

# Proposed Te Tai o Poutini Plan

## Mineral Extraction Hearing

### Verbal Presentation: Pauline Hadfield

Hearing Date: 11 June 2024

#### Introduction

1. My name is Pauline Hadfield, and I am a Senior Planner at Davis Ogilvie and Partners Limited, based in Nelson. I have over twenty years resource management experience, most of which has been West Coast-based work including both consultancy work and consent processing on behalf of the Buller District Council and more recently, the Grey District Council.
2. My evidence is in relation to Submissions made by myself on behalf of Alistair Cameron (S452) and my employer, Davis Ogilvie and Partners Limited (S465). This presentation will summarise key points in my pre-circulated evidence.
3. Alistair Cameron is here with me today and will speak to the matters in his submission from his perspective as a landowner of land within the Mineral Extraction Zone.
4. I reiterate my general support for the Mineral Extraction zone, noting that this is in keeping with central Government direction. Unfortunately, I believe the rule framework as proposed is short-sighted and may prove to be problematic for landowners in the long term.
5. I acknowledge the Reporting Officer's discussion in section 10.7 of the s42A report regarding the differing status of licences issued under the Coal Mines Act versus permits issued under the Crown Minerals Act 1991. However, noting that proposed Rule MINZ-R2 requires resource consents to be in place to comply as a permitted activity, and that resource consents issued by the Regional Council do not always cover the full Minerals Permit area, I still consider that the broader permit regime is a more appropriate basis for Mineral Extraction zoning.
6. I concur with the proposed amendment to Policy MINZ-P3 recommended in paragraph 185 of the s42A report which strengthens the wording to ensure that rehabilitation enables appropriate land use after mining.
7. The question is, how does the TTPP determine and outline what is "appropriate" land use after mining, and how is it "enabled"? And what happens if the resource is eventually deemed to be uneconomic for recovery and mining is not feasible? These are significant gaps in the rule framework for the Mineral Extraction zone that in my opinion need to be addressed.
8. The rules in the s42A Appendix 1 for land use in this zone are severely restrictive. Grazing is the only permitted activity. Buildings are also permitted, but it appears that these buildings must be ancillary to mineral extraction activities as there are no other land uses that are approved.
9. Mineral extraction is, by nature, a finite activity. Once mining has been completed or permits are no longer in place, the land should be available for ongoing appropriate uses without undue restriction. This is anticipated in Policy MINZ-P3, and therefore the rules for the zone need to include "enabling" appropriate land use after mining.

10. I agree that sensitive activities such as rural-residential development should retain non-complying status on land within the zone that has not been mined or that still has relevant permissions in place for mineral extraction.
11. In my opinion, a practical approach to post-mining land use would be to apply the General Rural zone rules, with the proviso of an additional setback for sensitive activities from any land within the MINZ that has not been mined.
12. I do not agree with the Reporting Officer's comment that such "*activities are not currently anticipated or provided for within the policy framework for the MINZ*". The wording of Policy MINZ-P3 expects that sites are "*rehabilitated to enable future use and activities appropriate to the area*". This consideration must pull through to the rule framework to ensure that the Mineral Extraction Zone is workable in the long term and avoid costly Plan Changes to rezone land out of the MINZ.
13. I propose the following rule to facilitate appropriate long-term land use within the Mineral Extraction zone (Note: the heading has been changed from the written evidence submitted):
14. **Proposed Rule MINZ-Rx: Activities after Mining Ceases**  
Activity Status Permitted  
Where:
  1. All mineral extraction works have been completed on a site, or All licences, permits and consents relating to mineral extraction works on a site have expired, lapsed, or have been surrendered;
  2. The Permitted Activity rules for the GRUZ – General Rural Zone shall apply except that:
    - (a) No sensitive activities shall be located within 20 metres of land in the Mineral Extraction Zone that meets the requirements of MINZ-R2.1 and has not been mined.
15. A larger setback than the default 10m Rural zone boundary setback is proposed for sensitive activities to mitigate reverse sensitivity effects. The proposed 20m setback is consistent with the earthworks setback proposed in Rule MINZ-R1.2.
16. I consider this to be a fair and reasonable approach, which will be in accordance with Policies MINZ-P3 and MINZ-P7 by providing for long-term use of land in the zone whilst ensuring that mineral extraction in accordance with MINZ-R2 is not restricted.
17. A consequential Discretionary standard rule and amendment to Rule MINZ-R9 would also be necessary if this is accepted.
18. I have reviewed the "Rural Industries" rule that I requested in submissions S452 and S465 in light of the amendments proposed in the s42A report. New rural industrial activity associated with mineral extraction activities would not necessarily be permitted under Rule MINZ-R3 or the new "Any Buildings" rule.
19. I suggest that a further amendment to MINZ-R2 be substituted for the separate rule proposed in our submissions:

20. **Rule MINZ-R3 Activities ancillary to lawfully established Mineral Extraction and Mineral Processing**

Where:

1. The activities include the maintenance and operation of all roads, parking, buildings, water treatment facilities, storage facilities, railway loadout areas and structures that are lawfully established at the date the Plan becomes operative [insert date]; or
  2. The activity is a new activity ancillary to mineral extraction or mineral processing, providing that
    - (a) There is a maximum of 30 heavy vehicle movements per day (excluding internal movements within the mineral extraction site); and
    - (b) There shall be no offensive or objectionable dust nuisance at or beyond the property boundary as a result of the activity.
21. This rule amendment, in conjunction with the new "Any Buildings" rule, would allow for the establishment of new buildings and activities that are related to the mineral extraction industry in keeping with the policy framework. Restrictions on heavy vehicle movements and dust would help to maintain the character and amenity of surrounding areas, anticipated under Policies MINZ-P4 and MINZ-P7.

**Conclusion**

22. In conclusion, there are three main points to this evidence:
- i. The inclusion of Minerals Permits issued under the Crown Minerals Act 1991 in Policy MINZ-P1.
  - ii. The establishment of a new Rule and consequential amendments to enable long-term land use after mineral extraction activities cease, in accordance with Policy MINZ-P3.
  - iii. Amendment to Rule MINZ-R3 to facilitate new activities within the zone that are ancillary to the mineral extraction industry, while protecting amenity values in the surrounding area.
23. Thank you for your time today. I am happy to answer any questions you may have.



**PAULINE HADFIELD**

Senior Planner

Davis Ogilvie & Partners Ltd

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## **TTPP SUBMISSION NOTES**

**In addition to Davis Ogilvy's submission, I wish the Commissioners to consider my situation:**

**I am pro mining and I understand the logics of providing for Mineral Extraction Zones and I have current Mineral Permits myself.**

- The layout of these zones has been done with the stroke of a broad brush. Not enough thought or precision has been used when identifying the areas. It will have an ongoing detrimental effect on myself and many other ratepayers on the West Coast.
- I feel there has been little thought given to the land that has already been mined or contains no gold, therefore uneconomic to mine. However, is trapped in this Mineral Extraction Zone.
- If the land is economically viable to mine, then mined and rehabilitated correctly this will be a good outcome. However, is still trapped in this proposed Mineral Extraction Zone
- Under these above scenarios, the proposed zone lacks long term common sense.

I have two separate blocks of land in the Woodstock/Rimu area, slightly east of Hokitika.

Both these sites are within the proposed mineral extraction zone.

### **Woodstock/Rimu Road - 1<sup>st</sup> site -**

A Considerable area of this land .....has been previously mined in the 1980's /1990's period. The land has been rehabilitated, as a result there is no gold to be further extracted from this land.

As a result, this land will be trapped in the new mineral zone, - currently, it is under the Westland District Plan, as small settlement zone. Ie 5000 sq metres.

This land is suitable for rural living life style blocks, but will not be able to be subdivided into thses without a **plan change via a resource consent process**, which unfortunately all comes at an unnecessary cost to the land owner.

**Back Creek Road, Woodstock, Seddon Terrace Road, Rimu: 2<sup>nd</sup> site –**

Again, some of this area has been mined, down to the basement sandstone, and is uneconomic to mine again.

Some of this land has good views across the Hokitika River and would make nice lifestyle blocks with areas of re-generating natives after the previous mining.

**Balance of this land:**

This has mining potential, and currently my partner has a mineral permit over this land.

Again, the issue will be: **if this land is mined, and then rehabilitated correctly, it will be in the same position - ie Trapped in this mineral zone.**

**TO SUM UP:**

I am requesting that the Commissioners rethink this proposed flawed process, as per the above examples.

**This mineral extraction zone is reduced, in that it is not applied to areas that have been previously mined.**

**OR**

**Post mining/rehabilitation:**

**This land should automatically be able to revert to rural land or lifestyle zoning, due to the close proximity to the Hokitika township, without having to go through a resource consent / plan change process.**

No landowner should not be put in such an unfair detrimental position, where they have to go through a long expensive process to rezone their land because of a planner's ideology.

Please take note that the problem will be an ongoing issue long after the Consultant Planner or Committee has finished their work on this New Plan.

As a freehold landowner, I request you the Commissioner's to apply commonsense and override the **Consultant Planner's ideology for the well-being of the West Coast.**

Regards

Alistair Cameron