

I hereby give notice that a hearing by commissioners will be held on:

**Date:** Tuesday 21 November 2023 and  
Wednesday 22 November 2023  
**Time:** 9.30am  
**Meeting room:** Leslie Comrie Board Room  
**Venue:** Level 2, Franklin Local Board  
12 Massey Road, Pukekohe, Auckland

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## **PRIVATE PLAN CHANGE 89**

### **HEARING REPORT**

**546 AND 646 MCNICOL ROAD AND 439 OTAU  
MOUNTAIN ROAD**

**STEVENSON AGGREGATES LTD**

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#### **COMMISSIONERS**

<b>Chairperson</b>	<b>Philip Brown (Chairperson)</b>
<b>Commissioners</b>	<b>Juliane Chetham</b>
	<b>Rebecca Skidmore</b>

**Chayla Walker**  
**KAITOHUTOHU WHAKAWĀTANGA**  
**HEARINGS ADVISOR**

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## **WHAT HAPPENS AT A HEARING**

### **Te Reo Māori and Sign Language Interpretation**

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

### **Hearing Schedule**

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

### **Cross Examination**

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

### **The Hearing Procedure**

The usual hearing procedure is:

- **The chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- **The applicant** will be called upon to present their case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
  - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
  - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The applicant or their representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage. The applicants reply may be provided in writing after the hearing has adjourned.
- **The chair** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.

### **Please note**

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.

**A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND UNITARY PLAN BY STEVENSON AGGREGATES LTD**

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**Reporting officer:** David Wren

Reporting on proposed Private Plan Change 89 - 546 and 646 McNicol Road and 439 Otau Mountain Road to rezone land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.

**APPLICANT:** STEVENSON AGGREGATES LTD

<b>SUBMITTERS:</b>	
Page 107	Robert Peter Rishworth
Page 109	Sherin Walker on behalf of Roscommon Properties
Page 111	Nicola Squire
Page 113	Colin Bryant
Page 115	Gael Bryant
Page 117	Carl Roger Green
Page 119	Kirsten Hewitt
Page 121	Anthony and Trish Peters
Page 123	Vic and Christine Holmes and family

Page 124	Kate Keane
Page 126	Matt Strang (David Reid Homes)
Page 121	Jo Bell
Page 148	Nicole Heald
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Page 192	TA True & JKW Brown
Page 202	Robert James Peters
Page 204	Isabella Grace Curran
Page 206	Jonathan Ford
Page 217	Belinda Clarke
Page 219	Liz Robertson
Page 221	Anthony T Curran
Page 232	Graeme Kepa on behalf of Kepa Enterprises E.T.I
Page 234	Laura Griffin
Page 236	Dianne McArdle
Page 238	Greg Tucker
Page 240	Hannah Gosbee
Page 242	Michelle Barnes
Page 244	Susan Carolyn Curran
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Page 254	Hayley Billman
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Page 358	Warwick Troup
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Page 362	Karyn Mitchell
Page 364	Diane Frances Myers
Page 375	Hendrikus Johannes F Slebos
Page 377	Julie Parmenter
Page 379	Philip Andrew Wayne
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Page 425	Edward Thomas Griffiths
Page 428	Yvonne Mary Lake
Page 430	Harriet Pilkington
Page 432	Anthony Basil Thompson and Thelma Joy Thompson
Page 444	Caroline Greig
Page 447	Catriona Hitchman
Page 460	Chris Freke on behalf of Auckland Transport

**FURTHER SUBMITTERS:**

Page 468	Chris Freke on behalf of Auckland Transport
Page 476	Mary Whitehouse on behalf of Clevedon Cares Inc AND Clevedon Community and Business Association Inc





Hearing Report for Proposed Plan Change 89: Stevenson Aggregates Limited, 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon, Private plan change to the Auckland Unitary Plan (Operative in part)  
Section 42A Hearing Report under the Resource Management Act 1991

**Report to:** Hearing Commissioners

**Hearing Date/s:** 21/22/23 November 2023

**File No:** PC089 Clevedon Quarry

**File Reference**

**Report Author** David Wren

**Report Approvers** Craig Cairncross

**Report produced**

**Summary of Proposed Plan Change 89, 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon (Clevedon Quarry)**

<b>Plan subject to change</b>	Auckland Unitary Plan (Operative in part), 2016
<b>Number and name of change</b>	Proposed Plan Change 89 (Private) (Clevedon Quarry) to the Auckland Unitary Plan
<b>Status of Plan</b>	Operative in part
<b>Type of change</b>	Private (requested) plan change.
<b>Committee date of approval (or adoption) for notification</b>	Pursuant to clause 25(2)(b) of part 2 of Schedule 1 of the Resource Management Act 1991, Proposed Plan Change 89 was accepted under delegation by the Manager Central South on 28 September 2022.
<b>Parts of the Auckland Unitary Plan affected by the proposed plan change</b>	<p><i>Special Purpose Quarry Zone and Rural Production Zone</i></p> <ul style="list-style-type: none"> <li>• Rezoning 31.80ha in the northern part of the site from Special Purpose Quarry Zone to Rural Production Zone;</li> <li>• Rezoning 31.54ha in the southern part of the site from Rural Production Zone to Special Purpose Quarry Zone.</li> </ul>
<b>Date draft proposed plan change was sent to iwi for feedback</b>	The applicant has advised that it has engaged 8 iwi groups. On TBC, an overview of the private plan change request, including plans was sent to the Ngati Maru, Ngati Poa Trist Board, Ngati Tamatera, Ngāti Whanaunga, Ngati Paoa Iwi Trust, Te Ākitai Waiohua, Waikato-Tainui and Ngāi Tai Ki Tamaki providing an opportunity for queries and feedback prior to the lodgement of the request with the Council. Ongoing discussions have taken place with Ngāi Tai Ki Tamaki and Ngāti Whanaunga.
<b>Date of notification of the proposed plan change and whether it was publicly notified or limited notified</b>	Full public notification. 26 January 2023
<b>Plan development process used – collaborative, streamlined or normal</b>	Normal
<b>Submissions received (excluding withdrawals)</b>	72



<b>Date summary of submissions notified</b>	20 April 2023
<b>Number of further submissions received (numbers)</b>	None TBC
<b>Legal Effect at Notification</b>	N/a
<b>Main issues or topics emerging from all submissions</b>	Concern about change in character of area. Concern about impact on traffic and the road network Concern about effects on the natural environment

This report has been prepared by David Wren – Planning Consultant for the Auckland Council.

I am a fully qualified planner and hearing commissioner and am a full member of the New Zealand Planning Institute. I operate a boutique planning consultancy called Planning Policy Research.

I hold a Bachelor of Town Planning from Auckland University and a Post Graduate Diploma in Development Studies from Massey University.

I have over 41 years of planning experience both in New Zealand and Overseas. My work has mainly consisted of sitting on hearing panels appointed by Auckland Council as a duty commissioner, preparing applications and submissions for resource consent for residential and commercial property, preparing reports on requested Plan Changes for Auckland Council, preparing submissions for clients and attending hearings on the Proposed Auckland Unity Plan, and presenting expert evidence in the Environment Court in resource consent and planning matters. I am also a part time senior lecturer in the Property Department at the University of Auckland.

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**Abbreviations**

Abbreviations in this report include:

<b>Abbreviation</b>	<b>Meaning</b>
PC89	Proposed Plan Change 89
RMA	Resource Management Act 1991
AUP	Auckland Unitary Plan

<b>Attachments</b>	
<b>Appendix 1</b>	<b>Plan Change 89</b>
<b>Appendix 2</b>	<b>Section 32 Report</b>
<b>Appendix 3</b>	<b>Council Decision to Accept PC89</b>
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## EXECUTIVE SUMMARY

1. The applicant seeks to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning relates to changing the zone of land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016. It is requested that 31.80ha of the SPQZ be rezoned RPZ and that 31.54ha be rezoned from RPZ to SPQZ.
2. The normal plan change process set out in Schedule 1 of the Resource Management Act 1991 ('RMA') was adhered to in developing PC89
3. PC89 was notified on 26 January 2023 and 72 submissions and 1 late submission were received. The requests for changes were notified on 20 April 2023 and with the period for receiving further submissions closing on 5 May 2023.
4. No further submissions received;
5. In preparing for hearings on PC89, this hearing report has been prepared in accordance with section 42A of the RMA.
6. This report considers the issues raised by submissions and further submissions on PC89. The discussion and draft recommendations in this report are intended to assist the Hearing Commissions, and those persons or organisations that lodged submissions on PC89. The recommendations contained within this report are not the decisions of the Hearing Commissioners.
7. This report also forms part of council's ongoing obligations, which is, to consider the appropriateness of the proposed provisions, as well as the benefits and costs of any policies, rules or other methods, as well as the consideration of issues raised submissions on PC89.
8. A report in accordance with section 32 of the RMA has also been prepared by the applicant for this purpose and is attached in Appendix 2. This 'Section 32 report' and associated documentation related to PC89, on the council's website should be considered in making decisions on PC89.
9. It is recommended that PC89 be approved subject to a number of amendments. The recommended changes are set out in Appendix 5.

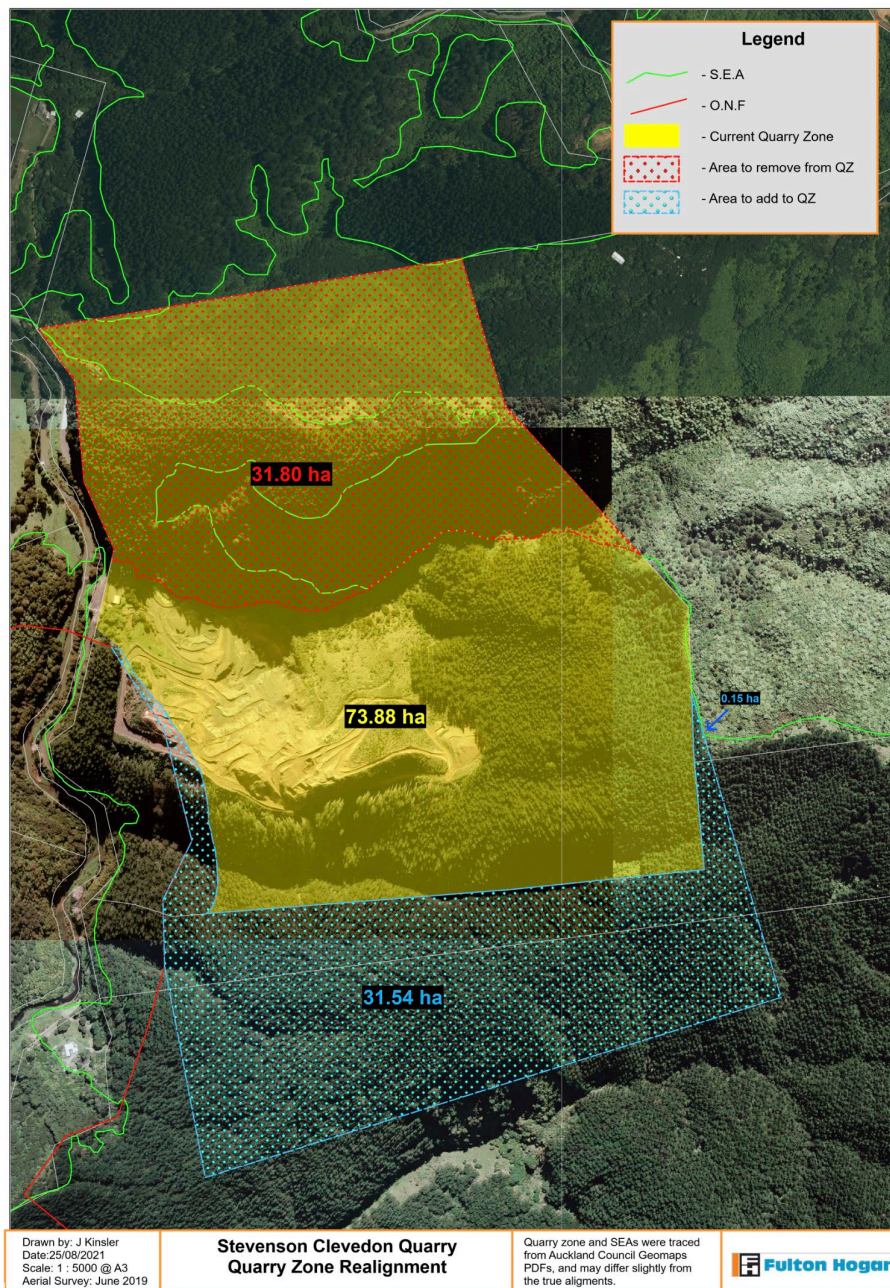
# 1. BACKGROUND

10. This is a private plan change request from Stevenson Aggregates Limited (i.e. the “applicant”).

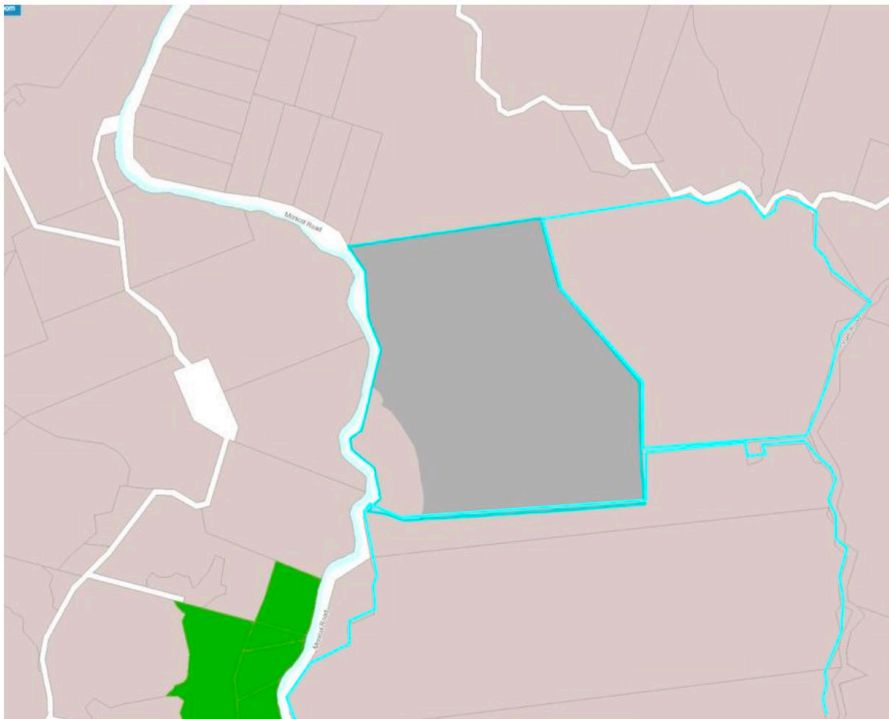
11. The applicant seeks to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning relates to changing the zone of land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016. It is requested that 31.80ha of the SPQZ be rezoned RPZ and that 31.54ha be rezoned from RPZ to SPQZ.

12. The Plan Change area is shown on Map 1 below.

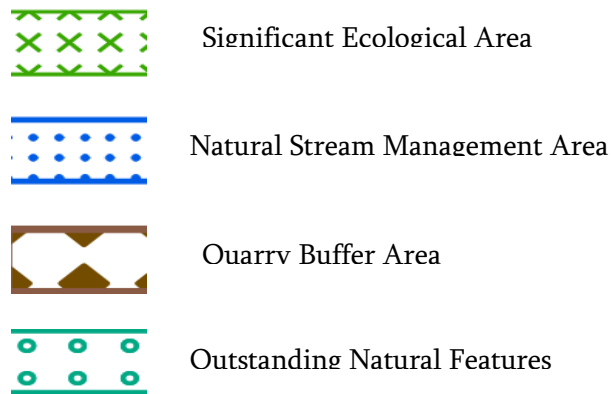
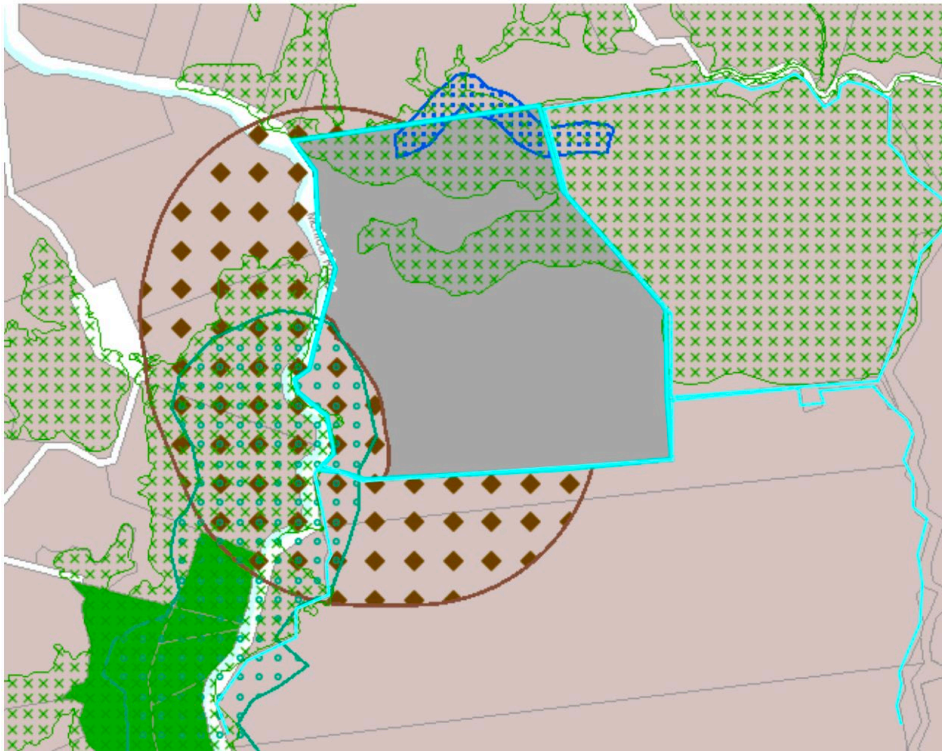
Map 1



13. The plan change request relates to the land accessed from McNicol Road, Clevedon. A portion of the land is currently occupied by the Clevedon Quarry. Stevenson Aggregates Ltd and Fulton Hogan Limited own the sites at 546 and 646 McNicol Road and 439 Otau Mountain Road. #546 has an area of 80.5142 ha, #646 has an area of 398.054 ha and #439 has an area of 65.7614 ha.
14. The majority of the Quarry site (546 McNicol Road) is zoned SPQZ in the AUP. A part of this site is zoned RPZ where it is subject to an Outstanding Natural Feature overlay. Both adjacent application sites are zoned RPZ. The surrounding land is zoned RPZ and is subject to a number of overlays including Significant Ecological Areas Overlay (SEA), Natural Stream Management Area Overlay (NSA), High-Use Aquifer Management Areas overlay(HAM), Outstanding Natural Features overlay (ONF) and Quarry Buffer Area Overlay (QBA).
15. The quarry is located near the end of McNicol Road. In this area the open farmland closer to Clevedon changes to a steeper river valley with high sides valley sides, particularly on the eastern side of the Wairoa River where the quarry is located. This land on the eastern side is largely covered in exotic pine plantations (some of which are being removed) and patches of native bush. On the western side of the river the slopes are less steep and not so high. These are covered in areas of native bush together with farmland.
16. The existing quarry contains a north-west facing quarry face, while the northern side of the land within the SPQZ is not affected by quarry operations
17. Map 2 below sets out the current zoning of the land and Map 3 which follows, sets out the overlays that apply in the area



**Map 2: Current Auckland Unitary Plan zoning (The Blue outline shows the extent of the applicant's landholding, the grey area is the current SPQZ, and the light brown is RPZ)**



**Map 3: Current Auckland Unitary Plan Overlays**

18. The applicant advises that the quarry began operation in 1978. A resource consent granted as a result of a hearing in the Environment Court in 2000 allowed the operation of the quarry until 2018. A further resource consent was granted in 2018 that allowed for the expansion of the quarry and an increase in annual production of up to approximately 3 million tonnes per year.
19. Vehicular access to the sites and existing quarry is gained via McNicol Road and traffic approaches and departs from the north. The decision [2018] NZEnvC 96 requires the sealing of McNicol Road to the entrance of the quarry.
20. It is noted that the decision [2018] NZEnvC 96 provides for a number of restrictions that relate to the use of the surrounding road network, as below:
  - Where temporary restrictions apply to Tourist Road (for example closure due to flooding), the number of quarry truck movements through Clevedon Village shall not exceed 200 per day.

- No quarry trucks shall use the section of McNicol Road north of Tourist Road, unless they are visiting Clevedon, or are associated with deliveries (in this area or environs beyond) or are required to use this route due to temporary restrictions imposed on Tourist Road.
- The consent holder must take all practicable measures to ensure quarry trucks do not exceed 50 kilometres per hour on all of McNicol Road, or on Tourist Road, east of the one-lane bridge.
- The consent holder will take all practicable steps to ensure that quarry trucks do not enter Tourist Road or McNicol Road before 6.30 am, Monday to Saturday.
- No parking of quarry trucks shall occur on McNicol Road north of 530 McNicol Road or on Tourist Road at any time, except where stopping is required for legal or safety related reasons.

## **2. PROPOSED PLAN CHANGE PROVISIONS**

21. As set shown in Map 1 above the applicant requests that part of the site be rezoned RPZ and an area of similar size be rezoned SPQZ to the south of the existing quarry.
22. The Special Purpose – Quarry Zone provides for significant mineral extraction activities to ensure that mineral extraction can continue in a manner that minimises adverse effects. These provisions seek to ensure that the demand for minerals can be met, where possible, from supply sources within Auckland.
23. The objectives and policies of the SPQZ are set out below.

### **H28.2. Objectives**

- (1) *Mineral extraction activities and appropriate compatible activities are carried out efficiently at significant mineral extraction sites.*
- (2) *The significant adverse effects associated with mineral extraction are avoided, remedied or mitigated.*
- (3) *The rehabilitation of quarries is assisted by cleanfills and managed fills.*

### **H28.3. Policies**

- (1) *Apply the Special Purpose – Quarry Zone to significant mineral resources and extraction sites that provide for mineral extraction.*
- (2) *Enable appropriate compatible land uses within or adjoining the zone, including mineral recycling activities and the manufacture of products using raw materials from mineral extraction activities.*
- (3) *Avoid where practicable, or otherwise remedy and mitigate significant adverse effects on areas where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.*
- (4) *Manage noise, vibration, dust and illumination to protect existing adjacent activities sensitive to these effects from unreasonable levels of noise, vibration, dust and illumination.*
- (5) *Require the rehabilitation of sites following mineral extraction activities to enable the land to be used for other purposes.*
- (6) *Avoid, remedy or mitigate adverse effects of traffic generation and maintain safety for all road users, and particularly measures to manage heavy vehicles entering or exiting the site and on quarry transport routes.*



- (7) *Require quarry operators to internalise the adverse effects associated with new or enlarged mineral extraction activities as far as practicable while recognising the need to allow for the efficient ongoing extraction of mineral resources.*
- (8) *Enable cleanfills and managed fills where they can assist the rehabilitation of quarries.*
24. There are few permitted activities in the SPQZ including farming, forestry and conservation planting. Mineral extraction industries are provided for as a controlled activity.
25. There are a number of standards applied within the SPQZ including noise standards. In respect of controlled activities for mineral extraction activities and land disturbance, the following matters of control are reserved in the AUP.
- (1) *mineral extraction activities:*
- (a) *traffic and access;*
- (b) *visual amenity; and*
- (c) *site rehabilitation.*
- (2) *land disturbance:*
- (a) *measures to avoid, remedy or mitigate adverse effects on water bodies and the mauri of water (with particular regard to sensitive receiving environments); including:*
- (i) *the design and suitability of erosion and sediment control measures to be implemented during the works;*
- (ii) *staging of works and progressive stabilisation;*
- (iii) *timing and duration of works;*
- (iv) *term of consent; and*
- (v) *the treatment of stockpiled materials on the site.*
- (b) *avoidance or mitigation of adverse effects on overland flow paths and one per cent AEP flood plains (where outside the quarry pit); and*
- (c) *avoidance or mitigation of risk that may occur as a result of natural or manmade hazards.*
26. Full details of the SPQZ are set out in Appendix 7 of this report. No changes to the SPQZ text provisions are proposed in PC89.
27. The reasons given by the applicant for the plan change request include the following;
28. Stevenson Aggregates Ltd seeks to plan for the medium to long-term expansion of the Quarry. Mine planning occurs over time horizons of between 35 and 100 years, as operators identify aggregate resources and plan for the medium to long-term expansion of a quarry, along with the area of operations and ancillary activities.
29. Stevenson Aggregates Ltd and Fulton Hogan Limited own the sites at 546 and 646 McNicol Road and 439 Ottau Mountain Road. #546 has an area of 80.5142 ha, #646 has an area of 398.054 ha and #439 has an area of 65.7614 ha.
30. The long-term planning has identified that the preferred direction for any future expansion of the existing quarry operation is to the south, in the direction of the existing RPZ in 646 McNicol Road rather than expanding to the north within the SPQZ in 546 McNicol Road.
31. The northern part of 546 McNicol Road is identified as being subject to an SEA and NSMA. It also contains a ridgeline which provides an effective visual and acoustic

barrier between the Quarry and neighbouring properties to the north and north-east on McNicol and Otau Mountain Roads. Expansion of the Quarry to the north would necessitate the removal of all or part of the SEA, NSMA and would result in the quarry operations being located closer to those neighbouring properties.

32. To the south of the Quarry is land zoned RPZ and utilised for plantation forestry. This land contains a regionally significant aggregate resource, is immediately adjacent to the existing Quarry and is a greater distance to the majority of adjoining residents located to the north and north-west.
33. The land to the north, east and south of the Quarry contains aggregate resources. However, expansion to the north or east would involve the removal of SEA and NSMA. Expansion to the south into 646 McNicol Road, as proposed by PC89, is considered to be more appropriate, and would result in fewer effects on the environment. The alteration to the extent of the SPQZ is effectively the same net area as is already zoned in the AUP.

### **3. HEARINGS AND DECISION-MAKING CONSIDERATIONS**

34. Clause 8B of Schedule 1 of RMA requires that a local authority shall hold hearings into submissions on its proposed plan.
35. Section 34 of the RMA provides for a local authority to delegate its functions, powers or duties under the RMA.
36. The council's Regulatory Committee has delegated its authority to three independent hearing commissions to hear and make decisions on PC89.
37. These hearing commissioners will not be recommending a decision to the council but will be issuing the decision directly.
38. This report summarises and discusses submissions received on PC89. It makes recommendations on whether to accept, in full or in part; or reject, in full or in part; each submission. This report also recommends what amendments can be made to address matters raised in submissions if considered appropriate. Any conclusions or recommendations in this report are not binding to the hearing commissioners.
39. This report also includes views of the Franklin Local Board on the content of PC89.
40. The Hearing Commissioners will consider all the information in submissions together with evidence presented at the hearing.
41. This report draws on technical advice provided by the following technical experts:

<b>Author(s)</b>	<b>Name/s</b>
Technical expert- transportation	Wes Edwards Arrive Consultants
Technical expert – Landscape and Visual	Bridget Gilbert – Landscape Architect

Technical expert – Terrestrial Ecology	Carl Tutt Senior Ecologist
Technical expert – Freshwater Ecology	Jason Smith Consultant Freshwater Ecologist
Technical expert- Acoustics	Rhys Hegley – Acoustic consultant
Technical expert – Heritage	Rebecca Ramsay – Senior Specialist: Heritage

#### 4. STATUTORY AND POLICY FRAMEWORK

42. The RMA requires territorial authorities to consider a number of statutory and policy matters when developing proposed plan changes. There are slightly different statutory considerations if the plan change affects a regional plan or district plan matter.

43. PC89 is solely district plan related as the plan change involves only rezoning of land and no new provisions are proposed.

44. The following sections summarise the statutory and policy framework, relevant to PC89.

##### Resource Management Act 1991

##### 4.1.1. Plan change matters – regional and district plans

45. In the development of a proposed plan change to a regional and/ or district plan, the RMA sets out mandatory requirements in the preparation and process of the proposed plan change. Table 1 below summarises matters for plan changes to regional and district plan matters.

Relevant Policy/ Plan	Act/ Section	Matters
Resource Management Act 1991	Part 2	Purpose and intent of the Act
Resource Management Act 1991	Section 32	Requirements preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal
Resource Management Act 1991	Section 80	Enables a 'combined' regional and district document. The Auckland Unitary Plan is in part a regional plan and district plan to assist Council to carry out its functions as a regional council and as a territorial authority

Relevant Policy/ Plan	Act/ Section	Matters
Resource Management Act 1991	Schedule 1	Sets out the process for preparation and change of policy statements and plans by local authorities

**Table 1 Plan change matters relevant to regional and district plans**

46. The mandatory requirements for plan preparation are comprehensively summarised by Environment Court in *Long Bay-Okura Great Park Society Incorporated and Others v North Shore City Council* (Decision A078/2008)<sup>1</sup>, where the Court set out the following measures for evaluating objectives, policies, rules and other methods. This is outlined in Box 1.

**Box 1**

**A. General requirements**

1. *A district plan (change) should be designed to accord with and assist the territorial authority to carry out its functions so as to achieve, the purpose of the Act.*
2. *When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.*
3. *When preparing its district plan (change) the territorial authority shall:*
  - (a) *have regard to any proposed regional policy statement;*
  - (b) *not be inconsistent with any operative regional policy statement.*
4. *In relation to regional plans:*
  - (a) *the district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) [or a water conservation order]; and*
  - (b) *must have regard to any proposed regional plan on any matter of regional significance etc.;*
5. *When preparing its district plan (change) the territorial authority must also:*
  - *have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations; and to consistency with plans and proposed plans of adjacent territorial authorities;*
  - *take into account any relevant planning document recognised by an iwi authority; and*
  - *not have regard to trade competition;*
6. *The district plan (change) must be prepared in accordance with any regulation (there are none at present);*
7. *The formal requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.*

**B. Objectives [the section 32 test for objectives]**

<sup>1</sup> Subsequent cases have updated the Long Bay summary, including *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55.

8. Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act.

**C. Policies and methods (including rules) [the section 32 test for policies and rules]**

9. The policies are to implement the objectives, and the rules (if any) are to implement the policies;

10. Each proposed policy or method (including each rule) is to be examined, having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the objectives of the district plan taking into account:

- (a) the benefits and costs of the proposed policies and methods (including rules); and
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

**D. Rules**

11. In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.

**E. Other statutes:**

12. Finally territorial authorities may be required to comply with other statutes. Within the Auckland Region they are subject to:

- the Hauraki Gulf Maritime Park Act 2000;
- the Local Government (Auckland) Amendment Act 2004.

**4.1.2. Resource Management Act 1991- District matters**

47. There are mandatory considerations in the development of a proposed plan change to district plans and rules. Table 3 below summarises district plan matters under the RMA, relevant to PC898.

**Table 3 Plan change- district plan matters under the RMA**

Relevant Policy/ Plan	Act/	Section	Matters
Resource Management Act 1991		Part 2	Purpose and intent of the Act
Resource Management Act 1991		Section 31	Functions of territorial authorities in giving effect to the Resource Management Act 1991
Resource Management Act 1991		Section 73	Sets out Schedule 1 of the RMA as the process to prepare or change a district plan

Relevant Policy/ Plan	Act/	Section	Matters
Resource Management Act 1991		Section 74	Matters to be considered by a territorial authority when preparing a change to its district plan. This includes its functions under section 31, Part 2 of the RMA, national policy statement, other regulations and other matter
Resource Management Act 1991		Section 75	Outlines the requirements in the contents of a district plan
Resource Management Act 1991		Section 76	Outlines the purpose of district rules, which is to carry out the functions of the RMA and achieve the objective and policies set out in the district plan. A district rule also requires the territorial authority to have regard to the actual or potential effect (including adverse effects), of activities in the proposal, on the environment

#### 4.2. National policy statements

48. Pursuant to Sections 74(1)(ea) and 75 of the RMA the relevant national policy statements (NPS) must be considered in the preparation, and in considering submissions on PC67. The National Policy Statement on Freshwater Management is the most relevant to the consideration of PC89. The National Policy Statement on Urban Development and the New Zealand Coastal Policy Statement are not specifically relevant to the consideration of PC89 as the quarry is located clearly in a rural area away from the coast.

##### **National Policy Statement for Freshwater Management 2020 (NPSFW).**

49. The applicant considers that the Auckland Wide provisions of the AUP and the NES-F are appropriate to manage the implementation of the NPSFW within the SPQZ and notes and no further provisions are necessary within the AUP to address the rezoning.

50. In addition, the applicant considers that PC89 is not contrary to the strategic direction set by the NPS-FM because streams and wetlands are protected by the AUP provisions in E3 and PC89 will not change this and that there is a net reduction in the length of streams affected by the SPQZ as a result of PC89.

##### Comment

51. The effects of the proposal on freshwater ecology have been reviewed by Jason Smith for the Council. In respect of the NPS;FWA Mr Smith notes that;

*The private plan change does not alter the consideration of any activities that relate to freshwater ecology under National Policy Statement: Freshwater Management or National Environmental Standard: Freshwater*

52. I agree with this assessment. While there will be effects on freshwater ecology, there are existing management provisions available within the NPS and other plans to manage

these effects. The fact that the net length of streams within the SPQZ is being reduced is also a positive aspect of PC89.

#### **4.3. National environmental standards or regulations**

53. Under section 44A of the RMA, local authorities must observe national environmental standards in their district/ region. No rule or provision may duplicate or be in conflict with a national environmental standard or regulation.

54. The applicant has not specifically assessed PC89 against the provisions of any national environmental standards but has referenced the provisions of the National Environmental Standards for Fresh Water (NESFW) and the National Environmental Standard for Plantation Forestry (NESPF) as having relevance within the plan change area. I agree that these will apply within the plan change area.

55. The applicant's assessment of these is that generally these apply and any subsequent development and operation of quarry activity will be required to comply with these and that no additional standards are required as a result of PC89.

#### Comment

56. I have commended above on the NES-FW and will not duplicate that discussion here.

57. The terrestrial ecology effects of PC89 have been assessed by Carl Tutt, Senior Ecologist, Auckland Council. Mr Tutt considers that;

*Given the proximity of this site to the Hunua Ranges which is a known regional stronghold for long-tailed bats it is likely that bats will utilise the site for feeding/roosting or transiting. There are additional effects on indigenous fauna which will not be accounted for within the current AUP:OP and NES:PF provisions. Therefore, additional provisions to ensure fauna effects are managed appropriately have been recommended....*

58. Mr Tutt considers that additional provisions are required in addition to the NES:PF provisions and these are discussed later in this report. I take it from Mr Tutt's comments that the proposal is not contrary to the NES:PF but that given that pines will be removed and not replaced, additional provisions are required, particularly in managing the effects of PC89 on bats.

59. Overall I consider that PC89 is not in conflict with a national environmental standard or regulation.

#### **4.4. Auckland Unitary Plan Regional Policy Statement**

60. Section 75(3)(c) of the RMA requires that a district plan must give effect to any regional policy statement (RPS). The applicant has assessed PC89 in respect of the RPS in section 6.5 of the request document.

61. The chapters of the RPS identified by the applicant that are relevant to PC89 include;

- B7. Natural Resource (Minerals)
- B3. Infrastructure, transport and energy
- B4. Natural heritage

- B5. Historic Heritage and special character
- B6 Mana Whenua
- B7 Natural Resources
- B10 Environmental Risk

#### **4.4.1.B7 Natural Resources (Minerals)**

62. Section B7.6 of the AUP includes the RPS objectives and policies for minerals.

63. The applicant's statutory assessment is that the RPS recognises that a sustained supply of aggregate is necessary to provide for growth and that existing quarries will need to expand and new quarries and resources will need to be identified to ensure a secured supply of aggregate to meet demand for growth and development.

64. The applicant also states that Policy B7.6.2(4) requires mineral extraction activities to be established and operated in ways which avoid, remedy or mitigate significant adverse effects on the environment. Important in this context is the focus on *significant* adverse effects, which recognises that regionally significant quarries are large in their size, involve significant landform modification and result in large volumes of heavy vehicle movements, and will accordingly inevitably generate some adverse effects on the surrounding environment.

#### Comment

65. Given the size and location of the existing SPQZ at Clevedon, and the fact that there is no proposed net expansion of the zone, I consider that PC89 gives effect to this objective and these policies. The location of the quarry is appropriate to the location of demand as the location of the quarry will not change.

66. In respect of the environmental effects of the quarry activities, these are discussed later in this report and are subject to other provisions of the AUP and other statutory documents. Overall I have concluded that PC89 will enable quarry activities where the significant adverse effects can be avoided, remedied or mitigated.

#### **4.4.2.B3. Infrastructure, transport and energy**

67. The applicant has considered this Chapter of the RPS in its statutory assessment and concluded that the existing rules within the SPQZ are sufficient to manage the traffic effects from the quarry, noting that the relocation of the zone is not intended to increase the annual production of the quarry.

#### Comment

68. The assessment of the Council's traffic consultant, Mr Edwards is that he considers that the proposed rezoning would not result in a change to the transport characteristics of activities that could occur on the land, and therefore the change would not produce or enable any change in transport effects.

69. Overall I have concluded that PC89 will continue to give effect to this aspect of the RPS.

#### **4.4.3.B4. Natural heritage**



75. Chapter B4 of the AUP sets out the strategic framework for natural heritage resources. Section B4.2 sets out the strategic framework for outstanding natural features and landscapes.

76. The applicant notes that :

*6.5.13. There are no scheduled trees, ONFs, outstanding natural landscapes, areas of high coastal natural character or high natural character located within the area to be rezoned SPQZ. The areas identified as SEAs within 546 McNicol Road are proposed to be rezoned from SPQZ to RPZ.*

*6.5.14. The existing SPQZ adjoins the ONF relating to the Wairoa River gorge. This is the feature that comprises the slopes immediately adjoining McNicol Road. These slopes are currently utilised for plantation forestry where they relate to the subject land. The extent of rezoning is located adjoining but outside of the ONF.*

*6.5.15. The natural features identified in the AUP can be maintained to give effect to the objectives and policies in Chapter B4.*

#### Comment

77. The landscape and visual effects of the proposed relocation of the SPQZ have been assessed by Bridget Gilbert – Landscape Architect. A copy of Ms Gilbert’s assessment is contained in Appendix 6 of this report.

78. These effects have been discussed more fully in paragraphs 139-142 below. Based on that assessment and subject to some recommended additional provisions in the AUP I consider that PC89 will give effect to these objectives and policies.

#### **4.4.4.B5. Historic Heritage and special character**

79. The applicant notes that:

*The relevant objectives and policies relating to this issue are found in Chapter B5 of the AUP. The key objectives and policies relate to historic heritage and special character. There are no scheduled historic or cultural heritage features within the PPC area. The Accidental Discovery Protocols of the AUP will apply should any other heritage features be discovered during mineral extraction activities.*

#### Comment

80. The heritage aspects of PC89 have been assessed by Rebecca Ramsey Senior Specialist Heritage for the Council. Ms Ramsey’s assessment is attached in Appendix 6.

81. Ms Ramsey agrees that there are no known archaeological sites within the PC89 area and that it is unlikely that any exist. Ms Ramsey also notes that there are adequate provisions within the AUP to manage any unknown archaeology should that be discovered. This matter is discussed in greater detail in paragraphs 133-134 below.

#### **4.4.5.B6. Mana Whenua**

82. Chapter B6 of the AUP sets out the strategic framework for the recognition of the Treaty of Waitangi partnerships and participation, recognition of Mana Whenua values; Māori economic, social and cultural development; and the protection of Mana Whenua cultural heritage.

83. The applicant's assessment notes that

*With respect to the objectives and policies, the PPC area does not contain any known features that would be of value or significance to Mana Whenua. If any such features are found during site works, the AUP Accidental Discovery Protocols will be adhered to. In addition, Iwi have been consulted as part of the development and operation of the Quarry.*

Comment

84. It would appear that there are no matters of concern to Mana Whenua. No Mana Whenua groups have made submissions and no major concerns were raised through the pre-notification consultation processes. I also note that the applicant is maintaining ongoing consultation with mana whenua. This aspect is also addressed in section 6 of this report.

**4.4.6.B7 Natural Resources**

85. Chapter B7 – Natural Resources is concerned with a number of matters including land and water resources including habitats and biodiversity.

86. In respect of bio-diversity the objectives are concerned with the protection of significant areas of indigenous biodiversity and the maintenance and enhancement of indigenous biodiversity in other areas.

87. In respect of freshwater systems the objectives are that degraded freshwater systems are enhanced, loss of freshwater systems is minimised and the adverse effects of changes in land use on freshwater area avoided, remedied or mitigated.

88. The applicant states that;

*..the objectives and policies contained in Chapter B7, a comprehensive and integrated approach to managing these natural resources along with activities in the SPQZ is already contained in the AUP. The relocation of the extent of the SPQZ proposed by this PPC does not alter this framework.*

*Natural hazards such as geotechnical constraints and flood hazards can be managed through detailed design and investigations as part of future resource consent applications.*

Comment

89. With the exception of matters related to bat habitats, it is considered that the existing provisions within the AUP are suitable for managing the change in zoning sought. It is noted that the existing northern area of the SPQZ contains areas such as an SEA, which will be located outside of the SPQZ as a result of PC89.

**4.4.7.B8. Coastal Environment**

90. The area of PC89 is located outside of the coastal environment.

**4.4.8.Conclusion**

91. Overall it is my conclusion that PC89 as notified sufficiently gives effect to the RPS for the reasons set out above.

#### **4.5. Auckland Unitary District Plan (AUPDP)**

92. The applicant has provided a comprehensive assessment of the proposal against the provisions of the AUPDP in section 6.6 of the request documentation. The applicant's overall conclusion is that the AUP already contains a comprehensive range of objectives, policies and rules that are capable of managing extraction activities that would be authorised by PC89.

##### Comment

93. I have reviewed this assessment and the relevant provisions within the AUP. My conclusions in respect of these are as follows.

##### *H28 Quarry Zone*

94. PC89 is compatible with the SPQZ as it is an established quarry within the SPQZ and accordingly, it is associated with a significant mineral resource. In addition, the proposed expansion avoids those areas identified in Policy H28.3.3. In respect of the relocation to the SPQZ away from the SEA which is located within the current extent of the SPQZ, the change proposed is more compatible with the zone objectives and policies than the existing situation.

95. The SPQZ provisions are suitable for managing the matters generally identified in the zone policies.

96. In respect of the internalisation of effects referred to in Policy H28.3.7, PC89 provides for the expansion of the quarry in the same direction as the existing quarry face. The existing extent of the SPQZ would require the transition of the quarry face to another landform containing an SEA and located closer to dwellings in McNicol Road.

##### *E28 Mineral Extraction*

97. The main themes in these objectives and policies are that scheduled feature should be avoided, the management of adverse effects and that significant extraction activities should be subject to the SPQZ. In this instance the scheduled areas are largely avoided as noted above, and the effects can be managed. PC89 is directly consistent with Policy E28.3.3 as it is to provide for the SPQZ for the proposed expansion of the quarry activity.

##### *D4 Natural Stream Management Areas Overlay and D9 Significant Ecological Areas Overlay*

98. The applicant identifies that PC89 proposes to remove the SPQZ from land identified as being NSMA and SEA and that this removes a conflict between the objectives and policies of these overlays and the SPQZ. I agree with that assessment.

##### *D10 Outstanding Natural Features Overlay*

99. The area of land proposed to be zoned is not identified as an ONL or ONF. It does however adjoin an existing ONF. However, Ms Glibert has recommended that the existing vegetation within the ONF adjoining the SPQZ be retained. This is discussed in paragraph 139-142 of this report.

##### *E1 Water quality and integrated management*

100. The applicant's assessment notes that the SPQZ contains adequate provisions regarding erosion and sediment control. I agree that these will appropriately manage water quality.

#### *E2 Water Quantity, allocation and use*

101. The applicant notes that Policy E2.3(25) enables significant mineral extraction activities provided that significant adverse effects are appropriately managed. PC89 is consistent with this, with the effects being managed through subsequent resource consent applications if required.

#### *E3 Lakes, river and streams*

102. The applicant notes that Policy E3.3(13) makes specific provision for quarry activities to modify streams. The applicant's assessment also states that the specifics of whether streams will be modified is a matter for future resource consents.

103. I agree that this is generally the case. I note also that Council's Ecologist has also advised that;

*The matters to which discretion is restricted and the assessment criteria for restricted discretionary activities provides sufficient provision to assess any resource consent application. Therefore, it is considered that the AUP retains sufficient provision to assess and manage the effects of any future resource consenting requirements.*

#### *E11 and E12 Land Disturbance*

104. The applicant notes that these are matters also managed through resource consents required by the SPQZ provisions.

105. The Council's ecologist agrees and notes that;

*The matters to which control is restricted to include more specific quarry provisions such as a Quarry Management Plan, an Erosion and Sediment Control Plan more specifically targeted at the longer-term and ongoing nature of quarrying activity. Best practice erosion and sediment control must be applied. Therefore, it is consider that the AUP retains sufficient provision to assess and the manage the effects of any future resource consenting requirements.*

#### *E14 Air quality*

106. Objective E14.2.3 specifically recognises that the operational requirements of locational based industry such as mineral extraction activities be recognised and provided for. The chapter includes specific air quality rules for mineral extraction activities.

#### *E15 Vegetation Management*

107. Generally, the AUP does not have any vegetation management provisions within the quarry zones. Ms Gilbert has identified that the retention of vegetation is desirable on the western shoulder of the southern quarry area. I have recommended that the SPQZ be extended to cover this land (much of which is an ONF) so that specific provisions can be included within the SPQZ to specifically limit vegetation removal in this area. This is discussed in greater detail in paragraphs 139-142 below.

### *E27 Transportation*

108. The applicant considers that PC89 is consistent with these objectives and policies largely because the change in zoning will not provide for an increase in traffic compared to the existing zoned extent of the SPQZ and the ability of the Council to manage effects through the existing and future resource consents.

109. The transportation effects of PC89 have been reviewed by Wes Edwards of Arrive Transportation Engineers. Mr Edwards summarises his assessment as follows;

*In my assessment, the proposed rezoning would not result in a change to the transport characteristics of activities that could occur on the land, and therefore the change would not produce or enable any change in transport effects.*

### *E25 Noise and Vibration*

110. The applicant has not provided a specific assessment against the objectives and policies of this chapter in the AEE but has done so in the specialist noise assessment. The objectives and policies recognise that some activities will create noise and that this should be managed as practicable. In the case of mineral extraction, the policies require activities to be located to avoid reverse sensitivity effects.

111. That assessment found that:

- a. *Based on the relatively low levels of predicted noise from activities associated with PC 89, significant effects on the surrounding neighbours have been avoided (Objective 2);*
- b. *Compared to the quarry zone rules and the existing environment, the predicted levels of noise from the PC 89 activities indicate that noise sensitive areas can be protected from unreasonable levels of noise (Policy 4). A noise management plan is identified as the mechanism by which these low levels of noise will be realised.*
- c. *Noise levels can be internalised within the quarry by using the existing terrain to screen neighbours from the effects of quarrying (Policy 7).*

112. These matters have been reviewed for the Council by Rhys Hegley of Hegley Acoustic Consultants. Mr Hegley agrees with the applicant's assessment.

### *AUP Conclusion*

113. Based on this assessment above I have concluded that PC89 is generally consistent with the objectives and policies of the Auckland Unitary Plan.

## **4.6. The Auckland Plan**

114. Section 74(2)(b)(i) of the RMA requires that a territorial authority must have regard to plans and strategies prepared under other Acts when considering a plan change.

115. The Auckland Plan 2050 prepared under section 79 of the Local Government (Auckland Council) Act 2009, is a relevant strategy document that the council should have regard to when considering PC89.

116. The applicant's assessment of the Auckland Plan notes that ;

*The Auckland Plan recognises quarries as part of the Rural Strategy in Map 9.1. The priorities also state in paragraph 544 the importance of aggregate to Auckland, particularly in infrastructure and housing construction.*

*“Paragraph 544: Aggregate and land-based sand extraction sites and resources are essential for affordable construction and roading in Auckland. Extraction activities can have adverse effects (noise, dust, heavy truck movements and disturbance of ecosystems), and are vulnerable to reverse sensitivity effects. Land use in and around mineral extraction sites needs to be managed to ensure Auckland’s future needs can be met, and that sites are located in suitable locations, operated well and rehabilitated appropriately. A framework for managing clean fill activities is necessary too”.*

#### Comment

117. I agree that at a PC89 is not inconsistent with the Auckland Plan to the extent that providing for aggregate extraction is required within Auckland.

#### **4.7. Any relevant management plans and strategies prepared under any other Act**

118. The applicant has not identified any other relevant plans and strategies prepared under any other act.

119. It is considered that the Franklin Local Board Plan may be a relevant consideration. However, this plan does not mention mineral extraction and provides little guidance to decision making on this plan change.

#### **5. ANALYSIS OF THE SECTION 32 REPORT AND ANY OTHER INFORMATION PROVIDED BY THE APPLICANT**

120. Section 74 of the RMA requires that a plan change must have particular regard to an evaluation prepared in accordance with Section 32 of the RMA.

121. Section 32 of the RMA requires an evaluation report examining the extent to which the objectives of the plan change are the most appropriate way to achieve the purpose of the Act. Section 32 also requires the report to examine whether the provisions are the most appropriate way of achieving the objectives.

122. The applicant has prepared an assessment against Section 32 in the statutory assessment. This is set out in Appendix 2 of this report.

123. The s32 report has identified 3 options for the quarry. These are:

- (a) Retain the status quo.
- (b) Rezone as proposed by the PC89.
- (c) Adopt a precinct or site specific rule approach.

124. The section 32 report reaches an overall conclusion that the plan change is the more appropriate response to the issues raised by the applicant and the approach taken by the AUP

## 5.1. Assessment of Effects on the Environment (for private plan change requests)

125. Clause 22 of Schedule 1 to the RMA requires private plan changes to include an assessment of environmental effects that are anticipated by the Plan Change, taking into account the Fourth Schedule of the RMA.

126. An assessment of actual and potential effects on the environment (“AEE”) is included in the Section 32 Evaluation Report. The submitted Plan Change request identifies and evaluates the following actual and potential effects:

- *Social effects*
- *Archaeological effects*
- *Cultural heritage effects*
- *Landscape and visual effects*
- *Noise and vibration effects*
- *Ecological effects*
- *Stormwater, erosion and sedimentation effects*
- *Effects on groundwater*
- *Transportation effects*
- *Land stability effects*
- *Contamination*
- *Flooding.*
- *Positive effects*

127. It is considered that these cover the range of likely effects potentially resulting from PC89. These are discussed below in turn.

### *Social effects*

#### *Applicant’s Assessment*

128. The applicant’s request states that no adverse effects social effects are considered to result from the proposed up-zoning and down-zoning. The proposal results in ultimately the same scale of SPQZ which is able to provide aggregate to support development that enables communities to provide for their social, cultural and economic well being.

#### Comment

129. Social effects relate chiefly to the level of overall disruption experienced by nearby residents as a result of the quarry activities and related transport impacts. I agree with the applicant’s assessment that PC89 is not likely to result in a change in the level of social effects generated by the quarry as the area available for mineral extraction activities, and hence the level and duration of effects will remain substantially the same as currently exists.

130. Based on the assessment of Ms Gilbert I consider that there is potential for the extension of the quarry activity to have adverse effects on the wildness experienced by people walking in the Wairoa River Valley in the pine trees within the area of the Outstanding Natural Feature located just to the west of the quarry extension within the applicant’s land. This is because much of the visual screening of the quarry would be removed should the trees be felled and a less natural environment created in this area. I have suggested some changes to PC89 in order to mitigate these effects. These are set out in Appendix 5.

### *Archaeological Effects*

### *Applicant's Assessment*

131. The applicant advises that the area of rezoned SPQZ within 646 McNicol Road and 439 Otau Mountain Road is not identified in the AUP, Council's Cultural Heritage Inventory, HNZPT or by New Zealand Archaeological Association as containing any known or scheduled archaeological sites.

132. The assessment also considers that due to the steepness of the site it is unlikely that any heritage sites exist. Given this the applicant considers that the accidental discovery procedures set out in the AUP are adequate to address these matters should archaeological sites be found in the future.

### Comment

133. The potential effects on Archaeology have been assessed by Rebecca Ramsey – Senior Specialist Heritage for the Council. Ms Ramsey's assessment is attached in Appendix 6. Ms Ramsey advises that;

*From review of the CFG Heritage archaeological assessment, Cultural Heritage Inventory and NZAA ArchSite Database, there are no recorded historic heritage places within the plan change area. Additional background research has not flagged potential unrecorded historic heritage places. Further, Mana Whenua consultation undertaken by the applicant has not identified any specific wāhi tapu or wāhi tūpuna places which may also have associated historic heritage values .....*

.....

*In my opinion, due to the sites topographic constraints and vegetation cover limiting field work and potential site visibility further assessment should be undertaken once detailed design has been progressed to inform a more targeted field survey methodology.*

*Any currently unrecorded historic heritage places which may be recorded through further reporting at the consenting phase can be appropriately managed through the current AUP provisions and authority requirements under the HNZPT Act (2014).*

### **Conclusions and recommendations**

*Any heritage effects associated to the plan change can be appropriately managed through the existing provisions in the AUP and under the Heritage New Zealand Pouhere Taonga Act (2014).*

*Overall, I can support the proposed plan change with no recommended modifications to the provisions.*

134. Given this advice, I am of the view that in the case of this land, being steep and tree covered, and with the low probability of any archaeological sites being present, the appropriate time to undertake a more fuller survey of potential archaeology is at the time of any future resource consent. I note that rules within the AUP that manage the accidental discovery of archaeology will apply regardless. I consider that these are sufficient to manage these effects.

*Cultural Heritage Effects*

*Applicant's Assessment*



135. The applicant notes that:

*Ongoing consultation has been undertaken with the Ngai Tai Ki Tāmaki Tribal Trust as part of the development and operation of the Quarry. The Trust has identified the following matters that are of concern:*

- (a) The cultural and ancestral significance of the Wairoa River – being the single largest concern communicated to the applicant.*
- (b) The discharge of stormwater run-off from the site to the Wairoa River, including its conveyance and treatment.*
- (c) The discharge of contaminants to air (dust) from quarrying operations.*

136. The applicant also states that it is working collaboratively with the Ngai Tai Ki Tāmaki Tribal Trust to reduce sediment effects and to ecologically restore the river banks of the Wairoa River outside of the plan change area and that engagement is ongoing.

#### Comment

137. I consider that the applicant has undertaken adequate consultation with the relevant iwi in the preparation of PC89. I also consider that the rules of the AUP and the ongoing engagement between the applicant and the Ngai Tai Ki Tāmaki Tribal Trust appropriately address the cultural effects that have been raised in the course of the consultation. I also note that no mana whenua groups have lodged a submission on PC89 to raise other issues.

#### *Landscape and Visual Effects*

##### *Applicant's assessment*

138. Following the request by the Council for additional information the applicant provided a landscape and visual effects assessment undertaken by John Goodwin of Boffa Miskell. A copy of this assessment is set out in Appendix 2.

#### Comment

139. The applicant's assessment has been reviewed by Bridget Gilbert – Landscape Architect on behalf of the Council. Ms Gilbert's assessment is attached in Appendix 6 In respect of the applicant's assessment Ms Gilbert notes;

*The Landscape Report is focussed on the effects of the plan change on ONF 237 Wairoa River Gorge1 and:*

- a) Provides a clear and thorough description of the site and local area including a summary of the background to the existing consented quarry on the site. This is accompanied by mapping and photographs which, collectively, provide a clear 'picture' of the existing development.*
- b) Identifies the relevant statutory context, including the characteristics for which ONF 237 Wairoa River Gorge is valued.*
- c) Uses a series of representative viewpoints to assess the potential effects of the proposed plan change on the characteristics for which ONF 237 Wairoa River Gorge is valued.*
- d) Recommends that the natural landform and vegetation cover in areas adjacent the plan change area are retained.*
- e) Concludes that, assuming the above recommendation is incorporated as part of and resource consent for quarrying within the proposed zone, the*

*proposed plan change will protect the landscape values of ONF 237 Wairoa River Gorge.*

140. Ms Gilbert generally agrees with these findings as;

- a) The landscape character of the ONF is to some degree influenced by the consented quarry in the immediate vicinity (which includes the consented 'encroachment' of a haul road along its north-eastern edge).*
- b) The proposed plan change area avoids physical encroachment into the ONF footprint.*

141. Ms Gilbert considers that PC89 will have some appreciable benefit from a landscape and visual effects perspective, but in respect of the adjoining ONF this is predicated on the incorporation of provisions that require the protection of the existing vegetation along the full extent of the ONF area adjoining the western boundary of the plan change area. In her opinion, this is required to manage potential adverse landscape effects in relation to the balance of the ONF, users of McNicol Road adjacent to the site and the residents of 600 McNicol Road.

142. Based on this advice I consider that a modified form of PC89 is appropriate to better manage visual and landscape effects. In order to achieve the protection required I have recommended that the SPQZ zone be extended to include this land, but with additional standards and assessment criteria that would ensure its long term protection. I have included suggested modifications in Appendix 5.

#### *Noise and Vibration Effects*

143. The applicant's assessment notes that;

*The change in noise level is 1 decibel or less for all receivers, except 600 McNicol Road, which will increase by 3 decibels, from 29 dB LAeq to 32 dB LAeq, which is still readily compliant the applicable noise limits. A 3-decibel increase is considered to be subjectively just noticeable, however, the overall level of 32 dB LAeq is considered to be very low and within the existing environment (which is a measured level of 41 dB LAeq at 520 McNicol Road). A noise level of 32 dB LAeq would mean that quarry operations may be audible intermittently, but at a level well below even the night-time noise limit of 45 dB LAeq. With this advice, it is considered that no adverse effects would result from such a low level of noise.*

*In summary, the effects of the PPC will be unnoticeable to the nearby receivers when compared to what is enabled in the current SPQZ. The area of rezoning to SPQZ will still be well shielded from surrounding dwellings through terrain, so noise levels would not materially change.*

*Overall, it is considered that the existing objectives, policies and rules will sufficiently address any concerns relating to amenity values impacted by noise and vibration generated by future mineral extraction activities in the rezoned SPQZ.*

#### Comment

144. As noted above (para 112) Rhys Hegley of Hegley Acoustic consultants has assessed the potential noise and vibration effects of the zoning amendment proposed in PC89. Mr Hegley's assessment is attached in Appendix 6. Mr Hegley concludes as follows in respect of the likely noise effects;

*The quarry currently resides within the Quarry zone meaning that noise from activities is controlled by the limits of H25.6.2.1. This is important as it sets the quarry noise limits, and therefore the permitted baseline, for the existing dwellings considered in the assessment.*

*The land within PC 89 is currently zoned Rural, meaning that E25.6.3.1 provides the operative noise limits. Numerically, the limits of the Quarry zone noise rule match those of the Rural zone with the only difference being relatively minor changes to the time periods that define day and night. MDA note in section 5.1 of their assessment that "... the rezoning through the Plan Change would have no adverse effect on the permitted noise limits as received by dwellings in the vicinity".*

*I think this statement requires some clarification as it could be taken as implying that compliance with the Rural zone rule that currently applies within the area defined by PC 89 means quarry noise is within the permitted baseline. Given that a quarry is not a permitted activity within the Rural zone, I don't believe it correct to conclude that the effects of PC 89 would be appropriate through compliance with the Rural zone noise rule. Instead, an assessment that considers the permitted baseline would be appropriate. In this case, the permitted baseline for the surrounding houses is described by the quarry zone noise rules (as a result of the existing quarry). As described above, there is no difference between the Rural and Quarry zone noise rules (in terms of effects). As such, I agree with the conclusions of the MDA assessment, but for a slightly different reason.*

*In Table 4 of their report, MDA note that the predicted levels of noise from activities within the PC 89 area would be comparable to the existing sound environment as a demonstration that PC 89 meets Objective 2 and Policy 4 of the AUP. While useful comments, PC 89 does not seek the predicted levels of noise as limits for the proposal but rather the elevated Quarry zone noise rules. With a day time limit of 55dB LAeq, any quarry activities operating to the limit of the Quarry rule (which PC 89 requests) would be the dominant source of noise in the area, given that the current levels are in the low to mid 40dB range. The suitability of the Quarry zone noise rule for the existing houses has already been decided upon in the initial consent and the current PC 89 does not seek to change that decision. My view is that the permitted baseline for the existing houses has already been determined and that MDA has demonstrated that it is practicable for the activities of PC 89 to operate within the agreed limits.*

*The permitted baseline approach to the assessment only holds true for existing dwellings as, in a typical situation, the expectation of the owners of any undeveloped sites to the south (within PC 89) would be as described by the Rural zone rules of the AUP (which do not treat quarries as a permitted activity) rather than the Quarry zone rules.*

*Clevedon Quarry is, however, atypical. It is understood that, save the existing 600 McNicol Road, the applicant owns all sites to the south, adjacent to PC 89. As such, it is difficult to see how there could be any future neighbours to the south that would be exposed to quarry noise.*

145. Based on the assessment of Mr Hegley My overall conclusion in respect of noise is that PC89 will make little change in respect of the noise environment in the vicinity of the quarry.

*Ecological Effects*

## *Applicant's Assessment*

146. The applicant's assessment states that:

*Streams exist within the existing SPQZ and within the area proposed to be rezoned SPQZ. The provisions of E34.1 apply to the modification of streams where relevant, along with the regulations of the NES-F and NES-PF (relevant to the existing pine forest cover). The AUP definitions of streams and the existing rules provide the framework to manage effects of activities on these features.*

*There are no wetlands or areas of indigenous vegetation within the PPC land. The AUP's mapping of SEAs is considered to be accurate for the sites.*

*The AUP includes a comprehensive set of rules relating to identified features (for example E3 for streams) and for the management of adverse effects arising from the development of the site (for example, Appendix 8 of the AUP relating to biodiversity offsetting).*

*These are considered to be appropriate to address the potential for adverse effects in the same way they already apply to the existing SPQZ as and when resource consents for development of the quarry are sought.*

## Comment

147. As noted above Cart Tutt and Jason Smith have reviewed the ecological assessment from freshwater and terrestrial ecology perspectives. These assessments are attached in Appendix 6.

148. In respect of freshwater ecology Mr Smith advises that the assessment undertaken by the applicant and agrees that the provisions of the AUP and national-level planning instruments (National Environmental Standard: Freshwater (**NES:FW**), and National Policy Statement: Freshwater Management) planning provisions provide an appropriate framework to manage the effects of quarrying-related activities at the time of resource consenting.

149. Mr Tutt however notes that

*The applicant concludes that the existing AUP:OP and NES:PF objectives, policies and rules are suitable to manage the anticipated ecological effects from the development. This is not entirely correct as the existing AUP:OP and NES:PF objectives, policies standards and/or regulations manage biodiversity values in identified overlays such as significant ecological areas or riparian areas and wetlands. The existing provisions are not entirely suitable to manage the ecological effects in some areas of this proposed new zone location. In my opinion additional provisions are required to ensure that impacts on fauna are managed across the whole new SPQZ area.*

*It is recommended that a provision is included with this private plan change that requires a Fauna Management Plan to be produced to ensure that effects on fauna associated with vegetation removal are managed across the quarry footprint.*

*While fauna are protected under the Wildlife Act, and standards of the Unitary Plan afford discretion in overlays, riparian and wetland areas. The new proposed rezoned area being primarily in plantation forest exposes some gaps as following harvesting the pine forest will not be replaced. In typical plantation forests, harvesting occurs followed by afforestation which over time*

*returns the area back to plantation forest. Fauna are able to recover and recolonise as habitat grows and develops over time. In this case the area will be quarried as opposed to afforested. This proposal will remove that cycle of habitat and fauna population recovery. Plantation forestry can provide high biodiversity fauna values as has been realised at the proposed Dome Valley Landfill site. Additionally, as this site backs onto the Hunua Ranges Regional Park the biodiversity values within this site are potentially higher than forestry sites in other parts of the Auckland Region.*

150. Based on this advice I have also concluded that the effects of PC89 are able to be made acceptable. I discuss the specifics of Mr Tutt's recommendation later in this report (see paragraphs 191-192 ).

#### *Stormwater and Erosion and Sedimentation Effects*

##### *Applicant's assessment*

151. The applicant assessment states;

*Rules H28.4.1(A14) to (A18) and standard H28.6.2.7 address excavation associated with mineral extraction. As is demonstrated by decision [2018] NZEnvC 96, the Quarry Management Plan ("QMP") and erosion and sediment control plan required by the rules are effective in ensuring the sediment laden stormwater is appropriately captured and treated prior to discharge. The decision [2018] NZEnvC 96 requires regular updates to the erosion and sediment control plan to address changes in the excavation of the quarry, along with campaigns such as overburden removal. These same approaches would apply to future resource consents in the rezoned SPQZ.*

##### Comment

152. I consider that the provisions of the AUP are sufficient to manage the effects of stormwater, erosion and sediment as these currently operate in respect of the existing quarry in the SPQZ. Any actual expansion of the quarry will be subject to the requirement for a resource consent, as would any expansion under the current zone layout.

#### *Effects on Groundwater*

##### *Applicant's assessment*

153. The applicant's assessment is that effects on groundwater will be the subject of future resource consents. In addition the applicant notes that the existing consents for groundwater have identified no adverse effects and that the site is distant from adjoining buildings and structures.

##### Comment

154. I consider that this is a matter that will be largely dealt with through future resource consenting and that the provisions of the AUP (i.e. Chapter E7) are sufficient to manage these effects consistent with the existing quarry and existing resource consents.

#### *Transportation Effects*

##### *Applicant's assessment*

155. The applicant's assessment in section 5.9 of the request document notes that;

*Resource consent (decision [2018] NZEnvC 96) identifies road upgrades and traffic management measures to support the transportation of 3 million tonnes of aggregate from the quarry per annum. These measures are being implemented by the implementation of this resource consent, and these ensure that the roading network is appropriate.*

*The SPQZ includes the matters of control and assessment criteria in Rules H28.7.1(1)(a) and H28.7.2(1)(a) in respect to traffic and transportation effects. The proposed rezoning is intended to provide for the medium to long-term development of the Quarry rather than increased annual expansion beyond that consented in decision [2018] NZEnvC 96. The matter of assessment in H28.7.2.(1)(a)(i) is directed to the matters of the safe and efficient functioning of the surrounding road network as it states: whether the expected traffic generated by the activity appropriately avoids, remedies or mitigates adverse effects on the safe and efficient functioning of the surrounding road network.*

*It is considered that the objectives, policies and rules in the AUP will be sufficient to ensure that development within the PPC land is supported by adequate transportation assessment at the time of future resource consents.*

#### Comment

156. The transportation effects of PC89 have been assessed for the Council by Wes Edwards of Arrive consultants. Mr Edward's assessment is attached in Appendix 6.

157. Mr Edwards concludes that;

*In my assessment, the proposed rezoning would not result in a change to the transport characteristics of activities that could occur on the land, and therefore the change would not produce or enable any change in transport effects.*

*With respect to transport effects, I consider the proposal to be neutral.*

*For that reason, in my view the applicant's assessment of transport matters is adequate.*

158. I agree that because the actual area of land that will be zoned SPQZ does not change there is likely to be no change in the transportation effects as a result of PC89. In addition, there are adequate provisions within the AUP to manage the transportation effects of the any expansion of the existing quarry, regardless of whether PC89 is approved or not.

#### *Land Stability*

159. The applicant has assessed land stability issues in section 5.10 of the request documentation. The assessment notes that;

*A feature of the PPC site is its relatively steep terrain and its significant separation from adjoining dwellings and properties. This provides geotechnical challenges and opportunities for extraction of the resource.*

*Riley Consultants have identified no obvious large-scale instability features evident within the proposed SPQZ site in either the historic aerial images or from the on-site mapping. This is not to exclude their possible presence, but they have not been noted within the evidence collected. The area of the current Clevedon Quarry is similar from*

*a stability perspective, although to the east of the quarry is an area of noted ancient deep-seated instability, which the quarry excavation is yet to encounter.*

*The PPC area is suitable for further quarry development. The AUP provisions contained in E11, E12, E28 and E36 with respect to land stability, are considered appropriate to address potential matters. More detailed geotechnical reporting and site-specific pit design and overburden disposal areas can be prepared for specific resource consent applications. This was demonstrated by the decision [2018] NZEnvC 96 where a geotechnical report and specific mine design was provided as part of the assessment of that application.*

#### Comment

160. As the reporting planner, I agree that the Riley Report gives confidence that the resource exists and that the current quarry will have similar stability characteristics as the expanded quarry. Notwithstanding this, I consider that the details of how stability will be required to be assessed and managed through any future resource consent process. It is not possible currently, to know how any quarry expansion will be designed and undertaken. This can be managed in the future through any resource consent process.

#### *Contaminated Soils*

161. The applicant's assessment states that the quarry activities are not an activity which would trigger the requirements of Chapter E30 of the AUCP or the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health .

#### Comment

162. I consider that this assessment underestimates the potential for contamination as the SPQZ allows for the rehabilitation of quarries using managed fill as a permitted activity. Managed fill includes contaminated soil and other materials. In the case of a new quarry or the expansion of an existing quarry the rehabilitation activity has to be assessed at the time the quarry is established or expanded. Any discharge from a clean fill or managed fill will also be managed by E13 and E30 of the AUP and by the National Environmental Standard for Freshwater,

163. It would be helpful for the consideration of PC89 if the applicant could provide evidence relating to the potential use of clean or managed fill possible in the future. It is understood that currently no fill is brought into the site. Having said this, the potential for clean or managed fill exists within the existing SPQZ zone extent and the overall area of the zone does not increase as a result of PC89.

#### *Flooding*

164. The applicant's assessment of the potential flood risk notes that;

*The AUP identifies a non-statutory 'flood' and overland flowpath overlays in parts of the sites. Flood hazard potential can be addressed at the time of resource consent in respect to the provisions of E8 and E36 in respect to the establishment of impervious surfaces, or the diversion or displacement of overland flow paths or floodprone areas.*

*In addition, the provisions of E36 through the definitions exempt quarry pits from the flooding hazard rules.*

### Comment

165. I generally agree that reliance on the standard provisions of the AUP is appropriate as the provisions apply Auckland-wide.

### *Positive Effects*

166. The applicant identifies that the provision of a supply of aggregate for the development of buildings and infrastructure is a positive effect of the PC89.

### Comment

167. While the expansion of the quarry will allow for the continued use of the quarry into the future, and the subsequent supply of aggregate will be maintained, this is not likely to be significantly different from the existing situation given that the area of the SPQZ does not change. In my view, the positive effects of PC89 in respect of aggregate resource is largely neutral.

### *Conclusion of Effects*

168. Overall, I have concluded that most of the effects of PC89 are either acceptable or can be appropriately managed through the resource consent processes at the time when a specific proposal to expand the quarry is assessed. However, I consider that some changes to PC89 are required to adequately manage effects related to bats, the potential visual effects of the change and effects on the adjacent ONF.

## **6. CONSULTATION**

169. Section 8 of the Applicant's request document sets out the consultation undertaken by the applicant. This records that consultation has been undertaken with;

- (a) Auckland Council
- (b) Ngai Tai Ki Tāmaki
- (c) Clevedon Protection Society
- (d) Clevedon Quarry Liaison Group
- (e) The landowner at 600 McNicol Road.

(f) Following a request for additional information, the applicant supplied more details about the extent of consultation with Mana Whenua groups other than Ngai Tai Ki Tāmaki. This response is summarised in the table below.

Iwi authority	Organisation	Detail
Ngati Maru	Office at Ngati Maru	No response received
Ngati Paoa	Ngati Paoa Trust Board	No response received
Ngati Tamatera		No response received.
Ngāti te Ata		No response received



Iwi authority	Organisation	Detail
Ngāti Whanaunga		<p>8 April 2022 – received email from Michael Baker (NW) confirming they wish to be consulted and requested purchase order number so their team can review application.</p> <p>28 April 2022 – followed up on 8 April email.</p> <p>13 May 2022 – received confirmation from Jessy at NW that they will send a kaitiaki out to site.</p> <p>24 May 2022 – kaitiaki Stuart Renata visited site and was shown around by SAL.</p> <p>17 June 2022 – SAL phone call and email to Michael Baker (NW) confirming what next steps would be. Michael confirmed he would Catch up with Stuart to hear about his site visit to Clevedon Quarry. Stuart will also provide us all with a written summary of his site visit;</p> <p>Engage Stephanie May (consultant) for 4 hours to review the Private Plan Change documentation and provide feedback on that documentation.</p> <p>29 June 2022 – SAL followed up on the 17 June actions as there had been no response to date.</p> <p>21 July 2022 – meeting with Michael Baker (NW) in relation to one of SAL’s other sites.</p> <p>22 July 2022 – SAL followed up on the June 17 actions but no response to date.</p>
Ngati Paoa t	Ngati Paoa Iwi Trust	No response received
Te Ākitai Waiohua		No response received
Waikato- Tainui		No response received
Ngāi Tai ki Tamaki		<p>16 March 2022 - Regular hui between NTKT and SAL (Teams meeting)</p> <p>12 April 2022 Regular hui between NTKT and SAL (In person meeting at NTKT offices)</p> <p>18 May 2022 Extraordinary half day hui between NTKT and SAL environmental and management teams (held at Umupuia Marae)</p>

Iwi authority	Organisation	Detail
		<p>30 May 2022 Regular hui between NTKT and SAL (Teams meeting)</p> <p>As indicated in the meeting minutes, the private plan change was discussed at all of those meetings (and prior meetings). There was an undertaking at those meeting that NTKT would provide written comments, but these are still to come.</p>

170. I consider that the applicant should provide an update on any ongoing consultation at the hearing of PC89.

## 7. COMMENTS FROM LOCAL BOARD

171. Comments on PC89 have been received from the Franklin Local Board.

172. At its meeting of 23 May 2023 the Franklin Local Board resolved as follows;

*That the Franklin Local Board:*

*a) provide local board views on Private Plan Change 89 by Stevenson Aggregates Ltd for 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon as follows:*

- i) continue to have concern on the detrimental effect to the roading network to and from the quarry and in particular roads within the Clevedon area. The board supports the Auckland Transport submission expressing the same concern.*
- ii) request a native bush covenant be put over the block to ensure no future quarrying consents can be granted.*
- iii) note that any future consent because of this plan change does not incur additional truck movements, does not change hours of operation and there are no adverse effects to the ecology of the area.*
- iv) request Auckland Transport and the applicant seek a public / private partnership to address the deteriorating roads and one lane bridge on the main route from the quarry, given Clevedon roads were not built for large trucks and heavy loads*
- v) recommend the applicant communicate with the Community Liaison Group on the long-term plan for the quarry.*
- vi) request Auckland Transport review the safety of Monument Road/Tourist Road intersection (given recent near-miss accidents) and safety of Creightons/Tourist/Papakura-Clevedon Road intersection.*

*b) decline the opportunity to provide its views at a hearing on Private Plan Change*

173. While noting that some matters raised by the Board (such as the action of Auckland Transport) are beyond the scope of the AUP these matters have generally been considered in the preparation of this report.

## 8. NOTIFICATION AND SUBMISSIONS

### 8.1. Notification details

174. Details of the notification timeframes and number of submissions received is outlined below:

Date of public notification for submissions	26 January 2023
Closing date for submissions	24 February 2023
Number of submissions received	72 plus 1 late submission
Date of public notification for further submissions	20 April 2023
Closing date for further submissions	5 May 2023
Number of further submissions received	0

175. 72 initial submissions were received on time. One submission from Auckland Transport was received later and was accepted under delegated authority. Copies of all the submissions are attached as **Appendix 4** to this report.

## **9. LEGAL AND STATUTORY CONTEXT RELEVANT TO SUBMISSIONS**

176. There are no legal matters resulting from the submissions.

## **10. ANALYSIS OF SUBMISSIONS AND FURTHER SUBMISSIONS**

177. The following sections address the submissions received on PC89. It discusses the relief sought in the submissions and makes recommendations to the Hearing Commissioners.

178. Submissions that address the same issues and seek the same relief have generally been grouped together in this report under the following topic headings. It should be noted that most submissions sought that PC89 be declined in its entirety. Therefore, I have grouped submissions under various headings related to the reasons for submissions. A number of submissions attached the submission points from the Clevedon Protection Society (Submission 48). In these instances, I have endeavoured to include those submissions within the submission headings that apply to submission 48 even though the submission may have not specifically raised the matter in the submission text. Some submissions will appear under more than one heading. The headings I have used are as follows:

- Submissions related to traffic matters
- Submissions related to ecology
- Submissions concerning effects on Wairoa River
- Submissions concerning noise effects.
- Submissions concerning the impact on mana whenua
- Submissions concerning visual effects
- Submissions concerning heritage
- Submissions concerning the loss of rural land

- Submissions concerning the effects on recreation
- Miscellaneous submissions.

### 10.1.1.Traffic/ Transportation

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
1.1	Robert Peter Rishworth	Decline the plan change		Reject
2.1	Roscommon Properties Attn: Sherin Walker	Decline the plan change		Reject
3.1	Nicola Squire	Decline the plan change		Reject
4.1	Colin Bryant	Decline the plan change		Reject
5.1	Gael Bryant	Decline the plan change		Reject
6.1	Carl Roger Green	Decline the plan change		Reject
8.1	Anthony and Trish Peters	Decline the plan change		Reject
10.1	Kate Keane	Decline the plan change		Reject
11.1	Matt Strang Attn: Matt Strang (David Reid Homes)	Decline the plan change		Reject
12.1	Jo Bell	Decline the plan change		Reject
13.1	Nicole Heald	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject

17.1	TA True & JKW Brown	Decline the plan change		Reject
17.4	TA True & Jkw Brown	Required upgrades to roading and other infrastructure should be resolved before rezoning occurs		Reject
17.5	TA True & Jkw Brown	Formal agreement between SAL and AT should be required (before rezoning).		Reject
18.1	Robert James Peters	Decline the plan change		Reject
19.1	Isabella Grace Curran	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
21.1	Belinda Clarke	Decline the plan change		Reject
25.1	Laura griffin	Decline the plan change		Reject
27.1	Greg Tucker	Decline the plan change		Reject
28.1	Hannah Gosbee	Decline the plan change		Reject
29.1	Michelle Barnes	Decline the plan change		Reject
30.1	Susan Carolyn Curran	Decline the plan change		Reject
30.2	Susan Carolyn Curran	Provide bridal way for walkers and equestrian		Reject
32.1	Heather Mary Jean Kean	Decline the plan change		Reject
37.1	Sophia Yetton	Decline the plan change		Reject

37.2	Sophia Yetton	Provide a two way bridge for Tourist Road		Reject
37.3	Sophia Yetton	Provide secure load rules for trucks		Reject
37.4	Sophia Yetton	Provide a footpath around all of Clevedon which does not impede on the grass verge which are frequently used by the equestrian community.		Reject
38.1	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	Decline the plan change		Reject
38.3	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	Recognition that the roads which are used by trucks using the quarry have deteriorated.		Reject
38.4	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	Provide an explicit undertaking that the existing conditions of consent will be continued in any new resource consent		Reject
38.5	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	That the consent condition limiting truck movement through Clevedon Village be extended, it having been for only 5 years from 2018.		Reject
39.1	Eve Osborne Rosenhek	Decline the plan change		Reject

40.1	Tamsin Watson	Decline the plan change		Reject
41.1	Sophie Kate Bruce	Decline the plan change		Reject
42.1	Lauren Christensen	Decline the plan change		Reject
43.1	Paula Mitchell	Decline the plan change		Reject
44.1	Elizabeth Miller	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
48.1	Clevedon Protection Society Attn: Tristan Peter Illich	Decline the plan change		Reject
48.4	Clevedon Protection Society Attn: Tristan Peter Illich	Required upgrades to roading and other infrastructure should be resolved before rezoning occurs		Reject
48.5	Clevedon Protection Society Attn: Tristan Peter Illich	Formal agreement between SAL and AT should be required (before rezoning).		Reject
49.1	The Tokomaru Trust Attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
52.4	Jamel Cindy Schultz	Required upgrades to roading and other infrastructure should		Reject

		be resolved before rezoning occurs		
53.1	Warwick Troup	Decline the plan change		Reject
54.1	Krystle Troup	Decline the plan change		Reject
55.1	Karyn Mitchell	Decline the plan change		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
57.1	Hendrikus Johannes F Slebos	Decline the plan change		Reject
59.1	Philip Andrew Wayne	Decline the plan change		Reject
59.1	Philip Andrew Wayne	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
63.1	Sarah Baillie	Decline the plan change		Reject
64.1	Clevedon resident Attn: Bredan Kingsley Vallings	Decline the plan change		Reject
65.1	Gavin Andrews	Decline the plan change		Reject
66.1	Kathy Gibson	Decline the plan change		Reject
67.1	Edward Thomas Griffiths	Decline the plan change		Reject
68.1	Yvonne Mary Lake	Decline the plan change		Reject
69.1	Harriet Pilkington	Decline the plan change		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject



71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject
73.1	Auckland Transport	Accept the plan change with the amendments requested		Reject
73.2	Auckland Transport	Accept the plan change with the amendments requested		Reject

### Discussion

179. Most of the submissions received included concerns about the traffic impacts of PC89. The submissions that touch on traffic and transportation matters centre around a number of distinct issues as follows:

- (a) Concerns about an increase in truck movements within the Clevedon area and associated safety and amenity issues related to this traffic.
- (b) The ability or otherwise of the surrounding road network to accommodate the existing quarry traffic additional traffic generated.
- (c) Specific aspects related to transport.

### Traffic Effects

180. As noted in paragraphs 156-158 the traffic effects of PC89 have been assessed by the Council's traffic consultant, Wes Edwards. Mr Edwards has made a comprehensive assessment of the points raised in the submissions in his assessment in Appendix 6 and these are not repeated here. Mr Edward's conclusions on the transportation matters raised within the submissions can be summarised as follows.

- (a) In respect of increased truck movements these can be managed by the resource consents necessary to provide for either an increased rate of extraction or extraction over a wider area.
- (b) It is not possible through this PC process to manage existing effects.
- (c) Matters of compliance are a matter for the Council to manage through its enforcement processes which are separate from this process.
- (d) Changes to the existing resource consent cannot be made through this process.
- (e) While upgrades may be required to the road network for extended quarrying, that can be managed through the required resource consent.
- (f) Alternative transport methods for the removal of material are not practicable.
- (g) Additional provisions to manage the maintenance of roads are not required as :
  - The proposed rezoning would not necessarily increase the number of trucks;
  - These effects are appropriately addressed at the time of resource consent; and
  - The Environment Court has declined to impose similar measures in a similar case.

181. In my view, PC89 will not result in a perceptible increase in the development potential of the quarry zone (and a subsequent increase in quarry traffic) as the area of the zone is not increasing. There is potential to quarry the northern part of the existing zone within the current zone and PC89 provides for this area to be removed from the SPQZ and replicated to the south. The Auckland Transport submission, for example, appears to assume that the zone change will increase the life span of the quarry. However, I don't necessarily agree that this is the case as the overall area of the zone would not increase and there is scope within the existing zone boundaries to increase the consented quarry size through expansion to the north. In my view the potential for expansion of the quarry exists within the existing zone and PC89 just changes the location of where quarry activity will occur but not necessarily the extent of quarrying into the future as assumed by the AT submission.

182. The extent of future works at the quarry beyond those allowed by the existing resource consent will be determined by any future resource consents. The SPQZ provisions include the following policies and assessment criteria that will guide any resource consent decision making.

*Policy H28.3.6 Avoid, remedy or mitigate adverse effects of traffic generation and maintain safety for all road users, and particularly measures to manage heavy vehicles entering or exiting the site and on quarry transport routes.*

*H28.7.2 Assessment Criteria*

*1 (a) traffic and access:*

*(i) whether the expected traffic generated by the activity appropriately avoids, remedies or mitigates adverse effects on the safe and efficient functioning of the surrounding road network;*

*(ii) the extent to which entry and exit points to the site are designed to suitably accommodate all traffic movements, and in doing so, avoid, remedy or mitigate disruption to traffic flows on the adjoining road network.*

183. I consider that these provisions will enable the Council to manage future quarry expansion through future resource consents.

184. A number of submissions request that upgraded pedestrian and bridle paths be provided as part of PC89. I consider that such amenities are likely to be beyond the scope of the plan change and would require third-party and landowner approvals to implement. While such facilities may provide a benefit to the community, I consider that their provision cannot be effectively written into zone provisions.

Recommendations on submissions

185. That submissions **1.1, 2.1, 3.1, 4.1, 5.1, 6.1, 8.1, 10.1, 11.1, 12.1, 13.1, 14.1, 15.1, 16.1, 17.1, 17.4, 17.5, 18.1, 19.1, 20.1, 21.1, 25.1, 27.1, 28.1, 29.1, 30.1, 30.2, 32.1, 37.1, 37.2, 37.3, 37.4, 38.1, 38.3, 38.4, 38.5, 39.1, 40.1, 41.1, 42.1, 43.1, 44.1, 45.1, 46.1, 48.1, 48.4, 48.5, 49.1, 50.1, 51.1, 52.1, 52.4, 53.1, 54.1, 55.1, 56.1, 57.1, 59.1, 62.1, 63.1, 64.1, 65.1, 66.1, 67.1, 68.1, 69.1, 70.1, 71.1, 72.1, 73.1 and 73.2** insofar as these relate to transportation matters **be rejected**

186. There are no changes recommended from this recommendation.

**10.1.3. Ecology**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner's Recommendation</b>
4.1	Colin Bryant	Decline the plan change		Reject
5.1	Gael Bryant	Decline the plan change		Reject
7.1	Kirsten Hewitt	Decline the plan change		Reject
9.1	Vic and Christine Holmes and family	Decline the plan change		Reject
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
18.1	Robert James Peters	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
31.1	David Leuan Jenkins	Decline the plan change		Reject
33.1	Hayley Billman	Decline the plan change		Reject
34.1	Georgia Billman	Decline the plan change		Reject
35.1	Wayne Billman	Decline the plan change		Reject
36.1	Jenna Billman	Decline the plan change		Reject

38.2	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	Covenant land which is being converted from SPQZ to RPZ as native bush		Reject
39.1	Eve Osborne Rosenhek	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
41.1	Sophie Kate Bruce	Decline the plan change		Reject
43.1	Paula Mitchell	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
47.1	Gary	Decline the plan change		Reject
48.1	Clevedon Protection Society Attn: Tristan Peter Illich	Decline the plan change		Reject
49.1	The Tokomaru Trust Attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject

56.1	Diane Frances Myers	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
63.1	Sarah Baillie	Decline the plan change		Reject
64.1	Clevedon resident Attn: Bredan Kingsley Vallings	Decline the plan change		Reject
68.1	Yvonne Mary Lake	Decline the plan change		Reject
69.1	Harriet Pilkington	Decline the plan change		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

## **Discussion**

187. These submissions request that PC89 be declined on the basis of effects on ecology.

188. The ecological effects of the proposal have been assessed for the Council by Carl Tutt (Terrestrial Ecology) and Jason Smith (Freshwater Ecology). These assessments are attached in Appendix 6. The assessments have included assessments of the submissions.

189. In respect of freshwater ecology Mr Smith has made the following comments:

*As it relates to freshwater ecology, the Stream Ecological Value (SEV) and Macroinvertebrate (MCI) assessment, as well as the stream classification as hard-bottom are sufficient to consider the streams within the plan change areas a high ecological value.*

*It is accepted that the streams within the plan change area are of high ecological value, and are likely to be impacted by future quarrying activity. The southern stream, despite being of high value, is likely to be of lesser ecological value than the stream to the north where the SEA and NSMA overlay applies.*

*The plan change itself does not enable any earthworks or works in any streams, or an expansion of quarrying activities. Any activities would still require a resource consent and I consider that the AUP (and NES:FW) contain sufficient provision to enable the assessment of any effects at the time of resource consenting include sedimentation and effects on water quality.*

*The Wairoa River catchment is primarily in rural activity land-uses, and hence the river receives sediment inputs from a variety of sources generated throughout the catchment. Whilst any sediment-laden flows discharged from the quarry would be noticeable at the point of the discharge, attributing the relative contribution of the quarry to wider sediment loads would be difficult.*

*The plan change itself does not enable any earthworks or works in any streams, or an expansion of quarrying activities. Any activities would still require a resource consent and I consider that the AUP (and NES:FW) contain sufficient provision to enable the assessment of any effects at the time of resource consenting, this includes the provisions of E3 that regulate activities in, on under and over the bed of the southern stream, as well as the NES:FW.*

*The best practice for erosion and sediment controls (GD05) are design to cater for storm events up to the 5% Annual Exceedance Probability (AEP) event which is equally to the 5 year Annual Recurrence Interval (ARI) storm event. This same standard is adopted across New Zealand (Otago, Canterbury, Waikato) and internationally (Australia).*

*This standard recognises that is not practical to construct controls to capture every conceivable storm event, and that a balance must be struck with undertaking the land disturbance activity (in this case quarrying), and the additional land disturbance that would be required to construct larger devices.*

*I am confident that the EclA has been sufficiently thorough (for freshwater ecology). I have approached Auckland Council's Compliance Team regarding the Abatement notice. Council did issue ABT21358355 to Fulton Hogan on the 8th September 2017 in relation to a discharge of sediment. The required actions were completed and ABT21358355 cancelled on the 3rd of November 2017. Council investigated a separate sediment discharge event to the southern stream, the quarry was found to not be at fault.*

190. Overall Mr Smith has concluded that PC89 is consistent with the direction and framework of the AUP and that it does not alter the consideration of any activities that relate to freshwater ecology under the National Policy Statement: Freshwater Management or National Environmental Standard: Freshwater.

191. In respect of the main submission points relating to terrestrial ecology Mr Tutt notes:

*1.1 Plan Change 89 was notified and 73 submissions have been received.*

*1.2 Several submissions were received by members of the Clevedon Protection Society which raised two key concerns in relation to terrestrial ecological values.*

- 1.2.1 *previous ecological reports by Boffa Miskell concluding that the site has high ecological values, and this recent report suggests low ecological values.*
- 1.2.2 *Impacts specifically on native long-tailed bats which have recently been discovered along the Wairoa River adjacent to the quarry.*
- 1.3 *The current Ecological Assessment notes that the ecology values are described in detail in the Boffa Miskell report for ENV-2018-AKL-000044. The assessment does not contradict the biodiversity values identified in the Boffa Miskell report but adds additional detail in relation to the proposed SPQZ area. The ecological values of the site overall remain high, however some aspects of the ecology in the southern area of the quarry will be of lower value than the northern area which has both SEA and NSMA overlays.*
- 1.4 *There have been a number of bat surveys undertaken within 5km of the subject site within the last 10 years. From 11 surveys across this time period there were 392 bat passes detected, with majority of those detections being the Hunua Ranges and Ness Valley. Most recently Auckland Council funded EcoQuest Education Foundation Te Rarangahau Taiao to undertake surveys of bats in the Franklin area, including the wider Wairoa river catchment.*
- 1.5 *Given the proximity of this site to the Hunua Ranges which is a known regional stronghold for long-tailed bats it is likely that bats will utilise the site for feeding/roosting or transiting. There are additional effects on indigenous fauna which will not be accounted for within the current AUP:OP and NES:PF provisions. Therefore, additional provisions to ensure fauna effects are managed appropriately have been recommended below.*

192. Overall Mr Tutt has concluded that PC89 avoids effects on an area of higher ecological value on site, however, he considers that the effects on bats have not been properly assessed. As noted above he considers that additional provisions are required.

193. In light of this advice, my overall planning assessment is that PC89 is likely to result in improved ecological outcomes compared to the existing location of the SPQZ at this location. The relocation of the SPQZ away from areas under the SEA and NSMA overlays is positive. I have recommended amendments to the SPQZ in Clevedon in respect of fauna management. I consider that these changes sit within the scope of the general submissions on ecology.

194. The advice from Mr Smith is that the scope of the required resource consents for future quarrying (which include consenting requirements outside the SPQZ provisions and potential outside the AUP) are sufficient to manage effects on freshwater ecology.

195. I consider that it is not practicable to covenant the SEA land that is being removed from the SPQZ as requested by submission from Clevedon cares and others. In my view the SEA overlay will give the land adequate protection once the SPQZ is removed. However it is always open to the applicant to covenant the land on a voluntary basis.

196. In respect of the recommendation below, I have recommended that these submissions be rejected as I consider that there is no ecological reason to decline the plan change.

#### Recommendations on submissions

197. That submissions **4.1, 5.1, 7.1, 7.9, 12.1, 14.1, 15.1, 16.1, 17.1, 18.1, 20.1, 31.1, 33.1, 34.1, 35.1, 36.1, 38.2, 39.1, 40.1, 41.1, 43.1, 45.1, 46.1, 47.1, 48.1, 49.1, 50.1, 51.1, 52.1, 56.1, 61.1, 62.1, 63.1, 64.1, 68.1, 69.1, 70.1, 71.1 and 72.1** insofar as these relate to ecology **be rejected** for the reasons set out above.

198. The recommended amendments are set out in **Appendix 5** to this report.

#### 10.1.4. Effects on Wairoa River including Flooding

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
6.1	Carl Roger Green	Decline the plan change		Reject
8.1	Anthony and Trish Peters	Decline the plan change		Reject
11.1	Matt Strang attn: Matt Strang (David Reid Homes)	Decline the plan change		Reject
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
18.1	Robert James Peters	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
22.1	Liz Robertson	Decline the plan change		Reject
23.1	Anthony T Curran	Decline the plan change		Reject



30.1	Susan Carolyn Curran	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
41.1	Sophie Kate Bruce	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Reject
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
63.1	Sarah Baillie	Decline the plan change		Reject

64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Reject
65.1	Gavin Andrews	Decline the plan change		Reject
66.1	Kathy Gibson	Decline the plan change		Reject
68.1	Yvonne Mary Lake	Decline the plan change		Reject
69.1	Harriet Pilkington	Decline the plan change		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

### Discussion

199. These submissions have been grouped together as submissions that have generally requested that PC89 be declined for reasons relating to the Wairoa River including sedimentation and flooding.

200. These submissions are related to the general ecological submissions which are discussed above but more specifically related to the river.

201. In respect of sediment Mr Smith notes that:

*The best practice for erosion and sediment controls (GD05) are design to cater for storm events up to the 5% Annual Exceedance Probability (AEP) event which is equally to the 5 year Annual Recurrence Interval (ARI) storm event. This same standard is adopted across New Zealand (Otago, Canterbury, Waikato) and internationally (Australia).*

*This standard recognises that it is not practical to construct controls to capture every conceivable storm event, and that a balance must be struck with undertaking the land disturbance activity (in this case quarrying), and the additional land disturbance that would be required to construct larger devices.*

*I am confident that the EclA has been sufficiently thorough (for freshwater ecology).*

*I have approached Auckland Council's Compliance Team regarding the Abatement notice. Council did issue ABT21358355 to Fulton Hogan on the 8th September 2017 in relation to a discharge of sediment. The required actions were completed and ABT21358355 cancelled on the 3rd of November 2017. Council investigated a separate sediment discharge event to the southern stream, the quarry was found to not be at fault.*

202. In respect of sedimentation, I consider based on Mr Smith's advice, that the existing plan provisions are adequate to manage the sedimentation effects of the quarry at the time of resource consent.

203. In respect of flooding, I refer to the discussion above in paragraphs 164 and 165. The existing provisions within the AUP are suitable for the management of flooding and are applied throughout the region.

#### Recommendations on submissions

204. That submissions **6.1, 8.1, 11.1, 12.1, 14.1, 15.1, 16.1, 17.1, 18.1, 20.1, 20.1, 22.1, 23.1, 30.1, 40.1, 41.1, 45.1, 46.1, 48.1, 49.1, 51.1, 52.1, 56.1, 61.1, 62.1, 63.1, 64.1, 65.1, 66.1, 68.1, 69.1, 70.1, 71.1 and 72.1** insofar as these relate to effects on the Wairoa River **be rejected** for the reasons set out above.

205. There are no amendments resulting from this recommendation.

#### **10.1.5 Noise**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner's Recommendation</b>
21.1	Belinda Clarke	Decline the plan change		Reject
30.3	Susan Carolyn Curran	Provide sound proof fencing and planting for residences affected.		Reject
33.1	Hayley Billman	Decline the plan change		Reject
34.1	Georgia Billman	Decline the plan change		Reject
35.1	Wayne Billman	Decline the plan change		Reject

36.1	Jenna Billman	Decline the plan change		Reject
39.1	Eve Osborne Rosenhek	Decline the plan change		Reject
41.1	Sophie Kate Bruce	Decline the plan change		Reject
43.1	Paula Mitchell	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
69.1	Harriet Pilkington	Decline the plan change		Reject

#### Discussion

206. This group of submissions are concerned that the noise effects related to PC89.

207. The noise effects of PC89 have been assessed by Rhys Hegley for the Council. Based on the assessment of Mr Hegley my overall conclusion in respect of noise is that PC89 will make little change in respect of the noise environment in the vicinity of the quarry. I can therefore find no noise reasons to decline the plan change given the existing quarry zone and operation on the land.

#### Recommendations on submissions

**208.** That submissions **21.1, 30.3, 33.1, 34.1, 35.1, 36.1, 39.1, 41.1, 43.1, 50.1 and 69.1** insofar as these relate to noise effects **be rejected** for the reasons set out above.

209. There are no changes resulting from this recommendation.

#### **10.1.5. Impact on Mana Whenua**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject

15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
18.1	Robert James Peters	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Reject
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject

61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

### Discussion

210. This group of submissions are concerned about the effects on Mana Whenua generally. The submission from Graeme Kepa gives the reasons for opposing the plan change – Kaitiakitanga, whanaungatanga and Manaakitanga. The remaining submissions are concerned that there has been inadequate consultation with local iwi including Ngai Tai Ki Tāmaki Tribal Trust.

211. In respect of consultation with Mana Whenua – the consultation undertaken is set out in the applicant's additional information request response and in section 6 of this report above. I consider that the applicant has undertaken adequate consultation and appears to be continuing to engage with Ngai Tai Ki Tāmaki Tribal Trust. It would be helpful if the applicant could provide an update on ongoing consultation at the hearing. It is notable that there have been no submissions from the Mana Whenua groups consulted.

212. It would also be helpful if Mr Kepa could provide additional information about the details of his concerns at the hearing. At this time I am unable to comment further on these.

### Recommendations on submissions

213. That submissions **12.1, 14.1, 15.1, 16.1, 17.1, 18.1, 20.1, 40.1, 45.1, 46.1, 48.1, 49.1, 50.1, 52.1, 61.1, 62.1, 64.1, 70.1, and 70.2** insofar as they relate to Mana Whenua **be rejected**.

214. There are no changes resulting from this recommendation.

### **10.1.6. Visual Effects**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner's Recommendation</b>
12.1	Jo Bell	Decline the plan change		Accept in part
14.1	Marc Kimpton	Decline the plan change		Accept in part
15.1	Sarah Kimpton	Decline the plan change		Accept in part
16.1	Lydia Kimpton	Decline the plan change		Accept in part
17.1	TA True & Jkw Brown	Decline the plan change		Accept in part
20.1	Jonathan Ford	Decline the plan change		Accept in part
18.1	Robert James Peters	Decline the plan change		Accept in part
33.1	Hayley Billman	Decline the plan change		Accept in part
34.1	Georgia Billman	Decline the plan change		Accept in part
35.1	Wayne Billman	Decline the plan change		Accept in part
36.1	Jenna Billman	Decline the plan change		Accept in part
39.1	Eve Osborne Rosenhek	Decline the plan change		Accept in part
40.1	Tamsin Watson	Decline the plan change		Accept in part
41.1	Sophie Kate Bruce	Decline the plan change		Accept in part
43.1	Paula Mitchell	Decline the plan change		Accept in part

45.1	Sara Stodart	Decline the plan change		Accept in part
46.1	Kate Ormond	Decline the plan change		Accept in part
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Accept in part
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Accept in part
50.1	Sheryl McKinley	Decline the plan change		Accept in part
51.1	Dean Turner	Decline the plan change		Accept in part
56.1	Diane Frances Myers	Decline the plan change		Accept in part
61.1	Gordon Mackenzie Gibson	Decline the plan change		Accept in part
62.1	Kelli-Jo Walker	Decline the plan change		Accept in part
63.1	Sarah Baillie	Decline the plan change		Accept in part
64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Accept in part
69.1	Harriet Pilkington	Decline the plan change		Accept in part
70.1	Anthony Basil Thompson and Thelma	Decline the plan change		Accept in part



	Joy Thompson			
72.1	Catriona Hitchman	Decline the plan change		Accept in part

Discussion

215. This group of submissions relate to the adverse visual effects of PC89.

216. As noted above in paragraphs 139-142 of this report, the visual effects of PC89 have been assessed by Bridget Gilbert for the Council. Ms Gilbert has analysed the submissions relating to visual and landscape effects and has advised that she considers that PC89 is appropriate provided that the provisions are amended to protect the existing vegetation along the full extent of the ONF adjoining the western boundary of the plan change area. This area is set out in Figure 2 of Ms Gilbert’s assessment.

217. Currently, there are no provisions within the SPQZ that would require this to occur. I consider that additional provisions could be incorporated within the SPQZ that relate specifically to the Clevedon quarry. There is some precedence in respect of site specific provisions being included within the SPQZ. For example, there are currently buffer provisions that apply only to the Hunua quarry. In addition, I consider that these provisions can be included without changes to the objectives and policies of the zone. Policy H28.3.(3) is;

*Avoid where practicable, or otherwise remedy and mitigate significant adverse effects on areas where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.*

218. I also consider that adding additional provisions as recommended by Ms Gilbert is within the scope of the submissions noted above that concern the visual effects of the quarry, particularly on McNicol Road, noting that the submissions seek the plan change be declined.

Recommendations on submissions

219. That submissions **12.1, 14.1, 15.1, 16.1, 17.1, 20.1, 18.1, 33.1, 34.1, 35.1, 36.1, 39.1, 40.1, 41.1, 43.1, 45.1, 46.1, 48.1, 49.1, 50.1, 51.1, 56.1, 61.1, 62.1, 63.1, 64.1, 69.1, 70.1 72.1** insofar as these relate to visual effects be accepted in part and that amendments be made to PC89.

220. These amendments are set out in **Appendix 5** to this report.

**10.1.8 Heritage**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner’s Recommendation
60.1	Heritage New Zealand Pouhere	Accept the proposed plan change PP89 (Private) with amendments as required to		Reject

	Taonga attn: Alice Morris	protect historic heritage and archaeology following the completion by a qualified archaeologist of an archaeological assessment of the area to be re-zoned to SPQZ on 439 Otau Mountain Road and 646 McNicol Road.		
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## Discussion

221. This submission is concerned about the effects of PC89 on historic heritage most notably the protection of archaeological sites within the plan change area. The submission is concerned that PC89 lacks an archaeological assessment.

222. As noted above in paragraphs 133-137 the heritage effects of PC89 have been assessed by Rebecca Ramsey – Council’s Senior Specialist: Heritage. In respect of this submission Ms Ramsey notes that;

*From review of the CFG Heritage archaeological assessment, Cultural Heritage Inventory and NZAA ArchSite Database, there are no recorded historic heritage places within the plan change area. Additional background research has not flagged potential unrecorded historic heritage places. Further, Mana Whenua consultation undertaken by the applicant has not identified any specific wāhi tapu or wāhi tūpuna places which may also have associated historic heritage values<sup>2</sup>.*

*While I understand the concerns raised by HNZPT with regards to the level of reporting applying a precautionary approach to archaeological sites, in this instance I support the approach proposed by the applicant to prepare further historic heritage reporting at the consenting phase, also noting that further reporting will also be required to apply for an Archaeological Authority from HNZPT<sup>3</sup>.*

*In my opinion, due to the sites topographic constraints and vegetation cover limiting field work and potential site visibility<sup>4</sup> further assessment should be undertaken once detailed design has been progressed to inform a more targeted field survey methodology.*

*From review of the CFG Heritage archaeological assessment, Cultural Heritage Inventory and NZAA ArchSite Database, there are no recorded historic heritage places within the plan change area. Additional background research has not flagged potential unrecorded historic heritage places. Further, Mana Whenua consultation undertaken by the applicant has not identified any specific wāhi tapu or wāhi tūpuna places which may also have associated historic heritage values<sup>5</sup>.*

*While I understand the concerns raised by HNZPT with regards to the level of reporting applying a precautionary approach to archaeological sites, in this instance I support the approach proposed by the applicant to prepare further historic heritage reporting at the consenting phase, also noting that further*

<sup>2</sup> AEE Sections 5.3.1-5.3.8.

<sup>3</sup> AEE Sections 5.3.4 - 5.3.6.

<sup>4</sup> See also CFG Heritage 2017.

<sup>5</sup> AEE Sections 5.3.1-5.3.8.

reporting will also be required to apply for an Archaeological Authority from HNZPT<sup>6</sup>.

*In my opinion, due to the sites topographic constraints and vegetation cover limiting field work and potential site visibility<sup>7</sup> further assessment should be undertaken once detailed design has been progressed to inform a more targeted field survey methodology.*

223. Based on the advice from Ms Ramsey I consider that no further archaeological assessment is required at this stage.

Recommendations on submissions

224. That submission **60.1** be rejected.

225. There are no amendments as a result of this submission.

**10.1.9. Rural Land**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
18.1	Robert James Peters	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject

<sup>6</sup> AEE Sections 5.3.4 - 5.3.6.

<sup>7</sup> See also CFG Heritage 2017.

45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Reject
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Reject
69.1	Harriet Pilkington	Decline the plan change		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject

72.1	Catriona Hitchman	Decline the plan change		Reject
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### Discussion

226. This group of submissions are concerned that PC89 will reduce the area of productive rural land in the area.

227. I consider that as PC89 is essentially a land swap between the Rural Production Zone and the SPQZ there will be no net loss of rurally zoned land. In addition, the land involved is very steep and is not highly productive land and the net effect on traditional rural production will be nil. The land to be retired from the SPQZ does contain some SEA land and accordingly, this land will not be available for production. However, I see this as a positive effect of PC89. The land involved in the plan change is currently in forestry and the impact of PC89 on the ongoing forestry production is also negligible.

### Recommendations on submissions

228. That submissions **12.1, 14.1, 15.1, 16.1, 17.1, 18.1, 20.1, 40.1, 45.1, 46.1, 48.1, 49.1, 51.1, 52.1, 56.1, 61.1, 62.1, 64.1, 69.1, 70.1, and 72.1** insofar as these relate to rural production be rejected

229. There are no changes resulting from this recommendation.

### **10.1.10. Effects on recreation/ social effects**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
18.1	Robert James Peters	Decline the plan change		Accept
20.1	Jonathan Ford	Decline the plan change		Reject

39.1	Eve Osborne Rosenhek	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
43.1	Paula Mitchell	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Reject
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

### Discussion

230. This group of submissions is concerned with the effect of the quarry on recreation and social impacts in Clevedon.

231. The submission from the Clevedon Protection Society (CPS) states that the Te Araroa Trail has been relocated away from Clevedon and the Wairoa River valley due to traffic generated by the quarry. I have reviewed this, and it is my understanding that the diversion (which now sees the route more closely following State Highway 1 out of Auckland) was due more to the closure of tracks in the Hunua Ranges due to Kauri Dieback Disease rather than traffic. Indeed, the Te Araroa Trail uses many roadways with far greater traffic volumes than McNicol Road. I also note Mt Edwards conclusions regarding the actual traffic generation likely from PC89 which is discussed above in paragraphs 156-158.

232. While the traffic on McNicol Road makes accessing the walking track at the end of the road, less pleasant, access is already constrained by the poor quality of the road beyond the quarry entrance, something that is not the result of the quarry operation. The nature of the zone boundary, the location of the ONF overlay and the recommended provisions from Ms Gilbert's assessment are such that I am of the view that there will be no or little impact on the access to the walking track.

233. In respect of other concerns regarding the social impact on Clevedon, I consider that these will be limited. The quarry is not located centrally within the Clevedon area and the main effects appear to relate to the presence of trucks through the area. In my view PC89 will make no significant change to the presence of trucks and other similar effects as it will not increase the overall area of the quarry zone.

#### Recommendations on submissions

234. That submissions **12.1, 14.1, 15.1, 16.1, 17.1, 18.1, 20.1, 39.1, 40.1, 43.1, 45.1, 46.1, 48.1, 49.1, 51.1, 52.1, 56.1, 61.1, 62.1, 64.1, 71.1 and 72.1** insofar as they relate to recreation and social effects **be rejected**.

235. There are no changes resulting from this recommendation.

#### **10.1.11. Miscellaneous Submissions**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner's Recommendation</b>
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject

17.2	TA True & Jkw Brown	The PPC proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set		Reject
17.3	TA True & JKW Brown	The PPC proposal should include a new resource consent		Reject
18.1	Robert James Peters	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
21.1	Belinda Clarke	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
44.1	Elizabeth Miller	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
47.1	Gary	Decline the plan change		Reject
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Reject
48.2	Clevedon Protection Society attn: Tristan Peter Illich	The PPC proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set		Reject



48.3	Clevedon Protection Society attn: Tristan Peter Illich	The PPC proposal should include a new resource consent		Reject
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
52.2	Jamel Cindy Schultz	The PPC proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
58.1	Julie Parmenter	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Reject
65.1	Gavin Andrews	Decline the plan change		Reject

66.1	Kathy Gibson	Decline the plan change		Reject
67.2	Edward Thomas Griffiths	That this plan change be considered ONLY if the applicant commits to no further plan changes for a period of 15 years.		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

### Discussion

236. This group of submissions raise a number of concerns that do not fit the previous headings. Most of these are from submitters who indicated support for the pre-circulated submission from the Clevedon Protection Society (CPS) in their submission. There are also a number of submissions that requested that the plan change be declined but gave reasons that were not sufficiently specific to include in the previous sections of this report.

237. Submission 47.1 from Gary requests that the plan change be declined because of local people. It would be helpful if this submitter could elaborate on this at the hearing.

238. Submissions 58.1 from Julie Parmenter requests that the plan change be declined as the site is not suitable. It would also be helpful if this could be elaborated on at the hearing.

### *Precedent*

239. A number of submissions raise the concern that PC89 will create a precedent for future expansion of the quarry beyond the bounds of PC89. I consider that this will not be the case as each plan change has to be considered on its merits. PC89 is also unusual in that rather than being an expansion of the SPQZ it is a zone swap and the total area of the zone does not really change. The objectives and policies of the SPQZ, as discussed in section 4.5 above, provide for the establishment and expansion of the SPQZ and it is these that would likely given any future plan change.

### *Resource Consent*

240. Some submissions have stated that PC89 should be accompanied by a resource consent that would set out the details of the works proposed. In my view there are two components to this. Firstly, in most cases, it would not be normal for a resource consent to precede a plan change. If the plan change is approved it will provide the specific planning framework or context for the resource consent application to be considered against. Policy H28.3(1) says that the SPQZ will be applied to significant mineral resources and sites that provide for mineral extraction. In my view this allows the zone to be applied to sites that have significant mineral resources regardless of whether they are a current extraction site. The Clevedon Quarry is located at a significant resource (as it is zoned SPQZ and the applicant has shown the resource exists). It is my view that the application of the SPQZ to land south of the existing quarry area meets this policy and that a resource consent is not a prerequisite for the change in zoning.

#### *Demand for Aggregate*

241. A number of submissions question whether there is demand for aggregate that would justify the expansion of the quarry. In respect of these submission points I consider that PC89 does not provide for an actual expansion of the quarry, but rather a relocation of the SPQZ zone to allow extraction in an alternative location. Notwithstanding this, the RPS identifies increased demand for mineral resources as a regional issue and provides for the protection of these resources for extraction.

242. The submissions also argue that responses to climate change will reduce the demand for aggregate in the longer term. No evidence has been presented in respect of this and any change in demand is in my view unclear, particularly in light of major infrastructure projects that may be needed for example to reduce private car use and to provide higher-density housing in the urban area.

#### *Earthquake Fault*

243. A number of submissions have identified that there is an earthquake fault at the quarry. This is shown on Plan 15211-14 attached to the Preliminary Rock Resource Assessment from Riley Consultants. This is perhaps a matter that the applicant should provide additional information on at the hearing. However, the fault line appears to run north to south through the quarry and is located both in the existing SPQZ and the proposed SPQZ as requested in PC89. In my view, there does not appear to be any change created by PC89 in respect of the fault. The subsequent resource consent for any expansion will be required to address any natural hazard and stability issues. Assessment criterion H28.7.2(2) (d) (set out below) is specific on this matter.

*(d) the extent to which the effects from natural hazards will be avoided or mitigated and the extent to which the land disturbance will affect the stability and erosion potential within the Special Purpose – Quarry Zone and surrounding area*

#### *No further Plan Changes*

244. A number of submissions request that this plan change should only be considered if the applicant commits to no further plan changes for a period of 15 years.

245. In my view, this is not something that can be imposed upon the applicant. The Resource Management Act provides that anyone can apply for a private plan change. There are grounds to reject a private plan change at the request stage (i.e. prior to notification) but

these grounds are limited. One ground is whether a similar request has been made within 2 years. There is no provision for this to be extended.

#### Recommendations on submissions

246. That submissions **12.1, 14.1, 15.1, 16.1, 17.1, 17.2, 17.3, 18.1, 20.1, 21.1, 40.1, 44.1, 45.1, 46.1, 47.1, 48.1, 48.2, 48.3, 49.1, 50.1, 51.1, 52.1, 52.2, 56.1, 58.1, 61.1, 62.1, 64.1, 65.1, 66.1, 67.2, 70.1, 71.1 and 72.2** insofar as they relate to the matters identified above **be rejected**.

247. There are no changes resulting from this recommendation.

### **11. CONCLUSIONS**

248. Having considered all the information provided by the applicant, carried out an assessment of effects, reviewed all relevant statutory and non-statutory documents and made recommendations on submissions I have concluded that as it currently stands PC89 should be approved with the amendments set out in Appendix 5.

### **13. SECTION 32AA ANALYSIS OF RECOMMENDED CHANGES**

249. The changes recommended above require an additional assessment in accordance with S32AA of the RMA.

250. This further evaluation is only made in respect of the changes I have proposed to the text in Appendix 5 to this report and discussed above and is at a level of detail which in my opinion corresponds to the scale and significance of the proposed changes.

251. In assessing the changes proposed to the zone boundary and tree retention provisions I considered a number of options. These included inserting the protection provisions into the Rural Production Zone which currently applies to the land, or inserting the provisions into Chapter E15 Vegetation Management and Biodiversity, together with the do-nothing option.

252. I consider that the provisions sit best within the SPQZ as the protection of the area identified is linked directly to the quarry operation. In other words, the additional protection offered by the recommended provisions is only required if the quarry activity goes ahead. Secondly having the provisions set out in other chapters of the AUP would require specific cross-referencing to the SPQZ zone which is considered inefficient as they would only relate to this one site. In addition, the policy on which the provisions rely (Policy H28.3.(3)) is located within the SPQZ and the provisions are considered the most appropriate in this location to give effect to that policy. Locating the provisions within the Rural Production Zone would likely require additional objectives and policies to be included within that zone.



253. In respect of risks, there is a risk that by bringing the additional land within the SPQZ, an application may be made in the future to quarry that land also. I consider that the proposed rules are sufficient to prevent this from happening. If the commissioners have doubts about this, quarrying could be made a non-complying activity within the area identified by Ms Gilbert. I consider that the risks of not acting are greater than the approach recommended in this report.

254. In respect of the recommended bat protection provisions, it is considered that these are necessary to mitigate the effects of quarrying and the risk of not acting is significant given the recommendation from Mr Tutt.

#### 14. RECOMMENDATIONS

1. That, the Hearing Commissioners accept in part or reject submissions (and associated further submissions) as outlined in this report.
2. That the Auckland Unitary Plan is amended by PC89 including the proposed amendments set out in Appendix 5.

#### 15. SIGNATORIES

	Name and title of signatories
Author	 David Wren – Planning Consultant 17 August 2023
Reviewer / Approver	 Craig Cairncross - Team Leader Central South Plans and Places/Chief Planning Office 17 August 2023



# APPENDIX 1

## Plan Change 89

This Appendix has not been attached to this agenda and is available on the Auckland Council website [here](#)





## **APPENDIX 2**

### **Council Decision to Accept PC89**

This Appendix has not been attached to this agenda and is available on the Auckland Council website [here](#)



## **APPENDIX 3**

### **Council Decision to Accept PC89**



# Private plan change from Stevenson Aggregates Limited at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon

Clause 25, Schedule 1, Resource Management Act 1991



## Te take mō te pūrongo

### Purpose of the report

1. To decide how to process the private plan change request to the Auckland Unitary Plan from Stevenson Aggregates Limited (**the applicant**) at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon.

## Whakarāpopototanga matua

### Executive summary

2. Auckland Council must decide how a private plan change request is processed. Under the Resource Management Act 1991<sup>1</sup> the council may either:
  - a) adopt the request as if it were a proposed plan change made by the council, or
  - b) accept the private plan change request in whole or in part, or
  - c) reject the private plan change request in whole or in part, if one of the limited grounds for rejection is satisfied, or
  - d) deal with the request as if it were an application for a resource consent, or
  - e) a combination of options a) to c).
3. I recommend that the private plan change request is accepted under clause 25(2)(b) Schedule 1 of the Resource Management Act 1991.
4. Stevenson Aggregates Limited seeks to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning relates to changing the zone of land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.
5. The private plan change relates to district plan provisions of the Auckland Unitary Plan. A copy of the private plan change is included as Attachment A.
6. Stevenson Aggregates Limited considers that the proposed private plan change is the most appropriate method to provide for the medium to long term expansion of the Clevedon Quarry and would result in fewer effects on the environment. The alteration to the extent of the SPQZ is effectively the same net area as is already zoned in the AUP.

## Ngā tūtohunga

### Recommendation/s

7. That the Manager Planning – Central South Unit, having had particular regard to the applicant's section 32 evaluation report, accepts the private plan change request by Stevenson Aggregates Limited, included as Attachment A, pursuant to clause 25(2)(b) Schedule 1 Resource Management Act 1991, for the following reasons:

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<sup>1</sup> Clause 25, Schedule 1, Resource Management Act 1991.

- a. The applicant's section 32 evaluation report considers different options and concludes that the proposed rezoning of land is the most appropriate to achieve the purpose of the Resource Management Act 1991.
- b. Accepting the private plan change request enables the matters raised by the applicant to be considered on their merits, during a public participatory planning process.
- c. It is inappropriate to adopt the private plan change. The private plan change proposal is not a matter under consideration in council's policy work programme. The private plan change does not address a gap in the Auckland Unitary Plan (Operative in Part) 2016, introduce a new policy direction, nor does the private plan change have broad application by seeking to change provisions that apply across the region. The proposed changes are specific to the site and their appropriateness requires a full and detailed assessment through the notification and submission process.
- d. The grounds to reject a private plan change request under clause 25(4) are limited and no ground is met by this private plan change.
  - i. The request is not frivolous. The applicant provided supporting technical information and the private plan change has a resource management purpose in that it relates to changes to existing provisions. The request is not vexatious. The applicant is not acting in bad faith by lodging a private plan change request. The applicant is not requiring council to consider matters in this process that have already been decided or the subject of extensive community engagement or investment.
  - ii. The substance of the request has not been considered within the last two years.
  - iii. The coarse-grain assessment of the request does not indicate that the private plan change is not in accordance with sound resource management practice. Whether the private plan change request's objectives are the most appropriate way of achieving the promotion of sustainable management will be tested through the submission and hearing processes. The application of the SPQZ to land where there is no quarry resource consent in place is not contrary to the zoning and is a not a unique situation.
  - iv. The provisions of the Auckland Unitary Plan (Operative in Part) 2016 subject to the private plan change request have been operative for at least two years.
- e. It is not appropriate to deal with the private plan change as if it was resource consent application because the SPQZ is an appropriate means to manage quarry expansion and treating the request as a resource consent would not enable the reduction in the SPQZ in the north of the site. A resource consent would also require considerably more detail that is not appropriate to require at this stage in the development of the affected land.
- f. The applicant requested that council accept the private plan change request.

## Horopaki

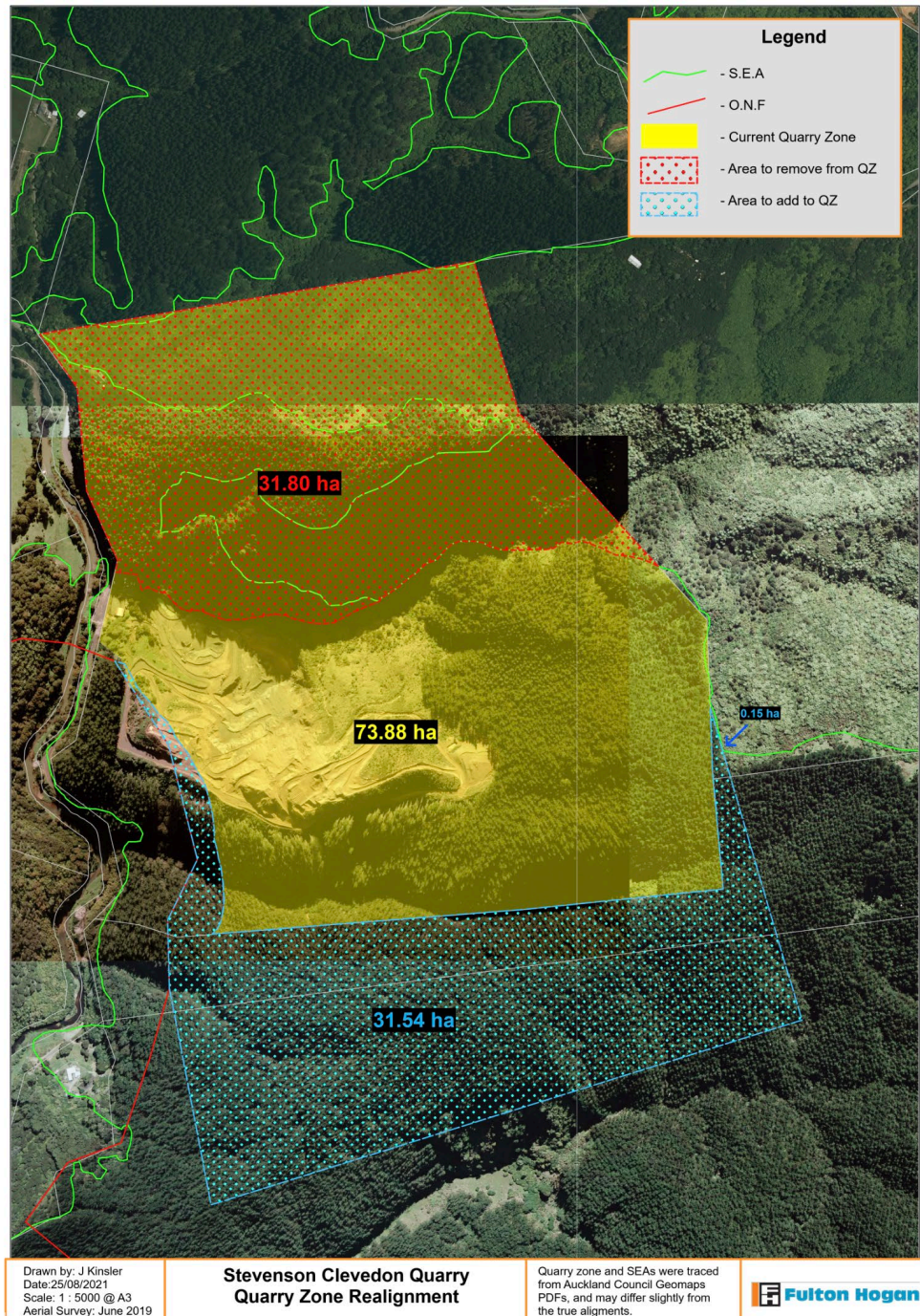
### Context

#### Site and surrounding area

8. The plan change request relates to the land accessed from McNicol Road, Clevedon. A portion of the land is currently occupied by the Clevedon Quarry. Stevenson Aggregates Ltd and Fulton Hogan Limited own the sites at 546 and 646 McNicol Road and 439 Otau Mountain Road. #546 has an area of 80.5142 ha, #646 an area of 398.054 ha and #439 an area of 65.7614 ha.
9. The majority of the Quarry site (546 McNicol Road) is zoned SPQZ in the AUP. A part of this site is zoned RPZ where it is subject to an Outstanding Natural Feature overlay. Both adjacent application sites are zoned RPZ. The surrounding land is zoned RPZ and is subject to a

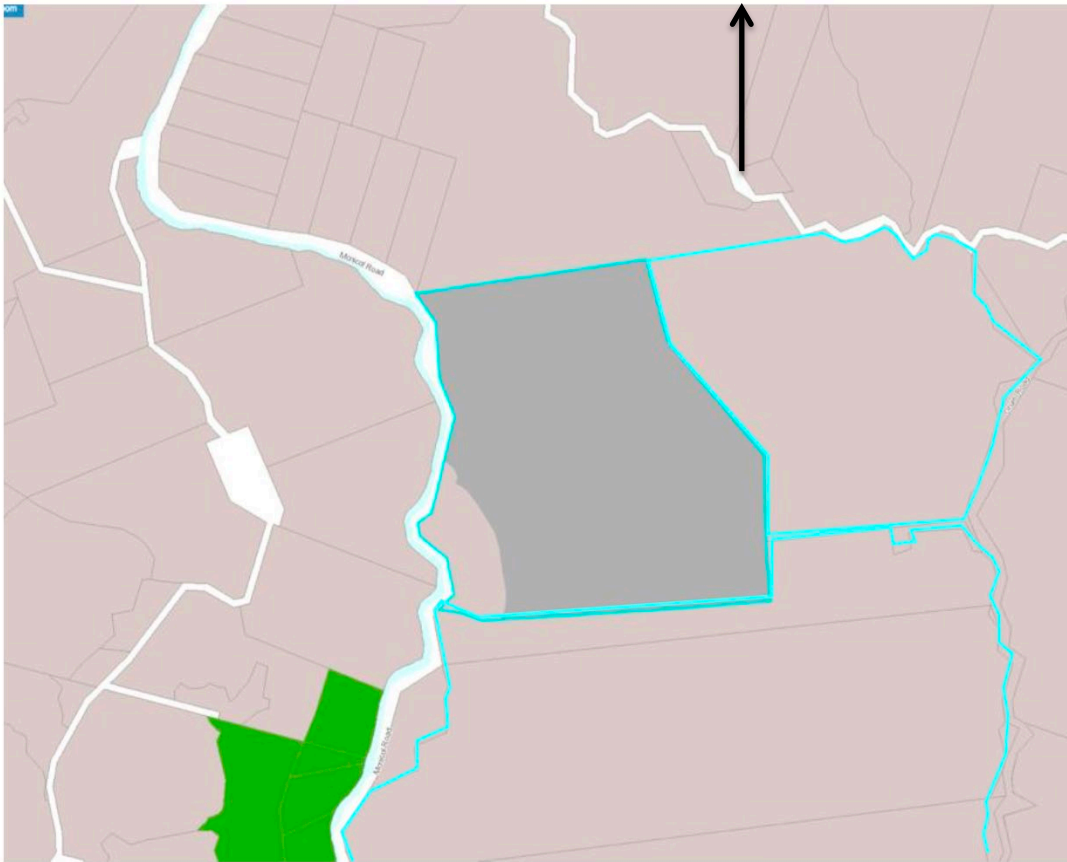
number of overlays including Significant Ecological Areas Overlay (SEA), Natural Stream Management Area Overlay (NSA), High-Use Aquifer Management Areas overlay (HAM), Outstanding Natural Features overlay (ONF) and Quarry Buffer Area Overlay (QBA).

- Figure 1 below is an aerial photograph that illustrates the area of land subject to the requested plan change and the changes in zoning requested.



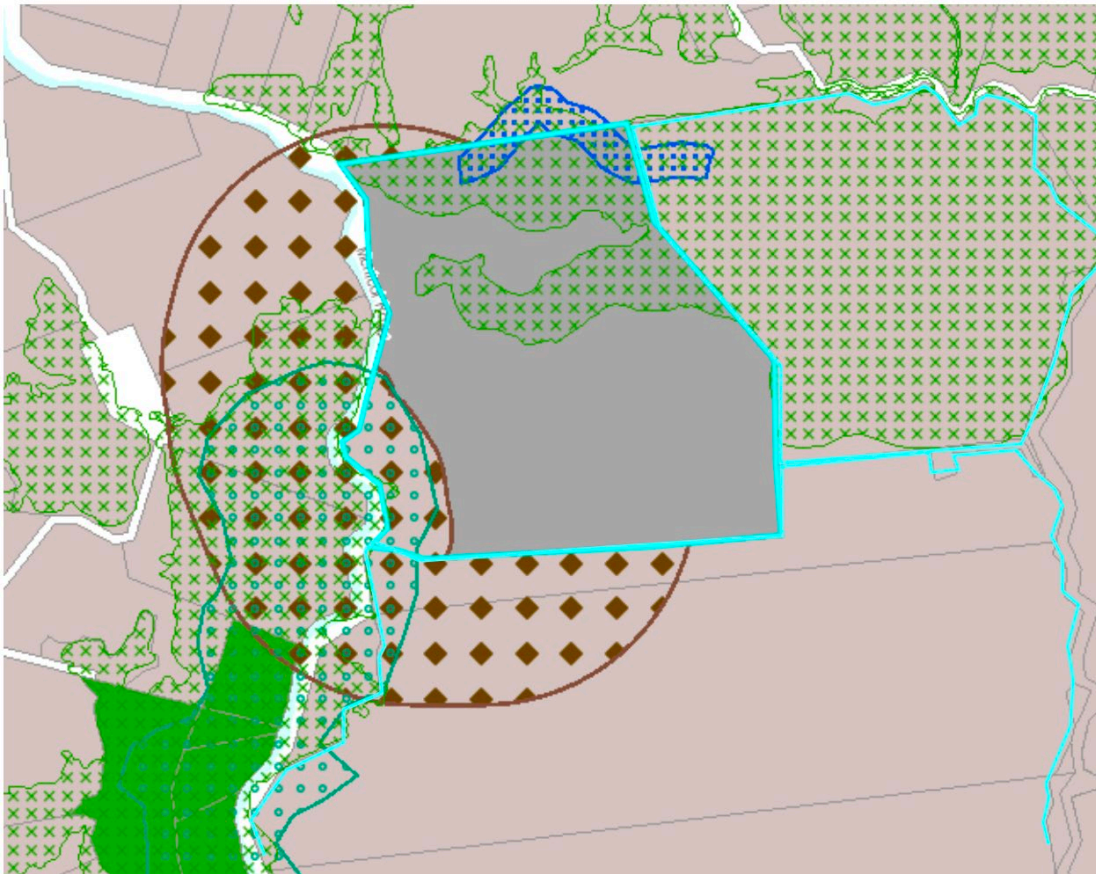
**Figure 1: Aerial photograph of the plan change area**





11. Figure 2 below sets out the current zoning of the land and Figure 3 sets out the overlays that apply in the area.



**Figure 2: Current Auckland Unitary Plan zoning (The Blue outline shows the extent of the applicant's landholding, the grey area is the current SPQZ, and the light brown is RPZ)**





-  Significant Ecological Area
-  Natural Stream Management Area
-  Quarry Buffer Area
-  Outstanding Natural Features

**Figure 3: Current Auckland Unitary Plan Overlays**

- 12 Figure 4 shows the change requested to the SPQZ location. No changes are requested to the other layers

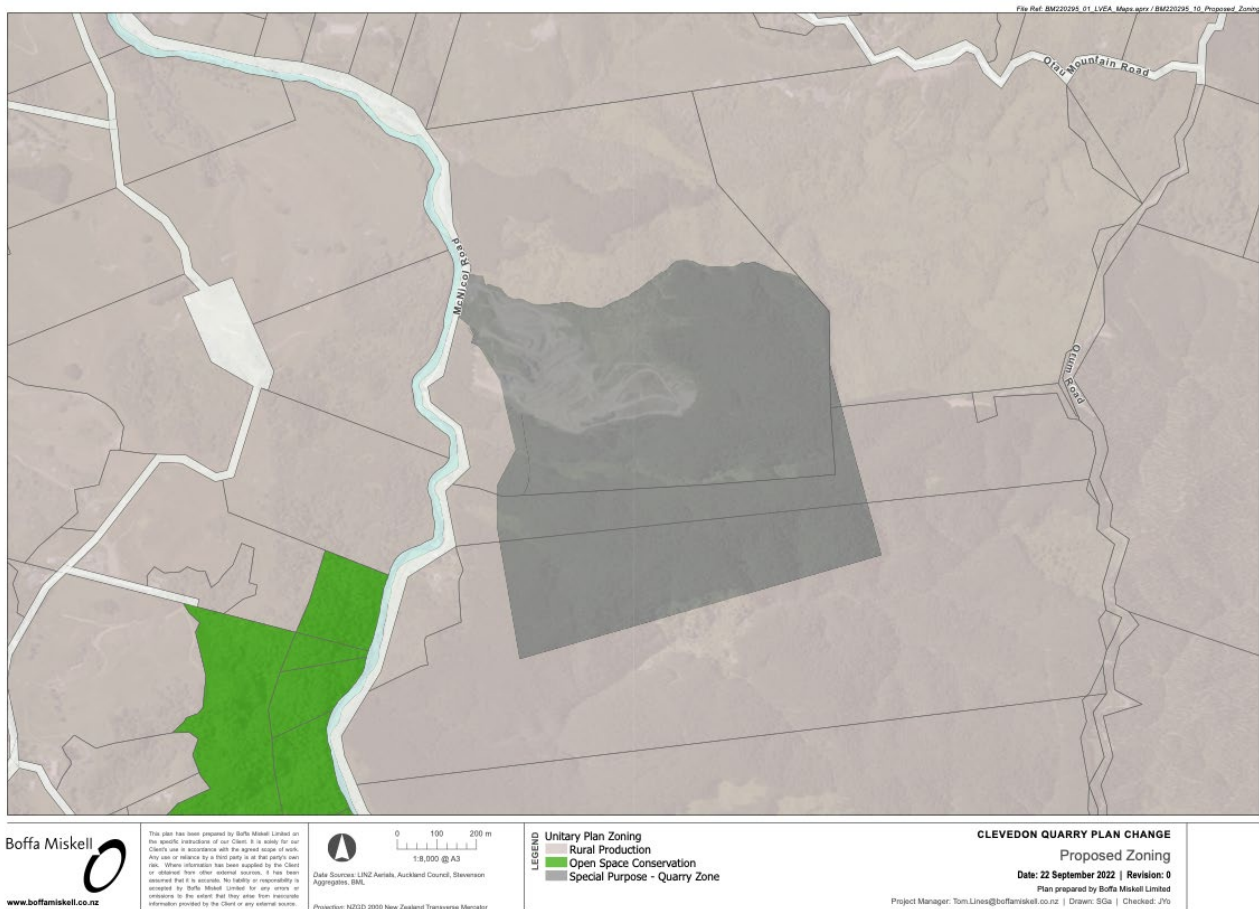


Figure 4 – SPQZ Zone After Requested Change

### Private plan change content

13. The applicant has not requested any changes to the provisions of the AUP but is requesting a change to the extent of the zoning as shown in Figure 1 and ... This has the effect of moving the SPQZ in this location to the south with the existing northern portion of the SPQZ being rezoned RPZ and the southern part of the SPQZ being extended into the RPZ land to the south.
14. The reasons given by the applicant for the plan change request include the following;
  - (a) The long-term planning has identified that the preferred direction for any future expansion of the existing quarry operation is to the south, in the direction of the existing RPZ on 646 McNicol Road rather than expanding to the north within the SPQZ on 546 McNicol Road.
  - (b) The northern part of 546 McNicol Road is identified as being subject to an SEA and NSA. It also contains a ridgeline which provides an effective visual and acoustic barrier between the Quarry and neighbouring properties to the north and north-east on McNicol and Otau Mountain Roads. Expansion of the Quarry to the north would necessitate the removal of all or part of the SEA, NSA and would result in the quarry operations being located closer to those neighbouring properties.
  - (c) To the south of the Quarry land is zoned RPZ and utilised for plantation forestry. This land contains a regionally significant aggregate resource, is immediately adjacent to the

existing Quarry and is a greater distance to the majority of adjoining residents located to the north and north-west.

- (d) The land to the north, east and south of the Quarry contains aggregate resources. However, expansion to the north or east would involve the removal of SEA and NSA. Expansion to the south into 646 McNicol Road, as proposed by the PPC, is considered to be more appropriate, and would result in fewer effects on the environment. The alteration to the extent of the SPQZ is effectively the same net area as is already zoned in the AUP.

15. The applicant provided the following information to support the plan change request:
- private plan change request, including drafted changes to the Auckland Unitary Plan
  - section 32 evaluation report
  - specialist reports:
    - Geotechnical report
    - Ecological report
    - Noise and vibration report
    - Consultation correspondence.
16. Following a request for additional information under Clause 23 of Schedule 1 to the RMA the applicant provided updates to the Noise and Vibration Report and a Landscape and Visual Effects Report, together with further details of consultation, including with iwi. Council specialists have indicated that they now have sufficient information.

### **Timeframes**

17. Stephenson Aggregates Limited lodged the private plan change request on 28 February 2022
18. Further information was provided on 25 July 2022.
19. Additional information was requested on 15 August 2022 and this was provided on 17 August 2022.
20. Council is required to decide how the private plan change request is processed within 30 working days of the latest date specified above. That period ends on 5 October 2022.

### **Decision-maker**

21. Council delegates<sup>2</sup> to Plans and Places' tier four managers the authority to make decisions on how to process private plan change requests

## **Tātaritanga me ngā tohutohu**

### **Analysis and advice**

#### **Statutory context: Resource Management Act 1991**

22. Any person may request a change to a district plan, a regional plan or a regional coastal plan.<sup>3</sup> The procedure for private plan change requests is set out in Part 2 of Schedule 1, RMA. The

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<sup>2</sup> Auckland Council Combined Chief Executive's Delegation Register (updated June 2019). All powers, functions and duties under Schedule 1 of the Resource Management Act 1991, except for the power to approve a proposed policy statement or plan under clause 17 of Schedule 1, are delegated to the relevant Tier 4 Manager

<sup>3</sup> Clause 21, Schedule 1, Resource Management Act 1991.

process council follows as a plan-maker is adapted,<sup>4</sup> and procedural steps added<sup>5</sup> including the opportunity to request information.

23. Council must decide under clause 25 which is the most appropriate processing option for each private plan change request. In making this decision council must have particular regard to the applicant's section 32 evaluation report when deciding. The clause 25 decision is the subject of this report and clause 25 is set out in full in Attachment B.
24. I consider that the applicant has provided sufficient information for the request to be considered. I consider that the insufficient information grounds for rejection in clause 23(6) are not available in this instance.
25. The plan change request has not been modified.
26. I evaluate the options available under clause 25 in the next sections of this report. I have had particular regard to the applicant's section 32 evaluation report in undertaking the assessment of clause 25 options.

### **Options available to the council**

#### **Option 1: Adopt the request, or part of the request, as if it were a proposed plan change made by the council itself**

27. Council can decide to adopt the request, or part of the request. Council would then process it as though it were a council-initiated plan change.
28. If the plan change
  - a) includes a rule that protects or relates to any natural or historical resource specified in section 86B RMA, or
  - b) provides for or relates to aquaculture activitiesit may be appropriate for the plan change to have legal effect from notification. If there is a proposed rule of this kind, immediate legal effect could be desirable to prevent a "goldrush" of resource (over)use that could occur until the plan change is made operative.
29. Only a council initiated, or an adopted private plan change, could have immediate legal effect.
30. The plan change does not include any proposed rule that would protect, or relate to, any natural or historical resource specified in section 86B. The private plan change is unrelated to aquaculture activities. It is unnecessary to adopt the private plan change request to enable a rule to have immediate legal effect.
31. The request does not address a gap in the Auckland Unitary Plan's planning provisions. It addresses the applicant's ambitions for the future of land it owns and the issues are limited to that immediate location. The requested plan change only relates to the Clevedon Quarry site and it is not appropriate to adopt it for this reason.
32. The private plan change proposal is not a matter under consideration in council's policy work programme. The private plan change does not address a gap in the Auckland Unitary Plan, introduce a new policy direction, nor does the private plan change have broad application by seeking to change provisions that apply across the region. There is no case in my view for the Council to adopt the requested plan change.
33. Council meets all costs of processing the plan change if the request is adopted. Council should not carry these costs if the request is primarily of direct benefit to the applicant, rather than the wider public, or have other public policy benefits. The request is a site-specific proposal relating exclusively to land within the ownership of the applicant and the benefactor of the changes to the zoning change will be the applicant.

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<sup>4</sup> Part 1 Schedule 1 applies, as modified by clause 29 Part 2 Schedule 1, Resource Management Act 1991.

<sup>5</sup> Part 2 Schedule 1 Resource Management Act 1991.

34. The applicant did not request that council adopt the private plan change request.
35. I recommend the private plan change request not be adopted.

**Option 2 – Reject the request, in whole or in part**

36. Council has the power to reject a private plan change request, in whole or in part, in reliance on one of the limited grounds set out in clause 25(4).
37. The grounds for rejection under clause 25(4) are as follows:
  - a) the request or part of the request is frivolous or vexatious; or
  - b) within the last two years, the substance of the request or part of the request;
    - i. has been considered, and given effect to, or rejected by, the local authority or the Environment Court; or
    - ii. has been given effect to by regulations made under section 360A; or
  - c) the request or part of the request is not in accordance with sound resource management practice; or
  - d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or
  - e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than two years.

Is the request frivolous or vexatious?

38. The objective of the plan change is to change zoning to enable the long term use of the quarry on land the applicant considers is more suitable than the land within the current extent of the zone. The request includes a section 32 evaluation report which is supported by specialist assessments on relevant matters, including , ecology, noise, geology and visual and landscape effects. I consider the request is not frivolous as the private plan change:
  - a) was considered thoroughly in the application materials
  - b) is supported by expert independent opinion, and a section 32 analysis, and
  - c) cannot be said to have no reasonable chance of succeeding.
39. The applicant is not acting in bad faith by lodging a private plan change request. The applicant is not requiring council to consider matters in this process that have already been decided or the subject of extensive community engagement or investment. Accordingly I do not consider the private plan change request to be vexatious.
40. I recommend the private plan change request not be rejected on this ground.

Has the substance of the request been considered and been given effect, or rejected by the council within the last two years?

41. The provisions which are the subject of the requested plan change have been in place since the AUP became partly operative in 2015. It is now more than two years since that occurred. I am not aware of any other request to deal with the matters the subject of this request since the AUP was made partly operative.
42. I recommend the private plan change request not be rejected on this ground.

Has the substance of the request been given effect to by regulations made under section 360A?

43. Section 360A relates to regulations amending regional coastal plans pertaining to aquaculture activities. The site is not within the coastal marine area, or involve aquaculture activities, and therefore section 360A regulations are not relevant.

44. I recommend the private plan change request not be rejected on this ground.

Is the request in accordance with sound resource management?

45. The term 'sound resource management practice' is not defined in the RMA.

46. In the recent Environment Court decision **Orakei Point Trustee v Auckland Council** [2019] NZEnvC 117, the Court stated:

"[13] What *not in accordance with sound resource management practice* means has been discussed by both the Environment Court and High Court in cases such as **Malory Corporation Limited v Rodney District Council** (CIV-2009-404-005572, dated 17 May 2010), **Malory Corporation Limited v Rodney District Council (Malory Corporation Ltd v Rodney District Council** [2010] NZRMA 1 (ENC)) and **Kerikeri Falls Investments Limited v Far North District Council (KeriKeri Falls Investments Limited v Far North District Council**, Decision No. A068/2009)

[14] Priestley J said in **Malory Corporation Limited v Rodney District Council** (CIV-2009-404-005572, dated 17 May 2010, at 95) that the words *sound resource management practice* should, if they are to be given any coherent meaning, be tied to the Act's purpose and principles. He agreed with the Environment Court's observation that the words should be limited to only a coarse scale merits assessment, and that a private plan change which does not accord with the Act's purposes and principles will not cross the threshold for acceptance or adoption (CIV-2009-404-005572, dated 17 May 2010, at 95)

[15] Where there is doubt as to whether the threshold has been reached, the cautious approach would suggest that the matter go through to the public and participatory process envisaged by a notified plan change (*Malory Corporation Ltd v Rodney District Council* [2010] NZRMA 1 (ENC), at para 22)."

47. I understand the consideration of this ground should involve a coarse assessment of the merits of the private plan change request - "at a threshold level" - and take into account the RMA's purpose and principles – noting that if the request is accepted or adopted the full merits assessment will be undertaken when the plan change is determined.
48. The RMA's purpose is set out at section 5 and the principles are set out at sections 6 to 8. Regarding these RMA Part 2 matters. The private plan change proposes changes to the location of the SPQZ zone. Issues of national importance and of relevance to the plan change include the appropriateness of development near streams, outstanding natural features and significant ecological areas. At a coarse level it would appear that the plan change request has examined these matters and the change in the location of the quarry zone potentially has benefits in respect of avoiding the SEA area within the existing extent of the SPQZ in this location.
49. The applicant supplied technical reports and a section 32 evaluation report in support of the private plan change request. Experts were engaged to evaluate the proposed plan change. There are some potential issues with effects on the nearby outstanding natural feature (the river valley) and streams. The plan change does not expand the net area of the SPQZ and accordingly will not result in an increase in traffic and operational aspects of the quarry above the current zone.
50. Most of the quarries where the SPQZ is applied are existing quarries with current consents. The question arises as to whether it is sound practice to apply the SPQZ to sites that have no current quarry resource consent in place. In assessing this the following relevant policies have been considered. The relevant RPS policy is:

**B7.6.2. Policies**

- (1) *Provide for mineral extraction activities within appropriate areas to ensure a secure supply of extractable minerals for Auckland's continuing development.*

The relevant policy in the SPQZ is:

**H28.3. Policies**

- (1) *Apply the Special Purpose – Quarry Zone to significant mineral resources and extraction sites that provide for mineral extraction.*

51. This policy does not limit the application of quarry zones to existing extraction sites as it also enables the application of the zone to areas where there are significant mineral resources. The information supplied by the applicant indicates that such a resource exists at this location. There is also at least one previous example where the SPQZ has been applied to land without an in-place quarry consent. In its decisions on the PAUP the independent hearing panel approved the expansion of the Brookby Quarry SPQZ where there was no resource consent in place for the land subject to the zone expansion. Accordingly, the application of the SPQZ to land where a quarry is not consented may be appropriate, and is not considered to be contrary to sound resource management practice.
52. Overall, while there are aspects that will need to be worked through in the plan change, I consider that having reviewed the applicant's planning and specialist reports, undertaken a coarse scale merits assessment of the private plan change request, and taken the purpose and principles of RMA into account, the private plan change request is considered to be in accordance with sound resource management practice for the purposes of consideration under Clause 25(4)(c), Schedule 1.
53. I recommend the private plan change request not be rejected on this ground.

Would the request or part of the request make the policy statement or plan inconsistent with Part 5 of the RMA?

54. Part 5 of the RMA sets out the role and purpose of planning documents created under the RMA, including that they must assist a local authority to give effect to the sustainable management purpose of the RMA. Regional and district plan provisions must give effect to the regional policy statement and higher order RMA documents, plus not be inconsistent with any (other) regional plan. The relevant sections in Part 5 are determined by the nature of the private plan change: The plan change proposes to amend the extent of zoning of the SPQZ zone.
55. The most relevant part of the Auckland Unitary Plan in regard to this test is Chapter B7 – Natural Resources (Regional Policy Statement) of the Auckland Unitary Plan which seeks that Auckland's mineral resources are effectively and efficiently utilised.
56. On the face of it at a coarse level, the request to alter the location of the SPQZ at this location will not prevent the district plan level provisions of the AUP giving effect to the RPS. There is also an argument that the removal of the SPQZ from land subject to an SEA removes inconsistency with regional plan provisions, although the effects of the change on the neighbouring ONF will have to be fully considered through the submission process.
58. The PPC does not introduce any new or novel planning techniques or seek to introduce any new subject matter that is not relevant to council's regional or territorial functions and the corresponding requirements of RMA plans.
57. My preliminary assessment indicates the private plan change request will not make the Auckland Unitary Plan inconsistent with Part 5 of the RMA. The conclusions in the request documentation would be best evaluated via the submissions and hearing processes so that these matters can be considered in full.
59. I recommend the private plan change request not be rejected on this ground.

Has the plan to which the request relates been operative for less than two years?

60. The plan provisions of the AUP relevant to this request were made operative on 15 November 2016. The provisions have therefore been operative for more than two years.
61. I recommend the private plan change request not be rejected on this ground.

**Option 3 – Decide to deal with the request as if it were an application for a resource consent**

62. The council may decide to deal with the request as if it were an application for a resource consent and the provisions of Part 6 would then apply accordingly.

63. I consider that the plan change process is the most appropriate process because the SPQZ has been included within the AUP specifically to manage mineral extraction. While a resource consent could be made for future use of the land for quarry purposes, it can not change the zoning of the land to the north of the site from SPQZ to RPZ as proposed, and accordingly the potential for wider future adverse effects may result through treating the request as a resource consent. A resource consent application would normally address matters in a degree of detail that is neither possible nor appropriate to deal with at this stage in the development of the site and is inconsistent with the zone and consenting system set up in the SPQZ.
64. I recommend the private plan change request not be dealt with as if it were an application for a resource consent.

#### **Option 4 - Accept the private plan change request, in whole or in part**

65. Council can decide to accept the request in whole, or in part. If accepted, the plan change cannot have legal effect until it is operative. In my opinion the private plan change may be accepted as there isn't a demonstrable need for any rule to have immediate legal effect; adoption is not required.
66. The private plan change mechanism is an opportunity for an applicant to have their proposal considered between a council's ten-yearly plan review cycle. The subject matter of this private plan change request is not a priority matter in Plans and Places' work programme, and is not presently being considered. The private plan change process is a means by which this matter can be considered before the next plan review.
67. If the private plan change is accepted the matters raised by the applicant can be considered on their merits, during a public participatory planning process.
68. The applicant did not request that council adopt the private plan change request.

#### **Conclusion: options assessment**

69. I have assessed the private plan change request against the options available and the relevant matters. These include clause 25 Schedule 1 matters, having particular regard to the applicant's section 32 evaluation, and case law<sup>6</sup> that provides guidance on the statutory criteria for rejection of a private plan change request. I recommend the private plan change request is accepted.

## **Tauākī whakaaweawe āhuarangi**

### **Climate impact statement**

70. Council declared a climate emergency in Auckland, in June 2019. The decision included a commitment for all council decision-makers to consider the climate implications of their decisions. In particular, consideration needs to be given in two key ways:
- a) how the proposed decision will impact on greenhouse gas emissions and the approach to reduce emissions
  - b) what effect climate change could have over the lifetime of a proposed decision and how these effects are being taken into account.
71. The decision whether to adopt, accept, reject or deal with the private plan change request is a decision relative to those procedural options, rather than a substantive decision on the plan change request itself. The clause 25 decision is unrelated to any greenhouse gas emissions. The decision requested is a decision of short duration. Climate impacts can be considered in the future hearing report on the private plan change request, and any submissions received. At that time the potential impacts on Auckland's overall greenhouse gas emissions may be considered (does it encourage car dependency, enhance connections to public transit, walking

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<sup>6</sup> Malory Corporation Limited v Rodney District Council [2010] NZRMA 392 (HC)



and cycling or support quality compact urban form), and whether the request elevates or alleviates climate risks (such as flooding and stress on infrastructure).

## **Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera**

### **Council group impacts and views**

72. Views have not been sought from Council groups although views of specialists within and external to Council in the areas of landscape, ecology (freshwater and terrestrial) and acoustics have been sought. It is considered that it was not necessary to consult with Watercare Services as the proposal does not impact on any water or wastewater infrastructure. Auckland Transport was not consulted as the proposal does not provide for any net increase in the size or operation of the quarry that would impact on the roading network.

## **Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe**

### **Local impacts and local board views**

73. Local boards' views are important in Auckland Council's co-governance framework. The views of the Franklin Local Board will be sought on the content of the private plan change request after the submission period closes. All formal local board feedback will be included in the hearing report and the local board will present its views to hearing commissioners, if the local board chooses to do so. These actions support the local board in its responsibility to identify and communicate the interests and preferences of people in its area, in relation to the content of Auckland Council plans.
74. Local board views have not been sought on the options to adopt, accept, reject or deal with the private plan change request as a resource consent application. Although council is required to consider local board views prior to making a regulatory decision, that requirement applies when the decision affects, or may affect, the responsibilities or operation of the local board or the well-being of communities within its local board area. The clause 25 decision does not affect the Papakura local board's responsibilities or operation, nor the well-being of local communities.

## **Tauākī whakaaweawe Māori**

### **Māori impact statement**

#### **Consequence of clause 25 options for future consultation**

75. If council accepts a private plan change request, it is not required to complete pre-notification engagement with iwi authorities. If the council accepts the request and subsequently notifies it, iwi authorities have the opportunity to make submissions. No changes can be made to the private plan change prior to notification.
76. If council adopts a private plan change the same consultation requirements apply as though the plan change was initiated by council: consultation with iwi authorities is mandatory prior to notification.<sup>7</sup> Changes can be made to the plan change prior to notification. Iwi authorities have the opportunity to make submissions after notification.
77. None of the clause 25 options trigger any signed mana whakahono a rohe (iwi participation arrangement).

#### **Substance of private plan change request**

78. Many of the resources that can be afforded protection by a rule with immediate legal effect may be of interest to Māori, for example water, air or significant indigenous vegetation. The private

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<sup>7</sup> Clauses 3, 4A Schedule 1, Resource Management Act 1991.

plan change request does not include a proposed rule that should have immediate legal effect, utilising section 86B, and should not be adopted as a council plan change.

### Record of applicant's consultation

79. An applicant should engage with iwi authorities in preparing a private plan change request, as a matter of best practice. It is also best practice for an applicant to document changes to the private plan change request and/or supporting technical information arising from iwi engagement.
80. Stevenson Aggregates Limited advises that it has engaged with the following iwi authorities with an interest in the area (see below) providing the opportunity for feedback before the request was formally lodged with council.

Iwi authority	Organisation	Detail
Ngati Maru	Office at Ngati Maru	No response received
Ngati Paoa	Ngati Paoa Trust Board	No response received
Ngati Tamatera		No response received.
Ngāti te Ata		No response received
Ngāti Whanaunga		<p>8 April 2022 – received email from Michael Baker (NW) confirming they wish to be consulted and requested purchase order number so their team can review application.</p> <p>28 April 2022 – followed up on 8 April email.</p> <p>13 May 2022 – received confirmation from Jessy at NW that they will send a kaitiaki out to site.</p> <p>24 May 2022 – kaitiaki Stuart Renata visited site and was shown around by SAL.</p> <p>17 June 2022 – SAL phone call and email to Michael Baker (NW) confirming what next steps would be. Michael confirmed he would</p> <p>Catch up with Stuart to hear about his site visit to Clevedon Quarry. Stuart will also provide us all with a written summary of his site visit;</p> <p>Engage Stephanie May (consultant) for 4 hours to review the Private Plan Change documentation and provide feedback on that documentation.</p> <p>29 June 2022 – SAL followed up on the 17 June actions as there had been no response to date.</p> <p>21 July 2022 – meeting with Michael Baker (NW) in relation to one of SAL's other sites.</p> <p>22 July 2022 – SAL followed up on the June 17 actions but no response to date.</p>
Ngati Paoa t	Ngati Paoa Iwi Trust	No response received

Iwi authority	Organisation	Detail
Te Ākitai Waiohua		No response received
Waikato- Tainui		No response received
Ngāi Tai ki Tamaki		<p>16 March 2022 - Regular hui between NTKT and SAL (Teams meeting)</p> <p>12 April 2022 Regular hui between NTKT and SAL (In person meeting at NTKT offices)</p> <p>18 May 2022 Extraordinary half day hui between NTKT and SAL environmental and management teams (held at Umupuia Marae)</p> <p>30 May 2022 Regular hui between NTKT and SAL (Teams meeting)</p> <p>As indicated in the meeting minutes, the private plan change was discussed at all of those meetings (and prior meetings). There was an undertaking at those meeting that NTKT would provide written comments, but these are still to come.</p>

## Ngā ritenga ā-pūtea Financial implications

81. If the request is adopted, council would pay all costs associated with processing it. Plans and Places department would be required to cover this unbudgeted expenditure; there would be less funding available to progress the department's work programme.
82. If the request is accepted or, if the request is dealt with as a resource consent application, the applicant would pay all reasonable costs associated with processing it on a user-pays basis.

## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

83. An applicant may appeal to the Environment Court a decision to:
- adopt the private plan change request in part only under clause 25(2)
  - accept the private plan change request in part only under clause 25(2)
  - reject the private plan change in whole or in part under clause 23(6)
  - deal with the private plan change request as if it were an application for a resource consent.<sup>8</sup>
84. I recommend that all of the private plan change request is accepted. The applicant requested the private plan change be accepted. The risk of a legal challenge by the applicant utilising the clause 27 appeal rights is negligible. No avenue for appeal would be available.
85. No substantial changes can be made to the private plan change request following the clause 25 decision. The plan change request does not relate to the text of the AUP:OP and accordingly there are no issues relating to style or text matters.

<sup>8</sup> Clause 27, Schedule 1 Resource Management Act 1991.

## Ngā koringa ā-muri

### Next steps


86. If accepted, the private plan change must be notified within four months of its acceptance.
87. A separate evaluation and decision will be required regarding extent of notification noting that the applicant has requested limited notification.
88. I will seek the views and preferences of the Papakura Local Board after submissions close for inclusion in the section 42A hearing report.
89. Council will need to hold a hearing to consider any submissions, and local board views, and a decision would then be made on the private plan change request in accordance with Schedule 1 of the RMA.

### Clause 25 recommendation

90. This private plan change request requires decision-making pursuant to clause 25 of Part 2 of Schedule 1 of the Resource Management Act 1991, to determine whether it will be adopted, accepted, rejected or dealt with as if it were a resource consent application.
91. I recommend that the private plan change request from Stevenson Aggregates Limited to insert what the plan change does at address be **accepted** under Clause 25(2)(b) of Schedule 1 of the Resource Management Act 1991 for the reasons set out in this report.

## Ngā kaihaina


### Signatories

Author	David Wren Planning Consultant  Signature:  Date: 29 August 2022
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### Clause 25 authority and decision

92. In accordance with Auckland Council Combined Chief Executives Delegation Register (updated June 2019), all powers, functions and duties under Schedule 1 of the Resource Management Act 1991, except for the power to approve a proposed policy statement or plan under clause 17 of Schedule 1, are **delegated** to Plans and Places Department Tier 4 Managers.
93. I have read the planner's report and recommendations on the private plan change request. I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 and to make a decision under delegated authority.

Decision	I Celia Davison accept the private plan change request by Stevenson Aggregates Ltd at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon under Clause 25 of Schedule 1 of the Resource Management Act 1991
Authoriser	Celia Davison

	Unit Manager Central South   Signature: Date: 28/09/2022
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## Instructions from Unit Manager

### Instructions from Unit Manager to Planner

Following my decision under delegated authority you must:

1. Save (if electronic signatures used) or scan and save (if conventional signatures used) a copy of this report to the relevant modifications folder in the U drive.
2. Write to the applicant to advise of the decision. Use the Clause 25 letter to applicant template on Kotahi <https://acintranet.aklc.govt.nz/EN/departments/PlansandPlaces/Pages/Plan-Changes.aspx>
3. Email Unitary Plan inbox to record the clause 25 decision, and to provide sufficient information to update the Planning Committee. Complete the following information, then copy and paste in an email to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Use subject line "Clause 25 info for inclusion in Planning Committee memo"

Plan change	Location	Plan change purpose	Decision	Decision date
PC ??	546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon	Rezoning	Accepted	?? September 2022

Ensure you send the email to the Unitary Plan inbox promptly. The monthly info memo to the committee will be incomplete if you tarry.

## Ngā tāpirihanga

### Attachments

#### A Private plan change

#### B Clause 25 Schedule 1, Resource Management Act 1991

## **A Private plan change**

## B Clause 25 Schedule 1, Resource Management Act 1991

### Cls 25 Local authority to consider request

- (1) A local authority shall, within 30 working days of—  
(a) receiving a request under [clause 21](#); or  
(b) receiving all required information or any report which was commissioned under [clause 23](#); or  
(c) modifying the request under [clause 24](#)—  
whichever is the latest, decide under which of subclauses (2), (3), and (4), or a combination of subclauses (2) and (4), the request shall be dealt with.
- (1A) The local authority must have particular regard to the evaluation report prepared for the proposed plan or change in accordance with [clause 22\(1\)](#)—  
(a) when making a decision under subclause (1); and  
(b) when dealing with the request under subclause (2), (3), or (4).
- (2) The local authority may either—  
(a) adopt the request, or part of the request, as if it were a proposed policy statement or plan made by the local authority itself and, if it does so,—  
(i) the request must be notified in accordance with [clause 5](#) or [5A](#) within 4 months of the local authority adopting the request; and  
(ii) the provisions of [Part 1](#) or [4](#) must apply; and  
(iii) the request has legal effect once publicly notified; or  
(b) accept the request, in whole or in part, and proceed to notify the request, or part of the request, under [clause 26](#).
- (2AA) However, if a direction is applied for under [section 80C](#), the period between the date of that application and the date when the application is declined under [clause 77\(1\)](#) must not be included in the calculation of the 4-month period specified by subclause (2)(a)(i).
- (2A) Subclause (2)(a)(iii) is subject to [section 86B](#).
- (3) The local authority may decide to deal with the request as if it were an application for a resource consent and the provisions of [Part 6](#) shall apply accordingly.
- (4) The local authority may reject the request in whole or in part, but only on the grounds that—  
(a) the request or part of the request is frivolous or vexatious; or  
(b) within the last 2 years, the substance of the request or part of the request—  
(i) has been considered and given effect to, or rejected by, the local authority or the Environment Court; or  
(ii) has been given effect to by regulations made under [section 360A](#); or  
(c) the request or part of the request is not in accordance with sound resource management practice; or  
(d) the request or part of the request would make the policy statement or plan inconsistent with [Part 5](#); or  
(e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.
- (5) The local authority shall notify the person who made the request, within 10 working days, of its decision under this clause, and the reasons for that decision, including the decision on notification.





## **APPENDIX 4**

### **Submissions and Further Submissions**



**Alice Zhou**

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**From:** Unitary Plan  
**Sent:** Monday, 30 January 2023 2:01 pm  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Robert Peter Rishworth

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Robert Peter Rishworth

Organisation name:

Agent's full name:

Email address: peter.rishworth@me.com

Contact phone number:

Postal address:  
34 Quinns Road,  
Clevedon  
Papakura 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Plan Change 89 Clevedon Quarry

Property address: 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
Any expansion of the quarry operations will be detrimental to me as a nearby property owner, especially the potential of increased truck movements

I or we seek the following decision by council: Decline the plan change

| 1.1

Submission date: 30 January 2023

## Attend a hearing

Do you wish to be heard in support of your submission? No

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Sherin Walker  
**Date:** Friday, 3 February 2023 9:00:39 pm

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Sherin Walker  
Organisation name: Roscommon Properties  
Agent's full name:  
Email address: [pwalker@ashfordlodge.co.nz](mailto:pwalker@ashfordlodge.co.nz)  
Contact phone number:  
Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Property address: 546/646 McNicol rd clevedon  
Map or maps:  
Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
1/ environmental damage done  
2/ heavy traffic increase and safety concerns  
3/damage done to local roads by HT

I or we seek the following decision by council: Decline the plan change

2.1

Submission date: 3 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Nicola Squire  
**Date:** Friday, 10 February 2023 2:01:45 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Nicola Squire

Organisation name:

Agent's full name:

Email address: philandkimsquire@gmail.com

Contact phone number:

Postal address:  
1/1327 Alfriston Road  
RD1  
Manurewa  
Auckland 2576

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:  
impact to roading

Property address: Brookby and Alfriston Primary Schools

Map or maps: 359 Brookby Road, Brookby 2576 and 1379 Alfriston Road, Alfriston, Auckland 2576

Other provisions:  
5.9. Transportation Effects

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
There will be an increase in vehicle movements compounding safety issues at both Alfriston and Brookby Primary Schools and the respective roundabouts. The surrounding roading network is currently inappropriate and roading maintenance is extremely poor, particularly the narrow Alfriston Bridge is a hazard.

I or we seek the following decision by council: Decline the plan change

3.1

Submission date: 10 February 2023

#### **Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Colin Bryant  
**Date:** Monday, 13 February 2023 11:01:02 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Colin Bryant

Organisation name:

Agent's full name:

Email address: colin@bryantbuilders.co.nz

Contact phone number:

Postal address:

P O Box 96

Clevedon

Auckland 2248

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Private plan change 89

Property address: 546 & 646 McNicol Road, Clevedon & 439 Otau Mountain Road, Clevedon

Map or maps:

Other provisions:

Essentially this is a quarry extension.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The plan change will reduce the rural productive land which will change our community.

Increased truck numbers will congest our already damaged roads.

Loss of safe recreational access to the Wairoa Gorge.

Destruction of the southern stream.

More sediment & debris flowing into the Wairoa river.

Impact on our native bats that have recently been discovered along the Wairoa river.

I or we seek the following decision by council: Decline the plan change

4.1

Submission date: 13 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Gael Bryant  
**Date:** Monday, 13 February 2023 11:15:51 am

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Gael Bryant

Organisation name:

Agent's full name:

Email address: gael@bryantbuilders.co.nz

Contact phone number:

Postal address:

P O Box 96

Clevedon

Auckland 2248

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Private Plan Change 89

Property address: 546 & 646 McNicol Road, Clevedon & 439 Otau Mountain Road, Clevedon

Map or maps:

Other provisions:

This is an extension to the quarry.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The plan change will reduce the rural productive land which will change our community.

Increased truck numbers will congest our already damaged roads.

Loss of safe recreational access to the Wairoa Gorge.

Destruction of the southern stream.

More sediment & debris flowing into the Wairoa river.

Impact on our native bats that have recently been discovered along the Wairoa river.

I or we seek the following decision by council: Decline the plan change

5.1

Submission date: 13 February 2023

#### **Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Carl Roger Green  
**Date:** Friday, 17 February 2023 3:45:38 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Carl Roger Green

Organisation name:

Agent's full name: Carl Roger Green

Email address: carl\_green\_nzl@yahoo.co.nz

Contact phone number:

Postal address:

Auckland  
Auckland 2582

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

The Private Plan Change application by Stevenson's seeks to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning seeks to change land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We are concerned about the adverse effects that this change will have on our community.

With the building of new houses and retirement village underway in Clevedon it is not appropriate to increase the quarry activity with increased truck numbers. The roads are already in a poor state due to the number of heavy trucks using them and adding more traffic will only make this worse. If the council is serious about their climate emergency, it should not be encouraging increased trucking activities in the area.

The quarrying activity will adversely affect the Wairoa River which is already subject to flooding during heavy rainfall. Further quarrying activities only risk damaging the river further and putting the local community at risk.

The local community is opposed to this change and the council should not be able to ignore local public opinion on this matter.  
For these reasons we oppose the plan change and trust the council will act in a manner that serves the local community's expectation that the plan change will be rejected.

I or we seek the following decision by council: Decline the plan change

6.1

Submission date: 17 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Kirsten hewitt  
**Date:** Monday, 20 February 2023 5:30:56 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Kirsten hewitt

Organisation name:

Agent's full name:

Email address: [kirsten@fpes.co.nz](mailto:kirsten@fpes.co.nz)

Contact phone number:

Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Inappropriate use of land, adversely effects environmental

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Inappropriate use of land, adversely effects environment

I or we seek the following decision by council: Decline the plan change

7.1

Submission date: 20 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Anthony and Trish Peters  
**Date:** Monday, 20 February 2023 8:45:39 am

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Anthony and Trish Peters

Organisation name:

Agent's full name:

Email address: pukerangi1@ctra.co.nz

Contact phone number:

Postal address:

203 Otau Mountain Road

Clevedon

Auckland 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Increased local traffic volumes in McNicol and Tourist roads, and environmental damage to the Wairoa River caused by further sedimentation due to increased volumes taken from the quarry.

Property address: 203 Otau Mountain Rd

Map or maps:

Other provisions:

We oppose the plan change on the basis that it will drastically increase the number of truck movements on our local roads.

There is also concern that Otau Mountain Road will be used as a potential access to the head of the quarry as access from this road is already there.

Our road has already experienced a major slip exacerbated by the ongoing logging operations up this road, and this will be further compromised with any further increases in heavy vehicle traffic.

We request that Auckland council, if this plan change is allowed, minimize the volume of traffic and operating hours within the existing consent.

We are also concerned that with the increase in adverse weather events due to climate change that this increase in production will further compromise the areas safety on the event of further flooding

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

As mentioned above

I or we seek the following decision by council: Decline the plan change

8.1

Submission date: 20 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [vic@vnh.co.nz](mailto:vic@vnh.co.nz)  
**To:** [Unitary Plan](#)  
**Cc:** [office@vnh.co.nz](mailto:office@vnh.co.nz)  
**Subject:** PC89 (Private) Clevedon Quarry  
**Date:** Monday, 20 February 2023 4:11:45 pm

---

Dear Auckland council planners,

We have been residents on McNicol Road Clevedon (384) for over 40 years and oppose granting this plan change.

9.1

This looks like an underhand way of avoiding a resource management issue to expand this quarry which is already a blot on the landscape in one of Auckland's prime rural visitor areas. We have preserved 2 x 10 acre bush blocks behind our section which are now regarded as "SEA" and in fact the whole of this area should be regarded by Council as such rather than turning it industrial.

The roads cannot sustain the weight of trucks already that come from this quarry – it used to be paradise where people from all over could come and ride horses, swim in the river, walk trails and cycle – now people take their life in their hands to do these things. Conditions imposed by Council on the existing resource consent (over 4 years ago) have not been met – eg construction of bridal trail etc to compensate for the roads being unsafe. It is bad enough in private cars using the one-way bridge on Tourist Rd.

We feel it is time for Council to prioritise social and cultural values in one of the jewels in Auckland's crown and stop our Wairoa River being silted up during weather events such as we have just seen – this is obviously going to be on-going. I know that I speak for many who may not have seen this and are ignorant of the consequences.

**Regards**

**Vic and Christine Holmes and family**

Mobile 027 595 2072

For business queries please contact: [vic@whitehalltech.co.nz](mailto:vic@whitehalltech.co.nz)

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Kate Keane  
**Date:** Wednesday, 22 February 2023 1:15:53 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Kate Keane

Organisation name:

Agent's full name: Kate Keane

Email address: katekeane@xtra.co.nz

Contact phone number:

Postal address:  
154a Chesham Lane  
Clevedon  
Clevedon 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Clevedon Quarry

Property address: McNichol Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
The proposed change will severely impact local residents

I or we seek the following decision by council: Decline the plan change

10.1

Submission date: 22 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Matt Strang  
**Date:** Wednesday, 22 February 2023 1:45:44 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23\\_20230222133141.971.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Matt Strang

Organisation name:

Agent's full name: Matt Strang (David Reid Homes)

Email address: matt.strang@davidreidhomes.co.nz

Contact phone number:

Postal address:  
matt.strang@davidreidhomes.co.nz  
Clevedon  
Auckland 2582

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
All of it

Property address: 1 Rossbern Lane Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
Too many trucks and silt issues.

I or we seek the following decision by council: Decline the plan change

11.1

Submission date: 22 February 2023

Supporting documents  
[Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23\\_20230222133141.971.pdf](#)

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major



quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high

ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

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16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
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19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society



**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Jo Bell  
**Date:** Wednesday, 22 February 2023 2:30:35 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230222142004.803.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Jo Bell  
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**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Submission - Private Plan Change 89 - Clevedon Quarry

Property address: McNicol Road Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
see attached submission

I or we seek the following decision by council: Decline the plan change

12.1

Submission date: 22 February 2023

Supporting documents  
[Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230222142004.803.pdf](#)

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major



quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high



ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
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Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Nicole Heald  
**Date:** Wednesday, 22 February 2023 3:52:06 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23 20230222152655.379.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

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#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Rezoning and expansion of the existing Stevensons Quarry at 646 McNicol Road

Property address: 646 McNicol Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I live on McNicol Road and have experienced first hand the degradation of the road, the lack of maintenance carried out on the road, had quarry trucks run me off the road when they have cut the corner up by Whiteside Lane, had a rock crack my daughters windscreen when she was following a truck that did not have its canopy over it, had trucks roar past me when I have been on my horse (even though there is a 50km speed limit). The bridle path that was supposed to have been done by now has never happened. Now, after Cyclone Gabrielle, I have silt all through my front paddocks (which I have never had before), and the condition and stability of the river bank since Cyclone Gabrielle came through is the worst it has ever been. What is essentially a one lane road in several places, is now going to be even more precarious and the trucks coming through are only going to compromise the existing road even more. Directly over the road from my driveway, the river bank is

now not really a river bank - it has been carved out and there is now a sheer drop down of approximately 10 metres to the river bed. This would be within 3 metres of the road and is only one part of the road that is going to become seriously compromised by the river.

I or we seek the following decision by council: Decline the plan change

13.1

Submission date: 22 February 2023

Supporting documents

Clevedon Protection Society\_Submission\_PPC 89 Clevedon Quarry\_24-02-23\_20230222152655.379.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major

quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high





ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Marc Kimpton  
**Date:** Wednesday, 22 February 2023 4:47:43 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23\\_20230222163341.828.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Marc Kimpton

Organisation name:

Agent's full name:

Email address: [muriel13@rocketmail.com](mailto:muriel13@rocketmail.com)

Contact phone number: 0211155537

Postal address:  
[muriel13@rocketmail.com](mailto:muriel13@rocketmail.com)  
Papakura  
Papakura 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Plan change 89

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Please see uploaded document below

I or we seek the following decision by council: Decline the plan change

14.1

Submission date: 22 February 2023

Supporting documents  
[Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23\\_20230222163341.828.pdf](#)

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

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Clevedon Protection Society 2017 Incorporated**

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17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
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21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
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26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
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  - b. Economic impact
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  - d. Heritage and Cultural
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  - d. Heritage and Cultural evidence





- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Sarah Kimpton  
**Date:** Wednesday, 22 February 2023 4:49:33 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230222162752.377.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

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#### Submission details

##### This is a submission to:

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### My submission relates to

Rule or rules:

Plan change 89

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

This plan change would have a negative effect on our community and environment. Please see uploaded documents below

I or we seek the following decision by council: Decline the plan change

15.1

Submission date: 22 February 2023

Supporting documents

[Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230222162752.377.pdf](#)

#### Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major

quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high



ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.



15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
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Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Lydia Kimpton  
**Date:** Wednesday, 22 February 2023 4:49:39 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23 20230222163858.435.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

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**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Plan change 89

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Please see submission below

I or we seek the following decision by council: Decline the plan change

16.1

Submission date: 22 February 2023

Supporting documents  
[Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23 20230222163858.435.pdf](#)

**Attend a hearing**

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

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CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major

quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

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3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
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7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
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ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

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12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
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19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [T True](#)  
**To:** [Unitary Plan](#)  
**Subject:** Submission on Plan Change 89  
**Date:** Wednesday, 22 February 2023 9:32:01 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23.pdf](#)

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Hi,

I endorse the attached submission regarding the Clevedon Quarry.

Name: TA True & Jkw Brown  
46 Pioneer Road  
RD2  
Papakura 2582

Any issues regarding my submission, please let me know.

Best regards,  
Tiffany True  
Ph 021673717

Sent from iPhone so please excuse brevity and grammar.





**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal. | 17.1

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

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quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

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23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence





- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Robert James Peters  
**Date:** Thursday, 23 February 2023 8:30:36 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Robert James Peters

Organisation name:

Agent's full name:

Email address: kiwipetersagogo@gmail.com

Contact phone number:

Postal address:  
500 Clevedon-Takanini Road  
RD2  
Papakura  
Auckland 2582

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: PC 89 (Private): Clevedon Quarry

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

My reasons align strongly with the reasons submitted by the Clevedon Protection Society

I or we seek the following decision by council: Decline the plan change

18.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Isabella Grace Curran  
**Date:** Thursday, 23 February 2023 9:15:34 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Isabella Grace Curran

Organisation name:

Agent's full name:

Email address: izzygcurran@gmail.com

Contact phone number:

Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Changing the zoning of Clevedon Village to Quarry

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
The roads cannot take it. Trucks have already damaged the local roads greatly. Our roads provide beautiful recreational space for our residents and other people from town. Increased truck activity makes the roads too dangerous for walkers, cyclists and horse-riders.

I or we seek the following decision by council: Decline the plan change

19.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Jonathan Ford  
**Date:** Thursday, 23 February 2023 9:15:37 am  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230223090309.917.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Jonathan Ford

Organisation name:

Agent's full name: Jonathan Ford

Email address: jford@gpcasiapac.com

Contact phone number:

Postal address:  
3 Rossbern Lane  
Clevedon  
2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: Clevedon Quarry

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
Attached submission is supported

I or we seek the following decision by council: Decline the plan change

20.1

Submission date: 23 February 2023

Supporting documents  
[Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230223090309.917.pdf](#)

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major



quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high

ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

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24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society



**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Belinda Clarke  
**Date:** Thursday, 23 February 2023 9:15:38 am

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Belinda Clarke

Organisation name:

Agent's full name:

Email address: djcbmc@gmail.com

Contact phone number:

Postal address:  
26 Monument Road  
Clevedon  
Auckland 2582

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:  
Stephensons Quarry on McNicol Road re-zoning land to enable quarry expansion.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Access to the quarry is totally unsuitable for large trucks when they intend to use Otau Mountain Road and presently on McNicol Road. It creates noise and dust in a quiet rural area and being on a fault line if there was a slip could cause fatalities.

I or we seek the following decision by council: Decline the plan change

| 21.1

Submission date: 23 February 2023

#### **Attend a hearing**

Do you wish to be heard in support of your submission? No

#### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Liz Robertson  
**Date:** Thursday, 23 February 2023 9:15:38 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Liz Robertson

Organisation name:

Agent's full name:

Email address: lilybit13@gmail.com

Contact phone number:

Postal address:

6 Beckby way

Clevedon

Auckland 2158

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: Mnicols road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We live in the area and don't want our house or wider community affected by the affects of the quarry, we already get flooded and we don't need this to get worst with the land damage a quarry does. Our children have the right to grow up in the clean environment we have created for them.

I or we seek the following decision by council: Decline the plan change

22.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Anthony T Curran  
**Date:** Thursday, 23 February 2023 10:30:39 am  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23 20230223101746.429.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

#### Contact details

Full name of submitter: Anthony T Curran

Organisation name:

Agent's full name:

Email address: nztonycu@gmail.com

Contact phone number:

Postal address:  
 334 Tourist Road  
 RD5 Papakura  
 Auckland 2585

#### Submission details

##### This is a submission to:

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### My submission relates to

Rule or rules:  
 Plan change 89 Clevedon Quarry

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The plan change intends to allow Stevensons (FH) to commence Quarrying in a location where right now now Quarry exists i. e. Stevensons (FH) want a new Quarry we object because they already have permission to Quarry rock from their current location.

Also If this plan change is agreed to the sediment from the increased Quarrying Operation will wnd up in the Wairoa river as it had done over the past years. The evidence for this lies with millions of sharp rocks lying on the river bed. Every rocky bed river I have ever trout fished from has round rocks formed over centuries of being washed down towards the Sea

I or we seek the following decision by council: Decline the plan change

23.1

Submission date: 23 February 2023

Supporting documents  
Clevedon Protection Society\_Submission\_PPC 89 Clevedon Quarry\_24-02-  
23\_20230223101746.429.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major

quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a “mega quarry” well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL



for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high

ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin

to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Graeme kepa  
**Date:** Thursday, 23 February 2023 10:45:40 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Graeme kepa  
Organisation name: Kepa Enterprises E.T.I  
Agent's full name: Graeme Kepa  
Email address: graemekepa333@gmail.com  
Contact phone number:  
Postal address:  
graemekepa333@gmail.com  
Auckland  
Auckland 2528

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Quarry at mcnicole Rd oppose  
Property address: Oppose  
Map or maps: Oppose  
Other provisions:  
Oppose

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Kaitiakitanga  
Whanaungatanga  
Manaakitanga

I or we seek the following decision by council: Decline the plan change

24.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No



**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Laura griffin  
**Date:** Thursday, 23 February 2023 11:00:41 am

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Laura griffin

Organisation name:

Agent's full name:

Email address: laura.griffin5@hotmail.com

Contact phone number: 0212020362

Postal address:

315 twilight road

Brookby

Auckland 2576

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Opening a new clevedon quarry area.

Property address: Otau mountain road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The roads are not of good quality for more trucks. There are enough trucks on the roads in clevedon with other quarrys and clean fill. The trucks are ruining the roads anyway plus more land subdivided for housing means more traffic without adequate reading. Ruining of quality farm land.

I or we seek the following decision by council: Decline the plan change

25.1

Submission date: 23 February 2023

#### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Dianne McArdle  
**Date:** Thursday, 23 February 2023 11:00:56 am

---

The following customer has submitted a Unitary Plan online submission.

#### Contact details

Full name of submitter: Dianne McArdle

Organisation name:

Agent's full name:

Email address: teammc@xtra.co.nz

Contact phone number:

Postal address:  
teammc@xtra.co.nz  
Kawakawa Bay  
Auckland 2585

#### Submission details

##### This is a submission to:

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### My submission relates to

Rule or rules:

Property address: 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon.

Map or maps:

Other provisions:

Rezoning of land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

By increasing the size of the quarry it will remove trees and other vegetation that are essential in our current Climate Crisis.

The Council has declared that they recognise we are in a climate crisis and with the recent weather events there should be no doubt the impact of removal of any plant or tree that helps hold land together. The run off into nearby waterways further impacts the local environment

I or we seek the following decision by council: Decline the plan change

26.1

Submission date: 23 February 2023

#### Attend a hearing

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Greg Tucker  
**Date:** Thursday, 23 February 2023 11:30:35 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Greg Tucker

Organisation name:

Agent's full name:

Email address: greg@tunkr.co.nz

Contact phone number:

Postal address:

Clevedon  
Auckland 1061

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Clevedon quarry

Property address:

Map or maps:

Other provisions:  
Clevedon quarry

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
All the extra trucks will add to the already issues with the roads

I or we seek the following decision by council: Decline the plan change

27.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Hannah Gosbee  
**Date:** Thursday, 23 February 2023 11:30:38 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Hannah Gosbee  
Organisation name:  
Agent's full name:  
Email address: hannah.m.gosbee@gmail.com  
Contact phone number:  
Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Property address: the quarry on mcnicol road  
Map or maps:  
Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
the impact on our environment and our roads will be immense and i don't think it's necessary. the roads are not in a state to handle any more quarry trucks.

I or we seek the following decision by council: Decline the plan change

| 28.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No



Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Michelle Barnes  
**Date:** Thursday, 23 February 2023 11:45:38 am

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Michelle Barnes

Organisation name:

Agent's full name: Michelle Barnes

Email address: michelle@nzjewellers.co.nz

Contact phone number:

Postal address:  
151 Jones Road  
Clevedon  
RD 3 Papakura 2583

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:  
Plan Change 89

Property address: PC 89 (Private): Clevedon Quarry

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

As a Clevedon resident, I commute to the village twice a day for my children's primary school. Unfortunately, the roads in this region are in terrible condition due to the damage caused by large trucks. This not only damages the roads but also poses a significant threat to the safety of residents. Despite the presence of a primary school in the village, I have never seen a truck slowing down to the required 30km speed limit. Given the small size of the village, its roads were not built to accommodate the constant flow of large trucks, especially with the proposed retirement village and new subdivisions in the area that will inevitably increase pedestrian traffic. We must not let Clevedon become another thoroughfare for large trucks like Brookby has.

The Auckland Council has a duty to preserve the village's history and environment, especially considering the proximity of the Hunua Ranges, which house precious native birds such as Kiwi and Kokako. It is difficult to justify the placement of a quarry, with its blasting, trucks, and noisy machinery, near this critical natural resource while as a country we are actively working towards

preserving the welfare of birdlife. Therefore, under no circumstances should the quarry be allowed.

The local community is passionate about preserving the village and its surroundings and will take further action, even to the environment court if necessary.

I or we seek the following decision by council: Decline the plan change

29.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Susan Carolyn Curran  
**Date:** Thursday, 23 February 2023 11:45:45 am  
**Attachments:** [Clevedon Floods.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Susan Carolyn Curran

Organisation name:

Agent's full name:

Email address: nzcurran@gmail.com

Contact phone number:

Postal address:  
334 Tourist Road  
R D 5 PAPAKURA 2585  
Clevedon  
Auckland 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:  
Plan change change 89 Clevedon Quarry

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The quarry is not accessible for a commercial size/900 truck movements. McNicol road is a narrow country road, one lane in parts and is crumbling away into the river. From the motor way trucks travel 22km mostly on country roads. The quarry is located adjacent to the Wairoa North fault line which potentially is a safety risk. Flooding is a common event on both the McNicol and Clevedon roads. We have lived on the corner of both roads for over 20 years and can testify the extent of the flooding. The Wairoa river is the second longest river in auckland and many people use it for their recreation. McNicol road and the gorge are used for cycling, walking, fishing, horse riding etc. The quarry as it stands can service the local farming and surrounding area, Auckland has other quarries that can service it.

I or we seek the following decision by council: Decline the plan change, but if approved, make the

30.1

amendments I requested

Details of amendments: Bridal way for walkers and equestrian. Sound proof fencing and planting for residences affected. | 30.2

Submission date: 23 February 2023

Supporting documents  
Clevedon Floods.pdf | 30.3

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.



(above: Tourist Road, Clevedon, February 2023 Floods)



(above: Mc Nicol Road, Clevedon, February 2023 Floods)

## **FLOODING IN CLEVEDON**

There is major flooding in Clevedon this morning.  
Do not attempt to drive through flood water.  
Please stay at home and follow the advice of  
Civil Defence. If you require help or have an  
emergency, call 111 immediately.

**Clevedon Fire Brigade**

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - David Ieuan Jenkins  
**Date:** Thursday, 23 February 2023 12:15:38 pm  
**Attachments:** [2023-02-23 Submission relating to PC 89 \(Private\) Clevedon Quarry.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: David Ieuan Jenkins

Organisation name:

Agent's full name:

Email address: hi@ieuan.net

Contact phone number:

Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address:

Map or maps:

Other provisions:

Entirety of the proposal to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning seeks to change land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

See attached PDF document

I or we seek the following decision by council: Decline the plan change

31.1

Submission date: 23 February 2023

Supporting documents

2023-02-23 Submission relating to PC 89 (Private) Clevedon Quarry.pdf

**Attend a hearing**



Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Mr David Ieuan Jenkins  
Franklin ward resident  
Email: [hi@ieuan.net](mailto:hi@ieuan.net)

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

2023-02-23

To Whom It May Concern,

**Re: Submission relating to PC 89 (Private): Clevedon Quarry**

I am writing to convey my severe concerns regarding the proposed Private Plan Change (PPC) 89 to Clevedon Quarry. I strongly oppose the proposal and wish to see it declined.

I have several areas of concern as outlined below:

1. *Reduction of habitat, adverse impact and poisoning of the Hochstetter's frog (classified as "At risk-Declining") as a result of the PPC.*  
The proposed plan change is liable to result in an increased susceptibility to slips in the area due to the nature of quarrying and the impact of truck activity. Indeed regular slips have occurred in recent years and already impacted on nearby streams and the Natural Stream Management (NSMA) area. Slips and general sediment runoff have well documented devastating effects on the limited available habitat for this species (Whitaker, 1985; McLennon, 1985; Easton, 2015; Nájera-Hillman, 2009).
2. *Reduction of habitat and adverse impact on the critically endangered native Long-Tailed Bats (2021 winner of Bird of the Year) as a result of the PPC.*  
This species is known to be present in the area concerned and is particularly at risk due to habitat fragmentation, especially around infrastructure projects (Borkin et al. 2019, Jones et al. 2019). Retaining linkages among forest areas supporting bats is important for retaining genetic diversity and ensuring species survival (O'Donnell et al. 2018).
3. *Reduction of habitat and adverse impact on Kōkako in the adjacent Hunua region as a result of the PPC.*  
Until recently this species was classified as Near Threatened due to habitat destruction and fragmentation. Following efforts such as the Kōkako Management Plan in the nearby Hunua ranges, the population is increasing but long-term habitat destruction, such as quarrying, is an easy way to reverse this success.
4. *Impact on Wairoa river quality (previously awarded Auckland's most improved river) as a result of the PPC.*  
The PPC is directly opposed to the Auckland Council Wairoa River Catchment Action Plan's vision of Auckland's most swimmable river. Indeed one of the main objectives of the plan is to: "encourage soil conservation and to minimise sedimentation". As mentioned above, the PPC would significantly increase the occurrence of slips on nearby streams and likelihood of sediment within the Wairoa river immediately adjacent to the quarry site.  
This is of particular relevance given Clevedon's significant residential development plans: such degradation of river quality would make for a less desirable and unsafe river for recreational activities.
5. *Potential for continued quarrying incursion immediately adjacent to the Hunua Ranges Regional Park.*  
As illustrated in *Fig. 1* attached to this submission, the proposed quarry expansion sets obvious precedent for further expansion beyond the current lot (Lot 1 DP 169491) and into the land to the south also owned by Stevenson Aggregate Limited (Lot 1-3 DP 177738 and Lot 12 DP 49440). Further rezoning via small incremental changes such as this is a logical 'lingchi' progression until the entirety of

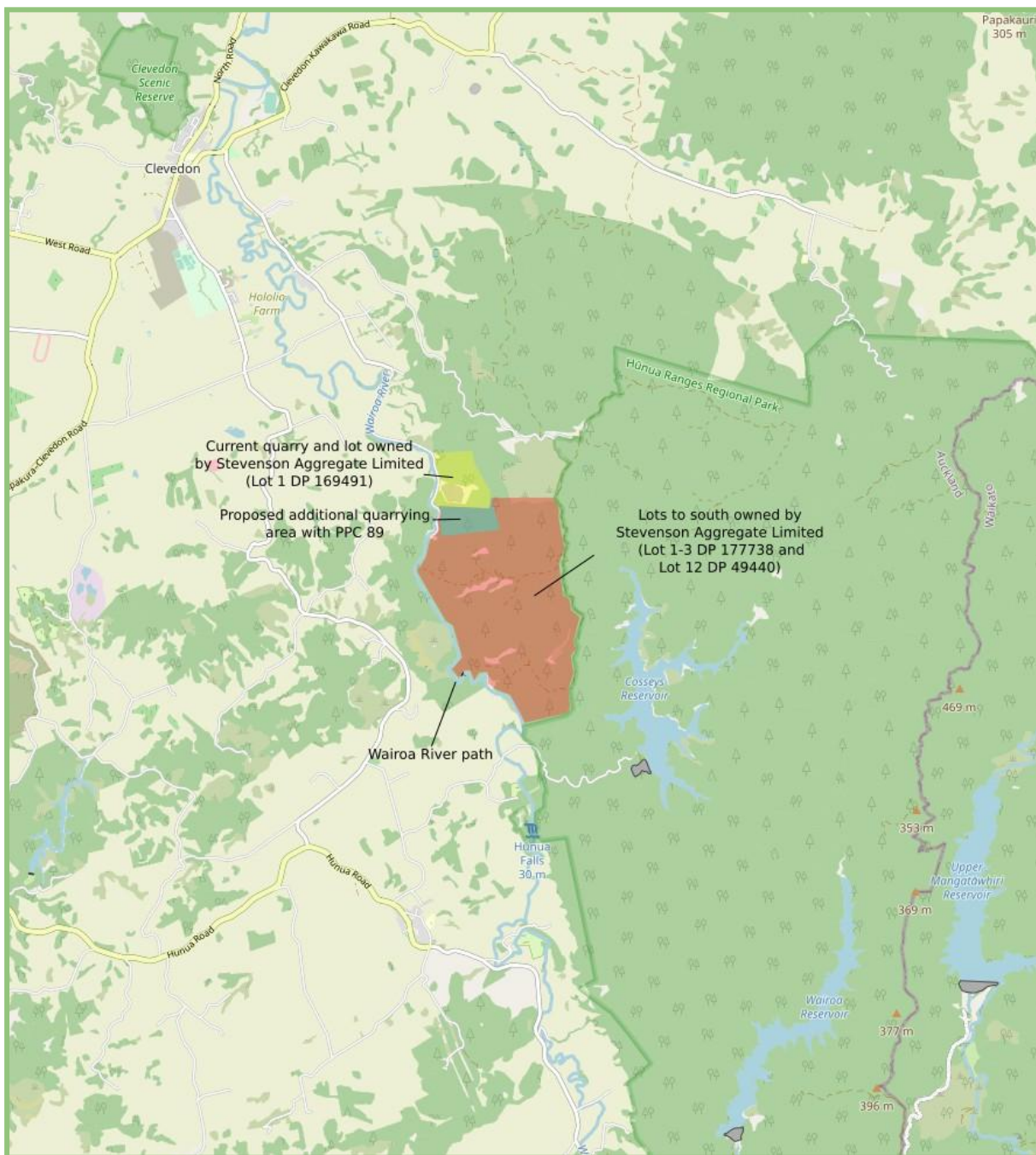
the land highlighted is allocated for quarrying activity alongside a lengthy section of the Wairoa river and Hunua ranges. The proposal of PPC 89 should consider such future intent and the irreversible damage and consequences of this decision for future generations.

I also agree with and would like to echo the concerns submitted by the Clevedon Protection Society 2017 Incorporated.

Yours faithfully,

Ieuan Jenkins

Figure 1.  
Map of land titles and quarrying area relating to PPC89 (NB: boundaries shown are approximate based on LINZ data service)



**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Heather Mary Jean Kean  
**Date:** Thursday, 23 February 2023 12:45:38 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Heather Mary Jean Kean

Organisation name:

Agent's full name:

Email address: hzkean@gmail.com

Contact phone number:

Postal address:  
351 McNicol Rd  
Clevedon  
Papakura 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: Clevedon quarry

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The impact on the community will be huge. Truck traffic, environmental, social. The truck traffic is already heavy, i have seen up to 22 truck pass me in my morning walk - in a rural/residntiak environiment. We are at our limit!

I or we seek the following decision by council: Decline the plan change

32.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Hayley Billman  
**Date:** Thursday, 23 February 2023 2:01:00 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Hayley Billman  
Organisation name:  
Agent's full name: Hayley Maree Billman  
Email address: hayley.billman22@gmail.com  
Contact phone number: 021 540142  
Postal address:  
hayley.billman22@gmail.com  
Clevedon  
Auckland 2248

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: Rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

As the closest neighbour to Stevenson Quarry, we strongly oppose the proposed plan change which would permit extension of quarry pits in the direction of residential property, including our home. We do so for the following reasons:

- Quarrying closer and closer to residential homes presents a health and safety risk to the affected home occupiers. Quarry dust is a known carcinogen risk. Auckland Council has a duty to act conservatively when public health and safety could be at risk.
- An increase in quarrying activity would place extra pressure on our already vulnerable land and river.
- Vibration which is something we already experience. This, combined with recent weather events has resulted in several slips and cracks around the road and riverbeds. Closer quarrying activity would only make this worse.
- Recent weather events have shown that we must expect the unexpected. Many Auckland houses

are now red and yellow stickered due to landslide or land instability. Geotechnical reports received prior to development of many of those properties have been shown to have seriously underestimated the risk of these geotechnical events. Consideration of plan change applications must be viewed in the context of increasingly extreme and more frequent events. Geotechnical reports in support of further development must be viewed conservatively.

- Contributing dust caused by blasting and/or general activity particularly in the summer months will get into our household water supply (tank water), along with sediment and debris flowing into the Wairoa river which is already showing signs of compromise with recent weather events and forestry.
- It is not reasonable to expect existing residential occupiers to suffer increased noise or any other pollution. We were there first.
- An extension of quarrying activity would have a large impact to our current local wildlife and biodiversity, including native bats recently discovered along the Wairoa river. Council has a statutory obligation to consider these factors when assessing any plan change proposal.
- There would be visual impacts on surrounding country landscape and a loss of safe and local amenity recreational access the Wairoa Gorge and Hunua ranges.
- This is not a case of progress for the sake of the greater good. It is one private business. The interests of one private business should not be given priority over the interests of the surrounding community

I or we seek the following decision by council: Decline the plan change

33.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Georgia Billman  
**Date:** Thursday, 23 February 2023 2:01:02 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Georgia Billman

Organisation name:

Agent's full name: Georgia Ivy McLeod Billman

Email address: georgia.billman4@gmail.com

Contact phone number:

Postal address:

PO Box 206

Clevedon

Auckland 2248

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: Rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

As the closest neighbour to Stevenson Quarry, we strongly oppose the proposed plan change which would permit extension of quarry pits in the direction of residential property, including our home. We do so for the following reasons:

- Quarrying closer and closer to residential homes presents a health and safety risk to the affected home occupiers. Quarry dust is a known carcinogen risk. Auckland Council has a duty to act conservatively when public health and safety could be at risk.
- An increase in quarrying activity would place extra pressure on our already vulnerable land and river.
- Vibration which is something we already experience. This, combined with recent weather events has resulted in several slips and cracks around the road and riverbeds. Closer quarrying activity would only make this worse.
- Recent weather events have shown that we must expect the unexpected. Many Auckland houses



are now red and yellow stickered due to landslide or land instability. Geotechnical reports received prior to development of many of those properties have been shown to have seriously underestimated the risk of these geotechnical events. Consideration of plan change applications must be viewed in the context of increasingly extreme and more frequent events. Geotechnical reports in support of further development must be viewed conservatively.

- Contributing dust caused by blasting and/or general activity particularly in the summer months will get into our household water supply (tank water), along with sediment and debris flowing into the Wairoa river which is already showing signs of compromise with recent weather events and forestry.
- It is not reasonable to expect existing residential occupiers to suffer increased noise or any other pollution. We were there first.
- An extension of quarrying activity would have a large impact to our current local wildlife and biodiversity, including native bats recently discovered along the Wairoa river. Council has a statutory obligation to consider these factors when assessing any plan change proposal.
- There would be visual impacts on surrounding country landscape and a loss of safe and local amenity recreational access the Wairoa Gorge and Hunua ranges.
- This is not a case of progress for the sake of the greater good. It is one private business. The interests of one private business should not be given priority over the interests of the surrounding community

I or we seek the following decision by council: Decline the plan change

34.1

Submission date: 23 February 2023

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Wayne Billman  
**Date:** Thursday, 23 February 2023 2:01:50 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Wayne Billman

Organisation name:

Agent's full name: Wayne Billman

Email address: billybillman23@gmail.com

Contact phone number:

Postal address:

PO Box 206

Clevedon

Auckland 2248

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: Rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

As the closest neighbour to Stevenson Quarry, we strongly oppose the proposed plan change which would permit extension of quarry pits in the direction of residential property, including our home. We do so for the following reasons:

- Quarrying closer and closer to residential homes presents a health and safety risk to the affected home occupiers. Quarry dust is a known carcinogen risk. Auckland Council has a duty to act conservatively when public health and safety could be at risk.
- An increase in quarrying activity would place extra pressure on our already vulnerable land and river.
- Vibration which is something we already experience. This, combined with recent weather events has resulted in several slips and cracks around the road and riverbeds. Closer quarrying activity would only make this worse.
- Recent weather events have shown that we must expect the unexpected. Many Auckland houses

are now red and yellow stickered due to landslide or land instability. Geotechnical reports received prior to development of many of those properties have been shown to have seriously underestimated the risk of these geotechnical events. Consideration of plan change applications must be viewed in the context of increasingly extreme and more frequent events. Geotechnical reports in support of further development must be viewed conservatively.

- Contributing dust caused by blasting and/or general activity particularly in the summer months will get into our household water supply (tank water), along with sediment and debris flowing into the Wairoa river which is already showing signs of compromise with recent weather events and forestry.
- It is not reasonable to expect existing residential occupiers to suffer increased noise or any other pollution. We were there first.
- An extension of quarrying activity would have a large impact to our current local wildlife and biodiversity, including native bats recently discovered along the Wairoa river. Council has a statutory obligation to consider these factors when assessing any plan change proposal.
- There would be visual impacts on surrounding country landscape and a loss of safe and local amenity recreational access the Wairoa Gorge and Hunua ranges.
- This is not a case of progress for the sake of the greater good. It is one private business. The interests of one private business should not be given priority over the interests of the surrounding community

I or we seek the following decision by council: Decline the plan change

35.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Jenna Billman  
**Date:** Thursday, 23 February 2023 2:01:53 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Jenna Billman

Organisation name:

Agent's full name: Jenna Billman

Email address: jenna.billman2@gmail.com

Contact phone number:

Postal address:

PO Box 206

Clevedon

Auckland 2248

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: Rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

As the closest neighbour to Stevenson Quarry, we strongly oppose the proposed plan change which would permit extension of quarry pits in the direction of residential property, including our home. We do so for the following reasons:

- Quarrying closer and closer to residential homes presents a health and safety risk to the affected home occupiers. Quarry dust is a known carcinogen risk. Auckland Council has a duty to act conservatively when public health and safety could be at risk.
- An increase in quarrying activity would place extra pressure on our already vulnerable land and river.
- Vibration which is something we already experience. This, combined with recent weather events has resulted in several slips and cracks around the road and riverbeds. Closer quarrying activity would only make this worse.
- Recent weather events have shown that we must expect the unexpected. Many Auckland houses

are now red and yellow stickered due to landslide or land instability. Geotechnical reports received prior to development of many of those properties have been shown to have seriously underestimated the risk of these geotechnical events. Consideration of plan change applications must be viewed in the context of increasingly extreme and more frequent events. Geotechnical reports in support of further development must be viewed conservatively.

- Contributing dust caused by blasting and/or general activity particularly in the summer months will get into our household water supply (tank water), along with sediment and debris flowing into the Wairoa river which is already showing signs of compromise with recent weather events and forestry.
- It is not reasonable to expect existing residential occupiers to suffer increased noise or any other pollution. We were there first.
- An extension of quarrying activity would have a large impact to our current local wildlife and biodiversity, including native bats recently discovered along the Wairoa river. Council has a statutory obligation to consider these factors when assessing any plan change proposal.
- There would be visual impacts on surrounding country landscape and a loss of safe and local amenity recreational access the Wairoa Gorge and Hunua ranges.
- This is not a case of progress for the sake of the greater good. It is one private business. The interests of one private business should not be given priority over the interests of the surrounding community

I or we seek the following decision by council: Decline the plan change

36.1

Submission date: 23 February 2023

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Sophia Yetton  
**Date:** Thursday, 23 February 2023 2:30:35 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Sophia Yetton

Organisation name:

Agent's full name:

Email address: [sophiayetton@gmail.com](mailto:sophiayetton@gmail.com)

Contact phone number:

Postal address:  
1329 clevedon kawakawa road  
Kawakawa bay  
Auckland 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

.

Property address: .

Map or maps: .

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Tourist road cannot cope with this amount of traffic especially the one way bridge. It also ruins the vibe of the community. How can you have small rural yet quickly expanding communities in areas where the main roads are a quarry truck highway. It's bad enough as it is. It's unsafe enough for people (including children) cycling, running/walking or riding their horses on the road with the existing trucks. The monument tourist intersection is extremely dangerous, trucks are constantly pulling out at incredibly slow speeds due to it being on a hill and usually fully loaded. There is only a small field of vision for oncoming traffic from monument due a corner being just before the intersection. The trucks are always having stones come off their loads and smash or chip a windscreen. Every single one of my friends who live locally have had a windscreen chipped or smashed atleast once on our local roads. The silt which runs off from the quarry is ruining the river as well, it once had a pebble base and now the pebbles are covered in silt which ruins whole ecosystems.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested | 37.1

Details of amendments: 2 way bridge for Tourist Road. Secure load rules for the trucks. A foot path around all of Clevedon roads which does not impede on the grass verge which are frequently used by the equestrian community. | 37.2  
37.3  
37.4

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Mary Whitehouse  
**Date:** Thursday, 23 February 2023 3:01:20 pm  
**Attachments:** [CCI and CCBA Joint Submission to PPC 89 Feb 2023.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Mary Whitehouse

Organisation name: Clevedon Cares Inc AND Clevedon Community and Business Association Inc

Agent's full name:

Email address: mwhitehouse017@gmail.com

Contact phone number: 021614499

Postal address:

Clevedon  
2582

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

The Plan Change in its entirety

Property address:

Map or maps:

Other provisions:

We are neither opposing or supporting this Plan Change but request consideration be given to the matters raised in our Reasons for Submission. The on-line form does not allow a "neutral" submission

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Please refer to attached Reasons for Submission noting that we are neither opposing nor supporting the Plan Change but asking for some matters to be taken into consideration.

I or we seek the following decision by council: Decline the plan change, but if approved, make the | 38.1 amendments I requested

Details of amendments: Please refer to attached Reasons for Submission noting that we are neither opposing nor supporting the Plan Change but asking for some matters to be taken into consideration.



Submission date: 23 February 2023

Supporting documents

CCI and CCBA Joint Submission to PPC 89 Feb 2023.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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Clevedon Cares Incorporated (CCI) and Clevedon Community and Business Association (CCBA) Joint Submission to PPC 89

CCI and CCBA are NEUTRAL with respect to PPC 89

Reasons for Submission

1. Clevedon CARES Incorporated (CCI) is a local Community organisation with a focus on activities within the Clevedon (Te Wairoa) Valley. The Clevedon Community and Business Association is a local Community organisation with a focus primarily on Clevedon Village and activities in the neighbourhood. Both CCI and CCBA were submitters and participants at Hearings to the Application by Fulton Hogan in 2018 for a Resource Consent to expand operations at Stevensons (then Fulton Hogan) Clevedon Quarry SPQZ ) (“The Quarry”). CCI is not represented on the Quarry Community Liaison Group (CLG), but the CCBA is a member of the CLG

2. The organisations both recognise the historic existence of the Quarry, that it is a SPQZ as identified in the AUP and the need for aggregate in the Auckland area. It is also understood that there are very few places for regionally significant quarries in the Auckland region and that it is therefore desirable to utilise the quarries which are closer to Auckland, rather than suffer the detrimental effects of bringing material from further afield.

3. It is understood that the purpose of this PPC 89 is to have some certainty for the longer term supply of aggregate from the Quarry. It is also understood that any expansion of the quarry operations beyond that allowed by the 2018 Consent would be subject to Resource Consent under the RMA.

4. This PPC proposes to “swap” land which is zoned Special Purpose Quarry Zone (SPQZ) with land which is currently zoned Rural Production Zone (RPZ) of approximately the same area. The current SPQZ part (which is partially also an SEA, NSMA and contains a stream and native bush) would be “down-zoned” to RPZ, whilst the current RPZ land would be “up-zoned” to SPQZ and form part of the existing quarry.

5. This rezoning is obviously beneficial to the applicant (Stevensons) as it will enable future expansion of the Quarry more easily than would be the case for land under an SEA, NSMA and native vegetation. The new SPQZ area is currently in pine forest and almost certainly easier to gain consent for expanded quarry operations. There is however little or no benefit to the local community of this “swap”; instead there is the future prospect of a much larger quarry with associated activities and greater detrimental effects, particularly to visual amenity, roading conditions and traffic.

6. Given this benefit to the applicant, CCI and CCBA request that consideration be given to the following should the PPC be granted, and any consequent amendments to the PPC and AUP be made as required:

- a) Covenanted (or other mechanism) of the land which is being converted from SPQZ to RPZ as native bush, in order to avoid future “development” of this block as, for example, forestry or dwellings, or as might otherwise be allowed under the RPZ zoning. | 38.2
- b) A recognition that the roads which are used by the trucks using the Quarry as far as SH1 have deteriorated significantly since 2018, with potholes and other “patch up” repairs being done constantly. Notwithstanding the conditions of the Consent (which allows more truck movements than currently) these roads need to be constructed better to carry frequent heavy vehicles. The benefit of using these narrow rural roads is being reaped by the quarry operators and users but at the cost to the general public (using lighter vehicles and likely | 38.3

- c) lower volumes) of having to put up with considerably inferior roads. In other words the cost of providing what is a private good is being transferred to a public good (the ratepayers and government).
- d) An explicit undertaking that the existing conditions of consent will be continued (except (d) below) and that any expansion of quarry operations will require a new Resource Consent. This especially with respect to truck movements, hours of operations, noise, management of the Southern Stream (which will be in the new SPQZ) and other water courses, and operation of the CLG. 38.4
- e) That the consent condition limiting truck movement through Clevedon Village be extended, it having been for only 5 years from 2018. 38.5

7. Thank you for the opportunity to make a submission on the Private Plan Change.

Signed by:

Mary Whitehouse

FOR Clevedon Cares Incorporated

And

Jane Masters

FOR Clevedon Community and Business Association Incorporated

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Eve Osborne Rosenhek  
**Date:** Thursday, 23 February 2023 3:16:07 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Eve Osborne Rosenhek

Organisation name:

Agent's full name:

Email address: eves.territory@gmail.com

Contact phone number:

Postal address:  
128 McNicol Road  
RD 5  
Papakura  
Auckland 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: 546 McNicol Road, Clevedon

Map or maps:

Other provisions:

To swap the extent of the Clevedon quarry Special Purpose Zone at 546 McNicol Road with a relocated Special Purpose Zone at 646 McNicol Road Clevedon

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The Private Plan Change application by Stevenson's seeks to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning seeks to change land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.

This Private Plan Change will double the land area that can be used for quarry activities. If this Private Plan Change goes ahead, it will have a major impact on the Clevedon community well beyond the current generation.

Stevenson's (Fulton Hogan) also own approximately 400ha of land to the south of the existing Clevedon Quarry which is currently planted in pine. Over time, Stevenson's could seek to rezone more land to the south to create a mega quarry. If this Private Plan Change is approved by Council, it would create a strong precedent for even further expansion in the future.

Clevedon Protection Society is concerned about the adverse effects that such an increase in quarry activities could pose beyond the current operation. Some of the key issues include:  
Further reduction of rural productive land for an industrial (quarry) use which will change the fabric of our community  
Increased truck numbers that will further congest and damage local roads.  
Loss of local amenity and safe recreational access to the Wairoa Gorge and Hunua Ranges beyond  
Destruction of the Southern stream and tributary which has already been damaged by quarry operations  
More sediment and debris flowing into the Wairoa River damaging our already vulnerable rivers and waterways  
Impact on local wildlife and biodiversity including native bats recently discovered along the Wairoa River  
Noise pollution from blasting and quarry activities  
Visual impacts on surrounding country landscape

I or we seek the following decision by council: Decline the plan change

39.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Tamsin Watson  
**Date:** Thursday, 23 February 2023 3:46:04 pm  
**Attachments:** [Private Plan Change 89.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Tamsin Watson

Organisation name:

Agent's full name:

Email address: justam95@gmail.com

Contact phone number:

Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Plan Change 89

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
See below

I or we seek the following decision by council: Decline the plan change

40.1

Submission date: 23 February 2023

Supporting documents  
Private Plan Change 89.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major



quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high

ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society



**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Sophie Kate Bruce  
**Date:** Thursday, 23 February 2023 4:00:32 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Sophie Kate Bruce

Organisation name:

Agent's full name:

Email address: [sophiesfabrics@xtra.co.nz](mailto:sophiesfabrics@xtra.co.nz)

Contact phone number:

Postal address:  
280 Tourist Road  
Clevedon  
Papakura 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: 646 and 546 McNicol Road, 439 Otau Mountain Road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Further reduction of rural productive land for an industrial (quarry) use which will change the fabric of our community

- Increased truck numbers that will further congest and damage local roads.
- Loss of local amenity and safe recreational access to the Wairoa Gorge and Hunua Ranges beyond
- Destruction of the Southern stream and tributary which has already been damaged by quarry operations
- More sediment and debris flowing into the Wairoa River damaging our already vulnerable rivers and waterways
- Impact on local wildlife and biodiversity including native bats recently discovered along the Wairoa River
- Noise pollution from blasting and quarry activities
- Visual impacts on surrounding country landscape

I or we seek the following decision by council: Decline the plan change | 41.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Lauren Christensen  
**Date:** Thursday, 23 February 2023 4:15:38 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Lauren Christensen

Organisation name:

Agent's full name: Lauren Christensen

Email address: lccontractors@xtra.co.nz

Contact phone number:

Postal address:  
390 Monument Rd  
Clevedon  
Auckland 2582

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Expansion of the quarry

Property address: 546 Mc Nicol Rd, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
We don't want more truck movements in Clevedon, the roads aren't good enough for all the trucks. We moved to a beautiful part of Auckland and don't want to look at a bear hill. Cant they just expand the quarry they have at Drury which is going to have industrial buildings built beside it. Also all the flooding we experience in Clevedon already, I don't think clearing all that land would help.

I or we seek the following decision by council: Decline the plan change

42.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Paula Mitchell  
**Date:** Thursday, 23 February 2023 4:15:41 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Paula Mitchell

Organisation name:

Agent's full name:

Email address: allenmitchell@xtra.co.nz

Contact phone number:

Postal address:  
26 Bertram Road  
Kawakawa Bay  
Auckland 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: Rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

- Quarrying closer and closer to residential homes presents a health and safety risk to the affected home occupiers. Quarry dust is a known carcinogen risk. Auckland Council has a duty to act conservatively when public health and safety could be at risk.
- An increase in quarrying activity would place extra pressure on our already vulnerable land and river.
- Vibration which is something we already experience. This, combined with recent weather events has resulted in several slips and cracks around the road and riverbeds. Closer quarrying activity would only make this worse.
- Recent weather events have shown that we must expect the unexpected. Many Auckland houses are now red and yellow stickered due to landslide or land instability. Geotechnical reports received prior to development of many of those properties have been shown to have seriously underestimated the risk of these geotechnical events. Consideration of plan change applications must be viewed in the context of increasingly extreme and more frequent events. Geotechnical

reports in support of further development must be viewed conservatively.

- Contributing dust caused by blasting and/or general activity particularly in the summer months will get into our household water supply (tank water), along with sediment and debris flowing into the Wairoa river which is already showing signs of compromise with recent weather events and forestry.
- It is not reasonable to expect existing residential occupiers to suffer increased noise or any other pollution.
- An extension of quarrying activity would have a large impact to our current local wildlife and biodiversity, including native bats recently discovered along the Wairoa river. Council has a statutory obligation to consider these factors when assessing any plan change proposal.
- There would be visual impacts on surrounding country landscape and a loss of safe and local amenity recreational access the Wairoa Gorge and Hunua ranges.
- This is not a case of progress for the sake of the greater good. It is one private business. The interests of one private business should not be given priority over the interests of the surrounding community.

I or we seek the following decision by council: Decline the plan change

43.1

Submission date: 23 February 2023

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Elizabeth Miller  
**Date:** Thursday, 23 February 2023 4:30:39 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Elizabeth Miller  
Organisation name: Not applicable  
Agent's full name: Not applicable  
Email address: elizabethregina900@gmail.com  
Contact phone number: 021 707 883  
Postal address:  
442 North Road  
Clevedon  
Auckland 2582

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
New quarry in clevedon

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
No infrastructure to maintain this and on a fault line

I or we seek the following decision by council: Decline the plan change

| 44.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Sara Stodart  
**Date:** Thursday, 23 February 2023 4:45:38 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23\\_20230223164015.972.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Sara Stodart  
Organisation name:  
Agent's full name: Sara Stodart  
Email address: sara.stodart10@gmail.com  
Contact phone number:  
Postal address:  
384 McNicol Road  
Clevedon  
Auckland 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Private Plan Change 89  
Property address: Clevedon Quarry  
Map or maps: .  
Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Negative environmental impacts, traffic issues, quality of roading, safety, negative social impacts, negative economical impacts.

I or we seek the following decision by council: Decline the plan change | 45.1

Submission date: 23 February 2023

Supporting documents  
[Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230223164015.972.pdf](#)

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major

quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high

ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to



investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin

to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Kate Ormond  
**Date:** Thursday, 23 February 2023 6:45:44 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Kate Ormond

Organisation name:

Agent's full name:

Email address: kateormond17@gmail.com

Contact phone number:

Postal address:

458 McNicol Rd

Clevedon

Auckland 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: Clevedon quarry

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

24 February 2023

Submission - Private Plan Change 89 - Clevedon Quarry Clevedon Protection Society 2017 Incorporated

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC"). CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to

seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

#### CPS's Concerns

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major

Page 1 of 9

quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.

3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.

4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.

5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

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for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.

7. The recent severe weather events have significantly eroded and undermined the end of McNicol

Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.

8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.

9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.

10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high

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ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.

12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.

13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.

14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

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15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.

16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change

in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.

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Page 5 of 9

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

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25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin

Page 7 of 9

to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

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27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:

- a. Rock resource assessment
- b. Economic impact
- c. Ecology
- d. Heritage and Cultural
- e. Visual and Landscape
- f. Social impact
- g. Traffic

28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:

- a. Legal considerations
- b. Planning evidence
- c. Traffic Impact evidence
- d. Heritage and Cultural evidence

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- e. Noise evidence



f. Social evidence  
g. Economic evidence  
h. Visual and Landscape evidence  
i. Ecology evidence  
Ends  
Clevedon Protection Society  
Page 9 of 9

I or we seek the following decision by council: Decline the plan change | 46.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Gary  
**Date:** Thursday, 23 February 2023 7:15:45 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Gary

Organisation name:

Agent's full name: Gary

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Contact phone number:

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390 Clevedon Kawakawa Road  
Gary  
Auckland 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Support

Property address: Monument Road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Local people

I or we seek the following decision by council: Decline the plan change

47.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Tristan Peter Ilich  
**Date:** Thursday, 23 February 2023 7:17:18 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230223191045.537.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

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Papakura 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
All, refer attached submission.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Refer attached submission.

I or we seek the following decision by council: Decline the plan change, but if approved, make the | 48.1 amendments I requested

Details of amendments: Too early in process to identify amendment. Further evidence and consideration required.

Submission date: 23 February 2023

Supporting documents  
[Clevedon Protection Society\\_Submission\\_PPC 89 Clevedon Quarry\\_24-02-23\\_20230223191045.537.pdf](#)

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major

quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a “mega quarry” well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set. 48.2
  
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
  
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC. 48.3
  
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

48.4

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.

48.5

7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high



ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin

to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Tristan Ilich and Tina Ilich on behalf of  
**Date:** Thursday, 23 February 2023 7:30:37 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry\\_24-02-23\\_20230223191828.072.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Tristan Ilich and Tina Ilich on behalf of

Organisation name: The Tokomaru Trust

Agent's full name:

Email address: tristan.ilich@gmail.com

Contact phone number: 0278893309

Postal address:  
268 Tourist Road  
Clevedon  
Auckland 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

All, refer attached submission by Clevedon Protection Society which on behalf of The Tokomaru Trust we fully endorse. Specific adverse effects for our property include Trunk Numbers, Noise, Visual Amenity, Property Value, Social Impact, Cultural and Heritage, Erosion and Sediment of the Wairoa River, Ecology, Land Stability and Seismic Risk.

Property address: 268 Tourist Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Refer attached submission from Clevedon Protection Society which we fully endorse on behalf of The Tokomaru Trust.

I or we seek the following decision by council: Decline the plan change | 49.1

Submission date: 23 February 2023

Supporting documents

Clevedon Protection Society\_Submission\_PPC 89 Clevedon Quarry\_24-02-

23\_20230223191828.072.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
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Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin

to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence





- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Sheryl McKinley  
**Date:** Thursday, 23 February 2023 8:15:39 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23\\_20230223185726.576.pdf](#)  
[McNICOL ROAD QUARRY SUBMISSIONS 2023.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Sheryl McKinley

Organisation name:

Agent's full name: Sheryl McKinley

Email address: sem@orcon.net.nz

Contact phone number:

Postal address:  
sem@orcon.net.nz  
Auckland  
Auckland 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: 336 McNicol Road, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
This plan change directly affects us given we are on the main truck route to the quarry.

I or we seek the following decision by council: Decline the plan change | 50.1

Submission date: 23 February 2023

Supporting documents  
Clevedon Protection Society\_Submission\_PPC 89 Clevedon Quarry\_24-02-23\_20230223185726.576.pdf  
McNICOL ROAD QUARRY SUBMISSIONS 2023.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

## McNICOL ROAD QUARRY SUBMISSIONS

Key Aspects of Application	Adverse effects which will cause loss of amenity
Increase in truck numbers	<ul style="list-style-type: none"> <li>• Increase in noise causing loss of amenity and quiet enjoyment of our property (ie after work sitting on the deck having a drink and dinner in peace and quiet and not listening to trucks constantly rumbling past). <b>NOTE:</b> We chose to give up commuter convenience to have peace and quiet from constant traffic noise.</li> <li>• Disturbed sleep from headlights and truck noise (especially in winter)</li> <li>• Health and wellbeing from noise and dust from the trucks including extra maintenance to the house and cars</li> <li>• Loss of enjoyment of community facilities and amenities</li> <li>• Damage to house from vibration of the increased weight and number of trucks</li> <li>• Deterioration of roads from the heavy vehicles (ie damage to personal vehicles from potholes, slippery roads from slurry extra wear and tear on the vehicle)</li> <li>• Combined traffic congestion from the Brookby Quarry and Pascoe Landfill in the Ardmore, Alfriston, Papakura and Manurewa on-ramp to motorway etc</li> <li>• Congestion at Tourist Roads one way bridge (have already had to wait for 4 truck and trailer units to go over bridge)</li> </ul>
Traffic Safety Issues and Safety Issues with Livestock	<ul style="list-style-type: none"> <li>• Pulling out of my driveway in a horse truck or horse float (we are just after a bend)</li> <li>• Turning into my driveway in horse truck or towing a float (impatient truck drivers wanting to pass and/or tail gaiting)</li> <li>• Towing a float with horses on board and truck drivers tail gaiting and driving fast</li> <li>• Extra dirt and mud on the road which when wet is like slurry and makes the road slippery. With no street lights on rural roads you don't see this hazard</li> <li>• Horse riders (reason for buying in Clevedon was the ability to go for a road ride)</li> <li>• Children on ponies with parents riding, walking or cycling beside them</li> <li>• Injuries to horses and riders inside their own properties in arenas and roadside paddocks with the extra noise (ie air brakes and rattles from empty and speeding trucks)</li> <li>• Potential spooking of livestock breaking through fences and entering the road</li> <li>• Riding a bike and walking for leisure</li> <li>• International visitors and tourists walking the Te Araroa Trail (VERY popular and economically good for Clevedon businesses)</li> <li>• School children walking home from bus drop off</li> <li>• Rural postie delivering mail (trucks flying past every 40 seconds)</li> </ul>

	<ul style="list-style-type: none"> <li>• General motoring, trucks lined up on dark foggy mornings waiting to get to the quarry for loading time (ie lack of road width and visibility)</li> <li>• Passing trucks on narrow bridges with limited room</li> <li>• Trucks trailer units fish-tailing on greasy roads (ie caused by extra dirt, dust, oil slick etc on roads)</li> <li>• Increased risk of serious/fatal accidents at intersections at Clevedon-Papakura/Creightons/Tourist Road, Monument/Tourist Road and Tourist/McNicol Road – visibility and speed limit and time it takes for truck and trailer units to cross</li> <li>• The whole of McNicol Road due to speed limit and width of road with horses, walkers, cyclists etc sharing the narrow road</li> <li>• Road width and narrow two way bridges in parts of Tourist Road and McNicol Road for two trucks to pass (ie quarry trucks or horse truck and quarry truck (and/or truck and trailer)</li> <li>• Visibility and delay at peak work travel times on one way bridge in Tourist Road (<b>NOTE: Already have had to wait at 7.00am while at least four truck and trailer units came through after having passing another 6 to 8 trucks before the bridge heading towards Quarry and then passing another four trucks heading towards the bridge</b>)</li> <li>• Concern that one way bridge not being able to handle the pressure of the extra volume and weight of heavy vehicles that will be crossing the bridge</li> <li>• Increase in trucks travelling through Clevedon Village</li> </ul>
<p>Operating Hours:</p>	<ul style="list-style-type: none"> <li>• Disruption to sleep from noise and headlights (<b>NOTE: trucks are constantly sneaking down before they are allowed already. When busy they are also coming back from quarry before allowed time – current rules are already being broken</b>)</li> <li>• Loss of quiet enjoyment of our property (ie no road riding of horses after work or on a Saturday, traffic disturbance, general wind down after a busy day. Many residents have sacrificed convenience of travel time to work for the peacefulness of a quiet rural lifestyle of which you will be taking away from us)</li> <li>• The health and wellbeing of residents and livestock</li> <li>• Loss of value to our property</li> </ul>
<p>Wairoa River and surrounding natural environment</p>	<ul style="list-style-type: none"> <li>• Contamination of the Wairoa River from run off and dirt and slurry from the trucks affecting the ability to swim in the river (incredibly popular swimming place in summer)</li> <li>• Deterioration of the river and fishery for Trout fishing from increased sediment-delivery into the river from quarry operations</li> <li>• Over-burden and sediment run off from quarry operations via North and South Streams posing serious impact on river water quality and public access</li> <li>• The displacement of local wildlife and impact on local flora and fauna</li> </ul>

	<ul style="list-style-type: none"> <li>• Noise from the quarry driving bird and animal life away from the Wairoa Valley and Wairoa River area</li> <li>• Increased seismic risk from Wairoa Fault line which is classified as active</li> <li>• Risk of collapse or accident at the quarry site resulting in debris contaminating the river causing dam or flooding up and down stream <b>(Note: Especially relevant after Cyclone Gabrielle and the devastation it caused to Clevedon, McNicol Road and the Wairoa River)</b></li> </ul>
Visual Amenity	<ul style="list-style-type: none"> <li>• Removal of over-burden and bush areas creating an ugly vista from our property and the surrounding properties</li> <li>• Devaluing our property as the outlook changes from green hillsides to a clay canvas</li> <li>• Tourists and visitors to Clevedon seeing clay mountains instead of bush clad hillsides – a visual nightmare</li> </ul>
Economic Impact	<ul style="list-style-type: none"> <li>• Loss of tourists and visitors to Clevedon (Already seen given the diversion of the Te Araroa walkway away from McNicol Road)</li> <li>• Devaluing our property (loss of visual vista and truck noise and traffic)</li> <li>• Negative impact on national equestrian, polo, horse breeding, horse training and riding industry and event hosting rights</li> </ul>
Social Impact	<ul style="list-style-type: none"> <li>• Area becomes an undesirable place to live, enjoy, and do business</li> <li>• Loss of social activity and the freedom of being able to do those activities</li> <li>• Impact on mental health and other health related issues</li> <li>• Loss of desired destination status for residents, visitors and tourists</li> </ul>
Affected Parties	<ul style="list-style-type: none"> <li>• Clevedon residents and their families</li> <li>• Visitors to Clevedon</li> <li>• Residents in Ardmore, Alfriston, Manurewa, Papakura living along truck routes. In addition, residents living or using roads going from Clevedon to Whitford, Brookby, East Tamaki and Maraetai</li> <li>• Cyclists</li> <li>• Horse Riders</li> <li>• Runners and walkers</li> <li>• Recreational swimmers and anglers accessing the Wairoa River</li> <li>• Equestrian businesses and equestrian lifestylers and livestock owners</li> </ul>

Key Issues	Suggested Solutions
Increase in Truck numbers	
Safety Issues	<ul style="list-style-type: none"> <li>• Widening the road,</li> </ul>

	<ul style="list-style-type: none"> <li>• Bridle Paths (which would be used by horse riders, cyclists, walkers)</li> <li>• Making Tourist Road One Way Bridge two lanes</li> <li>• Quarry to install well maintained wheel wash for all trucks leaving the quarry</li> <li>• Speed Limit for Quarry Trucks (ie install cameras and enforcement of breach of rules) <b>(NOTE: Brookby Quarry have this in place and it seems to be working well)</b></li> </ul>
<p>Loss of Amenity and Quiet Enjoyment of Property (ie increase in truck numbers, weight and increase in hours of operation)</p>	<ul style="list-style-type: none"> <li>• Upgrade of road (ie smooth flat surface to reduce road noise)</li> <li>• Look at alternative options (ie a loop – one way in and another way out so we have half the number of trucks passing by, alternative method of removing the aggregate)</li> <li>• Noise decibel reading on all trucks entering and leaving the quarry and enforcing breach of rules</li> <li>• Consequences for drivers breaching speed limit and driving TO the quarry at an unreasonable time to be first in the queue to leave at resource consent time</li> </ul>
<p>General Comments</p>	<ul style="list-style-type: none"> <li>• Trucks are constantly sneaking down before the current time;</li> <li>• Damaging New Zealand’s clean green image to Tourists with a visual impact of clay mountains and pollution from trucks (ie Clevedon Farmers Market, Auckland Polo)</li> <li>• With current climate change issues and these extreme weather events (Cyclone Gabrielle) more consideration and research needs to be given on the impact of such a Plan change to the environment as a plan change could result in the death of people and livestock if expanding the quarry goes ahead.</li> </ul>



**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major





quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high

ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
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is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
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23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society



**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Dean Turner  
**Date:** Thursday, 23 February 2023 8:30:38 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Dean Turner

Organisation name:

Agent's full name: Dean Turner

Email address: deanturnerpm@gmail.com

Contact phone number:

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Auckland  
Auckland 2582

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: 73 Taitaia Lane, Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
It's adversely affects the the natural environment and landscape. Also, the amount of heavy vehicles on the roads are extremely dangerous.

I or we seek the following decision by council: Decline the plan change | 51.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Jamel Cindy Schultz  
**Date:** Thursday, 23 February 2023 9:15:38 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23\\_20230223210939.998.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

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Clevedon  
Auckland 2582

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Clevedon Quarry

Property address: 646 McNicol Road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
I am a clevedon resident. I fully support the Clevedon Protection Society submission - refer attached.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested | 52.1

Details of amendments: As per the Clevedon Protection Society submission - refer attached.

Submission date: 23 February 2023

Supporting documents  
[Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23\\_20230223210939.998.pdf](#)

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major

quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a “mega quarry” well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set. | 52.2
  
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
  
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC. | 52.3
  
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC. 52.4

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT. 52.5
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high

ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.



15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
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  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
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  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Warwick Troup  
**Date:** Thursday, 23 February 2023 9:30:34 pm

---

The following customer has submitted a Unitary Plan online submission.

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Auckland 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
There should be no more quarries until the roads can handle them

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
There are far too many trucks ruining the roads already around Clevedon.  
The roads need to be fully upgraded to handle the extra trucks and the weight of them

I or we seek the following decision by council: Decline the plan change | 53.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Krystle Troup  
**Date:** Thursday, 23 February 2023 9:45:35 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Krystle Troup

Organisation name:

Agent's full name:

Email address: krystle.a.troup@gmail.com

Contact phone number:

Postal address:  
521 Clevedon-Kawakawa Road  
Clevedon  
Auckland 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
Proposed new quarry in Clevedon

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
The state of the roads around Clevedon are a hazard already and adding more trucks will make it worse. Clevedon also has a growing community of young families and increasing the truck traffic makes it increasingly unsafe for the children of the community

I or we seek the following decision by council: Decline the plan change | 54.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**



Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Karyn mitchell  
**Date:** Thursday, 23 February 2023 9:45:38 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Karyn mitchell

Organisation name:

Agent's full name:

Email address: karynmark@xtra.co.nz

Contact phone number:

Postal address:

P.O. Box 70  
Clevedon  
Auckland 2248

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Otau mountain rd Clevedon

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Otau mountain road is not suitable due to narrow roads with too  
Much vehicle traffic. Road is dangerous and damaged

I or we seek the following decision by council: Decline the plan change | 55.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Diane Frances Myers  
**Date:** Thursday, 23 February 2023 9:45:41 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23 20230223212753.733.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Diane Frances Myers

Organisation name:

Agent's full name: Diane Myers

Email address: diy.myers@gmail.com

Contact phone number:

Postal address:

P O Box 154  
Clevedon  
Auckland 2248

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: 546 & 646 McNicol Road, and 439 Otau Mountain Road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

If this Private Plan Change goes ahead, it will have a major negative future effect on the rural community of Clevedon, an important recreational area for the greater Auckland area. This rezoning would effectively double the land area that can be used for quarry activities as well as setting a precedent that could enable further expansion of the quarry in the future. Stevenson's also own approximately 400ha of land to the south of the existing Clevedon Quarry which is currently planted in pine. Over time, Stevenson's could seek to rezone more land to the south to create a mega quarry.

I oppose the proposed loss of land currently zoned rural productive land.

I am concerned at the impact on local wildlife, including the native bats (Pekapeka) that have been recorded in this location.

Stevensons have not yet met conditions of their earlier consents requiring improvements to the local

roads in the Clevedon area. While this currently restricts the number of truck activity, Any increased truck numbers that will further congest and damage local roads should not be consented. The current condition of the roads and the lack of repairs is unacceptable.

The Wairoa River has for many years demonstrated flooding vulnerability. The quarrying activity is causing damage to the Southern stream and tributary. More sediment and debris flowing into the Wairoa River damaging our already vulnerable rivers and waterways.

I have attached a copy of the submission of the Clevedon Protection society, of which I am a member. I support all their concerns raised in this document.

It is wrong that this PPC application has been filed with a short notice period, which clearly aims to negate the communities ability to put time into presenting their case in opposition to the PPC. Stevenson's report application is dated in September 2021, however their application being dated January with only a one month submission period is not acceptable.

I or we seek the following decision by council: Decline the plan change

56.1

Submission date: 23 February 2023

Supporting documents

Clevedon Protection Society\_Submission\_PPC 89 Clevedon Quarry\_24-02-23\_20230223212753.733.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major



quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high





ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Hendrikus Johannes F Slebos  
**Date:** Thursday, 23 February 2023 10:15:31 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Hendrikus Johannes F Slebos

Organisation name:

Agent's full name:

Email address:

Contact phone number:

Postal address:  
PO Box 28  
Clevedon  
South Auckland 2248

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address:

Map or maps:

Other provisions:  
Do the upgrade to Mill Road

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
Traffic on Hill Road leading to Motorway will get insanely busy.

I or we seek the following decision by council: Decline the plan change

| 57.1

Submission date: 23 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Julie Parmenter  
**Date:** Friday, 24 February 2023 9:00:19 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Julie Parmenter

Organisation name:

Agent's full name:

Email address: j.parmenter@barfoot.co.nz

Contact phone number:

Postal address:

2585

Clevedon

Auckland 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

McNicol quarry Zone

Property address: McNicol Rd

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Not suitable for the area or specific location

I or we seek the following decision by council: Decline the plan change | 58.1

Submission date: 24 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Philip Andrew Wayne  
**Date:** Friday, 24 February 2023 9:15:21 am

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Philip Andrew Wayne

Organisation name:

Agent's full name: Philip Wayne

Email address: pwayne@seriousprojects.co.nz

Contact phone number:

Postal address:

9 Hyde Road  
Clevedon  
Papakura 2582

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Property address: 9 Hyde Road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The land swap will lead to greater extraction activities. At times the trucks come down Hyde Road, so we are affected by the quarry. We have given up our walks and rides around the loop, as is no longer enjoyable to share the roads with trucks. I spoke to people who live on Tourist Road. They comment that their homes are all they have, and their asset is no longer sellable, or will only realize say half its original value due to the quarry traffic. I spoke to the deputy mayor and he acknowledged "an unpleasant conversation" with the party in question, but seems willing to sacrifice our way of life for the good of greater Auckland. This is understandable, but the operating terms permitted for the quarry are such that citizens living close to the quarry are unduly disadvantaged. The quarry operators seem to regard it as a game, and are sly in their approach. Auckland City does not seem to understand or acknowledge the goings on, and your personnel are the only people who dutifully support the quarry. If one reads the minutes of meetings with the quarry and the Council, the relationship between the quarry and Council agents have not been not at arm's length, and there has been no attempt to correct deviations. Council officials have discussed how they removed road signs on Otau Mountain Road to pave the way for logging trucks. This was

mentioned in my presence, with the person in question seemingly not mindful of the risk to residents. The Clevedon Protection Society submission is well motivated, please note my support of it.

I or we seek the following decision by council: Decline the plan change

59.1

Submission date: 24 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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24 February 2023

File ref: AUP PPC 89

Planning Technician  
Auckland Council  
Private Bag 92300  
Auckland 1142

[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Dear Sir/Madam

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO PROPOSED PLAN CHANGE 89  
(PRIVATE): CLEVEDON QUARRY**

**To:** Auckland Council

**Name of submitter:** Heritage New Zealand Pouhere Taonga

- This is a submission on the following proposed change to the Auckland Unitary Plan (Operative in Part) (the proposal):**
- Proposed Private Plan Change 89, from the Stevenson Aggregates Limited, to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning seeks to change land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.
- Heritage New Zealand could not gain an advantage in trade competition through this submission.**
- Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
- The specific provisions of the proposal that Heritage New Zealand's submission relates to are:**
- The lack of relevant archaeological assessment of the area to be rezoned.
- Heritage New Zealand's submission is:**
- HNZPT does not object to the purpose of PC89 to re-zone the zoning of 546 McNicol Road, 439 Otau Mountain Road and 646 McNicol Road.



9. HNZPT's submission relates to the inadequate assessment of historic heritage of the areas proposed to be rezoned for Special Purpose Quarry Zone (SPQZ).
10. Historic heritage is a matter of national importance under Section 6(f) of the Resource Management Act 1991 (the RMA). The definition of historic heritage under Part 2 of the RMA includes archaeology. Therefore, effects on archaeological sites must be taken into account when assessing Proposed Private Plan Change 89 – Clevedon Quarry.
11. The outcome of the rezoning, from Rural Production zone (RPZ) to Special Purpose – Quarry zone (SPQZ), will enable the quarrying of those areas.
12. HNZPT notes that in 2017 CFG Heritage undertook an archaeological assessment of 564 McNicol Road for the 2018 resource consent application (decision [2018] NZEnvC96). The archaeological assessment did not assess the adjoining areas - 439 Otau Mountain Road or 646 McNicol Road. Therefore, it is not appropriate to rely on that report to determine the presence of pre-1900 archaeology or heritage on the sites now proposed to be rezoned for quarrying purposes.
13. In section 2.12 Archaeology of the PC89 AEE it is stated that neither 439 Otau Mountain Road or 646 McNicol Road are identified in the AUP, Auckland Council's Cultural Heritage Inventory, Listed by HNZPT or a known archaeological site by the New Zealand Archaeological Association (NZAA). In determining that there are no effects, PC89 relies on the:
  - 2017 CFG Heritage archaeological assessment
  - steep topography of the site
  - use of accidental discovery protocols in AUP (Rules E11.6.1 and E12.6.1); and
  - a "precautionary measure" of applying for an Archaeological Authority from HNZPT.
14. Without an archaeological assessment of 439 Otau Mountain Road and 646 McNicol Road the effects of the rezoning of those areas have yet to be determined. In HNZPT's opinion and contrary to what is stated in Section 5. Assessment of Environmental Effects for PC89, presently it is unknown if there will be no effects on archaeology.
15. **The reasons for Heritage New Zealand's position are as follows:**
  - The re-zoning will enable the quarrying of land within the PC89 area which has the potential to damage or destroy unrecorded archaeology. Therefore, an archaeological site assessment by a qualified archaeologist should be conducted.
  - HNZPT does not concur that an Accidental Discovery Protocol (ADP) is sufficient or appropriate in this instance to address the identified potential for subsurface archaeology.
  - HNZPT notes, however, if, the archaeological assessment determines that there would be a low probability of archaeological potential, any such discoveries would be "accidental" or unexpected and reliance on the accidental discovery protocol rules would apply.
  - Heritage New Zealand Pouhere Taonga endorses the ongoing consultation with Ngai Tai Ki Tamaki on issues of cultural importance prior to any further development of the PC 89 area.



16. **Heritage New Zealand seeks the following decision from the local authority:**
17. Accept the proposed plan change PP89 (Private) with amendments as required to protect historic heritage and archaeology following the completion by a qualified archaeologist of an archaeological assessment of the area to be re-zoned to SPQZ on 439 Otau Mountain Road and 646 McNicol Road. | 60.1
18. **Heritage New Zealand wishes to be heard in support of our submission.**
19. **If others make a similar submission, I will consider presenting a joint case with them at a hearing.**

Yours sincerely

*BHParslow*

pp for Sherry Reynolds  
Director Northern Region

Address for service: Alice Morris  
[amorris@heritage.org.nz](mailto:amorris@heritage.org.nz)  
PO Box 105 291  
Auckland City 1143

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Gordon Mackenzie Gibson  
**Date:** Friday, 24 February 2023 11:01:01 am  
**Attachments:** [CPS Submission against Private Plan change 89 - Clevedon Quarry.pdf](#)  
[Photos of McNicol Road to Clevedon Quarry 123022023.pdf](#)  
[Further Photos of McNicol Road to Clevedon Quarry 23022023.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Gordon Mackenzie Gibson

Organisation name: I am a member of the executive of Clevedon Protection Society (CPS) and this is a personal submission.

Agent's full name: Personal

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Auckland 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:  
See The Submission from the Clevedon Protection Society 2017, attached.

Property address: 546 and 646 McNicol Road, Clevedon

Map or maps:

Other provisions:  
I am totally opposed to this application for a plan change for the reasons detailed below.

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
This Quarry was originally permitted by Manukau City Council to produce a small quantity of relatively low quality aggregate for use in farms and some road repairs in the Clevedon area. It was permitted on the condition that no aggregate was to be sold outside the Clevedon Parish. It is located in a very isolated area accessible only by a narrow road alongside the Wairoa River which cannot be widened and which floods when the river bursts its banks, approximately three times per annum. It is totally impractical to develop the quarry to become a giant source of aggregate for the



Auckland area due to the poor quality of the aggregate, its location, the road access to the quarry and the substantial disruption to the lifestyle of the Clevedon Community which is growing rapidly in the area to enable newcomers to the area to enjoy the rural and sporting activities that Clevedon has always offered. HPMV Quarry Trucks are currently destroying the roads around Clevedon and Brookby as the roads simply cannot withstand the enormous pressure that these vehicles place on them. The roads have deteriorated to the point of being quite dangerous in many respects and do not seem to be repairable by Auckland Transport so they continue to get even worse. As an example take Strawberry Corner on the Ardmore - Alfriston Road. AT simply cannot repair it and now traffic swerves onto the opposing lane to avoid the huge potholes. This is going to culminate in a dreadful accident occurring before long but no-one seems to care until it happens. Therefore any further pressure placed on the access roads between Clevedon Quarry and the arterial roads leading to the Southern Motorway must not be allowed. McNicol Road from Tourist Road to the quarry is already in a precarious state which cannot be mitigated due to the position of the road next to the river and yet Stevensons (Fulton Hogan) are totally oblivious to the situation and blindly push on regardless. I have attached photos taken today to support this submission. Opening a new larger quarry which produces such poor quality aggregate, in that location is frankly, without wishing to be emotive, totally illogical and potentially grossly uneconomic. It is commonly called 'Pouring Good Money after Bad'.

I or we seek the following decision by council: Decline the plan change

61.1

Submission date: 24 February 2023

Supporting documents

CPS Submission against Private Plan change 89 - Clevedon Quarry.pdf

Photos of McNicol Road to Clevedon Quarry 123022023.pdf

Further Photos of McNicol Road to Clevedon Quarry 23022023.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major



quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high



ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.



15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin





to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**THE ONLY ACCESS TO THE CLEVEDON QUARRY FOR 900 HPMV QUARRY TRUCK & TRAILER  
MOVEMENTS PER DAY AND THEY WANT TO OPEN A NEW LARGER QUARRY NEXT DOOR ??????**



**Single Lane Road to Quarry w slip into River**



**Road 30 metres past the quarry. Out of Service.**



**When River floods it covers the road to the Quarry**



**Single Lane Road. Side of Road drops down into River**

**THE ONLY ACCESS TO THE CLEVEDON QUARRY FOR 900 HPMV QUARRY TRUCK & TRAILER MOVEMENTS PER DAY AND THEY WANT TO OPEN A NEW LARGER QUARRY NEXT DOOR ?????**



**Gabian Baskets supporting Wall of Road**



**Gravel Road opposite entrance to Quarry**



**Road falling away into River**



**Road being held up by trees**

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Kelli-Jo Walker  
**Date:** Friday, 24 February 2023 11:45:22 am  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23 20230224111654.758.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Kelli-Jo Walker  
Organisation name:  
Agent's full name: Kelli-Jo Walker  
Email address: [kelli@thewildfermentary.co.nz](mailto:kelli@thewildfermentary.co.nz)  
Contact phone number:  
Postal address:  
100 McNicol Road  
Clevedon  
Auckland  
Auckland 2585

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89  
Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:  
Private Plan Change 89 - re zoning land at Clevedon Quarry

Property address: 546 McNicol Road / 646 McNicol Road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading infrastructure around Clevedon is simply not adequate for increased heavy load traffic. And when drivers are being paid by the load, they SPEED excessively, do not give way at the one lane bridge (terribly dangerous) and regularly cross the centre line! One particular quarry truck on Tourist Road crossed the centre line at speed and smashed off my wing mirror on my car. This type of driving is unacceptable and will only change when the quarry operators stop paying drivers by the load. The forestry trucks by comparison do not speed and are incredibly respectful of other road users -including cyclists and walkers etc. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. The attitude of the quarry truck drivers must be addressed before someone is killed!

I or we seek the following decision by council: Decline the plan change

62.1

Submission date: 24 February 2023

Supporting documents

Clevedon Protection Society\_Submission\_PPC 89 Clevedon Quarry\_24-02-23\_20230224111654.758.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major



quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL



for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high



ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Sarah Baillie  
**Date:** Friday, 24 February 2023 11:45:23 am

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Sarah Baillie

Organisation name:

Agent's full name:

Email address: sarahclearwater@hotmail.com

Contact phone number:

Postal address:  
1 Benjamin Place  
Clevedon  
Auckland 2582

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:  
Private plan change 89 - clevedon quarry

Property address: 546 - 646 McNicol Road

Map or maps: Clevedon

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

If this Private Plan Change goes ahead, it will have a major impact on the Clevedon community for just some of the following reasons

- Further reduction of rural productive land for an industrial (quarry) use which will change the fabric of our community
- Increased truck numbers that will further congest and damage local roads.
- Loss of local amenity and safe recreational access to the Wairoa Gorge and Hunua Ranges beyond
- Destruction of the Southern stream and tributary which has already been damaged by quarry operations
- More sediment and debris flowing into the Wairoa River damaging our already vulnerable rivers and waterways
- Impact on local wildlife and biodiversity including native bats recently discovered along the Wairoa



River

- Noise pollution from blasting and quarry activities
- Visual impacts on surrounding country landscape

I or we seek the following decision by council: Decline the plan change

63.1

Submission date: 24 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Bredan Kingsley Vallings  
**Date:** Friday, 24 February 2023 3:15:27 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Bredan Kingsley Vallings

Organisation name: Clevedon resident

Agent's full name:

Email address: [brendan.vallings@xtra.co.nz](mailto:brendan.vallings@xtra.co.nz)

Contact phone number:

Postal address:

2582

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: Clevedon Quarry McNicol Rd Clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The same reasons given in the submission by The Clevedon Protection Society

I or we seek the following decision by council: Decline the plan change

64.1

Submission date: 24 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Gavin Andrews  
**Date:** Friday, 24 February 2023 3:30:25 pm  
**Attachments:** [Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23 20230224151207.592.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Gavin Andrews

Organisation name:

Agent's full name:

Email address: gavin@logoprint.co.nz

Contact phone number:

Postal address:  
195 McNicol Road  
Clevedon  
Auckland 2585

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: The proposal seeks to swap the extent of the Clevedon Quarry's Special Purpose Quarry Zone located at 546 McNicol Road for 646 McNicol Road.

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We support the Clevedon Protection Society submission attached.

Specific areas of concern are:

1. There is no supporting evidence given by Stevenson Aggregates showing demand for increased aggregate production.
2. There is no supporting evidence showing the aggregate quality at 646 McNicol Road.
3. The effect on the Wairoa River is of particular concern. Our property shares a boundary with the river and we are aware of the change river colour and therefore silt levels during quarrying. When the quarry is not operating the water is very clear, when the quarry is operating the river becomes very cloudy.
4. None of the remedial work agreed in 2018 has been done. Specifically, road upgrades, horse trails, bike and walking paths.

I or we seek the following decision by council: Decline the plan change

65.1

Submission date: 24 February 2023

Supporting documents

Clevedon Protection Society\_Submission\_PPC 89 Clevedon Quarry\_24-02-23\_20230224151207.592.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Kathy Gibson  
**Date:** Friday, 24 February 2023 4:30:28 pm  
**Attachments:** [CPS Submission against Private Plan change 89 - Clevedon Quarry\\_20230224161839.912.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

#### Contact details

Full name of submitter: Kathy Gibson

Organisation name: I am a member of the executive of Clevedon Protection Society (CPS) and this is a personal submission.

Agent's full name: personal

Email address: gibsonkathy16@gmail.com

Contact phone number: 0276209808

Postal address:  
 149 Chesham Lane  
 Clevedon  
 RD5 Papakura,  
 Auckland 2585

#### Submission details

##### This is a submission to:

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### My submission relates to

Rule or rules:  
 See submission from the Clevedon Protection society - attached

Property address: Property 546 and 646 McNicol Road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
 in 2017 when permission was granted for the quarry to increase its operation 140 conditions were laid down by council, to date only a few of these conditions have been met . The road is incredibly dangerous at the moment , the recent floods have impacted the road badly. I have strong concerns for the stability of the land which is on a earthquake fault line.

I or we seek the following decision by council: Decline the plan change

66.1

Submission date: 24 February 2023

Supporting documents

CPS Submission against Private Plan change 89 - Clevedon Quarry\_20230224161839.912.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major





quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high



ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.



15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence



- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society



**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Edward Thomas Griffiths  
**Date:** Friday, 24 February 2023 4:45:35 pm

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

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8

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**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address:

Map or maps:

Other provisions:

General Opinion of the Plan Change

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Summary

I oppose the proposed Plan Amendment because it appears that this might be one of a number of | 67.1 small steps that the applicant plans to make over an extended period, each small enough to justify individually but when amalgamated effectively runs rough-shod over the resource consent which they have for the property.

The main concern is that we don't know what their plans are, and as a result we ourselves cannot plan our futures.

I recommend that this plan change be considered ONLY if the applicant commits to no further plan | 67.2 changes for a period of 15 years.

Discussion.

1. Refer PRIVATE PLAN CHANGE REQUEST Section 1.2.1

The Applicant refers to the long timespans in the planning and development of 35 to 100 years, so we can conclude that a great deal of time and effort was put into developing a long term strategy for the quarry back in 2018 when the original resource consent was issued.

It is therefore hard to believe that they did not have this move in their strategic plan at that stage.

The main concern here is that there will be further Plan Change Requests in the future.

2. Mental and Financial stress on Residents.

As a resident of McNicol Rd, I feel we need to have some certainty about the future. People will be planning on how they want to live with the Quarry as a neighbour. We have all have significant financial investments in our homes and some will be planning to invest in their properties, businesses and their futures.

It seems unreasonable to have a large industrial plant next door and we cannot be confident what the shape, size or impact they will have on the area in the future.

The possibility of further on-going plan changes will create uncertainty and stress amongst the Clevedon locals particularly the residents of McNicol Rd. This stress revolves around safety, environment, and property values.

3. Roothing Network

If as they infer in the Plan Change, they are planning on being at the quarry for 35 years, I would have thought that they would have thought about access.

McNicol Rd and Tourist Rd are not built to support larger numbers of heavy trucks. Continuing with their plan, particularly if they increase the truck numbers to the limit of the consent, will create a constant list of work for AT, which will result in major delays and have a significant impact on the quarries efficiency.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: I recommend that this plan change be considered ONLY if the applicant commits to no further plan changes for a period of 15 years.

Submission date: 24 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Yvonne Mary Lake  
**Date:** Friday, 24 February 2023 6:01:08 pm

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The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Yvonne Mary Lake

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#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

Application to rezone land use at the Clevedon Quarry

Property address: Clevedon Quarry Mcnicol Rd Clevedon.

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

the proposed "swap" of land to the north of the existing quarry to rezone land to the south of Clevedon Quarry which is of greater economic use to the quarry will result in expansion of the quarry and a resulting increase in quarry trucking activity.

My concerns are:

##### **1.ROAD SAFETY .**

. Mcnicol road has single lane sections which have been further compromised by recent weather events, particularly Cyclone Gabrielle, which has resulted in further narrowing of sections due to the river undermining the road.

.Tourist and monument cross road. When travelling towards Papakura this has an uphill incline with cars approaching from around a bend. Truck and trailer units fully loaded take many seconds to get across with risk of collision by cars coming from Clevedon village.

.The one lane bridge on Tourist road has had many close calls as trucks approaching around a bend have not been able to give way to vehicles travelling towards Mcnicol road who have the right of way.

2.TRAFFIC DISRUPTION. this is likely to be ongoing, local roads were never designed for large volume heavy vehicles.

3. LACK OF GOOD FAITH by existing quarry management. They have failed to carry out promised improvements to road safety for residents as required by current consent. What happened to the promised Bridle Trail along Mcnicol Road?

4. RECREATION.

Clevedon valley is an valuable asset for Auckland city, allowing access to rural countryside and regional parks. This is a well used area for walkers cyclists and horse riders especially Mcnicol road. However since the recent cyclone there is no longer safe passing space for a truck and bicycle or horse.

4.ENVIRONMENTAL.

Long tailed bats are known to be resident locally and possible impacts on their habitat in the area south of the existing quarry have not been assessed.

Trout fishing in the Wairoa river is dependent on water quality and with the certain increase in flooding events due to Climate Change there is an increased risk of damage to streams entering the river from the area proposed for rezoning south of the existing quarry. The quarry has already been found to have damaged the southern stream from current activities.

I or we seek the following decision by council: Decline the plan change | 68.1

Submission date: 24 February 2023

**Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Harriet PILKINGTON  
**Date:** Friday, 24 February 2023 6:45:21 pm

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The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

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Papakura 2582

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

##### **My submission relates to**

Rule or rules:

The Private Plan Change application by Stevenson's seeks to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning seeks to change land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.

This Private Plan Change will double the land area that can be used for quarry activities. If this Private Plan Change goes ahead, it will have a major impact on the Clevedon community well beyond the current generation.

Stevenson's (Fulton Hogan) also own approximately 400ha of land to the south of the existing Clevedon Quarry which is currently planted in pine. Over time, Stevenson's could seek to rezone more land to the south to create a mega quarry. If this Private Plan Change is approved by Council, it would create a strong precedent for even further expansion in the future.

Property address: Tourist rd clevedon

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

This Private Plan Change will double the land area that can be used for quarry activities. If this

Private Plan Change goes ahead, it will have a major impact on the Clevedon community well beyond the current generation.

Stevenson's (Fulton Hogan) also own approximately 400ha of land to the south of the existing Clevedon Quarry which is currently planted in pine. Over time, Stevenson's could seek to rezone more land to the south to create a mega quarry. If this Private Plan Change is approved by Council, it would create a strong precedent for even further expansion in the future.

We oppose this

We are concerned about the adverse effects that such an increase in quarry activities could pose beyond the current operation. Some of the key issues include:

- Further reduction of rural productive land for an industrial (quarry) use which will change the fabric of our community
- Increased truck numbers that will further congest and damage local roads.
- Loss of local amenity and safe recreational access to the Wairoa Gorge and Hunua Ranges beyond
- Destruction of the Southern stream and tributary which has already been damaged by quarry operations
- More sediment and debris flowing into the Wairoa River damaging our already vulnerable rivers and waterways
- Impact on local wildlife and biodiversity including native bats recently discovered along the Wairoa River
- Noise pollution from blasting and quarry activities
- Visual impacts on surrounding country landscape

Keep clevedon rural!

I or we seek the following decision by council: Decline the plan change

69.1

Submission date: 24 February 2023

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Anthony Basil Thompson and Thelma Joy Thompson  
**Date:** Friday, 24 February 2023 9:00:23 pm  
**Attachments:** [CPS Submission - PPC 89 Clevedon Quarry 240223TT.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

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**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:  
See attached submission.

Property address: 498 McNicol Road, Clevedon

Map or maps: N/a

Other provisions:  
See attached submission.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
See attached submission.

I or we seek the following decision by council: Decline the plan change | 70.1

Submission date: 24 February 2023

Supporting documents  
CPS Submission - PPC 89 Clevedon Quarry 240223TT.pdf

**Attend a hearing**



Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry**

This submission is made in respect of an application for a Private Plan Change (PPC) by Stevenson Aggregates Limited (SAL) to rezone land at the McNicol Road quarry, Clevedon (“the Proposal”). The PPC aims to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning seeks to change land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.

This submission is made by **Anthony Basil Thompson** and **Thelma Joy Thompson** (‘The Submitters’), **498 McNicol Road, Clevedon**.

The submitters **OPPOSE** the application and seek that it be declined in entirety.

**OBJECTIONS**

1. The Proposal seeks to swap the extent of the Clevedon Quarry’s (“the Quarry”) SPQZ located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the North which is proposed to be swapped includes an Outstanding Natural Feature overlay (“ONF”), Natural Stream Management Area (“NSMA”) and Significant Ecological Areas overlay (“SEA”). No existing or consented quarry development is located in these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlay’s could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor aggregate resources and therefore is not viable for quarry activities. The suggestion that this is merely a land “swap” is false. Because the land to the north is not viable to quarry, the

Proposal seeks to effectively expand the quarry to the south where it's claimed aggregate resources are more favorable. This is not a "like for like" land swap. Rather, it paves the way for a major quarry expansion. The effects of the rezoning/relocation of the SPQZ are not less than minor given the SPQZ area that could be quarried under the Proposal is doubling in size.

2. Stevenson Aggregates Limited (SAL) owns approximately 400ha to the south of the existing quarry. If the Proposal was approved it will create a precedence for future expansion to the south. Such an expansion could create a 'mega quarry' well beyond the current Proposal. The necessity for future medium and long term quarry development is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future, but provides no detail as to the extent of future development beyond the current Proposal. The prospect of a 'mega quarry', similar in scale to the Stevenson Drury quarry is inconsistent with the nature, character and aspirations of the Clevedon district.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource and provides economic benefit to our community.
4. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat population as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population.

5. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movement, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst Stevenson has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
6. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialized despite the existing consent being in effect since 2018. The submitter is concerned that no agreement will be reached between AT and SAL for the required upgrades. Any proposed expansion of the quarry as outlined in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long term effects are likely to be greater than what is covered under the existing RC.
7. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks (as happens currently). An example of the improvements required to the local roading network is clearly evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road

for this very reason, and this cost is not borne by the quarry operator. In like manner, the roads between the Clevedon quarry and Ardmore would be in a state of constant repair, creating unreasonable disruption to most of the population of the Clevedon/Ardmore valley.

8. The Proposal fails to provide an accurate stocktake of Auckland's current and forecast aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high quality aggregate to meet the medium and long term demands of Auckland. Stevensons own and operate the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and offset this against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any objective economic basis.
10. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the Social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, McNicol to high-traffic areas to Mangatawhiri via Takanini and Papakura. . This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail
11. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust, which is Kaitiaki of Te Wairoa. Otau Maunga and Kohukohunui Maunga and the adjacent Wairoa River (awa) and associated mauri, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection.

12. Expanding the SPQZ to the south will have a potentially significantly greater adverse Visual effect given the existing SPQZ area to the north was never able to be quarried. The visual effect in reality is therefore double. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clearly evident. If replanted in pine or returned to native bush or pasture, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to local residents on McNicol Road.
13. Existing quarry operations have resulted in significant damage to the Southern Stream (immediately south of the existing quarry and included in the proposed SPQZ). The applicant has previously received an Abatement Notice for damage to this high-value stream, and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
14. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.

15. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding, as experienced in 2017 and again in February 2023 (Cyclone Gabrielle). These control measures are no match for such floods where we are now regularly seeing levels exceed 1:100 year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all time high. The Proposal fails to acknowledge this risk and further erosion and sediment flowing into the Wairoa River as a result of severe weather events. Water in the existing quarry pit has been known to overflow into the Wairoa River during heavy rain and flooding events, due to limited space within the quarry to contain and manage runoff. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many and requiring good water quality. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
16. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families and communities. Residential developments and rural lifestyle

properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit, and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

17. Land stability and the method by which the existing quarry has been developed has been of concern to CPS for several years. The existing quarry has seen a number of slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties and the Wairoa river. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
18. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastating impact with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and into the Hauraki Gulf.
19. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long term view (50 to 100 years) with respect to investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done



internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

20. Clevedon quarry is at the end of a long metal road in South East Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high risk intersections which do not support HPMV quarry trucks. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects and render the proposal unworkable.
21. The lack of any material positive effects in support of this Proposal is concerning. The positive effects are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon/Ardmore community which will be the most affected.
22. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan. This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were held as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not

know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. The SPQZ overlay was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effects.

23. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.

We, the submitters wish to present evidence in relation to the application, at any hearing.

**ANTHONY BASIL THOMPSON**

**THELMA JOY THOMPSON**

**24 February 2023**

**Submission on a notified proposal for policy statement or plan change or variation**

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

**Submitter details**

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name) Caroline Greig

**Organisation Name (if submission is made on behalf of Organisation)**

**Address for service of Submitter**

9 Mc Nicol Rd  
RD 5 Papakura

Telephone: 021 181 291 Fax/Email: cgreig@extra.co.nz

Contact Person: (Name and designation, if applicable)

**Scope of submission**

**This is a submission on the following proposed plan change / variation to an existing plan:**

Plan Change/Variation Number PC 89 (Private)

Plan Change/Variation Name Clevedon Quarry

**The specific provisions that my submission relates to are:**

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) The Plan Change in its entirety

Or  
Property Address

Or  
Map

Or  
Other (specify)

**Submission**

**My submission is:** (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

The reasons for my views are:

*See attached document*

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

71.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

*[Handwritten Signature]*

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

*24/2/23*

Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

I support the submission of the Clevedon Protection Society and, regarding the points below, I would add the following:

Increased truck numbers that will further congest and damage local roads.

I believe SAL has not completed the upgrades to the existing roading network required by the existing Resource Consent. Expansion of the quarry will put further stress on the surrounding road network. Surely this matter of upgrading the existing roading network should be resolved before any expansion of the quarry zone occurs. The fact that the applicant has not completed work required for the existing Resource Consent gives locals no confidence that any future requirements applied when granting any future Resource Consents will be actioned.

Loss of local amenity and safe recreational access to the Wairoa Gorge and Hunua Ranges beyond.

Locals have been experiencing just how much the trucks on the road (increased by the expansion of the Clevedon Quarry) make walking or cycling unsafe and significantly adversely affect the enjoyment of our home environment. Extending the quarry further will significantly increase the adverse effects felt by locals as well as walkers who enjoy walking the track at the end of McNicol Rd over to Cossey's Dam.

Visual impacts on surrounding country landscape.

SAL state that "In the case of Clevedon Quarry this plan has a timeframe of around 50 years". SAL is a subsidiary of Fulton Hogan – the same company who went to the Environment Court in 2018. At that hearing Fulton Hogan said they would do the remediation (rehabilitation) at the end of the project rather than along the way (which was what was requested by those opposing the application). Fulton Hogan would appear to have known then that they would be seeking to extend the life of quarry out by 50 years so would seem to have had no intention in remediating the visual eyesore (caused by the quarrying) during the lifetime of most people living in Clevedon at that time.

Impact on local wildlife and biodiversity including native bats recently discovered along the Wairoa River.

I am not confident that the Ecological Assessment has been sufficiently thorough.

Setting a precedent

Quarry owners could potentially apply for a quarry in a small geographical area (appearing non-threatening to locals) and then, once they have their "foot in the door", could upsize the quarry area after buying surrounding land. This would have a definite impact (unlikely to be anything other than adverse) on the surrounding landowners. Allowing PCC89 could have consequences in other areas.

Allowing the plan change without a Resource Consent (RC) application at the same time dilutes the strength of evidence the applicant would need to produce at the time of RC application. The plan change would have already been approved, based on little or no scientific support evidence. This would mean there was not a need for more stringent scientific evidence to be produced to support the extension of RC.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 89 - Catriona Hitchman  
**Date:** Friday, 24 February 2023 11:45:24 pm  
**Attachments:** [CHitchman-QuarryPlanChange89-Feb2023.pdf](#)  
[Clevedon Protection Society Submission PPC 89 Clevedon Quarry 24-02-23 20230224233937.834.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Catriona Hitchman

Organisation name:

Agent's full name:

Email address: chitchman@xtra.co.nz

Contact phone number:

Postal address:

PO Box 223

Clevedon

Auckland 2248

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 89

Plan change name: PC 89 (Private): Clevedon Quarry

**My submission relates to**

Rule or rules:

Property address: 309 Mcnicol Road

Map or maps:

Other provisions:

Roading infrastructure, environmental issues

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

We disagree with the proposed quarry expansion for reasons around issues with roading infrastructure and environmental concerns.

I or we seek the following decision by council: Decline the plan change

| 72.1

Submission date: 24 February 2023

Supporting documents

CHitchman-QuarryPlanChange89-Feb2023.pdf

Clevedon Protection Society\_Submission\_PPC 89 Clevedon Quarry\_24-02-23\_20230224233937.834.pdf

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**24 February 2023**

**Submission - Private Plan Change 89 - Clevedon Quarry  
Clevedon Protection Society 2017 Incorporated**

These submissions are made on behalf of the Clevedon Protection Society 2017 Incorporated ("CPS") in respect of its submission opposing the application by Stevenson Aggregate Limited (SAL) to rezone land at the Clevedon Quarry ("the Proposal") via a Private Plan Change ("PPC").

CPS was formed in 2017 by a group of concerned residents to oppose the expansion of Clevedon Quarry. CPS reached a mediated settlement with SAL (formerly Fulton Hogan) in the Environment Court. CPS is a member of the Clevedon Liaison Group ("CLG") which was established to oversee the ongoing management and operation at Clevedon Quarry.

CPS strongly opposes the Proposal and seeks that it be declined. If the Hearing Commissioners are minded to approve the PPC, changes are sought to better avoid, remedy, and mitigate significant adverse effects of the Proposal.

Due to recent significant weather events including Cyclone Gabrielle, CPS has had limited time to seek expert advice and engage with its members to prepare this submission. The issues identified below outline our key concerns and additional evidence may be provided prior to any Hearing.

**CPS's Concerns**

1. The Proposal seeks to swap the extent of the Clevedon Quarry's ("the Quarry") Special Purpose Quarry Zone ("SPQZ") located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road to the south of the existing Quarry. The land to the north which is proposed to be swapped includes an Outstanding Natural Feature overlay ("ONF"), Natural Stream Management Area ("NSMA") and Significant Ecological Areas ("SEA") overlay. No existing or consented quarry development is located within these overlays. There is precedent (Brookby Quarry) that suggests the SEA and NSMA overlays could be removed to allow quarrying activities to be undertaken on this land without the need for rezoning. However, this land is understood to have poor rock resource and therefore is not viable for quarry activities. The suggestion that this is merely a land "swap" is therefore false. Because the land to the north is not viable to quarry, the Proposal seeks to effectively expand the quarry to the south where its claimed rock resources are more favourable. This is not a "like for like" land swap. Rather, it is a major



quarry expansion. The effects of the rezoning/relocation of the SPQZ are significant given the SPQZ area that could be quarried under the Proposal is effectively doubling in size.

2. SAL owns approximately 400ha to the south of the existing quarry. CPS is concerned that should the Proposal be approved, it will create a precedence for future expansion to the south. Such an expansion could create a "mega quarry" well beyond the current Proposal. The necessity for medium- and long-term quarry development planning is highlighted in the Proposal. The Proposal suggests that Rural Productive land to the south could be rezoned and quarried in the future but provides no detail as to the extent of future development beyond the current Proposal. The Proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set.
3. The proposal will result in a net loss of some 31 hectares of Rural Productive land. Clevedon is a mixture of countryside living, residential, and rural productive land. Clevedon is still largely a farming community on the fringe of metropolitan Auckland. It is therefore vitally important that every acre of rural productive land is protected for future generations. It is the fabric of our community and an important natural resource that provides economic benefit to our community.
4. It is unusual for a Private Plan Change application to be submitted without an accompanying Resource Consent application so that the proposed land use, operations, and significant adverse effects can be properly understood and either avoided or mitigated. Such adverse effects that would otherwise be considered as part of a Resource Consent would include truck movements, aggregate extraction volume, noise, dust, operating hours, visual and landscape effects, social impact, heritage and culture. Whilst SAL has previously advised that they do not plan to amend their existing consent, to give effect to the proposed PPC, either a new or amended RC would be required. We therefore believe such a consent should be considered as part of the proposed PPC.
5. The existing Resource Consent requires certain upgrades to the existing roading network before truck volume restrictions can be removed. To date, SAL has been unable to obtain approval from Auckland Transport (AT) to complete these improvements. Furthermore, funding for these improvements and the ongoing maintenance has not been agreed to between SAL and AT. Other improvements such as the new bridal trail to address resident safety have not materialised despite the existing consent being in effect since 2018. CPS is concerned that no agreement will be reached between AT and SAL

for the required upgrades. Any proposed expansion of the quarry as proposed in the PPC will likely require an increase in truck numbers (as allowed under the existing consent) requiring associated roading and safety improvements. This issue must be resolved before any proposed rezoning occurs as the long-term effects are likely to be greater than what is covered under the existing RC.

6. The existing roading network (McNicol and Tourist Road) was never constructed to carry HPMV quarry trucks. An example of the improvements required to the local roading network is evident at Brookby Quarry. These roads were never constructed either for the weight and volume of HPMV quarry trucks using that section of road. Auckland Transport is constantly repairing Brookby Road for this very reason, and this cost is not borne by the quarry operator. The same issues are present at Clevedon Quarry and the Proposal fails to address this issue. Formal agreement is required between SAL and AT.
7. The recent severe weather events have significantly eroded and undermined the end of McNicol Road leading to the quarry. This poses a significant safety risk and environmental hazard should the remaining road fail and slip into the Wairoa River. There is barely enough room for one truck to safely use this section of road. Proposed roading upgrades have not materialized as there is insufficient public land available to widen and complete necessary road safety upgrades along McNicol Road.
8. The Proposal fails to provide an accurate stock take of Auckland's current and forecasted aggregate supply. Local quarries including Brookby and Drury have plentiful supplies of high-quality aggregate to meet the medium and long term demands of Auckland. SAL owns and operates the Drury quarry which was acquired in 2018. This quarry more than replaces their quarry at Whitford and with many large infrastructure projects in Auckland being stopped, there is no evidence within the PPC that justifies the proposed expansion. Further investigation and evidence are required to support the PPC.
9. The existing Clevedon quarry is known to only have low grade aggregate. The Proposal fails to address the environmental impact of expanding the existing quarry and how this is offset against the local and regional economic benefits. Much of the commentary in the Proposal is subjective and lacks any economic or market-based evidence.
10. Previous reports by Boffa Miskell submitted by SAL as part of the 2017 Resource Consent process determined that the quarry site had a high



ecological value. Reports submitted within the PPC suggest the site has a low ecological value. The evidence contained within the PPC is largely based on opinion rather than hard evidence or site investigation. Further investigation and expert-based evidence is required.

11. Native Long-Tailed Bats have recently been discovered along the Wairoa River adjacent to the existing Quarry. The Department of Conservation lists long-tailed bat populations as "critical" and in danger of extinction. Very little is currently known about the bat population or their nesting locations in Clevedon. CPS is concerned that any proposed changes to the existing quarry or local environment could have a detrimental impact on this vulnerable bat population. Further investigation and reporting are required.
12. The Proposal fails to identify the Social Effects of the PPC citing no increase in SPQZ. The effective area of proposed quarrying activity is doubling, therefore the social impact of this should be assessed and either avoided or mitigated. The most recent quarry expansion has resulted in the Te Araroa walking trail to be relocated from Clevedon to Mangatawhiri via Hunua, and McNicol Road to high-traffic areas to Mangatawhiri via Takanini and Papakura. This now means that trail walkers bypass Clevedon and a significant rural and scenic section of the trail.
13. The Proposal makes only cursory comments with regards to the Cultural Effects of the PPC. The Proposal does not include a detailed Cultural Assessment that is informed by the local Iwi, Ngai Tai Ki Tāmaki Tribal Trust. Otau Mountain, which lies to the north of the existing Quarry, and the adjacent Wairoa River, are of cultural and ancestral significance that requires further understanding and input from local Iwi as to their meaning and protection. Ngai Tai Ki Tāmaki Tribal Trust are the kaitiaki (guardians) of the river and must be consulted as part of this process.
14. Expanding the SPQZ to the south will have a significantly greater adverse Visual effect given the existing SPQZ area to the north was never likely to be quarried. The visual effect is effectively doubling. This effect will be felt most by residents on McNicol and Tourist Roads, and from the growing population and visitors to Clevedon Village. The Proposal fails to address this additional adverse effect. The proposed SPQZ expansion area is currently planted in pine and being harvested. The adverse effects if this area was to be quarried are clear. When replanted in pine, this area will return to a natural landscape within 3-5 years. If this area is quarried, it will have adverse effects on the natural landscape forever. The retention of the Northern ridgelines remains an important buffer to residents on McNicol Road.

15. Existing quarry operations have resulted in significant damage to the Southern Stream. The applicant has previously received an Abatement Notice for this damage and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase.
16. The Proposal fails to assess the impact of Climate Change and the need for emission reductions. The Proposal does not explore how the aggregate or construction industry will change in response to Climate Change and the need for quarries in the future. It is naive to think that quarries as we know them today will operate the same in 20, 50 or 100 years.
17. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding. These control measures are no match for such floods where we are now regularly seeing levels exceeding 1:100-year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all-time high. The Proposal fails to acknowledge this risk of further erosion and sediment flowing into the Wairoa River because of severe weather events. The Wairoa River has experienced three flooding events in excess of a 1:100-year event over the past decade. Water in the existing pit is known to overflow into the Wairoa River during heavy rain and flooding events. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland Region, with recreational angling enjoyed by many. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.
18. Clevedon is undergoing significant development and change as it welcomes new residents and families into its community. Significant residential development is occurring within the Village and to the South towards Clevedon Quarry. This development is a mixture of countryside living and residential development. A new retirement village is also being built. The scale of development and investment in Clevedon as a destination to live and play

is significant. The proposed expansion of the Clevedon Quarry, plus any future planned development, is in stark contrast to the community and recreational destination that Clevedon has, and is, becoming. Quarry trucks don't mix well with children, families, and communities. Residential developments and rural lifestyle properties don't mix well with industrial scale quarry operations. Clevedon is a destination known region wide for its Farmers market, cycling, walking trails, polo, equestrian and other outdoor recreational activities. Clevedon is a popular location for all Aucklanders to visit and is one of the key gateways to the Pohutukawa Coast and Hunua Ranges.

19. Land stability and the method by which the existing quarry has been developed has been of concern to CPS and the community for many years. The existing quarry has seen several slips occur in recent years. One notable slip caused significant damage to the Southern stream. Should a significant slip occur within the current or proposed SPQZ, this would pose a significant risk to adjacent properties, Wairoa River, and wider Clevedon area out to the coast. The underlying geology of weathered rock and overburden on steep slopes poses a significant risk when combined with severe weather events like Cyclone Gabrielle. There is evidence further down Otau Mountain of landslides in recent years.
20. The Clevedon quarry is located directly on top of an active earthquake fault line. This fault is understood to have last moved in 1894. Evidence within the PPC fails to properly assess this risk. With recent earthquakes on the adjacent Kerepehi fault at Te Aroha (to the south) and the ongoing earthquake swarm in the Hauraki Gulf, this risk requires further investigation and expert reporting. Rock close to fault lines is known to be highly fractured and of low quality due to movement within the fault itself.
21. The Proposal does not address the risk of flooding either from within the existing quarry, or from the adjacent Wairoa River. Sediment build-up in the Wairoa River and forestry slash are creating more destructive flooding events than ever before. The existing quarry has limited flood protection. Any expansion of the existing quarry will alter water courses and could cause new areas to flood and or worsen existing flooding. Should there be a major slip within the quarry or surrounding areas, this has the potential to block the Wairoa River (in full or part), causing devastation with silt and rock material being transported down the river via flood waters and into the Clevedon flood-plain and beyond into the Hauraki Gulf.
22. The Proposal assumes that aggregate from the quarry is transported solely via trucks using the local roading network. As stated in the Proposal, quarry developments need to take a long-term view (50 to 100 years) with respect to

investment and viability. The Proposal does not consider alternative methods of transportation including rail as is done internationally. If Clevedon quarry is of such regional significance and is envisaged to be in operation for at least 100 years or more, investment in purpose built aggregate haulage infrastructure must be considered if this PPC is to be considered. A connected-up strategy between quarry operators, Auckland Council, and Auckland Transport is required to ensure appropriate investment is provided for all supporting infrastructure as part of any long term city planning. Considering such a PPC without any plans for supporting infrastructure would further increase the level of adverse effects.

23. Clevedon quarry is at the end of a long metal road in Southeast Auckland. It is not easily accessible as trucks must travel some 22km on rural roads in each direction to access the Auckland motorway system. The roading network serving the Brookby Quarry is a prime example of poor infrastructure planning serving a large quarry. On Tourist Road there is a one-way bridge, and a section of McNicol road is only a single lane. Tourist Road also includes several high-risk intersections which do not support HPMV quarry trucks. Tourist and McNicol Road regularly flood. These matters need to be addressed as part of any PPC as the Resource Consent process assumes the existing supporting infrastructure is already in place for such land use and future developments. The Proposal ignores these offsite effects and instead seeks to defer to a future Resource Consent process that will not be able to consider these adverse effects.
24. The lack of any local positive effects in support of this Proposal is concerning. The positive effects outlined in the Proposal are self-serving in nature. The Proposal does not propose any positive effects for the Clevedon community who will be the most affected.
25. The existing SPQZ at Clevedon Quarry was introduced during the establishment of the Auckland Unitary Plan ("AUP"). This overlay sought to protect existing use rights and was a late addition to the AUP. Although these matters were heard as part of the broader AUP hearing process, the Clevedon community was not fully engaged in this process and did not know such provisions were being implemented. The 2017 RC process sought to give effect to these new rules within the existing SPQZ as part of a planned expansion of the Clevedon quarry. However, the SPQZ was never intended to be used as an instrument to assess the effects of establishing a new SPQZ adjacent to an existing quarry. The Proposal seeks to use the existing SPQZ as precedence for future expansion. In our opinion, this is not how the existing SPQZ rules were intended to be used. The proposed quarry expansion is akin



to establishing a new quarry, the fact it is located adjacent to an existing quarry is irrelevant in terms of any assessment of effect.

26. The Proposal has failed to demonstrate the presence of significant rock resource material. There have been no subsurface geotechnical investigations to ascertain the type, quality and volume of rock present, or the extent of overburden that will need to be removed. The Preliminary Rock Resource Assessment notes that the type and quality of rock is likely to be similar to the existing quarry. Aggregate quality at the existing quarry is considered low and only useful for road chip seal and some hard fill applications. The existing rock is not suitable for use in concrete production. It is concerning that a PPC is being sought to quarry land where a detailed geotechnical assessment, including subsurface investigation, has not been undertaken. It is therefore difficult to correlate any perceived positive effects and balance these against the significant adverse effects outlined in this submission.
27. In CPS's opinion, the level of reporting and supporting evidence provided as part of the PPC is low, full of conjecture, and is based on opinion rather than evidence. Further supporting evidence and expert advice is required in the following areas:
  - a. Rock resource assessment
  - b. Economic impact
  - c. Ecology
  - d. Heritage and Cultural
  - e. Visual and Landscape
  - f. Social impact
  - g. Traffic
28. In addition to the above, CPS may present additional evidence as part of any hearing process including but not limited to the following:
  - a. Legal considerations
  - b. Planning evidence
  - c. Traffic Impact evidence
  - d. Heritage and Cultural evidence





- e. Noise evidence
- f. Social evidence
- g. Economic evidence
- h. Visual and Landscape evidence
- i. Ecology evidence

Ends

Clevedon Protection Society

24 February 2023

Submission – Private Plan Change 89 – Clevedon Quarry

Catriona Hitchman – Local Resident, McNicol Road, Clevedon

These submissions are made by me, on behalf of my family and myself, who live on McNicol Road in respect of our opposition to the application by Stevenson Aggregate Limited to rezone land at the Clevedon Quarry via a Private Plan Change.

Our main concerns are as follows:

#### 1. Roothing

The quarry is located some 20 plus km from the nearest motorway system and the country roads in between are poorly maintained. We understood that as part of the existing consent (in effect since 2018) issues surrounding the suitability and safety of the infrastructure and roading network were to be addressed and improved upon. We've seen no evidence of any improvements. There were also supposed to be other improvements to address resident safety such as a bridle trail which also has not eventuated.

The Quarry is located down a long metal road, and in some places is only wide enough for one truck. The local roading infrastructure includes several high risk intersections and a one lane bridge and is totally unsuitable for vehicles the size of the quarry trucks and trailers or to support an increase in physical truck movements which an expansion of the quarry would require.

McNicol and Tourist Roads in particular are used by the children and adults of the wider community for walking, running, cycling, horse riding and a potential increase in truck movements as part of the proposed quarry expansion will make many of these activities nigh on impossible. While there has been an effort by the Quarry management to try and impose a 50km speed restriction on quarry trucks, unfortunately it appears that external contractors can only be encouraged to abide by this limit of 50km and it's not enforceable. A large number of trucks do seem to keep close to this limit, however there are a number who seem unable to even keep to the actual legal limit of 60km. In addition some of these truck drivers are not respectful or tolerant of the rights for local residents to safely pursue some of the outdoor activities mentioned previously.

#### 2. Environmental Concerns

Both McNicol and Tourist Roads are susceptible to flooding, the instances and intensity of which are increasing. The flooding during the most recent weather event surpassed all known records and have caused erosion on McNicol Road towards the quarry.

The Wairoa river floods regularly, and high level flooding cuts off access to both McNicol and Tourist Roads. The most recent weather event (Cyclone Gabrielle) caused record breaking flooding in the river and the surrounding area. As a local property owner we have noted an increase in the amount of slash

and silt being distributed during these high flood events. With Cyclone Gabrielle in particular we found 3-4 inches of silt through our lower lying paddocks flooded by the river. We don't feel the current Proposal addresses the risks involved either from within the existing quarry or a possible expansion of the quarry with regards to increased erosion or sediment into the river.

The river is used regularly by the wider community for many recreational activities, but the declining water quality is impacting it's use for these activities.

We also understand that the Native Long Tailed Bats (listed as critical by DOC) were recently discovered along the Wairoa River near to the existing quarry. We feel very strongly that more in-depth investigation is required into the population and behaviours of these bats before any quarry expansion is considered.

### 3. Earthquake Fault Line

We understand that the quarry is located directly on top of an active fault line. This gives us particular concern as we were advised some years ago that this fault line may also run directly through our property. We feel strongly that the risk of expanding the quarry around this fault line needs to be fully investigated and expert risk assessment needs to be undertaken

### 4. Social

Clevedon is expanding exponentially itself with residential developments, rural lifestyle properties and even a new retirement facility. While we all understand the need for aggregate in an expanding city, a large scale working quarry is totally inappropriate within a growing mixed rural/residential community.

24 February 2023

Plans and Places  
Auckland Council  
Private Bag 92300  
Auckland 1142

Attention: Planning Technician

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 89: CLEVEDON QUARRY**

Please find attached Auckland Transport's submission on Proposed Private Plan Change 89 Clevedon Quarry to the Auckland Unitary Plan (Operative in Part). The applicant is Stevenson Aggregates Ltd.

Should you have any queries in relation to this submission, please contact me Chris Freke on 027 466 1119.

Yours sincerely



p.p.

Chris Freke  
Principal Planner, Land Use Policy and Planning South

Cc: By Email: Stevenson Aggregates Ltd  
Jo Young ([jo.young@stevenson.co.nz](mailto:jo.young@stevenson.co.nz)); and  
Also on behalf of the Applicant: Mark Tollemach ([mark@tollemache.co.nz](mailto:mark@tollemache.co.nz))

**SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 89 – CLEVEDON QUARRY**

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142

**Submission on:** Proposed Private Plan Change 89 to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning seeks to change land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.

**From:** Auckland Transport  
Private Bag 92250  
Auckland 1142

## 1. Introduction

1.1 Stevenson Aggregates Ltd (“the applicant”) has lodged a Private Plan Change (‘PPC89’ or ‘the Plan Change’) to the Auckland Unitary Plan: Operative in Part (‘AUP(OP)’). The Plan Change seeks to re-zone a total of 63.49ha of land in the following ways (taken from the supporting documents):

- 31.80 ha of 546 McNicol Road to be rezoned from Special Purpose – Quarry Zone (“SPQZ”) to Rural Production Zone (‘RPZ’);
- 31.54 ha of 646 McNicol Road to be rezoned from RPZ to SPQZ; and
- 0.15 ha of 439 Otau Mountain Road to be rezoned from RPZ to SPQZ.

The Plan Change also seeks a 1.5ha correction to the extent of SPQZ within 546 McNicol Road.<sup>1</sup>

It is noted that the Plan Change essentially proposes to swap the extent of the Clevedon Quarry’s (“the Quarry”) SPQZ located in the northern half of 546 McNicol Road with a relocated SPQZ at 646 McNicol Road which is contiguous and immediately adjacent to the existing SPQZ that remains in the southern half of 546 McNicol Road.

The total area of the proposed SPQZ would be 73.78ha compared with the current operative extent of 73.88ha.

The Plan Change proposes to delete the Quarry Buffer Area Overlay (“QBAO”) within 646 McNicol Road where this land is proposed to be rezoned to SPQZ. This is a consequential mapping amendment to this overlay.

It is otherwise noted that no changes are proposed to the:

- Quarry Buffer Area Overlay (“QBAO”) outside the site;

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<sup>1</sup> Planning Assessment: Assessment of Environmental Effects dated September 2021, page 6, section 1.1.3

- Outstanding Natural Feature overlay (“ONF”);
- Natural Stream Management Area (“NSMA”); or
- the Significant Ecological Areas overlay (“SEA”).

- 1.2 Auckland Transport is a Council-Controlled Organisation (CCO) of Auckland Council (“the Council”) and the Road Controlling Authority for the Auckland region. Auckland Transport has the legislated purpose to contribute to an “effective, efficient and safe Auckland land transport system in the public interest”<sup>2</sup>. In fulfilling this role, Auckland Transport is responsible for the following:
- a. The planning and funding of most public transport;
  - b. Promoting alternative modes of transport (i.e. alternatives to the private motor vehicle);
  - c. Operating the roading network; and
  - d. Developing and enhancing the local road, public transport, walking and cycling networks for the Auckland Region.
- 1.3 Auckland Transport is supportive of the proposed increase in the operating lifespan of the Clevedon Quarry and notes that the Auckland Regional Policy Statement<sup>3</sup> identifies that minerals are essential for Auckland’s continuing development. It goes on to note that in the past, Auckland’s quarries have produced nearly 10 million tonnes of aggregates per year and that is expected to increase to 15 million tonnes per annum by 2041.
- 1.4 The proposed expansion of the Quarry operating lifespan through proposed zoning changes to the north (31.8 ha) and south (31.54 ha) of the consented Quarry pit is generally supported by Auckland Transport. Auckland Transport recognises the anticipated increase in demand for, and Auckland’s dependence on minerals. The Auckland Regional Policy Statement identifies that an accessible supply of minerals is a matter of regional importance.<sup>4</sup>
- 1.5 Notwithstanding this, quarry operations rely on heavy commercial vehicles (“HCVs”) for haulage of extracted material. The number of HCV movements would increase through increasing the operating lifespan of this Quarry. It is understood that the current consent enables extraction of up to 60 million tonnes of aggregate (with consent for a maximum of 3 million tonnes to be removed annually). After this, any further quarrying within the current quarry zone and SEA would require new consents.
- 1.6 This Plan Change seeks to add capacity to extend Quarry operations. This Plan Change would enable potential extraction of up to a further 90 million tonnes (enabling 150 million tonnes of aggregate extraction), which, if assumed at current maximum consented extraction rate would extend the operations by 30 years.
- 1.7 An additional 30 years of aggregate resource will generate adverse transport effects, due to ongoing high levels of HCV traffic associated with the Quarry. An extended operating lifespan of the Quarry will increase the timescale over which pavement damage would be caused by HCV traffic on McNicol and Tourist Roads which, in turn, will increase the risk to the safety of road users.

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<sup>2</sup> Local Government (Auckland Council) Act 2009, section 39.

<sup>3</sup> Auckland Unitary Plan (Regional Policy Statement), B7.7 Explanation and principal reasons for adoption

<sup>4</sup> Auckland Unitary Plan (Regional Policy Statement), page 14 and the Auckland Plan 2050

- 1.8 Auckland Transport is concerned that there are no proposals within the Plan Change documentation to mitigate long term adverse transport effects on McNicol and Tourist Roads (in particular pavement damage and resulting safety concerns).
- 1.9 Auckland Transport's position is supportive of the Plan Change subject to incorporation of precinct provisions or alternative mechanisms to address the matters raised within this submission. The decisions which Auckland Transport seeks from the Council are set out in Attachment 1.
- 1.10 Auckland is not a trade competitor for the purpose of section 308B of the Resource Management Act 1991.
- 1.11 Auckland Transport is available and willing to work through the matters raised in this submission with the Applicant.

## **2. Mitigation of adverse transport effects**

- 2.1 A critical issue for Auckland Transport is whether the Plan Change includes appropriate provisions to mitigate adverse transport effects (pavement damage and resulting safety concerns) associated with the expanded operating lifespan (through relocation of an extent of SPQZ from north of the quarry pit to the south of the quarry pit) and therefore, HCV movements projected into the future.
- 2.2 Auckland Transport is concerned that the potential level of HCV traffic movements enabled by the Plan Change would exceed the structural capacity of McNicol and Tourist Roads, including subsequent safety concerns. The current consented level of HCV movements allows for the removal of up to 3 million tonnes of aggregate annually with the current quarry capacity understood to be 60 million tonnes (circa 20 years of operations depending on when maximum extraction rate is reached). Increasing the Quarry capacity from 60 million tonnes to 150 million tonnes is regarded as providing for over 50 years of operating lifespan (or a further 30 years).
- 2.3 Auckland Transport is of the view that this additional 30 years of Quarry operating lifespan and HCV movements would cause future damage to McNicol and Tourist Roads and associated infrastructure in excess of ordinary rural wear and tear. The need to repair these roads would continue beyond the ordinary and associated maintenance requirements and would be ongoing over that future extended period. These adverse effects would introduce safety risks for road users of McNicol and Tourist Roads.
- 2.4 Whilst mineral or aggregate extraction requires a controlled activity resource consent within an SPQZ, Auckland Transport is of the view that the current AUP(OP) provisions will not enable appropriate assessment and mitigation of adverse transport network effects (pavement damage and resulting safety concerns) from the Quarry activities that would be further enabled by this Plan Change through future consenting processes.

**3. Specific Parts of the Plan Change that this submission relates to:**

- 3.1 The specific parts of the Plan Change that this submission relates to are set out in **Attachment 1**. In keeping with Auckland Transport's purpose, the matters raised relate to transport, and include:
- The need for specific provisions relating to the expanded Quarry area to address matters raised in this submission; and
  - The need for provisions to secure the mitigation of adverse transport effects (pavement damage and associated safety concerns) arising from quarry activities on the immediate local road network.

**4. The Decisions sought by Auckland Transport are:**

- 4.1 Auckland Transport supports PPC 89 subject to incorporation of provisions or other mechanisms applying to the expanded Quarry area to address the matters raised within this submission.
- 4.2 The decisions which Auckland Transport seeks from the Council are set out in **Attachment 1**.

**5. Appearance at the hearing:**

- 5.1 Auckland Transport wishes to be heard in support of this submission at a hearing.
- 5.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

**Name:** Auckland Transport



**Signature:**

Sarah Wilson  
Manager Land Use Policy and Planning South

**Date:** 24 February 2023

**Contact Person:** Chris Freke  
Principal Planner, Land Use Policy and Planning South



**Address for service:** Auckland Transport  
Private Bag 99250  
Auckland 1142

**Telephone:** 027 466 1119

**Email:** Chris.Freke@at.govt.nz

**Attachment 1**

The following table sets out where amendments are sought to PPC 89 Clevedon Quarry including aspects supported or opposed by Auckland Transport (in whole or in part) and the decision and /or relief sought to address outstanding concerns.

Issue	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Overall Plan Change	Support in part	Auckland Transport acknowledges that the Clevedon Quarry is a key aggregate resource, however, it also recognises that there are effects associated with the proposal that need to be addressed.	Approve the Plan Change subject to appropriate provisions or measures specific to this Quarry being incorporated into the Auckland Unitary Plan (Operative in Part) which ensure that Auckland Transport's concerns over the long-term adverse effects from increasing the operating lifespan of the Quarry on the local transport network can be appropriately addressed or mitigated.
<p>Adequacy of transport assessment relating to the rezoning of land from Rural Production Zone to Special Purpose Quarry Zone and vice versa.</p> <p>Ongoing and future pavement damage and resulting safety concerns</p>	Oppose in part	<p>Auckland Transport has reviewed the application documents including the Assessment of Environmental Effects (AEE) prepared on behalf of Stevenson Aggregates which supports the proposed Plan Change.</p> <p>The current consented level of annual production allows up to approximately 3 million tonnes per year or around 60,000,000 million tones over 6 stages (approximately 20 years) to be extracted.<sup>5</sup></p> <p>The Plan Change will enable Clevedon Quarry to have a total lifespan of over 50 years, based on the identified resource of 150 million tonnes<sup>6</sup></p> <p>The Plan Change does not provide for any mitigation or ongoing maintenance of the road pavement from activity to be enabled by this Plan Change to ensure safety concerns are addressed in the surrounding transport network. McNicol Road and Tourist Road are identified in the Assessment of Environmental</p>	Support the Plan Change subject to appropriate provisions or other mechanisms specific to this Quarry being incorporated into the Auckland Unitary Plan (Operative in Part) which ensure that Auckland Transport's concerns over the long-term adverse effects from increasing the operating lifespan of the Quarry on the local transport network can be appropriately addressed or mitigated.

73.1

73.2

<sup>5</sup> Planning Assessment: Assessment of Environmental Effects dated September 2021, page 13.

<sup>6</sup> Planning Assessment: Assessment of Environmental Effects dated September 2021 page 26.

Issue	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
		<p>Effects<sup>7</sup> as part of the typical frequent routes the Quarry trucks use to travel to and from the Quarry. The concerns relate to the direct impacts of haulage routes used by the Clevedon Quarry Heavy Commercial Vehicles (HCV), given that the Plan Change proposes to extend the life of the Quarry operations from approximately 20 years (as consented in [2018] NZEnvC 96) to a total lifespan of over 50 years. This Plan Change would enable 30 additional years of extraction, if carried out at the same levels as currently consented (3 million tonnes per year) under resource consent [2018] NZEnvC 96.</p> <p>Auckland Transport is of the view that this Plan Change requires provisions to enable mitigation of adverse transport network effects (pavement damage and resulting safety concerns) from the Quarry activities that would be further enabled by this Plan Change through future consenting processes.</p>	

<sup>7</sup> Planning Assessment: Assessment of Environmental Effects dated September 2021, page 14.

01/05/2023

Plans and Places

Auckland Council

Private Bag 92300

Auckland 1142

Attn: Planning Technician

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Re: Further Submission by Auckland Transport on Proposed Private Plan Change 89 Clevedon Quarry.**

Please find attached Auckland Transport's further submission to the submissions lodged on Proposed Private Plan Change 89 Clevedon Quarry.

If you have any queries in relation to this further submission, please contact me on +64 27 466 1119 or email at [Chris.Freke@at.govt.nz](mailto:Chris.Freke@at.govt.nz)

Yours sincerely



Chris Freke

**Principal Planner, Land Use Policy and Planning, South**

cc: Stevenson Aggregates Limited  
Via email – [jo.young@stevenson.co.nz](mailto:jo.young@stevenson.co.nz)

Encl: Auckland Transport's further submission on Proposed Private Plan Change 89 Clevedon Quarry.

**Further Submission by Auckland Transport on Proposed Private Plan Change 89  
Clevedon Quarry**

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142

**Further submission on:** Submissions to Proposed Private Plan Change 89: from Stevenson Aggregates Limited to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon. The rezoning seeks to change land from Special Purpose Quarry Zone (SPQZ) to Rural Production Zone (RPZ) and other land from RPZ to SPQZ in the Auckland Unitary Plan (Operative in Part) 2016.

**From:** Auckland Transport  
Private Bag 92250  
Auckland 1142

**Introduction**

- 1) Auckland Transport represents a relevant aspect of the public interest and also has an interest in the proposal that is greater than the interest that the general public has. Auckland Transport's grounds for specifying this are that it is a Council-Controlled Organisation of Auckland Council ('the Council') and Road Controlling Authority for the Auckland region.
- 2) Auckland Transport's legislated purpose is "to contribute to an effective, efficient and safe Auckland land transport system in the public interest."

**Scope of further submission**

- 3) The specific parts of the submissions supported, opposed or where Auckland Transport has a neutral position providing any transport implications arising from accepting a submission are addressed, and the reasons for Auckland Transport's position are set out in **Attachment 1**.
- 4) The decisions which Auckland Transport seeks from the Council in terms of allowing or disallowing submissions are also set out in **Attachment 1**.

**Appearance at the hearing**

- 5) Auckland Transport wishes to be heard in support of this further submission.
- 6) If others make a similar further submission, Auckland Transport will consider presenting a joint case with them at the hearing.

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Signed for and on behalf of Auckland Transport



Sarah Wilson  
Manager, Land Use Policy and Planning South

Address for service of further submitter:

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Auckland Transport  
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Auckland 1010

Email: [chris.freke@at.govt.nz](mailto:chris.freke@at.govt.nz)



An Auckland Council Organisation

20 Viaduct Harbour Avenue, Auckland 1010  
Private Bag 92250, Auckland 1142, New Zealand  
Phone 09 355 3553 Website www.AT.govt.nz

## Attachment 1

Submitter	Submission point	Summary of submission	Support or oppose	Reason for Auckland Transport submission further	Decision sought
8. Anthony and Trish Peter	8.1 21.1 55.1	<p>The submitters overall position is that they seek for the Plan Change to be declined.</p> <p>The submitters believe the Plan Change would drastically increase the number of truck movements on local roads. The submitter is concerned that Otau Mountain Road will be used as a potential access to the head of the Quarry. Otau Mountain Road is already experiencing slips and concerns are raised that it will be further compromised by any increase in heavy vehicle traffic.</p> <p>The submitters request that if the Plan Change is accepted, that the volume of traffic is minimised and operating hours kept to within existing resource consent conditions. There are concerns also from recent weather events that increase in production will</p>	Support in part	<p>Auckland Transport's primary submission position is for the Plan Change to be approved subject to amendments to address concerns relating to ongoing effects on the transport network into the future.</p> <p>Auckland Transport is supportive of the concern relating to the potential use of Otau Mountain Road as a quarry transport route to the Quarry.</p>	<p>Allow the submitters relief to the extent that Auckland Transport supports the concerns raised with respect of the potential use of alternative access roads (quarry transport routes) to those not identified in the Plan Change documentation.</p> <p>Auckland Transport supports bespoke Auckland Unitary Plan provisions related to the Clevedon Quarry that explicitly require information to be provided as part of any consent application regarding the proposed quarry transport routes that would enable conditions to be imposed around the routes to be used or avoided by vehicles travelling to and from the Quarry.</p>



Submitter	Submission point	Summary of submission	Support or oppose	Reason for Auckland Transport submission further	Decision sought
		compromise the areas safety in future events.			
11. Matt Strang	11.1 12.1 14.1 15.1 16.1 17.3 20.1 23.1 40.1 45.1 46.1 48.3 49.1 50.1 52.3 56.1 61.1 62.1 66.1 70.1 72.1	<p>The submitters overall position is that they seek for the Plan Change to be declined.</p> <p>Common to all the noted submissions is the concern or request that a new Resource Consent be submitted to accompany the proposed Plan Change.</p>	Support in part	<p>Auckland Transport's primary submission position is for the Plan Change to be approved subject to amendments to address concerns relating to ongoing effects on the transport network into the future.</p> <p>Auckland Transport is of the view that should the Plan Change be approved; a new resource consent should be required for any extension of the Quarry into the currently zoned RPZ.</p>	Allow the submitters relief to the extent that Auckland Transport is supportive of the view, and any measures which require, that a new resource consent should be required for quarrying within the current RPZ zoned land.
38. Mary Whitehouse	38.3	The submitter raises the point that the roads used by the Quarry trucks as far as State Highway 1 have deteriorated significantly with repairs being made constantly. The benefits of the narrow	Support in part	Auckland Transport's primary submission position is for the Plan Change to be approved subject to amendments to address concerns relating to	Allow the submitters relief to the extent that Auckland Transport supports the concerns raised with respect of the potential use of alternative access roads to those not



Submitter	Submission point	Summary of submission	Support or oppose	Reason for Auckland Transport further submission	Decision sought
		rural roads are reaped by the Quarry and impact the general public.		<p>ongoing effects on the transport network into the future.</p> <p>Auckland Transport is supportive of the concern relating to the potential use of inappropriate quarry transport routes to and from the Quarry.</p>	<p>identified in the Plan Change documentation.</p> <p>Auckland Transport supports bespoke Auckland Unitary Plan provisions related to the Clevedon Quarry that explicitly require information to be provided as a part of any consent application on the proposed quarry transport routes that would enable conditions to be imposed around the routes to be used or avoided by vehicles travelling to and from the quarry.</p>
38. Mary Whitehouse	38.4	<p>The submitters overall position is that they seek for the Plan Change to be declined (38.1).</p> <p>The submitter requests an explicit undertaking that the existing resource consent conditions will be continued, and that any quarry expansion will require a new resource consent with respect to truck movements in particular.</p>	Support in part	<p>Auckland Transport's primary submission position is for the Plan Change to be approved subject to amendments to address concerns relating to ongoing effects on the transport network into the future.</p> <p>Auckland Transport is of the view that should the Plan Change be approved; a new resource consent should be required for any extension of the Quarry into the currently zoned RPZ.</p>	Allow the submitters relief to the extent that Auckland Transport is supportive of the view, and any measures which require, that a new resource consent should be required for quarrying within the current RPZ zoned land.

Submitter	Submission point	Summary of submission	Support or oppose	Reason for Auckland Transport further submission	Decision sought
59. Phillip Andrew Way	59.1	Trucks travel through Hyde Road impacting this submitter. The submitter considers it to no longer be enjoyable to share the roads with trucks.	Support in part	<p>Auckland Transport's primary submission position is for the Plan Change to be approved subject to amendments to address concerns relating to ongoing effects on the transport network into the future.</p> <p>Auckland Transport is supportive of the concern relating to the potential use of Hyde Road as a quarry transport route to and / or from the Quarry.</p>	<p>Allow the submitters relief to the extent that Auckland Transport supports the concerns raised with respect of the potential use of alternative access roads to those not identified in the Plan Change documentation.</p> <p>Auckland Transport supports bespoke AUP provisions related to the Clevedon Quarry that explicitly require information to be provided as a part of any consent application on the proposed quarry transport routes that would enable conditions to be imposed around the routes to be used or avoided by vehicles travelling to and from the Quarry.</p>

## **Before you fill out the attached submission form, you should know: # 02**

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

# Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only Further Submission No:
Receipt Date:

## Further Submitter details

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name)

**Organisation Name (if further submission is made on behalf of Organisation)**

**Address for service of Further Submitter**

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

## Scope of Further Submission

**This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:**

Plan Change/Variation Number	PC 89 (Private)
Plan Change/Variation Name	Clevedon Quarry

I support :  Oppose  (tick one) the submission of:

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number	Point-Number
73	

**The reasons for my support / opposition are:**

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) \_\_\_\_\_

of the original submission be **allowed**

**disallowed**

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Further Submitter  
*(or person authorised to sign on behalf of further submitter)*

\_\_\_\_\_ Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.



## **APPENDIX 5**

### **Recommended Changes**

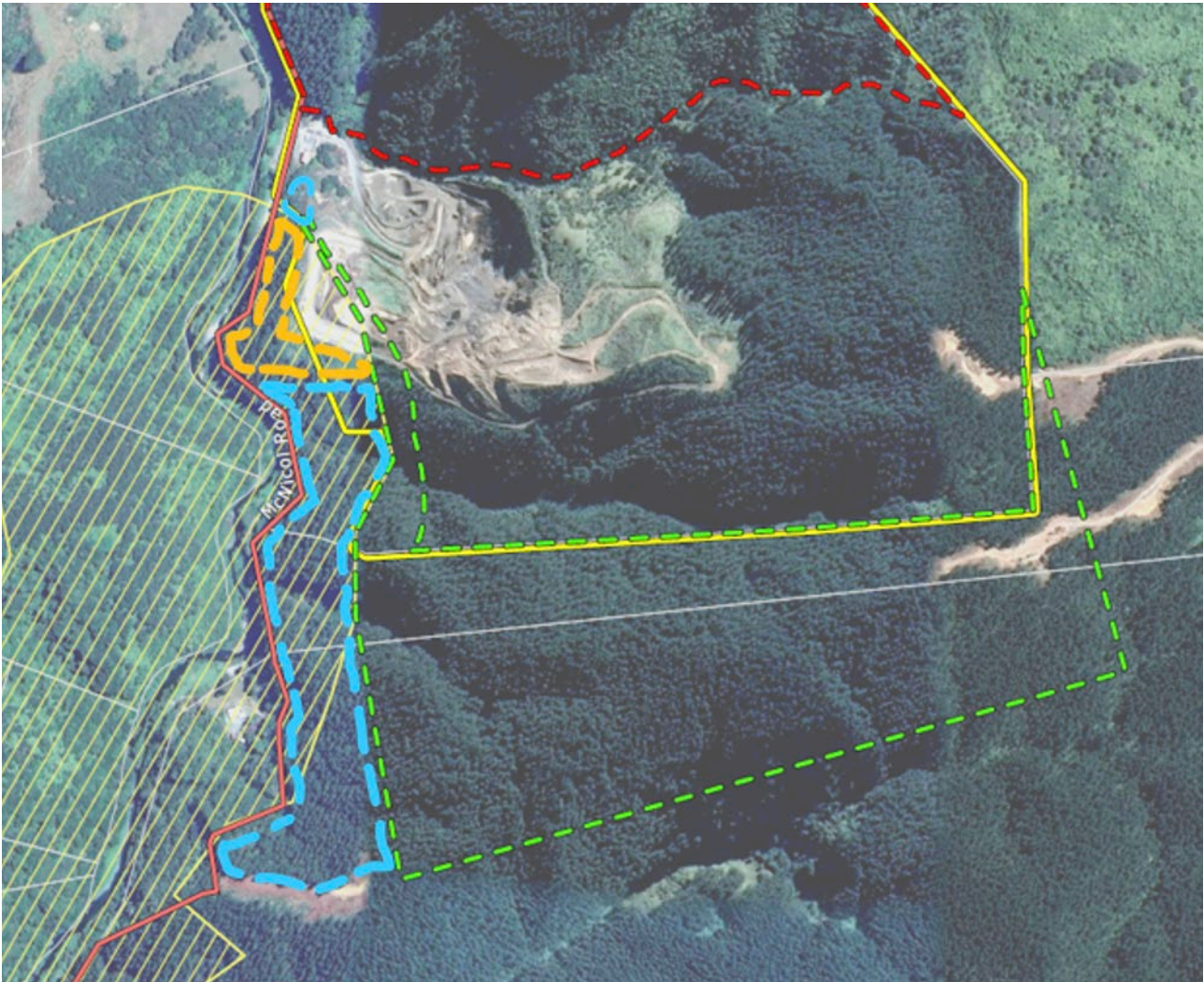




## Appendix 5 – Recommended Changes

Amendments are shown with text to be deleted as struck through and text to be added as underlined.

1. Extend the SPQZ at Clevedon to include the land outlined in blue and yellow on figure 1 below within the SPQZ.



2. Add a new permitted activity standard H28.6.1.3 Vegetation as follows.

In respect of the Clevedon Quarry, no permitted activity shall involve vegetation alteration or removal within the land identified on Figure H28.6.1.3.1

3. Add a new controlled activity standard H28.6.2.8 Vegetation retention as follows.

In respect of the Clevedon Quarry, no controlled activity shall involve vegetation alteration or removal within the land identified on Figure H28.6.1.3.1. unless a resource consent application includes a

long-term vegetation management strategy that provides for the existing pine and weed cover to be removed over time and replaced with indigenous species.

4. Amend H28.7.2. Assessment criteria (b) Visual Amenity as follows

(i) whether mineral extraction activities in close proximity to dwellings mitigate significant adverse visual amenity effects through the use of screening and landscaping; and

(ii) whether buildings associated with mineral extraction activities are designed so that they are removable on completion of the mineral extraction activities.

(iii) whether in respect of the Clevedon Quarry the visual and landscape effects of any vegetation alteration or removal within the land identified on Figure H28.6.1.3.1 are adequately mitigated by a long-term vegetation management strategy that provides for the existing pine and weed cover removed over time and replaced with indigenous species.

5. Amend H28.8.1. Matters of discretion by adding a new matter for discretion as follows.

(6) Visual Amenity

(i) In respect of the Clevedon Quarry vegetation alteration.

6. Amend H28.8.2. Assessment criteria by adding a new criterion as follows.

(6) Visual amenity

(i) whether in respect of the Clevedon Quarry the visual and landscape effects of any vegetation alteration or removal within the land identified on Figure H28.6.1.3.1 are adequately mitigated by a long-term vegetation management strategy that provides for the existing pine and weed cover removed over time and replaced with indigenous species.

7. Amend H28.7.1(1) Matters of control by adding a new matter for control as follows;

(1) mineral extraction activities:

(a) traffic and access;

(b) visual amenity; ~~and~~

(c) site rehabilitation; and

(d) in respect of the Clevedon Quarry fauna management

8. Amend H28.7.2(1) Assessment Criteria by adding a new criterion as follows.

(d) Fauna Management

(i) Whether in respect of the Clevedon Quarry, the application includes a sitewide Fauna Management Plan for birds, bats, herpetofauna and invertebrates that includes effective management measures to reduce effects on indigenous fauna from vegetation removal, noise and light.

## **APPENDIX 6**

### **Specialist Technical Memos**



12 June 2023

To: David Wren Policy Planner, Auckland Council  
From: Jason Smith, Consultant Freshwater Ecologist

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**Subject: Private Plan Change – PC89 Clevedon Quarry – Freshwater Ecology Assessment**

## **1.0 Introduction**

- 1.1 My name is Jason Graham Smith, and I am a Senior Environmental Scientist at Morphem Environmental Limited.
- 1.2 I hold the qualification of Bachelor of Science (Hons.) – Geography (2011) from the University of Auckland.
- 1.3 I have 11 years' experience as a professional Environmental Scientist, including 7 specialising in ecology.
- 1.4 In my current role I regularly provide advice to Auckland Council, as well as several other district and regional councils, in relation to earthworks, streamworks, and freshwater ecology, including for the processing of resource consents, compliance monitoring and enforcement actions, plan changes and notice of requirements.
- 1.5 Prior to my employment with Morphem, I was employed by Auckland Council as an Earthworks and Streamworks Specialist in a similar role primarily providing technical input on resource consent applications.
- 1.6 I have completed the Ministry for the Environment 'Making Good Decisions Course'.
- 1.7 I am a member of the New Zealand Freshwater Science Society, and the International Erosion Control Association.
- 1.8 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and have complied with it in preparing this evidence. Other than where I state that I am relying on the advice of another person, this evidence is within my area(s) of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.9 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to freshwater ecological effects.
- 1.10 In writing this memo, I have reviewed the following documents:
  - *Clevedon Quarry Private Plan Change Request, Planning Assessment: Assessment of Environmental Effects*, report prepared by Tollemache Consultants Limited, dated September 2021.
  - *Clevedon Quarry Plan Change Ecological Assessment*, report prepared by RMA Ecology, dated August 2022 (**EcIA**).
- 1.11 I undertook a site visit on 8 June 2023.
- 1.12 The assessment in this technical memorandum does not cover:
  - 1.13 Terrestrial ecology (including Hostetter's frog), which is covered by Council Specialist Carl Tutt.

1.14 Stormwater or flooding matters.

1.15 Arboriculture matters.

1.16 Land stability / geotechnical matters.

## **2.0 Key Freshwater Ecology Issues**

2.1 The plan change seeks:

2.1.1 31.80 ha of 546 McNicol Road to be rezoned from Special Purpose - Quarry Zone (**SPQZ**) to Rural – Rural Production Zone (**RPZ**);

2.1.2 0.15 ha of 439 Otau Mountain Road to be rezoned from RPZ to SPQZ; and

2.1.3 31.54 ha of 646 McNicol Road to be rezoned from RPZ to SPQZ

2.2 In effect, the direction of future quarry activity is proposed to be re-orientated from the north to the south.

2.3 From a freshwater ecological perspective the key point to note is that the quarry activity is being reorientated away from areas that have been identified as a Significant Ecological Area (**SEA**) (SEA\_T\_5588) and Natural Stream Management Area (**NSMA**).

2.4 No other changes are proposed to the provisions of the Auckland Unitary Plan (**AUP**).

2.5 The implication of rezoning RPZ to SPQZ, within the scope of this technical assessment, is that there is a lesser activity status for certain activities.

2.5.1 The diversion of a stream or river would be considered under rule E3.4.1 (A20) which is a restricted discretionary activity, as opposed to all other zones which are considered under E3.4.1(A19) which is a discretionary activity (both activity types given for outside of a SEA or NSMA overlay).

2.5.1.1 The matters to which discretion is restricted and the assessment criteria for restricted discretionary activities provides sufficient provision to assess any resource consent application. Therefore, it is considered that the AUP retains sufficient provision to assess and the manage the effects of any future resource consenting requirements.

2.5.2 Land Disturbance – Regional, which largely relates to sedimentation effects would be considered under the rules of H28.4.2, which has an activity status of controlled; whereas similar general; earthworks (outside of the SPQZ) have an activity status of restricted discretionary in Chapter 11 of the AUP.

2.5.2.1 The matters to which control is restricted to include more specific quarry provisions such as a Quarry Management Plan, an Erosion and Sediment Control Plan more specifically targeted at the longer-term and ongoing nature of quarrying activity. Best practice erosion and sediment control must be applied. Therefore, it is consider that the AUP retains sufficient provision to assess and the manage the effects of any future resource consenting requirements.

## **3.0 Applicant's assessment**

3.1 The methods used to assess freshwater values are described in section 3 (page 7) of the EclA.

3.2 Results are reported on in section 4 (page 10), and section 6 (page 16) of the EclA.

- 3.3 The EclA does not directly consider any potential effects from the plan change, nor does it directly propose any measure to manage effects. This is considered appropriate given that the plan change does not enable any specific activity or effects.
- 3.4 The EclA does include a section on 'opportunities', which is stressed as 'for information only' on how the effects management hierarchy could conceptually be applied to effects on streams should any activities and effects require management at the time of resource consenting.

#### **4.0 Assessment of freshwater ecology effects and management methods**

- 4.1 I consider that the methodologies, standards and guidelines used to assess freshwater values are appropriate and conform to industry best practice.
- 4.2 I also consider that the effort expended in the site investigations is appropriate for the nature of the plan change and potential effects.
- 4.3 I consider the reported results are transparent, accurate and a fair representation of the on-site values.
- 4.4 I concur with the EclA's description of the current ecological values.
- 4.5 I concur with the position of the EclA that the provisions of the AUP and national-level planning instruments (National Environmental Standard: Freshwater (**NES:FW**), and National Policy Statement: Freshwater Management) planning provisions provide an appropriate framework to manage the effects of quarrying-related activities at the time of resource consenting.
- 4.6 The EclA's section on 'opportunities', does demonstrate how the effects management hierarchy could be conceptually applied to effects on streams and identifies the appropriate supporting best practice documents and methodologies.
- 4.7 Accordingly, it is considered that there is no need to make recommendations to better manage adverse effects.

#### **5.0 Submissions**

- 5.1 Plan Change 89 was notified and 73 submissions have been received.
- 5.2 A number relate to freshwater ecological matters, I have identified these and provided a brief assessment in the table below.
- 5.3 A number of submissions have been prepared on using the same submission, or as they relate to freshwater ecology have common themes, and so for ease of reference I have grouped and assessed such submissions together.

Submitter No:	Name:	Submission Point / Issue Raised:	Relief Sought	Technical Assessment:
11 Matt Strang 12 Jo Bell 13 Nicole Heald 14 Marc Kimpton 15 Sarah Kimpton 16 Lydia Kimpton 17 TA True & Jkw Brown <sup>1</sup> 18 Robert James Peters 20 Jonathan Ford 23 Anthony T Curran 40 Tamsin Watson 45 Sara Stodart 46 Kate Ormond 48 Tristian Peter Illich <sup>1</sup> 49 The Tokomaru Trust 50 Sheryl McKinley 52 Jamel Cindy Schultz <sup>1</sup> 56 Diane Frances Myers 61 Gordon Mackenzie Gibson 62 Kelli-Jo Walker 64 Bredan Kingsley Vallings 65 Gavin Andrews 66 Kathy Gibson	Clevedon Protection Society	10. The previous Boffa Miskell reports that the quarry site has high ecological value. Reports submitted with the PPC suggest the site has a low ecological value.  15. Existing quarry operations have resulted in significant damage to the Southern Stream, existing stream areas are sensitive to quarry operations, quarry activities by their very nature change watercourse and drainage from upstream catchments	Decline the plan change  Decline the plan change	As it relates to freshwater ecology, the Stream Ecological Value (SEV) and Macroinvertebrate (MCI) assessment, as well as the stream classification as hard-bottom are sufficient to consider the streams within the plan change areas a high ecological value.  It is accepted that the streams within the plan change area are of high ecological value, and are likely to be impacted by future quarrying activity. The southern stream, despite being of high value, is likely to be lesser ecological value than the stream to the north where the SEA and NSMA overlay applies.
		17. The Wairoa River is the only managed Trout fishing river in the Auckland Region.... The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.	Decline the plan change	The plan change itself does not enable any earthworks or works in any streams, or an expansion of quarrying activities. Any activities would still require a resource consent and I consider that the AUP (and NES:FW) contain sufficient provision to enable the assessment of any effects at the time of resource consenting include sedimentation and effects on water quality.  The Wairoa River catchment is primarily in rural activity land-uses, and hence the river receives sediment inputs from a variety of sources generated throughout the catchment. Whilst any sediment-laden flows discharged from the quarry would be noticeable at the point of the discharge, attributing the relative contribution of the quarry to wider sediment loads would be difficult.
4, 5	Colin Bryant (4), Gael Bryant (5)	<ul style="list-style-type: none"> <li>Destruction of the southern stream</li> </ul> More sediment & debris flowing into the Wairoa river.	Decline the plan change	The plan change itself does not enable any earthworks or works in any streams, or an expansion of quarrying activities. Any activities would still require a resource consent and I consider that the AUP (and NES:FW) contain sufficient provision to enable the assessment of any effects at the time of resource consenting, this includes the provisions of E3 that regulate activities in, on under and over the bed of the southern stream, as well as the NES:FW.
6	Carl Roger Green	The quarry activity will adversely affect the Wairoa River	Decline the plan change	
31	David Leuan Jenkins	4. Impact on Wairoa river quality	Decline the plan change	

<sup>1</sup> The relief sought is Decline the plan change; but if approved, make the amendments I request



Submitter No:	Name:	Submission Point / Issue Raised:	Relief Sought	Technical Assessment:
		<p>As mentioned above, the PPC would significantly increase the occurrence of slips on nearby streams and likelihood of sediment within the Wairoa river immediately adjacent to the quarry site.</p> <p>Such degradation of river quality would make for a less desirable and unsafe river for recreational activities.</p>		<p>The best practice for erosion and sediment controls (GD05) are design to cater for storm events up to the 5% Annual Exceedance Probability (AEP) event which is equally to the 5 year Annual Recurrence Interval (ARI) storm event. This same standard is adopted across New Zealand (Otago, Canterbury, Waikato) and internationally (Australia).</p> <p>This standard recognises that is not practical to construct controls to capture every conceivable storm event, and that a balance must be struck with undertaking the land disturbance activity (in this case quarrying), and the additional land disturbance that would be required to construct larger devices.</p>
33	Hayley Billman	An increase in quarrying activity would place extra pressure on our already vulnerable land and River.	Decline the plan change	<p>I am confident that the EclA has been sufficiently thorough (for freshwater ecology).</p> <p>I have approached Auckland Council's Compliance Team regarding the Abatement notice. Council did issue ABT21358355 to Fulton Hogan on the 8<sup>th</sup> September 2017 in relation to a discharge of sediment. The required actions were completed and ABT21358355 cancelled on the 3<sup>rd</sup> of November 2017. Council investigated a separate sediment discharge event to the southern stream, the quarry was found to not be at fault.</p>
34	Georgia Billman	An increase in quarrying activity would place extra pressure on our already vulnerable land and River.	Decline the plan change	
35	Wayne Billman	An increase in quarrying activity would place extra pressure on our already vulnerable land and River.	Decline the plan change	
36	Jenna Billman	An increase in quarrying activity would place extra pressure on our already vulnerable land and River.	Decline the plan change	
37	Sophia Yetton	The silt which runs off from the quarry is ruining the river as well, it once had a pebble base and now the pebbles are covered in silt which ruins whole ecosystems	Decline the plan change; but if approved, make the amendments I request	
38	Mary Whitehouse Clevedon Cares Incorporated (CCI and Clevedon Community and Business Association (CCBA))	6. d. An explicit undertaking that the existing conditions of consent will be continued (except (d) below) and that any expansion of quarry operations will require a new Resource Consent. This especially with respect to truck movements, hours of operations, noise, management of the Southern Stream (which will be in the new	Decline the plan change; but if approved, make the amendments I request	

Submitter No:	Name:	Submission Point / Issue Raised:	Relief Sought	Technical Assessment:
		SPQZ) and other water courses, and operation of the CLG		
39, Sophie Kate Bruce 41 Eve Osborne Rosenhek 63 Sarah Baillie 69 Harriet Pilkington		<ul style="list-style-type: none"> <li>• Destruction of the southern stream and tributary that have already been damaged by quarry operations</li> <li>• More sediment and debris flowing into the Wairoa River damaging our already vulnerable rivers and waterways</li> </ul>	Decline the plan change	
43	Paula Mitchell	An increase in quarrying would place extra pressure on our already vulnerable land and river	Decline the plan change	
68	Yvonne Mary Lake	Trout fishing in the Wairoa river is dependent on water quality and with the certain increase in flooding events due to Climate Change there is an increased risk of damage to streams entering the river from the area proposed for rezoning south of the existing quarry. The quarry has already been found to have damaged the southern stream from current activities.	Decline the plan change	
70	Anthony Basil Thompson and Thelma Joy Thompson	13. Existing quarry operations have resulted in significant damage to the Southern Stream (immediately south of the existing quarry and included in the proposed SPQZ). The applicant has previously received an Abatement Notice for damage to this high-value stream, and repairs are still ongoing some four years later. Existing streams and areas of ecological significance are extremely sensitive to quarry operations. Quarry activities by their very nature change water courses and drainage from upstream catchments. Damage to the existing Southern stream is just one example of the adverse effect of quarry operations adjacent	Decline the plan change	

Submitter No:	Name:	Submission Point / Issue Raised:	Relief Sought	Technical Assessment:
		<p>to sensitive waterways and ecological areas. Recent damage is outlined in the Proposal and with Climate Change severe weather is only likely to increase</p> <p>15. Whilst sediment control measures can be implemented within the quarry in line with regulations, the Hunua Ranges and Wairoa River continuously face the risk of significant flooding, as experienced in 2017 and again in February 2023 (Cyclone Gabrielle). These control measures are no match for such floods where we are now regularly seeing levels exceed 1:100 year events. Cyclone Gabrielle recently caused the Wairoa River to exceed all previous flood levels. Sediment in the river is at an all time high. The Proposal fails to acknowledge this risk and further erosion and sediment flowing into the Wairoa River as a result of severe weather events. Water in the existing quarry pit has been known to overflow into the Wairoa River during heavy rain and flooding events, due to limited space within the quarry to contain and manage runoff. The effects of Climate Change and flooding on the Wairoa River have been ignored in the Proposal. The Wairoa River is the second largest in Auckland and must be protected and restored as an effective waterway for recreation, including kayaking, boating, food gathering, walking, picnicing, and hopefully swimming one day. The Wairoa River is also the only managed Trout fishing river in the Auckland</p>		

Submitter No:	Name:	Submission Point / Issue Raised:	Relief Sought	Technical Assessment:
		Region, with recreational angling enjoyed by many and requiring good water quality. The increasing sedimentation of the river and declining water quality is marginalising this activity and other recreational opportunities.		
71	Caroline Greig	Impact on local wildlife and biodiversity including native bats recently discovered along the Wairoa River. I am not confident that the Ecological Assessment has been sufficiently thorough.	Decline the plan change	

## **6.0 Conclusions and recommendations**

6.1 I consider:

6.1.1 that the applicant adequately assessed the private plan change effects on the environment related to freshwater ecology effects.

6.1.2 the private plan change is consistent with the direction and framework of the Auckland Unitary Plan.

6.1.3 the private plan change does not alter the consideration of the any activities that relate to freshwater ecology under National Policy Statement: Freshwater Management or National Environmental Standard: Freshwater

6.2 Accordingly, I support the private plan change with no modifications to the provisions being recommended.

16 June 2023

David Wren  
Planning Policy Research  
PO Box 46018  
Herne Bay  
Auckland 1147

Dear David

#### **PLAN CHANGE 89 - CLEVEDON QUARRY**

Stevenson Aggregates Ltd currently operates a hard rock quarry at McNicol Road in Clevedon. The quarry is within the Quarry zone of the Auckland Unitary Plan – Operative in Part (AUP). Proposed Plan Change 89 (PC 89) seeks to adjust the boundaries of the Quarry zone, reducing it slightly to the north and extending it to the south to facilitate further quarrying. Marshal Day Acoustics (MDA) provided a noise assessment for PC 89 as well as a response to a Clause 23 request for further information. As requested, I have reviewed the application in terms of noise and vibration effects.

#### *MDA ASSESSMENT*

MDA prepared the noise assessment for the original quarry resource consent and, from that work, has a knowledge of the plant operated by the quarry. The current plan change will not alter the activities of the quarry, only where they occur. As such, MDA has predicted noise from the existing quarry activities operating in a number of locations within the plan change area. A comparison to the same exercise MDA undertook for the existing quarry shows only small changes in the uppermost level of quarry noise predicted to the surrounding houses. Typically, PC 89 will result in either no change in level or an imperceptible reduction (1dB). To one neighbour (498 McNicol Road), there will be an unnoticeable increase in level (1dB) as a result of PC 89 while to 600 McNicol Road, there will be a small, 3dB increase. 3dB is generally accepted to be the smallest change in level noticeable by the average person.

MDA explain the general lowering of levels as resulting from the fact that the plan change, with the exception of 600 McNicol Road, moves the quarrying away from neighbours.

MDA then assess PC 89 against the Objectives (H28.2) and Policies (H28.3) of the Quarry zone within the AUP finding that:

- a. Based on the relatively low levels of predicted noise from activities associated with PC 89, significant effects on the surrounding neighbours have been avoided (Objective 2);
- b. Compared to the quarry zone rules and the existing environment, the predicted levels of noise from the PC 89 activities indicate that noise sensitive areas can be protected

from unreasonable levels of noise (Policy 4). A noise management plan is identified as the mechanism by which these low levels of noise will be realised.

- c. Noise levels can be internalised within the quarry by using the existing terrain to screen neighbours from the effects of quarrying (Policy 7).

Noting my comments below, I agree with the conclusion of the MDA assessment that the "... proposed Plan Change will have no noticeable acoustic effects (either adverse or positive) compared to what is enabled under the current zoning".

### *ASSESSMENT OF EFFECTS*

The quarry currently resides within the Quarry zone meaning that noise from activities is controlled by the limits of H25.6.2.1. This is important as it sets the quarry noise limits, and therefore the permitted baseline, for the existing dwellings considered in the assessment.

The land within PC 89 is currently zoned Rural, meaning that E25.6.3.1 provides the operative noise limits. Numerically, the limits of the Quarry zone noise rule match those of the Rural zone with the only difference being relatively minor changes to the time periods that define day and night. MDA note in section 5.1 of their assessment that "... the rezoning through the Plan Change would have no adverse effect on the permitted noise limits as received by dwellings in the vicinity".

I think this statement requires some clarification as it could be taken as implying that compliance with the Rural zone rule that currently applies within the area defined by PC 89 means quarry noise is within the permitted baseline. Given that a quarry is not a permitted activity within the Rural zone, I don't believe it correct to conclude that the effects of PC 89 would be appropriate through compliance with the Rural zone noise rule. Instead, an assessment that considers the permitted baseline would be appropriate. In this case, the permitted baseline for the surrounding houses is described by the quarry zone noise rules (as a result of the existing quarry). As described above, there is no difference between the Rural and Quarry zone noise rules (in terms of effects). As such, I agree with the conclusions of the MDA assessment, but for a slightly different reason.

In Table 4 of their report, MDA note that the predicted levels of noise from activities within the PC 89 area would be comparable to the existing sound environment as a demonstration that PC 89 meets Objective 2 and Policy 4 of the AUP. While useful comments, PC 89 does not seek the predicted levels of noise as limits for the proposal but rather the elevated Quarry zone noise rules. With a day time limit of 55dB  $L_{Aeq}$ , any quarry activities operating to the limit of the Quarry rule (which PC 89 requests) would be the dominant source of noise in the area, given that the current levels are in the low to mid 40dB range. The suitability of the Quarry zone noise rule for the existing houses has already been decided upon in the initial consent and the current PC 89 does not seek to change that decision. My view is that the permitted baseline for the existing houses has already been determined and that MDA has demonstrated that it is practicable for the activities of PC 89 to operate within the agreed limits.

The permitted baseline approach to the assessment only holds true for existing dwellings as, in a typical situation, the expectation of the owners of any undeveloped sites to the south (within PC 89) would be as described by the Rural zone rules of the AUP (which do not treat quarries as a permitted activity) rather than the Quarry zone rules.

Clevedon Quarry is, however, atypical. It is understood that, save the existing 600 McNicol Road, the applicant owns all sites to the south, adjacent to PC 89. As such, it is difficult to see how there could be any future neighbours to the south that would be exposed to quarry noise.

#### *THE QUARRY BUFFER ZONE*

The Quarry Buffer Zone (QBZ) is described by the AUP as being the land within 500m of a quarry zone. Its purpose is to inform future neighbours that may wish to build within the QBZ of the presence of the quarry. The quarry zone noise rules (H25.6.2.1) limit themselves to dwellings built as of 1 January 2001. Any new houses within the QBZ might receive noise in excess of that described by H25.6.2.1. Rule D27.7.2 requires that, to avoid any reverse sensitivity, any new dwellings proposed for the QBZ be constructed so that internal noise levels do not exceed 40dB  $L_{Aeq}$ .

In response to whether a QBZ is proposed about PC 89, the applicant explained that as all land to the south of PC 89 (except the existing 600 McNicol Road) is owned by the applicant, there is little need for the QBZ. The following Figure overlays the proposal with the existing QBZ plan from the AUP. It also shows where the QBZ for PC 89 would fall, noting that the method used to generate the Figure makes it approximate only.

Figure 1 confirms the applicant's response that providing a QBZ would be of little benefit as land within it is largely applicant owned. There do appear to be several potential areas where the QBZ extends beyond the applicant's boundary, which are identified in yellow in Figure 1. The sites to the west of McNicol Road are zoned Open Space – Conservation zone, meaning there is unlikely to be any benefit in including them within the QBZ. The remaining area to the east of Otau Mountain Road is within the Rural production zone. The encroachment of the QBZ into this site is in the order of 60m meaning any development setbacks would be relevant.

In summary, I agree with the MDA assessment that PC 89 would meet the Objectives and Policies of the AUP. With respect to the QBZ, provided that residential development not could be expected on Otau Mountain Road, I agree with the applicant's position that a QBZ is not necessary.

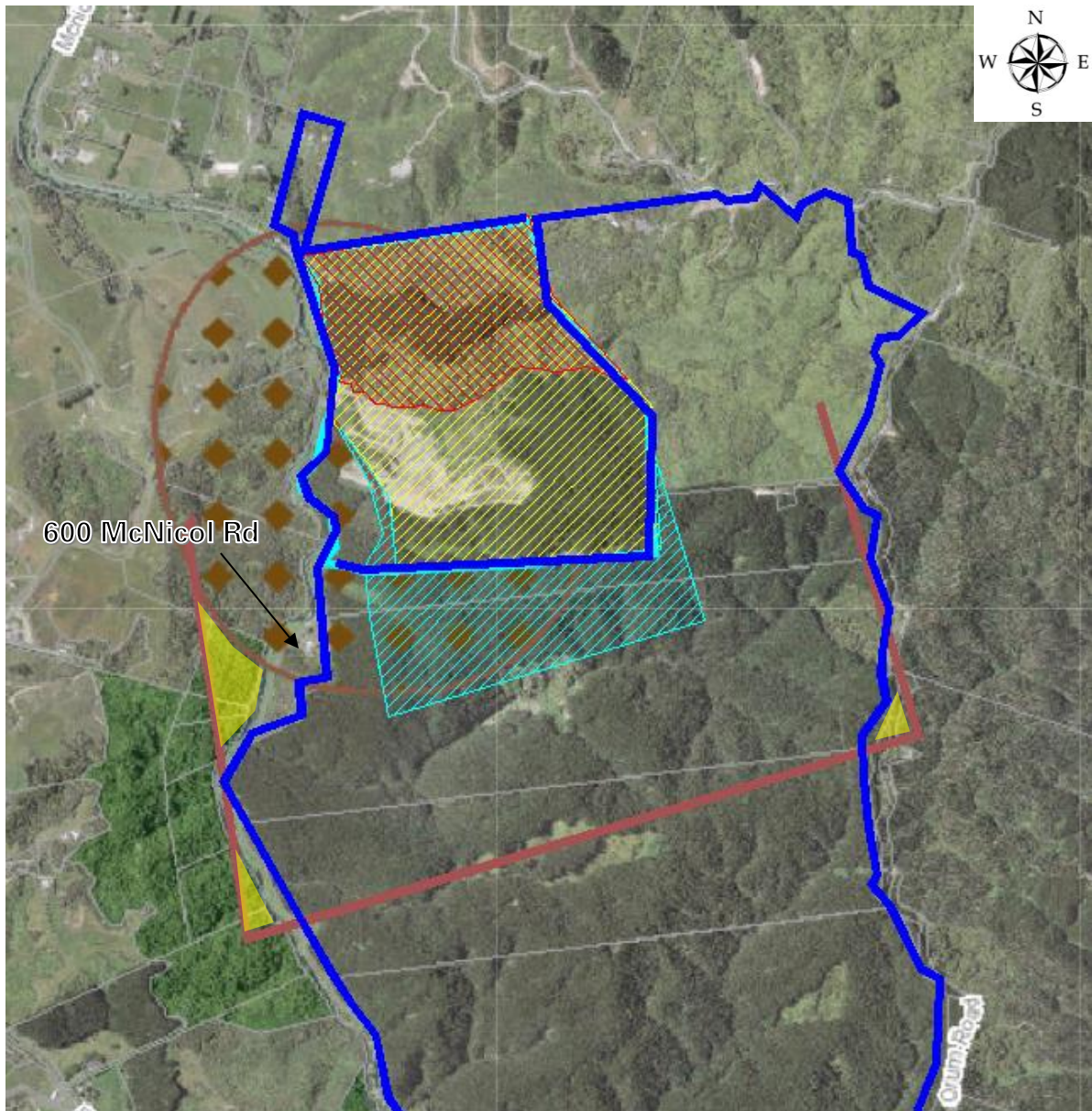
Should you have any questions regarding the above please do not hesitate to contact me.

Yours sincerely  
Hegley Acoustic Consultants



Rhys Hegley





- Owned by applicant
- Current Quarry Zone
- Reduction in Quarry Zone proposed by PC 89
- Increase to Quarry zone proposed by PC 89
- Quarry Buffer zone currently in the AUP
- Approximate extent of PC 89 Quarry Buffer Zone
- Sites potentially within the Quarry Buffer zone of PC 89

**Figure 1. Quarry Buffer Zone Map**

# Memorandum

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To: David Wren Policy Planner, Auckland Council

From: Bridget Gilbert

Date: 3 July 2023

Subject: **Private Plan Change – PC89 Clevedon Quarry – Landscape Specialist Report**

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## 1 Introduction

- 1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to landscape related effects.
- 1.2 A summary of my expert qualifications and relevant experience is attached in **Appendix A**.
- 1.3 In writing this memorandum, I have reviewed the following documents:
- a) AEE: Clevedon Quarry Private Plan Change Request, prepared by Tollemache Consultants, dated September 2021.
  - b) Landscape and Visual Effects Assessment: Clevedon Quarry, prepared by Boffa Miskell Limited, dated 27 June 2022 (**Landscape Report**).
  - c) Public submissions to the Clevedon Quarry Plan Change.
  - d) Areas of Protected Pine Trees plan, prepared by Boffa Miskell Limited, dated 28 June 2023.
- 1.4 I undertook a site visit to the local area on Sunday 14 May 2023 and a visit of the site itself on 8 June 2023. During those site visits, I walked McNicol Road adjacent the site and took careful note of the location of dwellings in the local area, including their orientation and relationship to the site (including whether intervening landform and/or vegetation serve to screen or filter views from the dwelling to the site). I am familiar with the local area, having assisted private landowners and Council with expert landscape advice on several matters in and around Clevedon over the years.
- 1.5 I confirm that my landscape review comments have been prepared in accordance with the Environment Court’s Code of Conduct for Expert Witnesses as specified in the Environment Court’s Practice Note 2014. This landscape review is within my area of expertise, except where I state that I rely upon the evidence of other experts. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

## 2 Key Landscape Issues

- 2.1 In my opinion, the key landscape related issues of the PC 89 relate to:
- a) potential adverse effects on ONF 237 Wairoa River Gorge; and
  - b) potential adverse landscape related effects in relation to the wider area.

## 3 Applicant's Assessment

3.1 I confirm that the landscape assessment methodology that has been applied in the Landscape Report is consistent with landscape assessment best practice.

3.2 The Landscape Report is focussed on the effects of the plan change on ONF 237 Wairoa River Gorge<sup>1</sup> and:

- a) Provides a clear and thorough description of the site and local area including a summary of the background to the existing consented quarry on the site. This is accompanied by mapping and photographs which, collectively, provide a clear 'picture' of the existing development.
- b) Identifies the relevant statutory context, including the characteristics for which ONF 237 Wairoa River Gorge is valued.
- c) Uses a series of representative viewpoints to assess the potential effects of the proposed plan change on the characteristics for which ONF 237 Wairoa River Gorge is valued.
- d) Recommends that the natural landform and vegetation cover in areas adjacent the plan change area are retained.
- e) Concludes that, assuming the above recommendation is incorporated as part of and resource consent for quarrying within the proposed zone, the proposed plan change will protect the landscape values of ONF 237 Wairoa River Gorge.

3.3 The key reasons why I agree with findings of the Landscape Report are as follows:

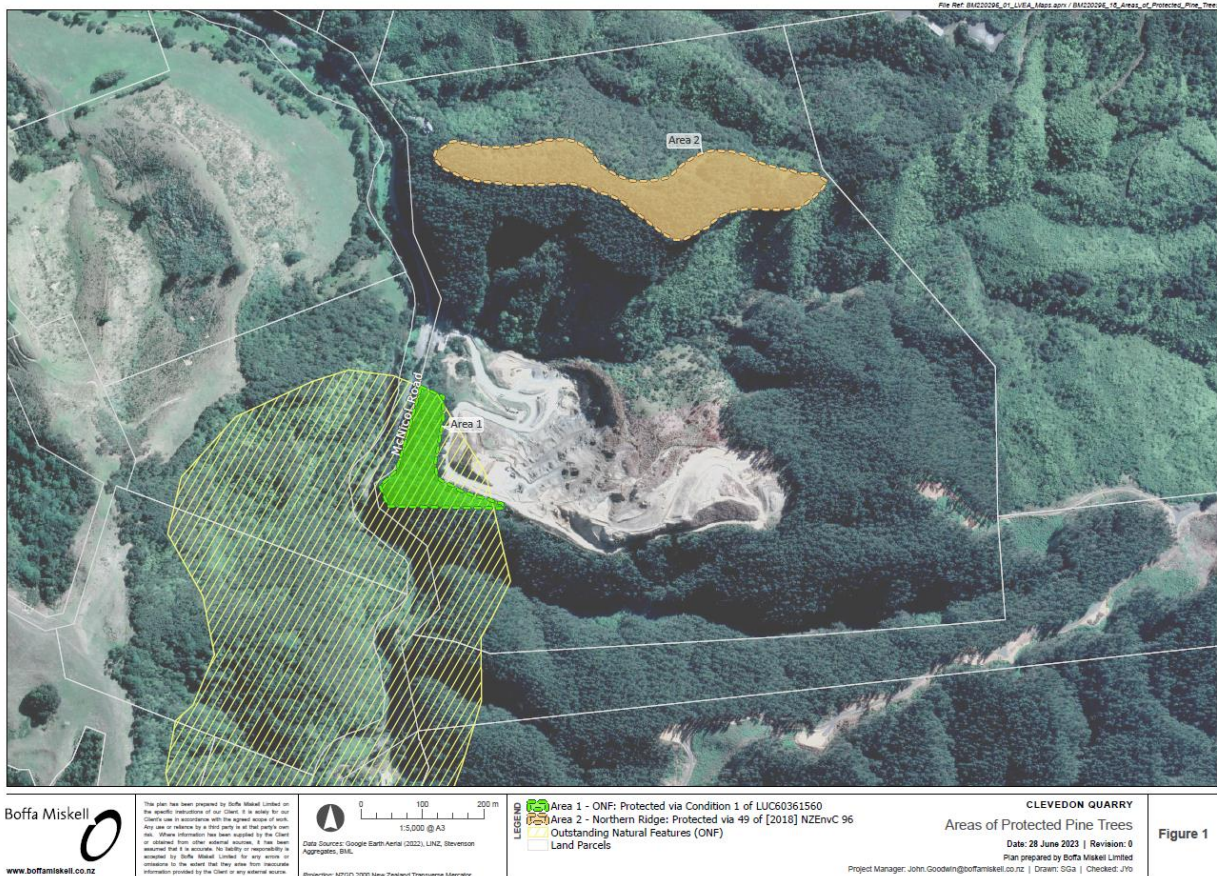
- a) The landscape character of the ONF is to some degree influenced by the consented quarry in the immediate vicinity (which includes the consented 'encroachment' of a haul road along its north-eastern edge).
- b) The proposed plan change area avoids physical encroachment into the ONF footprint.

The pine covered 'shoulder' of land ' across the north-eastern portion of the mapped ONF (between McNicol Road and the proposed quarry zone boundary) serves to

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<sup>1</sup> Noting that ONF 237 is described in AUP Schedule 6 as being a feature formed along the Wairoa fault trace, and is one of the few good examples of a steep, incised river gorge within the Auckland Region.

visually screen and physically separate the proposed quarry area (and the existing consented quarry operation) from the balance of the ONF. The Areas of Protected Pine Trees plan (prepared by Boffa Miskell) explains that this vegetation is protected via Condition 1 of LUC60361560. Refer **Figure 1** below.



**Figure 1: Areas of Protected Pine Trees plan.** The light green shaded area labelled as Area 1, corresponds to the protected vegetation across the 'shoulder' of land ' across the north-eastern portion of the mapped ONF that screens and separates the proposed quarry area (and the existing consented quarry operation) from the balance of the ONF.

3.4 I also note that the Wairoa River Gorge itself is a relatively discreet and 'hidden away' feature as it is well contained by vegetated landforms which serve to screen it from the rural, rural lifestyle and Clevedon village catchment to the north. This means that the feature itself does not exert a strong influence on the visual amenity values of the wider area.

## 4 Landscape matters raised in Submissions

4.1 Several submissions raise concerns with respect to adverse effects on the landscape character and visual amenity of the wider area.

4.2 To assist with understanding such effects, the visibility analysis within the Landscape Report (which includes Zone of Theoretical Visibility mapping) along with comment in relation to a series of representative views) is particularly instructive. Relying on this material in combination with my site visits (including viewing each of the representative view vantage points), I consider

that the following factors play a key role in ensuring that the proposed plan change is acceptable from a landscape (including visual amenity) effects perspective:

- a) The role of the existing operating quarry in shaping the landscape character and visual amenity values of the mixed rural, rural residential and village catchment to the north.
- b) The role of intervening landform and/or vegetation in screening or filtering views of the plan change area from individual dwellings and noting the area of protected pine trees<sup>2</sup> across the crest of the northern ridgeline (labelled as Area 2 on **Figure 1**), and the protected area of pines across the north-east shoulder (labelled as Area 1 on **Figure 1**).
- c) For many properties, the role of the orientation of dwellings away from the site which serves to lessen the importance that the site plays in shaping the landscape character and visual amenity values of the specific property.
- d) The diminishing influence of distance in relation to the village catchment.

4.3 In my opinion, the rezoning of the northern ridge (**northern ridge**) from Quarry Zone to Rural Zone suggests an appreciable benefit to the landscape character and visual amenity values of much of the viewing catchment, due to the landform containment that this elevated landform and protected vegetation (i.e. Area 2 on Figure 1) provides to the existing quarry and proposed plan change area in views from the north and north north west.

4.4 I acknowledge that the configuration of the broader landform patterning means that views open to the northwest and the influence of the northern ridge in terms of obscuring views to the proposed plan change area (including the existing quarry) is lessened. However, this landscape (and visual) change needs to be considered in light of the significant landscape change that the existing quarry zoning of the northern ridge provides for.

4.5 I also note that the rezoning of the northern ridge from Quarry Zone to Rural Zone would appear to be a more appropriate zone with respect to the physical and naturalness aspects of landscape character given the SEA across the southern side of the northern ridge.

4.6 I accept that the proposed plan change will see quarrying activity across the elevated slopes backdropping the existing operational area. While this suggests a more prominent visual element (due to elevation), it is a more distant element (from the viewing catchment) than the northern ridge where quarrying activity is currently contemplated.

## 5 Conclusions

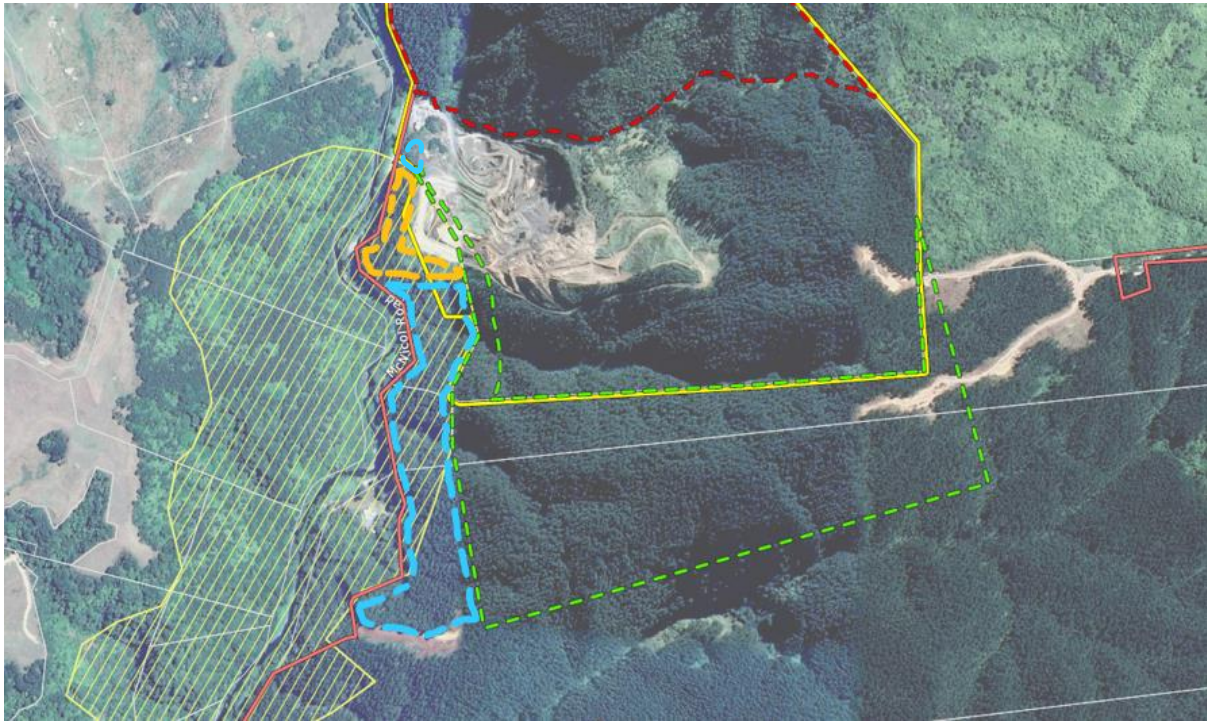
5.1 On balancing these considerations, I consider that for the proposed rezoning to be appropriate from a landscape perspective, the following landscape outcomes are of importance:

- a. The incorporation of provisions that require the protection of the existing vegetation along the full extent of the ONF area adjoining the western boundary of the plan change

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<sup>2</sup> via 49 of [2018] NZEnvC 96.

area as depicted in **Figure 2** below. In my opinion, this is required to manage potential adverse landscape effects in relation to the balance of the ONF, users of Mc Nicol Road adjacent the site and the residents of 600 McNicol Road.



**Figure 2: Recommended Area of Protected Vegetation as part of Plan Change 75.** *The orange dashed area approximates the existing protected pine trees (i.e. Area 1 on Figure 1). The blue dashed area corresponds to approximate extent of the vegetation that should be protected under Plan Change 75.*

- b. The development of a long-term vegetation management strategy for each of these areas that sees the existing pine and weed cover removed over time and replaced with indigenous species.

5.2 In my opinion, were such provisions not in place, I do not consider that the proposed rezoning would be appropriate from a landscape perspective, due to potential landscape related effects in relation to the balance of the ONF, users of Mc Nicol Road adjacent the site and the residents of 600 McNicol Road.

**Bridget Gilbert**

Landscape Architect

B Hort Dip LA ALI NZILA (Registered)

## **Memo (technical specialist report to contribute towards Council's section 42A hearing report)**

To: David Wren, Planning Policy Research

From: Wes Edwards, Arrive

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**Subject: Private Plan Change – PC89 – Clevedon Quarry – Transport Assessment**

### **1 Introduction**

- 1.1 At the request of Auckland Council I have undertaken a review of the private plan change in relation to transport effects.
- 1.2 I hold a New Zealand Certificate in Civil Engineering, and a Bachelor's degree in Civil Engineering. I am a Chartered Professional Engineer and an International Professional (APEC) Engineer.
- 1.3 I am an Engineering New Zealand Fellow, a Chartered Member of Engineering New Zealand, and a Professional Member of the Institute of Transportation Engineers.
- 1.4 I am a road safety auditor, am accredited by KiwiRail as a Level Crossing Safety Impact Assessor, have formerly been accredited by Waka Kotahi New Zealand Transport Agency as a Traffic Controller, Inspector, and Site Traffic Management Specialist, and formerly accredited by the Ministry for the Environment as a Resource Management Act Hearings Commissioner.
- 1.5 I have 38 years engineering experience, with over 31 of those years specialising as a traffic engineer based in Auckland. My current role is Transportation Advisor and Director of Arrive Limited, a company which I founded in 2002.
- 1.6 I have experience in traffic matters associated with resource management, including:
  - a) resource consents, plan changes, and notices of requirement;
  - b) the design of traffic infrastructure and facilities such as roads, intersections, bus facilities, and parking facilities; and
  - c) road safety engineering, street design, computer analysis and modelling.
  - d) Providing specialist opinions on traffic and transport matters as an expert witness in council hearings, court-assisted mediations, District Court, Environment Court, Land Valuation Tribunal, Environmental Protection Agency Board of Inquiry, and High Court hearings.
- 1.7 My relevant work experience includes:
  - a) Advising Auckland Council on several private Plan Changes, with some enabling significant growth and proposing significant transport infrastructure, including:
    - i) PC 45 at 278 Clevedon-Kawakawa Road, and
    - ii) A plan change for land west of Clevedon village, subsequently abandoned.
  - b) Advising a number of councils on Notices of Requirement (NoR) for rail and arterial road infrastructure projects.
  - c) Advising private clients on resource consents, plan changes and NoRs.

d) Advising the Environment Court on a proposed clean-fill site in a rural area in northern Auckland for a s274 party.

1.8 I was engaged by Council to advise on this plan change following the receipt of submissions. I visited the road network around the site on Tuesday 16 May 2023.

1.9 In writing this memo, I have reviewed the following documents:

- a) Private plan change request and the Assessment of Environmental Effects (AEE);
- b) Further information requests and responses;
- c) The 2018 Determination of the Environment Court (EnvC) granting consent to operate the quarry;
- d) Submissions; and
- e) Comments made by the Franklin Local Board.

## **2 Key Transport Issues**

2.1 The proposed change effectively moves the Special Purpose Quarry Zone (SPQZ) by essentially swapping a block of land zoned Rural – Rural Production Zone (RRPZ) for a block of land zoned SPQZ. The change in land area in each zone is negligible.

2.2 The key transport issue is to what extent the proposed plan change would result in changes to traffic generated by activities on the land and how any effects on the transport environment might be managed.

2.3 In general, there are three ways the traffic, and the resulting effects, could change:

- a) The type and mix of vehicles could change;
- b) The rate of vehicle movement (vehicles per hour or day) could change;
- c) The total number of vehicles (over several decades) could change.

2.4 Each of these potential changes is addressed in this report.

## **3 Applicant's assessment**

3.1 The applicant has not provided a transport assessment by a transport specialist, nor was one requested by Council.

### The roading environment

3.2 The AEE addresses access and the roading environment at section 2.6. This includes a description of the routes used to access the quarry including the preferred routes, and restrictions on the current activities imposed by the 2018 decision.

3.3 On my visit I noted that Auckland Transport (AT) has recently reduced the speed limit on various parts of the road network. I also noticed some the river appeared to have eroded part of McNicol Road near the quarry as mentioned in several submissions, and I expect that erosion is the reason for AT imposing a temporary speed limit.

3.4 The following table summarises some of the parameters for key access roads taken from my observations and Auckland Transport databases<sup>1</sup>, although widths are unlikely to reflect recent storm damage.

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<sup>1</sup> Traffic count database from AT website, road asset management database accessed via mobileroad.org website



Table 1: Road characteristics

Road	Section		ONRC <sup>2</sup>	Daily Volume <sup>3</sup>	Width	Speed Limit	
Tourist Rd	Creightons Rd	140m west of Monument Rd	Arterial	1236 (Aug 2022)	6m	80	
				2298 (Nov 2019)		60	
		140m west of Monument Rd	Monument Rd		1237 (Nov 2018)		60
	Monument Rd	McNicol Rd	Primary Collector	600 (Aug 2022)	5.5m	60	
McNicol Rd	Tourist Rd	Whiteside Ln	Secondary Collector	364 (Nov 2019)	6.5m	60	
		Whiteside Ln	#520	Access	155	≈ 6m	60
		#520	100m south of #520	Low	42		40
		100m south of #520	#546	Volume			30
		#546	Quarry				Varies, Temporary one lane
		Quarry	end				Unsealed, Road Closed, Resident Access Only (Temporary)

3.5 Some additional features include:

- a) advisory signs reading “QUARRY TRUCKS 50kph” on Tourist Road just north of Monument Road;
- b) A one lane bridge on Tourist Road between Monument Road and McNicol Road. This bridge is signed “Tourist Bridge” and northbound traffic has priority.

#### Transport effects

- 3.6 The AEE address Transportation Effects at section 5.9. The AEE states the intention of the proposed change is not to increase annual production, but to extend the life of the quarry. The AEE states the change would result in fewer adverse effects if the quarry is extended.
- 3.7 I accept this methodology and the conclusions reached for the reasons set out in the remainder of this report.

## 4 Assessment of transport effects and management methods

### Zone Provisions

- 4.1 The SPQZ provides for mineral extraction (quarrying) as a Controlled Activity.
- 4.2 The SPQZ contains one policy relevant to transport:

#### *H28.3. Policies*

...

- (6) *Avoid, remedy or mitigate adverse effects of traffic generation and maintain safety for all road users, and particularly measures to manage heavy vehicles entering or exiting the site and on quarry transport routes.*

<sup>2</sup> One Network Road Classification – a nationwide road classification hierarchy

<sup>3</sup> Annual average daily traffic volume. Volumes with dates are counts from Auckland Transport database, volumes without dates are estimates by Auckland Transport for road maintenance purposes.

...

- 4.3 There are no transport standards. Any controlled activity is subject to the following:

*H28.7. Assessment – controlled activities*

*H28.7.1. Matters of control*

*The Council will reserve its control to the following matters when assessing a controlled activity resource consent application:*

*(1) mineral extraction activities:*

*(a) traffic and access;*

*(b) visual amenity; and*

*(c) site rehabilitation.*

...

- 4.4 The relevant assessment criteria for assessing a controlled activity are:

*H28.7.2. Assessment criteria*

*The Council will consider the relevant assessment criteria below for controlled activities:*

*(1) mineral extraction activities:*

*(a) traffic and access:*

*(i) whether the expected traffic generated by the activity appropriately avoids, remedies or mitigates adverse effects on the safe and efficient functioning of the surrounding road network;*

*(ii) the extent to which entry and exit points to the site are designed to suitably accommodate all traffic movements, and in doing so, avoid, remedy or mitigate disruption to traffic flows on the adjoining road network.*

- 4.5 The site is not within a Precinct, so there are no site-specific rules or provisions.

Existing and consented activities

- 4.6 Part of the current and proposed SPQZ is used for mineral extraction activities as enabled by the 2018 EnvC determination, subject to a number of conditions.

- 4.7 Transport related conditions including changes to be made to transport infrastructure such as road widening, obligations for maintenance of roads, the rate of truck movements, and the routes available to quarry trucks.

- 4.8 The 2018 decision also required a guideline to be produced for all quarry truck operators that contained matters such as signage, quarry truck driver behaviour and speed.

- 4.9 The plan change does not change the consented quarry activity. I understand there is no ability for this plan change process to change or modify the existing consent(s).

Change to mix of vehicles

- 4.10 The existing activities and those enabled by the RRPZ and SQPZ attract a variety of vehicles, including large High Productivity Motor Vehicles (HPMV). I do not expect the type or mix of vehicles generated by activities on the land to change as a result of the proposed rezoning.

#### Change to rate of vehicle movement

- 4.11 The proposed rezoning would not change the rate of vehicle movements generated by the land.
- 4.12 The 2018 quarrying consent contains restrictions on the rate of vehicle movements, among other conditions. The proposed rezoning would have no effect on the existing consent.
- 4.13 Any new consent for quarrying would require consent as a Controlled Activity. While Council must grant consent for a controlled activity, Council is empowered to assess “*traffic and access*” transport matters, including “*adverse effects on the safe and efficient functioning of the surrounding road network*”, and to impose conditions to manage (avoid, remedy or mitigate) any such effects.

#### Change to total number of vehicle movements

- 4.14 The stated intention of the proposed change is to extend the life of the quarry.
- 4.15 I have undertaken this assessment on the understanding that the current zoning provides for the quarrying activities to be extended into the future on land to the north of the existing quarry, subject to resource consent.
- 4.16 Given the natural features on the northern block, I understand resource consent for quarrying that land could be achieved, but that it would likely be easier and more cost-efficient to obtain consent for quarrying the land south of the existing quarry.
- 4.17 I understand the proposed change would not materially increase the total volume of minerals that could be extracted from the land, and therefore would not materially increase the total volume of vehicles, including trucks, that could be generated by the land.
- 4.18 With respect to transport matters there is likely to be no material different to the mix, rate, or number of vehicle movements as a result of the proposed change.
- 4.19 If for some reason a new activity on the southern land proposed different access arrangements, they could be assessed and considered at the time of resource consent.

#### Summary

- 4.20 In my assessment, the proposed rezoning would not result in a change to the transport characteristics of activities that could occur on the land, and therefore the change would not produce or enable any change in transport effects.
- 4.21 With respect to transport effects, I consider the proposal to be neutral.
- 4.22 For that reason, in my view the applicant’s assessment of transport matters is adequate.
- 4.23 As I view the proposal as neutral with regard to transport effects, I consider there is no need to assess the plan change against transport aspects of the AUP framework and policies including the Regional Policy Statement, National Policy Statements, or other plans and strategies.

### **5 Submissions**

- 5.1 Seventy-three submissions were received. Most submissions were opposed to the change, and most raised traffic matters.

#### Preface

- 5.2 When considering requests to rezone land, I consider it is best practice to consider the potential traffic effects of activities enabled by the zoning, and then consider if there is at least one way of suitably providing for those activities such that the effects could be managed appropriately. The zone provisions, along with any site-specific provisions, should be evaluated to determine if they are capable of ensuring that an appropriate outcome could be achieved.

- 5.3 At the rezoning level it is not necessary to identify all of the potential ways in which any effect might be managed, as long as there is one feasible way in which activity could be accommodated.
- 5.4 In this case the SPQZ provides Council with control over traffic and access matters.
- 5.5 The 2018 EnvC determination has already settled the question if quarrying activity on this site can be accommodated by the surrounding road network. In that decision the court found that a limited rate and number of truck movements could be accommodated subject to specific measures being taken.
- 5.6 I would expect that any future resource consent application for any new quarrying activity would be subject to similar consideration and conditions.

#### Increased truck movements

- 5.7 This issue was the most prevalent issue raised by submitters, with many concerned about the adverse effects of increased truck numbers.
- 5.8 As outlined above, increased truck numbers could take two forms, namely an increase in the rate of truck movements (per hour or day), or an increase in the total number of truck movements over the lifetime of various quarrying activities in the zone.
- 5.9 Either type of increase would require a new resource consent. As part of that consent process Council would have the ability to assess and control traffic effects, including those generated by trucks. A new resource consent could potentially be obtained with or without the proposed rezoning.
- 5.10 For those reasons, I do not support the submission points seeking the plan change be refused on the basis of an increase in truck numbers.

#### Traffic effects from existing quarry activities

- 5.11 Some submitters expressed concern over a variety of traffic effects generated by the existing quarry. This included concerns that there were too many trucks already, and concerns about damage to roads caused by quarry trucks. Some submitters explicitly requested that the operating hours and traffic volumes in the existing consent be modified.
- 5.12 I understand it is not possible to change the 2018 consent as part of this plan change process, and if this plan change process modified the SPQZ provisions or introduced new site-specific provisions, they would not modify the existing consent.
- 5.13 The EnvC determined in 2018 that the effects of quarrying, subject to a number of conditions, would be acceptable.
- 5.14 For those reasons I do not support the submission points seeking the plan change be refused on the basis of adverse effects being generated by the existing quarry activities.

#### Existing quarry consent conditions not complied with

- 5.15 Many submissions raised concerns that transport upgrades, including paths, required by the 2018 consent have not been implemented. Some submitters were of the view those upgrades should be completed before rezoning. Others were concerned about aspects of the quarry management and operation, such as the speed of quarry trucks on nearby roads.
- 5.16 Any matters relating to compliance with the conditions of consent for the existing quarry activities is outside the scope of this process. Any non-compliance issues would be a matter to for Council to address through an enforcement process which is separate from this process.

Extension of temporary consent condition

- 5.17 Some submitters requested the 2018 consent limited-time condition limiting truck movement through Clevedon Village be extended. The relevant condition is:

*Temporary limits on truck movements and hours of operation*

*28. Notwithstanding conditions 22 - 27 above, the following additional restrictions shall apply:*

- (a) *For a period of 5 years from commencement of consent (Augier condition):*
- (i) *Where temporary restrictions apply to Tourist Road (for example closure due to flooding), the number of quarry truck movements through Clevedon Village shall not exceed 200 per day.*

- 5.18 When Condition 28 lapses, Condition 26 still applies:

*26. The Consent Holder shall take all practicable measures to ensure that no quarry trucks shall use the section of McNicol Road north of Tourist Road, unless they are visiting Clevedon, or are associated with deliveries (in this area or environs beyond), or are required to use this route due to temporary restrictions imposed on Tourist Road.*

- 5.19 Condition 28 was an Augier condition, meaning it was proposed voluntarily by the applicant. I am not aware of the reasons for that condition being offered by the applicant, or why it was limited to five years.

- 5.20 As noted above, this process cannot change the 2018 consent conditions.

- 5.21 With respect to modifying the zone provisions, or introducing site-specific provisions restricting travel through the village, I currently have not seen sufficient evidence for me to conclude that the proposed change to the zoning would be any different type or worse than could be expected under the current zoning, or that a site-specific provision addressing this would be justified.

- 5.22 I also have some reservations about the practical enforcement of such a condition.

Road network inadequate and/ or additional road upgrades required

- 5.23 This matter addresses the adequacy of the road network, other than pavement life and road maintenance, which I address separately below.

- 5.24 Multiple submitters are of the view that the road network is inadequate for the existing volume of trucks, or for an increased number of trucks. Some submissions mentioned safety for pedestrians, cyclists, and equestrians.

- 5.25 Specific points of the road network mentioned by submitters include:

- a) The width of McNicol Road next to the river, particularly after recent weather events;
- b) The one-lane bridge on Tourist Road;
- c) Suitability of Otau Mountain Road;
- d) Poor sightlines at the McNicol / Tourist and Tourist/ Monument intersections;

- 5.26 There are some deficiencies in the road network; however in 2018 the EnvC considered those deficiencies and determined the quarrying activity could be managed.

- 5.27 The suitability of Otau Mountain Road, and other parts of the road network, would be considered if and when a new resource consent was lodged.

- 5.28 Based on the material I have reviewed to date, principally the 2018 determination, I am of the view that there is at least one practical means for accessing activities on the land enabled by the proposed zoning. In the first instance that would be continuing to use McNichol Road for access, together with Tourist Road as the primary route.
- 5.29 There may need to be some additional upgrades for a new consent. In my view that is a matter properly addressed during the resource consent process at that time.
- 5.30 For that reason I do not support the submission points requesting the plan change be refused on the basis of the road network being inadequate or requesting site-specific provisions for particular mitigation measures.

Alternative transport modes

- 5.31 Submitters a critical of the proposal for not considering alternative modes of transport such as rail.
- 5.32 I have not undertaken any numerical analysis of a heavy rail transport option. My subjective assessment is that establishing a new railway to the site is highly unlikely to be an economically viable option. It is also an option that would have numerous effects on the environment along the route. Even if a railway was already in place, I suspect that operating trains to transport material from the quarry may not be economically viable.
- 5.33 I do not support the submission points requesting the plan change be refused on the basis of an insufficient assessment of alternative transport modes.

Road maintenance costs and responsibilities

- 5.34 Several submitters have expressed concern that the roads used by trucks transporting material from the quarry have deteriorated, or similar concerns about the maintenance of the road.
- 5.35 Auckland Transport's submission also expresses concern about this point and requests additional provisions or other mechanisms to address these issues. Part of AT's submission states:

*1.7 ... An extended operating lifespan of the Quarry will increase the timescale over which pavement damage would be caused by HCV traffic on McNicol and Tourist Roads which, in turn, will increase the risk to the safety of road users.*

*1.8 Auckland Transport is concerned that there are no proposals within the Plan Change documentation to mitigate long term adverse transport effects on McNicol and Tourist Roads (in particular pavement damage and resulting safety concerns).*

*1.9 Auckland Transport's position is supportive of the Plan Change subject to incorporation of precinct provisions or alternative mechanisms to address the matters raised within this submission.*

- 5.36 As noted above, I am of the view the proposed rezoning would not necessarily increase the total number of truck movements generated by the land; and, if it did, then this matter is most appropriately dealt with at the time of resource consent.
- 5.37 As others may have a different view on that point, it may be useful to explore this matter further.
- 5.38 As background, flexible road pavements like those in this area have a limited service life, which is typically a function of the number of wheels passing over the road, and the weight each wheel places on the road. In general, heavy vehicles cause more damage than light vehicles.
- 5.39 In New Zealand revenue collected from vehicle use is placed in the National Land Transport Fund (NLTF). That fund is distributed by central government to road controlling authorities such as Auckland Transport and used to fund new infrastructure and maintenance of infrastructure. The fund revenue is collected from road user charges (RUCs) and fuel excise duties (FUDs).

- 5.40 Heavy vehicles pay RUCs regardless of fuel source, and RUCs are determined based on the distance travelled, the number of axles and wheels, and the weight of the vehicle. Large heavy vehicles pay higher charges per kilometre.
- 5.41 There has been considerable debate about cost apportionment for road maintenance for activities that generate significant numbers of truck movements, particularly on minor roads. The principal arguments on each side of the debate as I understand them are:
- a) Roads are public assets which should be available for anyone to use. All motor vehicles contribute to maintenance of roading infrastructure via the NTLF revenue. It is Auckland Transport's responsibility to maintain roads using the funds it collects from a variety of sources including the NTLF.
  - b) Frequent and repeated use of a road by heavy vehicles can accelerate pavement wear and the need to undertake both spot-maintenance (like pot-hole repair) and large-scale maintenance such as pavement rehabilitation or reconstruction over a length of road. The costs of this maintenance are not always covered by the NTLF funding, so ratepayers must make up the shortfall, which can be perceived as unfair when a private entity receives most of the benefit.
- 5.42 This matter was considered by the EnvC in 2017<sup>4</sup> in relation to a clean-fill site in Diary Flat, accessed by a minor rural road where a condition relating to road upgrading and maintenance was the main issue between the applicant and Council.
- 5.43 The decision discusses the matter at some length (paragraphs 73 to 104). In that case the court declined to impose a road maintenance condition on the clean-fill activity. The final paragraph on that topic reads (emphasis added):
- [104] We consider that the road upgrading issue in this case can be squarely addressed by the road controlling authority through any of a number of options for the management of the road, as outlined above. We note that it may also be possible for the consent authority to address the broader issue through its policy on development contributions but, as we have already indicated, we cannot presume that the Council should make a policy to address these circumstances and so we do not give that any weight. These options may also enable one or both of those authorities to consider the most appropriate basis for enabling fill operations on sites with access via local roads while placing the burden of the cost of any damage to those roads on the person or persons who most appropriately should bear that cost, who may be the operators of the sites that receive the fill material, or the operators of the truck operations that transport the material on these roads, or the land developers whose activities generate the material.*
- 5.44 The 2018 EnvC determination on the current Clevedon Quarry contains Condition 65 that requires the consent holder to undertake limited forms of road maintenance at its cost for a set period, which has now expired. Notably, this was an Augier condition. The quarry operator is no longer required to contribute to road maintenance.
- 5.45 I accept that the existing quarry activities, and any future ones, would damage parts of McNicol and Tourist Road. It is also accepted that if AT does not pay sufficient attention to maintenance of those roads that adverse safety effects could arise. On the basis of the 2017 EnvC decision I do not accept that a quarry operator should be responsible for funding or undertaking maintenance of the road.
- 5.46 I do not support the submission points requesting additional provisions to manage the maintenance of roads as:
- a) I am of the view the proposed rezoning would not necessarily increase the number of trucks;
  - b) These effects are appropriately addressed at the time of resource consent; and

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<sup>4</sup> Norsho Bulc Ltd vs Auckland Council (ENV-2016-AKL-000168), Decision 2017 NZ EnvC 109.

c) The Environment Court has declined to impose similar measures in a similar case.

## **6 Franklin Local Board**

6.1 Council has provided me with the minutes of the 23 May 2023 meeting of the Franklin Local Board where the Board resolved to provide views on the Plan Change. While the Board is not a submitter, the panel may wish to consider the comments, and I have provided some commentary on the points made by the Board where relevant to transport.

*That the Franklin Local Board:*<sup>5</sup>

a) *provide local board views on Private Plan Change 89 by Stevenson Aggregates Ltd for 546 and 646 McNicol Road and 439 Ottau Mountain Road, Clevedon as follows:*

i) *continue to have concern on the detrimental effect to the roading network to and from the quarry and in particular roads within the Clevedon area. The board supports the Auckland Transport submission expressing the same concern.*

6.2 As noted above, I do not support the Auckland Transport submission point in relation to road maintenance, so do not support this comment by the Board.

iii) *note that any future consent because of this plan change does not incur additional truck movements, does not change hours of operation and there are no adverse effects to the ecology of the area.*

6.3 In my view, these matters can be and should be addressed as part of any resource consent process.

iv) *request Auckland Transport and the applicant seek a public / private partnership to address the deteriorating roads and one lane bridge on the main route from the quarry, given Clevedon roads were not built for large trucks and heavy loads*

6.4 While relevant to transport, this is a matter to be addressed outside this Plan Change process.

vi) *request Auckland Transport review the safety of Monument Road/Tourist Road intersection (given recent near-miss accidents) and safety of Creightons/Tourist/Papakura-Clevedon Road intersection.*

6.5 This is a matter to be addressed by Auckland Transport outside this Plan Change process.

## **7 Conclusions and recommendations**

7.1 The proposal involves rezoning two similarly sized areas of land, effectively moving the Special Purpose Quarry Zone to the south.

7.2 As the proposed rezoning would not change to the activities enabled in this area, the type and mix of vehicles using the road(s) accessing the land is not expected to change.

7.3 The proposed rezoning would not change existing resource consents or activities. As there are no changes to existing consents, and any new mineral extraction (quarrying) activities require consent, in my view the proposed change would not change the rate of vehicle movement on the surrounding road network.

7.4 I understand that without the proposed rezoning the quarry could be expanded to the north in future, subject to resource consents being obtained. My understanding is that the proposed rezoning would not necessarily extend the life of the quarry or result in a greater volume of material being extracted, rather it would reduce adverse effects, making consent easier and more economically viable. For that reason, in my opinion the proposed rezoning would not necessarily result in the total number of vehicle movements over time increasing.

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<sup>5</sup> Item 17, page 16. Minutes of Franklin Local Board 23 May 2023. Points not relevant to transport are omitted.



7.5 On that basis, in my view:

- a) the applicant has adequately assessed the plan change effects on the transport environment;
- b) the plan change is neutral with respect to the direction and framework of the AUP, including the Regional Policy Statement;
- c) the plan change is neutral with respect to National Policy Statements and other relevant strategies and plans.
- d) The plan change is neutral with respect to effects on the transport environment.

7.6 To conclude, I support the plan change without modification.

19 June 2023

To: David Wren, Consultant Planner, Auckland Council  
From: Carl Tutt – Senior Ecologist, Auckland Council

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**Subject: Private Plan Change – PC89 – Clevedon Quarry – Terrestrial Ecology Assessment**

## 1.0 Introduction

- 1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to terrestrial ecology effects.
- 1.1.1 I hold the qualifications of Bachelor of Science in Biology and Post Graduate Diploma in Environmental Management from Auckland.
- 1.1.2 I have 11 years' experience working as an ecologist in private and local government sectors.
- 1.1.3 I have completed the Auckland Council Stream Ecological Valuation (SEV) training (2015).
- 1.1.4 I am a professional member of the New Zealand Ecological Society, Environment Institute of Australia and New Zealand, New Zealand Freshwater Sciences Society and New Zealand Herpetological Society.
- 1.1.5 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and have complied with it in preparing this evidence. Other than where I state that I am relying on the advice of another person, this evidence is within my area(s) of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.2 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to freshwater ecological effects.
- 1.3 In writing this memo, I have reviewed the following documents:
- Clevedon Quarry Private Plan Change Request, Planning Assessment: Assessment of Environmental Effects, prepared by Tollemache Consultants Limited, dated September 2021.
  - Ecological Assessment by RMA Ecology dated August 2022. (hereafter referred to as the 'ecological report')
  - Private plan change application – 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon – further information request, prepared by Tollemache Consultants Limited, dated 25 July 2022.
- 1.4 I undertook a site visit on 8 June 2023.

## 2.0 Key terrestrial ecology issues

- 2.1 The plan change seeks:
- 2.1.1 31.80 ha of 546 McNicol Road to be rezoned from Special Purpose - Quarry Zone (**SPQZ**) to Rural – Rural Production Zone (**RPZ**);
- 2.1.2 0.15 ha of 439 Otau Mountain Road to be rezoned from RPZ to SPQZ; and 31.54 ha of 646 McNicol Road to be rezoned from RPZ to SPQZ

- 2.2 In effect, the direction of future quarry activity is proposed to be re-orientated from the north to the south.
- 2.3 From an ecological perspective the key point to note is that the quarry activity is being reorientated away from areas that have been identified as a Significant Ecological Area (SEA) (SEA\_T\_5588) and Natural Stream Management Area (NSMA).
- 2.4 No other changes are proposed to the provisions of the Auckland Unitary Plan (AUP). The rezoning from RPZ to SPQZ have no impact on the provisions under chapter E15 of the AUP:OP. Vegetation removal would remain a restricted discretionary activity with specific matters of discretion (E15.8.1 (3)) and assessment criteria (E5.8.2(3)) applying to indigenous vegetation removal within a SPQZ.
- 2.5 One concern arises around the impacts on indigenous fauna in relation to vegetation removal from the proposed southern area. The AUP:OP and NES:PF have existing objectives, policies, standards and/or regulations to protect biodiversity which is identified in overlays, riparian areas, and wetlands. There are no mechanisms to protect indigenous fauna in forested area outside of these areas.
- 2.6 A number of indigenous fauna; bats, lizards, frogs, birds, and invertebrates protected by the Wildlife Act 1953 occur within plantation forests. Given this particular site borders the Hunua Ranges Regional Park which has very high ecological values, effects on bats, lizards, birds, and invertebrates (kauri snail etc), in my opinion, should also be considered as part of the future harvest of the plantation forest on site.

### **3.0 Applicant's assessment**

- 3.1 The applicant provides a high-level description and assessment of the terrestrial values in section 5 of the Ecological Assessment. No formal site-specific fauna surveys have been undertaken; the application relies on existing records of fauna within varying distances from the site.
- 3.2 The applicant concludes that certain fauna may be present on site however potential effects or measurements to manage those effects have not been discussed.
- 3.3 A range of potential opportunities to manage impacts of the proposed rezoning from RPZ to SPQZ have been included in section 8 of the Ecological Assessment.

### **4.0 Assessment of terrestrial ecological effects and management methods**

- 4.1 Shifting the SPQZ to the south of the existing quarry is supported as it will avoid future impacts on Significant Ecological and Natural Stream Management Areas to the north.
- 4.2 The applicant concludes that the existing AUP:OP and NES:PF objectives, policies and rules are suitable to manage the anticipated ecological effects from the development. This is not entirely correct as the existing AUP:OP and NES:PF objectives, policies standards and/or regulations manage biodiversity values in identified overlays such as significant ecological areas or riparian areas and wetlands. The existing provisions are not entirely suitable to manage the ecological effects in some areas of this proposed new zone location. In my opinion additional provisions are required to ensure that impacts on fauna are managed across the whole new SPQZ area.
- 4.3 It is recommended that a provision is included with this private plan change that requires a Fauna Management Plan to be produced to ensure that effects on fauna associated with vegetation removal are managed across the quarry footprint.
- 4.4 While fauna are protected under the Wildlife Act, and standards of the Unitary Plan afford discretion in overlays, riparian and wetland areas. The new proposed rezoned area being primarily in plantation forest exposes some gaps as following harvesting the pine forest will not be replaced. In typical plantation forests, harvesting occurs followed by afforestation which over time returns the area back to plantation forest. Fauna are able to recover and recolonise as habitat grows and develops over time. In this case the area will be quarried as opposed to afforested. This proposal will remove that cycle of habitat and

fauna population recovery. Plantation forestry can provide high biodiversity fauna values as has been realised at the proposed Dome Valley Landfill site. Additionally, as this site backs onto the Hunua Ranges Regional Park the biodiversity values within this site are potentially higher than forestry sites in other parts of the Auckland Region.

## **5.0 Submissions**

- 5.1 Plan Change 89 was notified and 73 submissions have been received.
- 5.2 Several submissions were received by members of the Clevedon Protection Society which raised two key concerns in relation to terrestrial ecological values.
  - 5.2.1 previous ecological reports by Boffa Miskell concluding that the site has high ecological values, and this recent report suggests low ecological values.
  - 5.2.2 Impacts specifically on native long-tailed bats which have recently been discovered along the Wairoa River adjacent to the quarry.
- 5.3 The current Ecological Assessment notes that the ecology values are described in detail in the Boffa Miskell report for ENV-2018-AKL-000044. The assessment does not contradict the biodiversity values identified in the Boffa Miskell report but adds additional detail in relation to the proposed SPQZ area. The ecological values of the site overall remain high, however some aspects of the ecology in the southern area of the quarry will be of lower value than the northern area which has both SEA and NSMA overlays.
- 5.4 There have been a number of bat surveys undertaken within 5km of the subject site within the last 10 years. From 11 surveys across this time period there were 392 bat passes detected, with majority of those detections being the Hunua Ranges and Ness Valley. Most recently Auckland Council funded EcoQuest Education Foundation Te Rarangahau Taiao to undertake surveys of bats in the Franklin area, including the wider Wairoa river catchment.
- 5.5 Given the proximity of this site to the Hunua Ranges which is a known regional stronghold for long-tailed bats it is likely that bats will utilise the site for feeding/roosting or transiting. There are additional effects on indigenous fauna which will not be accounted for within the current AUP:OP and NES:PF provisions. Therefore, additional provisions to ensure fauna effects are managed appropriately have been recommended below.

## **6.0 Conclusions and recommendations**

- 6.1 The applicant adequately assessed the private plan change effects on the environment related to terrestrial ecology effects.
- 6.2 The private plan change avoids effects on the areas of higher ecological value on site.
- 6.3 The applicant has incorrectly concluded that all effects on ecology can be managed under the existing AUP:OP and NES:PF objectives, policies, standards and/or regulations.
- 6.4 I am able to support the zone change with the following modification.
  - 6.4.1 To ensure that effects on indigenous fauna are managed across the site, a sitewide Fauna Management Plan for birds, bats, herpetofauna and invertebrates (identified as animals in Schedule 7 of the Wildlife Act 1953) should be developed that details management measures to be implemented to reduce effects on indigenous fauna from vegetation removal, noise and light will be managed.

03 July 2023

To: David Wren - Planning Consultant on behalf of Auckland Council  
From: Rebecca Ramsay – Senior Specialist: Heritage, Heritage Unit, Plans and Places Department

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**Subject: Proposed Private Plan Change – PC 89, 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon – Historic Heritage Assessment**

## **1.0 Introduction**

- 1.1 I have undertaken a review of the proposed private plan change (PC 89), on behalf of Auckland Council in relation to historic heritage effects. My assessment is limited to a desktop review of the plan change area.
- 1.2 My review has not addressed effects on mana whenua cultural values other than in relation to information gaps. The cultural and other values that mana whenua place on the area may differ from its historic heritage values and are to be determined by mana whenua. It is the applicants' responsibility to consult with mana whenua to determine mana whenua values.
- 1.3 I have a Master of Arts degree with first class honours in anthropology (archaeology) specialising in New Zealand archaeology. I have worked in the field of historic heritage management for nearly eight years. My experience spans archaeology (including landscape archaeology) and heritage policy.
- 1.4 In writing this memo, I have reviewed the following documents:
  - Clevedon Quarry Private Plan Change Request. Planning Assessment: Assessment of Environmental Effects. September 2021. Prepared by Tollemache Consultants Ltd for Stevenson Aggregates Ltd
  - PC 89 – Clause 23 response Clevedon Quarry 25-07-2022
  - Summary of Decisions Requested and
  - McNicol Road Quarry, Clevedon: archaeological assessment. May 2017. Prepared by CFG Heritage for Fulton Hogan Limited.

## **2 Key Historic Heritage Issues**

- 2.1 The key issue in relation to historic heritage is whether the application has sufficiently assessed and addressed actual or potential effects on historic heritage.

## **3 Applicant's assessment of historic heritage values, adverse effects and mitigation methods**

- 3.1 The applicant provides comments on historic heritage matters within sections 2.12 and 5.3 of the plan change request, assessment of environmental effects. Key points include:
  - The site at 546 McNicol Road has been surveyed by CFG Heritage as part of the resource consent (decision [2018] NZEnvC 96). No evidence of pre-1900 archaeology or heritage, or significant 20th century heritage, was found within the property, either during the historic research or the field survey.
  - The area of proposed rezoned Special Purpose Quarry Zone (**SPQZ**) within 646 McNicol Road and 439 Otau Mountain Road is not identified in the Auckland Unitary Plan (**AUP**), Council's Cultural Heritage Inventory, Heritage New Zealand Pouhere Taonga (**HNZPT**) or by New Zealand Archaeological Association as containing any known or scheduled archaeological sites.

- There is a low likelihood of unrecorded historic heritage places to be present within the proposed SPQZ due to the steep and rocky topography of the subject area<sup>1</sup>. Topographic constraints and vegetation cover also limit archaeological site survey due to poor site visibility and from a health and safety perspective.
- That the potential for unrecorded historic heritage sites can be managed through the existing AUP provisions (including the accidental discovery rules set out in E11.6.1 and E12.6.1) and further heritage reporting can be provided through the resource consent process, which was the approach undertaken for decision [2018] NZEnvC 96. Further, the potential for unrecorded archaeological places can be managed through the provisions of the Heritage New Zealand Act (2014) through a precautionary archaeological authority.

## 4 Submissions

### 4.1 Heritage New Zealand

- 4.1.1 Heritage New Zealand Pouhere Taonga (HNZPT) (#60) has submitted in relation to historic heritage and seek the following decision:

"Accept the proposed plan change PP89 (Private) with amendments as required to protect historic heritage and archaeology following the completion by a qualified archaeologist of an archaeological assessment of the area to be re-zoned to SPQZ on 439 Otau Mountain Road and 646 McNicol Road."

- 4.1.2 The HNZPT submission<sup>2</sup> sets out that while an archaeological assessment has been completed for 564 McNicol Road<sup>3</sup>, it is not appropriate to rely on that report to determine the presence of pre-1900 archaeology or heritage at 439 Otau Mountain Road and 646 McNicol Road, now proposed to be rezoned for quarrying purposes.
- 4.1.3 Further, that without a full assessment of the plan change area there is insufficient information to rely on the AUP Accidental Discovery Rule (E11.6.1 and E12.6.1) and a precautionary Archaeological Authority from HNZPT.
- 4.2 Other submissions mention potential adverse effects on heritage and culture more generally, however no specific requested decisions are provided.

#### Response to Submissions

- 4.3 From review of the CFG Heritage archaeological assessment, Cultural Heritage Inventory and NZAA ArchSite Database, there are no recorded historic heritage places within the plan change area. Additional background research has not flagged potential unrecorded historic heritage places. Further, Mana Whenua consultation undertaken by the applicant has not identified any specific wāhi tapu or wāhi tūpuna places which may also have associated historic heritage values<sup>4</sup>.
- 4.4 While I understand the concerns raised by HNZPT with regards to the level of reporting applying a precautionary approach to archaeological sites, in this instance I support the approach proposed by the applicant to prepare further historic heritage reporting at the consenting phase, also noting that further reporting will also be required to apply for an Archaeological Authority from HNZPT<sup>5</sup>.
- 4.5 In my opinion, due to the sites topographic constraints and vegetation cover limiting field work and potential site visibility<sup>6</sup> further assessment should be undertaken once detailed design has been progressed to inform a more targeted field survey methodology.

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<sup>1</sup> CFG Heritage 2017: p. 7.

<sup>2</sup> Submission #60, Paragraphs 10-15.

<sup>3</sup> CFG Heritage 2017 prepared for 2018 consent application decision [2018] NZEnvC96.

<sup>4</sup> AEE Sections 5.3.1-5.3.8.

<sup>5</sup> AEE Sections 5.3.4 - 5.3.6.

<sup>6</sup> See also CFG Heritage 2017.

4.6 Any currently unrecorded historic heritage places which may be recorded through further reporting at the consenting phase can be appropriately managed through the current AUP provisions and authority requirements under the HNZPT Act (2014).

## **5 Conclusions and recommendations**

5.1 Any heritage effects associated to the plan change can be appropriately managed through the existing provisions in the AUP and under the Heritage New Zealand Pouhere Taonga Act (2014).

5.2 Overall, I can support the proposed plan change with no recommended modifications to the provisions.

