

**UNDER THE FAST-TRACK APPROVALS ACT 2024**

**FTAA-2503-1037**

**UNDER** the Fast-track Approvals Act 2024

**AND**

**IN THE MATTER** of approvals for resource consents, wildlife approvals and an archaeological authority under the FTAA by Stevenson Aggregates Limited for the **Drury Quarry Expansion – Sutton Block**

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**MEMORANDUM OF COUNSEL OUTLINING RESPONSE TO THE PANEL'S  
MINUTE 7**

**5 NOVEMBER 2025**

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## MAY IT PLEASE THE PANEL

### 1. INTRODUCTION

- 1.1 This memorandum is filed on behalf of Stevenson Aggregates Limited (**Applicant**) in relation to its substantive application for the Drury Quarry – Sutton Block Expansion (**Project**).
- 1.2 On 21 October 2025, the Panel issued Minute 7 which set out further information requests in accordance with section 67(1)(a)(i) of the FTAA in relation to economic, groundwater, earthworks, archaeological, wildlife and planning matters.
- 1.3 The Panel also requests that the Applicant and Auckland Council prepare a table setting out any resource consent conditions that are not agreed between them.
- 1.4 This memorandum describes how the Applicant has responded to the Panel's further information requests.
- 1.5 All documents provided by the Applicant will be filed on the EPA portal.

### 2. PANEL REQUEST FOR APPLICANT AND AUCKLAND COUNCIL

***[1] The Panel requests that the applicant and Auckland Council prepare a table setting out any resource consent conditions that are not agreed between them. For each condition that is not agreed, the particular text that each party seeks is to be included, in tracked changes from the applicant's 10 October 2025 version, if possible. Brief reasons / explanations should also be provided.***

- 2.1 **Attachment A** contains a table received by the Applicant from Auckland Council on 5 November 2025, summarising the conditions agreed and/or the comments provided by Council's Planner, Ecologist, and Groundwater Expert seeking clarification or requesting amendments. The Applicant has responded to Council's comments and requested changes where necessary.
- 2.2 **Attachment B** includes Auckland Council's comments identifying which conditions have been accepted by Council in the Applicant's consent conditions (version dated 10 October 2025).

- 2.3 **Attachment C** contains the Applicant's revised consent conditions, updated to reflect discussions with the Panel and Auckland Council experts during expert conferencing held on 31 October 2025, and to incorporate some of the requested changes outlined in the feedback provided by Auckland Council on 5 November 2025, as set out in Attachment A. We note that some minor amendments (such as cross-references for conditions and fixing typographic errors) have not been tracked.
- 2.4 **Attachment D** contains a copy of the Recommended Groundwater Monitoring Bores and Trigger Levels Table previously included as Appendix 1 of the consent conditions. This table has since been removed and is now proposed to form part of the consent information referred to in Condition 1, in response to amendments to the Groundwater Monitoring Plan and Groundwater Permit.

#### **PANEL REQUESTS FOR THE APPLICANT**

- [2] *The response to Auckland Council's economist's comments referred to a model error that resulted in lower lifecycle benefits (\$2.5bn – 5.4bn becomes \$0.9bn – 2.0bn). It is not clear to the Panel which paragraph(s) and / or table(s) of the Economic Impact Assessment (authored by m.e consulting and dated 20 February 2025) are required to be amended. Please provide details, in tracked changes if possible (pages to be substituted would be acceptable).***
- 2.5 A track change copy of the Economic Impact Assessment is attached as **Attachment E** to this memorandum.
- [3] *Please provide a copy of the groundwater consent that the Panel understands may have recently had a section 127 application approved (to increase per day and annual limits, and to change bore locations and triggers). This was referenced as WAT6027706-C in the application material.***
- 2.6 A copy of WAT6027706-C (showing the most recent variations) is attached as **Attachment F**. We confirm that WAT6027706-C was granted a section 127 variation on 25 August 2025.
- [4] *Would there be a need for a 'link' to that groundwater consent in the groundwater consent currently before the Panel? For example, the recently varied consent would appear to authorise up to 5,750m<sup>3</sup> per***

**day and 2.1m m<sup>3</sup> per year. Is that on top of, or intended to be part of, the 19,500m<sup>3</sup> per day and 7m m<sup>3</sup> per year applied for under this application? The Panel assumes the latter but seeks clarification.**

- 2.7 The groundwater volumes covered by the Drury Quarry consent variation (WAT60277068-C) (**Drury Quarry GW Permit**) are included within the Sutton Block application. This is because the predicted groundwater drawdown area (zone of influence) for the Sutton Block also covers the area affected by the local fracture zone near bore SG6, which is east of the Hunua Fault. In other words, the volumes are not additional — the volumes form part of the total quantities sought under the Sutton Block application.
- 2.8 The existing Drury Quarry GW Permit and the proposed groundwater consent are already ‘linked’ through the proposed consent conditions. Specifically:

*The Groundwater Monitoring Plan (GMP)*

- 2.9 Conditions 44(b) and (d) refer to Figures 17 and 18 ‘Recommended Monitoring Plan’ which identify the existing stream flow gauging sites, monitoring bores, and augmentation bores under the Drury Quarry GW Permit, along with the additional sites proposed under this consent, and Winstone Hunua Quarry monitoring sites. Collectively, these form the integrated monitoring network for the consent.
- 2.10 To make this linkage clearer, a new *Figure 17A: Recommended Monitoring Plan – Sutton Block* has been prepared and is attached as **Attachment G**. This figure illustrates both the existing sites under the Drury Quarry GW Permit and the additional proposed sites under this consent that will form part of the consent, including in the event that the existing Drury Quarry GW Permit expires. The Applicant has also proposed a new consent condition 43(l), which requires the GMP to include:

“Details of the stream flow monitoring stations requirements for all existing stream flow gauging sites shown on Figure 17A that are reported on as part of the Drury Quarry dewatering consent (this requirement does not need to be included in the GMP until dewatering at Drury Quarry has ceased) ...”

- 2.11 Condition 44(k) sets out the monitoring and augmentation requirements for Peach Hill Stream upon the cessation of dewatering of the Drury Quarry pit.

## *Annual Monitoring Report*

- 2.12 Condition 86(a) requires annual reporting of the monitoring and reporting undertaken, including data required by the GMP.

### *Groundwater Levels - Schedule A*

- 2.13 Conditions 173 and 174 require groundwater levels in the Site's monitoring bores not to be lower than Schedule A trigger levels that will form part of the Groundwater Management Plan unless the procedure in Condition 174 is followed and that results in an amendment to the levels in Schedule A. Schedule A lists all required monitoring bores (including existing bores covered under the existing Drury GW permit) shown on Figure 17, 17A and 18, as described above.

### *Stream flow maintenance and recommended augmentation programme for Hays Stream, Symonds Stream and Peach Hill Stream*

- 2.14 Conditions 187–189 require that, if dewatering and augmentation at the Symonds Hill Hunua Quarry or monitoring and augmentation of Peach Hill Stream under the existing Drury Quarry GW Permit cease during the term of the proposed consent, a suitably qualified expert must assess whether continued augmentation of the affected streams is needed to maintain baseflows, and if so, recommend and implement an appropriate augmentation regime.
- 2.15 Together, these consent conditions link the existing Drury Quarry GW Permit and the proposed Sutton Block groundwater consent. Conditions 187-189 ensure that monitoring and augmentation requirements are coordinated across both consents, thereby appropriately managing potential groundwater and surface water effects through a consistent and integrated monitoring framework.

***[5] Please provide copies of R/LUC/2015/2419 and R/REG/2015/2420. The Panel understands that these are earthworks consents already in place for the majority of the Sutton Block (at least to the previous pit boundary before the shift to provide a greater buffer to the Pa site), covering 315ha and expiring in 2045. Is there a need to address any double-ups or potential inconsistencies between those consents, and the consents that have been applied for? For example, in the event of grant the Panel would not wish to see compliance difficulties / uncertainties arise where different standards or requirements were***

***imposed for the same activity type across the two sets of consents (i.e. those already held, and those that would result from a grant of approvals to this application).***

- 2.16 A copy of this consent is provided in **Attachment H**.
- 2.17 The Panel raises a valid point regarding compliance. The Applicant has reviewed the existing consents and associated AEE report again (R/LUC/2015/2419 and R/REG/2015/2420). On reconsideration, the Applicant considers that these consents do not contain sufficient detail regarding the Sutton Block project and, as previously noted, do not authorise earthworks within SPQZ areas subject to overlays.
- 2.18 Accordingly, it is considered more appropriate to authorise all earthworks associated with the Sutton Block under a single consent to avoid potential compliance issues and ensure a consistent expiry date. The Applicant has added an advice note under the Earthworks General Conditions to say that LUC60449475 overrides and replaces R/LUC/2015/2419 and R/REG/2015/2420 consent that applies to the site. *For avoidance of doubt, all earthworks within the Site must be undertaken in accordance with LUC60449475 consent conditions.*

**Table 1: Additional resource consents required for land disturbance within the Special Purpose – Quarry Zone (SPQZ) under the AUP(OP)**

Rule reference/ description	Activity status	Comment
H28.4.1 (A14) Land disturbance – District, greater than 2500 m <sup>2</sup>	Controlled	The Sutton Block expansion involves land disturbance across approximately 78 hectares within the SPQZ (as detailed in Technical Report R, Volume 2 of the AEE). To access the underlying rock, excavation of overburden material will be required before extraction activities can commence. Overburden removal will occur progressively and in stages to minimise the extent of exposed areas. Accordingly, consent is sought as a controlled activity under Rules A14 and A15.
H28.4.1 (A15) Land disturbance – District, greater than 2500 m <sup>3</sup>	Controlled	
H28.4.2 (A16) Land disturbance – Regional, greater than 10,000 m <sup>2</sup> where land has a slope less than 10 degrees and	Controlled	As shown in the Slope Map – Sutton Block LOQ ( <b>Attachment I</b> ), there are extents within the SPQZ that have a slope of less than 10 degrees and are outside the Sediment Control Protection Area of the site's streams

Rule reference/ description	Activity status	Comment
is outside the Sediment Control Protection Area		and wetlands. Given the scale of land disturbance proposed, the threshold of 10,000 m <sup>2</sup> of land disturbance may be exceeded in these areas. Accordingly, consent is sought as a controlled activity under Rule A16.
H28.4.2 (A17) Land disturbance – Regional, greater than 2,500 m <sup>2</sup> where the land has a slope equal to or greater than 10 degrees	Controlled	As shown on Slope Map – Sutton Block LOQ ( <b>Attachment I</b> ), there are valley systems within the SPQZ that have a slope of equal to or greater than 10 degrees. Given the scale of land disturbance proposed, the threshold of 2,500 m <sup>2</sup> of land disturbance will be exceeded within these areas. Accordingly, consent is sought as a controlled activity under Rule A17.

2.19 The Sutton Block application seeks consent for land disturbance outside the SPQZ (within Rural zoning), within SEAs (both inside and outside the SPQZ), and under Rule H28.4.1(A18) for land disturbance exceeding 2,500 m<sup>2</sup> within the SPQZ and Sediment Control Protection Area.

2.20 Technical Report R: *Erosion and Sediment Control Report* (Southern Skies Ltd) assessed the potential effects of these works, focusing on the bulk earthworks required for site access and on sediment management from overburden removal once quarry operations commence. The report concludes that potential sediment effects can be effectively managed through the proposed consent conditions. No further assessment is considered necessary for land disturbance within the SPQZ. Mr Stewart has confirmed that not relying on the existing earthworks consent for works proposed within SPQZ does not change his assessment.

2.21 In relation to the controlled activity standards under H28.6.2, the only applicable standard is H28.6.2.7 – Land Disturbance. Compliance with H28.6.2.7(1) is achieved through the proposed Quarry Management Plan (Conditions 82–83) and Specific Erosion and Sediment Control Plan (Conditions 35–36), which cover all land disturbance activities for the Project.

**[6] Do the draft archaeological authority conditions included with Heritage New Zealand's section 51 FTAA report match the Word version provided to the Panel and dated 01 October 2025? If there are**

***differences, please provide tracked changes for these, with an explanation of any differences if needed.***

- 2.22 The Word copy supplied to the Panel contains underlined and struck-through text. These markings represent the amendments proposed by HNZPT under section 51(2)(d) of the FTAA report dated 10 September 2025, which have been accepted by the Applicant.
- 2.23 Accordingly, there are no unaccounted differences between the two versions. The underlined and struck-through changes in the Word document accurately reflect the accepted HNZPT amendments.

***[7] In a similar vein, do the conditions for the wildlife approval in the Word version provided to the Panel and dated 01 October 2025 adopt the changes requested in the Department of Conservation's section 51 FTAA report? If not, please provide a WriteCompare / tracked changes version, and an explanation of any differences. Alternatively, please confirm whether the 01 October 2025 conditions are agreed with DOC, by virtue of the 29 September 2025 email chain filed with the applicant's response to comments.***

- 2.24 The conditions for the wildlife approval provided to the Panel on 1 October 2025 adopt the changes requested in the Department of Conservation's section 51 FTAA report – these changes are shown as underline and strike through. However, further amendments have been proposed by the Applicant following further discussions with the Department of Conservation – these changes are shown as underline and strike through with yellow highlight
- 2.25 As discussed with the Panel on Friday 31 October following the expert conferencing session, there are some additional minor amendments that have been suggested by the Department – a copy of these additional amendments are shown in blue highlight in the document attached at **Attachment J**. The Applicant confirms it is comfortable with these additional amendments.

***[8] Auckland Council has suggested (and we understand the applicant has agreed) that an additional consenting trigger under rule E11.4.1 (A8) – Earthworks greater than 2,500m<sup>2</sup> where the land has a slope equal to or greater than 10 degrees – is required for regional land disturbance under the application for land use consent referenced as LUC60449475.***



***In order to assist with capturing this aspect of the proposal, please provide a description of the proposed works which relate to this consent trigger.***

- 2.26 As shown in the Slope Map – Sutton Block LOQ attached as **Attachment I**, there are valley systems which extend outside the SPQZ, that have a slope of equal to or greater than 10 degrees. Therefore, this rule is considered to apply to areas within the approximately 30 ha of earthworks within the Rural Zoning proposed to construct the LOQ footprint and Northern Bund (refer to the substantive application; AEE, Figure 4 attached as Appendix D). Accordingly, consent is sought as a restricted discretionary activity under Rule A8. The applicable consent triggers within the SPQZ are addressed in response to Question 5 above.

***[9] The application for land use consent referenced as LUC60449475 includes mention of triggering district land disturbance rules under Chapter E12 of the AUP(OP); however, no specific rules have been highlighted as being relevant. Please confirm whether any rules under Chapter E12 of the AUP(OP) are triggered and, if so, provide a description of the proposed works which relate to any relevant consent trigger(s).***

- 2.27 No consents are sought under E12 of the AUP(OP). The reference to E12 under LUC60449475 Condition 92 was an error. We have corrected this reference to Land Disturbance – Regional Accidental Discovery rule E11.6.1.

**Dated** 5 November 2025



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**Bal Matheson KC / Vanessa Evitt / Natalie  
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Counsel for Stevenson Aggregates Limited