

IN THE ENVIRONMENT COURT
AT WELLINGTON
TE KŌTI TAIAO O AOTEAROA

ENV-2026-AKL-000155

IN THE MATTER the Resource Management Act 1991

AND

IN THE MATTER OF An appeal under clause 14(1) of Schedule 1 of
the Resource Management Act 1991 (**Act**)

BETWEEN **Bellingham Quarries Limited**
Appellant

AND **Far North District Council**
Respondent

**NOTICE OF INTENTION TO BE A PARTY TO PROCEEDINGS UNDER
SECTION 274 ON BEHALF OF THE AGGREGATE AND QUARRY
ASSOCIATION**

28 August 2026

Wayne Scott
Chief Executive Officer, Aggregate & Quarry Association of New
Zealand Incorporated
Ground Floor, 93 The Terrace, PO Box 10-668, Wellington 6140
Ph: 021 944 336
wayne@aqa.org.nz

To The Registrar
Environment Court
Wellington

**NOTICE OF INTENTION TO BE A PARTY TO PROCEEDINGS
UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT
1991**

Introduction

1. **The Aggregate & Quarry Association of New Zealand Incorporated (AQA)** wish to be a party to the following proceedings:
 - a) ENV-2026-AKL-000155: Bellingham Quarries Limited's (**Bellingham**) appeal (**Appeal**) against decisions of the Far North District Council (**Council**) on the Far North Proposed District Plan (**PDP**), resulting in the Proposed District Plan – Decisions Version (**PDP-DV**).
2. AQA did not make a submission on the PDP.
3. AQA seeks to be a party on the basis that it has an interest in the proceedings that is greater than the interest that the general public has, within the meaning of section 274(1) of the Act for the reasons set out below:
 - a. AQA is the national industry body for the aggregate and quarrying sector, funded by its members to advance the sustainable supply of aggregate throughout New Zealand. Its members operate quarries across the country, including within the Far North District, whose activity-status settings in the Mineral Extraction Zone are the subject of this appeal.
 - b. The relief sought by Bellingham bears directly on the consenting framework under which AQA members operate, and on the efficient and secure supply of aggregate as a matter of district, regional and national significance.
 - c. AQA's interest in this Appeal is accordingly sufficiently greater than that of the general public.

4. AQA is not a trade competitor for the purposes of section 308C or 308CA of the Act.

AQA's interest in the Appeal

5. AQA are interested in the entirety of the Appeal.
6. The AQA is the industry body representing construction material companies which produce 50 million tonnes of aggregate and quarried materials consumed in New Zealand each year.
7. Funded by its members, the AQA has a mandate to increase understanding of the need for aggregates to New Zealanders, improve our industry and users' technical knowledge of aggregates and assist in developing a highly skilled workforce within a safe and sustainable work environment.
8. AQA fully supports the Appeal and all relief sought. In particular:
 - a. AQA supports that the relief sought amending the activity status for the expansion of existing mineral extraction activities under Rule MEZ-R4, and for new mineral extraction activities under Rule MEZ-R5, from Restricted Discretionary and Discretionary respectively to Controlled.
 - b. AQA also supports the consequential relief sought in Appendix A of the Appeal necessary to give effect to Controlled activity status, including the conversion of the matters of discretion to matters of control.
9. AQA supports this relief specifically for the following reasons:
 - a. A Controlled activity status for Rules MEZ-R4 and MEZ-R5 is the more appropriate and efficient means of giving effect to the enabling purpose of the Mineral Extraction Zone. The Overview to the Mineral Extraction District-Wide Chapter, and Policy ME-P2, direct the plan to *enable* new, and provide for the expansion of existing, mineral extraction activities where

effects are appropriately managed. Restricted Discretionary and Discretionary status respectively each retain the power to decline consent for the very activity a purpose-built extraction zone exists to provide for. That is a misalignment between rule and policy. Under section 32 of the Act, a Controlled status — which requires consent to be granted while allowing the imposition of conditions to appropriately manage effects — is the more effective and efficient way to achieve the objectives and policies of the Mineral Extraction Chapter as provided for by the Mineral Extraction Zone.

- b. The point is reinforced by the fact that expansion of mineral extraction is also a Restricted Discretionary activity, and new mineral extraction a Discretionary activity, in the Rural Production Zone. The PDP-DV Mineral Extraction Zone is therefore no more enabling than the general rural land from which sites may have been rezoned specifically to enable extraction. That internal inconsistency does not represent the most efficient and effective means of achieving the purpose of the Mineral Extraction Chapter as provided for by the Mineral Extraction Zone.
- c. As identified in the Mineral Extraction Zone Overview, the zone identifies all known existing, lawfully established or consented quarrying operations that already form part of the existing environment. While AQA acknowledges the biodiversity and amenity matters raised at the hearing by other submitters in supporting more stringent activity statuses of Restricted Discretionary and Discretionary, AQA considers that those matters can be appropriately addressed through the matters of control and the standards applying to a Controlled activity, including the Mineral Extraction Activity Management Plan required by MEZ-S1, and matters of control directed to ecological values, rehabilitation, screening and off-site effects. AQA considers that addressing those matters through more stringent activity statuses that permits consent to be refused is

not efficient and goes beyond what is required to manage those effects. Managing effects through conditions on a Controlled activity is consistent with the obligations arising under the National Policy Statement for Indigenous Biodiversity, the Northland Regional Policy Statement and the Ecosystem and Indigenous Biodiversity provisions of the PDP, while still giving effect to the enabling direction of Policy ME-P2 and Part 2 of the Act.

10. For completeness and the avoidance of doubt, AQA also fully supports the specific relief sought in respect of MEZ-R7.

11. AQA agrees to participate in mediation or other alternative dispute resolution of the Appeal.

Dated: 28 August 2026

Person authorised to sign on behalf of AQA

Address for service of the appellant:

Ground Floor, 93 The Terrace, PO Box 10-668, Wellington 6140

Ph: 021 944 336

Documents for service on the s274 party may be left at that address for service or may be emailed to jeremy@mineralscouncil.co.nz