



**Proposed Kaipara District Plan:
Form 6 - Further Submission**
Clause 7 of Schedule 1, Resource Management Act 1991

**If you require any assistance with completing this form,
please contact the District Planning Team:**

Phone: 0800 727 059

or

By Email: districtplanreview@kaipara.govt.nz

Privacy Act Note

All information provided in your further submission is considered public under the Local Government Official Information and Meetings Act 1987 and may be published to progress the process for the private plan change and may be made publicly available.

1. Further Submitter Details <i>(mandatory information)</i>			
Full Name of individual or organisation making further submission:	Dr Mark Neil Pinkerton		
Contact Person <i>(if different from above)</i>			
Email address:	notreknips@yahoo.co.nz		
Preferred method of contact: <i>(select one)</i>	Email: ☒		
	Post ☐		
Submitter contact phone number:			
Do you have an Agent acting on your behalf?	Yes ☐		
	No ☒		
Agent name and email address:			
Who is all correspondence to go to?:	Submitter only ☒	Agent only ☐	Both ☐
2. Request to be heard at hearings			
☒ Yes, I wish to be heard at the hearing in support of my further submission			
☐ No, I do not wish to be heard at the hearing in support of my further submission			
If others make a similar submission, I will consider presenting a joint case with them at the hearing	Yes ☒		
	No ☐		
3. Eligibility to make a further submission <i>(for further information on this go to RMA Schedule 1, Clause 8)</i>			
I am (select ONE of the following options:			
☐ A person representing a relevant aspect of public interest.			
☒ A person who has an interest in the proposal greater than the interest that the general public has.			
☐ The local authority.			
4. My reasons for selecting the category ticked above are:			
<i>(For example: Any person representing a relevant aspect of the public interest would likely include public interest environmental groups.</i> OR <i>Any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has is likely to include owners of land and users of resources directly affected by plan provisions. It is also likely to include iwi and hapu where their interests are directly affected.)</i>			
I am one of the the owners of 3 Te Wairoa Lane, in the Kauri Point Residential Farm Park, an existing title that falls within the 500 metre buffer zone proposed by Atlas Quarries Ltd and Hukatere Quarries Ltd. Although we have a primary dwelling it is unsuitable for the accomodation of visiting family members. We intend to either extend the existing dwelling or build a small minor dwelling in (sleep-out) in the future, to accomodate family members and friends when they visit. This proposal would directly affect our ability to acheive this objective and would markedly reduce the utility of our property by imposing limits on its reasonable use. It is also likely that the proposal would have a detrimental impact on the value of our property limiting our ability to sell and re-locate in the future (should we wish to do so). It can therefore be stated that I have an interest in the proposal that is greater than that of the general public.			

5. Further Submission/s for submission/s being notified on 24 February 2026 on the Proposed Kaipara District Plan:

Submission Point Number:	Submitter Name	Support OR Oppose	Reasons for supporting or opposing
<i>Example</i> 123.45	<i>Example</i> John Smith	<i>Example</i> Support	<i>Example</i> I support this because....
152.2	Atlas Quarries Ltd and Hukatere Quarries Ltd	Oppose	I totally oppose the establishment of the 500m "buffer zone". I am opposed in principle to the very notion that a private commercial entity should be able to limit or restrict activities on private land that it does not own. My position is, that should the quarry wish to establish a buffer zone, it should endeavour to purchase the land, and its buffer zone should be limited to only the land that it is able to purchase. To speak candidly, the current proposal is an attempt to use the processes of council to achieve administrative expropriation of property rights, by attenuating the rights of lawful residential indefeasible title holders, for the exclusive benefit of private commercial entities. The quarry has an obligation under the sections 16 and 17 of the Resource management Act to manage the impacts of its own adverse outputs, it should be forced to continue to do so and should be restrained from shifting the burden to adjacent properties which it does not own. The reality is that there is that little excuse, as a substantial portion of the land falling within the proposed buffer zone has been on the market in recent years for extended time windows and has been available for purchase. FS114.1
152.5	Atlas Quarries Ltd and Hukatere Quarries Ltd	Oppose	I am opposed to making "sensitive activities" (according to the suggested amended definition) non-complying within the proposed buffer zone. This proposal would materially alter the value and utility of affected properties and would likely limit the construction of even a single dwelling. Establishing a restriction that impinges on the "reasonable use" baseline established in section 85 of the Resource Management Act 1991. The proposal is therefore both legally and morally repugnant and should not be supported. FS114.2
			ALSO SEE DOCUMENTATION ATTACHED TO THIS FORM

YOU ARE WELCOME TO PROVIDE THE REQUIRED INFORMATION ABOVE OR EXTRA INFORMATION ON A SEPARATE PAGE IF YOU WANT TO

Please return this further submission form and any attachments by:

Post to: Kaipara District Council, Private Bag 1001, Dargaville 0340

OR

Email: districtplanreview@kaipara.govt.nz

OR

Hand-deliver this further submission to:

Kaipara District Council, 32 Hokianga Road, Dargaville or

Kaipara District Council, 6 Molesworth Drive, Mangawhai

IMPORTANT!

You must serve a copy of your further submission on the original submitter **within five (5) working days after it is served** on Kaipara District Council. You will find the submitter's contact address on their submission.

31/08/2026

URGENT FURTHER SUBMISSION: OPPOSITION TO SUBMISSION #152 (ATLAS QUARRIES / HUKATERE QUARRIES LTD)

Dr Mark Neil Pinkerton

Affected Property Address: 3 Te Wairoa Lane, RD1 Matakohe, 0953.

Contact Details

Email: notrekniips@yahoo.co.nz

Phone: 021 182 8945

I am writing to register my strong and unequivocal opposition to **Submission #152** filed by **Atlas Quarries / Hukatere Quarries Limited** and to request permission to make a late submission. **Submission # 152** seeks to amend the Proposed Kaipara District Plan by introducing a Quarry Zone with a restrictive buffer zone designating “sensitive activities” as “non-complying”. This proposal directly encumbers my property and the properties of my immediate neighbours. I understand that the “buffer zone” was not part of the Council’s original drafted plan.

As I have only received notification of this proposal this morning (28/08/26) in a letter back-dated to the 6th of August I have been denied a fair opportunity for engagement in the early consultation process. I request that the Hearings Panel take this into consideration and accept this statement into the formal record for the relevant hearing stream as a matter of natural justice.

Firstly, I would like to affirm that we have lived as full-time residents at the Kauri Point Residential Farm Park for five years and that irrespective of any inferential claims that are being proposed through the use of modelling data, we have had no concerns about emissions from the quarry (noise, dust, vibration etc) **in fact**. The “buffer zone” proposed in Submission #152 targets the issue of “reverse sensitivity” and is essentially a private commercial entity seeking to limit its “perceived” litigation risks, unfortunately to the detriment of landowners in an adjacent well-established residential farm park. In plain expression the restraints imposed through the proposed “buffer zone” are an attempt to use council process to achieve an administrative expropriation of utility.

This proposal (#152), should it be implemented will:

- 1) **Restrict the reasonable use of land (Section 85 RMA 1991):** It unfairly limits our ability to build, alter, or develop structures on our own land.
- 2) **Impacts Future Development:** It severely penalizes any future subdivision potential or reverse-sensitivity protections that I am legally entitled to as a rural resident.
- 3) **Impose An Unfair Economic Burden:** It places the operational and environmental containment burdens of a private commercial quarry onto blameless neighbouring, landowners. Whilst relieving the quarry of its legal obligation to mitigate and internalise the management of its own adverse operational outputs under **Sections 16 and 17 of the Resource Management Act 1991**.

- 4) Co-opt an administrative process, using it to strip rights that the residents of Kauri Point Residential Farm Park are entitled to, as holders of an indefeasible property title, and does so for the sole benefit of a private corporate interest without valuable consideration.

Relief Sought

I request that the Independent Hearings Panel:

1. Accept this communication as formal submission to be accepted
2. **Reject Submission #152** in its entirety as it relates to imposing any buffer zones, overlays, or restrictions over my property at 3 Te Wairoa Lane (Kauri Point Residential Farm Park), RD1 Matakohē, 0953.
3. Maintain the zoning and provisions originally proposed by the Council, without the additions requested by Atlas/Hukatere Quarries.
4. Provide me with direct updates regarding the specific hearing dates for the Minerals/Quarrying topic so that I may monitor or speak to this matter if required.

Thank you for your time and consideration of this urgent matter.

Kind Regards,

Dr Mark Pinkerton.