

New Zealand Association for Impact Assessment
PO Box 6495
Dunedin North 9016

admin@nzaia.org.nz

14 February 2020



Urban Development Bill

The New Zealand Association for Impact Assessment (NZAIA) thanks the Select Committee for the opportunity to submit on the Urban Development Bill. NZAIA makes the following submission on the Bill.

About the New Zealand Association for Impact Assessment (NZAIA)

NZAIA is a community of impact assessment specialists and supporters. Our membership comprises 80–100 practitioners of many kinds: 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 many of the recommendations in the submission from the Environmental Defence Society (EDS). In particular, while we fully support the need to address urgent issues such as housing, we believe that urban planning and development needs to take place within the wider framework of environmental and resource management, and that the long term solution to more integrated planning for urban development lies with reform of the RMA.

NZAIA also strongly endorses EDS' concern that environmental protection be seen as a critical part of good urban development, not an obstacle.

Given the role of NZAIA in promoting and supporting impact assessment in Aotearoa New Zealand, we have more specific comments on the Specified Development Project process and the Development Plan process.

1. With respect to the Specified Development Projects (Part 2, subpart 1), we applaud the emphasis on engagement and consultation in the project assessment process, but **we strongly recommend** that Kāinga Ora be required to carry out a *strategic environmental assessment* (SEA) of the proposed project before producing the project assessment report. The process outlined in the Bill in effect requires iwi and stakeholders to identify potential impacts on their communities and interests, and voice those to Kāinga Ora. This will always be an imperfect way to identify what may be potentially important unforeseen consequences of a major urban development undertaking; moreover, it ignores the fact

that a development may lead to adverse impacts that flow from the interaction of the very components that Kāinga Ora is seeking to integrate, especially in the social, health and cultural arenas. It is at the inception of major developments that this thinking needs to start, to inform the decisions that follow. We note that in Australia, major urban expansion proposals are subject to SEA under the Environmental Protection and Biodiversity Conservation Act (EPBC). The Urban Development Bill would be strengthened by requiring this type of systematic and integrated overview of the environmental, social, cultural, and economic consequences of a potential urban development project, compared with the process currently envisaged.

2. With respect to the Development Plan process, NZAIA notes the requirement for an evaluation report to be prepared by Kāinga Ora (cl. 72) and that this follows s32 of the RMA in its emphasis first on justifying the selection of the proposed plan in terms of other practicable options, and efficiency and effectiveness, and second, on identifying and assessing “*the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions of the draft development plan...*” (cl 72 (b))

The second part is, in effect, a requirement to carry out **strategic environmental assessment** (SEA) but we fear the outcome of the evaluation reports will mirror RMA practices. As we argued in our submission on the recent discussion paper: *Transforming the resource management system: opportunities for change*.

“In relation to plan evaluation, we note s32 evaluation reports for major plans are often very large, overly detailed, repetitive, mechanistic documents that are very poorly designed for public use. Yet in theory they should be the primary method for allowing public scrutiny of proposed policies, plans and similar instruments. However, current practice is inconsistent and generally fails to deliver good impact assessment outcomes, especially in a form that the interested public can access.”

[underlining added]

An important reason for the problems experienced with s32 reports under the RMA is that the SEA component is often subsidiary to the “efficiency and effectiveness” requirement, and the whole report is not viewed as one for the public to access and use.

We recommend the evaluation report should clearly separate the matters required by cl 72(b) from the other matters, and that that information be presented as an SEA type document expressly for public consumption.

NZAIA thanks the select committee for the opportunity to provide feedback on the Urban Development Bill.

Prof. Emer. Richard Morgan

Chair, New Zealand Association for Impact Assessment

On behalf of the NZAIA Core Group