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Media Release

Fast track Covid-19 bill appears to have safeguards for the environment

The Government's fast-track bill appears to have a number of important safeguards to protect the environment, says the Environmental Defence Society (EDS).

"In ordinary circumstances this kind of *ad hoc* override legislation would not be desirable," said EDS CEO Gary Taylor.

"But these are not ordinary times. There is a clear imperative to get economic activity going again and a strong initial surge of public and private sector spending on infrastructure projects is urgently needed to create employment and drive a powerful recovery from C19 lockdowns.

"Environment Minister David Parker has made it clear that this surge will include restoring natural systems like wetlands and sedimented rivers and streams. We can also expect an emphasis on walking, cycling and public transport projects, and on improving water and waste management provision. It won't be all about motorways: this is the 21st century.

"Projects that will assist transitioning to a low carbon economy should be prioritised. The Minister for the Environment will have a gatekeeping role for projects to enter the fast-track: the criteria he must use should be released and should follow advice from the Climate Change Commission.

"The Minister's media release includes reference to projects promoted by environmental NGOs in a recent open letter to the Prime Minister, which is welcome.

"The fears that the special consenting process would run roughshod over environmental bottom-lines have not materialised. The Minister says that consent decisions have to apply Part 2 of the RMA and have regard to national direction including National Policy Statements and National Environmental Standards. We'll need to see the detail on that.

"While public submissions and hearings are not provided for in the interests of fast decision-making, we expect that environmental NGOs might be consulted by the consenting panels. And rights of appeal, while limited, are still provided for, including judicial review.

There is a sunset clause of 2 years from enactment. So the expiry of the Act should merge in a timely way with Hon Tony Randerson's longer-term reform proposals which would hopefully be enacted in the next term of government.

"Finally, we suggest that the Bill should go to a select committee for quick scrutiny. On a number of key points, like the weighting of Part 2 matters, the drafting will be critical; we'd like an opportunity to critique the actual bill.

"Overall, it looks like the legislation will avoid sacrificing environmental standards and has focused mostly on speeding up decision-making. Given the exigencies of this C19 world, the outline of the proposed bill looks like an appropriate response," Mr Taylor concluded.