

Submissions called for on Resource Management (Restricted Duration of Certain Discharge and Coastal Permits) Amendment Bill

A new Resource Management Amendment Bill has passed its first reading and is now to be considered by the Local Government and Environmental Select Committee. The Bill amends section 107 of the Resource Management Act 1991 which relates to the granting of discharge permits and coastal permits.

The Bill proposes to limit the period for which consent can be issued in 'exceptional circumstances' to a maximum of five years.

Currently, section 107 prevents the authorising of discharges that have certain adverse effects (after reasonable mixing) including:

- conspicuous oils or grease scums or foams, floatable or suspended materials;
- conspicuous changes in colour or visual clarity;
- objectionable odour;
- rendering of water unsuitable for farm animal consumption; and
- significant adverse effects on aquatic life.

However, if there are 'exceptional circumstances' consents can be granted that have these effects. The Act does not define 'exceptional circumstances'. Its application by the Courts has primarily been on a case-by-case basis. If 'exceptional circumstances' are established, an activity having the effects listed can be granted consent for up to 35 years.

This Member's Bill introduced by Green Party MP Catherine Delahunty passed its first reading on 29 August, 2012 with support from all parties except ACT and National. Not being a Government Bill, it will be interesting to see what happens to it when it returns to Parliament from the Select Committee.

Submissions on the Amendment Bill are due on 29 November, 2012. If you would like more information, or if you have an interest in this matter, please do not hesitate to contact Maree Baker-Galloway.

Contact Us



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