



25 November 2024

OIAD-1353

9(2)(a)

Dear 9(2)(a)

Thank you for your emails of 25 October 2024 to the Ministry for the Environment (the Ministry) requesting the following under the Official Information Act 1982 (the Act):

This is an OIA for all information and communication relating to the below fast-track applications. This includes the full applications, all consideration of them by the Fast-track advisory group, all discussion about them by Ministers or officials, and rationale/minutes of any discussion about which projects should or should not be included in schedule 2.

- *FTA235 Buller Plateaux Continuation Project*
- *FTA314 Rotowaro Mine Continuation Project*
- *FTA049 Te Kuha Coal Project*
- *FTA196 Mill Road*

As outlined in our letter of 29 October 2024, the Ministry has transferred your request for ...*all consideration of them by the Fast-track advisory group... and rationale/minutes of any discussion about which projects should or should not be included in schedule 2* to the Ministry of Business, Innovation and Employment (MBIE), as the information you have requested is more closely related to the functions of MBIE as the agency responsible for supporting the Fast-Track Projects Advisory Group.

Cabinet has approved the inclusion of 149 projects in Schedule 2 of the Bill. Once the Bill is passed into law, these projects will be required to seek consent through Expert Panels (the Panels).

The fast-track process streamlines multiple approval steps for infrastructure and development projects that provide significant national or regional benefits. This process offers a consolidated, 'one-stop-shop' approach, ensuring more efficient decision-making. The Panels will have the authority to make final decisions on approvals for these projects and can impose conditions, including to manage environmental impacts.

The Ministry for the Environment (the Ministry) is responsible for the Bill, while the Environmental Protection Authority (EPA) will provide secretariat and administrative support to the Panels. Further information on the projects in the process of going through the Panels will be made available in due course on the EPA's website: <https://www.epa.govt.nz/fast-track-consenting/status>.

The Ministry intends to proactively release all applications, the advice we provided to the Advisory Group, and our advice to Ministers regarding projects on our website by the end of the year. The material being released will be carefully considered under the provisions of the Act. In some cases, information may be withheld under section 9 of the Act, but only where necessary and where the public interest in disclosure does not outweigh the need to withhold, as outlined in section 9(1).

Interactions between the Ministry and applicants regarding applications was minimal. Most communication consisted of bulk, administrative emails, primarily related to consulting with applicants about the proactive release of their submissions under the Act. Any substantive correspondence with applicants about their application, such as requests for clarification on their submissions, will be proactively released alongside their applications.

In addition, any correspondence the Ministry holds is administrative, and related to completing the Official's Summary Papers provided to the Advisory Group, rather than discussing the project itself. The Ministry was not involved in assessing the merits of projects; that was the role of the independent Advisory Group. As mentioned above, the results from any discussions about the projects listed in your request will be proactively released by the end of the year.

The Ministry also holds the following reports and advice relating to projects for inclusion within the Fast-Track Approvals Bill (the Bill), including advice regarding the project listed in your request:

- a report from the Fast Track Advisory Group on 2 August 2024 with their recommendations on projects to include within the Fast-track Approvals Bill schedules, which is publicly available on the Ministry for the Environment's website at: <https://environment.govt.nz/acts-and-regulations/acts/fast-track-approvals-bill/>.
- BRF-5178 Briefing: Fast-track Approvals (Listed Projects) –Draft Cabinet Paper and officials' analysis on the Advisory Group report.
- CAB-470 Cabinet Paper: Fast-track Approvals Bill – Listed Projects.

For these reasons, I am refusing your request in full under section 18(d) of the Act, as the information you have requested is, or will soon be, publicly available. Once published, you will be able to find the information on our website at: environment.govt.nz/acts-and-regulations/acts/fast-track-approvals-bill/.

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

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'S Frame', with a horizontal line underneath.

Stephanie Frame
Manager, Fast Track
Ministry for the Environment | Manatū Mō Te Taiao