

Commenting on a fast-track consenting application

The COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act) creates a new process to fast-track projects aimed at stimulating the economy. Find out who can comment on a resource consent application or notice of requirement, and what happens if you are invited to comment.

Who can make comments

The Act states that expert consenting panels must not give public or limited notification about a consent application or notice of requirement.

However, panels must invite written comments from some people or groups listed in the Act. For projects referred by an Order in Council (rather than listed in the Act) there may also be additional people invited to provide comments, as set out in the Referral Order.

Examples of people and organisations invited to comment include:

- relevant local authorities
- relevant iwi authorities
- Treaty settlement entities relevant to a project
- the landowners and occupiers of land where the project is and the adjacent land, unless they cannot be identified
- relevant Ministers of the Crown including Ministers of Arts, Culture and Heritage; Climate Change; Conservation; Housing; and Māori Crown Relations: Te Arawhiti
- specified agencies or groups including Environmental Defence Society, Royal Forest & Bird Protection Society, and Infrastructure New Zealand Incorporated.

The EPA receives the written comments on behalf of an expert consenting panel, and sends the comments on to the panel and the applicant or requiring authority.

How to make comments

The EPA:

- provides you notice of the application or notice of requirement, including links to the application on the EPA website
- invites you to comment and includes a comments form for you to use.

You have 10 working days from the date of the invitation for your comments to be received by the EPA. The panel is not required to consider any comments after the deadline, and there is no right for you to seek a waiver of the time specified.

Sending your comments to the EPA

Send your completed comments form to the EPA in time for it to be received by the deadline by:

- email (using the email address specified in the invitation to comments letter)
- post (noting the application or notice of requirement name) to Environmental Protection Authority, Private Bag 63002, Waterloo Quay, Wellington 6140
- in person to the Environmental Protection Authority, Grant Thornton House, Level 10, 215 Lambton Quay, Wellington (please note that due to potential changes in COVID-19 Alert Levels our reception may not be open to the public. We suggest phoning ahead to check).

Panel hearings

There is no requirement for a panel to hold a hearing, and no person has a right to be heard. However, if a panel decides to hold a hearing, the applicant, any person commissioned by the panel to write a report, and anyone who provided comment can be invited to appear at that hearing at the discretion of the panel. For further information on hearings see our factsheet.

Draft conditions and final decisions

If you have provided comments in response to the invitation, you will be provided a copy of any draft conditions and invited to comment on these before the panel makes its final decision.

You will also be provided a copy of the final decision and, if you have provided comments in response to the invitation, you will have a right to appeal the final decision to the High Court on questions of law.

Get in touch

If you have a question about fast-track consenting, please phone 0800 080 065 or email us on fasttrack@epa.govt.nz

Read more about the COVID-19 Recovery (Fast-track Consenting) Act 2020 at www.mfe.govt.nz/rma/act-to-fast-track-projects

Read more about the listed projects, expert consenting panels and making an application at www.epa.govt.nz/fast-track-consenting/