

1 May 2024

To: Hon. Simon Watts, Minister of Climate Change
Hon. Nicola Willis, Associate Minister of Climate Change

Re: Fast-track Approvals Bill (the Bill)

Tēnā kōrua Ministers

I am writing to you about the Fast-track Approvals Bill (the Bill) as part of the Commission's role to provide independent, impartial advice to the government on mitigating climate change and adapting to the effects of climate change, and to monitor and review the government's progress towards its emissions reduction and adaptation goals. As our resources are currently fully committed to delivering the legislative work programme set out in the Climate Change Response Act 2002 (the Act), we are not submitting as part of the select committee process. However, there are several points that we wish to bring to your attention where the Bill engages you in your role as Climate Change Minister (and Associate Minister).

Reaching Aotearoa New Zealand's 2050 emissions target will require substantial acceleration of low emissions infrastructure such as renewable electricity generation and electricity transmission infrastructure. The Bill provides a new mechanism for infrastructure and development projects to be rapidly consented. Projects approved through this new process could have significant impacts on whether emission budgets and the 2050 target are met.

Where infrastructure is prioritised in line with achieving the government's stated emissions reduction goals, the Bill could remove impediments to the low emissions transition. However, the Bill emphasises the benefits of development, but does not appear to give sufficient weight to climate considerations. If infrastructure and development projects instead support emissions intensive activities, these will make it more difficult to meet emissions budgets, put a greater burden of emission reductions on the rest of the economy, and could compromise adaptation options under the National Adaptation Plan. The selection of which projects are chosen to be fast tracked should be made in the context of achieving the country's medium and long-term goals relating to climate change.

Infrastructure and development projects will also be exposed to increasingly severe natural hazards as a consequence of climate change. If these risks are not sufficiently weighted, approved projects that are poorly situated could lead to maladaptation and increasing vulnerability to their functional performance. Projects in these circumstances would be subject to high costs and are unlikely to bring the benefits expected. There is increased risk that fast tracked projects result in ratepayers and taxpayers bearing these costs. It is currently unclear whether these risks will be given adequate weight in decision-making since the well-established safeguards in the Resource Management Act 1991 are explicitly overridden.

The transformation to a low emission economy requires significant changes to how we live, work and travel over decades. By narrowing who can provide input into what and where development projects and infrastructure are approved, this bill puts at risk the social license necessary to meet emission targets and budgets, and successfully adapt to the effects of climate change.



In your role as Minister of Climate Change, you are required under s5X of the Act to ensure that emission budgets are met. You also have obligations to prepare and implement national adaptation plans to adapt to the effects of climate change. The Bill proposes that the Minister of Climate Change has two weeks to provide comment on each proposed listed or referred project that seeks Resource Management consents. I would encourage you to consider whether this time, and the information available to you under the Bill as drafted, will be sufficient to assist you to ensure that emissions budgets are met, and adequate weight is given to the climate risks. And I recommend you discuss with the Environment Committee or the sponsoring Minister as to how the impacts on emissions budgets and the impacts of climate change and the adaptation of projects under the Bill will be considered and addressed by expert panels and by joint ministers, and how you can meet your own obligations in this process.

Ensuring that major infrastructure investments promote positive climate outcomes is an important element for a thriving, climate-resilient and low-emissions Aotearoa New Zealand.

This letter will be published on the Commission's website.

Ngā mihi nui

A handwritten signature in black ink, appearing to read 'Rod Carr', written in a cursive style.

Dr Rod Carr

Chair of He Pou a Rangi Climate Change Commission