





**TO** Celia Davison, Manager Planning – Central / South  
**FROM** Vanesa Leddra, Policy Planner  
**DATE** 22 July 2024



**SUBJECT** Update requested to the Auckland Unitary Plan  
 (Operative in Part 2016) (AUP)

I request an update to the AUP as outlined below:

<b>Reason for update</b>	Make Private plan change 89 operative
<b>Chapter(s)</b>	AUP GIS viewer
<b>Designation only</b>	
<b>Designation #</b>	N/A
<b>Locations:</b>	N/A
<b>Lapse Date</b>	N/A
<b>Purpose</b>	N/A
<b>Changes to text (shown in underline and strikethrough)</b>	N/A
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	Zone swap - northern part of site from SPQZ to RPZ and extend SPQZ in the south [from RPZ]  See attachment 2
<b>Attachments</b>	Attachment A: PC89 Decision Attachment B: Updated GIS Viewer

<b>Maps prepared by:</b> Mitesh Bhula Geospatial Specialist	<b>Text Entered by:</b> Planning Technician
<b>Signature:</b> 	<b>Signature:</b> N/A
<b>prepared by:</b> Vanessa Leddra Policy Planner	<b>Reviewed by:</b> Craig Cairncross Team Leader
<b>Signature:</b> 	<b>Signature:</b> 
<b>Authorised by:</b> Celia Davison Manager Planning - Central/South	
<b>Signature:</b> 	

# Attachment A: PC89 Decision

# Decision following the hearing of a Plan Change to the Auckland Unitary Plan under the Resource Management Act 1991

## Proposal

Proposed Plan Change 89 to the Auckland Unitary Plan (Operative in part), seeking to rezone land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon, from Special Purpose Quarry Zone to Rural Production Zone and from Rural Production Zone to Special Purpose Quarry Zone.

This plan change is **APPROVED**. The reasons are set out below.

<b>Private Plan Change:</b>	Plan Change 89 – Clevedon Quarry
<b>Applicant:</b>	Stevensons Aggregates Limited
<b>Hearing commenced:</b>	Tuesday, 21 November 2023, 9.30am.
<b>Hearing panel:</b>	Philip Brown (Chairperson) Juliane Chetham Rebecca Skidmore
<b>Appearances:</b>	<p><u>For the Applicant:</u> Bal Matheson (legal counsel) Kurt Hine (corporate) Jo Young (corporate) Don McKenzie (transport) Ben Lawrence (acoustics and vibration) Graham Ussher (ecology) John Goodwin (landscape) Andrew Curtis (air discharges) Mark Tollemache (planning)</p> <p><u>For the Submitters:</u> Chris Freke (Auckland Transport) Tristan Peter Ilich (Clevedon Protection Society) Caroline Grieg</p>

	<p><u>For Council:</u>  David Wren, Consultant Planner  Craig Cairncross (Team Leader)  Wes Edwards, Transport  Rhys Hegley, Acoustic/Vibration  Bridget Gilbert, Landscape Architect  Vanessa Leddra, Council Planner  Carl Tutt, Ecology - Terrestrial  Jason Smith, Ecology - Freshwater  Rebecca Ramsay, Heritage  Chayla Walker, Kaitohutohu Whakawātanga  Hearings Advisor</p>
<b>Hearing adjourned</b>	Tuesday 21 November 2023
<b>Commissioners' site visit</b>	Monday 20 November 2023
<b>Hearing Closed:</b>	Thursday 25 January 2024

## INTRODUCTION

1. Stevensons Aggregates Limited ("**Applicant**") has applied for Plan Change 89 ("**PC89**") to the Auckland Council Unitary Plan Operative in Part ("**AUP**"). PC89 relates to land at 546 and 646 McNicol Road and 439 Otau Mountain Road, Clevedon ("**Site**"), and seeks to rezone part of the Site from Special Purpose Quarry Zone ("**SPQZ**") to Rural Production Zone ("**RPZ**") and another part of the Site from RPZ to SPQZ. This is the decision report on the plan change.
2. PC89 is a private plan change that has been prepared following the standard RMA Schedule 1 process (that is, the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as also enabled under the RMA).
3. The plan change was publicly notified on 26 January 2023. A total of 73 submissions were received, including one late submission. Two further submissions were received following notification of a summary of relief sought through the original submissions.
4. This decision is made on behalf of the Auckland Council ("**Council**") by Independent Hearing Commissioners Philip Brown (Chairperson), Juliane Chetham, and Rebecca Skidmore ("**Commissioners**"), appointed and acting under delegated authority under section 34A of the Resource Management Act 1991 ("**RMA**").
5. The Commissioners have been given delegated authority by the Council to make a decision on PC89, following consideration of all the submissions, the section 32 evaluation, the reports prepared by the Council officers for the hearing, and evidence and other information presented during and after the hearing of submissions.

## HEARING PROCESS

6. The Council's consultant planner, David Wren, prepared a comprehensive recommendation report ("s42A report") that was pre-circulated to all parties in

accordance with the timeframe set out in our directions. The s42A report also contained assessments prepared by Council's specialists in addressing various matters raised by PC89.

7. Written statements of evidence were also pre-circulated by the Applicant's expert witnesses in advance of the hearing. There was no expert evidence lodged on behalf of submitters, other than from Chris Freke on behalf of Auckland Transport.
8. The Commissioners visited the site on 20 November 2023, the day prior to the hearing. Our site inspection included viewing the working area of the quarry, the vegetated slopes proposed to be removed from the SPQZ, and the forested area that would be added to the SPQZ. We also walked to the end of McNicol Road to view Ms Billman's property, which is the closest of the submitters' properties to the quarry.
9. The hearing was completed in one day, on Tuesday 21 November 2024. Having heard from the Applicant, the submitters, and the Council, the hearing was adjourned to allow a written reply from the Applicant. That reply was received on 1 December 2023 and the amended PC89 maps (addressed in the reply submissions) followed on 5 December 2023.
10. We received two subsequent requests. On 6 December 2023 we received a request from Tristan Illich (Clevedon Protection Society) to file further submissions following the filing of the Applicant's written reply and amended PC89 maps. Mr Illich considered that new information had been provided and the submitters should be provided with the opportunity to respond to it.
11. We did not consider that the map showing the amended SPQZ boundary was 'new' information. The proposed amended boundary was presented by the Applicant at the hearing, before the submitters and Council provided their evidence or comments, and included a rough map with a line indicating the extent of the reduced SPQZ. The map provided after the hearing was adjourned simply confirmed the precise location and was not materially different to that presented at the hearing. All parties were aware of it and able to comment at the time. In this context, the Commissioners saw no benefit to our decision making by enabling another round of input. Mr Illich's request was declined for these reasons.
12. On 13 February 2024 we received a Cultural Impact Assessment (dated 8 December 2023) prepared by Ngaati Whanaunga, which had been forwarded to us by the Applicant. As the hearing had closed, we decided it was not appropriate to reopen the hearing in order to accept it into evidence. We simply record here that the CIA was provided to us and that we have read it.
13. Being satisfied that no further information was required, the Commissioners closed the hearing on 25 January 2024.

## **SUMMARY OF PLAN CHANGE**

### **The site and surrounding area**

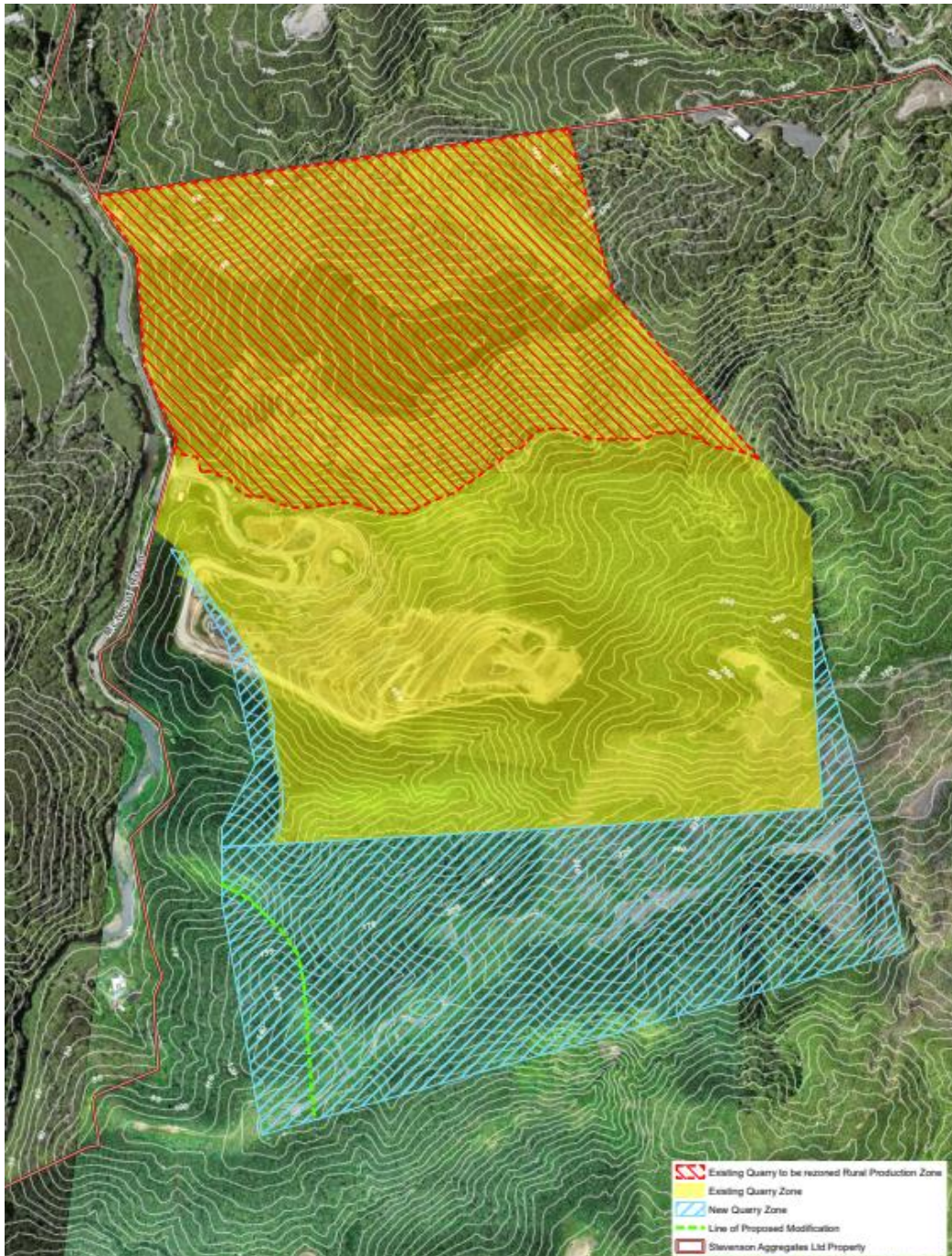
14. Section 2 of the Plan Change Request ("**Request**") includes a full description of the land subject to the Request and its surrounding environment. The following provides a brief

summary.

15. PC89 relates to three parcels of land at 546 McNicol Road, 646 McNicol Road, and 439 Otau Mountain Road. The combined area of these properties is 544.3296 hectares.
16. The existing quarry is located entirely within 546 McNicol Road. Most of this site is identified in the AUP as SPQZ, although a small area is RPZ because it is subject to an Outstanding Natural Feature (“**ONF**”). The northern part of 546 McNicol Road, beyond the existing working area of the quarry, contains an area of indigenous vegetation that is identified in the AUP as a Significant Ecological Area (“**SEA**”) and two streams, one of which is contained within a Natural Stream Management Area (“**NSMA**”). Another stream crosses the site south of the quarry pit before discharging to the Wairoa River.
17. The remaining two properties, 646 McNicol Road and 439 Otau Mountain Road, are located south and east of the quarry and largely covered in pine forest.
18. Two other AUP overlays are relevant to the Site and proposal. The ONF noted above applies to the Wairoa River Gorge and includes part of the western flank of the Site, below the existing SPQZ. There is also a Quarry Buffer Area (“**QBA**”) Overlay that extends in an elliptical form from the edge of the SPQZ in a generally western direction for 500m or more.
19. There are relatively few residential properties located close to the Site. The closest residential dwelling to the north (other than dwellings owned by the Applicant) is at 530 McNicol Road. It is separated from the current quarry by an intervening ridgeline that is vegetated in pine forest. The nearest dwelling south of the quarry is at 600 McNicol Road. This dwelling is also separated from the existing quarry pit by a vegetated ridgeline. It is owned by Ms Billman and her family, who were submitters on PC89. The Wairoa River is located to the west of the Site, and flows alongside McNicol Road. Land further to the west is farmland and lifestyle blocks, with the closest dwelling being approximately 1km from the quarry.

### **The Plan Change Request**

20. PC89 seeks to rezone the northern part of the SPQZ (31.80 ha) to RPZ, and to extend the SPQZ to the south by rezoning 31.54 ha of adjoining RPZ to SPQZ. Essentially the proposal is a ‘zone swap’, with largely equivalent areas of land being rezoned so that the future expansion of the quarry pit would move to the south instead of the north. At the completion of the hearing, the proposal before us for consideration is as illustrated in **Figure 1**.



**Figure 1** – PC89 as amended during the hearing (Boffa Miskell Proposed Zone Amendment, Figure 1A, 4 December 2023)

21. We note that PC89 relates only to the AUP planning maps and proposes no amendments to the written provisions of the SPQZ or any other part of the AUP. In this respect, PC89 is relatively straightforward in its terms and our considerations did not extend to reviewing extensive provisions.

### **The Existing Resource Consent**

22. The SPQZ is enabling of quarry operations but does not provide for mineral extraction as a permitted activity. Rather, mineral extraction activities are controlled activities in the SPQZ and resource consent is required. A Quarry Management Plan must be submitted, and several standards apply including those relating to noise and vibration/blasting.

23. The resource consent that authorises the existing quarry operation provides some context and understanding of the effects of quarry operations, given that PC89 only seeks to rezone land and does not of itself permit mineral extraction activities.
24. The most recent resource consent for mineral extraction activities at the Site was granted by the Environment Court in 2018.<sup>1</sup> The consent allows for the expansion of the quarry in accordance with the approved Quarry Management Plan and provides for an increase in annual production up to around 3 million tonnes of aggregate per year.
25. With regard to the road environment and transportation matters, the resource consent requires widening of the existing sealed McNicol Road to the entrance of the quarry, together with provision of a 1.5m wide unsealed pathway, and imposes other restrictions on heavy vehicle routes, speeds, and hours of road use.

## **PROCEDURAL MATTERS AND LATE SUBMISSIONS**

### **Late Submissions**

26. There was one late submission received from Auckland Transport. A decision was made to accept the late submission, by Council officers acting under delegated authority. We have neither the power or inclination to reverse that decision and consider that it is helpful to have Auckland Transport's issues 'on the table'.

### **Procedural Matters**

27. There were no substantive procedural matters arising through the process. As discussed previously in this decision, Mr Illich requested an opportunity to respond to information included in the Applicant's written reply. We declined that request. We also decided not to re-open the hearing in order to accept the CIA prepared by Ngaati Whanaunga, which was provided to us after the hearing had closed.
28. The other matter of a procedural nature relates to the scope of the request and the ability to make changes following public notification. There were minor amendments proposed by the Applicant to the boundary of the SPQZ during the hearing in order to mitigate impacts on Ms Billman's property. We are satisfied that these amendments fall within the range of possible outcomes that are established by the relief sought in submissions, particularly as the realigned boundary was intended to mitigate potential impacts on Ms Billman's property and reduced the extent of the SPQZ sought in PC89 as notified.

## **RELEVANT STATUTORY FRAMEWORK**

29. The RMA sets out an extensive set of requirements for the formulation of plans and changes to them. As set out in the s42A report, we agree that the mandatory requirements for plan preparation are as summarised in Long Bay-Okura Great Park Society Inc v North Shore City Council.<sup>2</sup> In summary, the relevant statutory requirements for evaluation of the PC89 provisions include:

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<sup>1</sup> [2018] NZEnvC 96

<sup>2</sup> Long Bay-Okura Great Park Society Inc v North Shore City Council NZEnvC Auckland A78/08, 16 July 2008 at [34].



- a. whether they are designed to accord with and assist the Council to carry out its functions so as to achieve the purpose of the RMA;
  - b. whether they accord with Part 2 of the RMA;
  - c. whether they give effect to, and are consistent with, the regional policy statement;
  - d. whether they give effect to a national policy statement;
  - e. whether the methods/rules have regard to the actual or potential effects on the environment including, in particular, any adverse effect.
30. Under s32 of the RMA we must also consider whether the provisions are the most appropriate way to achieve the purpose of the plan change and the objectives of the AUP by:
- a. identifying other reasonably practicable options for achieving the objectives; and
  - b. assessing the efficiency and effectiveness of the provisions in achieving the objectives, including by:
    - i. identifying and assessing 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; and
    - ii. if practicable, quantifying the benefits and costs; and
    - iii. assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
31. We note that section 32 (and section 32AA) clarifies that our analysis of efficiency and effectiveness of PC89 is to be at 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. We do not need to repeat the contents of the Applicant's statutory assessment in any detail, as we accept the appropriate requirements for the formulation of a plan change have been comprehensively addressed in the material before us. We have had regard to the full range of requirements in making this decision.
32. Clause 10 of Schedule 1 requires that this decision must include the reasons for accepting or rejecting submissions. The decision must include a further evaluation of any proposed changes to the plan change arising from submissions; with that evaluation to be undertaken in accordance with section 32AA. With regard to section 32AA, we note that the evidence presented by the Applicant, the submitters, and Council should be read in conjunction with this decision, including where we have determined that a change to PC89 should be made.

33. In summary, having considered the application and the evidence, we are satisfied that PC89 has been developed in accordance with the relevant statutory requirements.

## **SUMMARY OF EVIDENCE**

34. The s42A report was circulated prior to the hearing and taken as read. The expert evidence of the Applicant and submitters was also pre-circulated. The Applicant's expert evidence also included summary statements (presented at the hearing) and rebuttal evidence.
35. The hearing report recommended that PC89 be approved, subject to some amendments. The recommended amendments included the following changes to the SPQZ provisions:
- In respect of the Clevedon Quarry, ensure that pine and weed cover that is removed for rock extraction purposes is replaced with indigenous species once the quarrying has been completed;
  - In respect of the Clevedon Quarry, require a site-wide Fauna Management Plan to be included within any application for mineral extraction activities to ensure effective management measures to reduce effects on indigenous fauna from vegetation removal, noise and light;
  - Expansion of the SPQZ to include the area of the Site that contains the ONF.

## **The Applicant's Evidence**

36. The evidence presented by the Applicant can be referred to as part of the online hearing record, identified as 'Evidence documents.' Those documents include all the witnesses' statements of evidence and the various legal submissions, communications, photographs, and other documentation that were presented to us, or tabled, during the hearing process. In that light, we provide a brief summary of the evidence in the sections that follow.

### Legal Submissions – Bal Matheson

37. Legal submissions were presented by Bal Matheson, the Applicant's barrister. The submissions introduced PC89 and set out the changes to the AUP that would arise if approved. He outlined the decision-making framework for a private plan change, with a particular focus on s32. Mr Matheson also addressed several legal matters arising from the s42A report and from the evidence of the Applicant's witnesses and Auckland Transport.
38. Those legal matters arose largely in response to the recommendation to impose additional provisions beyond the zone changes proposed to the AUP maps. The essence of Mr Matheson's submissions was that the additional provisions were either outside the scope of our jurisdiction, or not required and unable to be justified in the context of the s32 requirements and related case law. He considered that they did not meet the obligations under s32AA and were not appropriate or efficient.

39. One of those matters related to the recommendation by Ms Gilbert that pine trees in the ONF be removed over time and replaced with indigenous vegetation. Notwithstanding the tenor of Mr Matheson's legal submissions on this matter, he indicated that the Applicant is prepared to make, on an *Augier* basis, the following commitment:

*If the proposed PC89 rezoning is confirmed, SAL will, within the area marked Area 3 on "Figure 6 Area of Protected Pine Trees, Rev A", prepared by Boffa Miskell Limited, dated 7 November 2023:*

*(a) maintain the pine plantation; and*

*(b) when pines are harvested, replant that area with replacement pine trees;*

*provided that, if SAL elects to do so, whether as part of a future resource consent process or otherwise, SAL may replace that area of pine trees with native vegetation. For the avoidance of doubt, if SAL chooses to establish native vegetation in Area 3 as part of a consent or other process, SAL will be entitled to claim the benefit of doing so as part of any offsetting or compensation calculation.*

*This commitment will expire on the earliest of 1 January 2034 or on the date of commencement of any resource consent to quarry the area of SPQZ added through PC89.*

#### Corporate – Kurt Hine

40. Kurt Hine is the Applicant's General Manager – Aggregates. He described the Applicant's role in the operation of the Clevedon Quarry and outlined the consenting history of the Quarry. He provided an overview of the Auckland quarry and aggregates market and the Quarry's importance in that market. Mr Hine also explained the Applicant's existing commitments in respect of the Quarry's operations, noting that these commitments are not affected by PC89 and will continue to apply.
41. Mr Hine advised that the Clevedon Quarry contains sufficient aggregate to provide for over 50 years' supply at an annual extraction rate of around 3 million tonnes. He advised that the Applicant's quarry pit planning has identified that the preferred direction for expansion of the quarry pit is to the south rather than the north, largely for environmental reasons.

#### Corporate – Jo Young

42. Jo Young is a qualified and experienced planner and is the Applicant's Consents Manager. Ms Young's evidence focused on the engagement that the Applicant has undertaken with the community, including through the Clevedon Quarry Community Liaison Group, the wider Clevedon community, and iwi Ngāi Tai Ki Tāmaki and Ngaati Whanaunga.<sup>3</sup> Ms Young also advised that she had directly engaged with submitters, including Ms Billman as the closest neighbour.
43. Ms Young outlined that the existing resource consent includes conditions requiring the Applicant to undertake certain works within McNicol Road, and explained the status of those works. The key conditions limit quarry truck movements to a maximum of 45 per

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<sup>3</sup> A Cultural Values Assessment was received from Ngaati Whanaunga after the hearing was closed.

hour until the unsealed section of McNicol Road is sealed to the quarry entrance, the road is widened, and a bridal path is created.

44. Ms Young provided a supplementary brief of evidence setting out engagement that had occurred since she had prepared her evidence in chief.

#### Landscape and Visual – John Goodwin

45. Evidence relating to landscape and visual effects was provided by John Goodwin, an experienced landscape architect. Mr Goodwin's evidence addressed any potential effects that might arise from the relocation of the SPQZ to the south and the subsequent expansion of the quarry pit into that area, with a focus on effects on the Wairoa River Gorge and associated ONF. He explained that his methodology included a Zone of Theoretical Visibility ("ZTV") analysis to assess how visible the quarry pit would be from surrounding areas. Mr Goodwin's conclusions in this regard was that there is no significant difference between visibility of the existing and proposed SPQZ, and the ZTV analysis confirmed that there are no views of the SPQZ landform possible from that part of McNicol Road within the ONF.
46. Mr Goodwin considers that views of any quarry activity in the relocated SPQZ will be obscured by landform and existing vegetation within the eastern part of the ONF. He recommended that a permanent vegetation cover be maintained within that part of the ONF that is in the Site.

#### Ecology – Dr Graham Ussher

47. Dr Graham Ussher provided ecological evidence in relation to PC89. He considers that the proposal to replace the northern part of the SPQZ with an expansion to the south provides for a better ecological outcome through avoiding the SEA and NSMA. Dr Ussher stated that there are no ecological features in the southern area that would warrant a higher level of protection than exists currently in the AUP.
48. He was comfortable that potential adverse ecological effects from future mineral extraction activities could be managed through the necessary resource consent application, and noted that the Wildlife Act 1953 imposed separate and additional requirements in respect of indigenous fauna. Dr Ussher considers that there is no need for new or additional standards in PC89 to manage the effects of quarrying on fauna within a pine plantation.

#### Air Quality – Andrew Curtis

49. Evidence in relation to dust was provided by Andrew Curtis, an air quality expert. Mr Curtis explained the dust generating activities that are anticipated within the quarry and noted that they will be occurring in the same locations as currently enabled under the resource consent. He also brought our attention to the existing conditions of the resource consent, which required that quarry activities generate no objectionable or detrimental dust or air pollutant beyond the boundary of the site.
50. Mr Curtis considers that PC89 will have no impact on air quality as no change is being made to quarry activities, which will remain well separated from the closest residential dwelling to the south. He stated that air quality effects from quarrying in the expanded

SPQZ would be addressed through future resource consent applications.

#### Acoustic and Vibration – Ben Lawrence

51. Ben Lawrence is an acoustician. He presented evidence addressing noise and vibration effects. He described his methodology as being to model predicted noise levels from current and future mineral extraction operations and assess those results in the context of the ambient noise environment.
52. Mr Lawrence advised us that the expansion of the SPQZ in a southerly direction would result in noise levels decreasing for most of the closest residents, but it would give rise to an increase in noise for 600 McNicol Road by 3 decibels. He characterised that as “just noticeable” but noted that the predicted noise level for that property of 32 dB LAeq is “low and well within the existing ambient levels of 29 to 46 dB LAeq.” Mr Lawrence noted that the adverse noise and vibration effects would be internalised by the terrain that acts as a barrier for most receivers.

#### Transportation – Don McKenzie

53. Don McKenzie provided expert evidence in relation to transportation matters. He is an experienced traffic and transportation engineer. Mr McKenzie noted that any additional quarrying in the amended area of SPQZ will require resource consent. Provided that extraction volumes remain within the limits of the existing consent, he considers that PC89 will not result in any greater or different scale or nature of external transportation effects than have been considered and accepted as part of the existing approved resource consent.
54. Mr McKenzie stated that a transport assessment would be required as part of a resource consent application for any new area of quarrying, and such an assessment would evaluate the existing transport environment and the matters noted in the AUP. He noted that the environment at that time is likely to include the mitigation measures set out in the existing consent, and considers that any changes to the nature, scale or frequency of traffic movements associated with the quarry would be addressed through the new resource consent that would be required.

#### Planning – Mark Tollemache

55. Mark Tollemache is an experienced planner. He provided comprehensive planning evidence in relation to PC89, including rebuttal evidence addressing matters raised in the evidence of Auckland Transport.
56. Mr Tollemache explained the existing framework in the AUP and the enabling nature of the SPQZ, pointing out that PC89 does not involve any specific quarrying proposal and resource consent would be required for any mineral extraction activities within the zone. He considers that the rules of the AUP will be appropriate, efficient and effective in managing the effects of quarrying in the new area of SPQZ, as they are for the existing area of SPQZ. For these reasons, Mr Tollemache does not agree with the recommendations from the s42A report for the establishment of additional rules and matters of discretion. He does not identify any matter that cannot be appropriately addressed through the existing AUP framework, the required resource consent, and the requirements of the National Environmental Standards for Commercial Forestry (“NES-

CF”) or the Wildlife Act 1953.

57. The focus of Mr Tollemache’s rebuttal evidence was on the evidence regarding effects on the road network provided on behalf of Auckland Transport. His evidence on this matter was that the SPQZ includes a specific assessment criterion addressing effects on the safe and efficient functioning of the road network and that this will enable such issues to be dealt with through resource consent processes and conditions of any consent that is granted.

### **The Submitters’ Evidence**

#### Chris Freke – Auckland Transport

58. Chris Freke is an experienced planner and transport planner and appeared on behalf of Auckland Transport. Mr Freke indicated that Auckland Transport is supportive of the increase in the lifespan of the Clevedon Quarry given the importance of maintaining a supply of aggregate to the region. However, he considers that PC89 would effectively increase the overall number of heavy vehicle movements on the road network by increasing the operating lifespan of the quarry, based on his opinion that expansion of the quarry pit to the north would be difficult within the SEA.
59. He also expressed concerns about the scope of the assessment criteria in the SPQZ and their ability to sufficiently manage transport effects. In particular, Mr Freke referred to effects from heavy vehicles on amenity of land uses adjoining roads, the apparent lack of provisions in the SPQZ that enable specification of routes taken by trucks accessing the quarry, and effects from truck movements on pavements and maintenance. He proposed several bespoke amendments to the SPQZ to address these matters, limited to Clevedon Quarry.

#### Tristan Illich – Clevedon Protection Society

60. Mr Illich is a member of the Clevedon Protection Society. His evidence was in the form of a summary PowerPoint presentation and he spoke to issues outlined in the presentation. Mr Illich considers that the land-swap basis of PC89 is a guise for a major expansion of the quarry, given the poor rock resource in the northern part of the current SPQZ and the environmental constraints.
61. His opposition to the proposal related to a range of concerns, including those relating to environmental, social, and economic matters, lack of adequate supporting infrastructure, climate change, and safety impacts. Mr Illich considers that the evidence supporting PC89 is not sufficient and is of the opinion that the proposal overlooks the community’s wellbeing and future prosperity.

#### Caroline Greig – 9 McNicol Road

62. Caroline Greig is a long-term resident of the local area, residing at 9 McNicol Road. She considers that PC89 will give rise to adverse effects relating to visual impact, road safety, and water quality in the Wairoa River. Ms Greig stated that the conditions of the existing resource consent have largely not been implemented by the Applicant and believed that PC89 was a “foot in the door” for future proposals to quarry the balance of the large site at 646 McNicol Road. Ms Greig also considers that the rock resource is

not of high-quality and therefore the benefits of PC89 do not outweigh the costs to the community.

#### Hayley Billman – 600 McNicol Road

63. Hayley Billman and her family are the closest residential neighbours to the proposed area of SPQZ, and she is a member of the Clevedon Quarry Community Liaison Group. Her property is the only house located past the quarry entrance along McNicol Road, and the only residential site to the south-west of the quarry. PC89 signals an expansion of the quarry in the general direction of her property.
64. Ms Billman expressed concerns about the expansion of the quarry to the south and the impact of that on the amenity experienced on her property. She is also concerned about adverse effects on the environment in this location including wildlife.
65. Key amenity concerns for Ms Billman include the proximity of the SPQZ to her home and the potential for visual impact and nuisance from noise, dust and blasting, particularly if vegetation is removed on the intervening land or the contour of that land is modified. In respect of these matters, Ms Billman stated that the Applicant's approach of deferring these issues for consideration at the time of a resource consent application did not provide her with confidence or certainty.

#### Clevedon Cares and the Clevedon Community and Business Association

66. We were provided with a tabled statement from Clevedon Cares and the Clevedon Community and Business Association. Those organisations made a joint submission on PC89. The statement explained that the joint submission took a neutral stance in respect of PC89 but identified issues that the organisations wished to see addressed. These included a request for an undertaking to continue the existing consent conditions for any future consent applications, registration of a covenant on the existing northern area of SPQZ to protect vegetation, a recognition of maintenance issues with roads used by heavy vehicles, and an extension of the condition preventing truck movements through Clevedon Village.

#### **Franklin Local Board**

67. We record that comments from the Franklin Local Board were also made available to us through the hearing agenda material. The comments raised several issues, mainly relating to traffic and road safety, community liaison, and conditions of the current and future resource consents. We have read the Board's comments and had regard to them in reaching a decision on PC89.

#### **The Council's Response**

68. Following the evidence of the Applicant and the submitters we provided the Council officers with an opportunity to consider the evidence presented and respond.
69. None of the specialists had moved from the opinions expressed in their reports. Mr Edwards confirmed that his recommendation in respect of transportation matters remains unchanged. Mr Tutt also confirmed his recommendations in relation to ecology, noting that the NES-CF now includes robust fauna protection provisions. Ms Gilbert

stated that she agreed with Mr Goodwin's characterisation of the three key landscape and visual issues, and reiterated her opinion that the ONF vegetation should be protected. She referred in this regard to RPS Policy B4.2.2.(6), which seeks to "*Protect the physical and visual integrity of Auckland's outstanding natural features from inappropriate subdivision, use and development.*" Ms Gilbert expressed her support for the change in SPQZ proposed during the hearing, noting that, in combination with matters of control for any future resource consent, this change would be helpful in relation to 600 McNicol Road and for maintaining the values of the ONF.

70. Mr Wren also confirmed his planning recommendation, as set out in the s42A report. He made several helpful observations in respect of the matters traversed in the evidence. Mr Wren noted that the plan change precedes any resource consent and sets the parameters for that consent process.
71. With regard to the conditions of the existing consent, he stated that road upgrading conditions take effect only when truck movements exceed 45 per hour and noted that this threshold may not have been reached. Mr Wren also explained his understanding that SPQZ provisions cannot apply to land outside of the SPQZ, although he did consider that vegetation protection within the ONF was within the scope of PC89 as the land is on the same site as the SPQZ and responds to conditions.
72. With regard to the Applicant's *Augier* commitment to replant any vegetation removed from the ONF, Mr Wren expressed a concern about the visibility of this commitment but considered that a covenant to that effect may be an appropriate method.

### **The Applicant's Reply**

73. Mr Matheson provided an oral reply at the hearing addressing key issues and followed that with a more comprehensive written reply after the hearing was adjourned.
74. Mr Matheson stated that the SPQZ can appropriately be applied to future quarries and that there is no need to confirm a need for the resource or its commercial viability in a plan change application, or contemporaneously submit a resource consent application. He refuted any suggestion of compliance issues in regard to the existing resource consent conditions, and confirmed that the Applicant does not support the bespoke transportation provisions requested by Mr Freke or the amendments to the SPQZ recommended by Auckland Council in relation to ecology.
75. With regard to the Applicant's commitment to maintain vegetation within the ONF, Mr Matheson attached a letter to his reply submissions addressed to the Clevedon Quarry Community Liaison Group. The letter provided written confirmation of the Applicant's undertaking. Subsequent to receipt of the written reply, the Applicant provided amended plans of the SPQZ indicating the final requested form of zoning under PC89 incorporating the reduced extent of the SPQZ to provide a more substantial buffer adjacent to Ms Billman's property. That information package included a cross section through Ms Billman's property and into the amended SPQZ indicating the contour and distance between her home, the Applicant's property boundary, and the proposed SPQZ boundary.



## **FINDINGS AND REASONS FOR APPROVING THE PLAN CHANGE**

76. The following section addresses our overall findings on PC89, and why we have approved it, having heard and considered all of the material and evidence before us.
77. We address the matters raised by Council officers, and the submissions received to PC89 and the relief sought in those submissions. In this respect, in accordance with Clause 10(2) of the RMA, we have grouped together those submissions. With respect to further submissions, they can only support or oppose an initial submission and hence our findings on the further submissions reflects our decisions on those initial submissions.
78. We also note that we must include a further evaluation of any proposed changes to the Plan Change arising from submissions; with that evaluation to be undertaken in accordance with section 32AA of the RMA. With regard to that section, the evidence presented by the Applicant, the submitters and the Council Officers effectively represents that assessment.

### **Reasons for the Plan Change Proposal**

79. The Applicant's rationale for seeking to change the AUP is clear from the application material and is summarised in Mr Wren's s42A report.<sup>4</sup> In short, the Applicant seeks to enable future expansion of the quarry to the south rather than the north, to avoid an area of SEA and a NSMA. The Applicant considers that this approach has significant environmental benefits while providing for an equivalent area of rock resource.
80. We note that there was some scepticism expressed by several of the submitters about these reasons, on the basis that there is no equivalence between the areas to the north and south of the quarry pit due to difficulties in consenting quarrying within the SEA. If we were to accept that argument, PC89 can be seen as enabling an increase in the area that can be quarried.
81. However, we are comfortable on the basis of the evidence that quarrying in the northern area of the existing SPQZ might be possible, and accordingly have accepted the Applicant's rationale for PC89 at face value. We are satisfied that PC89 does not result in any significant increase in the area that can potentially be quarried.
82. This finding is of some significance in our decision to approve PC89, because it has a bearing on the extent and nature of environmental effects that may arise as a result of the rezoning. By accepting that PC89 effectively swaps one area of SPQZ with another of the same size, many of the potential effects will not be appreciably different to those that are enabled currently. Most notably, we anticipate that the number and frequency of heavy truck movements on the surrounding road network will remain similar to those occurring at present.
83. Another issue raised by the submitters was a suggestion that the Applicant is pushing or deferring consideration of many of the effects to a future resource consent process. We perceived that there was some frustration with that approach and a belief that there was insufficient information available at this stage to fully comprehend the future effects of

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<sup>4</sup> S42A report, paragraphs 28-33.

quarrying. We do understand that frustration and appreciate that submitters may feel that the full effects of PC89 are not being entirely considered through this process.

84. However, this is the reality of the process that has been established by the AUP. The spatial extent of the SPQZ identifies the potential area of quarrying and the provisions of the SPQZ require a resource consent application before any mineral extraction activities can occur. Details of the quarry pit design, management plans, and operating conditions will only be known at resource consent stage. That methodology and relationship between the zoning and subsequent consenting is established in the AUP and we do not have scope to amend it through the PC89 process even if we were to conclude that there might be a better way of addressing the effects of quarrying.
85. As a result, we have accepted that some of the consideration of effects is at a relatively general level and more detailed assessment would be undertaken at a future time. Our task on a plan change of this nature is to get to a point where we are satisfied that effects *could* be addressed.

### **Environmental Effects of the Plan Change**

86. PC89, or more specifically the activities enabled as a result of it, will have actual or potential adverse effects on the environment. These effects were extensively canvassed in the Applicant's evidence, the s42A report and Council specialists' assessments, and in the evidence of submitters. Some matters were more contentious than others and we have addressed those matters that do not appear to be in contention first.

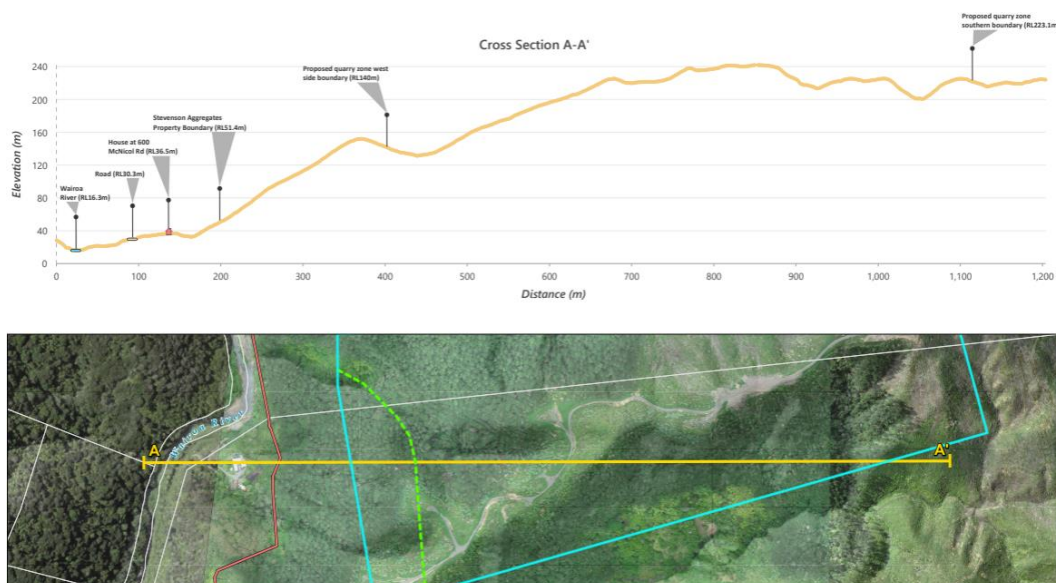
### **Effects that were Relatively Uncontentious**

87. While there was evidence presented in relation to a number of matters, there were some effects that were not disputed in any significant way. Mr Wren, in the s42A report, identifies effects relating to archaeology, contamination, groundwater, land stability and stormwater as either being acceptable or being relatively uncontentious. We agree that these effects are not significant and are acceptable.
88. Any potential archaeological effects can be appropriately managed through the provisions of the AUP and the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 ("**HNZPT Act**"). While we cannot presume to determine cultural effects on iwi, we are satisfied that the Applicant has undertaken consultation and engagement with relevant iwi groups and there were no submissions lodged from iwi. There were no specific effects in this regard that came to our attention through the hearing process.
89. We are satisfied that effects related to stormwater, sedimentation, erosion, and groundwater can be adequately addressed through the provisions of the AUP when any future resource consents are sought. With regard to contamination, Mr Wren noted that the SPQZ enables rehabilitation of quarries with managed fill as a permitted activity and therefore is a matter that should be addressed at the time of a plan change. However, we consider that any such permitted filling will still need to comply with the relevant AUP standards for contaminated land and the requirements of the NES-CS. Therefore, we are satisfied that soil contamination is not a matter of particular significance under PC89.

## Landscape Effects

90. There were several landscape related issues (including visual effects) that required determination. Much of the debate on these matters centred on the ONF and the maintenance of vegetation cover on that part of it that falls within the Applicant's land. Both Mr Goodwin for the Applicant and Ms Gilbert for the Council consider that this part of the Site should continue to remain vegetated, for reasons of screening and to preserve the wildness of the Wairoa River gorge. That is somewhat problematic given that the ONF within the site is in plantation forestry, so will inevitably result in clearance through timber harvesting at some point in time (with this activity being a permitted activity under the current zoning). The landscape experts accepted that, and Ms Gilbert sought that it be replanted at that time with indigenous vegetation, as a means of enhancing the landscape values of the ONF.
91. Mr Wren proposed extending the SPQZ over the ONF within the Applicant's land as a means of sufficiently controlling the outcomes on this part of the Site. Mr Matheson for the Applicant opposed that suggestion and we agree. Even if we were to put aside the obvious question of scope, we are not persuaded that it is appropriate to apply an overlay that is intended to enable quarrying to an area of land that is identified as an outstanding natural feature.
92. The Applicant has accepted that it would be beneficial to maintain vegetation cover on the ONF but is not persuaded that this is a matter that falls within the scope of PC89. Harvesting of the pine trees within the ONF is permitted in the RPZ and could occur irrespective of whether PC89 proceeds or not. Notwithstanding that, the Applicant has made a commitment to maintain vegetation on that part of the Site by retaining the trees or replanting them with more pines or indigenous vegetation in the event that the trees are harvested.
93. On the basis of the evidence that we received, we do not consider that the vegetation in the ONF will provide any significant screening of quarrying activities, but we accept the Applicant's offer as being of benefit even if it is not directly required to mitigate the effects of PC89.
94. There are some challenges to linking the Applicant's intentions in this regard to the provisions of PC89, as there are no changes to the SPQZ proposed other than a mapping amendment and it is doubtful whether PC89 could include provisions that relate to land outside of the SPQZ in any case. There was some discussion at the hearing of alternatives such as registration of a land covenant, but the Applicant has decided that it is only prepared to make a written public commitment in relation to its intentions for the ONF. We note that the Clevedon Quarry Community Liaison Group is a well-established vehicle for discussion between the Applicant and the local community on issues relating to the quarry operation and management. The undertaking is set out in a letter to the Chair of that Group. We consider that is suitable and transparent.
95. Having carefully considered this matter, we accept that the form of the Applicant's commitment is appropriate and workable, and likely to achieve the outcomes sought by both landscape architects and supported by Mr Wren. We are satisfied that it is sufficient.

96. While PC89 provides for the quarry to move further away from most nearby residents, it will enable quarrying closer to Ms Billman's property. Ms Billman was understandably concerned about that proximity and, among other things, the potential for views of the quarry particularly once the pine forest vegetation has been removed.
97. The Applicant has attempted to address these concerns to a point with an amended plan discussed at the hearing. The amendment would alter the proposed boundary of the SPQZ to move it further away from Ms Billman's boundary. Plans confirming the SPQZ boundary were included as an attachment to the Applicant's reply submissions, and that package included a cross section (refer **Figure 2**) showing the contour between Ms Billman's property and the closest possible point of quarrying.



**Figure 2** – Section through Ms Billman's property and amended SPQZ (Boffa Miskell Cross Section A-A, Figure 13, 1 December 2023, Revision 1)

98. We found that cross section to be helpful as it demonstrates that any area of future quarry pit would be shielded from view by the natural contour of the land, which would remain unchanged. We are satisfied that a direct visual connection between Ms Billman's property and the quarry pit would not be possible, as a result of the amended SPQZ boundary.

## Ecological Effects

99. There is an acceptance amongst the ecologists that the reorientation of the SPQZ to the south will be a better outcome from an ecological perspective because it avoids the area of SEA and NSMA. There are streams both to the north and to the south of the existing quarry pit, so an expansion of quarrying in either direction would likely require modification of streams. Mr Smith, the Council's freshwater ecologist, agrees with the Applicant that effects on streams can be managed through the AUP provisions and the National Policy Statement for Freshwater Management and National Environmental Standards for Freshwater. There are no areas of SEA or wetlands within the area proposed to be rezoned as SPQZ by PC89.
100. However, Mr Tutt (the Council's terrestrial ecologist) has concerns about effects on fauna from removal of the pine plantation to facilitate use of the land for quarrying. He

recommends that a Clevedon Quarry specific provision is included in the SPQZ to require a Fauna Management Plan, and this recommendation is endorsed by Mr Wren. Mr Tutt's concerns appear to be primarily related to the potential for effects on native long-tailed bats, which are endangered and known to be present in this general area. He considers that it is likely that bats will utilise the Site for feeding/roosting or transiting.

101. The Applicant opposes the amendments to the SPQZ that are sought by the Council. Its reasons, as set out in the evidence of Dr Ussher, Mr Tollemache, and in the reply submissions of Mr Matheson, are that such additional provisions are unnecessary as effects on fauna will be managed appropriately through the AUP rules and standards, and through the requirements of the Wildlife Act 1953 and the recent National Environmental Standards for Commercial Forestry ("**NES-CF**"). We were advised that the NES-CF requires a harvest plan to be prepared that must include procedures to identify threatened or at-risk species of indigenous fauna and mitigate adverse effects on those species from the harvesting activity.
102. We consider that the permitted status of pine forest harvesting is a relevant consideration. Mr Tollemache advised us that removal of exotic vegetation is a permitted activity in both the RPZ and the SPQZ. In those circumstances, the removal of the pine plantation could occur now without any controls to protect fauna other than those within the Wildlife Act and the NES-CF. We also note that the Council's recommendation for amendments to the SPQZ could only apply to the Clevedon Quarry with no additional controls applying to removal of exotic vegetation at other quarries in the Auckland region. We perceive that outcome to be piecemeal and uncoordinated. However, more importantly, we consider that additional provisions to mitigate effects on fauna are simply not required given the existing legislation and regulations that apply.
103. We are therefore not persuaded to introduce such provisions into the SPQZ. Any such provisions must be subject to an evaluation under s32 and s32AA and, having considered the relevant matters under those sections, the case has not been sufficiently made for additional regulation.

### **Transportation Effects**

104. The Applicant's position with regard to transportation effects is that PC89 is intended to provide for a more certain long-term development of the Clevedon Quarry rather than an increase in annual mineral extraction volumes. The Applicant also asserts that there are sufficient objectives, policies and rules in the AUP to address transport matters at the time of any future resource consent applications.
105. Mr Edwards, the Council's transportation consultant, agrees. He considers that the transport effects of PC89 are essentially neutral because the plan change does not result in a change to the transport characteristics of activities undertaken on the site given that the area of SPQZ remains effectively the same.
106. The dissenting opinion in this regard was expressed in the evidence of Mr Freke, for Auckland Transport. He considers that PC89 provides for an expansion of quarrying activities because the northern area of existing SPQZ is not realistically able to be mined. Mr Freke also considers that the assessment criteria and matters of discretion in the SPQZ may not provide sufficient scope to address all of the transportation effects of

any future quarrying. Parts of his concerns related to road maintenance and upgrading matters associated with heavy vehicle use. Mr Freke proposed several site-specific amendments to the SPQZ provisions in order to address his concerns.

107. We have considered the various opinions in relation to the transportation effects, including Mr Freke's suggestions for amendments to PC89. While we accept that heavy vehicle use of surrounding roads is a significant effect arising from the operation of a quarry, we consider that these effects are more appropriately considered at the time of a resource consent application. We also consider that the existing provisions of the SPQZ provide sufficiently for transport matters to be assessed at that time. In part, our findings on this issue are underpinned by our view that there is nothing to distinguish the transportation effects of the Clevedon Quarry from similar effects at other quarries in the region that would not have site-specific provisions in the SPQZ.
108. With regard to Mr Freke's concerns about road maintenance to remedy the damage caused by heavy vehicles, we agree with Mr Edwards that road maintenance is the responsibility of Auckland Transport (as the road controlling authority). Mr Edwards referred in his specialist memorandum to the same Environment Court decision<sup>5</sup> as was furnished to us by the Applicant as providing confirmation that it is inappropriate to require public road maintenance through a private plan change or resource consent. We accept that advice.
109. Several of the submitters raised questions about compliance with the existing conditions of the resource consent, particularly those conditions that require upgrading of McNicol Road. We did observe on our site visit that several of the conditions pertaining to works within the road had clearly not been implemented. We view this matter as a compliance and monitoring issue, that falls outside our mandate and is for the Council to consider and address if necessary. However, we note that the Applicant rejected any suggestion that conditions of the existing resource consent are not being complied with and we were not provided any evidence to demonstrate that this is not the case.

### **Noise, Vibration, and Dust Effects**

110. These effects are related to the operation of the quarry so are primarily managed by existing rules in the AUP or by conditions imposed on a resource consent required for mineral extraction activities. However, the reorientation of the quarry means that the location and characteristics of these effects will likely change in respect of future quarrying.
111. Mr Lawrence assessed the noise and vibration levels that would be experienced by the closest receiver and concludes that these are very low and within the existing ambient noise environment. He identifies that a just noticeable noise level increase would arise at 600 McNicol Road and states that blasting will need to be managed to comply with AUP permitted levels. Mr Lawrence credits the topography as significantly assisting with compliance and mitigation, due to the screening that it provides. Mr Hegley, the Council's acoustic consultant, does not identify any particular concerns in respect of noise or vibration.

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<sup>5</sup> *Norsho Bulc Ltd vs Auckland Council* (ENV-2016-AKL-000168), Decision 2017 NZ EnvC 109

112. With regard to dust, Mr Curtis considers that there will be no appreciable impact on air quality due to separation distances between dust-producing activities and the closest dwellings. He considers that any issues can be addressed through the resource consent process required to enable quarrying in the proposed new area of SPQZ.
113. We are persuaded that PC89 provides for better outcomes for the environment than the status quo and is better (or at least neutral) for residents living to the north of the quarry. However, we acknowledge that PC89 will enable demonstrably worse outcomes for Ms Billman and her family as a result of the quarry pit expanding in the general direction of her property.
114. A key part of our task is to determine whether the effects on Ms Billman's property will be at an acceptable level overall. We note the evidence of Mr Lawrence that the increase in future noise levels would be perceptible for residents at 600 McNicol Road but below ambient noise levels, and that vibration would be required to be managed in accordance with the SPQZ provisions. Dust generation will largely depend on the location and nature of dust-producing activities but appears to us to be capable of management within the existing AUP framework.
115. Also relevant to our consideration is the Applicant's amendment to the proposed SPQZ boundary to position it further away from Ms Billman's boundary than was originally proposed in PC89. That separation will now be around 200m from the SPQZ boundary to Ms Billman's property boundary and a further 50m or so to her dwelling. More importantly, the SPQZ boundary moves to the other side of an intervening ridge that would prevent 'line of sight' between any part of Ms Billman's property and the SPQZ (and hence any quarrying activity).
116. We consider the amendment to the SPQZ boundary to be a measure that significantly assists in the mitigation of adverse effects on Ms Billman's property. With this mitigation, together with the technical evidence in relation to noise, vibration and dust effects, we are satisfied that the effects on Ms Billman's property are at a level that is acceptable. We acknowledge that Ms Billman may not share that view, but we are satisfied that this is the case.

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

117. Concerns about effects relating to erosion and sediment control were raised by some of the submitters, with particular reference to effects on streams and on the water quality within the Wairoa River. Mr Illich provided some photographs in his presentation that showed damage to the south stream, although it is not possible for us to determine whether this damage resulted from quarry operations or was simply a result of heavy rainfall. There was also a significant body of information (including photographs) provided to us regarding flooding in McNicol Road and Tourist Road.
118. Mr Wren advised us that existing AUP provisions are sufficient to manage the effects of stormwater, erosion, and sedimentation.<sup>6</sup> He also stated that any expansion of the quarry into the new area of SPQZ established by PC89 would require a resource consent, which could effectively manage such effects through conditions. We accept his advice on these matters and consider that PC89 will not give rise to any significant

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<sup>6</sup> S42A report, page 31, paragraph 152

adverse effects in relation to stormwater, erosion and sedimentation.

### Positive Effects

119. We are persuaded that PC89 will have some significant positive effects. It will ensure that there is an ongoing source of aggregate from this location, which is a valuable resource for a wide range of construction activities. We also consider that there are environmental benefits in realigning the direction of future quarrying, so that the SEA and NSMA can remain untouched by mineral extraction activities.

### Regional Policy Statement

120. A district plan (including this private plan change) must give effect to any regional policy statement that is in place within the region.<sup>7</sup> There are a number of the chapters in the Auckland Regional Policy Statement (“**RPS**”) that are relevant to PC89, and these have been extensively canvassed in the s42A report and in the Applicant’s planning evidence. As set out in the s42A report, we agree that the most relevant chapters of the RPS are:
- a. B3. Infrastructure, Transport and Energy
  - b. B4. Natural Heritage
  - c. B5. Historic Heritage and Special Character
  - d. B6. Mana Whenua
  - e. B7. Natural Resources; and
  - f. B10. Environmental Risk
121. We have considered the provisions of the RPS that were brought to our attention in the s42A report and in the evidence and legal submissions. We are satisfied that PC89 will give effect to the relevant objectives and policies.
122. The transport effects of the plan change would not be dissimilar to those that could occur currently under the Clevedon Quarry SPQZ, given that the area of the zone will not change to any appreciable extent. In that context, no issues arise in relation to the objectives and policies of RPS Chapter B3.
123. The southern area of proposed SPQZ does not contain any natural heritage features (such as SEA or outstanding natural landscapes) although it does adjoin the ONF associated with the Wairoa River gorge. Reorientation of future quarrying will avoid the potential for establishment of an expanded area of quarry pit within the SEA or NSMA that exists in the northern part of the current SPQZ.
124. There are no recorded historic heritage sites within Site and any effects on historic heritage including archaeology can be addressed through existing AUP provisions and those of other legislation (such as the HNZPT Act). We have not been made aware of any evidence to suggest that there would be adverse effects on Mana Whenua values,

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<sup>7</sup> Section 75(3)(c) of the RMA



and we note the Applicant's engagement processes in this regard.

125. Chapter B7 includes objectives and policies relating to a broad range of natural resources matters, including indigenous biodiversity, freshwater systems, coastal water, freshwater and geothermal water, air, and minerals. With regard to minerals, Objective B7.6.1(1) seeks that:

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

126. The two policies of most relevance to PC89 are:

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

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

127. It is clear to us from these objectives and policies that the RPS seeks to enable and provide for mineral extraction activities and ensure that the resource is available and is used efficiently, although with care to manage environmental effects that might arise. We consider that PC89 gives effect to these objectives and policies.

### **National Policy Statements and National Environmental Standards**

128. We have discussed the role of the NPS-FM, NES-CF, NES-F and NESCS in our evaluation of the effects of PC89. The national environmental standards, in particular, provide a set of requirements that assist in the management of effects, sitting alongside the AUP and any conditions of a resource consent for mineral extraction activities.
129. Certainly, there is nothing in PC89 that we have identified that would conflict with the relevant national policy statements or national environmental standards. The provisions of the NES-CF relating to management of effects on fauna from forest harvesting provide us with some additional comfort that amendments to the SPQZ provisions are not required to address effects of that activity on long-tailed bats or other fauna.

### **SECTION 32 AND SECTION 32AA**

130. The RMA sets out a range of matters that must be addressed when considering a plan change, as identified in the section 32 report accompanying PC89. We note that a comprehensive section 32 evaluation was included with PC89 which addressed the relevant matters.
131. We are also aware that section 32 clarifies that the evaluation of efficiency and effectiveness is to be undertaken at 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.
132. Section 32AA of the RMA requires a further evaluation for any changes that are proposed to the notified plan change after the section 32 evaluation was carried out, with any such further evaluation to be undertaken at a level of detail that corresponds to

the scale and significance of the changes. In this case, as discussed in our decision, we have not accepted any of the recommended amendments to the SPQZ provisions that were set out in the s42A report, and therefore have had no need to undertake a further evaluation on those matters.

133. We are satisfied that the Applicant's amendment to the boundary of the SPQZ, to mitigate effects on Ms Billman's property, meets the requirements of s32. While the extent of available rock resource will be slightly less as a result of the reduced SPQZ, the amended boundary will have significant benefits in terms of mitigation of adverse amenity effects that comfortably outweigh the costs.

## **PART 2 OF THE RMA**

134. Section 32(1)(a) of the RMA requires assessment of whether the objectives of a plan change are the most appropriate way for achieving the purpose of the RMA as set out in Part 2. Section 72 of the RMA also states that the purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the RMA. In addition, section 74(1) provides that a territorial authority must prepare and change its district plan in accordance with the provisions of Part 2. While PC89 is a private plan change, these provisions apply as it is the Council who is approving the private plan change, which will amend the AUP.
135. For all of the reasons set out in this decision, we are satisfied that the matters set out in sections 6, 7 and 8 of the RMA have been addressed. PC89 has respectively recognised and provided for, had particular regard to, and taken into account, those relevant section 6, 7 and 8 matters.
136. Section 5(1) RMA provides that the purpose of the Act is to promote the sustainable management of natural and physical resources. It is our finding that the provisions of PC89 are consistent with, and the most appropriate way to achieve, the purpose of the Act. PC89 will enable the efficient use of the Site for mineral extraction activities while also protecting identified values and avoiding, remedying, or mitigating any significant adverse effects on the environment.

## **DECISION**

137. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, Proposed Plan Change 89 to the Auckland Unitary Plan (Operative in Part) be approved, with the modifications to the boundaries of the SPQZ as proposed by the Applicant at the hearing and illustrated at **Appendix A**.
138. Submissions on the plan change are accepted and rejected in accordance with this decision, such that all those submissions and further submissions seeking that PC89 be declined are rejected and any submissions and further submissions seeking it be approved are accepted. In general, these decisions follow the recommendations set out in the Council's section 42A report as set out in **Appendix B**. Submissions focused on visual effects have been accepted in part as the amendment to the SPQZ boundary addresses these issues to some extent.

139. The reasons for the decision are that Plan Change 89:
- a. Will assist the Council in achieving the purpose of the RMA.
  - b. Is consistent with the Auckland Regional Policy Statement and, in particular, with the provisions that seek to provide for the effective and efficient utilisation of minerals while managing adverse effects on the environment.
  - c. Does not conflict with any provisions of a national policy statement or national environmental standard.
  - d. Is consistent with the purpose and principles of the RMA (sections 6-8) and, in particular, the proposal enables people and communities to provide for their social, economic, and cultural well-being.
  - e. Will not give rise to any significant adverse environmental effects, given that the area of SPQZ remains the same and future mineral extraction activities will be subject to a resource consent application.
  - f. Will generate positive effects through enabling the extraction of aggregate and by avoiding the SEA and NSMA in the northern part of the current SPQZ.
  - g. Has been prepared in accordance with section 32 of the RMA.

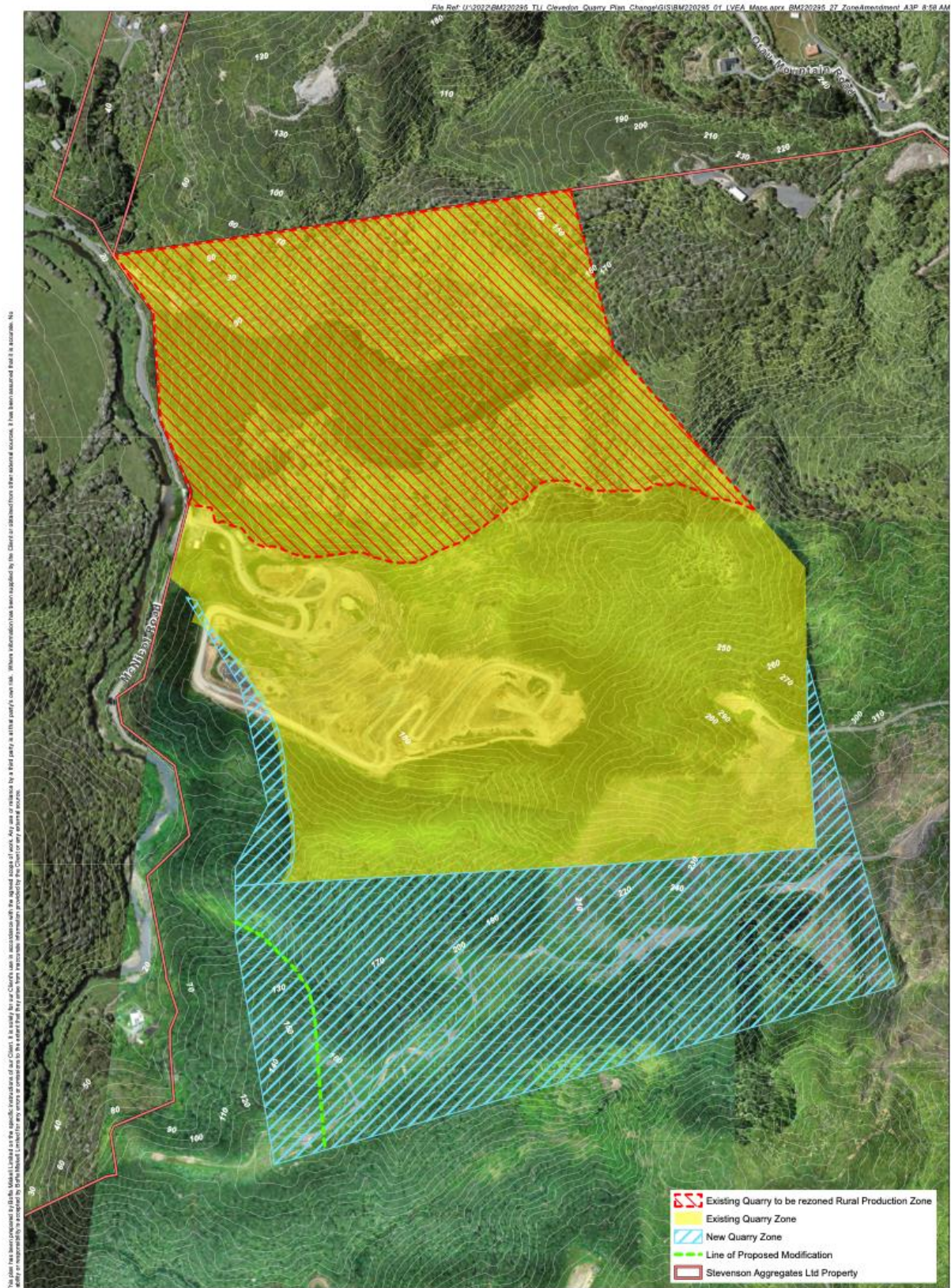


**Chairperson**

On behalf of Independent Hearing Commissioners Philip Brown, Juliane Chetham, and Rebecca Skidmore

**Date: 8 April 2024**

# Appendix A



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1:5,000 @ A3  
Data Sources: Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors  
Projection: NZGD 2000 New Zealand Transverse Mercator

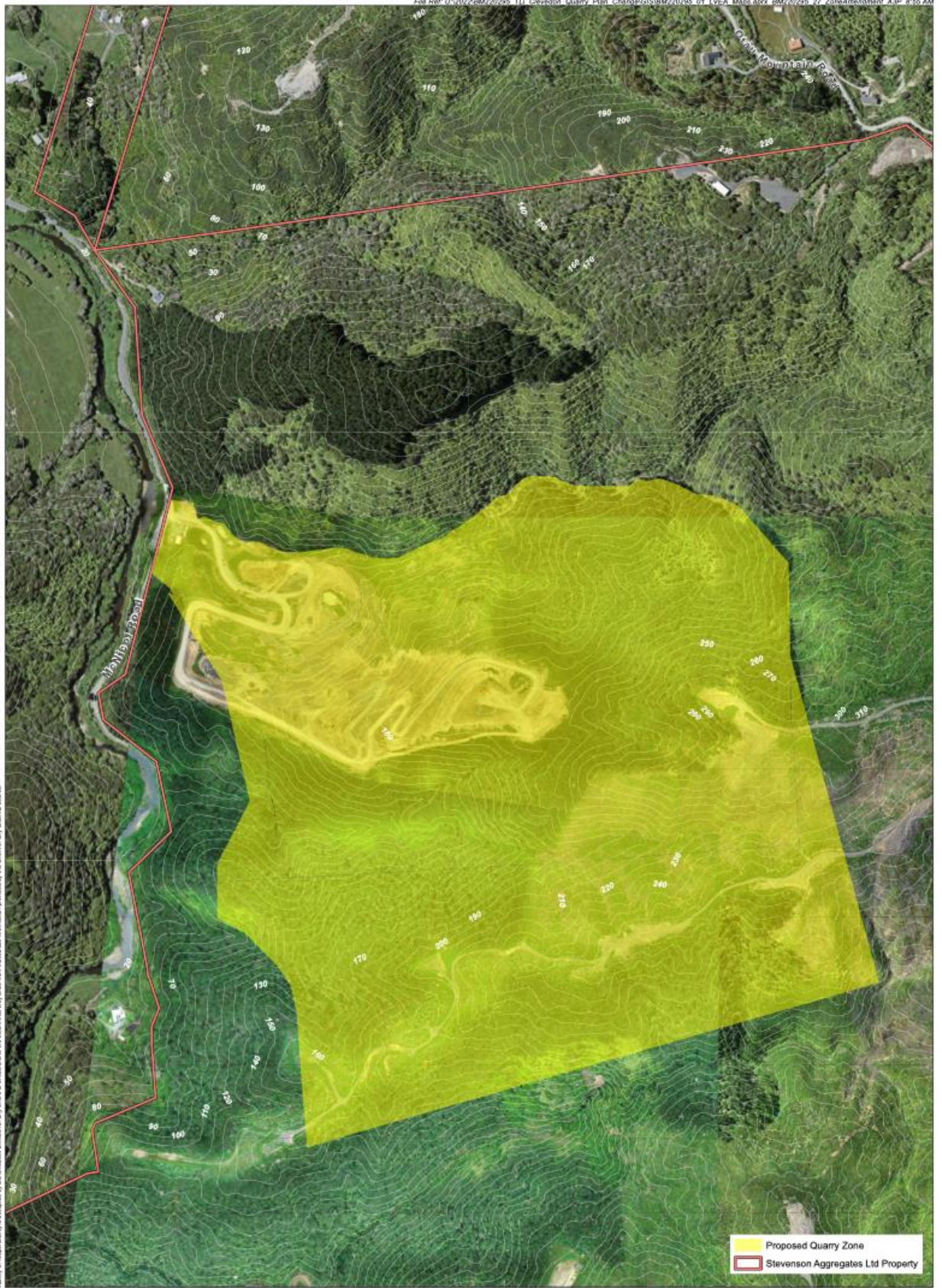
CLEVEDON QUARRY PLAN CHANGE  
Proposed Zone Amendment

Date: 04 December 2023 | Revision: 0  
Plan prepared by Boffa Miskell Limited

Project Manager: john.goodwin@boffamiskell.co.nz | Drawn: PMo | Checked: -

Figure 1A

This plan has been prepared by Boffa Miskell in accordance with the provisions of the Resource Management Act 1991. The accuracy of the information shown on this plan is the responsibility of the client. Boffa Miskell does not warrant the accuracy of the information shown on this plan. Where a discrepancy exists between the information shown on this plan and the information shown on any other plan, the information shown on this plan shall prevail. The client is advised that this plan is for informational purposes only and should not be used for any other purpose.



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Data Sources: Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors

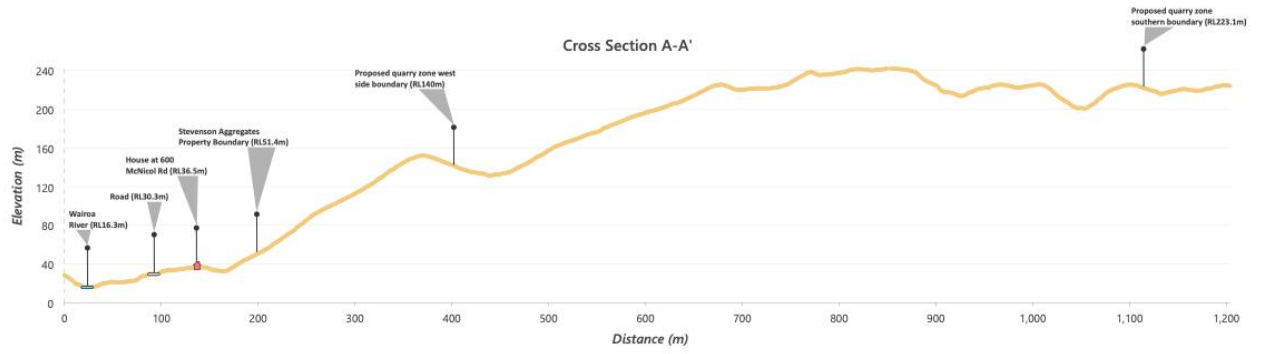
Projection: NZGD 2000 New Zealand Transverse Mercator

**CLEVEDON QUARRY PLAN CHANGE**  
**Final Proposed Zone**

Date: 04 December 2023 | Revision: 0  
 Plan prepared by Boffa Miskell Limited

Project Manager: john.goodwin@boffamiskell.co.nz | Drawn: PMo | Checked: -

Figure 1B



**Boffa Miskell**  
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This plan has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is solely for our Client's use in accordance with the agreed scope of work. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions in the extent that they arise from inaccurate information provided by the Client or any external source.

Scale: 1:4,000 @ A3  
Date Source: Auckland Council (2019 LGDR) SWL  
Projection: NZGD 2000 New Zealand Transverse Mercator

**DRAFT**  
LEGEND  
 [Blue outline] New Quarry Zone  
 [Green dashed line] Line of Proposed Modification  
 [Yellow line with arrows] Cross Section A-A'  
 [Red outline] Stevenson Aggregates Property Boundary

**PROPOSED CLEVEDON QUARRY PLAN CHANGE**  
**Cross Section A-A'**  
 Date: 01 December 2023 | Revision: 1  
 Plan prepared by Boffa Miskell Limited  
 Project Manager: John.Goodwin@boffamiskell.co.nz | Drawn: SJS | Checked: JGS

Figure 13

## Appendix B – Submissions

### Traffic/Transportation

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

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



37.4	Sophia Yetton	Provide a footpath around all of Clevedon which does not impede on the grass verge which are frequently used by the equestrian community.		Reject
38.1	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	Decline the plan change		Reject
38.3	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	Recognition that the roads which are used by trucks using the quarry have deteriorated.		Reject
38.4	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	Provide an explicit undertaking that the existing conditions of consent will be continued in any new resource consent		Reject
38.5	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	That the consent condition limiting truck movement through Clevedon Village be extended, it having been for only 5 years from 2018.		Reject
39.1	Eve Osborne Rosenhek	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
41.1	Sophie Kate Bruce	Decline the plan change		Reject
42.1	Lauren Christensen	Decline the plan change		Reject
43.1	Paula Mitchell	Decline the plan change		Reject
44.1	Elizabeth Miller	Decline the plan change		Reject

45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
48.1	Clevedon Protection Society Attn: Tristan Peter Illich	Decline the plan change		Reject
48.4	Clevedon Protection Society Attn: Tristan Peter Illich	Required upgrades to roading and other infrastructure should be resolved before rezoning occurs		Reject
48.5	Clevedon Protection Society Attn: Tristan Peter Illich	Formal agreement between SAL and AT should be required (before rezoning).		Reject
49.1	The Tokomaru Trust Attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
52.4	Jamel Cindy Schultz	Required upgrades to roading and other infrastructure should be resolved before rezoning occurs		Reject
53.1	Warwick Troup	Decline the plan change		Reject
54.1	Krystle Troup	Decline the plan change		Reject
55.1	Karyn Mitchell	Decline the plan change		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
57.1	Hendrikus Johannes F Slebos	Decline the plan change		Reject
59.1	Philip Andrew Wayne	Decline the plan change		Reject
59.1	Philip Andrew Wayne	Decline the plan change		Reject

62.1	Kelli-Jo Walker	Decline the plan change		Reject
63.1	Sarah Baillie	Decline the plan change		Reject
64.1	Clevedon resident Attn: Bredan Kingsley Vallings	Decline the plan change		Reject
65.1	Gavin Andrews	Decline the plan change		Reject
66.1	Kathy Gibson	Decline the plan change		Reject
67.1	Edward Thomas Griffiths	Decline the plan change		Reject
68.1	Yvonne Mary Lake	Decline the plan change		Reject
69.1	Harriet Pilkington	Decline the plan change		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject
73.1	Auckland Transport	Accept the plan change with the amendments requested		Reject
73.2	Auckland Transport	Accept the plan change with the amendments requested		Reject

## Ecology

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
4.1	Colin Bryant	Decline the plan change		Reject
5.1	Gael Bryant	Decline the plan change		Reject

7.1	Kirsten Hewitt	Decline the plan change		Reject
9.1	Vic and Christine Holmes and family	Decline the plan change		Reject
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
18.1	Robert James Peters	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
31.1	David Leuan Jenkins	Decline the plan change		Reject
33.1	Hayley Billman	Decline the plan change		Reject
34.1	Georgia Billman	Decline the plan change		Reject
35.1	Wayne Billman	Decline the plan change		Reject
36.1	Jenna Billman	Decline the plan change		Reject
38.2	Clevedon Cares Inc AND Clevedon Community and Business Association Inc Attn: Mary Whitehouse	Covenant land which is being converted from SPQZ to RPZ as native bush		Reject
39.1	Eve Osborne Rosenhek	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject

41.1	Sophie Kate Bruce	Decline the plan change		Reject
43.1	Paula Mitchell	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
47.1	Gary	Decline the plan change		Reject
48.1	Clevedon Protection Society Attn: Tristan Peter Illich	Decline the plan change		Reject
49.1	The Tokomaru Trust Attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
63.1	Sarah Baillie	Decline the plan change		Reject
64.1	Clevedon resident Attn: Bredan Kingsley Vallings	Decline the plan change		Reject
68.1	Yvonne Mary Lake	Decline the plan change		Reject
69.1	Harriet Pilkington	Decline the plan change		Reject

70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

### Effects on Wairoa River

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

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

69.1	Harriet Pilkington	Decline the plan change		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

## Noise

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
21.1	Belinda Clarke	Decline the plan change		Reject
30.3	Susan Carolyn Curran	Provide sound proof fencing and planting for residences affected.		Reject
33.1	Hayley Billman	Decline the plan change		Reject
34.1	Georgia Billman	Decline the plan change		Reject
35.1	Wayne Billman	Decline the plan change		Reject
36.1	Jenna Billman	Decline the plan change		Reject
39.1	Eve Osborne Rosenhek	Decline the plan change		Reject
41.1	Sophie Kate Bruce	Decline the plan change		Reject
43.1	Paula Mitchell	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
69.1	Harriet Pilkington	Decline the plan change		Reject



## Mana Whenua

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner's Recommendation</b>
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
18.1	Robert James Peters	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Reject
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject

64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

## Visual Effects

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

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

## Heritage

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
60.1	Heritage New Zealand Pouhere Taonga attn: Alice Morris	Accept the proposed plan change PP89 (Private) with amendments as required to protect historic heritage and archaeology following the completion by a qualified archaeologist of an archaeological assessment of the area to be re-zoned to SPQZ on 439 Otau Mountain Road and 646 McNicol Road.		Reject

## Rural land

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

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

### Social and Recreation

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

16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
18.1	Robert James Peters	Decline the plan change		Accept
20.1	Jonathan Ford	Decline the plan change		Reject
39.1	Eve Osborne Rosenhek	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
43.1	Paula Mitchell	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Reject
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject
62.1	Kelli-Jo Walker	Decline the plan change		Reject
64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

## Miscellaneous

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
12.1	Jo Bell	Decline the plan change		Reject
14.1	Marc Kimpton	Decline the plan change		Reject
15.1	Sarah Kimpton	Decline the plan change		Reject
16.1	Lydia Kimpton	Decline the plan change		Reject
17.1	TA True & Jkw Brown	Decline the plan change		Reject
17.2	TA True & Jkw Brown	The PPC proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set		Reject
17.3	TA True & JKW Brown	The PPC proposal should include a new resource consent		Reject
18.1	Robert James Peters	Decline the plan change		Reject
20.1	Jonathan Ford	Decline the plan change		Reject
21.1	Belinda Clarke	Decline the plan change		Reject
40.1	Tamsin Watson	Decline the plan change		Reject
44.1	Elizabeth Miller	Decline the plan change		Reject
45.1	Sara Stodart	Decline the plan change		Reject
46.1	Kate Ormond	Decline the plan change		Reject

47.1	Gary	Decline the plan change		Reject
48.1	Clevedon Protection Society attn: Tristan Peter Illich	Decline the plan change		Reject
48.2	Clevedon Protection Society attn: Tristan Peter Illich	The PPC proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set		Reject
48.3	Clevedon Protection Society attn: Tristan Peter Illich	The PPC proposal should include a new resource consent		Reject
49.1	The Tokomaru Trust attn: Tristan Illich and Tina Illich	Decline the plan change		Reject
50.1	Sheryl McKinley	Decline the plan change		Reject
51.1	Dean Turner	Decline the plan change		Reject
52.1	Jamel Cindy Schultz	Decline the plan change		Reject
52.2	Jamel Cindy Schultz	The PPC proposal should outline SAL intentions to further develop the Clevedon Quarry including timeframe and scale given the likely precedence this PPC could set		Reject
56.1	Diane Frances Myers	Decline the plan change		Reject
58.1	Julie Parmenter	Decline the plan change		Reject
61.1	Gordon Mackenzie Gibson	Decline the plan change		Reject





62.1	Kelli-Jo Walker	Decline the plan change		Reject
64.1	Clevedon resident attn: Bredan Kingsley Vallings	Decline the plan change		Reject
65.1	Gavin Andrews	Decline the plan change		Reject
66.1	Kathy Gibson	Decline the plan change		Reject
67.2	Edward Thomas Griffiths	That this plan change be considered ONLY if the applicant commits to no further plan changes for a period of 15 years.		Reject
70.1	Anthony Basil Thompson and Thelma Joy Thompson	Decline the plan change		Reject
71.1	Caroline Greig	Decline the plan change		Reject
72.1	Catriona Hitchman	Decline the plan change		Reject

## Attachment B: Updated GIS Viewer

**BEFORE**



-  Open Space - Conservation Zone
-  Rural - Rural Production Zone
-  Special Purpose Zone
-  Water [i]
-  Road [i]
-  Quarry Buffer Area Overlay

**AFTER**



-  Open Space - Conservation Zone
-  Rural - Rural Production Zone
-  Special Purpose Zone
-  Water [i]
-  Road [i]
-  Proposed Quarry Buffer Area Overlay



Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Date: 18/07/2024

## Plan Change 89 Clevedon Quarry Special Purpose Zone



Plans and Places