



COVID-19 Recovery (Fast-track Consenting) Bill

The New Zealand Association for Impact Assessment (NZAIA) thanks the Select Committee for the opportunity to submit on the COVID-19 Recovery (Fast-track Consenting) Bill.

About the New Zealand Association for Impact Assessment (NZAIA)

NZAIA is a community of impact assessment specialists and supporters. Our membership comprises about 100 practitioners: environmental and social consultants; academics, researchers and students, and other assorted professionals and interested parties. Our members include many of the leading IA experts in NZ, with longstanding reputations and a wealth of New Zealand, Pacific and international experience. We all share a deep interest in impact assessment, a decision-support method that is one of the most important global tools for safeguarding the environment, and the people and communities who rely on it.

NZAIA is an affiliate of the International Association for Impact Assessment (IAIA), a professional association with some 1700 members located across 120 countries. NZAIA is also partnered with the Environment Institute of Australia and New Zealand Inc. (EIANZ); and the Secretariat of the Pacific Regional Environment Programme (SPREP).

Submission

NZAIA supports the overall analysis and the recommendations in the submission from the Environmental Defence Society EDS. Specifically we strongly support EDS recommendations regarding the following clauses in Schedule 6:

- 27(3)(a) (and equivalents in cl 29 and cl 31) to strengthen direction on decision-making
- 27(1) (and equivalents in cl 29 and cl 31); 10((1)(i); 20(3)(d) all regarding climate change
- 19 (e) to be deleted, and new 18 (e) inserted, re significant effects
- 19(b) to include environmental wellbeing
- 2(4), and 18(2)(a) both extended to include non-complying activities, and 28(7) to be deleted

Given the role of NZAIA in promoting and supporting impact assessment in Aotearoa New Zealand, we make these additional comments.

1. NZAIA strongly endorses EDS' recommendation that the public be allowed to comment on both listed and referred projects (though not leading to the right to be heard or appeal). Under the RMA, the quality of many AEEs is low, and public submissions are an important device for alerting decision-makers to problems that might not otherwise be recognised. Moreover, public comments are very important in providing essential local knowledge and perspectives. For a fast track process that will be highly technocratic, we feel it is absolutely essential that the public voice (beyond land owners and immediate neighbours if panels choose to approach them) should still be heard, even within a restricted timeline.
2. The time between a project being granted fast track status and submission of documentation to the EPA is not specified. But in view of the aim to speed decision-making and get projects up and running, we imagine the preparation of AEEs will tend to be speeded up too. For larger projects this may lead to compromises in quality of information and analysis. Accordingly we recommend that the EPA not only assesses documentation to

ensure it meets specified criteria but the EPA should also review AEEs to ensure they are adequate for making decisions about the environmental implications of the project. This needs to be established early in the process, to avoid problems later when critical decisions need to be made.

3. We applaud the requirement that all applications include a cultural impact assessment. However, in light of the time pressures, we suggest resources be made available to hapu or iwi involved in those assessments to support the work, especially to hire appropriately qualified consultants). Otherwise this requirement could well be a major impediment to achieving the fast track outcomes of speedy consenting of projects.
4. Finally, we believe the EPA are also best placed to maintain a strategic overview of the number and type of projects being accepted into the fast track process. There is a danger that cumulative impacts are missed when multiple projects are brought forward quickly and panels are focused on individual projects. A form of rapid strategic environmental assessment (SEA) would be a useful framework to help EPA manage this aspect of the new processes.

Good legislation does not guarantee good practice. The latter relies on an understanding of good practice principles that should underpin all professional activities, including the assessment of environmental effects. Our suggestions reflect international good practice principles for impact assessment. NZAIA can provide further advice on good practice environmental assessment.

NZAIA thanks the select committee for the opportunity to provide feedback on the COVID-19 Recovery (Fast-track Consenting) Bill

Prof. Emer. Richard Morgan

Chair, New Zealand Association for Impact Assessment

On behalf of the NZAIA Core Group