

From Peter Dunne MP,
Labour Spokesperson for the Environment

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ENVIRONMENTAL PROGRESS REPORT

FROM PARLIAMENT

The Resource Management Bill will be passed by Parliament this week.

I think it is important at this time to link up with all those groups and individuals who have been so concerned about the issues involved, and who have devoted so much time and energy into making this Bill happen.

As Labour's Environment Spokesperson, I would like to highlight the key issues as we see them, and to outline our position on the Bill.

The Resource Management Bill is landmark legislation, and an initiative by Labour that is another world first for New Zealand.

There are areas of the Bill which concern Labour, however, and which we shall oppose in Parliament

The Bill came back from the select committee significantly watered down in some key areas. But the key issue, that of sustainable management, remains intact as the main principle of the Bill.

I am happy with the overall balance of the Bill. It creates a balance between the promotion of the environment and the promotion of living standards.

The Select Committee hearings knocked the rough edges off the Government's earlier position and resulted in a legislation which is more environmentally friendly than National first intended.

National has watered down some of the provisions in the Purposes and Principles section. Labour opposes some of those changes while supporting the OVERALL principality of sustainability.

Outlined below are the areas of the Bill which concern Labour, and which we shall be addressing in Parliament this week.

GENERAL CONCERNS:

- there has been a shift in emphasis back towards the needs of the present rather than the principle of sustainability for future use.
- the removal of minerals (including petroleum and coal) from the sustainability provisions. This is a backward and negative step which we oppose.

- that National has not fully accepted the importance of balancing today's needs with those of future generations, and continues to be obsessed with the idea of development.

SPECIFIC ISSUES:

SUSTAINABILITY OF MINERALS

Clause 4(2)a of the Bill excludes minerals from the overall principle of sustainability. The clause applies to all other resources.

This allows for mineral extraction to be controlled by 'market forces'. Therefore there is no restriction on rate of extraction; there is nothing to impel developers to consider future generations when extracting the mineral (sustainability); and no way of controlling the amount of pollution caused through the use of the resource.

PUBLIC ACCESS TO THE PUBLIC ESTATE

Clause 5(d) provides for public access to the coastal marine area, lakes and rivers.

This clause provides no guarantee of access to the whole public estate. There is no guarantee of access to public forests, mountains or grasslands.

Labour believes the wording of the clause should be amended to ensure access is inclusive, not exclusive.

HABITAT OF TROUT AND SALMON

CLAUSE 5 (c) had the protection of the habitat of trout and salmon removed by the Select Committee.

As this habitat includes some of New Zealand's finest bodies of water, we believe it is necessary to retain the original wording of the clause and extend protection to this area.

REFERENCE TO RENEWABLE RESOURCES

The Government has undermined the principle of sustainability by removing references to 'renewable resources' from Clauses 4 (e & f) from the Bill.

Their removal is inconsistent with the concept of sustainability and the need to move towards renewable energy and mineral resources.

The Bill does not deal with resource depletion issues in a satisfactory way. The removal of these two clauses means the opportunity to deal with resource depletion and regulation of carbon dioxide emissions is lost.

Labour is committed to the state's role in creating a sustainable economy, improving recycling, finding alternatives to non-renewable resources. National has dropped the clauses from the Resource Management Bill that will promote these goals.

MAINTENANCE AND ENHANCEMENT OF THE ENVIRONMENT

We also believe that the above references should be included in Clause 6, which provides for the 'maintenance and enhancement of the quality of the environment.'

We are against the downgrading of the 'provision for the maintenance and enhancement of the quality of the environment'. We believe it should remain a Matter of National Importance.

It reduces the strength of the conservation provisions of the Bill. It is a retrograde step, symbolic of the Government's lack of conviction and strength on conservation issues.

NATIONAL POLICY STATEMENTS ON ENERGY AND MINERALS

We believe there should be a requirement within the Bill for a National Policy Statement on energy or minerals. This has not happened.

Clause 44, which required statements of Government Policy relating to hydro-electric or geothermal energy, has been deleted.

These omissions from the Bill are significant. It should be a Government responsibility to outline its policy on the use of our most important natural resources.

The Government has international commitments to meet in this area of noxious gas emissions into the atmosphere.

New Zealand has a poor record on energy conservation, and is wasteful in its energy use. Labour feels there is a need to promote energy conservation through a National Energy Statement. As energy and minerals are the two most important resources we rely on, the Resource Management Bill is the obvious place to address these issues. To omit them is a serious avoidance of responsibility.

LANDOWNER CONSENT TO MINING ACCESS

One of the most controversial aspects of the Bill is the amount of access to private land that the Bill will grant to mining companies.

We believe that changes made to the Bill reduce the rights of landowners and increase the power of mining interests, particularly petroleum miners.

Clauses 258 AA allow petroleum miners access to private land. Landowners will be forced into compulsory arbitration.

Mining is not subject to the same treatment as all other land uses. The National Government has provided a loophole here for mining companies, granting them and petroleum companies special rights.

Labour will also be addressing Clause 262 E, which allows the Minister of Energy to override the wishes of private landowners, and Clause 255 A, which refers to access to private lands for seismic surveying.

COASTAL TENDERING

Clauses 419 D - T set in place a system of coastal tendering, which would allocate coastal resources by tender.

Labour believes Coastal Tendering is not a critical part of the Bill. We believe adequate consultation has not taken place with the marine farming and harvesting industry and its implementation could wait until proper consultation with those closely involved has taken place.

REGIONAL COUNCILS

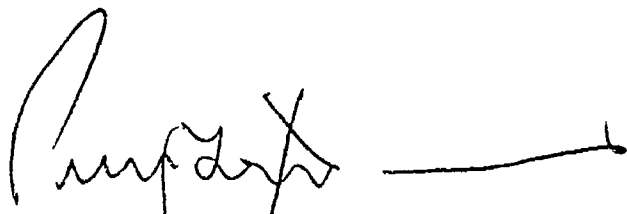
Regional Councils have a central role in the Resource Management Bill.

Comments by Warren Cooper that he wants to abolish Regional Councils would mean a massive re-writing of the Bill at some later stage. This is not only unrealistic but will be harmful to resource management.

Labour supports regional councils as the most appropriate and effective means of managing resources at a regional level.

We hope this information is helpful to you in understanding Labour's position on the Resource Management Bill.

We will be sending you a follow-up later this week to let you know the results of Labour's amendments.



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Labour Spokesperson for the Environment