



Report and Recommendations of the Hearing Panel

Proposed Hawke's Bay Regional Pest Management Plan 2018–2038

Under the Biosecurity Act 1993

A hearing of submissions on the Proposed Hawke's Bay Regional Pest Management Plan 2018-2038 was held in the Hawke's Bay Regional Council Chambers, 159 Dalton Street, Napier on 5th and 6th July 2018 commencing at 9:00am each day, 9 July 2018 commencing at 12.30pm, and 3 August 2018 commencing at 8.30am. Final deliberations were held on the 15 October 2018.

IN ATTENDANCE AT THE HEARING:

**HEARING
PANEL:**

Mr John Simmons (Chair)
Mr Apiata Tapine
Councillor Paul Bailey
Councillor Tom Belford

**HAWKE'S BAY
REGIONAL
COUNCIL:**

Mr Mark Mitchell (Team Leader/Principal Advisor Biosecurity-Biodiversity)
Campbell Leckie (Catchment Services Manager)

**SUBMITTERS
(in order or
appearance):**

Garth Eyles (Submitter #20)
Peter Eden & Jenny Mauger for Tangata Whenua Hawke's Bay (Submitter #12)
Warwick Lissaman for CNG National Steering Committee (Submitter #8)
Tim Gilbertson (Submitter # 3)
Jessi Morgan for Predator Free NZ Trust (Submitter #25)
Anne Batley-Burton & Bob Kerridge for The New Zealand Cat Foundation/Feline Rights New Zealand (Submitter #26)
Jim Galloway & Matt Wade for Federated Farmers of New Zealand (Submitter #18)
Mike Healy (Submitter #29)
Matt Croft & Dave Burns for Rayonier Matariki Forests (Submitter #6)
Tamsin Page & Wayne Murphy for Ministry of Primary Industries (Submitter #16)
Chris Visser, Bill Fleury & Moana Smith-Dunlop for Department of Conservation (Submitter #17)

**IN
ATTENDANCE:**

Janeen Kydd-Smith (Consultant)
Debbie Phillips (Executive Assistant to Group Managers of Corporate Services and Regulation)

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APPENDIX 1 Hearing Panel Recommendations on Submissions

APPENDIX 2 Hawke’s Bay Regional Pest Management Plan 2018-2038 (attached as a separate document)

APPENDIX 3 Minutes of the Hearing Panel

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1. INTRODUCTION

- [1] At its meeting on 24 April 2018 the Hawke's Bay Regional Council ('the Council') under clause 32 of Schedule 7 of the Local Government Act 2002 appointed us as the Hearing Panel on the "Proposed Hawke's Bay Regional Pest Management Plan 2018 – 2038" ('the Plan' / 'RPMP').
- [2] The Council delegated to us the powers, functions and duties of the Council set out in:
 - a) Sections 71 to 74 (excluding section 72(5) and sections 100D(6)(b) of the Biosecurity Act 1993 ('BSA' / 'the Act') in respect of the Plan; and
 - b) Sections 75(1) and 75(2) of the BSA to prepare a written report on the Plan.
- [3] These include the powers, functions and duties of hearing submissions on the Proposed Hawke's Bay Regional Pest Management Plan and making recommendations to the Council on the Hawke's Bay Regional Pest Management Plan.
- [4] The Hawke's Bay Regional Pest Management Plan 2018-2038 is to replace the Hawke's Bay Regional Pest Management Strategy 2013.
- [5] Part 5 of the BSA sets out a six-step process that must be followed when making a regional pest management plan (set out in sections 70 to 75 of the BSA). Steps 1 to 3 have been completed. This report addresses the remainder of Steps 4, 5 and 6 of the process, including our recommendations on the Plan, together with reasons for accepting or rejecting submissions lodged on the Proposal.
- [6] A table setting out our reasons for accepting or rejecting submissions lodged on the Proposal is attached as **Appendix 1**. A copy of the Plan incorporating our recommendations is attached as **Appendix 2**.

2. OVERVIEW OF THE PROPOSED REGIONAL PEST MANAGEMENT PLAN

- [7] The Council staff provided an overview of the preparation and purpose of a regional pest management plan in its opening presentation. Essentially, a pest management plan provides a regulatory tool that is part of the tool box for the management of pests within a region. It is developed in accordance with the process set out in the BSA and has mandatory content as set out in that Act. It works alongside other plans and strategies developed under other legislation such as the Resource Management Act 1991, the Conservation Act 1987, the Wild Animal Control Act 1977 and the Wildlife Act 1953.
- [8] Alongside the RPMP sit a range of non-regulatory actions and approaches that form part of a management agency's response to pests. In the case of the regional council, this includes research and development, physical works and delivery for non-regulatory site led programmes, surveillance and investigation, and working alongside the central government through the Ministry for Primary Industries ('MPI') and Department of Conservation ('DOC') on matters such as incursion response and the National Wilding Conifer Management Strategy.
- [9] The RPMP defines two classes of species:
 - a) Pests – organisms that are specified in the Plan as pests, and which can cause adverse effects to production or to biodiversity; and
 - b) Organism of Interest – an organism that poses a sufficient future risk to warrant being watch-listed for ongoing surveillance or future control opportunities.

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- [10] A number of organisms have also been declared nationally as Unwanted Organisms which means that these organisms are prohibited from sale, propagation and distribution in accordance with sections 52 and 53 of the BSA. The list of Unwanted Organisms is available on the MPI website.
- [11] The Council has refined the form of the RPMP from its initiation as a Proposal, through to the final draft RPMP.
- [12] We find the structure of the RPMP is logical and sound and enables users to navigate the document with relative ease. It is compiled in three parts:
- a) Front end (sections 1 through to 5), including statutory background and responsibilities and obligations under the Plan;
 - b) Middle section (section 6), including pest declarations, objectives, and rules to be complied with, pest descriptions and programmes, and monitoring; and
 - c) Back end (section 7 through to 9), including powers under the Plan (including exemptions) and cost allocation.
- [13] The RPMP sets out a number of responsibilities for the Council. It identifies the management agency for management of pest species for the region, which in the case of Hawke's Bay, is the Hawke's Bay Regional Council.
- [14] The purpose of the Plan is to outline a framework to efficiently and effectively manage, eradicate or exclude specified organisms in the region, that will:
- a) minimise the actual or potential adverse or unintended effects associated with those organisms;
 - b) lead to certain organisms being eradicated, the extent of some being reduced and others that are well established being contained;
 - c) monitor the presence of declared pests in the region; and
 - d) facilitate efficient pest control through a regionally co-ordinated approach.
- [15] The Plan will empower the Council to exercise the relevant advisory, service delivery, regulatory and funding provisions available under the Act to deliver the specific objectives identified in Part Two: Pest Management.
- [16] Overall, we are satisfied that the RPMP structure, as refined in response to submissions and questions from the Panel, is appropriate.

3. NOTIFICATION AND SUBMISSIONS RECEIVED

- [17] The Proposed Pest Management Plan was publicly notified for submissions on 2 February 2018 and submissions closed on 16 March 2018. A total of 54 submissions were received.
- [18] The Staff Recommendations Report contains a list of the submitters and a table summarising the submission points and decisions requested by each submitter. We do not see the need to repeat that level of detail in this decision and instead we simply address the key issues raised under Matters Raised in Submissions section (Section 5) of this report.

4. THE HEARING PROCESS

- [19] The public hearing was held on 5th, 6th and 9th July 2018, and 3 August 2018 at the Hawke's Bay Regional Council Chambers in Napier.
- [20] We issued directions for the hearing in Minute 1 and recorded acknowledgement of potential conflicts of interest. No concerns were raised regarding conflicts in the course of the hearing.

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- [21] We recorded six Late Submissions in Minute 1 and recorded our acceptance of the Late Submissions as valid submissions on the Plan.
- [22] One late submission was received after Minute 1, being lodged two months after the consultation closing date. Consultation was open for a period of six weeks. The submitter could not provide a reason for the lateness therefore it was not accepted.
- [23] Council staff presented an overview and a summary of submissions on the Plan. This was followed by presentations by individual submitters.
- [24] We set out in Minute 2 (dated 20 July 2018) some key questions that had arisen during the hearing from the review of the Officer's report and submissions, the answers to which would assist us in our consideration of the Plan. We directed Council staff to respond to the questions in writing by 5pm, 30 July 2018. Council staff provided their reply to our questions and placed a copy of the staff response on the Council website.
- [25] The hearing enabled submitters to present their submissions to us in a public forum. Where we had questions of submitters we asked these during the hearing and also provided for opportunities for clarification from the parties.
- [26] We are grateful to Council staff for the Officer's report and acknowledge the work that put into its preparation. We also thank submitters for their thoughtful, informed and helpful submissions which we have carefully considered in making our recommendations.
- [27] We are satisfied that no party has raised any procedural matters in relation to the process and hearings that would be required to be addressed in this report.

5. MATTERS RAISED IN SUBMISSIONS & FINDINGS

- [28] At the hearing we heard from the Council officers and submitters. The following section sets out the key matters that were raised in submissions. While only some of the submitters chose to be heard, we have considered all submissions and have provided a response to each in **Appendix 1**. This includes consideration of the presentations by Council officers and reports we have received together with evidence lodged and verbal presentations by submitters, including responses to questions of the Hearing Panel.
- [29] The key matters arising are as follows:
- i. General Matters
 - a. Section 2.5 Relationship with Māori
 - b. Term 'Unproductive Land'
 - c. Feral Cats
 - d. Velvetleaf
 - e. Biodiversity site criteria
 - f. Possum control on properties less than 4 hectares
 - g. Possum Good Neighbour Rule
 - h. Marine pest programme
 - i. Yellow bristle grass
 - j. Feral deer and rabbits

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- ii. Requests for Additional Pests
 - a. Old Man's Beard Programme
 - b. Hornwort
 - c. Wilding Conifer Programme
 - d. Mothplant
 - e. Feral Goats
 - f. Hedgehogs

5.1 General Matters

5.1.1 Section 2.5 Relationship with Māori

- [30] Submissions were received on Section 2.5 Relationship with Māori. Points raised included moving this section further forward in the Plan, a stronger commitment to work more closely with Tangata Whenua during the engagement process undertaken and the potential use of Mana Whakahono a Rohe to assist this, further definitions to be added to the glossary and amendments to figures within the Plan.
- [31] In response, staff have moved Section 2.5 forward in the Plan to 1.5 and have amended the wording of this section, including a stronger commitment to work closer with Tangata Whenua.
- [32] In the 'staff response to questions issued in Minute 2' staff noted the Mana Whakahono a Rohe could provide the framework for achieving the commitment made in the amended Section 1.5 and has amended this section accordingly. Mana Whakahono provides an opportunity for Council and tangata whenua (through their iwi authority or hapū) to have a meaningful dialogue about their respective visions and objectives for an area. Parties can record in their Mana Whakahono how they could work together to achieve identified outcomes.
- [33] Figures 2 - 5 have also been amended and the following words added to the glossary:
- Mauri;
 - Rohe;
 - Tangata whenua;
 - Taonga;
 - Wai māori

The Plan already includes the following definitions in the glossary: Kaitiaki, Kaitiakitanga, Mana whenua, Nga Whenua Rahui covenant and Wāhi tapu.

- [34] We also directed staff to translate Plan headings into Te Reo.

5.1.2 Term 'Unproductive Land'

- [35] It was raised that the terminology 'unproductive land' is not reflective of the true value of that land. The Panel agrees that the terminology "unproductive land", which was used in the explanation of land that is exempt in paying a targeted rate (land area of more than 200 hectares, of which more than 90% is covered in ungrazed indigenous vegetation), is not appropriate. We accept the staff's response that this section was for the Proposal only and is not included in the Plan. Staff have also made the commitment to use the term 'ungrazed indigenous vegetation' in future publications as a replacement.

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5.1.3 *Feral Cats*

- [36] Multiple submissions were made both for and against the inclusion of feral cats in the Plan and associated definition defining a feral cat. There was concern that the definition included in the Plan may change from 'feral cat' to 'pest cat' which would deem a cat without a microchip as a pest. Conversely there were submissions requesting the definition 'feral cat' be changed to 'pest cat' as this would ensure all unowned wandering cats were included in the definition as a pest.
- [37] Another matter raised was that cats are considered apex predators which contribute to the control of both rodents and mustelids. Removal of such apex predators from an ecosystem will result in what is known as the mesopredator release effect. Other submitters voiced their concerns regarding how cats, both owned or unowned, are highly skilled hunters and very destructive to native wildlife.
- [38] One submitter requested HBRC to make a serious attempt to control feral cats by adopting a similar approach to the problem of stray /wandering /wild dogs.
- [39] Staff recommended retaining feral cats within the Plan with the following definition: "feral cat means any cat living in a wild state and not being kept as a domestic pet".
- [40] The Panel has considered all submissions carefully and recommend the retention of feral cats within the Plan and the following definition: Feral cat means any cat living in a wild state and not being kept as a domestic pet".

5.1.4 *Velvetleaf*

- [41] A request was made to move velvetleaf from Progressive Containment to Eradication. Staff responded stating that successful eradication of velvetleaf will be governed by the Ministry of Primary Industries as they are the lead agency for velvetleaf. This pest has been included in the Plan to equip the Council with the required powers under the BSA to respond immediately in the event of new velvetleaf areas being discovered in the Hawke's Bay region.
- [42] The Panel recommend further text be added to the Plan clearly outlining that Velvetleaf is subject to a national incursion response programme led by the Ministry of Primary Industries and that it has been included within the Plan to enable Council to provide support to MPI to prevent any risk of Velvetleaf spread.

5.1.5 *Biodiversity site criteria*

- [43] A query was raised during the hearing process as to what classified as an 'area of ecological importance' within the site-led programme. The amended definition is now clear, an area of ecological importance is either a:
- a) Ecosystem Prioritisation site (Hawke's Bay Regional Council);
 - b) Recommended Areas for Protection (Department of Conservation); or
 - c) Sites of Special Wildlife Interest (Department of Conservation).

5.1.6 *Possum control on properties less than 4 hectares*

- [44] A request was made that properties less than 4ha be bound by the possum control area programme rule of maintaining possum densities at or below 4% residual catch trap.
- [45] Staff clearly outlined why properties smaller than 4ha are not bound by this rule:

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- a) It is not possible to undertake possum monitoring using the residual trap catch method on a property of this size therefore it is not possible to undertake enforcement action;
- b) Given the average home range of possums in farmland is approximately 30ha, possums are unlikely to live solely on properties less than 4ha. Further, there is good evidence that shows possum home ranges increase significantly (more than 3 times) when possum numbers have been reduced. It is therefore unlikely that these areas are harbouring high possum densities that are then spreading out into farmland area. If adjacent land occupiers have bait stations on the boundary of their properties it is likely they will also be controlling possums on these smaller properties.

- [46] Although areas smaller than 4ha are not bound by the PCA programme rules, they have received initial control and been informed on how to continue possum control. They are also eligible to purchase possum control products through the subsidy scheme. Chew card monitoring is undertaken in areas where there is a cluster of properties smaller than 4ha and staff will notify land occupiers within those areas if possum densities are above a 5% RTC level. There is also the possum advisory contract available for these smaller or residential properties which includes a free first advice consultation on how to manage the issue
- [47] The Panel accepts the staff response and notes that the funding for the possum control area programme comes from 70% targeted rate and 30% general rate, and that the general rate contribution from properties less than 4 ha reflects the benefits they receive. It is also noted that the cost of levying rates for properties smaller than 4ha outweigh the benefits obtained from the extra revenue.

5.1.7 Possum Good Neighbour Rule

- [48] A request was made to increase the possum residual trap catch (RTC) requirement for the Good Neighbour rule from 4% to 5%. The Good Neighbour Rule requires land adjacent to properties within a Possum Control Area to maintain possum densities at or below a specific RTC requirement within a marginal strip no less than 500 metres. This includes Department of Conservation and forestry land.
- [49] Given possum migration from sites at or below 5% RTC would be very low and that an area much larger than 500m would need to be controlled to achieve a 5% RTC, a 5% RTC requirement for the Good Neighbour Rule would not jeopardise the success of the programme. The hearing panel supports the staff recommendation of changing the Good Neighbour Rule RTC requirement from 4% to 5%.

5.1.8 Marine Pest Programme

- [50] Some submitters, including the Minister for Primary Industries, sought changes to Plan Rule 1 and the associated explanation, to closer align with the National Craft Risk Management Standards.
- [51] Staff have amended Plan Rule 1 and explanation accordingly. We support these amendments as it strengthens Plan Rule 1 and adds clarity to the reader.

5.1.9 Yellow bristle grass

- [52] During the development of this Plan, pest plant staff discovered a population of yellow bristle grass in northern Hawkes Bay, primarily growing along roadside margins. It was confirmed as yellow bristle grass by the Plant Identification Service at Landcare Research on 27 March 2018. Given the current extent, number of potential vectors and limited control tools, staff believe eradication is not achievable. Eradication has not been attempted in any other region to date. However, powers under the Biosecurity Act are still required to manage this pest, particularly for vector management.

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- [53] We accept the recommendation that yellow bristle grass be moved to Sustained Control with Council's main focus being on preventing its spread and assisting the community in best practice management. We also note that the estimated cost of this programme (\$10,000 per annum) would be sought through the 2019/2020 Annual Plan process.

5.1.10 Feral deer and rabbits

- [54] Several submissions were received on feral deer and rabbits requesting further regulation. Feral deer are currently addressed under the Site-led Programme which aims to assist land owners in protecting areas of ecological importance. Feral Rabbits are covered under Plan Rule 9 which applies to all land within the region. We consider the current programmes and associated rules in the Plan to be appropriate. We recommend that they are included without change as per our recommendations on submissions (Appendix 1).

5.2 Requests for additional pests

- [55] We received a range of requests for additional pests in the Plan. When deciding whether to include those species in the RPMP, we considered the submissions, the presentation and evidence provided to us in the hearings, and the recommendations from Council officers in relation to those pests.

- [56] Species identified as Organisms of Interest are those which effectively are on a 'watchlist' where the Council may undertake monitoring, or may even undertake site-led control programmes that are outside of the regulatory site-led programmes in the Plan. There are no rules in relation to the Organisms of Interest. In the next review, or if someone seeks a change to the RPMP and provides sufficient evidence on the organism, these (or any other new organism) can be added to the identified pests in the Plan following the appropriate process under the Act. We have taken a precautionary approach in relation to these organisms to ensure that potential pest species identified by the community are not overlooked, and that information is gathered in relation to them. Where submitters have identified an organism they would like to be added as a pest, in some circumstances, where we do not have sufficient information, we have added the species to the organisms of interest list.

- [57] The Panel recommends that the following species be added to the Plan as Organisms of Interest:

- Darwin's ant
- Hare
- Horehound
- Lesser Calamint
- Pampas
- Pink ragwort

- [58] The Panel also recommend adding Organisms of Interest to Section 7.1 Monitoring. It is considered important to establish a reliable database to capture information on sightings, complaints and inquiries on these species in order to track trends over time. This data provides early warning for intervention.

- [59] The following sets out some of the requests for additional pests, and how we have approached them. Please refer to the table in Appendix 1 for further information on the reasons for accepting or rejecting each submission point.

5.2.1 Old Man's Beard Programme

- [60] The Department of Conservation sought the inclusion of an old man's beard programme along the Kaweka and Ruahine Ranges to support their control work and to help protect the

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ranges from infestation. Staff considered that there was merit in such a programme and drafted and costed this, being a 500m buffer strip running adjacent to the Ruahine and Kaweka park DOC boundary.

- [61] It was discussed that old man's beard poses a significant threat to native vegetation. There are currently no known old man's beard infestations on DOC estate within the Kaweka and Ruahine Ranges. There are however infestations along the fringes of the ranges on private land. A joint programme between the Department of Conservation and Hawke's Bay Regional Council would significantly increase the likelihood of keeping the ranges free of old mans beard. The Panel endorses the staff recommendation on Old Man's Beard and the establishment of a Ruahine/Kaweka Ranges buffer programme, and associated Good Neighbour Rule. The Panel also notes that the estimated cost of \$32,500 per annum would be sought through the 2019/2020 Annual Plan process.

5.2.2 *Hornwort*

- [62] We received a request to include hornwort in the Plan as an Eradication pest. Hornwort is well established and widely distributed throughout the region. The technical advice the Panel has received indicates that any controlled attempts of eradication may produce adverse effects on water quality. The Panel also notes that the Council has offered support outside the Plan and that occupiers do not require hornwort to be in the Plan to be able to undertake control. The Panel do not recommend including hornwort in the Plan.

5.2.3 *Wilding Conifer Programme*

- [63] Several submissions were received on Wilding Conifers, including by the Ministry for Primary Industries and the Department of Conservation. The Panel supported these submissions and directed staff to draft a Wilding Conifer programme for potential inclusion in the Plan.

- [64] The Wilding Conifer programme contains the following key elements:

- Wilding conifers are declared a pest when they meet the definition of 'wilding conifer' included in the Plan;
- Scots pine, mountain pine and dwarf mountain pine are declared pests within the progressive containment area mapped in the Plan;
- Contorta is declared a pest region-wide;
- A Wilding Conifer programme that secures the investment in wilding conifer management long-term;
- A 200m Good Neighbour Rule

- [65] The Panel received this programme, which had support by Council staff, and directed staff to include this in the draft Plan. The Panel notes that the estimated cost of \$30,000 per annum would be sought through the 2019/2020 Annual Plan process.

5.2.4 *Mothplant*

- [66] Several submissions were received on Mothplant, which is currently listed as an Organism of Interest within the Plan. We directed staff, by way of Minute 2, to explore the option of including mothplant in the Plan. It was noted that mothplant is currently widespread across the major urban areas, including Napier, Hastings, Havelock North and Wairoa. Staff currently focus on controlling mothplant in areas of ecological importance and throughout the rural area to prevent establishment. Progressively containing mothplant within the urban area would require significant public engagement and a robust surveillance programme where staff actively search properties in known mothplant areas. The total cost for implementing such a programme was estimated at \$340,000 per annum for a minimum of 10 years.

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- [67] The Panel accepts the staff's response and deem it unnecessary for a Cost Benefit Analysis to be undertaken. We consider that there are non-regulatory approaches that Council can take to increase public awareness of Mothplant. We recommend that Mothplant is retained on the Organism of Interest list without change as recommended to us in the staff recommendations report.

5.2.5 *Feral Goats*

- [68] Although provisions for feral goats in the Proposal were a significant step up from the previous Regional Pest Management Strategy, several submissions were received requesting further provisions be applied. Submitters suggested that the current provisions were not adequate and that a better programme that unified goat control across the region was required. As a result we directed staff to draft a Feral Goat Coordinated Management Area (CMA) programme based on the same principles as the successful possum control programme.
- [69] The drafted programme has a threshold trigger whereby once 75% of the land area signs up, it becomes binding for all land occupiers within that area. Feral goats will be controlled to low densities with land occupiers being required to maintain this long-term. It is envisaged that these areas will be 10,000ha or larger and will provide a mechanism for protecting Council investment in afforestation programmes from feral goat damage.
- [70] The Panel accepts and endorses the Feral Goat CMA Policy and associated Good Neighbour rule, including the 75% threshold for acceptance of a CMA.

5.2.6 *Hedgehogs*

- [71] Multiple requests were made for the inclusion of hedgehogs as a Site-led pest. Hedgehogs are noted as being voracious nocturnal predators, consuming vertebrates, reptiles and ground nesting birds. Their diet range significantly overlaps that of the kiwi. Council staff are already controlling large numbers of hedgehogs in the rural landscape and support this inclusion.
- [72] The Panel accepts and endorses the inclusion of hedgehogs as a Site-led pest.

6. FUNDING

- [73] Funding for the Proposed Regional Pest Management Plan was secured through the 2018-28 Long-Term Plan. However, as discussed above, additional programmes have been added to this Plan.
- [74] Further funding is required to deliver the additional programmes included in this Plan. The total quantum is \$72,500 which will be sought through the 2019/2020 Annual Plan process through the Local Government (rating) Act 2002.

7. CONCLUSIONS AND RECOMMENDATIONS

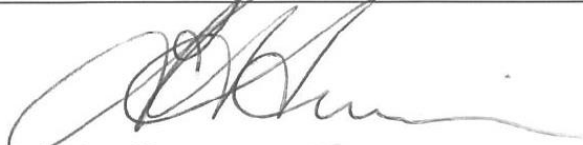



- [1] The Hearing Panel was delegated authority under:
- a) Sections 72 to 74 (excluding section 72(5)) and sections 100D(6)(b) of the Biosecurity Act 1993 ('BSA', 'the Act'), in respect of the Proposal; and
 - b) Sections 75(1) and (2) of the BSA to prepare a written report on the Plan.

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- [2] We have considered and deliberated on the Proposal, the submissions lodged on it, the evidence and submissions presented at the hearing, together with the draft version of the Plan and reports provided by Council Officers. We are satisfied that the RPMP set out in Appendix 2 meets the requirements for a regional pest management plan under the BSA. Council Officers provided the Panel with an assessment of the draft Plan against sections 73 and 74 of the Act. We agree with and accept that assessment of the draft Plan. In particular, the draft Plan contains all of the matters required by section 73 of the Act and meets the requirements of section 74 of the Act, including:
- a) The Plan is not inconsistent with the National Policy Direction, any other pest management plan or pathway management plan, and any regional policy statement or regional plan, or any regulations (section 74(a));
 - b) That for each subject of the Plan, the benefits of the Plan outweigh the costs, after taking account of the likely consequences of inaction or other sources of action (section 74(b));
 - c) That for each subject of the Plan, persons that are required, as a group, to meet directly the costs of implementing the Plan accrue, as a group, benefits outweighing the costs, or contribute, as a group, to the creation, continuance or exacerbation of the problems proposed to be resolved by the Plan (section 74(c));
 - d) That for each subject there is likely to be adequate funding for the next 5 years (section 74(d)); and
 - e) That each rule will assist in achieving the Plan's objectives and will not trespass unduly on the rights of individuals (section 74(e)).
- [3] We have prepared this report in accordance with section 75 of the BSA and set out our reasons for accepting or rejecting submissions in Appendix 1. We recommend that the Council adopt our written recommendations and report.

Issued this 29 day of October 2018

For the Hearing Panel:

 Mr John Simmons Chair	 Mr Apiata Tapine Panel Member
 Councillor Tom Belford Panel Member	 Councillor Paul Bailey Panel Member