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**Report 01.760**

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Report to the Policy and Finance Committee  
from Wayne O'Donnell, Manager, Biosecurity

**Appeal Against the Proposed Regional Pest Management Strategy  
2001-2021**

**1. Purpose**

To advise the Committee that an appeal has been received against the Proposed Regional Pest Management Strategy 2001-21.

**2. Background**

The Council approved the Proposed Regional Pest Management Strategy on 23 August 2001. Public notification of Councils' decision occurred on 1 September and all submitters received an individual notification together with an explanation of Councils' decisions on the points raised in their respective submissions. Under the Biosecurity Act 1993, submitters are permitted 15 working days for any appeals to be lodged with the Environment Court

**3. The Appeal**

One appeal has been lodged with the Environment Court. Unfortunately, under the Biosecurity Act, an appeal against one part of a proposed regional pest management strategy means that the whole strategy is held up until the matter is resolved.

This is unlike the Resource Management Act where an appeal against a regional plan does not delay implementation of the non-disputed parts. As a result, the present Regional Pest Management Strategy 1996-2001 will continue to be the basis of the Council's pest management work until the appeal is resolved.

Normally this matter would be reported through the Rural Services & Wairarapa Committee, but this committee is not expected to meet again until December.

The appeal has been lodged by Safari Club International, an organisation that is associated with the hunting of wild game in New Zealand and internationally. The New Zealand 'Chapter' is apparently one of 130 spread worldwide.

The Safari Club International appeal opposes the inclusion of feral deer in the site-led Key Native Ecosystem (KNE) category of the Proposed Regional Pest Management Strategy. To quote their appeal, "Safari Club International (NZ) believes that the inclusion of deer in the Wellington Regional Council's Regional Pest Management Strategy is not in the interests of its members, like-minded organisations, or the public at large. Safari Club International (NZ) believes that the inclusion of deer in the Regional Pest Management Strategy will in fact have a negative effect on both recreational and commercial interests in deer."

#### **4. The KNE Category**

The Proposed Regional Pest Management Strategy states that the KNE programme is a Council initiative to protect and enhance native flora and fauna in selected sites throughout the region.

The Council's aim is to undertake pest control in a representative range of indigenous biodiversity in the region. These may include lowland bush, wetlands, dune systems, coastal escarpments, riparian margins and marine ecosystems. All sites will initially be prioritised on ecological criteria. The number of sites receiving integrated pest management will depend on the priority process, available funding and community involvement.

The Council has previously indicated a desire for work to commence in a range of ecosystems. Historically, the KNE programme has focussed mainly on possum control in indigenous bush remnants. Under the proposed new KNE programme, the amount of feral deer control required on an annual basis is likely to be very small. Nevertheless, Council staff believes that feral deer should be included in the Regional Pest Management Strategy, as there is ample scientific data to validate their negative effects on New Zealand's ecosystems.

Future KNE areas will be required to be legally protected parcels of land (QE II Trust covenants, etc) thus requiring a high landowner commitment to the KNE arrangements. The landowner must also agree to allow integrated pest management of all listed KNE pests. Therefore the landowner would have agreed in each case to deer being a listed pest in terms of enhancing biodiversity on their land.

## 5. Comment

Only one other submission, other than Safari Club International, requested that feral deer be removed from the Proposed Regional Pest Management Strategy. This was by an individual who is a member of that organisation. The majority of submissions supported the proposed KNE programme and a number called for additional species to be added to the KNE pest list.

The appeal seeks to either have the entire KNE programme removed from the Proposed Regional Pest Management Strategy or, as a minimum, to have feral deer removed from the KNE category. On the basis of submissions received, these requests would appear to not be supported by the large majority of our ratepayers. In addition, the initial KNE programme has been functioning extremely well for the past 5 years and it is also financially supported by several of the Territorial Local Authorities.

The appeal argues that Council has failed to comply with a number of statutory requirements identified as prerequisites in the Biosecurity Act. Unfortunately, the Act focuses entirely on individual pests and is very prescriptive with regards to processes, potential impacts, costs and benefits. There is no flexibility in the Act to account for integrated pest management issues. The Act urgently needs to be amended to categorically provide for biodiversity objectives to be included in a regional pest management strategy. It is worth noting that a number of other regional councils have similar site-led programmes in their regional pest management strategies. Support for such an amendment is, therefore, likely to be widespread.

## 6. Mediation

Safari Club International will be invited to discuss their appeal informally to determine whether there are any opportunities to resolve the matter. Cr Buchanan has offered to participate in these discussions. An independent mediator will then be considered if the informal discussions are unsuccessful.

## 7. Recommendations

- (1) *That the report be received.*
- (2) *That the inclusion of feral deer in the KNE category of the Proposed Regional Pest Management Strategy be supported.*
- (3) *That efforts to resolve the appeal through informal discussions or mediation with the appellant be supported.*

- (4) *That officers look at ways of promoting amendments to the Biosecurity Act to make the Act more practical and functional.*

Report prepared by:

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