

Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

For office use only:

Project name: Kings Quarry
Application number: PJ-0000868
Date received: 23/02/2023

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

Part I: Applicant

Applicant details

Person or entity making the request: Kings Quarry Limited

Contact person: Alex Semenoff

Job title: Operations Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

PO Box 6058, Whangarei 0147

Address for service (if different from above)

Organisation: Barker & Associates Limited

Contact person: Nick Roberts and Sarah Rendle

Job title: Managing Director and Associate

Phone: s 9(2)(a)

Email: s 9(2)(a)

Email address for service: s 9(2)(a)

Postal address:

PO Box 1986, Shortland Street, Auckland 1140

Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

The site is located on Pebble Brook Road, Wainui, Auckland (refer to legal descriptions below for specific properties). Refer to Attachment 1 for a locality plan of the site.

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

The legal descriptions are:

- Lot 2 DP 59502
- Lot 3 DP 59502
- Allot S77 Psh Of Kaukapakapa SO 817
- Allot 78 Psh Of Kaukapakapa SO 817
- Allot 28 Psh Of Kaukapakapa SO 2448
- Allot 71 Psh Of Kaukapakapa SO 5223
- Pt Allot 72 Psh Of Kaukapakapa SO 5223
- Pt Allot NE73 Psh Of Kaukapakapa SO 817
- Pt Allot SE73 Psh Of Kaukapakapa SO 817
- Lot 1 DP 414617

Refer to **Attachment 2** for the Records of Title.

Registered legal land owner(s):

All properties are owned by Pebblebrook Properties Limited.

Detail the nature of the applicant's legal interest (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 that is required for the project:

The applicant (Kings Quarry Limited) and Pebblebrook Properties Limited are related companies with the same directors. Kings Quarry Limited has a 100-year lease to use the land for quarrying.

Part III: Project details

Description

Project name: Kings Quarry

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

The scope of the project is to carry out mineral extraction activities at Kings Quarry, Wainui, Auckland. The project will involve:

- 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.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

The project involves the expansion of quarrying activities at Kings Quarry in Wainui, Auckland. The site comprises approximately 152ha of land which is approximately 10km to the west of State Highway 1. Aggregate in the form of 'Albany Conglomerate' was quarried on a small scale at two locations within the site between the mid-1930s to 1995. In 2021, resource consent was obtained for the re-establishment of quarry operations, known as 'Stage 1'.

It is now proposed to expand the quarry operations, and this expansion is referred to as 'Stage 2'. The purpose of the quarry operations is to extract aggregate (Albany Conglomerate) from the hills and process it for use as building, construction and roading aggregate. This involves site preparation, excavation of rock and overburden and the processing, storage and distribution of aggregates.

Approximately 500,000 tonnes/year are proposed to be extracted for approximately 60 years. The aggregate is produced into products such as (but not limited to) Gap7, Gap20, Gap40 and Gap65 (all metals used as base course for constructing driveways, pathways etc.) as well as construction sand (used in concrete production and field and turf industries) and decorative river pebbles (used in landscaping and exposed concrete floors). The river pebbles are particularly significant as we understand that approximately 250,000 tonnes are consumed in Auckland annually which is currently supplied from Manawatu and the South Island. Overburden (unsuitable material) will be removed and transported to an overburden fill site proposed to the northeast. No buildings or structures are proposed.

The approximate locations of both the pit and overburden areas are shown on Sheet 2 of **Attachment 3**.

In terms of access, a new site access from Pebble Brook Road was consented as part of Stage 1 (see Sheet 2 of **Attachment 3** for location), as well as the widening of Pebble Brook Road and various improvements to the Pebble Brook Road / Waitoki Road intersection. These access arrangements are sufficient to service Stage 2 and will be in place before the Stage 2 operations commence. To provide access between the pit and overburden sites, existing accessways will be upgraded and extended as required, with designs appropriate to accommodate the heavy vehicles.

In terms of hours of operation, it is anticipated that Stage 2 will operate to the same parameters as Stage 1, being:

- Quarry operational hours from 5am-7pm Monday to Saturday only;
- No heavy machinery or truck movements prior to 6:30am or after 5:30pm; and
- No noise generating activities before 7:00am.

In order to quarry the site, the vegetation in the pit, overburden and accessway areas will need to be removed. This totals approximately 25ha of vegetation including:

- Approximately 12ha of regenerating kanuka scrub / forest (classified as 'regionally 'least concern''); and
- Approximately 13ha of regenerating broadleaved species scrub / forest (classified as 'regionally 'least concern'').

In order to mitigate the adverse ecological effects of the vegetation removal and achieve no net loss in ecological values overall, it is proposed to covenant approximately 90ha of forest within the site, which is predominantly mature kauri podocarp forest. Enhancement will be undertaken including weed management and pest control throughout this area. This will provide permanent protection of the vegetation, as well as enhancement over time. An indicative plan of this covenant is shown on Sheet 4 of **Attachment 3**.

In addition to the above, a restoration plan will be prepared for the pit and overburden areas, and will include revegetation.

Stream removals will also be required within the quarry pit and overburden areas. Work has been undertaken over the past two months to survey these streams but has been hampered by the recent flooding and cyclone events. As soon as the waterbodies have recovered to more typical levels, the assessment will be able to be refined. At this stage, it is indicated that 13 streams are present within the pit and overburden area, predominantly 'intermittent' in nature and that they are at minimum, of moderate ecological value. No natural wetlands are expected to be present.

With regard to zoning, the site is subject to the Auckland Unitary Plan (Operative in Part) ('**AUP (OP)**'). Maps of the zoning and overlays are provided as **Attachment 4**. The site is zoned Special Purpose – Quarry Zone, apart from the accessway connection to Pebble Brook Road which is zoned Rural – Rural Production (noting this will not be changed as part of the proposal).

The Special Purpose – Quarry Zone provides for significant mineral extraction activities to ensure that mineral extraction can continue in a manner that minimises adverse effects. These provisions seek to ensure that the demand for minerals can be met, where possible, from supply sources within Auckland.

The site is subject to a number of overlays, including a Significant Ecological Areas ('**SEA**') overlay which is applied to protect and better provide for the management of areas that contribute significantly to Auckland's biodiversity.

The site is also subject to the below overlays but these are not considered to be relevant to the proposal:

- High-Use Stream Management Areas Overlay – this overlay seeks to manage water takes from streams to ensure sufficient flows are maintained. In this case, no water take is proposed;
- Outstanding Natural Landscapes Overlay – this overlay protects Auckland's natural landscapes through rules around new buildings, earthworks etc. The overlay encroaches only slightly into the site, and no works are proposed in this area;
- Quarry Buffer Area Overlay – this overlay manages residential activities to protect the quarry from reverse sensitivity effects, rather than managing quarry operations; and
- Macroinvertebrate Community Index – Exotic, Native and Rural – these controls have no associated objectives/policies/rules that would be relevant.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

The quarrying will be undertaken in stages, progressively, over the course of the 60-year duration. In overall terms, the pit will be quarried in stages from the top down, east to west. As each area is no longer required, it will be restored and revegetated. A revegetation plan will be prepared and submitted with the consent application (should the project be referred). The specific timing for work in each area will be determined by the applicant.

Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

Land-use consent, Water permit, Discharge permit

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 2 DP 59502; Allot 28 Psh Of Kaukapakapa SO 2448; Lot 3 DP 59502; Pt Allot 72 Psh Of Kaukapakapa SO 5223; Allot 71 Psh Of Kaukapakapa SO 5223; Pt Allot NE73 Psh Of Kaukapakapa SO 817; Pt Allot SE73 Psh Of Kaukapakapa SO 817; Allot 78 Psh Of Kaukapakapa SO 817; Allot S77 Psh Of Kaukapakapa SO 817.	Auckland Unitary Plan (Operative in Part)	Special Purpose – Quarry	Natural Resources: Significant Ecological Areas Overlay - SEA_T_6454, Terrestrial; Natural Resources: High-Use Stream Management Areas Overlay [rp]; Natural Heritage: Outstanding Natural Landscapes Overlay [rcp/dp] - Area 9, Kaukapakapa (encroaches slightly into site, with no works proposed in these areas); Infrastructure: Quarry Buffer Area Overlay (encroaches slightly into site, with no works proposed in these areas); Controls: Macroinvertebrate Community Index - Exotic;	Overland flow paths; 1% Annual Exceedance Probability Flood plain; Streams.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
			<p>Controls: Macroinvertebrate Community Index – Native;</p> <p>Controls: Macroinvertebrate Community Index - Rural.</p>	
Lot 1 DP 414617	Auckland Unitary Plan (Operative in Part)	Rural – Rural Production	<p>Natural Resources: Significant Ecological Areas Overlay - SEA_T_6454, Terrestrial;</p> <p>Natural Resources: High-Use Stream Management Areas Overlay [rp];</p> <p>Natural Heritage: Outstanding Natural Landscapes Overlay [rcp/dp] - Area 9, Kaukapakapa (encroaches slightly into site, with no works proposed in these areas);</p> <p>Infrastructure: Quarry Buffer Area Overlay (encroaches slightly into site, with no works proposed in these areas);</p> <p>Controls: Macroinvertebrate Community Index – Native;</p> <p>Controls: Macroinvertebrate Community Index - Rural.</p>	N/A

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Auckland Unitary Plan (Operative in Part)	H28.4.1(A7)	Mineral extraction activities within the Special Purpose – Quarry Zone	Controlled activity	Stage 2 areas
Auckland Unitary Plan (Operative in Part)	H28.4.1(A14) & (A15)	Land disturbance greater than 2,500m ² and 2,500m ³ within the Special Purpose – Quarry Zone	Controlled activity	Stage 2 areas
Auckland Unitary Plan (Operative in Part)	H28.4.2(A17) & (A18)	Land disturbance greater than 2,500m ² where the land has a slope equal to or greater than 10 degrees and/or is within the Sediment Control Protection Area (within 50m of watercourse) within the Special Purpose – Quarry Zone	Controlled activity	Stage 2 areas
Auckland Unitary Plan (Operative in Part)	H19.8.1(A60)	Mineral extraction activities within the Rural – Rural Production Zone Note: Stage 2 will utilise the consented accessway to Pebble Brook Road and other facilities within the rural land. While no physical changes are proposed to this infrastructure, consent is sought on a conservative basis to address their usage for Stage 2.	Discretionary activity	Lot 1 Deposited Plan 414617
Auckland Unitary Plan (Operative in Part)	E3.4.1(A49)	New reclamation or drainage of waterbodies within the SEA overlay.	Non-complying activity	Stage 2 areas
Auckland Unitary Plan (Operative in Part)	E7.4.1(A20) and (A28)	The diversion of groundwater caused by any excavation that does not meet the permitted activity standards or not otherwise listed.	Restricted discretionary activity	Stage 2 areas

		A precautionary approach is undertaken in this case given that groundwater testing has not yet been completed but it is likely that any excavation associated with the extraction of aggregate will comply with the relevant permitted activity standards.		
Auckland Unitary Plan (Operative in Part)	E11.4.3(A28) & (30)	Land disturbance within the Significant Ecological Areas overlay exceeding 5m ² and 5m ³	Restricted discretionary activity	Stage 2 areas
Auckland Unitary Plan (Operative in Part)	E14.4.1(A91)	Mineral extraction activities at a rate exceeding 200 tonnes/hour from any one quarrying process within the Special Purpose – Quarry Zone.	Controlled activity	Stage 2 areas
Auckland Unitary Plan (Operative in Part)	E15.4.1(A10)	Removal of more than 250m ² contiguous indigenous vegetation located outside the rural urban boundary	Restricted discretionary activity	Stage 2 areas
Auckland Unitary Plan (Operative in Part)	E15.4.2(A44)	Any vegetation alteration or removal within a Quarry Zone	Restricted discretionary activity	Stage 2 areas
Resource Management (National Environmental Standards for Freshwater) Regulations 2020	Regulation 57	Reclamation of the bed of any river	Discretionary activity	Stage 2 areas

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

No applications for resource consent or notices of requirement under the Resource Management Act 1991 have been lodged in relation to this application for a referred project.

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

There are no other resource consents or designations required for the project that have been lodged at this stage, or obtained by persons other than the applicant. All proposed works can be delivered by the applicant, subject to obtaining the necessary resource consents as a referred project under this Act.

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

No other legal authorisations are needed to begin the project. In particular, no structures are proposed which would require building consent, and no services are proposed which would require Engineering Plan Approval from Auckland Council.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

The following timeline is anticipated:

- Stage 1 roading upgrades completed (and therefore ready to service Stage 2) – Q3 2023
- Stage 2 fast-track consenting – Q3-Q4 2023
- Stage 2 internal accessways constructed – Q1 2024
- Stage 2 operational – Q1 2024

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

A pre-application meeting with MfE in respect of this project was held on 15 February 2023. The helpful suggestions and feedback made at this meeting by MfE staff have been incorporated into this referral application.

Local authorities

Detail all consultation undertaken with relevant local authorities:

Auckland Council's resource consent pre-application service is temporarily suspended due to a high volume of resource consent applications. Auckland Council has indicated that the service is under review, with the hope of reinstatement in 2023. Therefore, no pre-application discussions have been undertaken specifically on Stage 2, however this stage was mentioned to Council through the pre-application process for Stage 1. We will contact Council to confirm that this referral application has been lodged and to offer a briefing in advance of any request from the Minister for comment from Auckland Council.

Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

With the exception of iwi authorities (which are detailed in the following section), no other persons or parties are considered to likely be affected by the project. The proposal is for quarrying activities on land specifically zoned for quarrying under the AUP (OP). While the project will result in a change to the landform, the effects on the landscape can be appropriately mitigated.

Detail all consultation undertaken with the above persons or parties:

Not applicable.

Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to Te Kāhui Māngai – Directory of Iwi and Māori Organisations.

Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

Iwi authority	Consultation undertaken
Ngāi Tai ki Tāmaki; Ngāti Manuhiri; Ngāti Maru; Ngāti Te Ata; Ngātiwai; Ngāti Whātua o Kaipara; Ngāti Whātua Ōrākei; Te Ākitai Waiohūa; Te Kawerau ā Maki; and Te Rūnanga o Ngāti Whātua	Engagement correspondence was sent to the 10 iwi authorities who have expressed interest in the area (as listed on Auckland Council’s website) on 16 February 2023, outlining the proposal and inviting expressions of interest. At the time of submitting this application, Ngāti Whātua o Kaipara has expressed interest in the project and discussions are ongoing.

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

Treaty settlement entity	Consultation undertaken
No details	

Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

The project land has not been returned under a Treaty settlement nor is it subject to a statutory acknowledgement area.

Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

The project would not occur in a customary marine title area under the Marine and Coastal Area (Takutai Moana) Act 2011.

Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right,

where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

The project would not occur in a protected customary rights area.

Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

The project is considered to not result in any long term, adverse effects on the environment, noting that significant mitigation and offsetting are proposed and the site is earmarked on the whole for quarrying activities via its Special Purpose – Quarry zoning. Key potential adverse effects are addressed in general below and should be reviewed in conjunction with the supporting technical assessments accompanying this application.

Land Disturbance

The earthworks volumes associated with the project are approximately 14,000,000m³ cut and 1,300,000m³ fill over an area of approximately 25ha.

During land disturbance, it is proposed to install sediment and erosion control measures to manage and appropriately avoid and mitigate adverse environmental effects. Sediment and erosion control measures will be designed in accordance with the Auckland Council guidelines prescribed in Guideline Document 005 to ensure that 75% of sediment is removed from stormwater runoff prior to discharge from the site. An Erosion and Sediment Control Plan will be prepared and the works will be carried out in accordance with the measures specified.

On the basis of the above and noting that best practicable erosion and sediment control measures will be implemented on site, it is considered that any adverse effects associated with earthworks including silt and sediment runoff (and resulting effects on water quality) will be less than minor.

Groundwater

The controls in the AUP recognise that groundwater diversion has the potential to impact groundwater regimes, surface water bodies, neighbouring structures and services and on people and communities. Assessment criteria for groundwater diversion are contained in E7.8.2 of the AUP. Having regard to the nature of the pit extension and when taking into account the separation distances and location of neighbouring buildings and structures, it is considered that any potential drawdown and settlements related to groundwater diversion will have less than minor effects.

Rural Character and Visual Amenity

As outlined above, the surrounding area is predominantly rural in character with the immediately adjoining sites zoned Rural Production. The majority of the wider site (except one lot) is zoned Special Purpose – Quarry, which specifically provides for and enables quarry operations on the site as a controlled activity. The assessment criteria for mineral extraction activities include 'whether mineral extraction activities in close proximity to dwellings mitigate significant adverse visual amenity effects through the use of screening and landscaping' (H28.7.2(1)(b)(i)). Some change in the landscape must be expected given the Quarry zoning of the site, however these effects will be mitigated to the extent that they are not significant. The mitigation measures include the progressive rehabilitation of the quarry pits as part of each stage of the works.

Dust and Air Quality

The extraction and processing of aggregate will inevitably generate some dust. This is recognised in the Special Quarry Zone provisions. The provisions seek to ensure that these effects are 'managed' rather than avoided.

It is considered that these effects will be able to be appropriately managed through the Quarry Management Plan ('QMP') and Dust Management Plan ('DMP') which will include sections on air quality and will specify methods to minimise dust emissions to air, identification of roles and responsibilities for the implementation of this QMP and procedures for receiving and responding to complaints. This is intended to be a 'live document', providing the opportunity to adapt to any evolving best practice procedures. The distance of adjacent dwellings (with the nearest

dwelling being over 250m from Stage 2) will assist in mitigating any adverse effects. Regardless of distance and prevailing wind directions, good dust management practices are needed to ensure that the potential for wind driven entrainment of dust is kept to a minimum. Good dust management includes enclosing dust sources as much as is practicable, establishing preventative maintenance, good housekeeping procedures and carrying out particularly dusty operations in favourable weather conditions. The areas of the site that need specific consideration are roadways (paved or unpaved), vehicle movement, material stockpiles, conveyors, crushers and material handling. These measures will be considered and incorporated as necessary into the QMP and DMP.

It is therefore considered that any adverse dust and air quality effects will be less than minor.

Noise

The principal sources of activity noise associated with the quarry activity include the operation of plant, quarrying of rock including blasting, clearing of the overburden and road traffic noise from trucks. As with the Stage 1 project, we anticipate that blasting effects associated with the quarrying are typically managed through the size and method of blasting. Given the nearest sensitive receiver over 250m from the proposed blasting, blasting management can reasonably be expected to control the effects to be well within the AUP limits. With respect to road noise associated with the increase in truck movements in and out of the site, it is expected that these would comply with both the daytime and night time limits. Appropriate hours of operation will be confirmed to ensure compliance and minimise nuisance.

Having regard to the above, it is considered that any adverse effects associated with operational noise on the adjacent properties and the wider environment will be less than minor.

Ecological Values

As noted in Part III above, the quarry is specifically zoned as Special Purpose – Quarry, but it is also predominantly subject to the SEA overlay. The indigenous vegetation cover on the site is represented by a mosaic of indigenous ecosystem types, including:

- Mature kauri, podocarp, broadleaved forest (WF11, Regionally ‘Endangered’, Singers et al. 2017);
- Regenerating kanuka scrub / forest (VS2, Regionally ‘Least Concern’, Singers et al. 2017); and
- Regenerating broadleaved species scrub / forest VS5, Regionally ‘Least Concern’, Singers et al. 2017).

The vegetation in the eastern part of the site (where Stage 2 is proposed) is regenerating bush, dating from the mid-20th century as shown in **Figure 1 of Attachment 5**.

In order to facilitate the Stage 2 quarry operations on the site, it is necessary to remove circa 25ha of this regenerating bush. The quarry pit and overburden areas have been intentionally designed to avoid the highest value mature forest on the site entirely, instead removing vegetation that is classified as ‘least concern’ as shown in **Figure 2 of Attachment 5**. None of the vegetation classified as ‘endangered’ is proposed to be removed.

Stream removals will also be required within the quarry pit and overburden areas. Work has been undertaken over the past two months to survey these streams but has been hampered by the recent flooding and cyclone events. As soon as the waterbodies have recovered to more typical levels, the assessment will be able to be refined. At this stage, it is indicated that 13 streams are present within the pit and overburden area, predominantly ‘intermittent’ in nature and that they are at minimum, of moderate ecological value. No natural wetlands are expected to be present. The effects management hierarchy will be applied to the effects arising from the vegetation and stream removal, and the applicant intends to achieve a ‘no net loss’ outcome. It is proposed to covenant approximately 90ha of the vegetation on the remainder of site as shown in **Figure 3 of Attachment 5**, and undertake weed and pest management of these areas. This enhancement will mitigate and offset effects of the vegetation removal associated with Stage 2. To address any remaining adverse effects, the applicant will explore either revegetation or other enhancement options that can ensure a ‘no net loss’ outcome is achieved. It is considered to be important and appropriate for the specific details of the offsets to be able to be detailed through the consenting process. This will ensure that there is sufficient flexibility to enable appropriate offsetting to deliver no net loss, following more detailed survey work. Overall, adverse effects will be addressed through the effects management hierarchy and mitigated and offset to achieve a ‘no net loss’ outcome, such that any adverse effects will not be significant.

Archaeology

The New Zealand Archaeological Association (‘NZAA’) has a record relating to an archaeological site (R10/918) on the subject site which relates to two pit sites. This is proximate to the overburden area. As shown in **Figure 4 of Attachment 5**, the Stage 2 has been designed to be clear of these archaeological sites.

In this regard, provided that all works are undertaken utilising Accidental Discovery Protocol, it is considered that any adverse effects on archaeological values will be less than minor.

Transportation

Traffic, access and parking matters have been considered in the transport memorandum prepared by Commute Transportation ('Commute') (see **Attachment 6**). By way of summary:

- The consented Stage 1 upgrades to the site and local transport network will appropriately service Stage 2 without the need for any further upgrades in the local road network;
- Future parking and access within the site to service Stage 2 will be able to be designed appropriately to provide for safe and efficient movement of vehicles through the site, and further detail will be provided in the consent application; and
- Commute consider that there are no transport-related reasons why the development should not proceed as a referred project.

Having regard to the above, it is considered that any adverse effects in respect to transportation matters will be less than minor.

Cultural Values

The applicant has engaged with iwi since Stage 1 and all iwi groups listed on Auckland Council's website have been contacted prior to lodgement. It is anticipated that engagement and consultation with iwi groups that have registered their interest in this project will continue throughout the project, and that any queries or issues that arise will be able to be addressed during the processing of the application.

Greenhouse Gas Emissions

Aggregate is a foundation product: it is crucial to economic activity in New Zealand. Without a ready supply of appropriately-located aggregate, the production of concrete and the development of buildings, roading and infrastructure would halt – or cost considerably more. Because of the nature of aggregate as a low-value, high-weight product, it doesn't travel well. This means that for aggregate extraction to be economical, it should be located proximate to the areas it is required. Much of Auckland's supply is currently sourced from the Waikato and further afield including as far as the South Island.

The expansion of Kings Quarry will increase supply of local aggregate to service the Auckland region. This represents a saving in bulk transport that will have a positive immediate benefit in reducing New Zealand's transport related greenhouse gas emissions. The greenhouse gas emissions report prepared by Air Matters (**Attachment 7**) identifies that a reduction of 12,105 tonnes of CO₂ equivalent greenhouse gas emissions could be achieved annually through transport-related savings. To provide context, this equates to ~0.35% of New Zealand's total heavy vehicle CO₂ equivalent GHG emissions, using Ministry of Transport data from 2019 as a base year. For a single project, this is a significant benefit.

Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

The project is considered to be consistent with, and give effect to, the following national policy statements and environmental standards for the following reasons:

National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 ('NPS-UD') enables the development of land and infrastructure for urban land uses while recognising the national significance of well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing (Objective 1 and Policy 1). Part of well-functioning urban environments is providing housing choice.

Aggregate is a foundation product which is necessary for the development of buildings, roading and infrastructure. Increasing its supply and proximity to key growth areas will result in reduced costs for Auckland's construction sector and therefore reduce barriers to intensification and the development of well-functioning urban environments that

have a variety of homes. It is therefore considered that the project will contribute to the development of land and infrastructure for urban land uses and therefore is consistent with the NPS-UD.

National Policy Statement for Freshwater Management 2020

The National Policy Statement for Freshwater Management 2020 ('**NPSFM**') seeks to manage natural and physical resources to prioritise firstly, the health and well-being of water bodies and freshwater ecosystems, secondly, the health and needs of people, and thirdly the ability to provide for the social, economic, and cultural well-being of people and communities.

Kings Quarry is subject to a number of streams that extend throughout the site, such that the avoidance of any loss of river extent is not practicable. There is a functional need for the quarry to locate in this location as this is where the natural resource of aggregate is available. The applicant intends to achieve a 'no net loss' outcome through enhancement and other measures such that overall, it is considered that the proposal will not be contrary to the objective and policies of the NPSFM.

Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The National Environmental Standards for Freshwater 2020 ('**NES-F**') sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Of particular relevance to the project is Regulation 57 which pertains to the reclamation of rivers.

In this case, Kings Quarry is subject to a number of streams that extend throughout the site, such that the avoidance of any loss of river extent is not practicable. There is a functional need for the quarry to locate in this location as this is where the natural resource of aggregate is available. The effects management hierarchy will be applied and the a 'no net loss' outcome will be achieved through enhancement and other measures such that overall, it is considered that the proposal meets the criteria under Regulation 57(2) and is therefore consistent with the NES-F.

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to "urgently promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources".

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project's economic benefits and costs for people or industries affected by COVID-19:

An Economic Impact Assessment by Market Economics ('M.E') (provided as **Attachment 8**) has assessed the economic benefits of the proposal in the COVID-19 environment. The main findings of the report are set out below:

- Aggregate is crucial to economic activity in New Zealand. Efficient and sustainable access to aggregate will be an important factor in both facilitating Auckland's economic growth and providing infrastructure such as roads, buildings, pipes, dams, factories and houses and other economic componentry to support the rapidly-growing population and economy;
- Aggregate is a low-value, high-weight product and is costly to transport. For aggregate extraction to be economical, it should be located proximate to the areas it is required;
- Based on current production figures, it is clear that the Auckland region does not have enough aggregate production capacity to support itself currently, with supply currently only meeting 56% of demand. As Auckland's economy grows, demand for aggregate material will increase into the future from 13.1m tonnes currently, to between 17.6m and 19.5m tonnes annually by 2043. Auckland's supply deficit will continue to worsen if the region's total production remains at the 2019 level (7.39m tonnes). The widening gap between supply and demand is a significant issue for the Auckland region;
- Auckland quarry operators are facing challenges as urban growth takes up potential quarry sites, and the resulting flow-on effects of urbanisation, including more difficult consenting pathways caused by reverse sensitivity effects and rezoning of land for urban use, are limiting quarry establishment.
- The extension of Kings Quarry would reduce Auckland's substantial supply deficit by increasing the amount of local aggregate available. As such, Auckland would become less reliant on sourcing aggregate from the

Waikato and other parts of New Zealand, at a lower cost. This would also help to reduce pressure on Waikato's quarries as they will also face future increases in demand locally;

- In pure cost terms, the extension of Kings Quarry is expected to generate:
 - Total value added to the economy of approximately \$285.7m (undiscounted), with approximately \$137.7m of this being direct impacts;
 - Total construction aggregate transport cost savings of approximately \$406.9m for Auckland's construction sector; and
 - Total emissions cost savings of approximately \$22m.
- Further, there are economic benefits associated with the timesaving under COVID-19 fast-track approval process compared to the processes provided by the RMA (detailed further below). In pure cost terms, this would represent the following:
 - Additional value added of approximately \$12.3m;
 - Construction aggregate transport cost savings of approximately \$55.4m; and
 - Emissions cost savings of approximately \$3m.
- In addition to the above economic benefits, the quarry is also projected to have a significant impact on employment. The lifecycle employment impact is projected to sustain around 1,290 Full Time Equivalents ('FTEs').

Overall, the project is considered to generate significant economic benefits.

Project's effects on the social and cultural wellbeing of current and future generations:

The project will result in positive effects on the social and cultural wellbeing of current and future generations primarily by way of economic benefits at multiple scales, and job sustainment. The project will stimulate economic activity and facilitate the more efficient and cost-effective delivery of housing and infrastructure through improved access to aggregate.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

With consenting in Auckland, it is not uncommon for significant projects to take more than a year to obtain resource consent. Delays have been attributed to significant resourcing issues within Auckland Council. For example, the consenting of Stage 1 (which was significantly smaller and less complex than Stage 2), took over a year.

Due to the scale of the project, including the consenting complexities associated with the SEA overlay, and possible appeals, the project is likely to progress significantly faster by using the processes provided by the Act – by approximately 36 months as shown in **Figure 5 of Attachment 5**.

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

The economic report prepared by M.E (refer **Attachment 7**) discussed above, has estimated that the project will sustain 21.5 FTEs annually across the wider New Zealand economy, but mainly in Auckland. This translates to a total of 1,290 FTEs sustained and the fast-track consenting pathway will mean that employment can be sustained three years earlier.

Housing supply:

The project does not involve the delivery of residential housing supply. Therefore, this is not applicable.

Contributing to well-functioning urban environments:

Aggregate is a foundation product which is necessary for the development of buildings, roading and infrastructure. Increasing its supply and proximity to key growth areas will result in reduced costs for Auckland's construction sector and therefore reduce barriers to intensification and the development of well-functioning urban environments that have a variety of homes.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

As above, aggregate is necessary for the development of infrastructure and increasing its supply will support infrastructure delivery.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

The project intends to achieve a 'no net loss' outcome in respect to biodiversity.

Minimising waste:

The maximisation of product from extracted aggregate is desirable from a cost and efficiency perspective and therefore the quarry operator will seek to minimise the amount of overburden product ('waste'). In this sense, the quarry will minimise waste.

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

As noted in Part VII above, the expansion of Kings Quarry will increase supply of local aggregate to service the Auckland region. This represents a saving in bulk transport that will have a positive immediate benefit in reducing New Zealand's transport related greenhouse gas emissions. The greenhouse gas emissions report prepared by Air Matters (**Attachment 7**) identifies that a reduction of 12,105 tonnes of CO₂ equivalent greenhouse gas emissions could be achieved annually. To provide context, this equates to ~0.35% of New Zealand's total heavy vehicle CO₂ equivalent GHG emissions, using Ministry of Transport data from 2019 as a base year. For a single project, this is a significant benefit.

Promoting the protection of historic heritage:

As noted in Part VII above, the NZAA has a record relating to an archaeological site (R10/918) on the subject site which relates to two pit sites. As discussed in Part VII above, Stage 2 has been designed to be clear of this archaeological site.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

In respect of natural hazards within the site, overland flow paths ('**OLFPs**') and land stability will be managed carefully to ensure that those hazards are not exacerbated by the project.

The Stage 2 areas are not subject to any flood plains. As the Stage 2 extents are generally remote from the parcel boundaries it is not anticipated that the OLFPs will be altered at the boundary points, and the same entry and exit point will be maintained. Piping upper reaches of the minor OLFPs may be required for the quarry haul roads. Pipes will be sized accordingly to not reduce the capacity of the existing OLFPs. Further detail will be able to be provided in the consent application.

Other public benefit:

Various public benefits have been highlighted within this application. In the short term, the project will provide employment within the construction industry, which has been identified as one of the sectors that in assisting with the social and economic recovery of Covid-19. In the longer term, the project will provide residential and business growth in an area within Auckland's Rural Urban Boundary, and will contribute to providing housing supply and choice within the Auckland region.

Whether there is potential for the project to have significant adverse environmental effects:

It is considered that the proposal will not have any significant adverse environmental effects. The adverse effects assessment at Part VII and supporting technical memos confirm that potential adverse effects of the project can all be avoided, remedied, or mitigated.

Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

The project is not one which is inherently vulnerable to natural hazards and climate change, comprising no sensitive or vulnerable activities such as dwellings. The Stage 2 areas are not subject to any flood plains. As the Stage 2 extents are generally remote from the parcel boundaries it is not anticipated that the OLFPs will be altered at the boundary points, and the same entry and exit point will be maintained. Piping upper reaches of the minor OLFPs may be required for the quarry haul roads. Pipes will be sized accordingly to not reduce the capacity of the existing OLFPs. Further detail will be able to be provided in the consent application.

As noted above, the proposal will reduce greenhouse gas emissions which will positively contribute towards addressing climate change.

Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

Local authority	Compliance/Enforcement Action and Outcome
No details	

Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Sarah Rendle

23/02/2023

Signature of person or entity making the request

Date

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.

- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

Where relevant to your application, please provide a copy of the following information.

No	Correspondence from the registered legal land owner(s)
No	Correspondence from persons or parties you consider are likely to be affected by the project
No	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
No	Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area.
No	Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area.