

Expert planners Response to questions raised by committee members

(to be elaborated on as necessary at the hearing)

Question 1 (Cr Blaikie and Cr Yeoman). Permitted activities: *The inclusion of all three permitted activities is questioned as possibly inconsistent with the status of release of GMOs as prohibited. Also the planners are asked why they were included as permitted.*

Each permitted activity is addressed separately below.

Research within contained laboratories.

Permitted is the status used in the Auckland Unitary Plan and in the Whangarei District Council (WDC) and Far North District Council (FNDC) provisions. This was based on the expert reports (as it is in this case) and hearings.

Research within contained laboratories is considered to be risk free. The provision, does avoid any non-contained laboratory research using Genetically Modified Organisms (GMOs) taking place in the Coastal Marine Area (CMA).

To be contained, the laboratory would need to have containment systems in place, not just four walls. If it was seen as being necessary to be more explicit, the planners would support a wording change to "bio contained".

Medical applications (including vaccines) involving the use of viable and / or non-viable genetically modified organisms.

As notified, the Auckland Unitary Plan had an introductory note that the provisions did not cover medical applications of GMOs. This was challenged by Auckland University seeking explicit inclusion within the rules. This became the subject of an appeal.

There was a difference of opinion about whether this activity falls within the scope of the Resource Management Act 1991 (RMA) or not. The appeal was settled and thus this permitted provision has been confirmed by the Environment Court. Inclusion of this provision in the Proposed Northland Regional Plan (NRP) is therefore consistent with other plan's provisions and will avoid any further debate.

Veterinary applications of genetically modified organisms (including vaccines) provided that any veterinary application of viable genetically modified vaccines is supervised by a veterinarian.

The planners acknowledge that the CMA is a dynamic environment and at this time there is no knowledge of what kind of GMO vaccine or application method would be involved. There is a potential risk, even though there appears to be no realistic prospect that GMO vaccines for use on animals in the CMA will be available in this 10 year term of the NRP.

However, again, this provision is consistent with the approach taken elsewhere for land and CMA GMOs provisions. Past discussion about this provision has included that:

- District and regional plans should not unnecessarily inhibit treatment of animals;
- Requiring a veterinarian to administer a viable GMO vaccine was considered to be responsible;

- To require a resource consent would be expensive and delay the medication.

Question 2 (Cr Blaikie and Cr Yeoman). GMO trials as a discretionary activity. *I also have concern around GMO trials in the CMA in that the Marine environment at a glance is an environment where control or removal of any unwanted or unintentionally released GMO would be very costly if not impossible to achieve.*

The planners have carefully considered the difficulty expressed in this question, noting this topic has been the subject of expert evidence (including that of Professor Heinemann) at the Northland Regional Council (NRC) hearing as well as elsewhere.

The discretionary status provision was and remains recommended because:

- Unlike general release, it is within reason that a trial proposal could emerge in the future that would have sufficient safeguards or be of such a nature that environmental risks would be at such a low level as to be acceptable. We did not wish to rule out consideration of such a proposal;
- The NRP provision requires extensive research and assessment documentation as well as bond provisions to accompany any application. It is unlikely that an applicant would commit to such an expensive process unless the proposal could be shown to be sound.
- The Council can refuse any trial proposal should it not be satisfied about the risk;

Question 3 (Cr Yeoman). Federated Farmers alternative. *In arriving at the 7 February 2019 caucusing statement that the provisions sought by the Fed Farmers substantially change the provisions sought by all of the expert planners in evidence at the hearing?*

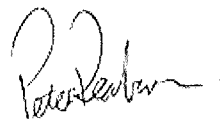
The provisions sought by Federated Farmers (FF) were presented in the opening submissions by Dr Forrest on behalf of his employer, FF. It is correct that the FF provisions were at considerable variance to those supported by the planners, and that have been adopted in other plans. The planners considered those submissions and the alternative provisions, noting they were not supported by expert planning evidence or a section 32 assessment.



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21 February 2019