

Technical Specialist Memo – Planning

To: Doug Fletcher – Principal Project Lead

From: Colin Hopkins – Lead Planner

Qualifications
& Relevant
Experience:

I hold the qualification(s) of a Masters in Planning Practice and Bachelor of Arts and have 19 years of experience in planning.
I have prepared expert evidence and technical assessments for resource consent applications, plan changes, and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date: 24 September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Drury Quarry Expansion – Sutton Block

Fast-Track application number: FTAA-2503-1037 (EPA reference) + BUN60449474 (Auckland Council reference)

Site address: 121 MacWhinney Drive, Drury; 1189 Ponga Road, Drury; 2113 and Ponga Road, Papakura

2.0 Executive Summary

The purpose of this assessment is to inform the overarching Planning Assessment being prepared by Douglas Fletcher. That assessment draws together Council specialist input, identifies information gaps, and provides a summary of assessment outcomes and proportionality conclusions. At this stage, gaps remain in relation to Ecology, Economics, and the transport-related details sought by Auckland Transport.

This memorandum provides a higher-level planning assessment to support Council's Memorandum of Strategic and Planning Matters. The assessment focuses on the following key areas:

- The reasons for consent
- Identification of relevant planning documents.
- The structure and framing of the proposed conditions of consent.
- The duration of the various consent components; and
- The relationship of the application to existing and related consents.

As the overall planning conclusion is dependent on resolution of these specialist assessments, this memorandum does not provide a definitive planning outcome. Instead, it concentrates on planning matters not specifically addressed by Council's specialists and highlights issues relevant to the Panel's consideration.

3.0 Documents Reviewed

- Resource Consent Assessment of Environmental Effects, including:
 - Appendix C Permitted Activity Assessment
 - Appendix D AEE Drawing Set
 - Appendix H Assessment of Objectives and Policies
 - Appendix I Proposed conditions of consent
 - Appendix J Draft Quarry Management Plan
- Additional Documentation provided by the Applicant in response to Council queries – 25 August 2025
- Additional Documentation provided by the Applicant in response to Council queries – 17 September 2025, including:
 - Attachment A – Applicant Updated Conditions Set 17 September 2025
 - Attachment C – Draft Quarry Management Plan 17 September 2025
- The following Council Memos:
 - Ecology (Freshwater and terrestrial) – Andrew Rossaak
 - Auckland Transport – Nagarai Prabhakara (AT)
 - Economics – James Stewart
 - Groundwater – Philip Kelsey
 - Regional Earthworks and Streamworks – Shanelle Beer Robinson
 - Heritage – Mica Plowman
 - Landscape and visual – Simon Cocker
 - Stormwater – Hillary Johnston
 - Air Discharge – Louis Boamponsem
 - Parks – Lea Van Heerden
 - Noise and Vibration – Bin Qui

- Contamination – Sharon Tang
- Development Engineering – Abhi Pandith
- Watercare – Charlie Song

4.0 Reasons for Consent

Consideration of other consents that may be required as identified by the Council Specialists:

- Mr. Rossaak has identified that further consent may be required for water pumped from the quarry pit and discharged as part of stream augmentation, due to uncertainty of information. It is understood that this is with respect to Chapter E4 Other discharges of contaminants. Having reviewed the responses to the queries by Mr. Kelsey, and the updated conditions of consent (17 September 20205), the applicant has proposed a suite of conditions relating to water quality, including baseline monitoring, and it is reasonably expected that the proposal will be able to comply with the permitted activity E4.4.1 (A2) and permitted standards E4.6.
- Ms. Beer- Robinson has identified that in addition to the consents sought with respect to Chapter E11.4.1 (A9), (A28) and (A30), that consent is also required with respect to E11.4.1 (A8) for earthworks greater than 2,500m² where land has a slope equal to or greater than 10 degrees (Restricted Discretionary Activity) within the rural zone. I agree with this assessment. The application has been lodged on the basis that any additional consent requirements identified post-lodgement are incorporated within the proposal. I also note for completeness (and as reflected by Ms. Beer-Robinson's assessment) that no additional assessment is required to consider this matter.

Comment on permitted activities:

- It is reasonably anticipated that the proposal can be managed to comply with the permitted standards with respect to Chapter E24 Lighting, and the proposed conditions (87 and 88) are considered reasonable and enforceable to ensure this is achieved.
- Council's Specialist Mr. Qiu has confirmed that the activities can be managed to ensure compliance with the relevant noise and vibration standards in Chapter E25 Noise and Vibration. The applicant has proposed a suite of conditions to ensure compliance and provide for monitoring. Including: the application of the CNVMP (conditions 18-19), incorporation of Operational Noise Management and monitoring within the Quarry Management Plan (conditions 63 and 64) and Annual Monitoring Reports (condition 65-67), and specific management and monitoring of noise (Conditions 83-86) and blast noise and vibration (Conditions 89-95). These conditions are reasonable and enforceable to ensure that the activity is operated to meet the permitted activity standards.
- A range of permitted activities can be undertaken with respect to Chapter E15 with respect to pest plant removal and conservation planting, as well as conservation planting in the Rural Zone and Special Purpose Quarry Zone.
- Council's Specialist Ms. Tang has confirmed that the Contamination Reporting demonstrates that the activity can be carried as a permitted activity under Rule E30.4.1 (A4) since the

estimated contaminated soil is likely well below the permitted threshold of 200 m³ and other permitted activity Standards E30.6.1.2 are likely to be met

Comment on other consents held:

A number of consents are held that authorise the wider quarry activities on site, and of particular relevance is that:

- I agree with the applicant's interpretation that reliance can be placed on the existing consents held for the quarry activities within the wider site, and no consents are required with respect to Chapter E33 Industrial and Trade Activities, with the processing activities occurring within the Front of House (FoH) area and covered by BUN60359817. In addition, the continued operation of the Concrete Batching Plant (BUN60078206), Asphalt Plant (BUN60400412), and Perlite Plant (BUN60415900) can all be implemented independently and do not require any changes or consideration as part of this application.
- Consent is also held for mineral extraction and the discharge to air from the existing quarry activities (BUN60409108) from the existing quarry pit, and the Thorburn fill site (R/REG/2015/2514, R/REG/2015/2508, and R/LUC/2015/2513) and no consents are required as part of this application for those activities.

Conclusion on reasons for consent

Having reviewed the application material and specialist memos of the council, the only additional matter identified is the requirement for consent under E11.4.1 (A8), and I am satisfied that the applicant is seeking all the necessary consents to give effect to the proposal.

The application requires consents under s9, s13, s14, and s15 of the RMA with respect to the AUP(OP), NES:CS, and NES:FW. These are as follows (with the council's references):

LUC60449475 (s9 (2) and (3) Land Use Consent) comprising of:

- AUP (OP) consents for:
 - Regional Earthworks (E11)
 - District Earthworks (E12)
 - Vegetation Management (E15)
 - Natural Hazards and Flooding (E36)
 - Activities in the Rural Zone (H19)
 - Activities in the Special Purpose Zone (H28)
- NES:CS consents for:
 - Contamination (Regulation 9)
- NES:FW consents for:
 - Vegetation clearance (Regulation 45A (1))
 - Earthworks (Regulation 45A (2), and (3))

LUS60449476 (s13 Streamworks Consent) comprising of:

- AUP (OP) consents for:
 - Stream works (E3)
- NES:FW consents for:
 - Reclamation of streams (Regulation 57(1))

WAT60449477 (s14 Water permit) comprising of:

- AUP (OP) consents for:
 - Take of water (E7)
- NES:FW consents for:
 - Take of water (Regulation 45A(4))

WAT60449478 (s14 Water permit) comprising of:

- AUP (OP) consents for:
 - Diversion of water (E7)
- NES:FW consents for:
 - Diversion of water (Regulation 45A(4))

WAT60449479 (s14 Water permit) comprising of:

- AUP (OP) consents for:
 - Damming of water (E7)
- NES:FW consents for:
 - Damming of water (Regulation 45A(4))

DIS60449510 (s15 Discharge Permit) comprising of:

- AUP (OP) consent for:
 - Diversion and discharge of stormwater (E8)

DIS60449511 (s15 Discharge Permit) comprising of:

- AUP (OP) consent for:
 - Discharge to Air (E14)

The Council Reference for this package of consents is BUN60449474.

5.0 Specialist Assessment

Relevant Provisions of Planning documents

I agree with the identification of the relevant planning documents that apply including:

- National Environmental Standards for:
 - Contaminated land (NES:CS)
 - Freshwater (NES:FW)
 - Air Quality (NES:AQ)

- Regulations for Measurement and Reporting of Water Takes
- With respect to the National Policy Statements:
 - Freshwater Management (NPS:FW)
 - Indigenous Biodiversity (NPS:IB)

I agree that the applicant has correctly identified that the National Policy Statement for Highly Productive Land 2022 does not apply to the site.

The applicant has provided a comprehensive assessment of the application against the relevant provisions of the AUP (OP), including the RPS, Overlays, Auckland Wide, and zoning provisions.

The applicant has also correctly identified the Statutory Acknowledgment for Ngāti Tamaoho and the Deed of Settlement for Te Akitai Waiohū.

I have not identified any key information gaps in these assessments.

For completeness, and as this is specifically addressed in the wider assessments of the council's specialists, I agree with the assessments of the applicant with respect to the alignment of the quarry activities with the RPS, that they are enabled within the Special Purpose Quarry Zone, and that having considered the relevant provision of the Rural – Mixed Rural, and Rural – Rural Production Zones that the mineral extraction activities can be managed to be generally consistent with these objectives and policies.

Duration of consents:

The applicant has sought a 35 duration for each of the consents sought other than with respect to the mineral extraction activities under LUC60449475. Should the panel be satisfied that the application be approved, these durations are considered reasonable and practical in the context of the activities proposed. These durations would also be consistent with other similar activities where the threshold for granting consent has been met. The exclusion of mineral extraction activities from the 35-year duration for LUC60449475 is considered appropriate, and consistent with s123 (b) and the approach to similar activities across the region. It is noted that the applicant has included district earthworks as subject to the 35 year duration, and in the context of the nature and scale of the consent, that is considered appropriate in this case.

Relationship with other consents:

There are a number of relating to the quarry activities across the subject site, and the applicant has outlined that they will continue to be administered separately to this consent. I consider this reasonable, and that reconsidering these matters as part of this consent is not necessary. In practice, the application of the Quarry Management Plan will be read and administered alongside other sections of the QMP (e.g. the FoH area and Thornburn Site) and other management plans for specific areas of the quarry activities. Whilst there may be inconsistencies across the consents, each consent is expected to continue to be able to be monitored by the Council, and the condition structure proposed for this consent is not expected to conflict with the administration of the other consents as part of the Quarry operations.

I have identified that there are no section 67 information gaps, although it is acknowledged that council's specialists have identified gaps in Ecology, Economics, and transport-related details sought by Auckland Transport, and these gaps are relevant to the scope of this assessment.

7.0 Proposed Conditions

Notwithstanding the specific matters raised in the council's assessment with respect to the content of the conditions (which are not repeated here), the applicant has proposed suite of conditions that generally provide the necessary framework to administer the consent and provide an ongoing (and enforceable) structure for the management and monitoring of the activities on site.

I support Council's position that conditions of consent should not provide for management plans to be deemed certified if no response is received within a stated timeframe. While it is reasonable for consent holders to expect a timely response, deemed certification is not considered appropriate environmental management. To assist Council's resourcing, conditions 9 or 10 could require prior notification of intended submissions. For plans requiring expert input (e.g. groundwater), peer review by an agreed SQEP could be required at the time of submission.

In addition, it is noted that the current set of conditions does not include the reference WAT60449479, this omission is likely due to the council's approach to allocating references to the separate consents. No specific other conditions are considered necessary for this consent, however it should be included in the title reference to Part E.

8.0 Recommendation

Notwithstanding the recommendations of the council specialists (particularly with respect to Ecology), the outcome of which will be relevant to the overall planning conclusion, in line with the scope of this assessment, I support the application, and note the following:

- The applicant is seeking all necessary consents to give effect to the proposal.
- The mineral extraction activities are acceptable in the context of the objectives and policies of the underlying Rural- Mixed Rural Zone, Rural- Rural Production Zone, and Special Purpose Quarry Zone.
- Notwithstanding the specific matters raised in the council's assessment with respect to the content of the conditions, the applicant has proposed suite of conditions that generally provide the necessary framework to administer the consent and provide an ongoing (and enforceable) structure for the management and monitoring of the activities on site.
- The application appropriately addresses the duration of the various consents.