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Committee Secretariat
Health Committee
Parliament Buildings
WELLINGTON
Via email: pp@parliament.govt.nz

Northland Regional Council Submission on Gene Technology Bill

Northland Regional Council appreciates the opportunity to submit on the Gene Technology Bill. We acknowledge Government's intent to establish a modern regulatory regime for gene technology and genetically modified organisms (GMOs). We strongly oppose the Bill in its current form due to its impacts on local decision making and because, in our view, it fails to honour the Crown's obligations under Te Tiriti o Waitangi.

Submission Points

1. Local Decision Making

Regional and district plans reflect the values and priorities of our communities. In Northland, our current regulatory regime governing GMOs is the result of many years of community engagement and collaboration across district and regional councils. This framework is built on the collaborative efforts of Far North District Council, Kaipara District Council, Whangārei District Council, the then Rodney District Council and NRC. The outcome of this work is a planning and regulatory system that recognises the unique environmental, cultural, and economic contexts of our region.

Regional and district plans are essential tools for managing sustainable use and development and the impacts of activities on our environment and communities. They allow for tailored approaches that consider local biodiversity, agricultural practices, and the protection of indigenous species and values of Northland communities.

The Regional Policy Statement for Northland directs that we take a precautionary approach to GE/GMO use where the effects are scientifically uncertain, unknown, or little understood but potentially significant. This direction is reflected in the Proposed Regional Plan by providing for research and trials within contained laboratories, medical applications or veterinary applications as a permitted activity. Field trials require resource consent, as a discretionary activity, to provide for public participation in the process and to allow effects on the local environment to be assessed. General releases of GMOs are prohibited. The intent is not to prevent the general release of GMOs in Northland, but rather to trigger a plan change process. This provides for a high level of rigour and public participation, in line with the potential for significant environmental effects.

Council is strongly opposed to the provisions in the current bill which would void existing district and regional regulations and significantly reduce the local participation in decision making relating to gene technology use. These provisions in the Bill undermine many years of collaboration across Northland's local authorities to bring about a cohesive planning regime that represents the values of Northland communities.

Council is of the strong view that regional and district plans should continue to play a part in the management of GMOs in Northland, and in doing so, continue to provide for the input of mana whenua / mana moana into decisions that affect the region.

2. Te Tiriti o Waitangi

Council is committed to giving effect to its obligations under Te Tiriti o Waitangi. Part of this commitment includes partnering with iwi and hapū in regional governance processes, including regional planning and policy development. By centralising GMO regulations, the Bill removes the ability of councils to include the perspectives of iwi and hapū in decision-making, undermining our role as a Te Tiriti partner and, more importantly, reducing the ability for iwi and hapū to be involved in decisions that affect their interests.

At a broader level, we are of the view that the Bill fails to honour Te Tiriti o Waitangi because it fails to provide for the obligations and duties of the Crown under Te Tiriti. Principal among these is that the Bill, as written, undermines the principles of kaitiakitanga and the protection of taonga species and whenua.

It is imperative that any legislative changes reflect the role of Māori as Te Tiriti partners and ensure that their voices remain central in decision-making processes related to gene technology. While we note that the Bill provides for a Māori Advisory Committee, the ability of the Committee to influence decisions is very limited and the Gene Technology Regulator is not required to follow the Committee's advice under the Bill.

We seek that that the Bill is amended to ensure that it honours Te Tiriti obligations, by enabling iwi and hapū to meaningfully participate in decision-making, to exercise kaitiakitanga, and to have their taonga actively protected.

3. Flexibility and Responsiveness

Local regulation through regional and district plans provides the flexibility needed to respond to emerging scientific evidence and community concerns. This adaptability is crucial in managing the dynamic and evolving nature of gene technology. A centralised regulatory regime, as proposed in the Bill, may lack the responsiveness required to effectively address region-specific issues.

We seek that any new legislation allows for regional differentiation in regulation to acknowledge the diverse environmental, cultural, and economic needs of different areas.

4. Conclusion

NRC urges the government to reconsider the Gene Technology Bill's provisions that remove the ability of local authorities to regulate gene technology and meet Te Tiriti o Waitangi obligations and involve iwi and hapū in decision making to reflect local kaitiakitanga responsibilities.

We seek a regulatory framework that respects and provides for local regulation through regional and district plans, which is something strongly supported by communities and tangata whenua. Such an approach will ensure that gene technology is managed in a manner that aligns with the values and priorities of our communities.

If a centralised model is preferred, we request that the legislation provide for strong community input; for the views of mana whenua and mana moana over the application area to be sought and reflected in decisions; and for regional differentiation in regulation - to acknowledge the diverse environmental, cultural, and economic needs of different areas.

Thank you for considering our submission. We welcome the opportunity to discuss our concerns further, and to provide additional information as needed.

Yours sincerely

On behalf of Northland Regional Council



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Chief Executive