
MINUTE 10 OF THE EXPERT PANEL

Requests for information from Applicant – Various Technical Disciplines
Kings Quarry Expansion – Stage 2 [FTAA-2502-1018]

(29 October 2025)

[1] The purpose of this Minute is to request further information from the applicant as provided for under section 67 of the Fast Track Approvals Act 2024. The Expert Panel requests that the following information be provided to the EPA **by 6 November 2025**.

Application of NPS-IB

[2] The Updated AEE (section 10.4.3) acknowledges the strict avoidance requirement in cl 3.10 of the NPS-IB is relevant to the consideration of the Application and suggests that the exception for aggregate extraction in cl 3.11(1) is available.

In relation to this issue, the Panel would appreciate any further information the Applicant can provide as to the following, including references to any relevant previous decisions:

- a. The application of the “significant national or regional public benefit” test for the proposed aggregate extraction in cl 3.11(1)(a)(iii).
- b. The absence of practicable alternative locations for the development. Here, the Panel recognises the discussion in the m.e. report as referenced in the Updated AEE, including as to the cost of transporting aggregate and the consideration of other (existing) quarries.
- c. The relevance, if any, of the AUP provisions in considering the

application of the NPS-IB and the exception in cl 3.11(1).

Ecological questions

[3] The Updated AEE references (sections 6.2.3-6.2.6) vegetation removal, stream reclamation, and remediation planting, replanting, pest management, and offsetting and compensation. There is limited information on the timing of the various steps to manage effects, which are limited to:

- a. Planting at Pebble Brook Road will be undertaken following the completion of the offset/compensation planting at Oldfield Road Project area, which is scheduled to take 12 years (Page 122 in EMP (Appendix 19)).
- b. All other references to the offset planting (and the management of it) and pest control are relative (e.g., after 3 years of planting).

Please provide the Panel with a high-level plan that identifies the timing of the various management measures.

Please also comment on interdependencies of management actions. For example, given the planting at Pebble Brook Road is adjacent to the Lizard relocation site, what are the risks of undertaking this planting 12 years after the lizards are relocated?

[4] The Updated AEE records that resource consent is required for stream reclamation, and this is a discretionary activity under reg 57 of the NES-F. It is not clear where the AEE addresses the mandatory requirements in reg 57(2) of the NES-F, including the “functional need” test, with reference to the definition in the NPS-FM.

Please provide the Panel with information as to the relevance/satisfaction of the test in reg 57(2) of the NES-F.

[5] At section 9.2.2, the Updated AEE states that given the very high ecological

value of the receiving environment “an Adaptive Management Plan (AMP) will also be implemented”. The purpose of this AMP is unclear, and the detail does not appear to be provided within the application documents. We record here the comments on behalf of Auckland Council that the condition requiring provision of an AMP “requires significant amendments to help ensure it is fit for purpose as it is not prescriptive enough in my opinion” (Specialist response by Matthew Byrne on Earthworks & Erosion and Sediment Control, 2 July 2025).

Please provide the Panel with an explanation of this AMP, including exactly what the adaptive management aspect of the Application is and how it relates to the Ecological Management Plan.

- [6] Part C of the Updated AEE discusses the Wildlife Approval and clarifies that the application is (i) for the capture and relocation of wildlife, and (ii) does not relate to native birds or bats.

On this issue, the DOC s 51 report states (at section 3.1) “**Incidental killing:** the applicant has not explicitly applied for approval to kill, however, it’s mentioned as a foreseeable consequence in the EMP that some lizards will be incidentally killed if they are not all salvaged. DOC recommends the Panel consider this activity when making a decision as it would otherwise be an offence under the Wildlife Act.”

Please comment on the scope of the Wildlife approval, in particular on the scope of the application being limited to lizards only and the issue of incidental killing (or injury) in the context of the provision of accidental harm protocols for bats, birds and lizards in the EMP (Appendix 19).

- [7] The application documents contain several ambiguous or inconsistent references to area estimates of the Stage 2 project area and vegetation extents. These include:

- a. The AEE refers to the stage 2 project area as being 54.5 ha (Page 17), which is inconsistent with that stated in the EcIA (Page ii = 33.125 ha and page 14 = 26.46 ha)
- b. The estimates of vegetation to be cleared vary, with 28.97 ha referenced in the AEE (Page 29) and EcIA (Pages 87 and 91), whereas 27.8 ha is stated in the Quarry Remediation Plans (Appendix 20) and repeated in the AEE (Figure 20).
- c. The estimates of vegetation to be planted at the Quarry as part of the remediation plans differ between the EcIA (22.19 ha) and Appendix 20 (24.7 ha).
- d. The area estimates provided for vegetation clearance and new planting in Appendix 20 (Pages 20 to 32) are presented clearly and transparently. However, this information appears to have been compiled into Tables in the AEE (Table 2) and EcIA (Table 20) that do not capture the nuances of the how the information has been calculated.

Please review the information referred to in the above points and provide a definitive estimate of the areas involved in the Application.

In addition, clarify if the source information for the tables in the AEE and EcIA is Appendix 20, and if so, confirm that the area estimates are cumulative, and that the vegetation cleared areas are 'net' of remediation planting in the quarry footprint. Furthermore, please comment on the purpose of column 4 in Table 20.

[8] The reports relating to freshwater effects contain several ambiguous or inconsistent references to the index scores for the MCI and SEV in the EcIA, which are then repeated in the REAR-F (Appendix 21). These include:

- a. Differences in SEV scores for the same site when discussed in the text and reported in tables (e.g., SEV score for Central system

stream on page 75 (0.47) is materially different from that presented in Table 13 (0.66) or Table 17 (0.64).

- i. In relation to SEV scores, it would be helpful to clearly indicate when the report is referring to total SEV score, function group scores or individual function scores.
- b. Differences in MCI scores for the same site when discussed in the text and reported in tables (e.g., MCI score for Southern System in Tables 12 and 17).

Please review the information referred to in the above points and provide a definitive estimate of the score for each location (similar to Appendix 1 in the REAR-F).

[9] Points of clarification

- a. Page 49 of the ECIA states that the Auckland tree weta is a TAR species, but it is listed as not threatened in the EMP (Page 49). Please clarify the status of this species.
- b. Page 66 of the EcIA states the weir in the Waitoki Stream is a 'complete barrier to fish passage'. However, longfin eel and banded kokopu were captured in stream 13 (i.e. upstream of the weir). Please clarify the meaning of this statement.
- c. Page 68 of the EcIA presents Figure 22 that has the location of SEV reaches in the key, but not indicated on the map. Please clarify the locations of the SEV reaches.
- d. Page 76 of the EcIA refers to the 'Southern System' in the description of the Northern System streams. This is presumed to be a typo – please confirm.
- e. Page 35 of the REAR-T refers to five yearly monitoring to continue for the life of the offset/compensation. This statement suggests a monitoring requirement in perpetuity. Please clarify if this is the purpose of this statement.
- f. Page 53 of the EMP refers to avoiding vegetation clearance during

the bird nesting season (August to March). Please clarify how this timing restriction on vegetation clearance may affect other animals (e.g. lizards and bats).

- g. Page 87 of the EMP does not specify a relocation site for native fish, rather includes a generic reference to 'suitable, similar habitat types in the same catchment'. Please provide a location for the relocation site.
- h. Page 8 of the REAR-F refers to AUP Policy 8.3.3. This appears to be a typo and should refer to a policy in Chapter E of the AUP. Please clarify the intended reference.

Traffic

- [10] Have the conditions of the Stage 1 resource consent (i.e. conditions 25 and 26 of consent BUN60373589) now been completed (as per proposed draft condition 73 of the LUC)?
- [11] Have the upgrade works to Pebble Brook Road (being carried out for the Stage 1 consent) been undertaken in accordance with the recommendations of the Hutchinson memorandum (Appendix 17) given the different requirements identified for the extra movements in Stage 2? Or will that only be carried out prior to Year 11 (per offered conditions 96 and 97)?
- [12] It is unclear whether the speed limit changes in proximity to the intersection Pebble Brook Road / Waitoki Road intersection are to be completed as part of the Stage 1 conditions, or whether an additional condition is required to address this recommendation by Commute. The Panel is not aware of a specific proposed draft condition to address this at this point.
- [13] The traffic on Pebble Brook Road will traverse the one-lane bridge. To what extent will the pavement monitoring offered in proposed draft

condition 95 include review of the condition of the bridge through the life of the consent?

Landscape and Ecology

[14] It is noted that there are some inconsistencies in information provided in the Landscape Remediation Planting Plans (referenced in Appendix 20 – labelled Quarry Management Plan) and the Ecological Management Plan (Appendix 19), such as the edge effects in the EMP not carrying through into the LRPP). It is requested that the plans showing all planting be adjusted to ensure consistency.



Chris Simmons
Expert Panel Chair