

Fast-track process under the Fast Track Consenting Bill

Groups Ministers must seek comment from:

- Relevant local authorities
- Relevant portfolio Ministers
- Relevant iwi authorities and relevant Treaty settlement entities
- Other Māori groups identified in the Bill

What Ministers must consider

- Eligibility criteria (eg whether it would have significant regional or national benefits and what other benefits it provides).
- A report obtained on Treaty settlements and other obligations
- If referring the project is consistent with Treaty settlements or other arrangements
- Comments received

Ministers must/may decline when

- Must decline if the project is inconsistent with the purpose of the Act, or it includes an ineligible activity.
- May decline if referral would be inconsistent with a Treaty settlement or other arrangement
- May decline for several reasons set out in the Bill (eg if it would be more efficient going through normal processes)

Relevant groups Panel must seek comments from:

- Groups Minister had to seek comment on at referral stage (see above)
- Applicant groups under the Marine and Coastal Area (Takutai Moana) Act
- Owners and occupiers of the site and adjacent land
- Requiring Authorities

What the Panel has to consider:

- The purpose of the Act
- To a lesser extent, considerations under other relevant legislation (for example, Panel can recommend a project that is inconsistent with RMA national direction)

Minister's considerations:

- Recommendations of the Panel
- Seek clarification, further advice or further comments
- Must consider if an application is inconsistent with a Treaty settlement and other arrangements

Who can appeal on point of law:

- Applicant
- Local authorities
- Attorney-General
- People who made comments on the application.
- Those with a greater interest than the general public.

Approvals covered under the Fast-Track process:

- A resource consent, notice of requirement, or certificate of compliance under the **Resource Management Act 1991**.
- Authority to do anything otherwise prohibited under the **Wildlife Act 1953**
- An approval under the **Conservation Act 1987** or the **Reserves Act 1977**
- An approval under the **Freshwater Fisheries Regulations 1983**
- An archaeological authority under the **Heritage New Zealand Pouhere Taonga Act 2014**
- A marine consent under the **Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012**
- A land access arrangement under section 61 of the **Crown Minerals Act 1991**
- Efficient Environment Court processes for **Public Works Act 1981** processes
- The Undue Adverse Effect on fishing test under the **Fisheries Act 1996**

Next steps:

- Applicant can proceed with project
- The usual agencies are responsible for monitoring the project and enforcing conditions after it has been approved
- The Bill does not limit the right of Judicial review

