

Checklist for referral applications under the FTAA

Criteria / information required	Section	Reference in application
Section 11(1): Consultation requirements		
Must consult the parties listed in section 11(1)	11(1)	3.5.2
Section 13(2): General requirements		
Must specify all of the proposed approvals, but need only provide a general level of detail about each proposed approval, sufficient to inform the Minister's decision on the referral application.	13(2)(d)	3.1
Section 13(4): Information requirements		
A description of the project and the activities it involves.	13(4)(a)	2.2.1
An explanation of how the project meets the criteria in section 22.	13(4)(b)	See s22 below.
Information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24).	13(4)(c)	2.3
A description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application.	13(4)(d)	2.2.2
The anticipated commencement and completion dates for construction activities (where relevant).	13(4)(e)	Completed in application portal
A statement of whether the project is planned to proceed in stages	13(4)(f)	3.2
A statement of whether a part of the project is proposed as an alternative project in itself	13(4)(g)	3.3
A description of the anticipated and known adverse effects of the project on the environment.	13(4)(h)	3.4.1
A statement of any activities involved in the project that are prohibited activities under the RMA.	13(4)(i)	3.4.2
A list of the persons and groups the applicant considers are likely to be affected by the project, including— (i) relevant local authorities;	13(4)(j)	3.5.1

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<ul style="list-style-type: none"> (ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements; (iii) other relevant iwi authorities; (iv) relevant Treaty settlement entities; (iv) relevant protected customary rights groups and customary marine title groups; (v) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou; (vi) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011; (vii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981. 		
<p>A summary of:</p> <ul style="list-style-type: none"> (i) the consultation undertaken for the purposes of section 11¹ and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j); and (ii) how the consultation has informed the project. 	13(4)(k)	3.5.2
A list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements.	13(4)(l)	3.5.3
A description of any processes already undertaken under the Public Works Act 1981 in relation to the project.	13(4)(m)	3.5.7
A statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.	13(4)(n)	n/a
Information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	13(4)(o)	n/a
A description of the applicant's legal interest (if any), or if the referral application is lodged by more than 1 person, the legal interest of any of those persons (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work.	13(4)(s)	3.6.1

¹ The relevant local authorities; any relevant iwi authorities, hapū, and Treaty settlement entities, any relevant applicant groups with applications for customary marine title MACA; and the relevant administering agencies.

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An outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant.	13(4)(t)	3.1.13
Whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and: <ul style="list-style-type: none"> (i) if an application has been made, details of the application: (ii) if a decision has been made, the outcome of the decision and the reasons for it. 	13(4)(u)	3.7
A description of whether and how the project would be affected by climate change and natural hazards.	13(4)(v)	3.7.4
If the referral application is lodged by more than 1 person, a statement of each proposed approval to be held by each of those persons.	13(4)(w)	n/a
A summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the referral application is lodged by more than 1 person, any of those persons) under a specified Act.	13(4)(x)	1.4.1
<p>The information specified in clause 2 of Schedule 5:</p> <p>An assessment of the project against—</p> <ul style="list-style-type: none"> (i) any relevant national policy statement; and (ii) any relevant national environmental standards; and (iii) if relevant, the New Zealand Coastal Policy Statement; and <p>In relation to any proposed approval that is a resource consent, whether, to the best of the applicant's knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a) (applications for same activity).</p>	13(4)(y)(i)	<p>Attachment G</p> <p>3.8.1.1</p>

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<p>The information specified in Clause 2 of Schedule 9:</p> <p>The information required to be provided under section 13(4)(y)(vi) is the following:</p> <p>(a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and</p> <p>(b) whether any fish salvage activities or other complex freshwater fisheries activities are proposed.</p>	Clause 2, Schedule 9.	3.8.1.2, 3.8.1.4, 3.8.3
Section 22(1): The criteria for accepting a referral application are that:		
The project is an infrastructure or development project that would have significant regional or national benefits; and	22(1)(a)	2.6.1
Referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes.	22(1)(b)(i)	2.6.2.1
Referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process.	22(1)(b)(ii)	2.6.2.2
Section 22(2): For the purposes of subsection (1)(a), the Minister may consider whether the project:		
Has been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list.	22(2)(a)(i)	2.6.2.3
Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure.	22(2)(a)(ii)	2.6.2.4
Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020).	22(2)(a)(iii)	2.6.2.5
Will deliver significant economic benefits.	22(2)(a)(iv)	2.6.2.6
Will support primary industries, including aquaculture.	22(2)(a)(v)	2.6.2.7
Will support development of natural resources, including minerals and petroleum.	22(2)(a)(vi)	2.6.2.8

Checklist for referral applications under the FTAA

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Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions.	22(2)(a)(vii)	2.6.2.9
Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards.	22(2)(a)(viii)	2.6.2.10
Will address significant environmental issues.	22(2)(a)(ix)	2.6.2.11
Is consistent with local or regional planning documents, including spatial strategies:	22(2)(a)(x)	2.6.2.12
Any other matters the Minister considers relevant.	22(2)(b)	Attachment H