Permits and exemptions for activities in areas where kauri are present



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1 Purpose of this Document

This document provides guidance on how to obtain the exemptions/permits in the Auckland Region that are required to:

- a. undertake research related to kauri and/or collect kauri seeds and/or other material
- b. undertake research, seed collection or cultural harvesting not directly related to kauri, but that occurs in the Waitākere Ranges and/or the Hunua Ranges.

2 Background

Kauri dieback disease is a serious threat to New Zealand's kauri and kauri ecosystems. It is caused by a microscopic soil-borne organism called *Phytophthora agathidicida* (PA), which is spread through soil and water. The disease eventually kills the kauri it infects, and there is no known cure at present.

Legal and regulatory measures are in place to prevent the pathogen from spreading:

- Phytophthora agathidicida is an Unwanted Organism¹ (UO) under the Biosecurity Act 1993. This means that a permit from the Ministry for Primary Industries (MPI) is required to handle this organism.
- In 2018, the Ministry for Primary Industries declared parts of the Waitākere and Hunua Ranges to be Controlled Areas (CANs) for the purpose of managing kauri dieback (Appendix 1 and Appendix 2). This means that movements of 'soiled' goods², soil and plant material into or out of the specified areas are prohibited. An exemption permit is required to bring these materials into the Hunua Ranges, and into and out of the Waitākere Ranges.
- The Auckland Regional Pest Management Plan 2020 2030 (RPMP) sets out rules and regulations for the management of unwanted organisms within the Auckland Region. It includes rules for the management of *Phytophthora agathidicida* stating that 'no person shall distribute, move or release kauri dieback disease in Auckland' (Rule 7.7.5.2.1) and that 'no person shall move any untreated kauri plant material, soil, or goods contaminated with soil, into or out of an area within three times the drip line of any New Zealand kauri tree, unless the purpose of the movement is to dispose

1

(i) any new organism, if the Authority has declined approval to import that organism; and

(i) the organism is an organism which has escaped from a containment facility; or

1

Unwanted organism means any organism that a chief technical officer believes is capable or potentially capable of causing unwanted harm to any natural and physical resources or human health; and

⁽a) includes—

 ⁽ii) any organism specified in <u>Schedule 2</u> of the Hazardous Substances and New Organisms Act 1996; but
 (b) does not include any organism approved for importation under the <u>Hazardous Substances and New Organisms Act</u> 1996, unless—

⁽ii) a chief technical officer, after consulting the Authority and taking into account any comments made by the Authority concerning the organism, believes that the organism is capable or potentially capable of causing unwanted harm to any natural and physical resources or human health.

Goods must be free of all visible soil.

of the material at an Auckland Council approved containment landfill' (Rule 7.7.5.2.2). Any activities that contravene these rules require an exemption permit.

 Any work, research or similar activities that are undertaken on Auckland Council land such as regional and local parks require landowner permission.

In regional parks, a permit is required to use or occupy a regional park for:

- research purposes
- stream testing field work
- o collecting plants or seeds.

All other Auckland Council parks (local parks) are subject to landowner permission issued by Auckland Council Land Advisory Services on behalf of the relevant Local Board. For local parks, an application fee applies.

While it is essential that research, especially kauri-related research, is undertaken that could help to manage and possibly cure kauri dieback, this must be done in a way that prevents further spread of the disease. To this end, both MPI and Auckland Council require that research activities and fieldwork are well documented, and clearly describe how the spread of kauri dieback can be prevented.

3 Application Processes

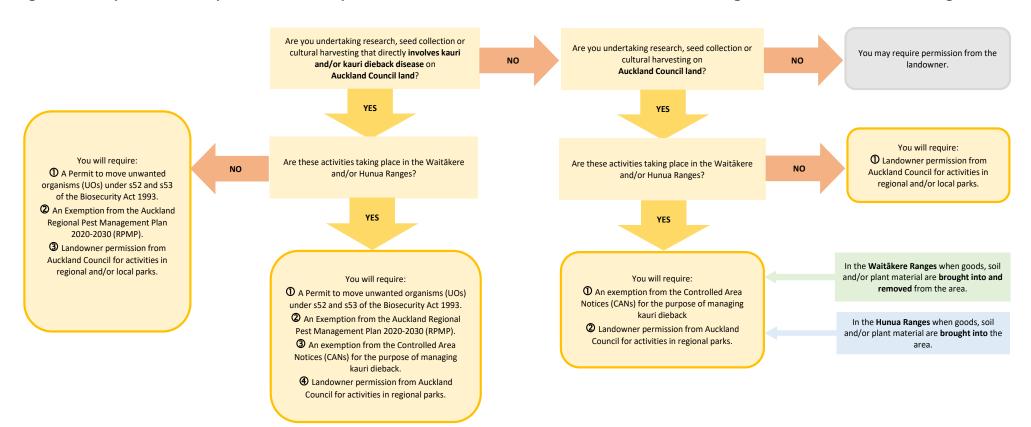
The type of exemption/permit required depends on the nature of the research, seed collection or cultural harvesting activity and the location in which these occur (Figure 1).

3.1 Research, seed collection and related activities that involve kauri and/or kauri dieback

In the Auckland Region, any activity that involves the movement of kauri material and/or soil that may be contaminated with *Phytophthora agathidicida* requires the following permits:

- Permit to move unwanted organisms (UOs) under s52 and s53 of the Biosecurity Act
 1993. The application form can be downloaded from the MPI website.
- Exemption from the Auckland Regional Pest Management Plan 2020-2030 (RPMP).
 This application form can be downloaded from the <u>Auckland Council RPMP</u> webpage.

Figure 1: Requirements for permits and exemptions for research, seed collection or cultural harvesting activities in the Auckland Region



Depending on the location of your research, the following other permits will be required:

- In the Waitākere and/or Hunua Ranges, an exemption from the Controlled Area Notice(s) (CAN) will be needed. Please identify this in your RPMP exemption application as these can be processed simultaneously.
- If your research is on regional parkland you will need a permit to use or occupy a regional park for research purposes and fieldwork. There are three forms applying to different aspects of research, which can be downloaded from the <u>Auckland Council</u> <u>Licenses and Regulations Research in Regional Parks webpage</u>.
- For research activities in local parks, landowner approval is required from Auckland Council's Land Advisory Services Team. The application form and landowner approval checklist can be downloaded from the <u>Auckland Council Licenses and</u> <u>Regulations - Landowner Approval webpage.</u>

Figure 2 provides an overview of these permits, the regulatory agency responsible for issuing them and information about sourcing the relevant application forms and where to submit them.

The required information is similar for all processes, and the agencies/Council departments involved liaise with each other to ensure that applications can be processed speedily and efficiently. While there is no statutory timeframe for processing the applications and issuing the permits, both MPI and Auckland Council aim for a maximum processing time of 20 working days.

3.2 Research, cultural harvesting, seed collection and related activities in the Waitākere Ranges and/or the Hunua Ranges

As noted above, both the Waitākere and Hunua Ranges are subject to a Controlled Area Notice. The provisions of these notices differ slightly. Under section 131(3)(a) of the Biosecurity Act 1993:

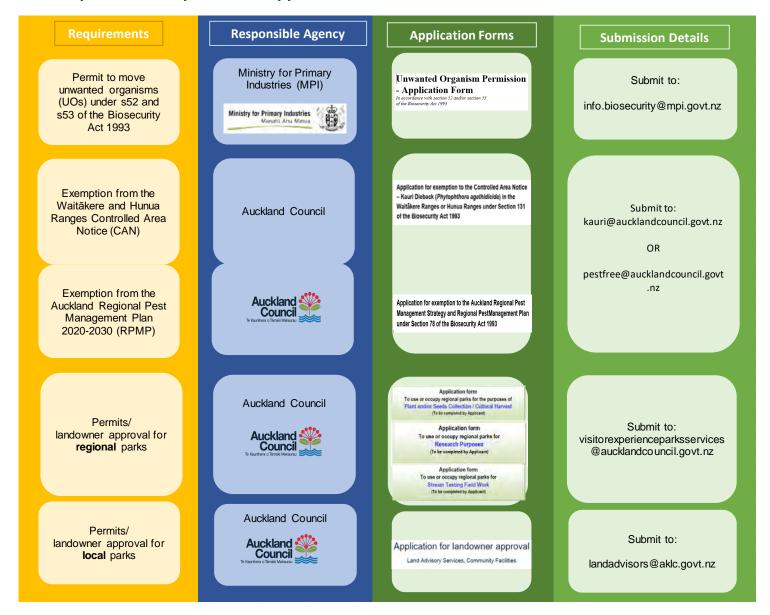
- a) No goods may be brought into, <u>or removed from</u>, the Controlled Areas (in the Waitākere Ranges) unless they are free of all visible soil.
- b) No soil or plant material (other than food items and personal effects made of plant material) may be brought into, <u>or removed from</u>, the Controlled Areas (in the Waitākere Ranges).

This means that any research, cultural harvesting and seed collection in the **Waitākere Ranges** that involve the removal of plant material and/or soil requires:

- An exemption from the Controlled Area Notice(s) (CAN). This application form can be downloaded from the Auckland Council Kauri Dieback webpage.
- Landowner permission for:
 - using or occupying regional parks for research purposes
 - o using or occupying regional parks for the purposes of collecting plants or seeds These application forms can be downloaded from the <u>Auckland Council Licenses and Regulations – Research in Regional Parks webpage</u>.

In the **Hunua Ranges**, a Controlled Area Notice exemption will only be required if goods, soil or plant material (other than food items and personal effects made of plant material) are <u>brought into</u> the Controlled Areas. However, landowner permission for the above activities will still be needed.

Figure 2: Overview of permits/exemptions and application information



4 Required Information

To enable MPI and Auckland Council to assess the risks and merits of the proposed activity and grant the required permits, the following should be submitted with the application:

- A comprehensive research plan detailing the objectives and proposed activities.
- A Kauri dieback risk assessment.
- A Kauri dieback management plan specifying the measures that will be taken to minimise the spread of Kauri dieback.

APPENDIX 1: Controlled Area Notice – Kauri Dieback (*Phytophthora agathidicida*) in the Waitākere Ranges



CONTROLLED AREA NOTICE

SECTION 131 BIOSECURITY ACT 1993

KAURI DIEBACK (Phytophthora agathidicida) IN THE WAITĀKERE RANGES

Commencement and Term

This Notice takes effect at 8am on 1 May 2018 and remains in force until it is revoked.

Controlled Area Declaration

 I declare that the tracks within the Waitākere Ranges described in Schedule 1 and shown in the map in Schedule 2 (the Controlled Areas) are controlled in order to limit the spread of *Phytophtora agathidicida*, the pathogen causing Kauri Dieback. This declaration is made under s 131(2) of the Biosecurity Act 1993 (the Act).

Notice of Movement Controls

- 3. I give notice under s 131(3)(a) of the Act that:
 - a. No goods may be brought into, or removed from, the Controlled Areas, unless they are free of all visible soil.
 - b. No soil or plant material (other than food items and personal effects made of plant material) may be brought into, or removed from the Controlled Areas.

Notice of Compulsory Procedures

- 4. I give notice under s 131(3)(b) of the Act that:
 - a. All footwear must be cleaned at every Kauri Dieback hygiene facility encountered within the Controlled Area, provided the facility is designed for the cleaning of footwear; and
 - All bicycles must be cleaned at every Kauri Dieback hygiene facility encountered within the Controlled Area, provided the facility is designed for the cleaning of bicycles.

Exclusions

The movement controls and procedures set out above do not apply to the activities described in Schedule 3.

> Pastoral House, 25 The Terrace, PO Box 2526 Wellington 6140, New Zealand Telephone: 0800 00 83 33, Facsimile: +64-4-894 0726 www.mpi.govt.nz



Definitions

- 6. Goods means all moveable personal property, and includes:
 - a. Personal effects including footwear, walking poles, camera tripods, and camping
 - b. Vehicles and conveyances including motorbikes, bicycles, and baby buggies;
 - c. Companion animals including dogs and horses; and
 - d. Tools and research apparatus.

7. Cleaned means:

- a. Removing any visible soil by scrubbing with the brush provided; and then
- b. Disinfecting using the disinfectant provided.

Signed at Wellington on 27 April 2018.

Veronica Herrera Chief Technical Officer Ministry for Primary Industries

Information

Detailed maps of the controlled areas will be available at www.mpi.govt.nz/kauridieback

Any person who wishes to obtain the permission of an inspector or authorised person to carry out a movement or activity that is prohibited by this Notice, under section 134(1)(b) of the Act, should contact the Permitting Manager at Auckland Council at kauri@aucklandcouncil.govt.nz

Failure to comply with the movement controls in this notice may be an offence under s 154N(8) of the Act. This offence is punishable by a sentence of up to 3 months' imprisonment or a fine of \$50,000, or both (for an individual) or a fine of \$100,000 (for a corporation).



Description of Controlled Area

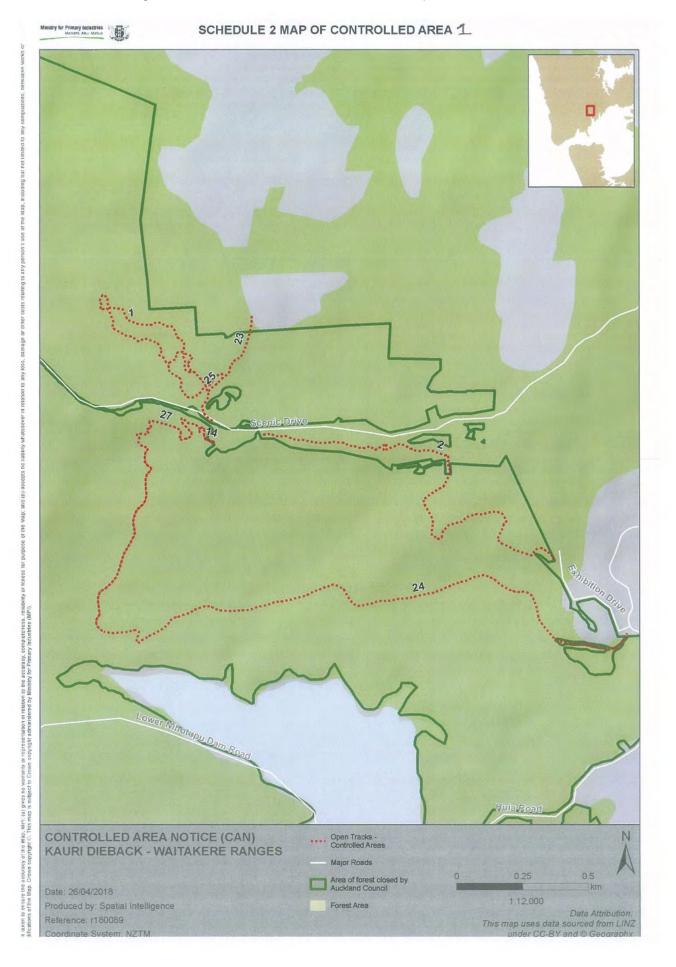
The following tracks within the Waitākere Ranges, beginning at the track entrance, continuing for the length of the track, and ending at the track exit:

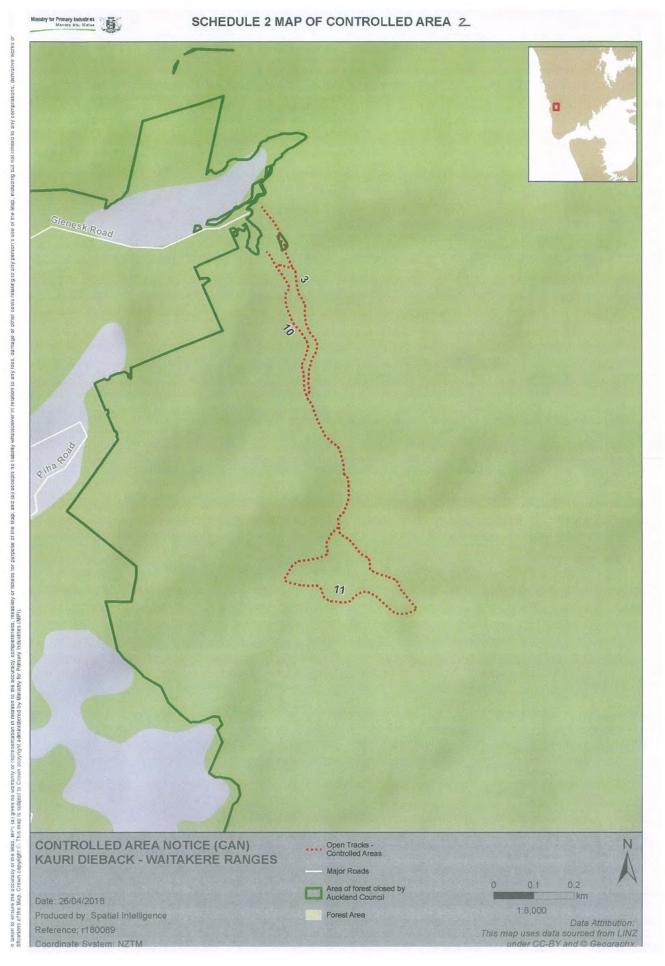
Track Name	Map Number
Arataki Nature Trail *	1
Beveridge Track *	2
Byers Track **	3
Cave Rock Track	4
Dreamland Track	5
Huia Dam Road	6
Ian Wells Track	7
Kakamatua Inlet Track	8
Karamatura Loop Walk	9
Kitekite Track **	10
Knutzen Track **	11
Large Kauri Track	12
Long Road Track	13
Lookout Track Visitor Center *	14
Marawhara Walk	15
Mcelwain Loop Walk	16
Mercer Bay Loop	17
Mt Donald Mclean Walk	18
Old Tramline To Dam Loop	19
Omanawanui Track	20
Opanuku Pipeline Track	21
Pararaha Valley Track	22
Parker Track *	23
Pipeline Road *	24
Plant Identification Trail *	25
Puriri Ridge Track	26
Slip Track *	27
Upper Nihotupu Track	28
Waitakere Dam Walk	29
White Track	30
Zig-Zag Track	31

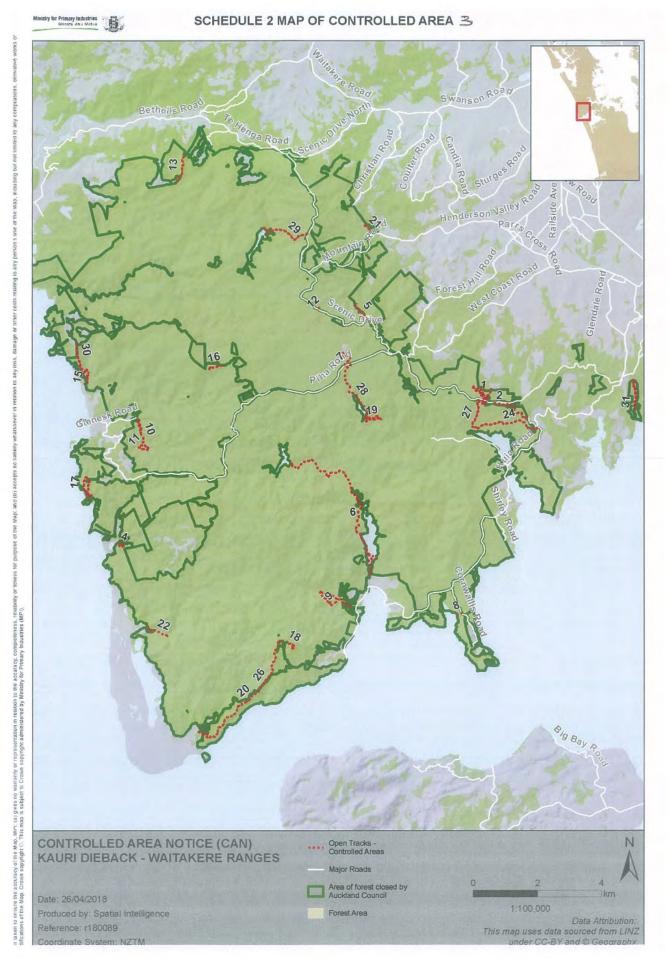
^{*}Tracks detailed on Map 1

The Controlled Areas are further specified in the maps in Schedule 2.

^{**}Tracks detailed on Map 2









Activities not subject to movement controls and procedures

The following activities are not subject to controls:

- Work carried out for the Ministry for Primary Industries, Auckland Council or the Department of Conservation that involves regular, repeated crossing of the Controlled Area boundaries, including track maintenance or other asset management activities.
- 2. Kauri dieback soil sampling, carried out under the authority of the Ministry for Primary Industries, Auckland Council or the Department of Conservation.
- Seed collection for the purposes of propagation or seed banking, carried out under the authority of Auckland Council or the Department of Conservation.
- Activities related to official emergency services operations, not including exercises or other pre-planned operations.

APPENDIX 2: Controlled Area Notice – Kauri Dieback (*Phytophthora agathidicida*) in the Hunua Ranges



CONTROLLED AREA NOTICE

SECTION 131 BIOSECURITY ACT 1993

KAURI DIEBACK (Phytophthora agathidicida) IN THE HUNUA RANGES

Commencement and Term

1. This Notice takes effect at 8am on 1 May 2018 and remains in force until it is revoked.

Controlled Area Declaration

 I declare that area of the Hunua Ranges described in Schedules 1 and 2 and shown in the map in Schedule 3 (the Controlled Area) is controlled in order to limit the spread of Phytophtora agathidicida, the pathogen causing Kauri Dieback. This declaration is made under s 131(2) of the Biosecurity Act 1993 (the Act).

Notice of Movement Controls

- 3. I give notice under s 131(3)(a) of the Act that:
 - a. No goods may be brought into the Controlled Area, unless they are free of all visible soil.
 - No soil or plant material (other than food items and personal effects made of plant material) may be brought into the Controlled Area.

Notice of Compulsory Procedures

- 4. I give notice under s 131(3)(b) of the Act that:
 - All footwear must be cleaned at every Kauri Dieback hygiene facility encountered within the Controlled Area, provided the facility is designed for the cleaning of footwear; and
 - b. All bicycles must be cleaned at every Kauri Dieback hygiene facility encountered within the Controlled Area, provided the facility is designed for the cleaning of bicycles.

Exclusions

The movement controls and procedures set out above do not apply to the activities described in Schedule 4.

> Pastoral House, 25 The Terrace, PO Box 2526 Wellington 6140, New Zealand Telephone: 0800 00 83 33, Facsimile: +64-4-894 0726 www.mpi.govt.nz

Growing and Protecting New Zealand



Definitions

- 6. Goods means all moveable personal property, and includes:
 - Personal effects including footwear, walking poles, camera tripods, and camping gear;
 - b. Vehicles and conveyances including motorbikes, bicycles, and baby buggies;
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 - d. Tools and research apparatus.

7. Cleaned means:

- a. Removing any visible soil by scrubbing with the brush provided; and then
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Signed at Wellington on 27 April 2018.

Veronica Herrera Chief Technical Officer

Ministry for Primary Industries

Information

Detailed maps of the controlled areas will be available at www.mpi.govt.nz/kauridieback

Any person who wishes to obtain the permission of an inspector or authorised person to carry out a movement or activity that is prohibited by this Notice, under section 134(1)(b) of the Act, should contact the Permitting Manager at Auckland Council at kauri@aucklandcouncil.govt.nz

Failure to comply with the movement controls in this notice may be an offence under s 154N(8) of the Act. This offence is punishable by a sentence of up to 3 months' imprisonment or a fine of \$50,000, or both (for an individual) or a fine of \$100,000 (for a corporation).

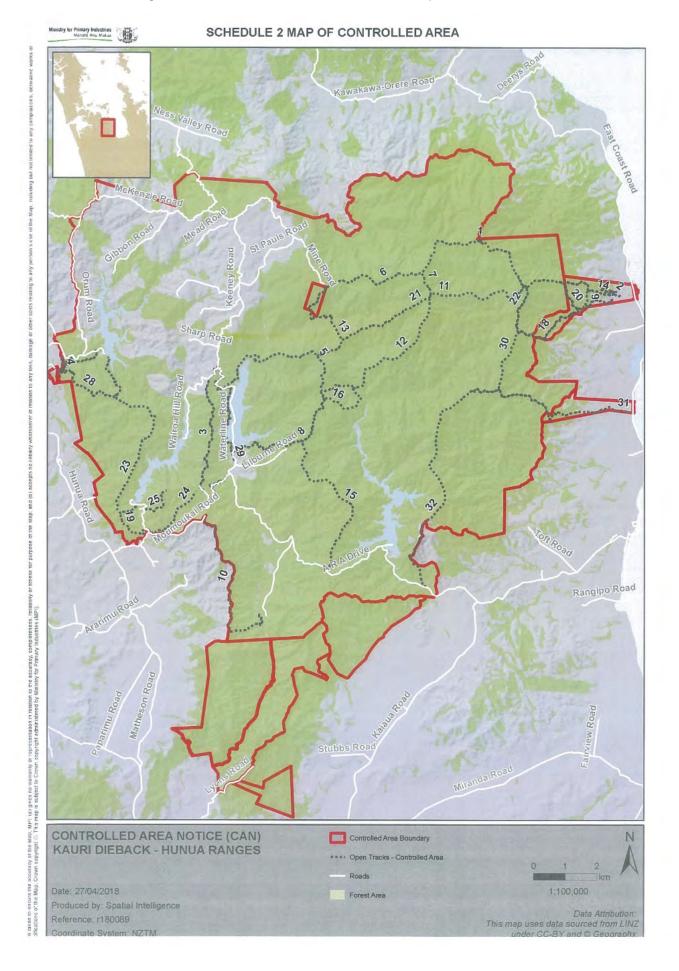


Description of Controlled Area

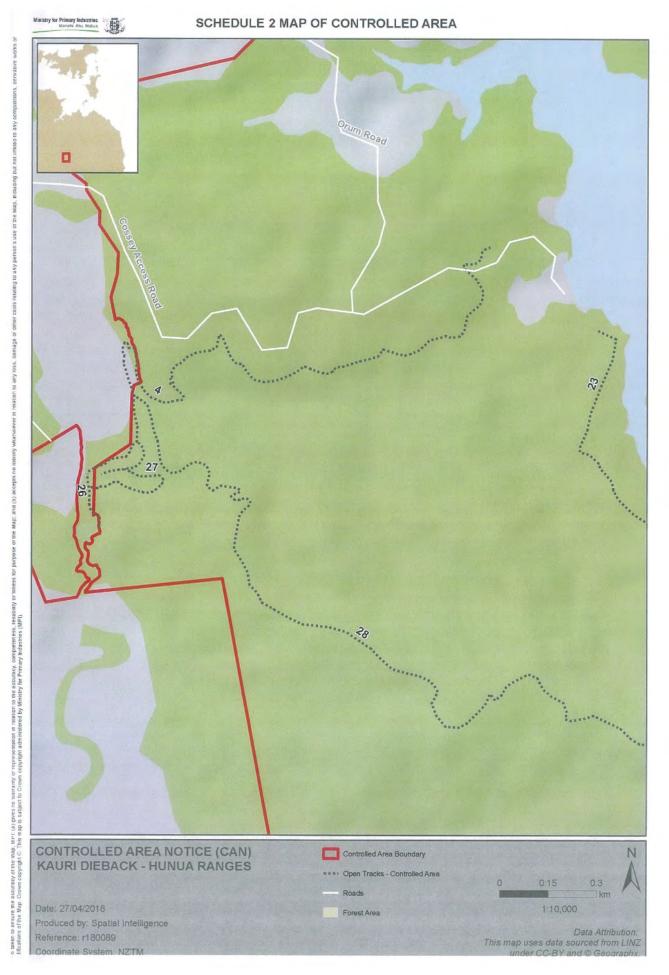
- Auckland Council administered parkland or leased parkland within the boundaries of Hunua Ranges Regional Park, Waharau Regional Park, and Whakatiwai Regional Park.
- Department of Conservation administered land within the boundaries of Paparimu Conservation Area, Mangatawhiri Forest Conservation Area, Richard Sylvan Memorial Scenic Reserve, and Vining Scenic Reserve.
- 3. Except for the following areas:
 - a. The exotic pine forest in the north-western aspect of the Hunua Ranges, including all pine forest, clear felled sites, forestry roads and pockets of native forest within the exotic forest area;
 - All regional park land on the western side of the Wairoa river at Hunua Falls, including Kokako Lodge and the Hunua Falls road access / car park;
 - c. Blackberry Flats Campground at Waharau Regional Park; and
 - d. Non-forested areas of Waharau Education Camp.

The controlled area is further specified in the maps in schedule 2, and the table of land titles in schedule 3.

The controlled area covers land in Auckland Council, Waikato District Council, and Waikato Regional Council territorial areas.









Schedule 3 Land titles within the Controlled Area

Park/Reserve Name	Appellation	Extent of Parcel within Controlled Area
Hunua Ranges Regional Park	Allot 100A PSH OF Otau, Allot 102 PSH OF Otau, Allot 103 PSH OF Otau, Allot 110 PSH OF Otau, Allot 117 PSH OF Otau, Allot 118 PSH OF Otau, Allot 122 PSH OF Otau, Allot 123 PSH OF Otau, Allot 124 PSH OF Otau, Allot 125 PSH OF Otau, Allot 129 PSH OF Otau, Allot 127 PSH OF Otau, Allot 131 PSH OF Otau, Allot 136 PSH OF Otau, Allot 131 PSH OF Otau, Allot 136 PSH OF Otau, Allot 137 PSH OF Otau, Allot 142 PSH OF Otau, Allot 143 PSH OF Otau, Allot 144 PSH OF Otau, Allot 145 PSH OF Otau, Allot 144 PSH OF Otau, Allot 145 PSH OF Otau, Allot 146 PSH OF Otau, Allot 147 PSH OF Otau, Allot 148 PSH OF Otau, Allot 152 PSH OF Otau, Allot 155 PSH OF Otau, Allot 152 PSH OF Otau, Allot 155 PSH OF Otau, Allot 156 PSH OF Otau, Allot 157 PSH OF Otau, Allot 158 PSH OF Otau, Allot 158 PSH OF Otau, Allot 159 PSH OF Otau, Allot 159 PSH OF Otau, Allot 161 PSH OF Otau, Allot 162 PSH OF Otau, Allot 163 PSH OF Otau, Allot 33A PSH OF Otau, Allot 55 PSH OF Otau, Allot 56 PSH OF Otau, Allot 57 PSH OF Otau, Allot 59 PSH OF Otau, Allot 60A PSH OF Otau, Allot 59A PSH OF Otau, Allot 60A PSH OF Otau, Allot 60B PSH OF Otau, Allot 60C PSH OF Otau, Allot 61 PSH OF Otau, Allot 62A PSH OF Otau, Allot 62B PSH OF Otau, Allot 65A PSH OF Otau, Allot 69 PSH OF Otau, Allot 67 PSH OF Otau, Pt Allot 67	Entire parcel is within Controlled Area.

	5C, Road Reserve Survey Office Plan 43079, Sec 1 Blk XIII Wairoa SD, Sec 2 Blk XIII Wairoa SD, Tapapakanga IB, Wharekawa 4A2, Wharekawa 4C1, Wharekawa 4C2A1, Wharekawa 4C2B1, Wharekawa 4C2C, Wharekawa 4C3A1, Wharekawa 4C3A2, Wharekawa 4C3B, Wharekawa 4C3C2, Wharekawa 4C3D, Wharekawa 5BNorth1, Wharekawa 5BNorth2.	
Hunua Ranges Regional Park	Lot 2 DP 33851	The vegetation to the east and west of Orams Roads metal service is included in the Controlled Area. The exotic vegetation in the North eastern corner of this parcel is excluded.
Hunua Ranges Regional Park	Allot 159 PSH OF Otau	All land within this road reserve that is to the east of the Eastern edge of the metalled surface of Wairoa Road and Keeney Road is included in the Controlled Area. The remainder of this parcel is excluded.
Hunua Ranges Regional Park	Lot 2 ALLT 90 PSH OF Otau	All indigenous vegetation, immediately west of Firth Road is included in the Controlled



		Area. The remainder of this parcel is excluded.
Waharau Regional Park	Sec 1 Blk IV Orere SD	Entire parcel is within Controlled Area.
Waharau Regional Park	Pt Wharekawa 4B1A	The indigenous vegetation and fence line 250m to the west of the Waharau Park entrance marks eastern boundary of the Controlled Area, which continues westward. The remaining grassed area immediately adjacent to the road reserve is excluded.
Waharau Regional Park	Wharekawa 4B3C2A	The indigenous vegetation and fence line 950m to the west of the Waharau Park entrance marks the eastern boundary of the Controlled Area, which continues westward. The remaining grassed area and treeland adjacent to the road reserve is excluded.
Whakatiwai Regional Park	Lot 1 DP 61272	The indigenous vegetation edge, 1500m to the West of Whakatiwai Regional Park entrance, marks the eastern boundary of the Controlled Area. The remaining grassed area, treeland and wetlands adjacent to the road reserve is excluded.
Mangatawhiri Forest	Allot 139 PSH OF Otau, Allot 140 PSH OF Otau, Allot 141 PSH OF Otau, Allot 47 PSH OF Otau, Allot 48A PSH OF Otau, Pt Poupipi.	Entire parcel is within Controlled Area.



Conservation area		
Paparimu Conservation Area	Appellation Unknown	Entire parcel is within Controlled Area.
Richard Sylvan Memorial Scenic Reserve	Lot 1 DP 62084, Lot 2 DP 62084.	Entire parcel is within Controlled Area.
Vining Scenic Reserve	Pt Mangatangi	Entire parcel is within Controlled Area.



Activities not subject to movement controls and procedures

The following activities are not subject to movement controls and procedures:

- Work carried out for the Ministry for Primary Industries, Auckland Council or the Department of Conservation that involves regular, repeated crossing of the Controlled Area boundaries, including track maintenance or other asset management activities.
- 2. Kauri dieback soil sampling, carried out under the authority of the Ministry for Primary Industries, Auckland Council or the Department of Conservation.
- Seed collection for the purposes of propagation or seed banking, carried out under the authority of Auckland Council or the Department of Conservation.
- Activities related to official emergency services operations, not including exercises or other pre-planned operations.
- Farming activity, such as the movement of farm animals and farm equipment within or between blocks of farm land, carried out under the authority of Auckland Council or the Department of Conservation.
- Exotic forestry activity, such as the maintenance, felling, harvesting, and transport of pine, carried out under the authority of Auckland Council or the Department of Conservation.
- 7. Transit on public roads, including internal park roads and car parks.
- Movement of goods into buildings or into non-forested areas directly surrounding those buildings, where those buildings are accessed directly from public roads or internal park roads and car parks and not through areas of indigenous vegetation.

