

***St Lukes Environmental Protection Society Incorporated***  
***(STEPS)***

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**Submission on resource consent application (discharge consent) by Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited) publicly notified on 8 April 2010 under the Resource Management Act 1991.**

**To:** Auckland Regional Council

**Name of submitter:** St Lukes Environmental Protection Society (STEPS) and Friends of Oakley Creek

**This Submission:** This is a submission on an application (Application No. 37770 File No. 21765) to the Auckland Regional Council by Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Ltd) for a resource consent to authorise the discharge of contaminants onto or into land associated with the filling of the Three Kings Quarry at 985 Mt. Eden Rd, Mount Eden. This supplementary application is in addition to previously consented applications lodged with the Auckland Regional Council and the Auckland City Council in 2009; and subsequently appealed; note STEPS and Friends of Oakley Creek are section 274 parties to the appeals.

**The Application:** The application is for a discharge consent relating to the filling of Three Kings Quarry and results from the nature of materials to be accepted and placed as backfill and the potential effects of the consequential discharges of contaminants to land and/or water from the proposed fill.

**The specific parts of the application that this submission relates to are:**

The whole application

**The submission from STEPS Inc and Friends of Oakley Creek is:**  
STEPS and Friends of Oakley Creek oppose the application in its entirety

STEPS and Friends of Oakley Creek oppose this resource consent application for the reasons outlined below.

**The reasons for this opposition are:**

- STEPS and Friends of Oakley Creek are concerned that the interpretation applied to the definition of 'clean fill' promoted by the

applicant is not properly in accord with that specified in the Proposed Auckland Regional Plan: Air Land and Water, and MfE guidelines for "Clean Fill".

- STEPS and Friends of Oakley Creek do not agree that potentially contaminated fill should be introduced into the quarry site. It is clear from the application that the fill will introduce higher levels of contaminants than would be the case if "clean fill" were used. This site is not contaminated at present and should remain that way for the benefit of future generations.
- STEPS and Friends of Oakley Creek note the location of this quarry pit at the head of a large aquifer underlying a large part of the Auckland isthmus (see attached diagram of Three Kings Meola Aquifer). While the technical measurements taken demonstrate water in the aquifer has historically remained relatively "clean" despite some pollutants being introduced, cumulative effects must be taken into account. There are no measurements available to show at exactly what point the capacity of the aquifer to absorb and dilute future contaminants will be exceeded, but there clearly is a point where the aquifer will become irreversibly contaminated. We note that the time periods involved in aquifer recharge and cleansing can be long. Both the detection and the impacts of any contamination would potentially extend over many years. The aquifer cannot simply be "flushed clean", and it is neither realistic nor feasible to re-excavate contaminated fill placed at its head once such material is in place.
- STEPS and Friends of Oakley Creek are concerned that the criteria set for the filling of the site will not adequately protect the site itself nor the underlying aquifer from long term contamination. This contamination will generate effects on the environment well beyond the immediate vicinity. STEPS is particularly concerned about contamination of Meola Creek, and Oakley Creek and other creeks which are in part spring-fed and which are underlain by the Meola-Western Springs-Three Kings Aquifer. These creeks are already in a fragile state and further contamination will pose a threat to biota in these catchments.
- The monitoring proposed by the applicant for both the fill and the receiving water are not adequate to detect contaminants and to prevent long-term risks to human health and the environment, as well as to biota associated with the streams and aquifer.
- The existing consent is for pumping water from the aquifer over into ACC stormwater system and into the Manukau Harbour. Since this new application is likely to result in both a site with elevated levels of contaminants (including heavy metals and hydrocarbons), and

increased contaminants in the aquifer, a new resource consent should be required to continue pumping the newly-contaminated water into the Manukau.

- The applicant acknowledges that pumping/ “dewatering” (equivalent to 1-2 Olympic pools per day out of the Waitemata Harbour catchments) will likely cease in the foreseeable future. When this occurs, the water returning to the Waitemata Harbour (through natural breaches in the north rim tuff) will be contaminated by leachate from the fill.

[Although the aquifers and flows are now well studied, they are not straightforward or well-understood. We note that: i) Winstones report that the expected connection with the Onehunga aquifer was not found during their recent study, and ii) over the past 15 years (since the RMA and the Auckland District Plan) actions by Winstones, Metrowater and ARC relating to the water supply have been approved then reconsidered and changed. Thus changing circumstances are likely to alter current plans and adverse impacts on the aquifer need to be assessed in the light of this substantial level of uncertainty.]

We have appended references to the submission to provide context for this submission.

We request that the risks to future generations of Aucklanders from the likely contamination of the aquifer be realistically assessed. We note that while it may have been acceptable and even desirable to quarry Auckland isthmus volcanic cones when Winstones started doing business 145 years ago, technology, materials and society have changed, and the quality of the Auckland environment and its waters have been seriously degraded since then.

**We seek that the Council decline the resource consent application in its entirety for the reasons outlined above .**

**Alternatively, if the Council or the Environment Court is of a mind to approve the resource consent in the form submitted by the applicant, then the following condition should be imposed**

Protection of the unique Three Kings Aquifer system should be an absolute requirement of any consent granted to use fill other than that conforming to MfE guidelines for ‘clean fill’. If any lower standard of fill is approved then the applicant should install an impermeable membrane to the pit and pit walls, with a durability life of at least 50 years. Before commencing any infill operation this must be installed to best international standards and best practice.

We wish to be heard in support of our submission at the resource consent hearing.

Person authorised to sign on behalf of submitter

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Elizabeth Walker STEPS

Person authorised to sign on behalf of submitter

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Wendy John Friends of Oakley Creek

**Address for service of submitter:**

Submission by St Lukes Environmental Protection Society (STEPS) and Friends of Oakley Creek  
c/- Pat Prescott and Elizabeth Walker  
33 Fergusson Ave,  
Mt Albert 1025.

Date 4 May 2010

This submission is served on –  
The Auckland Regional Council  
21 Pitt Street  
Private Bag 92012  
Auckland

A copy of this submission has been served on the Applicant –  
Winstone Aggregates Ltd  
Attention: Richard Compton  
P O Box 17195  
Greenlane  
Auckland 1546

Electronic submissions **must** be emailed to [consentsubmission@arc.govt.nz](mailto:consentsubmission@arc.govt.nz)  
Consents Administration, Auckland Regional Council, Private Bag 92 012,  
AUCKLAND.

Phone: (09) 366 2000 Fax: (09) 366 2155 If calling from outside the Auckland free call area phone 0800 80 60 40.

Submission in Respect of a Resource Consent Application under section 96 of the Resource Management Act 1991

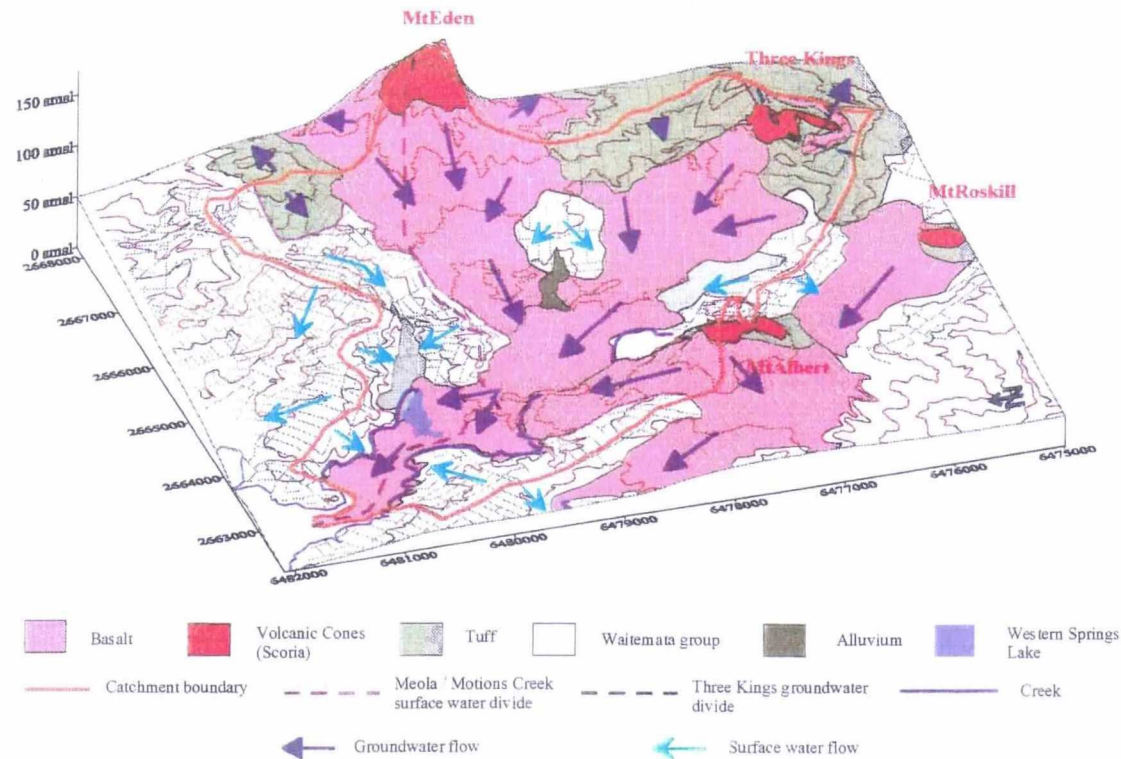
Date Received:

Submission No:

## Appendix References

- 1) Auckland City Drainage System Resource Consents, Assessments of Environmental Effects, March 2001 [Available on line from Metrowater]
- 2) Meola Integrated Catchment Management Plan Phase 2 Report – Remedial Options (Sinclair Knight Mertz 2002)
- 3) Submission to Auckland City Council on the application of Winstone Aggregates Ltd to fill/ infill the Three Kings Quarry pit at 985 Mt. Eden Rd, Three Kings. Submission by St Lukes Environmental Protection Society (STEPS ) 29 May 2009

## Western Springs/ Three Kings/ Meola Aquifer



### 3d Hydrogeological Model of the Western Springs Aquifer (Viljevac 1998 Figure 2.12).

References: Clarke, C, Roy Clements Treeway Boardwalk – Urban stream management

<http://www.nzsses.auckland.ac.nz/Conference/2008/papers/Clarke.pdf> p6

Viljevac, Zeljko, 1998: Western Springs Aquifer – Hydrogeological Characteristics and Computer Model. The University of Auckland.