

15 September 2025

Environmental Protection Authority
C/O – Nicky Sedgley
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Tēnā koe Nicky

Further Information Response for Kings Quarry Expansion – Stage 2 (FTAA-2502-1018)

We refer to the Expert Consenting Panel's Minute dated 25 August 2025 which requested that the Applicant provide all updated material in relation to the updated freshwater offsetting and compensation package and explanation of any resource consents required to enable the proposed mitigation. Our response is provided below and is supported by the following attachments:

- Attachment 1: Updated Residual Effects Analysis Report – Freshwater (previously Appendix 21);
- Attachment 2: Updated Ecological Impact Assessment (previously Appendix 9);
- Attachment 3: Updated Residual Effects Management Plan (previously Appendix 24);
- Attachment 4: Updated Residual Effects Analysis Report – Terrestrial (previously Appendix 18)
- Attachment 5: Updated Objectives and Policies Assessment (previously Appendix 37);
- Attachment 6: Updated Assessment of Environmental Effects (previously Appendix 25); and
- Attachment 7: Updated Proposed Draft Conditions

Summary of Changes to Freshwater Offsetting and Compensation

To ensure greater security of the proposed offset and compensation, the proposal has been amended to provide for all offset and compensation to be undertaken at the Oldfield Road Site, which is under the ownership of the Applicant. By way of summary, the following changes to the freshwater offsetting and compensation package are proposed:

- No offsetting or compensation will occur at the Hellyer Road Site, which was previously included in the application;
- Proposed offsetting of 3,391 meters of stream restoration is proposed, including through 20m riparian planting and the removal of fish barriers; and
- Proposed compensation of 1.74 hectares of wetland restoration, converting exotic, unbuffered wetlands into indigenous wetlands with native buffer planting and fencing.

Overall, the proposed offset and compensation actions ensure a biodiversity 'net gain'.

It is noted that the proposed changes have been discussed with Auckland Council at a meeting on 27 August 2025. A copy of this letter and attachments have been provided in parallel to Auckland Council.

Resource Consents Required at Oldfield Road

As set out within the application material, the offset site and associated approvals were not included within the scope of Schedule 2 and therefore are not sought as part of the substantive application. The following resource consents are required at the Oldfield Road Site to implement the proposed mitigation:

Auckland Unitary Plan (Operative in Part)

- The proposed pest exclusion fence is located in the Outstanding Natural Features Overlay with a feature code of A. Fences that are not post and wire within a feature code A Outstanding Natural Features Overlay are a **restricted discretionary activity** under Rule D10.4.2(A6);
- Two inflow culverts are proposed at the upper catchment, and one outflow culvert is proposed at the bottom of the catchment for the predator-proof fence. Culverts that prevent the passage of fish upstream and downstream are a **discretionary activity** under Rule E3.4.1(A44);
- Approximately 610m of fence is proposed within the Outstanding Natural Features Overlay requiring earthworks that will exceed 50m³. Earthworks greater than 50m³ in an Outstanding Natural Features Overlay with a feature code of A is a **restricted discretionary activity** under Rule E12.4.3.(A41);
- Vegetation alteration or removal within 10m of rural streams in the Rural – Rural Production Zone and Rural – Mixed Rural Zone is a **restricted discretionary activity** under Rule E15.4.2.(A17); and
- Vegetation alteration and removal of up to 200m² within the Outstanding Natural Features Overlay is proposed. Vegetation alteration or removal of greater than 25m² of any contiguous indigenous vegetation within the Outstanding Natural Features Overlay is a **restricted discretionary activity** under Rule E15.4.2.(A26).

National Environmental Standards for Freshwater

- Two inflow culverts are proposed at the upper catchment, and one outflow culvert is proposed at the bottom of the catchment for the predator-proof fence. Resource consent is required for culverts that prevent the passage of fish in a stream as a **non-complying activity** under Clause 71(1); and
- It is proposed to implement a passive flap gate on the outflow culvert for the predator-proof fence catchment. Resource consent is required for the placement and use of a passive flap gate in a stream as a **non-complying activity** under Clause 74(1).

For the avoidance of doubt, it is noted that the following activities can be undertaken as a **permitted activity**:

Auckland Unitary Plan (Operative in Part)

- Conservation planting within wetlands and streams complying with the standards in E3.6.1.2 is a permitted activity under Rule E3.4.1(A2);
- Pest plant removal within wetlands and streams complying with the standards in E3.6.1.8 is a permitted activity under Rule E3.4.1(A14);
- Demolition or removal of existing structures within a stream complying with the standards in E3.6.1.13 is a permitted activity under Rule E3.4.1(A24);

- Earthworks for installation, operation, maintenance and repair of fences are a permitted activity under Rule E11.4.1(A1);
- Earthworks for installation, operation, maintenance and repair of fences are a permitted activity under Rule E12.4.1(1);
- Pest plant removal outside the Rural Urban Boundary and all riparian areas is a permitted activity under Rule E15.4.1(A6); and
- Conservation planting outside the Rural Urban Boundary and all riparian areas is a permitted activity under Rule E15.4.1(A7).

National Environmental Standards for Freshwater

- Vegetation clearance within, or within a 10m setback from a natural inland for the purposes of restoration is a permitted activity under Clause 38(1); and
- Earthworks within, or within a 10m setback from a natural inland for the purposes of restoration is a permitted activity under Clause 38(2).

In respect of earthworks within the riparian yard, it is noted that that earthworks associated with planting of plants in the riparian yard would not be classified as “Earthworks” in terms of the AUP (OP) definition as per discussions with Council’s Principal Planning Specialist.

We have discussed the required material needed to support the resource consent application for the above activities with Auckland Council and expect to lodge the application within the coming weeks. Updates to the Panel will be provided as the application progresses in parallel. We anticipate approval prior to the fast-track decision date of 18 December 2025.

We trust that the above addresses your queries, however, please do not hesitate to contact us should you require any further information.

Yours sincerely | Nā māua noa, nā

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