

## 11. Presentations

**Reporting officer:** R Forlong (Chief Executive)

**Date of meeting:** 13 July 2016

### 1 Purpose

To hear a presentation and acknowledge written presentations.

### 2 Recommendation

That the Planning Committee:

- a) hear the presentation from Mia Barton-Boots and acknowledge the written presentations received.

### 3 Background

The Chief Executive has received three applications, within the requisite timeframe, to present to the Planning Committee 13 July.

Two of the applicants subsequently requested their submission be circulated in writing at the meeting. Those submissions are attached to this item.

The third applicant, Mia Barton-Boots (also on behalf of the Southern Whangarei Action Group) will address the meeting.

### 4 Significance and Engagement

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website.

### Attachment

1. Correspondence Mia Barton-Boots (SWAG)
2. Correspondence Barry Povey and Sue McQuade
3. Memo F C Spencer and A C Norman



To the Chief Executive,  
Whangarei District Council  
Private Bag 9023  
Whangarei 0148

PO Box 11-057  
Whangarei Mail Centre 0148

Dear Mr Forlong,

Re: Planning Committee Meeting (13th Of July 2016)  
Objection - re: Notice of Motion (14th June 2016 attached)

We hereby give notice that we strongly object the intention to move the following notice of motion (under NZS 9202:2003 3.9.15) attached. We notice that the motion to revoke is to be put forward at the next Council Planning Meeting (13th of July 2016) as Agenda Item 3. On the 8th of June, the Whangarei District Council Planning Committee resolved that they decline to include the extension to Otaika Quarry, for overburden, in the notification of the proposed minerals plan change (PC102). We are in full support of this decision.

Councillors, Halse, Deeming, Christie, Martin and Bretherton by way of Notice of Motion want to revoke this decision. With due respect to these Councillors, after a comprehensive S32 report, skilled and professional Council staff have evaluated and declined the GBCWinstone proposal in the best interests of the entire community. We also note that both our Ward's Councillors signed the motion, however, as far as we know, none of the aforementioned five have approached the local residents and ratepayers directly affected by the proposed Mineral Change 102 for our concerns. We believe, as our representatives, they should have a duty to do so.

There seems to be no easy way to resolve the conflicting interests between the land owners where business comes in direct conflict with the rights of home owners, however we believe every avenue should be carefully considered. Further more development must not impact any ecological, scenic, touristic, or neighbouring properties - the Resource Management Act (RMA) framework, Section 16 provides for a general duty to avoid creating unreasonable noise and Section 17 states a duty to avoid, remedy or mitigate adverse environmental effects of activities. When Winstones purchased the Pegram Block, they had given the neighbouring residents the assurance that they bought the block in order to place a buffer between us and quarry activities.

The purpose of the buffer zone was to not externalise noise effects in order to prevent reverse sensitivity and also encroachment of development - Winstone even spoke about a bund being formed at the quarry road side to give us further protection from traffic and quarry noise and activity. Winstone already operate outside the normal working hours, the neighbouring residents are already subjected to dust and noise that is created by the blasts, truck movements and general quarrying activity. We have also had cement on our roofs and cars when they also

undertook some Winstone cement crushing activities, which were not actually part of their usual quarrying activities.

The Key issues are:

1. Noise - Winstone quarry blasts, production and trucks create a lot of industrial noise.
2. Dust - The quarry creates a lot of dust. This will create more.
3. High wind zone Area - This needs to be taken into account re the dust.
4. Ill health - The "Pegram Farm" is next to a low socio-economic housing area; the associated health issues need to be factored in.
5. Springs and caves- there are many springs and caves in this area.
6. Land slips - This area is red-zoned and unstable, with slips and creeping soil.
7. Pollution - There is no report on the potential environmental effects on the streams, rivers and the Whangarei Harbour.
8. Effect on neighbouring properties values.
9. Visual effects for neighbouring properties - loss of very attractive farmland and harbour views.
10. Cultural interests - have they been discussed in full with the local Iwi?

GBCWinstones have had years to consult with the neighbours however they have left it to the last moment to amend PC102 to include the overburden site (the Pegram Farm) that is directly adjacent to Living1, L2 and L3 properties. We were left with a rushed consultation, with unsuitable landscape concept designs, poor evaluation, and little actual data on the amount of overburden and the visual effect thereof. The Winstone's Pegram landscape concept plan is unacceptable - the landscaper's revised plan still looks like a 'burial mound(s) for overburden" When questioned, Winstones said that the Pegram Farm could not hold all their overburden.

We would like to see rigorous, transparent evaluations that include, the amount of overburden, reasonable alternative placement of the overburden, more research on the reverse sensitivity analysis and impact on the surrounding landowners. Thus, we are strongly opposed to the Proposed Mineral Plan Change 102/overburden.

We hereby request that we are kept fully informed and involved on this matter.

Yours Faithfully,



Mia Barton-Boots

For and on behalf of SWAG (Southern Whangarei Action Group)

Copy has also been given to the Northern Advocate

Notice of motion

I hereby give notice of my intention to move the following notice of motion ( under NZS 9202:2003 3.9.15) at the next Whangarei District Council's meeting set for the 22<sup>nd</sup> of June 2016

This notice of motion is to revoke the motion passed at the WDC planning meeting held on Wednesday the 8<sup>th</sup> of June 2016

The motion to revoke.

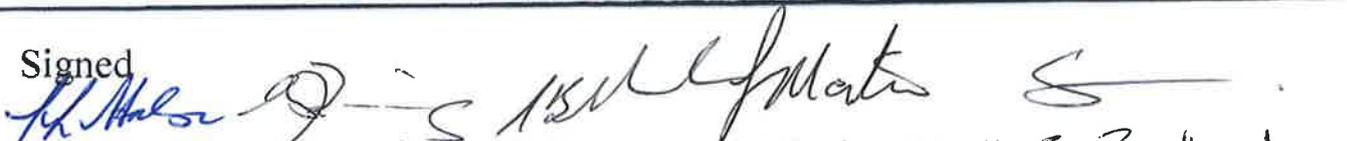
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1, That the Planning committee declines to include the extension to Otaika Quarry, for overburden, in the notification of the proposed minerals plan change (PC102)

It is my intension to move this further motion.

1. That the Planning Committee accepts the inclusion of the extension to Otaika Quarry for overburden, in the proposed minerals plan change (PC102).
2. That Council staff engage with GBC Winstone to address the requirements of section 32, including cultural and environmental issues, prior to notification of the proposed minerals plan change (PC102).
3. That the proposed minerals plan change (PC102) be removed from the rural and resource area plan change package.
4. That all costs of the section 32 assessment for the Otaika Quarry extension are borne by GCB Winstone.

Signed

  
 P.R.Halse    S Deeming    C Christie    G Martin    ~~S Bell~~    S. Bretherton

14 th June 2016

Barry Povey & Sue McQuade  
PO Box 6099  
Otaika 0147

8 July 2016

ATT Rob Forlong  
Chief Executive Officer  
Whangarei District Council

We would appreciate this letter being tabled at the Meeting of the Planning Committee that is scheduled for Wednesday 13 July 2016.

**WINSTONE QUARRY – APPLICATION FOR PLAN CHANGE TO ALLOW DUMPING OF  
OVERBURDEN ON THE PEAGRAM BLOCK**

Re a Notice of Motion in regard to Winstone’s Application for a Minerals Plan Change – Extension to Otaika Quarry – to allow them to dump overburden on the Peagram Block, which is currently a buffer zone adjacent to Acacia Park.

In terms of the **Resource Management Act**, the following definitions should be considered.

**Part 1 -Interpretation and Application**

*“dumping means,—*

**(a) in relation to waste or other matter, its deliberate disposal;**

It was our understanding that the buffer zone would remain as is.

*environment includes—*

**(a) ecosystems and their constituent parts, including people and communities; and**

**(b) all natural and physical resources; and**

**(c) amenity values; and**

**(d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters”**

When we purchased here we were aware of the quarry’s existence and the economic value of the quarry to the district. The existing buffer zone formed a part of our decision to live here. We have no objection to the existence of the quarry but we are extremely concerned about any application to extend the dumping of overburden on to the buffer zone for the following reasons:

**1. When we purchased here it was our understanding that the buffer zone would remain as is.**

**2. Spoiling of Amenity Values:** People bought into Acacia Park because of high amenity values related to landscape, outlook and quietness. These values are likely to be severely curtailed by the proposed rezoning.

**a) Landscape:** The rural outlook will lose its appeal for many, many years.

**b) Outlook:** the view of machinery & bare dirt is not something residents want to view for years on end. They purchased here because of the green area.

**c) Noise:** this will be totally unacceptable for those living nearby, a number of whom are retired, with the constant sound of machinery and the “beep-beep-beep” of the reversing alarms all day long.

**d) Dust:** We already have some dust when the wind is blowing in certain directions – the dust nuisance will almost certainly increase despite best efforts to mitigate it.

**e) Drainage:** Some properties on the boundary already have issues with drainage because of a number of springs in the area and owners are concerned that removal of the current buffer zone would increase their problems.

**Conclusion:** It would appear that Acacia Park could become the buffer zone if dumping of overburden is allowed on the Peagram block.

To the best of our knowledge Acacia Park is zoned for Residential Living, **not** as a Mineral extraction zone **or** any kind of buffer zone.

Yours faithfully

Barry Povey & Sue McQuade

42 Acacia Drive  
Ph 438 1395



7th of July 2016

To the Chief Executive  
Whangarei District Council  
Private Bag 9023  
Whangarei

Dear Mr Forlong,

Re: Planning Committee Meeting (13th of July 2016)

I love living in Acacia Park. Our view is specular and thus I am in favour of the Council decision to not include the overburden as part of the PC102. Therefore I would like to voice my objection to the notice of motion to revoke the motion passed at the WDC planning meeting held on the 8th of June 2016 at your next planning meeting.

This whole issue to me, is purely a business problem. The quarry wants to expand it's mineral extraction area in order to make it easier to dispose of their waste product. This is like me buying the plot of land next door in order to dump my waste, because it is the cheapest way for me to dispose of my rubbish, and then assure the neighbourhood in due course that it will not be an eye sore because it will be covered with topsoil and grassed. That is how I see it. It is my view that the cost of rubbish disposal should be born by the company, it's shareholders and it's customers. Whereas the proposal asks a select group of residents to pay by way of increased dust, noise and air pollution, visual amenity and drop in property values.

During my research I also note that GBCWinstone suggests changes to the draft minerals plan (PC102) to have the area assessed as a 'controlled activity' rather than a 'discretionary activity' and to the Objectives to add the words 'to the extent practicable' and the wording 'safe and efficient' to change to read 'lawfully established'. 'Ensuring that there is no physical constraints to overburden placement'. All of this is a concern to me because I feel it takes away my enjoyment of living in pleasant surroundings. In the past, Winstones wanted to change the working hours to a half an hour earlier and raise the decibel noise allowance for which I had to make a submission and attend a hearing to uphold the status quo.

Paul Dell reminded Council of the necessity for the plan change to be finalised in order to progress the rural strategy by July 2016. I believe Winstones had ample time to submit the amendment of the proposed overburden area. I am very disappointed to find at this late stage that our Ward representatives are supporting GBCWinstone. Surely Cr Phil

Halse and Cr Shelley Deeming should have a balanced view. If they feel that they can only support one side I believe that they should abstain because it would effect residents who live in their Ward.

I also have a question to be put to the planners: Are there other possible solutions? Could other areas use the overburden? For instance could it be used to form dykes on low lying areas, protecting roads from flooding? For a future airport site? To reclaim land? As bunds for new entrance to the Otaika Quarry?

500 metre setbacks, a buffer zone and acoustic bunds would be the most appropriate way to satisfy the reverse sensitivity to the landowners. Their proposal to come within 30 metres of our properties cannot surely be acceptable to the planning committee.

I would like the opportunity to represent my views at your meeting. If that is not possible can you please distribute my letter.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'M Barton-Boots', written in a cursive style.

Mia Barton-Boots

31 Acacia Drive,  
Whangarei

Ph: 09 4388365