

Fast-track Bill puts NZ on wrong track, threatening public health

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Summary

The Coalition Government has introduced the Fast-Track Approvals Bill to Parliament. The Bill would allow a small number of Ministers to approve infrastructure and development projects directly, circumventing public consultation processes and environmental protections currently in place. Projects that will be prioritised for fast-tracking, including mining and major roading projects, are highly likely to increase the country's greenhouse gas emissions and undermine progress on environmental protection and restoration. Because of this, they pose potentially serious and intergenerational threats to public health.

Here we focus on the implications of the Bill for our environment and the consequences this has for our health and wellbeing. The Fast-track Approvals Bill has been sent to Select Committee and submissions are open through Parliament's website until 19 April 2024.

Faster, but in what direction?

The Coalition Government recently introduced its Fast-Track Approvals Bill to Parliament, sparking widespread concern.¹⁻⁶ The Bill risks taking Aotearoa New Zealand (NZ) in the direction of rapid environmental degradation and increased greenhouse gas emissions. A

review of Ministers' comments on the Bill since its release (provided in Appendix 2) indicates that mining and major roads are priorities for the Government under the Bill.

As environmental scientists have noted, "The fast-tracking agenda threatens to undermine New Zealand's progress on biodiversity protection and other key environmental issues. It erodes rather than sustains the natural capital on which the economy depends".⁷

With human health intrinsically linked to environmental health, the direct and indirect consequences of the Bill for public health are potentially serious, wide-ranging, and intergenerational.

What is proposed under the Fast-Track Approvals Bill?

The Government is proposing to allow the Minister for Infrastructure, the Minister of Transport, and the Minister for Regional Development (more detail in Appendix 1) to approve any project they deem regionally or nationally significant.⁸

Projects approved under the Bill would not be subject to existing environmental legislation, including the Resource Management Act 1991 (RMA) and the Conservation Act 1987. Ministerial decisions granting consents for projects would override existing protection for freshwater, biodiversity, and a significant proportion of conservation land. Ministers' decisions would also override local government planning and council decisions. Under the Bill, projects consented by Ministers would be referred to an expert panel that could recommend conditions, including conditions that would attempt to mitigate environmental impacts. However, Ministers will be able to reject these conditions, including, as Minister for Infrastructure Chris Bishop has indicated, where the Ministers consider them to be "too onerous".⁹

The Government had said it would include a list of projects to be fast-tracked before the Bill went to the Select Committee but has failed to do this. However, a review of Ministers' public comments over two weeks since the Bill was tabled, shows clear signals on what type of projects are likely to be prioritised by Ministers (our complete review is provided in Appendix 2).

Ministers' comments show an emphasis on mining and major roading projects. They have indicated that 15 large roading projects will be fast-tracked. Aquaculture, housing, and renewable energy projects are commonly mentioned. Oil, gas and coal extraction, dams and farming projects, and public transport are also noted by Ministers. However, public transport and active transport (ie, walking and cycling) projects have been cut by the Government, indicating that public transport projects are unlikely to be prioritised under the Bill.¹⁰

How would projects approved under the Bill impact public health?

Public health is intrinsically linked to the health of the natural environment. There are 3,300 premature adult deaths per year in NZ as a result of air pollution,¹¹ and around 34,000 people become ill from unsafe drinking water each year.¹² The Bill would allow for Ministerial decision-making to override the RMA, including the usual consideration of, and restrictions on, air and water pollution.

Furthermore, as the WHO has stated, climate change is "the greatest health challenge of the 21st century".¹³ The health of the natural environment is a factor in facilitating carbon

sequestration,^{14,15} and for resilience to extreme events such as floods and droughts.^{16,17} Cyclone Gabrielle, which resulted in 11 deaths and billions of dollars of damage,¹⁸ is the type of disaster that is predicted to increase with climate change.

Mining on conservation land has clear environmental impacts, with serious consequences for wildlife and biodiversity, and contributes to an increase in greenhouse gas emissions (particularly where fossil fuels are mined).¹⁹ It can also pollute waterways.²⁰ Other impending impacts of projects signalled by Ministers on environmental and public health may be less obvious. For example, in relation to the fast-tracking of large dams to supply water for irrigation, the subsequent intensification of land use in the catchment area is likely to lead to more polluted waterways and poorer drinking water quality.²¹

New housing developments, new public transport infrastructure and new renewable energy projects can all have obvious public health benefits (see other *Briefings* on these topics). However, the environment must be considered for the safety and longevity of these developments. For example, the development of housing on flood plains can create risk to people's lives and livelihoods, particularly as climate change brings more frequent and intense flooding.²²

Conclusions

The Fast-track Approvals Bill as currently drafted would put NZ on the wrong track by establishing decision-making processes that circumvent key protective legislation. This is likely to result in projects that cause more extreme degradation of the country's natural environment, posing serious and intergenerational threats to public health.

What's new in this *Briefing*

- The Government's new Fast-Track Approvals Bill fails to recognise the necessity of protecting and restoring the natural environment for the health and well-being of people.
- A review of Ministers' comments since the Bill was introduced to Parliament finds the Government's attention is on fast-tracking mining and large roading projects.

Implications for public policy and practice

- The Fast-track Approvals Bill poses a serious and intergenerational threat to public health by allowing new developments that threaten degradation of the environment. Adverse impacts could include more air and water pollution, and increased greenhouse gas emissions.
- The Bill would allow a small number of Ministers to override key legislative protections for the environment and public health.
- The Fast-track Approvals Bill has been sent to Select Committee and submissions are open until 19 April 2024. Submissions can be made on the bill [here](#).

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Appendix 1: Further detail on Ministers responsible for approvals.

The Minister of Conservation may also be involved in approving consents but only where an approval would otherwise be prohibited under the Wildlife Act 1953, and certain Ministers as specified under the Crown Minerals Act 1991

Appendix 2: Review of Ministers' comments to identify types of projects likely to be prioritised under the Bill.

We collated comments directly attributed to Ministers with powers under the Fast-Track Approval Bill made in Parliament or reported by media from 7 March 2024 (the day the Bill was presented to Parliament) to 19 March 2024 (after which this Briefing was drafted). From this review, we noted the types of projects Ministers referred to in their commentary in order to identify what types of projects were likely to be prioritised under the Bill.

The current main Ministers who would be granted powers to approve projects under the Bill are the Minister for Infrastructure - Chris Bishop, the Minister for Regional Development - Shane Jones, and the Minister for Transport - Simeon Brown.

We reviewed Hansard transcripts of speeches in Parliament and print or online media interviews available as text via the Factiva database. This means we also included transcripts of broadcasts held by Factiva.

Our Hansard search searched under the three Ministers' comments, using the search term "fast-track" or "fast track". It returned 13 hits with only three hits relating to specific comments by Ministers on the types of projects that would be fast-tracked.

Our media search used the same search terms as above. It used the categories "All major news and business sources: Australia and New Zealand", "Newspapers: Australia and New Zealand" "Transcripts: Broadcasts", with results restricted to New Zealand sources only. It returned 101 hits, with 28 duplicates removed by Factiva. Of the 73 remaining, there were 11 unique quotes where Ministers commented on the types of projects that were likely

under the Bill.

We excluded comments in written articles that were direct quotes from other sources (ie, Parliamentary speeches) to avoid duplication of the same comment. For the same reason, where articles were syndicated and appeared in more than one newspaper, we recorded the comment only once.

Minister	Specific comment/s by the Minister and source	Type of project
Minister for Infrastructure Chris Bishop	"It is just too hard to do things—too hard to build houses, too hard to build roads, too hard to build public transport, too hard to build geothermal and wind power stations, too hard to build mines for the future, too hard to get aquaculture projects up and running—and this is part of the Government's process of unclogging that." Link to Hansard record.	Housing, roads, public transport. Geothermal and wind energy, mining, aquaculture.
	"Part of the problem in this country is we've become the obstruction economy, and what I want to say is that there is a better way. We don't have to become a country which has a "can't do" attitude; we can become a country that says yes to growth, yes to more roads, yes to geothermal power, yes to wind energy, yes to farming, yes to mining, yes to housing growth, and yes to growth, because that's the problem with this country. We've got a slow-growing economy; we've had productivity growth problems for 30 years. It's too hard to do things in this country, and I'm proud to be a member of a Government that is changing the obstruction economy and saying yes to growth." Link to Hansard record.	Roads, geothermal energy, farming, mining, housing.
	"So many problems in New Zealand could be solved by more economic growth, more projects, more roads, more mines, more renewable energy, more building stuff that will actually improve the economy and get things going." Link to Hansard record.	Roads, mines, renewable energy.
	"Before the election National signalled it would start construction on a second tunnel in its first term by designating it a major infrastructure priority, which would fast track the usual consenting process. Hutt South MP Chris Bishop, now the Infrastructure Minister, campaigned on the promise to build both the Cross Valley Link and Petone Grenada Rd. It was fantastic news for the Hutt Valley: that both roads had been named as roads of national significance, Bishop said. 'These are critical projects for the Hutt Valley and signal the Government is prioritising them for funding.'" Date published 14 March 2024. Link to source.	Roads.
	"The breadth of projects it could throw up will be significant. As Bishop said on Thursday..." "It's sort of self-defining projects that are regionally significant in terms of job creation, economic value creation, when it comes to a road - congestion benefits or savings". Date published 9 March 2024. Link to source.	Roads.
	"Chris Bishop told Checkpoint he could not guarantee a ban on new mining projects on DOC land or new coal mining elsewhere. Date published 7 March 2024. Link to source.	Mining.
	'Actually, one of the things that ministers will be looking at is the significance of a project regionally or nationally - and mining is included in the sectors we'll be looking at, alongside infrastructure, renewable energy, aquaculture projects, more housing growth and a whole range of other things.' Date published 7 March 2024. Link to source.	Renewable energy, aquaculture, housing.
	'If you think about renewable power... those projects have an impact on the environment... but it's necessary that we supercharge the amount of electrification in the economy to get our transmissions [sic] down.'" Date published 7 March 2024. Link to source.	Renewable energy.

Minister	Specific comment/s by the Minister and source	Type of project
Minister for Regional Development Shane Jones	<p>“Let me talk about veins. There are veins of wealth throughout Te Tai Poutini. There are veins of wealth throughout the South Island, and with this legislation, mining will be turbocharged. There are consequences from voting, and the consequence of Kiwis electing this group of politicians is that we are no longer going to tolerate tainting, stigmatising, marginalising of the rich mineral endowment in New Zealand. The echo chamber for my speech is trans-Tasman, it's global. I am already getting messages from North America, from Singapore, from Australia. At long last, New Zealand is open again for business. Link to Hansard record.</p>	Mining.
	<p>“No more eco-romanticism, no more colonial guilt, but a very focused, a very direct level of interest upon causing Kiwis to be more resilient, causing Kiwis to be able to afford to live in their own country, not watching their sons and daughters go to Kalgoorlie and dig up Australia whilst parliamentarians on that side of the House oppose, daily, the mining industry. They quietly hide as we bring Indonesian coal into New Zealand every month to keep the lights on, because they know that the most important thing in a modern economy is a secure, resilient energy system, something that was destroyed as our sovereign risk collapsed after the unwise decision made about oil and gas. Gas will be around for at least another 30 years. Gas, under this Bill, where it's needed, will be processed in a professional, timely fashion.” Link to Hansard record.</p>	Coal mining. Oil and gas
	<p>“There will be those who exaggerate, those who worsen the prospects under the rubric of climate change. Climatologists, climatarians, join the fray. These are items of debate for the development of our country. Our country is going to grow at long last, because this Bill will not only build dams, open mines, develop infrastructure; it has the Ruataniwha clause.” Link to Hansard record.</p>	Dams, open mines.
	<p>“Because, as I say, this is a one-stop shop fast-track consenting regime specifically designed to accelerate infrastructure, housing, transport, aquaculture, mining, the extractive industries—all of the things that New Zealand needs more of rather than less of.” Date published 7 March 2024. Link to Hansard record.</p>	Housing, transport, aquaculture, mining, the extractive industries.
	<p>“If there is a mining opportunity and it's impeded by a blind frog, goodbye Freddy”. Date published 16 March 2024. Link to source.</p>	Mining
	<p>““But at the same time, Trans-Tasman have every legal entitlement in the world to proceed with their project. They're entitled to proceed, and these are valuable rare earth minerals, including the vanadium, but obviously they've got to go through a statutory process.” Date published 13 March 2024. Link to source.</p>	Mining.
	<p>“Jones said the Government needed to expand the likes of the aquafarming and extractive sectors to grow the economy and reduce the current account deficit – the country importing more than it exports.” Date published 14 March 2024. Link to source.</p>	Aquaculture, extractive sectors.
	<p>But economic development considerations had been ‘overwhelmed by eco-catastrophisation’ and he wants the Government to overcome the perception ‘that you can never get anything done in New Zealand’ Jones points to a Ngāi Tahu proposal to build an open-ocean salmon farm off Rakiura-Stewart Island as an example of what's wrong.” Date published 14 March 2024. Link to source.</p>	Aquaculture.
	<p>“There will be ‘white water’ about contentious projects, Jones expects, particularly mining projects. But the Government is intentionally limiting the opportunity for the public to contribute to the expert panels.” Date published 14 March 2024. Link to source.</p>	Mining.
	<p>“With submissions now open on the Government's Fast-Track Approvals Bill, Jones said aquaculture projects had been hobbled by too much emphasis being placed on the amenity and landscape values of Nimby — “not in my backyard” — individuals and groups. Jones said there would ‘certainly be an opportunity’ for aquaculture projects in the new fast-track approvals process and a number of sector applicants were already working with fisheries officials.” ““Some have already selected themselves, including the failed Ngāi Tahu aquaculture project at Stewart Island,’ Jones said. In August last year, an independent panel declined a resource consent application from Ngāi Tahu Seafood to build and operate an open ocean salmon farm off the northeast coast of Stewart Island.” ““A substantial challenge for aquaculture lies in the value-riddled approach pursued by DoC [Department of Conservation] and local councils. These projects are often hobbled by too much emphasis being given to amenity values and landscape values,’ Jones said.” Date published 13 March 2024. Link to source.</p>	Aquaculture.
	<p>“Shane Jones told Morning Report the tunnel was promised during the election campaign and no one should be surprised if consenting was fast-tracked.” ‘My colleagues from the National Party and a host of others in Wellington ... many of them have campaigned, they've submitted and they've made a lot of noise about the Vic tunnel.’” Date published 8 March 2024. Link to source.</p>	Roads.
	<p>““We've already mined DOC land'. But Jones, one of the three ministers given the power to make Fast-track decisions said environmentalists needed to ‘overcome their preoccupation with mining not being permitted on DOC land’.” ““There's hundreds of New Zealanders going to work today, digging up minerals on the DOC estate.”” He denied he would be willing to risk the extinction of a species if the potential economic gains from a development were warranted, but said some ‘hard trade-offs’ would need to be made.” ““If we're not going to turn around our current account deficit through using dairy and other types of industries, we've got to open up new sources of revenue,’ he said.” ‘Go down this morning to West Port, Greymouth, Hokitika, I'm telling you, people are out there are clapping loudly that at long last the natural resources of that area - whether it's the iron sands off Westport, whether it's the critical rare Earth minerals that are scattered throughout the West Coast - now people will have a clear sense of certainty, that is a genuine political debating point.’” Date published 8 March 2024. Link to source.</p>	Mining.

Minister	Specific comment/s by the Minister and source	Type of project
Minister for Transport Simeon Brown	<p>"By including 15 roading projects in the plan, Brown said the Government was signalling support for economic growth and regional development.</p> <p>'Investments in these essential corridors will make it easier for New Zealanders to get where they need to go, create a more productive and resilient transport network, drive economic growth and unlock land for thousands of new houses.'</p> <p>Brown said roads of national importance would be fast tracked and funded by a range of options, including tolls and public private partnerships."</p> <p>Date published 14 March 2024. Link to source.</p>	Roads.

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