

# CLEVEDON QUARRY PRIVATE PLAN CHANGE REQUEST

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Stevenson Aggregates Limited

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## Planning Assessment: Assessment of Environmental Effects



Application to Auckland Council pursuant to Schedule 1 of the Resource Management Act 1991

546 and 646 McNicol Road and 439 Otau Mountain Road,  
Clevedon



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# DOCUMENT CONTROL RECORD

**PROJECT:** Clevedon Quarry Private Plan Change

**DOCUMENT:** Planning Assessment: Assessment of Effects on the Environment

**CLIENT:** Stevenson Aggregates Ltd

**PROJECT LOCATION:** 546 and 646 McNicol Road and 439 Ottau Mountain Road, Clevedon

**AUTHOR:** Mark Tollemache

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## TABLE OF CONTENTS

1.	Introduction.....	6
1.1.	Private Plan Change Rezoning .....	6
1.2.	Necessity for a Private Plan Change .....	7
2.	Site and surrounds .....	8
2.1.	Applicant Details .....	8
2.2.	Subject Sites .....	9
2.3.	Current Zoning .....	10
2.4.	Zoning History .....	11
2.5.	Current Land Use / Granted Consent .....	11
2.6.	Access and Roading Environment .....	14
2.7.	Landform and Topography .....	16
2.8.	Vegetation and Habitat.....	18
2.9.	Streams and Wetlands .....	19
2.10.	Geology .....	20
2.11.	Groundwater .....	21
2.12.	Archaeology.....	21
2.13.	Adjacent Properties and Wider Surrounds.....	21
2.14.	Acoustic Environment.....	22
2.15.	Value of the Aggregate Resource .....	23
2.16.	Stevenson Aggregates Ltd and Fulton Hogan Ltd .....	26
3.	Statutory Context .....	26
3.1.	Resource Management Act 1991 .....	26
3.2.	Council's Options for Dealing with PPC Request .....	29
4.	Section 32 Evaluation .....	31
4.2.	Alternative Approaches (zoning and provisions application) .....	32
4.3.	Objectives Evaluation.....	36
4.4.	Evaluation of Provisions/Methods .....	36
5.	Assessment of Environmental Effects.....	37
5.2.	Social Effects.....	38
5.3.	Archaeological / Cultural Heritage Effects .....	38
5.4.	Landscape and Visual Effects .....	39
5.5.	Noise and Vibration Effects.....	41
5.6.	Ecological Effects.....	42
5.7.	Stormwater and Erosion and Sedimentation Effects .....	42
5.8.	Effects on Groundwater .....	43
5.9.	Transportation Effects .....	43
5.10.	Risk from hazards and contamination.....	44
5.11.	Positive effects.....	44
5.12.	<i>Overall summary of environmental effects</i> .....	46
6.	Assessment of statutory and non-statutory documents.....	46

6.2.	National Policy Statement on Urban Development 2020 .....	47
6.3.	New Zealand Coastal Policy Statement 2010 .....	47
6.4.	National Policy Statement for Freshwater Management 2020 .....	47
6.5.	Auckland Unitary Plan - Regional Policy Statement .....	48
6.6.	Auckland Unitary Plan – District and Regional Plan Objectives and Policies.....	52
6.7.	The Auckland Plan 2050 .....	60
6.8.	Iwi Planning Documents and Statutory Acknowledgements .....	61
7.	Part 2 of the RMA .....	61
8.	Consultation.....	64
9.	LIMITED NOTIFICATION .....	64
10.	Conclusion .....	65

## **Attachments and Supporting Documents**

Attachments to this Report include:

- (a) **Attachment 1** Records of Title
- (b) **Attachment 2** Proposed Plan Change Zone Map
- (c) **Attachment 3** Ecology Assessment by RMA Ecology Ltd
- (d) **Attachment 4** Noise Assessment by Marshall Day Ltd
- (e) **Attachment 5** Geology Assessment by Riley Consultants Ltd
- (f) **Attachment 6** Correspondence on Zoning Correction
- (g) **Attachment 7** Current Quarry Resource Consent
- (h) **Attachment 8 Consultation Register**

## 1. INTRODUCTION

1.0.1 This report has been prepared to support a request for a Private Plan Change (“PPC”) to the Auckland Unitary Plan: Operative in Part (“AUP”) made by Stevenson Aggregates Ltd pursuant to the First Schedule of the Resource Management Act (“RMA”) for the sites at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon.

### 1.1. Private Plan Change Rezoning

1.1.1 The PPC comprises the rezoning and map amendments as follows:

- (a) 31.80 ha of 546 McNicol Road to be rezoned (“down-zoned”) from Special Purpose - Quarry Zone (“SPQZ”) to Rural – Rural Production Zone (“RPZ”);
- (b) 0.15 ha of 439 Otau Mountain Road to be rezoned (“up-zoned”) from RPZ to SPQZ; and
- (c) 31.54 ha of 646 McNicol Road to be rezoned (“up-zoned”) from RPZ to SPQZ.

1.1.2 The PPC effectively 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 in 646 McNicol Road which is contiguous and immediately adjacent to the existing SPQZ that remains in the southern half of 546 McNicol Road.

1.1.3 The applicant also seeks that the Council corrects the extent of SPQZ (1.5ha error) within 546 McNicol Road as per the correspondence in **Attachment 6**.

1.1.4 The total area of the proposed SPQZ would be 73.78ha compared with the existing operative extent of 73.88ha.

1.1.5 No change is proposed to the Quarry Buffer Area Overlay (“**QBAO**”) outside the site. This will remain a 500m circumference around to the north and western edge of the revised SPQZ. It is proposed to delete the QBOA within 646 McNicol Road where this land is proposed to be rezoned SPQZ. This is a consequential mapping amendment to this overlay.

1.1.6 No changes to any other provision of the AUP are proposed. No change is proposed to the Outstanding Natural Feature overlay (“**ONF**”), Natural Stream Management Area (“**NSMA**”) or Significant Ecological Areas overlay (“**SEA**”).

1.1.7 The above is summarised in the figure below, contained in **Attachment 2**.

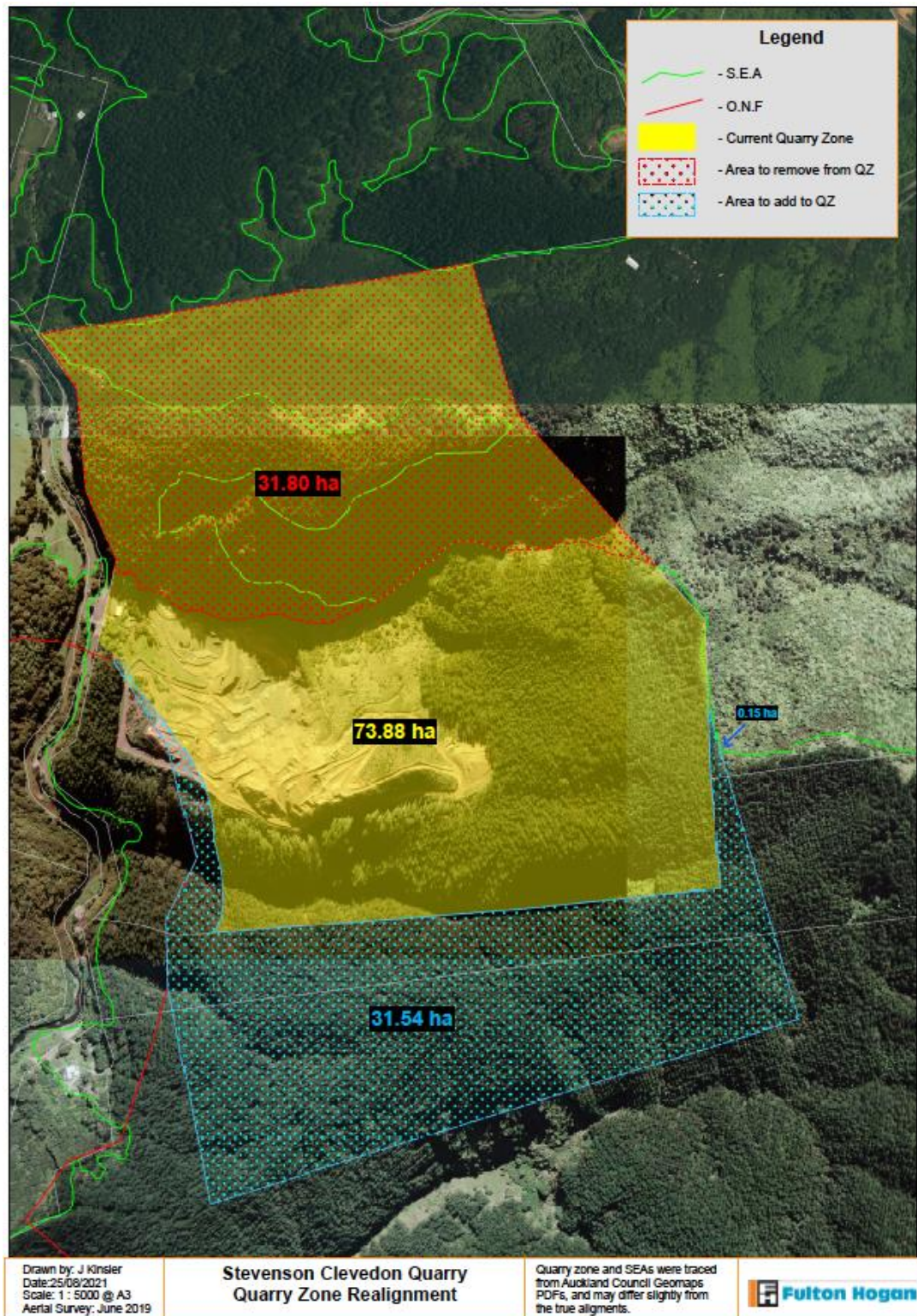


Figure: Proposed AUP rezoning

## 1.2. Necessity for a Private Plan Change

- 1.2.1 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.

- 1.2.2 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.
- 1.2.3 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.
- 1.2.4 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<sup>1</sup> 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.
- 1.2.5 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.
- 1.2.6 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 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.

## 2. SITE AND SURROUNDS

### 2.1. Applicant Details

<b>APPLICANT</b>	Stevenson Aggregates Ltd.
<b>SITE ADDRESS</b>	546 and 646 McNicol Road and 439 Otau Mountain Road.
<b>LEGAL DESCRIPTION</b>	A list of properties and legal descriptions are below and in <b>Attachment 1</b> .
<b>DISTRICT PLAN</b>	Auckland Unitary Plan: Operative in Part.
<b>CURRENT ZONING</b>	SPQZ and RPZ.
<b>OVERLAYS</b>	Natural Resources: Significant Ecological Areas Overlay - SEA_T_5588, Terrestrial  Natural Resources: Natural Stream Management Areas Overlay [rp]  Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Clevedon East Waitemata Aquifer

<sup>1</sup> as identified by condition 49 of Environment Court decision [2018] NZEnvC 96 in respect to screening



Natural Heritage: Outstanding Natural Features Overlay  
[rcp/dp] - ID 237, Wairoa River Gorge

Infrastructure: Quarry Buffer Area Overlay

**DESIGNATIONS / SPECIAL  
LIMITATIONS**

Refer to the AUP Planning Maps.

**2.2. Subject Sites**

2.2.1. The table below outlines the properties subject to this PPC request. The Records of Title and instruments are included in **Attachment 1**. It is noted that only a very small portion of 439 Otau Mountain Road is subject to this application (approximately 0.15ha currently planted in pines and outside of the SEA located within that site).

Property Address		Legal Description	Title Area
546	McNicol Road	LOT 1 DP 169491	80.5142 ha
646	McNicol Road	LOT 12 DP 49440, LOT 1 DP 177738, LOT 2 DP 177738, LOT 3 DP 177738	398.054 ha
439	Otau Mountain Road	LOT 1 DP 56208	65.7614 ha

## 2.3. Current Zoning

- 2.3.1. The majority of the Quarry site (546 McNicol Road) is zoned SPQZ in the AUP, although part of the site is zoned RPZ (where subject to the ONF). Both adjacent application sites (646 McNicol Road and 439 Otau Mountain Road) are zoned RPZ.

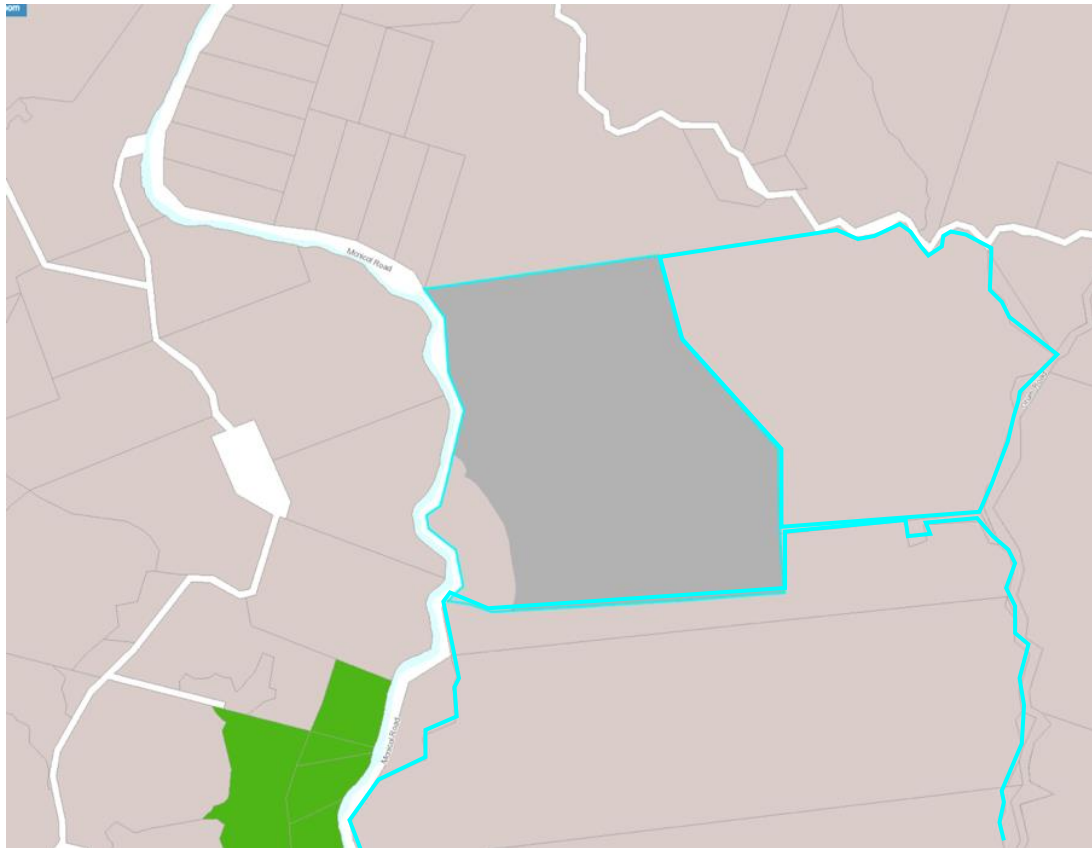


Figure: AUP Zoning (grey SPQZ, light brown RPZ)

- 2.3.2. The AUP zoning and overlays in relation to the site/proposed SPQZ extent are illustrated in the figure below. A portion of the existing SPQZ site (where a stream exists to the north) is subject to the NSMA (blue dotted overlay). A large portion of the northern half of this site is also subject to an SEA (green cross overlay). No existing or consented quarry development is located in these overlays, with the existing quarry operations and consented area located south of the Northern Stream (which generally runs east to west through the middle of 546 McNicol Road).
- 2.3.3. The QBAO is illustrated by a brown diamond overlay. Part of 546 and 646 McNicol Road is subject to an ONF, which is illustrated in dotted green overlay.

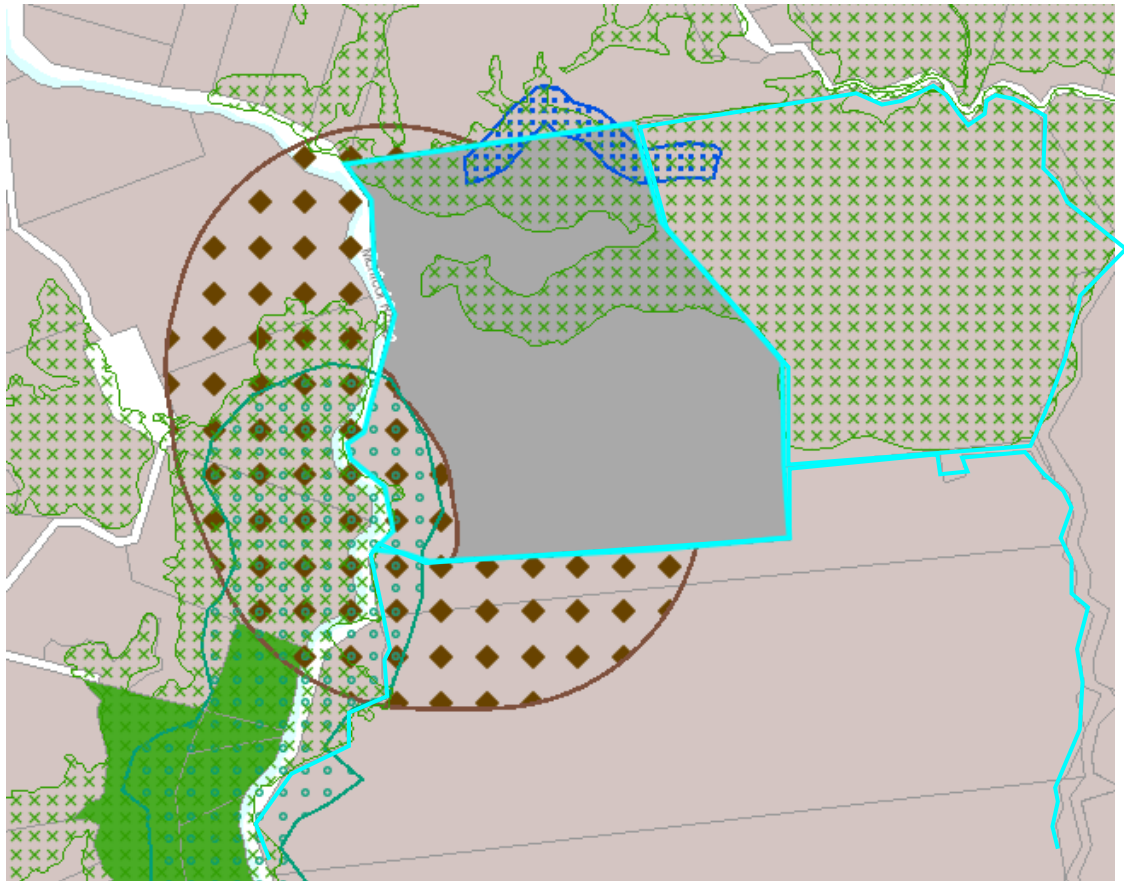


Figure: AUP Overlays

## 2.4. Zoning History

- 2.4.1. The extent of the SPQZ resulted from the process associated with the Proposed Auckland Unitary Plan (“**PAUP**”). The notified PAUP proposed that 546 McNicol Road had a split zone with a SPQZ applying to the area (7.6 ha) of the quarrying overlay from the Auckland Council District Plan: Manukau Section and the RPZ applying to the remainder of the site. The previous landowner submitted on the PAUP seeking the rezoning of the whole site to SPQZ. The majority of this submission was accepted in the decisions version of the AUP. The scope of that submission was limited to 546 McNicol Road so there was no opportunity to consider the wider issue of the better direction for the expansion of the quarry (whether to north or south of the pit that existed at that time). Fulton Hogan did not purchase 646 McNicol Road until after the AUP became operative.

## 2.5. Current Land Use / Granted Consent

- 2.5.1. The Quarry began operating as Shaw Quarry in 1978. Warren Fowler purchased the site in 1995 from Warren Shaw Limited and the quarrying operations progressively developed and expanded since that time. The previous resource consent, being a decision of the Environment Court dated 22 February 2000 (*Walker v Manukau City Council* C34/2000), allowed the operation from 2000 to 2018 (prior to the issue of the Environment Court decision [2018] NZEnvC 96 (“**decision [2018] NZEnvC 96**”)).
- 2.5.2. Stevenson Aggregates Limited now operates the quarry after Fulton Hogan Ltd purchased it in 2016.

- 2.5.3. Resource consent (Council reference BUN60302442) was granted by the Environment Court on 25 June 2018 and referenced as [2018] NZEnvC 96 (**Attachment 7**). This allowed for the expansion of the quarry and an increase in annual production of up to approximately 3 million tonnes per year. The maximum production rate is not expected to be reached until an estimated eight to ten years. The consented quarry expansion extends over the pit to cover an additional area of approximately 13 ha beyond the 16 ha quarry which operated prior to 2018.
- 2.5.4. The current activities occurring on site include the operation of the quarry pit, use of a processing and stockpile area and the quarry operations area. The quarry operations area relates to the access tracks, haul roads and erosion and sediment control devices located outside the pit and required to support the operations undertaken in the quarry pit itself and the processing and stockpile area.
- 2.5.5. A quarry involves a large number of interrelated activities. As well as the extraction of rock itself, equally important activities include overburden removal, disposal of that overburden within the site (or exported offsite), processing of aggregate by crushing, screening, washing and blending, as well as storing, distributing and selling the aggregate, amenities such as workshop and staff and employee office and administration facilities, equipment park up areas, treating storm water and wastewater as well as landscaping and rehabilitation works.
- 2.5.6. Furthermore, when designing and developing a quarry pit, the focus must be on ensuring a safe and efficient pit design in which the economic development is consistent with environmental management, for present and future generations. This will require developing the pit in accordance with a "life of mine" plan and will inevitably require initial enabling works (overburden removal etc) some considerable distance from any current active areas. Haul roads and other facilities also need to be located in logical places, to enable safe and efficient operations.
- 2.5.7. The operation includes the following mineral extraction activities and operations:
- Removal of overburden.
  - Blasting rock.
  - Extraction of rock from the face.
  - Transportation of the rock from the quarry face to a crushing and screening plant.
  - Crushing and screening of rock.
  - Stockpiling and load out.
- 2.5.8. The equipment used within the quarry will change over time but includes the following:
- Three loaders in the stockpile area loading and unloading raw materials and finished products.
  - An excavator and several dump trucks in the excavation area feeding rock to the crusher.
  - A bulldozer, dump truck and excavator for stripping overburden.
  - A fixed crushing and screening plant.

- A mobile crushing plant(s) and associated equipment for processing and loading lower grade rock.

2.5.9. Aggregate crushing involves both mobile and fixed plant processing up to a rate of 1300 tonnes per hour of rock (total combined). The fixed plant will have the capacity to process up to 800 tonnes per hour of rock. The mobile crushing plant incorporates two crushers having the capacity to process up to a total of 500 tonnes of rock per hour.

2.5.10. The layout of the operation and consent is shown on the figure below.

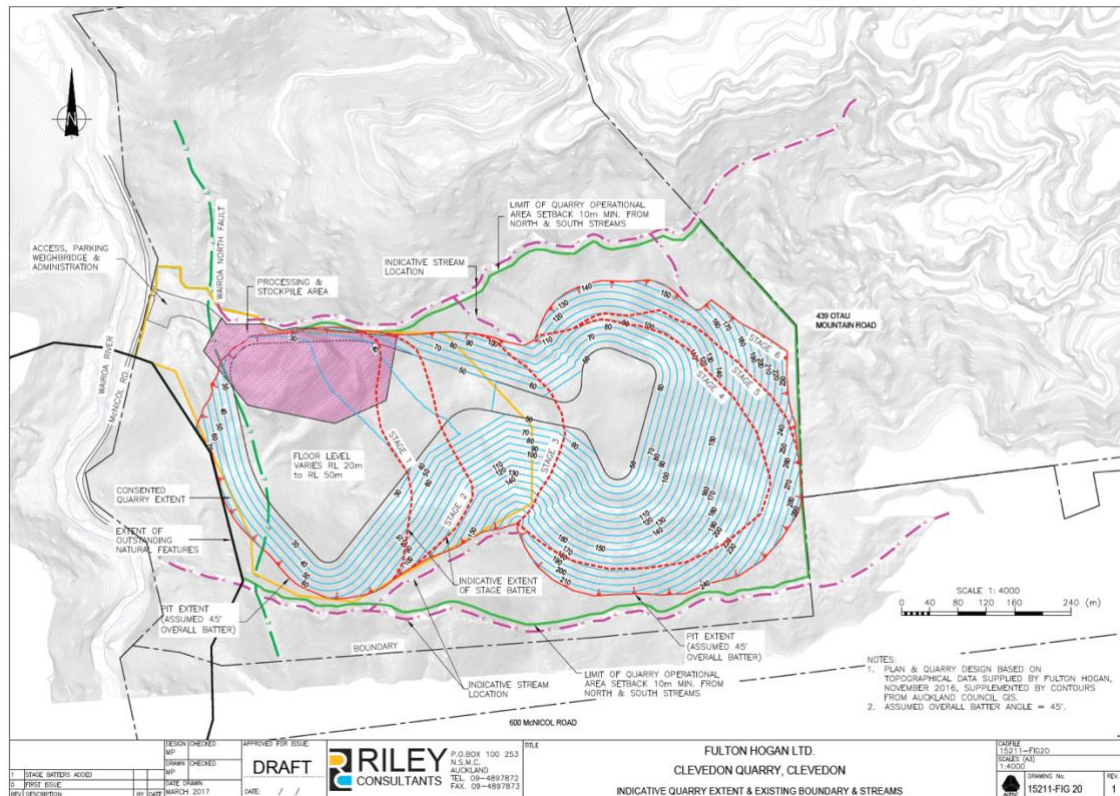


Figure: Consented Clevedon Quarry

2.5.11. The consented quarry activity provides for six stages that enable the extraction of approximately 60 million tonnes of material. Stages one to three account for the area which equates to the extent of the previous resource consent (*Walker v Manukau City Council C34/2000*), while stages four to six expand into new areas outside that consent, as approved by the 2018 consent (decision [2018] NZEnvC 96).

2.5.12. Condition 20 of decision [2018] NZEnvC 96 provides for the quarry to operate up to 24 hours a day, seven days a week. Aggregate crushing generally occurs 6am – 10pm Monday to Saturday, though may be up to 24 hours per day, seven days per week when required.

2.5.13. Unless required for safety reasons, blasting currently occurs:

- 9am to 5pm, Monday to Saturday.
- an average of two occasions per day.

2.5.14. The truck movements associated with the quarry operation are limited by conditions 21 – 28 of decision [2018] NZEnvC 96 as follows:

- Quarry truck movements to and from the quarry shall not exceed an hourly maximum of 90 truck movements (Monday to Saturday), or exceed an average of 900 truck movements per day (Monday to Saturday) measured on a 12-month rolling basis.
- All quarry truck movements to and from the quarry shall only occur between 6.30 am and 6.00 pm on Monday to Friday, and between 6.30 am and 1.00. pm on Saturday (excluding public holidays), except that truck movements may occur between 6.00pm and 9.00pm Monday to Thursday on a maximum of 60 days during a calendar year; or deliveries of aggregate required by emergency works.

2.5.15. Temporary limits were also placed on the movements of trucks and hours of operation in decision [2018] NZEnvC 96 as follows:

- For a period of five years from the commencement of consent, 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.
- Quarry truck movements shall be limited to a maximum of 45 per hour until the sealing of the unsealed section and all of the road widening works have been completed on McNicol Road.

## **2.6. Access and Roding Environment**

2.6.1. 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.

2.6.2. As part of the approved resource consent, access into and out of the site is to be undertaken in manner that will accommodate the simultaneous movement of traffic to and from the weighbridge and direct vehicle access. This arrangement necessitated the construction of a wider vehicle crossing with McNicol Road to accommodate three trucks.

2.6.3. Although the local roading network provides a number of options to move to and from the immediate area, quarry trucks travelling to and from the subject site tend to use:

- McNicol Road from the quarry gate to Tourist Road; and
- Tourist Road from McNicol Road to Papakura-Clevedon Road.

2.6.4. Travel beyond this immediate area depends on the origin and destination of the trips, but, in general, has a westerly bias due to the location of the adjacent urban and peri-urban areas of Auckland. As such, the quarry trucks tend to use the following roads beyond Tourist Road:

- Papakura-Clevedon Road from Tourist Road to Mullins Road.
- Mullins Road from Papakura-Clevedon Road to Alfriston-Ardmore Road.
- Alfriston-Ardmore Road from Mullins Road to Alfriston Road/Brookby Road.

- Alfriston Road.

2.6.5. This existing route continues some distance to the west along Alfriston Road and provides connections to strategic roading connections that play important roles now (Stratford Road) or in the future (Mill Road).

2.6.6. 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 a 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.

2.6.7. The location of the site in relation to the road network is shown in the figure below.

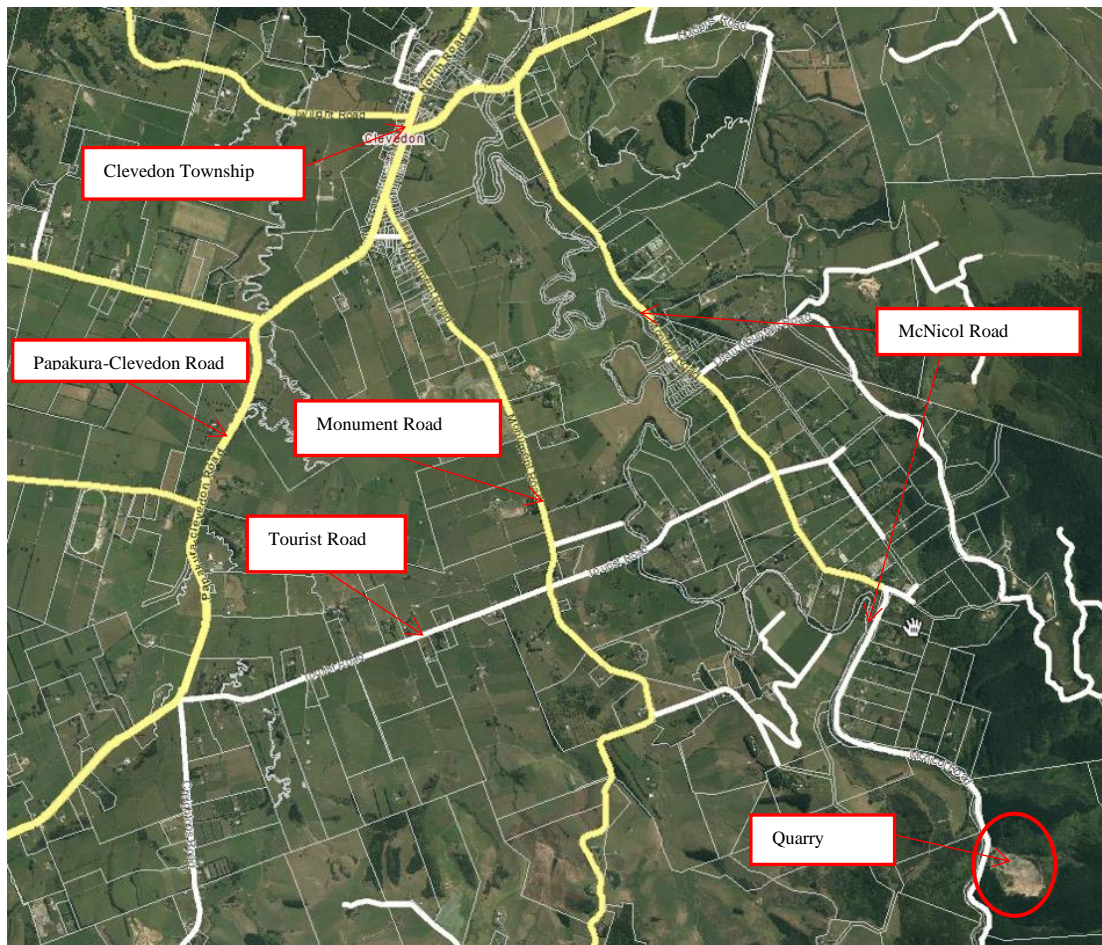


Figure: Clevedon Road Quarry Location

## 2.7. Landform and Topography

- 2.7.1. The sites are located on the north western edge of the Hunua Ranges, in the upper Wairoa River Valley. The existing quarry is located within a natural depression and surrounded by very steep hills. The northern ridgeline within 546 McNicol Road separates operations at the quarry from the nearby dwellings to the north and north-west. The hills to the north of the site rise to approximately 200m above sea level, and 180m above the floor of the quarry pit. The hills to the south rise to approximately 260m above sea level, and 240m above the floor of the quarry pit. The proposed SPQZ is to extend into these steep hills to the south. The topography of the site and surrounding areas are shown in the figures below.



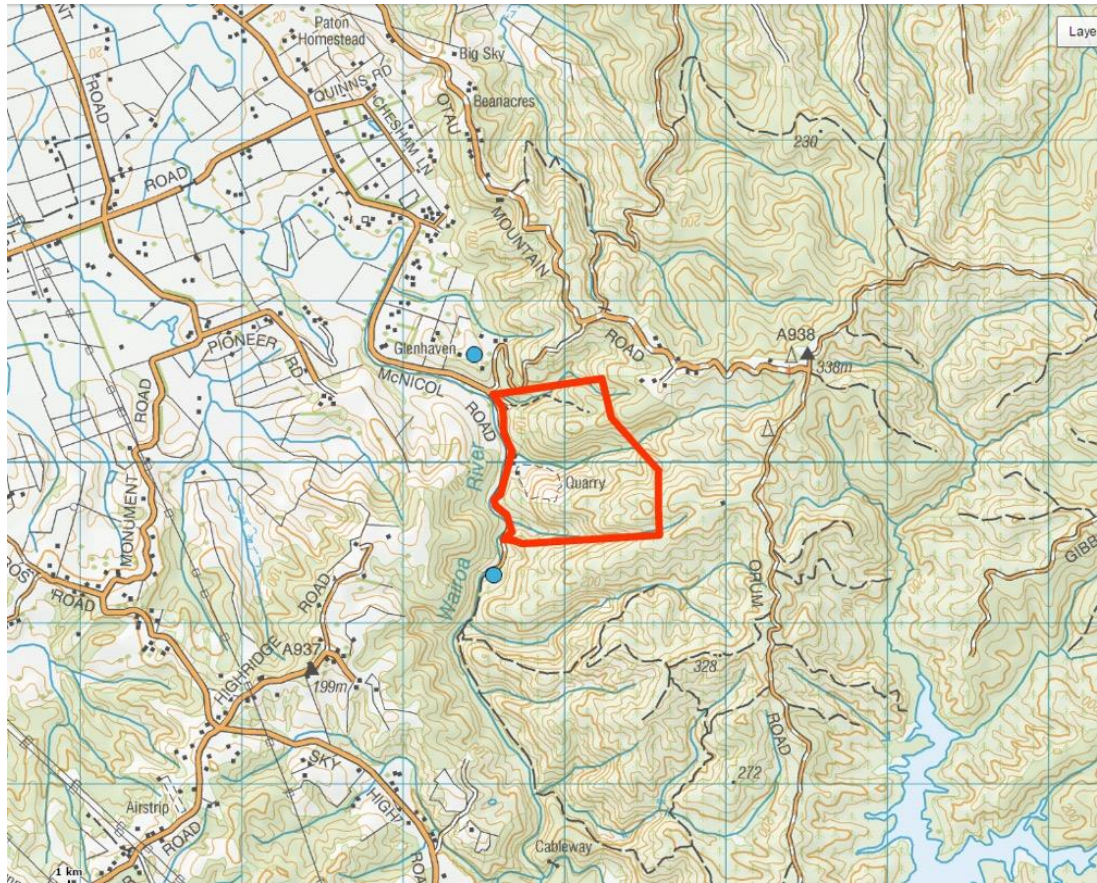


Figure: Topography of PPC sites and Surrounding Areas

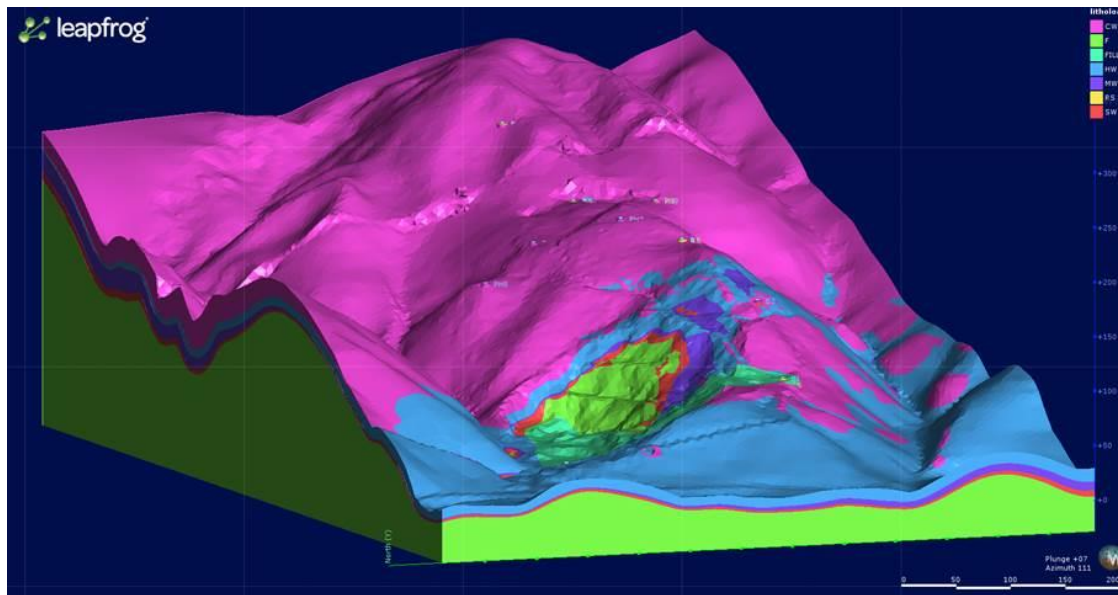


Figure: 3D image representing the topography of 546 McNicol Road looking towards the east from the Wairoa River. The extended SPQZ will extend to the right of the image.

2.7.2. The proposed rezoned SPQZ is generally very steep, consistent with the surrounding terrain as part of the Hunua Ranges. Inspection of aerial images suggests the land in 646 McNicol Road immediately south of the current quarry may be steeper than slopes adjacent to the existing quarry excavation. Walkover inspections undertaken by Riley Consultants (**Attachment 5**) were consistent with this observation, possibly indicating rock type materials near the surface producing steeper slopes.

## 2.8. Vegetation and Habitat

2.8.1. The vegetation and habitats within the sites are described in the Ecological Assessment prepared by Dr Graham Ussher of RMA Ecology Ltd in **Attachment 3**.

2.8.2. The ecology values in the area proposed to be rezoned SPQZ are summarised as follows:

- (a) Vegetation consists of exotic scrub adjacent to the streams, and are bordered by pine plantation forest either side. The riparian scrub areas contain a very small component (ca. 1 %) of regenerating kanuka.
- (b) The upper parts of Streams 1, 2 and 5 (see Figure 2 of the Ecological Assessment) appear to support areas of native forest alongside streams. Ground inspection by Dr Ussher shows that these areas are dominated (90 %) by exotic tree privet with large scattered areas of exotic blackberry amongst rank pasture grasses (9 %). Occasional young mahoe (*Meliccytus ramiflorus*) and kanuka are present.
- (c) The lower part of Stream 1 (permanent stream) within the existing SPQZ supports riparian vegetation within 5- 10 m of the stream edge that includes a greater proportion of native species including mahoe, pigeonwood, hangehange, ground cover ferns, some tree ferns (mainly wheki) and kanono.
- (d) Potential lizard habitats within areas include scattered wood debris and rocks within the pine forest, rank grass and weedy habitats. The rank grass and weedy habitats are suitable for copper skinks.
- (e) A large number of Hochstetter's frog observations have been recorded over several decades in the national Herpetofauna database. All are from the adjoining Hunua Ranges, with the closest record 4.6 km from the site, at a stream within pine forest. A survey was undertaken for Hochstetter's frog within the northern part of the Quarry during 2018, and parts of the South Stream during April 2021 by Dr Ussher. The surveys found no frogs, and habitat within most of the streams was considered to be poor due to high levels of fine sediments overlying cobble or bedrock substrates (apart from waterfall sections of the North Stream and South Stream).
- (f) The site provides habitat for a range of avifauna, including at least eight native species identified by Dr Ussher.
- (g) Long-tailed bat have been recorded from several areas of the adjoining Hunua Range Regional Parkland. Dr Ussher considers there is suitable habitat for bats within the proposed SPQZ, and based on nearby records there is a reasonable likelihood of bats using the site for feeding or roosting or transit to the upper reaches of the Wairoa River. The decision [2018] NZEnvC 96 includes condition 56 which addresses the matter of bats associated with the removal of existing plantation pine trees within the consented quarry pit.

## 2.9. Streams and Wetlands

- 2.9.1. The streams within the sites are described in the Ecological Assessment in **Attachment 3**.
- 2.9.2. There are no wetlands identified within the rezoned SPQZ.
- 2.9.3. The watercourses within the Quarry and proposed PPC area are part of the Wairoa River catchment. The rezoned and existing SPQZ land is characterised by very steep gullies and supports pine plantation forest. Two main catchments are included in the PPC area. These include the South Stream (Stream 1) catchment, of which several upper headwater drainage basins are included within the area, as well as a portion of the lower part of the mainstem of Stream 1 (a permanent stream). The majority of this stream is contained in the existing SPQZ. Parts of sub-catchment Stream 2 and some of the true right upper tributaries of the Stream 5 catchment, which is a broad, branching catchment to the south, are also included in the PPC land.

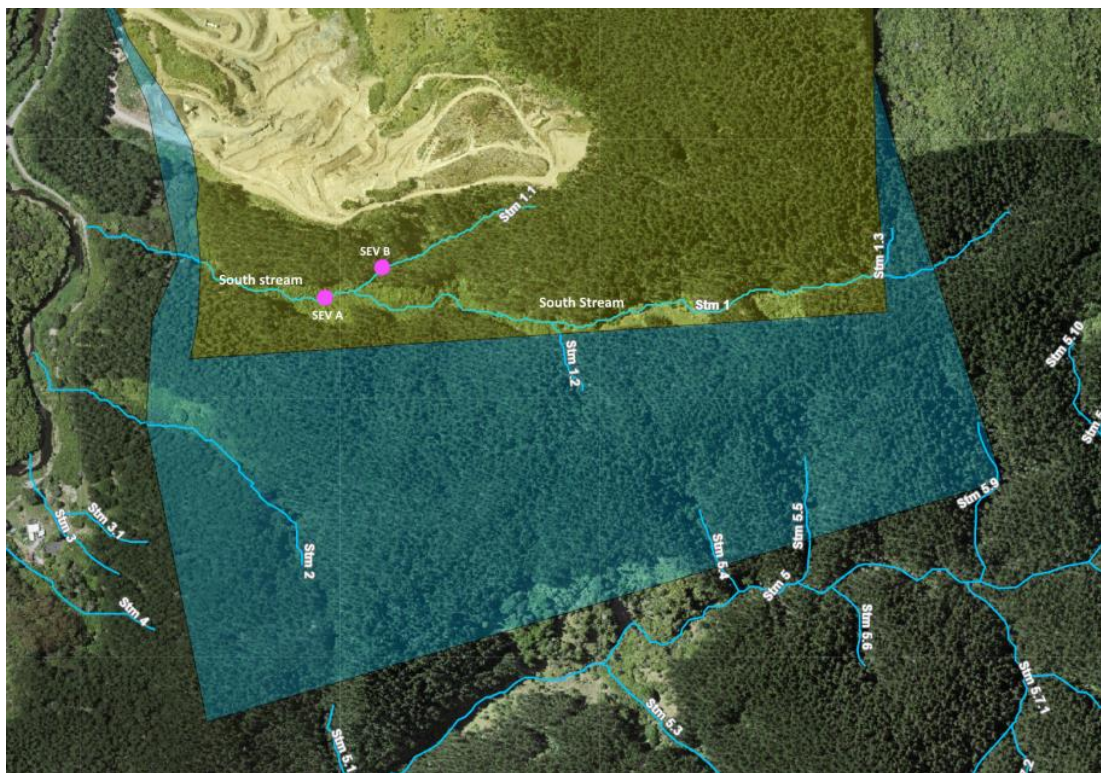


Figure: Stream identified in the Ecological Assessment (proposed rezoned SPQZ in blue, existing SPQZ in yellow)

- 2.9.4. The length of stream included within the PPC land is relatively small compared to the extensive branching networks throughout the current SPQZ area and the catchment to the south of the PPC area. For Stream 1 this is 220m, Stream 2 is 280m and Stream 5 is 225m.
- 2.9.5. Streams within the site support hard rock geology (i.e. hard-bottomed streams). These streams consist of long narrow gullies which travel through a series of steep cascades (including waterfalls in places). Water flow is very slight (a trickle). Habitats include mossy rock faces and small plunge pools that are packed with leaves. The streams are well shaded by the plantation pine forest, with privet understorey and grass ground cover in places.

- 2.9.6. All of these headwater reaches provide adequate habitat for native freshwater fish, with stable pools and in-stream conditions (e.g. undercut banks) which are adequate to support fish.
- 2.9.7. These intermittent streams have predominantly sediment beds with very low normal flow. The channel is nominal and habitat for koura and fish is absent. These streams occupy the transition points between ephemeral watercourses and intermittent streams and hence are dominated by typically poor instream habitat, poor hydrological complexity and poor overall habitat for instream fauna.
- 2.9.8. The section of stream 1 between the ONF and the existing SPQZ (30m length) scores highly for almost all SEV function scores and is a good example of a natural, permanent foothills stream. The bed is ca. 1 m wide (narrower at chutes and wider at pools and gravel-plains. Instream habitat is very good for native fish with a complex suite of pools runs, riffles and chutes throughout the stream. Pools have excellent habitat with undercut banks, fractured bedrock bases and abundant leaves and woody debris. Shade provided by the established privet forest and pine plantation forest overhead canopy is high.

## **2.10. Geology**

- 2.10.1. The quarry catchment area consists of greywacke rocks which are part of the Waipapa Group belonging to the upper Jurassic period (135 million years ago). This was confirmed by inspection by Riley Consultants (**Attachment 5**) of outcrops on-site, stating that greywackes observed in the exposures are similar to that currently excavated from Clevedon Quarry, with a mix of argillite, siltstone and sandstone, likely of similar mineralogical composition to the Quarry.
- 2.10.2. The Wairoa North Fault passes adjacent to the Quarry to the west, bounding the previous and current quarry operations. Published evidence from the GNS website active fault database and Auckland Council Technical Publication No. 57 - Earthquake hazards in the Auckland Region (1995), indicates the fault is not considered inactive, but neither is it considered a highly active fault.
- 2.10.3. This potentially active fault has a surface expression, and thus, can likely be located to a reasonable level of accuracy on-site. Its inferred position is shown on the figure below (in red).

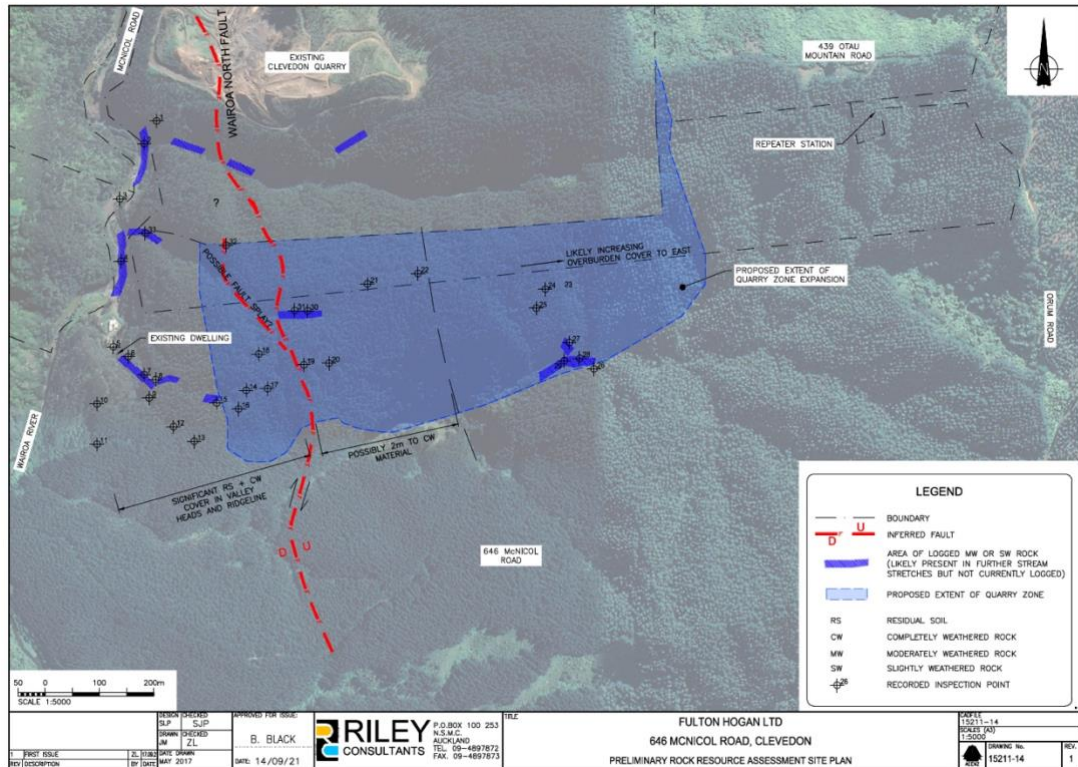


Figure: Figure showing fault line through proposed SPQZ.

## 2.11. Groundwater

- 2.11.1. The Riley Consultants Report in **Attachment 5** describes the groundwater associated with the site and notes that it is similar to the Quarry. It is expected there will be a shallow perched groundwater table within the rezoned SPQZ, which responds to rainfall, and a deeper regional groundwater table, possibly below RL 30.0m.

## 2.12. Archaeology

- 2.12.1. 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.
- 2.12.2. 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, Heritage New Zealand Pouhere Taonga ("**HNZPT**") or by New Zealand Archaeological Association as containing any known or scheduled archaeological sites.

## 2.13. Adjacent Properties and Wider Surrounds

- 2.13.1. Only two dwellings currently exist in the immediate area surrounding the sites (excepting those that are owned by the applicant). These are indicated on the figure below with a red circle. The closest dwelling to the land within 546 McNicol Road to be "down-zoned" from SPQZ to RPZ is located approximately 250m to the northwest (520 McNicol Road). The closest dwelling to the land within 646 McNicol Road to be "up-zoned" from RPZ to SPQZ is located approximately 160m to the west (600 McNicol Road). Steep, bushclad hills currently exist between the subject sites and these dwellings.

- 2.13.2. The dwellings at 458, 498, and 510 McNicol Road are outside of what is considered to be the area of “close proximity” to the sites (shown below by a blue circle), with considerable distance separating these dwellings from the entrance to the site, from McNicol Road and land to be “upzoned”. These dwellings are located close to McNicol Road, which provides road access to the quarry.

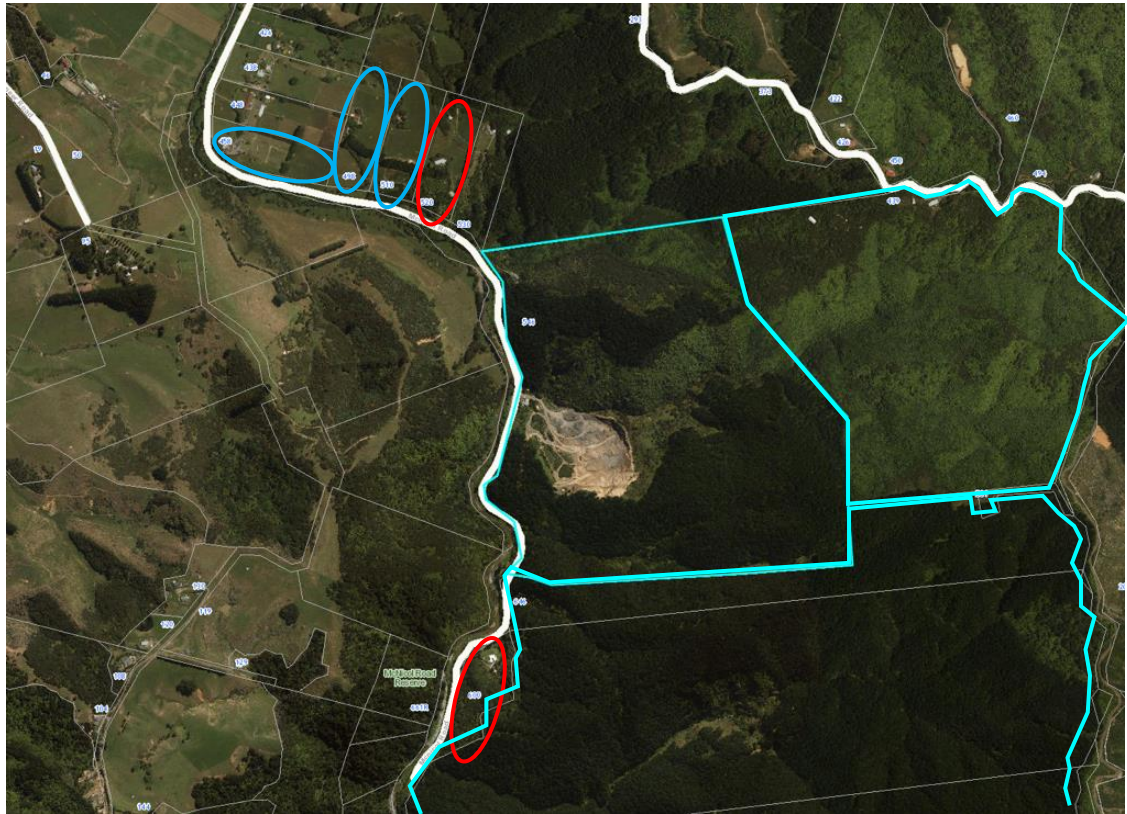


Figure: Adjacent sites to the quarry (red circles are 520 and 600 McNicol Road, blue circles are 458, 498, and 510 McNicol Road)

- 2.13.3. The surrounding land uses within the area are predominantly large scale pastoral grazing farms, countryside living and pine plantations. A cluster of smaller farm blocks are located north and north-west of the quarry site and are utilised for grazing.
- 2.13.4. The McNicol Road road reserve is located just west of the site. Areas to the south and east form parts of the Hunua Ranges and are mostly covered in native bush and pine plantation. The settlement of Clevedon is located some 5km to the north west of the site, and includes a range of smaller residential lots, small businesses and showgrounds.
- 2.13.5. The land to the west, over the ridgeline identified by the paper road Orum Road, falls into the catchment for Cosseys Dam.

## 2.14. Acoustic Environment

- 2.14.1. The majority of 546 McNicol Road is subject to the SPQZ, with noise standards as below:

**Table H28.6.2.1.1 Noise levels**

Times	Noise levels
7am-9pm, Monday to Friday	L <sub>Aeq</sub> 55dB
7am-4pm, Saturday	L <sub>Aeq</sub> 55dB
All other times and on public holidays	L <sub>Aeq</sub> 45db L <sub>AFmax</sub> 75dB

2.14.2. The remaining PPC sites are subject to the RPZ, with noise standards as below:

**Table E25.6.3.1 Noise levels in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone**

Time	Noise level
Monday to Saturday 7am-10pm	55dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	45dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

2.14.3. The same noise limits apply to the RPZ as for the SPQZ, but with extended time periods. As part of the most recently approved resource consent application, the existing noise environment was measured by Marshall Day Acoustics, as described in **Attachment 4**. Four 15-minute noise level surveys were undertaken at locations that may be affected by quarry or truck noise, at different times of the day.

2.14.4. The study concluded that ambient noise levels close to the quarry are generally low due to the absence of manmade continuous noise sources. Intermittent high noise events (e.g. trucks passing) form part of the ambient noise environment but are not continuous in nature. The background noise levels (L<sub>A90</sub>) indicate that the overall noise environment is low, with noise levels in the mid-30 dB L<sub>A90</sub> during daytime.

## **2.15. Value of the Aggregate Resource**

2.15.1. Growth in Auckland households (up to 400,000 new households by 2041) and businesses will drive significant increases in demand for aggregate over the next two decades. Auckland's demand for aggregate is expected to increase from 13 million tonnes currently, to between 16 and 20 million tonnes annually by 2031 and upwards in line with population growth into the future. Auckland has limited accessibility to new aggregate resources within the region to meet this growing demand. Currently aggregate is being imported from the Waikato and Northland regions to meet this growth with additional transport costs and emissions.

2.15.2. Expanding aggregate processing capacity through a long term, staged approach will provide cost savings to the Auckland economy. Identification of new and planned expansion of existing quarries proximate to Auckland is, therefore, crucial to Auckland's economic future as aggregate is bulky and costly to transport any distance.

2.15.3. The Clevedon Quarry is recognised by the AUP's Regional Policy Statement ("**RPS**") as a regionally significant quarry and mineral extraction activity. This resource is considered to be regionally significant because of its quality, and because it is located in proximity to transport routes and areas of demand.

- 2.15.4. 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.
- 2.15.5. The Clevedon Quarry is southeast of Auckland's urban area, and as such is well located to be able to supply aggregate to the areas South, Central and West of Auckland without incurring high transport costs associated with greater travel distances. If aggregate were required to be sourced from alternative sources outside the Auckland Region, this could significantly impact the cost of aggregate. The strategic location of the Clevedon Quarry makes this a valuable resource and will ensure that the supply of aggregate continues to be cost-effective.
- 2.15.6. A continued and secure supply of aggregate to the Auckland market is essential for not only the growth of the Auckland Region but also the maintenance of existing established infrastructure. Without a replacement quarry that has a similar high quality aggregate resource within the South, Central and West Auckland area, there would be a shortfall of aggregate to an already stressed market.
- 2.15.7. The medium to long term development of the Clevedon Quarry, and subsequent increase in supply, is an important component to the region's aggregate supply. This is critical given the number of quarries within the Auckland Region which have already closed, or which are scheduled to close in the near future.
- 2.15.8. Fine sandstones, siltstones and argillite of the Waipapa Group, commonly known as 'greywacke' or 'Hunua greywackes', form the resource at Clevedon Quarry. The material is similar to that currently excavated at Whitford and Brookby Quarries, although there is variability between the quarries. The rock has been subject to natural weathering and displays a weathering profile similar to that observed at other quarries with the degree of weathering subdivided into grades.
- 2.15.9. An advantage of Clevedon Quarry is the relative lack of weathered cover in the current highwall and just beyond in contrast to comparable quarries (i.e. less strippings and favourable overburden ratio). Investigation to date indicates the weathering profile does increase to the east, along the main ridgeline with an overburden cap up to 10m depth, however it has a favourable overburden ratio in comparison to similar quarries.
- 2.15.10. The portion of sandstone to argillite does vary across the current quarry face. In general the sandstones will likely provide better aggregate testing results; however the argillite will likely still make an acceptable aggregate as demonstrated by Whitford Quarry which produces sub-basecourse, basecourse, drainage, and sealing chip. The sandstone is estimated to comprise approximately 50% of the current face. The borehole investigations indicate a lesser relative percentage of sandstone with argillite 49%, siltstone 41% and sandstone 10%. The material is generally similar to that currently excavated from Whitford and Brookby quarries.
- 2.15.11. The potential resource associated with the wider property is approximately 150 million tonnes. This is a significant volume of aggregate that will provide Auckland with a secure medium to long term supply of high quality aggregates. In this regard, the Clevedon Quarry is also a regionally significant aggregate resource that will help ensure that the future demand for new infrastructure and the maintenance of existing infrastructure in the Auckland region can be met.



- 2.15.12. The aggregate resources in the Auckland region are dominantly greywacke. Greywacke is a sedimentary rock and is a variety of argillaceous sandstone that is highly indurated and poorly sorted. It comprises a large percentage of the basement rock of New Zealand, and so is an important rock type throughout the country. The age of Greywacke in New Zealand generally varies from about 280 million years to 120 million years although some New Zealand Greywacke is over 300 million years old. Economic and sustainable Greywacke resources locations were effectively determined by geology 120-300 million years ago. Unlike some land intensive industrial activities, which may nonetheless have some flexibility of location, quarrying can only occur where the resource exists, in suitable quantities, of appropriate quality, and close to the surface.
- 2.15.13. However, in the Auckland region, much of the Greywacke, and other aggregate resources, that might meet those criteria has been effectively sterilised as a result of the residential development over the resource (as in much of urban Auckland), the development of rural residential (south and north of the main Auckland urban area), or the area being subject to protection through regional parks or the use for water supply catchments (Hunua and Waitakere Ranges).
- 2.15.14. As a result of those factors, there are very few remaining areas of aggregate resources in Auckland, and the Unitary Plan is correct to classify the need for aggregate resources as a matter of regional significance, and to facilitate the long-term development and intensification of those resources.
- 2.15.15. Once a suitable resource is located, quarry operators must carefully consider and plan how to extract that resource. Quarry operators will develop a long term "life of mine" plan. In the case of Clevedon Quarry this plan has a timeframe of around 50 years, based on the current forecast growth and the compliant resource of 150 million tonnes.
- 2.15.16. The mine plan is developed to optimise the aggregate resource in the most efficient and safe way having carefully considered the need to minimise any environmental effects. As Greywacke is a basement rock and once encountered can be several kilometres in depth, the mine plan, via a series of benches is developed down into the resource. To access the Greywacke the overlying vegetation and any weathered material (overburden) must be removed – and because of the need to bench down into the resource, the extent of vegetation that might need to be removed would extend well beyond the likely dimensions of the final pit.
- 2.15.17. Quarries are very capital-intensive businesses, and the financial return from quarries is inevitably over the long term. Even if a suitable resource can be found, the capital costs of establishing a new quarry "from scratch" would be significantly higher than developing an existing quarry. In addition, because of the high capital and operating costs of quarries, there are some economic efficiencies to be gained from increasing production at an existing quarry or to provide for a longer-term life to that quarry. Accordingly, if Auckland region is to be able to meet most of its aggregate demand from within the region, it is essential that all the existing "large scale" quarries are able to develop to their full potential.
- 2.15.18. A key financial risk that all quarry operators need to consider when assessing the viability of their "life of mine plan" is whether there is sufficient certainty that the aggregate can be extracted. This is particularly important for quarries, like other forms of mining, where there is substantial up front capital costs. A key risk in that regard, discussed below, is the risk of not being able to obtain the necessary resource consents to extract the material, or if consent is granted, that it could be subject to conditions that make the extraction impracticable or prohibitively expensive.

## **2.16. Stevenson Aggregates Ltd and Fulton Hogan Ltd**

- 2.16.1. Fulton Hogan Ltd is a resource based contracting company that owns and operates over 30 quarries throughout New Zealand, including both hard rock quarries and gravel quarries. In the Auckland region Fulton Hogan is a large employer with approximately 1000 staff, many of whom are associated with the quarry, transport, manufacturing and contracting business.
- 2.16.2. Stevenson Aggregates Ltd is a subsidiary of Fulton Hogan and owns and/or operates a portfolio of quarries across the upper North Island. Within the Auckland region, Stevenson Aggregates Ltd operates the Whitford Quarry, Clevedon Quarry and Drury Quarry. Fulton Hogan also operates the Whangaripo Quarry as joint venture partner with Winstone Aggregates. Fulton Hogan also operates a mobile crushing and recycling business working across a range of sites.
- 2.16.3. Fulton Hogan acquired the Clevedon Quarry as a direct replacement for its Whitford Quarry operations and to provide for future growth opportunities. The high quality aggregate produced from the Whitford Quarry was a critical part of Fulton Hogan's Auckland operations, supplying aggregate across Fulton Hogan's various business units as well as to external clients, including the New Zealand Transport Agency and Auckland Transport.
- 2.16.4. The Clevedon Quarry provided a suitable replacement for the Whitford Quarry and future growth as it is a similar quality aggregate resource. It contains sufficiently large quantities of aggregate to provide a potential supply for over 50 years at an extraction rate of approximately 3 million tonnes per annum.

## **3. STATUTORY CONTEXT**

### **3.1. Resource Management Act 1991**

- 3.1.1. The RMA requires certain statutory requirements to be met prior to consideration of any PPC Request. The relevant sections are addressed below.
- 3.1.2. Under clause 21 of Part 2 of Schedule 1 of the RMA, any person may lodge a request for a PPC. As relevant, clause 21 states:

*"21 Requests*

*(1) Any person may request a change to a district plan or a regional plan (including a regional coastal plan).*

*...*

*(3A) However, in relation to a policy statement or plan approved under Part 4 of this schedule, no request may be made to change the policy statement or plan earlier than 3 years after the date on which it becomes operative under clause 20 (as applied by section 80A(2)(a)).*

- 3.1.3. Clause 22 of Schedule 1 of the RMA has already been addressed above. The request is made in excess of 5 years from the date the respective AUP provisions became operative.
- 3.1.4. Under clause 25(2) of Schedule 1 of the RMA, after receiving all the necessary information, the Council has 30 working days to consider the request and how it should be dealt with. In this regard, the Council can decide to:

- (a) Adopt the request as a Council plan change, either in whole or in part;
  - (b) Accept the request as a PPC, either in whole or in part;
  - (c) Convert the request to a resource consent application; or
  - (d) Reject the request.
- 3.1.5. In accordance with Clause 29 of Schedule 1, Part 1 of that Schedule applies to a PPC which is accepted (rather than adopted) by the Council under clause 25(2)(b) of the Schedule. The PPC will therefore be determined having regard to the matters outlined in sections 31, 32 and 72 to 76 of the RMA, to the extent these are relevant to the PPC. In summary, these include whether the PPC:
- (a) Accords with and will assist Council in carrying out its functions under section 31 of the RMA so as to achieve the RMA's purpose.
  - (b) Accords with any regulations (including national environmental standards).
  - (c) Gives effect to any relevant national policy statement and the regional policy statement provisions.
  - (d) Has regard to:
    - i) Other higher order planning documents;
    - ii) Management plans and strategies under other Acts; and
    - iii) The actual and potential effects of activities on the environment.
  - (e) Is the most appropriate way to achieve the AUP's objectives, by identifying other reasonably practicable options for achieving the objectives and summarising the reasons for deciding on the zoning sought by the PPC.
  - (f) Contains a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from implementing the PPC.
- 3.1.6. Clause 29(4) of Schedule 1 of the RMA provides that after considering the PPC and undertaking a further evaluation of the PPC in accordance with section 32AA of the RMA, the Council:
- (a) May decline or approve the PPC and may make modifications if approving the PPC; and
  - (b) Must give reasons for its decision.
- 3.1.7. Section 74 of the RMA outlines the matters to be considered by territorial authority in preparing and changing its District Plan, as follows:
- (1) *A territorial authority shall prepare and change its district plan in accordance with*
    - (a) *its functions under section 31,*
    - (b) *the provisions of Part 2,*

- (c) a direction given under section 25A(2),
  - (d) its obligation (if any) to prepare an evaluation report in accordance with section 32; and
  - (e) its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and
  - (ea) a national policy statement, a New Zealand coastal policy statement, and a national planning standard; and
  - (f) any regulations.
- (2) In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—
- (a) Any—
    - (i) Proposed regional policy statement; or
    - (ii) Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and
  - (b) Any—
    - (i) Management plans and strategies prepared under other Acts; and ...
    - (iia) Relevant entry in the Historic Places Register; ... ..
    - (c) The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.
- (2A) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on resource management issues of the district
- (3) In preparing or changing district plan, a territorial authority must not have regard to trade competition or the effects of trade competition.

3.1.8. With respect to the content of District Plans, section 75 of the RMA provides as follows:

(3) A district plan must give effect to— ...

(c) any regional policy statement.

(4) A district plan must not be inconsistent with—

...

(b) a regional plan for any matter specified in section 30(1).

...

(5) A district plan may incorporate material by reference under Part 3 of Schedule 1.

3.1.9. As relevant, the Council's functions under section 31 of the RMA are as follows:

*“(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

*(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*

*(aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*

*(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of...”*

3.1.10. The PPC adopts existing zones (SPQZ and RPZ) and the existing objectives and policies relating to these zones from the AUP (along with region-wide provisions).

3.1.11. Overall, three components are required for a PPC request:

- a schedule of the requested changes (describing the purpose of, and reasons for, the Change);
- an Assessment of Effects on the Environment; and
- a Section 32 Evaluation.

3.1.12. All three components are covered within this Plan Change request, supported as necessary by relevant specialist input.

### **3.2. Council's Options for Dealing with PPC Request**

3.2.1. Under clause 25 of Schedule 1 to the RMA, Council has 30 working days after receiving the necessary information to consider the PPC request and how it should be dealt with. In that regard, the Council can decide to:

- (a) Adopt the request as a council plan change, either in whole or in part;
- (b) Accept the request as a PPC, either in whole or in part;
- (c) Convert the request to a resource consent application; or
- (d) Reject the request.

3.2.2. These are Council's only options for dealing with the PPC and it must decide to use one of them.

#### **Grounds for Rejection Under Clause 25(4)**

3.2.3. The Council's ability to reject a PPC request is limited to the grounds set out in clause 25(4) of Schedule 1 to the RMA, which states:

- “(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.”

3.2.4. If Council rejects the PPC request on any of the grounds included in clause 25(4) of Schedule 1 to the RMA, the applicant has the right to appeal that decision to the Environment Court under clause 27(1A)(d) of Schedule 1 to the RMA. Each of those grounds are addressed as follows.

*Clause 25(4)(a) – Is the PPC “frivolous or vexatious”?*

3.2.5. It is not considered that Council can reject the PPC on the basis that it is frivolous or vexatious. This Report is a comprehensive document that is fully supported by a suite of technical reports prepared by independent experts. The PPC has been carefully drafted to be appropriate for the PPC land.

*Clause 25(4)(b) – Has the substance of the PPC request been considered in the last two years?*

3.2.6. This is a new PPC request, the substance of which has not been considered by the Council in the last two years.

*Clause 25(4)(c) – Does the PPC accord with sound resource management practice?*

3.2.7. It is considered that the PPC request accords with (and promotes) sound resource management practice. In that regard, the PPC:

- Is supported by a suite of comprehensive expert assessments, which demonstrate:
  - (a) Why the PPC land is an appropriate location for the proposed SPQZ, consistent with the policy directives from the AUP; and
  - (b) How the proposed development will achieve the sustainable management purpose of the RMA.

- Is not seeking to alter plan provisions that are due to be superseded.

*Clause 25(4)(d) - Would the PPC result in the District Plan being inconsistent with Part 5 of the RMA?*

- 3.2.8. The PPC would not result in the AUP being inconsistent with Part 5 of the RMA (regarding the purpose and contents of planning instruments including district plans). That is on the basis that the AUP has identified the 546 McNicol Road as being suitable for the existing SPQZ and it is reasonable to relocate part of that zone to the south of the quarry pit as the proposed SPQZ. Further, the PPC request clearly demonstrates how it will meet the relevant criteria from Part 5 of the RMA and sections 72 to 76 of the RMA in particular.

*Clause 25(4)(e) – Has the District Plan been operative for less than two years?*

- 3.2.9. The AUP has been operative in part for longer than two years.

#### **Ability for Council to Process the PPC as a Resource Consent Under Clause 25(3)**

- 3.2.10. Dealing with the PPC as a resource consent application would be contrary to good planning and resource management practice. A resource consent process is simply not practical or sensible given the changes proposed by the PPC, and the certainty that the applicant requires in terms of planning for the future development of the Quarry. Policies in E28 of the AUP indicate that a SPQZ is the preferred approach for the management of large scale quarries.

#### **Acceptance or adoption of the PPC request Under Clause 25(1) or (2)**

- 3.2.11. In light of the above, the Council's only options are to either accept or adopt the PPC request. The applicant is seeking that the PPC be accepted and processed as a private plan change.

### **4. SECTION 32 EVALUATION**

- 4.1.1. Clause 22(1) of Schedule 1 of the RMA requires that an evaluation report for the PPC be prepared in accordance with section 32 of the RMA. Section 32 sets out the matters to be considered in an evaluation report and requires that an evaluation must examine whether, having regard to efficiency and effectiveness, the policies, rules or other methods are the "most appropriate" to achieve the objectives of the PPC and the purpose of the RMA. Within this, an evaluation must take into account the benefits and costs of policies, rules or other methods. In determining the most appropriate methods, consideration of alternatives is required. Specifically, Section 32(1) of the Act states:

*(1) An evaluation report required under this Act must –*

- (a) Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
- (b) Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by –*
  - (i) Identifying other reasonably practicable options for achieving the objectives;*

*(ii) Assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*

*(iii) Summarising the reasons for deciding on the provisions;*

*(c) Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.*

4.1.2. Any assessment under section 32(1)(b)(ii) must also identify and assess the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for economic growth that are anticipated to be provided or reduced, and employment that is anticipated to be provided or reduced. If practicable, the benefits and costs are to be quantified. An assessment of the risk of acting or not acting, if there is uncertain or insufficient information about the subject matter of the provisions, is also required.

4.1.3. The PPC proposes a rezoning of the subject land. The provisions of the AUP relevant to this PPC have undergone a full and thorough section 32 evaluation associated with the notification of the then PAUP, and the Auckland Unitary Plan Independent Hearings Panel ("**AUPIHP**") hearings. For that reason, a full assessment of the existing operative objectives, policies and rules of the AUP that are proposed to be applied to the subject land through this PPC request is not necessary. Rather, the assessment focusses on whether the existing operative provisions are appropriate and that the PPC appropriately addresses these.

4.1.4. Section 32(2)(a) requires that councils identify and assess the costs and benefits of the environmental, economic, social and cultural effects that are anticipated from implementing the provision, including the opportunities for:

(a) Economic growth that are anticipated to be provided or reduced; and

(b) Employment that is anticipated to be provided or reduced.

4.1.5. The effects of the rezoning/relocation of the SPQZ are considered to be limited given that the proposal results in no overall net increase in the size of the SPQZ. These matters are addressed in the section of this report considering effects on the environment.

4.1.6. The primary matters considered in this section 32 assessment are:

(a) What is the "most appropriate" zoning for the subject land in terms of s32 of the RMA?

(b) Are the operative AUP provisions appropriate?

4.1.7. The alternatives and their respective costs and benefits are discussed below.

## **4.2. Alternative Approaches (zoning and provisions application)**

4.2.1. Schedule 4 (clause 6(1)(a)) of the RMA requires that, where it is likely that an activity will result in significant adverse effects on the environment, a description of any possible alternative locations or methods for undertaking the activity is included.



- 4.2.2. The PPC effectively involves the down-zoning of an area of SPQZ within the north of the site and the upzoning to SPQZ of an equivalent area of land to the south of the current Quarry (including that area consented). The relative effects of the PPC or the status quo are outlined below (effectively being the management of mineral extraction developing to the north of the current quarry or to the south as would be enabled by the PPC).
- 4.2.3. Effects resulting from the development of the Quarry within the existing SPQZ (to the north of the existing quarry pit) could involve to development of approx. 30 ha area, which would for example, be addressed by the following controls:
- (a) Earthworks – district and regional (erosion and sediment control) – addressed by Rules H28.4.1((A14) to (A18) and standard H28.6.2.7, along with matters of control and assessment in H28.7.1(2) and H28.7.2(2).
  - (b) Mineral extraction activities – addressed by Rule H28.4.1((A17), standards in H28.6.2, along with matters of control and assessment in H28.7.1(1) and H28.7.2(1)
  - (c) Vegetation removal associated with the riparian margins of streams, SEAs and NSMA – addressed by the provisions resulting from the Environment Court decision 2021 NZEnvC 120, Rules E15.4.1(A10), (A12) and (A44). The National Environmental Standards for Freshwater (“**NES-F**”) also applies to the riparian vegetation.
  - (d) Stream diversion, modification or removal (the site’s north and south streams) – addressed by Rules E3.4.1(A18), (A20) and (A49). The NES-F also applies to these activities.
  - (e) The National Environmental Standards for Plantation Forestry (“**NES-PF**”) would apply to the removal of the plantation pine forest.
- 4.2.4. In addition the AUP already includes a number of specific approaches which are tailored to the SPQZ, recognising the policy framework and dependence that Auckland has on the aggregate from the quarries within that zone, and which recognise the distinct differences between mineral extraction activities and other forms of development. Examples of these bespoke provisions include:
- (a) Chapter E3 – restricted discretionary activity for stream diversion (Rule E3.4.1(A20)).
  - (b) Chapter E14 – Controlled activity rules for air discharges associated with mineral extraction activities (Rule E14.4.1(A91)).
  - (c) Chapter E15 – Restricted discretionary activity rules for vegetation removal in an SEA (Rule E15.4.2(A44)).
  - (d) Chapter E27 – exemption from trip generation rules where the matter of control is addressed by Chapter H28 (E27.6.1(d)(d)).
  - (e) Chapter E36 – through the definitions, quarry pits are exempt from the flooding hazard rules.
  - (f) Chapter H28:

- Controlled activity rules for mineral extraction activities (Rule H28.4.1 (A7)).
  - Permitted activity rules for cleanfill and managed fill activities (Rule H28.4.1 (A10)).
  - Controlled activity for regional and district earthworks (Rule H28.4.1 (A15) to (A18)).
  - Bespoke rules for yards (H28.6.2.3), noise (H28.6.2.1), vibration and blasting (H28.6.2.2).
- 4.2.5. The proposed rezoning would result in the SPQZ being removed from the site's NSMA and SEA. The northern stream would form the northern boundary between the RPZ and SPQZ. The change of the zone would remove the necessity for resource consent applications associated with adverse effects of mineral extraction activities on the SEA and NSMA, along with the removal of the site's northern ridgeline that provides a buffer to the dwellings to the north, along with modifications to the site's northern stream. The proposed rezoned SPQZ does not involve any new areas of SEA, however additional length of the southern stream, along with streams 2 and 5 are proposed to be located within the proposed SPQZ area.
- 4.2.6. The difference in potential effects relates to the potential to retain the SEA, NSMA and associated northern stream through the down-zoning of the northern part of the site to RPZ.
- 4.2.7. The applicant has identified that the PPC area proposed to be rezoned SPQZ is the most appropriate location for the future development of the Quarry. Given that aggregate resources are in a fixed location, the mine planning undertaken by the applicant needs to relate to where the resource is located. The additional matters relevant to mine planning is the degree of complexity associated with resource consents where AUP overlays exists, and whether given these, expanding the quarry to the north is the most appropriate outcome. The applicant considers that a more feasible medium to long-term opportunity for expansion is located to the south of the existing quarry because this has fewer constraints than the existing SPQZ to the north.
- 4.2.8. It is not possible, or realistic, to consider any other alternative locations (given the location of the aggregate resource and that this resource is already recognised by the AUP as being regionally significant).
- 4.2.9. Further, the AUP already contains a dedicated zone for mineral extraction activities (the SPQZ). No other zone contains the equivalent provisions. Consequently, the use of other zones is not a better or more appropriate alternative.
- 4.2.10. Effectively the options are:
- (a) Retain the status quo.
  - (b) Rezone as proposed by the PPC.
  - (c) Adopt a precinct or site specific rule approach.
- 4.2.11. These alternatives are considered in the Table below.
- 4.2.12. The alternative of applying for resource consent rather than a PPC simply reflects option (a) being retaining the status quo.

**Table: Assessment of Alternatives**

Options:	Benefits	Costs /Risks	Accept/ Reject
<p><b>Option 1:</b>  Retain the status quo</p>	<ul style="list-style-type: none"> <li>• Consistent with the existing AUP.</li> <li>• The Applicants' would be spared the substantial costs of a PPC.</li> </ul>	<ul style="list-style-type: none"> <li>• Mines planning would direct quarry expansion to the north where the Northern Stream, SEA and NSMA are located. This is also a direction which decreases the separation distances between the quarry and the majority of adjoining residents on McNicol Road and Otau Mountain Road.</li> <li>• Although the option to retain status quo is consistent with the current provisions, these provisions will only be able to reconcile the apparent conflict between the protection of the SEA and NSMA and mineral extraction activities.</li> <li>• Where quarry expansion is restricted by the SEA, NSMA and sensitive residential activities to the north and north-west, this will limit the extent to which the quarry can contribute to the medium to longer term sustained supply of aggregates.</li> </ul>	<p>Reject</p>
<p><b>Option 2:</b>  Rezone as proposed by the PPC</p>	<ul style="list-style-type: none"> <li>• Rezoning is the most efficient way of ensuring district plan integrity and giving the community surety over intended environmental outcomes.</li> <li>• Contributes to medium and long-term sustained supply of aggregates.</li> </ul>	<ul style="list-style-type: none"> <li>• Change in character from a rural landscape of plantation forestry to an active quarry.</li> <li>• Mineral extraction will progressively generate landscape and visual effects as the existing and consented quarry pit expands to the south.</li> </ul>	<p>Accept</p>
<p><b>Option 3:</b></p>	<ul style="list-style-type: none"> <li>• Few benefits are identified where there is</li> </ul>	<ul style="list-style-type: none"> <li>• Uncertainty and complexity in adopting a new method</li> </ul>	<p>Reject</p>

<b>Table: Assessment of Alternatives</b>			
<b>Options:</b>	<b>Benefits</b>	<b>Costs /Risks</b>	<b>Accept/Reject</b>
Adopt a precinct or site specific rule approach	already a set of provisions that address regionally significant quarries and no Precinct is utilised in the AUP to manage mineral extraction activities or the SPQZ.	in the AUP to manage mineral extraction activities. The consistency in the administration of the SPQZ and mineral extraction activities would be affected by any approach which adopted a Precinct instead of, or with, the rezoning of the land.	

4.2.13. Having regard to the assessment, the PPC is considered to be a more appropriate response to the issues raised by the applicant and the approach of the AUP.

#### **4.3. Objectives Evaluation**

4.3.1. No new objectives are proposed by the PPC. Therefore Section 32(1)(a) does not apply.

#### **4.4. Evaluation of Provisions/Methods**

4.4.1. Apart from the rezoning, no new policies or methods are proposed by the PPC. In respect to Section 32(1)(b)(ii) councils are required to assess the efficiency and effectiveness of the policies and methods as the most appropriate way to achieve the objectives of the relevant plan.

4.4.2. As acknowledged in the AEE and statutory assessment component of this PPC Request, the AUP provisions will ensure that any potential adverse effects can be adequately dealt with and responded to at the resource consent stage. It is not unusual or ineffective to rely on existing provisions in any way, and does not undermine the viability of the requested rezoning. Therefore, the reliance of this PPC on existing provisions is considered to be both efficient and effective.

<b>Table: Assessment of Effectiveness and Efficiency</b>	
<b>Effects</b> <b>environmental, social, cultural, economic</b>	The combination of methods of the AUP, as outlined in this report, addresses the effects of mineral extraction activities in the SPQZ. These provisions already apply within 546 McNicol Road as well to the other quarries operated by the applicant and other operators throughout the region. The rezoning does not increase the net area of the SPQZ, but rather identifies a better or preferred direction for the expansion of the quarry through the downzoning of part of the existing site and the upzoning and expansion of the quarry into another part of the landholding.
<b>Costs</b>	It is acknowledged that the existing methods of the AUP will create costs to the PPC applicant associated with the PPC and future resource consent applications. Comparatively with the status quo,

Table: Assessment of Effectiveness and Efficiency	
	the proposed rezoning is considered to relate to fewer effects on the environment that would need to be addressed at the time of resource consent.
<b>Benefits</b>	The proposed rezoning enables the medium to long-term expansion of a regionally significant quarry. The benefits of access to aggregates is addressed in this Report.
<b>Opportunities for economic growth and employment</b>	The rezoning itself does not affect economic growth or employment, however implementation of the zoning will efficiently and effectively enable economic growth and employment for activities reliant on aggregate (for example building, infrastructure and renewals).
<b>Options less or not as appropriate to achieve the AUP objectives</b>	The status quo is not considered efficient or effective means of enabling medium to long term planning of the most appropriate direction for the expansion of the quarry, along with the medium to long-term supply of aggregate to support growth and development in the region.

## 5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

5.1.1. This Assessment of Environment Effects ("AEE") has been prepared in accordance with Clause 22(2) of the Schedule 1 of the RMA which requires that the request describe the effects in such detail as corresponds with the actual and potential effects anticipated from the implementation of the PPC. The assessment must also take into account the following matters as listed in clause 7 of Schedule 1 to the RMA:

- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects.
- (b) any physical effect on the locality, including any landscape and visual effects.
- (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.
- (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations.
- (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants.
- (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.

5.1.2. The following section presents an overview of the findings of the various technical reports and environmental assessments that have been commissioned by the applicant. The respective reports attached should be referred to for greater detail and analysis.

## **5.2. Social Effects**

- 5.2.1. No adverse effects are considered to result from the proposed up-zoning and own-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 wellbeing.

## **5.3. Archaeological / Cultural Heritage Effects**

### ***Archaeological Effects***

- 5.3.1. 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.
- 5.3.2. 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.
- 5.3.3. Due to the very steep (typically 0.75:1 to 1:1 steepness up the valley faces and 0.5:1 along ridgelines) and rocky landscape of the sites it is unlikely that any heritage sites are located within these wider properties. In addition, given the steepness of the site, detailed surveys are unlikely to be feasible from a health and safety perspective.
- 5.3.4. The AUP provisions, including the accidental discovery protocols (Rules E11.6.1 and E12.6.1), address accidental finds and these rules are considered appropriate to address potential unrecorded matters, and detailed archaeology reporting (site specific) can be prepared for specific resource consents (as was undertaken for decision [2018] NZEnvC 96).
- 5.3.5. The applicant can apply as a precautionary measure to obtain an authority to destroy, damage or modify any unknown sites from HNZPT under Section 44 of the Heritage New Zealand Pouhere Taonga Act 2014.
- 5.3.6. No additional standards are considered necessary.

### ***Cultural Heritage Effects***

- 5.3.1. 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.
- 5.3.2. Ngai Tai Ki Tāmaki are currently collaborating with NIWA to identify, measure and analyse sediment movement in the Wairoa River to the Tāmaki strait. Ngai Tai Ki Tāmaki are seeking to identify sources of sediment that affect the Wairoa River.

- 5.3.3. Ngai Tai Ki Tāmaki have encouraged the applicant to ensure that establishment of stormwater treatment / sediment control ponds and other sediment control measures within the Quarry to catch, treat and appropriately discharge stormwater prior to its discharge to the Wairoa River. This includes the establishment of a wheel wash to minimise contaminants from the site being tracked onto the road.
- 5.3.4. Ngai Tai Ki Tāmaki have through onsite meetings encouraged the applicant to ecologically restore the Wairoa River banks immediately opposite the site. These areas are outside of the application sites.
- 5.3.5. Erosion and sediment control, along with stormwater discharges, are managed by Rules H28.4.1(A14) to (A18) and standard H28.6.2.7, along with matters of control and assessment in H28.7.1(2) and H28.7.2(2) of the AUP. This includes the requirement, as was provided with the resource consent (decision [2018] NZEnvC 96), for a Quarry Management Plan and Erosion and Sediment Control Plan. These rules and requirements ensure that erosion and sediment control measures would be proposed and implemented as part of any resource consent to expand the quarry into the area proposed to be rezoned SPQZ. These same rules would apply to the current SPQZ if consent was sought to expand the quarry to the north.
- 5.3.6. Air discharges from a SPQZ are managed by Rules E14.4.1(A90) and (A91) and standards E14.6.2.2 and E14.6.3.4.
- 5.3.7. Consultation with the Ngai Tai Ki Tāmaki Tribal Trust is ongoing as part of the development and operations of the Quarry.
- 5.3.8. No additional standards are considered necessary.

#### **5.4. Landscape and Visual Effects**

- 5.4.1. Rules H28.7.1 and H28.7.2 includes the following matters of control and assessment:

*H28.7.1 (1) mineral extraction activities:*

*(b) visual amenity; and*

*(c) site rehabilitation.*

*H28.7.2 (1) (b) visual amenity:*

*(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.*

- 5.4.2. The PPC effectively results in a relocation of the same area of SPQZ from the north to the south of the Quarry. It also provides for the retention of the ridgeline within the northern part of the site that provides a landscape buffer and screen between the properties on McNicol Road and Otau Mountain Road north of the Quarry.

- 5.4.3. The assessment criteria in H28.7.2(1)(b) requires that only residential dwellings in close proximity to the quarry are identified, in order to assess whether there would be significant adverse visual amenity effects. The AUP does not define close proximity, however this matter was considered in the hearings for the resource consent (decision [2018] NZEnvC 96). In relation to the SPQZ, it is noted that the criterion does not use the term *nearby*, or in *proximity* which are considered to be wider than *close proximity*. However, *close proximity* is considered to be wider than *adjoining* or *adjacent*.
- 5.4.4. Guidance can be taken from other parts of the AUP. For example close proximity is a term used in the AUP QBAO rule D27.1, which states:
- “The Quarry Buffer Area Overlay is located around significant mineral extraction activities. The intent of the overlay is to avoid reverse sensitivity effects on quarry operations that can result from subdivision, use and development occurring in close proximity to mineral extraction activities. The effects that give rise to reverse sensitivity include dust, noise and vibration”.*  
*[my emphasis]*
- 5.4.5. The QBOA is a 500m dimension taken from the existing quarry operation, and outside of the SPQZ. The term ‘include’ within Rule D27.1 suggests that the list of potential reverse sensitivity issues (to be managed via the 500m close proximity buffer) is not complete and may include other effects. Furthermore, the issue of potential visual effects are a consideration within the assessment criteria of D27.7.2 of controlled activities (including new dwellings) occurring within the QBOA. The inclusion of visual effects as a matter of assessment, implies that this is another reverse sensitivity issue (additional to the list of dust, noise and vibration) which is to be managed via the 500m buffer area.
- 5.4.6. As was addressed in the hearings for the resource consent (decision [2018] NZEnvC 96), it is considered that 500m is an appropriate distance at which to determine *close proximity* in relation to the potential visual effects of this proposal.
- 5.4.7. In respect to the proposed SPQZ, the following separation distances are provided to dwellings in the surrounding environment:
- 600 McNicol Road – approximately 150m
  - 129 Highridge Road – approximately 830m
  - 119 Highridge Road – approximately 950m
  - 130 Highridge Road – approximately 1000m
  - 530 McNicol Road – approximately 1000m
  - 450 Otau Mountain Road – approximately 850m
- 5.4.8. The viewing audience of the proposed SPQZ will encompass the following groups:
- (a) Road users on McNicol Road
  - (b) Landowners and visitors to the properties accessed off McNicol Road, Highridge Road and Otau Mountain Road; and
  - (c) Recreational users of the Wairoa River and its esplanade reserve.



- 5.4.9. For those residents on McNicol Road and Otau Mountain Road north of the Quarry, the proposal is considered to have fewer landscape and visual effects compared with the existing extent of SPQZ.
- 5.4.10. For those residents on Highridge Road, the proposal is considered to have similar landscape and visual effects to the existing extent of SPQZ. The proposal does not rezone the ONF, which would maintain the existing gully/valley feature associated with the eastern bank of the Wairoa River. In this location, the ONF generally maintains up to RL100 immediately to the east of 600 McNicol Road. This will maintain a greater extent of foreground landform and vegetation than compared with the existing SPQZ which in the northern part of the site allows mineral extraction immediately adjoining McNicol Road along the western boundary of the site.
- 5.4.11. Similarly, the ONF provides an effective visual screen between the dwelling at 600 McNicol Road (located at RL30m) and the proposed SPQZ. This same screening opportunity provided by the ONF maintains an appropriate buffer between the rezoning and users of McNicol Road and the adjoining Wairoa River esplanade reserve.
- 5.4.12. The existing provisions of the AUP (including Rules H28.7.1 and H28.7.2) are considered to be appropriate to manage the development of the rezoned SPQZ. The net change is consistent, if not better, with the existing effects that would result from the SPQZ solely within 546 McNicol Road.
- 5.4.13. The extent of zoning deliberately maintains the ONF within the site as RPZ, therefore not affecting this landform and its ability to provide visual landscape mitigation and screening for dwellings located in close proximity (and those further afield).
- 5.4.14. Given the proposed rezoning is more remote than the northern part of 546 McNicol Road, in comparing effects between the AUP and the PPC, the proposal is considered to result in fewer landscape and visual effects.
- 5.4.15. No additional standards are considered necessary.

## **5.5. Noise and Vibration Effects**

- 5.5.1. The noise and vibration standards of the AUP are contained in Rules H28.6.2.1 and H28.6.2.2.
- 5.5.2. Noise effects of the PPC have been described in detail in the Acoustic Assessment Report prepared by Marshall Day Acoustics appended as **Attachment 4**. The assessment discusses the appropriateness of the AUP's SPQZ objectives, policies and noise rules in relation to the effects of the PPC. The report compares noise limits within both the SPQZ and RPZ, whereby the same limits apply, but with extended time periods. This implies that the rezoning through the PPC would have no adverse effect on the permitted noise limits as received by dwellings in the vicinity.
- 5.5.3. It is noted that the PPC relocates the planned Quarry expansion area to the south of the existing pit. This increases its proximity to 600 McNicol Road and decreases the activity's proximity to all other adjacent sites. Noise modelling was undertaken which has indicated that the predicted noise levels for daytime operations at the most affected receivers are around 40 dB LAeq. This is readily compliant with the AUP noise limits and these are considered to be reasonable noise levels in a rural environment. Predicted noise levels are generally similar to existing ambient noise levels.

- 5.5.4. 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 L<sub>Aeq</sub> to 32 dB L<sub>Aeq</sub>, 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 L<sub>Aeq</sub> is considered to be very low and within the existing environment (which is a measured level of 41 dB L<sub>Aeq</sub> at 520 McNicol Road). A noise level of 32 dB L<sub>Aeq</sub> would mean that quarry operations may be audible intermittently, but at a level well below even the night-time noise limit of 45 dB L<sub>Aeq</sub>. With this advice, it is considered that no adverse effects would result from such a low level of noise.
- 5.5.5. 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.
- 5.5.6. 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.

## **5.6. Ecological Effects**

- 5.6.1. An Ecology Report has been prepared by Dr Graham Ussher of RMA Ecology Ltd (**Attachment 3**).
- 5.6.2. 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.
- 5.6.3. 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.
- 5.6.4. 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).
- 5.6.5. 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.
- 5.6.6. The provisions of the AUP, Wildlife Act and NES-F all apply to the existing SPQZ and the proposed area to be rezoned. No additional standards in the AUP are considered necessary.

## **5.7. Stormwater and Erosion and Sedimentation Effects**

- 5.7.1. 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.

5.7.2. No additional standards are considered necessary.

## **5.8. Effects on Groundwater**

5.8.1. Mineral extraction activities frequently involve the excavation into and consequent diversion of groundwater. This activity is addressed by Rules E7.4 (A20) and (A28) of the AUP. In respect to the requirements of those matters of discretion and assessment:

- (a) Proposals for excavations, diversion and dewatering of groundwater usually do not involve a consumptive or surface water take.
- (b) The resource consent process allows for the consideration of adverse effects on neighbouring bores. In the case of resource consent (decision [2018] NZEnvC 96) no adverse effects were identified given the separation distances between the site and adjacent bores, and consistent with E7 of the AUP a contingency plan was adopted to address any unforeseen effects from the activity on groundwater levels associated with bores on sites in the wider catchment. The same approach would apply through the existing AUP provisions to any new resource consent application involving excavation through the groundwater level or dewatering of a pit.
- (c) The resource consent process also allows for the consideration of the effects of diversion and dewatering in respect to water flows and ecosystem values of the streams within and adjoining the site. Where a proposal could reduce groundwater and surface flows into a stream, a management plan (similar to that which already exists through resource consent (decision [2018] NZEnvC 96) can address any potential significant adverse effects on instream values through, for example, a base flow augmentation regime. This type of measure, which is already part of the discretions of the AUP, can require that minimum flows are monitored and maintained, ensuring that the ecosystems of the streams are not significantly affected by the quarry.
- (d) The site is distant from adjoining buildings and structures. Consequently, the diversion of groundwater could not result in ground settlement in a manner that affects buildings, structures or infrastructure. These matters can be evaluated through a future resource consent.

5.8.2. No additional standards are considered necessary.

## **5.9. Transportation Effects**

5.9.1. 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.

5.9.2. 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.*

5.9.3. 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.

## **5.10. Risk from hazards and contamination**

### ***Land Stability***

5.10.1. 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.

5.10.2. 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.

5.10.3. 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.

5.10.4. No additional standards are considered necessary.

### ***Contamination***

5.10.5. Mineral extraction activities are not a change in use which would result in the residential occupation of land or subdivision that would trigger the requirements of E30 of the AUP or the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

### ***Flooding***

5.10.6. 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.

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

## **5.11. Positive effects**

5.11.1. Section 1.8(3) of the AUP states: *The absence of any specific reference to positive effects in the objectives, policies, matters of discretion or assessment criteria does not mean that any positive effects of allowing an activity are not relevant to the consideration of an application for resource consent for that activity.*

- 5.11.2. The PPC is considered to have positive effects in terms of maintaining a supply of high quality aggregates for the development of infrastructure and buildings to support Auckland's growth. This positive effect is amplified due to the close proximity of the quarry to development sites, and because it is an expansion of an existing quarry. These factors make for a more efficient and cost-effective supply of aggregate.
- 5.11.3. The information below is sourced from the evidence of Mr Greg Akehurst which was presented at Environment Court hearing that resulted in the decision 2021 NZEnvC 120.
- 5.11.4. Aggregate is a vital component of most built form. It provides the bulk and structure to concrete used in buildings of all forms, as well as roads, and infrastructure, comprising between 75% and 90% of their volume. Per capita, Auckland requires 7.8 tonnes of aggregate, each year to meet our housing, infrastructure and commercial building needs.
- 5.11.5. While aggregate is not scarce, sourcing and extracting aggregate is difficult and expensive, economically and environmentally. Existing aggregate sources, like many other natural resources, are being exhausted over time. Urban expansion places demand on aggregate for construction, and reduces access to key aggregate sources by either building over the top of them, or by protecting the land as key conservation/water catchment reserves. This means existing supply sources need to be protected as far as is practicable, and allowed to expand in a controlled and understood manner, in order to minimise the impact on the Auckland environment and economy.
- 5.11.6. The demand for aggregate from Auckland comes from residential growth driving demand for new housing, new suburbs and roads as well as from expansion in the wider economy. Growth in Auckland households (up to 625,000 by 2043) and businesses will drive significant increases in demand for aggregate over the next 25 years.
- 5.11.7. Auckland demand for aggregate is expected to increase from 13 million tonnes in 2017, to between 18.2 and 22.8 million tonnes annually by 2043 and upwards in line with population growth into the future.
- 5.11.8. Industry data suggests that an average house requires approximately 340 - 400 tonnes of aggregate. Annual growth of between 9,000 – 13,000 households across the region to 2043 will require between 3 million and 5.2 million tonnes of aggregate per year. A further 4,000 tonnes is required for every km of suburban street that is built, and at least that again of aggregate and sand for the infrastructure services that sit underneath the roads.
- 5.11.9. In addition to residential development, every tilt slab warehouse requires 560 tonnes of aggregate per 100m<sup>2</sup> of gross floor area and every town centre high rise office/apartment/hotel requires around 60 tonnes per 100m<sup>2</sup>. Retail developments, schools, hospitals and recreational facilities that follow residential development all require aggregate as a core part of their structure.
- 5.11.10. Auckland has limited accessibility to new aggregate resources to meet this growing demand. Today three primary aggregate producers operate in the Auckland region. Winstone's Quarry (Hunua), Stevenson's Quarry (Drury), and Brookby Quarry (Brookby) supply 74% of Auckland's total aggregate supply. Other existing quarries are being exhausted, or becoming commercially unviable and closing. As a result, the three main quarries are expected to be supplying between 79-85% of the available market source in the period 2020-2025.

- 5.11.11. Alternative sources of aggregate supply are located in the Waikato and Northland and are, on average, over 50km from Auckland.
- 5.11.12. Aggregate is extremely heavy and expensive to transport. The transport costs for a 30 tonne load of aggregate moved 50km (the additional distance to the principal alternative to Auckland quarries) are approximately \$510. This is additional to the price of the aggregate itself, which runs to approximately \$486 per 30 tonne truck.
- 5.11.13. This means for every truck sourced from the Waikato rather than within the Auckland doubles the cost. Similarly, transporting aggregate from Northland, costs approximately \$714 more for an average 70 km additional distance (with a 30 tonne load). Northland's aggregate exports to Auckland in previous years have also been much lower than from the Waikato with a maximum of 0.7 million tonnes reflecting this large additional cost, meaning it is not well positioned to meet Auckland's shortfall.
- 5.11.14. Ensuring aggregate processing capacity throughout the long term, including planning for the expansion of Clevedon Quarry, will provide cost savings to the Auckland economy in the form of reduced transport costs and the ability to sustain a supply of aggregate to meet demand. Identification of new and planned expansion of existing quarries proximate to Auckland is important to Auckland's economic future as aggregate is bulky and costly to transport any distance.
- 5.11.15. The expansion via rezoning of the Quarry makes economic sense as the benefits to the region from lower cost aggregate along with the environmental benefits of reduced transport of aggregate outweigh the local costs in terms of land consumed and forest removed to facilitate the expansion.

## **5.12. Overall summary of environmental effects**

- 5.12.1. The effects of the proposal are considered to be adequately addressed by the existing Auckland-wide Regional and District Plan provisions of the AUP.
- 5.12.2. The PPC will provide for the ongoing expansion of a regionally significant quarry and provide opportunities for a sustained supply of aggregate to support building, infrastructure and renewals.
- 5.12.3. No further objectives, policies or rules are considered necessary to address the effects that would be enabled by the PPC.

## **6. ASSESSMENT OF STATUTORY AND NON-STATUTORY DOCUMENTS**

- 6.1.1. Section 75(3) of the RMA states that a District Plan must give effect to any national policy statement; any New Zealand coastal policy statement; and any regional policy statement. Section 75(4) of that RMA states that a District Plan must not be inconsistent with a water conservation order; or a regional plan for any matter specified in section 30(1).
- 6.1.2. The following assessment sets out how the proposed Plan Change gives effect to the statutory and non-statutory documents set out below:
  - (a) National Policy Statement on Urban Development 2020;
  - (b) New Zealand Coastal Policy Statement 2010;
  - (c) National Policy Statement for Freshwater Management 2020;

- (d) The Regional Policy Statement provisions from the AUP;
- (e) The Objectives and Policies of the AUP;
- (f) Auckland Plan 2050; and
- (g) Iwi Planning Documents.

## **6.2. National Policy Statement on Urban Development 2020**

- 6.2.1. The National Policy Statement on Urban Development is indirectly relevant to the PPC in that anticipated growth needs to be supported by planned infrastructure. Much of this planned infrastructure is dependent on a sustained supply of aggregate to support construction and renewals.

## **6.3. New Zealand Coastal Policy Statement 2010**

- 6.3.1. The New Zealand Coastal Policy Statement 2010 ("**NZCPS**") is not relevant to the proposal. The site is not located in proximity to the coast. The AUP rules include appropriate measures to manage stormwater, and erosion and sediment controls to minimise effects on the coastal environment resulting from discharges and sedimentation.
- 6.3.2. No further provisions are considered necessary within the AUP in order to address the rezoning.

## **6.4. National Policy Statement for Freshwater Management 2020**

- 6.4.1. The National Policy Statement for Freshwater Management ("**NPS-FM**") provides direction for the Council on the management of freshwater. The NPS-FM seeks to ensure that freshwater quality within a region must be maintained or improved and places a focus on water quality, water quantity and integrated management of freshwater.
- 6.4.2. Dr Ussher has identified the values of the streams already contained within the SPQZ. This assessment has also identified the values of the southern stream where this stream and its tributaries are proposed to be rezoned from RPZ to SPQZ.
- 6.4.3. Dr Ussher has identified that no inland natural wetlands exist within the area to be rezoned SPQZ.
- 6.4.4. The rules of the AUP and NES-F are considered to be appropriate to manage the effects of mineral extraction activities within the SPQZ. No further provisions are considered necessary within the AUP to address the rezoning.
- 6.4.5. The NPS-FM contains one objective and 15 policies (contained in Part 2). Objective 2.1 states:

*(1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*

*(a) first, the health and well-being of water bodies and freshwater ecosystems*

*(b) second, the health needs of people (such as drinking water)*

*(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

6.4.6. The policies seek to:

- Manage freshwater in a way that 'gives effect' to Te Mana o te Wai.
- Involve tangata whenua and working with tangata whenua and communities to set out long-term visions.
- Prioritise the health and wellbeing of water bodies, then the essential needs of people, followed by other uses.
- Improve degraded water bodies, and maintain or improve all others using bottom lines.
- Avoid any further loss or degradation of wetlands and streams.
- Protect habitat.
- Ensure an efficient use of freshwater.

6.4.7. The PPC is not contrary to the strategic direction set by the NPS-FM for the following reasons:

- (a) Streams and wetlands are already protected by the AUP provisions in E3. No change to these provisions are proposed by the PPC. Notably, the protection under the AUP and the corresponding NES-F applies regardless of the PPC. In terms of the relocation of the zone, the net effect is the removal of the SPQZ from the NSMA, SEA and northern bank of the Northern Stream. The net effect of the PPC on streams within the SPQZ is 870m of permanent stream is downzoned from SPQZ (north), 30m of permanent stream is added (south) and 695 of intermittent is added (south). More stream is down-zoned to RPZ than is added to the SPQZ by the proposal.
- (b) The AUP includes rules to manage the effects of mineral extraction on freshwater receiving environments, including those for earthworks in Rules H28.4.1(A14) to (A18), standard H28.6.2.7 and Rules E7.4.1(A20) and (A28) regarding diversion of groundwater and E8.4.1 regarding the discharge of stormwater from impervious surfaces.

## **6.5. Auckland Unitary Plan - Regional Policy Statement**

6.5.1. As outlined above, the PPC must give effect to the RPS. The relevant RPS objectives and policies are grouped under issues, as follows.

### ***Issue B7 – Natural Resources (Minerals)***

6.5.2. Section B7.6 of the AUP includes the RPS objectives and policies for minerals. The explanation in B7.7 is particularly relevant to the PPC where it states:

*Minerals are essential for Auckland's development. In the past, Auckland's quarries have produced nearly 10 million tonnes of aggregates per year. Currently a number of mineral extraction sites still operate in Auckland. Minerals are also imported from other parts of the country, particularly from the northern Waikato area.*



*The demand for minerals, particularly aggregates, is expected to increase to 15 million tonnes per annum by 2041. This will support growth and development, and renew and maintain buildings, roads and infrastructure.*

*Given the anticipated increases in demand for and Auckland's dependence on minerals, an accessible supply of minerals is a matter of regional importance. This means that the use of aggregate resources needs to be used as efficiently and effectively as possible.*

*Mineral extraction activities are encouraged to adopt best practice management of their sites to minimise adverse effects on both the natural environment and on the amenity values and quality of life of neighbouring land uses. Greater focus is also given to avoiding reverse sensitivity conflicts between mineral extraction sites and surrounding land uses and giving greater protection to the ongoing supply of minerals for Auckland.*

6.5.3. The relevant objectives and policies state:

*Section B7.6 Mineral Objectives and Policies*

*B7.6.2.1: Objectives*

*1) Auckland's mineral resources are effectively and efficiently utilised.*

*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.*

*3) Identify extractable mineral deposits for future use and safeguard the areas containing regionally significant extractable deposits from inappropriate land use and development.*

*(4) Require mineral extraction activities to be established and operated in ways which avoid, remedy or mitigate significant adverse effects on the environment.*

6.5.4. 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.

6.5.5. The Clevedon Quarry is located southeast of Auckland's urban area, and as such is well located to be able to supply aggregate to all of Auckland without incurring high transport costs associated with greater travel distances. If aggregate were required to be sourced from alternative sources outside the Auckland region, this could significantly impact the cost of aggregate. The strategic location of the Clevedon Quarry makes this a valuable resource and will ensure that the supply of aggregate continues to be cost-effective.

6.5.6. The proposal zones additional land adjoining an existing SPQZ. This is a dedicated zone for mineral extraction activities with specific rules and standards to manage the activity.

- 6.5.7. 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.

**Issue B2 – Urban Growth and Form**

- 6.5.8. No objectives or policies are directly relevant to the PPC.

**Issue B3 – Infrastructure, Transport and Energy**

- 6.5.9. The relevant objectives and policies relating to this issue are found in Chapter B3 of the AUP.
- 6.5.10. The SPQZ includes the matters of control and assessment criteria in Rules H28.7.1(1)(a) and H28.7.2(1)(a). As is demonstrated by the resource consent (decision [2018] NZEnvC 96), these provide for an effective method for all regionally significant quarries to manage transportation effects. In the case of the Quarry, the resource consent already provides for the extraction and transportation of 3 million tonnes of aggregate annually from the site.
- 6.5.11. The relocation of the zone is not intended to increase annual production, but rather to lengthen the life of the quarry by providing a more feasible direction for the Quarry to expand into as the pit develops. Mineral extraction activities in the SPQZ require resource consent pursuant to Rule H28.4.1(A7).

**Issue B4 - Natural heritage**

- 6.5.12. The relevant objectives and policies relating to this issue are found in Chapter B4 of the AUP. The key objectives and policies relate to natural character, landscape and features.
- 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.

**Issue B5 – Built heritage and character**

- 6.5.16. 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.

**Issue B6 - Mana Whenua**

- 6.5.17. The relevant objectives and policies relating to this issue are found in Chapter B6 of the AUP. The key objectives and policies relate to:
- (a) Recognising the Treaty and enabling the outcomes that Treaty settlement redress is intended to achieve;
  - (b) Protecting Mana Whenua culture, landscapes and historic heritage;
  - (c) Enabling Mana Whenua economic, social and cultural development on Māori land and Treaty settlement land in recognition of the interests and values of Mana Whenua, in the sustainable management of natural and physical resources including integration of mātauranga and tikanga in resource management processes, and customary rights;
  - (d) Increasing opportunities for Mana Whenua to play a role in decision-making, environmental governance, partnerships and participation; and
  - (e) Enhancing the relationship between Mana Whenua and Auckland's natural environment, including customary use.
- 6.5.18. 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.

***Issue B7 - Natural resources***

- 6.5.19. The relevant objectives and policies relating to this issue are found in Chapter B7 of the AUP.
- 6.5.20. With respect to 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.
- 6.5.21. Natural hazards such as geotechnical constraints and flood hazards can be managed through detailed design and investigations as part of future resource consent applications.

***Issue B8 - Coastal environment***

- 6.5.22. The relevant objectives and policies relating to this issue are found in Chapter B8 of the AUP. The proposal is not within the coastal environment.

***Issue B10 – Environmental Risk***

- 6.5.23. The relevant objectives and policies relating to this issue are found in Chapter B10 of the AUP. Flood and inundation areas, along with geotechnical considerations will be managed through detailed design and investigations as part of future resource consent applications.

***Summary***

- 6.5.24. The rezoning is considered to give effect to the relevant objectives and policies of the RPS.

## 6.6. Auckland Unitary Plan – District and Regional Plan Objectives and Policies

6.6.1. The AUP includes district and regional objectives and policies that relate to the SPQZ, mineral extraction activities and region-wide approaches to the management of effects. Given the nature of mineral extraction activities compared to other activities undertaken in the region, there are a number of policies that are specifically focussed and tailored to mineral extraction activities and the SPQZ. The assessment below outlines the most relevant provisions to the PPC.

### **H28 Quarry Zone**

6.6.2. The relevant objectives and policies of the SPQZ are:

#### *H28.2: Objective*

- 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.*

#### *H28.3. Policies*

- 1) *Apply the “Special Purpose – Quarry Zone” to significant mineral resources and extraction sites that provide for mineral extraction.*
- 3) *Avoid where practicable, 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 another purpose.*
- 6) *Avoid, remedy, or mitigate adverse effects of traffic generation and maintain safety for all road users, and particular measures to manage heavy vehicles entering or exiting the site and on transport quarry 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 of mineral resources*

6.6.3. In respect to the PPC:

- (a) The Clevedon Quarry is identified as a regionally significant quarry, and the PPC seeks to establish a long-term direction for ongoing expansion in a location with fewer constraints than the existing SPQZ in the northern part of 546 McNicol Road.
- (b) The aggregate resource within 646 McNicol Road and 439 Otau Mountain Road is the equivalent to that already contained within the SPQZ, and therefore would be considered to be of regional significance.

- (c) The PPC utilises the existing methods of the AUP to manage adverse effects in the same manner which applies to the existing SPQZ. These provisions can effectively address noise, vibration, dust and illumination (Rules H28.6.2.1, H28.6.2.2, H28.6.2.7, E13.4.1(A90) and (A91), and E24.4.1).
- (d) The proposed rezoned SPQZ does not include natural and physical resources that are scheduled in the Plan, including those relating to natural heritage, Mana Whenua, natural resources, historic heritage and special character.
- (e) The matters of control and assessment criteria address the approaches to rehabilitate quarries when the resource is exhausted.
- (f) 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.
- (g) The relocation of the SPQZ is considered to be better at internalising adverse effects compared with the retention of the existing SPQZ in the northern part of 546 McNicol Road. With the down-zoning of this part of 546 McNicol Road to RPZ there is considered to be a superior overall means of creating a sufficient buffer between dwellings on the northern part of McNicol Road and the existing and expanded quarry.

### **E28 Mineral Extraction from land**

- 6.6.4. In addition to H28, the objectives and policies of E28 are considered relevant to the PPC. Several of these repeat matters already contained in H28 as they also apply to discretionary activities in the AUP's Rural Zones. These provisions address:

#### *E28.2: Objective*

- 1) *Mineral extraction from the land and its delivery is efficient and meets Auckland's needs while significant adverse effects are avoided, mitigated, remedied or mitigated.*

#### *E28.3. Policies*

- (1) *Avoid where practicable undertaking new mineral extraction activities in 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.*
- (2) *Where it is not practicable to locate mineral extraction activities outside the areas identified in Policy E28.3(1), consideration will be given to all of the following:*
  - (a) the benefits likely to be derived from the mineral extraction activities;*
  - (b) any reduced transport effects from having a mineral extraction site closer to the area of demand;*
  - (c) the extent to which significant adverse effects can be avoided; and*
  - (d) the extent to which adverse effects can be remedied, mitigated or, where not mitigated, can be offset.*
- 3) *Provide for existing and new mineral extraction activities of a significant size and scale by their inclusion in and management by a "Special Purpose – Quarry Zone".*
- 4) *Avoid, remedy or mitigate as far as practicable significant adverse effects associated with mineral extraction activities.*

- 5) *Require proposals for new mineral extraction activities in rural areas to provide adequate information on the establishment and operation of the activity and demonstrate:*
  - (a) the size and scale of extraction activities and the expected length of operation of the extraction site;*
  - (b) the design and layout of the site, the access roads and supporting facilities;*
  - (c) that adequate measures will be used to:*
    - (i) manage noise, vibration, dust and illumination to maintain amenity values of the surrounding land uses, particularly at night-time;*
    - (ii) manage adverse effects of traffic generation and maintain safety to all road users, particularly measures to manage heavy vehicles entering or exiting the site;*
    - (iii) avoid, remedy or mitigate adverse effects on soil and water quality, including impacts on watercourses within the extraction site and the effects of discharges from the site into the neighbouring environment;*
    - (iv) maintain land stability;*
    - (v) mitigate significant adverse effects on visual and landscape values;*
  - and*
  - (vi) protect the values of identified heritage or archaeological sites, buildings, places or areas, along with Mana Whenua values.*
  - (d) options anticipated for the rehabilitation of the site, either by a staged process or at the end of the economic life of the quarry, having regard to the expected life of the mineral extraction site.*
- 6) *Require a Quarry Management Plan for mineral extraction activities to be prepared to address operational matters associated with mineral extraction, including management of adverse effect and actions to avoid, remedy, mitigate or offset.*
- 7) *Ensure buildings and structures are of an appropriate size and scale and located appropriately in relation to site boundaries.*
- 10) *Require quarry operators to internalise the adverse effects associated with new mineral extraction activities as far as practicable while recognising the need to allow for the efficient ongoing extraction of mineral resources.*

6.6.5. In respect to the PPC:

- (a) The rezoned SPQZ does not contain a scheduled feature identified in Policy E28.3(1). The PPC area excludes the ONF located within the site, while the rezoned northern part of 546 McNicol Road down-zones land which is also identified as an SEA and NSMA.
- (b) Notwithstanding Policy E28.3(1), the subsequent Policy E28.3(2) provides matters to consider in balancing resource management issues where it is not possible to locate mineral extraction activities outside of those scheduled features. Each of the matters outlined in Policy E28.3(2) is considered relevant to the PPC, including that the proposal would result in benefits in terms of the sustained supply of aggregates, would support transport efficiencies compared with importing aggregate from outside the region or from quarries distant from Auckland, and any relevant effects could be addressed in accordance with Policy E28.3(2)(d) which includes the consideration of offsets.

- (c) Policy E28.3(3) is considered to be directly relevant to the PPC as it supports the rezoning of new mineral extraction activities (and as a consequence mineral/aggregate resources) to SPQZ. The existing Quarry is regionally significant and of a size (existing production and consented expansion) which contributes to regional aggregate demand. It is logical that a planned expansion to an existing SPQZ should be addressed utilising the SPQZ provisions rather than retaining an existing RPZ.
- (d) The matters outlined in Policies E28.3(4), (5), (6) and (7) are adequately addressed by the existing provisions of the AUP (which includes information requirements and assessments). This includes the requirement for a QMP by H28.6.2.7(1), along with the standards in H28.6.2 and discretions and assessment criteria in H28.7.

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

6.6.6. The relevant objectives include:

*D4.2. Objective*

*(1) Rivers and streams identified as natural stream management areas with high natural character and high ecological values are protected.*

*D9.2. Objectives*

*(1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision, use and development.*

*(2) Indigenous biodiversity values of significant ecological areas are enhanced.*

*(3) The relationship of Mana Whenua and their customs and traditions with indigenous vegetation and fauna is recognised and provided for.*

6.6.7. The proposal involves the down-zoning of the northern part of 546 McNicol Road from SPQZ to RPZ. This amendment to the AUP is considered to be a better fit with the imperatives of the relevant objectives and policies of D4 and D9 as it removes a conflict between the objectives of these overlays and the SPQZ (that would normally need to be addressed through a resource consent). The change in underlying zoning does not adversely alter the manner in which the rules apply to these overlays in E3 and E15 of the AUP. In the case of the SEAs, vegetation removal is a discretionary activity where outside of the SPQZ.

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

6.6.8. The relevant objectives are:

*(1) Auckland's outstanding natural features and outstanding natural landscapes are protected from inappropriate subdivision, use, and development.*

*(2) The ancestral relationships of Mana Whenua with outstanding natural features and outstanding natural landscapes are recognised and provided for.*

*(3) Where practicable the restoration and enhancement of outstanding natural features and outstanding natural landscapes, including in the Waitākere Ranges Heritage Area and the Hauraki Gulf /Te Moana-nui o Toi/Tīkapa Moana, is promoted.*

*(4) Existing rural production activities are recognised as part of landscape values including in outstanding natural features and outstanding natural landscapes.*

- 6.6.9. The area of land proposed to be rezoned SPQZ is not identified as an ONL or ONF. The proposed rezoning is outside of the identified ONF, and the PPC proposes to adjoin the existing ONF in a manner similar to the existing interface between the ONF and the existing SPQZ.

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

- 6.6.10. The relevant objectives include:

*1) Freshwater and sediment quality is maintained where it is excellent or good and progressively improved over time in degraded areas.  
2) The mauri of freshwater is maintained or progressively improved over time to enable traditional and cultural use of this resource by Mana Whenua.*

- 6.6.11. The SPQZ includes erosion and sediment control measures as required by Rule H28.6.2.7(1)(c). Meeting these rules is considered to appropriately mitigate sediment generated from the SPQZ and treat stormwater prior to its discharge to the aquatic receiving environment.

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

- 6.6.12. The relevant objectives include:

*E2.2: Objectives [rp]*

*1) Water in surface rivers and groundwater aquifers is available for use provided the natural values of water are maintained and established limits are not exceeded.  
2) Water resources are managed within limits to meet current and future water needs for social, cultural and economic purposes.  
3) Freshwater resources available for use are managed and allocated in order of priority to provide for domestic and municipal water supplies, animals, and economic development.  
4) Water resources are managed to maximise the efficient allocation and efficient use of available water.  
5) Mana Whenua values including the mauri of water, are acknowledged in the allocation and use of water.*

- 6.6.13. Policy E2.3(25) is particular to mineral extraction activities stating:

*(25) Enable regionally significant mineral extraction activities (extraction within groundwater and dewatering) provided that significant adverse effects are managed through considering all of the relevant policies in this section.*



6.6.14. As has already been demonstrated through the resource consent (decision [2018] NZEnvC 96), mineral extraction activities frequently involve the excavation into and consequent diversion of groundwater. This activity is addressed by Rules E7.4 (A20) and (A28) of the AUP. It is noted that Policy E2.3(25) seeks to 'enable' mineral extraction activities on the basis of the management of significant adverse effects in accordance with the relevant policies of the AUP. The matters identified in the policies mirror those identified in the matters of discretion and assessment criteria of E7 of the AUP.

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

6.6.15. The relevant objectives include:

#### *E3.2. Objectives [rp]*

*(1) Auckland's lakes, rivers, streams and wetlands with high natural values are protected from degradation and permanent loss.*

*(2) Auckland's lakes, rivers, streams and wetlands are restored, maintained or enhanced.*

*(3) Significant residual adverse effects on lakes, rivers, streams or wetlands that cannot be avoided, remedied or mitigated are offset where this will promote the purpose of the Resource Management Act 1991.*

*(4) Structures in, on, under or over the bed of a lake, river, stream or wetland are provided for where there are functional or operational needs for the structure to be in that location, or traverse that area.*

*(5) Activities in, on, under or over the bed of a lake, river, stream and wetland are managed to minimise adverse effects on the lake, river, stream or wetland.*

*(6) Reclamation and drainage of the bed of a lake, river, stream and wetland is avoided, unless there is no practicable alternative.*

6.6.16. Policy E3.3(13) is particular to mineral extraction activities as it provides specific policy recognition of the requirement from time to time for quarries to modify or remove streams. Consequently, the presence of streams within the existing SPQZ or within the proposed area of SPQZ is consistent with the recognition that already exists in the policies of E3.

*(13) Avoid the reclamation and drainage of the bed of lakes, rivers, streams and wetlands, including any extension to existing reclamations or drained areas unless all of the following apply:*

*(a) there is no practicable alternative method for undertaking the activity outside the lake, river, stream or wetland;*

*(b) for lakes, permanent rivers and streams, and wetlands the activity is required for any of the following:*

*(i) as part of an activity designed to restore or enhance the natural values of any lake, river, stream or wetland, any adjacent area of indigenous vegetation or habitats of indigenous fauna;*

*(ii) for the operation, use, maintenance, repair, development or upgrade of infrastructure; or*

*(iii) to undertake mineral extraction activities; and*

*(c) the activity avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on Mana Whenua values associated with freshwater resources, including wāhi tapu, wāhi taonga and mahinga kai.*

- 6.6.17. This is also a matter that Dr Ussher has commented on in the Ecological Assessment in **Attachment 3**. Dr Ussher outlines that should there be adverse effects on the streams with the SPQZ then the provisions of E3 and the NES-F apply, and where effects cannot be avoided, remedied or mitigated, there are opportunities for offsetting adverse effects within the site at 646 McNicol Road. This is a matter for any future resource consent, and not one which requires additional consideration within the context of the PPC as provisions already exist within the AUP to address effects on streams.

### **E11 and E12 Land Disturbance**

- 6.6.18. The relevant objectives include:

#### *E11.2. Objectives*

- (1) Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies or mitigates adverse effects on the environment.*
- (2) Sediment generation from land disturbance is minimised.*
- (3) Land disturbance is controlled to achieve soil conservation.*

#### *E12.2. Objectives*

*Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies or mitigates adverse effects on the environment.*

- 6.6.19. Rules H28.4.1(A14) to (A18) and standard H28.6.2.7, along with matters of control and assessment in H28.7.1(2) and H28.7.2(2) (including the requirement for a QMP and erosion and sediment control plan) address excavation associated with the removal of overburden to provide for the extraction of aggregate. As is demonstrated by the resource consent (decision [2018] NZEnvC 96), the QMP and erosion and sediment control plan are effective in ensuring the sediment laden stormwater is appropriately captured and treated prior to discharge.

### **E14 Air quality**

- 6.6.20. The relevant objectives include:

- 1) Air discharges from use and development meet Auckland Ambient Air Quality Standards.*
- 2) Human health, property and the environment are protected from significant adverse effects from the discharge of contaminants to air.*
- 3) The operational requirements of light and heavy industry, other location-specific industry, infrastructure, rural activities and mineral extraction activities are recognised and provided for.*

- 6.6.21. Policies E14.3(6) and (7) recognise the air quality amenity expectations associated with the SPQZ and mineral extraction activities. In this respect, the AUP recognises the location specific aspects of aggregate resources, and that provision is made for higher levels of dust. In the case of the SPQZ, the rules of E14.4.1(A90) and Standard E14.6.2.2 apply to mineral extraction activities. These are considered to be appropriate to manage mineral extraction activities within the SPQZ.

### **E15 Vegetation Management**

- 6.6.22. The relevant objectives include:

*(1) Ecosystem services and indigenous biological diversity values, particularly in sensitive environments, and areas of contiguous indigenous vegetation cover, are maintained or enhanced while providing for appropriate subdivision, use and development.*

*(2) Indigenous biodiversity is restored and enhanced in areas where ecological values are degraded, or where development is occurring.*

- 6.6.23. The existing provisions of the AUP and NES-PF are considered appropriate to manage effects of vegetation removal within the SPQZ. The PPC does not propose to rezone any existing SEA as SPQZ, and different from the matters addressed in the Environment Court decision 2021 NZEnvC 120<sup>2</sup> does not involve reconciling the imperatives associated with the protection of SEAs and mineral extraction activities in a SPQZ. The opposite is the case whereby the SEAs and NSMA in the northern part of 546 McNicol Road are proposed to be rezoned RPZ in preference to enabling mineral extraction activities to expand to the south of the existing pit.

### **E27 Transportation**

- 6.6.24. The relevant objectives include:

*(1) Land use and all modes of transport are integrated in a manner that enables:*

*(a) the benefits of an integrated transport network to be realised; and*

*(b) the adverse effects of traffic generation on the transport network to be managed.*

*(2) An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.*

*(4) The provision of safe and efficient parking, loading and access is commensurate with the character, scale and intensity of the zone.*

*(5) Pedestrian safety and amenity along public footpaths is prioritised.*

- 6.6.25. 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.

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<sup>2</sup> Appeal relating to the matters of discretion and assessment criteria associated with restricted discretionary activity applications for SEA removal in the SPQZ

- 6.6.26. 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.*
- 6.6.27. The requirement of Rule H28.4.1(A7) and the matter of control in H28.7.1(1) replace the standard in E27.6.1 Trip Generation (refer E27.6.1.(2)(d)).
- 6.6.28. It is noted that Table 26.2.3.2(A68) establishes that the “*transportation of people, goods and services*” is a permitted activity.

### **Conclusion**

- 6.6.29. The AUP already includes a comprehensive suite of objectives, policies and rules that apply to the SPQZ and region-wide activities. The proposal is to up-zone RPZ to SPQZ and the PPC adopts the operative provisions of the AUP to manage the effects of future mineral extraction activities in the same manner in which these are managed in the existing SPQZ within 546 McNicol Road. The effective relocation of the same area of SPQZ from north to south results in no net increase in the overall size of the SPQZ, however it does make planning for the expansion of the quarry more certain as the land to the south is less constrained by natural features and overlays and would be contiguous with the existing and consented quarry pit.
- 6.6.30. No additional objectives, policies or methods (including a Precinct) are considered necessary to manage activities in the rezoned SPQZ.
- 6.6.31. The rezoning is considered to implement the relevant objectives and policies of the AUP.

### **6.7. The Auckland Plan 2050**

- 6.7.1. The Auckland Plan sets out the vision for the Auckland Region to 2050. The Auckland Plan serves as the key strategic document to set the Council’s social, economic, environmental and cultural objectives. In 2017 the Auckland Plan was subject to a “refresh”, the outcomes from which were adopted by the Council in June 2018.
- 6.7.2. 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”.*

- 6.7.3. The Auckland Plan acknowledges that a sustained and long term supply of aggregate is important to Auckland.

## **6.8. Iwi Planning Documents and Statutory Acknowledgements**

- 6.8.1. Relevant statutory acknowledgements and Iwi Management Plans have been reviewed as part of the PPC process. None of these are considered to affect the assessment of the PPC to effectively relocate the SPQZ from the north of the Quarry pit to the south.

## **7. PART 2 OF THE RMA**

- 7.1.1. Part 2 of the RMA (sections 5 to 8) sets out the Act's purpose and principles, which are to guide those exercising functions and powers under the RMA. To the extent it is considered that Part 2 requires assessment and consideration in respect of the PPC request, the following assessment is provided.
- 7.1.2. The purpose of the RMA as stated in Section 5 is to promote the sustainable management of natural and physical resources. Economic wellbeing considerations are intertwined with the concept of the sustainable management of natural and physical resources, as embodied in the RMA. In particular, section 5(2) refers to enabling "people and communities to provide for their ... economic ... wellbeing" as part of the meaning of "sustainable management".
- 7.1.3. Aggregate is a low value, high volume product and its delivery cost is particularly sensitive to transport costs. Savings associated with a local aggregate supply, as opposed to importing from elsewhere in Auckland or the Waikato region, results in transport savings. Lower prices in turn reduce the cost for infrastructure and construction projects. This directly enables "people and communities to provide for their economic wellbeing", resulting in positive effects. To achieve this, there is a need to ensure that existing quarries are operating efficiently and to utilise prospective resources. This is consistent with the requirement on Council to have particular regard to the "efficient use and development of physical and natural resources", along with their sustainable management.
- 7.1.4. A sustained supply of aggregate is essential for the continued development of the region. The proposal is considered to promote sustainable management. It enables the efficient operation of the quarry that provides aggregate resources that are important to the construction of roading, infrastructure and buildings, along with their maintenance and renewal. The adverse effects of the mineral extraction activity can be avoided, remedied or mitigated to a less than minor level. In this manner, the proposal is considered to be consistent with section 5(2) of the RMA.
- 7.1.5. The proposed rezoned SPQZ is considered to result in the same or fewer adverse effects compared with the existing extent of the SPQZ. In this respect, the proposal is considered to be better than the existing zoning in the AUP, and for the applicant, results in greater certainty in terms of mine planning and the approaches necessary at the time of resource consent to manage adverse effects. The rezoning towards the south avoids the NSMA and SEAs and in this respect, the proposal avoids effects on these overlays in preference to planning for expansion to the south where these overlays and features do not exist.
- 7.1.6. Section 6 of the RMA sets out a number of matters of national importance which need to be recognised and provided for. A core issue is whether the PPC represents appropriate development and whether the adverse effects on the environment can be addressed. The existing SPQZ is considered by the AUP to be regionally significant, and its efficient operation has benefits in ensuring a sustained local supply of aggregate to Auckland. In the context of the previous discussion as to the importance of aggregates, it is considered that the PPC is appropriate and does not represent inappropriate development.

- 7.1.7. In respect to Section 6(a), the AUP and NES-F has rules which address effects on waterbodies. These are appropriate to manage mineral extraction activities in the rezoned SPQZ. These includes rules relating to effects on streams, along with the management of stormwater.
- 7.1.8. In respect to Section 6(b), the PPC is not within the ONF. The rezoning maintains the ONF as RPZ (as already exists in 546 McNicol Road). The area of rezoning is not identified in the AUP as an Outstanding Natural Landscape (“ONL”) and is currently in plantation forestry (reflecting a crop for harvesting which has few natural and unmodified characteristics).
- 7.1.9. In respect to Section 6(c), the PPC does not involve the rezoning of any identified SEA as SPQZ. The reverse is the case, where current SNAs (and NSMA) within the SPQZ will be rezoned as RPZ. The existing rules of the AUP and NES-PF are considered appropriate to manage any effects associated with the removal of vegetation within the rezoned SPQZ (which is not identified as an SEA in the AUP). Dr Ussher has not identified any areas of vegetation within the area to be rezoned as SPQZ as meeting the criteria for being identified as an SEA. The rezoning would provide for the long term management of approximately 20.5 ha of SEA proposed to be located in the RPZ, where the vegetation removal rules of E15.4.1(A43) apply a discretionary activity consent requirement rather than the restricted discretionary activity requirement applying to SEA removal in a SPQZ (E15.4.1(A44)).
- 7.1.10. Section 6(d) is not considered relevant as the Quarry and streams within the site are not accessible to the public. The rezoning does not affect public access to the Wairoa River.
- 7.1.11. In respect to section 6(e), no features of value to iwi are identified within the area to be rezoned SPQZ. Consultation has identified the importance of the Wairoa River to Ngai Tai Ki Tāmaki, and the existing provisions of the AUP are considered appropriate to manage stormwater and erosion and sediment control from mineral extraction activities (as outlined earlier in the AEE).
- 7.1.12. Section 6(f) is not considered relevant as there are no known heritage or archaeological sites within the area to be rezoned SPQZ. As outlined earlier, rules and requirements already exist to address accidental discoveries. Archaeological assessments would be provided as necessary at the time of resource consent.
- 7.1.13. Section 7 identifies a number of “other matters” to be given particular regard by a council in the consideration of any assessment for a PPC, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.
- 7.1.14. Section 7(b) directs that, in achieving the purpose of the RMA, all persons “shall have particular regard to ... the efficient use and development of natural and physical resources”. Because of the significance of aggregate in building and infrastructure, enabling the extraction of locally sourced low cost aggregate is important to economic wellbeing and the efficient use and development of resources. Auckland is dependent on the aggregate to support growth, development and renewal.
- 7.1.15. In respect to sections 7(c) and 7(f), mineral extraction activities are managed by the AUP provisions. These have been considered through the section 32 statutory evaluation as being appropriate to address significant effects that would result in existing amenity values being diminished. The existing quarry is well established and the extension of the SPQZ to the south does not have a significant amenity effect in respect to neighbouring properties (as addressed in the AEE in respect to the matters of noise, dust, vibration and landscape and visual effects).

7.1.16. Section 8 requires all persons exercising functions and powers under the RMA to 'take into account' the Principles of the Treaty of Waitangi. The applicant is undertaking ongoing consultation with Ngai Tai Ki Tāmaki.

7.1.17. Overall the PPC is consistent with Part 2 of the RMA for the following reasons:

- i. The proposal provides for the wellbeing of people by reducing the costs of aggregate for infrastructure and construction projects.
- ii. The SPQZ provisions and those of the AUP provide a means to avoid, remedy or mitigate adverse effects on the environment (and these have all been through a statutory process which has confirmed their appropriateness).
- iii. The ONF is maintained as RPZ.
- iv. Auckland is dependent on the aggregate from this quarry to support growth, development and renewal.
- v. The rezoning does not have external effects that cannot be managed using the AUP rule framework, or that would result in existing amenity values being diminished. The area of rezoning is located with sufficient separation from adjoining residents.

## 8. CONSULTATION

8.0.1. The applicant has consulted with:

- (a) Auckland Council
- (b) Ngai Tai Ki Tāmaki
- (c) Clevedon Protection Society
- (d) Clevedon Quarry Liaison Group
- (e) Landowner of 600 McNicol Road

8.0.2. The register of consultation is included in **Attachment 8**.

8.0.3. The matters discussed in the consultation were:

- (a) The reasons why a plan change was necessary. This included a need for certainty of access to future aggregate resource, comparing a resource consent for mineral extraction activities within the RPZ with that associated with the SPQZ, particularly as it relates to the specific policies (including those applying to regional resource consents) that only apply to mineral extraction activities in the SPQZ.
- (b) The process of a plan change and the options available. Timeframes applicable to the process were discussed along with likely lodgement dates.
- (c) The specifics of the proposal including areas to be upzoned to SPQZ and areas to be returned to RPZ.
- (d) The potential for terrestrial, freshwater and avifauna ecological betterment from a managed retreat of forestry operations in the adjacent Greenridge forest. Creating opportunities that current harvest practices and permitted baselines do not afford.
- (e) The provisions of the AUP and how they apply to matters requiring resource consents.
- (f) The exclusions of the PPC application. Specifically that the proposal does not seek to amend current resource consent conditions such as hours of operation, traffic volumes or tonnage. Additionally, that the proposal does not seek any new resource consents to undertake works such as vegetation removal or stream diversions. Such consents would be sought at an appropriate point in the future.

## 9. LIMITED NOTIFICATION

9.0.1. The applicant requests that the private plan change proceed on a **limited notified** basis. The reasons for this are outlined in the assessment below:

- (a) The AEE and technical reports demonstrate that the effects of the rezoning are the equivalent or less than those which would result from mineral extraction activities occurring within the northern part of 546 McNicol Road.



- (b) The rezoning results in a net area of SPQZ which is generally the same as that which already exists in 546 McNicol Road.
- (c) The PPC relies on the default and operative zones of the AUP. It does not propose new or additional objectives, policies or methods which have not previously been considered in respect to Section 32 of the RMA. There are no policy implications on a region-wide basis as the PPC only proposes to rezone land utilising the existing provisions of the AUP.
- (d) The PPC results in the opportunity to protect the site's SEA and NSMA as a consequence of this part of the site being down-zoned.
- (e) The rezoned SPQZ is located distant from all neighbouring dwellings, and generally results in greater separation distances from dwelling to the north and north-west than currently exists with the SPQZ in 546 McNicol Road. The exception to this is the existing dwelling at 600 McNicol Road which is the only dwelling south of the existing quarry. Significant separation distances are maintained between the quarry and those dwellings on Highridge Road.
- (f) The rezoning is to provide a more certain and efficient direction for medium to long-term expansion of the quarry. The existing resource consent already provides for a significant volume of aggregates extraction and processing, along with transport from the site. The PPC is not intended to increase production volumes as the capacity of the existing operation is still being gradually increased to the consented limits, and the primary purpose of the PPC is to provide mines planning over a longer timeframe than the existing resource consent. It is common for quarries to be planned on the basis of 50 to 100 years in order to ensure that the aggregate resource is available for extraction.
- (g) Matters associated with future mineral extraction activities within the rezoned land can be addressed through future resource consent processes. To this end the SPQZ and region-wide rules provide a comprehensive set of standards associated with vegetation removal, streams, groundwater, mineral extraction, noise, vibration, illumination, buildings, earthworks, discharges such as dust, erosion and sediment control, stormwater and the like. Given the scope of the PPC, and that the AUP is already operative, there is no ability to relitigate these existing provisions.
- (h) Trip generation from the site is not expected to increase from those levels already consented, and notwithstanding this the AUP already contains matters of control and assessment regarding transportation. As is seen by the resource consent (decision [2018] NZEnvC 96), these are effective in managing potential effects associated with any resource consent application.

## 10. CONCLUSION

- 10.01.1 The land covered by the PPC request is currently zoned SPQZ and RPZ. The proposal involves directing the future development of the quarry to the south of the existing quarry, rather than to the north as currently indicated by the extent of the SPQZ in 546 McNicol Road. Consequently, a PPC is required in order to rezone the land.
- 10.01.2 The PPC effectively proposes to swap the extent of the SPQZ located in the northern half of 546 McNicol Road with a new areas of SPQZ in 646 McNicol Road which is contiguous and immediately adjacent to the existing SPQZ. The applicant also seeks that the Council corrects the extent of SPQZ (1.5ha error) within 546 McNicol Road as per the earlier correspondence.

- 10.01.3 No change is proposed to the QBAO outside the site. This will remain a 500m circumference around to north and western edge of the revised SPQZ. It is proposed to delete the QBOA within 546 and 646 McNicol Road where this land is proposed to be rezoned SPQZ. No changes are proposed to any other provision of the AUP. No change is proposed to the ONF, NSMA or SEA.
- 10.01.4 The Section 32 assessment demonstrates that the proposed rezoning is the most appropriate for achieving the AUP's objectives and for achieving the purpose of RMA.
- 10.01.5 The AEE demonstrates that there are no significant constraints to the rezoning, and that potential adverse effects on the environment can be appropriately managed by the existing AUP provisions and future resource consents. The rezoning process has had regard to the matters in Part 2 of the RMA, gives effect to the RPS and appropriately considers the other matters within Sections 74 to 77D of the RMA. The proposal is consistent with all of these matters.
- 10.01.6 The proposal is distinct in that it involves a relocation of the extent of an existing SPQZ from the north of the applicant's landhold and quarry to the south of the existing quarry. The size of the SPQZ effectively remains the same. The majority of the immediately adjoining sites are owned by the applicant, and the proposal does not generate new or additional adverse effects not consistent with the exercise of quarrying within the existing SPQZ. The proposal is considered to meet the requirements for limited notification.
- 10.01.7 Accordingly, the PPC can be accepted, limited notified and approved.