



COVERSHEET

Minister	Hon Shane Jones	Portfolio	Resources
Title of Cabinet paper	Including Crown Minerals Act 1991 Permitting in the Fast-track Approvals Bill	Date to be published	18 December 2024

List of documents that have been proactively released		
Date	Title	Author
18 September 2024	Including Crown Minerals Act 1991 Permitting in the Fast-track Approvals Bill	Office of the Minister for Resources
23 September 2024	Including Crown Minerals Act 1991 Permitting in the Fast-track Approvals Bill ECO-24-MIN-0193 Minute	Cabinet Office
19 September 2024	BRIEFING-REQ-0003046 Adding Crown Minerals Act permitting to the Fast-track Approvals Bill: detailed policy choices	MBIE
11 September 2024	BRIEFING-REQ-0002687 Approval to lodge CMA permitting under the Fast-track Approvals Bill Cabinet Paper	MBIE
10 September 2024	Annex to the Supplementary Analysis Report for the Fast-track Approvals Bill: Including Crown Minerals Act 1991 Permitting	MBIE
22 August 2024	MfE BRF-5193, MBIE 2425-0789 Adding some Crown Minerals Act mining permit approvals to the Fast-track Approvals Bill	MBIE and Ministry for the Environment (MfE)
17 June 2024	2324-3842 Decisions on consultation and timing for including Crown mineral permitting in the fast-track process	MBIE
27 May 2024	2324-3600 Including mining permitting in the fast-track process	MBIE
2 May 2024	2324-3043 Options to align Crown Minerals Act permitting with the Fast-Track process	MBIE

Information redacted **YES** / **NO** (please select)

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for the reasons of Legal professional privilege and Confidential advice to Government.



Cabinet Economic Policy Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Including Crown Minerals Act 1991 Permitting in the Fast-track Approvals Bill

Portfolio **Regional Development / Resources**

On 18 September 2024, the Cabinet Economic Policy Committee:

- 1 **noted** that the Fast-track Approvals Bill (the Bill) allows for the granting of a wide range of approvals, but currently excludes Crown Minerals Act 1991 (CMA) permitting;
- 2 **noted** that including specified CMA permitting as an approval available under the Bill will further enhance the one-stop-shop model, and align with the Government's ambitions to double the value of mining exports by 2035;
- 3 **agreed** to the following amendments to the Bill:
 - 3.1 allow for the granting of CMA mining permits where:
 - 3.1.1 a mining company applies to convert a CMA exploration permit to a CMA mining permit following a successful discovery; or
 - 3.1.2 a mining company applies for a mining permit under the CMA to replace an existing privilege (as defined in the CMA);
 - 3.2 changes to the Bill to ensure the addition of CMA permitting aligns with the wider drafting of the Bill;
- 4 **agreed** that exploration permits under the CMA and existing privileges (as defined in the CMA) will be treated as an existing approval to allow these existing approvals to remain in force, where a mining permit application has been lodged under the Bill and is under consideration;
- 5 **agreed** that expert panels assessing applications for specified mining permits would receive analysis and advice from the Ministry of Business, Innovation, and Employment on the mining permit application, and any associated conditions;
- 6 **agreed** that the Crown's obligations under Crown Minerals Protocols, Energy and Resources Accords and other relationship agreements related to Treaty of Waitangi settlements will be given full effect under the Bill;

- 7 **noted** that other approvals provided by the CMA (such as prospecting or exploration permits, or variations to existing permits) will not be available through the Bill;
- 8 **noted** that including the specified permitting approvals within the Bill will not change the locations where mining may be approved under the Bill because applications can only be received where an existing right or privilege to the minerals exists;
- 9 **agreed** that the mining permit assessment criteria and information requirements contained in the CMA, the Minerals Programmes and any CMA regulations will provide the basis for the provisions in the Bill, with amendments as necessary to align with the wider fast-track process;
- 10 **invited** the Minister for Resources and Minister for Regional Development (the Minister) to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions via an Amendment Paper;
- 11 **noted** that the Minister intends to submit the proposed Amendment Paper to Cabinet Legislation Committee for consideration in November 2024, alongside other amendments to the Bill;
- 12 **noted** that, as further work proceeds on the proposal to include CMA permitting in the Bill, officials may identify additional necessary technical or workability changes;
- 13 **authorised** the Minister to make final decisions on further technical or workability changes to give effect to the above decisions, in consultation with other relevant Ministers as necessary.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Christopher Luxon
Rt Hon Winston Peters
Hon David Seymour
Hon Nicola Willis
Hon Shane Jones
Hon Brooke van Velden
Hon Simeon Brown
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Todd McClay
Hon Tama Potaka
Hon Melissa Lee
Hon Penny Simmonds
Hon Chris Penk
Hon Nicola Grigg
Hon Andrew Bayly
Hon Andrew Hoggard
Hon Mark Patterson
Simon Court MP

Officials present from:

Office of Hon Erica Stanford
Officials Committee for ECO