



**MINUTES OF A MEETING OF THE HEARINGS PANEL
TO HEAR SUBMISSIONS ON PROPOSED
REGIONAL PEST MANAGEMENT PLAN**

- DATES:** 5, 6 & 9 July 2018
- TIME:** 5 & 6 July 2018: Commences at 9.00am
9 July 2018: Commences at 12.30pm
- VENUE:** Council Chamber
Hawke's Bay Regional Council
159 Dalton Street, Napier
- PRESENT:** John Simmons (Chairman)
Councillor Paul Bailey (Regional Councillor)
Tom Belford (Regional Councillor)
Apiati Tapine (Regional Planning Committee Representative)
- IN ATTENDANCE:** Campbell Leckie (Manager Catchment Services)
Mark Mitchell (Principal Biosecurity Advisor)
Janeen Kydd-Smith (Sage Planning)
Debbie Phillips (Minutes)
- APOLOGIES:** There were no apologies.

DAY 1 – Thursday 5 July 2018

1. WELCOME

Chairman Simmons introduced members of the hearing panel to the public and welcomed all present to the hearings which were to be held over the next three days. He advised that the hearings were being recorded and he outlined the process for the hearings together with housekeeping details.

It was noted that the Tangata Whenua (Submitter No 12) had indicated they would now like to present their submission, so this had been added to the hearing schedule for today at 10.45am.

2. KARAKIA

Chairman Simmons invited Mr Apiata Tapine to open the hearing with a karakia.

3. CONSIDERATION OF GENERAL BUSINESS

There were no items of general business.

4. SUBMISSIONS ON PROPOSED REGIONAL PEST MANAGEMENT PLAN (RPMP) OPENING PRESENTATION

Recording Start No: 00:06:28

Recording Finish No: 01:08:12

4.1. Staff Presentation/Overview and Summary of Submissions

Campbell Leckie and Mark Mitchell gave a joint presentation on the on the RPMP.

Campbell commenced the staff presentation by outlining the statutory context for the RPMP and outlined some key changes proposed in the Plan. He highlighted that the Biosecurity Act was a separate piece of legislation with different context and criteria compared to the Resource Management Act (RMA) but they both operated in a way that at national and regional level they were complimentary to each other.

It was noted that changes to Biosecurity Act in 2012 included Good Neighbour Rules (GNR) and that National Policy Direction (NPD) set details of how changes to the Act are to be implemented. He also discussed Cost Benefit Analysis (CBA).

Key Messages, Changes and Recommendations in the Staff Report were summarised and discussed, and staff answered questions from the panel around the various issues associated with these.

Key Messages:

- Strong support for inclusion of predator control programme.
- Strengthening PCA programme.
- Strong support for increasing surveillance programme.
- 94% support for marine pest programme.

Key Changes:

- Possum Control Programme – reduction of RTC Target from 5% to 4.
- Addition of Good Neighbour Rule (GNR).

- Chilean Needle Grass - rule around managing crops and pasture (ie, additional pathway management etc).

Key Recommendations:

- Increase RTC requirement for possum GNR from 4% to 5%.
- Commitment to tangata whenua in developing closer relationships in Biosecurity space.
- Closer alignment of clean hull rule in CRMS.
- Addition of hedgehogs and three wilding pine species.
- Amendment to Section 6.5, clearly listing sites of ecological importance.
- Moved Yellow Bristle Grass from “Exclusion” to “Sustained Control”.

The meeting adjourned for morning tea at 10.10am and reconvened at 10.30am

4.2. Submission from: Garth Eyles

Submitter No: 20

Submission Presented by: Mr Garth Eyles

Presentation Recording Start No: 00:01:03

Presentation Recording Finish No: 00:19:17

Mr Eyles was welcomed to the meeting and introduced to the Hearings Panel. He spoke to his submission, highlighting the main points and answering questions from the Panel as follows:

Main Points:

- 4.2.1. *Woolly Nightshade* – the objective should be eradication, not progressive containment.
- 4.2.2. *Velvet Leaf* – can see no reason why this plant is not included for eradication. It is new in New Zealand and isn’t fully established.
- 4.2.3. *Old Man’s Beard* – Mr Eyles referred to the history he had written about Old Man’s Beard and stressed that if HBRC did decide to do something with Old Man’s Beard, it needed to be done properly and would require a significant investment.
- 4.2.4. *Privet* – Mr Eyles outlined the significant ill health some people experienced from privet. He felt HBRC’s proposed response to introduce a doctor’s certificate before consideration was given to controlling the property in surrounding areas, was not reasonable.
- 4.2.5. *Deer* – Herds of 20-30 deer are on the increase on hill country and farmland (eg, Rissington). QEII is recommending deer proof fences now around blocks. There is a potential major problem developing in the Ruahines, Kawekas and Kaimanawa Ranges. When HBRC was formed the attitude was that the ranges were controlled by DOC so it was left to them to manage, however deer numbers are increasing again.
- 4.2.6. *Monitoring* – Noxious plants can’t be identified from satellite imagery/photographs etc because they are individual plants and the only way you can monitor them is for staff to go out and physically hunt for and monitor them.

Questions:

- 4.2.7. Councillor Bailey asked Mr Eyles if he thought increasing the size of the 50 metre control area would help anyone who tested positive for privet. *Mr Eyles said he believed the control area should be the width of the whole urban area.*
- 4.2.8. Councillor Belford asked Mr Eyles, in terms of monitoring, what additional burden he thought would be placed on HBRC by moving to eradication instead of control approach for plant pests, and for his comments on diminishing returns. *Mr Eyles said HBRC needed more staff on the ground to hunt down the noxious plants and work with farmers to find and eradicate them. During his tenure with HBRC his team were required to visit every farm every five years to build up a database of plants. In regard to diminishing returns he said that if the pressure was taken off, numbers would build up again and it was a no win situation.*

4.3. **Submission from: Tangata Whenua Hawke's Bay**

Submitter No: 12

Submission Presented by: Jenny Mauger and Peter Eden

Presentation Recording Start No: 00:19:49

Presentation Recording Finish No: 00:51:31

Mr Apiati Tapine declared a conflict of interest in this submission as he was invited, as a member of the HBRC Regional Planning Committee (RPC), to attend the workshop and he listened to feedback that but he didn't actively participate in the development of the submission and didn't see the contents of it until it was provided back to the RPC.

Ms Mauger and Mr Eden were welcomed to the meeting and introduced to the Hearings Panel. The submitters distributed copies of their presentation notes to the panel for their information and spoke to their submission, highlighting the main points and answering questions from the Panel as follows:

Main Points/Questions:

- 4.3.1. Reflection on some of the history re engaging with tangata whenua (lack of).
- 4.3.2. Support the RPMP.
- 4.3.3. Maori land that is undeveloped (e.g. up in the Ranges) should be exempt from the GNR.
- 4.3.4. Staff Recommendation 12.5 – HBRC's concept of "unproductive land" does not take into account Maori values and aspirations. Definitions in some of the terminology within the Council needs to be looked at.
- 4.3.5. Staff recommendation 12.6 – support working with HBRC and other agencies. Different Treaty Settlement groups – does not take away the connection of Kaitiakitanga in managing the resource. Council needs to be aware of this when working with Maori land trusts – as it may be different when working with Iwi. Trusts make the decisions and are guardians or Kaitiaki of those blocks of land.
- 4.3.6. Monitoring – Recommendation 12.9 and 12.6 – would like to see wording extended to conclude with "authentic relationships with tangata whenua".
- 4.3.7. Recommendation 12.8 would like reasons strengthened. Maori are forward thinking in some of their recommendations – when looking at it holistically, whether it's confusion between BSA and RMA, but when governing whenua then it is all important.
- 4.3.8. Glossary – staff have picked up their recommendation to expand on Maori terms – appreciated. Submission notes outlined the different Maori terms about water.

- 4.3.9. Recommendation 12.15 re Non-toxic methods – thank you for future research into methods of control to reach 4% RTC ultimately using non-toxic methods.
- 4.3.10. Possible implications of 1080 as a control measure on products and services.
- 4.3.11. Referred to preferred applications/methods for Maori from an economic perspective is to create employment and get people into work.
- 4.3.12. Want to design a pest management partnership with tangata whenua.
- 4.3.13. Aquatic environment – encourage HBRC’s engagement of biosecurity experts who can apply principles to both terrestrial and aquatic environments going forward.

Questions:

- 4.3.14. Councillor Bailey asked if the submitter had a mandate from the groups who were signatories to the submission? *Yes – there was actually a wider group involved, but if we didn’t get sign off from their boards we didn’t put their names on there.*
- 4.3.15. Councillor Bailey asked about the term “productivity” and concerns around the 500m GNR - was this a concern with the GNR itself or about the resources required to comply with the GNR when it’s on productive land? *Yes - some of the owners of these block have no income, so don’t want to be in a situation where unproductive blocks have to spend money. Need to work out the mechanism about how to implement the policy.*
- 4.3.16. Mr Tapine referred to the second paragraph re exemption for Whenua Maori and Whenua Rahui covenanted land and asked if the submitters could suggest any other mechanisms besides exemption that could be considered? *Mr Eden referred to Pahuwera as an example, and suggested Council could look at options to get young people working. It was about generating potential for young people to generate wealth.*
- 4.3.17. Ms Mauger said she was a fan of catchment groups – *the pest management issue isn’t race based. A solution could be to place this inside a catchment management regime – so all groups involved in those catchments work together in partnership. Supports what is good for the environment.*
- 4.3.18. Mr Eden said Maori need money to participate. We need to think how to work with the regional development fund to help those blocks be developed so they can generate income.
- 4.3.19. Ms Mauger followed up on Mr Eyle’s idea of a ground force – *ideally out of convergence of talent addressing the pest issue we need to talk with EIT, Taratahi etc and get our people into meaningful training and getting them into the hills working on the land – this would have both pest management benefits and economic benefits for our people.*

4.4. Submission from: Chilean Needle Grass (CNG) National Steering Committee

Submitter No: 8

Submission Presented by: Warwick Lissaman

Recording Start No: 00:52:16

Recording Finish No: 01:15:22

Mr Lissaman was welcomed to the meeting via teleconference call and the Chair introduced him to the Hearings Panel. He spoke to his submission highlighting the main points and answering questions from the Panel as follows:

Main Points:

- 4.4.1. Mr Lissaman provided background on his family farming history and his experience with CNG and setting up the action group in Marlborough.
- 4.4.2. He acknowledged HBRC staff responses to his submission, but cautioned that if the CNG classification was changed from “total” to “sustained” control, it would be perceived as a being watered down.
- 4.4.3. Supports the HBRC’s desire for a local community action group to be established – the National Steering Committee has tried to facilitate that process and their aim is to get a meeting in Hawke’s Bay in the future.
- 4.4.4. The RPMP needs to be written in a way that people understand the need for change to stop the spread of this pest. Sustained control doesn’t give the required direction for changing the classification status.
- 4.4.5. Costs benefit analysis rationale – costs and benefits outside the HB region are not identified, doesn’t identify the wider environmental social or economic values.

Questions:

- 4.4.6. The Chair asked Mr Lissaman for his impressions on how effective the Marlborough District Council RPMP is re CNG, to give an indication of resources that the National Steering Committee has, and where those resources come from? *NSC has no resources. Relies on contributions from members. Currently don’t have a member from the HB Region – looking to fill that space. Re the Marlborough RPMP, his committee has challenged them on the use of the words “sustainable control option” in their draft RPMP, and they are now relooking at this.*
- 4.4.7. Councillor Belford said he understood the reasoning for wanting to elevate the status, but in the terms of reference in the CNG National Steering Group submission to the lack of control options available, he asked what they would expect to see HBRC doing differently, operationally? *Mr Lissaman said the classification doesn’t determine the operational plan that HBRC would implement. The wording in the policy and the Plan is critical to the section more the operational plan. If the Plan is seen to be watering something down over time and losing its status, how can you then have the operational support or resourcing to achieve the best environmental outcome? So “don’t dilute the message in terms of the policy, as opposed to the operational practices”.*

4.5. Submission from: Tim Gilbertson

Submitter No: 3

Submission Presented by: Tim Gilbertson

Recording Start No: 01:17:44

Recording Finish No: 01:27:45

Mr Gilbertson was welcomed to the meeting and introduced to the Hearings Panel. He spoke to his submission, highlighting the main points and answering questions from the Panel as follows:

Main Points

- 4.5.1. Mr Gilbertson outlined the background history to his submission on feral cats. He believes the answer is to register cats in the same way as dogs. The mechanism is there through dog rangers and local councils to do manage cats the same way as dogs.

- 4.5.2. HBRC staff say this is a district council responsibility, which is a “cop-out”. He referenced the “Triennial Act (2001 or 2004?)” saying it mandated councils to work cooperatively to save money and achieve specific objectives, so he can’t see why HBRC doesn’t use this to get the other TLAs them on board with this. It seems history is repeating itself - there’s a simple solution and the legal ability is there, but Council isn’t doing it. His neighbour is currently trapping and killing a feral cats at the rate of one a week
- 4.5.3. Mr Gilbertson also referred to the aspect of animal cruelty re dumping of cats etc, and he urged Council to “please do something” about the situation.

Questions:

- 4.5.4. Councillor Belford asked Mr Gilbertson if he thought including feral cats in the predator control programme would achieve anything. The RPMP proposes increasing the possum control programme to include feral cats, this could be region wide. *Mr Gilbertson said yes it’s a step in the right direction, but it’s a national problem and as the environmental agency for the region, HBRC should put pressure on other TLAs under the Triennial Act and lobby central government. All you have to do is get the local councils to introduce a cat registration programme, the same as for dogs.*

The meeting adjourned for lunch at 12 noon and reconvened at 12.30pm

4.6. Submission from: Predator Free NZ Trust

Submitter No: 24

Submission Presented by: Jessi Morgan

Recording Start No: 00:00:08

Recording Finish No: 00:20:26

Ms Morgan was welcomed to the meeting and introduced to the Hearings Panel. She spoke to her submission, highlighting the main points and answering questions from the Panel as follows:

Main Points:

- 4.6.1. Congratulated the Council on the PMP and Cape to City/Predator Free Hawke’s Bay – these initiatives show the forward thinking and progressiveness of HBRC. They were pleased to see the good balance between primary industry and biodiversity requirements.
- 4.6.2. Discussed the issue around the definition of what a “feral cat is”. Commented there is a huge cost to biodiversity and primary production as they are a primary vector for toxoplasmosis.
- 4.6.3. Social attitudes are changing towards cats – eg, Wellington City has introduced compulsory microchipping for cats.
- 4.6.4. Australia has introduced cat free suburbs and cat containment is compulsory in a number of states. The NZ National Cat Management Strategy Group produced a recommended strategy they would like to see as national legislation. Currently the microchipping of cats and a clear definition of feral cats being a microchipped cat sits within a RPMP until the legislation is created.

- 4.6.5. The Auckland Council RPMP defines a feral cat as “Pest Cat” which encompasses stray, dumped, feral cats and any cat that is not actively owned – their definition is “a cat without a registered microchip”. Wellington announced their RPMP this week and included a similar definition. So there is an uptake within regional councils of a clearer definition which enables local authorities to implement site controls. There needs to be definition to protect domestic cats, but control feral cats near urban settlements.

Questions:

- 4.6.6. The Chair asked how Wellington introduced the microchipping requirement. *Ms Morgan said it was through a Bylaw, however legal advice says this is legally tenuous. There was a community driven movement for a predator free community which had overwhelming support for introducing compulsory microchipping.*
- 4.6.7. Councillor Belford asked if she was accepting that a requirement to microchip cats would be a TLA matter, but if HBRC changed the definition in its RPMP to “pest cat”, whether this would put more pressure on TLAs to play a greater enforcement role? *Yes if there are site specific lead programmes identified. A feral cat is a cat without a registered microchip, but the reason a pest cat without a registered microchip is used is because it also encompasses strays and dumped cats – a stray cat can be termed a domestic cat.*
- 4.6.8. Councillor Belford asked Ms Morgan for her comments on the implications of killing cats and opening the door to the next tier of predators to take over. *There are tools to control the other predators – for example, rabbit numbers are not controlled by cats but cat numbers are controlled by the food source. Therefore by controlling rabbits and eliminating them as a food source, you control cat numbers. If cats are removed, there wouldn't be a rodent explosion as we have other tools to control them, but cats do far more damage to biodiversity.*
- 4.6.9. Councillor Baily asked if there were any legal implications/reasons for different definitions? *Ms Morgan said a feral cat definition is an unowned, undomesticated cat. But can also have stray cats – dumped domesticated cats. It's about perception. Greater Wellington Regional Council, in its recently released RPMP, has brought in the same definition as Auckland around a Pest Cat. It was Wellington City Council who brought in the microchipping rule. By including this in the RPMP it gives extra strength to a Bylaw.*
- 4.6.10. Councillor Belford – you support the GNR on possums (4%). Does it concern you to raise it to 5%? *Yes - would prefer 2%.*
- 4.6.11. The Chair asked for Ms Morgan's view on comments from some pro-cat parties who claimed the bulk of the feral cat diet was made up of rats and mice. *I disagree with that claim – the science shows that New Zealand's lizard population is being dissipated by cats.*
- 4.6.12. Councillor Bailey asked Ms Morgan for her comments on the reliability of microchips. *I haven't heard they are not reliable. Don't need an expensive scanner to check whether a cat is microchipped. Could use the ones that dog control officers use already. By having the definition in the RPMP doesn't require HBRC to control cats, but it will enable it to do so if/when it decides to.*
- 4.7. **Submission from: Forest & Bird (Head Office)**
Submitter No: 21
Submission Presented by: Tom Kay

Mr Kay was unable to be contacted to make his Skype presentation, but staff were still trying to make contact with him.

4.8. Submission from: NZ Cat Foundation

Submitter No: 26

Submission Presented by: Anne Batley-Burton & Bob Kerridge

Recording Start No: 00:02:14

Recording Finish No: 00:37:44

Ms Batley-Burton & Mr Kerridge were welcomed to the meeting and introduced to the Hearings Panel. They spoke to their submission, highlighting the main points and answering questions from the Panel as follows:

Main Points:

- 4.8.1. The submitters said they had found the HBRC to be very communicative on the RPMP - there have been a number of situations where they have not had this courtesy so it was appreciated.
- 4.8.2. Mr Kerridge noted that a lot of the investigation and planning in the draft RPMP appeared to come from the National Cat Management Strategy Group which posed certain questions to the NZ Cat Foundation as to the recommendations made by the Group. Mr Kerridge referred to recent discussion in the media which had come from the “demonisation” of cats and outlined the three definitions of cats – ie, “companion”, “stray” and “feral”. One of their main concerns was the suggested structuring down of the definition to refer to only companion and pest cats.
- 4.8.3. Ms Batley-Burton said cats should never be considered pests - stray cats are only those lost or abandoned by irresponsible people and, when managed correctly, pose no greater threat to wildlife than domestic cats.
- 4.8.4. Mr Kerridge tabled an opinion piece he had written entitled “*You can fool some of the people some of the time*”. The science around destruction caused by cats is considered to be flawed, emotive and generalised and does not occur to the extent suggested.
- 4.8.5. To use the term “pest cat” is considered dangerous. Cats, both companion and stray are protected under the Animal Welfare Act. The Cat Code is very careful to distinguish feral cats from domestic cats as they pose a completely different management problem. Feral cat is a definition that has already been labelled as a pest under the Biodiversity Act. To put stray cats into the pest category allows councils to dispense with them as they aren’t protected under the Animal Welfare Act.
- 4.8.6. Reference was made to the problems associated with microchips that fail which could result in a cat being unnecessary killed. While microchips were a good way to reunite cats with their owners, they should not be used to determine if a cat lives or not.
- 4.8.7. There was no mention of creating or supporting cat colonies – cat colonies are not made, they exist. Cats establish the colonies and we maintain them. The colonies are de-sexed and over time die out through attrition.
- 4.8.8. A document from the Auckland Cat Coalition was tabled, entitled “A Handbook” – for the benefit of people wanting to help cat colonies and stray cats.
- 4.8.9. Quoted the American Bar Association – issues arise when government agencies attempt to define cats as feral for management and control purposes while disregarding ownership status, anti-cruelty provision and public opinion. This approach has led to disparate treatment of community cats under the law.
- 4.8.10. Reference was made to the vacuum effect, also the super predator and miso predator – important to keep the top predator, as there can be far more problems if the super predator is removed or diminished.

Questions:

- 4.8.11. Councillor Belford queried the Cat Foundation's challenge of the scientific claims in terms of the impact of cats on other species and the apparent total contradiction in claims between both sides. *Mr Kerridge said the quotes he had given were genuine and that Smithsonian study never took place – it was a proposal for a study but anti-cat lobbyists have used it as evidence.*
- 4.8.12. Councillor Belford referred to the resurgence of bird life in Wellington since microchipping was introduced and asked for comment on this. *There is a general rebound of birds, not just in Wellington. A statement from the Royal Bird Society in England said there was no evidence that cats had an effect on bird life in England.*
- 4.8.13. Councillor Bailey - would you agree that birds in NZ have evolved without mammalian predators? *Yes.*
- 4.8.14. Councillor Bailey raised the question of toxoplasmosis. *We do have a paper on the origin of toxoplasmosis in cats, but I don't have this here with me today. However the suggestion that cats are the main conveyors of toxoplasmosis is something we do question – a lot of it comes from raw meat.*

4.9. Submission from: Federated Farmers

Submitter No: 18

Submission Presented by: Jim Galloway and Matt Wade

Recording Start No: 00:39:43

Recording Finish No: 00:58:32

Mr Galloway and Mr Wade were welcomed to the meeting and introduced to the Hearings Panel. They spoke to their submission, highlighting the main points and answering questions from the Panel as follows:

Main Points:

- 4.9.1. They strongly support GNR to land managed and occupied by Crown, road and rail authorities.
- 4.9.2. Would like to thank Council for accepting several of their recommendations, especially acknowledgement that pest management provides shared benefits the whole region and it needs to be fairly funded.
- 4.9.3. Pleased to see the new predator control programme with its 40%/60% rather than 30%/70% general targeted rate funding split and the inclusion of the GNR.
- 4.9.4. Use of alternative funding sources are great initiatives and urges Council to keep investigating them.
- 4.9.5. CNG – understand where Council is at with this, however they would like Council to investigate biological and other controls, new technology and improve educational material for landowners (especially around machine hygiene and other on-farm control options) and partner with owners/occupiers in known hotspots to control infestations. One thing they would like to see is notification for neighbours and all people in the area so they can work with the grass to stop the spread themselves.
- 4.9.6. Disappointed with the sustained control approach for yellow bristle grass. This is a reminder of the importance of GNR and the need to partner with road/rail authorities and farmers to have effective monitoring programmes. Would like HBRC to provide evidence of why yellow bristle grass can't be eradicated, map areas where it is present and advise neighbouring landowners of the issue. Can CHB and Hastings be treated

differently to northern Hawke's Bay if the majority of infestation is in the Wairoa area for example?

- 4.9.7. Possums – strongly support the possum control programme. Farmers are noticing an increase in the incidence of road kill and it could be timely to remind owners of their obligations and follow up with enforcement.
- 4.9.8. Re rule 10 requiring landowners to maintain possum numbers at or below 4% residual trap catch – forestry is exempt from this requirement and they question this rule.
- 4.9.9. Aware that farmers whose land boundaries forestry blocks and DOC land suffer the halo effect of migratory possums and other pests, and they don't believe this is fair with forestry not being subject to the residual trap catch requirement.
- 4.9.10. Support the inclusion of other species being added to the RPMP as a site specific pest (eg, hedgehogs).
- 4.9.11. Possum control – needs to be greater communication of obligations of the landowners - eg, as a dairy farmer have had a lot of communication with HBRC's environmental team, but little contact from the pest management side – want everyone heading towards the 2050 predator free target. Similarly this applies to weed control – notify farmers of hot spots so they can be proactive in taking extra controls.
- 4.9.12. Wilding conifers, feral goats and deer – can be major problems. Agree with concerns raised by other submitters about hares and magpies.
- 4.9.13. Feral Cats – are a nuisance and a biodiversity hazard – they do carry toxoplasmosis which can have effects on stock, sheep and people.

Questions:

- 4.9.14. Councillor Bailey asked the submitters (1) if they had any idea of the economic effect on the farming community in the region regarding toxoplasmosis and (2) if they thought their members would support bringing other species into the Possum Control Programme. *(1) No, but does have a big effect; (2) Yes.*
 - 4.9.15. Councillor Belford said his reading of the submission is that the submitters felt positive the RPMP addresses the issues they raised, but that they were challenging the GNR which they would like applied more broadly. He asked if they had a concern about whether its application was appropriate for the Crown? *Yes - we want to bring the Crown into the picture and the RPMP is certainly moving in the right direction with that.*
 - 4.9.16. The Chair referred to a comment from the Chairman of the National Steering Committee on CNG around their view that landowners may be reluctant to support the CNG programme. The Chair suggested this was a role the Federated Farmers could assist with in terms of publicity and trying to break down barriers to landowner engagement. He then asked what percentage of landowners in Hawke's Bay were members of the Federated Farmers. *There are 400-500 individual members in the Hawke's Bay region. In terms of landowners it is hard to establish the geographic coverage of the membership.*
- 4.10. **Submission from: Forest & Bird (Head Office)**
Submitter No: 21

A final call had been made to Mr Kay but staff had still been unable to contact him. The panel asked staff to keep trying to see if Mr Kay would be available to make his presentation at 10.45am tomorrow morning instead.

The meeting adjourned on Thursday 5 July 2018 at 2.10pm and reconvened on Friday 6 July 2018 at 9.00am

DAY 2 – Friday 6 July 2018

4.11. Submission from: Mike Healy

Submitter No: 29

Submission Presented by: Mike Healy

Presentation Recording Start No: 00:01:36

Presentation Recording Finish No: 00:10:08

Mr Healy was welcomed to the meeting and introduced to the Hearings Panel. He spoke to his submission, highlighting the main points and answering questions from the Panel as follows:

Main Points:

- 4.11.1. Had discovered Moth Plant in his garden 5-6 years and found the source to be in the corner of a neighbouring property. He contacted HBRC to help with its removal, but was advised this wasn't a plant they could assist with. At that time he resolved the issue with his former neighbour who cut the plant out. Unfortunately there are now many new plants growing which is causing an issue with the seeds dropping and being blown onto his and other adjoining properties.
- 4.11.2. He has noticed that along local walkways, particularly the County Drain, that Moth Plant is at the back of many properties bordering the drain. Near the Riverbend Road end of Wycliffe Street there are also widespread problems with Moth Plant where vines entwined in trees up to 8 metres above ground.
- 4.11.3. He is concerned about the likely long term proliferation of the plant in the urban and adjacent rural land, particularly in drains, rivers and reserves.
- 4.11.4. Considers Moth Plant is still relatively contained in the urban areas in Napier, and that containment and long-term eradication is achievable. It should be recognised as a potential plant pest of regional significance, and a public awareness education programme initiated to educate the public to identify the plant and provide advice on how to remove it. He strongly recommended that Moth Plant be removed from Table 3 – "Organisms of Interest" and classified as "Pest" in Table 2.

Questions:

- 4.11.5. Councillor Baily asked Mr Healy if he thought a public awareness campaign would be enough to control the spread of Moth Plant. *Firstly it needs to be recognised as a potential long-term pest. Not sure if anything has been done around public awareness so it's a time bomb waiting to explode. Now is a good time to do something about it.*

4.12. Submission from: Forest & Bird (Head Office)

Submitter No: 21

The Chairman advised that Forest and Bird had communicated with staff by email submitting their apologies for being unavailable for the skype connection yesterday and advising they weren't available to present their submission today, so they wished to leave their written submission as their entire contribution to this hearing.

4.13. Submission from: Rayonier Matariki Forests

Submitter No: 6

Submission Presented by: Matthew Croft and Dave Burn

Recording Start No: 00:11:28

Recording Finish No: 00:38:27

As the hearings were running ahead of schedule because the Forest and Bird presentation was no longer being made, the panel agreed to hear the submission from Rayonier Matariki Forests early, commencing at 9.11am.

Mr Croft and Mr Burn were welcomed to the meeting and introduced to the Hearings Panel. They spoke to their submission, highlighting the main points and answering questions from the Panel as follows:

Main Points:

- 4.13.1. Their organisation owns and manages 16,000 ha of forest in Hawke's Bay and supports the 5% residual trap catch re Possum Control Area, however they have an issue with the RPMP in terms of the GNR for goats. The submitters referenced their 830 ha Arapanui Forest which had a DOC reserve in the middle surrounded by farmland. In the last 5-7 years they had been harvesting and replanting trees and, while replanting, controlling goats. They've shot over 2,500 goats in the last five years at a cost of over \$10k. Their efforts have been relatively ineffective and an inefficient use of money. They feel that, in effect, they've managed DOC's goats for them which is pushing the costs onto the neighbour.
- 4.13.2. Goats have a huge range for finding food which and can move over many kilometres, therefore a 500m buffer from a neighbouring property boundary is completely ineffective and this should be removed from the RPMP.
- 4.13.3. Goats completely destroy the forest understory - some plantation forests have up to 80% of the biodiversity of a native forest. On farmland, goats rip vegetation off steep 'ugly' land which makes it prone to erosion.
- 4.13.4. The submitters asked if their organisation would qualify to be an area of ecological importance or native plantings as per the biodiversity values referred to in the GNR? Approximately 25% of their land area is not in forest but in rivers, wetlands and native bush.

The submitters tabled some notes and a map for the information of the panel.

Questions:

- 4.13.5. The Chair asked if the reservoir of goats was from farmland or DOC reserve. *No, the reserve is relatively well protected, most are coming from surrounding farmland and mature forests on the other boundaries.*
- 4.13.6. The Chair asked the submitters what their observations were on the role feral deer had on the removal of understory and slope disturbance. *There are deer in our coastal forests, but not large numbers - there are more inland. If you go into forests on the Taupo State Highway you will see hundreds of goats and 20-30 deer.*
- 4.13.7. The Chair asked what deliverable outcome their organisation would to see in terms of goats. *Do the same as possums – control base numbers and move through the region and control goats. Piecemeal is ineffective and unfair.*
- 4.13.8. The Chair asked if this was something the industry would be prepared to contribute to financially. *We can't speak for the rest of the industry, but yes their organisation would be.*

- 4.13.9. The Chair asked the submitters if they thought the 500m buffer worked for possums but not goats in exotic forests and DOC land? *No possums will travel over 500m. What's worked in Hawke's Bay is that all landowners other than large areas of DOC land control possums.*
- 4.13.10. Councillor Bailey asked for clarification that the submitter's objection was more around the GNR not working for goats? *The RPMP states "an occupier adjacent to an area of ecological importance or native plantings", so if our organisation doesn't fit that criteria then the neighbours don't need to control goats within the 500m boundary. The submitters referred to Arapanui forest which had the DOC reserve in the middle. As their organisation's trees were reaching an age where they would be less predated on by goats, they would be scaling back their pest control over the next couple of years. However that meant goats would infiltrate the forest quickly and go onto the DOC reserve. Consequently they could potentially be left having to control the 500m DOC reserve even though the goats have come in from outside their forest. So we get left with costs and responsibility to maintain the buffer even though we've spent many thousands of dollars in the last 7-8 years trying to keep them out of there but to no avail as it hasn't been reciprocated by neighbours.*
- 4.13.11. The Chair asked if DOC contributed anything towards goat control for their reserve in the Arapanui Forest? *They may look for some every now and then, but they don't put a culling team into our forest.*
- 4.13.12. Councillor Belford said a previous submitter was arguing that support fencing should be a bigger part of HBRC's contribution to the problem and he asked the submitters for their view on this? *Fencing can work, but it needs to be expensive and well managed fencing (deer fencing) – at a guess it could be around \$10k per kilometre, so it's not a very practical way of doing things.*
- 4.13.13. Councillor Belford asked whether the submitters knew if there was a forestry position on this as he didn't recall any other forestry voice making a submission. *Yes there should have been something from the Hawke's Bay Forestry Group, but it may have flown under the radar. The submitters asked if Council could come back to them re their earlier question of whether their organisation fitted the criteria of being "an occupier adjacent to an area of ecological importance or native plantings", so they could take it back to the Hawke's Bay Forestry Group for feedback.*
- 4.13.14. Councillor Belford said HBRC was looking to invest \$100m in tree planting in Hawke's Bay over the next few years and asked if they thought this would be a waste of money if goats weren't dealt with more effectively than proposed in the RPMP? *Yes it would.*

4.14. Submission from: Ministry for Primary Industries

Submitter No: 16

Submission Presented by: Wayne Murphy & Tamsin Page

Recording Start No: 00:00:01

Recording Finish No: 00:41:55

Mr Murphy and Ms Page joined the meeting by teleconference and Skype respectively. The Chair welcomed them and introduced them to the Hearings Panel. They spoke to their submission, highlighting the main points and answering questions from the Panel as follows:

Main Points:

- 4.14.1. Mr Murphy introduced both himself (MPI senior advisor to the national wilding conifer management strategy/programmes) and Ms Page (independent consultant working with MPI who would be speaking to the submission in relation to wilding conifers).
- 4.14.2. MPI supports many of the RPMP provisions and their presentation was to expand on their original submission and demonstrate why the points they raised were important to the national programme and the Hawke's Bay Region.
- 4.14.3. Ms Page spoke about including wilding conifers as a pest in the RPMP and including several additional species as pests in the plan alongside Contorta. This was an area that often gets confused. The recommendation in the staff report was to reject the inclusion of wilding conifers as a pest in the RPMP. The rationale given for this was that species listed in Table 1 of MPI's submission were not considered as high risk in Hawke's Bay and instead staff recommend that the species in Table 1 be included in the RPMP as organisms of interest.
- 4.14.4. The species listed in table 1 of MPI's submission weren't intended to be treated as pests or to be organisms of interest in their own right. It was "Wilding Conifers" as a class or description of organism that was sought to be included as a pest. In the regulatory management of Wilding Conifers this is an important distinction and it is why a lot of effort went into establishing the definition of wilding conifers. The species in Table 1 form a part of the definition of Wilding Conifers and it is a non-exhaustive list. It is not for the listed species to be declared as pests, but that the list forms a part of the definition of Wilding Conifers and it is Wilding Conifers that is being sought to be declared a pest in the RPMP. The key point is trees are either introduced or wild (ie, not deliberately planted) – she referred to sections 52 & 53 of the Biosecurity Act.
- 4.14.5. The definition of Wilding Conifers (with Table 1) is taken from the 2016 guidance document and was developed and agreed to by a wide range of stakeholders. An important part of this was to get some more widespread acknowledgement of wilding conifers being recognised as a pest, regardless of the species. MPI is encouraging regional councils to ensure some regulatory backup to support and protect the public investment being made through the national wilding conifer control programme.
- 4.14.6. MPI is also encouraging regional councils to consider including a "maintenance" rule in their RPMPs, classifying Wilding Conifers as a pest and including a rule that would be triggered if publicly funded wilding conifer control is undertaken. So if public money is being spent on removing wilding conifers, the subsequent responsibility for maintaining the land clear of wilding conifers is transferred to landowners.
- 4.14.7. If only Contorta is included in the RPMP and not Wilding Conifers as a pest, HBRC won't be able to control any other species of wildings besides Contorta. So Wilding Conifers should be included in the RPMP as per the MPI definition. If that is accepted, refer to the 2016 guidelines which include a suite of potential rules and other provisions/information to draw on.
- 4.14.8. Including specific conifer species as pests in the RPMP in addition to Contorta – MPI sought to have Scots Pine, Mountain Pine, Dwarf Mountain Pine and European Large included. The recommendation from HBRC staff is to accept the first three of the four species, however MPI would prefer inclusion of all four. This request is "species specific" rather than including a description of an organism as in the case of Wilding Conifers.

- 4.14.9. Inclusion of a GNR – MPI sought the inclusion of a GNR, and although the suggested text refers only to wilding conifers, they recommend the wording be amended so the control requirement could apply to Wilding Conifers or to any of the specific conifer species declared as pests. The requested GNR would apply to all neighbours, including the Crown, and would complement the maintenance type rule referred to earlier.
- 4.14.10. Mr Murphy gave some local context to the pilot programme currently under way which MPI had been given funding for in 2016. This scheme was now its third year, and total funding from various sources amounted to \$22.5M to the end of June 2019. Of this amount \$3.8M was being spent in Kaimanawa management unit which straddled the regional boundary and touched the Hawke's Bay Region. MPI would like the government to extend the programme to build on phase 1. If this was successful, it could potentially see a further \$4.9M being invested in the Kaimanawa area and possibly \$2.6M in the Hawke's Bay region, mainly in the Rangateiki area.

Questions:

- 4.14.11. The Chair clarified the three points Ms Page covered – ie, including the definition of Wilding Conifers in its full form; including a rule relating to triggering the publicly funded conifer control and maintenance of land to keep it clear after the publicly funded control; and to revisit the GNR to ensure there is one rule in relation to wilding conifers. *Ms Page clarified that MPI's request was for Wilding Conifers be included as a pest in Table 1 of the RPMP. Wilding Conifers should go into column 1 of the table and the definition put in the second column. Treat Wilding Conifers as the pest, and then have Contorta as a pest on its own (whether it's planting or a wilding) and potentially the other species that MPI sought to be included. They would also ideally like a rule included that would be triggered by public control of wilding conifers and then revisiting the GNR.*
- 4.14.12. The Chair asked if the funding for the Kaimanawa Range and additional funding for Rangitaiki area was mostly for Contorta? *Mr Murphy responded saying whatever and wherever the wilding species were they would be cleared out and responsibility would be on the land occupier to maintain it after that.*
- 4.14.13. The Chair asked if this relied on the rules in the RPMP, not agreements with landowners? *No we have several rules in place that give a backstop to prevent re-infestation. The legacy issues are so great in many areas that it's beyond the resources of land occupiers to knock it back so it requires some public funding. Pleased with what have seen in Phase 1, so want it to be carried into Phase 2 of the national programme.*
- 4.14.14. The Chair asked for clarification that MPI was relying on RPMPs to follow up the maintenance work? *Yes.*
- 4.14.15. Councillor Belford asked about MPI's recommendation to add a GNR – the proposal is to treat wildings, what is added by the GNR? *At the moment treat pinus contorta only. You just have one rule to have all landowners to remove this species from their land. This rule may not be appropriate if only have wilding conifers. Therefore, if it isn't appropriate to have such a rule, then need to consider what you could have. One is the rule triggered if publicly funded control work done on your land then landowners are then required to maintain. But if you have landowners who have not have publicly removed wildings on their land, then they are not required to remove and they could infest your land and you are stuck with a requirement under the BSA. Also doesn't assist those landowners that have paid for their own removal.*
- 4.14.16. Councillor Belford asked about the statement in the staff analysis regarding a GNR only applying to the Crown? *No it applies to any occupier, including the Crown.*

4.14.17. Councillor Belford referred to MPI's comment that it had looked at HBRC's overall Cost Benefit Analysis (CBA) supporting the various aspects of HBRC's RPMP and that they had no issue with it. He asked for further comment on this as the DOC submission was questioning Council's methodology/approach to the CBA? *Mr Murphy said he had noted that comment as well but he wasn't involved in this area when the submission was developed, so he was unable to add anything further or provide comment on another's submitter's view.*

4.14.18. The Chair asked Mr Murphy if he could discuss the point around the CBA with Mike Hare' or John Sanson and provide an email of validation to the panel on this. *Yes.*

The meeting adjourned at 10.35am until lunchtime at and reconvened at 12.55pm

4.15. Submission from: Department of Conservation

Submitter No: 17

Submission Presented by: Bill Fleury, Chris Visser and Moana Smith-Dunlop

Recording Start No: 00:02:03

Recording Finish No: 00:52:53

Mr Fluery, Ms Visser and Ms Smith-Dunlop were welcomed to the meeting and introduced to the Hearings Panel. They spoke to their submission, highlighting the main points and answering questions from the Panel as follows:

Main Points:

4.15.1. The submitters introduced themselves and outlined their roles within DOC. DOC valued their strong working relationship with HBRC and are excited about local predator free initiatives.

4.15.2. *Cost Benefit Analysis* – in their original submission, DOC had problems with the CBA work done in support of the RPMP. They acknowledged that staff have said the CBA will be reviewed, but they are not sure what will happen if there is a different CBA outcome as a consequence of this. DOC doesn't believe it has misrepresented data in the CBA and that, from commentary they've seen from the report authors, they are along the right lines.

4.15.3. *Strategic Context* – Addressed the way the strategic context is outlined and explained in the RPMP. They sought to identify where they consider the compulsion provisions of the BSA are likely to be less effective than the advocacy and negotiated voluntary agreements etc. Compulsion can be less effective in some cases and examples were given of approaches that were operating well outside the formal BSA powers - they would like to see more of these recognised in the context of why a RPMP is required.

4.15.4. *Possums* – the GNR could present an operational budget risk to DOC in the order of \$3M per annum.

4.15.5. DOC supported suggested changes to the written management agreement approach so they can work with HBRC to ensure it delivers pest management that supports the goals of Council.

4.15.6. They recognise the intention of the GNR process is not to put significant additional costs on DOC, but were concerned that in reading responses to some other submissions, this may not be quite the outcome.

4.15.7. Three types of plans for possums - Sustained Control, Eradication, and Site Based Plans. DOC thinks all this activity should be joined together but that the objectives achieved by the different identified intermediate outcomes/objectives be separated. This clarification would help landowners identify their contributions/benefits/costs. Grouping them this way, identifying particular places for intermediate outcomes,

would provide a much better framework for carrying out a CBA for each of the intermediate options. This would allow CBAs to be done for each outcome which would provide useful information to Council in comparing the merits of those approaches. Without this type of information DOC doesn't believe it's possible to do a robust CBA or assess the validity of the potential rules, accept measureable milestones or judge relative contributions that should be made by the various parties.

- 4.15.8. The RTC values for possums on private land are low in the region.
- 4.15.9. Eradication Plan for Mahia Peninsular – while there are no doubt some clear objectives to be achieved at this site, DOC struggles to see how this falls outside the RPMP as it stands at the moment – the RPMP should make it clear how this has come about, what values it will achieve, and for whom.
- 4.15.10. CBA – no inclusion of costs to all parties bound by that particular part of the RPMP – understanding of the Act is that the CBA has to see the contribution of all parties, and the benefits of the collective approach has to exceed the benefits of all parties doing it on their own.
- 4.15.11. Technical Protocol for possums and predators – if you have a particular plan for a particular place and pest in the RPMP, then the technical protocol can be simplified into the technical decisions. Look at how you bring new areas into a possum control area, how you convert a possum control area to an eradication area etc. Those elements sit in a technical protocol, however at present there is a bit of the RPMP in the technical protocols.
- 4.15.12. Written management agreement – happy to see this provision incorporated but think the recommended additions unduly fetter HBRC's ability to make agreement with DOC or any other land owner affected by the GNR. The example was given of DOC having a regime for small mammal control in part of the Ruahine Range where they used an aerial 1080 programme. The area is managed on an "as needs must" basis and will deliver effective possum control – therefore the outcome would be the same. The written agreement should recognise this work as part of meeting the requirements of the RPMP under the GNR which is about reducing the costs for the adjoining landowner.
- 4.15.13. *Old Man's Beard* – DOC is happy with managing OMB within the defined area, but is concerned that ignoring the southern part of the region, particularly the areas bordering the Ruahine and Kaweka forest parks, could see the risk of the pest spreading into forests. The neighbouring Council, Horizons, has a significant programme for OMB to prevent it becoming established in the Ruahine ranges so DOC was concerned this may jeopardise Horizon's objectives.
- 4.15.14. Support MPI's submission re Wilding Conifers.

Questions:

- 4.15.15. Councillor Belford referred to the irony in the OMB discussion where DOC says they think the RPMP needs to be more aggressive because of the impacts of compromising efforts others may be making if Council is too cautious. The panel has heard from other submitters who've made that contention about DOC and it's commitment in some of these areas. Is DOC saying it is apprehensive about the extra burden some aspects of HBRC's programme might put on them? *Yes, we are trying to seek clarification of the objectives to give us a better opportunity to seek additional resources. DOC does have a programme in the Ruahine's if OMB does turn up there. So DOC is covering it on their side but it's a risk on the other side. In regard to other pests, in the current possum control area, DOC manages less than 1% of the total area*

in the plan area, and contributes to the cost of the management of this area. The extent of the possum control area in future will be approximately 2% public conservation land and the majority of that is in a DOC possum control programme. The RPMP should be cognisant of all pest management plans and initiatives that are operating in the region.

- 4.15.16. In response to a comment from the Chair about map boundaries and why DOC thought the GNR was a significant issue in terms of the Hawke's Bay Plan, *Mr Fleury said DOC's planned possum control area was only 35km of boundary adjoining farmland. There was about 14,000km of DOC boundary with farmland in the region. There is often a large area of forestry between the DOC boundary and farmland in some areas.*
- 4.15.17. Councillor Belford asked about the interface between private landowners who feel they have been asked to do a variety of things which adjoin DOC managed land where DOC has not been asked to do these things – are you're saying this is not the case? *Yes, that's my understanding. In regard to the rules around individual species controls on land that private occupiers are required to manage, these are mostly not on land DOC manages. The possum is the only one with the GNR associated with it.*
- 4.15.18. Councillor Bailey referred to DOC's comments on the CBA. *Mr Fleury said the CBA was a critical part of formulating the RPMP - does it deliver greater benefits over and above the costs and would a greater benefit be achieved than would be possible by individuals acting alone? Thinks there were elements of the CBA that were "whacky" (eg, Wallabies).*
- 4.15.19. Councillor Bailey - are you suggesting if there is a pest plant that would be eradicated quite easily, it shouldn't need to go through a CBA and it would be worthwhile making an investment to get rid of it? *Yes, it would be a good investment for future productivity.* Councillor Belford asked if DOC thought HBRC should be more proactive in respect to this. *Yes, better than just watching pests increase/spread.*
- 4.15.20. The Chair said the panel took DOC's point on the CBA, but at the end of the day it would come down to the opinion of HBRC. The panel also noted the point about low incidents/high threats species and that it was better to spend the money now and save those costs, plus that there were some anomalies in the CBA that needed attention. *Mr Fleury said that by revising the objectives around possum and predators, HBRC could end up with a much stronger outcome and a more simplified version of the CBA.*
- 4.15.21. The Chair said the possum control area work is very much a community driven one, and unless there is buy-in from the Crown where a GNR rule required, this potentially undermines the community buy-in. Does DOC accept that is a fundamental position? *In regard to possums, no – don't think it's a significant barrier to the scale of PCAs.*
- 4.15.22. The Chair asked if DOC was completely removed from any management of Te Urewera? *DOC is a member of the Te Urewera Management Board. The land is not Crown land and not owned by Tuhoi – it has its own entity but not sure the Biosecurity Act has caught up with this yet. Unsure what impact this has, however if it is to be treated as occupied or private land, some of HBRC's pest management plans and rules would apply to that.*
- 4.15.23. The Chair asked for comment on DOC's position around feral goats in the Hawke's Bay region. *DOC has an ongoing programme in the Ruahine and Southern Kaweka areas to try and prevent feral goats establishing and growing in population scale growth. Any feral goats found in the Kawekas are destroyed. Goats are a significant biodiversity conservation problem and DOC concentrates most of its resources on individual places*

like around rivers and earthquake slip areas and from land near Te Urewera National Park north of Wairoa.

4.15.24. Councillor Bailey asked if DOC thought goats should be included in GNR? *I think what you are trying to do is put goats under the GNR where you've got a site that you're managing. I think work planned in terms of identifying sites etc that Council is seeking to protect against site based plans will be really valuable. In many cases where Council has those sites in mind, DOC is already contributing.*

4.15.25. The Chair asked for a "guesstimate" on the annual budget DOC had for goat control in the region. *Mr Fleury said he couldn't give a definitive answer on this as the majority of the budget was spent by the Palmerston North Office in the Ruahines and the Gisborne Office in protecting Waikaremoana. If he had to make a guess he would estimate the figure to be in the order of around \$50k - \$60k.*

The meeting adjourned on Friday 6 July 2018 at 1.50pm and reconvened on Monday 9 July 2018 at 12.30pm

DAY 3 – Monday 9 July 2018

5. REQUESTS/QUESTIONS FOR HBRC STAFF FROM HEARING PANEL

Recording Start No: 00:00:01

Recording Finish No: 01:40:38

The Hearing Panel had submitted the following requests and questions for staff to respond to - (staff responses in italics):

- 5.1. Want science-based information from staff on the effects of cats on birdlife? Pull out stats on cat predation from Landcare Research.
 - *Staff tabled some scientific papers for information and advised they had contacted Landcare Research and were awaiting a response.*
- 5.2. Does the Animal Welfare Act protect stray cats? (Will seek legal advice). *Have approached Auckland Regional Council on this.*
 - *No response received from them yet. Auckland definition aligns with Animal Welfare Act and are going to keep the definition of pest cat.*
- 5.3. Has the NZ Companion Animal Council endorsed Auckland Council's definition of 'pest cat' and what is their view on the potential limitations/issues with the reliability/accuracy of microchip scanners for cats (with reference to the NZ Companion Animal Council) - Council will seek this clarity/advice.
 - *Auckland did not receive a submission from the NZ Companion Animal Council. Have not received response yet.*
- 5.4. Provide a list of the species (5-6 of them) submitters have asked to be added to the Pest list (Table 2) and comment on whether they are being dealt with under any other methods/programmes nationally or regionally - so can see if those species are being dealt with by other methods or agencies that sit outside the PMP – so the Panel can see where they sit in the wider context - (can produce this).
 - *Staff tabled a summary of pest plants submitted on numerous times. Don't currently sit within the PMP. Pampas – Council controls it on some high-risk key biosecurity areas*

(wetlands), esp. Mahia. Council's team also answers queries from the public and offers advice to people you ask how to control it. HBRC contributes to the national collective on pampas. Pampas is also included on the national list accord under the Biosecurity Act. Pampas is quite widespread over Hawke's Bay region. Would be very expensive programme to achieve anything meaningful – is planted in many places, including hedges, and used for stock food.

- 5.5. In terms of dune/coastal ecological sites – has Council identified any as significantly ecological areas where Pampas is a threat?
 - *Yes. Removal would be a key part of protecting those ecosystems.*
- 5.6. Would that require Sustained Control/Site-led Programme?
 - *Site led would be better. Don't need rules to get things done to assist with the control of Pampas, unless scaled up the programme to require landowners to control Pampas.*
- 5.7. Is the reason it's not an Organism of Interest because it's not on the MPI register?
 - *Yes, we recommend Pampas be added to the PMP as an Organism of Interest.*
 - *Moth plant is controlled outside the urban areas, education, answer queries, visit sites in the urban areas, at a national level it is on the National Pest Plant Accord, and is a species that has a large focus on biocontrol.*
 - *Hydrilla – regionally we don't do anything. Is part of MPI National Interest Pest Response Programme – managed as an eradication pest from New Zealand. Listed on National Pest Plant Accord. Therefore, dealt with at national level so duplication at regional level unnecessary.*
 - *Hyacinth – similar to Hydrilla.*
 - *Madeira Vine - listed on Pest Plant Accord. In region, the main focus is on the key ecosystems. Is very difficult to control.*
- 5.8. if something is an Organism of Interest, could try something site specific, otherwise just watching?
 - *Yes. Doing a partial Plan review would be easy.*
- 5.9. Could we state more explicitly that we are watching these pests closely enough, so at the 5 year review the status could be changed if the risk becomes elevated?
 - *Yes could say that we are watching these pests closely, and if their risks change in the future then the Plan could be reviewed and changed. Would need a robust monitoring and reporting programme to go with that in order to take that approach. Better to take an approach where say we will keep an eye on them (how to do that will vary for pest), and have ability to have partial review of the PMP and change it.*
- 5.10. Can we make some reference to changes in future being driven by biodiversity programmes?
 - *Yes.*
- 5.11. Chair – doesn't hurt to keep an annual record/do an annual report (i.e. the Annual Operational Plan) of what is happening with each of these species?
 - *Yes, would give the Council a grasp of what's happening for each of the categories – would be anecdotal stuff. Would get a feel for where the risks are from the community's perspective. Could keep a public complaints register.*
- 5.12. Page 84, Section 7 of PMP– once we list them are the automatically included in this monitoring regime? Shows frequency of monitoring, reference to data base.
 - *Yes – could include an additional table in Section 7 to include organisms of interest.*

- 5.13. Old Man's Beard Programme – whether the regional programme is able to be implemented in the southern region to help protect the Ruahine and Kaweka Forest Parks? (Will develop and cost a programme).
- *Staff tabled a map showing the buffer zone for the Old Man's Beard programme – parallels similar with the possum control area buffer – stretches 140km up the range – is 190km all up. Is 9,678 ha of area. If DOC are actively managing it on their side, HBRC could manage it on their side. Would take \$25k annually plus 10 working days for staff = \$40k-50k per annum. GNR route preferred, because progressive containment would increase costs and would need to undertake work regardless of whether DOC did any work. Other option submitter requested is run up SH50 – would be about \$300k per year to make any dent in it. Staff questioned whether this money could be better spent on other pests (e.g. moth plants) where they might be a greater or equal impact.*
- 5.14. Is DOC spending any money on Old Man's Beard on their side?
- *There are no known sites inside their area that are still active.*
- 5.15. If DOC initiates anything, we will respond in kind? But could have a policy that if they actively engage in Old Man's Beard control then HBRC would actively engage in managing it.
- *Whole point of GNR is to get DOC to continue to do their bit.*
- 5.16. Does HBRC still has an active Old Man's Beard programme in the northern part of the region?
- *Yes. There is still a lot of work done, but the horse has bolted in terms of trying to stop it progressing.*
- 5.17. Velvet Leaf – what is its status under MPI? Should it be in the PMP or not?
- *Have two known sites where it produces seed. Would be a lot to lose if left to MPI and they did nothing. Including rules ensures that it is actively being managed long-term. Will add text to the plan stating this is MPI's responsibility and that it is being included in this plan to give HBRC the powers to assist MPI. Will also add further clarification in PMP around MPI being the management agency, but that HBRC wants to be prepared to act in collaboration.*
- 5.18. Deer – how do staff see site-led programmes being inclusive of deer control? (Catchment approach outside the Plan).
- *Staff tabled an email from Campbell Leckie to Mark Mitchell on goats and feral deer. There is the ability to use the PMP as a tool to set up goat coordinated plans for individual Goat Coordinated Management Areas, in catchments that want to protect (like Possum Control Programmes). Would need 75% sign-up by landowners. Council would do initial knock-down of the species, landowners through Biosecurity Act to do maintenance thereafter. Council would provide ongoing landowner support and assist them where necessary with maintenance so their financial burden is not greater than their neighbours – eg, Maungaharuru Range.*
 - *Suggest same catchment approach for Goat Management Areas could be used for deer, but would suggest that Council should make them a voluntary programme – this would enable further work to be done first (on cost, effectiveness, etc.) then could include deer in the PMP further down the track if desired, once it was better known what is required. Should choose a place where specific outcomes are sought (e.g. the regional planting programme) to develop the programme.*
- 5.19. The longer term strategy could be written into the Site-led Programme?
- *Yes, would give the reader a good indication of where the intention lies.*
- 5.20. What definition of 'unproductive land' (or similar) do staff recommend (with reference to the Tangata Whenua HB submission)?

- *Will remove all reference to un-productive and will discuss alternatives with internal staff e.g. non-commercial). Is only used twice in the PMP. Need to make sure that whatever definition is used does not have an undesired effect.*
- 5.21. Sites of cultural significance– how have these been considered/addressed in the PMP? (A paragraph will be added to the Plan outlining the planned approach through the Biodiversity Action Plan, action #2 development of a cultural framework).
- *Will make reference in the PMP as to how this can be integrated. Is not just Maori cultural issues, but cultural issues for other sectors of the community need to be recognised. Cultural values as well as cultural activities.*
- 5.22. Can the key headings in the PMP be amended to include Te Reo?
- *Staff will work with NKII to translate these.*
- 5.23. If a section of the PMP was appealed would that preclude the balance of the PMP becoming operative (even if the balance could be approved)? (Will seek legal advice).
- *Staff forwarded advice received from Michelle.*
- 5.24. Re targets and deliverables for categories in the PMP. For example, Chilean Needle Grass or Privet – what objectives and performance measures are being set for those two species, that you will be evaluate them against in 10 years’ time? (Note: there are some species for eradication with very small areas of infestation – why not just eradicate them in a very short time period? There are species that have been around for years that could be relatively easily eradicated). Idea is to give the readers some appreciation of the target, and how difficult it is to achieve – to achieve accountability.
- *Staff will reassess measures for programmes e.g. numbers of individuals. Reference to IRIS.*
- 5.25. Does exotic forestry fit the Biodiversity site criteria? (No – sites of ecological importance are mapped – will provide these).
- *The planned amended definition is quite clear – is part of response to DOC submission – using RAPs, ecosystem prioritisation and Areas of Special Wildlife Interest – are clearly mapped and aligns with BSA – mapped at property level. If forests meet the criteria, then a rule for pest management means that landowners adjoining the biodiversity site would be required to comply with it. Council would have to work with the adjoining landowners to manage the goats.*
- 5.26. What happens in Year 6 under the GNR – what requirement is there for a neighbour to continue to maintain their site?
- *None.*
- 5.27. Under the ecological site mapping, would 24% of their block show up as an ecological site of regional significance?
- *There are some areas within forests worth protecting. A GNR is a good way to start a conversation between neighbours, which may create a better outcome than a management programme.*
- 5.28. Where landowners are managing feral goats, but the neighbours are not, can they come to the HBRC and ask for a Notice of Direction to be issued by Council to the neighbours. What is Council’s response to that likely to be?
- *Council would talk with both parties, and depending on the outcome of that, Council has the option to require them to enter into a written programme, or undertake goat control within 500m of the boundary. It would be time bound with certain outcomes to be achieved.*

- 5.29. What's the value of goat meat coming out of the Region?
- *In 2015 there were 1,400 tonnes exported (valued at \$7M-\$10M) annually by New Zealand. Majority comes from the east coast of the North Island – probably worth about \$5M.*
- 5.30. What size would the PCA areas be for a feral deer programme if they were based on river catchment areas?
- *Somewhere between 10,000 – 20,000 ha.*

Outputs Sought by the Hearing Panel (as noted by Council Staff) were as follows and, unless otherwise noted in *italics*, these had been completed at the time of this hearing:

- 5.31. Develop a programme for OMB along the Ruahine Range including costings for review by the panel.
- 5.32. Write up a Wilding Conifer programme including a GNR as per MPI's submission. *Need a change to both the Plan and the GNR for Panel to see before it can be ticked off. Mark would work with Tamsin Page and Wayne Murphy on this.*
- 5.33. Clearly articulate that velvetleaf is MPI's responsibility and we have added it our Plan to support this.
- 5.34. Remove reference to unproductive land use a different term.
- 5.35. Amend 2.5 Relationship with Maori to include Biodiversity Strategy action of developing a cultural framework and move this section closer to the front of the Plan.
- 5.36. Translate the headings into Te Reo with NKII.
- 5.37. Add paragraph to the Plan outlining the intent to increase surveillance, education and awareness, what we seek to achieve through a written management agreement and that we would support the formation of a regional Chilean needle grass action group. *Add paragraph to increased focus there.*
- 5.38. Obtain further research on impacts of cats and ask for comment from John Innes (LCR) who has been referenced in the submission by the NZ Cat Foundation.
- 5.39. Find out whether the NZ Companion Animal Council endorses Auckland Council's definition of pest cat and what their view is on the cited failure of cat microchips. *Awaiting response.*
- 5.40. Seek legal advice on if a component of the plan is appealed, would this hold the plan up in its entirety.
- 5.41. Review the monitoring section and assess whether clearer more 'tangible' objectives could be set. *Working on this.*
- 5.42. Cats – seek legal advice on whether there are restrictions on controlling cats. (relating to Animal Welfare Act and the Auckland situation)
- 5.43. Answer question regarding does Forestry classify as a site of ecological importance.
- 5.44. Obtain figures on feral goat meat export value.
- 5.45. What might a deer operational programme look like, catchment approach.

Hearing Process Going Forward

- 5.46. Following deliberations, the Hearing Panel would produce a Minute instructing staff to prepare a Draft Plan.
- Staff would prepare a report on how the Draft Plan meets BSA requirements, key changes to the Plan and the completion of any CBA requirements.

- Once the Hearing Panel receives the staff report, it will make a recommendation to Council for decision.

There being no further presentations from submitters or any further evidence to be tabled on behalf of absent submitters, Chairman Simmons declared the hearings closed at 2.10pm