

# Checklist A – ASPC Substantive Application

## Checklist A Table (Duplicated in Form Below)

Due to formatting within the PDF Checklist A form, this document has been provided for ease of use. The information below is additionally duplicated into the official Checklist A document for completeness.

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	<ul style="list-style-type: none"> <li>Section 8 of the Assessment of Environmental Effects (AEE), Page 21 - 60</li> </ul>
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— <ul style="list-style-type: none"> <li>(i) a statutory area (as defined in the relevant Treaty settlement Act); or</li> <li>(ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o NgāHapū o Ngāti Porou Act 2019); or</li> <li>(iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011</li> </ul>	<ul style="list-style-type: none"> <li>Section 7 of the AEE, Page 17 - 21;</li> <li>Appendix 9 – Auckland Surf Park Community (ASPC) Masterplan</li> </ul>
5(1)(c)	Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being: <ul style="list-style-type: none"> <li>• section 42; and</li> <li>• sections 43 and 44; and</li> <li>• relates solely to a listed project or a referred project; and</li> <li>• any fee, charge, or levy payable under regulations in respect of the application is paid.</li> </ul> <p><i>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.</i></p>	<ul style="list-style-type: none"> <li>The Applicant, AW Holdings 2021 Limited is the authorised person.</li> <li>See table 43 below. Information provided is in sufficient detail to satisfy the purpose for which it is required.</li> <li>The application relates solely to a referred project;</li> <li>Fees and levies will be paid upon issue of invoice.</li> </ul>

5(1)(d) and 5(6)	<p>The full name and address of—</p> <ul style="list-style-type: none"> <li>(i) each owner of the site and of land adjacent to the site; and</li> <li>(ii) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry;</li> </ul> <p>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)).</p>	<ul style="list-style-type: none"> <li>• Section 7.1 of the AEE, Page 17;</li> <li>• Appendix 6 – Names, Address and Contact Details for Adjacent Landowners</li> </ul>
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	<ul style="list-style-type: none"> <li>• Section 8.0 of the AEE, Page 21</li> </ul>
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	<ul style="list-style-type: none"> <li>• Section 8.3 of the AEE, Page 58</li> </ul>
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	<ul style="list-style-type: none"> <li>• Section 17.6 of the AEE, Page 134 - 136</li> </ul>
5(1)(h) (and also clauses 5(2) and 5(3))	<p>An assessment of the activity against any relevant provisions in any of the following documents:</p> <ul style="list-style-type: none"> <li>• a national environmental standard:</li> <li>• other regulations made under the Resource Management Act 1991:</li> <li>• a national policy statement:</li> <li>• a New Zealand coastal policy statement:</li> <li>• a regional policy statement or proposed regional policy statement:</li> <li>• a plan or proposed plan:</li> <li>• a planning document recognised by a relevant iwi authority and lodged with a local authority.</li> </ul> <p>This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:</p> <ul style="list-style-type: none"> <li>• any relevant objectives, policies or rules in the documents listed; and</li> </ul>	<ul style="list-style-type: none"> <li>• Section 17.1 – 17.5 of the AEE, Page 114 - 135</li> </ul>

	<ul style="list-style-type: none"> <li>any requirement, condition, or permission in any rules in any of those documents; and</li> <li>any other requirements in any of those documents.</li> </ul>	
5(1)(i)	<p>Information about any Treaty settlements that apply in the area covered by the consent application, including—</p> <ul style="list-style-type: none"> <li>(i) identification of the relevant provisions in those Treaty settlements; and</li> <li>(ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area</li> </ul>	<ul style="list-style-type: none"> <li>Section 16.3 of the AEE, Page 110 - 114</li> </ul>
5(1)(j)	<p>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;</p>	<ul style="list-style-type: none"> <li>Section 16.4 of the AEE, Page 114</li> </ul>
5(1)(k)	<p>The conditions that the applicant proposes for the resource consent.</p>	<ul style="list-style-type: none"> <li>Appendix 60 – Stage 1 Variations to Conditions;</li> <li>Appendix 61 – Stage 2 LUC, DIS and WAT Conditions;</li> <li>Appendix 62 – Stage 2 Staged Subdivision Conditions;</li> <li>Appendix 63 – Stage 2 Unit Title Subdivision Conditions;</li> <li>Appendix 64 – Stage 2 Conditions – Attachment 1 – Table of Reports; and</li> <li>Appendix 65 – Stage 2 Conditions – Attachment 2 – Table of Drawings and Plans</li> </ul>
5(1)(l)	<p>if a notice under section 30(3)(b) or (5) has been received,—</p> <ul style="list-style-type: none"> <li>(i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and</li> <li>(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.</li> </ul>	<ul style="list-style-type: none"> <li>Appendix 5 – Section 30 Letter</li> </ul>
5(4)(a)	<p>An assessment of the activity’s effects on the environment that includes the information required by clause 6.</p> <p><i>Guidance note: See rows below for requirements in clause 6.</i></p>	<ul style="list-style-type: none"> <li>Section 10.0 of the AEE</li> </ul>

5(4)(b)	<p>An assessment of the activity's effects on the environment that covers the matters specified in clause 7.</p> <p><i>Guidance note: See rows below for requirements in clause 7.</i></p>	<ul style="list-style-type: none"> <li>Section 10.0 of the AEE</li> </ul>
6	<p>1. The assessment of an activity's effects on the environment must include the following information:</p> <p>a. an assessment of the actual or potential effects on the environment:</p>	<ul style="list-style-type: none"> <li>Section 10.0 of the AEE, Page 72 - 99</li> </ul>
	<p>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:</p>	<ul style="list-style-type: none"> <li>Section 10.8 of the AEE, Page 78 - 81</li> </ul>
	<p>c. if the activity includes the discharge of any contaminant, a description of—</p> <p>i. the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and</p> <p>ii. any possible alternative methods of discharge, including discharge into any other receiving environment:</p>	<ul style="list-style-type: none"> <li>Section 10.3 of the AEE, Page 73 - 76</li> <li>Section 10.7 of the AEE, Page 77 - 78</li> <li>Section 10.8 of the AEE, Page 78 - 81</li> <li>Section 10.9 of the AEE, Page 81 - 83</li> </ul>
	<p>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:</p>	<ul style="list-style-type: none"> <li>Section 10.20 of the AEE, Page 99</li> <li>Appendix 60 – Stage 1 Variations to Conditions;</li> <li>Appendix 61 – Stage 2 LUC, DIS and WAT Conditions;</li> <li>Appendix 62 – Stage 2 Staged Subdivision Conditions;</li> <li>Appendix 63 – Stage 2 Unit Title Subdivision Conditions;</li> <li>Appendix 64 – Stage 2 Conditions – Attachment 1 – Table of Reports; and</li> <li>Appendix 65 – Stage 2 Conditions – Attachment 2 – Table of Drawings and Plans</li> </ul>
	<p>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:</p>	<ul style="list-style-type: none"> <li>Section 15.0 of the AEE, Page 109 - 114;</li> <li>Appendix 7 – Consultation Summary and Supporting Appendices</li> </ul>
	<p>f. if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision:</p>	<ul style="list-style-type: none"> <li>Section 15.0 of the AEE, Page 108;</li> <li>Appendix 7 – Consultation Summary and Supporting Appendices</li> </ul>

<p>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:</p>	<ul style="list-style-type: none"> <li>● Appendix 60 – Stage 1 Variations to Conditions;</li> <li>● Appendix 61 – Stage 2 LUC, DIS and WAT Conditions;</li> <li>● Appendix 62 – Stage 2 Staged Subdivision Conditions;</li> <li>● Appendix 63 – Stage 2 Unit Title Subdivision Conditions;</li> <li>● Appendix 64 – Stage 2 Conditions – Attachment 1 – Table of Reports; and</li> <li>● Appendix 65 – Stage 2 Conditions – Attachment 2 – Table of Drawings and Plans</li> </ul>	
<p>h. an assessment of any effects of the activity on the exercise of a protected customary right.</p> <p><i>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.</i></p>	<ul style="list-style-type: none"> <li>● Section 16.5 of the AEE, Page 114</li> </ul>	
<p>7</p>	<p>The assessment of an activity’s effects on the environment must cover the following matters:</p> <p>a. any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:</p> <p>b. any physical effect on the locality, including landscape and visual effects:</p> <p>c. any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:</p> <p>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:</p>	<ul style="list-style-type: none"> <li>● Section 10.0 of the AEE, Page 72 - 99</li> <li>● Section 10.14 of the AEE, Page 88 - 94</li> <li>● Section 10.15 of the AEE, Page 94 - 95</li> <li>● Section 10.16 of the AEE, Page 95 - 97;</li> <li>● Appendix 56 – Landscape Visual Assessment; and</li> <li>● Appendix 57 – Urban Design Assessment</li> <li>● Section 10.9 of the AEE, Page 81 - 83;</li> <li>● Appendix 44 – Ecological Impact Assessment; and</li> <li>● Appendix 51 – WWTP Ecological Impact Assessment</li> <li>● Section 10.4 of the AEE, Page 76;</li> <li>● Section 10.5 of the AEE, Page 76;</li> </ul>

		<ul style="list-style-type: none"> <li>• Section 10.9 of the AEE, Page 81 - 83;</li> <li>• Appendix 7 – Consultation Summary and Supporting Appendices;</li> <li>• Appendix 37 – Archaeological Assessment;</li> <li>• Appendix 44 – Ecological Impact Assessment; and</li> <li>• Appendix 51 – WWTP Ecological Impact Assessment</li> </ul>
	e. any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:	<ul style="list-style-type: none"> <li>• Section 10.3 of the AEE, Page 73;</li> <li>• Section 10.9 of the AEE, Page 81 - 83;</li> <li>• Section 10.8 of the AEE, Page 78 – 81;</li> <li>• Appendix 34 – Detailed Site Investigation 1;</li> <li>• Appendix 35 – Detailed Site Investigation 2; and</li> <li>• Appendix 48 – WWTP Design Report</li> </ul>
	f. any unreasonable emission of noise:	<ul style="list-style-type: none"> <li>• Section 10.13 of the AEE, Page 86 - 88;</li> <li>• Appendix 41 – Noise and Vibration Assessment;</li> <li>• Appendix 42 – Construction Noise and Vibration Management Plan</li> </ul>
	g. any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.	<ul style="list-style-type: none"> <li>• Section 10.7 of the AEE, Page 77 - 78;</li> <li>• Section 10.8 of the AEE, Page 78;</li> <li>• Appendix 31 – Stormwater Management Plan;</li> <li>• Appendix 32 – Flooding Memorandum; and</li> <li>• Appendix 33 – Flooding Assessment</li> </ul>
5(5)(a)	If a permitted activity 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 permitted activity (so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)	<ul style="list-style-type: none"> <li>• Appendix 8 – Rules Assessment</li> </ul>
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	N/A

	2019, an assessment of the activity against any resource management matters set out in that document	
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaītai 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.	N/A

## Checklist A1 Table (Duplicated in Form Below)

Due to formatting within the PDF Checklist A1 form, this document has been provided for ease of use. The information below is additionally duplicated into the official Checklist A document for completeness.

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)
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If this application is for a subdivision consent, please adequately define the matters set out in clause 8(1) below

8(1)(a)	The position of all new boundaries	Appendix 27 – Staged Scheme Plans Appendix 28 – Unit Title Scheme Plans
8(1)(b)	The areas of all new allotments, unless the subdivision involves a cross lease or company lease or unit plan	Appendix 27 – Staged Scheme Plans Appendix 28 – Unit Title Scheme Plans
8(1)(c)	The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips	Appendix 27 – Staged Scheme Plans
8(1)(d)	The locations and areas of existing esplanade reserves, esplanade strips, and access strips	Appendix 27 – Staged Scheme Plans
8(1)(e)	The locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A of the Resource Management Act 1991	N/A – No beds of rivers or lakes to be vested.
8(1)(f)	The locations and areas of any land within the coastal marine area that is to become part of the common marine and coastal area under section 237A of the Resource Management Act 1991	N/A – No locations or areas of land within the coastal marine area to become common marine and coastal area.

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8(1)(g)	The locations and areas of land to be set aside as new roads	Appendix 27 – Staged Scheme Plans
If this application is for a reclamation consent, please include the information to show the area to be reclaimed set out in clause 8(2) below.		
8(2)(a)	The location of the area to be reclaimed	N/A – No reclamation proposed.
8(2)(b)	If practicable, the position of all new boundaries	N/A – No reclamation proposed.
8(2)(c)	Any part of the reclaimed area to be set aside as an esplanade reserve or esplanade strip	N/A – No reclamation proposed.

## S43 – Requirements for Substantive Applications

43 Requirements for substantive application	
<p>(1) A substantive application –</p> <p>(a) must be lodged in the form and manner approved by the EPA; and</p> <p>(b) must—</p> <p style="padding-left: 40px;">(i) explain how the project to which the application relates is consistent with the purpose of this Act; or</p> <p style="padding-left: 40px;">(ii) for a project referred under section 22A(1)(a),—</p> <p style="padding-left: 80px;">(A) explain how both the stage to which the application relates and the whole project are consistent with the purpose of this Act; and</p> <p style="padding-left: 80px;">(B) contain information relating to the likelihood that any later stages of the project will be completed; and</p> <p>(c) must demonstrate that the project does not involve any ineligible activities; and</p>	<p>(a) The application will be lodged in the form and manner (portal) approved by the EPA.</p> <p>(b) The application explains how the project is consistent with the Act (see section 11 of the AEE).</p> <p>(c) The application does not involve any ineligible activities (see section 12 of the AEE)</p> <p>(d) The application is lodged by AW Holdings 2021 Limited as the authorised person.</p> <p>(e) The following information requirements have been specified by:</p> <p style="padding-left: 40px;">(i) Roading and three waters infrastructure required to service the project will be delivered and funded by the Applicant (see section 8 of the AEE)</p> <p>The application complies with the subsection 3 requirements as identified below.</p> <p>(f) The authorised person has not applied for a determination under s23 or s24.</p>

<p>(d) must, if the application is lodged by more than 1 authorised person, state the proposed approval to be held by each person; and</p> <p>(e) must comply with –</p> <ul style="list-style-type: none"> <li>(i) any information requirements specified by the Minister under section 27(3)(b)(ii); and</li> <li>(ii) the requirements listed in subsection (3) that apply to the approvals sought; and</li> </ul> <p>(f) must, if the authorised person has applied under section 39 for a determination under section 23 or 24, include a copy of the notice under section 39(4); and</p> <p>(g) must, if the application seeks an approval for an activity that is the subject of a determination under section 23, set out the steps taken to secure the agreement referred to in section 5(1)(a); and</p> <p>(h) must state whether the application relates to a priority project and, if so, include confirmation that, to the best of the applicant’s knowledge, there are no competing applications; and</p> <p>(i) must be made by the deadline specified in the notice under section 28(3)(d).; and</p> <p>(j) must not lodge a substantive application unless any fee, charge, or levy payable under regulations in respect of the application is paid.</p>	<p>(g) N/A – as above.</p> <p>(h) The proposal does not relate to a priority project (see section 8 of the AEE)</p> <p>(i) The application is made before the deadline.</p> <p>(j) The application will be paid upon lodgement.</p>
<p>(2) If a substantive application is for a listed project, it must also contain the information required by section 13(4) (other than section 13(4)(b), (f)(ii) and (iii), and (g)), which applies—</p>	<p>N/A – The application is for a referred project.</p>

<p>(a) as if the reference in section 13(4)(k) to section 11 were a reference to section 29; and</p> <p>(b) as if the reference in clause 2 of Schedule 11 to section 12(2) were a reference to section 29; and</p> <p>(c) with any other necessary modifications.</p>	
<p>(3) The requirements referred to in subsection (1)(e)(ii) are those set out in,—</p> <p>(a) for an approval described in section 42(4)(a) (resource consent), clauses 5 to 8 of Schedule 5;</p> <p>(b) for an approval described in section 42(4)(b) (change or cancellation of resource consent condition), clause 10 of Schedule 5</p>	<p>This sets out the requirements of each approval type – relevant to this is proposal is:</p> <p>(a) For resource consent, clauses 5 to 8 of Schedule 5 (see above table);</p> <p>(b) For change of resource consent conditions, clause 10 of Schedule 5. Note: Clause 10 of Schedule 5 defers to clauses 5 to 8 of Schedule 5 (see above table)</p>
<p>(4) The EPA must approve an application form for the purposes of this section and ensure that it is made available on an internet site administered by or on behalf of the EPA.</p>	<p>N/A</p>