

Appendix G Letter on behalf of Soil and Health Association


PHERNNE TANCOCK
BARRISTER

7 September 2018

Northland Regional Council
Private Bag 9021
36 Water Street
WHANGAREI

Attention: Ben Lee
By email: benl@nrc.govt.nz

Dear Mr Lee

**RE: SOIL AND HEALTH ASSOCIATION SUBMISSION ON GMO CHAPTER – PROPOSED
NORTHLAND REGIONAL PLAN**

1. I act on behalf of the Soil and Health Association of New Zealand (Soil and Health). Soil and Health requested that the Northland Regional Council include provisions for the control and management of the use of GMOs in the Proposed Regional Plan.
2. Soil and Health have had the opportunity to consider their position in preparation for the hearing. I confirm that:
 - a. Soil and Health will not be actively pursuing its request for land based GMO controls to apply to Kaipara District or for provisions to the control of GMO provisions as a contaminate or discharge to air, water or land under the plan in evidence or at the hearing. For the record, Soil and Health continue to hold the view that these matters are indeed capable of being regulated this way at a Regional Level.
 - b. Soil and Health will be pursuing the GMO provisions applicable to the CMA. For simplicity, and to avoid duplication, Soil and Health will be withdrawing its s32 Report and proposed plan wording on GMOs in the CMA and will instead be adopting the s32 Report and Proposed Provisions filed by the District Councils.

- c. As a result of these refinements to its submission, Soil and Health will not require the full day hearing time requested. Soil and Health will call some evidence in support of the request for CMA provisions and will otherwise adopt and support the case of the Councils.
 - d. It is suggested that the agenda be amended to provide Soil and Health with a 1-2 hour time slot for presentation of their evidence immediately following the Council's presentation.
3. Please do not hesitate to contact me should you wish to discuss this further or clarify any aspect of this letter.

Yours sincerely

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Pherne Tancock
Barrister

10 September 2018

Northland Regional Council
Private Bag 9021
36 Water Street
WHANGAREI

Attention: Ben Lee
By email: benl@nrc.govt.nz

Dear Mr Lee

RE: SOIL & HEALTH ASSOCIATION NEW ZEALAND INC.

1. Northland Regional Council (NRC) has sought clarification of the implications of Soil & Health Association of New Zealand Inc (Soil & Health) request, dated 7 September 2018, to withdraw its s32 Report, planning provisions and covering letter, and to adopt those of Whangarei District Council and Far North District Council.
2. I note that the cover letter, planning provisions and s32 Report was also filed on behalf of GE Free Northland and contained a list of submitters who were represented in terms of the relief being advanced on their behalf.
3. I only have instructions from (and only represent) the Soil & Health. I do not represent or have instructions from GE Free Northland or the other submitters listed.
4. Soil & Health have advised NRC that they have chosen to refine their relief by withdrawing the wording and s32 Report filed on behalf of Soil & Health. That advice relates only to Soil & Health's position and has no bearing on the position of other submitters on behalf of whom those documents were filed.
5. The letter, planning provisions and s32 Report provided by Mr Warren on behalf of Soil & Health, was also provided on behalf of GE Free Northland and the other submitters listed. I see no reason why those parties cannot continue to rely upon those documents and advance the position set out in those documents at hearing as part of their own submissions (should they wish to do so).

6. The decision by Soil & Health to refine the relief that it seeks, has no bearing or impact on the other submitters on behalf of whom the documents were filed. They are entitled to rely upon that material as part of their own submissions.
7. In terms of your suggestion, I agree the material should remain on the website, perhaps with an annotation that Soil & Health have refined their position and are no longer seeking that relief and have adopted the wording and s32 Report advanced by the Councils, but that it was also provided on behalf of other submitters who presumably continue to rely on that relief.
8. Please do not hesitate to contact me should you have any difficulties with this proposed approach.

Yours sincerely



Pherne Tancock
Barrister