement. ¶

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, RPMP enforcement provisions may be enacted.

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A negotiated agreement between the forest occupier and adjoining occupier (and validated by the Management Agency) will be a binding way to meet this rule requirement, e.g. that the agreement documents which party will undertake and/or fund the required control, over what time period and what the access agreements are to carry out control work.

- 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.

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- 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

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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).

- 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 RPMP 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.

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Alternate options:

1. Do nothing – however, in every other region where work is undertaken under the National Programme, wilding conifers are included in the relevant RPMP. This is because without their inclusion, and without rules, there is no compulsion on occupiers to maintain any of the gains made to date.
2. Eradication is not feasible. A Sustained Control Programme, while containing the same rules as Progressive Containment, does not address the overall goal sought of wildings management, being the control of spread then progressively pushing back infestations to source areas then controlling those source areas (in the long-term).

Deleted: <#>Rules above relate to operational areas that have received the agreed level of work, or agreed control targets have been met, and where the Management Agency determines that ongoing control will transition to individual land occupiers.¶
¶



Figure 4: Current operational area in the Mt Richmond Wilding Conifer MU. Legacy plantings of contorta and mountain pine on Beebys Ridge (right) are to blame. Control was commenced by DOC in 2018. Further control is scheduled for 2023/24. Photo source: BBSL, November 2023.

RPMP edits required:

Add principal measure 'd.' to Progressive Containment Pest Programme (pg 40):

d. Tasman-Nelson pest and wilding conifer management programme: Both councils have a leadership role in facilitating collaborative on-the-ground management of pest and wilding conifers. Major components of this approach will include providing support as a partner (e.g. this may include: co-funding, technical support, assistance with developing long-term control plans, ensuring occupiers have access to the tools and equipment required and using its regulatory powers) and actively supporting a variety of community-led initiatives. The outcomes of the programme will be heavily reliant on the sustained implementation of current and future operations through equitable regional and national funding. While some local/regional funding for control operations is likely to continue, the programme will become increasingly dependent on the National Wilding Conifer Control Programme (NWCCP). This is a collaborative nation-wide control approach and funding model for wilding conifer management. Significant joint Crown funding for control work, from the Ministry for Primary Industries, Department of Conservation and Land Information New Zealand, came into effect in 2016 but the programme requires ongoing Crown funding and occupier support to continue (including on Crown occupied land). Work to control pest and wilding conifers may also occur outside current operational areas should it be prioritised and resourced through agreements between the various parties involved.

- Add new progressive containment programmes / rules as outlined above.

NOTE: The information presented on the maps is prepared for indicative use only and is not intended for definitive legal, location, or formal reference purposes. If required, current and accurate maps of boundaries can be supplied if and as required. Also note that the formatting and numbering of the maps may change as a result of alignment with the map series in the existing RPMP.

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Moved (insertion) [1]

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Pest agent has the same meaning as in the Biosecurity Act 1993: ¶
 "in relation to any pest, means any organism capable of Helping the pest replicate, spread, or survive; or ¶
 Interfering with the management of the pest. ¶

¶

Wilding conifers are any introduced conifer tree, including (but not limited to) any of the species listed in Table 5 and Table 6, established by natural means, unless it is located within a forest plantation, and does not create any greater risk of wilding conifer spread to adjacent or nearby land th the forest plantation that it is a part of. For the purposes of this definition, a forest plantation is an area of 1 hectare or more of predominantly planted conifer trees. ¶

Note: Two separate but linked definitions apply for 'wilding conifers': ¶

Pest conifers – 10 named species which generally are not marketable and their existence in plantations is being phased out. ¶

Wilding conifers only – two named species which have important commercial value in the region but are also prone to spreading. ¶

¶

Pest agent conifer means any introduced conifer species that is capable of helping the spread of wilding conifers and is not located within a plantation forest. ¶

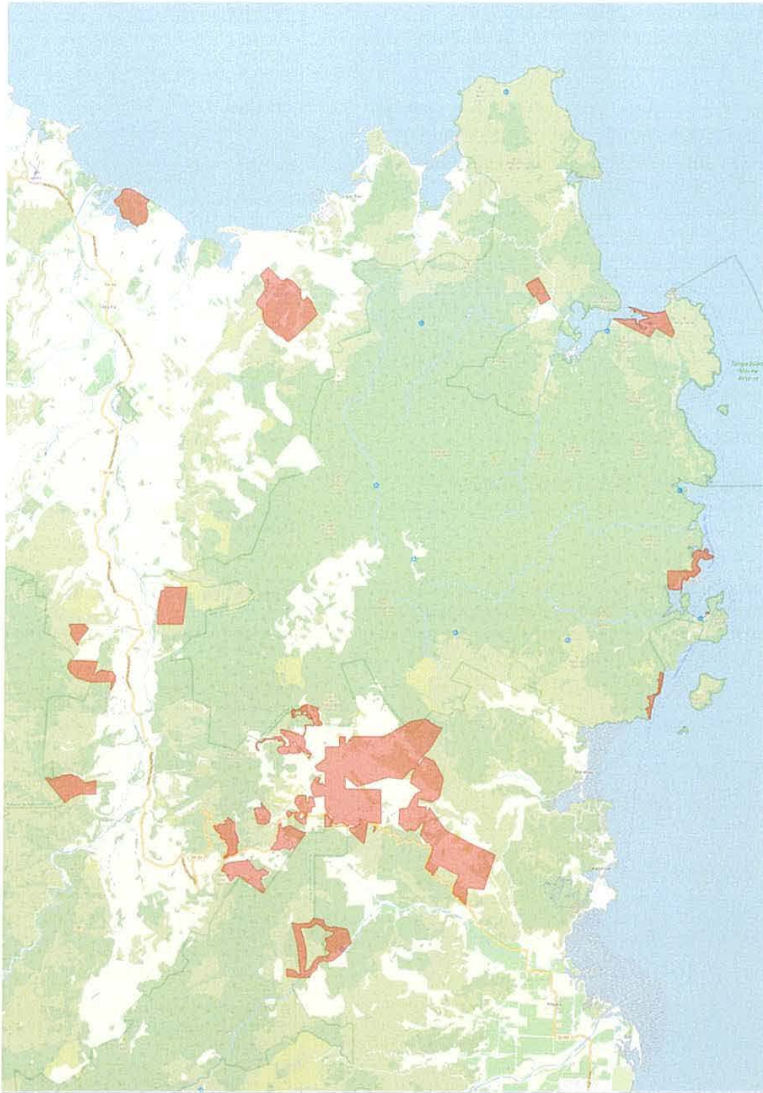
Regional Pest Management Plan



 Pest Conifer Progressive Containment Area

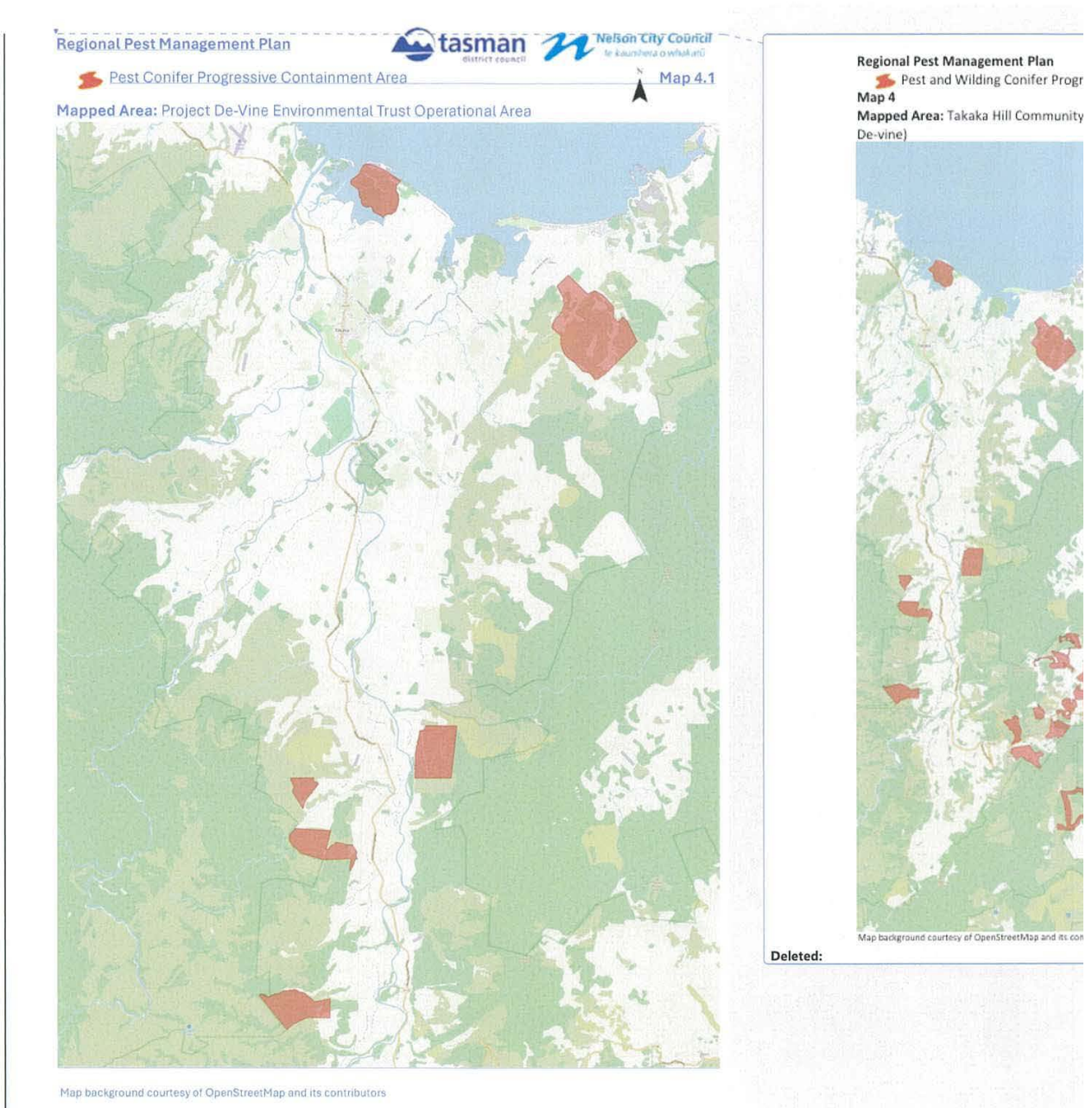
Map 4

Mapped Area: Takaka Hill Community Project, ATNP (Site-led area), and ATNP Halo (Project De-Vine)



Map background courtesy of OpenStreetMap and its contributors

Moved up [1]: NOTE: The following maps are intended to represent general areas of interest regarding pest and wilding conifer management and are not necessarily drawn to scale. The shading and boundaries depicted on these maps are illustrative and serve as a guide to indicate the approximate location of areas under the jurisdiction of this rule. If required, current and accurate maps of boundaries can be supplied if and as required.



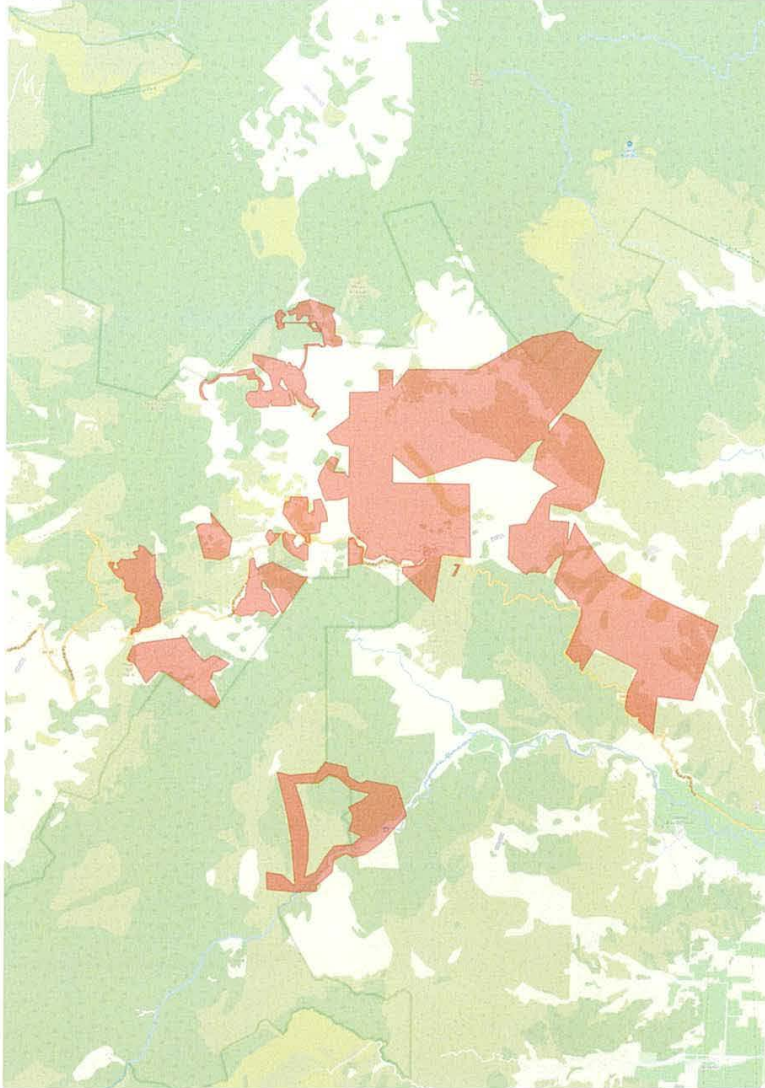
Regional Pest Management Plan



 Pest Conifer Progressive Containment Area

Map 4.2

Mapped Area: Takaka Hill



Map background courtesy of OpenStreetMap and its contributors

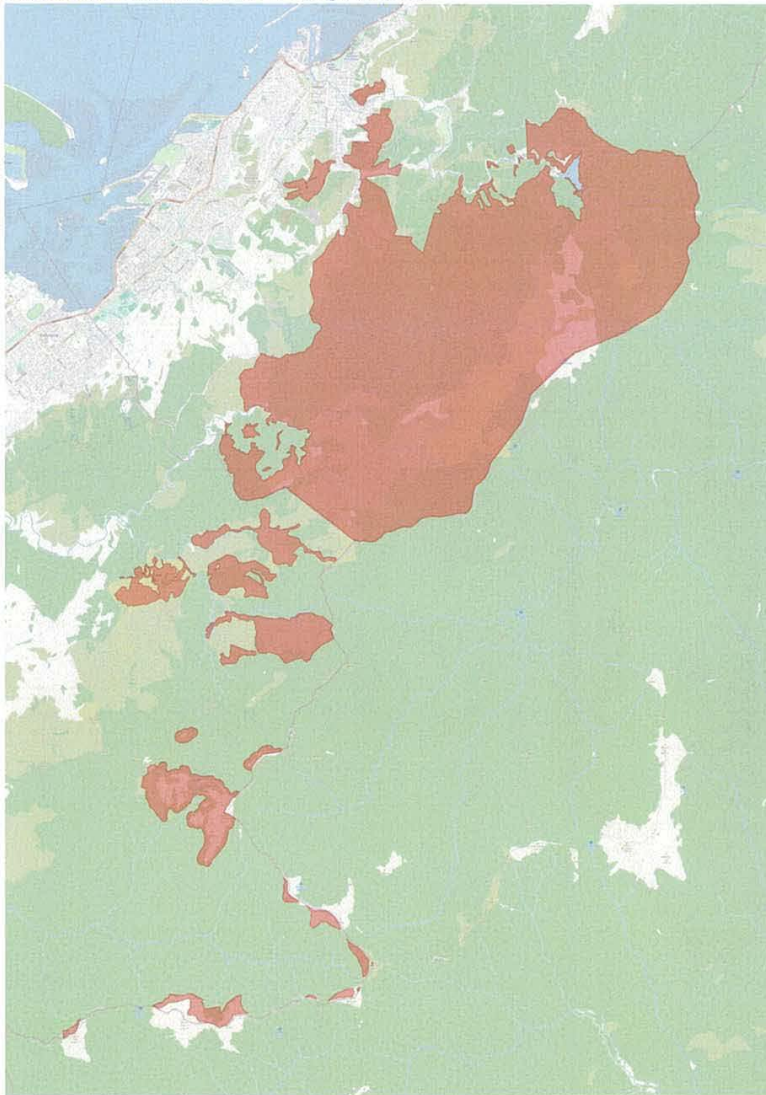
Regional Pest Management Plan



 Pest Conifer Progressive Containment Area

Map 4.31

Mapped Area: Mt Richmond MU – Roding and Nelson



Map background courtesy of OpenStreetMap and its contributors

Regional Pest Management Plan

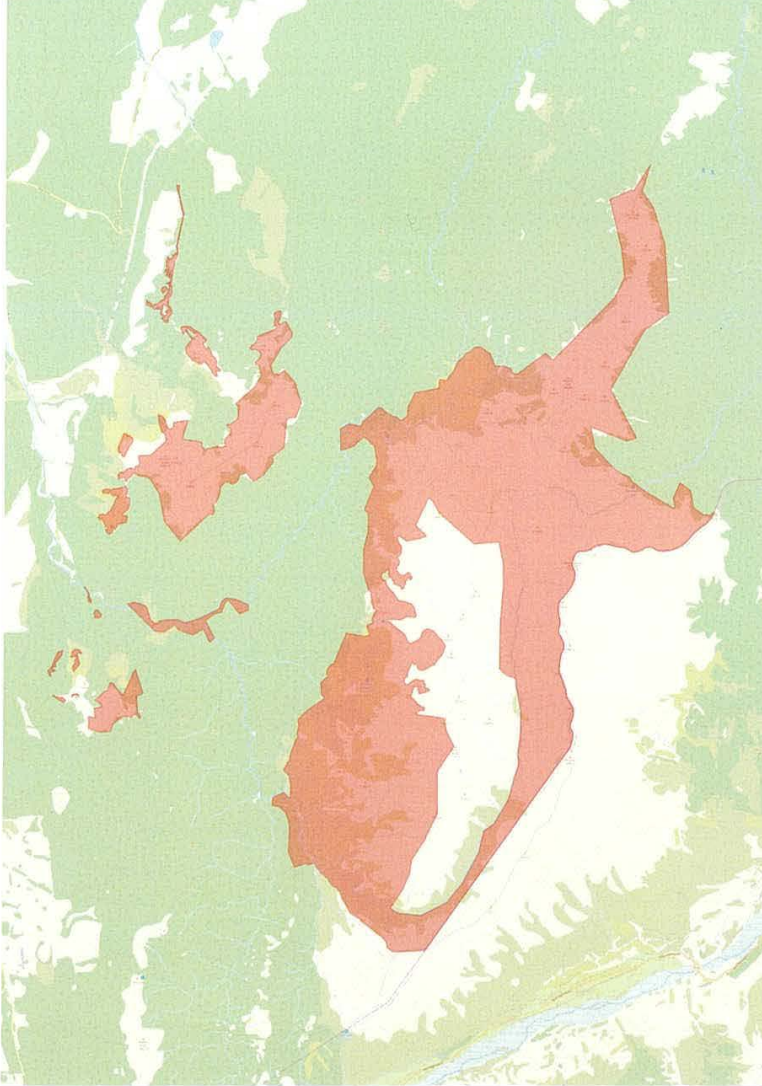


 Pest Conifer Progressive Containment Area

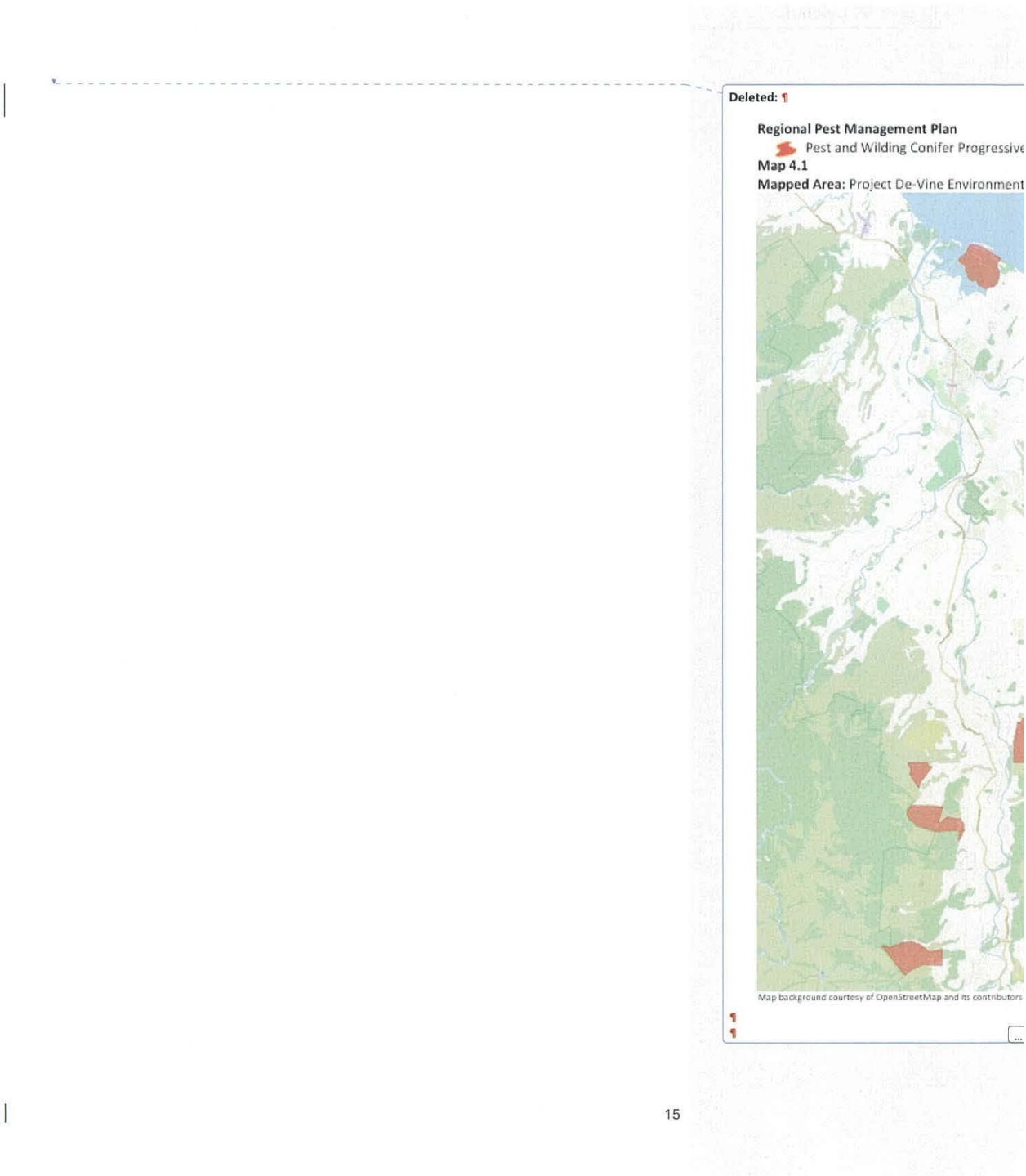
Map 4.32

Mapped Area: Mt Richmond MU – Red Hills

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Map background courtesy of OpenStreetMap and its contributors



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