

Fast-track Approvals Act 2024

MINUTE 12 OF THE EXPERT PANEL

Comments on conditions – preliminary response
Drury Quarry Expansion - Sutton Block [FTAA-2503-1037]

2 December 2025

Preliminary response to comments on conditions

[1] The Panel has received and begun reviewing the comments on conditions received from the participants. The Applicant is able to respond to the comments that have been provided, by Thursday of this week. Given the short time afforded to the Applicant, and the similarly short time for the Panel following that (with our final decision due just a week later on 11 December 2025), we consider it may be helpful to provide some preliminary notes.

[2] Of necessity, this minute does not address all of the matters raised in comments, but it does identify some points that may ‘short circuit’ the process and ultimately assist the Panel in ensuring that the conditions are fit for purpose, appropriate and in accordance with the FTAA’s requirements.

[3] We note that Mr Williamson has been asked to provide the Panel with advice in relation to conditions relevant to his area of expertise, in particular those resource consent conditions addressing stream augmentation (being, in the Applicant’s 27 November 2025 amended conditions (**Applicant’s amended conditions**) particularly conditions 79-82, 122 and 181-206).

[4] It is fair to say that the Panel is still getting its head around the changes proposed to the stream augmentation conditions, and that:

- a. Any work that may be able to be done with, or between, the various experts, to assist the Panel, would be gratefully received.
- b. Subject to consideration of Mr Williamson's anticipated advice, the Panel tentatively agrees that an additional piezometer (or piezometers) do not need to be specified in the consent conditions, rather leaving the future possibility of this requirement to condition 122 (particularly condition 122(b)).

[5] The Panel apologises for the note form adopted below, but timing, rather than elegant drafting, was of the essence:

Resource consent conditions

- a. There appear to be two EMPs referenced in condition 1 (as noted in the DOC comments). The Panel assumes that the reference to the 17 January 2025 EMP is an error, but seeks confirmation of this.
- b. New condition 18 in the Applicant's amended conditions is not accepted by the Panel. We seek that the duration of the management and monitoring plans be specified in the conditions, not in the plans themselves. This may ideally sit within the table under condition 14. The need for specification of the time over which a plan must be complied with arises from condition 17, which states that the plans apply for the duration of construction works and throughout the operational phase "in accordance with the relevant conditions for the Plan" – despite many of the plan conditions not in fact specifying any term.
- c. Conditions 22 and 25 (Applicant's amended conditions numbering) seem to be a double-up and have inconsistent time periods referenced.
- d. The Panel accepts the intent of the DOC comments on condition 51,

which is to specify the consented extent of losses. We do not however consider it necessary or appropriate to include the specific areal extent of loss (in ha / m, etc), particularly as there may be some small increases to the areas of these habitats with the passage of time. We query whether a simpler amendment to the condition might be to note that the Project is not to result in the loss of any more of the items (i) to (v) *than those that are present within the LOQ* (with the LOQ added as a definition, and / or as defined on a plan referenced in the condition).

- e. The Panel is also grateful for the detailed and careful additions proposed to the various management and monitoring plan conditions in the DOC comments. Where these incorporate the ‘numbers’ or specifics from the application documents and draft plans provided by the Applicant, for example adding in the targets, thresholds, standards, areas (maximums and minimums), etc, it is difficult to disagree with them. However, we do not consider that these are strictly necessary.
- f. The Panel is comfortable that the plan details are provided in the existing documentation, and that the conditions of consent require reference back to these, for example through condition 13(d). We query whether that condition might helpfully be explained further, for example adding to the end of (d) *“Without limitation, a Management or Monitoring Plan must adopt the outcomes, targets, thresholds, standards and metrics (for example, areas, maximums and minimums) provided in the information set out in condition 1, and may adopt provisions that seek, require or propose improvements to these”* or words to like effect.
- g. The Panel does see assistance being provided by the various DOC proposed amendments to the conditions addressing the objectives of the various plans, which benefit from the further detail and specification suggested by DOC.

- h. We note DOC's concerns with condition 73 (adopting numbering as per the DOC comments), and also query whether the reference in that condition to "10 years" may be too early. Perhaps a better condition would reference the table that addresses the staging of planting?
- i. In terms of the DOC proposed amendments to reference "progress" (for example, in conditions 143, 144, 148 and 154), while potentially being the more accurate term we are comfortable that the current wording provides for a similar outcome.
- j. Other amendments proposed in the DOC comments address some important inconsistencies, clarification, and drafting improvements, and should be carefully worked through (as the Panel is itself doing).
- k. Auckland Council has queried the 12 month period provided in condition 154. The Panel agrees that this seems an unusually long time for the provision of a report. Is there a reason for this term?
- l. Condition 182 of the Applicant's amended conditions references monthly rather than continuous monitoring. This does not make sense to the Panel, as a monthly 'spot' result would not provide the data points needed to avoid inadvertent outliers, and does not allow for analysis of trends. Further consideration and explanation is sought.
- m. The above amendment flows through to condition 183, and the Applicant's proposed edit there increasing the period from three weeks to eight. The Panel has reservations with this too, in a similar vein to the above notes, and further consideration and explanation is sought.
- n. It will be important to respond to the Auckland Council query regarding whether the co-ordinates provided in condition 184 (condition 185 of the Applicant's amended conditions) are accurate. As a related point, the Panel queries whether Figure 17A ought to be included as a schedule / attachment to the conditions, so that future users can quickly locate it (for example, as being relevant to and referenced in conditions 45 and 185).

- o. The Panel is considering the most appropriate way to respond to the comments received from Te Ākitai Waiohū Settlement Trust. In doing so, we have noted that condition 7 does not identify any specific mana whenua groups. We query whether it would be appropriate to include, necessarily on a without limitation basis, a reference to at least the groups that have provided Cultural Impact Assessments (particularly as those Assessments, and other application documents, noted the Applicant's agreement that on-going engagement would occur, including through the Cultural Management Plan process).
- p. Lastly, the Panel notes some potential inconsistencies in the use of the terms "quarry", "site" and "pit", with the first of these not being defined. We query whether there is a need to define the quarry as the Sutton Block quarry, and / or to exclude the existing Drury Quarry in some manner. We note that there is a possibility for confusion as some conditions have been volunteered to apply to the existing Drury Quarry as well as the Sutton Block quarry.
- q. We note also the absence of reference to Operational Phase and Construction Works within the definition of "Project". Ideally these should be included.

Archaeological authority conditions

- r. The HNZPT suggested amendments to the conditions for the archaeological authorities seem appropriate to the Panel.

Wildlife approval conditions

- s. For the wildlife approval conditions, and the reference there to the Lizard Management Plan, the Panel queries whether we have been provided with the correct, updated, version of that Plan and apologise if we have inadvertently circulated an earlier version with our draft decision and conditions. We had understood that the Lizard

Management Plan addressed the matters of concern to DOC (see item 7 of our further information request dated 21 October 2025), but were not however privy to all of the correspondence between DOC and the Applicant nor the specific amendments discussed.

- t. The remaining DOC suggested amendments to the wildlife approval conditions seem appropriate to the Panel.



Catherine Somerville-Frost

Drury Quarry Expansion - Sutton Block Expert Panel Chair