

Decision on an application for resource consents under the Resource Management Act 1991



Discretionary activity – Land Use (s9)

Discretionary activity – Streamworks (s13)

Non-Complying activity – Surface Water Diversion (s14)

Controlled activity – Discharge to Air (s15)

Non-Complying Activity – Discharge of water and sediment (s15)

Application numbers:

BUN60373589 (Council reference)
LUC60373641 (s9 land use consent)
LUS60373740 (s13 Streamworks)
WAT60397080 – (s14 surface water diversion)
DIS60373640 – (s15 discharge to air)
DIS60397082 – (s15 discharge water & sediment)

Applicant:

Tomarata Sand Limited

Site address:

162 Pebble Brook Road Wainui 0994
Lot 1 DP 414617, Pebble Brook Road Wainui 0994
Allot S77 SO 817, Pebble Brook Road Wainui 0994
306 Pebble Brook Road Wainui 0994
220 Pebble Brook Road Wainui 0994

Legal description:

Lot 5 DP 187964
Lot 1 DP 414617, Pebble Brook Road Wainui 0994
Allot 78 Psh Of Kaukapakapa SO 817, Allot S77
Psh Of Kaukapakapa SO 817
Lot 1 DP 59502
Lot 2 DP 414617

Proposal:

To re-establish Kings Quarry and to undertake overburden removal and deposition, and to establish the required vehicle access and associated buildings and structures.

Resource consent is required for the following reasons:

Land use consent (s9) – LUC60373641

Auckland Unitary Plan (Operative in Part)

D11 Outstanding Natural Character and High Natural Character Overlay

Buildings and structures including dwellings not provided for as a permitted activity within an Outstanding Natural Landscape are deemed to be a **Discretionary Activity** under Rule D11.4.1(A12). A new weighbridge and a control room will be established over Lot 1 DP 414617, which is subject to Outstanding Natural Landscape Overlay (ONLO).

E11 Land disturbance – Regional

Rule E11.4.1 (A8), (A9), (A28) & (A30) as a **restricted discretionary activity** for earthworks on a slope greater than 10 degrees, within a sediment control protection area and within a SEA.

E12 Land Disturbance – District

The proposal involves earthworks greater than 5m² and 5m³ within the riparian yard associated with the proposed bridge. This is a **restricted discretionary activity** pursuant to Rule C1.9(2).

The earthworks within ONLO greater than 50m² and 250m³ are **restricted discretionary activity** pursuant to Rules E12.4.2(A30) and (A33). Lot 1 DP 414617 and 220 Pebble Brook Road are both subject to ONLO, and earthworks are proposed to establish the new vehicle crossing, formation of the accessway, and creating an earth bund along the access over 220 Pebble Brook Road.

E15 Vegetation management and diversity

The proposal involves the removal of more than 250m² of contiguous indigenous vegetation located outside the rural urban boundary (RUB), with approximately 8,750m² of indigenous vegetation to be removed at various locations within the site. This is a **restricted discretionary activity** pursuant to Rule E15.4.1(A10).

The site is subject to an SEA overlay (SEA_T_6454) and the proposal involves the removal of approximately 1,960m² of SEA vegetation within a Quarry Zone. This is a **restricted discretionary activity** pursuant to Rule E15.4.2(A44).

E27 Transport

Parking, loading and access do not comply with the relevant standard is a **restricted discretionary activity** under E27.4.1(A2). In this case, access width standard E27.6.4.3. has not been complied with, as the maximum width of 6m is exceeded by the proposed vehicle crossing width of 12m.

H19 Rural Zones

The proposal involves mineral extraction activities (proposed accessway and bridge) on a site zoned Rural Production. This is a **discretionary activity** pursuant to Rule H19.8.1(A60). Lot 1 DP 414617 is zoned for rural production zone, but is proposed to be used as an overburden fill site. As such this activity is considered relevant.

The proposed weighbridge and control room are within the Rural Production Zone and are located within 12m of the required side yard. This is a **restricted discretionary activity** pursuant to Rule C1.9.2.

H28 Special Purpose – Quarry Zone

The proposal involves mineral extraction activities associated with the reestablishment of Kings Quarry. This is a **controlled activity** pursuant to Rule H28.4.1(A7).

The proposal involves earthworks greater than 2,500m² and 2,500m³ with 30,000m² and 66,300m³ (9,000m³ cut and 57,300m³ fill proposed including overburden material. This is a **controlled activity** pursuant to Rule H28.4.1(A14) and (A15).

The proposal involves earthworks greater than 2,500m² with the Sediment Control Protection Area with 30,000m² proposed. This is a **controlled activity** pursuant to Rule H28.4.1(A18).

Streamworks consent (s13) - LUS60373740

Auckland Unitary Plan (Operative in Part)

E3. Lakes, rivers, streams and wetlands

The proposed involves the construction of a new bridge over Waitoki Stream that is within an overlay (SEA) and complies with the standards in E3.6.1.16. This is a **discretionary activity** pursuant to Rule E3.4.1(A29).

Surface water diversion consent (s14) - WAT60397080

National Environmental Standard for Freshwater (NES-F 2020)

Regulation 54(b) as a **non-complying activity** for earthworks within a 10m setback from a natural wetland.

Discharge consent to the Air (s15) - DIS60373640

Auckland Unitary Plan (Operative in Part)

E14 Air Quality

The proposal involves mineral extraction activities at a rate of between five and 200 tonnes/hour, with approximately 144 tonnes/hour of mineral extraction expected at 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 Rule E14.4.1(A90).

Discharge consent for water & sediment (s15) - DIS60397082

National Environmental Standard for Freshwater (NES-F 2020)

Regulation 54(c) as a **non-complying activity** for temporary diversion and discharge of water within 100m of a natural wetland during the earthworks activity.

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consents. I sought further information and I have visited the roads leading to the site, I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision on the application.

Under sections 104, 104B, 104D and Part 2 of the RMA, resource consent is **GRANTED**.

Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable because:
 - a. With regards to earthworks, appropriate erosion and sediment control measures, including silt fences, clean and dirty water diversions, stabilised construction and decanting earth bunds will be implemented on site, so that sediment-laden water will extend onto the adjacent sites or enter nearby watercourses.
 - b. Sufficient geotechnical assessments were provided which confirmed that the proposed excavations will not lead to land instability of the application sites or the adjacent sites.
 - c. With regards to ecological effects, any adverse ecological effects are sufficiently mitigated via replacement planting throughout the site, appropriate fauna management measures, and implementation of kauri dieback management measures. Sufficient ecological investigations have been undertaken by a suitably qualified and experienced ecologist, which have confirmed that the value of the SEA can be suitably protected by the proposed measures. Overall, it is considered that any adverse ecological effects will be acceptable.
 - d. An acoustic assessment was provided which concluded that sufficient measures will be implemented to ensure any emitted noise and vibration will be below the AUP standards and will be kept below a reasonable level. It is noted that any overburden blasting will only be undertaken internally within the site, away from the external boundaries. Operational hours and heavy traffic movements are limited to daytime hours of between 630am and 5pm, limiting any noise effects to within what is expected within land zoned for Quarrying. For these reasons, any adverse noise effects will be less than minor.
 - e. Adequate Quarry Management Plan (QMP) and Dust Management Plan (DMP) have been provided, which outline a number of dust management measures, including use of a water cart, minimisation of exposed soil, limiting the stockpile height and slope, limiting the vehicle speed, and locating particle emitting activities within the quarry pit. It is therefore considered that adverse dust effects will be less than minor.
 - f. With regards to traffic effects, adequate sightlines and visibility will be afforded over the accessway and from the entrance to be upgraded along Pebble Brook Road. Internal traffic arrangements will comply with AUP E27 standards, so all vehicles will enter and exit the site in a forward motion. The applicant has also proposed to widen sections of Pebble Brook Road in order to accommodate an increase in heavy vehicle movements and implement further speed control measures around the Pebble Brook Road – Waitoki Road

intersection. Additional basecourse material will be overlain on Pebble Brook Road, and the applicant has offered a consent condition requiring a regular review of the condition of Pebble Brook Road.

- g. With regards to works associated with road widening, the applicant has agreed to provide a Construction Traffic Management Plan (CTMP) to ensure traffic safety and access for the surrounding residents will be maintained during the works.
- h. It is also noted that the level and type of traffic movements in/out of sites are generally consistent with the sought outcome of the Quarry Zone. Whilst the main crossing is located within the Rural Production Zone, it is evident that the use of the access allotment was expected to be for quarrying, and it will have less than minor effects when compared with new vehicle crossings being constructed within the Quarry Zoned portion of the subject sites. Overall, for these reasons any adverse traffic effects are considered to be less than minor.
- i. With regards to amenity and character effects, the majority of quarry activities will occur centrally within the site, predominantly in/around the quarry pit. The area is sufficiently screened from views from surrounding residential sites. With regards to the overburden, three fill sites will be situated at locations in the vicinity of the road. An earthwork bund adjacent to the proposed accessway will be narrow in shape, and modest in scale, and will have mitigation planting on top. Due to its location and design, it is not considered to present itself overly dominant or out of character. The proposed control room and weighbridge are also modest in scale and will not cause any significant adverse visual impacts.
- j. With regards to visual impacts of the western fill sites over 306 Pebble Brook Road, they are located at the end of the road so will have negligible adverse visual amenity and character effects on the public. Adverse visual effects on other nearby residents will be adequately avoided or mitigated by existing vegetation, separation distance and topography. Other effects such as noise, dust and traffic effects have been assessed elsewhere and therefore not repeated here.
- k. Mana whenua groups were contacted regarding the proposal, and no concerns were raised. A heritage assessment was provided with the application, which confirmed that there are no cultural heritage sites associated with the proposed quarry / overburden areas. The applicant is aware of the accidental discovery protocols. As discussed above, ecological and earthworks effects will be appropriately mitigated. As such any cultural effects will be less than minor.
- l. With reference to s104(1)(ab) RMA, there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment and/or within the relevant matters of discretion
- m. In terms of positive effects, the proposal will contribute to Auckland's economy and development by creating jobs and supplying additional aggregate close to where its required. In particular, re-opening the quarry will provide for the social, economic and cultural well-being of communities, by supplying aggregate for new housing, roads and civil infrastructure.

- n. Further to this, overlaying additional pavement material, proposed road widening, further speed posting and installation of high friction surface on Waitoki Road will improve traffic safety in the area.
2. In accordance with an assessment under s104(1)(b) of the RMA, the proposal is not contrary to the relevant statutory documents. In particular, the following matters are considered relevant:

Auckland Unitary Plan (operative in part).

B7 Toitū te whenua, toitū te taiao – Natural resources

Chapter B7, Natural Resources of the AUP:OP Regional Policy Statement is considered relevant as the objectives and policies in section B7.2 aims to protect indigenous vegetation and biodiversity and its values, and to maintain or restore indigenous biodiversity in areas where ecological values are degraded or where development is occurring. B7.3 seek to ensure the enhancement of degraded freshwater systems, the loss of freshwater system is minimised and that any adverse effects are avoided, remedied, or mitigated. Section B7.4 seeks to maintain water quality in freshwater bodies and coastal waters which have good water quality, and to enhance the water quality in degraded systems. B7.5 seeks to manage and improve air quality by avoiding, remedying or mitigating adverse effects with discharges of contaminants.

In this case, a number of erosion and sediment control measures are proposed to ensure any sediment-laden water is appropriately managed within the site. As such freshwater quality and the wider water network, including the coastal environment, will not be adversely affected. Adequate ecological assessments were undertaken, which concluded that any adverse ecological effects will be sufficiently mitigated via replacement planting, appropriate fauna management measures, and kauri dieback management measures. A number of dust management measures will also be implemented such as water cart use, design and location of stockpiling and implementation of a dust management plan. Overall, the proposal will not be contrary to the provisions of B7.

D9 Significant Ecological Areas Overlay

The majority of the site is subject to an SEA overlay (SEA_T_6454). SEA_T_6454 is considered to meet criteria 2 (threat status and rarity) and 3 (diversity). The objectives and policies are contained in sections D9.2 and D9.3 of the AUP (OP), and these aim to ensure that areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision, use and development; indigenous biodiversity values are enhanced; and the relationship of Mana Whenua and their customs and traditions with indigenous vegetation and fauna is recognised and provided for.

The proposal is considered to be consistent with these objectives and policies as when having regard to the overall property, the vegetation being removed has with a very small proportion of 'low' to 'moderate' terrestrial value which will ensure that a habitat is retained for the wider area.

D11 Outstanding Natural Character and High Natural Character Overlay

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter D11 Outstanding Natural Character and High Natural Character Overlay (D11.2, D11.3 and D11.8.2) for the following reasons:

The areas of the application sites subject to ONLO are an access allotment and a narrow strip of land adjacent to the access allotment. As the allotment previously provided an access to the quarry, upgrading the access and creating a vehicle crossing within the ONLO. will not detract from the surrounding existing character and landscape. An earthworks bund will be modest in scale, and will be designed to be integrated with the surrounding environment, with mitigation planting to be placed on top. The natural characteristics and qualities of the area therefore will not be undermined, and the value of the ONLO will be maintained. Both weighbridge and control room are small in size area and will also not compromise the ONLO values.

E3 Lakes, rivers, streams and wetlands

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter E3 Lakes, rivers, streams and wetlands (E3.2, E3.3 and E3.8.2) for the following reasons:

The objectives and policies relating to streams are contained in sections E3.2 and E3.3 and aim to protect waterbodies of high natural value from degradation/loss; restore, maintain and enhance waterbodies; offset significant adverse effects where they cannot be avoided, remedied or mitigated, when this will promote the purpose of the RMA; provide for structures that have functional or operational needs to locate within a waterbody; manage adverse effects associated with activities within a waterbody; and avoid reclamation and drainage of waterbodies unless there is no practicable alternative.

In this case the proposal involves the construction of a new bridge over Waitoki Stream. Based on compliance with the relevant permitted standards in the AUP and having regard to the proposed erosion and sediment control measures and construction methodologies, it is considered that the proposal accords with the objectives and policies and relevant assessment criteria.

E11 Land disturbance - Regional

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter E11 Land disturbance – Regional (E11.2, E11.3 and E11.8.2) for the following reasons:

The objectives for regional earthworks are contained in section E11.2, and aim to ensure that land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies and mitigates adverse effects on the environment, and that sediment generation is minimised.

The policies aim to avoid, mitigate or remedy adverse effects on areas of natural and physical resources which have been scheduled in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character. They also enable land disturbance necessary for a range of activities to provide for people and communities, and their wellbeing, health and safety, whilst managing the amount of

land disturbed at any one time and ensuring appropriate sediment and erosion control measures are implemented.

In this case, sufficient erosion and sediment control measures will be implemented throughout the site, including silt fences, clean and dirty water diversions, and decanting earth bunds. Sufficient ecological mitigation measures will also be undertaken within the site, including mitigation planting. As such the proposal is not contrary to the provisions of this chapter.

E11 Land disturbance - Regional

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter E12 Land disturbance – District (E12.2, E12.3 and E12.8.2) for the following reasons:

The objectives and policies for earthworks are contained in sections E12.2 and E12.3, and aim to ensure that land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies and mitigates adverse effects on the environment.

Sufficient sediment and erosion control measures will be implemented, and appropriate geotechnical investigation have been carried to demonstrate that the works will not cause land instability issues. As such the proposal will not be contrary to the provision of this chapter.

E14 Air Quality

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter E14 Air Quality (E14.2, E14.3 and E14.8.2) for the following reasons:

The objectives and policies for air quality are contained in sections E14.2 and E14.3 of the AUP(OP), and aim to protect human health, property and the environment from the adverse effects of contaminant discharges, as well as avoiding and mitigating reverse sensitivity effects.

It is considered that the proposed development is not contrary to the air quality objectives and policies subject to the implementation of measures outlined in a QMP and DMP which include methods to minimise dust emissions to air.

E15 Vegetation Management and Biodiversity

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter E15 Vegetation Management and Biodiversity (E15.2, E15.3 and E15.8.2) for the following reasons:

The objectives and policies for vegetation management and biodiversity are contained in sections E15.2 and E15.3 and aim for Ecosystem services and indigenous biological diversity values to be maintained or enhanced while providing for appropriate subdivision, use and development.

The proposal is not considered to be contrary to these objectives and policies, as an adequate ecological assessment was undertaken to determine the value of the indigenous vegetation to be removed. Sufficient management measures will be implemented during the works, and an adequate amount of mitigation planting will be established to mitigate the loss of vegetation.

E27 Transport

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter E27 Transport (E27.2, E27.3 and E27.8.2) for the following reasons:

The objectives and policies for transport are contained in sections E27.2 and E27.3 and aim to integrate land use and transport modes to enable benefits to be realised and adverse effects to be managed; provide for parking and loading that supports urban growth and quality compact urban form and is also safe, efficiency and commensurate with the character, scale and intensity of the zone; and to prioritise pedestrian safety and amenity.

The proposal is not considered to be contrary to these objectives and policies, as an adequate traffic assessment was undertaken. Traffic safety will be assured by requiring adequate sightlines and visibility from the vehicle crossing, compliance with E27 standards within the site, road widening, installation of high friction surface, implementation of a CTMP, overlaying additional road pavement and the regular review of the road pavement's condition.

H19 Rural – Rural Production Zone

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter H19 Rural – Rural Production Zone (H19.3.2, H19.3.3 and H19.12.2) for the following reasons:

The objectives and policies of the Rural Production zone are contained in sections H19.3.2 and H19.3.3 of the AUP (OP). The objectives aim to ensure a range of rural production, industry and commercial activities take place in this zone, and that the productive capability of the land is maintained and protected from inappropriate subdivision, use, and development. The policies reinforce the objectives and also provide specifically for forestry, greenhouse and intensive farming activities, whilst managing the adverse effects and requiring compliance with good industry practice throughout the zone.

The proposal is not contrary to these objectives and policies as only the access lot is zoned Rural Production and the proposal will utilise this for access to and from the quarry with the mineral extraction activities located within Special Purpose – Quarry Zone itself. The structures and earth bund to be located within the zone is also considered appropriate and will not unduly detract from the surrounding rural environment, given its modest scale, design and locations.

H28 Special Purpose – Quarry Zone

The proposal is not contrary to the objectives and policies and assessment criteria of Chapter H28 Special Purpose – Quarry Zone (H28.2, H28.3 H28.7.2 and H28.8.2) for the following reasons:

The objectives and policies of the Special Purpose – Quarry Zone are contained in sections H28.2 and H28.3 of the AUP (OP). The objectives aim to ensure that mineral extraction activities are carried out efficiently at significant mineral extraction sites whilst ensuring that significant adverse effects are avoided, remedied or mitigated. The policies reinforce its objectives and also ensure that the demand for minerals can be met, where possible, from supply sources within Auckland while requiring quarry operators to internalise the adverse effects associated with new or enlarged mineral extraction. The zone also specifically

provides for compatible land uses within or adjoining the zone, including mineral recycling activities and the manufacture of raw products using raw materials from mineral extraction activities.

The proposal is not contrary to these objectives and policies as it will involve the re-establishment of quarry activities on a site zoned as a mineral extraction site by the AUP. The quarry operation is managed carefully to ensure that adverse effects associated with the proposal are internalised within the site. The implementation of the QMP will ensure that good site practices are implemented to avoid where practicable or otherwise remedy and mitigate potential adverse effects on the environment.

National Policy Statement: Freshwater Management 2020 (NPS: Freshwater Management)

As the proposed earthworks are within proximity to a natural wetland, streams and rivers as currently defined by the NPS Freshwater Management, this policy is considered relevant to this application. The objective of the National Policy Statement centres on ensuring that natural and physical resources are managed in a way that prioritises; first, the health and well-being of water bodies and freshwater ecosystems; second, the health needs of people (such as drinking water); and third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

In this case, the proposal is not contrary to the provisions of the NPS FM, as the proposed erosion and sediment management measures are adequate to manage any stormwater runoffs, and sufficient construction details have been provided which confirm that there will be no adverse effects on the water features within the site or the wider areas. This ensures that the health and well-being of water bodies and freshwater ecosystems, as well as cultural values of the area, are protected.

New Zealand Coastal Policy Statement 2010 (NZCPS)

As the ultimate receiving environment is the Kaipara Harbour marine receiving environment, the NZCPS is considered relevant to this application. The NZCPS seeks to protect the coastal environment and its special values and states that adverse effects of development should, as far as practicable, be avoided. As potential discharges from the development will ultimately reach the coastal marine area, this statutory document is considered relevant.

The proposal is not contrary to the provisions of NZCPS. As outlined in the above NPS FM assessment, any ecological, earthworks and stormwater effects will be appropriately managed, so that downstream adverse effects will not occur. As such, coastal areas are not considered to be adversely affected.

Duration of consent: s123 RMA

The applicant did not request any specific consent durations. The RMA provides for a maximum 35-year consent term for air discharge, water discharge and diversion streamworks consents (LUS60373740, WAT60397080, DIS60373640 & DIS60397082).

In this case, surface water diversion consent (WAT60397080) and surface water and sediment discharge consent (DIS60397082) are recommended to expire after five years of granting the resource consent, as they relate to the proposed earthworks which are a temporary activity.

A 35 year duration is recommended for the Streamworks consent (LUS60373740) due to the bridge and supporting structure being permanent.

A 15 year term is recommended for Air discharge consent (DIS60373640). This is due to the scale and the length of the quarry activity, and as Stage 1 works will be completed well within the 15year duration. Further quarry activity will require additional resource consents and assessments around air discharge, and if further air discharge consents are required for later stages, they will be assessed under the subsequent resource consent applications. Therefore, the said length of 15 years is considered appropriate. The applicant subsequently accepted the recommended durations when they reviewed the draft conditions.

3. As a non-complying activity, there are no other relevant matters under s104(1)(c) of the RMA.
4. In regard to s104D of the RMA, the proposal will result in an acceptable level of effects, is not contrary to the relevant objectives and policies of the Auckland Unitary Plan (Operative in Part) as well as other relevant statutory documents, and as such meets the provisions under s104 for the gateway tests.
5. In the context of this non-complying activity application for land use and discharge, where the relevant objectives and policies and matters for discretion in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
6. Overall, the proposal will result in an acceptable level of effects, is not contrary to the relevant objectives and policies of the Auckland Unitary Plan (Operative in Part) as well as other relevant statutory documents, passes the gateway test, and achieves the sustainable management purpose of the RMA under Part 2, as such the consent can be granted.

Conditions

Under sections 108 and 108AA of the RMA, I grant this consent subject to the following conditions:

General Conditions

1. These consents must be carried out in accordance with the documents and drawings, and all supporting additional information submitted with the application detailed below, and all referenced by the council as resource consent numbers BUN60373589, LUC60373641, LUS60373740, WAT60397080, DIS60373640 & DIS60397082.
 - Application Form and Assessment of Environmental Effects prepared by Barker & Associates Ltd, dated March 2021.
 - Rules Assessment prepared by Barker & Associates Ltd, n.d.

- Engineering Report, prepared by Hutchinson, dated 26 February 2021.
- Geotechnical Investigation Report, prepared by CMW Geosciences, dated 1/12/2021.
- Ecological Assessment of Effects, prepared by Bioresarches, dated December 2021.
- Assessment of Environmental Effects from the Discharge of Contaminants into Air from the Extraction of Material at Kings Quarry, prepared by Air Matters, dated 04/03/2021.
- Dust Management Plan, prepared by Air Matters Ltd, dated 13/10/2021.
- Traffic Assessment Report, prepared by Commute, dated 3/03/2021.
- Pavement Investigation & Design Report, Rev A, prepared by Hutchinson, dated 19/11/2021.
- Assessment of Noise Effects, prepared by Hegley Acoustic Consultants, dated February 2021.
- Archaeological assessment, prepared by CFG Heritage, dated 6/08/2020.
- Quarry Management Plan, prepared by Stan Semenoff Group, dated November 2021.

Plan title and reference	Author	Rev	Dated
Engineering Plans			
Existing Site Plan	Hutchinson	GE-002	Feb 2021
Proposed Site Plan	Hutchinson	GE-003 A	Oct 2021
Existing Contour Plan	Hutchinson	EW-101 A	Oct 2021
Proposed Contour Plan	Hutchinson	EW-102 A	Oct 2021
Proposed Cut to Fill Contour Plan (Overall)	Hutchinson	EW-103 A	Oct 2021
Proposed Erosion and Sediment Control Plan (Overall)	Hutchinson	EW-104 A	Oct 2021
Erosion and Sediment Control Plan – Sheet 1 of 3	Hutchinson	EW-105 A	Aug 2021
Erosion and Sediment Control Plan – Sheet 2 of 3	Hutchinson	EW-106	Feb 2021
Erosion and Sediment Control Plan – Sheet 3 of 3	Hutchinson	EW-107	Oct 2021
Erosion and Sediment Control Details – Sheet 1 of 2	Hutchinson	EW-108	Feb 2021
Erosion and Sediment Control Details – Sheet 2 of 2	Hutchinson	EW-109	Feb 2021
Proposed Bund Section Location Plan	Hutchinson	EW-110	Aug 2021
Proposed Bund Long Section	Hutchinson	EW-111	Aug 2021
Bund Cross Sections – Sheet 1 of 2	Hutchinson	EW-112	Aug 2021
Bund Cross Sections – Sheet 2 of 2	Hutchinson	EW-113	Aug 2021
Pebble Brook Road Cut to Fill Re-Contouring Plan	Hutchinson	EW-114	Aug 2021

Western Overburden Fill Site Location Plan	Hutchinson	EW-115	Nov 2021
Western Overburden Fill Sites Fill Contour Plan	Hutchinson	EW-116	Nov 2021
Western Overburden Sites Erosion & Sediment Control Plan	Hutchinson	EW-117	Nov 2021
Erosion & Sediment Control Pond Detail	Hutchinson	EW-118	Feb 2021
Quarry Pit Erosion & Sediment Control Plan	Hutchinson	EW-119 A	Feb 2022
Quarry Pit Erosion & Sediment Control Pond Detail	Hutchinson	EW-120	Jan 2022
Proposed Quarry Access Layout Plan	Hutchinson	RD-201 A	Oct 2021
Quarry Access Long Section – Sheet 1 of 3	Hutchinson	RD-202	Feb 2021
Quarry Access Long Section – Sheet 2 of 3	Hutchinson	RD-203	Feb 2021
Quarry Access Long Section – Sheet 3 of 3	Hutchinson	RD-204	Feb 2021
Quarry Access Unsealed Typical Cross Section	Hutchinson	RD-205	Feb 2021
Quarry Access Concrete Typical Cross Section	Hutchinson	RD-206 A	Aug 2021
Proposed Bridge Plan	Hutchinson	RD-207	Feb 2021
Preliminary Concept Design	Hutchinson	RD-208	Feb 2021
Bridge Cross Section	Hutchinson	RD-209	Feb 2021
Proposed Flood Markers & Signage Plan	Hutchinson	RD-210	Aug 2021
Proposed Pebble Brook Road Widening Plan	Hutchinson	RD-211	Aug 2021
Pebble Brook Road Vehicle Tracking Plan	Hutchinson	RD-212	Aug 2021
Pebble Brook Road Long Section – Sheet 1 of 2	Hutchinson	RD-213	Aug 2021
Pebble Brook Road Long Section – Sheet 2 of 2	Hutchinson	RD-214	Aug 2021
Pebble Brook Road Widening Typical Cross Section	Hutchinson	RD-215	Aug 2021
Geotechnical Plans			
Site Investigation Plan	CMW	01 A	09/02/2022
Geological Section D-D	CMW	06	10/02/2022
Cross Section 01 – Cross Section 38	CMW	1	21/02/2022

Traffic			
Intersection Long Section – Visibility	Commute	A1-A	15/12/2021
Intersection Long Section – Visibility	Commute	A2-A	15/12/2021
Intersection Long Section – Visibility	Commute	A3-A	15/12/2021
Widening Plans	Commute	B1-B	16/12/2021
Widening Plans	Commute	B2-B	16/12/2021
Widening Plans	Commute	B3-B	16/12/2021
Widening Plans	Commute	B4-B	16/12/2021
Widening Plans	Commute	B5-B	16/12/2021
Widening Plans	Commute	B6-B	16/12/2021
Widening Plans	Commute	B7-B	16/12/2021
Widening Plans	Commute	B8-B	16/12/2021
Quarry Overview Plan			
Site Overview	Aggretech	-	27/01/22

Other documents	Author	Rev	Dated
S92 Response Table	Barker & Associates Ltd	-	December 2021
S92 Response Table	Barker & Associates Ltd	-	February 2022
S92 Response for Air Discharge Consent	Air Matters Ltd	-	13/10/2021
S92 Response on Engineering Matters	Hutchinson Consulting Engineers	-	19/11/2021
S92 Response on Geotechnical Matters	CMW Geosciences	-	28/01/2022
S92 Response on Noise Matters	Hegley Acoustic	-	18/05/2021
S92 Response on Noise Matters	Hegley Acoustic	-	24/11/2021
S92 Response on Traffic Matters	Commute	-	20/10/2021
S92 Response on Traffic Matters	Commute	-	29/11/2021
Additional Assessments on 305 Pebble Brook Road	Pamela Santos of Barker & Associates Ltd	-	16/03/2022

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
 - a. The consent is given effect to; or
 - b. The council extends the period after which the consent lapses.

3. The consent holder must pay the council an initial consent compliance monitoring charge of \$1020 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent.

Advice note:

The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc, all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, must be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.

Notice of Commencement of Works

4. The Council (Team Leader, Compliance Monitoring North-West) must be notified at least ten (10) working days prior to construction activities commencing on the subject site.

Monitoring Access

5. Access to the relevant parts of the property must be maintained and be available at all reasonable times to enable the servants or agents of the council to carry out inspections, surveys, investigations, tests, measurements or take samples whilst adhering to the consent holder's health and safety policy

Duration of Consents – only applies to the specified resource consent below

6. Surface water diversion consent WAT60397080 and surface water and sediment discharge consent DIS60397082 expire five (5) years from the date of these consents being granted, unless they have been surrendered or cancelled at an earlier date pursuant to the RMA.
7. Streamworks consent LUS60373740 expires thirty-five (35) years from the date of the consent being granted, unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.
8. Air discharge consent DIS60373640 expires fifteen (15) years from the date of the consent being granted, unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Before Works

Pre-commencement meeting

9. Prior to the commencement of any earthworks, the consent holder must hold a pre-start meeting that:

- is located on the subject site
- is scheduled not less than five (5) days before the anticipated commencement of earthworks
- includes Auckland Council Compliance Monitoring officer(s)
- includes representation from the contractors who will undertake the works

The consent holder must ensure all relevant parties are aware of, and familiar with, the conditions of this consent.

The following information must be made available at the pre-start meeting:

- Timeframes for key stages of the works authorised under this consent,
- Resource consent conditions,
- Quarry Management Plan,
- Final Erosion and Sediment Control Plan (ESCP),
- Chemical Treatment management Plan (CTMP).
- Retaining wall and bridge construction methodology.
- Kauri Dieback Management Plan
- Earthwork Traffic Management Plan
- Construction Traffic Management Plan
- Road Safety Audit Report
- Pavement Baseline Assessment
- Engineering Plans – Transport

Advice Note:

To arrange the pre-start meeting please contact the Council to arrange this meeting on monitoring@aucklandcouncil.govt.nz, or 09 301 01 01. The conditions of consent should be discussed at this meeting. All additional information required by the Council should be provided 2 days prior to the meeting.

Final Erosion and Sediment Control Plan (ESCP)

10. Prior to the commencement of any earthworks activity (i.e. enabling works for road upgrade and bridge construction, quarry extraction and filling in areas 1-5), a finalised Erosion and Sediment Control Plan (ESCP) must be prepared in accordance with Auckland Council Guideline Document 2016/005 'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 1' (GD05) and submitted to the Council for certification. Earthworks activity on the subject site must not commence until written certification from Council is provided that the ESCP meets the requirements of GD05 and contains sufficient detail to address the following matters:

- a. Overall staging details of all earthworks activities and expected open areas during each stage.
- b. Specific erosion and sediment control measures (location, dimensions, capacity) for each stage;
- c. Supporting calculations and design drawings;
- d. Catchment boundaries and contour information;
- e. Details relating to the management of exposed areas and final stabilisation measures (e.g. grassing, mulching, aggregate); and
- f. Monitoring and maintenance requirements, including details of excavator access to the bend of the quarry pond to remove built up of sediment during the extraction stage.

Advice Note:

In the event that minor amendments to the erosion and / or sediment controls are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the controls may require an application to be made in accordance with section 127 of the RMA. Any minor amendments should be provided to the Council prior to implementation to confirm that they are within the scope of this consent.

Chemical Treatment Management Plan

11. Prior to the commencement of earthworks activity on the subject site, a Chemical Treatment Management Plan (CTMP) must be prepared in accordance with GD05 and submitted to Council for certification. Earthwork activities must not commence until written certification is provided by Council that the CTMP meets the requirements of GD05, and the measures referred to in that plan for the sediment retention ponds and decanting earth bunds have been put in place.

The CTMP must include as a minimum:

- a. Specific design details of a chemical treatment system based on a rainfall activated dosing methodology for the site's decanting earth bunds;
- b. Specific design details of a chemical treatment system based on both a rainfall activated dosing methodology and a batch dosing methodology for the site's sediment retention ponds for situations where automated, rainfall activation is not required for treatment of the quarry pit sediment retention pond;
- c. Monitoring, maintenance (including post-storm) and contingency programme (including a record sheet);
- d. Details of optimum dosage (including assumptions);
- e. Results of an initial chemical treatment trial;
- f. A spill contingency plan; and
- g. Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

12. All sediment retention ponds, decanting earth bunds and any other authorised impoundment devices must be chemically treated in accordance with the certified Chemical Treatment Management Plan (CTMP). All measures required by the CTMP must be put in place prior to commencement of the earthworks activity and be maintained for the duration of the earthworks activity.

Implementation of ESCP

13. Prior to the commencement of the earthworks activity for each stage, all required erosion and sediment control measures on the subject site must be constructed and carried out in accordance with the approved ESCP.
14. Within ten (10) working days following implementation and completion of the specific erosion and sediment controls required by the ESCP and prior to commencement of the earthworks activity for each stage, a suitably qualified and experienced person must provide written certification to the Council that the erosion and sediment control measures have been constructed in accordance with the approved plans and GD05. Written certification must be in the form of a report or any other form acceptable to the council.

Advice Note:

Certification of the sediment and erosion control structure(s) should contain sufficient details to address the following matters:

- *Details on the contributing catchment area*
 - *Retention volume of structure (dead storage and live storage measured to the top of the primary spillway)*
 - *Dimensions and shape of structure*
 - *Position of inlets/outlets*
 - *Details regarding the stabilisation of the structure*
15. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the ESCP must be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to Council on request.

Retaining wall and bridge design

16. The consent holder must provide a detailed construction methodology written by a Chartered Geotechnical Engineer or Chartered Engineering Geologist for the contractor to undertake retaining wall and bridge construction. This is required to ensure stability is maintained throughout the civil works stage of the development. The construction methodology must be provided in writing to the satisfaction of the Council at least two weeks prior to earthworks commencing on site. No works onsite are permitted prior to written approval that the construction methodology has been reviewed and accepted by the Council.

Earthworks Traffic Management Plan

17. Prior to the commencement of any works on the site, the consent holder must submit to, and have approved by, Council, an Earthworks Traffic Management Plan (ETMP). The ETMP must be prepared in accordance with the Council's requirements for traffic management plans (as applicable) and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management and must address the surrounding environment including pedestrian and bicycle traffic. Construction activity must not commence until the ETMP has been approved by Council and all traffic associated with the activity must be managed at all times in accordance with the approved ETMP. The ETMP must include the following restrictions/conditions:
- a) On any single day, no greater than 100 truck movements (8.0 m or longer) are permitted.
 - b) On any single day, no greater than 50 loaded truck movements (8.0 m or longer) is permitted.
 - c) On any single hour, no greater than 5 loaded truck movements with a total of 10 truck movements (8.0 m or longer) is permitted.
 - d) The consent holder must maintain a register at the access point of the number and class of vehicles accessing the site, as well as time and date to satisfy the conditions (A-C above).

Construction Traffic Management Plan

18. Prior to the commencement of the earthworks activity on the subject site, a Construction Traffic Management Plan (CTMP) must be prepared and must address the control of the movement of construction vehicles relating to the road widening and high friction surface installation works, to and from the construction sites. The CTMP must be submitted to, and approved by, the Council. Earthworks on the subject site must not commence until confirmation is provided from the council that the CTMP satisfactorily meets the relevant requirements, and any required measures referred to in that plan have been put in place, to the satisfaction of the Council.

Advice Note:

The CTMP should contain sufficient detail to address the following matters: measures to ensure the safe and efficient movement of the travelling public (pedestrians, vehicle occupants, local residents etc). This will likely require restrictions on hours of vehicle movements to protect school users during earthworks and delivery of material

It is the responsibility of the applicant to seek approval for the CTMP from Auckland Transport. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before you begin works.

Road Safety Audit- Pebble Brook Road / Waitoki Road Intersection

19. Prior to the lodgment of any Engineering Plan Approval(s), the consent holder must engage an independent and suitably qualified Safety Engineer to undertake and complete an independent Preliminary Design Road Safety Audit of all site access points, the Pebble Brook Road / Waitoki Road Intersection and road layout changes associated with the development.

20. The Preliminary Design Road Safety Audit must be completed in accordance with the New Zealand Transport Agency Procedure Manual ("Road Safety Audit Procedures for projects") by an independent and appropriately qualified safety audit team. The completed Road Safety Audit Report must be provided to Council for certification and must address all transportation aspects of the development including site access, required road widening and the Pebble Brook Road / Waitoki Road Intersection.
21. The consent holder must adopt and address any recommendations made in the certified Road Safety Audit (RSA) which is agreed with the Council (in consultation with Auckland Transport). The consent holder must also undertake remedial measures where the findings of the RSA identify any serious or significant traffic-related concerns, that in the opinion of the Council, in consultation with Auckland Transport, constitute an unreasonable disruption to the transport network and/or exacerbate traffic safety risk. Any remedial measures must be agreed by the Council, in consultation with Auckland Transport, and must be incorporated into the finalised concept design as required in Condition 1 of these consents.

Advice Notes:

If any agreed mitigation measure(s) require a separate resource consent or third-party approval, it must be the sole responsibility of the consent holder to obtain such consents and/or approvals prior to any construction works and implementation of such measure(s).

22. Construction works within the road reserve must not occur prior to the complete implementation of agreed recommendations, adopted changes and approval(s) (where required) agreed in the RSA.
23. The consent holder must provide to Auckland Transport for Engineering Plan Approval, the detailed design which implements the recommendations of the Preliminary Road Safety Audit.

Pavement Condition Review

24. The consent holder must provide a baseline assessment using a registered Pavement Engineer with asset management understanding to determine the existing state of the pavement at Engineering Plan Approval stage. The baseline assessment must comprise of (as a minimum) high-definition videos and photographs clearly showing road surface condition, RAMM condition rating assessment, FWD analysis (no older than six (6) months) and a report discussing the results and visual findings. The review findings and documentations must be submitted to Council (with consultation with Auckland Transport) for certification. Auckland Transport will also review the road condition based on these and Auckland Transport asset information. A final baseline condition will need to be agreed by both Council and Auckland Transport and the consent holder.

Engineering Plan Approval – Transport

25. Prior to the commencement of the activity, the consent holder must submit engineering plans (including engineering calculations and specifications) to the Council for approval in writing. The engineering plans must include, but not be limited to, the information regarding the detailed design of all roads and road network activities provided for by this resource consent approval. It must also include:

- a) Road widening location assessment on Pebble Brook Road (which should include a full topographical survey), as well as detailed design in general accordance with the engineering plan titled 'Pebble Brook Road Widening Typical Cross Section, prepared by Hutchinson, dated August 2021. While the Typical Cross Section Plan shows 1:3 batter slopes, 1:4 batter slopes may be required in some areas if it is determined that it can be provided. The proposed road widening must not affect existing vehicle crossings and Auckland Transport assets located within the road reserve, unless otherwise advised by Auckland Transport;
 - b) Installation of high friction surfacing for 100m west of the Pebble Brook Road / Waitoki Road intersection on Waitoki Road;
 - c) Installation of additional traffic management on Waitoki Road to reduce eastbound vehicle speeds. This should be in the form of roadside signage or paint markings on the carriageway; and
 - d) Relocation of the power pole at the proposed new vehicle crossing.
26. As part of the application for Engineering Plan Approval, a registered engineer must:
- a) Certify that all public roads and associated structures/facilities or access ways have been designed in accordance with the Auckland Transport's Transport Design Manual.
 - b) Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset.
 - c) Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.

Advice Notes

If the Engineering Plan Application (EPA) drawings require any permanent traffic or parking restrictions, then the consent holder must submit a resolution report for approval by Auckland Transport Traffic Control Committee to legalise these restrictions. The resolutions, prepared by a qualified traffic engineer, will need to be approved so that the changes to the road reserve can be legally implemented and enforced. The resolution process requires external consultation to be undertaken in accordance with Auckland Transport's standard procedures. It is the responsibility of the consent holder to prepare and submit a permanent Traffic and Parking Changes report to Auckland Transport Traffic Control Committee (TCC) for review and approval. A copy of the resolution from Traffic Control Committee must be submitted to Council prior to quarry operation commencing. The engineering plan application forms including fees can be found at the following Auckland Council website: <https://www.aucklandcouncil.govt.nz/building-and-consents/engineeringapprovals/Pages/default.aspx>

Kauri Dieback Management Plan

27. Prior to any vegetation removal or earthworks, the consent holder must submit to Auckland Council for certification a map that identifies areas where any cut or fill works will take place within three times the drip line of any kauri tree. Where such trees occur, the consent holder must also submit a Kauri Dieback Management Plan (KDMP) that provides details for appropriate management procedures, in accordance with Auckland Council's Standard Operating Procedures (2017) to direct methods to be implemented to avoid potential

transmission of kauri dieback disease (*Phytophthora agathidicida*, 'PA') during the construction and operational phases of the project.

Advice Note:

Further advice can be found within the guidelines titled 'Hygiene Procedures for Kauri Dieback' and 'Procedures for Tree Removal and Pruning' published by the Ministry for Primary Industries Kauri Dieback Management Programme which can be found at www.kauridieback.co.nz or copies can be obtained from Auckland Council.

28. The certified KDMP must be kept on site at all times, and must be implemented throughout the duration of the consented activity.

During Works

Operational Conditions

29. Quarry operational hours must be limited to between 5am – 7pm Monday to Saturday. Quarrying activity must not occur on Sundays and Public Holidays.
30. Heavy machinery or truck movements in and out of the site must not occur prior to 6.30am or after 5:30pm.
31. Noise generating quarrying or mineral extraction activities, including overburden removal works, must not commence prior to 7am.
32. Heavy truck movements to and from the western fill sites located on 306 Pebble Brook Road must not exceed two truck return trips per 15 minutes.
33. Hours of heavy trucks and machinery operating within the western fill sites located on 306 Pebble Brook Road must be limited to between 7am – 5pm Monday – Friday and 8am – 1pm Saturday.
34. No more than one truck is permitted to access the western fill sites on 306 Pebble Brook Road at any given time to allow sufficient onsite maneuvering, and to avoid trucks having to give way to each other within the site.
35. The quarry operation must comply with the certified Earthworks Traffic Management Plan.
36. The quarry operation must be carried out in accordance with the contents of the approved Quarry Management Plan.

Occupation of Lot 1 DP 59505 (306 Pebble Brook Road)

37. The existing dwelling located on Lot 1 DP 59505 within the subject site at 306 Pebble Brook Road and in proximity to the western fill sites may be occupied by the quarry personnel (e.g. quarry manager) for the duration of this consent. This dwelling must not be sold or rented out independently from the consented activity, unless written approval is obtained from the prospective purchaser and/or occupier.

Earthworks Conditions

The conditions below do not apply to mineral extraction activities as defined in the AUP (OP).

38. All earthworks must be managed to minimise any discharge of debris, soil, silt, sediment, or sediment-laden water to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works must cease immediately, and the discharge must be mitigated and/or rectified to the satisfaction of Council.

Advice Note:

In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*
- *silt and sediment traps*
- *catchpits or enviropods*

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned.

It is recommended that you discuss any potential measures with Council who may be able to provide further guidance on the most appropriate approach to take. Please contact Council on monitoring@aucklandcouncil.govt.nz for more details. Alternatively, please refer to "GD05 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, incorporating Amendment 1".

39. Earthworks must be progressively stabilised against erosion at all stages of the earthworks and must be sequenced to minimise the discharge of sediment to surface water.

Advice Note:

Earthworks must be progressively stabilised against erosion during all stages of the earthwork activity. Interim stabilisation measures may include:

- *the use of waterproof covers, geotextiles, or mulching*
- *top-soiling and grassing of otherwise bare areas of earth*
- *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward*

It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Council for more details. Alternatively, please refer to Auckland Council Guideline Document GD05, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 1.

40. Immediately upon completion or abandonment of earthworks on the subject site, all areas of bare earth must be permanently stabilised against erosion to the satisfaction of the Council.

Advice Note:

Measures to stabilise against erosion may include:

- *the use of mulching*
- *top-soiling and grassing of otherwise bare areas of earth*
- *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward*

The on-going monitoring of these measures is the responsibility of the consent holder.

It is recommended that you discuss any potential measures with Council who will guide you on the most appropriate approach to take. Please contact Council on monitoring@aucklandcouncil.govt.nz for more details. Alternatively, please refer to "GD05 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 Incorporating Amendment 1".

41. Notwithstanding the conditions above, all erosion and sediment control measures must be constructed and maintained in general accordance with Auckland Council Guidance Document GD05; Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Incorporating Amendment 1, except where a higher standard is detailed in the conditions above, in which case the higher standard must apply.
42. Earthworks (with the exception of mineral extraction activities as defined in the AUP (OP)) on the subject site must not be undertaken between 01 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and works must not occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.

Advice Note:

Any 'Request for winter works' will be assessed against criteria in line with the information required to assess a comprehensive application. Principally that will focus on the level of risk, the propensity to manage that risk with contingency planning and a 'track record' of good compliance with consent requirements. Each 'Request for winter works' submitted, should include the following:

- *Description of works proposed to be undertaken between 01 May and 30 September and the duration of those works.*
- *Details of proposed measures to prevent sediment discharge from these specific works, particularly during periods of heavy rainfall.*
- *Details of area(s) already stabilised.*
- *Revised erosion and sediment control plan detailing stabilisation to date and timeline/staging boundaries showing proposed progression of stabilisation.*
- *Contact details for contractor who will undertake stabilisation of the site including date(s) expected on site.*
- *Alternatives/contingencies proposed if the contractor referred to above becomes unavailable.*

- *Details of site responsibilities, specifically who is responsible for erosion and sediment controls and stabilisation processes over the specified period.*

43. Machinery must not enter the wetted cross section of the bed of the river at any time. All machinery associated with the streamworks activity must be operated (including maintenance, lubrication and refuelling) in a way which ensures that no hazardous substances such as fuel, oil or similar contaminants are discharged. In the event that any discharge occurs, works must cease immediately, and the discharge must be mitigated and/or rectified to the satisfaction of the Council.

Advice Note:

Refuelling, lubrication and maintenance activities associated with any machinery should be carried out away from any water body with appropriate methods in place so if any spillage does occur that it will be contained and does not enter the water body.

44. The use of construction materials such as concrete products or grout, must only occur outside the wetted cross section of the bed of the stream. Any mixing of construction materials must occur outside the 100-year floodplain and using methods so if a spillage does occur that it will be contained to avoid it entering the water body.

Earthworks – Geotechnical

45. Earthworks (with the exception of mineral extraction activities as defined in the AUP (OP)) must be supervised by a suitably qualified geotechnical engineering professional (who is familiar with Geotechnical Investigation Report by CMW Geosciences (reference: AKL2020-0254AB Rev.1, dated: 1 December 2021)). In supervising the works, the suitably qualified geotechnical engineering professional must ensure that they are constructed and otherwise completed in accordance with the engineering plans and geotechnical recommendations, relevant engineering codes of practice and detailed plans forming part of the application. The supervising engineer's contact details must be provided in writing to the Council at least two weeks prior to earthworks commencing on site.
46. All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it must immediately be rectified. In this regard:
 - (a) The consent holder must employ a CPEng qualified Engineer, Registered Professional Surveyor or other suitably qualified person acceptable to Council to investigate, direct and supervise all construction works, particularly in close proximity to neighbouring properties to ensure that an appropriate design and construction methodology is carried out to maintain the short and long-term stability of the site and surrounds.
 - (b) All retaining walls and/or temporary stabilising works must be constructed in a timely manner under engineering supervision. The consent holder must ensure that all necessary design/approvals for retaining walls are obtained and that sufficient resources are available to construct the required retaining walls, as directed by the engineer, prior to commencement of any significant excavation works.

Traffic Conditions

Avoid Damaging Assets

47. Unless specifically provided for by this consent approval, there must be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset as a result of the earthworks and construction activity. In the event that such damage does occur, the Council must be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition must be met by the consent holder.

Crossings and Footpaths

48. A new vehicle crossing must be designed and formed to Auckland Transport's Transport Design Manual. This must be undertaken at the consent holder's expense and to the satisfaction of the Council.

Speed Control – Pebble Brook Road and Waitoki Road Intersection

49. Prior to the operation of the quarry, the consent holder must install to the satisfaction of Council, high friction surfacing for 100m west of the Pebble Brook Road / Waitoki Road intersection on Waitoki Road, to the satisfaction of the Council (in consultation with Auckland Transport).

Speed Monitoring

50. Pre-opening and post-opening (within six months of operation), speed and traffic volume monitoring for one (1) week on Waitoki Road, west of the intersection with Pebble Brooke Road must be carried out by the consent holder. The monitoring must identify any necessary mitigation measures required to manage speed and traffic, and implementation of these measures following such monitoring must be the responsibility of the consent holder.
51. The speed monitoring must identify whether any additional mitigation measures are required to manage speed and traffic, and implementation of these measures following such monitoring must be the responsibility of the consent holder.

Advice Note:

The purpose of this condition is to mitigate any road safety concerns as a result of speeding.

If any agreed mitigation measure(s) require a separate resource consent or third-party approval, it must be the sole responsibility of the consent holder to obtain such consents and/or approvals prior to any construction works and implementation of such measure(s).

The consent holder must provide to Auckland Transport for Engineering Plan Approval, the detailed design which implements the recommendations.

Ecology Conditions

Fauna Management

52. The consent holder must undertake fauna management in accordance with the fauna management methodologies specified in Appendix D of the ecological assessment 'Kings Quarry – Stage 1, Ecological Assessment of Effects' Prepared by Biosearches Group and dated 21 December 2021.

Revegetation and Restoration Plan

53. The consent holder must undertake revegetation and ecological restoration in accordance with the Revegetation and Restoration Plan specified in Appendix E of the ecological assessment ('Kings Quarry – Stage 1, Ecological Assessment of Effects' Prepared by Bioresarches Group and dated 21 December 2021), and must be maintained thereafter for five years in accordance with Appendix 16.5 of the AUP (OP).
54. As a part of revegetation and restoration planting required by condition 53, planting over an earth bund located over 220 Pebble Brook Road must be established to soften the visual impact of the bund to provide screening towards the quarry access.

Air Discharge Limits

55. All processes on site must be operated, maintained, supervised, monitored and controlled to ensure that all emissions authorised by this consent are maintained at the minimum practicable level.
56. Beyond the boundary of the Site there must be no dust and/or odour caused by discharges from the Site which, in the opinion of an enforcement officer, is the cause of a noxious, dangerous, offensive or objectionable effect.
57. Discharges from any activity on site must not give rise to visible emissions, other than water vapour or heat haze, to an extent which, in the opinion of an enforcement officer, is the cause of a noxious, dangerous, offensive or objectionable effect.
58. Beyond the boundary of the Site, there must not be any hazardous air pollutant caused by discharges from the Site which is present at a concentration that causes, or is likely to cause, adverse effects to human health, ecosystems or property.

Air Discharge Process

59. No part of the process may be operated without the associated dust suppression equipment being fully operational and functioning correctly.
60. All emission control equipment associated with the process must be maintained in good condition and be available for use to minimise the dust emissions as far as practicable.

Air Discharge Reporting

61. The Dust Management Plan, dated 13 October 2021 (version 1) and prepared by Air Matters Ltd ('the DMP') must be maintained to ensure that the activities undertaken in accordance with the DMP will achieve the objectives of the plan and compliance with the relevant consent conditions.
62. The DMP must incorporate a series of monitoring, management and operational procedures, methodologies and contingency plans, and together must accurately record all information required to comply with the conditions of this consent. The DMP must include the following:
- a. Identification of all fugitive and point sources for discharges of dust into air, including a map showing the location of each source;
 - b. Procedures to minimise discharges of dust into air, including details of the inspection, maintenance, monitoring and contingency procedures in place for all emissions control equipment at the Site;

- c. The frequency and scope of the regular checks to be performed on emissions control equipment and the meteorological station;
- d. Details of management and monitoring practices in place to minimize discharges of dust into air;
- e. Procedures for the monitoring of dust, including details of inspection procedures, recording requirements and contingency measures;
- f. The identification of staff responsibilities; and
- g. The procedures for the receipt, recording and handling of air quality complaints received.

Advice Note:

Certification of the Air Quality Management Plan by the council relates only to those aspects of the management plan that are relevant under the RMA. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004 or the Health and Safety at Work Act 2015

- 63. The DMP must be reviewed on an annual basis and any subsequent changes to the certified DMP must be submitted to the council for certification prior to implementation. The council will advise the Consent Holder in writing if any aspects of the DMP are considered to be inconsistent with achieving the provisions of this consent.
- 64. Details of all inspections, records and monitoring that are required by the conditions of this consent must be kept for a minimum of two years from the date of each entry and must be provided to the council on request.
- 65. The council must be notified as soon as practicable in the event of any significant discharge to air which results, or has the potential to result, in a breach of air quality conditions or cause adverse effects on the environment. The following information must be supplied:
 - a. Details of the nature of the discharge;
 - b. An explanation of the cause of the incident; and
 - c. Details of remediation action taken.

Advice Note: Significant discharges

Significant discharges to be notified to council in accordance with this condition include abnormal odour discharges arising from unexpected issues with the liquid waste building and/or waste receipt. An email to monitoring@aucklandcouncil.govt.nz should be sent detailing the nature of the issue and what contingency measures are to be implemented to minimise potential odour effects.

- 66. All air quality complaints that are received must be recorded. The complaint details must include:
 - a. The date, time, location and nature of the complaint;
 - b. The name, phone number and address of the complainant, unless the complainant elects not to supply these details;

- c. Weather conditions, including approximate wind speed and direction, at time of the complaint; and
- d. Any remedial actions undertaken

Details of any complaints received must be provided to the council within one working day of the complaint.

Acoustic Conditions

Noise Limits

67. Noise arising from operation of the quarry activity (excluding blasting) and associated truck movements on the subject site must be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound and must also be assessed in accordance with NZS 6802:2008 Acoustics – Environmental noise, and must not exceed the following noise levels in Table H28.6.2.1.1 when measured at a notional boundary of any dwelling that existed at 1 January 2001 outside the Special Purpose – Quarry Zone:

Table H28.6.2.1.1 Noise levels

Times	Noise levels
7am-9pm, Monday to Friday	L _{Aeq} 55dB
7am-4pm, Saturday	L _{Aeq} 55dB
All other times and on public holidays	L _{Aeq} 45db L _{AFmax} 75dB

Advice Note

The consent holder is reminded of their general obligation under section 16 of the Resource Management Act 1991 to adopt the best practicable option to ensure that the emission of noise does not exceed a reasonable level.

Blasting Management

68. Blast noise created from the use of explosives must be managed so as to not exceed a peak overall sound pressure of 128dB L_{zpeak}.

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.

Vibration generated by blasting must be measured within a building in accordance with Appendix J of Part 2 of Australian Standard AS 2187-2006.

All blasting must be 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.

Ground vibration resulting from blasting activities must not exceed the limits set out in German standard DIN 4150 - 3 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.

A siren must be used prior to blasting to alert people in the vicinity.

Mobile equipment - reverse alarms

69. The consent holder must ensure all mobile equipment are fitted with broadband reversing alarms, if audible reversing signals are necessary.

Following Completion of Works

Geotechnical Completion Report

70. Within 20 working days from the completion of earthworks, a Geotechnical Completion Report (including a statement of professional opinion for the suitability of the site for the intended development) signed by the Chartered Professional Geotechnical Engineer or Chartered Engineering Geologist must be provided to the Council. The Geotechnical Completion Report must include (but not to be limited to):

- Earthworks operations (e.g. excavations, filling works etc)
- Testing
- Inspections

The Geotechnical Completion Report must also confirm works have been undertaken in accordance with the approved Retaining Wall and Bridge Construction Methodology. The Geotechnical Completion Report must be to the satisfaction of the Council.

Pavement Condition Monitoring

71. Within six months of the quarry being operational, the consent holder must submit to Council a RAMM visual condition assessment of Pebble Brook Road (from the approved quarry access to the intersection of Pebble Brook Road and Waitoki Road).
72. The consent holder must monitor the pavement condition by undertaking a visual assessment every six months for the duration the quarry is operational, following the pavement review required by the condition above. The outcome of the visual assessment must be provided to the Council upon request. The consent holder is responsible to rectify such damage and restore the asset to its condition agreed via the baseline report, within three (3) months of the assessment. It is the sole responsibility of the consent holder to fund and implement any repair identified.
73. An engineering completion certificate certifying that the proposed works over the roads and/or the ancillary structures on the roads have been constructed in accordance with EPA requirements must be provided within 20 working days from the completion of the works.

Air Discharge Review

74. Under section 128 of the RMA, the conditions of this consent may be reviewed by the Council at the consent holder's cost in January 2023 and annually thereafter in order to:
- a. Deal with any significant adverse effects on the environment arising from the exercise of the consent which was not foreseen at the time the application was considered and which is appropriate to deal with at the time of the review.

- b. Consider the adequacy of conditions which prevent nuisance and adverse effects beyond the boundary of the Site, particularly if regular or frequent complaints have been received and validated by an enforcement officer.
- c. Consider developments in control technology and management practices that would enable practical reductions in the discharge of contaminants to air.
- d. Alter the monitoring requirements, including requiring further monitoring, or increasing or reducing the frequency of monitoring.
- e. Take into account any Act of Parliament, regulation, national policy statement, regional policy statement or relevant regional plan that relates to limiting, recording or mitigating emissions by this consent.

Alternatively, the consent may be reviewed by the Council at any time, if it is found that the information made available to the council in the application contained inaccuracies which materially influenced the decision and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.

Advice notes

1. *For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please email monitoring@aucklandcouncil.govt.nz to identify your allocated officer.*
2. *For more information on the resource consent process with Auckland Council see the council’s website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: www.mfe.govt.nz.*
3. *If the consent holder disagrees with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
4. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
5. *Any administrative charge fixed in accordance with section 36(1) of the Resource Management Act 1991 (RMA) and any additional charge required pursuant to section 36(3) in respect of this consent must be paid to Auckland Council.*
6. *The initial monitoring deposit is to cover the cost of inspecting the Site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, must be charged at the relevant*

hourly rate applicable at the time. The consent holder will be advised of the further monitoring charges.

7. *The council may at any time undertake or require source emission testing and/or any other monitoring to ensure compliance with the conditions of this consent. The consent holder is advised that they will be required to pay for the costs of this monitoring.*
8. *Any reference to number of days within this decision refers to working days as defined in section 2 of the RMA.*
9. *Additional geotechnical investigations may be required for final design for Building Consent.*

Auckland Transport

10. *All work in the road reserve must be carried out in accordance with the general requirements of The National Code of Practice for Utility Operators' Access to Transport Corridors <http://nzuag.org.nz/nationalcode/ApprovedNationalCodeFeb13.pdf> and Auckland Transports Code of Practice <https://at.govt.nz/about-us/auckland-transport-code-of-practice/>*

Prior to carrying out any work in the road corridor, the applicant must submit to Auckland Transport a Corridor Access Request (CAR) and temporary traffic management plan (TMP), the latter prepared by an NZ Transport Agency qualified person and work must not commence until such time as the applicant has approval in the form of a Works Access Permit (WAP). The application may be made through <http://www.beforeudig.co.nz/> and 15 working days should be allowed for approval.

Accidental Discovery

11. *Should earthworks on the site result in the identification of any previously unknown archaeological site, the AUP Land Disturbance – District Accidental Discovery rule [E11.6.1] set out in the Auckland Unitary Plan Operative in part (November 2016) must be applied.*
12. *The Heritage New Zealand Pouhere Taonga Act 2014 (hereafter referred to as the Act) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga. An Authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under the Auckland Unitary Plan Operative in part (November 2016).*

According to the Act (section 6) archaeological site means, subject to section 42(3)

a) any place in New Zealand, including any building or structure (or part of a building or structure), that –

- i. was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and*
- ii. provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and*

b) includes a site for which a declaration is made under section 43(1)

It is the responsibility of the consent holder to consult with Heritage New Zealand Pouhere Taonga about the requirements of the Act and to obtain the necessary Authorities under the Act should these become necessary, as a result of any activity associated with the consented proposals.

For information - please contact the Heritage New Zealand Pouhere Taonga Northern Regional Archaeologist – 09 307 0413 / archaeologistMN@historic.org.nz.

13. *Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be tāonga (treasures). These are taonga tūturu within the meaning of the Protected Objects Act 1975 (hereafter referred to as the Act).*

According to the Act (section 2) taonga tūturu means an object that –

- a) relates to Māori culture, history, or society; and*
- b) was, or appears to have been –*
 - i) manufactured or modified in New Zealand by Māori; or*
 - ii) brought into New Zealand by Māori; or*
 - iii) used by Māori; and*
- c) is more than 50 years old*

The Act is administered by the Ministry of Culture and Heritage. Tāonga may be discovered in isolated contexts, but are generally found within archaeological sites. The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the modification of an archaeological site should to be considered by the consent holder if tāonga are found within an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014.

It is the responsibility of the consent holder to notify either the chief executive of the Ministry of Culture and Heritage or the nearest public museum (for Auckland this is the Auckland War Memorial Museum), which must notify the chief executive, of the finding of the taonga tūturu, within 28 days of finding the taonga tūturu; alternatively provided that in the case of any taonga tūturu found during the course of any archaeological investigation authorised by Heritage New Zealand Pouhere Taonga under section 48 of the Heritage New Zealand Pouhere Taonga Act 2014, the notification must be made within 28 days of the completion of the field work undertaken in connection with the investigation.

Under section 11 of the Act, newly found taonga tūturu are in the first instance Crown owned until a determination on ownership is made by the Māori Land Court.

For information - please contact the Ministry of Culture and Heritage – 04 499 4229 / protected-objects@mch.govt.nz.

A handwritten signature in black ink, appearing to read 'Mark Farnsworth', with a stylized flourish at the end.

Mark C Farnsworth MNZM

Duty Commissioner

11 April 2022

Resource Consent Notice of Works Starting

Please email this form to monitoring@aucklandcouncil.govt.nz at least **5 days** prior to **work starting** on your development or post it to the address at the bottom of the page.

Site address:				
AREA (please tick the box)	Auckland CBD <input type="checkbox"/>	Auckland Isthmus <input type="checkbox"/>	Hauraki Gulf Islands <input type="checkbox"/>	Waitakere <input type="checkbox"/>
Manukau <input type="checkbox"/>	Rodney <input type="checkbox"/>	North Shore <input type="checkbox"/>	Papakura <input type="checkbox"/>	Franklin <input type="checkbox"/>
Resource consent number:			Associated building consent:	
Expected start date of work:			Expected duration of work:	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

Signature: Owner / Project Manager (indicate which)	Date:
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Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

SAVE \$\$\$ minimise monitoring costs!

The council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via monitoring@aucklandcouncil.govt.nz to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.