

### Desired outcome

To reduce the risk of pests and diseases spreading from unmanaged orchards to other orchards, either by returning the orchard to a situation where it is effectively managed or by removing vines and kiwifruit plant material to eliminate risk.

### Background

Orchards left unmanaged are high risk sites for the potential establishment, amplification, and spread of known and unknown pests and diseases to other orchards and growing regions. Fruit left on vines pose a risk in terms of spread of kiwifruit seeds (for example, by birds), which can lead to the establishment of wild kiwifruit populations. While acting as a reservoir for pests and diseases, Wild kiwifruit also threatens indigenous biodiversity values, and is of significant concern to regional authorities, and the communities they represent.

KVH will work with growers to find voluntary solutions for dealing with unmanaged orchards, supported by legal powers available under the National Kiwifruit Pathway Management Plan (Pathway Plan) should voluntary solutions not be achievable. KVH will only get involved to take action where the state of an orchard has the potential to cause unwanted harm to the kiwifruit industry and where reasonable attempt has already been made by the grower and post-harvest operator to seek a voluntary solution, without success. This is consistent with the approach that KVH has been using since 2013, under the National Psa-V Pest Management Plan (NPMP) which expired in May 2023.

The Pathway Plan does not provide a specific definition for unmanaged and abandoned orchards. For clarification an updated definition for what was previously known as an 'unmanaged' or 'abandoned' orchard has been consolidated and is provided in this policy below.

**Unmanaged orchard:** Any orchard where kiwifruit plant material can harbour high-risk organisms where management practices, or lack of, increase the likelihood of spread on kiwifruit industry pathways with the potential to cause harm to the kiwifruit industry.

### Deciding when an orchard is unmanaged

An orchard will be considered 'unmanaged' by KVH when:

- The orchard is not being actively managed to reduce pest and disease populations.
- The pest and disease situation is deteriorating.
- The orchard is creating heightened risk to nearby orchards and kiwifruit industry pathways.
- The orchard meets this policies definition for an unmanaged orchard.

The following will also be put into consideration when determining risk:

- The overall level of pest and disease presence and abundance within the region.
- The density, proximity, and health status of neighboring orchards.
- The nature and extent of the symptoms present on the orchard.
- The composition of different kiwifruit varieties grown within the orchard and associated level of pests and diseases each variety plays host to.
- The number and nature of movements off the orchard that could lead to further spread of pests and diseases.

## **Implementation approach for unmanaged orchards**

KVH operates an escalation model (see Appendix 1), that starts with providing support and giving every reasonable opportunity to find a voluntary solution, but where possible also ensures timely action is taken so that serious risk is managed.

Where voluntary solutions are not found, KVH has a range of options available depending on the situation at hand, including:

- Applying quarantine measures.
- Applying targeted movement controls.
- Applying effective treatments to reduce the risk of spread.
- Giving directions to undertake management activities to reduce the risk of spread.
- Working with regional authorities to remove the orchard where it may be considered wild kiwifruit under a Regional Pest Management Plan (RPMP).

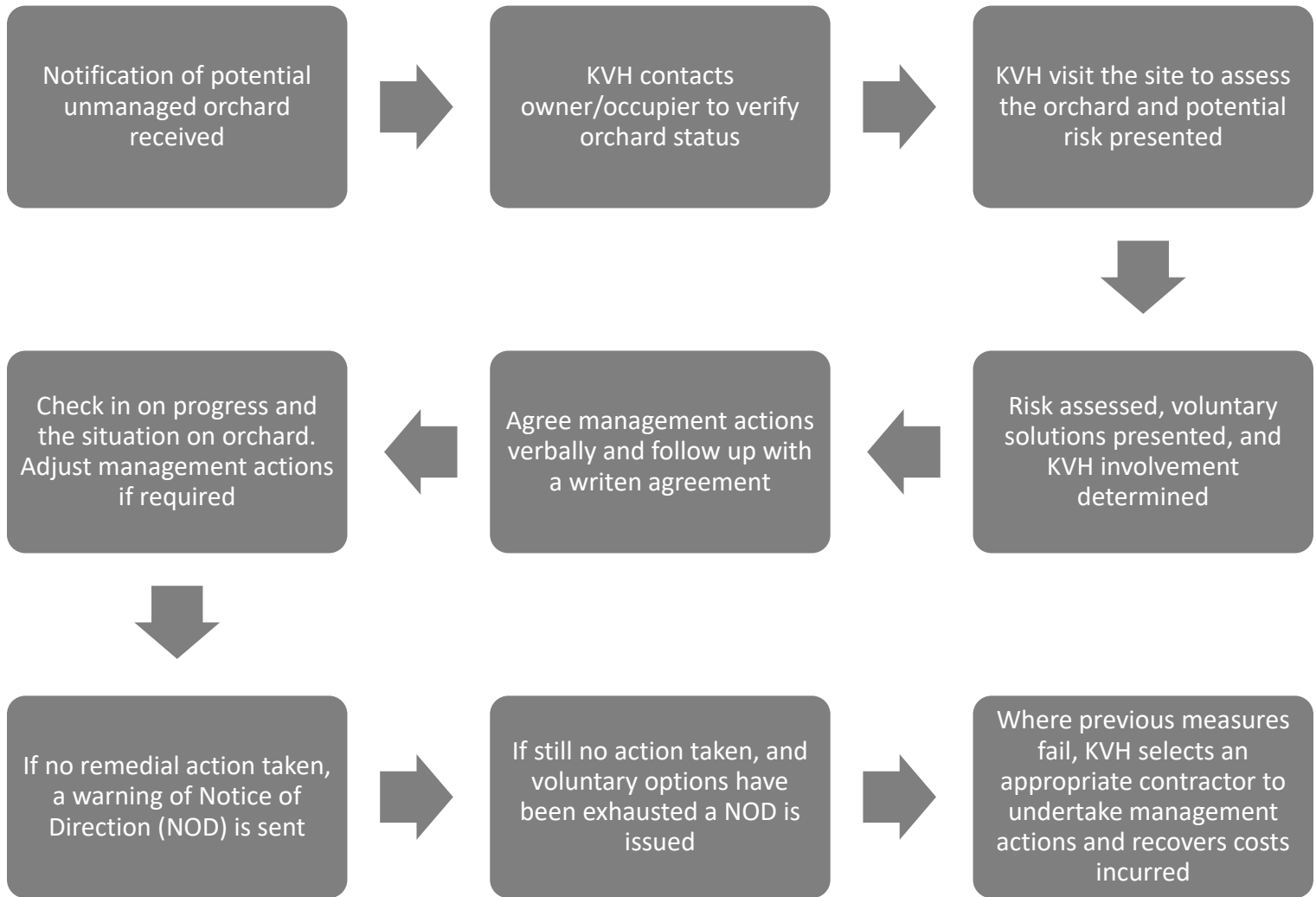
KVH manages wild kiwifruit where these harbour, or have the potential to harbour, pests and diseases that can spread on kiwifruit industry pathways. Some regional authorities manage wild kiwifruit to reduce its impact as a pest plant that threatens indigenous biodiversity values. Where these interests align, KVH and the appropriate regional authority may collaborate to find the most effective approach to manage the risk.

The course of action to address risk associated with an unmanaged orchard will typically entail implementation of appropriate plant husbandry techniques and application(s) of an effective crop protection product and/or removal of kiwifruit plant material and disposal in accordance with KVH protocols.

## **Compliance management and cost-recovery for unmanaged orchards**

- Where reasonable efforts to achieve a voluntary and timely solution have not been successful, a KVH Authorised Person will issue a Notice of Direction under section 122 of the Biosecurity Act, which sets out the actions that must be taken by the landowner or occupier, the reason for the actions, and when those actions must be undertaken by.
- Where a Notice of Direction is not complied with, KVH will act on default under section 128 of the Biosecurity Act, by appointing a contractor to carry out the work set out in the Notice of Direction.
- KVH will procure services from an Expression of Interest and select a preferred contractor based on ability to reliably deliver cost-effective and timely services. Where possible, KVH will consider at least two quotes before selecting its preferred contractor.
- KVH will recover costs from the landowner or occupier under section 128 of the Biosecurity Act and will only recover the costs of services delivered by the third-party contractors.
- All costs recoverable shall be a charge against the land concerned.

### Appendix 1: Escalation model



Note: In high-risk cases the escalation model may be circumvented with approval from the KVH Chief Executive to issue a Notice of Direction as soon as practical to do so. At any point KVH may stand down during the steps listed above if it is assessed that there is no heightened risk to the kiwifruit industry or kiwifruit industry pathways.