



15 April 2005

S05.23

**Submission to the Local Government and Environment Select Committee  
on the Hazardous Substances and New Organisms  
(Approvals and Enforcement) Amendment Bill**

The National Council of Women (NCWNZ) is an umbrella organisation representing 41 nationally organised societies, with 33 branches throughout the country. The Council's function is to serve women, the family and the community through discussion, study, research and action.

This submission has been prepared with comments from members of the Council's Environment Standing Committee. NCWNZ has a long interest in the HSNO Act, having submitted comments when called for during the development of the Act, when amendments have been proposed, and is now pleased to be able to comment on the present amendments, in anticipation that they will improve the workings of the Act. NCWNZ is happy to note that the amendments will not compromise the purpose of the Act, to protect the environment and the health and safety of citizens.

**Summary**

NCWNZ supports the purpose of the Bill, to improve the workability of the hazardous substances provisions of the HSNO Act. Especially does NCWNZ endorse the wish to finish the task of transferring all the notified toxic substances to the HSNO regime by the middle of 2006, as this will make the work of applying the Act less complicated.

NCWNZ supports the addition of a register of exposure limits.

NCWNZ has a minor concern regarding importing of hazardous substances in containment, but is in agreement with the provision to allow sales of some substances in certain circumstances.

NCWNZ members endorse the move to manage some hazardous substances in groups with similar properties, as this should bring about more efficient processing.

**Specific comments**

**Clause 6      New section 20A inserted**

This is a sensible addition to the HSNO regime, since it will allow easy checking on the degree of toxicity of known toxic substances, for those who have some reason for knowing what the exposure limits are.

**Clause 7      Fees for local authorities**

NCWNZ is concerned about devolving too much power to local authorities. Allowing local bodies to set their own scale of fees does give them autonomy, but there are two possible undesirable outcomes: that there may be wide inconsistency in fees over the whole country; and a lack of expertise on such fee determination may result in unreasonable fees being charged. Central guidelines must be given.





**Clause 9 Rapid assessment for importation or manufacture of hazardous substances**

Providing that the necessary care is still exercised during the assessment process, this provision to hasten the approval process should be welcomed.

**Clause 10 Importing hazardous substances in containment**

NCWNZ has some concern that even though precautions should be taken when handling hazardous substances, there can be laxness. The need for care could be emphasised by the addition of these words to the end of sentence (ca), "in all cases taking adequate precautions to prevent spillage or escape of the substance."

**Clause 11 Exemptions from Act for small-scale research on hazardous substances**

NCWNZ agrees with the addition of this exemption, for it is not unreasonable to engage in commercial activity so long as all precautions are taken and all requirements complied with.

**Part 2**

NCWNZ endorses the insertion of this part, for it seems a logical move if there is a need to manage the risks of grouped hazardous substances more efficiently, saving time and money. However, NCWNZ wishes to emphasise that Section 96D (1) (a) must be rigorously applied.

**Part 3**

**Clause 21 (2)**

The Chief Executive of a regional council is given powers to enforce the provisions of the Act, but there seems to be no mention of whether there would be provision of extra resources if they became necessary because of the additional work that might ensue. An outcome could be that there was considerable variation across the country in enforcement of the provisions of the Act.

NCWNZ is pleased to have the opportunity to comment on the bill, and hopes that any amendments to the Act that eventuate will not dilute its intention, but strengthen its application.

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**Convener, Environment Standing Committee**