

Section 53 Comment – Drury Quarry Expansion – Sutton Block [FTAA-2503-1037]

21 September 2025

To: The Expert Panel via the Environmental Protection Authority (EPA)

Email: substantive@fasttrack.govt.nz

Re: Drury Quarry Expansion – Sutton Block (Fast-track Approvals Act 2024) – Section 53 Comment

Submitters: Dan & Shanthie Gawn

Address: [REDACTED]

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We confirm we can receive emails and request provision of the draft consent conditions under Section 70.

Position in Summary

We do not support the expansion in principle; however, we acknowledge Auckland's demand for aggregate and accept that an approval may be granted. Our submission therefore focuses on ensuring that any approval is subject to strict, enforceable conditions that avoid, remedy, or mitigate the adverse effects on our property, community, and environment.

At the Drury Quarry Neighbours' meeting convened on Wednesday, 16 July 2025, Mr. Kurt Hine, General Manager Aggregates for Stevenson Aggregates Limited ("SAL"), advised that SAL wished to be regarded as "a good neighbour." When questioned regarding the anticipated return on investment ("ROI") of the proposed expansion, Mr. Hine responded that, even if he were aware of such information, he would not disclose it. This exchange is not recorded in the official minutes of that meeting.

It is submitted that SAL stands to obtain substantial financial benefit from the proposed expansion. While it is not objectionable for a commercial entity to pursue legitimate profit, the use of the Fast-track Approvals Act 2020 ("FTAA") in lieu of a standard Resource Management Act 1991 ("RMA") process heightens the obligation upon applicants to demonstrate good faith engagement with affected parties and to ensure that adverse effects are properly identified, avoided, remedied, or mitigated.

Section 3 of the FTAA makes clear that the purpose of the legislation is to "urgently promote employment growth and support the recovery of New Zealand's economy from the impacts of COVID-19 while continuing to promote the sustainable management of natural and physical resources." Furthermore, under sections 16 and 17, expert consenting panels must have regard to "any actual and potential effects on the

environment” and “measures to avoid, remedy, or mitigate adverse effects.” Section 24 further empowers panels to impose conditions to ensure that adverse effects are appropriately managed.

In this context, SAL’s statements that it seeks to be “a good neighbour” must be measured against these statutory requirements. To advance a project that delivers significant shareholder returns while permitting adverse effects on neighbouring landowners would be inconsistent with the purpose of the FTAA and contrary to the principles of sustainable management embedded in the statute.

Accordingly, it is submitted that the decision-making panel should scrutinise SAL’s claims and require enforceable conditions, pursuant to s24 FTAA, to ensure that adverse effects on neighbouring landowners are avoided, remedied, or mitigated. Without such conditions, SAL cannot reasonably be regarded as conducting itself in a manner consistent with its stated position of being “a good neighbour.”

Our following comments therefore focus on avoiding, mitigating, and monitoring effects on our property at [REDACTED] and the surrounding environment, and on ensuring conditions are specific, measurable, and enforceable.

Legal / Process Bases

- [REDACTED] is located within a Significant Ecological Area (SEA). We are obligated and compelled to maintain the bush block in a pristine condition, underscoring the importance of avoiding, mitigating, and monitoring quarry effects on this sensitive environment.
- We also acknowledge Te Tiriti o Waitangi and our obligations and privilege to work with tangata whenua and for us personally to act as kaitiaki of this significant area.
- Minute 2 sets the Section 53 invitation, recipients, and lodgement details, with comments due on 24 September 2025 to the EPA.
- Section 53 comments are not RMA submissions; emphasis is on effects and enforceable mitigations. Only commenters receive draft conditions (s70), potential hearing invites (s56), and retain limited rights of appeal on a question of law (s99).

Requested Conditions (Specific, Measurable, Enforceable)

1) Visual effects (amenity & outlook)

1.1 Construct an earth bund and/or engineered acoustic/visual barrier along the nearest quarry boundary prior to any new extraction in Sutton Block stages visible from Sonja/MacWhinney/Peach Hill.

1.2 Set minimum heights and continuity to achieve full ground-level screening of plant/haul roads from our dwelling; include an evergreen native planting plan with survival/replacement obligations and a 12-month establishment window.

1.3 Require pre-stage visual compliance assessments with fixed-point photosimulations (including a viewpoint from [REDACTED]).

1.4 Lighting controls: full cut-off luminaires, no upward light spill, curfews aligned to operating hours, and no high-mast floodlighting oriented toward dwellings.

2) Ecology & native bush (including kiwi)

2.0 Recognise that the bush block contained within [REDACTED] lies within a Significant Ecological Area (SEA), requiring preservation of its ecological integrity in alignment with Te Tiriti o Waitangi principles of protection and partnership.

2.1 Prepare an Ecological Management Plan (EMP) prior to commencement by a suitably qualified ecologist, in consultation with DOC and relevant iwi. Include baseline surveys, habitat protection and enhancement for indigenous fauna (including but not limited to Kiwi, Kererū, and Moko-pāpā).

2.2 Protect fauna: stage works to avoid key breeding seasons; undertake pre-work surveys and relocate fauna if required; implement predator control within adjacent bush; limit night-time activity near bush edges.

2.3 Maintain mapped vegetated buffers between extraction/haul routes and native bush remnants; any encroachment triggers a panel-approved EMP update.

3) Noise & vibration (incl. blasting)

3.1 Require compliance with the more stringent of applicable Auckland Unitary Plan provisions and relevant NZ Standards/Guidelines for environmental noise and quarry blasting/vibration.

3.2 Install independent, permanent noise and vibration monitors at representative locations (including near [REDACTED] with continuous logging during operations and blasts.

3.3 Public reporting: monthly dashboard online and quarterly summaries to adjacent owners.

3.4 Define trigger levels and corrective actions (e.g., modify blast charge/sequence, acoustic treatment of plant, haul-route/speed changes).

3.5 Offer independent pre-condition building surveys (photos/video & structural notes) for dwellings within an agreed radius (including ours) prior to blasting; repeat on request after significant blast events.

4) Air quality (dust/PM)

4.1 Adopt a Dust Management Plan: water carts/misting; wheel-wash; sealing of internal haul roads near boundaries; stockpile management; wind-triggered shut-down or relocation of dust-generating activities.

4.2 Install PM monitors at sensitive receptors/boundaries most exposed to prevailing winds; publish data and monthly summaries; define exceedance protocols and complaint response timelines.

5) Traffic, safety & access

5.1 Specify approved haul routes that avoid residential streets (especially Sonja Drive) and set heavy-vehicle curfews outside core daytime hours.

5.2 On-site measures: mandatory wheel-wash, load tarping, and sealed exits to prevent track-out; require clean-up within 2 hours of any material deposition on public roads attributable to quarry traffic.

6) Hours of operation

6.1 Limit extraction, processing, and heavy-vehicle movements to daytime weekday hours only; no Saturday, Sunday or public holiday operations; no night-time blasting.

6.2 Any exception requires advance notice to adjacent owners and an updated acoustic/lighting plan.

7) Surface water, stormwater & sediment

7.1 Implement an Erosion & Sediment Control Plan sized for design storms, designed/signed off by a suitably qualified professional. Use flocculation where needed; no untreated discharge to receiving environments.

7.2 Set turbidity triggers and shut-down protocols during high-risk weather.

8) Community liaison, complaints & transparency

8.1 Establish an Adjacent Landowners Liaison Group meeting quarterly with published minutes.

8.2 Complaints protocol: 24/7 duty phone; acknowledge within 24 hours; investigate within 3 working days; share findings/remedies in writing.

8.3 Publish quarterly summaries of noise, vibration, dust, traffic counts, and water quality; provide raw data to adjacent owners on request.

9) Property value protection

9.1 Undertake independent baseline valuations for dwellings within an agreed radius (including [REDACTED]) prior to expansion works.

9.2 Adopt a Property Value Protection Plan (PVPP): if a sale within a defined window demonstrates a loss attributable to quarry effects (independently assessed), compensate the differential plus reasonable marketing costs.

9.3 Alternative remedy: a good-faith purchase offer at pre-works market value (independently assessed) if ongoing effects are unreasonable despite compliance.

10) Staging, certification & enforcement

10.1 Require pre-start certifications (visual bunds/planting established; monitors installed/calibrated; baseline surveys complete) as conditions precedent to each extraction stage.

10.2 Commission independent annual compliance audits reported to the EPA and circulated to adjacent owners.

10.3 Include a periodic review clause (e.g., every 2 years) to tighten controls if monitoring shows unanticipated effects.

Conclusion

We reiterate our position that we do not support the proposed quarry expansion in principle. However, we acknowledge Auckland's demand for aggregate and accept that the Panel may determine that approval should be granted under the Fast-track Approvals Act 2020.

In that event, it is essential that approval be subject to strict, specific, measurable, and enforceable conditions. These conditions must ensure that adverse effects on neighbouring properties, ecological values (including the Significant Ecological Area on our property), and community amenity are avoided, remedied, or mitigated in accordance with sections 16, 17 and 24 of the FTAA.

As tangata whenua and kaitiaki of our land at [REDACTED], we emphasise that our obligations under Te Tiriti o Waitangi require us to protect and preserve the bush block within our SEA. The Panel must ensure that Stephenson Aggregates Limited's commercial interests do not come at the cost of devaluing neighbouring properties or degrading ecological and cultural values.

Accordingly, we request that the Panel incorporate the conditions set out in this submission into any approval, require ongoing monitoring and transparency, and provide us with draft conditions under section 70, along with an invitation to any hearing.

Ngā mihi,

Dan & Shanthie Gawn

[REDACTED]