

**Submission by**

**The Employers and Manufacturers  
Association (EMA)**

**to**

**Ministry of Primary Industries**

**on**

**A New Independent Infrastructure  
Body - Increasing Requirements for  
Transitional Facilities**

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## **About the EMA**

The EMA has a membership of more than 8500 businesses, from Taupo north to Kaitaia, employing around 350,000 New Zealanders.

The EMA provides its members with employment relations advice from industry specialists, a training centre with more than 600 courses and a wide variety of conferences and events to help businesses grow.

The EMA also advocates on behalf of its members to bring change in areas which can make a difference to the day-to-day operation of our members, such as RMA reform, infrastructure development, employment law, skills and education and export growth.

## **CONTACT**

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## Increasing Requirements for Transitional Facilities

### Background

The Ministry for Primary Industries (MPI) is increasing the security requirements for new and existing Transitional Facilities (TF) that receive sea containers. This is justified by increased and ongoing biosecurity threats to New Zealand.

However, the way the changes are being communicated to various TFs and implemented is causing major disruption and uncertainty.

MPI is currently increasing security requirements in a piecemeal approach. This is undermining the confidence of TF's that they are going to be able to meet any future requirements in the medium to long term because they are not being made aware of the requirements in a timely manner.

### Current Changes and Implementation

In order to meet new security requirements TFs must:

- Devan the container inside a secure building **or**
- Hold a container in a secure fully fenced (at least 1.8m high) area
- Have a lockable gate
- Lock the container, for example, secure with a substantial padlock

But at this point it is not entirely clear if this applies to both high and low risk facilities

There is also a very tight timeframe for implementation as after **1 September 2019** MPI will cancel existing TFs if they do not meet these new requirements. Any new TF application will need to meet these requirements.

In addition, there is a significant amount of discussion about the possibility of requiring security guards on gates, checking sea containers on and off sites, and requirements for cameras and other security measures.

### The Problem

There is an absence of clear policy directives from the top levels of authority within MPI and as a result TFs likely to be affected by the new rules are relying on confused or hearsay messaging from lower level officials at operational levels within MPI.

Business owners feel they cannot plan for change in a constructive long-term manner, and are reacting in short time frames while remaining unclear if they meeting expected requirements.

The current security fencing requirement is a case in point.

A good proportion of business premises are leased, and businesses may have to move as not all owners are agreeable to fencing.

Convincing owners of leasehold premises to install required fencing can be a time-consuming task and may even result in some smaller TFs having to look for alternative premises that meet the requirements – again not a fast process with a September 1 deadline looming.

## **What is needed is certainty**

Our view is that MPI needs its communication to be more direct with industry and the policy requirements more clearly outlined to affected TFs.

A longer timeframe for transition and implementation is also required, particularly as potentially affected businesses may be locked into longer term leasehold arrangements that could carry significant penalties for early default. They may also be dealing with owners over longer timeframes than the current September 1 deadline would allow.

Our recommendation is for a 5-year transition period.

Our current view is that a long-term policy for change is being implemented in a very ad-hoc manner.

In summary MPI needs to better communicate in a more structured manner the policies that will lead to a managed 5-year transition plan for reduction of transitional facilities in order to allow certainty for affected businesses –particularly those small to medium sized TFs.



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