



10 July 2018

Chairperson of the
Environment Select Committee
Level 10, Bowen House
Private Bag 18041,
Wellington 6160

Environment Committee - Briefing on Kauri Dieback - Additional Questions

Further to your correspondence of 7 June 2018, please find below the Ministry for Primary Industries' (MPI) response to the additional questions asked by the Committee.

1. *In your opinion, what went wrong operationally between the Department of Conservation, Ministry of Primary Industries and the Auckland City Council in relation to Kauri Dieback?*

One of the biggest challenges with the Kauri Dieback programme is that it is a partnership programme with shared consensus decision making and shared accountability - but only for the matters within scope of the shared budget.

Operational delivery work (the work 'on the ground' such as track upgrades, pig control work, etc.) is primarily the responsibility of Auckland Council and Department of Conservation as these agencies have maintained autonomy for decisions about the land they administer. This type of work has always been out of scope of the shared programme funding pool and therefore has not been within scope of the consensus decision-making and shared accountability aspects of the programme.

Each partner agency has to manage its own individual priorities, as well as the collective priorities of the programme and take into account individual priorities of other partners. It is seldom straightforward to align all of these aspects. Both Auckland Council and DOC have worked hard to align their operational work with each other and to seek input from wider programme partners.

Historically, the challenges that have faced the programme, and are areas of focus for transition to a new management agency include:

- better aligning a diverse slate of research projects/priorities (currently being addressed through the Strategic Science Advisory Group)
- developing better methods, tools and systems for information sharing and reporting on programme partner activities to the programme
- changes in levels of commitment to the programme over time by some partners
- ensuring role clarity and each partner's understanding how their role fits with and supports the overarching programme.

As noted, while the operational delivery work is primarily the responsibility of Auckland Council and DOC, the programme does seek to influence operational outcomes and has also needed to build an operational toolkit from the ground up.

The operational tools that the programme has developed, to be shared by the partners, include:

- a soil sampling diagnostic tool
- a surveillance methodology
- disinfection materials and infrastructure and
- the identification of priority operational research (e.g. phosphite injection tool trials).

The programme strategy also sets out a framework for improving operational delivery.

2. *What practical steps do you think could have been taken to ensure an improved working relationship between the Department of Conservation, Ministry of Primary Industries and the Auckland City Council in relation to Kauri Dieback?*

MPI, DOC and AC have a close working relationship at many different levels. All parties sit together on governance and various work streams of the programme and there were/are ample opportunities to raise and resolve any relationship issues that may arise.

3. *Were you made aware of what was considered best practice according to the Ministry of Primary Industries in dealing with incursions such as Kauri Dieback and do you believe the Department of Conservation and Auckland Council followed best practice?*

It is assumed this question is not directed at MPI.

4. *Did the Ministry of Primary Industries, Department of Conservation, or Auckland Council consult on any matters with any groups relating to Kauri Dieback and if so how effective was this?*

Consultation and engagement is a key component of the programme. MPI has led engagement with aligned national organisations, such as QEII National Trust, Landcare Trust, Walking Access Commission, philanthropic organisations and science organisations.

The Tangata Whenua Roopu was established to drive national level Māori engagement and involvement and provides a mechanism for hapu and iwi to become involved with the programme. They operate with an \$180,000 budget per annum provided by MPI.

Regional level engagement is typically devolved to the regional partners (DOC, Councils) who hold and manage the on the ground relationships.

Our survey results indicate there is a high level of awareness of kauri dieback as a result of this engagement. While there are numerous opportunities for groups with an interest in kauri dieback to engage with the Programme, we acknowledge there is room to improve this.

5. *Do you think the timeframes to develop a National Pest Management Plan and Management Agency are acceptable in relation to this incursion?*

As advised in our earlier written evidence submission (May 2018) the Kauri Dieback Programme is a collaborative partnership with a shared consensus decision making governance structure.

Whilst use of regulatory tools such as a National Pest Management Plan (NPMP) were examined in 2013, and the programme strategy (from 2014) states that the use of regulatory tools would be assessed, a lack of consensus amongst programme partners meant that this action was not progressed until now.

MPI is confident we have a plan that will deliver an effective and legally robust NPMP in the shortest timeframe possible, whilst still meeting the requirements set out in the Biosecurity Act 1993, and ensuring community and stakeholders have the ability to provide input through a consultation process. We also are focused on ensuring that our obligations to Treaty partners are met. Māori will be part of the design and development process through representation in the project work stream teams and ongoing engagement.

6. *Do you believe that a National Pest Management Plan and Agency will now be an effective way forward to eradicate or manage the disease?*

MPI believes a NPMP administered by a Management Agency will provide a better basis for managing the disease, because it will provide a more enduring model with greater accountability (e.g. an annual operational plan and report must be provided to the Minister for Biosecurity), robust governance, and consistent rules (e.g. setting hygiene standards) that apply across all kaurilands.

This option was also recommended to the programme in December 2015 as the primary regulatory tool for the programme, forming part of a wider regulatory toolbox, however was not progressed due to lack of consensus, and conflicting priorities amongst the programme partners.

Other recommendations as part of that toolkit included;

- use of consent, designation and permitting processes under the RMA and CMA, further supported by
- use of conservation legislation to further enable management of kauri dieback on public conservation lands and private lands (through covenants, kawenata and other forms of agreement with landowners).

It should be noted that at present there is no known cure once a tree has become infected. However, there are tools to reduce risk of spread, and tools are being actively trialled to treat infected trees, and investment is continuing to test and future develop these.

7. *What do you think the statutory or institutional barriers were that prevented this incursion being taken as seriously as compared to say M Bovis or and agricultural/commercial threat?*

Incursions such as *Mycoplasma bovis* are not treated as more 'serious' than kauri dieback, but are generally managed differently to the management of kauri dieback.

The current kauri dieback programme was established under a collaborative partnership with consensus decision making, where partners agreed various roles within the programme and accessed a range of statutory powers and rights as land owners where appropriate. A voluntary compliance approach was widely supported with limited use of regulatory powers by DOC and councils, and with no expectation that MPI would exercise powers under the Biosecurity Act 1993 to manage activities on land administered by programme partners or privately held land. This was the model supported by the programme partners and was thought to be appropriate at the time.

Regional councils and DOC have powers to manage the disease and public access on land they administer. The partners agreed a cost share model across central and regional government to deliver the joint programme initiatives and individually secured funding. There has however been a challenge maintaining all financial commitments, e.g. a period where Auckland Council's investment was reduced by \$100k per annum. This has, however, recently been addressed by a significantly increased investment by Auckland Council.

While the partnership model was considered a practical way to stand up the initial response and establish a long term management programme, it has not proven well-suited to the longer-term needs for managing kauri dieback. At times, consensus decision-making has slowed progress on some issues and excluding most operational work from the programme decision-making scope constrained the ability to implement a fully coordinated programme. There has also been an ongoing constraint on the availability of partner agency staff to support the programme, due to competing priorities.

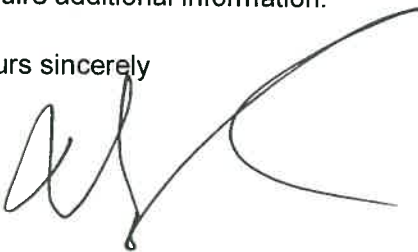
By comparison, responses to new incursions, such as *Mycoplasma bovis*, are managed using MPI's powers under the Biosecurity Act 1993, are underpinned by a single set of regulation and in many cases MPI has the sole or lead decision making role (in consultation with stakeholders).

In the case of kauri dieback, we expect the implementation of an NPMP will strengthen decision making and compliance by applying a consistent set of rules, thereby bringing in a more unified management approach closer to the approach used for other responses.

It should be noted that kauri dieback has been one of MPI's most significant pest management programmes, and that previous crown funding bids for MPI and DOC have been successful. However the first phase of the programme (2009 – 2014) was constrained by a lack of science system funding. This limited the programme's ability to invest in science and tools, but was addressed in part through new funding for the current phase of the programme in Budget 2014 which allocated funding for the development of operational tools and priority research. More recently, there has been a focus on identifying strategic science priorities with a view to greater science investment through MBIE.

I trust that the evidence provided in this letter addresses the Committee's requirements. Please do not hesitate to contact John Sanson, john.sanson@mpi.govt.nz ph: 029 894 0836, should you require additional information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roger Smith', with a long, sweeping horizontal stroke extending to the right.

Roger Smith
Deputy Director-General, Response (*M. Bovis*)
for the Director-General
Ministry for Primary Industries