

Highlights Package

Hearing 8B: GMO, 30th January 2020

At The Waikato District Council Offices,

15 Galileo Street, Ngaruawahia

Gerard Willis (Planning), for Life Sciences Network Inc

There is a very high degree of alignment between my evidence and the planning position set out in the section 42A Report.

Policy framework

Very briefly, I concur that there is no higher order planning policy direction to include controls on GMOs in the PWDP.

I disagree with the Section 42A report on the question of higher order planning policy only to the extent that I do not agree that the Waikato RPS policy on integrated management supports policy alignment with the Auckland Unitary Plan on this matter. Each jurisdiction must make policy based on its own circumstances and considering the costs and benefits that apply in its jurisdiction. Auckland is not an agricultural region (albeit there is some intensive commercial vegetation production on its southern boundary). It is an urban (service and manufacturing) economy and the costs and benefits of GMO control (and potential prohibition) on its economy are therefore very different to that faced by Waikato District with its largely agricultural land use. Moreover, integrated management cannot mean consideration is given to just one neighbouring authority. None of the other four districts bordering Waikato District have GMO controls as proposed by the submitters. While I agree that integrated management requires that authorities should work together and not undermine each other, I do not accept the implied argument that integrated management means that a district plan must be consistent with the most stringent of its neighbouring authorities. If that position was to be accepted, a decision to adopt the 'Auckland GMO provisions' for Waikato District would have direct implications for the other Waikato territorial authorities and beyond.

I note that the two relevant iwi management plans recognise, and express concern about, potential risk of new organisms (including, but not limited to, GMOs). However, I do not read those plans as expressing an expectation that the District Council will adopt the planning provisions sought by the submitter. The concerns and expectations are expressed in much more general terms.

Section 32

My evidence includes an outline section 32 evaluation (as Appendix 2). I have considered four options for managing GMOs at the District Council level.

- Rely on the HSNO/EPA process

- Rely on HSNO/EPA but have a backstop strategy (as a method in the plan – such as monitoring GMO applications and preparing a future plan change as may be assessed as necessary when information about specific risk is available).
- Introduce limited regulatory control in the form of controlled activity status for some types of GMO and/or release in specific locations.
- The heavy regulatory approach proposed by some submitters.

The evaluation is based in large part on an analysis of the HSNO Act and the marginal benefit that would be achieved by controls in the PWDP assuming (as we must) that the EPA undertakes its functions in a competent and professional manner. My assessment is that the sorts of costs and concerns likely to be of concern are all addressed by the HSNO Act and the evidence available to me suggests that those matters are considered. Accordingly, my evaluation identifies high cost from the submitters' proposal for minimal benefit and I regard it as the least efficient for that reason.

The most efficient option is to rely on the HSNO/EPA regime. My evaluation notes that it was undertaken on the basis of information available to me and that should submitters provide evidence (such as risks not managed by HSNO/EPA) that might affect the benefit/cost assessment.

On that point I can confirm that I have read the evidence of presented on behalf of those submitters seeking heavy regulatory control of GMOs in the Waikato District and the rebuttal evidence of Dr Rolleston, and I do not consider that my section 32 evaluation, or the conclusion reached, needs to be revisited.

Finally, I note my agreement with the s42A Reporting officer that there are process considerations that mean that adopting the "Auckland style provisions" at this stage in the process would not constitute good planning practice because of the widespread public interest raised, the very stringent nature of what's proposed and because the "Auckland provisions" are not 'plan ready' or evaluated or justified for the Waikato context. I note in particular that no section 32 evaluation has been presented supporting their inclusion in the PWDP.

Gerard Willis

30 January 2020