Notice of Intention - COVID-19 Recovery (Fast-track Consenting) Act 2020

[DATE]

[VERSION]

*Insert photo*

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This disclaimer shall apply notwithstanding that the report may be made available to other persons for an application for permission or approval or to fulfil a legal requirement.

**Quality Assurance Statement**

Project Manager: [insert]

Prepared by: [insert]

Reviewed by: [Waka Kotahi / KiwiRail Planner]

Approved for issue by: [insert]

Notice of intention PURSUANT TO PART 1 OF SCHEDULE 4 of the Covid-19 Recovery (fast-track consenting) act 2020

In accordance with Schedule 4, Clause 8 of the Covid-19 Recovery (Fast Track Consenting) Act 2020 (Act), Waka Kotahi / KiwiRail provides notice that the works described in this form will be undertaken as a permitted activity (that is, an activity for which a resource consent is not required under the Resource Management Act 1991).

To: Iwi Authority, Hapū, and Treaty Settlement Entity   
 PO Box  
 Location

From: Waka Kotahi NZ Transport Agency / KiwiRail  
 PO Box  
 Location

Signed by:

Name (NZTA/KiwiRail Planner)  
Location

Pursuant to authority delegated by Waka Kotahi / KiwiRail  
Insert Date

Address for Service and Project Lead Contact Details:

Organisation Name  
P O Box   
CITY/TOWN POSTCODE

Project Lead: [Insert name, contact number & email address] *(The Act requires that these project lead details are provided in the Notice of Intention)*

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#### **Waka Kotahi NZ Transport Agency / KiwiRail**

Waka Kotahi is a Crown entity with its objective, functions, powers and responsibilities set out in the Land Transport Management Act 2003 and the Government Roading Powers Act 1989. Waka Kotahi is also a requiring authority under s.167(3) of the RMA.

Our purpose is creating transport solutions for a thriving New Zealand. Waka Kotahi shapes New Zealand’s transport networks and people’s safe and efficient use of them. We connect families, help businesses take goods to market, and help others work, study and play.

An integrated approach to transport planning, funding and delivery is taken by Waka Kotahi. This includes investment in public transport, walking and cycling, local roads and the construction and operation of State Highways. Waka Kotahi exhibits a sense of social and environmental responsibility when undertaking this work.

OR

KiwiRail is a State-Owned Enterprise with its objective, functions, powers and responsibilities set out in the Railway Act 2003. KiwiRail is also a requiring authority under s.167(3) of the RMA.

Our purpose is Stronger Connections Better New Zealand. KiwiRail owns and operates rail and ferry transport networks so that freight and passengers can be moved within New Zealand in an efficient way. We are focused on providing excellent service to our customers, a zero-harm workplace for our people, and delivering reliable services, sustainably.

#### Description of Works

*Briefly describe the works, referencing any relevant plans and/or reports that are attached as appendices. Add NZTM map references to indicate where the works are being undertaken.*

In exercising its powers and performing its functions under the Act, Waka Kotahi / KiwiRail has given due consideration to, and acted in a manner that is consistent with, the principles of the Treaty of Waitangi and any relevant Treaty settlement legislation.

#### Permitted Activity Criteria

The works described above meet the permitted activity criteria set out in Subpart 2 (Work on Infrastructure) and Schedule 4 (Work on infrastructure: location requirements, permitted activities, and permitted activity standards) of the Act. In summary:

* The works will be undertaken by the Waka Kotahi/KiwiRail.
* The works will be carried out on existing infrastructure in or on the national road/rail corridor.
* The land on which the works will be undertaken meets at least 1 of the following criteria:
* The agency has a legal interest in the land that authorises access to and use of the land for the works.
* The land is in or on the national road corridor or the national rail corridor, and the agency is authorised to access and use the land for the works.
* A compensation certificate under section 19 of the Public Works Act 1981 records the acquisition of the land for the works.
* The works constitute the operation, maintenance, replacement, or minor upgrade of existing infrastructure.
* The works are not discretionary, non-complying, or prohibited activity under the relevant plan or proposed plan or the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
* The works will not occur in any of the following places identified or listed in the relevant plan or proposed plan:
  + - A wāhi tapu.
    - Any other site of cultural or historical significance.
    - An outstanding water body.
* The works will not occur in a wāhi tapu identified through the tangata whenua engagement process.
* the works do not involve a non-temporary take of water that would require a resource consent under the relevant plan or proposed plan.
* The works will be undertaken in accordance with the requirements of Schedule 4, Subpart 2 of the Act.
* The works are not contrary to any water conservation order.

#### Iwi and Hapū Engagement

Iwi and hapū engagement has been undertaken in accordance with Schedule 4, Clause 5 of the Act.

#### Management Plan

A management plan has been prepared in accordance with schedule 4, Clause 7 of the Act. A copy is attached as Appendix […].

*(If a management plan is required in accordance with Schedule 4, Clause 7, the Act requires that it be included in the Notice of Intention. If no management plan is required, update this section to confirm that)*

#### Fish Passage

*If the works involve fish passage, briefly describe the fish passage measures. If the works do not involve fish passage, update this section to confirm that.*

#### Archaeological Authority

*State whether the works require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act and, if so, whether the authority has been applied for or obtained.*

#### Accidental Discovery Protocol

An accidental discovery protocol has been prepared to be applied during any earthworks activities. A copy is attached as Appendix […].

*If the works do not require an accidental discovery protocol under the Archaeological Authority, update this section to confirm that.*

#### Pre-Start Meeting

The works are anticipated to commence in [insert month and year]. In accordance with Schedule 4, Clause 8 of the Act, an invitation to the pre-start meeting is hereby made.

Date:

Time:

Location:

#### Invoicing Details

*Insert NZTA/KiwiRail details for invoicing.*

**Appendix 1 – […]**