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Media Release

EDS endorses Sir Geoffrey Palmer's legal opinion on RMA reform

The Environmental Defence Society has welcomed the legal opinion commissioned by Fish & Game NZ from Rt Hon Sir Geoffrey Palmer QC on the proposed reforms to the Resource Management Act.

"Sir Geoffrey, as former Environment Minister, is the father of the RMA," said Mr Taylor.

"His draft Bill was largely adopted by National after the 1990 election and passed into law. It has largely enjoyed multi-partisan support since that time.

"Now, as Sir Geoffrey says in his careful analysis, the Government proposes a radical rewriting of the core environmental protections in the Act. It proposes to collapse sections 6 and 7 of the Act into a new section and delete a number of environmental provisions.

"These changes will have the effect of lowering environmental standards across the country.

"The Minister has contested this view, both when it was argued by the leading environmental groups and now when confirmed by Sir Geoffrey. She appears to be relying on advice from a politically appointed technical advisory group. The TAG was wrong and Sir Geoffrey is right.

"There are a number of improvements proposed by Government in its discussion document that are very sensible and broadly acceptable. They will improve RMA plan-making processes by creating templates, common definitions and new timelines for resource consents. Overall those changes should lead to less litigation and more clarity.

"The difficulty with the changes to the core principles is that they will lead in the opposite direction: much more litigation to clarify what the new law means whilst a new body of jurisprudence is built up over a number of years.

"We note that Labour's environment spokesperson, Hon Maryan Street, has said Labour will repeal any obnoxious provisions. That is welcome. But really we'd prefer RMA reforms to proceed by agreement between parties so that there is long-term stability for business and for communities.

"There is no need or justification for changes to the core environmental protections. New Zealand relies on its natural resources for its economic welfare more than any other developed country. We need to maintain high environmental standards, not lower them," Mr Taylor concluded.