

Appendix C: Glossary of RMA Sections Delegated to Staff

Resource Management Act 1991

Section

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| 10 | Certain existing uses in relation to land protected |
| 10A | Certain existing activities allowed |
| 10B | Certain existing building works allowed |
| 22 | Duty to give certain information |
| 32 | Consideration of alternatives, benefits, and costs |
| 36(3) | Administrative charges - Where a charge fixed in accordance with subsection (1) is, in any particular case, inadequate to enable a local authority to recover its actual and reasonable costs in respect of the matter concerned, the local authority may require the person who is liable to pay the charge, to also pay an additional charge to the local authority. |
| 36(3A) | Administrative charges - A local authority must, upon request by any person liable to pay a charge under this section, provide an estimate of any additional charge likely to be imposed under subsection (3) . |
| 36(5) | Administrative charges - A local authority may, in any particular case and in its absolute discretion, remit the whole or any part of any charge of a kind referred to in this section which would otherwise be payable. |
| 36AA(1) | Local authority policy on discounting administrative charges |
| 37 | Power of waiver and extension of time limits |
| 37A | Requirements for waivers and extensions |
| 38(5) | Authorisation and responsibilities of enforcement officers - The local authority or Minister shall supply every enforcement officer with a warrant, and that warrant shall clearly state the functions and powers that the person concerned has been authorised to exercise and carry out under this Act. |
| 41B | Directions to provide evidence within time limits |
| 42 | Protection of sensitive information |
| 42A | Reports to local authority |
| 44A | Local authority recognition of national environmental standards |
| 55 | Local authority recognition of national policy statements |
| 86D | Environment Court may order rule to have legal effect from date other than standard date |
| 87E | Consent authority's decision on request |
| 87F | Consent authority's subsequent processing |
| 87G | Environment Court determines application |

Section

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| 88 | Making an application |
| 89A | Applications affecting navigation to be referred to Maritime New Zealand |
| 91 | Deferral pending application for additional consents |
| 92 | Further information, or agreement, may be requested |
| 92A | Responses to request |
| 92B | Responses to notification |
| 93 | When public notification of consent applications is required |
| 94 | When public notification of consent applications is not required |
| 94A | Forming opinion as to whether adverse effects are minor or more than minor |
| 94B | Forming opinion as to who may be adversely affected |
| 94C | Public notification if applicant requests or if special circumstances exist |
| 94D | When public notification and service requirements may be varied |
| 95A | Public notification of consent application at consent authority's discretion |
| 95B | Limited notification of consent application |
| 95C | Public notification of consent application after request for further information or report |
| 95D | Consent authority decides if adverse effects likely to be more than minor |
| 95E | Consent authority decides if person is affected person |
| 95F | Consent authority decides if person is affected order holder |
| 98 | Advice of submissions to applicant |
| 99 | Pre-hearing meetings |
| 99A | Mediation |
| 100 | Obligation to hold a hearing |
| 101 | Hearing date and notice |
| 102 | Joint hearings by 2 or more consent authorities |
| 103 | Combined hearings in respect of 2 or more applications |
| 104 | Consideration of applications |
| 104A | Determination of applications for controlled activities |
| 104B | Determination of applications for discretionary or non-complying activities |
| 104C | Determination of applications for restricted discretionary activities |
| 104D | Particular restrictions for non-complying activities |

Section

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| 104F | Implementation of [national environmental standards] |
| 105 | Matters relevant to certain applications |
| 106 | Consent authority may refuse subdivision consent in certain circumstances |
| 108 | Conditions of resource consents |
| 108A | Bonds |
| 109 | Special provisions in respect of bonds or covenants |
| 110 | Refund of money and return of land where activity does not proceed |
| 113 | Decisions on applications to be in writing, etc |
| 114 | Notification |
| 124 | Exercise of resource consent while applying for new consent |
| 124A | When sections 124B and 124C apply and when they do not apply |
| 124B | Applications by existing holders of resource consents |
| 124C | Applications by persons who are not existing holders of resource consents |
| 125 | Lapsing of consent |
| 126 | Cancellation of consent |
| 127 | Change or cancellation of consent condition on application by consent holder |
| 128 | Circumstances when consent conditions can be reviewed |
| 129 | Notice of review |
| 132 | Decisions on review of consent conditions |
| 133A | Minor corrections of resource consents |
| 134 | Land use and subdivision consents attach to land |
| 138 | Surrender of consent |
| 138A | Special provisions relating to coastal permits for dumping and incineration |
| 139 | Consent authorities and Environmental Protection Authority to issue certificates of compliance |
| 139A | Consent authorities to issue existing use certificates |
| 149B | Local authority's obligations if matter called in |
| 149G | EPA must provide board or Court with necessary information |
| 149Q | Board to produce draft report |

Section

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| 149W | Local authority to implement decision of board or Court about proposed regional plan or change or variation |
| 149ZD | Costs of processes under this Part recoverable from applicant |
| 168 | Notice of requirement to territorial authority |
| 168A | Notice of requirement by territorial authority |
| 169 | Further information, notification, submissions, and hearing for notice of requirement to territorial authority |
| 171 | Recommendation by territorial authority |
| 173 | Notification of decision on designation |
| 174 | Appeals |
| 175 | Designation to be provided for in district plan |
| 176 | Effect of designation |
| 176A | Outline plan |
| 178 | Interim effect of requirements for designations |
| 181(3) | Alteration of designation - Circumstances where a territorial authority may alter a designation in its district plan. |
| 184 | Lapsing of designations which have not been given effect to |
| 189A | Notice of requirement for heritage order by territorial authority |
| 190 | Further information, notification, submissions, and hearing for notice of requirement to territorial authority |
| 193 | Effect of heritage order |
| 194 | Interim effect of requirement |
| 195A | Alteration of heritage order |
| 198A | Sections 198B to 198G apply to requirements under section 168 or 189 |
| 198B | Requiring authority or heritage protection authority's request |
| 198C | Territorial authority's decision on request |
| 198D | Territorial authority's subsequent processing |
| 198E | Environment Court decides |
| 198F | Residual powers of territorial authority |
| 198G | When territorial authority must deal with requirement |
| 198H | Sections 198I to 198M apply to requirements under section 168A or 189A |
| 198I | Territorial authority's decision |
| 198J | Territorial authority's subsequent processing |

Section

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| 198K | Environment Court decides |
| 198L | Residual powers of territorial authority |
| 198M | When territorial authority must deal with requirement |
| 220 | Condition of subdivision consents |
| 221 | Territorial authority to issue a consent notice |
| 222 | Completion certificates |
| 223 | Approval of survey plan by territorial authority |
| 224 | Restrictions upon deposit of survey plan |
| 226(1)(e) | <p>Restriction upon issue of certificates of title for subdivision - [The Registrar-General of Land] shall not issue a certificate of title for any land that is shown as a separate allotment on a survey plan (being a certificate issued to give effect to the subdivision shown on that survey plan), unless he or she is satisfied, after due inquiry, that— The territorial authority has [given a certificate signed by the principal administrative officer or other authorised officer to the effect]—</p> <p>(i) That there is no district plan for the area to which the survey plan relates, and that the allotment is in accordance with the requirements and provisions of the proposed district plan; or</p> <p>ii) That the allotment is in accordance with the requirements and provisions of the district plan and the proposed district plan (if any) for the area to which the survey plan relates; or</p> <p>(iii) That the allotment is in accordance with a permission or permissions granted under Part 2 or Part 4 of the Town and Country Planning Act 1977.</p> |
| 227 | Cancellation of prior approvals |
| 234 | Variation or cancellation of esplanade strips |
| 235 | Creation of esplanade strips by agreement |
| 237 | Approval of survey plans where esplanade reserve or esplanade strips required |
| 237B | Access strips |
| 237C | Closure of strips to public |
| 237D | Transfers to the Crown or regional council |
| 237E | Compensation for taking of esplanade reserves or strips on allotments of less than 4 hectares |
| 237F | Compensation for taking of esplanade reserves or strips on allotments of 4 hectares or more |
| 237G | Compensation for taking of land below mean high water springs or of bed of lake or river |
| 237H | Valuation |
| 240 | Covenant against transfer of allotments |

Section

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| 241 | Amalgamation of allotments |
| 243 | Survey plan approved subject to grant or reservation of easements |
| 314 | Scope of enforcement order |
| 315 | Compliance with enforcement order |
| 316 | Application for enforcement order |
| 317 | Notification of application |
| 318 | Right to be heard |
| 319 | Decision on application |
| 320 | Interim enforcement order |
| 321 | Change or cancellation of enforcement order |
| 322 | Scope of abatement notice |
| 323 | Compliance with abatement notice |
| 324 | Form and content of abatement notice |
| 325A | Cancellation of abatement notice |
| 327 | Issue and effect of excessive noise direction |
| 328 | Compliance with an excessive noise direction |
| 330 | Emergency works and power to take preventive or remedial action |
| 332 | Power of entry for inspection |
| 333 | Power of entry for survey |
| 336 | Return of property seized under sections 323 and 328 |
| 338(4) | Offences against this Act - Notwithstanding anything in the Summary Proceedings Act 1957 , any information in respect of any offence against subsection (1), (1A), or (1B) of this section may be laid by any person at any time within 6 months after the time when the contravention giving rise to the information first became known, or should have become known, to the local authority or consent authority. |
| 343C | Infringement notices |

Schedule 1 Preparation, change, and review of policy statements and plans

Clause

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| 3 | Consultation |
| 3A | Consultation in relation to policy statements |
| 3B | Consultation with iwi authorities |

Clause

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| 4 | Requirements to be inserted prior to notification of proposed district plans |
| 6 | Making of submissions |
| 7 | Public notice of submissions |
| 8 | Certain persons may make further submissions |
| 8AA | Resolution of disputes |
| 8B | Hearing by local authority |
| 8C | Hearing not needed |
| 11 | Notification of decision |
| 15 | Hearing by the [Environment Court] |
| 16 | Amendment of proposed policy statement or plan |
| 16B | Merger with proposed policy statement or plan |
| 20 | Operative date |
| 20A | Correction of operative policy statement or plan |
| 23 | Further information may be required |
| 24 | Modification of request |
| 25(1) | Local authority to consider request |
| 29(2) | Procedure under this Part |
| 34 | Consultation on proposal to incorporate material by reference |
| 35 | Access to material incorporated by reference |