

More RMA stupidity

Dr Bryce Wilkinson | Senior Fellow | bryce.wilkinson@nzinitiative.org.nz



On 25 July, a *Dominion Post* article (*Consent proposals upset rural residents*) asserted that, under a proposed district plan, rural landowners might face new requirements if their property includes dominant dune ridge lines, outstanding landscapes, amenity landscapes or ecological and geological sites.

Owners in possession of such land may now require a resource consent to work on farm fences, culverts and farm tracks

One sixth generation landowner said that any activity on her land would require a resource consent. As a result, trees planted 30 years ago might not be harvestable.

Another landowner of 20 years' standing said he would not be able to maintain goat or possum traps under the proposed rules. He said he could not afford a resource consent for every little change and that, 'there needs to be a good reason for taking away people's property rights'.

Indeed. No one can be safe in their person if they are not safe in their property.

So how might we expect the Kapiti Coast District Council (KCDC) to justify a district plan that long-standing ratepayers' fear, rightly or wrongly, will have flow-on effects such as undermining pest control, efficient farming and forestry practices?

The KCDC is required to publish its reasons for proposed plan policies and rules under section 32 of the Resource Management Act (RMA). It has done so. Its *Summary Report Rural Environment* lists four major policy objectives regarding the rural environment. These are supported by 24 markedly restrictive policies, particularly relating to rural subdivision.

Under the RMA, those policies must be the most appropriate way of achieving the plan's objectives of efficiency and effectiveness, and taking their benefits and costs into account.

The plan's objectives must, in turn, be the most appropriate way to achieve the RMA's (ambiguous) purpose.

On examination, the KCDC's section 32 summary report:

- fails to identify what problems with long-standing private arrangements justify the proposed restrictions;
- fails to articulate alternative courses of action. (As a result there is no benchmark for assessing costs and benefits);
- makes no attempt to quantify any costs or benefits; yet
- boldly asserts (three times), without a shred of supporting evidence, that the enumerated benefits exceed the costs.

This public policy farce provides no good reason for restricting private property rights.

The RMA bears a lot of the blame. It's central purpose of 'sustainable management' fails to identify what problems with private arrangements justify its existence.

New Zealand Initiative: Insights: Issue, 29/2013 -9 August 2013.