

# **Rural Development Strategy**

## **Mineral and Aggregate Resources: Issues and Options**



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## 1 Introduction

Planning for future mineral and aggregate resource requirements and potential presents a particular challenge and opportunity for the Whangarei District. Aggregate extraction and their associated processing currently contribute significantly to the economic prosperity of the District. The consolidated development path adopted by Sustainable Future 30/50 presents an opportunity for the District Plan to spatially plan for its future mineral and aggregate resource requirements. The challenge lies in how detailed that planning extends, which will largely be determined by the amount of resources that Council and community are willing to invest in protecting the long-term future mineral and aggregate needs of the District.

As a minimum, protecting existing significant mineral extraction sites and working with key industry representatives, will secure the current known resource base for future generations. The environmental and cultural effects of new extraction activities need to be assessed against other information which may or may not be adequate in the Plan. This paper will focus on the objectives and policies relating specifically to mineral and aggregate resources, but there is an interrelationship with the protection of other environmental resources which must be considered when developing plan changes.

The Whangarei District Plan is nationally credited with providing a useful tool for the purpose of protecting existing known mineral extraction sites, the identification of Mineral Extraction Areas (MEAs). The MEAs identify existing sites and, in some cases, provide a buffer to neighbouring land uses. The application of this method could be made more extensive through the plan. Other methods could be used to address the small-scale quarrying activities expected in a rural environment, which could be combined with other environmental education activities to address reverse sensitivity and rural amenity.

## 2 Policy Framework

### 2.1 National Policy

#### 2.1.1 Resource Management Act 1991

Planning for aggregate resources and managing the effects of its extraction is carried out under the Resource Management Act 1991 (RMA). Both the regional and district councils have functions under section 31 of the RMA, which relate to mineral and aggregate resources and therefore when considering district plan changes, it is important to understand the relationship with this and other key legislation.

Council is required to prepare a long-term plan (LTP) under the Local Government Act 2002. Any non-regulatory methods (e.g. education, further research or studies) should be included in the long-term plan so that funding is made available for them to be successfully implemented.

#### 2.1.2 The Crown Minerals Act 1991

The Crown Minerals Act sets out the broad legislative framework for the issuing of permits to prospect, explore and mine Crown-owned minerals within New Zealand's territorial area. Crown-owned minerals include petroleum, gold, silver and uranium, and all minerals on or under Crown land. Anyone wishing to prospect, explore or mine Crown-owned minerals must obtain a permit from the Ministry of Economic Development in addition to any land-owner access arrangements and consents under the RMA and Building Act 2004.

The Crown Minerals Act is currently under review with an objective being to align the regulatory regime with the Government's Economic Growth agenda (Ministry of Economic Development, 2010). Should the review continue to proceed towards changes to the Act, further prospecting, exploration and mining could be expected in the Whangarei District due to indications from research carried out by GNS Science in 2007 that mineral resources may be present. This may mean that Council will need to process and assess resource consents for mineral exploration and extraction activities in the District in the near future.

### 2.3 Regional Policy

#### 2.3.1 Regional Policy Statement

Under Section 75 (3)(c) of the RMA, the District Plan must give effect to the regional policy statement.

Section 27 (Minerals) of the Northland Regional Policy Statement 1999 (RPS) acknowledges that the region contains 'a variety of mineral resources, some of which are relatively unique and important to its continued economic and social well being' and that particular recognition needs to be given to 'regionally significant resources so as to avoid any substantial reduction or loss of their value from inappropriate land use or subdivision activities'. It also refers to the significant conflicts that can occur where residential uses encroach

on extraction sites, due to dust, noise and vibration, (i.e. reverse sensitivity effects). The stated regional objectives applicable to Minerals are:

- 1 *Recognition of the distribution and value of the region's mineral resources and their potential utilisation.*
- 2 *Protection of mineral resources from activities which may compromise their future use.*
- 3 *Reduced reliance on aggregate from environmentally sensitive coastal areas especially foreshores.*
- 4 *Avoid, remedy or mitigate the adverse effects of mineral extraction on the environment.*

Policies in the RPS focus on two main topics; identification and protection of significant mineral resources and utilisation of mineral resources. The policies include the need to maintain buffer areas around significant extraction sites, the need to maintain access to mineral resources, avoiding adverse effects of sand and gravel extraction by encouraging land based alternatives where available and requiring rehabilitation of sites wherever practicable.

It should be noted that the 1999 RPS is currently under review. The Regional Council published a discussion document in 2010 which included a section on “minerals and land management”. The issues that were discussed were similar to those in the 1999 RPS, however there were questions posed about whether more investigations should be carried out to identify mineral resources and the potential for a regional aggregate strategy. The new RPS could spatially map the regionally significant mineral deposits and require district councils to ensure that land use decisions e.g. residential development, do not unduly restrict the future economic potential of those mineral resources. It is expected that in the future the region's mineral resources could contribute significantly more to the region's economy than they do currently. It is also important to protect the supply of raw materials for the development and maintenance of infrastructure. An option to address reverse sensitivity is to promote or require new residential dwellings to be located a set distance from mineral extraction sites and the boundaries of land used for horticulture and agriculture. Any District Plan changes will need to give effect to the new RPS when it comes into effect.

### 2.3.2 Regional Plans

Under Section 75 (4) (b) of the RMA, the District Plan must not be inconsistent with a regional plan. Mineral extraction activities typically require consents from regional and district councils so consistent planning approaches are important and will need to be considered during the preparation of any plan changes. For example, the taking and discharging of water and earthworks are covered in the Regional Water and Soil Plan.

## 2.4 District Policy

### 2.4.1 Whangarei District Plan

Objectives and policies relating to minerals and activities associated with their extraction are contained within Chapter 18 (Minerals) of the District Plan. The objectives and policies effectively focus on three main topic areas – managing adverse effects, conflicts between incompatible activities and rehabilitation.

#### 18.3 Objectives

- 18.3.1 *Exploration, extraction and processing of minerals occurs in a manner that avoids, remedies or mitigates any adverse effects on the environment and community, and on the relationship of tangata whenua with their ancestral lands, sites, water, waahi tapu and other taonga.*
- 18.3.2 *Subdivision, use and development of land should not compromise existing safe and efficient mineral extraction, or unduly constrain potential access to, and the development of, identified significant mineral resources.*

#### 18.4 Policies

##### 18.4.1 Adverse effects

*To avoid, remedy or mitigate to the extent practical, the adverse effects of mineral extraction on the ecological, landscape, heritage and amenity values of surrounding areas and on the amenity values of existing residential areas.*

##### 18.4.2 Incompatible activities

*To manage conflicts between the effects of mineral extraction activities and other land uses by ensuring that activities that are incompatible with the effects of mineral extraction activities are not established close to quarries or mines.*

### 18.4.3 Rehabilitation

*To rehabilitate sites used for mineral exploration and extraction.*

Objectives and policies contained within Chapter 5 (Amenity) and Chapter 22 (Road Transport), along with other chapters of the Plan may, also be relevant depending on the detail of any specific proposal.

The methods used in the District Plan to address mineral and aggregate activities are focused on two key methods – rules in Environments relating to the effects of mining and exploration, and the identification of Mineral Extraction Areas (MEAs) as Resource Areas with associated rules. Other methods include earthworks rules in Resource Areas such as outstanding and notable landscapes, although it should be noted that the strongest level of control is in the outstanding landscapes where earthworks have a restricted discretionary activity status. The outstanding landscapes, presently only have limited coverage around Whangarei Heads, Kauri Mountain and Ngunguru Sandspit.

Small-scale mineral extraction (less than 500m<sup>3</sup>) is a permitted activity in the Countryside and controlled activity in the Coastal Countryside. Non-compliance with the controls deems mineral extraction a restricted discretionary activity and the Plan lists 15 matters of discretion. Construction of residential units in the Countryside and Coastal Countryside are deemed to be controlled and discretionary activities, respectively, if they are within 500m<sup>2</sup> of a MEA. Subdivision within a MEA in the Countryside and Coastal Countryside Environments is a discretionary activity.

The District Plan identifies 9 MEAs across the District, with noise limits for each MEA specified in Appendix 14. Mineral extraction in an MEA requires a Mineral Extraction Management Plan to be prepared to describe the extent of the mineral extraction and compliance with relevant rules. There is no specific requirement for a Management Plan to be prepared for mineral extraction activities outside of MEAs, although initial research indicates that it is common practice to prepare such a plan, possibly due to regional plan requirements and industry best practice.

### 2.4.2 Rolling Review of the Operative District Plan

Council is required to review the entire District Plan within a ten-year period. It has resolved to achieve this through a rolling review programme which incorporates the priorities set out in Council's various business plans, asset management plans, and the Long Term Council Community Plan (LTCCP). As a result of changes to the Resource Management Act, more emphasis has been placed upon policy, therefore, the rolling review will aim to focus primarily on policy formulation over the next three years.

## 2.5 Iwi Management Plans

Three iwi management plans have been prepared by iwi of the Whangarei District all of which have relevance to minerals and aggregates.

Patuharakeke Te Iwi discusses many sites and issues of significance to the iwi throughout their management plan which will need to be addressed in the preparation of a plan change. A specific recommendation of relevance to minerals and aggregates is the following:

- 8 *That a stronger enforcement structure to protect the sea bed and the land from excessive excavation (i.e. to the level of the pan) and to protect the indigenous people's significant sites, such as Pā/fortified village must be set up. For example, a Joint Management structure consisting in WDC, Patuharakeke Te Iwi Trust Board (Inc), and the Historic Places Trust and the Department of Conservation must be set up. (Patuharakeke Te Iwi, 2007, p52)*

Te Iwi o Ngatiwai and Ngati Hine also make specific reference to mineral extraction in their management plans. Ngatiwai state six objectives related to mineral resources:

*Mineral objectives for Ngatiwai rohe*

*The sustainable extraction and management of mineral and geothermal resources without adverse impacts upon the earth.*

*The mauri of mineral and geothermal resources is protected and enhanced in ways that enable Tangata Whenua to provide for their social, economic and cultural wellbeing; and that of generation as yet unborn.*

*Tangata Whenua are acknowledged as the kaitiaki of mineral and geothermal resources within their rohe.*

*The relationship of Tangata Whenua and their culture and traditions with their ancestral taonga, mineral and geothermal resources, is recognised and provided for as a matter of national importance by councils.*

*There is an increased Tangata Whenua involvement in the management and monitoring of mineral and geothermal resources.*

*Tangata Whenua traditional environmental knowledge in relation to mineral and geothermal resources is appropriately acknowledged and utilised. (Ngatiwai Trust Board, 2007).*

These objectives and the six supporting policies will need to be taken into account when preparing any plan changes relating to mineral resources.

Ngati Hine states three key objectives relating to soils and minerals:

- 1 *The mauri of mineral and geothermal resources is protected and enhanced in ways that enable Ngati Hine to provide for their social, economic and cultural wellbeing; and that of generations as yet unborn.*
- 2 *The sustainable extraction and management of mineral and geothermal resources without adverse impacts upon the earth.*
- 3 *No significant areas are damaged. (Ngati Hine, 2008)*

Plan changes prepared to address mineral resources must take into account these three objectives and the four supporting policies and methods.

### **3 Current Issues**

#### **3.1 Background paper – Sustainable Futures 30/50**

Providing for future mineral extraction and aggregate resource requirements was considered by a background paper prepared for the Whangarei District Growth Strategy – Sustainable Futures 30/50 (Whangarei District Council, 2010). The paper drew on two primary sources of research that had been carried out in relation to mineral resources in 2007.

The first was an assessment carried out by GNS Science in 2007 for the Northland Region (Christie and Barker, 2007). A production scenario they developed showed that for the Whangarei District the annual production could increase 467% and that this could be achieved in 15 years. This production scenario is a combination of expanding existing production, primarily in aggregates, limestone and sand, and new mining operations for several metallic and non-metallic minerals. In total, the production scenario is worth \$125,304,811 compared with \$22,090,134 in 2005.

Subsequently, New Zealand Institute of Economic Research (NZIER) was commissioned by Crown Minerals, Northland Regional Council, Far North District Council and Whangarei District Council to utilise the production scenario developed by Christie and Barker (2007) to determine the potential economy-wide impacts. They identified that Whangarei District's GDP would be lifted by nearly \$98 million, of which over \$50 million of this would be in sectors other than mining. Christie and Barker (2007) also stated that production of aggregate and limestone is likely to increase provided the Northland economy and population continue to grow with the potential to expand the market for aggregate by exporting to Auckland. Christie and Barker (2007), however, tempered this with the risks which they stated included sterilisation of aggregate resources by urban development and possible site-specific constraints on quarry development.

The background paper discussed the use of MEAs in the District Plan to provide for the operation of existing quarries. Whangarei District Council (2010) identified however, that consents had been sought recently for the expansion of existing quarries or establishment of new quarries not within MEAs. As discussed in section 2.2, these quarries would be assessed as restricted discretionary activities, unless they were subject to other rules in the District Plan, giving Council limited scope as to what it could assess the proposed activities against. It was concluded that a controlled, consolidated settlement path presented the best opportunity to support existing quarrying operations and plan for future needs whilst avoiding inappropriate locations.

*"It will also allow quarrying to be planned in a consistent way across the district so that information included as part of Quarry Management Plans is required for all new quarries whether they are within existing Mineral Extraction Zones, as currently identified in the District Plan, or not. This will add robustness to the consenting process and consistency to monitoring. Protecting key transport corridors will be important for existing quarries and potential new operations. These can be identified as part of the spatial planning process when locating urban, rural residential and lifestyle development so as to avoid conflicts and future constraints." (p. 27).*

Planning for higher value minerals was also considered by Whangarei District Council (2010) who stated that as more information became available, spatial planning could be used to future-proof access to these

resources. In the interim, following a more consolidated development pattern should ensure that opportunities are not lost and further land fragmentation does not hinder their future potential.

### 3.2 Stakeholder consultation

During the preparation of the Rural Development Strategy issues and options papers, pre-consultation was undertaken with Winstone Aggregates to assist in gaining some understanding of the issues from an operator's perspective. Winstone stated that the Mineral Extraction Areas (MEAs) in the District Plan work well for them in terms of providing for quarry activities within the 'active area' and also having a noise contour as a 'buffer area' to neighbouring properties.

Winstone stated that themselves and Golden Bay Cement were party to the establishment of the Mineral Extraction Areas through the District Plan preparation however other quarry operators may not have the same buffer areas. Some initial research was conducted into the extent of the current Mineral Extraction Areas. This research supports Winstone statement. Operational quarries such as Ravensdown's Mata Quarry and the Carrs Quarry at Takahiwai, only have MEAs over the 'active' area of land in the quarry operator's ownership. They have no buffer area which could result in reverse sensitivity effects, such as noise and vibration impacting on the future viability of the quarry operations.

Winstone also discussed the need to consider the compatibility of activities that locate in close proximity to existing quarries. For example, some form of light industrial activity might be appropriate but residential development might not. This was specifically in relation to considering new areas for zoning, however, Winstone also identified that reverse sensitivity was an issue that needed strengthened attention in the District Plan. In this regard they indicated that Franklin District Council's Plan Change 14 was a good example of how to address reverse sensitivity. The general topic of reverse sensitivity will be discussed in a separate background paper, however, its application to mineral extraction will be discussed in Sections 4 and 6 of this report.

### 3.3 Environment Monitoring

Environmental monitoring data collated by Northland Regional Council and Whangarei District Council is aggregated in such a way that it is not possible to identify issues specific to mineral and aggregate activities. Consultation with WDC monitoring staff undertaken during the preparation of this report, indicated that existing large quarrying operations are not the cause of frequent complaints or monitoring issues. They have become involved in recent times with several existing quarries increasing or changing the duration of their activities. The issues have arisen largely because people have moved into the area after the quarry lawfully established its operations.

This further emphasises the need to consider how mineral and aggregate extraction activities contribute not only to the District economy, but also to the productive rural environment. Increased awareness to new rural residents, along with further consideration of how to identify and protect existing extraction sites could assist in minimising the potential for reverse sensitivity issues to arise.

## 4 National Direction & NZ Best Practice

### 4.1 National direction

In March 2010 a guidance note was published by the Ministry for the Environment and Local Government New Zealand on the Quality Planning website ([www.qualityplanning.org.nz](http://www.qualityplanning.org.nz)). The guidance note was initiated by the Aggregate and Quarry Association of New Zealand (AQANZ) in partnership with MfE & LGNZ, as a way of promoting best practice to deal with the complex range and scale of resource management issues associated with the aggregate and quarry industry.

The guidance note stated that the effects of mineral extraction can be remedied or mitigated but often not avoided. It provides a number of different options for District Plans to provide for future and current mineral extraction activities. This includes the use of buffers, such as Whangarei District Plan's MEA 'buffer areas'. The guidance note states that these should be assessed by significance of operation and other measures available to internalise effects.

The guidance note discusses how the future needs for aggregates can be forecast, identified and planned. The guidance note suggests that district and regional councils should work together to strategically identify and manage future needs across the region whilst avoiding, remedying or mitigating the effects of quarrying.

Whangarei District Council could consider detailed forecasting of aggregate need, as a component of the implementation plan of Sustainable Futures 30/50, however, in Roads Metals Company Limited v

Christchurch City Council and Canterbury Regional Council [2006] (C163/2006), a lead-in time of 50 to 100 years was considered a more appropriate timeframe given the constraints on availability of aggregate within the area and the need for certainty for future infrastructural development. If this option is considered useful, considerable work may then be required to assess where the aggregate resource lies and where it might be acceptable, when considered in the context of other constraints such as cultural, historical and landscape values, for future extraction operations to occur.

Some information on the lifespan of existing quarries will be readily available through existing consents, such as that for Portland Quarry which was granted consent for a minimum 35 year lifespan in 2008. However other information may be more difficult to access and considered by operators as commercially sensitive, therefore requiring Council to carry out its own detailed investigations.

## 4.2 Case law

The Quality Planning guidance note provides a useful summary of case law related to planning for aggregates. There are a number of recent cases which may be useful when considering how to address mineral and aggregates resource issues in the District Plan, a few of which are summarised below.

### *Golden Bay Cement v Whangarei District Council [2005] (A15/2005)*

This case is significant because it considers the importance of a quarry resource and its authorised externalisation of effects. The proposed Whangarei District Plan had imposed a Living 1 Environment on a property in the locality of the Wilsonville Quarry which was appealed by Golden Bay Cement. The decision only allowed the furthestmost part of an adjoining land parcel to be rezoned from Countryside to Living 1 due to the potential reverse sensitivity effects it would cause on the quarry.

### *Winstone Aggregates v Rodney District Council [2009] (A054/09)*

The decision identified plan provisions which recognise an area as having value both as a mineral resource and a significant natural area – a matter of national importance under the RMA. A restricted discretionary activity status was used to allow Council to address the effects of vegetation removal.

### *Winstone Aggregates v Matamata-Piako District Council (W55/04)*

This decision drew strongly on an earlier decision of the Court (*Winstone Aggregates v Papakura District Council A096/98*), which considered the internalisation of effects and reverse sensitivity. In the *Matamata-Piako* decision, cautioned against a view that “reverse sensitivity” consequences should necessarily be avoided by constraint on sensitive new activities. The first principle should be that the activity causing the effects should internalise them as much as it is practical to do so. To justify constraints on land adjoining an effects emitting site, the industry must be of some considerable economic or social significance locally, regionally or nationally.

In this case, the Court found there could be little doubt that the regional importance of the resource, the impracticality of internalising all noise effects and the vulnerability of the quarry to reverse sensitivity pressures, justified controls on subdivision and erection of dwellings in a carefully delineated buffer zone. The Court considered the appropriate restrictions to protect industry should be in the form of discretionary or restricted discretionary activity status for subdivision or residential activity. (St Clair, Wyeth & Pinson, 2010). This case will be important to reflect on when considering if buffer areas should be extended to other MEAs or additional sites during the plan change preparation.

## 4.3 Best practice

The guidance note provides detailed information on the range of issues that need to be considered when developing district plans. When considering the effects of quarrying, the focus of objectives, policies and rules should be to encourage the internalisation of effects on site as much as possible. This should also apply to resource consents, where the onus is on applicants to demonstrate they have internalised the effects of their activities as far as reasonably practicable. Only where internalisation of effects cannot be achieved, and protection is warranted, should off-site mitigation or reverse sensitivity measures, such as buffers, be considered.

Objectives and policies can be general in nature or tailored specifically to quarrying activities. For example, general objectives and policies could be developed to manage all noise effects, and reference to quarrying may not be explicitly stated. Alternatively, specific objectives and policies particular to quarrying activities could be developed.

Plans can have objectives and policies that highlight a range of considerations to reflect specific pressures and values within an area. These may include such considerations as the impact on sensitive and

incompatible activities, sites of significance to tāngata whenua, natural hazards, amenity values and the end use of a quarry. Objectives and policies are typically implemented through rules that have one or more activity classes (i.e. whether it is a permitted, controlled, restricted or discretionary activity). Rules can be tailored within a zone or area, or across the entire district. (St Clair, Wyeth & Pinson, 2010).

## 5 Options for Whangarei District

### 5.1 Sustainable Futures 30/50 Growth Strategy

Sustainable Futures 30/50 was adopted by Council in September 2010. After assessing a number of different growth strategy options, a consolidated future development pattern was chosen and adopted by Council. This will guide future decision making on infrastructure and the spatial arrangement of development across the District. The District Plan will be one of the tools used to implement the growth strategy adopted through the Sustainable Futures project.

The background paper on Minerals and Aggregates prepared for Sustainable Futures 30/50 was discussed in Section 3.1 of this report.

### 5.2 What are the Resource Management Issues?

Two issues are the key considerations for a review of the current District Plan provisions:

- 1 Identification of existing significant resources, either current extraction areas or future resources; and
- 2 Managing the effects of quarrying, internalisation of effects as far as practicable and buffering if required.

These issues will need to be considered when detailing changes to be made to the District Plan. There is, however, an overarching consideration when addressing these issues. There is a need to consider to what extent minerals and aggregate activities are an accepted part of the Whangarei District rural environment. For example, the operation of small farm quarries may be necessary to support the farming sector, however, at what point do their effects become more than minor, particularly if surrounding land uses have changed since their operation. This is recognised through the current District Plan rules, which allow 500m<sup>3</sup> of extraction in Countryside and Coastal Countryside although not necessarily through the current objectives and policies. This could be addressed through a clear description of the rural environment in the District Plan, expectations set for the different zones (or Environments) and methods (regulatory and non-regulatory) to address rural amenity issues.

This also has to be balanced against impacts on the environment and the community. Mineral and aggregate extraction (other than small-scale as discussed above) in the Countryside and Coastal Countryside, is currently a restricted discretionary activity giving Council limited scope to assess the full range of effects of a proposal, as envisaged by objective 18.3.1 of the District Plan. This also has to be considered in the context of other environmental and cultural objectives of the Plan. For example, the current extent of Outstanding Landscapes and Sites of Significance to Maori, both of which are under review, are limited and this therefore means that until the reviews are complete and implemented, no District Plan controls are in place to control mineral and aggregate activities in these sensitive sites or areas.

### 5.3 Objectives and Policies in the District Plan

As discussed above, objectives and policies relating to minerals and aggregates can flow from two stems of issues – identification of existing significant resources, and managing the effects of quarrying, over and above that ‘expected’ in the rural environment.

The protection of identified significant mineral resources is included in the Plan under Objective 18.3.2. Further emphasis in the objectives and policies could be placed on safeguarding access to future mineral and aggregate resource requirements. This may require work to be carried out by Council to identify significant unexplored mineral and aggregate resources or contribution to the regional research project which is underway. If it is not seen as necessary to provide such detailed information in the Plan, it could be a specific requirement of subdivision consents in the Countryside and Coastal Countryside to address mineral and aggregate access issues either on-site or the surrounding area. Information on existing quarrying operations should be relatively easy to collate from consent and assess against the current MEAs identified in the Plan. A review could then be undertaken to ensure that known aggregate resource sites are adequately protected by the MEAs in the District Plan.

The management of effects appears to be well covered by the existing District Plan objectives and policies. There is no explicit reference to the avoidance of reverse sensitivity effects, however, this is inherent in the

policies and other chapters of the Plan such as Chapter 6 (Built Form and Development) and Chapter 5 (Amenity Values). The management of effects does, however, rely upon other layers of information being available or included in the District Plan. In this regard, ensuring those projects are incorporated into the Plan becomes important. Policy 18.4.1, for example, requires information to be available on ecological, landscape, heritage and amenity values of the area. Without a current or accurate base of information in the Plan, this policy could not be successfully achieved.

## 5.4 Options for District Plan methods

As discussed in section 6.2, the objectives and policies in the current District Plan largely address the key resource management issues, with the exception of protection of future mineral and aggregate resource requirements.

The methods to implement the objectives and policies are dependent on other environmental and cultural resources being protected through the Plan. In addition to this, the following methods could be considered as part of the review:

- 1 Retain the existing MEAs tool in the District Plan. Consultation and best practice indicates that this tool is worth retaining and protects significant mineral resources from reverse sensitivity issues whilst ensuring the effects are internalised as far as practicable.
- 2 Extending 'buffer areas' to significant quarries that are either not currently identified in the District Plan or ones only with the 'active area' currently identified. A review of existing quarries will need to be carried out and consultation should be undertaken with operators and the Aggregates and Quarrying Association during the assessment. In line with case law, the significance of the quarries should be an important consideration in this assessment.
- 3 Include a description of the 'rural environment' and the Countryside and Coastal Countryside Environments in the District Plan. Amenity values for the Countryside and Coastal Countryside are currently included in Chapter 5 of the District Plan, but no description of the types of activities that typically occur is included. This would assist in defining what level of quarrying activity is expected as part of the 'character' of the rural area, and what would require a more thorough assessment through a consent process.
- 4 A requirement for a Quarry Management Plan to be included with all applications for new quarries across the District. This is to ensure a consistent process and monitoring regime.
- 5 Increase the activity status for consents for mineral extraction activities outside of MEAs to allow for a full assessment of environmental effects. This could be from restricted discretionary to discretionary in Countryside and Coastal Countryside Environments, and non-complying in sensitive areas such as Outstanding Landscapes and Sites of Significance to Maori. This should be considered in the context of other rule changes, such as earthworks, and the extent of any review recommendations to the areas identified.
- 6 Requirements for new subdivisions and dwellings within x distance of future mineral and aggregate resource sites to be assessed through consents or if information is not available in the Plan, require new subdivisions in the Countryside and Coastal Countryside to or if information is not available in the Plan, require new subdivisions in the Countryside and Coastal Countryside to address any impact on access to future mineral and aggregate resources.

## 5.5 Options for Whangarei District – Rural Development Strategy Implementation

As discussed earlier, Council could commit additional resources to identifying future mineral and aggregate resource requirements. This information could then be used to safeguard access to these resources through the District Plan.

### Education

Understanding the character and amenity values of the rural environment is an issue which will also be addressed through the reverse sensitivity issues and options paper. The sporadic nature of subdivision throughout the District in the past and the resulting number of sections means that economic activity, such as mineral and aggregate extraction and other productive rural activities could increasingly become compromised by new residents to the rural environment. Making new residents aware of what activities typically occur in 'the Countryside' could assist. Council could work with key rural industries, including mineral and aggregate operators, to educate new rural dwellers about what to expect in terms of amenity such as traffic movements and noise. This could also include ensuring that when Council provides

information to new residents such as through welcome packs or Land Information Memorandums (LIMs), the proximity of known quarries which may impact on their future development plans or existing amenity.

#### **Working with other agencies and industry**

Council should continue to work with other agencies such as Northland Regional Council and the Ministry of Economic Development and key industry representatives to understand the future direction and issues facing the industry. Key legislation and government programmes in the minerals sector are under review and if changes are progressed, activities in mineral exploration could impact on the Whangarei District.

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