

Checklist for consent applications and notices of requirement under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Prerequisites for lodging an application or notice of requirement

| | |
|---|--------------------------|
| The consent application / notice of requirement is in the approved form | <input type="checkbox"/> |
| The consent application / notice of requirement is lodged by a person or requiring authority authorised in accordance with section 15 | <input type="checkbox"/> |
| The consent application / notice of requirement relates solely to 1 or more listed or referred projects | <input type="checkbox"/> |
| The consent application / notice of requirement complies with any restrictions or obligations in Schedule 2 / Schedule 3 and the referral | <input type="checkbox"/> |
| In the case of consent applications, the application does not relate to an activity that: | |
| a) is classified as a prohibited in the relevant plan or proposed plan, or regulations made under the Resource Management Act 1991 (including any national environmental standard | <input type="checkbox"/> |
| b) is to occur within a customary marine title area, unless agreed in writing with the appropriate customary marine title group | <input type="checkbox"/> |
| If you are also applying for a certificate of compliance, the application is included as part of the consent application / notice of requirement | <input type="checkbox"/> |

Information requirements

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|---|--|---|
| Clause 9 | | | |
| | [Delete rows for clauses 9-12 if <u>just</u> a notice of requirement, no consent application – otherwise delete this entire row] | | |
| Clause 9(1)(a) | A description of the proposed activity | | |
| Clause 9(1)(b) | A description and map of the site at which the activity is to occur | | |
| Clause 9(1)(c) | Confirmation that the consent application complies with clause 3(1) | | |
| Clause 9(1)(d) | The full name and address of: | | |
| | <ul style="list-style-type: none"> i. Each owner of the site and of land adjacent to the site ii. Each occupier of the site and of land adjacent to the site who, after reasonable enquiry, is able to be identified by the applicant | | |
| | Were reasonable inquiries made? | | |
| Clause 9(1)(e) | A description of any other activities that are part of the proposal to which the consent application relates | | |
| Clause 9(1)(f) | A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the proposal to which the consent application relates | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|--|--|---|
| Clause 9(1)(g) | An assessment of the activity against— | | |
| | (i) Part 2 of the RMA | | |
| | (ii) the purpose of this Act | | |
| Section 19 | (iii) the following matters (set out in section 19 of the Act -whether project helps to achieve purpose of Act): | | |
| | (a) the project's economic benefits and costs for people or industries affected by COVID-19 | | |
| | (b) the project's effect on the social and cultural well-being of current and future generations | | |
| | (c) whether the project would be likely to progress faster by using the processes provided by this Act than would otherwise be the case | | |
| | (d) whether the project may result in a public benefit by, for example: generating employment; increasing housing supply; contributing to well-functioning urban environments; providing infrastructure in order to improve economic, employment, and environmental outcomes, and increase productivity; improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity; minimising waste; contributing to New Zealand's efforts to mitigate climate change; and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases); promoting the protection of historic heritage; strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change; or any other benefit(s) identified. | | |

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|-----------------------------------|---|--|---|
| | (e) whether there is potential for the project to have significant adverse environmental effects, including greenhouse gas emissions: | | |
| | (f) [for referred projects only] any other matter that the Minister considers relevant. | | |
| Clause 9(1)(h) | An assessment of the activity against -- | | |
| | (a) any relevant provisions in a national environmental standard, including: | | |
| | i. Any relevant objectives, policies or rules | | |
| | ii. Any requirement, condition, or permission in any rules | | |
| | iii. Any other requirements | | |
| | (b) Any relevant provisions in any other regulations made under the RMA, including: | | |
| | i. Any relevant objectives, policies or rules | | |
| | ii. Any requirement, condition, or permission in any rules | | |
| | iii. Any other requirements | | |
| | (c) Any relevant provisions in any national policy statement, including: | | |
| | i. Any relevant objectives, policies or rules | | |
| | ii. Any requirement, condition, or permission in any rules | | |
| iii. Any other requirements | | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|--|--|---|
| | (d) Any relevant provisions in a New Zealand coastal policy statement, including: | | |
| | i. Any relevant objectives, policies or rules | | |
| | ii. Any requirement, condition, or permission in any rules | | |
| | iii. Any other requirements | | |
| | (e) Any relevant provisions in any regional policy statement or proposed regional policy statement, including: | | |
| | i. Any relevant objectives, policies or rules | | |
| | ii. Any requirement, condition, or permission in any rules | | |
| | iii. Any other requirements | | |
| | (f) Any relevant provisions in a plan or proposed plan, including: | | |
| | i. Any relevant objectives, policies or rules | | |
| | ii. Any requirement, condition, or permission in any rules | | |
| | iii. Any other requirements | | |
| | (g) Any relevant provision in any planning document recognised by a relevant iwi authority and lodged with a local authority, including: | | |
| | i. Any relevant objectives, policies or rules | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|---|--|---|
| | ii. Any requirement, condition, or permission in any rules | | |
| | iii. Any other requirements | | |
| Clause 9(1)(i) | Information about any Treaty settlements that apply in the project area, including— | | |
| | (i) the identification of the relevant provisions in those Treaty settlements | | |
| | (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area | | |
| Clause 9(1)(j) | The conditions that the applicant proposes for the resource consent | | |
| Clause 9(4)(a) | An assessment of the activity's effects on the environment that includes the following information (set out in clause 10 Schedule 6 of the Act): ¹ | | |
| | (a) an assessment of the actual or potential effects on the environment | | |
| | (b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use | | |
| | (c) if the activity includes the discharge of any contaminant, a description of— | | |
| | (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and | | |

¹ The application does not need to include any additional information specified in a relevant regional policy statement or plan that that would be required in an assessment of environmental effects under Schedule 4 of the RMA.

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|--|--|---|
| | (ii) any possible alternative methods of discharge, including discharge into any other receiving environment | | |
| | (d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity | | |
| | (e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal | | |
| | (f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision | | |
| | (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved | | |
| | (h) an assessment of any effects of the activity on the exercise of a protected customary right | | |
| Clause 9(4)(b) | <p>An assessment of the activity's effects that also covers the following matters (set out in clause 11 of Schedule 6 of the Act):</p> <p>(a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects</p> <p>(b) any physical effect on the locality, including landscape and visual effects</p> <p>(c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity</p> | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|--|--|---|
| | (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations | | |
| | (e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants | | |
| | (f) the unreasonable emission of noise | | |
| | (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations. | | |
| Clause 9(5) | <p>Is there a cultural impact assessment?</p> <p>If a cultural impact assessment is provided, is it prepared by or on behalf of the relevant iwi authority?;</p> <p>OR</p> <p>If a cultural impact assessment is not provided, a statement of reasons given by the relevant iwi authority for not providing that assessment</p> | | |
| Clause 9(6)(a) | If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1) of the RMA) | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|--|--|---|
| Clause 9(6)(b) | If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of clause 30(3)) | | |
| Clause 9(6)(c) | In the case of a referred project, all the additional information required by the relevant referral order. [List the additional information here] | | |
| | [Delete Clause 12(1) rows if application not for subdivision consent] | | |
| Clause 12(1)(a) | The position of all new boundaries | | |
| Clause 12(1)(b) | The areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan | | |
| Clause 12(1)(c) | The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips | | |
| Clause 12(1)(d) | The locations and areas of existing esplanade reserves, esplanade strips, and access strips | | |
| Clause 12(1)(e) | The locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A of the RMA | | |
| Clause 12(1)(f) | The locations and areas of any land within the coastal marine area that is to become part of the common marine and coastal area under section 237A of the RMA | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|---|--|---|
| Clause 12(1)(g) | The locations and areas of land to be set aside as new roads | | |
| | [Delete Clause 12(2) rows if application not for reclamation consent | | |
| | Additional information required for reclamation | | |
| Clause 12(2)(a) | The location of the area to be reclaimed | | |
| Clause 12(2)(b) | If practicable, the position of all new boundaries | | |
| Clause 12(2)(c) | Any part of the reclaimed area to be set aside as an esplanade reserve or esplanade strip | | |
| | [Delete Clause 13 rows if <u>just</u> a resource consent application, no notice of requirement] | | |
| Clause 13 | | | |
| Clause 13(1)(a) | A description of the site to which the notice of requirement applies | | |
| Clause 13(1)(b) | Information on the effects of the proposed project or work on the environment, together with a description of how any adverse effects will be mitigated; and a description of how any adverse effects will be mitigated | | |
| | Confirmation that the notice of requirement: a. Relates solely to 1 or more of the listed projects or referred projects | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|--|---|--|---|
| Clause 13(1)(c) | b. Does not breach 2(3)(c) or (4) | | |
| | c. Contains all information required under clauses 9-13 | | |
| Clause 13(1)(d) | An assessment of the project or work against: | | |
| | i. Part 2 of the RMA and the purpose of this Act | | |
| | ii. Any relevant provisions in any: | | |
| | - National policy statement | | |
| | - New Zealand coastal policy statement | | |
| | - Regional policy statement or proposed regional policy statement | | |
| - Plan or proposed plan | | | |
| - Planning document recognised by a relevant iwi authority and lodged with a local authority | | | |
| Clause 13(1)(e) | Information about any Treaty settlements that apply in the project area, including— | | |
| | (i) the identification of the relevant provisions | | |
| | (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area | | |
| Clause 13(1)(f) | The full name and address of: | | |
| | (i) each owner of the land to which the notice of requirement relates and of the land adjacent to that land | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|---|--|---|
| | (ii) each person who, after reasonable inquiry, is known by the requiring authority to be an occupier of the land to which the notice relates and of the land adjacent to that land | | |
| Clause 13(1)(g) | An assessment of whether the project or work and the designation sought are reasonably necessary for achieving the objectives of the requiring authority | | |
| Clause 13(1)(h) | Any consideration of alternative sites, routes, or methods of undertaking the project or work | | |
| Clause 13(1)(i) | A list of the resource consents needed for the project or work and whether these have been applied for | | |
| Clause 13(1)(j) | A description of any consultation undertaken with parties likely to be affected by the project or work and the designation | | |
| Clause 13(1)(k) and (l) | <p>Is there a cultural impact assessment?</p> <p>If a cultural impact assessment is provided, is it prepared by or on behalf of the relevant iwi authority?</p> <p>OR</p> <p>If a cultural impact assessment is not provided, a statement of reasons given by the relevant iwi authority for not providing that assessment</p> | | |
| Clause 13(1)(m) | Any conditions that the requiring authority proposes for the designation | | |

| Reference to clause in Schedule 6 | Requirement | Is the information present? (include section/page reference) | Is the information provided in sufficient detail? Y/N |
|-----------------------------------|---|--|---|
| Clause 13(2)) | In the case of a referred project, a notice of requirement must also include all the additional information required by the relevant referral order. [List the additional information here] | | |

ENDS