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## **Submission from the NZ Automobile Association on the COVID-19 Recovery (Fast-track Consenting) Bill**

### **Introduction**

The NZ Automobile Association (NZAA) appreciates the opportunity to comment on the COVID-19 Recovery (Fast-track Consenting) Bill.

While we would have liked more time to digest the Bill and develop our feedback, we recognise the Government's desire to pass this Bill and speed up project consenting as soon as possible and therefore understand the short timeframe provided for submissions.

### **NZAA position**

#### *Summary*

The NZAA supports the intent of the Bill. Development of infrastructure will undoubtedly help to stimulate the economy in response to the impacts of COVID-19, while also providing the longer-term benefit of delivering an improved asset base. As such, we are pleased that the Government has prioritised legislating to enable infrastructure development to get underway more quickly, and are particularly pleased with the emphasis being placed on transport infrastructure.

Notwithstanding this position, there are a number of matters raised in the Bill that we would like to comment on, notably:

- consultation requirements: the NZAA should be included as one of the parties from which expert Panels invite comment, when considering a consent application or notice of requirement for referred projects with a transport focus;

- transparent decision making: we strongly support the fact that, as drafted, the legislation would require the Minister for the Environment to make available his/her decision and reasons for it on an application for referral;
- delivering road safety improvements with efficiency in mind: we support the proposal to allow the NZ Transport Agency to deliver 'minor improvement' safety works as of right (i.e. as permitted activities), but suggest that as part of this the NZ Transport Agency be required to strive to deliver improvements that not only enhance road safety but seek to maintain efficiency;
- recognition of economic wellbeing: when determining whether a project will help to achieve the purpose of the Act, the legislation should prompt the Minister to not only consider the project's effect on social and cultural wellbeing, but on economic wellbeing as well.

Further detail on these points is provided below.

#### *Consultation requirements*

The Bill lists a range of parties from which an expert Panel must invite comments when considering a consent application or notice of requirement for a referred project (Schedule 6, section 17(6) refers). We strongly consider that the NZAA should be included in the list.

The NZAA was founded as an automobile users' advocacy group in 1903. Fast-forward over a hundred years, and today we are New Zealand's largest membership organisation with over 1.7 million Members. We use our advocacy to call for interventions that will see New Zealand's transport system develop in a way that meets our Members' needs; AA Members are not only motorists, many are cyclists, public transport users and, of course, pedestrians.

The positions the NZAA takes on issues are primarily formed through three channels.

- We have seventeen District Councils around New Zealand which represent the interests of AA Members in their local areas. Councillors work on a voluntary basis and use their knowledge and experience to act as a voice for local Members.
- We have a professional policy team located in Auckland and Wellington who research transport policy issues and international best practice, monitor transport network performance, and regularly engage with AA Members (primarily through surveys) to understand Member views.
- We fund and manage the AA Research Foundation (AARF), through which we commission research into current issues in transport and mobility. AARF has recently produced high quality research on, for example, low cost road safety infrastructure.

Through the Bill, the Government is aiming to speed up consenting for infrastructure projects (with a major focus on transport projects), and will achieve this in large part by limiting opportunities for the public to have a say. Given our interest and expertise in transport issues, alongside our ability to represent the views of our 1.7 million Members, we strongly urge the Government to add the NZAA to the list of parties from which an expert Panel must invite comments when considering a consent application or notice of requirement for transport-related projects.

### *Transparent decision-making*

The legislation, as drafted, provides the Minister for the Environment with a great deal of discretion over which projects are able to make use of a fast-tracked consenting pathway and which cannot. Specifically, our understanding is that the Minister will have the power to decline any project put forward for fast-tracked consenting for any reason (whether the project meets the referral criteria, or not).

As a check and balance on this power, we strongly support the requirement, which is set out in the Bill, for the Minister's decisions on applications for referral – and reasons for those decisions – to be made publicly available.

### *Enhancing safety and efficiency on the transport network*

The Bill identifies a range of activities that the NZ Transport Agency will be able to deliver as 'permitted activities'. These activities include 'the provision of a safety barrier' and 'the safety upgrade of an intersection or level crossing (including to add signals, a roundabout, a turning bay, or safety improvements for pedestrians or cyclists)' (Schedule 4, Part 2, Section 11(2)(a) & (c) refer).

We support giving the NZ Transport Agency the ability to undertake minor road safety works 'as of right'. However, we think that as part of this, the NZ Transport Agency should be required to consider the impact that various road safety interventions will have on the efficiency of the network, and strive to deliver the option that not only enhances road safety but seeks to maintain (or improve) efficiency. Such interventions will gain the greatest support from road users – as an example, a recent AA Member survey highlighted that support for safety barriers increases when passing opportunities are also provided – and will also be in line with the Government's aim of supporting the economy.

### *Recognition of economic wellbeing*

The Bill sets out a series of matters that the Minister may consider when determining whether or not a project will help to achieve the purpose of the Act (section 19 refers). One of these matters is "*the project's effect on the social and cultural wellbeing of current and future generations*" (subsection (b) refers).

We suggest subsection (b) reads "*the project's effect on the social, economic and cultural wellbeing of current and future generations*", as this would recognise the importance of economic considerations to people's wellbeing and is consistent with the purpose of the Resource Management Act (which refers to "social, economic and cultural wellbeing").

Thank you again for giving us the opportunity to comment on the Bill.

Yours sincerely,

Sarah Geard  
**Senior Advisor – Infrastructure**

