

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Auckland Council
Contact person (if follow-up is required)	Doug Fletcher, Principal Project Lead, Premium Consents
	Click or tap here to enter text.
	Click or tap here to enter text.

Comment form

Please use the table below to comment on the application.

Project name	Brookby Quarry Stage 3.
General comment – potential benefits	The aggregate products produced by the quarry support housing, roading and infrastructure needs within the Auckland Region.
General comment – significant issues	<p>For further detail see all Auckland Council comments sent via email to fasttrackconsenting@mfe.govt.nz on 13.4.23</p> <ul style="list-style-type: none"> The Franklin Local Board believes this application should follow the existing Resource Consent Application process given the immediate community was involved in the last application. It provides the process where further information can be provided publicly and enables mitigation measures to be put forward by the community. Concerns about the impact on blast frequency, dust nuisance, water usage, and other environmental impacts can also be transparently communicated and understood. The roads and bridges leading in and out of Brookby have not been built for heavy haulage and truck numbers are of concern for this community. There is also opportunity to place any offset planting back into local projects already underway which would benefit from further support, such as the Papakura Stream and tributaries to the Wairoa River. Auckland Transport has raised concerns regarding a lack of information in relation to maximum consented truck movements, potential adverse safety effects from truck movements on other road users and the existing road condition and recommended a transport assessment be undertaken. Council Principal Project Lead Doug Fletcher has raised concerns regarding the level of information provided regarding ecological offsetting and compensation.
Is Fast-track appropriate?	Following review of the information provided, the Franklin Local Board, Auckland Transport and Council Principal Project Lead Doug Fletcher do not support this application going through Fast-track.
Environmental compliance history	Council Senior Environmental Monitoring Officer Maxine van den Berg has reviewed compliance history of the applicant and for multiple other companies where the applicant is a director/ shareholder. No enforcement action has been taken against any of the stakeholders above. There are no significant outstanding compliance concerns for the parties above.
Reports and assessments normally required	<ul style="list-style-type: none"> Erosion and Sediment Control Plan Geotechnical Review

	<ul style="list-style-type: none"> • Ground and Surface Water Impact Assessment • Air Quality Assessment • Assessment of Ecological Effects and the Ecological Management Plan • All details which will enable successful implementation of any proposed ecological offsetting and compensation outlined in any Ecological Management Plan, including third party approvals for the undertaking of ecological offsetting and compensation on land not owned by the applicant. • Transport Assessment, to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of transport infrastructure • Assessment of Noise Effects • Landscape and Visual Assessment • Economic Assessment or tap here to list reports and assessments normally required by council for the project in this area
Iwi and iwi authorities	<p>For any resource consent applications at the address:</p> <ul style="list-style-type: none"> - 134 Kimpton Rd, Brookby - 275 Ara-Kotinga Rd, Whitford. <p>Council would engage with the following Iwi authorities:</p> <ul style="list-style-type: none"> • Ngāi Tai Ki Tāmaki Contact Kaitiaki Unit – kaitiaki@ngaitaitamaki.iwi.nz • Ngāti Maru Contact RMA Kaitiaki – eu@ngatimaru.iwi.nz • Ngāti Paoa Iwi Trust Contact RMA Kaitiaki – ngatipaoa.info@gmail.com • Ngāti Paoa Trust Board Contact RMA Kaitiaki - NPTB@ngatipaoatrustboard.co.nz • Ngāti Tamaterā Contact RMA Kaitiaki – rma@tamatera.iwi.nz Contact Chairperson – chair@tamatera.iwi.nz • Ngāti Te Ata Waiohua Contact Karl Flavell - karl_flavell@hotmail.com • Ngāti Whanaunga Contact Honey Renata – hrenata@ngaatiwhanaunga.maori.nz Contact Michael Baker – mbaker@ngaatiwhanaunga.maori.nz • Te Ahiwaru Waiohua Contact Kowhai Olsen – kowhai.olsen@teahiwaru.co.nz Contact RMU – rmu@teahiwaru.co.nz • Te Ākitai Waiohua Contact Nigel Denny – kaitiaki@teakitai.com Contact Jeff Lee – teteconsultancy@gmail.com • Waikato – Tainui Contact Kahurimu Flavell – kahurimu.flavell@tainui.co.nz
Relationship agreements under the RMA	Click or tap here to summarise any JMAs, Mana Whakahono a Rohe, transfers of power, MOUs, accords or other relationship agreements under the RMA. Include the parties involved.
Insert responses to other specific requests in the	Click or tap here to insert responses to any specific matters the Minister is seeking your views on.

Minister's letter (if applicable)	
Other considerations	Click or tap here to insert any other responses you consider relevant for the Minister to be aware of.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

Asset Owner and Specialist Input Request Details – Comments to MfE on consideration of a COVID-19 Fast-track consent application referral

From		Russell Butchers		
Date that invitation from the EPA was received:	Current Working Days	Brief sent	Asset Owner / Specialist report due	
28/03/23	2	30/03/2023	06/04/2023	
Proposal		The scope of the project is obtaining consents for the Stage 3 expansion of Brookby Quarry to provide for mineral extraction. This includes the associated vegetation, watercourse and overburden removal, the discharge of dust to air and the diversion and discharge of surface and ground water.		
Site address and Legal Description:		134 Kimptons Road, Brookby 271 and 275 Ara Kotinga Road, Brookby, Auckland 2576		
Applicant		Brookby Quarries Ltd		
Related applications and consents (old Regional Permits, related current consents or applications)				
Link to plans and relevant information		Out of Scope		

Asset Owner / Specialist Response

From: Doug Fletcher, Principal Project Lead, Premium Consents, Auckland Council

Date: 14 April 2023

Overall Summary:

I have concerns with the level of information provided by the applicant in relation to ecological offsetting and compensation. Therefore, I consider there is inadequate information to support this application being accepted for fast-track consenting.

Although the applicant has provided info in:

- *Appendix four – Initial ecological assessment by Bioresarches dated December 2020.*
- *The additional info Addendum letter dated 9 March 2023. (Specifically, the responses to Q3 and Q4)*

It is evident that significant details of any ecological offsetting and compensation still need to be resolved. Should the Project be accepted for fast-track consenting any future application will need to include the following:

1. Confirmation that proposed ecological offsetting and compensation will appropriately address all the ecological effects arising as a result of the proposal.
2. Evidence that proposed ecological offsetting and compensation will be achievable:
 - I note offsetting and compensation will likely need to be undertaken on land not owned by the applicant, thus third-party approvals are required.
 - Some of the potential offset requirements are significant in size (protect and enhance 200-300 hectares of degraded tarairé forest)
 - Suitable areas for ecological offsetting and compensation may not yet have been identified. Table 17 of the Initial ecological assessment by Bioresarches outlines the applicant must confer with Auckland Council and DoC to locate suitable areas available to enhance.
3. Confirmation that proposed ecological offsetting and compensation will be appropriately protected in perpetuity. This is important as the proposal will result in the permanent loss of 1700m of intermittent and permanent stream habitat; and 27.95ha of native forest. Therefore, any areas subject to enhancement via ecological offsetting and compensation must be protected so that the ecological benefits are not only realised but also remain in perpetuity.

Asset Owner / Specialist Response

From: Shahriar Tehrani, Development Planner, Auckland Transport

Date: 11th April 2023

Overall Summary:

Thank you for the opportunity to provide comment on the referral of Brookby Quarry Stage 3, for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (Covid 19 Recovery Act).

At this stage, Auckland Transport (AT) does not have adequate information to support this application being accepted for fast-track consenting. The application includes overburden removal (10,250,000m³) and extraction of over 110 million tonnes of greywacke, outside the existing, consented stages. The application states that "Truck movements to and from the site to export product is already consented", however the consent history and details of consented truck movements have not been supplied. Further commentary is required, to understand how Stage 3 would comply with consented maximum truck movements.

A resource consent application (LUC60286132-A) for this site is currently on hold, due to issues related to safety of cyclists. Under application LUC60286132-A, the applicant proposes increasing truck movements from 80 per hour to 300 per hour on Saturdays. AT identified when assessing LUC60286132-A, that there will be adverse safety effects for cyclists (that use Brookby Road often), and therefore there is a need to undertake shoulder widening for Brookby Road. LUC60286132-A application was lodged in 2022, it should be noted that there was also an Environment Court decision from 2014 that specifically limited the volume of truck movements on a Saturday, due to the high volume of cyclists using the surrounding roads.

While in the application files for Brookby Quarry Stage 3, it is stated that there will be no additional truck movement beyond what is consented, AT does not have adequate information on the number of truck movements consented in the first instance, or how Stage 3 will operate within the limits set under the original consent.

In addition, AT is concerned with the existing road condition and that failure may result as heavy vehicle movements continue. The supplied documents do not provide any detail on the condition of affected roads or a pavement impact assessment. Several isolated locations on Brookby Road have a carriageway with pavement life less than 5 years or almost at the end of the life, requiring urgent pavement rehabilitation.

A full traffic assessment is required to determine whether there are any safety or operational effects on the roading network during operation of Stage 3, along with a Pavement Impact Assessment to be able to fully assess the proposal.

Transport Assessment

Auckland Transport requests that, should the Project be accepted for fast-track consenting, the requirement for a Transport Assessment is formally stated in the referral

order to accompany any resource consent application for the Project lodged with the Environmental Protection Authority.

The main objective of Transport Assessment is to ensure that the transportation effects of a proposal are well-considered, that there is an emphasis on efficiency, safety and accessibility to and from the development. The Transport Assessment should also ensure any adverse transport effects of the development have been effectively avoided, remedied or mitigated. This is reinforced by Policy B3.3.2(5)(f) of the Auckland Regional Policy Statement which requires activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure.

Heavy vehicle traffic is likely to have an effect on existing road assets and the safety of the surrounding transport network. This is of critical concern as damage to assets will result in adverse safety effects on the transport network. A Pavement Impact Assessment is required to assess if the existing roads can safely accommodate the construction traffic and also any ongoing access requirements including maintenance of the infrastructure. The Pavement Assessment should include an analysis of the existing condition of the road assets proposed for site access and then assess the effect of the additional pavement loading. The assessment will also need to consider any ongoing maintenance required and reinstatement on completion. This aligns with Policy B3.2.2(8) of the Auckland Regional Policy Statement to avoid, remedy or mitigate the adverse effects from the construction, operation, maintenance or repair of infrastructure.

Given the transport issues identified, Auckland Transport seeks to be consulted directly should the project be accepted for fast-track consenting to ensure all transport effects can be appropriately considered and mitigated. Auckland Transport requests that any referral order for this project requires the Expert Consenting Panel to include Auckland Transport as a person who must be invited to comment on the project.

Asset Owner / Specialist Response

From: *Hester Gerber, Parks Planning Team Leader*

Date: *3 April 2023*

Overall Summary:

In response to the query regarding the appropriateness of the Stage 3 expansion of Brookby Quarry being considered under the COVID-19 Recovery (Fast-track consenting) Act 2020 (FTCA), I have reviewed the proposal and found no significant parks planning concerns or requirements associated with this application. The site is not proximate to any park assets, nor does it propose any new assets, and as such, our interests are not directly affected by this proposal.

The project involves the expansion of the quarry operations, referred to as 'Stage 3', with the extraction of over 110 million tonnes of greywacke. The project includes vegetation removal, watercourse and overburden removal, the discharge of dust to air, and the diversion and discharge of surface and ground water. The processed rock will be used for various purposes, including construction and landscaping.

Given the lack of proximity to existing park assets and the absence of any new assets proposed, we have no specific concerns or fundamental problems that would warrant the project or any part of it to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA.

Prepared by:



**Daniel Kinnoch,
Consultant Parks and Community Services**

Parks Agency Lead:



**Hester Gerber
Parks Planning Team Leader
Parks and Community Services**

Asset Owner / Specialist Response

From: *Mark Iszard, Growth and Development Manager Healthy Waters.*

Date: *30 March 2023*

Overall Summary: *No response provided. Mark advised that there isnt anything for HW to comment on given the location and nature of the quarries.*

Asset Owner / Specialist Response

From: *Shahram Morteza-Nia, Manager Southern Developments, Watercare Services Limited*

Date: *31 March 2023*

Overall Summary: *No response provided. Shahram advised that this proposal is outside the WSL servicing area, so unfortunately, we cannot comment.*

From: s 9(2)(a)
To: s 9(2)(a)
Cc: s 9(2)(a)
Subject: FW: FAST TRACK REFERRAL: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry
Date: Monday, 3 April 2023 7:30:15 am
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image008.jpg](#)
[image009.jpg](#)
Out of Scope

Hi All,

As requested, compliance monitoring have looked at the compliance enforcement history of:

- **Brookby Quarries limited**
 - Allan Stuart DRINKROW
 - Wayne Robert MERRIMAN
 - Steven Alan RIDDELL
- **Kings Quarry Limited**
 - Andrew John RITCHIE
 - Alexander Gillis SEMENOFF
 - Stanley Gillis Alexander SEMENOFF

To be thorough we have reviewed compliance history for multiple other companies where the applicant is a director/ shareholder.

No enforcement action has been taken against any of the stakeholders above. There are no significant outstanding compliance concerns for the parties above that I am aware of.

Ngā mihi | Kind regards,

Maxine

Maxine van den Berg ([she/her](#)) | Senior Environmental Monitoring Region-wide Licensing & Regulatory Compliance

Phone (09) 301 0101 s 9(2)(a)
Auckland Council, Level 7, 135 Albert Street, Auckland Central
Visit our website: www.aucklandcouncil.govt.nz



Please consider the environment before printing this e-mail.



From: Russell Butchers s 9(2)(a)
Sent: Thursday, 30 March 2023 1:04 pm
To: Sian Farrell s 9(2)(a)
Cc: Maxine van den Berg s 9(2)(a)
Subject: FAST TRACK REFERRAL: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry

Hi Sian,

We have two fast track referral request for quarry activities.

For both projects, the MFE wishes to know:

Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?

Quarry	Address	Proposal Summary	Link to documents
Brookby Quarry Stage 3 Brookby Quarries Limited	134 Kimptons Road, Brookby 271 and 275 Ara Kotinga Road, Brookby, Auckland 2576 (South Auckland)	The scope of the project is obtaining consents for the Stage 3 expansion of Brookby Quarry to provide for mineral extraction. This includes the associated vegetation, watercourse and overburden removal, the discharge of dust to air and the diversion and discharge of surface and ground water.	Out of Scope 
Kings Quarry Pebblebrook Quarries Limited	Pebble Brook Road, Wainui, 0871 (North Auckland)	The scope of the project is to carry out mineral extraction activities at Kings Quarry, Wainui, Auckland. The project will involve: <ul style="list-style-type: none"> • Clearing vegetation; • Earthworks and disturbing land; • Reclaiming streambeds including associated activities; • Diversion/dewatering of groundwater; • Mineral extraction activities including air discharges; • Constructing and using accessways; and • Covenanteeing a large portion of the balance area for the protection and enhancement of native vegetation. 	Out of Scope 

Can you please advise me of this by COB 6 April?

Thanks

Russell Butchers | Principal Project Lead
Auckland Council | Premium Resource Consents
Mobile s 9(2)(a)

From: Fennel Mason s 9(2)(a)
Sent: Wednesday, 29 March 2023 5:36 PM
To: Doug Fletcher s 9(2)(a) Russell Butchers
s 9(2)(a) Masato Nakamura
s 9(2)(a); Jonathan Begg s 9(2)(a)
Subject: FW: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry

Gents, or should I say Fast Track guns!,

Would any of you have capacity to provide comment on these two? As Ian suggests, we can keep responses succinct.

s 9(2)(a) sorry I can't recall which quarry you have been dealing with, was it Brookby by any chance?

Ngā Mihi

Fennel Mason
Manager Premium (Acting)
Resource Consents
s 9(2)(a)
Te Kaunihera o Tāmaki Makaurau
135 Albert Street, Auckland
Visit our website: www.aucklandcouncil.govt.nz

Please note I take every second Friday as a scheduled day off. The Premium Unit generally works in the office on Mondays and Thursdays or by appointment. On all other days the team work remotely and can be contacted by phone, email or MS Teams.

From: Ian Smallburn s 9(2)(a)
Sent: Wednesday, 29 March 2023 1:17 pm
To: Fennel Mason s 9(2)(a)
Cc: James Dowding s 9(2)(a); Ian Dobson
s 9(2)(a)
Subject: FW: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry

Hi Fennel,

This is essentially two proposals, with a quarry in Wainui and the other in Brookby. I recall Premium have had some involvement in the past, and I'm hoping your team could possibly take on both? I note it will be asset owner comment only and a few succinct bullet points from us.

Ngā mihi | Kind regards

Ian Smallburn | General Manager, Resource Consents
Auckland Council
Ph 09 352 2600 s 9(2)(a) | s 9(2)(a)
Auckland Council, Level 6, 135 Albert Street, Auckland
Visit our website: www.aucklandcouncil.govt.nz

From: Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>

Sent: Tuesday, 28 March 2023 10:17 AM

To: Jim Stabback s 9(2)(a)

Cc: Ian Smallburn s 9(2)(a) Fast Track Consenting
<fasttrackconsenting@mfe.govt.nz>

Subject: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry

Tēnā koe Jim

Attached is a letter inviting your comment on the following application that has been made to the Minister for the Environment under the COVID-19 Recovery (Fast-Track Consenting) Act 2020.

- Brookby Quarry Stage 3 – Out of Scope
- Kings Quarry – Out of Scope

NOTE: This information is provided to you in confidence and as part of the statutory process set out in the FTCA. Please do not forward the application or the request for comments to anyone outside your organisation, including any Crown Entity or statutory body

Many thanks

Jacob

Fast Track Consenting

Ministry for the Environment | Manatū Mō Te Taiao

fasttrackconsenting@mfe.govt.nz | mfe.govt.nz

This email account is monitored by several members of the team, to ensure responses are managed in a timely manner.



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From: s 9(2)(a)
To: s 9(2)(a)
Subject: FW: Brookby Quarry Fast Track Consent Application
Date: Thursday, 6 April 2023 10:41:37 am
Attachments: [image001.jpg](#)

Fyi

Russell Butchers | Principal Project Lead
Auckland Council | Premium Resource Consents
s 9(2)(a)

From: Angela Fulljames (Franklin Local Board) s 9(2)(a)
Sent: Thursday, 6 April 2023 10:36 AM
To: Russell Butchers s 9(2)(a)
Cc: Lynn Birch s 9(2)(a)
Subject: Brookby Quarry Fast Track Consent Application

Hi Russell,

Thanks for the opportunity to comment from the Franklin Local Board.

To answer specially the questions.

1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?

The board believes this application should follow the existing Resource Consent Application process given the immediate community was involved in the last application. It provides the process where further information can be provided publicly and enables mitigation measures to be put forward by the community. Concerns about the impact on blast frequency, dust nuisance, water usage, and other environmental impacts can also be transparently communicated and understood. The roads and bridges leading in and out of Brookby have not been built for heavy haulage and truck numbers are of concern for this community. There is also opportunity to place any offset planting back into local projects already underway which would benefit from further support, such as the Papakura Stream and tributaries to the Wairoa River.

2. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?

Russell, you are best to respond to this via compliance team.

We would like to know what the outcome is as we will no doubt get questions/observations from our community at some stage.

Thanks.

Regards,
Angela

Angela Fulljames
Chair | Franklin Local Board
s 9(2)(a)

PS: If you see something that needs repairing, removing or reporting please phone 09 301 0101 or log online www.aucklandcouncil.govt.nz 'report a problem'

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From: s 9(2)(a)
To: s 9(2)(a)
Subject: FW: FAST TRACK REFERRAL: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry
Date: Thursday, 13 April 2023 11:26:37 am

From: Miriana Knox s 9(2)(a)
Sent: Monday, 3 April 2023 11:11 AM
To: Russell Butchers s 9(2)(a)
Subject: RE: FAST TRACK REFERRAL: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry
Thanks Russell, on reflection I think the comment on Brookby Quarry would be better worded along the lines of, as long as there aren't any issues raised by other iwi regarding Ngāi Tai taking the lead.
Ngā mihi nui,
Miriana

From: Russell Butchers s 9(2)(a)
Sent: Monday, 3 April 2023 11:08 am
To: Miriana Knox s 9(2)(a)
Subject: RE: FAST TRACK REFERRAL: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry
Ngā mihi Miriana, we will feed this back to the EPA.
Russell
Russell Butchers | Principal Project Lead
Auckland Council | Premium Resource Consents
s 9(2)(a)

From: Miriana Knox s 9(2)(a)
Sent: Monday, 3 April 2023 10:58 AM
To: Russell Butchers s 9(2)(a)
Cc: Tau Henare s 9(2)(a)
Subject: RE: FAST TRACK REFERRAL: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry
Kia ora Russell
Just a few observations, as follows:
Brookby Quarry – Provided the other iwi are supportive of Ngāi Tai ki Tāmaki Trust Board being the entity taking the lead on this, then no further comment.
Kings Quarry – To understand whether there are any substantive iwi issues which mean a fast track approach is undesirable the Council or EPA should contact Ngāti Whātua o Kaipara.
Ngā mihi nui,
Miriana

From: Russell Butchers s 9(2)(a)
Sent: Thursday, 30 March 2023 1:12 pm
To: Councillor Josephine Bartley s 9(2)(a); Councillor Richard Hills s 9(2)(a); Councillor Andrew Baker s 9(2)(a); Councillor Greg Sayers s 9(2)(a); RES Local Board Rodney s 9(2)(a); RES Local Board Franklin s 9(2)(a); Miriana Knox s 9(2)(a); Tau Henare s 9(2)(a)
Cc: Ian Smallburn s 9(2)(a)
Subject: FAST TRACK REFERRAL: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Brookby Quarry Stage 3 & Kings Quarry
Kia ora koutou,
We have received a fast-track referral request to two quarry activities:

Quarry	Address	Proposal Summary	Link to documents
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Brookby Quarry Stage 3	134 Kimptons Road, Brookby 271 and 275 Ara Kotinga Road, Brookby, Auckland 2576 (Franklin Ward)	The scope of the project is obtaining consents for the Stage 3 expansion of Brookby Quarry to provide for mineral extraction. This includes the associated vegetation, watercourse and overburden removal, the discharge of dust to air and the diversion and discharge of surface and ground water.	Out of Scope
Kings Quarry	Pebble Brook Road, Wainui, 0871 (Rodney Ward)	The scope of the project is to carry out mineral extraction activities at Kings Quarry, Wainui, Auckland. The project will involve: <ul style="list-style-type: none"> • Clearing vegetation; • Earthworks and disturbing land; • Reclaiming streambeds including associated activities; • Diversion/dewatering of groundwater; • Mineral extraction activities including air discharges; • Constructing and using accessways; and • Covenanteeing a large portion of the balance area for the protection and enhancement of native vegetation. 	Out of Scope

This email is for your information only. The Council will be providing comment to the EPA on whether or not the fast-track process is suitable for these applications. Comment is not required from you, however if you do have any comments please send these to me by **COB Thursday 6 April**.

Ngā mihi,
Russell

Russell Butchers | Principal Project Lead
Auckland Council | Premium Resource Consents

s 9(2)(a)

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Auckland Transport
Contact person (if follow-up is required)	Shahriar Tehrani
	Development Planner, Planning and Investment
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Brookby Quarry Stage 3, Auckland
General comment	<p>Thank you for the opportunity to provide comment on the referral of Brookby Quarry Stage 3, for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (Covid 19 Recovery Act).</p> <p>At this stage, Auckland Transport (AT) does not have adequate information to support this application being accepted for fast-track consenting. The application includes overburden removal (10,250,000m³) and extraction of over 110 million tonnes of greywacke, outside the existing, consented stages. The application states that “Truck movements to and from the site to export product is already consented”, however the consent history and details of consented truck movements have not been supplied. Further commentary is required, to understand how Stage 3 would comply with consented maximum truck movements.</p> <p>A resource consent application (LUC60286132-A) for this site is currently on hold, due to issues related to safety of cyclists. Under application LUC60286132-A, the applicant proposes increasing truck movements from 80 per hour to 300 per hour on Saturdays.</p> <p>AT identified when assessing LUC60286132-A, that there will be adverse safety effects for cyclists (that use Brookby Road often), and therefore there is a need to undertake shoulder widening for Brookby Road. LUC60286132-A application was lodged in 2022, it should be noted that there was also an Environment Court decision from 2014 that specifically limited the volume of truck movements on a Saturday, due to the high volume of cyclists using the surrounding roads.</p> <p>While in the application files for Brookby Quarry Stage 3, it is stated that there will be no additional truck movement beyond what is consented, AT does not have adequate information on the number of truck movements consented in the first instance, or how Stage 3 will operate within the limits set under the original consent.</p> <p>In addition, AT is concerned with the existing road condition and that failure may result as heavy vehicle movements continue. The supplied documents do not provide any detail on the condition of affected roads or a pavement impact assessment. Several isolated locations on Brookby Road have a carriageway with pavement life less than 5 years or almost at the end of the life, requiring urgent pavement rehabilitation.</p> <p>A full traffic assessment is required to determine whether there are any safety or operational effects on the roading network during operation of Stage 3, along with a Pavement Impact Assessment to be able to fully assess the proposal.</p>

Other considerations	<p><u>Transport Assessment</u></p> <p>Auckland Transport requests that, should the Project be accepted for fast-track consenting, the requirement for a Transport Assessment is formally stated in the referral order to accompany any resource consent application for the Project lodged with the Environmental Protection Authority.</p> <p>The main objective of Transport Assessment is to ensure that the transportation effects of a proposal are well-considered, that there is an emphasis on efficiency, safety and accessibility to and from the development. The Transport Assessment should also ensure any adverse transport effects of the development have been effectively avoided, remedied or mitigated. This is reinforced by Policy B3.3.2(5)(f) of the Auckland Regional Policy Statement which requires activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure.</p> <p>Heavy vehicle traffic is likely to have an effect on existing road assets and the safety of the surrounding transport network. This is of critical concern as damage to assets will result in adverse safety effects on the transport network. A Pavement Impact Assessment is required to assess if the existing roads can safely accommodate the construction traffic and also any ongoing access requirements including maintenance of the infrastructure. The Pavement Assessment should include an analysis of the existing condition of the road assets proposed for site access and then assess the effect of the additional pavement loading. The assessment will also need to consider any ongoing maintenance required and reinstatement on completion. This aligns with Policy B3.2.2(8) of the Auckland Regional Policy Statement to avoid, remedy or mitigate the adverse effects from the construction, operation, maintenance or repair of infrastructure.</p> <p>Given the transport issues identified, Auckland Transport seeks to be consulted directly should the project be accepted for fast-track consenting to ensure all transport effects can be appropriately considered and mitigated. Auckland Transport requests that any referral order for this project requires the Expert Consenting Panel to include Auckland Transport as a person who must be invited to comment on the project.</p>
[Insert specific requests for comment]	

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

To Whom it May Concern.

Comment from the Rodney Local Board (RLB):

The application for a quarry in Pebble Brook Road, Wainui is not suitable for fast-track processing under the COVID-19 Recovery (Fast-Track Consenting) Act 2020 for the following reasons:

- The Environmental damage it will cause including the removal of 13 streams within the quarry pit and overburden area and the removal of 25Ha of native bush.
- The site is subject to a Significant Ecological Areas ('SEA') overlay and is in an outstanding natural landscape zone/overlay.
- The duration of the proposed activity is excessive i.e., 60 years.
- Nearby residents will be impacted by the dust, noise, and truck movements over a 60-year period.
- There is no right hand turned proposed into Pebble Brook Road to mitigate the impact on traffic.
- The impact of the flood plains and overland flow paths needs to be investigated based on updated data from recent 2023 weather events in Auckland.

Please let me know if you require further information.

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Initial here:

Date: 6th April 2023

Local Board Resource Consent Lead – Louise Johnston, Deputy Chairperson,
on behalf of the Rodney Local Board

