



Snails & Local Government

What do Powelliphanta Augustus and local government have in common? A great deal it seems as both appear to have the full attention of extreme environmentalists.

Powelliphanta Augustus is a species of snail that lives around Solid Energy's Stockton Mine near Westport. The Department of Conservation claimed that the snail was under threat of extinction with a total population estimated to be fewer than 500. Litigation to stop the mining began in 2005, but Solid Energy eventually won the right to mine, by agreeing to move the snails to a new habitat. Nineteen months later the delays continue having already cost the state coalminer \$25 million in lost earnings. This does not include an additional \$10 million spent not only collecting, housing and creating new sanctuaries for the 5,300 snails that have been found to date, but also fighting the never-ending stream of legal challenges by the environmentalists.

It turned out that the snails were not as extinct as DOC thought they were, nor probably as unique. With hundreds of new species of animal and plant life being discovered in New Zealand every year, it is inevitable that like the moa, some species will die out as others emerge. While it may be desirable to attempt to save or protect species under threat, we must not forget such action all comes at a cost.

In an article "The Species Hoax" written for the National Business Review back in March of last year – and featured as the NZ Centre for Political Research guest commentary this week - Resource Management expert Owen McShane explains:

Snails don't move around much. They find it hard to make new friends and meet new people. Hence, if a group of snails spend a few thousand years in one valley or forest glade they will interbreed and create yet another variety of one of the 65,000 species of snail. Because they are a distinct variety their genetic code will be slightly different – just as blonde humans have genes which are slightly different to brunettes. Such

genetic differences tempt our conservationists to label any local 'variety' as yet another new 'species'. The researcher gets a journal article and we are told we have yet another "rare and endangered species". (To read the full article see www.nzcpr.com)

So what does the snail have to do with local government? Local government - like the snail - has come under the spotlight of environmental lobby groups, but in the case of local government their approach is much more subtle and the cost even more significant. Let me explain.

Many councils around the country are in the process of signing off their district plans. These must be prepared by city and district councils to enable them to carry out their planning functions under the Resource Management Act. The process, which includes the right of appeal to the Environment Court, astonishingly, has taken over a decade in many cases and cost ratepayers huge amounts of money.

For example, in the case of the Whangarei District Council developing the plan has cost around \$10 million and for the Far North District Council the final cost of their plan is expected to be in the region of \$15 million.

But the multi-million cost and the financial burden this puts on ratepayers is not the only problem. A major concern is that the process is extremely vulnerable to capture by environmental activists.

The reason is that district plans are signed off by elected councillors very early in the whole process. That means that elected representatives - who can be sacked every three years if they don't carry out the wishes of their local community - are no longer involved in the final shape of the plan as it moves into the litigation phase. This leaves the appeal process open to capture by well resourced, ideologically driven groups like DOC and the Environmental Defence Society (EDS). At a recent public meeting in Whangarei held by the Local Government Rates Inquiry team (the independent body charged with hearing concerns about the escalation is

rates and presenting recommendations to the government), a Far North District Councillor addressed this issue explaining that an extraordinary amount of ratepayer money had been spent defending their proposed plan against litigious environmental groups like DOC and the EDS. Both groups are of course funded in whole or in part by the government either directly or through the green issues fund, a multi-million fund established in exchange for the Green Party's support for Labour that is used to encourage environmental activists to take cases to the Environment Court. What this reveals is that the indirect cost to ratepayers of responding to extreme environmental agendas is huge especially as they adopt the very powerful "last man standing" approach. This strategy involves appealing and counter appealing aspects of the plan until the green activists are the only litigants left. At that stage they are required to enter into mediation with council staff to agree on plan changes which are to their satisfaction, in order for the council to avoid a fight in the Environment Court.

By enabling environmental extremists to negotiate directly with local body bureaucrats (some of whom may themselves have a protectionist bias) rather than politicians, the whole local body democratic process is being undermined. That means that accountability for the final shape of a District Plan can be seriously compromised. Not only that, but the whole process forces local authorities to spend a disproportionately large amount of general rates on lawyers and consultants fighting government funded environmental litigation. This of course significantly contributes to double-digit rate increases and robs important infrastructural projects

of precious dollars.

If the spending of the two councils in the north is replicated around the country, that means the cost of environmental litigation could be well over \$500m. Thanks to Labour and the Greens, environmental litigation has become a gravy train that forces ratepayers to pay through the nose as extreme green groups use government funding and the district plan planning processes to win their way and impose their radical minority views onto their community.

With the Local Government Rates Inquiry team having heard these concerns during the course of their public meetings around the country, it is hoped that they may recommend to the government that the advocacy role of DOC needs to be restricted and that public funding of litigious action by green activists stopped.

If you feel strongly about the way rates have been rising, why not send in a submission? Submissions to the Rates Review close at 4pm tomorrow. They can be emailed in and do not have to be complex. All submissions that have already been received have been posted onto the Rates Review website, so you can check out what others have said. For more details about this and other parliamentary matters see www.nzcpr.com.

Like the snails that are never seen, many of the costs that contribute to the escalation in local body rates are hidden deep within the process. Unless these are exposed and fixed, rates relief may be a distant dream.

The poll this week asks: Do you support government funded legal aid for environmental activists driving a political agenda?

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