



Cabinet Environment, Energy and Climate Committee

Minute of Decision

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COVID-19 Recovery (Fast-track Consenting) Act 2020: Supporting Implementation

Portfolio Environment

On 23 July 2020, the Cabinet Environment, Energy and Climate Committee:

- 1 **noted** that standard procedures for issuing drafting instructions to the Parliamentary Counsel Office will apply for the first Order in Council to refer a project to an Expert Consenting Panel (Panel);
- 2 **agreed** that:
 - 2.1 for all subsequent Orders in Council that refer a project to a Panel the Minister for the Environment can issue drafting instructions directly to the Parliamentary Counsel Office;
 - 2.2 for any projects to be carried out wholly or partly in the Coastal Marine Area, the recommendation for an Order in Council would also be made jointly with the Minister of Conservation;
- 3 **noted** an intention to release exposure drafts of Orders in Council to the Environmental Protection Authority in accordance with Cabinet Circular *Attorney-General's Protocol for Release of Draft Government Legislation outside the Crown* [CO 19(2)];
- 4 **agreed** that a Regulatory Impact Assessment is not required for Orders in Council relating to projects to be referred to a Panel;
- 5 **agreed** to waive the 28-day rule so that Orders in Council made under the COVID-19 Recovery (Fast-track Consenting) Act 2020 can come into force as soon as they are notified in the [New Zealand Gazette](#).

Vivien Meek
Committee Secretary

Attendees (see over)

Present:

Hon David Parker (Chair)
Hon Stuart Nash
Hon Nanaia Mahuta
Hon Damien O'Connor
Hon James Shaw
Hon Eugenie Sage

Officials present from:

Officials Committee for ENV

Proactively released