

## The Fast-Track Approvals Act 2024 – what you need to know

### The Fast-Track Approvals Act 2024 has finally landed. It will be ready to launch on 7 February 2025.

The Fast-Track Approvals Bill passed its third reading on 17 December, becoming the Fast-Track Approvals Act 2024. It has seen some refinement since its inception – read our articles on the [Bill's introduction](#) or the [Select Committee report](#) for more information.

#### What's new, Fast-Track?

Several features of the Fast-Track regime have been hotly debated over the course of the year – some of which have disappeared (e.g., determination of applications by Ministers), while others have survived the law-making process.

As promised, the Act now contains the 149 "listed" projects selected by Ministers that have the right to use the Fast-Track. Other eligible projects can apply to the Minister for Infrastructure to be referred to the Fast-Track. Both types of applications can be made to the Environment Protection Authority (EPA) from **7 February 2025**. Eligible projects may include those such as infrastructure, renewable energy, housing and mining projects.

Expert panels will decide applications (as recommended by Select Committee), not Ministers. There has been some concern about the ability to establish enough panels, and the Government has recently consulted on appropriate remuneration that will attract panel members. Remuneration will be set in regulations and applicants will be liable for actual and reasonable costs – for panel members as well as the exercise of all functions of Government agencies and, potentially, third parties.

Projects can apply for priority for urgent projects and, if approved by the Minister, a panel will be established for that project before all others. Decision-making

timeframes will now be set by the Panel convener, but the default timeframe is 30 working days to issue a decision (up from 25) from the time written comments are received. If a Panel intends to decline a project, it must give the applicant the opportunity to amend the proposal.

Once approved, appeals against projects are limited. Only appeals on points of law/ applications for judicial review are allowed, and must be made within 20 working days (unless further time for judicial review applications is allowed by the High Court). There are no appeals to the Court of Appeal, unless allowed by the Supreme Court.

The key mechanisms of the fast-track are all still there. The "one-stop-shop" now includes the ability to apply for mining permits and to change or cancel resource consent conditions; and the focus remains on "facilitating the delivery of infrastructure and development projects with significant regional or national benefits" – applications can only be declined if the adverse impacts are out of proportion to the regional or national benefits of the project.

#### Next steps

The Fast-Track Approvals Act 2024 will receive Royal assent in the coming days. The Act will come into force the day after Royal assent, but applicants will not be able to make either substantive applications for listed projects, or applications for referral, until **7 February 2025**.

The legislation is lengthy and complex. Those considering using the Fast-Track will need to give careful consideration to the pre-application process steps and the content required to be addressed in an application.

#### Want to know more?

If you are thinking about using the Fast Track, or want to know more, feel free to please contact our specialist [Resource Management team](#).