

10 August 2013

Government's announcement on RMA reforms are troubling

The Environmental Defence Society is disappointed by today's announcement by Environment Minister Amy Adams that the Government will proceed with radical changes to Part 2 of the Resource Management Act.

The announcement includes a large number of otherwise sensible reforms that have merit.

"The proposed changes to Part 2 of the RMA will lower environmental standards across New Zealand," said EDS Chairman Gary Taylor.

"They replace environmental bottom-lines with an un-prioritised menu of conflicting environmental and development matters. That changes the thrust of the Act so that environmental values can be traded off against economic ones.

"At last week's EDS Conference we learned that many of our environmental assets, such as biodiversity and freshwater, are already in decline. These changes will only make things worse.

"The Minister for the Environment has repeatedly stated that these changes will not erode environmental protections. However, she has not provided any evidence to back up these statements and we have received legal advice from a number of sources that suggest the opposite.

"The Discussion Paper that she has largely relied on has been widely pilloried for its lack of a problem definition and reliance on unsubstantiated anecdote. It has been derided amongst the resource management professions for its lack of intellectual rigour.

"We note that some of the proposals in that earlier document that raised serious concerns about Ministerial overrides have not been proceeded with.

"The Ministry for the Environment received around 14,000 submissions on the discussion document. In its Summary of Submissions released today, the Ministry says that 99 per cent of the submissions that commented on the Part 2 proposal "expressed opposition or serious concern regarding it".

"It has been widely criticised by experts, environmental NGOs and business groups who favour certainty over ill-considered change.

"Opposition parties have indicated that the proposals, if enacted, will be overturned when there is a change in government.

“Large swings in environmental policy are of no benefit to anyone, least of all investors desiring policy certainty. Such substantial changes to ‘the engine room’ of the RMA should only proceed with multi-party support.

“The Minister proposes a wide range of other changes, such as a national planning template, a reduction in the number of plans, 3 planning tracks, faster Environment Court processes, improved National Policy Statement processes, a greater emphasis on plan-making and a set of common definitions. These changes should improve the Act and at first reading appear to have merit. Indeed, we have suggested some of them.

“The freshwater reforms, which have been previously signalled, are consistent with the Land and Water Forum’s recommendations and are welcome.

“A surprising new proposal that was not consulted on is to reverse the presumption in plans relating to subdivision. The proposal is that subdivision will be allowed throughout New Zealand unless the plan says otherwise. At present subdivision is allowed only if the plan says so.

“This proposition seems very strange and raises serious implementation challenges for councils. Subdividers will think all their Christmases have come at once; the rest of New Zealand may not be happy when they realise the implications of the proposal.

“That matter aside, in an otherwise largely positive set of reforms, the proposed changes to Part 2 go too far and will compromise our environmental wellbeing and the values that make New Zealand a great place to live.

“EDS will support the positive changes proposed to the Act and will oppose the proposed changes to Part 2. We hope both Opposition and National’s support parties will do the same and that a moderate and sensible outcome prevails,” Mr Taylor concluded.