



St Andrew's
on The Terrace

*Hato Anaru o te Parehua
Founded 1840*

St Andrew's on The Terrace Submission on Fast-Track Approvals Bill

St Andrew's on the Terrace is a progressive Christian church, the longest established Presbyterian congregation in New Zealand, dating back to 1840.

We have long history of commitment to social justice and the environment, both of which are written into the six strategic pillars of our community, which underpin how we conduct our mission. As a logical development of this we have recently joined the Eco-Church movement.

This Bill has the potential to endanger what is left of our environmental credibility. New Zealand has some unique and fragile ecosystems which, once lost, will not be recoverable. They represent benefit to both our economic and our general wellbeing and considerable caution is therefore essential when dealing with proposals which impact our environment.

As a country, we also have a strong record for innovation in infrastructure, economic development and agriculture and are considered as 'punching above our weight' in these areas. While acknowledging that the Resource Management Act needed further reform, we strongly disagree that this Bill is the way to achieve that without causing unintended and detrimental consequences. We therefore oppose the Bill and make an alternative recommendation.

Our concerns about the Fast-Track Approvals Bill fall into four broad groupings:

1. Inadequate protection for the environment
2. Insufficient opportunity to comment
3. Vulnerability to capture by vested interests
4. Potential risks / unintended consequences
5. Failure to dovetail the new legislation into recent RMA reforms

Inadequate protection for the environment

- The Bill gives primacy to development over other concerns.

“When making recommendations, the E[xpert] P[anel] is required to consider the purpose of the Bill above the purposes and provisions of the Acts approvals are required under.”¹

- Notwithstanding many references to consultation with iwi throughout the legislation, the requirement to consider the purpose of the Bill above all other purposes risks making that consultation meaningless.
- The extent to which humanity has been conditioned to reify economic growth above other considerations is damaging to the world we live in and to social cohesion. Giving primacy to development opens the door to fast-tracking projects which risk causing more harm than good in the name of immediate benefit. Prioritising a short-term approach to our activities supports adventure capitalism over the long term public good.
- The proposed changes to conservation legislation are designed to reduce the protections afforded to public conservation land.² With such changes to conservation legislation swinging in behind the primacy of development inherent in the fast-track approvals process as described, this represents a significant threat to the our conservation efforts.
- The Bill will also allow for the swapping of conservation land where the exchange results in a net conservation benefit, and for *conservation covenants to be amended or revoked with the agreement of the landowner* and the Minister of Conservation or covenanting agency.³ We believe this is counter to the purpose of covenanting land and should not form part of this legislation.
- The environmental impact of a project is not limited to the immediate space it occupies, but rather needs to take account of all of the components that go into the development, such as equipment, access ways, fuel and building materials.
- We note that in the comparison tables in its *Supplementary Analysis Report* the Ministry for the Environment, favours retaining the balance between project development and sustainability and we strongly endorse this view.⁴

Insufficient opportunity for interested parties to comment

- The Bill itself takes a very limited approach to who may be invited by the Expert Panel to comment. This has considerable potential to ignore input from independent expert organisations, which in turn lends itself to skewing the comments in favour of the project(s) being considered.
- This concern might also be applied to the speed with which the Bill has been introduced: repeatedly throughout the Ministry for the Environment’s *Supplementary Analysis Report* there is mention of the lack of time to complete adequate analysis of the impacts.

¹ *Fast-track aApprovals Bill, Explanatory note, p.2, How fast-track approvals will work, paragraph 3.*

² Ministry for the Environment, *Supplementary Analysis Report: Fast-track Approvals Bill*, paragraph 35, p.11

³ Ministry for the Environment, *Supplementary Analysis Report: Fast-track Approvals Bill*, paragraph 52, p.16

⁴ Ministry for the Environment, *Supplementary Analysis Report: Fast-track Approvals Bill*, page 24

- While the process is “simplified for applicants”⁵, it is simplified for affected parties only inasmuch as their input is unlikely to be called upon. Any right of appeal, as outlined on p.3 of the Bill, is likely to prove unaffordable for those who might wish to challenge a decision.

Vulnerability to capture by vested interests

- It is not clear in the Bill how the Expert Panels will be selected. There appears to be no requirement for them to be representative of a range of views on the projects being submitted. This lends itself to the empanelling of a group which is weighted in favour of development at the expense of environmental and social concerns. If we are not to risk constant stop-start approaches to development, we need to set aside politics and take a widely accepted long-term approach, which recognises the environment as a vital part of our decision making.

Potential risks / unintended consequences

- We do not have to look too far back in New Zealand’s history to see examples of unintended consequences of trying to ‘streamline’ systems to make them less costly and more efficient.
 - Loosening of the regulations and inspection requirements led to the leaky buildings fiasco with many New Zealanders having to fix up rotted framing and cladding, while the authorities and builders all laid blame at each other’s doors. The final costs to all parties have cost [tens of billions of dollars](#) and decades to remediate.
 - Industrial accidents (Railways e.g.) – by reducing the number of staff
 - Methamphetamine testing standards put in the hands of those who had a financial interest in cleaning houses deemed to be above the limit. Not surprisingly the bar was set lower than strictly necessary, resulting in a very profitable period for those who set the standard.
 - Campylobacter outbreak in Havelock North in 2016 arising from inadequate oversight of water regulations by the Regional Council.
 - The prioritisation of [water for irrigation](#) over environmental concerns has led to Canterbury’s braided rivers drying up.
- Risks inherent in this Bill include but are not limited to:
 - Loss of valuable horticultural land due to urban expansion – incursions are already being made into prime agricultural land in New Zealand’s ‘foodbowl’ regions such as the rich soils of land around Pukekohe. Where are we to grow our food if the growing capacity of this land is used for housing?
 - Diminishment of our Conservation Estate, with the potential for undesirable downstream impact on public amenity value to all New Zealanders, to visitors and to our international environmental obligations.

⁵ Ministry for the Environment, *Supplementary Analysis Report: Fast-track Approvals Bill*, paragraph 50, page 16

- Deleterious impacts on social cohesion as large projects are pushed through despite evidence and strong opposition.

Failure to dovetail the new legislation into recent RMA reforms

- The proposed legislation cuts across the recent improvements to New Zealand's Resource Management regime for which the impacts will roll out over the next five years with changes to District and Regional planning.
- The body of knowledge that would have arisen from the proper operation of this new law will not be apparent. Bringing in this new legislation so soon after the passage of [The Spatial Planning Act and the Natural and Built Environments Act](#) risks a continuation of political football status for New Zealand's environmental protection and resource management legislation.
- Those laws were developed using a tri-partisan approach (government, business and NGOs), and had a high focus on simplification and balancing economic and environmental interests in a way which was broadly acceptable. It would be ill-advised to overturn them with provisions that allow for rapid, poorly controlled change.

Recommendation of St Andrew's on the Terrace

- In its coalition agreement the government has committed to the use of evidence based policy.
- New Zealand has long lacked a futures planning capacity at the centre of government. As a country we are exposed to some unique challenges – for example of distance, of land area relative to population (particularly in terms of infrastructure), and of being subject to earthquakes and – increasingly – other environmental challenges.
- Business, government and civil society all need a level of stability to allow them to function well. Wide consensus is the best way to achieve this.

Considering our concerns with the proposed legislation and with these three points in mind, St Andrew's on the Terrace therefore recommends the establishment of a non-partisan planning body whose focus is on broad-based research to inform our understanding of the future and its opportunities and challenges, and appraisal and placement in context of rising issues and constraints.

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