

Meagan Walters

From: Linda Grammer <linda.grammer@gmail.com>
Sent: Monday, 30 June 2025 4:55 pm
To: District Plan Review
Cc: Meagan Walters
Subject: GE Free Northland (in food & environment) submission to the KDC Proposed District Plan Fwd: Attachment C Documents from Working Party files
Attachments: 19 Feb 2024 - DP Working Party Files - Attachment C Text.pdf; 19 Feb 2024 - DP Working Party Files - Provisions only.pdf

CAUTION: This email originated from outside Kaipara District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Submission to: KDC Proposed District Plan

Kaipara District Council
Private Bag 1001, Dargaville 0340
Te Tai Tokerau

Submitter:
GE Free Northland (in food & environment)

Postal:

Secretary
GE Free Northland
PO Box 1439
Whangarei 0110

Martin Robinson
Mob: 027 347 8048

Email (copy in both parties please)

E: organics@value.net.nz

E: linda.grammer@gmail.com

Thank you for the opportunity to lodge a submission so that together we can achieve sound biosecurity, environmental, economic, cultural, and food sovereignty outcomes. We wish to be heard. Please note that we were an original submitter to the KDC draft District Plan (Exposure draft) on the GE/GMOs topic.

- I/we could not gain an advantage in trade competition in making this submission
- I am/we are not directly affected by an effect of the subject matter of the submission that
 - (a) Adversely affects the environment; and
 - (b) Does not relate to trade competition or the effects of trade competition.
- I/we do wish to be heard in support of our submission and would consider making a joint presentation with other like minded submitters
- We wish to present further Evidence

Who we are:

Our community group works constructively with all Northland territorial authorities, the Northland Regional Council, Northland Conservation Board, Auckland Council, Northland/ Auckland farmers and primary producers, Iwi/hapu, and various other organisations in the farming sector as well as NZ Landcare groups to protect our existing valuable GM free status.

We work to protect our biosecurity, wider environment, unique biodiversity, economy, existing GM Free farmer (conventional, IPM, regenerative, and organic primary producers), our economy, food sovereignty, and the public health from the risks/ adverse impacts of outdoor use of GMOs.

Many of our members have valuable farming/ growing enterprises and are in the business of producing safe and clean, nourishing food and other products of the highest quality, to their discerning customers who do not wish to purchase or consume any GE/GMO food.

We also support comprehensive GE labelling of all imported foodstuffs to protect "consumer right to know" and traceability.

We support NZ's existing Zero Tolerance Policy for any GE/GMO content in imported seeds, including adventitious presence. We support the precautionary and prohibitive GE policies of all Tai Tokerau Iwi authorities for their respective rohe and are committed to protecting our valuable growing organic sector (including Te Waka Kai Ora certified Hua Parakore).

We support the innovative work of all the member councils of the Northland/ Auckland "Inter Council Working Party on GMO Risk Evaluation & Management Options", who have worked in a collaborative and fiscally responsible manner to create an additional (much needed) tier of local protection against the risks of outdoor use of GMOs. The Hazardous Substances and New Organisms (HSNO) Act is an important regulatory regime, but does have two deficiencies- inadequate liability provisions and no mandatory requirement for the EPA to take a precautionary approach to outdoor GE/GMO experiments, field trials, or releases. In our view, the HSNO Act should be retained and strengthened, and is admirably complemented by councils and the RMA to achieve truly sustainable integrated management.*

We work to keep unwanted new organisms (GMO and otherwise) out of Northland and Auckland region. We applaud the efforts of various NZ councils (including Hastings District Council and Bay of Plenty Regional Council) to put in place a much-needed additional tier of local protection against the risks of outdoor use of GMOs to their regions biosecurity, unique biodiversity, wider environment, GE free primary producers, economy, cultural values, and food sovereignty.

Submission:

Our community group would like to convey our ongoing support for KDC's critically important content in the draft District Plan (Exposure Draft, September 2022) included by KDC in order to protect Kaipara's biosecurity, farmers/ primary producers, other ratepayers/residents, and the environment from the risks of outdoor GE/GMO experiments, field trials and releases.

We are specifically referring to KDC's wise placement of much needed precautionary and prohibitive GE/GMO provisions, policies, and rules in the draft District Plan/Exposure draft. This was an important indicator of KDC prioritizing truly sustainable integrated management and protection of finite resources like soils, waterways, and ecosystems. In our view, KDC needs to reinstate these valuable precautionary and prohibitive GE/GMO provisions in the current Proposed Plan as soon as possible, to

ensure that Kaipara District is protected to at least the level of Whangarei and Far North Districts, as well as the Northland operative Regional Policy Statement (RPS), Northland Regional Plan, and Auckland Unitary Plan.

We share the concerns of our members and supporters in the Kaipara District and wider Northland/Auckland region that the KDC Proposed District Plan (KpDP) has a serious omission in it- no mention whatsoever of the valuable precautionary and prohibitive GE/GMO provisions council proposed previously. We note that KDC received an overwhelming amount of submissions (to the KDC Exposure draft) supporting the GE/GMO provisions.

The KpDP does not even mention the Precautionary approach to outdoor GE/GMOs. In our view, these serious omissions needs rectifying as soon as possible. We ask that (as conveyed in our original submission) what KDC originally proposed by the way of GE/GMO provisions be strengthened in accordance with our previous submission.

We are also concerned that improper process has been followed by KDC, as a result of poor decisions made by the small KDC "Working Party" comprised of only a few councillors and a biased external "RMA expert" (Mark Farnsworth). It is of concern that the meetings of the Working Party were "Public Excluded", resulting in a loss of transparency. We also note that various documents that we only just obtained under the Local Government Official Information and Meetings Act (LGOIMA) contain errors of fact, including Attachment C - Draft District Plan Options for

Genetically Modified Organisms

Meeting: District Plan Review Working Party

Date of meeting: 19 February 2024

Prepared by: Greg Wilson – Acting District Plan Team Leader

We also have concerns about minutes taken by KDC staff (at the Public Excluded "Working Party" meetings) who were clearly not conversant with the complex GE/GMO, the precautionary and prohibitive GE/GMO provisions put forward by KDC previously, resulting in errors of fact.

However, we value the work done by qualified KDC planners, including in the document where KDC staff incorporated some of the recommendations made by submitters on the GE/GMO issue (in response to the KDC Exposure draft 2022) including our community group.

We support the submission lodged by Northland Regional Council (in response to the KpDP) urging KDC to reinstate the precautionary and prohibitive GE/GMO provisions, as directed by the Northland operative RPS and Northland Regional Plan.

Background:

KDC was a pivotal and inaugural member of the innovative Northland/ Auckland INTER COUNCIL WORKING PARTY ON GMO RISK EVALUATION AND MANAGEMENT OPTIONS, working collaboratively and in a fiscally responsible manner with Whangarei District Council in 2003 and subsequently (over many years) all the other member councils in the wider region.

In our previous submission (to the KDC Exposure Draft document September 2022) asked KDC to amend the following sentence in the KDC summary document (fact sheet):

<https://www.kaipara.govt.nz/uploads/kdp/exposure-draft/9739%20GDWM%20GMOs%20Fact%20Sheet.pdf>

"Genetically Modified Organisms (GMOs) may significantly affect people, our environment, and economy. There is little information or scientific evidence about the effects of GMOs. The effect of GMOs could be significant and irreversible if they are not controlled. "

Please amend (adding the word "adversely):

Genetically Modified Organisms (GMOs) may significantly ADVERSELY affect people, our environment, and economy. There is little information or scientific evidence about the effects of GMOs. The effect of GMOs could be significant and irreversible if they are not controlled."

GE Free Northland supports the following statement from the KDC Summary document (GMOs) but we ask/ed that the following be added to it.

KDC Summary document (GE/GMOs)

"Overview

The Council has decided to take a precautionary approach to prohibit the release of any genetically modified organisms (GMOs), due to the scientific uncertainty on natural resources and ecosystems and because the risk in some cases could be irreversible.

Primary Productive activities are an important land use in the District and are major contributors to the local and regional economy.

This precautionary management of GMO is consistent with the District plans of adjoining councils (Whangarei and Far North). The Northland Regional Plan also manages GMO in the Coastal Marine Area (CMA) on the same principles."- ENDS excerpt from KDC Exposure draft

Please add to the above wording the following:

KDC also needs to give effect to the precautionary and prohibitive GE/GMO provisions, policies and wording in the Northland "Regional Policy Statement", including GE Policy 6.1.2.

The agreed provisions support the implementation of proposed Regional Plan Policy D.1.1 (4), which requires an assessment of adverse effects on tangata whenua or their taonga when outdoor use of GE/GMOs is proposed. The GE/GMO issue is identified in the Northland operative RPS as an Issue of Significance for Northland tangata whenua and a particular issue of concern regarding the risks to indigenous biodiversity/ taonga species.

We also ask that you add a further point to policy GMO-P8 –6. "Annual trial and monitoring report outcomes are provided to the Kaipara District Council."

Also, regarding the GMO terminology in TEMP-R4 please change the wording to "Conditional and Full Release of GMO" from "Outdoor release of GMO". This is in line with the Hazardous Substances and New Organisms (HSNO) GMO classifications.

Gene edited organisms (CRISPR)

It is important that KDC note (in the proposed District Plan) that Genetically Modified Organisms (GMOs) include risky and controversial CRISPR / gene edited organisms.

Gene edited organisms are GMOs under NZ law and as ruled by the highest Court in the European Union.

Genome editing can be imprecise, and cause unexpected and unpredictable effects. There has been mounting evidence over the last three years of the imprecision/ unpredictability of the CRISPR technique. This has been documented in various reputable scientific publications (including peer reviewed papers). Many studies have now shown that genome editing can create genetic errors in the genome-edited organism. These effects can lead to unexpected and unpredictable outcomes, such as changes in protein composition, in the resulting GMO. Genome editing techniques can create unintended changes to genes that were not the target of the editing system. These are called "off-target effects." For example, the CRISPR-Cas9 system can make unintended edits to the host's DNA at additional sites to the target location.

See

<https://www.gmwatch.org/en/19751-gene-editing-myths-and-reality-a-guide-through-the-smokescreen>

Primary Production Zone

The Kaipara district is a largely rural, beautiful and productive area. The District's assets include soils, waterways, unique indigenous biodiversity, and Outstanding Landscapes. These must be managed in a sustainable manner and protect the economy, valuable enterprises, and health of the communities they serve.

We ask KDC to reinstate the Primary Production Zone in the KDC proposed District Plan (both a "Primary Production Zone" and "Rural Zone" are needed in the Kaipara District Plan). The "Primary Production Zone" has a critically important function that would protect first class soils for agriculture, horticulture, and appropriate forestry species). Primary Productive activities are an important land use in the District and are major contributors to the local and regional economy.

In our view, highly productive soils (land use capability 1,2,3) must be protected from subdivisions and other non- food production activities. Council is obligated to protect natural and physical, finite resources like soils. Healthy soils underpin all primary production. Soil is an important resource for agriculture, horticulture, forestry (native and exotic) and other land-based primary industries.

It is of the highest importance that KDC protect the soil and land of the District to ensure it remains healthy and productive. Loss of prime farmland/ soils through subdivision and other land use changes that would undermine our rural community, economy, Outstanding Landscapes and indigenous biodiversity would be counter productive and contrary to sustainable integrated management.

We are referring to General Rural & Rural Production Zones – page 288 - 308 (the objectives and policies specifically)

Further information on Genetically Modified Organisms (GE/GMOs)

Kaipara District Council has a proud history of listening to its farmers and other ratepayers, acting in accordance with the Local Government Act, and taking a precautionary approach to prohibit the release of any genetically modified organisms (GMO). This is necessary/ due to the scientific uncertainty on natural resources and ecosystems and because adverse impacts from GMOs are likely to be irreversible. Farming/ primary production activities are a critically important land use in the District and are major contributors to the local and regional economy.

This precautionary management of GMO is consistent with the District plans of adjoining councils Whangarei District Council and Far North District Council. The operative Northland "Regional Policy Statement" (RPS) and Northland Regional Plan also contains valuable precautionary and prohibitive GE/GMO provisions, policies and rules. The Northland plans manage GMOs in the Coastal Marine Area on the same principles. KDC is required to give effect to the operative Northland plans.

Please find below wording from various Kaipara Long Term Plans/ LTCCP's:

KAIPARA DISTRICT COUNCIL

"Support precautionary approach towards GE"

Community Priority under the Theme of "Kaipara District's special character and healthy environment" (p. 88, Kaipara District Council adopted LTCCP 2004-14 and in draft LTCCP 2006-16)

"Where we want to be (p. 90)

Council continues to support the precautionary approach towards Genetic Engineering as a community priority adopted in Kaipara's Future – Working Together 2006/16.

Two commissioned reports have identified a range of risks involved with trialling and release of genetically modified organisms. These include environmental risks, such as genetically modified organisms becoming invasive and affecting non-target species; socio-cultural risks such as effects on Maori cultural beliefs; economic risks such as loss of income through contamination (or perceived contamination) of non-genetically modified organism food products, negative effects on marketing and branding opportunities such as 'clean and green' or 'Naturally Northland', and costs associated with environmental damage such as clean-up costs for invasive weeds or pests.

ENDS

Relief sought: reinstate the precautionary and prohibitive GE/GMO provisions into the Kaipara Proposed District Plan consistent with the wording contained in the KDC draft District Plan (September 2022 Exposure Draft document) but also strengthened in keeping with our original submission to the KDC Exposure Draft (September 2022), the findings of the Northland/ Auckland ICWP on GMOs, case law, and the direction clearly provided by the Northland Regional Policy Statement (RPS) on Genetically Modified Organisms (GMOs).

-reinstate the Precautionary approach to GE/GMOs in keeping with the wording/ provisions of the KDC draft District Plan and various operative Long Term Council Community Plans (LTCCP's or LTP's) since 2004

"The Council has decided to take a precautionary approach to prohibit the release of any genetically modified organisms (GMOs), due to the scientific uncertainty on natural resources and ecosystems and because the risk in some cases could be irreversible." (from the KDC Exposure Draft Sept 2022)

-Reinstate the Primary Production Zone (protect our first class farming/ horticultural soils from subdivision and other inappropriate development on this finite resource of such importance to rural communities, our economy, farmers and other primary producers)

Thank you. We wish to be heard. Please note the 2 attachments below and do keep us informed.

***Further information /background**

Whangarei District Council GENETIC ENGINEERING REVIEW webpage detailing the work and findings of the Northland/ Auckland ICWP on GMOS
<https://www.wdc.govt.nz/Council/Council-documents/Reports/Genetic-Engineering-Review>

REGULATING LAND USES UNDER THE RMA
by Dr. Kerry James Grundy, Whangarei District Council
"An update on GE initiative in Northland"

<https://www.qualityplanning.org.nz/sites/default/files/Regulating%20GMO%20Land%20Uses%20Under%20the%20RMA.PDF>

District council obligations under the RMA with respect to the Northland Regional Policy Statement (RPS):

District councils (including KDC) are required to give effect to the RPS in their district plans, meaning they must implement its provisions. In relation to the precautionary approach Policy 6.1.2 and Method 6.1.5 provide direction to district and regional councils when reviewing plans:

6.1.5 Method – Statutory plans and strategies

The regional and district councils should apply Policy 6.1.2 when reviewing plans or considering options for plan changes and assess applications.

6.1.2 Policy - Precautionary approach

Adopt a precautionary approach towards the effects of climate change on introducing genetically modified organisms to the environment where the risks are scientifically uncertain, unknown, or little understood, but potentially adverse.

1. Northland operative Regional Plan and Regional Policy Statement (RPS) GE/GMO provisions

[Regional Policy Statement](#)

- 6.1.2 Policy - Precautionary approach -p112
- 2.6 Issues of significance to tangata whenua – natural and physical resources -p26

[Proposed Regional Plan](#)

- Rule C.1.9.1 Genetically modified organisms in the coastal marine area – permitted activities – p107

- Rule C.1.9.2 Genetically modified organism field trials – discretionary activity– p107
- Rule C.1.9.3 Viable genetically modified veterinary vaccines – discretionary activity – p107
- Rule C.1.9.4 Genetically modified organism releases – prohibited activity– p108
- Policy D.1.1 When an analysis of effects on tāngata whenua and their taonga is required - p235
- Policy D.5.32 Precautionary approach to assessing and managing genetically modified organisms -p275
- Policy D.5.33 Adaptive approach to the management of genetically modified organisms -p275
- Policy D.5.34 Avoiding adverse effects of genetically modified organism field trials -p275
- Policy D.5.35 Liability for adverse effects from genetically modified organism activities -p275
- Policy D.5.36 Bonds for genetically modified organism activities -p276
- Policy D.5.37 Risk management plan for genetically modified organism field trials -p276
- Objective F.1.15 Use of genetic engineering and the release of genetically modified organisms – p294

Please see attached

Copies of Far North District Council and Hastings District Council 17 February 2025 submissions opposing the controversial, impractical, and undemocratic Gene Technology Bill (examples of local District councils taking action on behalf of their communities and obligations to manage natural and physical resources in a sustainable manner).

We note that this is not the first time that central government (under the National party) has tried to strip local councils of their authority / jurisdiction as regards outdoor GE/GMO experiments, field trials, and releases*. In our view, KDC needs to act in keeping with existing legislation, case law, the findings of the Northland/ Auckland ICWP on GMOs, and the direction provided by the operative Northland plans (RPS and Regional Plan). We support the Northland Regional Council submission (on GE/GMOs) to the KDC Proposed District Plan.

See also

24 Feb 2025 Northern Advocate

Northland Regional Council slams Gene Technology Bill's threat to GMO-protected zone

<https://www.nzherald.co.nz/northern-advocate/news/northland-regional-council-slams-gene-technology-bills-threat-to-gmo-protected-zone/U47MLXJTQBFM5L5KRKQISZRWXI/>

NZ Farmers Weekly

<https://www.farmersweekly.co.nz/politics/northland-council-slams-gene-bills-threat-to-gmo-protected-zone/>

The Risks of GMO deregulation to farmers

<https://www.concernedfarmersnz.org/news/nzier-report-on-potential-cost-of-regulatory-change-54pya-ngzqb>

***see
Radio NZ
Sept 2016 item**

Environment Minister Nick Smith has been accused of blatant scaremongering as he moves to stop local councils from controlling genetically modified organisms (GMOs) in their districts.

<https://www.rnz.co.nz/news/political/312414/environment-minister-accused-of-gmo-beat-up>

ICWP on GMOs

"Genetic Engineering Review

The Inter-Council working party on Genetically Modified Organisms (GMO) Risk Evaluation and Management Options was established to respond to community concerns in the Northland region about GMOs.

The Far North, Whangārei, and Kaipara District Councils, Auckland Council and Northland Regional Council are represented on the working party.

Three major reports commissioned by the working party have identified a range of risks involved with the trialling and release of GMOs. They also include approaches to managing those risks.

GMO Reports [link to documents]

Environmental risks

- **GMOs becoming invasive and affecting other species including native flora and fauna**
- **the development of herbicide or pesticide resistance creating 'super-weeds' or 'super-pests'**
- **long term effects on ecosystem functioning.**

Socio-cultural risks

- **effects on Maori cultural beliefs of whakapapa, mauri, tikanga**
- **ethical concerns about mixing genes from different species including human genes**
- **concerns about the long term safety of genetically engineered food.**

Economic risks

- **loss of income through contamination (or perceived contamination) of non-GMO food products**
- **negative effects on marketing and branding opportunities such as 'clean and green' or 'naturally Northland'**
- **costs associated with environmental damage such as clean-up costs for invasive weeds or pests.**

Associated with these risks are limited liability provisions under the Hazardous Substances and New Organisms (HSNO) Act 1996. "

17 February 2025

To: Committee Secretariat
Health Committee
Parliament Buildings
Wellington 6160

Re: Gene Technology Bill

Far North District Council (FNDC) thanks the Health Committee (the Committee) for the opportunity to submit on the Gene Technology Bill (the Bill).

Recommendation:

FNDC strongly recommends the removal of Clause 249 from the Bill.

Rationale:

Clause 249 proposes an amendment to Section 31 of the Resource Management Act 1991 (RMA) by adding subsection (3), which would prohibit territorial authorities from differentiating between genetically modified organisms (GMOs) and non-GMOs in their functions. This amendment would effectively prevent FNDC from regulating the release and use of GMOs within the Far North District.

Currently, FNDC regulates GMOs in alignment with community perspectives and the Northland Regional Policy Statement (RPS). The RPS includes Policy 6.1.2 – Precautionary Approach, which states:

"Adopt a precautionary approach towards the effects of climate change and introducing genetically modified organisms to the environment where they are scientifically uncertain, unknown, or little understood, but potentially significantly adverse."

The GMO provisions in both our Operative District Plan and Proposed District Plan reflect this policy and became operative on 19 September 2018. At that time, there was strong support for GMO regulation, particularly from tangata whenua and other community groups. Recent submissions on the GMO provisions in the Proposed District Plan suggest that there has been little change in the balance of community views on the regulation of GMOs.

Alignment with Tino Rangatiratanga and Te Tiriti o Waitangi:

The proposed Clause 249 undermines the principle of *tino rangatiratanga* (self-determination) as guaranteed under Article 2 of Te Tiriti o Waitangi, which assures Māori of the unqualified exercise of their chieftainship over their lands, villages, and all their treasures. By restricting FNDC's ability to regulate GMOs, the Bill impinges on the rights of Māori to exercise authority over their taonga (treasures), which include natural and genetic resources.

The Treaty of Waitangi provides for the exercise of *kāwanatanga* (governance) by the Crown, while actively protecting *tino rangatiratanga* of tangata whenua in respect of their natural, physical, and spiritual resources. All persons acting under the RMA must take into account the principles of the

Treaty of Waitangi (Section 8). Similar obligations are imposed on councils under the Local Government Act 2002 (LGA).

Local Government Act 2002 Considerations:

The Local Government Act 2002 acknowledges the Crown's responsibility to take into account the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes. By removing FNDC's authority to regulate GMOs, Clause 249 would diminish the ability of Māori to participate in decisions that affect their communities and resources, contrary to the intent of the LGA.

Northland Inter-Council Working Party on GMO Risk Evaluation and Management Options:

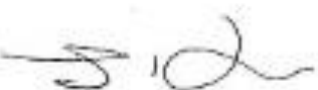
FNDC has been an active participant in the Inter-Council Working Party on GMO Risk Evaluation and Management Options, established to respond to community concerns in the Northland region about GMOs. This collaborative effort, involving the Far North, Whangārei, and Kaipara District Councils, Auckland Council, and Northland Regional Council, has been instrumental in evaluating risks and developing management strategies for GMOs.

Conclusion:

FNDC seeks to retain the ability to regulate the release and use of GMOs in the Far North District. If the Committee recommends the deletion of Clause 249 from the Bill, it should also consider removing the other clauses in Subpart 9 of Part 6—Amendments to the Resource Management Act 1991, as these clauses would similarly restrict the authority of regional councils to regulate GMOs through district rules and district plans.

By preserving the current regulatory framework, FNDC can continue to uphold the principles of *tinorangatanga* and fulfil its obligations under Te Tiriti o Waitangi and the Local Government Act 2002, ensuring that decisions regarding GMOs reflect the values and aspirations of our communities.

Yours sincerely,



Guy Holroyd
Chief Executive Officer

If calling ask for Nigel Bickle

File Ref: ADM-01-03-6-25-946

17 February 2025

Committee Secretariat
Health Committee
Parliament Buildings
Wellington
he@parliament.govt.nz

Submission on the Gene Technology Bill 2024 from Hastings District Council

Introduction

1. Thank you for the opportunity to submit on the Gene Technology Bill 2024.
2. In principle, we are supportive of a legislative framework which aligns itself with the Hastings community's strategic direction and intent, which is balanced with environmental and economic outcomes. The proposed Gene Technology Bill, however, risks undermining these same matters and the Council's submission seeks to minimise that potential.
3. In particular, HDC has concerns that:
 - the bill does not contain sufficient regulations or provisions to adequately protect human health and the environment from the adverse effects of the release of GMO's;
 - Hawkes Bay is heavily reliant on its primary production economy, so image, regional branding and more importantly perception is crucial. The maintenance of a clean green image, free from GMO influences, is seen as critical in attracting maximum values for produce in certain markets. Markets sensitive to potential GMO's will be lost to New Zealand exporters; and
 - the bill erodes the ability of New Zealanders and mana whenua to have a say in what risks are acceptable in their District / Region.
4. This submission seeks that the health committee:
 - Adopt a precautionary approach as HDC has done and continues to do and modify the Bill to continue to ensure that all GMO activities are contained inside certified facilities for research and development purposes;
 - Not void existing District Plan provisions that allow for GMO activities to occur within contained certified facilities such as in the Hastings District Plan.

Background

5. In 2015, HDC became the first Council in NZ to secure Genetically Modified Organism (GMO) free status via its District Plan.

6. Community sentiment surrounding the need to control outdoor activities involving Genetically Modified Organisms (GMO's) drove the need to investigate their inclusion in the Plan¹. GM is one of a number of applied biotechnology techniques that together are predicted to offer benefits in many sectors. However, there are risks (both known and unknown) and scientific uncertainty with respect to GM techniques. These risks could be substantial and certain consequences irreversible. GM is a relatively new and fast developing technology and its effects, particularly over the long term, are not completely understood. There is a lack of scientific certainty and/or agreement over many issues relating to GMOs ranging from the safety of GM food products to long term environmental effects and effects on ecosystems and ecological processes from releases of GMOs into the environment.
7. The Council's policy position was also supported by and aligned with Ngāti Kahungunu Iwi Incorporated stance on this issue. For Ngāti Kahungunu, being a GE-Free food producing region was part of its 25-year vision² to safeguard the natural environment and its resources and is reflective of their relationship with their ancestral lands, water and taonga within their rohe. It is also consistent with their role as kaitiaki over the natural world and resources, in terms of keeping these taonga safe from damage through genetic modification.
8. GE free status supports our community's desire to protect our environment and gives our District a strong competitive advantage when promoting our products for export. The Heretaunga Plains is recognised as a horticultural powerhouse, due to its soil values and climate. The export of fruit alone earned \$471.8 million dollars for the Hastings economy in 2023³. The release of GMO's would not be compatible with certain horticultural and viticultural industries, both in a physical sense with a risk of contamination and cross – pollination and in terms of market sensitivity.
9. HDC's current policy balances environmental outcomes against economic benefits. While, HDC currently has rules in its District Plan that prohibit the outdoor release and field trials of GMO's (even with prior EPA approval) it provides for GMO's involved in laboratory research or GMO based products for medicinal or veterinary use. Therefore, restriction of laboratory research or the exploration of other beneficial technologies is not prevented. The Council's policy position is very much an informed precautionary approach.

Implications and Rationale for District Plan Provisions relating to GMOs

10. The outdoor use of GMOs can have adverse effects on people, communities, tangata whenua, social and cultural wellbeing, the environment and the economy. The introduction of these provisions to the District Plan reflects the level of control desired by the community to manage the effects of GMO land use activities.
11. Community input during the preparation of the District Plan, included food producers raising concerns regarding the District's international reputation and marketability associated with GMOs. No evidence has been provided by GMO proponents, within the last 10 years, indicating a viable market for GMO products which could not be tested under our current permitted activity provisions (i.e within certified contained laboratory facilities).

¹ This included a Colmar Brunton Poll commissioned by Pure HB which identified that of the 500 Hawkes Bay people questioned, 84% of those who responded wanted the region to remain GM-free.

² www.kahungunu.iwi.nz/files/ugd/b47397_5b6348b7ec4540b7b6443df338112a32.pdf

³ <https://rep.infometrics.co.nz/hastings-district/economy/exports?compare=new-zealand> (Highlights for Hastings District 2023)

Hastings District Plan Objective & Policy Framework relating to GMOs

12. Currently HDC has the following objective and policy framework that underpins the existing prohibitive status of the outdoor release and field trials of GMOs:

OBJECTIVE HSO4

To protect the community and their social, economic and cultural wellbeing and environment from the adverse effects associated with the outdoor release or field testing of Genetically Modified Organisms through the adoption of a precautionary approach.

POLICY HSP4

To adopt a precautionary approach to the management of [Genetically Modified Organisms](#) by prohibiting the field testing or [release](#) of a [Genetically Modified Organism](#).

POLICY HSP5

To adopt a resource management framework for the management of [Genetically Modified Organisms](#) (GMOs) that is [District](#) specific taking into account environmental, economic and social well-being considerations.

Explanation

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. The export of high value produce is critical to Hastings [District](#) as one of New Zealand's most significant horticultural and viticultural areas; agriculture is also an important component of the [District](#)'s economy. Providing for the wellbeing of the community by giving certainty in prohibiting the field testing or [release](#) of GMOs is therefore justified. It is considered that the [prohibited](#) status is necessary to reflect social and cultural attitudes amongst the Hastings community. This is founded on a 2012 Colmar Brunton survey that found 84% of respondents believe that Hawke's Bay should remain a GE free food producing region. Although regulating GMOs in the [District Plan](#) could be considered a duplication of the HSNO Act 1996, the Hastings [District](#) community in seeking a precautionary approach, has requested greater certainty than can be provided by HSNO.

POLICY HSP6

To review the Plan provisions relating to [Genetically Modified Organisms](#) (GMOs), 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 to 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.

Explanation

The necessity and relevance of the [prohibited](#) activity status for field testing and [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 is accepting 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.

Opportunity to Review District Plan Provisions

13. The District Plan provisions as written recognise that the community's attitude may change and/or there may be future GMO development opportunities that could result in a net benefit to the District and where the effects can be satisfactorily managed. For this reason a review policy has been built into these provisions to ensure regular consideration of new information on the benefits and/or adverse effects of a GMO activity which might become available. No approach has been made by GMO proponents providing information which suggests new information, economic benefits or requiring an effects assessment to evoke this review clause.
14. On this basis, the current policy approach is still considered appropriate for Hastings and one which allows more broadly a balance of competing considerations.
15. We advocate that the health committee take this same precautionary approach in respect of the Gene Technology Bill provisions.

Conclusion

16. HDC again is thankful for the opportunity to submit on this issue.
17. The contact person as an address for service in relation to this submission is:
Anna Summerfield
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156
email: annaes@hdc.govt.nz

Kind regards,



Nigel Bickle
Chief Executive
nigelb@hdc.govt.nz