

19 May 2020

Hon David Parker
Minister for the Environment
Parliament Buildings
Wellington

Dear Minister

COVID-19 Recovery (Fast-track Consenting) Bill

The Climate Change Commission has taken the opportunity to review the Cabinet paper on the COVID-19 Recovery (Fast-track Consenting) Bill.

We are pleased to see that the eligibility criteria for projects to use the fast track process includes a 'public benefits' test that will require the Minister for the Environment to have regard to (amongst other things) whether the project would:

- contribute to New Zealand's efforts to mitigate climate change, including accelerating New Zealand's transition to a low emissions economy; and
- strengthen our environmental, economic, and social resilience, including to natural hazards and the impacts of climate change.

In our view, given the significance and increasing urgency of responding to changes in our climate merely "having regard to" the matters above is inadequate.

We recommend that in approving projects the Minister should be satisfied that the project is consistent with the purposes of the Climate Change Response Act 2002 and have regard to the principles we outlined in our letter to the Minister for Climate Change dated 7 April 2020.

We note also that the Minister will have discretion to decline any application for any reason.

While we support recognition of projects that assist both climate change mitigation and adaptation, we remain concerned that there may be projects put forward under the proposed regime that would harm these national interests and international commitments.

Projects that would involve or encourage greater emissions, or development in areas exposed to an unacceptable risk of inundation, coastal hazards or storm damage as a result of climate change over the life of the development, would be obvious examples.

We understand and support efforts to support economic and social recovery from the shock of COVID-19. We strongly believe that in doing so we also need to avoid creating future problems and potentially large public and private costs and losses.

If we lose sight of climate change during this time, we may end up compounding today's crisis with a future one.

For that reason, we think it prudent that the potential to increase ongoing climate change costs and liabilities would ideally be expressly stated as a reason for declining a fast track application. Failing that, we consider that the Minister should exercise his discretion to decline applications by applying a climate change lens to his decision-making: in other words consider whether the project will result in greater exposure of the New Zealand economy and communities to climate-related risk or make the transition to a low emissions economy harder. We have reached the point where climate change needs to be our focus for future investments.

The Commission would be happy to assist in developing a decision-making guideline to assist the Minister to take such an approach.

Yours sincerely



Dr Rod Carr
Chair, Climate Change Commission
On behalf of the Climate Change Commission

Attachment - Letter dated 7 April 2020 to Hon. James Shaw, Minister for Climate Change from Dr Rod Carr, Chair - Climate Change Commission

CC: Hon Grant Robertson, Hon Phil Twyford, Hon Megan Woods, Hon Nanaia Mahuta, Hon Damien O'Connor, Hon Shane Jones, Hon James Shaw and Hon Eugenie Sage