



2 April 2024

OIAD-1009

9(2)a

Tēnā koe 9(2)a

Thank you for your email of 14 March 2024 to the Ministry for the Environment (the Ministry) requesting the following under the Official Information Act 1982 (the Act):

Minister Bishop commented “we’ve set up an independent panel to provide us advice on what projects should go into the [Fast-Track approvals] Bill to start with” (11/03/24 interview with Jack Tame). Please provide:

- 1) *Documentation establishing this panel and appointing its members (including the date of establishment and the members appointed).*
- 2) *Terms of reference, directions, and criteria for this panel.*
- 3) *Minutes and records of this panel's proceedings, including of any meetings with third parties.*
- 4) *All communications received by this panel referring projects for consideration.*
- 5) *Advice, recommendations, and briefings drafted by this panel.*

Ministers have also referenced a Fast-Track Advisory Group (One-stop shop major projects on the fast track | [Beehive.govt.nz](https://www.beehive.govt.nz)). If this Group is the same as the independent panel, please respond in relation to the Group. Otherwise, please provide any information which shows the Group's relationship to the independent panel.

The Fast Track Approvals Bill (the Bill) aims to make it easier for New Zealand to build the infrastructure and major projects we need to get the country moving. The Bill is now being considered by the Environment Committee after being introduced to Parliament on 7 March 2024. The Bill does not include any listed projects under Schedules 2A and 2B.

There are two ways a project can access the fast-track process:

- **Track 1** - Some projects will be listed in the Bill and will go straight to the Expert Panel (EP).
- **Track 2** - Any person or organisation will be able to apply to have their project fast-tracked by Joint Ministers who will determine whether a project should be fast tracked.

The ‘independent panel’ you have referred to in parts 1-5 of your request is the EP. The EP will receive referrals from Joint Ministers, will consider the application details, seek further information they require, and will then provide advice and recommendations to Ministers on projects to be included through Track 2.

The Fast-Track Projects Advisory Group (FPAG) will assess applications to determine if they meet the eligibility criteria and are appropriate to be listed in the Bill under sections 2A and 2B through Track 1.

Further information about the proposed process for Fast-Track Approvals can be found on the Ministry's website at: <https://environment.govt.nz/acts-and-regulations/acts/fast-track-approvals-bill/fast-track-approvals-proposed-process/>

At this stage, neither the EP nor the FPAG has been established. Decisions on the FPAG are expected to be made by Cabinet the week beginning 1 April 2024. Therefore, the Ministry must refuse your request under section 18(e) of the Act, as the information requested does not exist.

Once Cabinet decisions have been made, consistent with the Cabinet Office guidelines, the Ministry will be proactively releasing information about the FPAG on our website.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to refuse your request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Nāku noa, nā

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal stroke that tapers to the right.

Ilana Miller
Programme Director
Partnership, Investments and Enablement
Ministry for the Environment | Manatū Mō Te Taiao