

Kathryn Hurr
New Zealand Plant Producers Inc.
kathryn@nzppi.co.nz

1 April 2022

Dear Kathryn,

Exemption under section 78 of the Biosecurity Act 1993

Thank you for your application for an exemption to the Auckland Regional Pest Management Plan 2020-2030. Your approved exemption is attached to this letter. Please ensure you read and understand the exemption conditions, to ensure the protection of Auckland's natural environment.

If you have any questions, please get in touch.

Kind regards,



Phil Brown, Head of Natural Environment Delivery

Auckland Regional Pest Management Plan 2020-2030 exemption issued under Section 78 of the Biosecurity Act 1993

Exemption holder	Exemption applies to all persons.
Exemption issued by	Phil Brown, Head of Natural Environment Delivery, Auckland Council
Date issued	1 April 2022
Exemption summary and description	<p>This exemption provides for the on-going breeding, sale and distribution of two cultivars (Shimidsu Sakura and Kanzan) of <i>Prunus serrulata</i> that have been shown to be low fertility.</p> <p>This exemption also provides for a temporary extension allowing breeding, sale and distribution of an additional five potentially low fertility cultivars (Ukon, Tai Haku, Kiku Shidare Sakura, Shirotae and Amanogawa) through to 1 September 2023, to enable further fertility testing to be undertaken.</p>
Address to which exemption applies	Exemption applies to all properties throughout the Auckland region.
Rule to which exemption applies	<p>7.7.10.1.1. No person shall cause to breed any Sustained Control Pest Plant within the Auckland region.</p> <p>7.7.10.1.2. No person shall distribute or release (or cause to be released or distributed), any Sustained Control Pest Plant within the Auckland region.</p> <p>7.7.10.1.3. No person shall sell or offer for sale any Sustained Control Pest Plant within the Auckland.</p> <p>Exemption also applies to sections 52 and 53 of the Biosecurity Act as they apply to <i>Prunus serrulata</i> cultivars Shimidsu Sakura, Kanzan, Ukon, Tai Haku, Kiku Shidare Sakura, Shirotae and Amanogawa within the Auckland Regional Pest Management Plan 2020-2030.</p> <p>Exemption also applies to the Hauraki Gulf Controlled Area Notice 2021</p>
Reason for exemption	<p>Independent testing by Plant and Food Research Inc and Manaaki Whenua Landcare Research has shown the following:</p> <ul style="list-style-type: none"> • ‘Shimidsu Sakura’ – overall low fertility <ul style="list-style-type: none"> ○ Ovary and style replaced by pair of leaflets (female sterile) ○ Pollen viability poor (0-21%) • ‘Kanzan’– overall low fertility <ul style="list-style-type: none"> ○ Ovary and style replaced by pair of leaflets (female sterile) ○ Many stamens without anthers ○ Many anthers without pollen or with poor pollen viability ○ Large number of petals makes accessing reproductive organs difficult (further limiting pollen available for pollinating other cherries) • ‘Ukon’ – low male fertility, further work required to understand female reproductive ability <ul style="list-style-type: none"> ○ Does have female parts, therefore potential exists for fertilization from other <i>Prunus</i> pollen ○ Stamens largely without anthers ○ Stamens with anthers contained inviable pollen (<1% viability).

	<p>Tai Haku, Kiku Shidare Sakura, Shirotae and Amanogawa have not yet been fully tested, due to COVID-19 impacts, but there is potential that these cultivars are also low fertility.</p> <p>In light of the above, the council is satisfied that granting the exemption will not significantly prejudice the attainment of the plan's objectives; and the action taken on, or provision made for, the matter to which the requirement relates is as effective as, or more effective than, compliance with the requirement.</p>
Expiry	<p>The exemption in relation to Shimidsu Sakura and Kanzan expires on 31 December 2030 or when the Regional Pest Management Plan 2020-2030 is replaced or revoked, whichever is the earliest.</p> <p>The exemption in relation to Ukon, Tai Haku, Kiku Shidare Sakura, Shirotae and Amanogawa will expire on 1 September 2023 unless further extension is granted prior to that date following the outcome of further fertility testing.</p>
Conditions	None.

Note: The exemption given by this notice is given under section 78, section 52(d) and 53(2) of the Biosecurity Act only, and does not constitute an exemption from the requirements of any other relevant legislation (including regulations). It is the responsibility of the Exemption Holder to be familiar with and comply with any other applicable legislation (e.g. Animal Welfare Act).