

9 October 2019

Hon David Parker, Minister for the Environment
Hon James Shaw, Minister for Climate Change
Parliament House
Wellington

BY EMAIL

Dear Ministers

Re: Request to urgently amend RMA and EEZ(CS)A to remove barrier to action

By letter dated 6 September 2019 members of the New Zealand Climate Action Network (**NZCAN**) requested Minister Parker urgently amend sections 70A and 104E of the Resource Management Act 1991 (**RMA**) and section 59(5)(b) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (**EEZA**).

We write in support of that request.

Lawyers for Climate Action NZ Inc. (**LCANZI**) is a recently formed society of lawyers who have come together for the purpose of advocating for legislation and policies to ensure New Zealand meets or exceeds its commitments under the Paris Agreement and achieves net zero carbon emissions as soon as possible. Further information can be found (including our recent submission on the Climate Change Response (Zero Carbon) Bill) at www.lawyersforclimateaction.nz.

Sections 70A and 104E obstruct local authorities from addressing the effects of either air discharge provisions or applicants' proposals on climate change. Section 59(5)(b) of the EEZA similarly hamstring the Environmental Protection Agency.

We endorse the view of the NZCAN that it is time to put climate change back into the remit of the RMA and into the remit of the EEZA. We support the request of the NZCAN that the sections be repealed as a priority.

We ask that you initiate a Supplementary Order Paper to either the Climate Change Response (Zero Carbon) Amendment Bill or the recently introduced Resource Management Amendment Bill to repeal these sections as part of the current parliamentary processes.

Yours faithfully,



Bronwyn Carruthers
Committee Member

cc: *New Zealand Climate Action Network*