



WINSTONE
AGGREGATES

Boffa Miskell



**Part
A**

Appendix A6.2

Section 5 Checklist

Appendix A6.2: Section 5 Checklist

Ineligible activity (FTAA section 5)	Consideration (FTAA section 43(1)(c))
<p>(1)(a) An activity that –</p> <ul style="list-style-type: none"> (i) would occur on identified Māori land; and (ii) has not been agreed to in writing by the owners of the land or been subject to a determination under section 23: 	<p>Not Applicable (N/A)</p> <p>The Hunua Project footprint is not on identified Māori land. The applicant has identified no parcels of Māori land within the project area.</p> <p>Refer to: A2.7; Appendix A6.9.</p>
<p>(1)(b) an activity that –</p> <ul style="list-style-type: none"> (i) would occur in a customary marine title area; and (ii) has not been agreed to in writing by the customary marine title group: 	<p>N/A</p> <p>The project is inland and does not occur within a customary marine title area. No customary marine title group agreement is required.</p> <p>Refer to: A1.1; A2.7.</p>
<p>(1)(c) an activity that –</p> <ul style="list-style-type: none"> (i) would occur in a protected customary rights area; and (ii) would have a more than minor adverse effect on the exercise of the protected customary right; and (iii) has not been agreed to in writing by the protected customary rights group 	<p>N/A</p> <p>The project is inland and not within a protected customary rights area, and no protected customary rights groups are identified for the project.</p> <p>Refer to: A1.1; A2.7.</p>
<p>(1)(d) an activity that would occur on either of the following classes of land:</p> <ul style="list-style-type: none"> (i) Māori customary land; (ii) land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Maori Act 1993: 	<p>N/A</p> <p>The project is not on Māori customary land or land set apart as a Māori reservation.</p> <p>Refer to: A2.7; Appendix A6.9.</p>
<p>(1)(e) an aquaculture activity or an activity that is incompatible with aquaculture activities</p> <ul style="list-style-type: none"> (i) that would occur within an aquaculture settlement area declared under section 12 of the Maori Commercial Aquaculture Claims Settlement Act 2004 or an area reserved under another Treaty 	<p>N/A</p> <p>The project is not an aquaculture activity (or an activity incompatible with aquaculture) and does not occur within an aquaculture settlement area.</p> <p>Refer to: A1.1; A2.7.</p>

Ineligible activity (FTAA section 5)	Consideration (FTAA section 43(1)(c))
<p>settlement for the aquaculture activities of a particular group; and (ii) for which the applicant who is proposed to hold an approval described in section 42(4)(a) (resource consent) is not authorised to apply for a coastal permit under the Resource Management Act 1991:</p>	
<p>(1)(f) an activity – (i) that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991; and (ii) that (A) could not be granted an access arrangement because of section 61(1A) of that Act; or (B) would occur in an area for which a permit cannot be granted under that Act:</p>	<p>N/A</p> <p>The project does not require an access arrangement under ss61/61B of the Crown Minerals Act 1991.</p> <p>Refer to: A2.1; A2.4.</p>
<p>(1)(g) an activity that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the Resource Management Act 1991:</p>	<p>N/A</p> <p>The project does not involve occupation of the common marine and coastal area, so these provisions are not triggered.</p> <p>Refer to: A1.1; A2.7.</p>
<p>(1)(h) an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that (i) would occur on land that is listed in Schedule 4; and (ii) has not been subject to a determination under section 24:</p>	<p>N/A</p> <p>The project is not located on land listed in FTAA Schedule 4, and no determination under section 24 is required.</p> <p>Refer to: A2.4; Appendix A6.9.</p>
<p>(1)(i) an activity that – (i) would occur on a national reserve held under the Reserves Act 1977; and (ii) requires approval under that Act; and (iii) has not been subject to a determination under section 24:</p>	<p>N/A</p> <p>The project does not occur on a national reserve held under the Reserves Act 1977, and no determination under section 24 has been sought or is required.</p> <p>Refer to: A2.7; Appendix A6.9.</p>
<p>(1)(j) an activity that –</p>	<p>N/A</p>

Ineligible activity (FTAA section 5)	Consideration (FTAA section 43(1)(c))
<p>(i) would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority; and (ii) has not been agreed to in writing by the person or persons in whom the reserve is vested:</p>	<p>The project does not occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority.</p> <p>Refer to: A2.7; Appendix A6.9.</p>
<p>(1)(k) an activity that – (i) would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority; and (ii) has not been agreed to in writing by the person or persons responsible for managing it:</p>	<p>N/A</p> <p>The project does not occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority.</p> <p>Refer to: A2.7; Appendix A6.9.</p>
<p>(1)(l) an activity that is- (i) a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act; or (ii) an activity that is described in section 15B of the Resource Management Act 1991 and is a prohibited activity under that Act or regulations made under it; or (iii) an activity that is prohibited by section 15C of the Resource Management Act 1991:</p>	<p>N/A</p> <p>The project is not subject to the EEZ Act. It is not an activity covered by RMA s15B (ships / offshore installations) and does not involve prohibited radioactive waste activities under RMA s15C.</p> <p>Refer to: A2.1; A2.4.</p>
<p>(1)(m) a decommissioning-related activity (which is an activity described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012):</p>	<p>NA</p> <p>The project is not a decommissioning related activity.</p> <p>Refer to: A2.1; A2.4.</p>
<p>(1)(n) an activity undertaken for the purposes of an offshore renewable energy project.</p>	<p>NA</p> <p>The project is not an offshore renewable energy project.</p> <p>Refer to: A2.1; A2.4.</p>