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18 June 2020

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Parliament Buildings  
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Infrastructure New Zealand is the peak industry body for the infrastructure sector and promotes best practice in national infrastructure development through research, advocacy and public and private sector collaboration. Infrastructure New Zealand members come from diverse sectors across New Zealand and include infrastructure service providers, investors, and owners.

This submission represents the views of Infrastructure New Zealand as a collective whole and may not necessarily represent the views of individual member organisations.

## **Infrastructure New Zealand submission on the COVID-19 Recovery (Fast-track Consenting) Bill**

Infrastructure New Zealand supports the COVID-19 Recovery (Fast-track Consenting) Bill (the Bill).

We support the intent of the Bill, specifically, to use infrastructure delivery as a mechanism to generate employment while also improving New Zealand's capital stock.

We support the fast-tracking of listed projects and we support the ability for non-listed projects to apply for fast-tracking.

We would like to see a wide range of projects receive fast-tracking, particularly where environmental impacts are likely to be limited and the costs of delay are likely to be high.

However, we do note that, while the Bill provides for faster resource consenting, it is less clear whether the information requirements necessary to apply for fast-tracking will facilitate materially faster project consenting (Schedule 6).

We would like to see greater use of expert opinion through the fast-track process wherever this is likely to reduce information requirements and carries limited risk of negative environmental outcomes.



We support provisions which enable both projects and a group of related projects to apply for fast-tracking. In instances where projects are connected, either by location or form, it may make sense to process consents as a package.

We support provisions which will reduce consenting requirements for providers of critical infrastructure.

The New Zealand Transport Agency (NZTA) and KiwiRail are both large, competent, public owners and managers of vital infrastructure needed to sustain the most basic levels of wellbeing. Their assets must be maintained and the risk of significant net environmental and community costs from activities on existing assets is very low.

Likewise, the costs of consenting many activities on public land owned and operated by local authorities, Kāinga Ora – Homes and Communities and the Ministry of Housing and Urban Development, among others, is most likely to exceed the benefits.

We support provisions which allow these authorities to conduct works on assets and land designated for existing activities.

We extend our support to the reduction in consenting requirements for specified activities on all nationally significant “critical” infrastructure. We consider other critical infrastructure providers should be considered for reduced consenting requirements for specified activities including, potentially, Transpower and Chorus.

We support the panel process set out in the Bill. While timeframes are comparatively short, we consider that 10 day turnarounds for those people and organisations with an identified interest in a project are sufficient. We expect short timeframes to result in greater focus on issues of greatest importance.

### **A unique opportunity**

We note the exceptional circumstances which have given rise to the need for the Bill. But, equally, we also observe that consenting projects, even critical infrastructure, is unnecessarily time consuming, expensive and uncertain.

We are also unaware of any evidence which demonstrates the net value of our existing consenting processes.

While we support the sunset clause on this legislation, which has appropriately been accelerated for exceptional circumstances, we strongly support ongoing and detailed analysis of the Bill’s performance with a view to understanding whether fast-tracking provides a net public gain.

We would like to see projects benefitting from fast-tracking monitored from application through to project delivery and operation. How much time has been saved? How much money?

Equally, do fast-tracked projects demonstrate worse environmental performance than projects consented through standard processes? If not, then we expect that fast-tracking will become standard



process in two years, not rolled back for time consuming and expensive processes which deliver unclear benefits.

We would like to see in the Bill acknowledgement that there may be an opportunity to improve public outcomes through fast-tracking and that, unless traditional processes can be shown to provide demonstrably better outcomes, faster project consenting should become the norm.

### **Persons who must be invited to comment on a referred project**

We thank the Environment Committee for including Infrastructure NZ in Schedule 6, along with other parties with an ongoing interest in resource management and project consenting.

We do not intend to submit on every proposal, but consider it provides an additional layer of rigour to have professional organisations provide expert comment on the economic, social, environmental and cultural impacts of projects.

We note that a panel must invite property owners and occupiers of land, or adjacent land, for comment through fast-tracking (Schedule 6, 17.4.f).

We are concerned that this may in some cases exclude some infrastructure providers with, for example, assets under or above ground. There could be instances where such providers are not perceived to be owners or occupiers, are not required to be invited for comment and yet who may be directly affected by a fast-tracked project.

We support the naming of critical infrastructure providers as parties that must be consulted, for example, Transpower.

We thank the Committee for this opportunity to submit.