

Thank you for receiving my submission. Please keep me informed, I wish to be heard at the hearings.

I am appalled by this cynical and manipulative measure to by MPI to legislate around the legitimate concerns and democratic rights of communities to self determine local management and risk of new organisms including GE trees.

It is time this Government "got it" and listened to the people or come out from behind the smoke screen and admit that you have no intent on upholding democracy and the rights of communities to self determination.

Communities have spoken loud and clear, that EPA administration of GE applications is flawed with inadequate provisions for containment and liability. Councils have listened to their communities to provide an additional tier of protection through the RMA.

Similar corporate power grabs are happening in the States with new federal laws proposed to over ride individual States regulation of GMO labeling laws. This is on the back of massive funding and lobbying by large GM corporations.

It is hard to imagine that those same corporations are not behind this hastily introduced proposal of the NES- PF by way of the TPPA.

If this NES-PF is passed into law it will be one of the darkest days in NZ politics and will mark a new era in corporate facism facilitated by the National Party of NZ.

GE trees are prohibited by both international certification bodies (Forest Stewardship Council – FSC - and the Programme for the Endorsement of Forest Certification - PEFC) which certify genuinely sustainable forests.

National's proposed new standards for plantation forestry will help big, foreign-owned forestry companies make a quick buck at the expense of our environment and the local communities they work in.

Nathan Guy, I want you to strengthen bottom lines for the New Zealand forestry industry to help secure the long-term sustainability of the sector, to and protect our access to key markets and premiums (for certified forests under PEFC or FSC), and protect our waterways, soils and wider environment.

I support smart, strong environmental standards for plantation forests in New Zealand – standards that give certainty and encourage the long-term sustainability of the industry.

A sustainable forest sector is one that protects our indigenous vegetation and habitats, provides food and nectar for native birds, protects our soils from erosion and our waterways and estuaries from siltation; and protects the fisheries that depend on them.

It is one that takes a precautionary approach to outdoor use of GMOs by preventing the planting of GE tree stocks (field trials or releases) which would cause GE

contamination of the local environment; and continues to allow local communities to have a say on forestry practices and place strong precautionary and prohibitive GE rules in local plans.

In response to the MPI's proposed National Environmental Standard for Plantation Forestry, I would like to see:

Indigenous vegetation and habitats protected from being over-planted with exotic trees;

Clear cut size limited to reduce erosion and sediment loss;

The use of overseas best practice by introducing larger riparian buffer zones and setbacks along rivers and around lakes and wetlands to protect their natural character and water quality;

All wording referring to genetically modified trees and rootstock must be removed from the NES-PF. (NES-PF 6.4, p 43, 64 & 82). We want MPI's proposed section 6.4 removed from the new NES for Plantation Forestry. NZ councils' precautionary and prohibitive GE policies must be retained. Local councils have the right to prevent outdoor GE tree experiments and GE tree releases (using the RMA). I also want my council to be able to introduce stronger controls than what MPI has in the proposed new NES (to prevent erosion, control wilding trees, and protect the environment). I note that GE trees are prohibited by both international certification bodies (Forest Stewardship Council and the Programme for the Endorsement of Forest Certification) who certify genuinely sustainable forests globally.

Incentives to plant more diverse tree species to reduce fire risks and increase indigenous biodiversity.

Thank you,

John Sanderson

s 9(2)(a)

s 9(2)(a)

from s 6(b)(i), s 6(a)

I support the Standard in part, not 6.4.

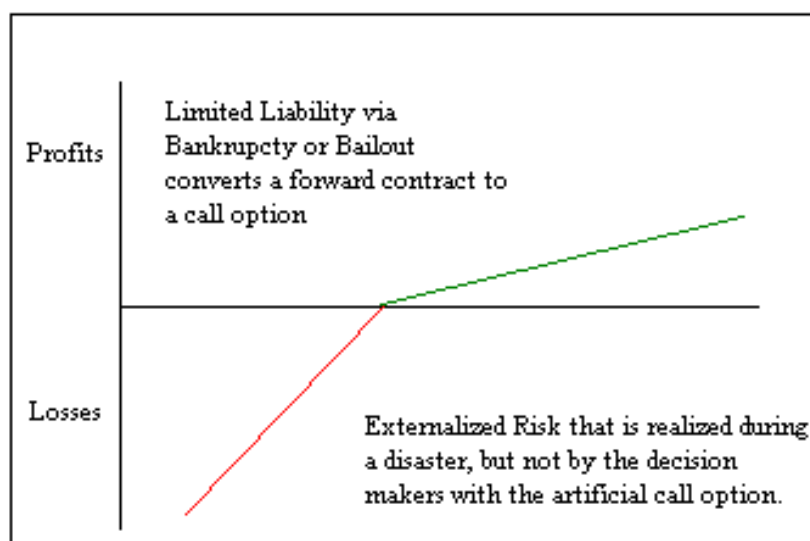
Firstly I quote:

<http://www.financialsense.com/contributors/chris-mack/risk-externalization-is-moral-hazard>

## “Risk Externalization is Moral Hazard

Chris Mac

In recent years, several large man-made disasters have been witnessed with widely felt negative effects due to the externalization of risk by entities claiming limited liability. The concept of limited liability was engineered to protect businesses from losing more than all of their capital, but it is now being abused by corporations and governments who use it to externalize excessive risk. The net effect in a financial model is to convert a natural forward contract into a call option for the risk taker. The profits are kept by the risk takers. However, when risk is externalized, the losses are realized by innocent bystanders. This is the definition of moral hazard.



The pattern has become so great, and so prevalent that entire civilizations are now at risk of severe alterations. While limited liability may be necessary to protect businesses and entrepreneurs, risk assessments should be made for worst case scenario outcomes, however improbable, and risk taking entities should be forced to insure or reinsure externalized risks. In a financial model, this would be the equivalent of purchasing a put option for externalized liabilities. The cost of insuring should be considered in profit and loss projections for risk taking entities, not externalized.

The cost of BP's oil spill is still being added especially now that criminal charges have been made. However the cleanup cost was recently estimated at \$42 billion, excluding further litigation claims. While BP is paying a share of the cost, the question remains as to whether the Gulf of Mexico could ever be properly cleaned up and business owners fisherman, and others impacted are every

properly compensated.

The Fukushima nuclear plant in Japan was required to carry \$1.5 billion in insurance. However, the insurance doesn't cover natural disasters even though the site is on the ocean shore over a known fault line. The Japanese government will pass the cleanup costs onto its taxpayers. The cost could be more than \$300 billion and take decades. In the US, the nuclear industry maintains a \$12 billion reinsurance fund. However, analysts estimate that if a nuclear meltdown occurred at the Indian Point station north of New York City, it could make the city inhabitable for years and cleanup costs could range from \$720 billion to \$1 trillion or more.

While the Fukushima disaster costs are unimaginably high, nothing compares to the risk externalization of financial products which have been monetized by the US government since 2008. Gross Federal debt has increased by roughly \$4 trillion, and the Federal Reserve balance sheet has increased by almost \$2 trillion. Other costs that are harder to measure include the loss of interest income due to zero percent interest rates, and the loss of purchasing power due to the fall in the value of the dollar.

With the onset of peak oil, and continuation of globalization, some risks taking is necessary to meet global energy demand. Nuclear plants, and deep water drilling may be part of the solution, however the true risks should be insured. Likewise, financial risk takers and governments should not accept excessive risks without purchasing proper insurance. If the costs are prohibitive then they aren't economical in the first place. The real risk is moral hazard itself."

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From the Consultation document:

"6.4

Genetically modified organisms are regulated under the Hazardous Substances and New Organisms Act 1996. To avoid duplication, the proposed NES-PF includes a provision permitting afforestation using genetically modified tree stock where it has been approved (by EPA under HSNO ACT 1996"

I have been speaking to Stuart Miller of the consultation team who agrees there may be need for more examination of the issue of who pays clean up costs, say bees take resin for their propolis from GMO trees and pollute organic farms. As they make their propolis for their hives.

Stuart says the Courts decide, but damages to surrounding farms could make a GMO farmer bankrupt, with no money to clean up. Uncertainty about risks of unknown types has made local territorial authorities declare their territories GMO free. It appears that under section 6.4 that may no longer be possible. Is it possible that burden may fall upon me as a ratepayer under your statement in the Economic Analysis?:

"The following points represent the key findings from this report:

- not all benefits and costs can be quantified, and therefore the result described below need to be considered in the context of the written description of the benefits and costs. The main problem is that quantifying the marginal change between the "with" NES and "without" NES scenarios is difficult with little available data to assist in developing marginal

estimates. This is further complicated by councils and forestry companies striving to achieve best practice in different terrains”

I need to add “or in sensitive organic, or Tangata Whenua neighbourhoods.”

For the Economic Analysis also says:

“Costs may be imposed on councils, due to reduced autonomy in customising controls to local conditions, increased consenting and monitoring costs, and increased costs in adjusting plans to accommodate the NES”

which might be interpreted to include clean ups. if an insurance company goes bankrupt or the GMO farmer has made a mistake with their insurance policy. A small plot of GMO trees might do tremendous damage in a quake and flood.

Can EPA have greater foresight than TEPCO had in Fukushima? Since this policy 6.4 removes the extra layer of protection that local councils provide at present.

Some years ago a forestry representative asked at a public consultation in Christchurch in presence of Minister Amy Adams for GMO-veto power of councils to be removed. Shyly I have to suggest that going by USA experience it is not too hard for industry to get former employees on to EPA, employees who may be infected with issues in my opening quote. To get industry employees on to councils and Iwi groups is a bit harder.

I am awaiting comment from EPA on the cleanup matters under case number 1601302, however I had better submit now, but to say it would have helped to see if any of this was considered by left out of the consultation document.

Can we think of years downstream from this policy, our lives long term affected by short term economic policy, the same way that flooding in Wanganui may have been lessened by better management of Whanganui River catchment forestry?

Thank you.

## Submission Form for the Proposed National Environmental Standard for Plantation Forestry

Email to [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz) OR

Post to : Stuart Miller, Spatial, Forestry & Land Management  
Ministry for Primary Industries  
P O Box 2526, WELLINGTON 6140

My Name ..... Owen Saunders .....

Postal Address ...

Phone ..... Email ...

Privacy Issue I do / I do not want my personal details made public

In response to the MPI's proposed National Environmental Standard (NES) for Plantation Forestry, I would like to see the MPI take a strong precautionary approach to outdoor use of Genetically Modified Organisms by preventing the planting of Genetically Engineered tree stocks in either field trials or plant releases in New Zealand.

I specifically refer to clause 5.2 "What the Changes will Mean for Existing Plans" which replaces existing council plan rules for forestry activities and allows the NES-PF to supersede these, along with clause 6.4 on page 43 "Hazardous Substances and New Organisms Act 1996" which allows for the introduction of GMO-trees throughout New Zealand.

These are my reasons:

This change is happening at the same time as the EPA is being stacked with Pro GMO members. I do not trust its scientific rigor.

New Zealand needs to maintain its clean green organic brand. GMOs will destroy brand NZ

Signature ..... Owen Saunders .....

[REDACTED]

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**From:** Felix @ WairereBoulders [REDACTED]  
**Sent:** Thursday, 30 July 2015 11:15 p.m.  
**To:** NES PF Consultation  
**Subject:** Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

**Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140**

**Stuart Miller**

**Email:** [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

**Name** Felix Schaad

**Postal** [REDACTED]

**Phone** [REDACTED]

**Email** [REDACTED]

**Date** 30.07.2015

**Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)**

Dear Minister Guy,

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

#### **Personal comments**

We discussed the MPI information in our local community association and was handed over a distributed brochure, which does not at all mentioned the intended use of GM-trees. I would like to stress the following

- 1.) Northland and Auckland Councils have agreed to apply a very cautionary approach to GMO; this must not be overruled by generally allowing to plant GMO-trees in local forests
- 2.) GMO-trees in local forests are not in line with the regional GE-free status
- 3.) Organic status and produce are appreciating a rapidly increasing regard not only in NZ, but globally; NZ is a country sufficiently isolated to enable a competitive edge by staying GMO-free and offering GMO-free produce
- 4.) GMO are a short-sighted method to achieve short-term effects, **which will be irreversible**
- 5.) GMO producers need to prove that GMO is harmless; science and the relative short experience do not provide such proof; it would be most irresponsible to present and future generations to experiment globally without being certain about the effects

#### **Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).



Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no “duplication” between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

### **Changes I would like you to make -**

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions’ under the Resource Management Act (RMA).
- Protect the Regional and District Council mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

### **The decision I would like the Minister to make**

1. Remove all wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I wish to be heard. Please keep me informed.

Sincerely

Felix Schaad



s 9(2)(a)

**From:** s 9(2)(a)  
**Sent:** Thursday, 30 July 2015 11:19 p.m.  
**To:** NES PF Consultation  
**Subject:** Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

**Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140**

**Stuart Miller**

**Email:** [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

**Name** Rita Schaad - Hungerbühler

**Postal** s 9(2)(a), s 9(2)(a) s 9(2)(a)

**Phone** s 9(2)(a) **Email** s 9(2)(a)

**Date** 30.07.2015

**Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)**

Dear Minister Guy,

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

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#### **Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

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- Protect the Regional and District Council mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

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1. Remove all wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I wish to be heard. Please keep me informed.

Sincerely

Rita Schaad - Hungerbühler

**From:** [REDACTED]  
**To:** [NES PF Consultation](#)  
**Subject:** Fw: Slash  
**Date:** Monday, 10 August 2015 8:55:02 p.m.  
**Attachments:** [Slash.JPG](#)  
[Slash1.JPG](#)  
[Slash2.JPG](#)

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Stuart,

Slash now entering the sea and being washed inshore for about 5-6 kilometres –not a pretty sight!

**From:** [REDACTED]  
**Sent:** Monday, August 10, 2015 7:17 PM  
**To:** [Shortt, Bill](#)  
**Subject:** Slash

**From:** [REDACTED]  
**To:** [NES PF Consultation](#)  
**Subject:** Fw: Att Stuart Miller  
**Date:** Monday, 10 August 2015 8:46:48 p.m.  
**Attachments:** [P1030254.JPG](#)  
[P1030255.JPG](#)  
[P1030259.JPG](#)  
[P1030261.JPG](#)  
[P1030264.JPG](#)

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Stuart,

These images back up my submission re NES. This was a massive dump of slash/sawlogs from Wharerata Forest by Jukens in May .Its not their first,they have a dismal record. At this stage material had not entered the sea but is their now and being washed up and just ruining a pristine beach.I will send a beach image from a few days ago.

Cheers,

Bill Shortt

[REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, May 25, 2015 11:23 AM  
**To:** [Shortt, Bill](#)

[REDACTED]

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**From:** Heather Smith [REDACTED]  
**Sent:** Friday, 31 July 2015 3:53 p.m.  
**To:** NES PF Consultation  
**Subject:** Opposing genetic modification

[REDACTED]

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**From:** Marea Smith [REDACTED]  
**Sent:** Sunday, 2 August 2015 8:05 p.m.  
**To:** NES PF Consultation  
**Subject:** Proposed National Environmental Standard for Plantation Forestry

**Proposed National Environmental Standard for Plantation Forestry**

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Stuart Miller  
Email: [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

Submissions must be received by MPI before 5 pm, Tuesday 11 August 2015.

Name/Organisation :- Marea Smith

Postal:- [REDACTED]

Phone [REDACTED]

Email :- [REDACTED]

**Re: Submission Proposed National Environmental Standard for Plantation Forestry**

**Submission**

We **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

**Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

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[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

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- Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Regional and District Council mandate and duty of cares, under the RMA, to the existing foresters and primary producers businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

#### **The decision we would like the Minister to make**

1. All wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock must be removed from the NES-PF.
2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.



## **Submission on Proposed National Environmental Standard for Plantation Forestry**

**Name of submitter:** Matthew Sole

**Organisation:** Citizen, custodian & concerned grandparent.

**Postal address:** [REDACTED]

**Telephone:** [REDACTED]

**Email:** [REDACTED]

I do not wish to be heard in support of my further submission.

1. I Matthew Sole am a self-employed archaeological consultant and part time engaged in statutory land management and trail design associated with Clutha Gold Trail and more recently Dunedin Tunnels Trails Trust 2008 to the present. Previously employed for MAF as an agricultural field officer 1982 – 1996. Employed by DoC as a programme manager in Recreation and Heritage and subsequently Community Relations involving RMA and Statutory Land Management, 1996 – 2006. Prior to private contracting I was engaged on contract with Central Otago District Council 2006 -2008 to complete feasibility studies on Cycling and Walking trails for Roxburgh to Lawrence and Alexandra via Roxburgh Gorge to Roxburgh, and drafting a Central Otago Outdoor Recreation Strategy.
2. In a voluntary capacity my partner and I are actively involved in weed control (wilding conifer & brier) and plant restoration projects via the Lindis Conservation Group (LPCG) and Forest and Bird (F&B). As Forest and Bird and Central Environmental Society (COES) representative I am a member of the environmental interest group working on the Manuherikia Catchment Water Study Group (MCWSG). I am also a member of Central Otago Wilding Conifer Control Group. The preparation of this submission has drawn on submission resources from my own field experience from and assistance the Green Party submission resource and membership of other local community groups.
3. I am particularly concerned about the ongoing loss to Central Otago's dryland catchments ecosystems and biodiversity. Within the past three years the traditional dryland farming landscape has been transformed by the widespread conversion to irrigated cropping and stocking systems. Adding Plantation forestry into the mix needs local consideration and consenting. Despite public comment and protest, the

territorial authorities continue to studiously ignore this rush to intensify land use; consequentially the wholesale modification through the levelling and re-forming of land contours, conversion to near mono cultural systems and increased stocking rates have further degraded an already threatened natural reservoir of threatened species and habitat. Related are readily observed bare soil issues leading to heightened concern for consequential adverse effects on local soils and water quality. Considered local rules and methods guided by international best practice policies are needed to manage appropriate and sustainable plantation forestry.

4. Through both practical experience on the land and through informed discussion I consider the non-human world to be of vital value and that all living creatures are both interdependent and reliant on a complex natural environment for their well-being. By reason of our intelligence and development, we humans have assumed (if only out of self-interest) a responsibility to exercise wise stewardship of this environment. The issues of concern to me/us (water quality, land use, loss of species, bio-diversity and amenity values), are part of a wider picture of learning to live within responsible limits which need to be established by way of policies and strategies.
5. We need to address the "incompatibility of infinite economic growth in a finite world." Moving from the traditional economic model to one that takes into account the biophysical limits of the planet and social needs of the local community. Once you take into account the fact that the planet is a closed system, energy-wise, and the economy is an open system, you can't have infinite growth. At some point the cost of pollution and non-renewable resource extraction outweigh the benefits. To this end we need to evolve beyond the terminally flawed model of profit based economics to a wholeistic integrated ethically based approach.
  - a. quantify environmental, social and cultural values.
  - b. account for incommensurable values.
  - c. responsibility of public officials to establish policies and make decisions on the basis of ethics and morality ie:

- i. What benefits and what harms will a policy/decision produce?
  - ii. Which alternative will lead to the best overall consequences?
  - iii. Which course of action treats everyone the same and does not show favouritism or discrimination?
- 6. As an archaeologist I have been involved in several forestry plantations rich in regionally and nationally significant archaeological sites and features. There are regional differences as to what is deemed significant and this requires both a local and national perspective so inadvertent archaeological loss is not incurred. Archaeological sites and fabric within Central Otago with representation of Maori, early pastoral, Chinese occupation, gold mining all have been uniquely defined by the climate defining sparsity of timber and water and the resulting adaptation of the local material mostly schist rock to replace timber is distinguishing feature of Otago heritage.
- 7. As an active and long term advocate in controlling wilding pine more is needed than the 'Wilding Pine Calculator'. Plantation forestry has role and place however management off boundary effects must be the legal responsibility of the plantation owner with regional council rules and methods of enforcement to management off boundary effects.
- 8. The NPS-PF needs much stronger provisions to protect our indigenous plants, wildlife, habitats and ecosystems, our fisheries, public participation process, and ensure a precautionary approach around genetic engineering. To manage these I seek the following changes:
  - a. GE tree technology is not proven safe or beneficial. The GE trees provision should be removed from the NES-PF. Communities and local councils must be able to exercise precaution and include provisions in their RMA plans to control the planting of genetic engineered or modified trees.

- b. Councils must be able to put in more stringent rules in any aspect of forestry activity, to protect the environment and the future wellbeing of their communities.
- c. Any new plantations in existing areas of indigenous vegetation and habitat should be a non-complying activity which requires resource consent.
- d. Prohibit the modification of Significant Natural Areas (SNA) in any planting or replanting. Require setbacks of at least 20 metres for streams and 30 metres around all wetlands and lakes and for Central Otago's rare and very threatened dryland and spring annual systems.
- e. From practical field observations to allow the sustainability of the natural riparian system during the varied production forestry generations these need to be wider to ensure self-sustaining ecological corridors.
- f. It also appears to ignore the LENZ data base and the unique and highly threatened dryland biodiversity of Central Otago especially the valley systems suffering from increasing land intensification. Dry land biodiversity needs to be incorporated.
- g. Include a new provision which requires regional councils to address the impacts of afforestation on water yields and water flows in low-to- moderate rainfall areas. This is very important for our semi-arid environs of Central Otago from biodiversity, water harvesting and water quality perspectives.
- h. There should be no clear-cuts on land with a moderate, high or very high risk classification. With our drought proneness and exposure to thunder pump heavy rainfalls erosion and soil loss is high.
- i. The Erosion Susceptibility Classification should be upgraded to high and with resolution-definition mapping to ensure erosion prone land is correctly classified.

- j. Erosion susceptibility classifications and rules should apply to all forestry land uses.
- k. Councils should be able to encourage permanent canopy forestry for erosion prone land and the planting of lower fire risk trees.
- l. All harvest plans should go through an approval process. Rural communities must be able to have confidence that their water supplies and significant biodiversity and heritage will be protected.
- m. The NES-PF should set a high and clear bottom-line on sediment loss to protect fisheries.
- n. The landscape effects of production forestry needs to be addressed especially in the “World of Difference” landscapes of Central Otago.

#### Erosion Susceptibility Classification

The Government has reduced the quality of erosion susceptibility mapping to reduce costs for the big forestry companies. The 2011 NPS-PF proposal had better definition of erosion risk in many areas, but a cost benefit analysis upset big forestry companies. So instead of ensuring the best level of erosion management to reduce sediment loss and protect fisheries and aquatic habitats, the 2015 NES-PF has reduced how much land disturbance councils can effectively control.

MPI has “smoothed” the Erosion Susceptibility Classification (ESC) from the 2011 version to remove 1,027,000 hectares from the Very High risk category and 635,000 hectares from the High risk category. It has also reduced the resolution for zoning of risk areas. MPI says that communities including councils, or land owners can, at their cost, seek to define in more detail, what areas should be seen as higher risk, but that it would be too costly for local government to do this for all New Zealand.

The 2011 version used available information from decades of research and the 2015 NES-PF should do the same. It is critical for our fisheries, marine, and fresh water environments, that erosion susceptibility mapping is recalibrated to a considerably more accurate and effective scale than this proposed NES-PF contains.

For example the proposed new NES-PF reclassifies the majority of Nelson's Maitai Valley plantation forestry area from high or very high erosion susceptibility to moderate. This means that forestry activities (harvesting, earth works etc.) become a permitted activity and no resource consent is required. Forestry companies must meet a set of permitted activity conditions but many of these are inadequate.

At Matai, the last time forests in the Sharlands and Packards Creek catchments were logged the streams ran with silt – straight into the Maitai River and then into the estuary. The performance standards for 'moderate susceptibility to erosion' are not enough to protect the Maitai River. This example can be extrapolated throughout New Zealand

Thank you for the opportunity to submit.

Yours sincerely

Matthew Sole

NES-PFConsultation@mpi.govt.nz

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Stuart Miller

Email: [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

Name/Organisation : Tim Stewart

Postal: [REDACTED]

Phone: [REDACTED] Email [REDACTED]

Date 11/8/15

**Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)**

Dear Minister Guy,

We **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

**Personal comments**

I think that using GE products contributes to unsustainable growth in NZ/World.

**Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, Recommendation 13.1, H1, p.339) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

**References:**

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>



[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

**Changes we would like you to make -**

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Local Bodies to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Local Bodies mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.


**The decision we would like the Minister to make**

1. Remove all wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I/we wish to be heard. Please keep us informed.

Sincerely

Signature /printed name

  
T A Stewart

s 9(2)(a)

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**From:** s 9(2)(a)  
**Sent:** Monday, 10 August 2015 4:56 p.m.  
**To:** NES PF Consultation  
**Subject:** FW:  
**Attachments:** CCF09082015\_00000.jpg

10<sup>th</sup> August 2015

Stuart Miller  
Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
WELLINGTON 6140  
By email to [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

## **SUBMISSION ON THE PROPOSED NATIONAL ENVIRONMENTAL STANDARD FOR PLANTATION FORESTRY**

Contact details for this  
submission are:

Submitter:

Submitted by: Matt Stuart

Contact address: s 9(2)(a)

s 9(2)(a)

Ph: s 9(2)(a)

### **SUBMITTER'S BACKGROUND.**

I have worked in the forest industry for the past 23 years, I manage a range of forest throughout the Tasman region.

I have 2 crews doing Forestry and help out with the harvesting.

I currently work for Hancock forest management on their forestry work program.

1. I do agree with this approach to better our water ways, I feel that the process needs to be based more on a case by case basis.  
For example the upper Lee Valley is coded orange, These forests are on their second and third rotation. They are good roads and skids are in place, they have been proven safe and erosion free sites. When you visit these sites you will see good riparian strips between the forest and the rivers far greater than the rules in the NES-pf  
The water ways and small creeks on the hill sides are left in native bush, leaving the exotic forest to be grown on the easy ridges with good access for harvesting practises.
2. The Upper lee valley has also been proven by hired Tasman district council specialists to be a safe erosion free site for the potential lee valley dam.
3. I feel the NES-PF has taken a blanket approach to dealing with the coded areas and need to look are that history of some sites as to what approach is needed for the area codes.

4. I have attached a map of a forested area and the approach we take.
5. Note Tasman District councils erosion for these sites can be viewed on the TDC website under the dam proposal , geo technical this goes in great detail how these sites are of a low susceptibility to erosion.
6. I feel these sites in this area for example should be coded yellow not orange, the evidence backs this up.

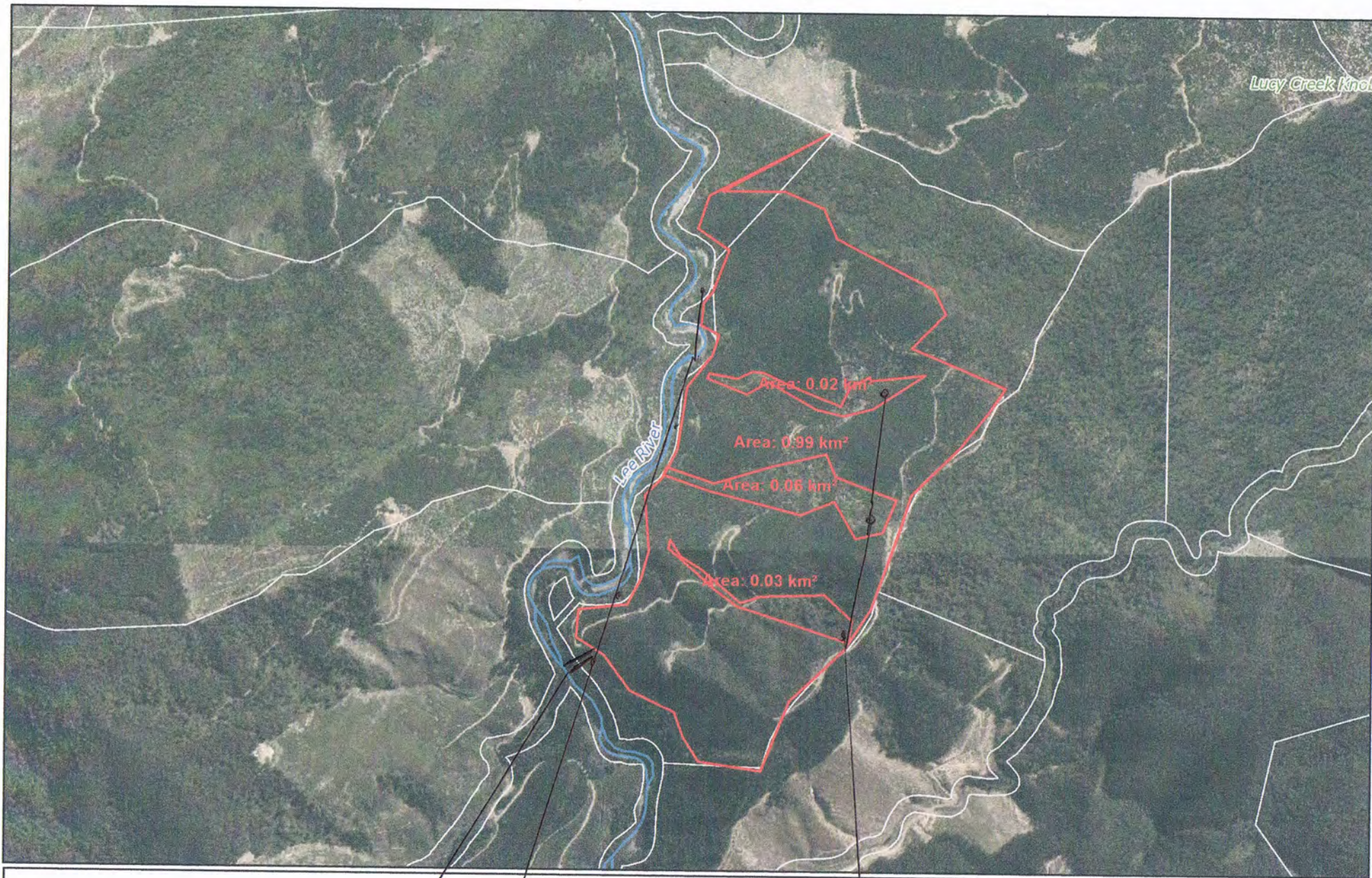
Regards

Matt Stuart

Nelson Forest managers Ltd

s 9(2)(a)





## Top of the South Maps



Dcm Site

good Riparian strips

native left to protect water ways

0 150 300 450 600  
Meters



09 August 2015

The map is an approximate representation only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law, the Tasman District Council and Nelson City Council, their employees, agents and contractors will not be liable for any costs, damages or loss suffered as a result of the data or plan, and no warranty or representation of any kind is given as to the accuracy or completeness of the information represented. Top of the South Maps information is licensed under a Creative Commons Attribution 3.0 New Zealand License, and the use of any data or plan or any information downloaded must be in accordance with the terms of that licence. Cadastral and NZTopo50 related data is sourced from Land Information New Zealand



Stuart Miller  
Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Please find below my submission.

I have been involved with the GMO RMA interface for approximately 20 years. I am a former Regional Councillor for the Bay of Plenty region and a RMA Commissioner and have been a 274 party to the BOP Regional Council's defence of their RPS position appealed by Scion and I am presently an advisor to Soil and Health NZ (in a voluntary capacity) and as such I have been very involved with the Northland situation. I am opposed to the inclusion of GE trees (albeit approved by the EPA) as a permitted activity being included in the National Environmental Standard for Forestry.

The reasons for this I list below:

- The Hazardous Substance and New Organisms Act (HSNO) does not provide for long term protection of the environment as it is designed as approval process and is not designed as a integrated management tool as the RMA is.
- The scientific approval process, under the HSNO, of a GMO for release into the NZ environment does not measure or mitigate any cultural, social or economic impact.
- The trust in the MPI to monitor trials (let alone full releases!) is very low. Nor would they have the capability or capacity to address a DNA spill; especially of the scale of forestry.
- Perception of bias and conflicts of interest between the research institutes and the EPA needs addressing before they are let loose with this type of permissible behaviour.
- There are cowboys out there... Remember the rabbit calicivirus, PSA?
- A GMO is only under the protection of the EPA until it becomes approved for general release. At that point it becomes a part of NZs environment and no one is responsible for ongoing monitoring and liable for any damage.
- The New Organism approval process does not consider the effects of associated activities e.g. the blanket spraying of herbicide across vast stretches of land and the subsequent development of herbicide resistant weeds. The real risks of silent forests where few insects live so few birds live. The blanket removal (through spraying) of valuable understory habitat.
- I suspect that the ongoing monitoring of these genetically engineered forests will fall to unitary authorities and regional councils. Are they equipped to deal with herbicide resistant weeds and any unforeseen negative effects? I expect not.
- No independent case has yet been presented which indicates that these will be of greater economic value than non-GE trees and the damage (e.g. from loss of GE Free status of an area) and contamination of other industries (e.g. honey industry via pollen) has not been quantified ( and unlikely to be under the HSNO process..
- I sat through the hearings in Rotorua when Scion was applying to grow trial GE trees and was appalled at the skewed data presented and by the lack of intelligent questioning undertaken by the review panel. It was a less than rigorous process and to say the least. If that is the quality of the line between approval and non-approval then if I was you I would be very worried. It is worth mentioning that the EPA does not consult widely enough into other sectors; for instance the honey industry knew nothing of the above proposal by Scion to grow non sterile trees.
- In my experience National Environmental Standards have not, in the past, been used as a permissible tools without restrictions. Is there an understanding that we know what forest crops are? for instance you could have a forest of chestnut/ walnut trees and by default these food crops are approved as forestry trees for growing in NZ.

The decision from Environment Court Judge Laurie Newhook, with regard to whether the RMA has jurisdiction of GMOs as a land use, in the Northland Regional Council RPS appeal process provides the select committee with ample good reasons as to why the RMA process is an appropriate one when it comes to communities being able to manage GMOs in the environment. I am assuming that other submitters will have provided the actual document.

I suspect that this attempt to bypass our right to retain our GE Free status in the environment is a smoothing of the path for the likes of the TPPA where, as I understand, we will be obliged to harmonize (and in most cases lower) our environmental standards with those of the USA.

We must retain our right to apply the precautionary principle and not be calf strapped by a rule that removes the right to integrated management of our natural resources.

I would like to heard and would prefer to attend a hearing in the Bay of Plenty.

Thank you for the consideration of the above.

Karen Summerhays

s 9(2)(a)

s 9(2)(a)

**From:** [Jeni Syddall](#)  
**To:** [NES PF Consultation](#)  
**Subject:** Submission on the Ministry for Primary Industries (MPI) proposed new National Environmental Standard for Plantation Forestry.  
**Date:** Tuesday, 11 August 2015 10:26:23 p.m.

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The final decisions on sowing or planting genetically modified or engineered propagatable material from plants or organisms of any type, particularly trees, their rootstocks, seeds or cuttings or any other crop, outside the tightly controlled and enforced conditions of the laboratory or other indoor containment, must be with local or regional democratically elected/appointed authorities in the geographic area proposed for such action. Especially considering the long term ramifications for us all, particularly in trade.



From: [REDACTED]  
To: [NES PF Consultation](#)  
Date: Tuesday, 11 August 2015 4:44:32 p.m.

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Dear Minister Guy,

concerning the proposed deregulation and centralization of NZ's current GM laws in changes to Plantation Forestry regulations ,I am strongly opposed for the following reasons:

1. There is no democratic mandate for deregulation of NZ's GM laws
2. Currently the dairy industry faces extreme challenges ,principally lack of demand .Further decreased demand for NZ primary produce would be likely from these proposed changes and can only exacerbate the already dire dairy market dynamics. Conventional NZ milk powder sells for less than \$2000/tonne .Organic NZ milk powder sells for \$10,000/tonne and Fonterra's organic production for next season is already sold. GM deregulation and the concomitant damage to Brand NZ is a move in exactly the wrong direction for NZ primary production to take. We must move towards sustainability not away from sustainability as these proposed changes would facilitate. MBIE has recently been briefed by the UN's FAO on Sustainability Indicators ,a system which if adopted could increase the unit value of our exports ,a strategy Theo Speirings advocates for Fonterra but which urgently needs implementing .Organics is for most a 'bridge too far' but the sustainability indicators approach has been proven in other primary industries.
3. The proposed changes could set a dangerous precedent for general release of GMOs. NZ has clearly 'dodged a bullet' by keeping its GE free primary production status .UN research by the FAO -the IAASTD report- shows no yield increases for largely GM USA over largely GM free Europe. Likewise no reduction in chemical usage as was originally touted . I would recommend Professor of Molecular Biology Canterbury University Jack Heineman ,an international expert on GM as a reliable source of independent ,peer reviewed 'sound science' on GM .

yours faithfully Steve Tait- Jamieson

[REDACTED]

I wish to be heard at hearings.

s 9(2)(a)

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**From:** Valletta Tawhai s 9(2)(a)  
**Sent:** Tuesday, 11 August 2015 4:55 p.m.  
**To:** NES PF Consultation  
**Subject:** A National Environmental Standard for Plantation Forestry

• **your name,**  
Valletta Tawhai

**postal address,**  
s 9(2)(a)

**phone number**  
s 9(2)(a) 1

**and, if you have one, email address;**  
s 9(2)(a)

• **the title of the proposed standard you are making the submission about;**  
A National Environmental Standard for Plantation Forestry

• **whether you support or oppose the standard;**  
I oppose the standard

• **your views and reasons for them (with evidence if possible);**  
I would like to see

Tangata whenua land owner representatives sitting at the table making these decisions regarding Forestry and our lands. Its fine to have 'iwi' reps but that could be people that are not even part of our hapu or may not have forestry experience. I would like to see Forestry owners invited to represent their own views and experiences, they might not turn up but the point is that true consultation needs to be with the forestry owners and/or owners who whakapapa to the land.

• **any changes you would like made to the standard;**  
I would like to see more discussion and control regarding GE plant material. More specifically what are the plants being modified to enhance? So for example if you modify a plant to improve its survival when it is exposed to weed killer you also create a potential for the growth explosion of super-weeds. So its important that GE of plants remain controlled.

• **the decision you wish the Ministers to make**  
I want the ministers to **work with Forestry/land owners** to develop the standard. An iwi establishment is great for some Forestry owners that do not have representatives to attend to standard reviews. But at least give owners the option to be included at the table.

I want **GE control to continue** to be scrutinised by independent experts.

I want the Ministry to **remove the taxing paid of forests when they are deforested**. This is a policy originally supported to stop forestry owners leaving the forestry industry. Is that the governments idea of management of Forestry activity? This is a conflict with our rights as owners, it is bully tactics and it is a breach of The Treaty of Waitangi as that Climate Change legislation removes our control over Maori lands. Forcing land owners to buy their lands back with a deforestation tax amounts to confiscation of lands (although nicely hidden in legislative formality). Land owners are pulling away from the Forestry industry and the numbers show that. In fact those that grow the seedlings for replanting are dumping plants because no-one wants to buy them. Forced Public Carbon Sinks is pushing people away from forestry which already has its negative side given 60% of profits go toward Roothing, Harvesting and Transport.

I want **consistency and a fairer rates system** for Forestry lands. Currently we pay \$7k a year rates, for what? For thirty years we pay extreme rates and what services are we receiving. Roothing? We only harvest for 3 years each block. Thats 3 years trucks are on the road and yet we pay 30 years of high rates with little services used. Also we pay increased transporting fees due to road use. So why do we pay 30 years of excessive rates. Is everyone paying these rates at this level?

Regards

Valletta Tawhai  
Whakatere ki Koranui Trust  
Hokianga

# NATIONAL ENVIRONMENTAL STANDARD FOR PLANTATION FORESTRY CONSULTATION DOCUMENT - JUNE 2015

## Submission from:

Thomas Frederick John Taylor

s 9(2)(a)

Email: s 9(2)(a)

10 August 2015

## Support for other Submissions:

I fully support the submissions from:

1. Nelson City Council.
2. Roger May, Strachan Road , Motueka.
3. Friends of the Matai.

## 1. Overview

I oppose the NES-PF as it is currently proposed. The deleterious impacts of forestry operations on freshwaters and the marine environment under the present regulatory regime have been demonstrated, both nationally and locally with the effects on the Maitai River catchment and the Marlborough Sounds. The proposed standard is an overall weakening of the regulatory regime in general terms and, hence, will allow further deterioration of our rivers in terms of biodiversity loss, sediment deposition and increased levels of nutrients (N and P). It will also lead to further deterioration of coastal marine areas.

I understand the need for consistent rules, particularly for business certainty. Before my retirement I worked in the UK water industry dealing with discharge consents for effluents (mainly from sewage treatment works and storm- and foul-water reticulations) to freshwater. The regulatory environment was consistent, being set by EC Directives and UK legislation which were implemented by the Asset Management Programme Guidelines agreed between the water companies and the regulators (environmental, drinking water and financial). I handled some 50 consent application each year which would not have been possible under NZ conditions. Hence, I can appreciate the desire for Forestry Companies to have consistent rules throughout the country. Consistent rules also make for a level playing field.

However, the consistent rules I was dealing with were based on implementing environmental improvements i.e. raising the bar. The proposed NES-PF does the opposite, as is very obvious with the changes to the Erosion Susceptibility Classification (ESC). The rules should take into account the wide variation in geology throughout NZ and set appropriate guidelines to ensure that environmental protection is not weakened. This broad brush approach of reclassifying almost all of the previously 'very high' ESC land to high and below will mean that most forestry operations will be 'permitted' and not need consent. Under the proposed NES most forestry operations in the Nelson and Marlborough District Council areas will be Permitted which will make it extremely difficult to ensure adequate monitoring and protection for what are now already, and have been shown to be, fragile areas damaged by forestry operations.

Riparian setbacks are also inadequate under the permitted rules and there has been a history of ignoring the requirement for setbacks, so that many streams (e.g. Packer, Groom and Sharland in the Maitai catchment) have had them removed or damaged over the past years of forestry operations.

I do not believe that the rules as proposed will lead to any improvement in the state of our rivers.

In addition allowing GE trees could potentially lead to severe problems for the bee product industry, our timber markets and NZ's biodiversity as noted later.

## 2. Toxic Algae

In Nelson the alarm bells were ringing about two years ago when there was an algal bloom of *Phormidium* spp (cyanobacteria) in the Maitai River. The local council advised the public not to swim in the river because of the severe health hazard presented by the toxic algae. In particular dog owners were strongly advised to keep their dogs out of the river as ingestion of the algae could kill a dog within hours. Dogs have been killed in local rivers as evidenced by media reports and much of the time swimming is banned because of the health hazards.

Past and subsequent research by Cawthron scientists (see references and summaries below) have drawn a relationship between very fine sediment in the river and the ability of the algae to extract phosphorus from the sediment to enhanced its accelerated growth. This will apply under these circumstances generally throughout NZ, it will not be peculiar to the Maitai river alone.

Relief sought:

1. Provide more detailed mapping and sub-class division in the 'moderate zone' to show areas where slope is less than 25 degrees and greater than 25 degrees, and allow councils to manage as consented activities with more stringent conditions. Councils should also have the facility to impose consented conditions in areas where 'moderate' zones are adjacent to the above sensitive areas and may require more stringent rules than those listed under permitted activities.

## 3. Sedimentation

I will focus on the Maitai catchment but similar considerations can apply nationally. The major land use in the Maitai catchment is plantation forestry and sediment loading is markedly increased during weather events where rainfall is equal to or exceeds the annual return period.

Major contributors of sediment are the tributaries: Sharland and Packer Creeks and Brook Stream (all of which have plantation forestry within their catchments). Please refer to references below for scientific reports.

Rules as they stand will not identify these sensitive areas and ensure an improvement.

Relief sought:

1. Same as number one above.
2. Implementation of a **threshold regime** to ensure sediment levels remain at an acceptable level. Councils and land user (Forestry) would share in the cost of placing turbidity probes and recorders in main stem and tributary streams to ensure the turbidity of tributaries remained no greater than 10% of the turbidity of the main stem. Eg. Turbidity of Sharland Creek would not

exceed 10% of the turbidity of Maitai River 50 meters above confluence with Sharland.

3. If thresholds are exceeded then land use activities such as harvesting and earthworks would cease until the problems were identified and rectified by land user.

#### **4. Riparian Setbacks**

Riparian setbacks are a simple and effective means of protecting water quality but there has been a history of many land users ignoring the requirement for riparian setbacks in forestry operations and, in effect, being allowed to do so. Plantation forests have been logged and replanted to within only 1-2 meters of many streams and rivers. The existing rules in the NES-PF do not address this problem and how it will be monitored or how it will be enforced if breaches occur.

##### **Relief sought:**

1. Redefine streams where setbacks are required to include all 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, order and greater streams and rivers which flow for more than 75% of the year.
2. Redefine setbacks to 10m either side of streams less than 3m wide and 20m either side of streams greater than 3m wide.
3. Where setbacks have been removed, damaged or replanted in plantation forestry they will be replanted in native species by the land user.
4. Extra funding should be made available to councils (sourced from the forestry industry) to monitor and enforce breaches of rules as set out in Permitted and Consented areas.

#### **5. Impact on Councils**

1. With the reclassification of over 94% of plantation forestry now being a Permitted activity, the workload and cost for councils to monitor and ensure the rules are being adhered to is totally unacceptable. The proposed standards require the ratepayer to provide a free service to the forestry industry; in effect a subsidy by the back door. I do not agree that this is how the rates I pay should be used.

##### **Relief Sought:**

Councils must have the ability to charge for administering and monitoring 'Permitted' activities as well as 'Consented' activities in higher risk areas.

2. I am concerned that the 'Erosion and Sediment Control Plan' requirement of lodging with Councils is too loose and lacks clarity making plans open to abuse and lack of proper management.

Relief Sought: It should be mandatory for companies to lodge these plans with Councils before operations commence (in particular harvesting and earthworks) and that Councils have the right to request more information, alterations and detailed plans if they are not happy with the initial plans.

3. I am concerned that under the NES-PF as it stands, Councils are unable to act on any adverse effects until after they have occurred (this despite experience over many decades showing us that most effects are predictable). This will lead to a degradation of the environment, increased costs for rectifying problems and extra work for both Councils and Foresters.

Relief Sought: Councils must be able to set thresholds for any activities (Permitted and Consented) which could lead to a degradation of the environment. Monitoring of these thresholds would be at the expense of the Forest Companies.

## **6. Erosion Susceptibility Classification**

1. I am very concerned about the revised ESC (2015) and the fact that 94% of all plantation forestry land is now classified as low, moderate and high (under 25 degrees) and is a Permitted Activity with conditions which do not reflect the increased risks from low to high (<25 deg.)
2. Also 1.5 million hectares have been downgraded from high to moderate and 1.6 million hectares downgraded from moderate to low.
3. The scale of ESC maps does not show enough detail at a local level (most forestry blocks are too small) to ensure that Harvesting and Sediment plans are effective.

Relief sought: Either go back to the 2011 version of ESC or change to more up to date slope stability software.

## **7. GM Forest Species**

1. I am totally opposed to the introduction of any Genetically Modified (GM) forest species. Note that among the Forest Stewardship Council's 5 categories of unacceptable materials is "wood from forests in which genetically modified trees are planted".
2. GE trees engineered to produce insecticides could adversely affect pollinators such as bees and also other insects with repercussions throughout the food web affecting a wide range of species, from birds to aquatic life (as has been found with neonicotinoids).
3. GE trees engineered for frost tolerance and/or rapid growth could out compete indigenous species (become a new intractable and very costly problem like 'wilding pines') with a deleterious impacts on NZ's biodiversity.
4. Bee products, especially Manuka honey, are a substantial market (a value of \$145 million in 2013) and a major export market, with nearly half going to EU countries which have a zero tolerance policy as regards GE material in bee products. This market will be at risk if GE trees are allowed in NZ as GE materials will inevitably contaminate honey.
5. New Zealand's 'clean, green image' is very important to our economy and that brand would become a laughing-stock if we allow GE trees to be planted.

Relief sought: Remove all references to GM species from NES-PF.



## References:

### **1. Reports covering sedimentation and other environmental concerns in the Maitai/Sharlands/Groom Ck/Brook catchments.**

1. *Review of forestry impacts upon sediment yield and aquatic ecosystems:*  
Niwa report for Auckland Regional Council., May 2004 .

Summary: “ Forest roads are a key source of sediment through the processes of surface runoff and mass movement. Sediment loss from roads due to surface runoff alone can exceed 300 tons/km<sup>2</sup>/yr during harvesting. However , mass movements associated with forest roads typically yield 1=2 orders of magnitude more sediment than that attributed to surface runoff. Similarly, mass movements associated with other forestry activities (e.g., the failure of log landings) have been shown to markedly increase suspended sediment concentrations.....’

### **2. *Review of Forestry – Nelson City Council , October 2014***

“...Permitted activities in the Nelson Region are not currently monitored to determine the level of compliance. Undertaking this would provide NCC with a stronger argument should a rule change need to be considered in the future.....

The big issues within forestry appear still to be coming from a combination of poor storm water control from tracking/roading or landings and debris avalanches from poorly sited ‘birds nests’. Often sites are not well maintained following the completion of harvesting and any problems can occur for years following until the new crop takes hold. All forestry companies can still improve on storm water control from landings and tracking/roading. The big issues within forestry appear still to be coming from a combination of poor storm water control from tracking/roading or landings and debris avalanches from poorly sited ‘birds nests’. Often sites are not well maintained following the completion of harvesting and any problems can occur for years following until the new crop takes hold. All forestry companies can still improve on storm water control from landings and tracking/roading.”

### **3. *Maitai River Gravel Management Study: May 2015. By Niwa for NCC***

Summary:

“ .....

Fine sediment sources and issues

Observations from this study indicated that the main sources of fine sediment to the lower Maitai are from Packer Creek, Groom Creek, and The Brook. The sources in these areas appear to be largely associated with forest harvesting, but riparian slips are also a significant contributor in The Brook. This confirms the general appreciation gained from interviews that

forestry activities are a major control on the fine sediment load of the river and the primary source of issues relating to fine sediment, including embedding the riverbed substrate and fine-sediment re-suspension during gravel extraction work. The fine sediment problem could potentially be mitigated by land use change (e.g. forest retirement), improved erosion control and sediment management during forest harvesting activities, and measures to reduce sediment delivery from the hillslopes to the river (e.g. valley-floor wetlands).....”

4. *The Impact of the Maitai Dam on River Health Relative to Other Catchment Pressures: A Review*, 2013. Cawthron Report #2371 for NCC

Summary:

“.....Plantation forestry and urban storm water runoff appear to be the dominant pressures facing the Maitai catchment. Forestry is the main land use in the mid-catchment. Macroinvertebrate community health indicators are sensitive to changes in nutrient and deposited fine-sediment levels. High levels of both of these contaminants have been associated with tributaries in parts of the catchment dominated by Forestry. Therefore, the observed declines in macroinvertebrate community indicators throughout the mid-catchment suggest that forestry works are negatively impacting upon stream biota downstream through increased fine sediment and / or nutrient levels. Benthic cyanobacteria blooms may be an emerging issue due to increased input of nitrogen from forestry activities. Toxins produced by benthic cyanobacteria mats can restrict recreational activities.....”

Based on data assessed in this review, the impact of the Maitai Reservoir on the mid and lower Maitai River is likely to be comparatively minor when considered in the context of the magnitude and extent of other pressures facing the catchment. Habitat degradation in the lower catchment is largely attributable to forestry and urbanisation, more specifically, sediment and nutrient loading from Sharland and Groom Creeks ..... ”

Recommendations:

“ .....

5.2 Improving ecosystem health

We have identified that fine sediment associated with forestry activity in the mid catchment may be degrading ecosystem health in the mid and lower Maitai River.

With this in mind, we suggest including sediment assessment protocols into the NCC River health monitoring programme as a minimum step to further monitor this issue. Specifically, the ‘in-stream visual % cover’ and ‘suspended inorganic sediment quorer [Quinn corer]’ protocols, as described in Clapcott *et al.* (2011) ought to be used. More intensive investigations into fine-sediment loading in the catchment should be considered (e.g. continuous turbidity monitoring in forested and reference sites).

Significant resources have been devoted to identifying point source contaminant discharges in the Maitai River. However, less is known about the diffuse sediment and nutrient input from forestry activities in the mid-catchment. Spatial habitat mapping and ground surveys could identify areas of the catchment where remedial actions, such as installing wider riparian buffers or sediment traps, could reduce fine-sediment loading in the Maitai River and tributaries.....”

## 7. References

Collins RP 2004. Review of forestry impacts upon sediment yield and aquatic ecosystems. NIWA Client Report: HAM2004-043. Hamilton, New Zealand.

Crowe A, Hayes J, Stark J, Strickland R, Hewitt T, Kemp C 2004. The Current State of the Maitai River: a Review of Existing Information. Prepared for Nelson City Council. Cawthron Report No. 857. 146p. plus appendices.

Crowe A, Young R 2005. Sharland and Packer Creek Study: Water Chemistry and Microbiology. Prepared for Nelson City Council. Cawthron Report No. 1048. 28.

Philips C, Marden M, Basher L 2012. Plantation forest harvesting and landscape response - What we know and what we need to know. New Zealand Journal of Forestry 56: 4-12.

Sneddon R, Elvines D 2012. Sediment contaminant levels in Nelson area catchments: 2012. Prepared for Nelson City Council. Cawthron Report No. 2116. 46p.

Wilkinson J 2007c. Some Impacts of Plantation Forest Felling on Stream Health and Mitigating Practices. Prepared for Nelson City Council. Cawthron Report No.1252. 24 p.

Davidson R J and Richards L A. 2015. Significant marine site survey and monitoring programme: Summary 2014-2015. Prepared by Davidson Environment Limited for Marlborough District Council. Survey and monitoring report number 819. 52p.

5. *Phormidium Blooms – relationships with flow, nutrients and fine sediment in the Maitai river.* 2015 - Wood, Wanenhoff and Kelly; Cawthron Report #2723 prepared for NCC .

Refers to the role fine sediment plays in Phormidium Blooms by providing sediment-bound phosphorus. Sediment studies at specific sites “..... demonstrated that the Brook Stream and Sharlands Creek increased sedimentation rates in the river by up to 25%. Reasons for the increased sedimentation and higher concentration of biologically available phosphorus require further investigation, but are most likely due to land management practise.”

Recommendations include:

“ Identify and investigate sources of sediment and nutrient inputs in the major tributaries, in particular the Brook Stream and Sharlands and Packer Creeks.

Proposed National Environmental Standard for Plantation Forestry

Spatial, Forestry and Land Management

Ministry for Primary Industries

PO Box 2526

Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Submissions must be received by MPI before 5 pm, Tuesday 11 August 2015.

Name: Brydon Tepania

Postal: s 9(2)(a) .

Phone: s 9(2)(a)

Date: 11 August 2015

Email:

Re: Submission Proposed National Environmental Standard for  
Plantation Forestry

## Personal comments

I am totally against GE Trees. From the research I have read in regards to Genetic modification, within the food chain, within the eco system, there is no known assurance that it is safe for our environment. We seem to be 'guinea pigs' as the saying goes, for testing against. This seems very much like an experiment of our precious land. The Experiment of mother nature.

The Experiment of Papatuuaanuku.

What is the assurance that this is going to be safe? What is the assurance of the impacts being safe. It is not worth the risk for this land we live in. New Zealand. We are very unique, we have a unique environment.

Going against The Treaty of Waitangi.

Going against Te Tiriti o Waitangi.

How will the eco system adapt to GE?

I am against any Genetic Modification. Research does not prove it to be safe.

Submission

I oppose the Proposed Standard – NES & other relevant legislation: 6.4 - Genetically

modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of

environmental protection for communities, nor does the standard take into account the inherent

dangers and liabilities associated with novel genetic technology and its potential contamination of -

soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and

waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be

the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous

Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District

land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6)

have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there

is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined

by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under

the RMA, to place policies, rules and objectives, on the management of GMO land use activities as

part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339->

000041-part-one-section-17.pdf

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes we would like you to make -

☐ Remove all GM clauses in the proposed NES – PF and references permitting genetically

modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA)

under the Hazardous Substances and New Organisms Act (HSNO) and

☐ Retain and provide for Regional and District Councils to place more GM stringent land use

rules, objectives and policies in their plans for the management of the natural and physical

resources through their mandated planning functions' under the Resource Management Act

(RMA).

□ Protect the Regional and District Council mandate and duty of cares, under the RMA, to the

existing foresters and primary producers businesses in their region and districts so they can

maintain their responsibilities with national and global certification bodies.

□ Ensure that the Regional and District Councils have the ability, under the RMA, to create a

much needed additional tier of local protection against the risks of outdoor release and use of

GMOs.

The decision we would like the Minister to make

1. All wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p.

82, referring to genetically modified trees and rootstock must be removed from the NES-PF.

2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more

stringent rules, objectives and policies on GMO's as part of their land use planning

function, under the RMA, when addressing the economic, social and cultural wellbeing of

their communities.

I wish to be heard. Please keep us informed.

Sincerely



*B Tepania*

Brydon Tepania

**From:** s 9(2)(a)  
**Sent:** Friday, 7 August 2015 11:09 a.m.  
**To:** NES PF Consultation  
**Subject:** submission NES

## **Proposed National Environmental Standard for Plantation Forestry**

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Stuart Miller  
Email: [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

## **Re: Submission Proposed National Environmental Standard for Plantation Forestry**

### **Submission**

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

### **Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

I ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no “duplication” between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

### **References:**

- [1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>
- [2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

### **Changes I would like you to make -**

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Regional and District Council mandate and duty of cares, under the RMA, to the existing foresters and primary producers businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

### **The decision I would like the Minister to make**

1. All wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock must be removed from the NES-PF.
2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I wish to be heard. Please keep me informed.

Sincerely

Kathryn Thiele

Postal: s 9(2)(a)

Phone: s 9(2)(a)

Email: s 9(2)(a)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Monday, 6 July 2015 12:40 a.m.  
**To:** NES PF Consultation  
**Subject:** GM trees - MPI National Environmental Standard

TO WHOM IT MAY CONCERN

I apologize for not being able to attend the upcoming meeting but felt compelled to state my strong opposition to any release of genetically modified organisms into our environment, particularly the proposal to allow GE trees to be included in the MPI proposed new National Environmental Standard for Plantation Forestry (in NZ)!  
This smacks of being an underhand means of subverting the opposition to such projects and is simply not acceptable.  
I intend making a submission on this matter and would like to be kept informed.

Regards  
Gaylene Thompson

Email: [REDACTED]

**Date: 7 August 2015**

**Submission Re. Proposed National Environmental Standard for Plantation Forestry.**

**Name; Mary Tierney-Wilson**

**Address:** s 9(2)(a)

**Email:** s 9(2)(a)

This is my response to the MPI's proposed National Environmental Standard for Plantation Forestry.:

- I support the intent of good environmental standards for plantation forests in New Zealand. Standards that will protect our indigenous vegetation and habitats from being over-planted with exotic trees, to ensure our native birds have access to food and provide long-term sustainability of the industry
- I endorse the use of overseas best practice by introducing larger riparian buffer zones and setbacks along rivers and around lakes and wetlands to protect their natural character and water quality. There should be clear cut size to reduce erosion and sediment loss and keep our waterways and estuaries from siltation, to ensure the vitality of our fisheries.
- These standards must also include a precautionary approach to outdoor use of Genetically Modified Organisms (GMOs). I am against the planting of GE tree stocks (field trials or releases) which would cause GE contamination of the local environment.
- All wording referring to genetically modified trees and rootstock must be removed from the NES-PF. (NES-PF 6.4, p 43, 64 & 82). In fact I want my Council to be able to introduce stronger controls than those the MPI has in the proposed new NES.
- I support the rules of regional and district councils, as representatives of their local communities, to keep strong precautionary and prohibitive GE rules in their local plans. I note that GE trees are prohibited by both international certification bodies (Forest Stewardship Council and the Programme for the Endorsement of Forest Certification).
- I support the Endorsement of Forest Certification via the Forest Stewardship Council who certify genuinely sustainable forests globally.

**From:** [Paul Doherty](#)  
**To:** [NES PF Consultation](#)  
**Subject:** Video Submission  
**Date:** Tuesday, 11 August 2015 4:40:23 p.m.  
**Attachments:** [image001.jpg](#)

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My video submission can be found on Googledrive at

<https://drive.google.com/file/d/0B49UymZ38y8YczRWRXdtYW83em8/view?usp=sharing>

According to our authority under Article 2 of Te Tiriti o Waitangi we, as a hapu, say there should be no GMO's in Northland and we support the prohibition of GMO's under the Regional Plan and by local authorities in Te Tai Tokerau.

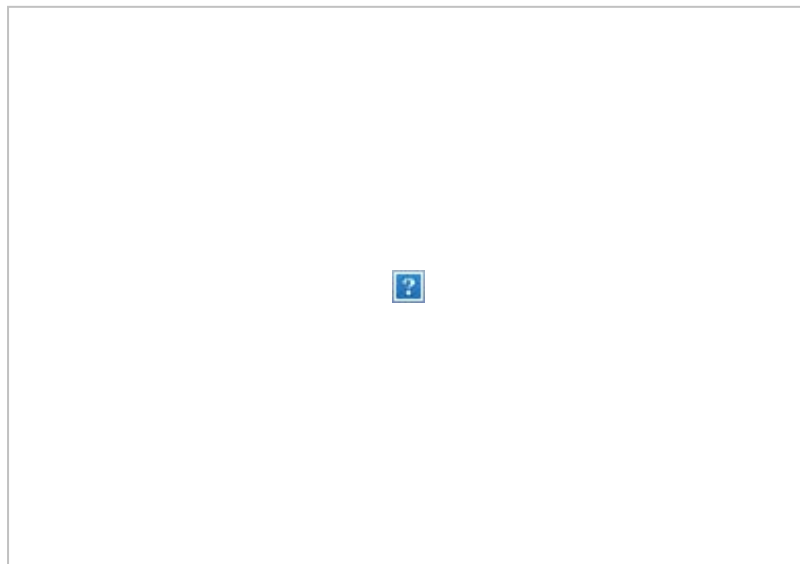
We support other hapu in Te Tai Tokerau under Article 2 to maintain a GMO-free Te Tai Tokerau.

Fred Tito

[REDACTED]

[REDACTED]

[REDACTED]



Submission to the proposed NES- PF

Peter& Martina Tschirky, [REDACTED]

s 9(2)(a) [REDACTED]

We would like to be heard

We have read the documentation about this proposal and have following concerns.

We understand that the MPI would like to streamline forest plantations in NZ which makes sense to some extent but we see two main problems:

- 1) GM trees could be planted anywhere unless the HSNO act would disallow it. We strongly disagree as several councils north of Auckland and in the Bay of Plenty, NGO's and countless individuals have worked hard for over 10 years to agree to a precautionary approach to outdoor GE crops. This has been a democratic process and undermining it would be a huge step backwards. We would like the Ministers to respect this result and include it in this proposal- this is too important an issue.
- 2) The erosion map seems rather liberal. We live at the foothill of the Southern range of the Brynderwyns (in Mangawhai) and can see erosion of access roads on neighbouring bush clad properties after every severe weather event (which we seem to get more and more often, too). We also observe far more rainfall in the hills than in the surrounding farm land. Why are steep areas such as the Brynderwyns not zoned red? Is it because commercial pine has traditionally been grown on such land? This seems very short sighted to us especially with regards to climate change and we would like the Ministers to be more visionary and make changes. There is a lot of steep land, including the Dome Valley, the back of Whangaripo Valley and around Puhoi that we believe should be in the red zone- we believe they are green or yellow at present.



## **Submission on MPI proposed new NES for Plantation Forestry**

Submitter:

Jacqui Tyrrell

s 9(2)(a)

### **6.4 - Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)**

I wish to oppose these sections of the proposal for four reasons:

1. I believe that local government should continue to have the capability to regulate genetically modified organisms in their area.
2. I believe the precautionary principle is applicable here. Although GM technologies are vigorously promoted by multinational consortiums, true long-term research simply has not been done.
3. The release of GE organisms into the environment is totally non-reversible.
4. New Zealand's isolation, along with our clean, green image, mean that we have the potential to provide products for niche markets rather than competing at the bulk end of the market. GE trees are prohibited by both international certification bodies (the Forest Stewardship Council and the Programme for the Endorsement of Forest Certification) who certify genuinely sustainable forests.

For the concept of local government to have any meaning, New Zealanders should have the ability to determine their stance on issues which in their view affect their particular community. It is difficult to see who is to benefit from the introduction of GM forestry, apart from the companies which provide the technology. New Zealand's existing forestry has few of the problems seen in North America, for example, and we have done a superb job of conventionally breeding trees for plantation forestry.

Ignoring the precautionary principle is a frightening example of short-term thinking. The concept of time used in the commercial world is so short that unknown effects (or effects on the wider environment) are seen as irrelevant. But the relatively small amount of research done on soil microorganisms, for example, has shown that they are irrevocably changed by the presence of GM plants. We believe that current mainstream scientific views are the last word – but I am old enough to remember going to the shoe shop and putting my foot (encased in a possible new shoe) into the x-ray box, so we could peer in and see how much growing room there was. That would be considered bad practice now!!

The discussion around the potential release of GE organisms needs to address the concept of non-reversibility. Once they are in the environment, we simply can't put them back in the lab. Thinking in a long timeframe is challenging, but essential.

The recent Fonterra situation provides an example of how we fail to make use of our points of difference. In a world where animals' diets are continually degraded, we still have the possibility to produce GE-free milk from grass-fed cows – a highly regarded product which we largely fail to market overseas. If we were to release GE trees into our forests, we would yet again cut ourselves out of the kind of niche market that could provide good returns in the future. We haven't even considered the value of a GE-free timber brand.

I live next to a plantation forest, Riverhead Forest. I am very much aware that different forest owners have different standards. It seems to me that the impetus to trial GE trees outdoors must come from the kind of overseas consortiums that want to do in New Zealand exactly what they do in other countries. This is not in the interests of New Zealand citizens.

A sustainable forest sector is one that protects our indigenous vegetation and habitats, protects our soils from erosion and our waterways and estuaries from siltation; and protects the fisheries that depend on them. It is one that takes a precautionary approach to GE by preventing the planting of GE tree stocks and contamination of the local environment; and continues to allow local communities to have a say on forestry practices.

In response to the draft National Environmental Standard for Plantation Forestry, I would like to see:

1. Indigenous vegetation and habitats protected from being over-planted with exotic trees;
2. Clear cut size limited to reduce erosion and sediment loss;
3. The use of overseas best practice by introducing larger riparian buffer zones and setbacks along rivers and around lakes and wetlands to protect their natural character and water quality;
4. My Council be able to prevent the prevent the release of GE material and introduce stronger controls to prevent erosion, control wildings and protect the environment;
5. Incentives to plant more diverse tree species to reduce fire risks and increase indigenous biodiversity.

I am a member of Forest and Bird and the Biodynamic Association, and support their positions.

Jacqui Tyrrell  
10 August 2015

**From:** [REDACTED]  
**To:** [NES PF Consultation](#)  
**Subject:** Submission on proposed NES-PF  
**Date:** Tuesday, 11 August 2015 3:01:19 p.m.

---

Attention: Stuart Miller

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Re: Proposed National Environmental Standard for Plantation Forestry (NES-PF)**

**I oppose** the proposed standard NES-PF 6.4 Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 and replanting, p.82).

**Reasons for My Opposition:**

This Standard goes against the wishes of the people of Northland, and the democratically elected Regional and District Councils who have carried out their wishes, to be able to have a say in the use or otherwise of Genetically Modified Organisms (GMO) in Northland. It is farcical for the years of good work by councils with a clear mandate to be over-ridden by the whim of a National body with no clear mandate.

National Environmental Standards are supposed to be minimum acceptable standards for protecting the environment. There is no explanation of how the proposed standard (6.4) is supposed to protect the environment. It is irrelevant.

Signed: [REDACTED]

**Proposed National Environmental Standard for Plantation Forestry**

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Stuart Miller

Email: [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

Vera van der Voorden

s 9(2)(a)

Ph: s 9(2)(a)

s 9(2)(a)

**Re: Submission Proposed National Environmental Standard for Plantation Forestry**

I have been so proud and relieved in the knowledge that for many years the New Zealand public has rejected the release of Genetically Modified Organisms in Aotearoa.

Now much to my dismay the Government is using this NES-PF proposal to sneak in clauses that will allow GE trees to become a permitted activity.

The GE provisions will undermine 15 years of good work by some council's to place an additional tier of local protection against the risks of outdoor use of GMOs.  
This is just not acceptable.

Also in the proposal are clauses which will remove the councils' existing district and regional plan provisions for managing plantation forestry across Aotearoa/New Zealand.

This will undermine my ability to take part in council consultation processes or have input into land use changes which could affect my quality of life or reduce my local or regional amenity values.

To make matters worse, these provisions will override any future opportunity for Councils to make more stringent rules on Forestry.

Of concern also are the proposed NES-PF provisions for setback distances from streams and roadways which are far too permissive. They will result in large amounts of sedimentation entering into our waterways creating adverse effects to fish and biodiversity.

Our Councils and Federated Farmers have been encouraging riparian planting to improve water quality and this proposed standard is not acknowledging a nationwide need to address critical water issues. It is in fact undermining all the education and awareness programmes the various Government and Local Bodies have been running.

The “erosion prone” classifications will allow plantation forestry to be grown on more risk prone land with subsequent adverse impacts, particularly during harvesting and road works. The proposed NES-PF will not protect our indigenous habitats, our streams and erosion prone land from the impacts of forestry.

In the Waikato we already suffer from the negative effects of 75% of our polluted waterways which Waikato Regional Council has admitted are even too polluted for cattle to drink.

Recently, within my catchment, clear plantation logging has taken place, which is already resulting in sediment dumps entering in to the Waitetuna awa, potentially destroying a significant white bait spawning ground.

The siltation of the river bordering our property is already heart-breaking and the effects on the whitebait with any further degradation would be disastrous. The permissive provisions of the NES-PF could spell a demise of the endangered Giant Kokopu and Long Fin Eels and negatively impact on the survivability of the koura and other river biota on which so many species depend.

Worryingly in our Whaingaroa catchment we are only just starting a ten year cycle of clear felling of large area forestry blocks.

The MPI discussion document indicates that there is a 7 year lag between clear felling and reforestation plantings or return of ground cover. In other words 7 years of sediment loss. This indicates that we could be suffering decades of destructive sediment leaching in to our rivers and ultimately into the Whaingaroa harbour. Our harbour is only starting to recover and support a healthy variety of fish.

Under current forestry rules we are already experiencing undesirable sediment dump problems.

The proposed national standard is wanting to further relax rules instead of strengthen them and this is just not acceptable.

Also not acceptable are the proposed setback designations for plantations from adjoining properties. Of concern are the distances from boundaries which are much too short.

Of concern also are the GM clauses on p. 43, 64 & 82, in the proposed NES – PF which do not meet the objectives of environmental protection for communities; nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

I ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions’ under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council

jurisdiction, there is no “duplication” between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Based on my submission above **I oppose** the Proposed NES –PF Standard.

**The decision I would like MPI and the Minister to make**

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- all wording in the NES-PF in **6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82) referring to genetically modified trees and rootstock must be removed from the NES-PF.
- Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions’ under the Resource Management Act (RMA).
- Protect the Regional and District Council mandate and duty of cares, under the RMA, to the existing foresters and primary producers businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.
- Require setbacks of at least 20 m for streams and 30m around all wetlands and lakes, plus 30m for all adjoining private properties.
- Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I wish to be heard. Please keep me informed. Please acknowledge receipt of my submission

Sincerely

Vera van der Voorden

[REDACTED]

---

**From:** Trish and Gijs Veling [REDACTED]  
**Sent:** Saturday, 1 August 2015 3:01 p.m.  
**To:** NES PF Consultation  
**Subject:** Fwd: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

**From:** Trish and Gijs Veling [REDACTED]  
**Subject:** Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)  
**Date:** 30 July 2015 09:46:43 NZST  
**To:** [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Stuart Miller  
Email: [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

**Name** Trish and Gijs Veling

**Postal** [REDACTED]

**Phone** [REDACTED] **Email** [REDACTED]

**Date** 01.08.2015

**Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)**

Dear Minister Guy,

We **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

- *Northland and Auckland Councils have (based on wide voters' initiative and thus democratic principals) agreed to apply a very cautionary approach to GMO; this cannot be overruled by generally allowing to plant GMO-trees in local forests*
- *GMO-trees in local forests contradict the regional GE-free status*
- *Organic status and produce are appreciating a rapidly increasing regard not only in NZ, but globally; NZ is a country sufficiently isolated to enable a competitive edge by staying GMO-free and offering GMO-free produce*
- *planting GMO-trees increases the dependance on the already huge patent-hungry industry with never-ending effect*
- *GMO are a short-sighted method to achieve short-term effects, which will be irreversible*
- *It is not a matter of GMO-opponents to prove that GMO is/can be harmful, but GMO producers need to prove that GMO is harmless; science and the relative short experience do not provide such proof; it would be most irresponsible to present and future generations to experiment globally without being certain about the effects*



## Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

## Changes we would like you to make -

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Regional and District Council mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

## The decision we would like the Minister to make

1. Remove all wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

We do not wish to be heard. Please keep us informed.

Sincerely

Trish and Gijis Veling



[REDACTED]

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**From:** Susanne Vincent [REDACTED]  
**Sent:** Monday, 3 August 2015 11:28 a.m.  
**To:** NES PF Consultation  
**Subject:** Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

|        |                 |       |                    |
|--------|-----------------|-------|--------------------|
| Name   | Susanne Vincent |       |                    |
| Postal | [REDACTED]      |       |                    |
| Phone  | [REDACTED]      |       |                    |
|        |                 | Email | [REDACTED]         |
|        |                 |       | Date 2 August 2015 |

**Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)**

Dear Minister Guy,

I oppose the Proposed Standard – NES & other relevant legislation: 6.4 - Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

**Personal comments**

The dangers of proceeding down this path are well short of being understood, and the risks could be significant. It is very important not to proceed at this stage.

**Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

I ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

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- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

**The decision I would like the Minister to make**

1. Remove all wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82, referring to genetically modified trees and rootstock.
2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

Sincerely

Susanne Vincent



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

**Proposed National Environmental Standard for Plantation Forestry**

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Stuart Miller

Email: [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

Submissions must be received by MPI before 5 pm, Tuesday 11 August 2015.

Name/Organisation **Michael Vine**

Postal [REDACTED]

Phone [REDACTED]

Email [REDACTED]

**Re: Submission Proposed National Environmental Standard for Plantation Forestry**

**Submission**

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

**Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

I ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

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References:

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[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

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- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
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- Protect the Regional and District Council mandate and duty of cares, under the RMA, to the existing foresters and primary producers businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

**The decision I would like the Minister to make**

1. All wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock must be removed from the NES-PF.
2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I do not wish to be heard. Please keep me informed.

Sincerely

Michael Vine

**From:** s 9(2)(a)  
**Sent:** Sunday, 9 August 2015 10:14 p.m.  
**To:** NES PF Consultation  
**Subject:** Submission on the draft NES-PFC. Attn Mr Stuart Miller

Dear Mr. Miller

Below is my submission on the draft NES-PFC

I would appreciate if you could confirm the receipt of this submission before the closing time.

### **Submission**

Submission to the proposed National Environmental Standard for plantation forestry.

#### **1. Variation between regulations has merits**

One of the central points in the new draft is the variation between Council regulations.

It states: 'Unwarranted variation is variation between plans that is not justified by environmental, economic, social or cultural benefits and imposes an unnecessary cost'.

It looks that the cost caused by variations between council regulations is a point of concern. It sounds to me that this talk about extra cost caused by variation in standards is just a fashion slogan without much factual base. When I compare this diversity with the diversity in for instance ACC premiums for various professions, then this appears to me that these are worlds apart. Neither seems to be based on a real insight.

Different local authorities have different populations. And there must be place for expression of these differences. The little diversity in cultures in New Zealand must not be further squeezed flat. Different areas have also often different risk profiles. Where authorities see it necessary to set their own, they must not be forced to fit into an overriding uniform profile.

#### **2. Caution with genetic engineering**

Other than that the Genetic Engineering technique has stirred up an enormous amount of changes and conflicts, but has not produced long term advantages per saldo.

I refer here for to study data collected by independent scientists and researchers.

A comprehensive single report in which a multitude of references on this issue is collected is: 'GMO Myths and Truths' by Michael Antoniou, Claire Robinson and John Fagan June 2012 .

More adverse effects of genetically engineered products have gradually come to the fore. It shows that many such aspects were not foreseen. And it must be expected that more long term effects will come evident as time goes on. People in the US are increasingly going on a GMO free diet in order to get rid of ailments.

Hence if on further consideration of item 1 above some uniformity is considered desirable, then this must be the implementation of a Precautionary Principle in relation to open cultivation of G E trees in this NES standard.

It is greatly irresponsible to just open the gates for genetically engineered trees in view of these experiences and findings. Utmost caution is needed to prevent spread of products of a technology that gradually is proving to have more and more unforeseen and large scale failures.

GE trees are prohibited by both international certification bodies (Forest Stewardship Council – FSC - and the Programme for the Endorsement of Forest Certification - PEFC) which certify genuinely sustainable forests.

In summary: I ask for the removal of the proposed text regarding genetically modified trees and rootstock from the NES-PF. (NES-PF 6.4, p 43, 64 & 82) and want it to be replaced with a generally applicable precautionary principle in relation to cultivation of GE trees as suggested above.

#### **3 More attention to sustainability – and environmental aspects.**

I support the implementation of firm environmental standards for plantation forests in New Zealand.

I ask for the regulations in the standard to be in accordance with known sound practice, i.e. introduce larger riparian buffer zones and setbacks along rivers and around lakes and wetlands to protect their natural character and the water quality;


I ask you to draft more detailed input in the Standard to help secure the long-term sustainability of the plantation forestry sector, to protect our access to key markets and premiums (for certified forests under PEFC or FSC), and to reduce pollution of our waterways, soils and wider environment.



Peter Volker

Retired Consulting Engineer

s 9(2)(a)

A large rectangular area of the document is redacted with a solid grey fill. It covers the text area below the name and extends across the width of the page.



# Proposed National Environmental Standard for Plantation Forestry

## Template for Submitters

We would like to hear your views on the proposed NES-PF.

Please feel free to use this template to prepare your submission. Once complete please email to [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz).

As stated in section 8.2 of the consultation document, your submission must include at least the following information:

- your name, postal address, phone number and, if you have one, email address
- the title of the proposed standard you are making the submission about
- whether you support or oppose the standard
- your submission, with reasons for your views
- any changes you would like made to the standard
- the decision you wish the Ministers to make.

When commenting on specific draft rules, please be as clear as possible which rule you are referring to and provide a reference e.g. to the relevant page number, heading or text.

For more information about how to make a submission, please refer to section 8 of the consultation document.

### Contact details

**Name:**

Paul Waanders

**Postal address:**

s 9(2)(a)

**Phone number:**

s 9(2)(a)

**Email address:**

s 9(2)(a)

**Are you submitting on behalf of an organisation? Yes ☒ ] No [ ]**

**If yes, which organisation are you submitting on behalf of?**

Whangarei District Council

**If you are a forest owner/manager, what size of forest do you own/manage (in hectares):**

NA



### ***Privacy Act 1993***

Where you provide personal information in this consultation MPI will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.

### ***Official Information Act 1982***

All submissions are subject to the Official Information Act 1982 and may be released (along with the personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

*Please indicate below if you wish your personal details to be withheld:*

☐ Please withhold my personal details where submissions are made public

☐ Please withhold my personal details in response to a request under the Official Information Act 1982

## **Questions for submitters**

The questions for submitters that are included throughout the consultation document are provided below. We encourage you to provide comments to support your answers to the questions below.

1. Do you think section 2.1 and 2.2 of the consultation document accurately describe the problem facing plantation forestry? **No comment**

Please provide comments to support your views.

The sec 32 analysis will have to assess the problem that plantation forestry places on the environment?

2. Do you consider that the conditions for permitted activities will manage the adverse environmental effects of plantation forestry? **Partly**

Please provide comments to support your views.

No consideration is given to the aspect of amenity, other than where a ONL or ONF is within a forestry area



3. Are the conditions for permitted activities clear and enforceable (see appendix 3 of the consultation document)? Can you suggest ways of making the rules clearer and more enforceable? **No**

Please provide comments to support your views.

The draft permitted activity conditions are complicated, requiring assessment of activities against technical standards and online calculators making it difficult for consent planners to determine if an activity is permitted or not e.g. Wilding tree risk. Permitted activities must be clear and measurable especially when existing use rights are debated.

**Several of the draft permitted activity conditions require third party approval to determine compliance** e.g. Setback rules specify a minimum setback distance that can be breached at the approval of the adjoining land owner. There is no method or process in which Council can monitor when such an approval have been obtained. Permitted activities should not by definition be conditional.

This rule relies upon a forestry owner being responsible and applying for a certificate of compliance.

Draft permitted activity conditions require notice of commencement of activities to District Council where there are no other permitted activity rules specified for District Council e.g. Earthworks.

The draft permitted activity conditions do not apply measurable limits to trigger consent. The Draft NES-PF refers to “earthworks” and “maintenance of existing earthworks” these “activities” has very general definitions and no limits to excavation or fill are specified making it impossible to determine compliance the rule.

4. Are the matters where local authorities can retain local decision-making appropriate (summarised in Table 2 and Table 4 and provided in detail in Appendix 3 of the consultation document)? **Not really.**

Please provide comments to support your views.

Very limited matters for district councils to consider, with no consideration of amenity provided for.

5. Will the environmental risk assessment tools (the Erosion Susceptibility Classification, the Wilding Spread Risk Calculator, and the Fish Spawning Indicator) appropriately manage environmental effects as intended (see section 3.5 of the consultation document)? **Unknown**

Please provide comments to support your views.



These assessment tools are too complicated to understand and apply which require particular expertise not available to many councils and adding to compliance costs.

6. Do you have any comments about any particular activity or draft rule (see appendix 3 of the consultation document)? **Yes**

Please include reference to the rule you are referring to.

***Afforestation:***

- Permitted activity conditions – difficult to interpret, online tools are very complicated, subject to third party approval, shading calculations complicated to determine.
- Third party approval clause is applied to setbacks from a residential zone, this would require written approval from all landowners in the residential zone.
- Setbacks should be calculated equally from the residential building and the proposed plantation forest and not only benefitting plantation forestry.
- Defaulting to restricted discretionary activity status provides insufficient ability to manage potential effects, for example decline of application or moving location of proposed planting.
- Permitted activity conditions for GMO tree stock is contrary to Whangarei District Council's position on GMO and proposed PC131.  
**See explanation and relief sought in question 13**
- Note specifies that activities in the orange zone will be non-notified, however if written approval from neighbouring landowners has not been obtained then limited notification should be available in accordance with section 95 of the Resource Management Act.
- No permitted activity conditions relating to replanting adjacent to Outstanding Natural Features and Landscapes and Significant Natural Areas.

***Earthworks:***

- Definition too general and lacks measurements.
- Permitted activity conditions to open for permitted activity status, lack of specification regarding limits difficult to enforce.
- Notices to district council at commencement of work when no consent or compliance is required from district council.



*Harvesting:*

- Harvesting includes vegetation clearance and is noted to include temporary damage to SNA. Vegetation clearance is controlled by Whangarei District Council (including delegated by the proposed Northland Region RPS) however none of the harvesting rules apply to District Council. Further permitted activity conditions are listed in the general conditions. This poses considerable risk of a permitted baseline argument for assessment of damage/clearance of SNA.
- Controlled and Restricted Discretionary assessment criteria are non-specific and do not provide sufficient direction for reporting planners.

*Mechanical Land Preparation:*

- Permitted activity conditions subject to third party approval.
- Quarrying is a permitted activity without any limit to maximum volumes unless visible from a building. This poses considerable risk of a permitted baseline argument for assessment of earthworks and quarrying.
- Permitted activity conditions are contrary to the Operative Whangarei District Plan which has specific limits for earthworks and quarrying in the rural areas as a permitted activity (Rule 38.3.3).
- “Quarrying” definition too generic and differs from Whangarei District Council Operative District Plan.

*Replanting:*

- No permitted activity conditions requiring setbacks from existing residential units.
- No permitted activity conditions relating to replanting adjacent to Outstanding Natural Features or Landscapes.
- Permitted activity conditions apply only to mapped or scheduled SNA in a district plan, not all district plans map or schedule SNA some have criteria which trigger compliance with SNA provisions.
- Permitted activity conditions for GMO tree stock is contrary to Whangarei District Council’s position on GMO and proposed PC131.  
**See explanation and relief sought in question 13**
- Defaulting to controlled activity status provides insufficient ability to manage potential effects, for example decline of application or moving location of proposed planting.



*General Conditions:*

- Vegetation clearance and disturbance while the note states that district councils may introduce more stringent provisions. The permitted activity provisions pose considerable risk of a permitted baseline argument for assessment of damage/clearance of SNA.
- Permitted activity conditions recommended for noise are too generic “forestry activities” must comply; this is inconsistent with Whangarei District Council’s proposed Noise and Vibration chapter (proposed PC110) particularly in relation to quarrying.
- Nesting times permitted activity requires district council to monitor bird nesting to enable any kind of enforcement of this provision.
- River crossings, none of the conditions apply to district council for enforcement, however district council manages flood risk and esplanade reserves placements of structures across rivers may increase effects.
- Controlled assessment criteria are non-specific and do not provide sufficient direction for reporting planners.
- Defaulting to controlled activity status provides insufficient ability to manage potential effects.

7. Is the NES–PF the best option to meet the assessment criteria (in Box 13 of the consultation document)? **Yes if that is the ultimate aim**

Please provide comments to support your views.

*Delivers consistency?*

**Yes** a NES will deliver consistency in rule variation across different plans.

*Improves certainty?*

**No** as drafted the proposed NES-PF does not improve certainty of RMA processes refer to all of the comments made in response to question 6. Furthermore the NES is proposed in the absence of a supporting NPS which leaves each council open to have to establish some kind of policy to support the provisions.

*Ease and effectiveness of implementation?*

**Yes** there are significant complexities to implementation see refer to comments made in response to question 6. The provision of permitted activity conditions places a considerable cost of councils as councils will be obligated to monitor all of the conditions to ensure compliance, whereas clear permitted activity rule triggers provide more certainty of compliance and enable appropriate resource consent applications which are monitored at the cost of the applicant.

*Efficiency? Are the benefits of the option expected to exceed the costs?*

**No**

*Ability to monitor the effects? Is it easy to monitor the impact of the policy?*

**No** This is a NES and does not contain policy. Monitoring compliance will be extremely onerous and costly to council’s.



8. Have the expected costs and benefits of the NES-PF been adequately identified (see section 4.3 of the consultation document)? **No**

Please provide comments to support your views.

The potential monitoring and assessment costs expected to be borne by council's have been underestimated.

9. Are there any issues that may affect the successful implementation of the NES-PF (such as decision-makers applying the permitted baseline test more frequently)? **Yes**

Please provide comments to support your views.

- Lack of an overarching NPS to provide policy support for the NES, this may lead to complications when introducing the NES to district plans.
- Complicated technical assessments required to confirm compliance with permitted activity conditions.
- Overuse of permitted activity conditions requiring onerous monitoring and enforcement by councils to ensure compliance.
- Use of third party approvals which ultimately determine the activity status of an activity.
- Limitation of resource consent application assessment via the use of controlled and restricted discretionary activity status with very limited assessment direction.
- The implementation of the NES for Contaminated Soils works in practice despite high cost of assessments by private consultants due to lack of qualified staff but the NES on Electricity Transmission Activities is a total chaos as each council has interpreted the NES on its own and have different provisions in their plans. The NES PF should follow the example of the NES on Contaminated Soils.

10. Please describe any risks or opportunities that you consider have not been identified or addressed in the proposal.

The document incorrectly assumes that minor plan changes will be necessary to implement the NES-PF, in the absence of supporting policy in the form of an NPS councils will be forced to undertake a comprehensive review of all district plan policy to ensure that once implemented there is sufficient policy direction to support assessment of resource consent applications. This will require a significant section 32 evaluation.





11. Will the proposed NES-PF support regional councils to implement the NPS-FM (see section 6.1 of the consultation document)? **No comment**

Please provide comments to support your views.

No comment—this is a Regional Council issue

12. What resources or other implementation activities would help you to prepare for and comply with the proposed NES-PF (see section 7 of the consultation document)? How should these activities be delivered (for example, training, online modules, guidance material)?

A complete re-write of the permitted activity controls to address matters raised in response to question 6.

13. Are there any other issues that you would like to raise? **YES**

Reference was made to the Whangarei District Plan Change PC131 in paragraph 6

Whangarei District Council (WDC) opposes the provisions in the Proposed National Environmental Standard on Plantation Forestry (NES-PF) referring to genetically modified tree stock and requests the removal of such provisions from the Proposed NES-PF. Specifically, WDC seeks the deletion of: Section 6.4 Hazardous Substances and New Organisms Act 1996 on page 43 of the consultation document, Permitted Activity Rule - Genetically Modified Tree Stock (on page 64 of the consultation document) and, Permitted Activity Rule – Replanting using genetically modified tree stock (on page 82 of the consultation document) in Appendix 3 Draft Rules of the Proposed NES-PF, along with any other references to genetically modified tree stock in the consultation document.

**Reasons:**

1. There have been widespread and on-going concerns from the Northland/Auckland community regarding the potential release of genetically modified organisms (GMOs) to the environment over the past 12 years. This has been evidenced by numerous submissions on annual plans, Long Term Plans (LTP), district plans, a 7,000 plus signature petition to WDC, together with the results of the 2009 Colmar Brunton poll commissioned by councils in Northland and Auckland and carried out across the whole of the Northland and Auckland regions.



The results of this poll showed significant dissatisfaction with the existing regulatory regime for GMOs and significant dissatisfaction with existing liability provisions under the Hazardous Substances and New Organisms Act (HSNO). The poll results showed strong support for local government to have a role in regulating use of GMOs and strong support for introducing a strict liability regime for users of GMOs, amongst other things.

2. Consistent and strong opposition to the release of GMOs to the environment has been expressed by tangata whenua (as indicated in the Colmar Brunton poll) and included in almost all existing iwi and hapu management plans in Northland. Around seven iwi and/or hapu management plans from Northland identify GMOs in the environment as a significant issue and advocate a strong precautionary approach to GMOs. In addition, at a hui of Tai Tokerau iwi hosted by Te Runanga A Iwi O Ngapuhi in November 2012, representatives from iwi throughout Northland demanded robust local control of GMOs and a strong precautionary approach to releasing GMOs into the environment.
3. Local authorities in the Northland/Auckland region responded to community concerns by forming an Inter-council Working Party on GMO Risk Evaluation and Management Options in 2003. As the name suggests, the Working Party is charged with evaluating risks to local bodies and their communities in the Northland/Auckland region from outdoor uses of GMOs together with response options to those risks, including regulation of GMO land uses under the Resource Management Act (RMA).
4. As part of its investigations the Working Party commissioned a series of reports and legal opinions to investigate the nature and extent of risks local authorities and communities could expect to face from outdoor activities involving GMOs and the response options available to address those risks. These include: *Community Management of GMOs: Issues, Options and Partnership with Government, 2004*; *Community Management of GMOs II: Risks and Response Options, 2005*; and *Community Management of GMOs III: Recommended Response Option, 2010*; *Legal Opinions: Managing the Risks Associated with Outdoor Use of Genetically Modified Organisms 2014*. These reports are available on the WDC website.



5. In accord with the risks and management option identified in the above reports, councils in Northland and Auckland agreed to collaborate on producing a joint section 32 report and draft plan provisions to support a joint plan change to councils' land use planning documents - the Auckland Unitary Plan and the Whangarei and Far North District Plans.
6. The section 32 evaluation confirmed there are significant risks to local government and their communities from outdoor use of GMOs, including environmental, economic and socio-cultural risks. These risks are difficult to quantify through normal risk analysis given the uncertainty (including scientific uncertainty) and lack of information about those risks. Genetic modification is a relatively new and fast developing technology. There is a lack of scientific agreement on the long term effects of releasing GMOs into the environment and a lack of information on long term environmental consequences. There is uncertainty and disagreement as to the short and long term economic benefits and dis-benefits from GMO crops and animals. And there are different cultural views as to the appropriateness of GM technology and GMOs.
7. In addition, the potential adverse effects of releasing GMOs into the environment could be significant – including possible major (and long term) harm. Moreover, these effects could be irreversible. Once released to the environment it is, in most instances, impossible to eradicate such organisms. They are, in effect, there for ever, whatever the consequences.
8. Given the above circumstances, along with community preferences expressed in the Colmar Brunton survey and in public submissions to, and lobbying of, councils in Northland/Auckland, the section 32 analysis concluded that a strong precautionary approach to the release of GMOs to the environment is warranted. Such an approach is legitimised by, and indeed inherent to, the RMA, particularly section 32(4)(b), which requires a section 32 evaluation to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter being dealt with.
9. To this end, the section 32 evaluation (and associated draft plan change) supports the prohibition of releases of GMOs to the environment and the requirement for consent as a discretionary activity for GMO field trials. The section 32 analysis also supports provisions that set strict liability rules for all potential economic and environmental harm and the requirement for bonds and proof of financial fitness.



10. However, the section 32 evaluation acknowledged the desirability of keeping future options open, and thus supports an adaptive risk management approach that would enable on-going review of prohibiting the release of GMOs, and the change of activity status to discretionary should new information come available that shows that the benefits of releasing a particular GMO, or class of GMOs, outweigh the risks for the Northland/Auckland region.
11. Such a precautionary approach to risk management is supported by the courts. In particular, *Coromandel Watchdog v Ministry of Economic Development* examined the appropriate use of the prohibited activity status in planning documents. The Court of Appeal judged an appropriate use of prohibition might be when a planning authority has insufficient information about an activity and wishes to take a precautionary approach, even though it does not rule out the possibility of that activity being permitted in the future when further information may become available.
12. Subsequently Auckland Council has included GMO provisions in its Proposed Unitary Plan based upon the Draft Plan Change, Section 32 Report and legal opinions produced by the Inter-council Working Party. The Proposed Unitary Plan was publically notified on 30 September 2013. Submissions and cross submissions on the Proposed Unitary Plan have closed and hearings began in September 2014. Hearings on the GMO provisions are scheduled for September 2015. Uncontested parts of the Unitary Plan are expected to become operative in late 2016.
13. Whangarei District Council notified a change to its District Plan on 15 July 2014. The provisions regulating the outdoor use of GMOs included in the plan change are based upon the Draft Plan Change, Section 32 Report and legal opinions produced by the Inter-council Working Party and are the same as those in the Auckland Unitary Plan and Far North District Council plan change. Submissions and further submissions have closed and hearings are expected to take place in May 2016. Decisions from the hearings are expected around late 2016 to coincide with the Auckland Council decisions.
14. Far North District Council notified a change to its District Plan on 15 July 2014. The provisions regulating the outdoor use of GMOs included in the plan change are based upon the Draft Plan Change, Section 32 Report and legal opinions produced by the Inter-council Working Party and are the same as those in the Auckland Unitary



Plan and Whangarei District Council plan change. Submissions and further submissions closed and hearings are expected to take place in May 2016. These hearings will be held jointly with the Whangarei District Council to ensure a consistent outcome across Northland and a joint defense through the Courts if required.

15. The Northland Regional Council is currently reviewing its Regional Policy Statement. The Proposed Regional Policy Statement as amended by Council decisions (following the hearings) contains precautionary provisions regarding outdoor use of GMOs. These provisions are currently under appeal by Federated Farmers. A preliminary hearing on whether there is legal jurisdiction to include GMO provisions in regional planning documents took place in April 2015 and a decision from the Environment Court was released on 12 May 2015 (*Federated Farmers v Northland Regional Council* [2015] NZEnvC 89).. The Court found that there was jurisdiction under the RMA for regional councils to make provision for control of the use of GMOs through regional policy statements and plans. This matter however has been appealed to the High Court on matters of Law and the outcome is not yet available.
16. The proposed NES-PF is overriding the decision of the Environment Court by removing jurisdiction for local authorities to manage GM trees under the RMA. At the same time the Proposed NES-PF is removing the ability of local authorities to regulate the introduction of GM trees into their districts or regions it is imposing the risks from unforeseen adverse effects from those trees, along with extensive monitoring responsibilities, on local authorities and their communities. The Proposed NES–PF is in essence imposing the risks from unforeseen effects of GM plantation forestry on local authorities whilst denying them the opportunity of self-determining the level of risk local authorities and their communities wish to carry along with developing methods for minimising those risks.
17. Local authorities in Northland and Auckland have spent over 10 years assessing those risks and determining what level of risk is acceptable to them and their communities. The Proposed NE PF (as worded) is overturning that community determined level of risk without providing assurances as to how unforeseen adverse effects will be dealt with, including clean up costs if required, and how liability for possible economic and/or environmental damage will be apportioned.



As it stands once a release of GMOs is approved by EPA there is no strict liability on users of those GMOs for unforeseen economic or environmental damage. Local authorities and communities will be left to pick up the costs. This is a major worry to local authorities in the Northland and Auckland Regions in general and to WDC in particular.

18. The rationale provided in the Proposed NES-PF for restricting local government regulation of GM plantation trees under the RMA is to avoid duplication with regulation under HSNO and that assessment of GMOs under HSNO is sufficient to ensure risks from GM trees are adequately managed. There is no analysis, indeed mention, of the potential benefits to regions and districts from remaining GE free or the risks to other primary producers, such as conventional or organic farming, from GE contamination from GM forestry trees. Pollen from pine trees is known to travel many kilometres and poses an undeniable risk to organic farming in particular.
19. This rationale, in itself minimal, is also based upon a misconception regarding the operation of HSNO and the RMA. The two statutes do not result in duplication but rather complement each other. This can be explained by reference to the recent decision of the Environment Court relating to jurisdiction mentioned above.
20. The Environment Court decision found that HSNO and RMA have different purposes and different jurisdictions. HSNO's purpose and jurisdiction is to assess new organisms (including GMOs) before approval can be granted (or not) for their introduction into New Zealand - containment, field trials and releases. Once released they are no longer considered new organisms and are no longer regulated under HSNO. HSNO is in effect a licensing regime for the introduction of new organisms (including GMOs) into New Zealand.
21. The RMA, on the other hand, is a comprehensive statute that regulates the use of all natural and physical resources (unless expressly exempt) in an integrated manner so as to achieve the sustainable management of those resources. Such integrated management can (in fact should) include GMOs. And it can include regional and district considerations in addition to national considerations. For example the Court stated:



*[49] Once having been approved for import and release into New Zealand under HSNO, regional authorities can provide for use and protection of them together with other resources in a fully integrated fashion, taking into account of regional needs for spatial management that might differ around the country for many reasons, not the least of which might include climatic conditions, temperatures, soils, and other factors that might drive differing rates of growth of new organisms and/or of other organisms, as just a few of perhaps many examples. I agree... that the RMA and HSNO offer significantly different functional approaches to the regulation of GMOs.*

*[51] For instance, regional authorities might, with community input, consider particular regional approaches acknowledging social, economic and cultural wellbeing (amongst other things), somewhat beyond the more limited policy considerations for regulation of import and release of new organisms under HSNO. These aspects in s5 RMA are underpinned by the statutory requirements for preparing and publishing evaluation reports under s32, including by way of just one example, the requirement for assessment of benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of proposed provisions, including opportunities for economic growth and employment. Particular regional considerations would come in for study in a way not anticipated by HSNO.*

*[52] Mr Mathias gave further examples including policy positions representative of strong cultural concerns of Maori, and if thought appropriate “marketing and branding advantages” based upon an approach to limiting the use of GMOs in an area, for instance by encouraging price premia for agricultural production and tourism activities in the locality. I accept these submissions.*

22. As can be seen from these pronouncements, the HSNO Act and the RMA do not duplicate functions. They have separate and complementary roles in the overall management of GMOs, including GM plantation trees.

23. The councils in Northland and Auckland have, after extensive research and consultation with their communities, determined they wish to adopt a strong precautionary approach to the introduction of GMOs into their regions and have incorporated these aspirations into their RMA planning documents. There are very good reasons set out in the section 32 analysis accompanying the plan provisions for doing so. The proposed NES-PF as worded overrides these local and regional aspirations for reasons that are not elaborated and are unclear to WDC.



24. WDC requests that the provisions relating to GM plantation trees that are included in the Proposed NES-PF be removed so that councils in Auckland and Northland can continue formalising community aspirations through their RMA planning documents free of the restrictions that the Proposed NES-PF places upon them.

The following comments were added from the Rooding manager to be considered:

The NES fails to recognise that district councils have a critical role in managing the impacts of forestry operations on district roads, including managing the impact of forestry activities on roading infrastructure.

'Road widening and realignment for safety purposes' (earthworks) is placed under the jurisdiction of the regional council. The district council has an interest in this matter.

The focus on the NES with regard to roading matters are internalised within the forestry boundaries, and do not allow Council to address the adequacy of access arrangements at the nexus between the forestry site, and public road, or where an operation relies on public roads between the forestry blocks. Issues include:

- Suitability and safety of access arrangements to the site, taking into account the adequacy of sightlines, access width etc.
- Deposition of spoil and on public roads be addressed (for example, to address the movement of fill and spoil from quarries, a control is required to ensure that any quarried material is used to form roads within the forestry site from which it is extracted).
- The harvest management plan requirements do not contain information requirements that would enable Council to manage potential impacts on the roading network supporting the harvest operation, i.e. by requiring the operator to identify the route and modes of transport to be used in the harvest, duration, and effects on safety and efficiency of roading network, and how damage to the road is to be repaired by the forestry operator (i.e. as per information required within a corridor access request).

The setback rule 'where vegetation could shade a paved public road between 10am and 2pm on the shortest day of the year' will be extremely complicated to assess and determine. Definition of paved public road required.

Development contributions require an application to be submitted to Council. Where there is no application, how can Council levy operators





for the impact on infrastructure, and to recoup costs for damage to road infrastructure.

## GE FREE SUBMISSION

**KIA KOUTOU:** Te Ururoa Flavell, Nick Smith, Jo Goodhew.

**TE KAUPAPA:** Ko Te Putaiao me era atu taonga tuku iho

**TE RA:** Te tuaiwa ra o Hurae 2015

### **NGA KUPU KORERO KAUPAPA-A-MAHI HOKI:**

#### **(1)Whakamoemiti mo te kaupapa**

Whakamoemiti Arepa Omeka Piriwiritua Hamuera Mangai ara tuauriuri whaioio ki tonu te rangi mete whenua ite nui o tou kororia ete Ariiki me maumahara ana e matou nga kaupapa whakatakoto e koe I mua ana ia matou; ko nga kawenata tapu I whakahaere arahia ana tenei kaupapa ote Putaiao ko He Wakaputanga Rangatiratanga o Nu Tirani 1835 me Te Tiriti o Waitangi 1840 kia tu mana motuhake-a-rohe ote Tai tokerau me nga ahuatanga I waenganui ia matou.

Ko te minenga kei konei I tiaki marika mana whenua, mana moana, mana wairua, mana tupuna, po ao po ao po ao, kia mau tonu te oranga iroto I nga manaakitanga o IHOA onga Mano, te timatanga mete whakaotinga mea katoa, te puna waiora, te kaiwhakaora me waana nei Anahera pono I arahia ana tiaki marika e ngai taaua inga wa katoa, nga mea I mau tonu nga mahi marunga te tika te pono mete aroha rangimarie hoki

#### **(2)Anei Nga Patai**

I te turei 7 July 2015 I patai ana enei patai engari kahore te kaimahi maori I marama marika nga korero, na I roto I tena kahore nga kaimahi pakeha I mohio te whakautu.

2.1 Me pehea mo te paremata pakeha maori ranei I whakahaere tenei??? He aha tera nohonga I waenganui ia ratou???

2.2 Kei hea te nohonga o Te Tiriti o Waitangi 1840 marunga I tenei kaupapa Manatu mote Taiao MPI hoki??? Na te mea, mena kahore I kitekite e matou tera kawenata tapu iroto te ture; kahore ia koutou iroto enei tari tuarua, kawanatanga pakeha I marama marika te hohonutanga o tenei kawenata tapu; kahore I taea te oti marika, engari kia whati.

2.3 E haere ana ia koutou marunga marae te korero ki nga whanau hapu??? Na te mea, kahore te nuinga o ngai maori me nga whanau hapu I taemai te raa nei.

2.4 Aroha ana ki nga hunga iroto I tenei ruma me nga mea kei waho na te mea kahore I mohio marika te hohonutanga o tenei kaupapa whakahaere ana e koutou. He aha I pera Ai???

### **(3) Nga korero whakamutunga**

Kahore ana e matou I tautoko tenei kaupapa ia koutou, na te mea kahore nga kaiwhakahaere I mohio marika te tino hohonutanga ki te taha wairua taha kikokiko hoki. He aha Ai??? Na te mea ko tenei kaupapa-a-mahi hei tukino taiao, tukino whenua, tukino tangata hoki. Kia whakakahorengia te katoa puta noa te Ao.

Te tumanako, na IHOA onga Mano tenei whakaritenga, koia te timatanga mete whakaotinga mea katoa, kia tiaki marika e matou I mahitahi tenei kaupapa-a-mahi mo te taiao marunga te tika te pono mete aroha kia mau tonu he orange inga wa katoa; kia kore nga mahi ote rewera I whai waahi I waenganui ia matou. Na te mea ko matou waana nei ringaringawaewae marunga te mata ote whenua Matua, Tama, Wairua tapu me nga Anahera pono mete Mangai tautoko....Ae!!!

Mauriora.....na Marama Waddell – Kaimahi Awhina mo nga whanau hapu ote Wakaminenga Kotahitanga onga Hapu iraro mai o Hauraki; mete Kahui Ariiki ote Parawhau Hapu me Patuharakeke me etahi Hapu ia nga maatua tupuna no roto te whare tapu o NgaPuhi.

s 9(2)(a)

Nama waea: s 9(2)(a)

I te ranei ko te tekaumatahi tenei marama 2015, I tukua tenei panui ki nga mea kei raro marunga emera me etahi atu :

- 1) Te Ururoa Flavell – Minita mo nga take Maori
- 2) Nick Smith – Minita mo nga take ote Taiao
- 3) Jo Goodhew – Minita tautoko ite tari MPI
- 4) s 9(2)(a)
- 5) s 9(2)(a)
- 6) Te Haahi Ratana
- 7) Waitangi Tribunal
- 8) Barney Tupara – s 9(2)(a)
- 9) Benjamin Pittman, Zelka Grammer, Kristi Henare.

**Ref: GEFREE NORTHLAND**

**"Ministry for Primary Industries pushing for the outdoor use of GMOs (GE trees) in a NES for Plantation Forestry in NZ. GE trees are prohibited by the Forest Stewardship Council (FSC) and would put at risk NZ's biosecurity, unique biodiversity, existing non GM primary producers (conventional, IPM and organic) including foresters, our economy, quality primary production and the public health".**

We note that the global certification body for truly sustainable forests, the Forest Stewardship Council, prohibits the use of GMOs in FSC certified forests due the ecological/ environmental risks  
see

**Forest Stewardship Council, New Zealand standard**

**"Indicator 6.8.4**

Field use of **genetically modified organisms** by the **forest manager** shall be prohibited."

It appears that MPI is pushing a policy (pro outdoor use of GE trees in NZ) that is outside its portfolio".

Proposed National Environmental Standard for Plantation Forestry

Spatial, Forestry and Land Management

Ministry for Primary Industries

PO Box 2526

Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Submissions must be received by MPI before 5 pm, Tuesday 11 August 2015.

Name: Hinemaria Ward-Holmes

Postal: s 9(2)(a)

Phone: s 9(2)(a)

Date: 10 August 2015

Email: s 9(2)(a)

Re: Submission Proposed National Environmental Standard for  
Plantation Forestry

Personal comments

I am totally against Genetic modification of any sort especially GE Trees, and anything that could harm the eco system... I believe that there is no known assurance that this possible 'economic suicide' will be safe for this land of Aotearoa, New Zealand.

I believe in Aotearoa New Zealand, we have a very unique land.

I would not want anything to change this land.

I would not want any experiment to take place on this land.

Papatuaanuku is very special to the people of this land of Aotearoa, New Zealand. Please do not change Papatuaanuku.

"For example, the insecticides can kill any butterflies and bees they come into contact with.

If their pine needles drop, they will be toxic to the insects on the forest floor. Basically, they could silence nature in the forest."

Wairapa Times Age 7/8/15

Submission

I oppose the Proposed Standard – NES & other relevant legislation: 6.4 - Genetically

modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of

environmental protection for communities, nor does the standard take into account the inherent

dangers and liabilities associated with novel genetic technology and its potential contamination of -

soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and

waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be

the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous

Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District

land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6)

have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there

is no “duplication” between the HSNO or RMA once a GMO is released. This must not be undermined

by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under

the RMA, to place policies, rules and objectives, on the management of GMO land use activities as

part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] [http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-](http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf)

[000041-part-one-section-17.pdf](http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf)

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

Changes we would like you to make -

☐ Remove all GM clauses in the proposed NES – PF and references permitting genetically

modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA)

under the Hazardous Substances and New Organisms Act (HSNO) and

☐ Retain and provide for Regional and District Councils to place more GM stringent land use

rules, objectives and policies in their plans for the management of the natural and physical

resources through their mandated planning functions' under the Resource Management Act

(RMA).

☐ Protect the Regional and District Council mandate and duty of care, under the RMA, to the

existing foresters and primary producers businesses in their region and districts so they can

maintain their responsibilities with national and global certification bodies.

□ Ensure that the Regional and District Councils have the ability, under the RMA, to create a

much needed additional tier of local protection against the risks of outdoor release and use of

GMOs.

The decision we would like the Minister to make

1. All wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p.

82, referring to genetically modified trees and rootstock must be removed from the NES-PF.

2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more

stringent rules, objectives and policies on GMO's as part of their land use planning

function, under the RMA, when addressing the economic, social and cultural wellbeing of

their communities.

I wish to be heard. Please keep us informed.

Sincerely

*H Ward-Holmes*

Hinemaria Ward-Holmes



## **Proposed National Environmental Standard for Plantation Forestry**

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Stuart Miller

Email: [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

Submissions must be received by MPI before 5 pm, Tuesday 11 August 2015.

Name/Organisation Marianne Weber

s 9(2)(a)

Phone

s 9(2)(a)

### **Re: Submission Proposed National Environmental Standard for Plantation Forestry**

#### **Submission**

I **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

#### **Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

**Changes we would like you to make -**

- Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and
- Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Regional and District Council mandate and duty of cares, under the RMA, to the existing foresters and primary producers businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

**The decision we would like the Minister to make**

1. All wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock must be removed from the NES-PF.
2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I wish to be heard. Please keep us informed.

Sincerely

Marianne Weber

## **Proposed National Environmental Standard for Plantation Forestry**

Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Stuart Miller

Email: [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz)

Submissions must be received by MPI before 5 pm, Tuesday 11 August 2015.

Name/Organisation: Laura Wells

Postal: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

### **Re: Submission Proposed National Environmental Standard for Plantation Forestry**

#### **Personal comments**

#### **Submission**

I/ We **oppose** the Proposed Standard – **NES & other relevant legislation: 6.4 - Genetically modified tree/root stock** (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

#### **Submission and Reasons –**

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions' under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, 6) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no "duplication" between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

#### **References:**

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**Changes we would like you to make -**

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- Retain and provide for Regional and District Councils to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).
- Protect the Regional and District Council mandate and duty of cares, under the RMA, to the existing foresters and primary producers businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.
- Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

**The decision we would like the Minister to make**

1. All wording in the NES-PF in **6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82**, referring to genetically modified trees and rootstock must be removed from the NES-PF.
2. To place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I/we wish to be heard. Please keep us informed.

Sincerely

Laura Wells

Spatial, Forestry and Land Management

Ministry for Primary Industries

PO Box 2526

Wellington 6140

Stuart Miller

Email: NES-PFConsultation@mpi.govt.nz

Name: Malcolm White

Postal: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Date: 6/8/2015

Re: Submission Proposed National Environmental Standard for Plantation Forestry (NES-PF)

Dear Minister Guy,

We oppose the Proposed Standard – NES & other relevant legislation: 6.4 - Genetically modified tree/root stock (p. 43, Appendix 3, Afforestation, p. 64 & Replanting, p. 82)

Personal comments:

The Grocery Manufacturers Association in the USA has spent \$US 100+ million fighting GM labelling of food. In spite of this they have only narrowly won some and lost other states. Now they are seeking to make it a Federal responsibility to take away the rights of individual states to protect their

citizens as they see fit. Your government with this bill proposes to do something similar. Are you aware that the most valuable label in the USA is now “GMO free”. This has now surpassed “Organic” in the list of food priorities. Have you fully contemplated the risk to the value of our wholesome/safe food status given by clean and green?? Check with the exporters how valuable this is. There is nothing about GM that could not be achieved by alternative technologies. Therefore jeopardising the brand can only be reckless.

The reason why people seek GMO free foods is that they realise that the whole technology is dogged by fraud on a colossal scale and is about corporate growth not human development. There is still no scientific consensus that it is safe, only as time goes on more doubts.

I would suspect the EPA will have to rely heavily on corporate sponsored “scientific” papers as it will not have the resources to undertake the long term complex studies required to truly determine the magnitude of the inevitable unintended consequences. Having a single body responsible for approving GM release makes it vulnerable to corporate capture, through staffing with sympathetic personnel, as has happened overseas.

The EPA would not be subjected to democratic processes in the same way that district and regional councils are. Because the significance of the release of GM in the environment is huge, potentially devastating and affects everyone it should pass the democratic hurdles.

#### Submission and Reasons –

The GM clauses on p. 43, 64 & 82, in the proposed NES – PF do not meet the objectives of environmental protection for communities, nor does the standard take into account the inherent dangers and liabilities associated with novel genetic technology and its potential contamination of - soils, indigenous and exotic flora & fauna, pruning debris, waterways, trophic ecosystems and waterways.

We ask that you remove all conditions and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and allow Councils to manage Regional and District land use through their mandated planning functions’ under the Resource Management Act (RMA).

Both the Environment Court and the Royal Commission on Genetic Modification (Chapter 13, Recommendation 13.1, H1, p.339) have stated the clear responsibilities and boundaries between the EPA and Council jurisdiction, there is no “duplication” between the HSNO or RMA once a GMO is released. This must not be undermined by any clause in the proposed NES-PF.

The Environment Court, Judges Thomson and Newhook, decision upheld the Councils ability, under the RMA, to place policies, rules and objectives, on the management of GMO land use activities as part of their management and planning functions in their regional and district plans [1], [2].

#### References:

[1] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[2] <http://www.ge-free.co.nz/assets/pdf/20150512145527872.pdf>

#### Changes we would like you to make -

Remove all GM clauses in the proposed NES – PF and references permitting genetically modified organisms to be the sole responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act (HSNO) and

Retain and provide for Local Bodies to place more GM stringent land use rules, objectives and policies in their plans for the management of the natural and physical resources through their mandated planning functions' under the Resource Management Act (RMA).

Protect the Local Bodies mandate and duty of care, under the RMA, to the existing foresters, primary producers and businesses in their region and districts so they can maintain their responsibilities with national and global certification bodies.

Ensure that the Regional and District Councils have the ability, under the RMA, to create a much needed additional tier of local protection against the risks of outdoor release and use of GMOs.

#### The decision we would like the Minister to make

1. Remove all wording in the NES-PF in 6.4 p.43, Appendix 3; Afforestation: p. 64 & Replanting: p. 82, referring to genetically modified trees and rootstock.

2. Place an added condition in the proposed NES-PF stating that Local Bodies can set more stringent rules, objectives and policies on GMO's as part of their land use planning function, under the RMA, when addressing the economic, social and cultural wellbeing of their communities.

I/we wish to be heard. Please keep us informed.

Sincerely

Malcolm White (Malcolm White)

Signature /printed name



Stuart Miller

[PFConsultation@mpi.govt.nz](mailto:PFConsultation@mpi.govt.nz)

### National Environmental Standard for Plantation Forestry – Submission

I have read and considered the proposed National Environmental Standard for Plantation Forestry. I understand what the NZ Forest Owners and MPI are working to achieve. I agree the proposed standard may have a place for other parts of New Zealand but without substantial change to properly recognise land contour and soil characteristics in the Gisborne Region, it cannot be reasonably adopted here.

I agree plantation forestry is helpful in assisting to manage erosion and the benefits come over much of the forest cycle. The planted land remains vulnerable to disturbance particularly during and after harvest and the scale of that, if not carefully managed, can outweigh any gains. Clearfell harvesting and associated earthworks affects biodiversity and re-introduces erosion on a scale similar to grassland for subsequent years.

There have been issues with forest slash spilling from rivers into the sea and causing problems with infrastructure and the coast. These events follow heavy rainfall and are destructive to stream, river and coastal environmental values. The cost of highway culvert restoration on SH 2 South of Barletts recently was met by the community while being directly attributable to a mid slope failure below an old landing.

The Maraetaha, Kopuawhara, and Uawa Rivers are particularly hard hit with consequent damage to unacceptable levels to downstream occupiers and public infrastructure along the way.

That this has happened on more than one occasion highlights the need for particular land use controls to ensure management does have the planning right and that the costs of both consenting and consent monitoring are covered by the Industry concerned. I do not accept the element of the NES proposal that would remove the costs of proper land use planning and monitoring from the industry and place them on to the general ratepayer.

We have examples of particularly well managed companies facing the challenge of land contour and soil types inherent in this District yet then facing costs of clean up after severe events that are not uncommon here. Juken Nissho have been working, and in my view diligently, to carefully maintain the Kopuawhara yet a recent event defeated the considerable effort and experience of the company to contain slash material. Downstream landowners and the coast were impacted.

Following the same event, material from the Maraetaha ended up on Wainui Beach and blocking the Wainui Stream indicating the considerable volume of material that was released. A substantial danger to shipping as this material crossed Poverty Bay and drifted North along the coast after rounding Tuahine Point. The company involved did make substantial cleanup efforts on beaches around Nicks Head after the ecosystem habitat damage was brought to their attention.

The key point for me in relation to the proposed NESPF is that two substantial and well managed companies have been caught out by weather events with the consequence of damage to downstream neighbours and the environment to unacceptable levels. These events are solid evidence that the standard proposed is not at all adequate for this District.

Much of the land is owned by overseas owners. I read in the Gisborne Herald that overseas ownership is at 80% of forest holdings. Overseas ownership is not the issue, it is more likely a

profit expectation from land that was originally planted for protection and morphed into plantation forestry. The subsequent damage during and post harvest on the more challenging East Coast Country demonstrates the need for sound management and monitoring oversight to ensure further erosion, soil loss and impact on downstream neighbours and community infrastructure does not occur.

I note the reference made to science in the document. I also note the matter of setback and an attempt to determine setback distance by specified measure. In my understanding many years work by Dr Mike Marden has determined that a setback zone is better defined by the drop of point along a stream or river rather than specified distance. Determining the matter by following contour in a sensible and sensitive manner is more realistic in the long term. There will be a cry of lost economic opportunity from forest owners; the reality is that if natural setback is not followed the longterm economic loss is far greater.

I am aware of the considerable efforts made by the Gisborne District Council to have the realities of land contour and soil types prevalent here to be recognised in the preparation of the draft NESPF. In my reading of your draft I do not determine your proposed document does get close to recognising the need for additional care in planning, managing and monitoring this key activity. You have not taken due regard of water issues or the NES FW and district community interpretation of that in my observation.

I do not think the aspect of fisheries or fish migration is taken sufficiently seriously and I suspect your calendar of migration events is not appropriate here. I am forming a view that the community and aspirations for environmental improvement is overlooked in favour of representations from NZ Forest Owners.

I am aware of the nature of the GDC submission on the draft proposal and fully agree with it. The draft does not recognise this Districts unique qualities.

I 'll return to the point that I agree Plantation Forestry is important in that it does provide economic support for many directly and indirectly while generating overseas income for the country. The other side of that is, as a community member I want to know the activity is well managed and potential impacts on neighbours, environment and infrastructure are well planned, consented to and monitored by a responsible authority. I want the costs of that consenting and monitoring met by the industry and at present the proposed NESPF is not an adequate substitute to the RMA consenting and monitoring process and District Planning.

If your draft is amended to properly recognise the issues of erosion and soil loss in this District and to enable specific and appropriate action by our Unitary Authority to Consent, Monitor, and take action where necessary, with cost recoverable from the Industry, I would reconsider my view.

Peter Williamson

s 9(2)(a)

s 9(2)(a)

s 9(2)(a)

**From:** s 9(2)(a)  
**Sent:** Thursday, 6 August 2015 10:35 p.m.  
**To:** s 9(2)(a); NES PF Consultation  
**Cc:** s 9(2)(a)  
s 9(2)(a)  
**Subject:** Re: NES-PF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi [REDACTED],  
The email address [REDACTED] given below is not accepting this note. Perhaps you would pass it on to [REDACTED], or, better still, consider it.

And I now find "[REDACTED]" is similarly unresponsive: perhaps you would care to pass this not to them.

The invitation is still open for a chat here.

Regards  
Cedric

s 9(2)(a)  
s 9(2)(a)

Please see my comments below, trusting they will be of some interest.

These are in response to your email request of 31-July-'2015 to NZFSS Members requesting comments/feedback to Streamlined Environmental.

s 9(2)(a)

Please also send me a membership renewal notification.

My response, having perused the NES-PF information:

s 9(2)(a)

## **REPLENISHING OUR FRESHWATERS - NATURALLY**

Re: National Environmental Standard for Plantation Forestry (NES-PF)

[From Dr. Cedric (Stan) Woods, former NZ Marine Department fisheries biologist; former planner/scientific liaison officer with the NZ Water and Soil Conservation Organisation (within Ministry of Works); former member NZ Lim.Soc (see Woods, C.S., 1983c. A Freshwater Biological Checklist for New Zealand. NZ Limnological Soc. Newsletter No. 19: pp26-8. (Summarises 1500 species entries. and Woods, C.S., 1982d. Biological Checklists and Coding Systems. NZ Limnological Soc. Newsletter No. 18: 19, 25-6.) author of "Native and Introduced Freshwater Fishes of New Zealand: Reeds; 1963. [this was the first account of identifications allied to ecology, geographic distribution patterns and life histories for most indigenous species - cf Stokell, 1955)], and "Fisheries Aspects of the Tongariro Power Development Scheme". Govt. Printer 1964 [This was [and may still be (anywhere)] a unique study in that all aspects were planned and conducted by a biologist and reported in time to materially influence the design of a major environmental development.] More recently, author of "BioLists" - a global taxonomy-based indexing

system for managing environmental information.]

Please ask NZFSS to consider asking all members to reword/adapt the following notes, especially the two suggestions re trees, for inclusion in the proposals they submit to MPI. I suggest this in the the two topics listed below are not to be found in the NES-PF information, thus MPI, etc, would not be able to consider them under and recognised category of information or topic.

In that natural forests function at maximum productivity by attracting, capturing and recirculating rain water and cloud droplets on local to continental scales and thereby assist water diversion into soils and streams, etc, two typical elements of how this functions is by trees growing on hill tops and by vegetation sealing the margins of forest lots, so preventing wind from flowing into and out of them.

Recommendations:

1) Please ensure that this NES-PF review is used to return significant flows of freshwater from hilly slopes by crowning them with significant areas of permanent forest cover. Where such tree cover has been removed, or opened up as PF, streams can be expected to have historical flow levels return.

2) In support of 1/, please ensure that this NES-PF review is used to return significant flows of freshwater to "forestry" plantations (PFs) and their catchments and streams by not pruning the outer trees &/or by encouraging other marginal vegetation to seal each lot/block. Perhaps the margins of plantation/logging tracks would need to be similarly sealed.

Trees within sealed plantations will tend to grow larger than if not sealed.

NB: Marginal transition conditions can be particularly important habitats, enhancing biodiversity and overall productivity and nutrient control, in part by recycling and otherwise by capturing wind blown seeds and insects.

Are marginal trees pruned for a worthwhile reason?

Have the following been factored into PF policy and NZFSS considerations:

-- The above "natural" measures are preferable to capturing (often already depleted) flows of freshwater into sealed system to be used for irrigation. Typical (air borne) inefficient application of irrigation allows much water to evaporate, thus the liquid water that enters the soil has an increased salt content. According to some Australia-based studies of the Canterbury area, this can lead to the development of a hard pan and/or saline conditions. Natural water capture (as above) is more ecologically sound and considerably more valuable litre for litre.

-- Not unrelated to these observations is the mention in "Vanishing Nature: facing New Zealand's Biodiversity Crisis" by Marie Brown, *et al.* (for the Environmental Defense Society, EDS) (p.76) that "... New Zealand now ranks among the world's worst countries for the proportion of its freshwater species that are threatened with extinction." Our overall environmental records are in tatters.

-- Causally related to that is the subservient structure of New Zealand environmental technologies and sciences to ecologically uninformed agencies - subservient to ecologically inappropriate (anglophile) cultural systems by way of largely untutored bureaucrats.

Please relate the above to emerging concern about the current (sixth) Mass Extinction Event by seeing: <http://advances.sciencemag.org/content/1/5/e1400253> )

Please let me know if I can assist you further in understanding the nature and severity of the "crisis" mentioned above by the EDS. Note that Marie et al (as above, p.76) are unequivocal about the situation: they say: "Urgent change is needed."

All things considered, I'm assuming you will find that urgent radical change is coming for a variety of related reasons.

Yours sincerely,  
Cedric Woods



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## Proposed National Environmental Standard for Plantation Forestry

### Template for Submitters

We would like to hear your views on the proposed NES-PF.

*I oppose MPI proposal 6.4*

Please feel free to use this template to prepare your submission, and are welcome to attach any supplementary information.

Your completed submission can be either:

- emailed to [NES-PFConsultation@mpi.govt.nz](mailto:NES-PFConsultation@mpi.govt.nz), or
- posted to:

Stuart Miller  
Spatial, Forestry and Land Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

As stated in section 8.2 of the consultation document, your submission must include at least the following information:

- your name, postal address, phone number and, if you have one, email address
- the title of the proposed standard you are making the submission about
- whether you support or oppose the standard
- your submission, with reasons for your views
- any changes you would like made to the standard
- the decision you wish the Ministers to make.

When commenting on specific draft rules, please be as clear as possible which rule you are referring to and provide a reference e.g. to the relevant page number, heading or text.

For more information about how to make a submission, please refer to section 8 of the consultation document.

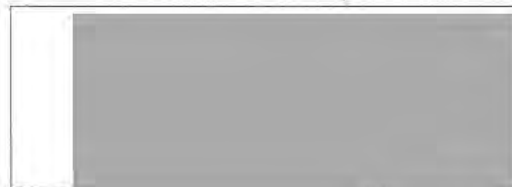
### Contact details

Name:

Winston Woods

Postal address:

(WOODS)







Phone number:

[Redacted]

Email address:

[Redacted]

Are you submitting on behalf of an organisation? Yes ☐ No ☒

If yes, which organisation are you submitting on behalf of?

[Redacted]

If you are a forest owner/manager, what size of forest do you own/manage (in hectares):

N/A

### Privacy Act 1993

Where you provide personal information in this consultation MPI will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.

### Official Information Act 1982

All submissions are subject to the Official Information Act 1982 and may be released (along with the personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

*Please indicate below if you wish your personal details to be withheld:*

☐ Please withhold my personal details where submissions are made public

☐ Please withhold my personal details in response to a request under the Official Information Act 1982

### Questions for submitters

The questions for submitters that are included throughout the consultation document are provided below. We encourage you to provide comments to support your answers to the questions below.

1. Do you think section 2.1 and 2.2 of the consultation document accurately describe the problem facing plantation forestry?
2. Do you consider that the conditions for permitted activities will manage the adverse environmental effects of plantation forestry?
3. Are the conditions for permitted activities clear and enforceable (see appendix 3 of the consultation document)? Can you suggest ways of making the rules clearer and more enforceable?
4. Are the matters where local authorities can retain local decision-making appropriate (summarised in Table 2 and Table 4 and provided in detail in Appendix 3 of the consultation document)?
5. Do you support MPI's proposal to allow GE trees and override NZ councils precautionary or prohibitive GE/GMO policies in local plans? (new question in response to MPI proposal 6.4)

Please provide comments to support your views

I thoroughly oppose MPI's proposal to allow  
CIS. trees and to override NZ councils  
precautionary and/or prohibitive (CIS./CACC)  
policies in local plans

ALL wording referring to genetically modified  
trees and rootstock MUST be removed from  
the NSIS-PF (NSIS 6.4 p 43, 64 & 82)  
We want MPI's proposed section 6.4  
removed from the new NSIS for plantation  
forestry. NZ councils precautionary and  
CIS. policies MUST be retained.

I would like to see NZ indigenous vegetation  
and habitats protected from being over-  
planted with exotic trees

Further, no genetically engineered native trees  
Leave our taonga (kauri etc.) alone

I wish to be heard - pls keep me informed.





## **Submission on MPI's Proposed National Environmental Standard for Plantation Forestry**

Submission presented by:

Name: Victoria Woollams

Address: s 9(2)(a)

Phone: s 9(2)(a)

Email: s 9(2)(a)

I oppose the proposed standard for reasons outlined in the submission below.

I value New Zealand's status as a GE Free Food Producer and am very concerned about moves to weaken that status. If anything, the Government should legislate to strengthen regulation prohibiting the release of live genetically engineered organisms into our environment.

I submit that all wording referring to genetically modified trees and rootstock be removed from the proposed National Environmental Standard on forestry (NES-PF 6.4, p 43, 64 & 82), and demand that section 6.4 be removed in order for our local councils to be able to retain their existing sensible policies that take a precautionary stance to GE in the outdoors.

I am also concerned about a separate move to weaken the Resource Management Act by removing the right of local councils to restrict and regulate the growing of GE crops.

I support smart, forward thinking and strong strong environmental standards for plantation forests in NZ, to provide for future certainty and encourage long term sustainability of the industry. A sustainable forest sector protects our indigenous vegetation and habitats, provides food and nectar for native birds, protects our soils from erosion and our waterways from siltation, protects fisheries that depend on them, and protects residents in the vicinity from spray drift.

Additionally, in response to the proposed NES-PF I would like to see indigenous vegetation and habitats protected from being over planted with exotic trees; clear cut size limited to reduce erosion and sediment loss; overseas best practices used through the introduction of buffer zones and setbacks along rivers, and around lakes to protect their natural character and water quality, and use of sprays better regulated to protect against spray drift and use of outdated and toxic sprays banned elsewhere in the world.

I would also like to see incentives to plant more diverse tree species to reduce fire risks and increase indigenous biodiversity.

It is also of relevance that both international certification bodies (Forest Stewardship Council, and the Programme for the Endorsement of Forest Certification) responsible for certifying genuinely sustainable forests globally prohibit GE trees. By not allowing GE trees in our environment MPI will be protecting NZ's access to key markets and premiums.

It is essential that local councils have the right to prevent outdoor GE tree experiments and GE tree release (as they do under the RMA). The precautionary and prohibitive GE policies of local councils must be retained. The ability of our council to be able to introduce stronger controls than what MPI has in the proposed new NES (to prevent erosion, control wilding trees, and protect the environment) must be assured. It is not in the interests of NZ citizens to have their local powers overtaken by national legislation that does not take their concerns into account.

These changes amount to an insidious weakening of the public's democratic rights and take away council's right to have a say over risks that they will bear the costs of - such as regional GE crop release.

Sincerely

Victoria Woollams

s 9(2)(a)

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**From:** David Wynne-Jones s 9(2)(a)  
**Sent:** Thursday, 6 August 2015 4:18 p.m.  
**To:** NES PF Consultation  
**Subject:** Genetically modifeid plants are safe and have no side effects

I think greenpeace should research whats so terrible about genetically modified food before going on before taking action.

An orange carrot is genetically modified.