

# RM REFORM UPHOLDING SETTLEMENT – NGĀ MAUNGA WHAKAHII O KAIPARA

## AGENDA AND NOTES

25 January 2024, 2pm

Microsoft Teams

### Attendees

Name	Role	Organisation
9(2)(a)		Ngā Maunga Whakahii
David Tapsell	Engagement Lead – Treaty Settlement Team	Ministry for the Environment
Christine Lanham	Senior Policy Analyst – Treaty Settlement Team	Ministry for the Environment
Lisa Lamberton	Policy Analyst – Treaty Settlement Team	Ministry for the Environment
Hamony Karikari	Business Support Coordinator – Treaty Settlement Team	Ministry for the Environment
Rachel Ropiha	Kaiwhakatere – Regional Navigator	Ministry for the Environment
Arron Cox	Manager, RM System	Ministry for the Environment
Craig Davison	Senior Analyst – Water Allocation Team	Ministry for the Environment

### Items

1	Karakia
2	Mihimihi
3	Purpose
4	Overview
5	Discussion
6	Next steps
7	Whakakapi, karakia

## Meeting notes

Discussion notes	D1	<b>Karakia</b>
	D2	<b>Mihimihi</b>
	D3	<b>Purpose</b> <ul style="list-style-type: none"> <li>An opportunity for Ngā Maunga Whakahii o Kaipara and MfE to meet and discuss some key areas that the Government is working on in its 100-Day Plan.</li> </ul>
	D4	<b>Overview</b> <ul style="list-style-type: none"> <li>Thank you for meeting us at such short notice. The timeframes are very tight and we apologise for that. We have until 12th February to hear back from you with any further thoughts and ideas about what we're discussing today.</li> <li>The Government has said Treaty settlements will be upheld. We don't have the detail for that yet as officials still working on it, but we will get this to you as soon as we can.</li> <li>Arron Cox and Craig Davison to provide an overview of proposals relating to Fast Track Consenting (FTC) and the National Policy Statement on Freshwater Management (NPS-FM).</li> </ul>
	D5a	<b>Fast Track Consenting (FTC)</b> <p><i>MfE:</i></p> <ul style="list-style-type: none"> <li>Government is proposing to introduce a permanent Fast Track regime in its first 100 days of office.</li> <li>The regime will draw on the fast-track consenting regimes in the Covid-19 Recovery (fast track consenting) legislation and the NBA.</li> <li>A key difference is that those regimes related only to RMA consents whereas the new regime may also apply to approvals under Wildlife, Conservation, Heritage and Reserves legislation. Details are still being worked through with other agencies, and decisions still to be made.</li> <li>Key steps to process would include: <ul style="list-style-type: none"> <li>Applicants to apply to the appropriate Minister for project to be fast-tracked and project assessed against eligibility criteria (to be determined).</li> <li>Minister would consult with other Ministers, PSGEs, and local government to decide if suitable to refer project to an Expert Panel. Intent is there will be a high threshold for applications.</li> </ul> </li> </ul>



		<ul style="list-style-type: none"><li>○ If referred, an expert panel would be stood up to consider the application in more detail and apply any necessary conditions to ensure a project meets environmental and other outcomes.</li><li>○ Once approved, local government would carry out consent monitoring and enforcement.</li><li>• Timeframe – This is part of the Government’s 100 Day Plan. Intention is to have the Bill introduced by 7<sup>th</sup> March, so the period for feedback is about two weeks.</li><li>• FTC projects would need to be of national or regional significance.</li><li>• (For reference: there are a few projects in Auckland that went through the Covid-19 Recovery FTC process.)</li><li>• Expert panels would most likely consist of four members. The panel composition still to be determined.</li></ul> <p><i>Ngā Maunga Whakahii:</i></p> <ul style="list-style-type: none"><li>• Ensuring appropriate PSGE representation could be quite complex.</li></ul> <p><i>MFE:</i></p> <ul style="list-style-type: none"><li>• It will then proceed through the usual select committee process so further input into the Bill can happen during that period.</li></ul>
	D5b	<b>Upholding Treaty Settlements</b> <p><i>Ngā Maunga Whakahii:</i></p> <ul style="list-style-type: none"><li>• How will the regime ensure Treaty settlements are upheld? Assume eligibility criteria will have Treaty and Treaty settlement considerations built in?</li></ul> <p><i>MFE:</i></p> <ul style="list-style-type: none"><li>• The Government has committed to upholding Treaty settlements.</li><li>• We are working to understand how this will look in FTC. We will bring through some of the mechanisms from existing FTC legislation. Whether broader mechanisms are required is to be determined.</li></ul>
	D5c	Out of scope



		Out of scope
	D6	<b>Next steps</b> <ul style="list-style-type: none"><li>Await any further input from Ngā Maunga Whakahii o Kaipara and provide further updates as and when available.</li></ul>
	D7	<b>Karakia</b>
<b>Actions</b>	<b>A1</b>	<ul style="list-style-type: none"><li>Send <sup>9(2)(a)</sup> the letter from Minister Bishop (13<sup>th</sup> Dec)</li></ul>