

Stakeholders' influence on the impact assessment and decision-making for infrastructure projects: The New Zealand context

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Despite the international recognition of impact assessment, and its integration into environmental planning and decision-making systems around the world, as a legal instrument, questions are increasingly raised as to whether it is achieving its intended purpose (Loomis & Dziedzic, 2018; Chi et al., 2016). A major concern in this regard, often resonates in the literature, is the predominant technocratic paradigm where impact assessment is considered as a rational scientific process (Morgan, 2012; Elling, 2009). However, more recently, there is an increased recognition of the political nature of environmental impact assessment and the decision-making processes. Nevertheless how politics impacts environmental assessment and more importantly, the larger planning and decision-making processes, is still poorly understood. Part of this is attributed to the limited impact assessment literature examining the root of politics; 'power' (Cashmore & Richardson, 2013). Taking New Zealand's largest proposed irrigation project, the Ruataniwha Water Storage Scheme (RWSS) as a case, this study highlights how power dynamics enables and constrains stakeholders' influence on the impact assessment and decision-making for infrastructure projects.

The Council investment arm, Hawke's Bay Regional Investment Company (HBRIC) submitted applications for resource consents and a notice of requirement for RWSS to the Environmental Protection Authority (EPA) in May 2013. The proposal involved construction, operation and maintenance of a 90 million cubic metre reservoir and associated irrigation system. A Board of Inquiry granted the resource consents and confirmed the notice of requirement for the scheme. However, the scheme did not proceed because of a successful legal action against the Department of Conservation's decision to revoke the Conservation Park status of the land required for the dam construction.

The methods adopted to collect the data for this study included document analysis and an online survey. The applicant's Assessment of Environmental Effects (AEE), the submissions made by interested groups and individuals, the hearing transcripts and the Board of Inquiry report and decisions etc. were critically examined to determine how impact assessment information provided by different stakeholders was incorporated in the decision-making process. In addition to the document analysis, I also sought more in-depth data collected

through an electronic survey. The survey was divided into two sections. The first section sought the respondents' view of the influence of different stakeholders on impact assessment and decision-making for large-scale infrastructure projects in New Zealand in general, while the second section focused on the RWSS. The survey was sent to a total of 165 participants, including expert witnesses, legal counsel, submitters, environmental consultants, Hawke's Bay Regional Council staff and elected members, and Hawke's Bay Regional Investment Company board members. A total of 69 (41.8%) responses were received by the cut-off date.

The predicted environmental effects of the scheme and the proposed mitigation measures were deeply contested between environmental groups and the project proponents. The document analysis highlighted significant deficiencies in nutrient modelling, addressing risk and uncertainty, and practicability of proposed mitigation measures. The views of the survey respondents suggest that applicants' impact assessment has a greater influence on the outcomes of nationally significant proposals. The survey results also indicate that the ability of central government to intervene and influence environmental decision-making process has been significantly increased with 'streamlining and stratifying' the consent process in 2009. Consequently, the decision-making under the RMA, particularly for large-scale infrastructures is becoming more politicised. The survey responses suggest that the opinions of the participants are largely grounded in their stance to the RWSS. However, key points on which most of the respondents agreed can be summarised as:

- To minimise the applicants' influence on impact assessment for large-scale infrastructure projects, the applicant should be required to submit terms of reference outlining the scope of the AEE to the EPA for approval.
- The tight timeframe for Board of Inquiry process is limiting the ability of interested groups and individuals to participate in the decision-making process effectively.
- Boards of Inquiry for nationally significant proposals have been dominated by legal experts and have not had sufficient scientific expertise.

References

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