

Decision on notification of a resource consent application under the Resource Management Act 1991



- Applicant:** Winstone Aggregates
(A Division of Fletcher Concrete & Infrastructure Limited)
- Site address:** 985 Mt Eden Road, Three Kings
- Legal description:** Lot 1 DP37020
- Proposal:** To authorise the discharge of contaminants into air from the quarrying, crushing, screening, transport and storage of aggregate and rock for a 5 year period following commencement of consent.

Resource consents required:

Discharge permits (40041)

Auckland Council Regional Plan: Air, Land and Water (ACRP: ALW)

- Rule 4.5.63 – To discharge contaminants in to air from the quarrying, crushing, screening and processing of aggregates at a rate of up to 200 tonnes per hour within an Urban Air Quality Management Area, as a discretionary activity.

Proposed Auckland Unitary Plan (PAUP)

- Rule H.4.1 Air Quality, Dust generating activities – To discharge contaminants in to air from quarrying at a rate between 5 and 200 tonnes/ hour occurring within 200m of any dwelling (where the quarrying activity is located in a special purpose – quarry zone), as a discretionary activity.

The proposal has been assessed overall as a discretionary activity.

Decision

Having read the application, supporting documents, specialist comments and the report and recommendations on the application, I am satisfied I have sufficient information to consider the matters required by the Resource Management Act 1991 (the RMA) and make a decision.

Under section 95A this application shall not be publicly notified because:

1. The adverse effects on the environment will be less than minor because;

- The applicant has appropriate dust mitigation methods and monitoring equipment in place, including equipment (beta attenuation monitors) that provide warnings in real time when dust emissions are elevated;
 - Dust mitigation measures are commensurate with the scale of the quarrying activities and appropriate in light of the sensitivity of the receiving environment beyond the site boundary;
 - Based on observations, monitoring and complaint history it is evident that there is an adequate horizontal and vertical separation between the operational areas of the site and the neighbouring sensitive receptors provided dust minimisation measures are in effect; and
 - Ngati Whatua o Orakei confirmed that a Cultural Impact Assessment is not required for this application.
2. There is no regional rule or national environment standard that requires public notification and the applicant has not requested it.
 3. There are no other reasons, including special circumstances, to warrant notification.

Under section 95B this application shall not be limited notified because:

1. There are no adversely affected persons because:
 - The adverse effects on the receiving environment (including sensitive residential areas) will be less than minor; and
 - The likelihood for dust nuisance to arise from quarrying activities over the next five years is expected to be less than that for the previous twelve years during which time no complaints regarding dust were validated as offensive and objectionable by the council.
2. There are no protected customary rights groups or marine title groups in the region affected by this proposal.

Accordingly, this application shall proceed on a **NON-NOTIFIED** basis.

A handwritten signature in black ink, appearing to read 'S. Sumner', is written over a horizontal line.

Les Simmons
Duty Commissioner

Date 17 June 2014