

BEFORE THE KAIPARA DISTRICT COUNCIL

Independent Hearing Commissioner

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a Proposed Kaipara District Plan,
Hearing 17 – Ecosystems and
Indigenous Biodiversity.

STATEMENT OF EVIDENCE OF GEOFFREY TODD England

Senior Principal Planner

21 May 2026

1.0 QUALIFICATIONS AND EXPERTISE

- 1.1 My full name is Geoffrey Todd England, and I am a Senior Principal Planner at Boffa Miskell Limited (Boffa Miskell), a national firm of consulting planners, ecologists and landscape architects since 2021. I hold the qualifications of Bachelor of Environmental Management from Lincoln University. I have been a Full Member of the New Zealand Planning Institute since July 2017. I have been a planning consultant, currently based in Auckland, for over 18 years providing consultancy services for a range of clients around New Zealand.
- 1.2 Prior to joining Boffa Miskell I held the position of Senior Planner and National Group Leader (Environment) at Golder Associates (NZ) Limited. Previous to that role, I was employed by Winstone Aggregates, a division of Fletcher Concrete and Infrastructure in the role of Resource Management Planner providing inhouse planning services and planning advice. In addition to this, I sat on the Aggregate Quarry Association (AQA) Planning Committee between 2012 and 2015, advising on and preparing submissions on National and Regional Planning Documents relevant to the aggregate industry.
- 1.3 During my time with Winstone Aggregates, and in subsequent consulting positions, I have gained significant experience associated with quarrying activities, including site due diligence, submissions on notified planning documents, preparation of resource consent applications and management of reverse sensitivity effects.
- 1.4 In this matter, Boffa Miskell was engaged by Atlas Quarries Limited (Atlas), to provide planning advice on the implications of the Proposed Kaipara District Plan (PKDP), including proposed provisions relating to Ecosystems and Indigenous Biodiversity.
- 1.5 I was subsequently asked by Atlas to prepare and present this planning evidence.

2.0 CODE OF CONDUCT

2.1 I have read the Code of Conduct for Expert Witnesses issued as part of the Environment Court Practice Notes. I agree to comply with the Code and am satisfied the matters I address in my evidence are within my expertise. I am not aware of any material facts that I have omitted that might alter or detract from the opinions I express in my evidence.

3.0 SCOPE OF EVIDENCE

3.1 This evidence relates to the submission and further submission lodged by Atlas, submission number 152, Further submission numbers FS29 and FS107.

3.2 This planning evidence focusses on responding to matters raised in the Section 42A Hearing Report: Ecosystems and Indigenous Biodiversity.

3.3 My evidence addresses:

3.3.1 Submitter Atlas Quarries Limited operations and existing quarry sites.

3.3.2 The s42A report.

3.3.3 Relief sought

4.0 BACKGROUND

4.1 Atlas Quarries Limited and Hukatere Quarries Limited (Atlas) are subsidiary companies of Atlas Resources Limited (Atlas). Atlas is a family run business, established in the 1950s as a supplier of transport and construction materials. Atlas currently employs approximately 280 people, operates over 120 concrete delivery trucks and operates approximately 70 other specialist vehicles and handling equipment.

- 4.2 Within the Kaipara District, Atlas operates two quarries: Brynderwyn Quarry and Hukatere Quarry. Atlas also owns a subsidiary company, Mt Rex Limited (Mt Rex). Mt Rex holds a permit from Auckland Council authorising the dredging and removal of sand and to disturb the seabed for the purpose of sand extraction. Sand is taken, processed and supplied to the Auckland and Northland construction markets from their Helensville processing yard (outside of the Kaipara District). In addition to this, Atlas has a land holding adjacent to SH1, opposite Brynderwyn Quarry (Lot 4 DP 207528, Lot 1 DP 208321 and Section 1 SO 67448).
- 4.3 The location of these sites and activities are shown in Attachment 1, attached.
- 4.4 The primary issues and areas of specific relevance to Atlas include:
- Concerns as to the lack of identification and recognition (in particular, policy recognition) of quarry activities within the PKDP.
 - That the PKDP does not give effect to the provisions as they relate to mineral extraction activities within the Regional Policy Statement for the Northland Region, and Parts 2 and 3 of the RMA.
 - The need for amendments to definitions as they relate to quarrying activities.
 - The need to identify Regionally Significant Mineral Resources within the PKDP Planning Maps (overlay or zone).
 - The need to include a Minerals Chapter (within District Wide Provisions or as a specific Zone) which provides for all quarrying activities within a single chapter, overriding other provisions in respect of quarrying activities.
 - The inclusion of adequate provisions to manage reverse sensitivity.

- The proposed zoning of Atlas held land as Industrial and/or commercial.

4.5 The Atlas submission number 152 sought the application of a specific Quarry Zone or overlay, recognising its regionally significant quarry operations, giving effect to Policy 5.1.4 of the Northland Regional Policy Statement.

4.6 In summary, Atlas opposes the entirety of the PKDP provisions, as they relate to quarrying. The relief which Atlas seeks through its submissions, is for a specific quarry zone or overlay and Minerals Chapter, which recognises the existing quarrying activities and provides an efficient and effective policy and rule framework in which to consider effects of, and on, quarrying activities. Such provisions would recognise and provide for the expansion of existing quarries and enable the opening of new quarries. A Minerals Chapter with mapped overlays could also provide for quarrying activities that are not mapped or zoned and do not require a private plan change.

5.0 Section 42A REPORT

5.1 The s42A Report for the topic Ecosystems and Indigenous Biodiversity (ECO) does not address quarrying or mineral extraction other than to briefly refer to RMA national direction (section 2.3.2 paragraph 21).

5.2 In referring to the National Policy Statement – Indigenous Biodiversity (NPS-IB) the reporting planner notes that the NPS-IB provided pathways for mineral extraction and quarrying activities in relation to Significant Natural Areas (SNAs) and therefore had limited relevance to the ECO chapter.

5.3 The planner notes that the PKDP does not include mapped SNAs given ongoing uncertainty about national policy requirements for mapping and protection of SNAs. It is intended that SNAs will be mapped and included as part of a future plan change process.

- 5.4 The ECO chapter manages indigenous biodiversity with rules restricting indigenous vegetation clearance and land disturbance.
- 5.5 Given quarrying and mining involve the extraction of regionally significant in-ground resources, the clearance of indigenous vegetation and land disturbance are required.
- 5.6 Proposed policy ECO-P3 recognises the operational need or functional need for 'regionally significant infrastructure' to traverse or location within significant indigenous vegetation and habitat of indigenous fauna, however, there is no specific provision for infrastructure to be located in these spaces.
- 5.7 The proposed definition of 'infrastructure' does not include quarrying or mining.

6.0 Alternative Relief Sought

Minerals Chapter, Quarry zone or overlay

- 6.1 Atlas seeks the PKDP to introduce a specific Quarry Zone or overlay, and Minerals Chapter, recognising the regionally significant mineral resources and quarry operations in the Kaipara District, thus giving effect to Policy 5.1.4 of the Northland Regional Policy Statement.

Definitions

- 6.2 Amend the definition for Regionally Significant Infrastructure to include the following:

j) infrastructure supporting activities that are not ancillary infrastructure activities but that are needed to directly support infrastructure activities, and may include quarrying activities.

ECO P3, Protection and maintenance of indigenous biodiversity

- 6.3 Atlas seek to amend ECO-P3, to recognise the operational need or functional need of regionally significant mineral resources to be extracted from areas identified as Significant Natural Areas.

ECO-P3 Protection and maintenance of indigenous biodiversity

Manage subdivision, land use and development to protect significant indigenous vegetation and significant habitat of indigenous fauna and maintain indigenous biodiversity in a way that:

- 1. Does not unreasonably restrict existing primary production activities, particularly on highly productive land;*
- 2. Recognises the operational need or functional need of regionally significant infrastructure and the extraction of regionally significant mineral resources to traverse or locate within areas of significant indigenous vegetation and significant habitat of indigenous fauna where there are no practicable alternative locations;*
- 3. Allows for operation, use and maintenance of existing structures, including infrastructure; and*
- 4. Enables land to be used and developed to support the social, economic and cultural well-being of people and communities.*

Rules

- 6.4 Atlas seeks that a new restricted discretionary activity rule be included in the ECO chapter to provide for indigenous vegetation clearance and land disturbance associated with the extraction of regionally significant mineral resources.

ECO-R3 Indigenous vegetation clearance and any associated land disturbance for the extraction of regionally significant mineral resources.

All Zones. Activity status: Restricted Discretionary.

Matters over which discretion is restricted:

- i. scale, location, quality, significance of indigenous vegetation and habitats;
- ii. The extent of effects on ecosystems and indigenous biodiversity values present at the site;
- iii. buffer areas between Mineral Extraction Activities and remaining areas of significant ecological areas
- iv. proposals for the avoidance, remediation or mitigation of significant adverse effects, or the offsetting of residual adverse effects in the local area, including positive environmental benefits such as actions (including planting) undertaken in advance of vegetation removal
- v. benefits derived from extracting the resource.

Geoffrey England

21 May 2026

Attachment 1 Map of Atlas Interests

