



# What we heard from our third round of consultation





# Accelerating Protection for Kauri consultation – ROUND 3

From February to April 2019, the Accelerating Protection for Kauri Dieback project carried out its third round of consultation on ways to improve protection for kauri from dieback disease.

In round three we presented a proposed draft NPMP with a series of rules and penalties. We also presented two options for a management agency – a department based one or Crown owned company. We asked for your views on how workable you thought our proposals were, the impacts they might have on you and your community, iwi, business or group, and any major gaps in our plans and proposals. We also asked for ways you thought the agency could best get input from communities.

We also presented the final draft strategy for managing kauri dieback which had been refreshed based on the feedback received from the first two consultation rounds.

We visited a range of communities across the kauri lands and spoke to hundreds of people at marae and community halls. We also met with stakeholder groups with interests in kauri issues and some of the operating standards we were proposing. As well as the oral submissions at meetings, we received more than 100 written submissions.

# OVERVIEW

You were broadly supportive of our plans and what we are trying to achieve to protect kauri.

Key themes that you kept raising through the consultation were:

- Forests play an important role in people's lives, so maintaining access to kauri forests is a priority for many.
- Local communities have a crucial role in leading protection efforts.
- The role of mana whenua and the importance of the Treaty of Waitangi in the programme.
- The need for increased resources and funding for education and practical work.
- The application of science and mātauranga Māori are vital for the future of kauri, and must underpin decisions being made for kauri.
- More detail is required of the proposed rules and management agency.
- Rules for public land should not automatically be imposed on private land.
- Control of other vectors, such as pigs is important.
- The focus should be on assisting people to do the 'right thing', not on prosecution/fines.
- The NPMP rules must "have teeth", but this should be balanced with resourcing activities and information sharing to encourage compliance.
- Whatever form of agency is chosen, most of you wanted funding and support to enable communities and mana whenua to take meaningful action as soon as possible.
- Overall the national strategy was received positively.

Many recreational users raised the need to include in the strategy objectives an understanding of the recreational and wellbeing value of kauri forests.

More detail is required in the NPMP proposal and management agency arrangements to fully and properly recognise the role and distinctive contribution of treaty partners. Mana whenua queried how their involvement will be included in governance, planning, delivery and resourcing of management activities. Iwi/hāpu want an active and key role in protecting kauri, for example, through kaitiaki and mātauranga practices.

Many people see fragmentation and inconsistencies in the programmes and policies regarding kauri forests, including the number of different agencies with overlapping work programmes and potentially competing rules, legislative responsibilities and tools.

There was general agreement on the importance of strong science and mātauranga Māori underpinning decisions being made for kauri, and the need for ongoing funding and support for scientific development. Submitters noted the importance of sharing the science behind key decisions, as well as reporting regularly on science advancement and/or updates.

# ON THE RULES

## **Obligations to report**

Many of you supported the requirement to report the presence of kauri dieback but there were some concerns about how practical this would be, given the difficulty of identifying the disease. Some were concerned that the risk of land closure could mean some people would hold back from reporting. Some of you wanted the ability for information to remain confidential, particularly in relation to private land.

## **Provision of information**

Most of you were comfortable with the requirement to provide information if asked by the agency.

## **Restrictions on movement of soil and PA host plant material**

You generally accepted the need to control the movement of soil and plant material but many of you were confused about how the rule would work and its relationship to other rules in the NPMP and the RMA and other protection rules. Some of you were concerned about the practicality of the rule when it came to things such as washing down trucks entering and leaving forests and farms, or moving on unsealed roads.

## **Risk management plans required for earthworks close to a kauri tree**

While many understood that the aim was to reduce the risk of contaminated soil movement, many of you did not like this rule because you were concerned about the impact it would have on everyday activities on rural and residential properties, such as gardening or farming, or on forestry. Some were concerned that it would be a strong disincentive to have kauri on your property, and could lead to their removal. Some wanted there to be no requirement if soil was staying within the same zone. You also asked that 'earthworks' be clearly defined, and whether it applied to a single tree or a forest area.

## **Movement of kauri and alternative PA host plants and seeds**

You said you wanted consultation in the development of standards that would underpin the rule. Some

of you wanted the standards to take into account whakapapa of kauri, and some were concerned about the impact on traditional seed harvesting.

Some suggested the rules should not apply to plants grown outside natural kauri zones, or those grown in accordance with a standard designed to prevent the spread of kauri dieback, and for it to differentiate between commercial and private plants. And some of you asked that growing media (such as soil or compost) to be included under the rule.

## **Banning the release of animals like pigs, that could spread PA, into kauri forests**

You were very supportive of this rule, and wanted it broadened to other hooved and/or domesticated animals, such as horses. But there was concern about accidental release or its impact on dogs. Many of you expressed concern about the role of pigs in spreading PA and some were concerned about conflict with animal release exemptions under the Wild Animal Control Act.

## **Obligations to use approved hygiene stations when they are available**

Most of you supported the intent of the rule to control soil movement but many expressed concern about the effectiveness of current stations, both in terms of their design and their maintenance. Some were worried people would be punished if a station wasn't working properly. Some thought the rule should focus on educating people to come into the forest clean. Some asked if the rule would apply to dogs being walked, and were worried about the effect of direct contact with chemicals on dogs and people.

## **Public tracks in kauri forests to meet a minimum national standard within three years**

You had many questions and concerns about this rule. Auckland Council was consulting on its track policy at the time and many of you shared your submissions to the council as well as construction ideas.

Some of you were in favour of a standard but thought tracks should be closed until upgraded. Others were concerned that the time allowed was too short and the cost would be too high.

Several people disagreed with the rule and said there was no evidence that upgraded tracks stopped the spread of dieback disease. Some were concerned that upgraded tracks would become bland and less natural, degrading the forest walking experience. Multiple grades of tracks were suggested, depending on the type of track and presence of PA.

Some of you also were concerned about the definition of public tracks – did it include roads, driveways and logging tracks? There were also concerns about the impact on private landowners with tracks on their land, particularly if they could not afford to upgrade them.

### **Obligations to carry out hygiene procedures for off track users**

Most of you accepted the need for this rule but expressed concerns about the practicalities of implementing and enforcing it. As with the cleaning stations rule, some of you said the focus should be on coming in and leaving clean. Commercial organisations said they often operated within an industry cleaning standard and believed it should be accepted. Some of you involved in predator control were worried about the additional costs and time to lay and check traps. Those with dogs wondered if it applied to your pets and how they could be safely cleaned.

### **Obligations to have and implement a kauri dieback management plan if required**

Many of you supported the principle of management plans but there were questions about how it applies in practice and what 'high risk' means. Some people were concerned about alignment with plans required by other agencies, and the additional compliance required. Some of you were also concerned that private landowners may have no experience in developing a plan so wanted the agency to provide templates that were easy to complete and implement.

### **Stock exclusion (e.g, by fencing) from kauri forests**

Most of you agree with this rule but a number of you were worried about its costs and potential to affect farming operations. You also wanted it to be effective and not result in impractical requirements, such as a winding fence through a forest or fencing of a single tree on a farm. There were also requests that any fencing required by the agency be funded by the agency.

### **Creation of designated zones and/or high risk areas**

You expressed mixed views on the designation of zones or high risk areas. Some of you were not sure what purpose they would serve and offered alternative descriptions. Some thought they could be difficult to administer, and there were concerns about how easy it would be to apply rules differently across areas or zones, especially if the same forest had multiple zones. Some of you thought that all kauri areas should be classed as high risk, otherwise it meant some were considered lower priority for protection.

Most of you accepted that any designation of an area should be based on the presence of PA but should be done in consultation with the affected community and/or mana whenua. Some of you said that such designations should apply to public land only.

### **Creation of kauri forest sanctuaries**

Most of you liked the idea of areas where kauri would be protected and preserved, but you often had different ideas of what a sanctuary actually was and how it would be managed. Some were concerned about possible confusion of their status with other types of sanctuary that exist, such as under the Conservation Act. Some of you wanted them to be completely isolated from access and the risk of PA spread, whereas others wanted to keep access so people could see an example of a pristine forest.

Some of you wanted any sanctuaries to be on forest where few people went, as long as other forest was set aside for recreation. Some thought sanctuaries should be declared where rāhui have been put in place. Some wanted buffer zones around sanctuaries where there was increased predator control and restrictions on soil movement.

Most of you wanted community consultation on the criteria and before any sanctuaries were declared, and some said private land shouldn't be made a sanctuary without approval of the owner.

# ON THE AGENCY

You were mainly concerned with ensuring the agency (in whatever form) was not unduly affected by the three-year political cycle or political whims.

Some of you were concerned about the effectiveness of the current kauri dieback programme and believed that a new agency was the chance for a fresh approach. Some of you also liked the idea of it having a board that represents the people with the knowledge involved in saving kauri, such as scientists, property owners, iwi, community conservation organisations and councils.

Many of you did not have confidence or trust in MPI and DOC to effectively administer the NPMP as a department-led agency.

Many who favoured an independent agency liked the idea of an agency focused solely on kauri, with its activities and decisions being made at a distance from political issues and control. You also liked the idea that it could get other sources of funding than government, and allowed for better partnership opportunities, increased flexibility, and greater community involvement.

It was important that the Treaty of Waitangi and Māori values were incorporated into the agency's structure, governance and operation, including the use of rāhui and mātauranga.

Those of you who preferred a government agency, believed it would provide a basis for more consistent funding, political accountability and better access to a range of expertise across government.

## On compensation and funding

Your views were mixed on the idea of compensating people for the impact of the plan and any new rules on businesses and landowners. You expressed a preference for funding support, to encourage people to meet compliance with the rules, over direct compensation.

Where you supported compensation, it was generally related to a loss of business revenue, either direct or indirectly, through something like a loss of productive land due to having to fence it off.

Some people said that compensation should be made available only in very tightly controlled instances where there is destruction of property or business.

