



**KAIPARA  
DISTRICT**  
PLAN REVIEW

**AUGUST 2021**



Kaipara District Plan Review  
**Discussion Document**

# **Minerals and Quarrying**

## CONTENTS

|   |   |
|---|---|
| BACKGROUND  | 2 |
| KEY ISSUES  | 3 |
| IWI INTERESTS AND IWI MANAGEMENT PLANS            | 3 |
| Te Uri o Hau Kaitiakitanga o Te Taiao 2011        | 3 |
| Nga Ture mo Te Taiao o Te Roroa 2009              | 3 |
| SUMMARY OF THE OPERATIVE DISTRICT PLAN PROVISIONS | 3 |
| THINGS TO THINK ABOUT                             | 4 |
| NEXT STEPS  | 4 |
| APPENDIX 1  | 5 |

## BACKGROUND

The mineral deposits in the Kaipara District, even if these are limited, are of considerable social and economic importance to the district, region, and the nation. Mineral extraction and processing, and associated land restoration can provide an opportunity to enhance the land resource and landscape and has done so in the past. However, the extraction and processing of mineral resources also has the potential to have significant adverse effects on soil, water, and air resources, as well as landscape and historic heritage values, if not appropriately controlled.

Access to Crown owned minerals is addressed in the Minerals Act 1991, while the effects of mining activities are managed under the Resource Management Act 1991. The activities of exploration, quarrying, mining, and any other disturbance of land is regulated through district plan provisions. These provisions acknowledge the need for mineral (including aggregate) resources to be available for infrastructure and development and to manage reverse sensitivity effects.



## KEY ISSUES

- The Operative District Plan does not include maps identifying the location of mineral resources in the District, or the suitable areas for quarry material to be used for roading and house building. This means applications for extracting minerals are dealt with on an ad hoc basis as these are submitted.
- A 'Mineral Resources Assessment of the Northland Region', prepared in 2007 concluded that the potential for economic mining in Kaipara District is limited, but sand and aggregate quarrying continue to be important sources of natural resources. Presently, every application to extract these resources requires a resource consent, with the requirement for effects to be contained within the property boundary. However, it has been recognised in case law that the effects of mineral extraction may be felt beyond the boundaries of the activity and external buffers can be provided for in a district plan.  
Therefore, there is a need to identify and notify these areas, and the proposed buffers, so that affected landowners can submit on the proposal. Once such areas have been identified and confirmed in the new District Plan, they can be included in Land Information Memoranda (LIMs) and Project Information Memoranda (PIMs). This means owners and prospective buyers of affected properties will be aware of the mineral extraction activity occurring over their boundary, and the likely effects beyond that boundary.
- During the development of the **Kaipara District Spatial Plan – Ngā Wawata 2050 - Our Aspirations**, the matter of adequate and right aggregate provision was raised in feedback received. This included the requirement that those quarries need to be located close to their relevant markets to reduce costs, congestion, and carbon emissions and that the associated planning provisions should address this need. An option to address this is to use overlays on maps to identify quarry areas to avoid adverse environmental effects on people, the environment and to manage reverse sensitivity effects resulting from the quarry operation.

## IWI INTERESTS AND IWI MANAGEMENT PLANS

### Nga Ture mo Te Taiao o Te Roroa 2009

The Iwi Management Plan includes discussion in respect to prospecting, exploration and mining activities which can adversely affect areas significant to Te Roroa including waahi tapu, waterways, mahinga kai and other places. The direction indicates that extraction should not be allowed but states that innovative methods be used to address the issues including rehabilitation, for which plans must be submitted.

### Te Uri o Hau Kaitiakitanga o Te Taiao 2011

Item 37 within the Iwi Management Plan deals extensively with minerals and the Treaty arrangement for the extraction of minerals, with full consultation expected for proposed extraction activities. Item 43 requires both compensation and the preservation of the natural environment. Sand extraction is specifically highlighted.

## SUMMARY OF OPERATIVE DISTRICT PLAN PROVISIONS

Issue 2.3.10, Objective 2.4.12 and Policy 2.5.15 relate to minerals and quarrying. Rural Issue 12.4.6 and Policies 12.6.11 and 15B.6.18 are also relevant, as well as Issue 18.4.2. Further details on these provisions can be found in Appendix 1.



## THINGS TO THINK ABOUT

*The content of a district plan ranges from fulfilling legal requirements made by Central Government and regional councils, to proposing specific provisions that meet the needs of our District and its communities. This list includes any changes required to meet legal obligations, as well as some ideas Council wants to explore further with our communities.*

- The Regional Policy Statement indicates that the Northland Regional Council will identify mineral resources and that the District Plan must map and provide for these resources to be secured. If the Regional Policy Statement for Northland identifies areas of potential minerals, these should also be reflected in an overlay in the new District Plan. No mapping has been undertaken to date but may be undertaken during the lifespan of the new District Plan. This will assist with ensuring that access to regionally significant mineral resources will not be adversely affected by developments such as residential subdivision. Once these resources become embedded in planning maps, relevant parties, such as developers, will be aware of their locations and will be able to plan accordingly.
- Potential quarry sites should be investigated and mapped as an overlay on the District Plan maps and buffer zones provided should the effects such as: noise, vibration and visual effects be likely to occur beyond the boundary of the property. This approach would provide certainty to construction and roading projects in the District which need to use the aggregate and additionally it would provide information to current and future owners of affected properties.

## NEXT STEPS

- Northland Regional Council is responsible for identifying possible mineral deposits that should be protected against development that might impede its extraction. Any deposits identified will need to be reflected in the new District Plan, with methods to provide adequate protection, particularly regarding dust, odour, noise, and additional traffic movements.
- Quarry sites in the Kaipara District will need to be identified and mapped. These sites need to be protected against inappropriate development that could impede access to the aggregate source.
- In many cases aggregate deposits coincide with Outstanding Natural Features or Outstanding Landscapes due to their geological formation. There needs to be a careful balance between the protection of Outstanding Natural Landscapes or Features and use of aggregate resources to provide for social and economic wellbeing. For example, the Landscape or Feature might be unique whilst the same type of aggregate might be available in a less significant location. Mapping of all the potential aggregate sources will assist in providing for access to the most suitable quarry areas.



# APPENDIX 1

## RELEVANT LEGISLATION AND NATIONAL DIRECTION

| <b>Resource Management Act 1991</b>   |  |
|---|--|
| Part 2, Section 7(g)  | As a matter of National importance, particular regard shall be had to any finite characteristics of natural and physical resources.  |
| <b>National Environmental Standards</b>   |  |
| National Environmental Standards for Plantation Forestry 2017                         | Quarrying associated with forestry is controlled by these National Environmental Standards.  |
| <b>A Minerals and Petroleum Resource Strategy for Aotearoa New Zealand: 2019–2029</b> |  |
| Principle 5   | Supports a circular economy by meeting resource needs through resource efficiency, recycling, and reuse. (The circular economy is about a systemic shift away from a 'take, make, dispose' economic model to an economy which maximises the use and reuse of the same resources for as long as possible. |
| Principle 15  | Seeks innovative ways to improve the resource efficiency of extraction operations; and minimise the negative impacts of these operations.  |

## REGIONAL GUIDANCE

| <b>Regional Policy Statement for Northland</b> |   |
|--|---|
| Objective 3.6                                  | Economic activities – reverse sensitivity and sterilisation   |
| Policy 5.1.3                                   | Avoiding the adverse effects of new use(s) and development<br>Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following:<br>(d) The use and development of regionally significant mineral resources |
| Policy 5.1.4                                   | Regionally significant mineral resources<br>Mineral resources will be considered regionally significant.  |
| Method 5.1.5                                   | Statutory plans and strategies<br>(2) district councils shall:<br>(a) Show regionally significant mineral resources in accordance with Policy 5.1.4, in district plan maps, where the existing extraction rates are known, or once the mineral resources are identified by the regional council           |
| Method 5.1.6                                   | Monitoring and information gathering<br>The regional council will encourage the district councils to consider including adverse effects arising from regionally significant infrastructure and regional significant mineral resources on land information memorandum reports.                             |
| Appendix 2                                     | Regional development and design guidelines<br>(h) Be directed away from regionally significant mineral resources and setback from their access routes to avoid reverse sensitivity effects.   |

## OPERATIVE KAIPARA DISTRICT PLAN 2013 – RELEVANT PROVISIONS

|   |   |
|---|---|
| Definition – Mineral Extraction and Processing Activities | The excavation of overburden rock, sand, and clay; blasting; processing (crushing, screening, washing, and blending); the storage, distribution, and sale of minerals, including aggregate; ancillary earthworks; deposition of overburden; treatment of wastewater; landscaping and rehabilitation works, including clean filling; ancillary buildings and structures; and residential accommodation necessary for security purposes.  |
| Definition – Sustainable Management                       | Managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while – <ul style="list-style-type: none"> <li>• Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</li> <li>• Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</li> <li>• Avoiding, remedying, or mitigating any adverse effects of activities on the environment.</li> </ul> |
| Issue 2.3.10, Objective 2.4.12 and Policy 2.5.15          | To enable the efficient extraction and processing of minerals and aggregates where benefits to the wider community are demonstrated and adverse effects on the environment will be avoided, remedied, or mitigated.   |
| Outcome 2.7.12  | The operation of aggregate and mineral extraction and processing adds to the economic and social wellbeing of the community in appropriate locations and is managed to minimise adverse effects on the environment.   |
| Issue 12.4.6 and 15B.4.10                                 | Farming, forestry, mineral extraction and processing, and renewable energy generation support the social and economic wellbeing of the district and have the potential to be adversely affected by incompatible neighbouring activities (e.g., residential). It is recognised that these activities are constrained by locational, operational, and technical factors.  |
| Policy 12.6.11 and Policy 15B.6.18                        | Where activities such as mineral extraction and processing, industrial or intensive rural activities seek to establish in the Rural Zone, consideration must also be given to adverse effects on existing adjoining activities.   |
| Issue 18.4.2  | The need to identify and protect Outstanding Natural Landscapes from inappropriate subdivision, use and development. There needs to be a careful balance between the protection of Outstanding Natural Landscapes and use of these resources (to provide for social and economic wellbeing) in achieving sustainable management.  |



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***Your Kaipara, your say.***