

Rules Assessment

Proposal: Kings Quarry Expansion - Stage 2
Address: Pebble Brook Road, Wainui
Unitary Plan: Auckland Unitary Plan (Operative in Part)

Site Zoning	
Zone	Special Purpose – Quarry Zone Rural – Rural Production Zone
Overlays/Controls	Significant Ecological Areas Overlay - SEA_T_6454, Terrestrial High-Use Stream Management Areas Overlay Outstanding Natural Landscapes Overlay, Area 9, Kaukapakapa Quarry Buffer Area Overlay Macroinvertebrate Community Index – Exotic, Native, Rural
Designations	None applicable

Rule	Compliance	Non-Compliance
Chapter D Overlays		
D3 High-use Stream Management Areas Overlay	Objectives and policies only.	
D9 Significant Ecological Areas Overlay	Objectives and policies only.	
D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay	N/A – The site is located within an outstanding natural landscape, with the rules that apply to use and development in outstanding natural landscape areas being contained in Chapter D11.	
D11 Outstanding Natural Character and High Natural Character Overlay	N/A – The proposed activities do not occur within the Outstanding Natural Landscapes Overlay identified on the site.	
D27 Quarry Buffer Area Overlay	N/A – The proposed activities do not occur within the Quarry Buffer Area Overlay identified on the site.	
Chapter E Auckland-Wide		
E1 Water Quality	Objectives and policies only.	
E2 Water Quantity, Allocation and Use	Objectives and policies only.	
E3 Lakes, Rivers, Streams and Wetlands.		

Barker & Associates

+64 375 0900 | admin@barker.co.nz | barker.co.nz

Kerikeri | Whangārei | Warkworth | Auckland | Hamilton | Cambridge | Tauranga | Napier | Wellington | Christchurch | Queenstown | Wānaka

Rule	Compliance	Non-Compliance
E3.4.1 Activity table	Demolition or removal of existing structures complying with the standards in E3.6.1.13 as it relates to the removal of the weir is a permitted activity pursuant to Rule E3.4.1(A24).	The Proposal involves the reclamation of 2,439m waterbodies within the Significant Ecological Areas Overlay. This is a non-complying activity pursuant to H3.4.1(A49).
<i>E3.6.1.1 General Standards</i>		
E3.6.1.1(1) The activity must not, after reasonable mixing, result in any of the following effects in receiving waters: (a) The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) Any conspicuous change in the colour or visual clarity; (c) Any emission of objectionable odour; (d) The rendering of fresh water unsuitable for consumption by farm animals; and (e) Any significant adverse effects on aquatic life.	Will comply – An erosion and sediment control plan has been prepared to minimise sedimentation effects.	
E3.6.1.1(2) The activity must not result in an increase of existing flood levels up to and including the 1 per cent annual exceedance probability (AEP) flood plain on land or structures other than that owned or controlled by the person undertaking the activity.	Complies – The proposal will not result in any increases to the AEP flood plain outside the property.	
E3.6.1.1(3) The activity must not result in more than minor erosion or land instability.	Complies – The erosion and sediment control plan will ensure that all erosion and land stability is minimised.	
E3.6.1.1(4) Machinery must not sit directly on the wetted cross-section of the bed at the time of the work.	Will comply – Machinery will not sit directly on the wetted cross-section of the bed.	
E3.6.1.1(5) Explosives must not be used in the bed.	Complies – Quarrying activities include blasting, this will only occur in the rock face, and not within any beds of rivers/waterbodies.	

Rule	Compliance	Non-Compliance
E3.6.1.1(6) Mixing of construction materials and refuelling or maintenance of equipment must not occur within 10m of the bed and best site management practice must be used to avoid contaminant discharging into the water.	Will comply – Any mixing of construction material and refuelling or maintenance of equipment will not occur within 10m of the bed of stream.	
E3.6.1.1(7) The activity must not destroy, damage or modify any sites scheduled in the Historic Heritage Overlay or the Sites and Places of Significance to Mana Whenua Overlay.	Complies – The proposed location of the quarry has been chosen to avoid a scheduled archaeological site to the north-east of the pit.	
E3.6.1.1(8) The activity must not prevent public access along the lake, river, stream or wetlands.	N/A – The proposed works will not prevent public access.	
<i>E3.6.1.10. Standards for works on structures lawfully existing on or before 30 September 2013 and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water</i>		
E3.6.1.10(1) All works on existing structures must comply with all of the following standards: (a) during the activity bed disturbance upstream or downstream of the structure must not exceed 10m either side, excluding the length of the structure; (b) best practice erosion and sediment control measures must be used to minimise any discharge of sediment, including sediment impounded behind an existing structure; (c) debris or other material must not be re-deposited elsewhere in the bed of the lake, river or stream, or within the one per cent annual exceedance probability (AEP) flood plain; (d) the activity must not cause more than minor bed	Complies as follows: <ul style="list-style-type: none"> • The bed disturbance will not exceed 10m either side of the weir; • An erosion and sediment control plan has been prepared to minimise any discharge of sediments; • Debris or other material will not be deposited in the stream or a flood plain; • The erosion and sediment control plan will ensure that all erosion, scouring or undercutting is minimised so that any effects are no more than minor; and • The structure is to be removed which is a permitted activity under Rule E3.4.1(A24). 	

Rule	Compliance	Non-Compliance
erosion, scouring or undercutting immediately upstream or downstream; and (e) the activity must not compromise the structural integrity of the structure.		
<i>E3.6.1.13 Works on structures lawfully existing on or before 30 September 2013 and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water for the demolition or removal of existing structures</i>		
E3.6.1.13(1) The activity must comply with the standards in E3.6.1.10 above.	Complies – As per above, the proposed removal of the weir will comply with these permitted activity standards.	
E3.6.1.13(2) The structure must be removed from the bed as far as practicable.	Complies – The weir will be removed from the bed of Waitoki Stream as far as practicable.	
E3.6.1.13(3) Any remaining sections must not be a hazard to public access, navigation or health and safety.	Complies – The weir will be removed from the bed to avoid any hazard to health and safety.	
E3.6.1.13(4) The bed must be restored to a profile that does not inhibit water flow or prevent the passage of fish upstream and downstream in waterbodies that contain fish.	Complies – It is proposed to restore the profile of the stream bed to ensure water flow and passage of fish upstream and downstream.	
E3.6.1.13(5) For removal of a dam or weir: (a) the modification must not commence until as much of the impounded sediment as is practicable has been removed from behind the structure; and (b) best practice endeavours must be used to minimise the discharge of sediment impounded by the structure.	Complies as follows: <ul style="list-style-type: none"> It is proposed to remove, as far as practicable, impounded sediment behind the structure prior to modification; and Erosion and sediment control measures will be in place to minimise discharge of impounded sediment. 	
<i>Chapter E Auckland-Wide Continued</i>		
E4 Other Discharge of Contaminants	N/A – The proposal will not involve other discharge of contaminants onto or into land and/or water.	

Rule	Compliance	Non-Compliance
E5 On-site and Small-Scale Wastewater Treatment and Disposal	N/A – There is no requirement for wastewater treatment	
E6 Wastewater Network Management	N/A – There is no requirement for wastewater network management.	
E7 Taking, Damming and Diversion of Water and Drilling		
E7.4.1 Activity Table		<p>The proposed excavations will result in the diversion of groundwater as it impedes the identified groundwater table. Dewatering associated with a groundwater diversion authorised as a restricted discretionary activity under the AUP(OP), not meeting permitted activity standards is a restricted discretionary activity under Rule E7.4.1(A20).</p> <p>The Proposal involves groundwater diversion caused by excavation. This is a restricted discretionary activity pursuant to E7.4.1(A28).</p>
<i>Standard E7.6.1.6. Dewatering or groundwater level control associated with a groundwater diversion permitted under Standard E7.6.1.10, all of the following must be met:</i>		
E7.6.1.6(1) The water take must not be geothermal water.	Complies – The water is not geothermal.	
E7.6.1.6(2) The water take must not be for a period of more than 10 days where it occurs in peat soils, or 30 days in other types of soil or rock.		Infringes – The water take associated with the groundwater diversion will exceed 30 days.
E7.6.1.6(3) The water take must only occur during construction		Infringes – The water take associated with the groundwater diversion is required during the operation of the quarry.
<i>E7.6.1.10 Diversion of groundwater caused by any excavation, (including trench) or tunnel</i>		
E7.6.1.10(1) All of the following activities are exempt from the Standards E7.6.1.10(2)–(6): (a) pipes cables or tunnels including associated structures which are drilled	N/A – The proposed activity does not fall within any of the exemptions.	

Rule	Compliance	Non-Compliance
<p>or thrust and are up to 1.2m in external diameter;</p> <p>(b) pipes including associated structures up to 1.5m in external diameter where a closed faced or earth pressure balanced machine is used;</p> <p>(c) piles up to 1.5m in external diameter are exempt from these standards;</p> <p>(d) diversions for no longer than 10 days; or</p> <p>(e) diversions for network utilities and road network linear trenching activities that are progressively opened, closed and stabilised where the part of the trench that is open at any given time is no longer than 10 days.</p>		
<p>E7.6.1.10(2) Any excavation that extends below natural groundwater level, must not exceed:</p> <p>(a) 1ha in total area; and</p> <p>(b) 6m depth below the natural ground level.</p>		Infringes – The proposed quarry excavation exceeds both 1ha in area and 6m in depth.
<p>E7.6.1.10(3)</p> <p>The natural groundwater level must not be reduced by more than 2m on the boundary of any adjoining site.</p>	Complies – The groundwater level will not be reduced by more than 2m at the site boundary.	
<p>E7.6.1.10(4)</p> <p>Any structure, excluding sheet piling that remains in place for no more than 30 days, that physically impedes the flow of groundwater through the site must not:</p> <p>(a) impede the flow of groundwater over a length of more than 20m; and</p> <p>(b) extend more than 2m below the natural groundwater level.</p>	N/A – Permanent structures are not proposed. The ground water diversion occurs due to the quarry excavations.	
E7.6.1.10(5)	Complies – There are no existing buildings or structures within a	

Rule	Compliance	Non-Compliance
<p>The distance to any existing building or structure (excluding timber fences and small structures on the boundary) on an adjoining site from the edge of any:</p> <p>(a) trench or open excavation that extends below natural groundwater level must be at least equal to the depth of the excavation;</p> <p>(b) tunnel or pipe with an external diameter of 0.2 - 1.5m that extends below natural groundwater level must be 2m or greater; or</p> <p>(c) a tunnel or pipe with an external diameter of up to 0.2m that extends below natural groundwater level has no separation requirement.</p>	<p>distance equal to the excavation that extends below natural groundwater level.</p>	
<p>E7.6.1.10(6)</p> <p>The distance from the edge of any excavation that extends below natural groundwater level, must not be less than:</p> <p>(a) 50m from the Wetland Management Areas Overlay;</p> <p>(b) 10m from a scheduled Historic Heritage Overlay; or</p> <p>(c) 10m from a lawful groundwater take.</p>	<p>Complies – The proposed excavation is not within the specified distances to any of the listed features.</p>	
<i>Chapter E Auckland-Wide Continued</i>		
<p>E8 Stormwater Discharge and Diversion</p>	<p>N/A – No discharge or diversion of stormwater is required as there is no proposed stormwater discharge or diversion required to the CMA or a combined sewer network.</p>	
<p>E9 Stormwater Quality – High Contaminant Generating Carparks and Roads</p>	<p>N/A – There are no high contaminant generating carparks or roads proposed.</p>	
<p>E10 Stormwater Management Areas Flow 1 and 2</p>	<p>N/A – The proposal does not include any works within a SMAF 1 or 2 area.</p>	

Rule	Compliance	Non-Compliance
E11 Land Disturbance – Regional		
E11.4.1 Activity table	N/A – Applicable area and volume earthwork rules are contained within H28 Special Purpose – Quarry Zone.	
E11.4.2 Activity table	N/A – There will be no temporary diversion and damming of surface water and the discharge of treated sediment laden water.	
E11.4.3 Activity table		The Proposal involves earthworks within the SEA overlay exceeding 5m ² and 5m ³ , with 325,700m ² and 10,160,000m ³ (8,654,000m ³ of cut and 1,506,000m ³ of fill) proposed. This is a restricted discretionary activity pursuant to E11.4.3(A28) and E11.4.3(A30).
E11.6.1. Accidental discovery rule	Will comply – An accidental discovery protocol will be followed and is included as a condition of consent within Appendix 25 .	
<i>E11.6.2. General standards</i>		
E11.6.2(1) Land disturbance must not, after reasonable mixing, result in any of the following effects in receiving waters: (a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) any conspicuous change in the colour or visual clarity; (c) any emission of objectionable odour; (d) the rendering of fresh water unsuitable for consumption by farm animals; or (e) any significant adverse effects on aquatic life.	Will comply – Erosion and sediment control measures will be in place through any land disturbance, including the use of sediment retention ponds to remove any sedimentation prior to water re-entering the Waitoki Stream.	
E11.6.2(2) Best practice erosion and sediment control measures must be implemented for the duration of the land disturbance. Those measures	Complies – Erosion and sediment control measures will be implemented throughout the lifetime of the quarry.	

Rule	Compliance	Non-Compliance
must be installed prior to the commencement of land disturbance and maintained until the site is stabilised against erosion.		
E11.6.2(3) Dewatering of trenches and other excavations must be done in accordance with best practice and must not result in a discharge of untreated sediment laden water to any stormwater reticulation system or water body.	N/A – No dewatering of trenches is required.	
E11.6.2(4) Trenching must be progressively closed and stabilised such that no more than 120m of continuous trench is exposed to erosion at any one time.	N/A – No trenching is proposed.	
E11.6.2(5) Only cleanfill material may be imported and utilised as part of the land disturbance.	N/A – It is not proposed to import any fill material.	
E11.6.2(6) To prevent the spread of contaminated soil and organic material with kauri dieback disease, vehicle and equipment hygiene procedures must be adopted when working within 3 times the radius of the canopy drip line of a New Zealand kauri tree. Soil and organic material from land disturbance within 3 times the radius of the canopy drip line must not be transported beyond that area unless being transported to landfill for disposal.	Complies – A draft Kauri Dieback Management Plan is included within Appendix 19 and is proposed to be finalised as condition of this consent.	
E11.6.2(7) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the Significant Ecological Areas Overlay shall be limited to the	N/A – Earthworks are proposed within the SEA to facilitate the mineral extraction activities and not maintenance and repair.	

Rule	Compliance	Non-Compliance
area of earth previously disturbed or modified.		
E11.6.2(8) Earthworks associated with a temporary activity within the Significant Ecological Areas Overlay shall be limited to the area of earthwork previously disturbed or modified.	N/A – Earthworks are proposed within the SEA to facilitate the mineral extraction activities and not a temporary activity.	
E12 Land Disturbance – District		
E12.4.1 Activity table	N/A – Applicable area and volume earthwork rules are contained within H28 Special Purpose – Quarry Zone.	
E12.4.2 Activity table	N/A – No earthworks are proposed within the Outstanding Natural Landscapes Overlay identified on the site.	
E12.4.3 Activity table	N/A – The site is not subject to a Outstanding Natural Features Overlay.	
E12.6.1. Accidental discovery rule	Will comply – An accidental discovery protocol will be followed and is included as a condition of consent within Appendix 25 .	
<i>E12.6.2. General standards</i>		
E12.6.2.(1) Land disturbance within riparian yards and coastal protection yards are limited to: (a) operation, maintenance and repair (including network utilities); (b) less than 5m ² or 5m ³ ; for general earthworks; (c) less than 10m ² or 5m ³ for the installation of new network utilities; (d) installation of fences and walking tracks; or (e) burial of marine mammals.	<i>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.</i>	The Proposal involves earthworks greater than 5m ² and 5m ³ within the riparian yards. This is a restricted discretionary activity pursuant to Rule C1.9(2).
E12.6.2.(2) Land disturbance must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.	Complies – Land disturbance/quarrying has been designed in a way that will not cause for any unanticipated land instability.	

Rule	Compliance	Non-Compliance
E12.6.2.(3) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.	N/A – There are no network utilities within close proximity to the work area, nor is there public access on to private property.	
E12.6.2.(4) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.	Complies – Access to public road and private properties will not be obstructed.	
E12.6.2.(5) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.	Complies – A draft Dust Management Plan is provided as Appendix 28 and is proposed to be finalised as condition of this consent.	
E12.6.2.(6) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.	N/A – Not relevant to the proposal.	
E12.6.2.(7) Land disturbance around Transpower NZ Ltd electricity transmission line poles must: (a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and (b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that (c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards E12.6.2(7)(a) and E12.6.2(7)(b) above.	N/A – Land disturbance is not around Transpower NZ Ltd electricity transmission line poles.	

Rule	Compliance	Non-Compliance
E12.6.2.(8) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must: (a) be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; and (b) be no deeper than 3m between 6-12m from the outer visible edge of a transmission tower support structure.	N/A – Land disturbance is not around Transpower NZ Ltd electricity transmission lines towers.	
E12.6.2.(9) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not: (a) create an unstable batter that will affect a transmission support structure; or (b) result in a reduction in the ground to conductor clearance distances as required by New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001.	N/A – Land disturbance is not within 12m of a Transpower NZ Ltd electricity transmission line pole or tower.	
E12.6.2.(10) Only cleanfill material may be imported and utilised as part of the land disturbance.	N/A – It is not proposed to import any clean fill material.	
E12.6.2.(11) Earthworks (including filling) within a 100 year annual exceedance probability (AEP) flood plain: (a) must not raise ground levels more than 300mm, to a total fill volume up to 10m ³ which must not be exceeded through multiple filling operations; and (b) must not result in any adverse changes in flood hazard beyond the site.	N/A – There is no proposed fill within any 100 year AEP flood plain.	
E12.6.2.(12) Earthworks (including filling) within overland flow paths must	Complies – The proposed quarry activities will maintain the same	

Rule	Compliance	Non-Compliance
maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.	entry and exit points at the site boundaries.	
E12.6.2.(13) Temporary land disturbance and stockpiling of soil and other materials within the one per cent annual exceedance probability (AEP) flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.	N/A – No material stockpiling will be undertaken on site.	
E12.6.2.(14) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities on a site or places of Significance to Mana Whenua must be limited to the area and depth of earth previously disturbed or modified.	N/A – The site is not subject on a site or places of Significance to Mana Whenua.	
E12.6.2.(15) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the Historic Heritage Overlay must not extend more than 300 mm below the surface where additional rules for archaeological sites or features apply as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps.	N/A – The site is not subject to a Historic Heritage Overlay.	
E12.6.2.(16) Earthworks associated with a temporary activity on a site or place of significance to Mana Whenua shall be limited to the area of earthwork previously disturbed or modified.	N/A – The site is not subject on a site or places of Significance to Mana Whenua.	
E12.6.2.(17) Earthworks/land disturbance for the planting of any tree	N/A – The site is not subject to a Historic Heritage Overlay.	

Rule	Compliance	Non-Compliance
within the Historic Heritage Overlay must not be undertaken where additional rules for archaeological sites or features apply as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps, other than as a replacement for a pre-existing tree; and, within the area previously occupied by the root plate of the pre-existing tree.		
<i>Chapter E Auckland-Wide Continued</i>		
E13 Cleanfills, Managed Fills and Landfills	<p>N/A – the proposal does not involve discharges from cleanfills, managed fills and landfills.</p> <p>The proposal is for a quarry, this does not meet the definition for a cleanfill operation. Cleanfill is defined in the AUP as a <i>facility where cleanfill material is accepted for deposit but <u>excludes storage and use of cleanfill material within an earthworks site for the purpose of engineering contours for specific activities; placement of cleanfill material associated with road construction and road maintenance activities; and onsite storage and use of overburden or aggregate by-product that is cleanfill material associated with mineral extraction activities.</u></i> The fill to be deposited on A-Pit once aggregate is extracted will consist of top soil, clay and soft rock. In this regard, we consider that A-Pit meets the exclusions provided for in the AUP (as <u>emphasised</u> above) as A-Pit will accommodate overburden material from the quarried areas.</p>	
E14 Air Quality		
E14.4.1 Activity table		The Proposal includes mineral extraction activities at a rate of between five and 200 tonnes/hour,

Rule	Compliance	Non-Compliance
		with approximately 167 tonnes per hour of extraction expected at a maximum capacity on a site that is located in a low air quality – dust and odour area (Quarry). This is a controlled activity pursuant to E14.4.1(A90).
<i>E14.6.1 General Standards</i>		
E14.6.1(1) The discharge must not cause, or be likely to cause, adverse effects on human health, property or ecosystems beyond the boundary of the premises where the activity takes place.	Complies – Any potential air discharge as a result of the blasting and quarrying activities will not result in adverse discharges on human health, property or ecosystems.	
E14.6.1(2) The discharge must not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke or ash beyond the boundary of the premises where the activity takes place.	Complies – A Dust Management Plan (refer Appendix 28) is provided as part of this application to ensure dust emissions beyond the boundary is minimised.	
E14.6.1(3) There must be no dangerous, offensive or objectionable visible emissions.	Will comply.	
E14.6.1(4) There must be no spray drift or overspray beyond the boundary of the premises where the activity takes place.	N/A – Not relevant to the proposal.	
<i>E14.6.2.2 Mineral extraction</i>		
E14.6.2.2(1) The crushing of minerals and aggregates associated with a mineral extraction activity must be located at least 200m from any dwelling located outside the site zoned Special Purpose – Quarry Zone that is not under the control of the quarry operator.	Complies – The activity will be undertaken more than 200m away from any neighbouring site and dwelling.	
E15 Vegetation Management and Biodiversity		
E15.4.1 Activity table	Pest plant removal is a permitted activity pursuant to Rule E15.4.1(A6) and E15.4.2(A36).	The Proposal involves the removal of more than 250m ² of contiguous indigenous vegetation outside the rural urban boundary (RUB), with

Rule	Compliance	Non-Compliance
	Conservation planting complying with the standards in E15.6.3 is a permitted activity pursuant to Rule E15.4.1(A7) and E15.4.2(A37).	<p>approximately 28.97 ha of indigenous vegetation to be removed. This is a restricted discretionary activity pursuant to E15.4.1(A10).</p> <p>Part of the vegetation to be removed is within 20m of rural streams. This is a restricted discretionary activity pursuant to E15.4.1(A16).</p> <p>The Site is subject to an SEA overlay (SEA_T_6454) and the proposal involves the removal of approximately 28.97 ha of SEA vegetation within the Quarry Zone. This is a discretionary activity pursuant to E15.4.2(A44).</p>

E15.6.3. Conservation planting

E15.6.3.(1) Conservation planting in significant ecological areas must only be for ecological restoration purposes.	Complies – The proposed conservation planting is for ecological restoration purposes.	
E15.6.3.(2) Conservation planting within the Outstanding Natural Features Overlay, Outstanding Natural Character Overlay, High Natural Character Overlay or the Outstanding Natural Landscapes Overlay must be limited to planting of indigenous species for ecological restoration or landscape restoration purposes.	N/A – Planting is not proposed within the Outstanding Natural Landscapes Overlay identified on the site.	

Chapter E Auckland-Wide Continued

E16 Trees in Open Space Zones	N/A – The site is not located near any open space zones.	
E17 Trees in Roads	N/A – The proposal does not propose any works to street trees.	
E18 Natural Character of the Coastal Environment	N/A – The site is not within the coastal environment.	

Rule	Compliance	Non-Compliance
E19 Natural Features and Natural Landscapes in the Coastal Environment	N/A – The site is not within the coastal environment.	
E20 Maori Land	N/A – The site is not Māori Land.	
E21 Treaty Settlement Land	N/A – The site is not Treaty Settlement Land.	
E22 Artworks	N/A – No artworks are proposed.	
E23 Signs	N/A – No signs are proposed.	
E24 Lighting	N/A – No lighting are proposed.	
E25 Noise and Vibration	N/A – Defers to H28 Special Purpose – Quarry Zone provisions.	
E26 Infrastructure	N/A – Not relevant to the proposal.	
E27 Transport	N/A – All transportation related matters were considered and future-proofed through the Stage 1 Consent.	
E28 Mineral Extraction from Land	Objectives and Policies only.	
E29 Emergency Management Area	N/A – Not relevant to the proposal.	
E30 Contaminated Land	N/A – It is not proposed to disturb any contaminated land.	
E31 Hazardous Substances	N/A – Not relevant to the proposal.	
E32 Biosolids	N/A – Not relevant to the proposal.	
E33 Industrial and Trade Activities	N/A – The proposal is not for an ITA.	
E34 Agrichemicals and Vertebrate Toxic Agents	N/A – Not relevant to the proposal.	
E35 Rural Production Discharges	N/A – Not relevant to the proposal.	
E36 Natural Hazards and Flooding	Complies – The proposal does not divert the entry or exit point, piping or reducing the capacity of any part of an overland flow path	
E37 Genetically Modified Organisms	N/A – Not relevant to the proposal.	
E38 Subdivision – Urban	N/A – No subdivision proposed, and the site is not within the RUB.	

Rule	Compliance	Non-Compliance
E39 Subdivision – Rural	N/A – No subdivision proposed.	
E40 Temporary Activities	N/A – Not relevant to the proposal.	
H19 Rural Production Zone		
H19.8.1 Activity Table		<p>The Proposal includes mineral extraction activities within the Rural Production Zone. This is a discretionary activity pursuant to H19.8.1(A60)</p> <p><i>Note: Stage 2 will utilise the consented accessway to Pebble Brook Road and other facilities (weighbridge and control room area) within the Rural Production zoned land. While no physical changes are proposed to this infrastructure, consent is sought on a conservative basis to address their usage for Stage 2.</i></p>
H19.8.2 Activity Table	N/A – No dwellings are proposed.	
H19.10.1 General Standards	N/A – Not relevant to the proposal.	
H19.10.2 Building Height	N/A – No buildings are proposed.	
H19.10.3 Minimum yards setback requirements	N/A – No buildings are proposed.	
H19.10.4 Buildings housing animals – minimum separation distance	N/A – Not relevant to the proposal.	
H19.10.5 Size of buildings – intensive farming, intensive poultry farming, animal breeding or boarding, produce sales, and on-site primary produce manufacturing	N/A – Not relevant to the proposal.	
H19.10.6 Free-range poultry farming	N/A – Not relevant to the proposal.	
H19.10.7 Forestry	N/A – Not relevant to the proposal.	
H19.10.8 Animal breeding or boarding	N/A – Not relevant to the proposal.	
H19.10.9 Produce sales	N/A – Not relevant to the proposal.	
H19.10.10 Dwellings Site of the proposed dwelling must not be located on a closed	N/A – No dwellings are proposed.	

Rule	Compliance	Non-Compliance
road or road severance allotment		
H19.10.11 Minor Dwellings	N/A – No dwellings are proposed.	
H19.10.12 Workers Accommodation	N/A – No workers accommodation is proposed.	
H19.10.13 Home Occupations	N/A – Not relevant to the proposal.	
H19.10.14 Markets	N/A – Not relevant to the proposal.	
H19.10.15 Quarries – farm or forestry	N/A – Not relevant to the proposal.	
H19.10.16 Mineral prospecting and mineral exploration	N/A – Not relevant to the proposal.	
H19.10.17 Rainwater Tanks	N/A – Not relevant to the proposal.	
H28 Special Purpose – Quarry Zone		
H28.4.1 Activity table	Conservation planting is a permitted activity pursuant to Rule H28.4.1(A3).	<p>The Proposal includes mineral extraction activities associated with the expansion of Kings Quarry. This is a controlled activity pursuant to H28.4.1(A7).</p> <p>The Proposal involves earthworks in a Quarry Zone greater than 2500m² and 2500m³, with 325,700m² and 10,160,000m³ (8,654,000m³ of cut and 1,506,000m³ of fill) proposed. This is a controlled activity pursuant to H28.4.1(A14) and H28.4.1(A15).</p>
H28.4.2 Activity table		<p>The Proposal involves earthworks greater than 2,500m² where the land has a slope greater than 10 degrees. This is a controlled activity pursuant to H28.4.1(A17).</p> <p>The Proposal involves earthworks greater than 2,500m² within the Sediment Control Protection Area. This is a controlled activity pursuant to H28.4.1(A18).</p>
<i>H28.6.1.1. Building height, gross floor area and yard</i>		
H28.6.1.1.(1)	N/A – No buildings are proposed.	

Rule	Compliance	Non-Compliance
Buildings, additions and alterations accessory to mineral extraction activities must: (a) not exceed 9m in height; (b) not exceed 200m ² gross floor area; and (c) be set back from the boundary by the minimum depth of 20m.		
<i>H28.6.1.2. On-site primary produce manufacturing and processing and recycling mineral material, construction waste and demolition waste</i>		
H28.6.1.2.(1) Buildings required for or accessory to on-site primary produce manufacturing and processing and recycling mineral material, construction waste and demolition waste must: (a) not exceed 500m ² gross floor area; and (b) be set back from the rear boundary by a minimum depth of 12m; and (c) be set back from the side boundary by a minimum depth of 12m.	N/A – No buildings are proposed.	
<i>H28.6.2.1. Noise</i>		
H28.6.2.1.(1) Noise from mineral extraction activities must not exceed the noise levels in Table H28.6.2.1.1 at a notional boundary from any dwelling that existed at 1 January 2001 outside the Special Purpose – Quarry Zone.	Complies – The Acoustic Assessment (Appendix 36) confirms all quarry activities can comply with the noise levels set out by this standard.	
H28.6.2.1.(2) Noise from mineral extraction within the Hunua Quarry must not exceed the noise limits in Table H28.6.2.1.2 at the quarry effects line as identified in Figure H28.6.2.1.1	N/A – The site is not within the Hunua Quarry.	
H28.6.2.1.(3) Noise must be measured and assessed in accordance with New Zealand Standard on Acoustics - Measurement of	Complies.	

Rule	Compliance	Non-Compliance
Environmental Sound (NZS 6801:2008) and New Zealand Standard on Acoustics - Environmental Noise (NZS:6802:2008).		
<i>H28.6.2.2. Vibration and blasting</i>		
H28.6.2.2.(1) Noise created from the use of explosives must not exceed a peak overall sound pressure of 128dB Lzpeak.	Complies – The blasting on site will not result in a peak sound pressure of 128dB Lzpeak.	
H28.6.2.2.(2) The measurement of blast noise (air blast) and ground vibration from blasting must be measured at the notional boundary of a dwelling that existed at 1 January 2001.	Complies.	
H28.6.2.2.(3) Vibration generated by blasting shall be measured within a building in accordance with Appendix J of Part 2 of Australian Standard AS 2187 2006.	Complies.	
H28.6.2.2.(4) All blasting is restricted to: (a) 9am-5pm, Monday to Saturday; (b) an average of two occasions per day over a calendar fortnight; and (c) except where necessary because of safety reasons.	Complies – The blasting on site will be only undertaken within the designated times: 9am-5pm Monday to Saturday, with a maximum of 2 per day a fortnight (when required).	
H28.6.2.2.(5) Blasting activities must be controlled to ensure any resulting ground vibration does not exceed the limits set out in German standard DIN 41503 1999: Structural vibration – Part 3 Effects of vibration on structures when measured on the foundation in the horizontal axis on the highest floor of an affected building.	Complies – No ground vibration will be expected at any neighbouring dwelling.	

Rule	Compliance	Non-Compliance
H28.6.2.2.(6) A siren must be used prior to blasting to alert people in the vicinity.	Will comply – A siren will be sound prior to the blasting taking place.	
<i>H28.6.2.3. Building height</i>		
Buildings must not exceed 24m in height.	N/A – No buildings are proposed.	
<i>H28.6.2.4. Maximum building coverage</i>		
The maximum building coverage must not exceed 30 per cent of the site.	N/A – No buildings are proposed.	
<i>H28.6.2.5. Yards</i>		
A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H28.6.2.5.1 where a Special Purpose – Quarry Zone is located inside the rural urban boundary and Table H28.6.2.5.2 where a Special Purpose – Quarry Zone is located outside the rural urban boundary.	N/A – No buildings are proposed.	
<i>H28.6.2.6. On-site primary produce manufacturing and processing and recycling mineral material, construction waste and demolition waste</i>		
Buildings required for or accessory to on-site primary produce manufacturing and processing and recycling mineral material, construction waste and demolition waste must: not exceed 500m ² gross floor area; and be set back from the rear boundary by a minimum depth of 12m; and (i) be set back from the side boundary by a minimum depth of 12m.	N/A – Not relevant to the proposal.	
<i>H28.6.2.7. Land disturbance</i>		
(1) A Quarry Management Plan must be submitted.	Complies – A Quarry Management Plan (Appendix 27) has been prepared and includes all identified aspects.	