

THE PRINCIPAL RECOMMENDATIONS FROM THE SUBMISSIONS ON THE DRAFT BIOSECURITY STRATEGY FOR NEW ZEALAND (December 2002)

Introduction

This paper discusses the principal issues that were raised by the 150 submitters on the Draft Biosecurity Strategy. For further detail on these points readers should refer to the summary of submissions (Review of Submissions on the Draft Biosecurity Strategy for New Zealand).

The issues raised in this paper are aligned to the seven work streams of the project team. The work streams are:

- Decision making (the co-ordination of public sector responses and the priorities for intervention);
- Risk management and research priorities (planning for incursions and focusing research);
- Operational management and capability (surveillance, inspection and response);
- Biosecurity governance and institutional organisation (lead agencies and the Advisory Board);
- Public participation (raising community awareness and training on biosecurity issues);
- Treaty of Waitangi issues; and
- Funding (the appropriate level of funding for the proposed structures and the appropriate sources of funding).

There is an additional category for strategic comments. The points raised in this section concern the overall structure of the document or the direction of the biosecurity programme.

The review paper contains an 'Editorial Comments' section (pp. 90 – 98). This part of the paper has not been summarised, as the points raised are normally specific to the submitter. A number of the points covered in this section deal with the factual content of the Draft Strategy.

In the course of reviewing the submissions, there were a number of papers (or sections of papers) that presented key strategic arguments or which provided insights into specific elements of the biosecurity equation. These papers were highlighted in the review paper and are listed below:

Ministry of Health – no. 027

Greater Wellington – no. 032;

Animal Health Board - no. 042 (specifically section 2.2);

Deer Industry New Zealand – no. 047;

Pipfruit Growers New Zealand Inc – no. 052;

New Zealand Seafood Industry Council – no. 071;

Meat Industry Association - no. 073;

Foundation for Research Science and Technology – no. 083;

Institute of Forestry - no. 100;

Ministry for the Environment – no. 146; and

Ministry of Research, Science and Technology – no. 149.

DECISION-MAKING

(The co-ordination of public sector responses and the priorities for intervention)

General Comment

The recommendation that a clear and transparent decision-making framework be developed for assessing all biosecurity interventions gained considerable support from the submitters who addressed this issue. The proposal to establish 'Key Performance Indicators' for biosecurity programmes was also viewed favourably. A substantial number of submitters stressed the need for flexibility in the decision-making structures of the lead agencies (in order to respond rapidly to high-risk incursions). Calls were also made to incorporate the 'precautionary principle' throughout the decision-making process and to provide clear timeframes, in which interventions have to be agreed upon.

Specific Points

1. There was widespread support amongst the submitters for adopting a clear set of decision-making criteria, and assessment tools, for evaluating biosecurity interventions. The submitters called for consistency in decision-making and a transparent process for determining the nature and degree of intervention. **"Given the ... complexity and uncertainty inherent in many biosecurity decisions, a consistent framework for decision-making ... is needed"** when assessing the options for intervention (Taranaki Regional Council). The decision criteria listed on page 42 were generally seen as appropriate, but there were a number of comments about the perceived dominance of 'primary production issues' over 'biodiversity' and 'health'. A number of submitters also asked about **"the value sets / priorities that will be applied in the assessment of the decision-making criteria and the extent to which the individual criteria will compete against each other"** (Deer Industry NZ).
2. Half a dozen submitters stressed the need to incorporate the best advice (and information) available into the decision-making process. External advice should be called on routinely, rather than being seen as a last resort. The lead biosecurity agencies can not be experts on all issues, and it is critical that they establish mechanisms for drawing on existing science and the knowledge of technical experts (principally from the CRI's). Primary sector submitters and a number of research providers expressed this viewpoint.
3. A point raised in approximately a dozen submissions was the need for biosecurity agencies to have sufficient flexibility in their decision-making structures to be able to respond quickly and effectively to high-risk incursions (this was a generally held view across the stakeholder groups). Delays in decision-making rapidly reduce the opportunities for eradicating pests. In the case of serious incursions, delays can put at risk key export sectors or the long-term health of indigenous flora and fauna. Several submitters commented that 'high-risk' incursions should be given 'national security status', and decisions on the intervention programme should be fast tracked. There was a recognition that this could be stepping on a few toes (i.e. individual rights) in the short term, so as to prevent the spread of a serious pest. In response to this point, submitters said that the immediate response would need to be followed by detailed consultation and refinements to the initial decisions.
4. Approximately ten submissions recommended the inclusion of the 'precautionary principle' in the decision-making framework for biosecurity. This approach was put forward by environmental groups, individual submitters and seafood industry representatives. The Seafood Industry Council and

the NZ Mussel Industry Council stressed that decision-making in the marine environment is hindered by a relative lack of information on marine ecosystems. These two bodies therefore support **“the constructive application of a precautionary approach”** (SeaFIC). In the cases where this principle is applied (particularly where there are costs to the industry), there is a concurrent obligation to put in place programmes to reduce the knowledge gap. The general view from environmental groups and the private submitters was that the current science on incursions is limited and the impacts difficult to predict. **“The NZ Conservation Authority considers that currently unacceptable risks are being taken through a lack of precaution”**. The Biosecurity Council was referred to the ‘Convention on Biological Diversity’ for a robust definition of this principle.

5. There were several submissions, mainly from councils, that addressed the process for preparing regional pest management strategies. They commented that public pressure, rather than technical advice, has shaped the direction of most of these documents. The submitters called for more consistency in the preparation of these schemes. To achieve this, the submitters asked for more direction from the central government agencies and a requirement that technical assessments be a key component of the decision-making process.
6. There were a hand full of submissions which discussed the level at which biosecurity decisions should be made. Generally, it was thought that decision-making responsibility should be delegated as far as possible. When you have extended decision-making chains, there is more potential for delays in critical actions. Accountability also declines as the decision-making chain grows. On an allied theme, there were several primary sector submitters that called for clear timeframes to be set out for the decision-making process. Specified timeframes are required, to emphasise the urgency of commencing interventions. **“A goal of the strategy is ‘rapid and effective incursion response’, but there does not seem to be anything in the Strategy that explicitly deals with timeliness of decision-making”** (Federated Farmers).
7. There was some concern, from primary producers and the transport sector, that the list of stakeholders who will be brought into the decision-making process is relatively limited. The list should be extended to include importers, airlines, port companies and the tourism sector. These are the groups who manage the pathways for pest incursions. It is critical that they be included in the decision-making process, and that they see themselves as ‘part of the solution’, in terms of developing interventions.
8. The recommendation that ‘Key Performance Indicators’ be established for core biosecurity programmes was received favourably, by the hand full of submitters who commented on this issue. Performance indicators enable the progress on response programmes to be measured and it provides reliable evidence for recommending changes to the structure and form of interventions.
9. There were several submissions that questioned the ability of MAF and DoC to develop an assessment approach that would be relevant to the marine environment. The strongest voice on this matter was NIWA, who recommended that MFish should be involved in the development of the decision-making tools for the marine environment.
10. Te Rūnanga o Ngāi Tahu commented that when incursions are threatening the traditional food and resource gathering areas of iwi (mahinga kai), it is imperative that representatives from the iwi affected are included in all stages of the decision-making process.
11. Finally, the Ministry of Health presented a thought provoking discussion on the nature of modern decision-making. Firstly, decisions can no longer be based on the idea that ‘expertise is held at the centre’ by core agencies. For most policy issues you need to involve a range of community stakeholders, with distributed knowledge and expertise in identifying policy issues and finding solutions. And secondly, there has been a change in the perception of scientific expertise and the nature of scientific knowledge. It is increasingly held that scientific knowledge is provisional and contestable. This means that community input is required to create a robust and workable scientific position. The Ministry believes that the proposals in the draft Strategy do not adequately recognise the evolving decision-making environment in New Zealand.

RISK MANAGEMENT AND RESEARCH PRIORITIES

(Planning for incursions and focusing research)

General Comment

The submissions on this issue generally supported ‘pathway monitoring’ and the ‘profiling’ of high-risk pests, as it will focus the resources of the biosecurity agencies on prevention and early intervention (i.e. an active style of management). This is in contrast to the current perception of these agencies, as being re-active. Concerns were raised, mainly from the research sector, that the proposals for encouraging collaboration between research organisations are inadequate and that the mechanisms for incorporating scientific knowledge into decision-making would only prove partially successful. The submissions highlighted a number of research areas that should receive additional attention in the Strategy and in future science funding.

Specific Points

1. The submissions by the Crown Research Institutes, along with MoRST and FRST were critical of the recommendations relating to the science framework for biosecurity. **“When the strategy was initiated the science sector expected the final strategy to provide guidance on the most important future research needs and relationships. This has not happened”** (MoRST). The recommendations on page 46 are unlikely to create the environment needed to encourage collaborative research and to bridge the gap between what the science system and the operational agencies mean by ‘quality science input’. The draft Strategy should have identified the current gaps in scientific knowledge and clearly defined the mechanisms by which research will be incorporated into decision-making. The proposal for a standing science advisory panel was criticised, as past experience has shown that these committees struggle in providing truly strategic advice, and in co-ordinating inter-agency scientific work. Both FRST and MoRST commented that they are prepared to provide assistance to formulate key principles and profiles for biosecurity research. MoRST also proposed that MAF host a workshop of science providers **”to identify more creative approaches to integrating science into biosecurity decision-making than a standing committee ...”**. The establishment of clear principles for biosecurity research is seen as a matter of urgency, as FRST is requiring direction in the allocation of its research funding in this area.
2. The submissions from the research sector were also critical of the proposals in the draft document, concerning the role of science and how it will be incorporated into the Strategy. An important point missed in the discussion is that scientific work is more than discharging research contracts, it is about building the capability of it’s personnel, for the rapid assessment of biosecurity issues. The report does not specifically refer to the Crown Research Institutes and their role in maintaining New Zealand’s core scientific capacity to research and analyse incursions. The report refers to science having an input to biosecurity, whereas **“science should be an integral part of New Zealand’s biosecurity from pre-border risk analysis through pathway closure to applied pest management”** (HortResearch).
3. There was general support for the focus on ‘pathway monitoring’ and the ‘profiling’ of high-risk pests and diseases. **“This approach acknowledges that we in New Zealand have to move away from reactive contingency-based activity. We need to be smarter at investing**

the limited science and management funds” (FRST). The value of ‘pathway monitoring’ was recognised particularly in the marine context. **“... it is important to recognise that biosecurity risks in the marine environment are largely pathway based rather than organism based. Strategic and operational risk assessments need to take account of this”** NZ Mussel Industry Council).

4. There were several submissions on the need for increased research on the impact that biosecurity measures have on human health. When incursion response plans are put together, more attention needs to be paid to the human health implications of the eradication tools that will be used (principally sprays). Health agencies and researchers need to be brought into the decision-making structure more fully. The Stop Spraying Action Group is seeking an amendment to the Biosecurity Act to ensure that there is a statutory obligation to engage health agencies.
5. A hand full of submissions expressed concern that the principal form of fumigation (methyl bromide) is being phased out (by 2007) yet there is no suitable replacement on the market. The identification and approval of a replacement product should be a priority for biosecurity agencies over the next four years.
6. There were several submissions, which recommended that the Biosecurity Strategy include a contingency (‘stand by’) plan, in the event of a genetically modified crop spreading into the wider environment. The Plan would set out what resources would be required by MAF to initially contain the GMO spread and then clean up the dispersed seed material. Consideration should also be given in this plan to the potential impact of GMO’s on the freshwater and marine environments.
7. The commercial providers of biosecurity services are seeking closer co-operation with the public sector and the CRI’s on research and development. A closer linkage would encourage more active investment by the private sector.
8. Te Rūnanga o Ngāi Tahu commented that the efforts to strengthen science input into biosecurity decision-making, must include Mātauranga Maori (Maori Traditional Knowledge).
9. The forestry sector submitters argued for a stronger emphasis on forest biosecurity, due to the economic contribution of the industry to the economy and the vulnerable nature of the sector, being largely dependent upon a single exotic species (almost 90%). The research areas urgently needing attention are entomology, botany and plant pathology. The Farm Forestry Association stressed the need for collaboration between the CRI’s, to make better use of the collective scientific knowledge within New Zealand.
10. There were a small group of submitters who raised the question of ‘bio-terrorism’. This was seen as a developing international issue, and the Hawkes Bay Fruit Growers Association emphasised how New Zealand’s trading arrangements could be affected overnight, in the event of a major pest or disease release. The submitters recommended that New Zealand’s biosecurity agencies should place a high priority on this issue and plan for the deliberate release of a pest or disease. Dr Ashley Robinson commented that overseas authorities would expect to see clear programmes in place for handling an act of bio-terrorism.
11. There were a handful of submissions that questioned the decision to phase out the **“level one quarantine systems which have been operating for more than 20 years and have not resulted in the incursion of any significant pest or disease, will now be discarded for a system that has a high level of technical input but which will not result in any improved outcomes”** (NZ Plant Breeding and Research Association).
12. There were several submissions that questioned why the draft Strategy did not discuss aquatic pathogens and the serious health implications they could pose for humans, aquaculture and biodiversity. The submitters considered that the examination of aquatic pathogens (such as Infectious Salmon Anaemia (ISA) virus) should be given a high priority in research and risk assessment work.
13. There were half a dozen submissions that mentioned the need to monitor the biosecurity risks from household plants or animals. A proportion of the 25,000 exotic household plants are likely to become acclimatised and eventually spread into the wider environment, causing serious damage. Domestic animals can be a threat in themselves (e.g. ferrets and cats when they are in close contact with indigenous fauna) or they **“may act as vectors for the spread of pests and diseases, with consequent potential to undermine containment policies”** (Federated Farmers).

14. Finally, there were a handful of submissions that recommended additional research funding be directed at studying how climate change is exposing the country to more sub-tropical diseases and pests. The submitters considered it important to re-assess New Zealand's vulnerability to incursions, under the different climate change scenarios.

OPERATIONAL MANAGEMENT AND CAPABILITY

(Surveillance, inspection and response)

General Comment

The majority of the submitters, who commented on this section, expressed concern about one or more of the following points. The operational performance of the biosecurity agencies; the level of resources going into surveillance and monitoring; and the capability of the agencies to respond to major incursions. From the tone of the submissions there is wide support for a review of the biosecurity system, and its capability to prevent, identify and manage risks (recommendation 21). Submitters from across the spectrum expressed support for a stronger focus on pre-border surveillance and inspection work. The other issue that received widespread attention was the variation in the way regional councils approach pest management. There was a strong recommendation for more leadership and co-ordination of pest management effort by the lead biosecurity agencies.

Specific Points

1. There was broad support within the submissions for increasing the level of pre-border surveillance and inspection of containers, break-bulk cargoes and vessels. The submissions stressed that biosecurity agencies need to be involved at the 'point of departure' for New Zealand's imports, as overseas agencies have their own objectives and do not view the protection of New Zealand's borders as their first priority. The Hawkes Bay Fruit Growers Association emphasised this point with the comment that **"many countries are implementing pre-clearance programmes for cargo at its port of origin"**. Undertaking the initial inspection of cargoes at their port of departure tackles pests at their source and is far more effective than waiting until they are off-loaded vessels in New Zealand. A number of the submissions on this issue stressed that the organisms and diseases that threaten their industries are almost impossible to eradicate once they have entered, and established in the country (i.e. the beekeeping and mussel industries). In the case of the marine environment, it is critical to have pre-border safeguards (i.e. checks on ballast water and the hulls of vessels), as merchant vessels may travel extensively in New Zealand waters before reaching a port.
2. Another issue receiving widespread attention in the submissions was the variation between regional councils, in how they approach pest management. Different forms of implementation have led to varying outcomes across the country. The submitters are seeking a more consistent approach to management techniques. A number of options were put forward to achieve this result:
 - There should be greater use of National Pest Management Strategies to tackle incursions that spread across several regions;
 - The needs to be a greater commitment by government agencies to manage pests beyond the initial incursion response;
 - Reporting systems need to be put in place by the lead agencies to inform councils of new and emerging risks. These systems should be formalised through a "Heads of Agreement" or 'Memorandum of Understanding'; and
 - Permanent lines of communication need to be developed between central and local government for the exchange of technical information.

The Animal Health Board had reservations about the process for developing National Pest Management Strategies. Even when the basic structure is already in place (as in the case of bovine Tb) the development of an NPMS is a drawn-out and cumbersome process. The Board, along with a number of other submitters recommended amendments to the Biosecurity Act to streamline the NPMS development process.

3. On an allied issue, there were a number of submissions that raised concerns about the process for transferring control of a pest from a lead agency (under an incursion response programme) to regional councils. There is **“an assumption that existing Biosecurity Act mechanisms for the development of an NPMS or a series of Regional Pest Management Strategies (RPMS) will ... provide for adequate on-going management of a new pest”** (Animal Health Board). This is seen as a dangerous assumption, and several submitters commented that there are opportunities for pests to fall through the gap between the two structures. Strong and pro-active leadership is required by the lead agencies to ensure that this does not occur.
4. The submissions from the major forestry associations emphasised how their industry has developed and implemented a self-funded surveillance programme. The programme is not perfect but it demonstrates the commitment of forest owners to biosecurity. These submitters suggested that the forestry sector be used as a case study in the Strategy, for how sectors can develop surveillance strategies.
5. There were half a dozen submissions that discussed the need for additional surveillance in high-risk areas. The current level of surveillance was seen as inadequate, in comparison to the approaches taken overseas. In the case of beekeeping, the once a year sampling and relying on owner surveillance is viewed as insufficient to identify incursions at an early stage. In comparison, high-risk areas in Australia are monitored every six weeks.
6. There were several submissions concerning the establishment of response programmes. The submitters reported that at an administrative level, the programmes were well organised, but the staff undertaking the delimiting surveys did not have the technical expertise to rapidly advance the programme. The industries themselves had to provide technical assistance, in order for the delimiting surveys to be completed promptly. The recommendation from these submissions was that the lead agencies need to bring the industry into decision-making from the outset. This will allow the crossover of technical assistance and staff resources. There were a number of more general submissions (mainly from the primary production sector) that stressed that their industries needed to be working in partnership with the lead agencies, from pre-border through to long-term management of pests. There appears, from the submissions, to be a willingness across most industries to work closely with the biosecurity agencies.
7. There were a number of submissions that stressed that **“scientific capability is [the] key to managing biosecurity issues”** (Carter Holt Harvey). The research sector needs a commitment of funding and political support (over an extended period) to ensure that New Zealand retains core technical expertise. New Zealand can not afford to run down the capabilities of the research sector, as nothing can make up for local knowledge of New Zealand conditions. Research has to be tailored to the country. Overseas models of disease and pest behaviour are not necessarily applicable to the local situation. Technical shortages were identified in plant pathology, taxonomy and applied population and community ecology.
8. There was wide (but not universal) support for an incursion fund, in order for the lead agencies to have the financial capacity to respond immediately to incursions. Aligned to this, the lead agencies need to have contingency plans for bringing together the human and material resources required to tackle the major threats that New Zealand is exposed to.
9. There was support from submitters, across a number of sectors, for the work that has been undertaken on identifying high-risk entry pathways. This information is seen as valuable for concentrating surveillance and inspection efforts. A hand full of submitters considered that this approach should also be used for examining internal pathways. Pests, which are currently confined to a specific area, should be assessed and measures put in place to prevent their spread (i.e. an inter-island quarantine boundary).
10. There were a number of submissions (mainly from individuals and community groups) that sought increased inspection levels at New Zealand’s ports and transitional facilities. In a number of cases, the opinion was expressed that all containers and cargo should be inspected, if they are coming from ‘high-risk’ locations. These calls for increased inspection rates frequently result from concerns over the effectiveness of the fumigation techniques that are currently employed. There were also concerns about the transfer of containers to transitional sites for the unloading of cargoes.

BIOSECURITY GOVERNANCE AND INSTITUTIONAL ORGANISATION

(Lead agencies and the committee structure)

Specific Points

1. Lead Agencies

The proposal for MAF to become the lead agency on terrestrial and fresh water biosecurity and for MFish to take the lead on marine biosecurity generated considerable debate within the submissions. Even within stakeholder groups, opinion was usually divided.

- There was general agreement that the current arrangements for biosecurity management are hindering the development of the sector, and New Zealand's ability to respond to incursions. A 'whole-of-government' approach to biosecurity management can not be achieved while the system remains fragmented, at both a central and regional level. There was virtually no support for the retention of the current system. The Ministry of Health proposed a modified version of the existing structure, with the CEO's of the biosecurity agencies working through the Biosecurity Council to provide strategic leadership and to manage cross-sector outcomes. This would be accompanied by a strengthening of the 'memoranda of understanding' between the four agencies and the establishment of an ad hoc officials committee. MOH took this position as it considers the contribution of health providers to biosecurity decision-making would be reduced under the proposed organisational framework. This in turn would lead to a run-down of the medical and epidemiological skills available to determine the health implications of a serious incursion. Only a hand full of submitters supported a modified version of the status quo.
- A significant proportion of the submitters had reservations about the ability of MAF and MFish to act as the lead agencies for biosecurity in New Zealand. This opinion was strongest amongst the environmental, health and private submitters. MAF (and to a lesser extent MFish) are seen as having a strong economic and production focus. Their core roles are considered to be the facilitation of primary production and exports. Both agencies are seen as having limited experience in handling public health and environmental threats. Under a MAF / MFish lead agency structure, the submitters considered that health and environmental issues would gradually be sidelined. They did not believe that MAF and MFish could sufficiently alter their operating cultures to encapsulate public health and environmental issues. MAF's recent record with incursion programmes has tended to reinforce this opinion, according to the submitters. Concerns were raised about MAF's ability to consult, and bring on board the public who are affected by response programmes (i.e. Painted Apple Moth). This was contrasted with MOH's 'Southern Saltmarsh Mosquito' campaign, which is seen as an inclusive programme, that has successfully incorporated community attitudes.
- The majority of the submitters who raised concerns about the ability of MAF and MFish to co-ordinate biosecurity activity have recommended that New Zealand's biosecurity system be administered by a new, standalone agency. A standalone agency would raise the profile of biosecurity, provide a single voice for the sector, co-ordinate the efforts of the agencies involved in this work area and ensure that public health and conservation values are given the same weighting as primary production. A number of the submitters also focused on the advantages this

approach would have for governance and promoting lines of accountability. **“Many of the governance issues identified by a range of authors ... would be substantially easier to deal with within a single government entity”** (Dr H. Cochrane).

- Support for the MAF / MFish lead agency proposal was strongest amongst the primary production submitters. A number of local authorities also made lengthy submissions that were supportive of this approach. The major arguments put forward by primary producers for moving to this system were the need for clearer lines of accountability, stronger leadership, and the opportunity for more forward planning (particularly ‘whole-of-system’ planning). Most of the submitters who are supporting this proposal recognise that there will have to be a major culture shift within MAF, for the agency to **“fully embrace, lead and empower all other agencies, particularly the Department of Conservation and the Ministry of Health”** (Local Government NZ).
- The seafood industry submissions were generally supportive of the division of responsibility between MAF and MFish. The Seafood Industry Council (SeaFIC) and the Mussel Industry Council argued strongly for MFish to be the lead agency for marine biosecurity. There is already a high degree of integration in the management of marine issues, and MFish has been active in developing strategic and operational biosecurity plans (prepared in association with the industry). This progress in marine management would be curtailed if the Ministry’s biosecurity functions were passed to a single, standalone agency. SeaFIC also made the point that it is important to retain biosecurity management within operational agencies, as it heightens awareness of the values at stake; creates a better understanding of biosecurity issues across agencies; pools specialist expertise / research; and forges better industry relationships.
- There were a hand full of submissions that proposed that the Department of Conservation be included as a lead agency, due to its responsibility for managing the public estate (approximately a third of New Zealand’s land area) and its involvement in biodiversity management.

2. Biosecurity Council

The submitters who commented on recommendation five, generally supported the restructuring of the Biosecurity Council, as a provider of independent advice to the Minister. Their support was usually qualified with a cautionary statement. The success of this move will depend heavily upon the make-up of the new Council. It will need a wide representation from industry and these people will need to be strategic thinkers. The work programme of the Council will need to be clearly defined, so that there are no areas of overlapping responsibility with the Advisory Board. The Tourism Industry Association warned that the Council will need to carve a distinct niche for itself, otherwise there is the potential that it could be relegated to a second tier committee with a limited voice.

3. Advisory Board

- The Advisory Board proposal (recommendation three) received a mixed reception. Positive comments have been received from most quarters, but it has also drawn significant criticism. Submitters from the health and primary production sectors have commented that the Advisory Board is unnecessary as the roles allocated to it are similar to the functions performed by senior management in other agencies (i.e. developing a statement of corporate intent and overseeing / monitoring of operations). Deer Industry NZ believes that the managerial support that the Board will give to the Director General should come from internal, MAF sources. Otherwise, there is a significant risk that the Director General’s accountability for biosecurity matters will be diluted. A number of submissions also commented that the selection process for the Board would have to be handled carefully, as the Board’s outputs could be hindered if representatives with narrow sector agendas are appointed.
- There were several submissions that questioned why an Advisory Board was not being established for the Ministry of Fisheries. NIWA commented that there are concerns about MFish’s ability to adopt a wider perspective on marine biosecurity management. The aquaculture industry, marine researchers and non-governmental organisations would welcome the opportunity to participate and contribute material to a Ministry of Fisheries Advisory Board.

- The Director General of MAF questioned whether an Advisory Board was the most effective means of engaging with a wide range of biosecurity stakeholders. The Director General indicated that it would be preferable to leave the decision on the form of engagement with stakeholders until the final structure of the biosecurity system becomes clearer.

4. Partnership with Regional Government

- Submitters were generally in agreement with the need to create a tangible and on-going partnership between central and regional government. This partnership is critical for turning the concept of ‘seamless’ biosecurity management into a reality. The regional councils, who submitted on this issue, considered the draft document should have gone significantly further in creating a real partnership between central and local government. Regional councils are seeking a greater involvement in surveillance and incursion response activities, as they have the local knowledge and expertise. The councils stressed that the government commitment to managing pests needs to continue beyond the initial incursion response. On an allied issue, greater use needs to be made of National Pest Management Strategies, to tackle incursions that spread across several regions. And as a sign of government commitment to the regions, the Crown should accept its biosecurity responsibility as a landowner.
- Approximately a dozen submitters recommended that the partnership concept be extended beyond central and local government, to include industry and environmental stakeholders. These submitters stressed that the on-going management of pests, needs to be undertaken in association with the groups who manage the land and who have a direct involvement in preserving flora, fauna and aquatic life.
- The proposal to establish a Standing Pest Management Committee was seen as having considerable merit, by local government and environmental submitters. The Committee is likely to play a critical role in **“managing the boundary between border-related biosecurity and more traditional pest management. Currently, it is too easy for pests to fall between the gaps between incursion response and pest management”** (Royal Forest & Bird). A number of submitters, including the Ministry for the Environment and Local Government NZ, believe that the transition phase from incursion response to long term management is likely to require legislative guidance to clarify the lines of responsibility, and to provide adequate sources of funding for regional councils.

5. Review Period

The majority of the submitters, who commented on recommendation six, supported the idea of an 18-month review period, to assess the progress being made on the recommendations. There were a small number of submitters who recommended that a longer timeframe was needed to observe concrete improvements in performance. Wrightson Research suggested a three-year timeframe. Only a couple of submissions mentioned the five-year review period (mentioned in the questions on page 63). These submissions supported the five-year timeframe and one commented that the system should be under constant review and assessment.

6. Other Comments

- The proposed organisational structure came in for considerable criticism. Submitters questioned the need for all the new boards and committees outlined under the draft Strategy. There was concern that there would be overlapping responsibilities between the committees, which could have the effect of diluting the lines of accountability (particularly the accountability of the Director-General of MAF). A number of submitters were concerned that these committees would produce conflicting messages (i.e. strategic policy) for the operational arms of the biosecurity service. This would be detrimental to their efficient management and decision-making. The submitters were also concerned that the committee structure would slow the lines of communication and act as a block to rapid decision-making on interventions. The submitters therefore recommended that the proposed structure be reviewed, in an effort to streamline the administration and accountability.
- Several submissions recommended that the Chief Executives Group and the Standing Pest Management Committee be merged into a single entity, as there will be a significant cross over of membership and responsibility. Constituting a single committee would help to ensure better communications between central and regional government.

PUBLIC PARTICIPATION

(Raising community awareness and training on biosecurity issues)

General Comment

There was wide support among the submitters for a comprehensive, national communications plan or strategy. This was seen as the appropriate means of implementing recommendation nine. The plan would need to target specific age groups rather than being a broad-brush effort. A number of submitters supported the idea of incorporating biosecurity into the school curriculum and developing university and polytechnic courses. Biosecurity needs to become part of mainstream thinking, in order for the public to be vigilant on biosecurity issues. This means the communication plan needs to have on-going programmes rather than a series of one-off efforts. The plan would need to provide a 'realistic' picture of the economic and environmental costs to New Zealand of incursions. The community must understand the problem, if they are going to accept (take ownership) of the solutions, which may have a physical bearing on their life. The tourism submitters stressed the need for information to be supplied to New Zealand's major markets for tourists. This material would need to be in their own language. A number of submitters commented that the communications plan needs to lay out how community groups will be consulted during an incursion. It is critical for early community involvement and there should be a full sharing of information.

Specific Points

1. A number of submitters commented that responsibility for promoting public awareness of biosecurity (and participation in programmes) should rest with the lead agencies, to ensure that a consistent message is conveyed.
2. Several submitters noted that a substantial proportion of seizures are from New Zealand travellers, indicating that the biosecurity message is not getting through (the public are still largely unaware of the issues surrounding biosecurity). Multi-layered educational programmes are required to reach different age groups. Biosecurity needs to be in the school curricula, and in tertiary courses (university and polytechnic). This will assist in changing the attitude of the future generation. The public needs to be aware not only of the potential threats, but also the pathways by which incursions can enter New Zealand.
3. There was recognition that the existing programmes (Protect NZ and the regional council efforts) are starting to change public perceptions. They were seen however simply as a starting point. There was support for more television coverage, along the lines of the 'Border Patrol' series.
4. There was a general view, across the sector groups that the New Zealand public needs to understand the reality of the biosecurity problem (the economic and environment costs that an incursion could have). Only in this way, will they accept ownership of the problem and the inconveniences that can be part of eradication campaigns. **“The reality of New Zealand’s biosecurity challenge must be clearly understood. New Zealanders must be prepared to be inconvenienced and to make sacrifices for the greater public good.”** (Northland Regional Council). Several conservation groups made the point that the public needs to be better informed about the management tools used to eradicate pests (i.e. 1080). Unless the public understands why these tools are used, there will be continued public protest, which will make agencies less inclined to use the appropriate tools.

5. A frequent view expressed in the submissions was that the New Zealand population needs to be mobilised to recognise that biosecurity is their problem, not simply an issue for government agencies. The public needs to understand the risks, in order for them to modify their actions when travelling or importing items. Informative and up to date information is required for the public to identify potential incursions. And there needs to be simple mechanisms for the public to access this information and to make contact with biosecurity services (there were several comments about the provision of a free advisory service).
6. A number of submitters commented that the biosecurity agencies need to plan how they will interface with the communities that are affected by response programmes. Early and sustained community involvement is critical. Response programmes need to be a partnership, where information is shared (several submitters used the term – the ‘Community Right to Know’). Only in this way can community trust and acceptance be built up. A key issue raised, was the importance of learning from previous incursion campaigns (particularly if they are in the same area). The contacts built up during previous campaigns need to be used, and any promises made (i.e. in terms of which groups will be consulted) have to be honoured.
7. There was some concern from submitters that the current publicity and media attention is focused on a couple of ‘high profile’ incursions, whereas the emphasis needs to be on the workings of the biosecurity system, and how individuals can assist in the identification of pests.
8. The submissions by the tourism sector stressed the need for appropriate literature on biosecurity for overseas visitors. **“Educating international visitors will strengthen New Zealand’s biosecurity by reducing the risk of unwitting violation of rules and ensuring visitors spread positive messages about our biosecurity measures, based on an understanding of their function and importance”** (Ministry of Tourism). This literature needs to be available in our key offshore markets for travellers and must be in their own language.
9. Te Rūnanga o Ngāi Tahu made the point that tailored education programmes should be developed for Maori and other cultural groups.

TREATY OF WAITANGI ISSUES

General Comment

There was broad support among the submitters for the lead biosecurity agencies to identify their responsibilities under the Treaty of Waitangi and to develop appropriate mechanisms to fulfil these obligations (recommendations 4 and 10). The submitters varied however, in the degree to which there should be Maori involvement in decision-making and in setting biosecurity priorities. The majority of the primary producers, who commented on this section, took the view that Maori viewpoints and cultural concerns should be incorporated in biosecurity assessments but that they should not dominate priority setting or over-ride scientific recommendations. The local government and conservation submitters generally saw a need to incorporate the Treaty obligations more fully into the document, while Te Rūnanga o Ngāi Tahu sought an amendment to the Biosecurity Act, to explicitly state the need for lead agencies to address Treaty issues.

Specific Points

1. The submissions from the local government sector normally included reference to the Treaty partnership. The majority of these submissions made comments along the lines that the partnership with Maori needs to be explored more fully (and stated more explicitly) throughout the Strategy. One council commented that the Treaty obligations should be defined at the commencement of the document (to bring Maori issues into consideration from the outset). The Bay of Plenty Conservation Board and Landcare Research made similar comments and went on to say that the Strategy needs to explicitly define the role of Maori at each level of the decision-making process.
2. The submissions from the primary production sector recognised the importance of seeking Maori input on biosecurity management but they were generally cautious as to the appropriate level of Maori involvement in decision-making and priority setting. “... **it is important that [Maori] considerations do not become disproportionate or that operational areas and decision-making become bogged down ...**” (Nursery & Garden Industry Association). A comment made by several submitters was that Maori values need to be considered but scientific judgements on incursions need to prevail. There was also some concern that the views of other stakeholders would not be valued as highly as those of Maori.
3. The submissions that commented on recommendation four were generally supportive of having Maori representation on the proposed Biosecurity Advisory Board. In several cases, this support was conditional on the person appointed having a strong background in biosecurity, so that they could make an effective contribution to the work of this committee.
4. The two Maori submitters and the Museum of New Zealand stressed that there should be Maori participation at all levels of the biosecurity framework and that early consultation with iwi and hapū is essential on initial responses and on the long-term management of pests. Te Rūnanga o Ngāi Tahu sought an amendment to the Biosecurity Act to give effect to the Treaty and for the lead biosecurity agencies to recognise, and provide for, the relationship of Maori with their ancestral lands, water, waahi tapu and other taonga. This would provide a consistent approach to the handling of Treaty issues.

FUNDING

(The appropriate level of funding for the proposed structures and the appropriate sources of funding)

General Comment

The majority of the submitters, who commented on this issue, supported the proposal for a comprehensive review of the biosecurity funding arrangements, to ensure that adequate resources are allocated to core biosecurity programmes (recommendation 22). Prior to this review however, it was considered important that a base set of 'funding principles' be developed. These principles would guide the review, provide a consistent framework for funding decisions, and make the system of biosecurity funding more transparent. There was general support for the list of priority funding areas (recommendation 23). In addition to these priorities, substantially more attention needs to be paid to pre-border surveillance and prevention systems. Another priority area is on-going pest management, as there are serious concerns about the transfer of new incursions to regional council management. The preferred balance between 'public' and 'private' funding is discussed in the points below, along with the need for a contingency fund and more certainty in research funding.

Specific Points

1. There was strong support among submitters for focusing resources on pre-border surveillance and prevention systems. There was a general view that focusing resources on the points of departure (for New Zealand's imports) would have a significantly higher return for the country than border surveillance and post-border incursion response. Pre-border monitoring systems and inspection were therefore suggested as high priorities for the funding review. This opinion stretched across most sector groups.
2. There was support, particularly amongst regional councils, for a review of the funding arrangements for post-border pest management. A number of councils commented that a clear transitional process must be put in place when transferring responsibility for a pest from an 'incursion response programme' to a regional council. This process must include the financial arrangements for managing these pests, otherwise there is a possibility that councils will not take over responsibility for their management (i.e. they will fall between the gaps). Regional councils are seeking an increased level of certainty in their funding arrangements for biosecurity. The councils were also vocal that the government should be providing adequate funding for pest destruction work on the Crown estate.
3. There was wide (but not universal support) for the idea of a contingency fund being available for the biosecurity agencies. This fund would allow the biosecurity agencies to mount an immediate response to incursions, rather than having to work through an extended political process. An immediate response greatly improves the chance of pest eradication and would send a positive message that the government is committed to biosecurity.

4. The submissions from a number of primary producer groups stressed that their industries are already undertaking surveillance activities. This can be at a farm / orchard level, or in the downstream processing facilities. A number of industries also provide the biosecurity agencies with technical expertise. In any review of resourcing, this ‘in kind’ funding needs to be taken into consideration. Several sectors (notably forestry) maintain or financially contribute to surveillance programmes. This existing contribution by the primary production sector needs to be borne in mind when assessing the need for cost recovery from a sector.
5. The general view amongst submitters was that biosecurity programmes contain a high degree of ‘public good’. **“A strong and effective biosecurity programme delivers benefits and protects against losses for all parts of New Zealand society and all aspects of the New Zealand economy, and how the programme is funded must recognise and reflect this”** (Deer Industry New Zealand). There was substantial debate as to whether the entire system should be viewed as a ‘public good’ or only certain components. There was wide acceptance that pre-border activities and normal surveillance activities in New Zealand were ‘public goods’ and should be funded by the Crown. Several submitters also commented that the work on negotiating import and export standards, and developing biosecurity policy should also be considered a ‘public good’. Charging for passenger and cargo inspections received a number of strongly worded submissions, in favour of charging importers and passengers for this service. There were several counter-balancing submissions, which discussed how higher biosecurity charges could affect the competitiveness of the tourism sector and raise the cost of imports (the Ministry of Tourism noted that clearance charges could be in breach of the Convention on International Civil Aviation). There was limited discussion on the funding of incursion responses. The submissions that examined this issue, commented that there should be some level of cost recovery, if the exacerbator can be found (i.e. the Crown should not pay for an individual’s mistakes). In terms of on-going pest management programmes, the general view was that it contains both elements of public and private good. In this situation, there needs to be a clear set of principles for assessing where the funding division lies (between the Crown, regional government and sector groups).
6. A significant proportion of the submitters, who commented on this section, considered that the issue of cost recovery should be examined (i.e. levies and user pay charges). Any charges introduced would have to be clearly targeted at the beneficiaries of the service (or the risk exacerbators), and the government should only seek to recover costs. In imposing these charges, the government has to demonstrate that due process has been followed and that the levy is consistent with agreed funding criteria. The Southland District Council commented that inspection charges on importers could lead to improved efficiencies, if the charging was targeted correctly.
7. A common view that came through in the submissions (particularly the primary sector submissions) was that any charging regime must be based on a clear and consistent set of principles. The key principles raised in the submissions were transparency, accountability, equity and ensuring that the compliance costs are minimised. These principles need to be determined prior to the review of biosecurity funding. The issue of minimising compliance costs was a regular theme among primary producers, importers and the tourism providers. There was strong opposition to the idea of cross-subsidisation of services. For example, commercial vessel operators are concerned that they fund programmes that benefit non-commercial and international operators. The submitters are asking for consistency (certainty) in any charging regimes. In connection with this point, a number of submitters raised the example of how there are different funding structures for international passenger clearance at regional and metropolitan airports.
8. The issue of research funding was raised in several submissions. The current system is fragmented and lacks overall direction. The review of funding and capability should examine providing a more co-ordinated framework for the allocation of these funds. The existing situation can cause sub-optimal results, as project funding may only cover the initial stage of a research plan, and alternative revenue sources can not always be identified to progress a project through its later stages, particularly the trial and implementation stages.
9. A number of submitters sought clarification in the Strategy as to the ease with which MFish, DoC and MOH have been able to secure funding for biosecurity programmes. The draft document only referred to MAF’s ability to secure additional funding.

STRATEGIC ISSUES

Specific Points

1. A recurring theme through the submissions was that the draft Strategy is a useful ‘high level’ document but that it lacks the necessary detail for directing how the organisational structure of the biosecurity system is to be changed. This level of detail is needed to push through the necessary changes to the system. One avenue of approaching this issue would be to prepare a second volume to the Strategy that examines how the proposed re-structuring will be implemented (this approach was favoured particularly by regional councils). This second volume would include the following points:
 - a detailed analysis of the biosecurity risks facing New Zealand;
 - specific objectives relating to the risks;
 - identification of how these objectives can be achieved (including priority setting);
 - an assessment of management capacity and funding arrangements;
 - the setting of performance standards; and
 - the identification of who will take responsibility for the Strategy and monitor it to ensure that the objectives are being met.In particular, **“the proposed re-organisation of agencies needs to be accompanied by a clear statement of outcomes, ... otherwise the agencies will continue to operate in a policy vacuum”** (Ministry for the Environment).
2. The majority of the submissions from regional councils and territorial authorities voiced concern over the fact that the Crown agencies who manage the public estate (principally DoC) are not bound by regional strategies. **“One of the difficulties in regional pest management is the way the Crown, as a land manager, appears reluctant to fund its share”** (Greater Wellington Regional Council). This creates ratepayer resentment, as private landowners are required to meet the regional standards. Several councils reported situations where serious environmental degradation was occurring on Crown land, and the adjacent private landowners were unable to stop the spread of pests onto their properties.
3. Submitters from across the spectrum argued that there is an urgent need to review the Biosecurity Act (1993), as the current legislation has a number of serious deficiencies (i.e. the process for amending pest management strategies). This group of submitters also questioned why the draft Strategy did not examine the role of the Ministry for the Environment, the Environmental Risk Management Authority (ERMA) and the Hazardous Substances and New Organisms (HASNO) Act in New Zealand’s biosecurity framework. Both of these agencies, and the HASNO Act, need to be considered when developing a whole-of-government approach to biosecurity management. Several submissions had significant reservations about the HASNO Act. For example, the Farm Forestry Association and Carter Holt Harvey raised **“the issue of bureaucratic encumbrance when implementing new bio-controls”** (CHH).
4. A number of primary production submissions stressed the importance of New Zealand retaining its current biosecurity status. New Zealand’s relatively disease free status is a major marketing tool for our export industries. In the case of the pipfruit industry, exporters have developed markets

in 55 countries. Access to these markets would be severely restricted if there was an outbreak of a major disease or the introduction of a significant new pest (e.g. fruit fly or BSE).

5. A key issue for environmental groups and a number of the private submitters is the lack of discussion in the draft Strategy on genetically modified organisms (GMO's). The submitters contend that GMO's pose a significant biosecurity risk to the conservation estate, organic industry, tourism sector and primary producers (through cross-pollination, unplanned breeding, horizontal gene transfer, the establishment of super weeds and increasing herbicide and disease resistance). The groups argue that a precautionary approach needs to be taken on the issue of genetic modification. There is general support amongst these submitters for the moratorium to remain in place (until better science is available) and for conservation lands to be classed as GMO free. Te Rūnanga o Ngāi Tahu took a similar line. The Tribal authority has adopted a policy opposing the release of genetically modified organisms into the environment, as their spread could have major cultural and social implications.
6. There were a handful of submissions that addressed the issue of 'self-introduced' species, such as plovers in Canterbury. These submissions recommended that additional research be undertaken to examine the impact these species are having on the indigenous biodiversity.
7. The majority of the environmental submissions (and a proportion of the private submissions) commented that the draft Strategy focused disproportionately on the biosecurity threats to the primary production sector. The attention given to New Zealand's indigenous vegetation and marine resources was viewed as inadequate. The submissions recommended the incorporation of a stronger environmental and marine focus within the document. It was also recommended that the Biosecurity Strategy be linked more closely to the Biodiversity Strategy.
8. There were half a dozen submissions, which recommended that the Strategy needs to pay more attention to New Zealand's obligations under international treaties, principally the Convention on Biological Diversity and Ramsar.