

Submitter: Soil & Health Association of New Zealand (S&H)

Submission number: 707

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
707.1			<p>Add a new provision, 1.5.7.X Genetically modified organisms (GMO), as follows: <u>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 trialling 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</u></p>	Reject	Decision Report 12: Genetically Modified Organisms

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			<p><u>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 specifically provided for), while approval could be sought and obtained from the EPA their use would be unable to be carried out within the Waikato</u></p>		

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			<p><u>District. (f) The necessity and relevance of the prohibited activity status for field trialling 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</u> Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.</p>		
FSI 192.22	J H & R Cotman	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 199.20	New Zealand Forest Research Institute	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 212.22	David Stewart Bull	Oppose		Accept	Decision Report 12: Genetically Modified Organisms

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FSI 214.22	Forest Owners Association	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 225.22	BIOTech New Zealand	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 295.22	Life Sciences Network Incorporated	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 320.22	Livestock Improvement Corporation	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 343.24	Bruce Cameron	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 342.280	Federated Farmers	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
707.2			Amend Chapter 10 Heading as follows: Chapter 10: Hazardous Substances and Contaminated Land and Genetically Modified Organisms AND Add section <u>10.3 Genetically Modified Organisms</u> , as follows: <u>10.3 Genetically Modified Organisms</u> <u>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</u>	Reject	Decision Report 12: Genetically Modified Organisms

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			<p><u>field trials of Genetically Modified Organisms through the adoption of a precautionary approach.</u></p> <p><u>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.</u></p> <p><u>10.3.3 Policy-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.</u></p> <p><u>10.3.4 Policy-Consent applications for selected outdoor use of Genetically Modified Organisms (GMOs).</u></p> <p><u>(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</u></p>		

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			<p><u>field trial of a Genetically Modified Organism as a discretionary activity, provided specific standards are met.</u></p> <p><u>(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.</u></p> <p><u>(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.</u></p> <p><u>10.3.5 Policy- Future review of Genetically Modified Organism provisions</u></p> <p><u>(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</u></p>		

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			Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.		
FSI192.23	J H & R Cotman	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI199.21	New Zealand Forest Research Institute	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI212.23	David Stewart Bull	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI214.23	Forest Owners Association	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI225.23	BIOTech New Zealand	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI295.23	Life Sciences Network Incorporated	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI320.23	Livestock Improvement Corporation	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI343.25	Bruce Cameron	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI342.281	Federated Farmers	Oppose		Accept	Decision Report 12: Genetically Modified Organisms

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707.3			<p>Add five new definitions to Chapter 13- Definitions, in relation to Genetically Modified Organisms, as follows:</p> <p>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. GENETICALLY MODIFIED ORGANISM- Means any organism in which any of the genes or other genetic material:</p> <p>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). GENETICALLY MODIFIED VETERINARY VACCINE- Means a veterinary vaccine that is a genetically modified organism as</p>	Reject	Decision Report 12: Genetically Modified Organisms

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			<p>defined in this Plan. 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. 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>		
FS1387.788	Mercury NZ Limited	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
707.4			Amend the definition of Agricultural and Horticulture Research Facilities, in Chapter 13-Definitions, to include the following: Commercial application of	Reject	Decision Report 22: Rural Zone

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			such activities <u>For the avoidance of doubt, this definition does not include veterinary vaccines that use Genetically Modified Organisms, or any activities that involve Field Trials, or Release of Genetically Modified Organisms.</u>		
FSI342.194	Federated Farmers	Oppose		Accept	
FSI387.789	Mercury NZ Limited for Mercury D	Oppose		Accept	
707.5			<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 is are a prohibited activities ..</p> <p><u>PR2 The Release of a Genetically Modified Organism</u></p> <p><u>PR3 The Field Trialing of a Genetically Modified Organism that does not meet the discretionary standards in Rule 22.2.9.D1</u></p> <p><u>Rule 22.1.2 Permitted Activities Activity Specific Conditions</u></p> <p>...</p> <p><u>PI3 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</u></p>	Reject	Decision Report 12: Genetically Modified Organisms

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			<p><u>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</u></p> <p><u>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. (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</u></p>		

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			<p><u>become apparent during the exercise or after the expiry of consent.</u></p> <p><u>(3)The consent holder must provide all of the following information when submitting a consent application:</u></p> <p><u>(a)Details of the proposed containment measures for the commencement, duration and completion of the proposed activity.</u></p> <p><u>(b)Details of the species, its characteristics, and lifecycle, to which the Genetically Modified Organism activities will relate;</u> _____</p> <p><u>(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.</u></p> <p><u>(d)Evidence of research undertaken that characterises and tests the Genetically Modified Organisms, and the certainty associated with the accuracy of that information;</u></p> <p><u>(e)A management plan outlining on-going research and how monitoring will be undertaken during, and potentially beyond, the duration of consent.</u></p> <p><u>(f)Details of areas in which the activity is to be confined; and</u></p> <p><u>(g)A description of contingency and risk management plans and measures.</u></p>		

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			<p>AND Add similar provisions to every zone chapter. OR Add a new district wide chapter addressing Genetically Modified Organisms. AND Any consequential amendments or additional relief as necessary to address the concerns raised in the submission.</p>		
FSI 342.195	Federated Farmers	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 387.790	Mercury NZ Limited for Mercury D	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
707.6			<p>Add objectives and policies to address the cultural impact of Genetically Modified Organisms on mana Whenua and the environment.</p>	Reject	Decision Report 12: Genetically Modified Organisms
FSI 192.24	J H & R Cotman	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 199.22	New Zealand Forest Research Institute	Oppose		Accept	Decision Report 12: Genetically Modified Organisms
FSI 212.24	David Stewart Bull	Oppose		Accept	Decision Report 12: Genetically Modified Organisms

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<i>FSI 214.24</i>	<i>Forest Owners Association</i>	<i>Oppose</i>		<i>Accept</i>	<i>Decision Report 12: Genetically Modified Organisms</i>
<i>FSI 225.24</i>	<i>BIOTech New Zealand</i>	<i>Oppose</i>		<i>Accept</i>	<i>Decision Report 12: Genetically Modified Organisms</i>
<i>FSI 295.24</i>	<i>Life Sciences Network Incorporated</i>	<i>Oppose</i>		<i>Accept</i>	<i>Decision Report 12: Genetically Modified Organisms</i>
<i>FSI 320.24</i>	<i>Livestock Improvement Corporation</i>	<i>Oppose</i>		<i>Accept</i>	<i>Decision Report 12: Genetically Modified Organisms</i>
<i>FSI 343.26</i>	<i>Bruce Cameron</i>	<i>Oppose</i>		<i>Accept</i>	<i>Decision Report 12: Genetically Modified Organisms</i>
<i>FSI 342.282</i>	<i>Federated Farmers</i>	<i>Oppose</i>		<i>Accept</i>	<i>Decision Report 12: Genetically Modified Organisms</i>