



Report 07.571  
Date 22 August 2007  
File WB/01/13/01

Committee Rural Services and Wairarapa  
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## Reassessment of 1080 – Impacts on GW

### 1. Purpose

To inform the Committee of the most significant controls and regulations imposed relating to the use of 1080 by Greater Wellington following reassessment by the Environmental Risk Management Authority (ERMA).

### 2. Significance of the decision

The matters for decision in this report do not trigger the significance policy of Greater Wellington or otherwise trigger section 76(3) (b) of the *Local Government Act 2002*.

### 3. Background

In February 2002, the Animal Health Board (AHB) applied to ERMA for a decision on whether there were grounds for a reassessment of 1080 and substances containing it. In March 2002, a committee of ERMA decided that there were grounds for reassessment.

In October 2006, the AHB and Department of Conservation (DoC) jointly submitted their formal application for the reassessment of 1080. These applicants wished to gain increased certainty over their future ability to use 1080 for aerial and ground operations to control possums, rabbits, wallabies, rodents and stoats, and to respond to widespread public concern about the safety of 1080.

A total of 1,406 public submissions were received on the application. Staff at ERMA analysed the information provided in the application and the science around 1080, canvassed the issues associated with its use and prepared an Evaluation and Review (E&R) Report. In making its final decision, ERMA's decision-making Committee considered the application, all written submissions, oral presentations made at the hearings, the E&R Report and the report produced by ERMA's Maori Advisory Committee.

The 1080 Reassessment Decision Report was released to the public on 13 August 2007.

#### **4. Main changes and supporting comment**

Biosecurity Department staff have identified the following main changes to ERMA's original 1080 Transfer Notice 2005, NZ Gazette Issue No. 92 and Hazardous Substances and New Organisms (HSNO) Regulations.

- **Regulation 28**

- Warning signs to be in the field for six months.
- The hazard posed to dogs by 1080 carcasses must be visible on the sign from 10 metres. This was previously 2 metres.
- There is a mandatory requirement to remove signs.

##### **Comment**

Legal signage is a very complex issue under HSNO. There are rules governing distances from which signs must be able to be read, the type of font and script, locations for posting signs, and requirements for all signs to be tested to a set protocol for clarity of intent on a cross section of the public.

- **Regulation 51**

- 1080 apple is to be used in bait stations only.
- 1080 carrot bait must have mean a weight of six grams or more while chaff pieces (<0.5gm) must make up only 1.5% of the total carrot bait.

This does not apply to the ground control of rabbits.

##### **Comment**

This new requirement for apple corrects an oversight from the original registration whereby hand broadcasting of apple may have negative non-target effects.

The use of carrot only makes up a small proportion of Greater Wellington possum control. It will be interesting to see if the large carrot aerial operations conducted elsewhere will be able to conform to these specifications.

- **Regulations 35 – 41**

- Requires secondary containment at fixed location sites where 100 litres or more of 1080 concentrate is stored.

### **Comment**

Greater Wellington would only ever have 20 to 30 litres maximum onsite and normally would have a lot less.

- **Section 95A**

- Under its delegated approval process (Department of Conservation and Medical Officer of Health) ERMA requires better engagement with Iwi/māori whose land or interests might be affected by 1080, especially aerial applications.

### **Comment**

Greater Wellington has had proven and extensive consultation processes in place for many years. The consultation process includes Greater Wellington māori liaison advisors and the Ara Tahi Committee. Iwi have not raised any issues with staff in recent years regarding the use of 1080. In the recent S E Wairarapa Stage 3 operation local māori landowners supported the use of aerial 1080 pellets on their land.

- **Section 95B**

- There is a 'fit and proper' requirement for any person to be able to have a 1080 license.

### **Comment**

This did not address Greater Wellington's submission to only allow the purchasing of 1080 to persons employed by control agencies (e.g. Regional Councils, Department of Conservation and bona fide contractors) as was the previous requirement. We consider this is a major weakness in ERMA's review as it raises the risk of 1080 being used for illegal activities.

- **Additional Control 7**

- Navigational guidance systems must be used for all aerial application of 1080.

### **Comment**

Navigational guidance systems have been used continuously in the Wellington region since the early 1990s.

- **Additional Control 10**

- Any change of composition or proposed use of a formulated 1080 substance (manufactured bait) must be notified to ERMA.

### **Comment**

This seems to be a duplication as this is already controlled through off-label use regulations under the *Agricultural Compounds and Veterinary Medicines Act 1997* (ACVM).

- **Additional Control 11**

- Requires all neighbours to receive adequate warning about 1080 aerial and ground operations. This control comes into force 1 January 2008.

### **Comment**

This should be common practice throughout the industry nationally and has been common practice for all Greater Wellington operations.

- **Additional Control 12**

- ERMA requires a comprehensive report on all aerial operations. This control comes into force from 1 January 2008.

### **Comment**

Most of this information has been required previously in the 'aerial log' which is a condition of the Medical Officer of Health's approval so there is little change anticipated to the current reporting practices of Greater Wellington.

## **5. Cost implications**

Compliance to the new signage regulations will add substantial costs to Greater Wellington's operations. This is because a differently formatted warning sign is required for every individual 1080 bait type. The signs will also need to be tested to a set protocol for clarity of intent on a cross section of the public. No assessment of the likely cost of signage compliance has yet been made. No other major new costs should be generated by this reassessment.

## **6. Industry best practice**

The new regulations and controls generally represent industry best practice already complied with by Greater Wellington. This is illustrated by an article in the Wairarapa Times Age newspaper quoting Dr Stephen Palmer (Medical Officer of Health for Wellington) as saying that exemplary controls of aerial 1080 poison drops in Wairarapa led the way to a tightening of rules over use of the pesticide across New Zealand. He went on to say that the rules announced by ERMA are the agency "*wanting to bring the rest of the country up to our standard*".

## 7. **Communication**

No specific public communications in regard to the reassessment are planned at present. Aerial and ground based 1080 operations are currently being conducted at various sites throughout the region with risk management issues being given high priority.

## 8. **Recommendations**

*That the Committee:*

1. ***Receives the report.***
2. ***Notes the content of the report.***

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