



To: Committee Secretariat
Environment Committee
Parliament Buildings
Wellington

Email : en@parliament.govt.nz

Submission on: **COVID-19 Recovery (Fast-track Consenting) Bill**

Name of submitter: **Civic Trust Auckland**

Date 21 June, 2020

Introduction

1. Civic Trust Auckland (**CTA**) is a non-profit public interest group, incorporated in 1968, with membership, activities and interests throughout the greater Auckland region. Its aims include the protection of natural landforms, the preservation of heritage in all its aspects, the encouragement of good planning for the city and region, and the promotion of public interest in the environment.

Comments

2. Civic Trust acknowledge the likely ongoing economic and social impact that will have on New Zealand for the foreseeable future. We support the purpose of the COVID-19 Recovery (Fast-track Consenting) Bill (**the Bill**) in promoting employment growth and supporting the certainty of ongoing investment. We note that achieving the purpose of the Bill is envisaged without surrendering the fundamental purpose of the Resource Management Act (RMA) being the promotion of the sustainable management of our country's natural and physical resources.

We note the Bill seeks to fast-track some projects requiring resource consent or designation under the RMA. There are three categories of project envisaged, each with targeted provisions in the Bill;

- Listed projects (11 specifically identified projects to be fast-tracked); and
- Referred projects (not specifically identified for which a process by which applications can be assessed and sent through a fast track process); and
- Specifically identified activities for key infrastructure works by public entities (that are deemed Permitted Activities).

3. Listed Projects

CTA consider the project in Schedule 2 of the Bill referred to as the Northern Pathway (LP02) to be an important connection in Auckland's integrated cycle and walking network, and we have made submissions to Auckland Council in support of it in the past.

The project has however grown in scope from something previously costed at some tens of millions of dollars to a currently estimated \$360 million. As a matter of detail, it now also envisages a off-ramp design at Northcote that would see the demolition of a number of long established old homes. Their status as heritage homes is refuted by proponents of the project, but we submit that this is simply because no proper assessment of their heritage value has been undertaken.

We now consider however that a cycle/walk-way costing over one third of a billion dollars is unjustifiable in the current financial climate, and with the unnecessary ramp modifications as recently proposed, this project should either be scaled back or deferred pending consideration as part of the identified need for a second harbour crossing.

4. Referred Projects

CTA has concerns that there is significant potential for the loss of historic heritage under the Bill as currently drafted. Notwithstanding assertions that environmental concerns will be addressed by Expert Consenting Panels to be set up, we can find next to no imperative for heritage considerations to be taken into account.

In the first reading of the Bill, the Minister stated that "Each panel is expected to include resource management expertise as well as technical expertise in relation to the project *and its effect.*".(CTA's italicised emphasis).

However, both the General policy statement of the Explanatory note to the Bill, and clause 8(1)(b) of Schedule 5 of the Bill state that each panel must collectively have technical expertise relevant to the project, but omit reference to the need for panel members to have expertise in the *effects* of a project. To this end we consider that the list of parties the Expert Consulting Panels should be extended to include *Heritage New Zealand Pouhere Taonga* and *Historic Places Aotearoa Inc.* as per point 5 of our submission.

Interpretation

Historic heritage is a matter of national importance under the RMA. We assume that clause 12 (14) of the Bill renders RMA definitions applicable. If not, we submit that an explicit definition should be provided in the Interpretation section of the Bill.

Criteria

The criteria under clause 18 of the Bill for projects that may be referred does not preclude projects which may have adverse effects on historic heritage, and we therefore submit that additional sub-clauses be added to clause 18(2) that preclude the demolition of places or areas that are included on either the List

administered by *Heritage New Zealand Pouhere Taonga*, or that are included on the heritage schedules administered by relevant Territorial Authorities.

We submit that clause 19(d)(viii) provides no assurance of the protection of historic heritage from inappropriate subdivision, use and development

5. Applications

The documents listed in Schedule 6, clause 9(2) should be extended to include the Climate Change Response Act 2002.

For listed projects, apropos Schedule 6, clause 17(4), the parties a panel must invite comments from in relation to a consent application or notice of requirement should be extended to include any relevant Crown Entity, and in this regard, the party we submit should be included is *Heritage New Zealand Pouhere Taonga*.

For referred projects, apropos Schedule 6, clause 17(6), we note the Bill as currently drafted has considerable provision for comments from organisations associated with the natural resources aspect of the environment, but not those associated with the physical resources aspect, ie: those including historic heritage.

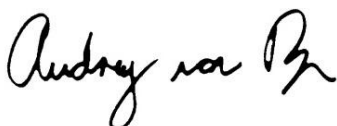
We submit that in relation to a consent application or notice of requirement, the additional parties a panel must invite comments from should include provision for historic heritage, and so the list of those to be consulted should be extended to include *Heritage New Zealand Pouhere Taonga*, and *Historic Places Aotearoa Inc*.

6. Duration of the Bill

Times are changing quickly, and the partial suspension of the democratic process is considered a temporarily but undesirable necessity.

To that end we submit that this Bill should lapse after just one year and be able to be extended for one further year thereafter.

Signature of person authorised to sign on behalf of submitter



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