

# FAST-TRACK CONSENTING AND FRESHWATER MANAGEMENT – Ngāti Kahungunu ki Wairarapa Tāmaki Nui-ā-Rua Settlement Trust

## AGENDA AND NOTES

7 February 2024

11am

Online Meeting

### Attendees

Name	Role	Organisation
Haami Te Whaiti	Chairman	Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust
Lee Gray	Chief Executive	Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust
Tia Tuuta	General Manager	Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust
Stacey Hape		Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust
Ben White	Engagement Lead	Manatū mō te Taiao
Emily Allan	Senior Analyst	Manatū mō te Taiao
Will Murray	Senior Analyst	Manatū mō te Taiao
Isabella Wilson	Senior Analyst	Manatū mō te Taiao
Naedene Stewart	Business Support Coordinator	Manatū mō te Taiao

### Items

1	Karakia
2	Mihimihi
3	Fast-Track Consenting
4	Out of scope
5	Questions

## Meeting notes

Discussion notes	D1	<p><b>Karakia given by Haami Te Whaiti</b></p> <p><b>General</b></p> <ul style="list-style-type: none"> <li>Two letters from Minister Chris Bishop were sent to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust (Settlement Trust) on 13 December and 31 January, outlining the government's plans for resource management reform.</li> <li>NBA and SPA were repealed in December.</li> <li>Government intends to introduce a permanent Fast-track consenting (FTC) regime as part of the 100-day programme, with standalone legislation to be introduced by 7 March.</li> <li>Government intends to review and replace the National Policy Statement for Freshwater Management (NPS-FM)</li> <li>Government intends to repeal and replace the Resource Management Act (RMA) this Parliamentary term</li> <li>Government has stated its commitment to upholding Treaty Settlements.</li> </ul>
	D2	<p><b>Fast-Track Consenting (FTC) – Emily Allan</b></p> <ul style="list-style-type: none"> <li>MfE are working within the framework of the previous FTC regimes (COVID-19 and NBA) to create a permanent FTC regime.</li> <li>Permanent FTC regime will be a stand-alone piece of legislation with the intention of including approvals under other legislation, e.g. Conservation Act, Wildlife Act, Heritage Act, Reserves Act to form a 'one stop shop' for FTC applications.</li> <li>Projects need to be of regional or national significance, the criteria for this are still being worked through.</li> <li>Two pathways in FTC regime: <ol style="list-style-type: none"> <li>Listed projects: Projects that have gone through appropriate due diligence and consultation. They are listed in the Bill and will be immediately referred to an expert panel.</li> <li>Ministerial referral: Any individual or group makes an application to the Minister to request fast-track consent for a project.</li> </ol> </li> <li>Expert panel will be able to decline projects in limited circumstances and will impose any necessary conditions.</li> <li>Policy work continues to define the composition of expert panel. In previous FTC regimes the Minister refers the project to a panel convenor who is responsible for appointing the panel.</li> </ul> <p>Expert panel will vary depending on what the project proposal is.</p>



		<ul style="list-style-type: none"><li>• Ben added that there are provisions in the Ngāti Kahungunu ki Wairarapa Treaty settlement that allows influence over resource consent decisions (through statutory acknowledgements, Wairarapa Moana Statutory Board) policy work is being done by the Treaty Settlements team to ensure these arrangements are considered and upheld in the new legislation.</li><li>• Haami Te Whaiti asked if that would be reflected in a general or more specific way. Ben responded that work is still being done but it could be similar to schedule 2 of the NBA where it outlined how settlements would be upheld. There were also provisions where decision makers had to give equivalent effect to Treaty settlement redress until amendments were agreed about how arrangements would work in the new system. This could possibly be in combination with other general provisions to uphold settlements. Those proposals are still being worked through.</li><li>• Ben outlined the select committee process and noted this as an opportunity for Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua to outline their views in a submission.</li><li>• Haami asked who decides what projects are listed in the legislation? Emily explained that a list is being compiled with projects coming from a range of sources. Delegated Ministers will decide whether a project is listed in the legislation. Listed projects are unlikely to be declined as they will have been tested and gone through appropriate due diligence.</li><li>• Stacey Hape asked if iwi have an opportunity to input into decisions about listed projects, Tia Tuuta also asked if there were implications for, He Kawenata Hou (social and economic revitalisation strategy). Ben responded that these details were still being worked through, however, Manatū mō te Taiao advice will consistently be for Ministers to always consult and engage with Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua if an FTC project is in your area of interest.</li><li>• Haami asked if there would only be one iwi representative of an expert panel. Emily responded that these details in the new FTC regime are yet to be confirmed. Ben added that advice on iwi representation on expert panels is being worked on by the Treaty Settlements team. He welcomed any thoughts or perspectives about what would work for Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua.</li><li>• Emily also welcomed feedback about how a project is defined as having regional or national significance as policy work is still being done on the criteria.</li></ul>
	D3	Out of scope



		Out of scope
Actions	A1	Out of scope