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### **Media Release**

#### **Resource Legislation Amendment Bill gives free reign to subdivision**

EDS has reviewed the Resource Legislation Amendment Bill that was reported back to Parliament earlier this week.

“It appears as if a number of the provisions that were of concern to EDS have been removed from the Bill. These include some but not all of the Ministerial override powers,” said EDS CEO Gary Taylor.

“However there are still provisions that enable Ministerial override of local council plans that seem excessive. The development community ought to be concerned too because those powers can be used both ways. For example, a future government could ban mining nationally simply by executive fiat.

“Elsewhere the presumption on subdivision has been reversed and is now a right unless proscribed in a plan. That puts the private interests of the development community above the public interest in good environmental outcomes. It is an alarming change that will have long-term adverse consequences for the environment.

“That change is linked to other amendments that limit public notification and appeal rights. Appeals on subdivision are now not generally available. That removes an important check and balance in the planning system and reduces the role of the Environment Court.

“This is especially problematical where resource consents, say for coastal subdivision on the Coromandel Peninsula, may have adverse environmental effects that need to be revealed by a public interest submitter.

“Now such decisions will be a closed shop involving the developer and the council. That’s not good.

“Most of these provisions seem designed for Auckland, to reduce NIMBY opposition to growth. But like all the provisions in this Bill, they apply nationally and will have consequences for the whole country. The Auckland provisions are effectively contaminating resource management elsewhere.

“Other changes to this large and complex Bill need very careful analysis and consideration. Given that there are no opportunities for formal input into the Parliamentary process, we appear to be entirely reliant on the Maori Party negotiating further changes with National.

“We can only hope sense will prevail,” Mr Taylor concluded.