

1 April 2009

Committee Secretariat,
Local Government & Environment Select Committee.
Parliament Buildings,
Wellington.

SUBMISSION ON RESOURCE MANAGEMENT (SIMPLIFYING &
STREAMLINING) AMENDMENT BILL 2009

FROM: TRELISSICK PARK GROUP

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A representative of the Group wishes to appear to speak to this submission.

The vision of the Group is :-

To restore Trelissick Park to a natural wilderness, recognising and protecting the spectacular rocky features of the gorge landscape and the Park's pivotal ecological link between the harbour and the reserves from Khandallah Park to the Karori Sanctuary

and

To provide a peaceful area– so close to the centre of the city – for the recreation and enjoyment by the citizens of Wellington and visitors who explore its varied environment.

The Group has been involved in a range of subdivisions proposals, Wellington City Council(WCC) and Greater Wellington Regional Council(GWRC) plans and policies, etc, to assess the environmental effects on the park and its surroundings by such things as stormwater outflows; silt and sediment concentrations in the streams; fast runoff of rainfall; water pollution; effects of the removal of native bush; weed and pest proliferation. This involvement has been at the Resource Consent and Environment Court stages – it has never been undertaken lightly as it involves considerable stress and time.

The Group is aware that some objections to proposals may be “frivolous and vexatious” resulting in unnecessary and frustrating delays to developments (delays can also be occasioned by developers). However we believe that the proposed Bill removes some of the safeguards and opportunities for communities to raise issues which often arise from detailed local knowledge, unknown or specifically avoided by applicants and those reporting on the applications.

Following are our comments:

Reduction in Public Notification

The number of consents notified is very low (about 6% of the total) so the public is already severely limited in its ability to react. Public participation is a major principle of the RMA and this ability should not be restrained any further.

REQUESTED ACTION: Delete Clause 68.

Increase in funds required from the public.

The increase in filing costs for appeals to the Environment Court from \$55 to \$500, and the added burden of bonds to cover possible costs being required from participants would seriously affect the ability of the public to present legitimate causes. Groups like ours rely on a few donations to cover any such costs. (WCC/GWRC support us in pest removal, tree plantings and a range of other matters relevant to restoration of the Park itself).

REQUESTED ACTION: Delete Clause 133 and oppose fee increases.

Removal of third parties s.274 participation.

The ability of our Group to support relevant appeals through s.274 action has been extremely positive allowing us to participate in any mediation or Court hearings. For example the Assessment of Environmental Effects presented by the applicant requires testing by such participants with a wide range of local knowledge. Reducing the time period for lodging notices (from 30 to 15 working days) could be difficult for groups which do not meet frequently and have a dispersed membership. The 30 day time factor has been important.

REQUESTED ACTION: Delete Clause 131.

Removing ability to appeal on policy statements and plans.

With the exception to this proposal being limited to matters of law or with the leave of the Environment Court, this would restrict the public's ability to appeal Council decisions on statements and plans. Currently the WCC's 10yr Plan is being reviewed. This chance would presumably be removed (Clause 56) with a distinct loss of wide public consultation as provided under the Local Government Act.

REQUESTED ACTION: Delete Clauses 132, 136 and 148.

Fast Tracking applications through bypassing local authority hearings.

Going straight to the Environment Court, will deny any opportunity for the public to present concerns at these initial hearings. These can be useful for all concerned with extra details sometimes reducing or removing specific problems.

REQUESTED ACTION : Delete Clause 60.

Removing the ability to make further submissions.

Again, having been through the various processes, this ability has been most useful at times as it can help clarify various aspects of an application and allows a response to any new issues raised by appellants or other submitters.

REQUESTED ACTION: Delete Clause 148.