



FAST TRACK CONSENTING – Ngāti Kahungunu Iwi Incorporated

AGENDA AND NOTES

Monday 30th January 2024

3pm

Online meeting

Attendees

Name	Role	Organisation
Bayden Barber	Chairperson	Ngāti Kahungunu Iwi Inc
Daran Ponter	Engagement Lead	Ministry for the Environment
Beverly Kemp-Harmer	Kaiwhakaterere Regional Navigator	Ministry for the Environment
Pearl Carre	Principal Advisor	Ministry for the Environment
Emily Allan	Senior Analyst – Fast Track Consenting	Ministry for the Environment
Emily O’Connell	Principal Advisor – Freshwater Policy	Ministry for the Environment
Kitty Sneyd-Utting	Business Support Coordinator	Ministry for the Environment

Items

1	Mihi whakatau, karakia
2	Overview on FTC
3	Out of scope
4	Discussion and next steps
5	Whakakapi, karakia

Meeting notes

	D1	Mihi whakatau, karakia
	D2	<p>Overview on FTC</p> <ul style="list-style-type: none"> - Government plans to send a letter to PSGEs soon [Sent by Minister Bishop on 31/01/2021]. MfE hoped that this letter would have been sent by the time of this hui but this still hasn't happened. The letter will give a sense of the two pieces of work that the Government is committing to – Fast Track Consenting (FTC) and National Policy Statement for Freshwater Management (NPS-FM). - MfE cannot give as much detail as we would like at this stage because Cabinet is still to confirm many issues. <p>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> <ul style="list-style-type: none"> - The Minister for RM Reform plans to send a letter to PSGEs and other iwi organisations to advise of the development of fast-track consenting (FTC) legislation and changes to the National Policy Statement for Freshwater Management (NPS-FM). MfE hoped this letter would have been sent prior to the hui but this hasn't happened. Given both pieces of work are still in the early stages, and Cabinet still needs to make decisions, MfE can only provide high-level information at this time. However, we felt it important to give PSGEs and other groups a heads up on what is in the pipeline and we welcome questions and further discussion. - The details MfE can currently provide are: <ul style="list-style-type: none"> o The Government has committed to introducing a permanent FTC regime within their 100-day plan. This means the new FTC legislation is likely to be considered by Cabinet on 7 March and introduced a week or two later. - FTC builds on fast-track provisions in the NBEA and Covid-19 fast track legislation. - Under the new FTS regime, individuals and groups can apply to the Minister to have their project fast tracked. The Minister will look at the project against criteria to determine eligibility. - Two key steps under the FTC regime: <ul style="list-style-type: none"> o 1) Referral stage: an individual/group makes an application to the responsible Minister to request consent for a project. The Minister considers this application and may seek advice from other parties such as district councils and PSGEs. The Minister will then decide if the project will be fast tracked or not. o 2) Expert Panel: An expert panel decides on whether to grant the approvals needed, and whether to apply any necessary conditions on the approval. They will also need to consult other parties such as district councils and PSGEs before deciding.

Discussion
notes



		<ul style="list-style-type: none">- MfE can't provide a high-level of detail right now, but acknowledges that this will be wanted:<ul style="list-style-type: none">o The discussion is complicated because our advisors don't have all the information to convey.o We are still waiting for information about eligibility and ineligibility criteria.o Further information will come over the next few weeks.o MfE will continue to engage with Ngāti Kahungunu Inc about FTC legislation and the NPS-FM as things progress, and would like to have a kanohi ki te kanohui hui with all Hawke's Bay iwi in about three weeks time.
	D3	Out of scope
	D4	<p>Discussion and notes:</p> <p><u>FTC:</u></p> <p>Bayden:</p>



- If there was a fast-track application that was part of the outgoing government but didn't get finished, will this still be completed with the new government?
 - o It would depend on which stage the fast-track application is at in the process. If it was lodged under the Covid 19 Fast-track legislation, it will continue to be processed under this legislation. If it gets lodged under the NBA fast-track provisions which were saved as part of the repeal at the end of last year, it will continue to be processed under these NBA provisions. If it is prepared but not yet lodged, you would be able to lodge under this new legislation. The new fast-track bill will provide for a transition between the existing NBA fast-track provisions and the new Bill.

Daran:

- How will the expert panel be appropriately skilled to make decisions on these other pieces of legislations?
 - o Emily A: we are still working through the details on how the Expert Panels will operate and the criteria for their decision making but the panel will likely be appropriately resourced on the different applicable legislations. MfE currently working on how this will be done.

Bayden:

- Acknowledges iwi connection to tangata whenua and the importance it holds when working within the new legislation.
 - o Emily A: Ministers are aware of this and are committed to upholding treaty settlements. While details are still being worked on regarding what the FTC will actually look like, iwi can provide comments and feedback throughout the legislative development process. The Government are keen to ensure that the legislation will enable Māori to access infrastructure and development projects that they want to support.

Out of scope



	D5	Whakakapi, karakia
Actions	A1	Action: Daran to form face to face hui a iwi in Napier for early February. [Now organised for 11am, Monday 12 February, Mana Ahuriri Trust Offices].

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