

# **SECTION 42A REPORT**

Report on submissions and further submissions on the  
Proposed Waikato District Plan

## **Hearing 8b: Genetically Modified Organisms**

Report prepared by: Neil Taylor

Date: 2 December 2019



# TABLE OF CONTENTS

1	Introduction.....	4
2	Scope of Report.....	4
3	Consideration of submissions received.....	5
4	Legal issues.....	6
5	Definition of GMO.....	12
6	Submissions – relief requested.....	13
7	Submitters’ reasons to add GMO provisions.....	50
8	Further submissions.....	51
9	Analysis.....	52
10	Process considerations.....	63
11	Implementation considerations.....	64
12	Integration.....	65
13	Conclusion and recommendations.....	66
14	Other submissions.....	67

Appendix 1: Table of submission points

Appendix 2: Waikato-Tainui Environmental Plan

Appendix 3: Maniapoto Environmental Plan

Appendix 4: Legal advice on scope



# I Introduction

## I.1 Qualifications and experience

1 My name is Neil Christopher Taylor. I am employed by Waikato District Council as a Principal Policy Advisor (part-time.) I hold the qualifications of Bachelor of Laws and a Post Graduate Diploma in Natural Resources. I was a full member of the New Zealand Planning Institute from 2010 to 2018, and since 2018 have been an associate member after retiring from full-time employment.

2 I have been employed in local government planning roles for over 20 years, mostly engaged in development of new district and regional plans for the Tasman, Nelson, Whangarei, North Sydney, Waikato district, Hamilton, and Waikato regional councils. I was team leader for the Waikato District Plan review in 2002-2008, becoming Environmental Policy Manager in 2005. My experience includes the development of a wide range of district plan provisions, and managing these through the Resource Management Act plan-making processes.

## I.2 Code of Conduct

3 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

4 I am authorised to give this evidence on the Council's behalf to the Hearings Panel.

## I.3 Conflict of Interest

5 I confirm that I have no real or perceived conflict of interest.

# 2 Scope of Report

## 2.1 Matters addressed by this report

6 This report is prepared in accordance with section 42A of the Resource Management Act (RMA.) My evidence evaluates submissions asking for objectives, policies and rules dealing with Genetically Modified Organisms (GMOs) to be added to the Proposed Waikato District Plan (PWDP.) The PWDP, as notified, did not contain any provisions dealing with GMOs.

7 I am not an expert on GMOs. In preparing this report I do not rely on expert advice. My role as a reporting planner has been to gather information about the issues referred to in the submissions and further submissions and assess these in the context of the RMA planning system.

8 The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

9 The Hearings Panel will need to consider legal issues in addressing these submissions. Council has obtained legal advice, which is referred to in the report and attached as **Appendix 4**.

10 The bulk of my report analyses the submissions on their merits, in case the submissions, or some of them, are found to be valid.

## **2.2 Procedural matters**

11 There have been no pre-hearing meetings with submitters relevant to this report.

# **3 Consideration of submissions received**

## **3.1 Overview of submissions**

12 Council received submissions from 30 individuals and organisations (66 submission points) in relation to GMOs. All the submissions request that objectives, policies and rules be added to the proposed district plan to place controls on the release and use of GMOs, in addition to the controls maintained by central Government.

13 Further submitters support and oppose these submissions. The submissions and further submissions are analysed in later sections of this report.

14 The plan-wide submissions considered by the Hearings Panel in Hearing 2 do not affect the consideration of these submissions.

## **3.2 Structure of this report**

15 The Hearings Panel needs to consider a preliminary legal issue as to whether the submissions can be received and heard. The next section of this report addresses that.

16 If the hearing proceeds, the council will not be providing expert evidence on GMOs. Council is leaving leaving it to submitters and further submitters to produce expert evidence to support their positions. This is because the council did not include any provisions on GMOs in PWDP.

17 I am aware that some submitters and further submitters have previously developed and presented detailed evidence at other councils' district plan hearings on GMOs. I expect that they will be able to make use of this earlier work in preparing for the Waikato District Council hearings.

18 In my report, I provide support for the panel on planning issues. I analyse the submissions and further submissions, and identify the points in dispute between the submitters and further submitters. I analyse the plan provisions that the submitters advocate should be adopted in to PWDP. Finally, I offer some broad planning considerations for the panel to include in its decision making.

19 I have structured this report by reference to the issues that I believe the Hearings Panel will need to consider:

- Legal issues

- Definition of GMOs
- Relief requested
- Submitters' reasons for GMO provisions
- Further submitters' arguments against GMO provisions
- Analysis
- Conclusion and recommendations
- Other submissions
- Appendices:
  1. Summary of recommendations
  2. Waikato-Tainui Environmental Plan (excerpt)
  3. Maniapoto Environmental Plan (excerpt)
  4. Legal advice - Tompkins Wake, Scope of submissions

There are no recommendations for amendments to the plan in this report.

20 Abbreviations used in this report:

- EPA: Environmental Protection Authority
- GMO or GMOs: genetically modified organisms.
- GM: genetic modification – techniques used to produce GMOs. GM means the same as GE (genetic engineering.)
- HSNO: Hazardous Substances and New Organisms Act 1996
- PWDP or PDP: Proposed Waikato District Plan.
- WRPS: Waikato Regional Policy Statement.

## 4 Legal issues

### 4.1 Scope

- 21 The PWDP does not contain any reference to GMOs<sup>1</sup>. Submissions were made by 30 individuals and organisations asking for objectives, policies and rules controlling the release and use of GMOs to be added to PWDP.
- 22 Some of the further submitters opposed these submissions on the basis that they are out of scope.<sup>2</sup> They are raising a legal issue based on RMA Schedule 1, clause 6, which requires that submissions be on the proposed plan.
- 23 **Appendix 4** contains legal advice about scope from Tompkins Wake, requested by the council. Tompkins Wake refer to case law that highlights a significant difference in scope between a plan change and a full plan review. They advise that the Hearings Panel needs to

---

<sup>1</sup> During the preparation of the draft district plan, a council workshop considered whether to include GMO provisions. Council was aware that the Waikato RPS did contain any direction on GMO provisions. It was also aware of the (then proposed) Auckland and Whangarei district plan controls on GMO. Council indicated to staff that it did not wish to include GMO controls in the PWDP.

<sup>2</sup> Further submissions of J H & R Cotman [FS1192.2], Forest Owners Association [FS1214.2], BIOTech New Zealand [FS1225.2] Life Sciences Network Incorporated [FS1295.2], and Bruce Cameron [FS1343.10].

decide whether to treat Stage 1 of the PWDP like a plan change or as a full district plan review.

24 The legal advice reviews the case law and concludes:<sup>3</sup>

*9. If the Hearing Commissioners determine to treat the PDP as a plan change it is our view that the GMO Submissions are not “on” the PDP. In that circumstance, the Commissioners do not have jurisdiction to consider the GMO Submissions or further submissions.*

*10. If the Hearing Commissioners determine to treat the PDP as a full district plan review, it is our view that the GMO Submissions are “on” the PDP. As such, the Commissioners have jurisdiction to consider the submissions and further submissions. It does not however follow that the “in scope” GMO Submissions should be accepted (either in full or in part). They must be considered on their merits in the usual course and the relief sought in the submissions (new plan provisions) must be evaluated against the requirements of section 32AA.*

25 Topmkins Wake discuss how the Hearings Panel might approach its decision on whether to treat Stage 1 of PWDP like a plan change or as a full district plan review. Paragraph 18 refers to the opening legal submissions presented to the panel on 30 September 2019:

*18. We submitted that, for the purpose of determining scope issues on the PDP, it is appropriate to treat the PDP akin to a full district plan review, rather than a narrower plan change in the traditional sense. The reasons for this approach were because the public notification for Stage 1 of the PDP expressly referred to a “full review” of the ODP, and Stage 1 of PDP contains the majority of the provisions (Stage 2 is limited to only two chapters).*

26 The panel may gain further assistance in considering whether or not Stage 1 of PWDP is a full district plan, from evidence given in the Opening Planning Submissions for Waikato District Council (23 September 2019) about the history of the proposed plan. William Gauntlett gave this evidence:

*“Two Stages*

*64. While the District Plan Review process started off as a full review under Section 79(4) of the RMA, this was subsequently amended by way of Council resolution to a rolling review under Section 79(1). A full review would have enabled every section (or chapter) of the PDP to be reviewed and this was the initial intent, however as the review progressed, there were significant delays in receiving the flood mapping data and other technical information associated with natural hazards. These delays were beyond the control of Council, its officers and experts.*

*65. As noted by Ms Parham in her opening legal submissions, by August 2017 it became clear that the natural hazard and climate change topics would not be completed in time for notification of the remaining sections of the PDP. Council did not wish to delay notification of the PDP as there was no certainty as to when the further technical information would be available.*

*66. On 12 March 2018, the Council resolved as follows:*

*‘THAT the Strategy & Finance Committee recommends to Council that the following resolution (WDC 1404/08/117) be revoked:*

*‘THAT a review of the Operative Waikato District Plan (including the Franklin Section) commences with Stage One for future notification;*

*AND THAT all matters pertaining to the district plan review be presented to the whole Council with the option to delegate matters to a subcommittee if desired.”*

*AND FURTHER THAT the Strategy & Finance Committee recommends to Council that, pursuant to section 79(1) of the Resource Management Act 1991, a rolling review of the Operative Waikato District Plan be commenced forthwith;*

<sup>3</sup> Appendix 4 Tompkins Wake legal advice, Executive summary.

*AND FURTHER THAT the topic concerning climate change and natural hazards be reviewed and notified separate from the rest of the district plan topics once critical updated technical data is available.'*

*67. The outcome of this resolution was to effectively separate the PDP into two stages, where Stage 1 was a review of all provisions except natural hazards and climate change which is known as Stage 2."*

27 Tompkins Wake conclude (Appendix 4, para 86-87):

*86. If the Hearing Commissioners determine to treat the partial review of the PDP as a plan change, we consider the GMO Submissions are not "on" the PDP.*

*87. However, if the Commissioners determine to deal with the PDP as a full plan review, we consider the GMO Submissions are "on" the PDP.*

28 If the Hearings Panel decides that the submissions may be received and heard, the remainder of this report is intended to support the panel's consideration of the merits of the submissions.

## **4.2 The HSNO Act**

29 This section briefly introduces the the Hazardous Substances and New Organisms Act 1996 (HSNO).

30 District plans are given no role under HSNO. It is administered by a Crown agency, the Environmental Protection Authority (EPA). HSNO provides, in sections 4, 5 and 6:

4. The purpose of this Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms."
5. All persons exercising functions, powers, and duties under this Act shall, to achieve the purpose of this Act, recognise and provide for the following principles:
  - (a) The safeguarding of the life-supporting capacity of air, water, soil, and ecosystems:
  - (b) The maintenance and enhancement of the capacity of people and communities to provide for their own economic, social, and cultural wellbeing and for the reasonably foreseeable needs of future generations.
6. All persons exercising functions, powers, and duties under this Act shall, to achieve the purpose of this Act, take into account the following matters:
  - (a) The sustainability of all native and valued introduced flora and fauna:
  - (b) The intrinsic value of ecosystems:
  - (c) Public health:
  - (d) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, valued flora and fauna, and other taonga:
  - (e) the economic and related benefits and costs of using a particular hazardous substance or new organism.
  - (f) New Zealand's international obligations."

31 I define GMOs in the next section. GMOs are new organisms, as distinct from hazardous substances. HSNO controls importation, development, field testing and release of new



organisms. Applications for approval of applications for these activities go to EPA. Many applications are publicly notified, open to submissions, and have a public hearing (HSNO s53).

- 32 EPA has developed specialist approaches and methodologies for assessing new organism applications. For example, a recent EPA decision on an application “to develop in containment murine cell lines using replication-defective retroviral gene delivery systems for biomedical research” included these considerations:<sup>4</sup>
- Adequacy of the containment regime and controls
  - Effects of the organism and any inseparable organism
  - The ability of the organisms to establish an undesirable self-sustaining population and ease of eradication
  - Assessment of adverse effects: environment, human health and safety, Māori culture and traditions, Treaty of Waitangi principles, effects on market economy and society and community, and effects on New Zealand’s international obligations
  - Assessment of beneficial effects
  - Overall evaluation and weighing of potential positive and adverse effects
  - Achieving the purpose of the HSNO Act
  - Associated approvals (e.g. under Biosecurity Act.).
- 33 This list of considerations illustrates the specialist nature of the subject matter, which involves considerations unfamiliar to many territorial authorities and RMA planners. However, the courts have indicated that RMA planning may cover GMOs.

### 4.3 Statutory power to include GMOs in district plans

- 34 For the purposes of this report I will proceed on the basis that district councils have power to regulate GMOs in district plans. I need to make an assumption on that point, because there is no definitive case law in relation to district councils. By contrast, the case law is clear that it is a regional council function to regulate GMOs in regional planning instruments.
- 35 GMO provisions are already included in three operative district plans: the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan. The Proposed Hastings District Plan, currently at the appeals stage, also contains GMO provisions. I have been advised by Hastings District Council staff that appeals on the GMO provisions have been settled, and that the plan, once operative, will retain the notified GMO provisions with little change: outdoor release of GMOs and outdoor field trials will be prohibited activities in Hastings District.
- 36 Although GMO provisions have been included in these district plans, none has been fully tested in court proceedings to date.
- 37 The case law has determined that there is power for regional councils to make policy and plan provisions in relation to GMOs, and it seems that the reasoning for this is equally applicable to district councils for the following reasons:

---

<sup>4</sup> EPA decision - APP203629 - accessed November 2019 - <https://www.epa.govt.nz/assets/FileAPI/hsno-ar/APP203629/APP203629-Decision.pdf>

- a) There is no express power in section 30 RMA for regional councils to control GMOs, nor is there any express power in section 31 for district councils to control GMOs.
- b) The Environment Court in *NZ Forest Research Inst Ltd v Bay of Plenty Regional Council*<sup>5</sup> appeared to contemplate that district plans could include specific provisions relating to GMOs where the regional policy statement included directives.
- c) Section 360D RMA provides that the Governor-General may make regulations to prohibit or remove specified rules that would duplicate, overlap with, or deal with the same subject matter that is included in other legislation. Rules that regulate the growing of crops that are genetically modified organisms are expressly excluded from this. Section 360D is not restricted to regional plans. Therefore, the exclusion of rules on GMOs only makes sense if local authorities have the power to make rules regulating the use of GMOs.
- d) The High Court in *Meridian Energy Limited v Southland District Council*<sup>6</sup> held that the RMA “is carefully framed to provide control of the effects of resource use, including regulatory oversight given functionaries at national, regional and district levels. In general terms, all resource use is amenable to its framework, unless expressly exempted from consideration”. HSNO does not expressly exempt the RMA from controlling GMOs. It follows that the use or release of GMOs is a resource use and able to be controlled under the RMA by regional and local authorities.
- e) The Environment Court in *Federated Farmers of New Zealand v Northland Regional Council*<sup>7</sup> held that there was nothing in the scheme of the RMA, or HSNO, to call for an interpretative limitation to be placed on the definition of natural and physical resources in the RMA, which includes “all forms of plants and animals (whether native to New Zealand or introduced) and all structures”. In that regard, GMOs would fall within the plain and ordinary meaning of “natural and physical resources” which is an important element of the overarching purpose of the RMA, being the sustainable management of natural and physical resources.
- f) In *Federated Farmers*, the Environment Court considered that HSNO and the RMA are functionally distinct, and given that there is no inconsistency between them, both can be interpreted as standing together. HSNO governs the appropriateness of a GMO for import and release, whereas the RMA governs where, how and when use of that GMO is appropriate in each region.
- 38 Taking the above into account, I think it reasonable to assume that control of the effects of the use of GMOs is within the functions of a territorial authority and can be included in a district plan.
- 39 A qualification to this needs to be noted. Like GMOs, hazardous substances are not mentioned in RMA section 31 as territorial authority functions. Section 31 referred to hazardous substances before 2017, when it was removed by an amendment. I understand

---

NZ Forest Owners<sup>5</sup> [2013] NZEnvC 298; [2014] NZRMA 181

<sup>6</sup> *Meridian Energy Limited v Southland District Council* [2014] 1 NZLR 32

<sup>7</sup> *Federated Farmers of New Zealand v Northland Regional Council* [2015] NZEnvC 89

that the Government considered that HSNO and the Health and Safety at Work Act 2015 adequately managed the risks of hazardous substances for the most part. Where they left gaps, it was considered that RMA plans still had jurisdiction to place additional controls on hazardous substance use, to address environmental effects.

- 40 The Ministry for the Environment<sup>8</sup> states that councils still have a broad function of achieving integrated management, and may use this function to place extra controls on hazardous substance use under the RMA, if existing HSNO or other statutory controls are not adequate to address the environmental effects of hazardous substances in any particular case. As such, the two Acts work complementarily.
- 41 As GMOs are also managed to a large extent under HSNO, it follows that a similar approach to hazardous substances should be taken in relation to GMOs. That is, provisions in a district plan controlling the use of GMOs are appropriate where they complement the controls set out in HSNO or HSW. The provisions should enable councils to ensure that GMOs are managed in a manner that is consistent with the management of natural and physical resources in an integrated fashion across the district.
- 42 Significantly, the Waikato Regional Policy Statement and Waikato Regional Plan do not include any provisions for the control or use of GMOs. There are no directions in those regional documents that the PWDP has to give effect to or take into account.
- 43 Therefore, in the absence of any direction in the RPS, or the Waikato Regional Plan, I do not consider that Waikato District Council is required to include provisions in relation to GMOs, as it is not an express function of territorial authorities under section 31 RMA. However, I acknowledge that this does not prevent council from including provisions for GMOs in its district plan if doing so addresses a function under section 31 and addresses matters in Part 2 of RMA.
- 44 With these considerations, for the purposes of this report, I proceed on the basis that it is lawful for council to consider including provisions that control and mitigate the use of GMOs. Any such provisions should, however, be subject to section 32 evaluation.

---

<sup>8</sup> Ministry for the Environment Resource Legislation Amendments 2017 Fact Sheet

## 5 Definition of GMO

45 The Report of the Royal Commission on Genetic Modification (2001) gave this simplified definition of genetic modification<sup>9</sup>:

- *the deletion, change or moving of genes within an organism, or*
- *the transfer of genes from one organism to another, or*
- *the modification of existing genes or the construction of new genes and their incorporation into any organism.*

*The Commission considers the term “genetic modification” to be equivalent to and interchangeable with “genetic engineering”.*

46 The RMA does not contain a definition of genetically modified organism, but refers<sup>10</sup> to the definition in the Hazardous Substances and New Organisms Act 1996 (HSNO), which reads:

**genetically modified organism** means, unless expressly provided otherwise by regulations, any organism in which any of the genes or other genetic material—

(a) have been modified by *in vitro* techniques; or

(b) are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by *in vitro* techniques.

47 The submissions ask for specific plan provisions, which include a slightly modified version of the HSNO definition. This is discussed later in this report.

48 Practical examples of GMOs are not included in the definition, but can be found readily. Many of the submissions discuss examples of GMOs in agriculture and food production. However, the range of applications and modified organisms is much wider. The Ministry for the Environment<sup>11</sup> gives an indication of the breadth of GM. It records that scientists from research institutes, private companies, universities and medical organisations use GM techniques to:

- identify genes and understand how they work
- investigate the control of environmental problems
- develop plants and animals with resistance to pests and diseases
- identify genetic variation in endangered and other native species to help manage populations or to get a better understanding of New Zealand’s biological history
- improve or assist in plant and animal breeding techniques
- understand, diagnose and treat human disease
- modify animals to produce substances in their milk that can be used to treat diseases
- teach and educate future users of GM techniques.

<sup>9</sup> Report of Royal Commission on Genetic Modification, page 5 - accessed October 2019 - [www.mfe.govt.nz/sites/default/files/media/Hazards/Royal%20Commission%20on%20GM%20in%20NZ-Final.pdf](http://www.mfe.govt.nz/sites/default/files/media/Hazards/Royal%20Commission%20on%20GM%20in%20NZ-Final.pdf)

<sup>10</sup> RMA s360D(3) provides that in that section, genetically modified organisms has the meaning given in section 2(1) of the Hazardous Substances and New Organisms Act 1996.

<sup>11</sup> MFE website accessed October 2019 – “About genetic modification in New Zealand” - <https://www.mfe.govt.nz/more/hazards/new-organisms/genetic-modification-new-zealand/about-gm-new-zealand>]

- 49 There could be monetary or non-monetary drivers for such activities. Against the possible benefits, submitters express concerns about the risks of releasing GMO products, for reasons including economic harm, possible unintended adverse effects on the environment and human health, and tangata whenua cultural perspectives.

## 6 Submissions – relief requested

### 6.1 Submissions

- 50 Submissions were made by 30 individuals and organisations. All ask that controls on GMOs to be added to the PWDP. The relief sought by many of the submissions has identical wording.

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<b>245.3</b>	<b>Aaron Mooar</b>	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations.
<i>FSI342.260</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI296.1</i>	<i>Beef + Lamb New Zealand Limited</i>	<i>Oppose</i>
<i>FSI295.2</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI343.4</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI215.1</i>	<i>Steven &amp; Theresa Stark</i>	<i>Oppose</i>
<i>FSI276.75</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI214.2</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI320.2</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI212.2</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI199.1</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI225.2</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI192.2</i>	<i>JH &amp; R</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Cotman</i>	
<b>245.4</b>	<b>Aaron Moor</b>	Add strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI214.3</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI212.3</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI343.5</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI225.3</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI320.3</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI276.76</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI215.2</i>	<i>Steven &amp; Theresa Stark</i>	<i>Oppose</i>
<i>FSI342.261</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI295.3</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI192.3</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI199.2</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<b>353.1</b>	<b>Michael Anderson</b>	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms (GMOs), the same or similar to the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI214.5</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI212.5</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI320.5</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.5</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI225.5</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI192.5</i>	<i>J H &amp; R</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Cotman</i>	
<i>FSI199.3</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI276.77</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.263</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.7</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<b>380.7</b>	<b>Norman Hill for Waahi Whaanui Trust</b>	Add clear provisions to include precautionary policies to regulate the outdoor use of genetically modified organisms AND Add provisions to prohibit the release of GMOs on land and make field trials a discretionary activity with performance standards in regard to liability and the posting of bonds.
<i>FSI108.136</i>	<i>Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)</i>	<i>Support</i>
<i>FSI276.78</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.264</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI212.6</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI192.6</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI199.4</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI343.8</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.6</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI214.6</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI225.6</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.6</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<b>480.1</b>	<b>Susan Carter</b>	Add a resource management framework for the management of genetically modified organisms (GMOs) that is region-specific, taking into account environmental, economic and social wellbeing

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
		considerations.
<i>FSI295.7</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI343.9</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI225.7</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI320.7</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI276.79</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.265</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI214.7</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI212.7</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI192.7</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI199.5</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<b>480.4</b>	<b>Susan Carter</b>	Add strong precautionary and prohibitive provisions, policies and rules for Genetically Modified Organisms that are the same (or similar) to those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI276.80</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.266</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI320.8</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI343.10</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI212.8</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI199.6</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.8</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.8</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>



<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FS1295.8</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FS1214.8</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>525.1</b>	<b>Gillian Marie</b>	Add a resource management framework for the management of GMOs that is regional specific taking into account environmental, economic and social well-being considerations.
<i>FS1214.10</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FS1199.8</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FS1192.10</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FS1212.10</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FS1320.10</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FS1342.268</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FS1295.10</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FS1225.10</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FS1343.12</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<b>525.2</b>	<b>Gillian Marie</b>	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same (or similar) as those in the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.
<i>FS1343.13</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FS1295.11</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FS1320.11</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FS1276.83</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FS1342.269</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FS1199.9</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FS1214.11</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FS1212.11</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FS1225.11</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FS1192.11</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<b>546.I</b>	<b>Lynne Adrienne</b>	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
<i>FS1214.13</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FS1343.15</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FS1199.11</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FS1192.13</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FS1320.13</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FS1342.271</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FS1276.84</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FS1225.13</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FS1212.13</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FS1295.13</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<b>553.I</b>	<b>Malibu Hamilton</b>	Add strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms. The same or similar to those in the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.
<i>FS1295.14</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FS1343.16</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FS1320.14</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
FSI276.86	Whaingaroa Environmental Defence Inc	Support
FSI342.272	Federated Farmers	Oppose
FSI214.14	Forest Owners Association	Oppose
FSI212.14	David S Bull	Oppose
FSI192.14	J H & R Cotman	Oppose
FSI225.14	BIOTech New Zealand	Oppose
FSI199.12	NZ Forest Research Inst	Oppose
<b>553.9</b>	<b>Malibu Hamilton</b>	Add a resource management framework for the management of genetically modified organisms that is regional-specific, taking into account the environmental, economic and social well-being considerations.
FSI276.87	Whaingaroa Environmental Defence Inc	Support
<b>599.1</b>	<b>Martin Hastings</b>	Add strong precautionary and prohibitive provisions, rules and policies relating to the management of Genetically Modified Organisms, made similar or the same as those in the Far North District Plan, the Whangarei District Plan, and the Auckland Unitary Plan.
FSI214.15	Forest Owners Association	Oppose
FSI295.15	Life Sciences Network Inc	Oppose
FSI225.15	BIOTech New Zealand	Oppose
FSI320.15	Livestock Improvement Corporation	Oppose
FSI192.15	J H & R Cotman	Oppose
FSI276.88	Whaingaroa Environmental Defence Inc	Support
FSI343.17	Bruce Cameron	Oppose
FSI369.26	Ngati Tamaoho	Supports

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Trust</i>	
<i>FSI342.273</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI212.15</i>	<i>David S Bull</i>	<i>Oppose</i>
<b>599.2</b>	<b>Martin Hastings</b>	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific, taking into account environmental, economic, and social well-being considerations.
<i>FSI225.16</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI276.89</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI199.14</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI320.16</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI192.16</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI295.16</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.16</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.16</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI342.274</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.18</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<b>638.1</b>	<b>Nora van der Voorden</b>	Amend the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations.
<i>FSI343.19</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI342.275</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.90</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI199.15</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI225.17</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
FS1192.17	JH & R Cotman	Oppose
FS1295.17	Life Sciences Network Inc	Oppose
FS1320.17	Livestock Improvement Corporation	Oppose
FS1212.17	David S Bull	Oppose
FS1214.17	Forest Owners Association	Oppose
<b>638.2</b>	<b>Nora van der Voorden</b>	Amend the Proposed District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and Auckland Unitary Plan.
FS1342.276	Federated Farmers	Oppose
FS1276.91	Whaingaroa Environmental Defence Inc	Support
FS1225.18	BIOTech New Zealand	Oppose
FS1199.16	NZ Forest Research Inst	Oppose
FS1295.18	Life Sciences Network Inc	Oppose
FS1320.18	Livestock Improvement Corporation	Oppose
FS1212.18	David S Bull	Oppose
FS1214.18	Forest Owners Association	Oppose
FS1192.18	JH & R Cotman	Oppose
FS1343.20	Bruce Cameron	Oppose
<b>651.1</b>	<b>GE Free New Zealand</b>	Add new provisions to the Proposed District Plan to give Genetically Modified Organisms their own section, as follows (which replicate those provisions in the Auckland Unitary Plan). (Full text included in submission.)
FS1225.19	BIOTech New Zealand	Oppose
FS1199.17	NZ Forest	Oppose

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Research Inst</i>	
<i>FSI192.19</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI320.19</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI212.19</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI295.19</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI214.19</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI342.277</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.21</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<b>707.1</b>	<b>Soil &amp; Health Association of New Zealand (S&amp;H) on behalf of</b>	<p>Add a new provision, 1.5.7.X Genetically modified organisms (GMO), as follows: 1.5.1.7.X Genetically Modified Organisms (GMO) (a) The Hazardous Substances and New Organism Act 1996 (HSNO) requires that before any GMO can be imported into the country, developed in containment, tested in the field or released into the environment, approval must be obtained from the Environmental Protection Authority (EPA). (b) The RMA provides the scope for District Plans to place additional controls on the use of GMOs, if that control can be justified under section 32 of the RMA. It is considered that the prohibited status for the release of all GMO land use activities and strict controls on the field trialing of GMO land use activities is necessary to reflect social and cultural expectations that Waikato will be protected from accidental contamination of the environment by GMOs. Providing for the wellbeing of the community by giving certainty through the use of a prohibited activity status and strict discretionary controls, including the use of bonds, is therefore appropriate. (c) Prohibited status for the release of GMOs and for field trial activities that cannot meet discretionary activity standards means that the Waikato District is taking a precautionary approach to managing the potentially significant, long term and irreversible effects of GMOs. In addition to the environmental risks associated with the release of GMOs, there are economic risks caused by the sensitivity of export markets for high value produce to potential GMO contamination. (d) Discretionary activity status has been applied to specific viable GMO activities, namely the use of viable GMOs in veterinary vaccines where permitted standards cannot be met, and in field trials, provided discretionary standards can be met. By applying standards to the outdoor use of GMOs in only a select number of circumstances, the risks associated with their use, storage, cultivation, harvesting, processing or transportation can be reduced. (e) As the Council has adopted a prohibited status for the release of all GMOs and the field testing of all GMOs (unless</p>

Submission number	Submitter	Summary of submission
		specifically provided for), while approval could be sought and obtained from the EPA their use would unable to the carried out within the Waikato District. (f) The necessity and relevance of the prohibited activity status for field trialing of GMOs that fail to meet discretionary standards, and the release of GMOs will be reconsidered at the next plan review. If in the meantime GMO use is proven to be safe and advantageous and the community then accepts that a precautionary approach is no longer warranted, then their prohibited activity status may be overturned by a plan change. This could either be in relation to GMOs in general, or to a specific GMO for which there is a demand for in the community and which poses a low risk with regard to adverse effects and to the economic viability of the production and marketing of GE free produce. AND Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.
FSI212.22	David S Bull	Oppose
FSI199.20	NZ Forest Research Inst	Oppose
FSI225.22	BIOTech New Zealand	Oppose
FSI192.22	J H & R Cotman	Oppose
FSI342.280	Federated Farmers	Oppose
FSI214.22	Forest Owners Association	Oppose
FSI343.24	Bruce Cameron	Oppose
FSI320.22	Livestock Improvement Corporation	Oppose
FSI295.22	Life Sciences Network Inc	Oppose
<b>707.2</b>	<b>Soil &amp; Health Association of New Zealand (S&amp;H) on behalf of</b>	Amend Chapter 10 Heading as follows: Chapter 10: Hazardous Substances and Contaminated Land and Genetically Modified Organisms AND Add section 10.3 Genetically Modified Organisms, as follows: 10.3 Genetically Modified Organisms 10.3.1 Objective- Adverse effects of Genetically Modified Organisms (a) To protect the community and their social, economic and cultural wellbeing and environment from the adverse effects associated with the outdoor release or field trials of Genetically Modified Organisms through the adoption of a precautionary approach. 10.3.2 Policy- Precautionary approach to managing Genetically Modified Organisms (a) To adopt a precautionary approach to the management of Genetically Modified Organisms by prohibiting the release of a Genetically Modified Organism and the field trials of a Genetically Modified Organism, except as specifically provided for as a permitted activity or discretionary activity. 10.3.3 Policy-

Submission number	Submitter	Summary of submission
		<p>District specific approach to managing Genetically Modified Organisms (a) To adopt a resource management framework for the management of Genetically Modified Organisms (GMOs) that is District specific taking into account environmental, economic, cultural and social well-being considerations. 10.3.4 Policy-Consent applications for selected outdoor use of Genetically Modified Organisms (GMOs). (a) To allow consent applications to be made for the use of a viable Genetically Modified Veterinary Vaccine that does not meet permitted standards as a discretionary activity. (b) To allow consent applications to be made for a field trial of a Genetically Modified Organism as a discretionary activity provided specific standards are met. (c) To require the holder of a resource consent granted for the field trialling of a Genetically Modified Organism to be financially accountable (to the extent possible) for any adverse effects associated with the activity, including clean-up costs, remediation and monitoring. (d) Require that the field trialling of a Genetically Modified Organism does not result in migration of Genetically Modified Organisms beyond the area designated by the consent. 10.3.5 Policy- Future review of Genetically Modified Organism provisions (a) To review the Plan provisions relating to Genetically Modified Organisms, particularly if there is new information on benefits and/or adverse effects of a Genetically Modified Organism Activity and/or there is a general community acceptance of the use of Genetically Modified Organisms that have proven to be safe and economically beneficial without adversely affecting the environment and the general social and economic wellbeing of the community. AND Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.</p>
FSI320.23	Livestock Improvement Corporation	Oppose
FSI342.281	Federated Farmers	Oppose
FSI343.25	Bruce Cameron	Oppose
FSI295.23	Life Sciences Network Inc	Oppose
FSI212.23	David S Bull	Oppose
FSI199.21	NZ Forest Research Inst	Oppose
FSI225.23	BIOTech New Zealand	Oppose
FSI214.23	Forest Owners Association	Oppose
FSI192.23	JH & R Cotman	Oppose



Submission number	Submitter	Summary of submission
707.5	<b>Soil &amp; Health Association of New Zealand</b>	<p>Add the following provisions to Chapter 22: Rural Zone to address Genetically Modified Organisms as follows:</p> <p>22.1.1 Prohibited Activities (1) The following activities are prohibited activities ...</p> <p>PR2 The Release of a Genetically Modified Organism</p> <p>PR3 The Field Trialing of a Genetically Modified Organism that does not meet the discretionary standards in Rule 22.2.9.D1</p> <p>Rule 22.1.2 Permitted Activities Activity Activity Specific Conditions ... .. P13 Activities involving Genetically Modified Organisms that are not classified as Veterinary Vaccines, Field Trials or Releases. This includes (but is not limited to) research within contained Laboratories, Medical Applications and Food containing non-viable Genetically Modified Products. Nil. P14 The use of a viable Genetically Modified Veterinary Vaccine. (A) A specific dose of vaccine must be supervised by a veterinarian Rule 22.1.5 Discretionary Activities ... .. D17 The use of a viable Genetically Modified Veterinary Vaccine that does not comply with the permitted activity standard in Rule 22.1.2 P14 but meets the discretionary activity standards in Rule 22.2.9 D1. D18</p> <p>D1 (1)All discretionary Genetically Modified Organism activities must: (a)Have the relevant approval from the Environmental Protection Authority; (b)Be undertaken in accordance with Environmental Protection Authority approval conditions for the activity; and (c)Provide evidence of the Environmental Protection Authority approval to Council.</p> <p>(2)The consent holder must provide a bond to guarantee the performance of one or more consent conditions if required by the Council. This bond will be available to pay or reimburse any costs incurred by, or on behalf of, the Council to avoid, remedy or mitigate any adverse environmental effects and any other adverse effects to, or on, third parties (including economic effects), that become apparent during the exercise or after the expiry of consent. (3)The consent holder must provide all of the following information when submitting a consent application:</p> <p>(a)Details of the proposed containment measures for the commencement, duration and completion of the proposed activity.</p> <p>(b)Details of the species, its characteristics, and lifecycle, to which the Genetically Modified Organism activities will relate;</p> <p>(c)Research on adverse effects to the environment and economy associated with the activity should genetically modified organisms escape from the activity area, and measures that will be taken to avoid, remedy or mitigate such effects. (d)Evidence of research undertaken that characterises and tests the Genetically Modified Organisms, and the certainty associated with the accuracy of that information; (e)A management plan outlining on-going research and how monitoring will be undertaken during, and potentially beyond, the duration of consent. (f)Details of areas in which the activity is to be confined; and (g)A description of contingency and risk management plans and measures.</p> <p>AND Add similar provisions to every zone chapter. OR Add a new district wide chapter addressing Genetically Modified Organisms. AND</p>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
		Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.
<i>FSI342.195</i>	<i>Federated Farmers</i>	<i>Disallow submission point 707.5.</i>
<i>FSI387.790</i>	<i>Mercury NZ Limited for Mercury D</i>	<i>Null</i>
<b>707.6</b>	<b>Soil &amp; Health Association of New Zealand</b>	Add objectives and policies to address the cultural impact of Genetically Modified Organisms on mana Whenua and the environment.
<i>FSI320.24</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI199.22</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI343.26</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI342.282</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI225.24</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.24</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.24</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.24</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI192.24</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<b>721.1</b>	<b>Jennifer Berczely</b>	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same or similar to those in the Far North District Plan, Whangarei District Plan and Auckland Unitary Plan.
<i>FSI199.23</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.25</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.25</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI212.25</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.25</i>	<i>Forest Owners</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Association</i>	
<i>FSI342.283</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.92</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI343.27</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.25</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.25</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<b>721.2</b>	<b>Jennifer Berczely</b>	Add a resource management framework for the management of genetically modified organisms to the Proposed District Plan that is region specific, taking into account environmental, economic and social well-being considerations.
<i>FSI276.93</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<b>733.1</b>	<b>Dave Currie</b>	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same (or similar) as those in the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI342.284</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.28</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.26</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.26</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI199.24</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI276.94</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI225.26</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI212.26</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.64</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI192.26</i>	<i>J H &amp; R</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Cotman</i>	
<b>733.2</b>	<b>Dave Currie</b>	Add a resource management framework for the management of genetically modified organisms that is region specific, taking into account environmental, economic and social well-being considerations.
<i>FSI295.27</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI199.25</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.27</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.27</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI276.95</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI212.27</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.26</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI342.285</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.29</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.27</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<b>744.1</b>	<b>Peter McCallum</b>	Add a resource management framework for the management of GMOs that is regional specific taking into account environmental, economic and social well-being considerations.
<i>FSI276.96</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI199.27</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.28</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.28</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI214.27</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI212.28</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI342.286</i>	<i>Federated Farmers</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FSI343.30</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.28</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.28</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<b>744.2</b>	<b>Peter McCallum</b>	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same (or similar) to those in the Far North District Plan, Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI295.29</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI199.28</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.29</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.29</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI276.97</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI212.29</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.28</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI342.287</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.31</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.29</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<b>755.1</b>	<b>Jade Penn</b>	Amend the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regional-specific taking into account environmental, economic and social well-being considerations.
<i>FSI192.31</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI214.30</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI342.289</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.98</i>	<i>Whaingaroa Environmental</i>	<i>Support</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Defence Inc</i>	
<i>FSI343.33</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI199.30</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI320.31</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI225.31</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.31</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.31</i>	<i>David S Bull</i>	<i>Oppose</i>
<b>755.2</b>	<b>Jade Penn</b>	Amend the Proposed Waikato District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same, or similar, as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI342.290</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.99</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI343.34</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.32</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.32</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI225.32</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI212.32</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.31</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI199.31</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.32</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<b>758.1</b>	<b>Clifford &amp; Maureen Bayliss</b>	Amend the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regional-specific taking into account environmental, economic and social well-being considerations.
<i>FSI342.294</i>	<i>Federated</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Farmers</i>	
<i>FSI320.36</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.36</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI343.38</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI199.35</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI276.102</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI192.35</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.36</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI212.36</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.35</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>758.2</b>	<b>Clifford &amp; Maureen Bayliss</b>	Amend the Proposed Waikato District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to GMOs that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland the Waikato.
<i>FSI276.103</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI199.36</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.36</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.37</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI212.37</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI295.37</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI342.295</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.39</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.37</i>	<i>Livestock Improvement</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Corporation</i>	
<i>FSI214.36</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>759.1</b>	<b>Tracey Bayliss</b>	Amend the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regional specific taking into account environmental, economic and social well-being considerations.
<i>FSI199.37</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI342.296</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.40</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI276.104</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI320.38</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI192.37</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.38</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.38</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.38</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.37</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>759.2</b>	<b>Tracey Bayliss</b>	Amend the Proposed Waikato District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland the Waikato and to eliminate cross boundary issues.
<i>FSI199.38</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI343.41</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI342.297</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.105</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>



<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FSI320.39</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI192.38</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.39</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.39</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.39</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.38</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>762.1</b>	<b>Simon Thomson</b>	Amend the Proposed District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social wellbeing considerations.
<i>FSI276.171</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.298</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.42</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.40</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI199.39</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.39</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.40</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.40</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI214.39</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>762.2</b>	<b>Simon Thomson</b>	Amend the Proposed District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI225.41</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FSI212.63</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI276.172</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI199.40</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.40</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI320.41</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.41</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI214.40</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI342.299</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.43</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI212.40</i>	<i>David S Bull</i>	<i>Oppose</i>
<b>762.4</b>	<b>Simon Thomson</b>	Amend the Proposed District Plan to require those who introduce Genetically Modified Organism material into the environment be required to pay a bond to council equal in order of magnitude greater than any possible clean-up to eradicate at the genetic material.
<i>FSI342.301</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.174</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI199.42</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI343.45</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI225.43</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI320.43</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.43</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.42</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.42</i>	<i>Forest Owners</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Association</i>	
<i>FSI192.42</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<b>776.1</b>	<b>GE Free Northland (in food &amp; environment)</b>	Add a resource management framework for the management of genetically modified organisms that is region specific, taking into account environmental, economic, cultural and social well-being considerations.
<i>FSI342.302</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.46</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI212.43</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI276.106</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI225.44</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI320.44</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI192.43</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI199.43</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI214.43</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI295.44</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<b>776.2</b>	<b>GE Free Northland (in food &amp; environment)</b>	Add strong precautionary and prohibitive provisions, policies and rules relating to genetically modified organisms that are aligned with those in the Far North District Plan, the Whangarei District Plan, the Auckland Unitary Plan and Northland Regional Policy Statement.
<i>FSI192.44</i>	<i>J H &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI276.107</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.303</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI199.44</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FSI212.44</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI320.45</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI225.45</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.45</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI214.44</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI343.47</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<b>788.6</b>	<b>Susan Hall</b>	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations
<i>FSI199.47</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.47</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI343.50</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI225.48</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI214.47</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI212.47</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI295.48</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI342.306</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.108</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI320.48</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<b>788.9</b>	<b>Susan Hall</b>	Add strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same or similar to those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI276.109</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
FSI192.48	JH & R Cotman	Oppose
FSI225.49	BIOTech New Zealand	Oppose
FSI212.48	David S Bull	Oppose
FSI199.48	NZ Forest Research Inst	Oppose
FSI214.48	Forest Owners Association	Oppose
FSI343.51	Bruce Cameron	Oppose
FSI320.49	Livestock Improvement Corporation	Oppose
FSI295.49	Life Sciences Network Inc	Oppose
FSI342.307	Federated Farmers	Oppose
<b>789.1</b>	<b>BioAgri-Nomics Ltd</b>	Add strong precautionary and prohibitive policies and rules relating to the management of Genetically Modified Organisms that are the same or similar to those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
FSI214.49	Forest Owners Association	Oppose
FSI108.143	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support
FSI192.49	JH & R Cotman	Oppose
FSI139.128	Turangawaewa e Trust Board	Support
FSI212.49	David S Bull	Oppose
FSI343.52	Bruce Cameron	Oppose
FSI225.50	BIOTech New Zealand	Oppose
FSI295.50	Life Sciences Network Inc	Oppose
FSI342.308	Federated Farmers	Oppose

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
FSI320.50	Livestock Improvement Corporation	Oppose
FSI199.49	NZ Forest Research Inst	Oppose
<b>789.2</b>	<b>BioAgri-Nomics Ltd</b>	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations.
FSI214.50	Forest Owners Association	Oppose
FSI199.50	NZ Forest Research Inst	Oppose
FSI342.309	Federated Farmers	Oppose
FSI320.51	Livestock Improvement Corporation	Oppose
FSI295.51	Life Sciences Network Inc	Oppose
FSI225.51	BIOTech New Zealand	Oppose
FSI212.50	David S Bull	Oppose
FSI343.53	Bruce Cameron	Oppose
FSI192.50	JH & R Cotman	Oppose
<b>795.1</b>	<b>Hinemaria Ward-Holmes</b>	Add strong precautionary and prohibitive policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.
FSI199.52	NZ Forest Research Inst	Oppose
FSI212.52	David S Bull	Oppose
FSI214.52	Forest Owners Association	Oppose
FSI108.144	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FSI192.52</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI295.53</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI225.53</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI320.53</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI342.311</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.55</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI276.110</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<b>795.2</b>	<b>Hinemaria Ward-Holmes</b>	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and well-being considerations.
<i>FSI276.111</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.312</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.56</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI192.53</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.54</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.54</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI320.54</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI199.53</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI212.53</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.53</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>830.6</b>	<b>Linda Silvester</b>	Add A resource management framework for the management of Genetically Modified Organisms that is regionally specific and takes into account environmental, economic and social wellbeing.

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FSI320.60</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI342.318</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.115</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI343.62</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI214.59</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI295.60</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI199.59</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.59</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.60</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI212.59</i>	<i>David S Bull</i>	<i>Oppose</i>
<b>942.3</b>	<b>Tainui o Tainui</b>	Add a new chapter that addresses Genetically Modified Organisms.
<i>FSI199.61</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI276.117</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<b>963.1</b>	<b>June Penn</b>	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific, taking into account environmental, economic and social well-being.
<i>FSI199.62</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI343.64</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.62</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.62</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI342.320</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.119</i>	<i>Whaingaroa Environmental</i>	<i>Support</i>



<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Defence Inc</i>	
<i>FSI214.61</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI192.61</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI212.60</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI225.62</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<b>963.2</b>	<b>June Penn</b>	Add strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same or similar to those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
<i>FSI320.63</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI343.65</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI342.321</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI214.62</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI295.63</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI225.63</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI192.62</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI199.63</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI276.120</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI212.61</i>	<i>David S Bull</i>	<i>Oppose</i>
<b>286.37</b>	<b>Waikato-Tainui</b>	Add clear provisions for genetically modified organisms that include: precautionary policies to regulate the outdoor use of genetically modified organisms; prohibit the release of genetically modified organisms on land; and make field trials a discretionary activity with performance standards in regard to liability and the posting of bonds.
<i>FSI320.4</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI035.43</i>	<i>Pareoranga Te</i>	<i>Support</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Kata</i>	
<i>FSI342.262</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI192.4</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI295.4</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.4</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.4</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI343.6</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI225.4</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<b>499.19</b>	<b>Adrian Morton</b>	Add a resource management framework for the management of Genetically Modified Organisms that is regional specific taking into account environmental, economic and social well-being considerations.
<i>FSI225.9</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI342.267</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI276.81</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI199.7</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI320.9</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.9</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI343.11</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI212.9</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.9</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI192.9</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<b>499.20</b>	<b>Adrian Morton</b>	Add strong precautionary and prohibitive provisions, policies and rules relating to GMOs that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
		boundary issues.
<i>FSI276.82</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI108.140</i>	<i>Te Whakakitenga o Waikato Inc (Waikato-Tainui)</i>	<i>Support</i>
<i>FSI139.125</i>	<i>Turangawaewa e Trust Board</i>	<i>Support</i>
<b>546.12</b>	<b>Lynne Adrienne</b>	Add a resource management framework for the management of genetically modified organisms that is regional specific taking into account environmental, economic and social well-being considerations.
<b>757.12</b>	<b>Karen White</b>	Amend the Proposed Waikato District Plan to include a resource management framework for the management of Genetically Modified Organisms that is regional specific taking into account environmental, economic and social well-being considerations.
<i>FSI276.100</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.292</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.36</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.34</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI214.33</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI199.33</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI295.34</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI192.34</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI212.34</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI225.34</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<b>757.13</b>	<b>Karen White</b>	Amend the Proposed Waikato District Plan to include strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
		and the Auckland Unitary Plan.
FSI192.64	JH & R Cotman	Oppose
FSI342.293	Federated Farmers	Oppose
FSI276.101	Whaingaroa Environmental Defence Inc	Support
FSI199.34	NZ Forest Research Inst	Oppose
FSI343.37	Bruce Cameron	Oppose
FSI320.35	Livestock Improvement Corporation	Oppose
FSI225.35	BIOTech New Zealand	Oppose
FSI295.35	Life Sciences Network Inc	Oppose
FSI212.35	David S Bull	Oppose
FSI214.34	Forest Owners Association	Oppose
<b>780.39</b>	<b>Whaingaroa Environmental Defence Inc</b>	Add a new chapter that provides the following: A resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations. Strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.
FSI212.45	David S Bull	Oppose
FSI192.45	JH & R Cotman	Oppose
FSI199.45	NZ Forest Research Inst	Oppose
FSI214.45	Forest Owners Association	Oppose
FSI343.48	Bruce Cameron	Oppose
FSI225.46	BIOTech New Zealand	Oppose
FSI342.304	Federated	Oppose

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Farmers</i>	
<i>FSI320.46</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.46</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<b>802.14</b>	<b>Vera van der Voorden</b>	Add a resource management framework for the management of Genetically Modified Organisms that is regionally specific, taking into account environmental, economic and social well-being considerations.
<i>FSI295.56</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI276.113</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI343.58</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.56</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI342.314</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI199.55</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI225.56</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI212.55</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.55</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI192.55</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<b>825.39</b>	<b>John Lawson</b>	Add a new chapter that provides the following: A resource management framework for the management of Genetically Modified Organisms that is regionally specific taking into account environmental, economic and social well-being considerations. Strong precautionary and prohibitive provisions, policies and rules relating to Genetically Modified Organisms that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan, to ensure a consistent approach across Northland, Auckland and the Waikato and to eliminate cross boundary issues.
<i>FSI212.56</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI139.126</i>	<i>Turangawaewa e Trust Board</i>	<i>Null</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FSI108.141</i>	<i>Te Whakakitenga o Waikato Inc (Waikato-Tainui)</i>	<i>Null</i>
<i>FSI199.56</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.56</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI342.315</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI214.56</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI276.114</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI343.59</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.57</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.57</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI225.57</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<b>830.19</b>	<b>Linda Silvester</b>	Add strong precautionary and prohibitive provisions relating to Genetically Modified Organisms that are the same or similar to those in the Far North District Plan, Whangarei District Plan and Auckland Unitary Plan
<i>FSI295.58</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI342.316</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.60</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI320.58</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI212.57</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI199.57</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI276.116</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FS1192.57</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FS1225.58</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FS1214.57</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>942.24</b>	<b>Tainui o Tainui</b>	Add a separate chapter to include a separate chapter addressing Genetically Modified Organisms that prohibits the release of Genetically Modified Organisms into the rural environment through field trials, similar to the provisions of neighbouring Councils e.g. Auckland. AND Amend the Proposed District Plan to require all applications for Genetically Modified Organism releases to be publicly notified. AND Amend the Proposed District Plan to require a bond be imposed to cover clean up should the EPA approve applications for the release of Genetically Modified Organisms in the district.
<i>FS1295.61</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FS1320.61</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FS1343.63</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FS1342.319</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FS1214.60</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FS1212.64</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FS1225.61</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FS1192.60</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FS1199.60</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FS1276.118</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<b>802.1</b>	<b>Vera van der Voorden</b>	Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms, that are the same (or similar) as those in the Far North District Plan, the Whangarei District Plan and the Auckland Unitary Plan.
<i>FS1192.54</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FS1199.54</i>	<i>NZ Forest</i>	<i>Oppose</i>

<b>Submission number</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Research Inst</i>	
<i>FSI212.54</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.54</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI225.55</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.55</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI320.55</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI343.57</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI108.142</i>	<i>Te Whakakitenga o Waikato Inc (Waikato-Tainui)</i>	<i>Support</i>
<i>FSI276.112</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI342.313</i>	<i>Federated Farmers</i>	<i>Oppose</i>



## 6.2 Relief sought in submissions

51 26 submitters ask for this relief:

“Add a resource management framework for the management of genetically modified organisms to the Proposed District Plan that is regional specific, taking into account environmental, economic and social well-being considerations.”

“Add strong precautionary and prohibitive policies and rules relating to the management of genetically modified organisms that are the same or similar to those in the Far North District Plan, Whangarei District Plan and Auckland Unitary Plan.”

52 These submissions were from Aaron Mooar [245.3, 245.4], Michael Anderson [353.1], Susan Carter [480.1, 480.4], Adrian Morton [499.19, 499.20], Gillian Marie [525.1, 525.2], Lynne Adrienne [546.1, 546.12], Malibu Hamilton [553.1, 553.9], Martin Hastings, [599.1, 599.2], Nora van der Voorden [638.1, 638.2], Jennifer Berczely [721.1, 721.2], Dave Currie [733.1, 733.2], Peter McCallum [744.1, 744.2], Jade Penn [755.1, 755.2], Karen White [757.12, 757.13], Clifford and Maureen Bayliss [758.1, 758.2], Tracey Bayliss [759.1, 759.2], Simon Thomson [762.1, 762.2], GE Free Northland [776.1, 776.2], Whaingaroa Environmental Defence Inc [780.39], Susan Hall [788.6, 788.9], BioAgriNomics (Graham Shepherd) [789.1], Hinemaria Ward-Holmes [795.1, 795.2], Vera van der Voorden [802.1, 802.14], John Lawson [825.39], Linda Silvester [830.6, 830.19], and June Penn [963.2].

53 Waikato-Tainui [286.37], Waahi Whaanui Trust [380.7], and Tainui o Tainui/Angeline Greensill [942.3, 942.24] seek the same outcomes in slightly different words.

54 GE Free NZ [651.1, 651.2] sets out full wording for new plan provisions to replicate the Auckland Unitary Plan provisions, including explanations in Chapter 1. Soil & Health Association NZ [707.1, 707.2, 707.6 and 707.5] also ask for specific text, with similar effect, and in [707.6] asks for objectives and policies addressing cultural effects on mana whenua.

55 The Far North, Whangarei and Auckland plans mentioned by these submitters deal with the outdoor release and use of GMOs. All three plans have these elements:

- the outdoor release of a genetically modified organism is prohibited
- outdoor field trialling of a genetically modified organism (with prior EPA approval) is a discretionary activity
- consent holders are bonded to meet monitoring costs and to secure long term financial accountability
- use of veterinary vaccines is a permitted activity where the vaccines are non-viable, or if viable, supervised by a veterinarian.

56 These district plans do not regulate indoor GMO research in secure containment, and submitters have not asked for this.

57 Supplementary relief is requested by some of these submitters. These submission points are addressed in the final section of this report.

## 7 Submitters' reasons to add GMO provisions

58 This section summarises submitters' reasons:

- GMO contamination may adversely effect economic wellbeing to the community, including losses to business, forestry and farming, loss of organic and GMO-free certification, loss of environmental branding, and loss of markets and premiums paid for GMO-free crops.
- Release of GMOs could adversely effect social and cultural wellbeing.
- Release of GMOs could adversely affect the natural environment, including effects from unexpected and unknown medium-term and long term impacts on soil and waterways.
- GMOs, once released into the environment, would be difficult, if not impossible, to eradicate.
- The risks outweigh the benefits, especially as expected benefits have not come to fruition.
- Local regulation is necessary when it comes to GMOs' release in the regions, because the EPA has no role under HSNO after a GMO is released.
- Integrated management and precautionary approach to GMOs under the RMA is the best available technique for managing potential adverse effects posed by GMOs on the environment and other land use activities.
- Other councils have found local regulation necessary. There should be a consistent approach across Northland, Auckland and Waikato, to eliminate cross-boundary issues.
- Overseas, GM crops have caused increased pesticide use on crops, with deleterious human health effects.
- There is a risk of cross-contamination of non-GMO crops, causing conflicts between farmers.
- Consumer resistance is high – there is a market premium for non-GMO produce.

### 7.1 Maaori perspectives

59 Maaori perspectives are mentioned in some submissions, saying release of GMOs has potential to cause significant adverse effects on cultural wellbeing of Tangata Whenua through harm to cultural values.

60 Waikato-Tainui [286.39] and Waahi Whaanui Trust [380.7] say that GMO contamination could have significant adverse effects on the mauri and tikanga of tangata whenua. Waikato-Tainui say in their reasons:

“The Waikato-Tainui Environmental Plan takes a precautionary approach to GMOs and specifies that application for new organisms and GMOs must demonstrate that there are no risks to humans, indigenous ecosystems, indigenous species, or primary production. The draft Maniapoto Environment Plan also takes a precautionary approach to GMOs and specifies that any applications for the introduction of new or GMOs into the environment

must ensure that there is no risk to indigenous flora and fauna, ecosystems, or to the health and wellbeing of Maniapoto Iwi.”

- 61 Relevant extracts from the Waikato-Tainui Environmental Plan and the Maniapoto Environment Plan are set out in Appendix 2 and Appendix 3 respectively. RMA s74(2A) requires the Hearings Panel to take these into account. The precautionary approach is discussed below. It may be noted here that the precautionary approach involves the exercise of discretion and does not necessarily lead to prohibition or other particular levels of control.
- 62 Tainui o Tainui [942.24] say that the recent arrival of gene editing technologies in the primary sector is potentially putting taonga at risk, along with posing risks to primary production and the economy.
- 63 Soil & Health Association NZ [707.6] ask for objectives and policies to address the cultural impact of GMOs on mana whenua and the environment. The possibility of special cultural considerations is included in their reasons:
- “... it may be appropriate to require a cultural values assessment from applicants applying for resource consents. Council may need to engage with relevant iwi to determine the most fit-for-purpose wording.”
- 64 I expect that the Hearing Panel will receive evidence from submitters on Maaori perspectives on GMOs.

## 8 Further submissions

### 8.1 Reasons

- 65 Three further submitters support the original GMO submissions: Whaingaroa Environmental Defence Inc Society [FS1276], Te Whakakitenga o Waikato Inc (Waikato-Tainui) [FS1108], and Turangawaewae Trust Board [FS1139]. These further submitters also made original submissions for GMOs. Their further submissions contain no new information.
- 66 Twelve further submitters oppose each of the submissions for GMOs: Bruce Cameron [FS1343], Forest Owners Association [FS1214], J H & R Cotman [FS1192], NZ Forest Research Inst [FS1199], Steven & Theresa Stark [FS1215], BIOTech New Zealand [FS1225], Livestock Improvement Corporation [FS1320], Life Sciences Network Inc [FS1295], Beef + Lamb New Zealand Limited [FS1296], David S Bull [FS1212], Federated Farmers [FS1342].

### 8.2 Reasons given in further submissions opposing GMO controls

- 67 In summary, the further submitters give these reasons for opposing GMO controls in the PWDP:
- The issues raised in the submissions are already considered (using a precautionary approach) by the EPA, under HSNO.
  - Approval for field trials, conditional release and full release requires public consultation. There is plenty of opportunity for those opposed to GMOs to have their voice heard.

- District plan regulation will undermine Waikato's position as a leader in agricultural science, erode scientific capability, reduce economic opportunities and limit access to new technologies to address climate change, predator control, water quality and competitiveness.
- The Council should make no rules until it knows the risks which it considers have not been addressed by the EPA. This will depend on the nature of the organisms and the genetic changes which have been made, and should be assessed on a case-by-case basis.
- The courts have not clarified whether councils can prohibit GMOs as a class or put in place rules simply on the basis that an organism is a GMO, nor that there is justification in doing so.
- The “one size fits all” approach of the submitters is inappropriate – all organisms (including existing, new and GMOs) vary in type and risk.
- There have been five GMO releases in New Zealand. These have presented no issues. Overseas there is no scientifically-credible incident of harm to human health or the environment attributable to genetic modification.
- GMO provisions were not included in PWDP when notified, so there will be no general opportunity to submit on any provisions added later.

## 9 Analysis

### 9.1 Introduction

68 Given that all submissions ask for the same outcome, I will group them in my discussion and recommendations. Submitters may raise in their evidence any points of detail that I have omitted in grouping the submissions.

69 The submissions raise matters beyond my expertise. The Council has not obtained its own expert evidence. Many of the issues raised in the submissions need to be supported by evidence from the submitters and further submitters. I note that the following factual matters are contested between the parties:

- Whether GMOs are satisfactorily managed by EPA under HSNO, including at the local level
- The extent of potential harm from GMOs, and related uncertainties
- The extent of potential benefits of GMOs, and related uncertainties.

70 The Hearings Panel will need to hear evidence on those matters from submitters and further submitters, to identify whether there is a resource management issue that needs to be addressed in the district plan, and if so, to formulate the issue. For example, the issue in Auckland was stated like this:

*The outdoor use of GMOs can adversely affect the environment, economy and social and cultural resources and values, and significant costs can result from the release of a GMO.*

71 In the following report sections I provide analysis of planning issues arising from the submissions. These are within my scope as reporting planner:

- the precautionary approach
- evaluation of the GMO provisions of the Auckland Unitary Plan
- whether GMO objectives, policies and rules should be added to the PWDP through the submissions process
- whether Waikato District Council has the capacity to to be effective in implementing the proposed plan provisions, including monitoring and enforcement.

## 9.2 Precautionary approach

72 Most of the submitters seek a precautionary approach or mention the “precautionary principle” as a justification for district plan controls on GMOs<sup>12</sup>. Waikato-Tainui [286.37] ask for precautionary policies, and in their reasons refer to the Waikato-Tainui Environmental Plan and the draft Maniapoto Environment Plan, which call for a precautionary approach to GMOs.

73 In simple terms, a precautionary approach might be summed up in the proverb, “better safe than sorry,” but that idea is complicated to apply. There is significant academic literature on the parallel concepts of “precautionary approach” and “precautionary principle.” There are competing definitions of those terms and disagreement about their application in different contexts. In this report it is unnecessary to go into those debates. I will consider the submissions calling for a precautionary approach using equivalent RMA concepts and terminology.

74 I understand the submitters to be saying that district plan controls on GMOs are justified because GMOs could have significant impacts that are not yet fully known. The impacts they mention include potential adverse effects on human health, the environment, the economy, and cultural values.

75 The RMA does not use the term “precautionary approach”, but it requires management of “effects,” defined in section 3, *Meaning of effect*:

*In this Act, unless the context otherwise requires, the term effect includes—*

- (a) any positive or adverse effect; and*
- (b) any temporary or permanent effect; and*
- (c) any past, present, or future effect; and*
- (d) any cumulative effect which arises over time or in combination with other effects—  
regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*
- (e) any potential effect of high probability; and*
- (f) any potential effect of low probability which has a high potential impact.*

---

<sup>12</sup> The 26 submitters listed in para 50 above call for a precautionary approach. Aaron Mooar [245.3 and .4] and Susan Hall [788.6] mention the precautionary principle in their reasons.

- 76 In my opinion, the definition of effects is wide enough to cover all the matters traversed in the submissions, and s3(f) covers the case where scientific or other relevant knowledge is currently lacking. Other categories of effect cover aspects where losses can be quantified, such as the consequences of growers losing GMO-free status.
- 77 The Environment Court has said this about s3(f):
- “(f) most certainly points to taking a precautionary approach indeed it may go further than a precautionary approach would ordinarily be thought to require because it is premised on a given effect having a known low probability of occurrence, and an unknown likelihood of a possibly high impact.”<sup>13</sup>
- 78 I consider that the Hearings Panel can consider the precautionary approach to be covered by the RMA definition of effects, and can respond to the submissions requesting a precautionary approach by evaluating the evidence within the framework of the RMA. The panel should consider whether the evidence it receives is sufficient to make the case that GMOs (or some GMOs) have potential effects of low probability and high potential impact.
- 79 Adverse effects on the “environment” (as widely defined in RMA<sup>14</sup>) must be sustainably managed under the general RMA approaches of avoiding, remedying, or mitigating those adverse effects (s5.) RMA s76(3) provides in relation to district rules:
- (3) In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of activities including, in particular, any adverse effect.
- 80 District plan objectives, policies and rules can provide a graduated response, depending on the potential adverse effects and the degree of risk that the community is prepared to accept, and any potential benefits. I consider that the Hearings Panel should take a sustainable management approach to GMOs, aiming to lower the demonstrated threats from GMOs, while maximising any benefits.
- 81 A district plan can adopt a prohibited activity rule to avoid intolerable effects. Rules requiring resource consents might be used to manage adverse effects that can be remedied or mitigated, to keep these within acceptable ranges and to realise any positive effects. Permitted activity rules might authorise activities with acceptable effects.
- 82 The evidence required to justify district plan controls on GMOs does not have to be a complete, quantitative assessment of hazards and risks. However, neither can an effect of low probability be established simply based on a bare assertion or belief by individuals that there is a problem to be solved.
- 83 The submitters need to provide a foundation of evidence showing there is reason to believe GMOs have potential effects of low probability with a high potential impact. If the general nature of the harm is established by credible evidence, then there is a case for applying GMO controls. Any evidence of positive effects should also be considered.
- 84 To reach a conclusion, the Hearings Panel needs to exercise judgment to identify the potential harm and risks that are acceptable to the community and those that are intolerable. There is no objective standard that can be applied. In my opinion, an ideal

<sup>13</sup> NZ Forest Research Inst Ltd v Bay of Plenty Regional Council [2013] NZEnvC 298

<sup>14</sup> RMA s2 defines “environment” as including ecosystems and their constituent parts, including people and communities; all natural and physical resources; amenity values; and the social, economic, aesthetic, and cultural conditions which affect these matters or which are affected by those matters.

process would include wide community engagement before a decision is made. I return to this later in this report.

### **9.3 Other considerations about precautionary approach**

- 85 Before leaving the topic of precautionary approach, two additional points are noteworthy.
- 86 HSNO section 7 requires EPA to adopt a precautionary approach for all its decisions. Further submitters have noted this, stating that a precautionary approach to the management of GMOs is already in place, without district plan intervention.
- 87 The Waikato Regional Policy Statement contains a reference to precautionary approach. Policy 4.1 calls for an integrated approach to resource management. One of the methods of implementation under that policy is to adopt a precautionary approach.

#### **4.1.9 Planning approach**

Regional and district plans shall: ...

- c) adopt a precautionary approach towards any proposed activity whose effects may be significant or irreversible but are as yet uncertain, unknown or little understood, including the use and management of coastal resources particularly vulnerable to effects from climate change; and ...

- 88 This needs to be read in context. The precautionary approach referred to in WPRS 4.1.9 applies only as a method to attain integrated resource management. Integration refers to the co-ordination of agencies with overlapping jurisdictions, and will be considered later in this report.

### **9.4 The GMO provisions of the Auckland Unitary Plan**

- 89 Most submitters ask for plan provisions the same as or similar to Far North, Whangarei and Auckland. These plans have the same major elements, with minor drafting variations. I will focus on the Auckland provisions as the district adjacent to Waikato district.
- 90 The panel will be aware of its duty under RMA s74(2) to have regard to –
- (c) the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.
- 91 The Waikato/Auckland boundary cuts through intensive farming and vegetable growing areas around Bombay and Pukekohe, as well as pastoral farming areas. The Bombay/Pukekohe area is an obvious area where a grower might wish to establish a GMO crop. I consider that if GMO provisions are to be added to the PWDP, these need to be consistent with Auckland, although not necessarily identical.
- 92 The other territorial authorities adjacent to Waikato district do not address GMOs in their district plans. I consider there is no need for Waikato district to be consistent with those plans, because those territorial authorities would be unaffected if any GMO provisions were added to the PWDP. Only the Auckland plan provisions need to be considered under s74(2)(c), and I will examine the Auckland plan provisions in the form of a light section 32 evaluation.

## 9.5 Section 32 evaluation

93 The Auckland Unitary Plan provisions were the subject of their own section 32 evaluation<sup>15</sup>. The findings in Auckland are not automatically applicable to the Waikato. While the potential hazards of GMOs might not differ across the district boundary, the planning context in Auckland was different. There, the proposed plan was notified with GMO provisions, thus the s32 report could make some assumptions about the issue to be addressed and the acceptability of the solutions offered, as these had been through a detailed development process through community and council channels. That is not the case for Waikato district, and a fresh consideration is justified.

94 I will examine the Auckland text, and assess how appropriate the wording might be in the context of Waikato district and the PWDP. I will reference to the Auckland s32 report where relevant.

95 The Auckland definition of genetically modified organisms needs to be read into all the Auckland text:

Genetically modified organism: Unless expressly provided otherwise by regulations, any organism in which any of the genes or other genetic material:

- have been modified by in vitro techniques; or
- are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in vitro techniques.

This does not apply to genetically modified products that are not viable and are no longer genetically modified organisms, or products that are dominantly non-genetically modified but contain non-viable genetically modified ingredients, such as processed foods.

96 The definition follows the HSNO definition, except for the last paragraph starting “this does not apply to...”. That paragraph does not specify what part of the preceding text does not apply, but my interpretation is that the items mentioned in the last paragraph are excluded from the whole definition. I consider the last paragraph makes little material difference to the plan outcomes, as I understand HSNO (and therefore the HSNO definition) to be concerned with living modified organisms (i.e. non-viable organisms)<sup>16</sup>. The last paragraph may have been included to accentuate that.

### 9.5.1 Objective

97 Section 32 requires the evaluation of objectives to examine the extent to which the objectives are the most appropriate way to achieve the purpose of the RMA. The purpose of the Act is to promote the sustainable management of natural and physical resources.

<sup>15</sup> Auckland Council website – accessed November 2019 - <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/history-unitary-plan/documentssection32reportproposedaup/2-49-genetically-modified-organisms-v2-2013-09-09.pdf>

<sup>16</sup> HSNO represents New Zealand’s implementation of the international Cartagena Protocol on Biosafety, which promotes biosafety by establishing rules and procedures for the safe transfer, handling, and use of “living modified organisms”, with specific focus on international movements. (<http://bch.cbd.int/protocol/text/> – accessed November 2019.)



Achieving the purpose of the Act encompasses the matters in s5(2), s6 (matters of national importance), s7 (other matters) and s8 (Treaty of Waitangi.)

98 Auckland has one objective which reads:

E37.2. Objective

(1) The environment, including people and communities and their social, economic and cultural well-being and health and safety, is protected from potential adverse effects associated with the outdoor use, storage, cultivation, harvesting, processing or transportation of genetically modified organisms.

99 The objective covers storage, cultivation, harvesting, processing and transportation of GMOs. These seem legitimate inclusions, as activities that are interrelated, and could have their own harm pathways (e.g. seed spreading during transport).

100 The objective is weakly worded, considering that it is intended to support prohibited activity rules. A stronger wording would be to avoid the adverse effects of GMOs, rather than merely protect. If the Hearings Panel receives evidence of potential harm from GMOs that would justify prohibited activity rules (i.e. that there is an intolerable risk), then I would recommend that the panel introduce the word “avoid” into the objective.

101 The objective could also state specific outcomes for (e.g.) the protection of significant indigenous vegetation, or the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. Material of that kind would better serve sections 6, 7 and 8 of RMA, support the policies and rules, and resource consent assessment.

102 The Auckland objective ignores the potential positive effects of GMOs, which are an important element in the purpose of the RMA. Compare this PWDP objective for hazardous substances (emphasis added):

10.1.1 Objective – Effects of hazardous substances

Residual risk associated with the storage, use, or disposal of hazardous substances is managed to ensure that the effects on people, property and the environment are acceptable, **while recognising the benefits of facilities using hazardous substances.**

103 I suggest that the Hearings Panel should consider an objective that addresses the positive and adverse effects of GMOs, as a more appropriate way to achieve the purpose of the RMA. An objective to enable activities to utilise GMOs where necessary for their operations, with appropriate safeguards, could be considered.<sup>17</sup>

104 I consider that the Auckland objective is not the most appropriate way to achieve the purpose of the RMA, because:

- it lacks specific outcomes for relevant Part 2 matters
- it should call for avoidance of adverse effects of GMOs
- it lacks reference to enabling potential positive outcomes from GMO use.

<sup>17</sup> The Cartagena Protocol speaks of deriving the maximum benefit from biotechnology, while minimising the possible risks. (Introduction, <http://bch.cbd.int/protocol/text/>)

### 9.5.2 Evaluation requirements for policies and rules

- 105 Section 32 requires policies and rules to be evaluated by examining whether these are the most appropriate way to achieve the objectives by—
- identifying other reasonably practicable options for achieving the objectives
  - assessing the efficiency and effectiveness of the provisions in achieving the objectives
  - summarising the reasons for deciding on the provisions
  - assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter.
- 106 I will evaluate the Auckland provisions against the Auckland objective.

### 9.5.3 Policies

- 107 Auckland has eight policies:

#### E37.3. Policies [rcp/dp]

- (1) Adopt a precautionary approach by prohibiting the outdoor release of a genetically modified organism, and by making outdoor field trialling of a genetically modified organism and the use of viable genetically modified veterinary vaccines not of a specific dose and supervised by a veterinarian a discretionary activity.
- (2) Provide for the use of Environmental Protection Authority approved non-viable and/or viable genetically modified medical applications (including genetically modified vaccines) as a permitted activity.
- (3) Require that the holder of a resource consent granted for the outdoor field trialling of a genetically modified organism is financially accountable (to the extent possible) for any adverse effects associated with the activity, including clean-up costs and remediation, including through the use of bonds.
- (4) Require outdoor field trialling of genetically modified organisms to avoid, as far as can reasonably be achieved, risks to the environment or to the mauri of flora and fauna or to the relationship of Mana Whenua with flora and fauna from the use, storage, cultivation, harvesting, processing or transportation of a genetically modified organism.
- (5) Require all monitoring costs to be met by the consent holder.
- (6) Require that the outdoor use of genetically modified organisms does not result in migration of genetically modified organisms beyond the area designated by [various techniques, including site design, preventing escape from vehicles or vessels, and removal at end of the activity.]
- (7) Adopt an adaptive approach to the management of the outdoor use, storage, cultivation, harvesting, processing or transportation of a genetically modified organism through periodic reviews of these plan provisions, particularly if new information on the benefits and/or adverse effects of a genetically modified organism activity becomes available.
- (8) Require, where appropriate, more stringent measures than those required under the provisions of the Hazardous Substances and New Organisms Act 1996 to manage potential risks.

- 108 Policy (1) requires a precautionary approach. This was discussed above, in RMA terms, as a consideration of effects.
- 109 As stated earlier in this report, a policy can only be based on a precautionary approach if there is a foundation of evidence that there is a significant risk of harm. Policy (1) calls for prohibiting the release of all GMOs. Some further submitters criticise this “blanket” approach to regulating GMOs<sup>18</sup> as a class. The Hearings Panel should consider whether every GMO presents the same risks, or whether there is variability in the risks posed by different GMOs that requires a more targeted approach.
- 110 If there is foundation evidence of intolerable risk of harm from some but not all GMOs, then the policy could identify the GMOs that need to be prohibited, under the precautionary approach. Control of risks from other GMOs could be based on other policy approaches.
- 111 The efficiency and effectiveness of this policy are not clear to me at present. If it is true that the EPA cannot be relied on to manage all of the risks, then it is far from obvious that a territorial authority can effectively and efficiently plug that gap, or that it would be efficient doing so. Implementation of the rules mentioned in Policy (1) will be difficult for most territorial authorities because of their inexperience, limited capacity and expertise in relation to GMOs. Implementation is discussed further in a later section of this report.
- 112 The s32 requirement to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter is fundamental to this policy. The risk of not acting needs to justify the policy in those cases. The relevant risks need to be identified in the evidence.
- 113 The Auckland s32 report states that adoption of a precautionary approach to manage potential risks associated with the outdoor use of GMOs is one of the benefits of district plan control, over and above what the EPA does. I am unable to support that assertion, because section 7 of HSNO imposes a precautionary approach on EPA decisions.
- 114 The costs and benefits of Policy (1) are hard to quantify, especially opportunity costs to GMO developers. It seems most likely that the benefits of the controls to protect farming, cropping and the wider economy from a GMO with demonstrated serious potential harm would exceed the costs of lost opportunities to GMO developers. The exception would be where the GMOs would add value to farming and cropping activities, in which case the lost opportunity could be considerable.
- 115 Policy (1) directs the content of the rules (prohibited and discretionary activities) in a way that is not ideal. A policy has a practical role in guiding the assessment of resource consents. Policy (1) could be more helpful if it said how resources or effects should be managed, or what the precautionary approach might entail in the assessment of resource consents. A reasonably practicable option that could be identified in a full s32 evaluation would be rewording the policy by providing more detail to support resource consent processes, making it more effective and efficient.

---

<sup>18</sup> NZ Forest Owners [FS1214.2] say that the courts have not clarified if councils can prohibit GMOs as a class or put in place rules simply on the basis an organism is a GMO.

- 116 I consider that Policy (1) is most appropriate to achieve the objective, for those GMOs for which the foundation of evidence for the precautionary approach is made out, and with some redrafting to improve effectiveness and efficiency.
- 117 Policy (2) is designed to permit EPA-approved genetically modified medical applications. I do not know why this approach is taken for this class of GMOs. If it is because medical applications offer positive effects, then that adds to the case for the objective to be amended to enable positive effects. It is interesting to observe that, in permitting the release of medical applications, the policy implies that HSNO and the EPA can be trusted to implement the necessary safeguards, which is not the case for other classes of GMOs.
- 118 In conclusion, I consider that Policy (2) is not most appropriate to achieve the objective, which lacks wording to enable positive effects of GMOs.
- 119 Policies (3) and (5) have the same purpose, which is to ensure that costs of monitoring and future clean-up are borne by consent holders. The Auckland s32 report says that one of the benefits of local level regulation, in addition to the controls set by the EPA, include ensuring that GM operators are financially accountable for the full costs associated with the GMO activity, including unintentional contamination, clean-up, monitoring and remediation. This seems sensible if GMOs are to be managed in the district plan. I consider this is a good option, as the costs to developers will be outweighed by benefits to the community, and it will be effective and efficient. The alternative - of leaving any future costs to fall on the community - seems inappropriate. The risk of not acting justifies the policy.
- 120 I consider that policies (3) and (5) are most appropriate to achieve the objective.
- 121 Policy (4) is the only policy that speaks about protecting the environment, or mauri of flora and fauna, and relationship of Mana Whenua with flora and fauna. Once again, the drafting could be improved. It starts off addressing the effects of GMO field trials, and later appears to address activities not related to trials, referring to the effects of use, storage, cultivation, harvesting, processing or transportation of GMOs. A reasonably practicable option for achieving the objective is to redraft Policy 4 to read:
- (4) Protect the environment, the mauri of flora and fauna, and the relationship of Mana Whenua with flora and fauna from the use, storage, cultivation, harvesting, processing or transportation of a genetically modified organism.
- 122 With that wording, I consider that that policy will be an appropriate way to achieve the objective. Effectiveness and efficiency could be improved if the policy said more about how the protection could be achieved. That detail might be introduced after hearing the evidence from Mana Whenua.
- 123 Policy (6) seeks to stop migration of GMOs beyond its designated area, giving details of how this should be done. This policy will support resource consent conditions around containment, to be developed case-by-case. As a broad framework, I consider that policy (6) will be effective and efficient, and that it is most appropriate to achieve the objective.
- 124 Policy (7) is about future reviews of the plan provisions. This is ineffective as a policy, because it will make no practical difference to resource consents or to future plan changes.

This text would have been more appropriate as a general explanation. I consider that this is not the most appropriate policy to achieve the objective, and I would remove it.

- 125 Policy (8) is to require, where appropriate, more stringent measures than those required under HSNO to manage potential risks. This policy justifies the rules which clearly go further than HSNO in preventing release of GMOs after EPA has authorised release. Its effectiveness depends on the perceived gap in the EPA/HSNO regime, which may be identified in evidence. Effectiveness also needs to be considered in terms of whether it advances WRPS Policy 4.1, referred to in section 9 of this report, requiring integrated resource management between agencies. The efficiency (costs and benefits) of Policy 8 will be similar to Policy 1, as will the assessment of the risks of acting or not acting. As with Policy (1), the evidence may identify particular GMOs that justify this level of intervention in the PWDP. Policy (8) on current information is not the most appropriate way to achieve the objective.

#### 9.5.4 Rules

- 126 Auckland Unitary Plan has these rules (derived from table E37.4.1).

	<b>Activity</b>	<b>Activity status</b>
A1	Research and trials within contained laboratories involving the use of genetically modified organisms, medical applications involving the use of viable and/or non-viable genetically modified organisms (including genetically modified vaccines), veterinary applications involving the use of non-viable genetically modified organisms and any other genetically modified organism release or use not specifically provided for or prohibited	P
A2	Genetically modified organism field trials on land and within the coastal marine area and any structure intended to house, or otherwise contain, plants and animals which are associated with the conducting of genetically modified organism field trials	D
A3	The use of any viable genetically modified veterinary vaccine of a specific dose supervised by a veterinarian	P
A4	The use of any viable genetically modified veterinary vaccine not otherwise provided for	D
A5 and A6	Genetically modified organism releases – food [and non-food] related on land and within the coastal marine area and any structure intended to house or otherwise contain plants and animals which are associated with outdoor genetically modified organisms releases, except as specifically provided for	Pr

- 127 Rule A1 gives certainty by identifying some GMO activities that are not controlled by the district plan, especially laboratory research and trials. The rule is effective and efficient in reducing uncertainty. Drafting could be improved. The rule refers to indoor uses of GMOs that probably were not caught by the objective, and non-viable GMOs that are excluded from the Auckland definition of GMO.

- 128 I conclude that rule A1 is an appropriate rule to achieve the objective.

- 129 Rule A2 makes field trials a discretionary activity. As noted under policy (1), “field trial” is a defined term, requiring the GMOs to be contained. Hence the reference to structures to house or contain plants and animals. I consider that rule A2 will be effective and efficient and is an appropriate rule to achieve the objective.
- 130 Rule A3 permits use of viable genetically-modified veterinary vaccine supervised by a veterinarian. This rule is valuable to provide certainty about activities that are not controlled by the plan. I conclude that rule A3 is an appropriate rule to achieve the objective.
- 131 Rule A4 makes other use of viable GMO veterinary vaccine a discretionary activity. The Auckland Unitary Plan (E37) explains this rule:
- “Viable genetically modified veterinary vaccines can have higher risks if their administration is not supervised or controlled by a veterinarian. An example is a viable genetically modified veterinary vaccine distributed by way of edible food or edible plants, which cannot be supervised by a veterinarian, and which may present higher risks to the environment and to the health and safety of people.”
- 132 The rule will be effective, although I think it would be more efficient if it applied restricted discretionary status. That depends on whether the activity and its effects are well enough understood to formulate matters to be considered, and include these in the rule. A discretionary activity resource consent would be more complex and therefore slower and more expensive. That issue aside, I conclude that rule A4 is most appropriate for the objective.
- 133 Rules A2 and A4 need to be read with standards (E37.6), which form part of the rules. The standards require pre-approval by EPA, as well as bonds, monitoring and reporting. To test the workability of the rule, it is instructive to ask what the result would be if an applicant did not meet one of the standards? The usual pattern within district plan rules is for the activity to move to another activity class, e.g. where a discretionary activity standard is not met, the activity becomes non-complying. There is no direction in the Auckland rules around that, leaving uncertainty. In any case, the standards for bonds, monitoring and reporting seem to be misplaced, as these would be better addressed in consent conditions. I conclude that the standards in E37.6 are not the most appropriate.
- 134 Rules A5 and A6 prohibit releases of GMOs. The Auckland s32 report has this justification:
- The prohibited activity status is consistent with a precautionary approach and provides certainty to the community that no GMO releases can be undertaken without specific further consideration and subsequent plan change. Prohibited activity status avoids entirely the high levels of potential harm and uncertainties about costs associated with an unforeseen event. The matter of provision of compensation and its adequacy, particularly in terms of opportunity costs is avoided.
- 135 These rules will be effective to prevent harm from GMOs. Efficiency needs to be judged by reference to costs and benefits. The Auckland s32 report acknowledges the cost of lost opportunities to deploy GMOs, but not the cost of a private plan change to authorise GMO release, which I consider could be considerable. The Hearings Panel needs to be satisfied (by evidence from submitters) that there is justification for taking a precautionary approach before a conclusion can be reached as to whether rules A5 and A6 are the most appropriate way to achieve the objective.

### 9.5.5 Conclusion on the Auckland provisions

- 136 It is important to look closely at the Auckland provisions, because many submitters specifically asked for these to be imported into the PWDP.
- 137 I consider that the Auckland objective is not the most appropriate way to achieve the purpose of the RMA in Waikato district and should be reviewed. I found that several of the policies and rules are not the most appropriate to achieve the objective.
- 138 I would recommend the redrafting of some of the Auckland provisions, if the Hearings Panel accepts in principle that the PWDP should include controls on GMOs along the Auckland lines. Redrafting could still achieve the consistency needed with Auckland as an adjoining district.
- 139 In my opinion, the Auckland provisions should not be adopted in their current form. I recommend that the submissions that ask for the complete Auckland text be rejected. The panel has the option of accepting in part.

## 10 Process considerations

- 140 The Hearings Panel needs to consider whether it is appropriate for GMO objectives, policies and rules to be added to the PWDP through the submissions process.
- 141 The question whether people potentially affected by the GMO submissions had an opportunity to participate in the submission process arose on the consideration of whether the submissions could be heard (Appendix 4, paras 24, 76-83.) This section considers the same question in the wider planning context in which the merits and appropriateness of introducing GMO provisions through submissions can be considered.
- 142 It is clear from the further submissions received that the original submissions did not escape notice, and that competing points of view have been gathered. However, there are reasons to prefer a process that includes wider public engagement.
- 143 The proposal is for prohibited activity rules to be introduced, which could have the potential to frustrate the release of GMOs that have EPA approval for release. This seems like a significant additional barrier to GMO release. A higher level of public engagement might be called for here than for lesser changes to the plan.
- 144 The proposal to control GMOs has not had as extensive a community discussion and consideration as it would have had if it had been notified originally in the PWDP. If it had been part of the plan as notified, it would have gone through significant public engagement processes prior to notification. This would have allowed the council to gauge the related community values, and degree of concern about potential adverse effects and potential benefits. Notified plan provisions might also have generated more submissions.

- 145 Given that the plan, as notified, contained no GMO provisions, it is not surprising that the number of original submitters on GMOs was small (30), and they are all focused on adding GMO provisions. Of the 17 further submitters, three were original submitters supporting other original submitters and the rest express total opposition to the original submissions.
- 146 The submissions and further submissions are clearly polarised: the Hearings Panel does not have before it any submissions that occupy middle ground, or suggest a compromise. It is open to speculation whether submissions favouring middle ground might have emerged if the PWDP had been notified with GMO provisions for submitters to respond to.
- 147 The Hearings Panel, after hearing Maaori perspectives in evidence, may wish to consider whether engagement with mana whenua has been sufficient, or whether more engagement is needed.
- 148 The Hearings Panel needs to consider whether, overall, these submissions give a full picture of community attitudes to GMOs. A key question for the panel is whether the risks identified in the evidence are acceptable or unacceptable to the community. A judgment needs to be made as to how risk-averse the community is. That judgment would be easier to make if there had been wider public engagement.
- 149 The Hearings Panel has some options, if it chooses to reject the submissions but feels that the issue of GMOs in the district plan merits further consideration. The panel could recommend to council that GMOs be considered for a notified Variation to the PWDP. Alternatively, the panel could leave it to the proponents of GMO control to promote a private plan change in the future.

## 11 Implementation considerations

- 150 If GMO provisions were added to the district plan, there would be implications for the council. It would generate resource consent applications and plan change proposals that would be a cost to council. The processes around GMOs are likely to be technical and therefore incur the costs of expert input. Cost recovery is never complete on these applications. Historically, the council has accepted a proportion of the cost as a service to the public.
- 151 Implementation of the GMO provisions would also require the council to monitor the outcomes, which presents practical issues. Council would need to develop the necessary staff capacity to monitor GMO field trials or releases. The cost of establishing that capacity would not be recoverable. While technical monitoring costs might be charged to consent holders, the council would also be expected to monitor for unconsented activities, and would have to bear the costs of that.
- 152 The council has not obtained legal advice for this hearing on the risks of council being subjected to civil claims for compensation, for example if monitoring mistakes were made. The panel might consider whether legal advice is needed at a later stage.



- 153 I am aware that civil liability has been considered by the councils that have adopted GMO provisions in their district plans, and it may be possible to access their reasoning. An idea that might be discussed with them, is whether making the release of GMOs a prohibited activity, rather than a resource consent matter, is expected to minimise possible liability. The cost implications of plan provisions are a legitimate consideration under the RMA, being part of the section 32 consideration.
- 154 Another idea that might be explored with other councils is whether there is an implicit liability (political and financial, if not legal) on council to respond to a GMO disaster, even if there are no GMO provisions in the district plan.
- 155 The Auckland plan provisions contain requirements for bonding and cost recovery conditions. If the panel is minded to adopt GMO controls into the PWDP, then it is recommended that detailed advice be sought on these and other possible plan provisions that can be used to allocate the costs fairly.

## 12 Integration

- 156 The Waikato Regional Policy Statement Policy 4.1 provides:
- An integrated approach to resource management will be adopted that: a) recognises the interconnected nature of natural and physical resources (including spatially and temporally) and the benefits of aligning the decisions of relevant management agencies across boundaries; b) maximises the benefits and efficiencies of working together ...*
- 157 Policy 4.1 a) and b) require consideration of the benefit of aligning the decisions of relevant management agencies across boundaries, and the benefits and efficiencies of working together. Those integration policies would need to be given effect to, if GMO provisions were included in the PWDP. For current purposes, the relevant GMO management agencies are the EPA and Auckland Council. Other adjoining territorial authorities and Waikato Regional Council are not currently engaged in management of GMOs.
- 158 The need for consistency of any Waikato district plan provisions with Auckland has already been discussed. Administrative processes would also need to be harmonised with Auckland to achieve intergation.
- 159 In regard to the EPA, the Hearings Panel might consider the extent that district plan controls on GMOs could overlap with or duplicate HSNO controls and the implications of co-ordination with the EPA, and any resulting benefits and efficiencies (or disbenefits or diseconomies). A precautionary approach to achieve integration needs to be considered under WRPS , which in the context of integration would suggest some consultation with Auckland Council and EPA when plan provisions are being drafted and administrative processes are being set up.

## 13 Conclusion and recommendations

### 13.1 Conclusion

160 The Hearings Panel has a preliminary decision to make, as to whether there is scope to consider the submissions.

161 If there is scope, then the question whether GMO controls should be added to the plan must be addressed. This hinges on the evidence the parties bring before the Hearings Panel. There needs to be evidence to satisfy the panel on these matters:

- foundation evidence of a real risk of harm, justifying a precautionary approach
- evidence that Central Government, through the EPA and HSNO, is not adequately safeguarding the local environment and community.
- that the draft plan provisions are the most appropriate: plan provisions should be complementary to HSNO or other legislation, and meet the needs of integration.
- implementation is adequately addressed in the plan provisions, in terms of council capacity and the costs and risks to the council.

162 The Panel also needs to consider whether it is good planning practice to introduce provisions to regulate GMOs in the district plan, particularly in the absence of any directives in any higher-order planning instruments.

163 Without having the benefit of hearing the evidence, I have only the original submissions to consider. None of the submissions are supported by a section 32AA evaluation or a full range of technical evidence covering the points mentioned above. The submissions are not sufficient by themselves to justify introducing GMO controls into PWDP.

### 13.1 Recommendation

164 Therefore at this stage, I recommend that all the submissions and further submissions in support be rejected, and that the further submissions opposing be accepted.

165 These recommendations are detailed in Appendix I by individual submission and further submission number.

166 I recommend that if the Hearings Panel rejects the submissions, that the panel consider providing feedback to Waikato District Council about GMOs and any future consideration the council might give to the subject.

### 13.2 Amendments

167 There are no amendments from this section.

## 14 Other submissions

### 14.1 Introduction

168 Seven submissions were received making miscellaneous points related to GMOs. These submitters also made submissions referred to above, asking for GMO objectives, policies and rules.

<b>Sub No.</b>	<b>Submitter</b>	<b>Summary of submission</b>
<b>245.5</b>	<b>Aaron Mooar</b>	Amend the Proposed Waikato District Plan to require consents which are exempt from plan rules to be automatically publicly notified whether rules are on Genetically Modified Organisms or any other matter.
<i>FSI276.121</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI215.3</i>	<i>Steven &amp; Theresa Stark</i>	<i>Oppose</i>
<b>651.2</b>	<b>GE Free New Zealand</b>	No specific decision sought, but submission states that the AgResearch Ruakura animal field test site should be the only area zoned for Genetically Modified Organism (GMO) activity.
<i>FSI199.18</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI342.278</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI343.22</i>	<i>Bruce Cameron</i>	<i>Oppose.</i>
<i>FSI192.20</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI225.20</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI320.20</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI295.20</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.20</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.20</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<b>651.3</b>	<b>GE Free New Zealand</b>	Genetically Modified animal sites should be registered on the Land Information Memorandum (LIM) reports.
<b>651.5</b>	<b>GE Free New Zealand</b>	Amend Section A Plan Overview and Strategic Directions to include a section on Genetically Modified organisms.

<b>Sub No.</b>	<b>Submitter</b>	<b>Summary of submission</b>
<i>FS1387.89</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
<b>707.3</b>	<b>Soil &amp; Health Association of New Zealand</b>	<p>Add five new definitions to Chapter 13- Definitions, in relation to Genetically Modified Organisms, as follows: FIELD TRIALS- Means, in relation to a Genetically Modified Organism, the carrying on of outdoor trials on the effects of the organism under conditions similar to those of the environment into which the organism is likely to be release but from which the organism, or any heritable material arising from it, could be retrieved or destroyed at the end of trials.</p> <p>GENETICALLY MODIFIED ORGANISM- Means any organism in which any of the genes or other genetic material: a.) have been modified by in vitro techniques; or b.) are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in vitro techniques. For the absence of doubt, this does not apply to Genetically Modified (GM) products that are not viable (and are thus no longer GM organisms), or products that are dominantly non-GM but contain non-viable GM ingredients (such as processed foods).</p> <p>GENETICALLY MODIFIED VETERINARY VACCINE- Means a veterinary vaccine that is a genetically modified organism as defined in this Plan.</p> <p>GENETICALLY MODIFIED MEDICAL APPLICATIONS- Means the manufacture, trialling or use of viable and/or non-viable genetically modified organisms for medical purposes recognised as medicines under the Medicines Act 1981 and approved as safe to use by the Ministry of Health, including EPA approved releases, except for the outdoor cultivation of pharmaceutical producing organisms.</p> <p>RELEASE- Means, in relation to a Genetically Modified Organism, to allow the organism to move within New Zealand free of any restrictions other than those imposed in accordance with the Biosecurity Act 1993 or the Conservation Act 1987. For the avoidance of doubt this definition covers releases that are subject to conditions set out in Section 38A of the Hazardous Substances and New Organisms Act 1996 as well as any release not subject to conditions.</p>
<i>FS1387.788</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
<b>789.3</b>	<b>BioAgri-Nomics Ltd</b>	Seeks Genetically Modified Organisms and all genetically engineered products completely banned from being introduced into New Zealand.
<i>FS1199.51</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FS1212.51</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FS1214.51</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FS1342.310</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FS1320.52</i>	<i>Livestock Improvement</i>	<i>Oppose</i>

<b>Sub No.</b>	<b>Submitter</b>	<b>Summary of submission</b>
	<i>Corporation</i>	
<i>FSI343.54</i>	<i>Bruce Cameron</i>	<i>Oppose</i>
<i>FSI192.51</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI295.52</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI225.52</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<b>762.3</b>	<b>Simon Thomson</b>	Amend the Proposed District Plan to include that liability for spread and damage caused by Genetically Modified Organism's be with the owners of that genetic material, and secondly local and regional councils.
<i>FSI320.42</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>
<i>FSI276.173</i>	<i>Whaingaroa Environmental Defence Inc</i>	<i>Support</i>
<i>FSI199.41</i>	<i>NZ Forest Research Inst</i>	<i>Oppose</i>
<i>FSI192.41</i>	<i>JH &amp; R Cotman</i>	<i>Oppose</i>
<i>FSI342.300</i>	<i>Federated Farmers</i>	<i>Oppose</i>
<i>FSI225.42</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>
<i>FSI295.42</i>	<i>Life Sciences Network Inc</i>	<i>Oppose</i>
<i>FSI212.41</i>	<i>David S Bull</i>	<i>Oppose</i>
<i>FSI214.41</i>	<i>Forest Owners Association</i>	<i>Oppose</i>
<i>FSI343.44</i>	<i>Bruce Cameron</i>	<i>Oppose</i>

## **14.2 Analysis**

169 Aaron Mooar [245.5] asks for applications for consents which are exempt from plan rules to be automatically publicly notified, whether rules are on GMOs or any other matter. This submission would have wide implications for the administration of the district plan. It would be costly for council and applicants, tiresome for the community, and add delays to the processing of resource consents. In my opinion it is better for the plan to leave notification in most cases to be considered under the standard processes in the RMA. In particular

contexts, such as for GMO applications, consideration could be given to including specific requirements for notification. Such provisions are included in the Auckland Unitary Plan GMO text, and these can be considered in the context of the submissions asking for the adoption of the Auckland approach to GMOs. Submission [245.5] is provisionally recommended to be rejected at this stage, consistent with other recommendations above. If the Auckland provisions are adopted by the Hearings Panel, this submission should be accepted in part, to the extent of considering special notification rules for GMO consents.

- 170 GE Free New Zealand [651.2] ask for the AgResearch Ruakura animal field test site to be the only area zoned for Genetically Modified Organism (GMO) activity. This is not a desirable approach. A reference to a particular institution could become out of date during the life of the plan. Such a provision would have the effect of reducing the possibility for new research facilities to be developed in the district, which is undesirable from the point of view of economic wellbeing of the district, and also from the point of view of safeguarding the environment and the community from the potential risks around GMOs. A new facility might include superior security. This submission is recommended to be rejected.
- 171 GE Free New Zealand [651.3] ask for genetically-modified animal sites to be registered on Land Information Memorandum (LIM) reports. The content of LIMs is not a district plan matter. The submission would be better directed to the council as an annual plan submission. As a district plan submission, it is recommended to be rejected.
- 172 GE Free New Zealand [651.5] ask for new text to be added to Section A Plan Overview and Strategic Directions to include a section on GMOs. The Hearings Panel has previously received recommendations responding to other submissions - that Chapter I be reduced by removing all unnecessary material (42A report on Hearing I). I agree with that approach, and see no advantage in including material in Chapter I, irrespective of any decision made about the inclusion of GMO objectives, policies and rules in the plan. Introductory material carries risks, in that over time it can get out of step with the plan provisions, and cause confusion. I recommend that this submission be rejected.
- 173 Soil & Health Association of New Zealand [707.3] ask for five new definitions to be added, for: 'field trials', 'genetically modified organism', 'genetically modified veterinary vaccine' and 'genetically modified medical applications.' These appear to be the Auckland definitions. If the GMO provisions are introduced into the plan, the need for defined terms will be considered to support those submissions. I consider that it is generally better to incorporate the meaning directly into the relevant policies and rules, rather than to create definitions. This is particularly true where a term is only referred to in one part of a plan, as would be the case with GMOs. I have indicated above the need for redrafting the Auckland provisions, and the need for definitions is implicit in that process. The submission is recommended to be rejected.
- 174 BioAgri-Nomics Ltd [789.3] seeks that GMOs and all genetically-engineered products be completely banned from being introduced into New Zealand. This is outside the scope of the PWDP, and is recommended to be rejected.
- 175 Simon Thomson [762.3] seeks to amend the PWDP to impose liability on the owners of genetic material for spread and damage caused by GMOs, and secondly on local and regional councils. There is scope to impose bonds as a condition on resource consent, and

this is discussed in relation to submissions [762.4] below. There is no district plan mechanism to impose general liability on district and regional councils. This would be governed by common law. Submission [762.3] is recommended to be rejected.

- 176 Simon Thomson [762.4] requests that bonds be imposed to pay greater than clean-up costs. Rules could require bonds as a condition on resource consents, to secure clean-up costs. Bonds are included in the Auckland provisions described above. If the Auckland approach is adopted, bond provisions will be included. Where the release of a GMO is authorised by a plan change, liability issues would need to be negotiated case-by-case, and words in the PWDP will make no difference to the outcomes. Submission [762.4] is provisionally recommended to be rejected at this stage, consistent with other recommendations above. If the Auckland provisions are adopted by the Hearings Panel, this submissions should be accepted in part, to the extent of including bonds as a condition on resource consents.

### 14.3 Recommendations

177 For the reasons given above, I recommend that the Hearings Panel:

- Reject Aaron Mooar [245.5] and Whaingaroa Environmental Defence Inc [FS1276.121] and accept [FS1215.3] Steven & Theresa Stark [FS1215.3]
- Reject GE Free New Zealand [651.2, and accept: NZ Forest Research Inst [FS1199.18], Federated Farmers [FS1342.278], Bruce Cameron [FS1343.22], J H & R Cotman [FS1192.20], BIOTech New Zealand [FS1225.20], Livestock Improvement Corporation [FS1320.20], Life Sciences Network Inc [FS1295.20], David S Bull [FS1212.20], and Forest Owners Association [FS1214.20].
- Reject GE Free New Zealand [651.3]
- Reject GE Free New Zealand [651.5], and accept Mercury NZ Limited [FS1387.89]
- Reject Soil & Health Association of New Zealand [707.3] and accept Mercury NZ Limited [FS1387.788].
- Reject BioAgri-Nomics Ltd [789.3] and accept: NZ Forest Research Inst [FS1199.51], David S Bull [FS1212.51], Forest Owners Association [FS1214.51], Federated Farmers [FS1342.310], Livestock Improvement Corporation [FS1320.52], Bruce Cameron [FS1343.54], J H & R Cotman [FS1192.51], Life Sciences Network Inc [FS1295.52], and BIOTech New Zealand [FS1225.52]
- Reject Simon Thomson [762.3] and Whaingaroa Environmental Defence Inc [FS1276.173], and accept: Livestock Improvement Corporation [FS1320.42], NZ Forest Research Inst [FS1199.41], J H & R Cotman [FS1192.41], Federated Farmers [FS1342.300], BIOTech New Zealand [FS1225.42], Life Sciences Network Inc [FS1295.42], David S Bull [FS1212.41], Forest Owners Association [FS1214.41], Bruce Cameron [FS1343.44].]

### 14.4 Amendments

178 There are no amendments from this section.