



FAST TRACK CONSENTING – Maungaharuru Tangitū Trust

AGENDA AND NOTES

Friday 26th January 2024, 10:00am

Teams

Attendees

Name	Role	Organisation
Tania Hopmans	Chairperson	Maungaharuru Tangitū Trust
Liz Munroe	Interim CEO	Maungaharuru Tangitū Trust
Diana Taunoa	Cultural Monitor	Maungaharuru Tangitū Trust
Daran Ponter	Engagement Lead	Ministry for the Environment
Christine Lanham	Principal Advisor (Acting)	Ministry for the Environment
Beverly Kemp-Harmer	Kaiwhakatere Regional Navigator	Ministry for the Environment
Julian Jackson	Senior Analyst	Ministry for the Environment
Arron Cox	Manager, RM System	Ministry for the Environment
Craig Davison	Senior Analyst – Freshwater Allocation	Ministry for the Environment
Kitty Sneyd-Utting	Business Support Coordinator	Ministry for the Environment

Items

1	Mihi whakatau, karakia
2	Overview on FTC
3	Overview on NPS-FM
4	Discussion and next steps
5	Whakakapi, karakia



Meeting notes

Discussion notes	D1	Mihi whakatau, karakia
	D2	<p>Overview of FTC proposals</p> <ul style="list-style-type: none">- Government to send a letter to PSGEs soon [Sent by Minister Bishop on 31/01/2021]. The letter will give a sense of the two pieces of work underway – Fast Track Consenting (FTC) and National Policy Statement for Freshwater Management (NPS-FM) changes. Many details still to be determined.- A further hui will be organised to discuss the fast-tracking consenting proposal in more detail [Now organised for 11am, Monday 12 February, Mana Ahuriri Trust Offices]. <p>Current details that MfE can provide:</p> <ul style="list-style-type: none">- Government is introducing a permanent fast track regime as part of 100-day plan – FTC legislation to be introduced by 7th March 2024.- Would draw on elements of the interim/NBA and Covid-19 fast track regimes.- Under the proposed new FTS regime, individuals / groups could apply to the Minister to have a project fast tracked. The Minister would consider the project against criteria to determine eligibility. If eligible, the Minister would consult other ministers local government and PSGEs before deciding whether to refer the application to an Expert Panel.- The FTC regime may extend to approvals under other legislation such as the Conservation Act, Reserves Act, Wildlife Act and Pouhere Taonga/Heritage New Zealand Act to provide for a ‘one-stop shop’.- Two key steps under the FTC regime:<ul style="list-style-type: none">1) Referral stage: application to the Minister to determine whether to refer proposal to Expert Panel.2) Expert Panel: to determine consent/approval and any conditions. Would consult other parties such as district councils and PSGEs.- Many issues still to be determined including eligibility criteria.
	D3	Out of scope



	<p>Out of scope</p>
D4	<p>Discussion and next steps:</p> <p><u>FTC:</u></p> <p><i>Maungaharuru Tangitū Trust:</i></p> <p>There is anxiety, worry, anger and questions around about what is being proposed.</p> <p>Will the requirement to engage with local PSGEs be blanket or limited to statutory acknowledgement areas - because SAs are too limited. A blanket requirement would be preferable.</p> <p>Concern the process could be prejudicial for Māori. The Minister must consider consulting with Māori when deciding whether to refer an application.</p> <p>Have recently spent 8 years in litigation (to the Supreme Court) on the Hawkes Bay District Plan re the wāhi taonga lost. Having gone through this whole process would be deeply concerned if proposed regime could by-pass our having a say in whether an application goes through an FTC process.</p> <p><i>MFE:</i></p> <p>Will pass on this feedback. It is proposed that there will be a requirement in both stages of the FTC process for engagement with identified relevant Māori groups, first by the Minister and if referred, by the Expert Consulting Panel.</p> <p>Intention is that there will be a high threshold for the panel to decline consents, detail to be determined.</p> <p>Make up of expert panel still to be determined.</p> <p><i>Maungaharuru Tangitū Trust:</i></p> <p>How similar is the FTC process to the current call-in process? Spent 4 years in litigation over a windfarm application that was called-in and learned that we need as many wāhi tapu as possible to be identified in the district plan to provide a red flag.</p> <p>What kinds of projects will be eligible for the FTC process?</p>



MFE:

With the call-in process/when a project goes to panel, decisions are made under the existing RM framework. This will be a different process.

May apply to a wide range of projects including roading, transport, housing, aquaculture, and mining.

There may be potential for taking a 'total community' approach whereby multiple related projects could be brought through the FTC process together.

Maungaharuru Tangitū Trust:

Concern about how proactive Minister will be with engagement. It would be appropriate for the Minister to be proactive and reach out to potentially interested groups to ask if they are interested in a matter. It shouldn't be the responsibility of the hapū and iwi to reach out to the Government.

Will the district and regional plans still apply to decision-making?

Is the FTC process seeking to avoid the usual process through the District Council and appeals to Courts?

Will cultural impact assessments be done if required in the district plan?

Does the FTC regime focus on infrastructure, or all types of consents?

MFE:

How district council plans apply is still being considered. Covid regime required consideration of district plans.

FTC may extend to any projects of regional or national interest, wide ranging and may include housing, aquaculture, roading, mining.

Maungaharuru Tangitū Trust:

We are interested in the opportunities too – can this go both ways? One of the Cyclone recovery OICs last year related to housing. We had marae that were devastated. But the OIC was limited to housing and we couldn't use it for our marae. You don't have papakainga without marae. So, can regionally significant projects include category 3 marae and papakainga for related hapu?

What's the timing for feedback?

MFE:

We can take that feedback back.

Feedback is required by mid-Feb.

Out of
room



		Out of scope
	D6	Whakakapi, karakia
	A1	Action: Daran to arrange face to face hui a iwi in Napier for early February. [Now organised for 11am, Monday 12 February, Mana Ahuriri Trust Offices].
Actions		