

From: [Ruth Isaac](#)
To: s 9(2)(a)
Cc: [Penny Nelson](#); [Tui Arona \(parliament\)](#)
Subject: FW: Materials for Fast Track discussion tonight - to talk through! [in confidence]
Date: Sunday, 11 February 2024 5:02:50 pm
Attachments: [Ministerial Memo Fast Track One Stop Shop Update 11 Feb 24 - DOC-2613390.docx](#)
[Version 2 - Sunday midday - FTC Conservation approvals decisions - Table A .docx](#)
Importance: High

HI Minister – as requested, here are the materials for our 8.30pm on Fast track. You already have the budget/savings paper too. I'll bring paper copies.

Cheers
Ruth

From: Ruth Isaac
Sent: Sunday, February 11, 2024 4:26 PM
To: Tui Arona (parliament) s 9(2)(a)
Cc: Penny Nelson <pnelson@doc.govt.nz>; Jonty Somers <Jsomers@doc.govt.nz>; Sam Thomas <samthomas@doc.govt.nz>; Kayla Wilson <kwilson@doc.govt.nz>; Peter Galvin <pgalvin@doc.govt.nz>; Harry.Evans s 9(2)(a)
Subject: Materials for Fast Track discussion tonight - to talk through! [in confidence]
Importance: High

Kia ora

Here are the notes for tonight on Fast track – in real time!! We will bring copies if needed on paper. I'll call you Tui re getting this direct to the MOC.

Ngā mihi
Ruth

Ruth Isaac ([she/her](#))
Deputy Director-General, Policy and Regulatory Services
Department of Conservation | Te Papa Atawhai
Mobile s 9(2)(a)
Email: risaac@doc.govt.nz

EA: Rebecca Worthington: rworthington@doc.govt.nz
Mobile s 9(2)(a)

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Department of Conservation
Te Papa Atawhai

From: [Ruth Isaac](#)
To: [Anderson, Lillian](#); [Tama Potaka](#)
Cc: [Fraser, Warren](#)
Subject: RE: Ngā mihi
Date: Sunday, 25 February 2024 9:23:03 pm

Thanks and agree – s 9(2)(g)(i)

From: Anderson, Lillian <lil.anderson@tearawhiti.govt.nz>
Sent: Sunday, February 25, 2024 9:16 PM
To: Tama Potaka s 9(2)(a)
Cc: Ruth Isaac <risaac@doc.govt.nz>; Fraser, Warren <Warren.Fraser@tearawhiti.govt.nz>
Subject: Re: Ngā mihi

Out of scope

Nga mihi
Lil

On 25/02/2024, at 9:13 PM, Tama Potaka s 9(2)(a)
wrote:

Ngā mihi e hoa.

Thank you for your diligence and professionalism over the FTC work. Gnarly issues
but you are advising very carefully.

Mauriora
Tama

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From: [Amelia Smith](#)
To: [Harry Evans](#)
Cc: [Alastair Johnstone](#); [Ruth Isaac](#); [Angela Bell](#); [Sam Thomas](#)
Subject: RE: Fast-track Approvals Bill - briefings for decision and draft Cabinet paper for feedback
Date: Thursday, 27 June 2024 4:08:00 pm

Thanks Harry. s 9(2)(f)(iv)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Let me know if you have any questions – can discuss if helpful.

Ngā mihi,

Amelia Smith

From: Harry Evans s 9(2)(a)
Sent: Thursday, June 27, 2024 3:06 PM
To: Amelia Smith <ajsmith@doc.govt.nz>
Cc: Alastair Johnstone s 9(2)(a) Ruth Isaac
<risaac@doc.govt.nz>; Angela Bell <abell@doc.govt.nz>; Sam Thomas
<samthomas@doc.govt.nz>
Subject: FW: Fast-track Approvals Bill - briefings for decision and draft Cabinet paper for feedback

Kia ora Amelia, we've received these papers from Min Bishops office and will be putting them to our Minister on Monday. Several of these decisions are for him under other portfolios and some

are for Conservation.

Is there any additional advice or guidance you want to give us? We will probably just mark up the copies directly for his ease of reference given the volume of papers and mix of portfolios.

I can help for the rest of the day but for Monday please contact Alastair as I am on leave next week.

Thanks

Harry

Please find attached for your Minister's:

- BRF-4945: Fast-track Approvals Bill: policy and workability changes for DR
- Appendix 1: Draft Cabinet paper and CAB-431 Appendix 1 Substantive Workability Changes
- Appendix 2: BRF-4890 – Māori land and land transport or electricity network infrastructure (as previously provided for the joint meeting 19 June 2024)
- Appendix 3: BRF-4779: approval of approach – te rūnanga o Ngāi Tahu Fast-Track Approvals Bill Provision request (as previously provided via email 29/05/24)
- Appendix 4: TA 2023/2024-245 Decisions on expertise of Panels
- Appendix 5: TA 2023/2024-247 – Treaty of Waitangi Clause for Departmental Report (as previously provided for the joint meeting 19 June 2024)
- Appendix 6: s 9(2)(h)

I have also attached a copy of the minute of the decisions taken at the 19 June 2024 meeting for your reference.

Some points which may be useful for you in preparing the papers:

- All joint ministers will need to take the decisions set out in BRF-4945
- Ministers Jones, Potaka and Brown were delegated decisions on Appendix 2: BRF-4890. Option 3B was provided as the preferred option. We need a record of this decision from joint Ministers on Appendix 2 briefing. The Cabinet paper has been drafted in accordance with Option 3B.
- Minister Bishop has taken a decision on Appendix 3: BRF-4779 and this was forwarded to your office on 29 May 2024 for decision. We need a decision from Ministers Jones, Potaka and Brown on this paper (the cabinet paper would then be updated to reflect this).
- Ministers Bishop, Jones and Potaka were delegated decisions on Appendix 4: TA 2023/2024-245 relating to the expertise of Panels.
- Ministers Jones and Potaka were delegated decisions on Appendix 5: TA 2023/2024-247 relating to Treaty of Waitangi. This appendix has been superseded by the more recent Ministerial decisions.

In regards to timing of next steps, the Ministers office were planning to begin Ministerial

consultation on **Tuesday 2 July 2024** (subject to feedback from joint ministers). The paper will be lodged direct to Cabinet on the 25 July, however the timeframes are very tight between Cabinet on the 29 July and the Departmental Report being presented to Select Committee on the 2 August. It will be important that as many issues as possible are resolved across the Ministerial consultation period.

From: [Amelia Smith](#)
To: [Alastair.johnstone](#)
Cc: [Media](#); [Government Services](#); [Janet Davis](#); [Angela Bell](#); [Intisar Muketar](#); [Ruth Isaac](#)
Subject: RE: Mihi Forbes: Question line for Minister Potaka
Date: Monday, 1 July 2024 1:08:00 pm

Kia ora Alastair,

Points on fast track below.

Fast-Track Approvals Bill

Position Statement

- The Government is focused on building the economy and the one-stop-shop in the Fast Track Approvals Bill will streamline the process for regional and national projects of significance.
- There can be trade-offs with enabling development and protecting the environment. The Bill includes a range of critical safeguards to protect against risks to conservation values, uphold Treaty settlements, and manage Crown risks and liabilities relating to use of Crown land.
- These safeguards include the exclusion of the most important conservation land (e.g. national parks, wilderness areas, and nature reserves) and the provision for the Minister of Conservation to be decision-maker on conservation approvals.
- The Bill is currently the subject of scrutiny through the Environment select committee. My colleagues and I are open to constructive changes as a result of this process.

Conservation-related safeguards

- The Bill has an overarching clause requiring all persons exercising functions to act in a manner that is consistent with existing Treaty of Waitangi settlements and other arrangements.
- Protecting our most highly valued conservation land by excluding approximately 40% of the conservation estate from the fast-track regime.
- A key role for myself as MOC as the decision maker for Conservation permissions.
- Where conservation planning documents have been co-authored, authored, or jointly approved by iwi, decision makers must consider them and seek the views of the relevant iwi before granting approvals.
- Including conservation expertise on expert panels, where relevant.
- Requiring the Panel to consider impacts on our most threatened species.
- Retaining key considerations for decision makers, including purpose for which the land is held.
- Requiring the Panel to consider whether an activity that involves a fast-track concession in relation to a conservation area could reasonably be undertaken in another location either off PCL, or in a conservation area where the potential adverse effects would be less.
- Allowing land swaps only when there is an overall net conservation benefit from the exchange.

Key context

- The purpose of the Bill is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.
- The fast-track regime enables a 'one stop shop' for key authorisations related to a project, which includes approvals under some conservation or related legislation.
 - Concessions, land exchanges, and conservation covenants under the Conservation Act 1987 and Reserves Act 1977
 - Authorisations provided under the Wildlife Act 1953
 - Access arrangements under the Crown Minerals Act 1991
 - Specific permissions under the Freshwater Fisheries Regulations 1983 will no longer

be required, as the relevant matters will instead be addressed through the resource consent.

- Public submissions on the Fast Track Approvals Bill closed on 19 April. Just under 40,000 people submitted on the Bill.
- Public hearings have been completed and the Departmental Report is being drafted.
- There is no specific reference to section 4 of the Conservation Act, or like clauses in other legislation. Therefore, an explicit obligation to give effect to Treaty principles is not provided for in the Bill.

Ngā mihi,

Amelia Smith

From: Alastair Johnstone s 9(2)(a)

Sent: Monday, July 1, 2024 11:39 AM

To: Sam Thomas <samthomas@doc.govt.nz>; Amelia Smith <ajsmith@doc.govt.nz>

Cc: Media <Media@doc.govt.nz>; Government Services <GovernmentServices@doc.govt.nz>; Janet Davis s 9(2)(a)

Subject: FW: Mihi Forbes: Question line for Minister Potaka

Importance: High

Kia ora koutou – can get some lines for the Minister for an upcoming interview with Mihi Forbes by 3.30pm today please

“Keen to know his thoughts on the Fast Track legislation given it plans to align 10 or so acts, including many which impact iwi, whenua and environment.”

Cheers, Alastair

Subject: Question line for Minister Potaka

Kia ora e hoa,

Sorry for the late email.

In terms of our interview this week, I am thinking we should talk about te reo Māori, the importance, the growth and the future. Also would like to touch on the housing plan, the emergency housing announcement in Rotorua recently and any plans for Māori housing.

Keen to know his thoughts on the Fast Track legislation given it plans to align 10 or so acts, including many which impact iwi, whenua and environment.

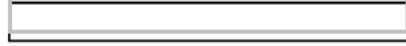
Thanks again for the opportunity to have a good discussion, looking forward to it.

Mānawatia a Matariki

Mihi

--

Image removed by sender.



s 9(2)(f)(iv) [Redacted]
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[REDACTED]

s 9(2)(f)(iv)



Angela Bell ([she/her](#))

Policy Manager, Marine

Policy and Regulatory Services

Te Papa Department of Conservation

Phone: s 9(2)(a)

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From: Amelia Smith

Sent: Tuesday, 23 July 2024 8:22 am

To: 'Harry Evans' <s 9(2)(a) [REDACTED]@doc.govt.nz>; Angela Bell <abell@doc.govt.nz>; Ruth Isaac <risaac@doc.govt.nz>

Cc: Alastair.johnstone <s 9(2)(a) [REDACTED]>

Subject: RE: Ministerial/Party Consultation - Changes to Fast Track

Kia ora Harry,

Apologies for not getting this to you yesterday. Our comments on the Cabinet paper are in tracks and comments in the attachments above.

s 9(2)(f)(iv) [REDACTED]

- I [REDACTED]
- I [REDACTED]
 - I [REDACTED]
 - I [REDACTED]
 - I [REDACTED]

There are also a couple of changes to the Cabinet paper Appendix that I have provided which are required to reflect original Ministerial decisions.

s 9(2)(f)(iv) [REDACTED]

Let me know if you have any questions. I am also working on a separate request from Alastair for a summary of the outstanding advice related to the fast track bill.

Ngā mihi,

Amelia Smith

Ngā mihi,

Amelia Smith

From: Harry Evans s 9(2)(a)
Sent: Thursday, July 11, 2024 3:08 PM
To: Amelia Smith <ajsmith@doc.govt.nz>; Angela Bell <abell@doc.govt.nz>; Ruth Isaac <risaac@doc.govt.nz>
Cc: Alastair.johnstone s 9(2)(a)
Subject: FW: Ministerial/Party Consultation - Changes to Fast Track
Importance: High

Kia ora koutou – we’ve received the fast track cab paper for ministerial consultation.

I note the recent paper you put up on the access permissions is going in the ministers bag this weekend.

Can we please have any comments you would like to provide to the office by Monday 22 July?

Ngā mihi

Harry

The attached paper seeks agreement to policy and workability changes to the Fast-track Approvals Bill for recommendation to the Environment Committee in the departmental report on the Bill.

These changes address the concerns raised both in submissions to the committee and workability issues identified by officials.

The most significant relate to:

- Changing the initial referral decision maker to be the Minister of Infrastructure, rather than the three Ministers originally proposed.
- Changing the final substantive decision-making arrangements so that the expert panels are the final decision makers, not Ministers.
- Adding the requirement to have an environmental expert on the expert panels.
- Extending various timeframes for comment at the referral and panel stages.

We will be taking this paper direct to Cabinet on the 29th of July. This is in order to meet the departmental report deadline of 2nd of August.

From: [Amelia Smith](#)
To: [Peter Galvin](#); [Tui Arona \(parliament\)](#)
Cc: [Sam Thomas](#); [Ruth Isaac](#); [Harry.Evans](#); [Angela Bell](#)
Subject: RE: Ministerial/Party Consultation - Fast-track Policy and Workability Changes
Date: Monday, 9 September 2024 1:10:00 pm

Kia ora Peter and Tui,

Our comments on the Fast-track Cabinet paper are as follows.

s 9(2)(f)(iv)

- [Redacted]
- [Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

Ngā mihi,

Amelia Smith

From: Harry Evans **s 9(2)(a)**
Sent: Tuesday, 3 September 2024 3:29 pm

To: Amelia Smith <ajsmith@doc.govt.nz>; Angela Bell <abell@doc.govt.nz>
Cc: Sam Thomas <samthomas@doc.govt.nz>; Ruth Isaac <risaac@doc.govt.nz>; Peter Galvin
s 9(2)(a)
Subject: FW: Ministerial/Party Consultation - Fast-track Policy and Workability Changes

Kia ora, can we please have any feedback on the cab paper by midday Monday 9 September?

Ngā mihi

Harry

I am sending this paper around for consultation on behalf of the Minister Responsible for RMA Reform and the Minister for Regional Development.

s 9(2)(f)(iv)
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- s 9(2)(f)(iv)** [Redacted]
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Some sections in square brackets are still being fine-tuned by Ministers and could change prior to lodging. I have indicated areas that may changes by putting them in square brackets.

From: Angela Bell

Sent: Friday, 13 September 2024 4:43 pm

To: Tui Arona (parliament) s 9(2)(a); s 9(2)(a)

Cc: Amelia Smith <ajsmith@doc.govt.nz>; Meredith Lawry <mlawry@doc.govt.nz>; Sam Thomas <samthomas@doc.govt.nz>

Subject: s 9(2)(f)(iv)

Kia ora Tui,

s 9(2)(f)(iv)

Apologies for the poorly worded recommendation. I would appreciate if you could also share this with Minister Brown's office if you consider that appropriate.

Many thanks

Ange

Angela Bell ([she/her](#))

Policy Manager, Marine

Policy and Regulatory Services

Te Papa Department of Conservation

Phone: s 9(2)(a)

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