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Appendix 1: Meaning of Words

This section provides the meaning of words used in the Strategy and in the Biosecurity Act 1993 and the Resource Management Act 1991.

Words marked with a + are as defined in the Biosecurity Act 1993, while words marked with an * are as defined in the Resource Management Act 1991.

Act	means the Biosecurity Act 1993 (including any amendments).
Apply	In relation to a controlled herbicide or pesticide means to drop from an aircraft, to lay as a bait or to spray, dust, sprinkle, wipe, place or pour on the ground or any vegetation.
Appropriate	means as determined to be appropriate by the Council or their officers acting under delegated authority.
Authorised Person⁺	means a person for the time being appointed an authorised person under section 103 of the Act.
Beneficiary	means the receiver of benefits accruing from the implementation of a pest management measure or the Strategy.
Biological Control	means the introduction or establishment of living organisms, which will prey on, or adversely affect a pest.
Chief technical officer⁺	means a person appointed a chief technical officer under section 101 of the Act.
Contain	means to prevent a pest spreading from a property or part of a property to other properties or part of a property.
Containment pest	refers to pests where the occupier of the land where the pest is present is required to control the pest as defined in a Strategy Rule(s) specified in the Strategy.
Costs and Benefits⁺	includes costs and benefits of any kind, whether monetary or non-monetary.
Control programme	means a document produced and issued by the Council to an Occupier each year that provides information on the recommended control measures, timeframes and Occupier obligations for a pest organism to assist Occupiers in achieving the Strategy Rules.
Council	means the Marlborough District Council.
Core property	means a property classified as 'Core' that has a scattered infestation of a plant pest across the entire property, where there is a requirement to comply with a particular Strategy Rule.
Crown Land	means land vested in Her Majesty and administered by a Minister for the time being charged with the administration of the Department of State that has control of the land; and includes all and for the time being forming part of any National Park, any reserve within the meaning of the Reserves Act 1977, and all unoccupied lands of the Crown.
Department⁺	has the same meaning as in the State Sector Act 1988.
Destroy	means pull, breakdown, demolish, make useless, kill, cause to cease to exist.
Director-General⁺	means the chief executive of the Ministry.
District Council	means a district council constituted under Part 1A of the Local Government Act 1974.
Ecosystem	means a dynamic complex of plant, animal and micro-organism communities and their non-living environment, interacting as a functional unit.
Effect	unless the context otherwise requires, the term 'effect' includes: <ul style="list-style-type: none"> • any positive or adverse effects; and • any temporary or permanent effect; and • any past, present or future effect; and • any cumulative effect which arises over time or in combination with other effects regardless of the scale, intensity, duration or frequency of the effect, and also includes: <ul style="list-style-type: none"> • any potential effect of high probability; and • any potential effect of low probability which has a high potential impact.
Encroached	The invasion of pests onto an adjacent property or properties.
Endemic	Where a pest is in high densities and is common to the location.

Enforce	means to compel, observance with the law.
Environment⁺	includes— (a) Ecosystems and their constituent parts, including people and their communities; and (b) All natural and physical resources; and (c) Amenity values; and (d) The aesthetic, cultural, economic, and social conditions that affect or are affected by any matter referred to in paragraphs (a) to (c) of this definition.
Eradicate	means to totally clear from a property, region or part of that region.
Exacerbator	means a person, who by their actions or inaction, contributes to the creation, continuance, or exacerbation of a particular pest management problem.
Externality impacts	means adverse and unintended effects imposed upon others.
Farm land	means land used or intended to be used solely or principally for agricultural or horticultural purposes or the keeping of bees or poultry or other livestock; and ‘farming’ and ‘farming purposes’ have corresponding meanings.
Fringe property	means a property classified as ‘Fringe’ that has an isolated infestation of a plant pest where there is a requirement to comply with a particular Strategy Rule.
Indigenous	means native to an area.
Inspector⁺	means a person who is appointed an inspector under section 103 of this Act.
Intrinsic values[*]	in relation to ecosystems, means those aspects of ecosystems and their constituent parts which have value in their own right, including – 1. Their biological and genetic diversity; and 2. The essential characteristics that determine an ecosystem’s integrity, form, functioning, and resilience.
Local authority^{**}	means a regional council or territorial authority.
Management Agency⁺	means the Department, authority, or body corporate specified in a pest management strategy as the agency given the task of implementing the Strategy.
Management Regime	refers to system of administration.
Means of Achievement	refers to general management options or tactics by which the Marlborough District Council will achieve an objective(s).
Minister⁺	means a Minister of the Crown; and (a) In relation to a national pest management strategy, means the Minister who recommended the making of the order under section 68 making the Strategy; and (b) In relation to a proposal for a national pest management strategy that has been notified, means the Minister who notified the proposal.
Ministry⁺	means the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.
Mitigate	means reduce or moderate the severity of something.
Monitor	means to observe the occurrence or non-occurrence of a pest.
Natural and physical resources⁺	means— (a) Organisms of all kinds; and (b) The air, water, and soil in or on which any organism lives or may live; and (c) Landscape and land form; and (d) Geological features; and (e) Structures of all kinds; and (f) Systems of interacting living organisms and their environment.

Objective	means a statement of a desired but specific environmental outcome.
Occupier⁺	(a) In relation to any place physically occupied by any person, means that person; and (b) In relation to any other place, means the owner of the place; and (c) In relation to any place, includes any agent, employee, or other person, acting or apparently acting in the general management or control of the place.
Operational Plan	Plan prepared by the management agency under section 85 of the Act.
Organic material⁺	Subject to subsection (2) of this section, means any material that is or contains— (a) Material derived from an organism; or (b) An excretion or secretion of an organism,— (whether or not it also contains material derived from a human being or contains the secretions of a human being).
Organism⁺	(a) Does not include a human being or a genetic structure derived from a human being. (b) Includes a micro-organism. (c) Subject to paragraph (a) of this definition, includes a genetic structure that is capable of replicating itself (whether that structure comprises all or only part of an entity, and whether it comprises all or only part of the total genetic structure of an entity). (d) Includes an entity (other than a human being) declared by the Governor-General by Order in Council to be an organism for the purposes of the Act. (e) Includes a reproductive cell or developmental stage of an organism. (f) Includes any particle that is a prion.
Plant	means any plant, tree, shrub, herb, flower, nursery stock, culture, vegetable, or other vegetation; and also includes any fruit, seed, spore and portion or product of any plant; and also includes all aquatic plants.
Person⁺	includes the Crown, a corporation sole, and a body of persons (whether corporate or unincorporate).
Pest⁺	means an organism specified as a pest in the Pest Management Strategy.
Pest agent⁺	in relation to any pest, means any organism capable of— (a) Helping the pest replicate, spread, or survive; or (b) Interfering with the management of the pest.
Pest management strategy⁺	means a strategy, [made] under Part 5 of this Act, for the management or eradication of a particular pest or pests.
Principal Officer	means the Principal Administrative Officer of the Regional or Unitary Council and in relation to the Marlborough District Council, means the Chief Executive of the Council.
Region	in relation to a unitary authority, means the region in respect of which it has the functions, duties, and powers of a regional council.
Regional council	has the same meaning as in the Local Government Act 2002, and includes the Chatham Islands Council and unitary authorities.
Regulations	means regulations made under this Act.
Responsible minister⁺	means the Minister who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act
Restricted organisms⁺	means any organism for which a containment approval has been granted in accordance with the Hazardous Substances and New Organisms Act 1996 (including any approval deemed to have been granted under sections 254(1), 254(3), 254(8)(a), 255(1), 255(2), 256, 258(1), and 258(3)).
Restricted place⁺	means any [place] that an inspector or an authorised person has declared to be a restricted place under section 130 of this Act.

Risk goods	means any organism, organic material, or other thing, or substance, that (by reason of its nature, origin, or other relevant factors) it is reasonable to suspect constitutes, harbours, or contains an organism that may— (a) Cause unwanted harm to natural and physical resources or human health in New Zealand; or (b) Interfere with the diagnosis, management, or treatment, in New Zealand, of pests or unwanted organisms.
River*	means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).
Road*	has the same meaning as in section 315 of the Local Government Act 1974.
Strategy Rule	means a rule included in a pest management strategy in accordance with section 69B or section 80B of the Act.
Surveillance pests	refers to pests where Council will monitor their distribution, their spread and their impacts over the term of the Strategy.
Sustainable management	means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while— (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment. **This definition is the purpose of the Resource Management Act 1991.
Territorial authority*	has the same meaning as in section 2(1) of the Local Government Act 1974.
Terrestrial Plants	means plants of or on dry land.
Total Control Plant Pests	refers to pests where Council and/or the Department of Conservation will undertake control work. Plant pests will be treated by a recognised method before they seed and rooks will be treated when appropriate.
Unitary authority⁺	means territorial authority that, by virtue of section 37N(1) of the Local Government Act 1974, has the functions, duties and powers of a regional council in respect of a region under its control.
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— (i) Any new organism, if the Authority has declined approval to import that organism; and (ii) Any organism specified in Schedule 2 of the Hazardous Substances and New Organisms Act 1996; but (b) Does not include any organism approved for importation under the Hazardous Substances and New Organisms Act 1996, unless— (i) The organism is an organism which has escaped from a containment facility; or (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.
Water*	(a) Means water in all its physical forms whether flowing or not and whether over or under the ground: (b) Includes fresh water, coastal water, and geothermal water: (c) Does not include water in any form while in any pipe, tank, or cistern

Appendix 2: Explanation of Strategy Rules

Pest	Explanation
Total Control Plant Pests	<p>The rule preventing the sale, propagation and distribution of pests (unwanted organisms) helps to reduce the number and/or extent of these pests.</p> <p>Notifying the Council of the presence of the specified pests will enable the Council to update its records, map new sites of these pests, carry out control work before they spread, determine whether new control regimes should be considered and provide advice and information to land occupiers where appropriate.</p>
Total Control Animal Pests	<p>The rule preventing the sale, propagation and distribution of pests (unwanted organisms) helps to reduce the number and/or extent of this pest.</p> <p>Notifying the Council of the presence of Rooks will enable the Council to update its records, map new sites of these pests, carry out control work before they spread, determine whether new control regimes should be considered and provide advice and information to land occupiers where appropriate.</p> <p>Rooks require professional control. Consequently the rules prohibit a range of activities, which may make Rooks difficult for the Council to monitor and control.</p>
Containment Control Plant Pests	<p>The rule for containment control pests preventing the sale, propagation and distribution of pests (unwanted organisms) helps to reduce the number and/or extent of these pests.</p> <p>Notifying the Council of the presence of new sites of specified pests will enable the Council to update its records, map new sites of these pests, carry out control work before they spread, determine whether new control regimes should be considered and provide advice and information to land occupiers where appropriate.</p> <p>By requiring the destruction of all plants before they produce seed, an infestation cannot spread and the density of the infestation should decrease over time. On properties classified as 'Core', the infestation is considered too high to practically destroy all plants before they seed.</p> <p>By requiring the destruction of all plants before they produce seed within a specified distance of adjacent property boundaries, the risk of an infestation spreading onto an adjacent property is reduced.</p> <p>In the Upper Wairau Broom and Gorse Containment Control Area, the low level of broom and gorse infestation warrants the destruction of all plants before they seed.</p> <p>In the Upper Awatere Broom Containment Control Area in the area classified as "Fringe", the low level of broom infestation warrants the destruction of all plants before they seed.</p> <p>In the Upper Awatere Broom Containment Control Area in the area classified as "Core", destroying plants in the riverbed and around the perimeter of this area, will prevent the spread of broom into the area defined as "Fringe".</p>
Containment Control Animal Pests	<p>The rule controlling rabbits requires occupiers to maintain rabbit populations at or below a threshold level to minimise the effects of rabbits on agricultural values and soil conservation.</p> <p>The rule preventing the sale, propagation and distribution of rabbits (unwanted organisms) helps to reduce the number and/or extent of this pest.</p> <p>The rule preventing any person from spreading possums onto an offshore island in the Marlborough Sounds will prevent the establishment of such pests on offshore islands. These islands are currently free from possums and the Council aims to prevent their establishment and as a result protect conservation values.</p>
Surveillance Pests	<p>The rule preventing the sale, propagation and distribution of pests (unwanted organisms) helps to reduce the number and/or extent of these pests.</p>