POTL – DREDGING RECONSENTING

APPENDIX B: CHECKLISTS

Checklist A – Resource consent

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference (Name of document, section and page)
5(1)(a)	A description of the proposed activity	POTL Dredging FTAA SAR Section 3
5(1)(b)	A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to— (i) a statutory area (as defined in the relevant Treaty settlement Act); or (ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or (iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011	POTL Dredging FTAA SAR Sections (maps) and 2.4 (statutory areas and customary rights areas)
5(1)(c)	Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being: • section 42; and • sections 43 and 44; and • relates solely to a listed project or a referred project; and • any fee, charge, or levy payable under regulations in respect of the application is paid. *Guidance note: Section 46 provides for the EPA to decide whether the substantive application is complete and within scope. The EPA will need to be satisfied that the application complies with these requirements. These matters are addressed throughout the substantive application form and relevant checklist.*	POTL Dredging FTAA SAR Sections 2.1, 2.5 and 4

5(1)(d) and 5(6)	The full name and address of— (i) each owner of the site and of land adjacent to the site; and (ii) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry; If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).	POTL Dredging FTAA SAR Section 5.2 and Appendix D. Appendix D relates only to owners but gives an indication of the areas considered as being adjacent to the site
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	No other activities are part of the Project.
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	POTL Dredging FTAA SAR Section 4.6
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	POTL Dredging FTAA SAR Section 9.3
5(1)(h) (and also clauses 5(2) and 5(3))	An assessment of the activity against any relevant provisions in any of the following documents: • a national environmental standard: • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: • a regional policy statement or proposed regional policy statement: • a plan or proposed plan: • a planning document recognised by a relevant iwi authority and lodged with a local authority. This assessment must include an assessment of the activity against the requirements set out in Clause 5(3) of Schedule 5 being: • any relevant objectives, policies or rules in the documents listed; and • any requirement, condition, or permission in any rules in any of those documents; and • any other requirements in any of those documents.	POTL Dredging FTAA SAR Section 9
5(1)(i)	Information about any Treaty settlements that apply in the area covered by the consent application, including— (i) identification of the relevant provisions in those Treaty settlements; and (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area	POTL Dredging FTAA SAR Section 2.4

5(1)(j)	A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	POTL Dredging FTAA SAR Section 2.4
5(1)(k)	The conditions that the applicant proposes for the resource consent.	POTL Dredging FTAA SAR Section 8
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received,— (i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and (ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice.	SAR Appendix C2. No TCC consents required under the Tauranga City Plan (Appendix C3 to the SAR)
5(4)(a)	An assessment of the activity's effects on the environment that includes the information required by clause 6. *Guidance note: See rows below for requirements in clause 6.*	POTL Dredging FTAA SAR Section 7
5(4)(b)	An assessment of the activity's effects on the environment that covers the matters specified in clause 7. *Guidance note: See rows below for requirements in clause 7.*	POTL Dredging FTAA SAR Section 7

6	(1) The assessment of an activity's effects on the environment must include the following information: (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 (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. *Guidance note: Clause 6(2) provides that a consent application need not include any additional information specified in a relevant policy statement or plan that would be required in an assessment of environmental effects under clause 6(2) or 7(2) of Schedule 4 of the Resource Management Act.*	As above

7	The assessment of an activity's effects on the environment must cover the following matters: (a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects: (b) any physical effect on the locality, including landscape and visual effects: (c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity: (d) any effect on natural and physical resources that have 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) any unreasonable emission of noise: (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.	As above
5(5)(a)	If a PA 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 PA (so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)	POTL Dredging FTAA SAR section 4.5
5(5)(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 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document.	No planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 applies. The Site is not within the rohe of Ngāti Porou.
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaitai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.	The Site is subject to a mātaitai reserve: Te Maunga o Mauao Mātaitai Reserve Bylaw 2009. This is discussed in Sections 2.4.7, 5.10 and 7.11 of the SAR.

CHECKLIST J – Listed project information requirements

This checklist must be completed if your application is for a listed project. Section 43(2) of the Act requires additional information is provided with a substantive application. The substantive application must comply with these requirements. The checklist is designed to assist you in providing all the relevant information. If an application does not comply with all requirements, then the EPA must return it to the person who lodged it.

Section 43(2) of the Act requires that a substantive application for a listed project contain the information required by section 13(4) (other than sections 13(4)(b), (f)(ii) and (iii), and (g) which applies with specified modifications (that have been applied in the checklist below) and any other necessary modifications.

Section, Fast-track Approvals Act	Information required for a substantive application under section 43(2) and section 13(4)	Application Reference (Name of document, section and page)
13(4)(a)	a description of the project and the activities it involves	Addressed in Section 3 of the SAR
13(4)(c)	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)	SAR Section 2.2
13(4)(d)	a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application	SAR Section 2.1 (maps) and Section 3 (Description of the Project)
13(4)(e)	the anticipated commencement and completion dates for construction activities (where relevant)	POTL Dredging FTAA SAR Section 3.4
13(4)(f)(i)	a statement of whether the project is planned to proceed in stages and, if so an outline of the nature and timing of the stages	SAR Section 3.4
13(4)(h)	a description of the anticipated and known adverse effects of the project on the environment	SAR Section 7
13(4)(i)	a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991	SAR Section 4.3
13(4)(j)	a list of the persons and groups the applicant considers are likely to be affected by the project, including— (i) relevant local authorities:	Local authorities are BOPRC and TCC.

	(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: (v) relevant protected customary rights groups and customary marine title groups: (vi) 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: (vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011: (viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981:	POTL Dredging FTAA SAR Sections 2.4, 5.4, 7.4 and 9.9
13(4)(k)	a summary of— (i) the consultation undertaken for the purposes of section 29 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:	SAR Section 2.4 and Appendices C1, C2 and C3
13(4)(l)	a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements	SAR Section 2.4
13(4)(m)	a description of any processes already undertaken under the Public Works Act 1981 in relation to the project	No processes under the Public Works Act are relied upon for the Project.
13(4)(n)	a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	SAR Section 2.4.2. Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 is not relevant to the Project.
13(4)(o)	information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	There is no Māori land, marae or identified wāhi tapu within the Project footprint.
13(4)(p)	a statement of whether the applicant is seeking a determination under section 23 and, if so, an	In relation to the Project, POTL is not seeking a determination under sections 23, 24(2) or 24(4) of the FTAA.
	assessment of the effects of the activity on the relevant land and on the rights and interests of Māori in that land	In relation to the Project, POTL is not seeking a determination under sections 23, 24(2) or 24(4) of the FTAA.

13(4)(q)	a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of— (i) the scale and adverse effects of the existing electricity infrastructure; and (ii) how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure	In relation to the Project, POTL is not seeking a determination under sections 23, 24(2) or 24(4) of the FTAA.
13(4)(r)	a statement of whether the applicant is seeking a determination under section 24(4) and, if so,— (i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and (ii) for each alternative site considered,— (A) a statement of the anticipated and known financial cost of undertaking the activity; and (B) a description of the anticipated and known adverse effects of undertaking the activity; and (C) a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity; and (D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and (E) an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters	In relation to the Project, POTL is not seeking a determination under sections 23, 24(2) or 24(4) of the FTAA.
13(4)(s)	a description of the applicant's legal interest (if any), or if the 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	The Project is located within the CMA.

13(4)(t)	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	SAR Section 4.6.
13(4)(u)	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,— (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:	SAR Section 4.1.
13(4)(v)	a description of whether and how the project would be affected by climate change and natural hazards	SAR Sections 1.1, 5.5, 7.5, 7.6 and 7.7
13(4)(w)	if the application is lodged by more than 1 person, a statement of the proposed approval to be held by each of those persons	The application is lodged by only one entity (POTL)
13(4)(x)	a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the application is lodged by more than 1 person, any of those persons) under a specified Act	SAR Section 2.6 and Table 5
13(4)(y)	Please provide the information specified below for the relevant approval(s) sought. This is the information specified in the relevant schedule. If approval is not sought, please enter n/a.	
13(4)(y)(i), clause 2 of Schedule 5	**Resource consent or designation** (a) an assessment of the project against— (i) any relevant national policy statement; and (ii) any relevant national environmental standards; and (iii) if relevant, the New Zealand Coastal Policy Statement; and	POTL Dredging FTAA SAR Sections 1 and 9

	(b) 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). *Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(b) is to the person who will be identified in the application as the proposed holder of the resource consent.*	POTL currently holds resource consents for dredging in the Site. This application is for replacement resource consents. See SAR Section 4.4 and Appendix E and Appendix C2
13(4)(y)(ii), clause 3 of Schedule 5	**Change or cancellation of resource consent condition** The information to be provided under section 13(4)(y)(ii) is information about whether and how the change or cancellation of the condition is material to the implementation or delivery of the project.	N/A
13(4)(y)(iii), clause 4 of Schedule 5	**Certificate of compliance** The information required to be provided under section 13(4)(y)(iii) is information that shows the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent. Include information that shows that the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent.	N/A
13(4)(y)(iv), clause 2 of Schedule 6	**Concession** (1) The information in subclause (2) is required to be provided under section 13(4)(y)(iv) if a proposed concession includes a lease and— (a) the lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and (b) the granting of the lease would trigger a right of first refusal or a right of offer or return. (2) Confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease. *Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause (2) is to the person who is to be identified in the application as the proposed holder of the concession (clause 2(3) of Schedule 6).*	N/A

13(4)(y)(v), clause 23 of Schedule 6	**Land exchange** (1) The information required to be provided under section 13(4)(y)(v) is (a) - (e) below: *Guidance note: If the substantive application is to be lodged by more than 1 person, the reference to the applicant in subclause (2)(d) is to the person who is to be identified in the application as the person proposed to exchange land (clause 23(2) of Schedule 6).* (a) a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible:	N/A
	(b) the financial value of the land proposed to be acquired by the Crown:	N/A
	(c) a brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate:	N/A
	(d) if the land exchange would trigger a right of first refusal or a right of offer or return, confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return that the holder has agreed to waive that right for the purpose of the land exchange:	N/A
	(e) confirmation by the applicant that no part of any land to be exchanged by the Crown is – (i) land listed in Schedule 4; or (ii) a reserve declared to be a national reserve under section 13 of the Reserves Act 1977	N/A
13(4)(y)(vi), clause 2 of Schedule 9	**Standard or complex freshwater fisheries activity approval** (2) The information required to be provided under section 13(4)(y)(vi) is the following: (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 (b) whether any fish salvage activities or other complex freshwater fisheries activities are proposed.	N/A

13(4)(y)(vii), clause 2 of Schedule 10	**Marine consent** (1) The information required to be provided under section 13(4)(y)(vii) is– (a) information about whether the Minister of Conservation is an affected person: (b) additional information about whether the applicant has already made an application for a consent under the EEZ Act in relation to the project, and, if so,— (i) details of any application made; and (ii) the decisions made on that application; and (iii) information about the matters that the Minister may consider under section 22(6): (c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act. *Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(b) is to the person who is to be identified in the application as the proposed holder of the marine consent (clause 2(2) of Schedule 10).*	N/A N/A N/A N/A N/A
13(4)(y)(viii), clause 2 of Schedule 11	**Access arrangement** (1) Confirmation that the applicant has complied with section 12(2) (for the purposes of section 13(4)(y)(viii)). *Guidance note: If the referral application is to be lodged by more than 1 person, the reference to the applicant in subclause (1) is to the person who is to be identified in the application as the proposed holder of the access arrangement (clause 2(2) of Schedule 11).*	N/A

13(4)(y)(ix), clause 15 of Schedule 11	**Mining permit** (1) For the purposes of section 13(4)(y)(ix), the information is— (a) a copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown owned mineral: (b) the name and contact details of the proposed permit participants and the proposed permit operator: (c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both: (d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme: (e) information about the proposed permit holder's history of compliance with mining or similar permits and their conditions: (f) the proposed date on which the substantive application is intended to be lodged: (g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information: (h) the proposed duration of the permit: (i) if the proposed approvals include a mining permit for petroleum,— (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates:	

	(ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System: (iii) a high-level overview of the following: (A) the proposed field development plan: (B) the proposed date for the commencement of petroleum production: (C) the economic model for the project: (D) the proposed duration of the proposed mining permit: (E) decommissioning plans: (j) if the proposed approvals include a mining permit for minerals other than petroleum,— (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates: (ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted: (iii) whether the application will be for a Tier 1 or Tier 2 permit: (iv) an estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology): (v) an indicative mine plan:	N/A