

20 February 2015

Woodhouse Law
PO Box 205
Shortland Street
Auckland 1140

by email: ajwlaw@orcon.net.nz

Dear Sir

**REDACTED – LOCAL GOVERNMENT OFFICIAL INFORMATION AND
MEETINGS ACT 1987 (LGOIMA) REQUEST - 194 PAPANUI INLET ROAD**

I refer to your letter of New Year's Eve 2014 requesting information about 194 Papanui Inlet Road.

Your request has been considered under the provisions of the LGOIMA and the following response is provided.

An application to vary resource consent RMA 2006/1124 and retrospectively legitimise breaches of the consented boundaries to the quarry was received by the Dunedin City Council (Council) on 5 December 2014.

The initial approach by Council's planning department was to notify this application on a limited basis to the adjoining owner at 178 Papanui Inlet Road REDACTED. This was carried out on the 15 December 2014.

Since this time, other interested parties have approached Council such that Council is now reconsidering its position as to the extent of notification. No decision has been made at this stage as to which notification procedure will be used. A Section 95 assessment under the Resource Management Act 1991 is being carried out at the moment, and a decision is anticipated within one week.

It is likely that the submission period will be extended either, to enable additional parties to become part of a limited notification process or for full public notification of the application to be undertaken.

The Council holds no information with respect to whether the present application to vary the resource consent should have been publicly notified or not, and this information is not provided pursuant to section 17 (g) of LGOIMA.

The following documents are attached:

1. Record of discussion 22 April 2005
2. Quarry Management Plan 17 July 2007
3. Complaint 15 June 2010 (COM-2010-42)
4. Complaint 24 April 2013 (COM-2013-45)

The names of complainants have been withheld pursuant to section 7(2)(c)(i) in order to protect information which is subject to an obligation of confidence, where the making available of that information, would be likely to prejudice the supply of information, and it is in the public interest that such information should continue to be supplied.

5. Noise assessment review – Quarry 194 Papanui Inlet Road
6. Abatement Notice 8 July 2014
7. Various maps - Dated

Correspondence with the registered proprietors of and contractors employed by the registered proprietors working at 194 Papanui Inlet Road have been withheld pursuant to section 7(2)(a) of LGOIMA to protect their privacy.

As we have not provided or have withheld information, you have the right pursuant to section 27(3) of LGOIMA, to have our decision to withhold information, reviewed by the Office of the Ombudsman.

Yours sincerely,



Grace Ockwell
Governance Support Officer

Record of Discussion



WITH Customer Name: [REDACTED] Organisation: [REDACTED]	CONCERNING Issue: Ongoing Dumping of Fill Material – Salt Marsh/Meadow Date of Discussion: 21 April 2005 Time of Discussion: 2-30 pm File Reference: Property
Recorded by: Ian McCabe Recorded Date: 22 April 2005	
Property Address: 194 Papanui Inlet Road	
Method of Contact: Telephone	

SUBJECT:

Rang [REDACTED] to confirm that the Council had received her email of 21 April 2005 (DWS Doc 364223) regarding the alleged dumping of fill material by a trucking contractor in Hoopers Inlet adjacent to Allans Beach Road.

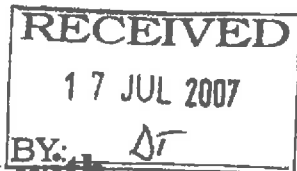
I sought clarification of exactly where the dumping was taking place. [REDACTED] advised that [REDACTED] understood the land to be owned by John Clearwater and on a piece of land located past the causeway near to where Allans Beach Road finally leave the shoreline of Hoopers Inlet and heads towards Allans Beach.

After considering an aerial photograph of the area, we agreed that the dumping appeared to be taking place on a paddock immediately east of the intersection of Allans Beach Road and Cape Saunders Road. The property is owned by Mr Alan Clearwater (not John Clearwater) and forms part of a suite of properties listed by the Council under the address 194 Papanui Inlet Road.

[REDACTED] advised that this particularly paddock had previously been subject to dumping activities and that the immediately adjacent paddock had been completely fill and was now pasture.

I confirmed that I would be visiting the site this afternoon to take a look. Further Council action on the matter would depend on what I found.

I thank [REDACTED] for [REDACTED] assistance.



Quarry Management Plan to Comply with
RMA 2006-1124
Peninsula Contracting Ltd, Quarry at Papanui
Inlet Otago Peninsula

Condition 1

The proposal shall be undertaken in general accordance with relevant details and information submitted with the resource consent application RMA2006-1124 received by the Council on 30 November 2006, except where modified by the following conditions:

Condition 2

The consent-holder shall provide a plan showing the proposed extent of the quarry defined with GPS to the satisfaction of the Resource Consents Manager prior to commencement of activity. The GPS-defined plan should reflect the quarry extent shown on the plan prepared by Mike Moore titled 'Proposed Quarry Extension' Peninsula Contracting Ltd, Papanui Inlet Rd, Otago Peninsula' dated October 2006.

GPS Position A	S	45	51.257
	E	170	41.305
Position B	S	45	51.315
	E	170	41.252
Position C	S	45	51.314
	E	170	41.247
Position D	S	45	51.288
	E	170	41.167
Position E	S	45	51.227
	E	170	41.117

Condition 3

The extent of the quarry shall not exceed the 45-metre contour.

Condition 4

A Quarry Management plan shall be prepared and submitted for the approval of the Resource Consents Manager within three months of the commencement of consent. The Quarry management plan shall outline the following:

- a) The species of plantings to be undertaken to mitigate adverse visual effects from public vantage points and from the property at 178 Papanui Inlet Rd. *As stated Mike Moore's report Macrocampa planted at 3m centres along 178 Papanui Inlet Rd Boundary and along existing bund A and bund B to supplement existing plantings.*

- b) The actions required to enhance and then maintain the existing screen plantings that are to remain to improve the likelihood of success of establishment. *Best practice of weed control, mulching, staking of all plants undertaken, any failed plantings replaced each growing season.*
- c) The locally sourced indigenous species that will be planted in the wetland areas shown on the application plan. *Refer to invoice supplied by Manuka Farm Nursery and Appendix A page 10 Mike Moore report supplied.*
- d) The density and location of plantings within those areas. *Hendrik Kosh of Manuka Farm Nursery has been contracted to assist in lay out and planting of wetland area at intersection of Cape Saunders Rd and Papanui Inlet Rd. Refer plan supplied.*
- e) How monitoring will be undertaken to ensure that any adverse visual effects experienced from public roads and houses existing as at 20 March 2007 are being suitably mitigated. *Mike Moore Landscape Assessment and recommendations shall be followed.*
- f) How monitoring will be undertaken to ensure that the ecological values of the wetland areas are being enhanced and that any adverse effects are being avoided. *Members of Save the Otago Peninsula (STOP) are involved in the monitoring of the site and shall make a report as part of the annual reporting required by this resource consent.*
- g) How the site will be rehabilitated once quarry activity has ceased. *Refer to Mike Moore's report figure 7 : Quarry face rehabilitation concept.*

Condition 5

The Quarry Management Plan required by Condition 4 above shall be fully implemented. Monitoring reports shall be submitted annually to the Resource Consents Manager, the first due on the anniversary of the commencement of consent.

Condition 6

At the time of the submission of the monitoring reports required by Condition 5 above, the consent holder shall advise the Resource Manager in writing of:

- A) The volumes of material removed from the site in the previous 12 months
- B) The areas of rehabilitation undertaken in the previous 12 months.
- C) The areas currently disturbed or being worked

Condition 7

The wetland enhancement work shall commence as soon as the quarry recommences and this enhancement shall continue steadily throughout the life of the consent, in accordance with the parameters outlined in the Quarry Management Plan. *Wetland enhancement underway intersection Papanui Inlet and Cape Saunders Rd, invoice for plants supplied, photos supplied of fencing work and planting underway.*

Condition 8

Activity associated with the operation of the quarry shall be limited to the hours between 8.00am and 5.00pm Monday-Saturday, excluding statutory holidays (ie, no work shall be undertaken on Statutory holidays). Activity undertaken on Saturdays shall consist only of trucking to deposit fill and collect rock material and shall not include crushing or blasting.

Condition 9

The consent-holder shall take all reasonable measures to ensure noise from the activity taking place on the site will not exceed the performance standard that applies to permitted activity, as set out in rule 21.5.1 of the District Plan.

Condition 10

The consent-holder shall, at their own expense, erect signage to warn other road users of heavy vehicle movements associated with the activity. The location and specification of such signage shall be to the satisfaction of the Resource Consents Manager. The signs can be temporary, but must be displayed during heavy truck movements on to and off the site. *Details and location of signage supplied.*

Condition 11

The new vehicle access off Cape Saunders Rd shall be formed to a minimum width of 5m, with aggregated finish, and be adequately drained to allow all weather access for its entire length. *Contour planning and staking out of road location is underway.*

Condition 12

A Culvert shall be installed under the new vehicle access to ensure that hydrological flows are not affected to the eastern wetland area.

Condition 13

The construction and use of the new vehicle access shall not give rise to adverse affects on the eastern wetland area.

Condition 14

The visual integrity of the unmodified ridgeline immediately to the east of the proposed quarry shall be protected.

Condition 15

At such time that extraction activity ceases, rehabilitative works shall be undertaken in general accordance with the measures proposed in the "Landscape Assessment Report" prepared by Mike Moore and submitted with the application and addresses in the Quarry Management Plan.

Condition 16

All excavated material stockpiled at the site shall be located clear of property boundaries and watercourses, and shall be well compacted and otherwise maintained in order to minimise the risk of dust generation.

Condition 17

All stockpiles of material on the site shall be kept free of pest plants.

Condition 18

All activities on the site associated with the quarry operation shall be undertaken in a manner that avoids dust nuisance beyond the site boundary.

Condition 19

Blasting of the site shall be undertaken in accordance with good industry practice, including informing all owners and occupiers of neighbouring properties within a 2 kilometre radius at least 48 hours prior to blasting and providing them with the contact details of a liaison person, employing suitable qualified people undertake the work, and consultation with Councils Transportation Planning department regarding road closers.

Condition 20

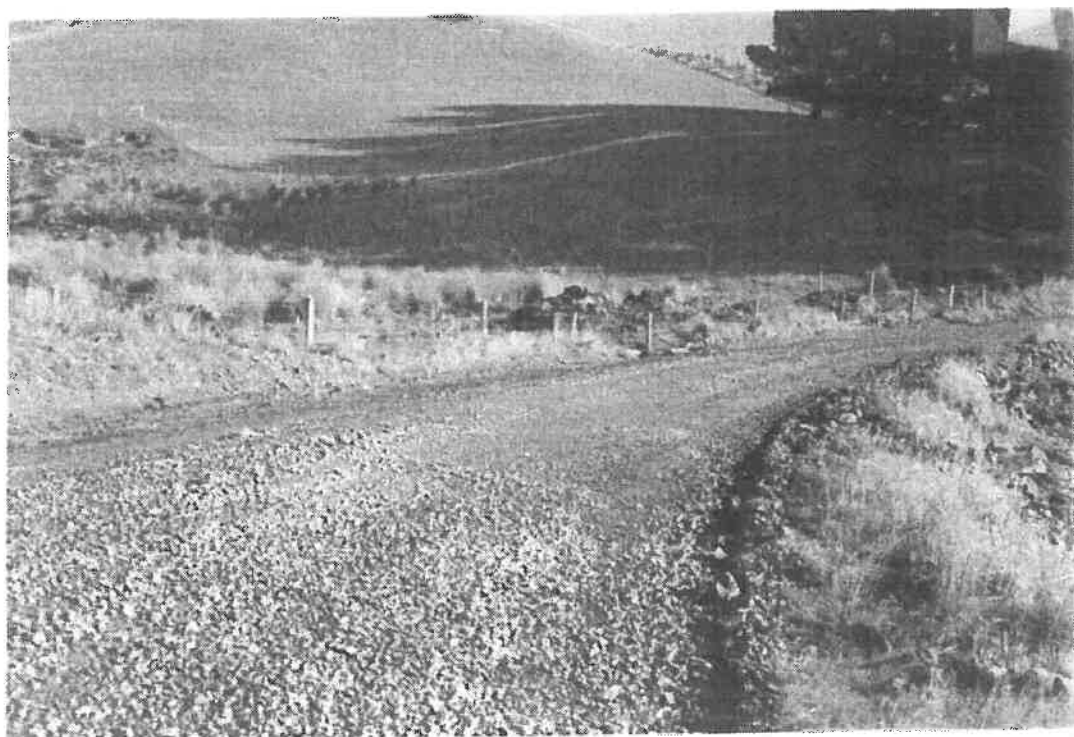
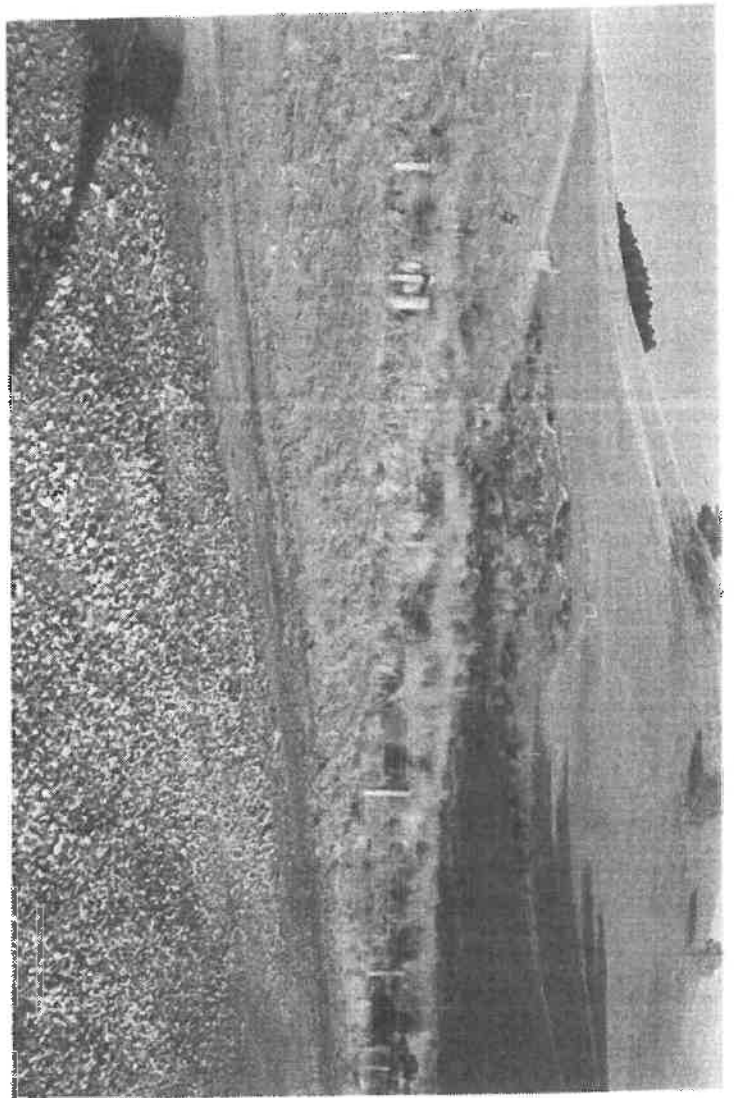
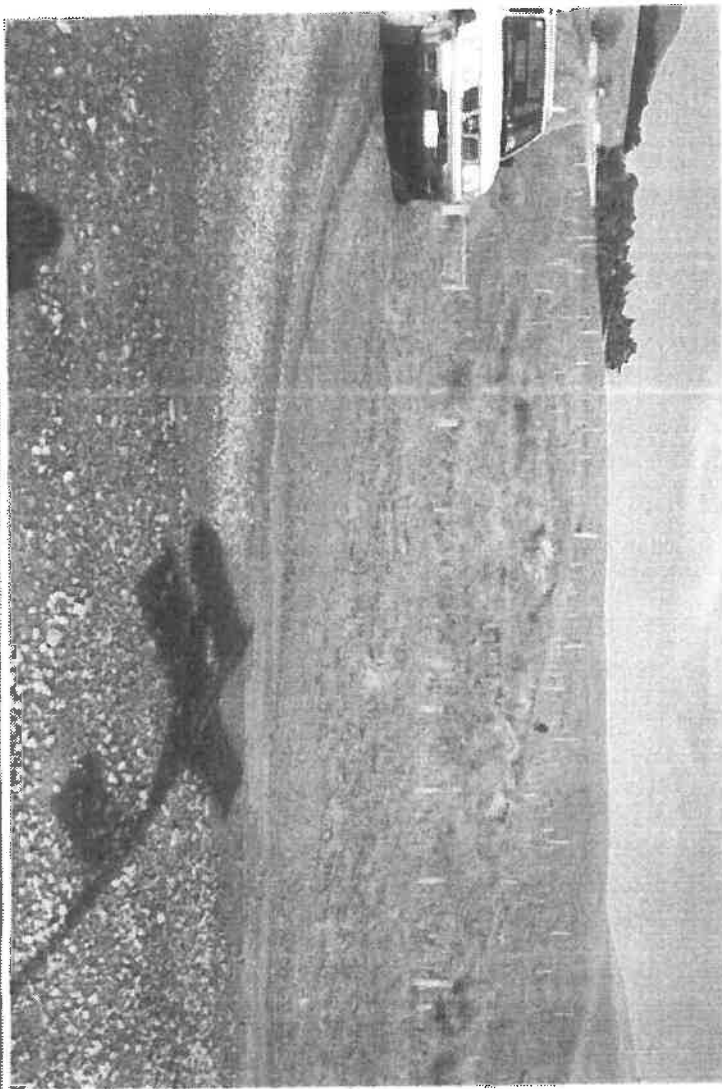
Imported clean fill should only be deposited within western fill area. Other fill areas (for example, the gully and bunds) shall only be filled with quarry overburden. All fill material shall be inert and contain no putrescible matter.

Condition 21

In accordance with section 128 and 129 of the Resource Management Act 1991, at yearly intervals from the date of granting this resource consent, the Council may review the conditions of the decision and may require the property owner to provide additional mitigation, at the consent-holder's expense, for any unexpected adverse effects that may arise.

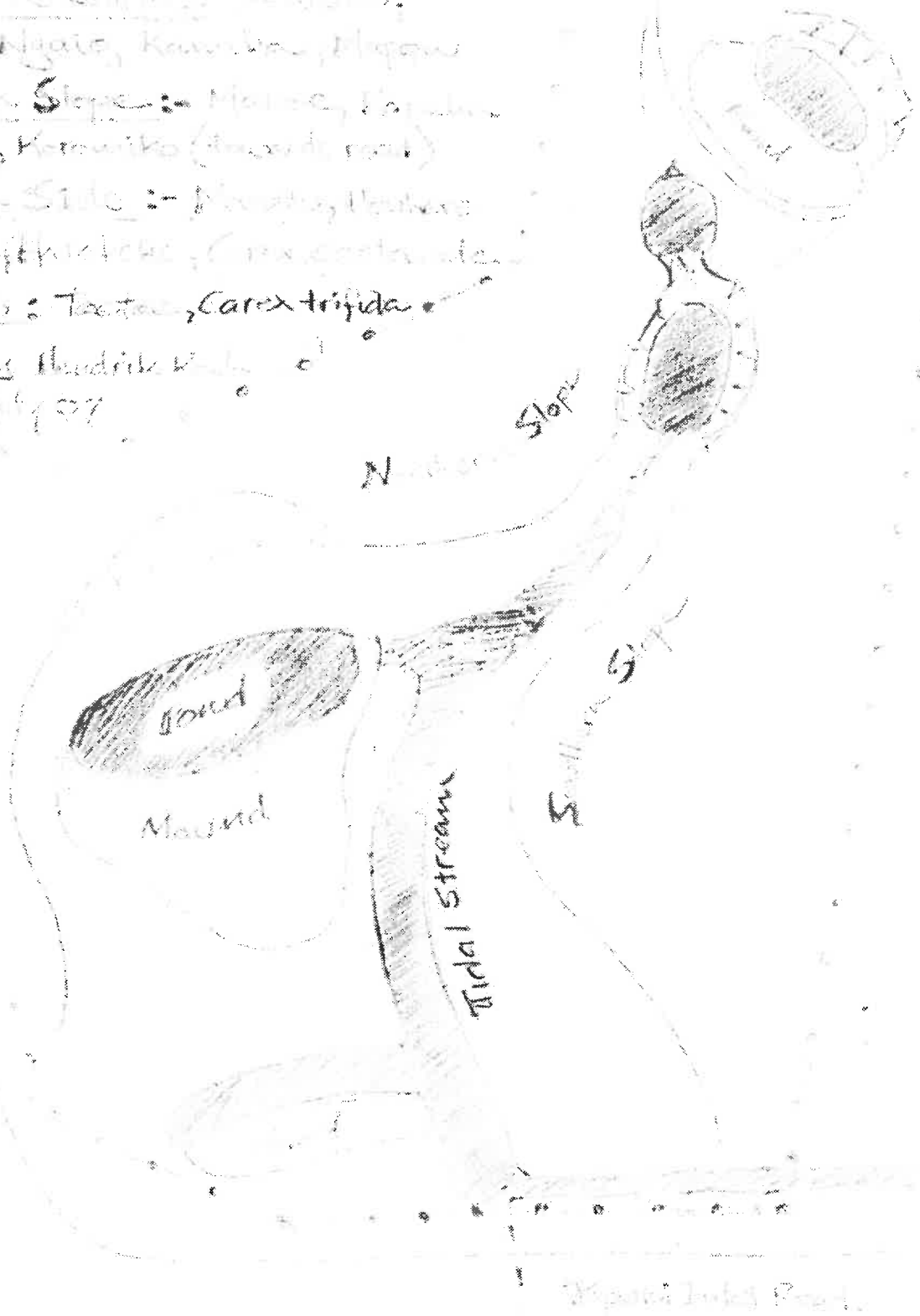
Condition 22

This resource consent shall lapse 20 years from the date of this decision.



Proposed Planting

- [illegible]



EDENDALE NURSERY SOUTHLAND LTD
P.O. BOX 8
EDENDALE
Phone 03 2066885
Facsimile 03 2066112

OUR REF:

011263

Date: 12 Jan 2007
Customer: 2660
Order Number: 011216-93C
GST Ref: 2-142-958
Page No: 1

Charge To:

Order To:

CRT
Private Bag
Dunedin

CRT
Steve Clearwater
P O Box 40
Dunedin
Mainfreight to Dunedin

CUSTOMER ORDER CONFIRMATION

Code	Description	Quantity	Price
CLEY LEI	Cupley anti Leighton (green)	20	5.0000
CUP MAC 10	Cup Macargo 007-40 ER 10	100	0.1000
RNZ			
EUC COR	Eucalyptus coronata RT	10	2.0000
PRAD GEIT	Praduta GEIT 700 00000	30	1.0000
20			
SEC SEMRT	Secura se Semrt RT	30	2.0000
1			
Freight	Freight & Packaging		571.50
			+gst 71.46
			\$ 642.96

Price includes your 10% discount through CRT.

Steve,
Thanks for your fax. We are able to send these trees on Monday 17th to Mainfreight Dunedin Depo.
Please confirm this suits.

Regards Gaye.

Yes, thank you for your reply we also want 20 Nitens added to order. Please send to Dunedin ASAP.

Steve.

Sign details for condition 10 measuring 500mm high x 750mm long.
Location of signs detailed on Mike Moore Report October 2006.

CAUTION!
QUARRY
VEHICLES
OPERATING

Restoration Project

@ Steven Cleaver's Property
Papamoi Inlet

PLANT LIST

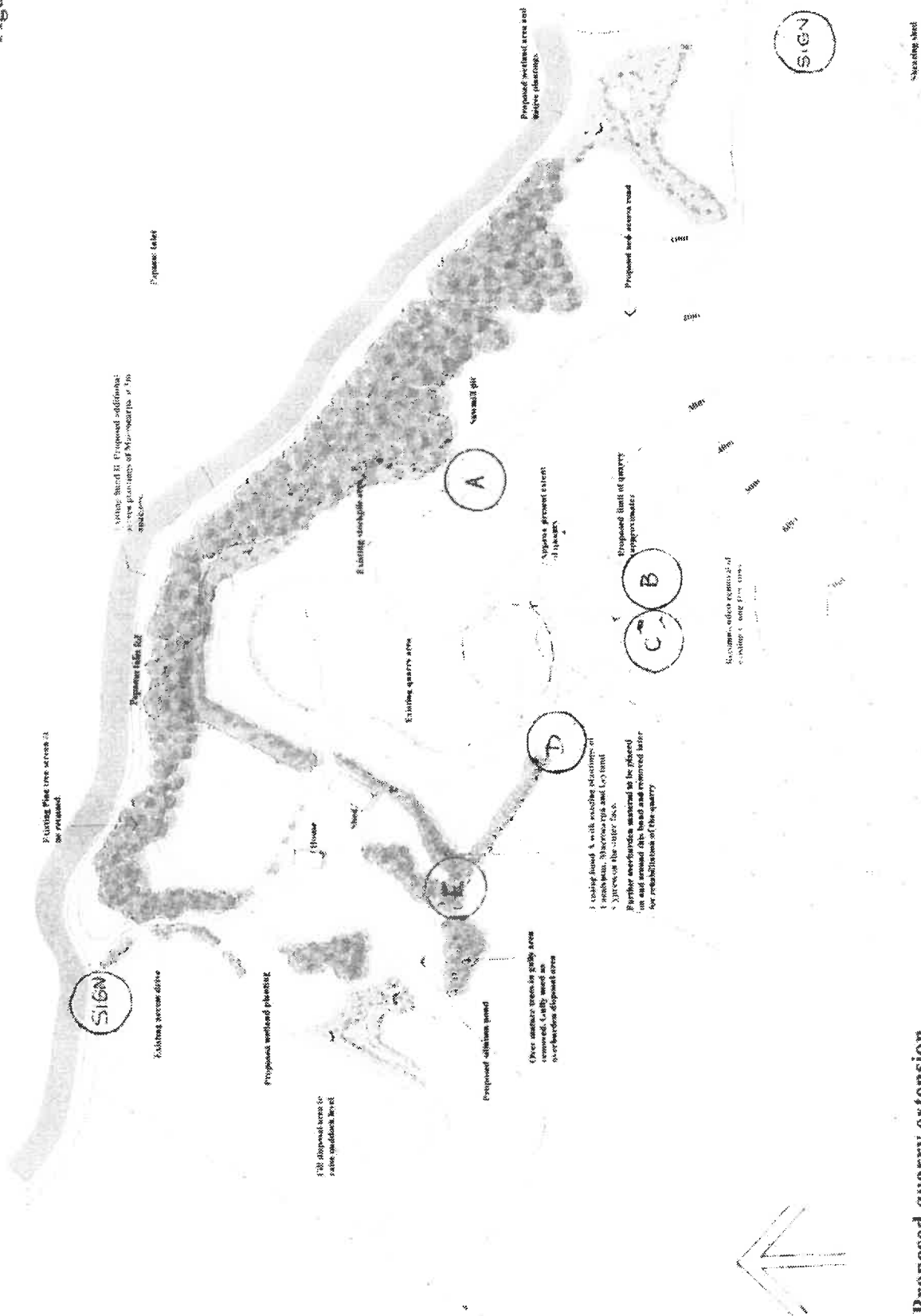
Supplied by Manuka Farm Nursery

• Carex buchananii	10	
• Carex secta	20	
• Carex trifida	40	
• Tectoe	40	
	@ \$6 ea	
	110	660
• Tikouka (cabbage tree)	30	
• Manatu	40	
• Ngaio	40	
• Mapou	30	
• Mahoe	30	
• Kapuka	30	
• Houhere	40	
• Kohuhu	30	
• Tarata	30	
• Kaurika	30	
• Koromiko	10	
	@ \$8 ea	
	330	2640
	Total	3300
	Less 10%	330
		\$2970

* Free delivery & assistance
with placement of plants
included in price.

David Cook 22/11/2011

Figure 6



Proposed quarry extension
Peninsula Contracting Ltd, Papamuri
Inlet Road, Otago Peninsula

[illegible]

Page: 46 of 47

RESOURCE MANAGEMENT COMPLAINT FORM

Date 15 JUNE 2010 COM COM-2010-42

Subject of complaint: _____ Complaint Taken by: C. [Signature]

Street Address 194 PAPANUI INLET ROAD Property ID: * 5093435

Suburb PENINSULA 78 Cape Saunders Rd 5113/58

Ownership or Alleged Offender: Ponobello

Name CLEARWATER CONTRACTING

Postal Address 331 CAPE SAUNDERS ROAD RD2 DUNEDIN 9077

Phone Number 478 0508 Email: MOBILE 021 059 5521

Reason for concern:

- | | |
|---|--|
| <input type="checkbox"/> Shading | <input checked="" type="checkbox"/> Unlawful Activity |
| <input type="checkbox"/> Unlawful Structures | <input type="checkbox"/> Parking Issue |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Trees |
| <input type="checkbox"/> Fences | <input type="checkbox"/> Retaining Walls |
| <input type="checkbox"/> Signs | <input type="checkbox"/> Non-Compliance with existing consents |
| <input type="checkbox"/> Alterations or additions without consent | <input type="checkbox"/> Boundary encroachments |
| <input type="checkbox"/> Other: | |

Brief description: (include application number(s) if appropriate)

THE COMPLAINANT ALLEGES THAT DEMOLITION MATERIAL
IS BEING DUMPED ON SITE WITHOUT NECESSARY CONSENT.

Action taken:

Date site of complaint visited:

Result and any Monitoring Required:

Is this complaint completed: Yes No - If No, approx date this complaint will be completed: _____

Is monitoring required: No Yes - If Yes, date that monitoring is to occur: _____

CONFIDENTIAL

Source of complaint: Phone / Counter / Email / Mail / Other:

* denotes mandatory fields

Name:*

Address:*

Telephone

Email:

Complainant advised of actions taken: ESCALATED TO MONITORING AND ENFORCEMENT

Complaint Acknowledgement Required Yes / No Completed:

Date Complainant advised (if applicable) 15 JUNE 2010

RESOURCE MANAGEMENT COMPLAINT FORM

Date: 24/4/2013 COM COM-2013-45
 Site of complaint: 194 Complaint taken by: Campbell Thomson
 Street Address: 27 Papanui Inlet Road known as
 Suburb: Otago Peninsula 78 Cape Saunders Rd
 Property Key: old - 5043435 current - 5113158
 Site ownership: clearwater contracting 339 Cape Saunders Road RD2
 Name: Steve clearwater Person Key: 107038
 Mailing Address: PO Box 402 Dunedin 9054
 Phone Number: _____ Mobile: _____
 Email: _____

Priority of the complaint:

☒ High
 ☐ Medium
 ☐ Low

Trigger for the complaint i.e. is it a potential breach of:

- | | |
|--|--|
| <input type="checkbox"/> District Plan Rule | <input type="checkbox"/> Existing Use Rights |
| <input checked="" type="checkbox"/> Resource Consent Condition | <input type="checkbox"/> Consent Notice on a Title |
| <input type="checkbox"/> Section 16 Unreasonable Noise | <input type="checkbox"/> Section 17 Adverse Effects on Environment |
| <input type="checkbox"/> Section 326 Excessive Noise | |

Nature of the complaint:

- | | |
|---|---|
| <input type="checkbox"/> Hoardings | <input type="checkbox"/> Signage (but not hoardings) |
| <input type="checkbox"/> Earthworks and Retaining Walls | <input type="checkbox"/> Fences |
| <input type="checkbox"/> Unauthorised Alterations/Additions | <input type="checkbox"/> Significant Tree/ULCA/ASCV |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Home Occupations | <input checked="" type="checkbox"/> Unlawful Activity |
| <input type="checkbox"/> Glare/Lighting | <input type="checkbox"/> Other |

Related application: RMA-2006-370881
 Related licence: (RMA-2006-1124)

Brief description of complaint (for putting into the complaint description in Pathway):

Breach of consent conditions - Condition 2

Brief explanation of complaint:

Condition 3
Condition 14
+ Probably conditions 4-6
Extent of quarried area is expanding beyond
defined boundaries of working area authorised
by consent.
New areas of excavation and fill started outside
those allowed at time of consent.

**COMPLAINANT DETAILS - MUST BE KEPT CONFIDENTIAL
DO NOT LINK IN DATAWORKS TO THIS PARTY**

Name: _____ Person Key: _____
 Mailing Address: _____
 Phone Number: _____ Mobile: _____
 Email: _____

Complainant wishes to be informed of result: ☒ Yes
☐ No

Noise assessment review: Quarry 194 Papanui Road Dunedin
Site Location: LOT 1 DP 24810 Dwelling 178 Papanui Road

The noise assessment was undertaken at the request of the Planning department D.C.C. The noise source under investigation was the quarry activity and truck vehicle movements at 194 Papanui Road. The area is zoned rural largely surrounded by farm land on an undulating hilly topography site with large sea estuary inlet. The monitoring location was the front garden 2-3m from the dwelling 178 Papanui Road.

Our analysis is based on measurements and observations undertaken during an event on the date 1.10.13 Please find our analysis and recommendations below.

1.0 Dunedin City Council District Plan noise limits

Under the Dunedin City District Plan Noise Map these properties are located within the 55 Dt / 40 Nt dBA Noise Area. The noise limits which apply at the site are therefore as follows:

55 dBA L₁₀ between 7am hours and 9pm hours.
40 dBA L₁₀ between 9pm hours and 7am hours.

2.0 Existing situation

2.1 The property 178 Papanui Road consists of one main dwelling house and a number of out buildings.

2.2 Noise measurements

Noise levels shall be measured and assessed in accordance with *NZS 6801:1991 Measurement of Sound* and *NZS 6802:1991 Assessment of Environmental Sound(revised 2008)* at the boundary of the site or within any other property.

Noise levels were measured from the front garden of 178 Papanui Road on the 1st October 2013. The following provides details of the measurement.

Operator:
Wayne Boss Senior, EHO

Measurement period:
10:03:31 hours 1 October 2013 to 10:18:31 hours 1 October 2013

Weather:15.4C light cloud no precipitation gentle to moderate breeze.

Wind speed and direction:1.2m/s with gusts to 1.4m/s NW

Equipment:
Bruel & Kjaer Type 2250 Class 1 Sound Analyser
(Serial Number 2675997 last calibrated 7 March 2013)
Bruel & Kjaer 4231 Acoustic calibrator
(last calibrated 6 March 2013)

Notes

Analyser calibrated before and after measurements. No significant variation observed
Measurement settings: A-frequency weighting (dBA), fast response

Results:

Based upon evidence from the occupant of 178 Papanui Road that very little quarry activity was currently being undertaken the purpose of the monitoring exercise was ascertain a representative 'background' noise level.

The LAF10 was 48.3dBA (the level of sound exceeded for no more than 10% of the monitoring period)

*LAF90 39.8dBA (The level of sound exceeded for 90% of the monitoring period) This level of sound can be used to define the '**background**' sound level.*

LAFmax 56.9dBA (the single highest sampled level of sound)

Leq 45.5dBA (The time averaged sound level over the measurement period)

3.0 Recommendations

No quarrying activity could be heard during the monitoring period however 4 heavy trucks were noted at 10:09, 10:10, 10:12 and 10:15am entering or exiting the quarry site and driving around Papanui Road and one work ute at 10:13am.

Significant bird sound was audible together with leaves rustling in the large trees which surround this property.

I would predict that on a calmer day with no wind and/or a period with less bird noise the '**background**' or '**ambient**' LAF90 would be around 30dBA a significantly quite background noise level indicative of a rural setting and representative of the level of rural amenity enjoyed by this location.

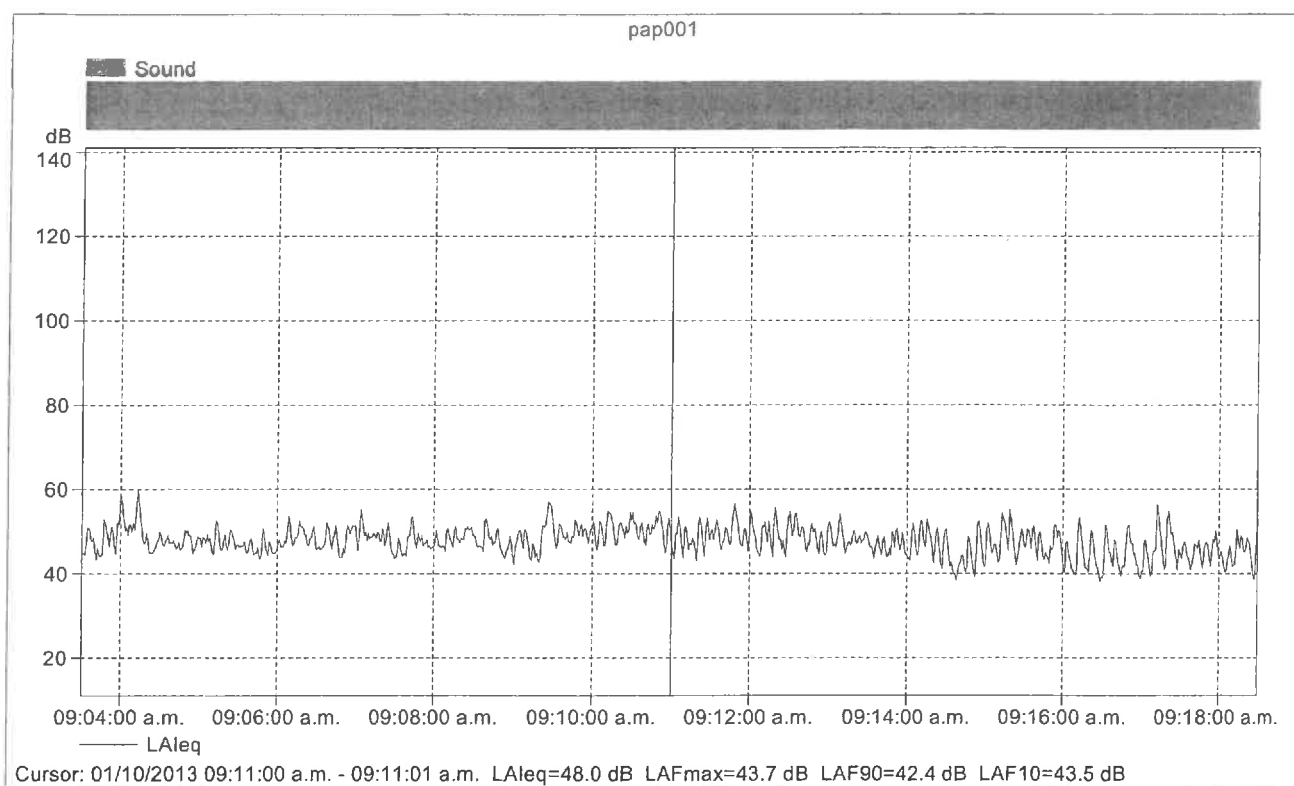
Kind regards,

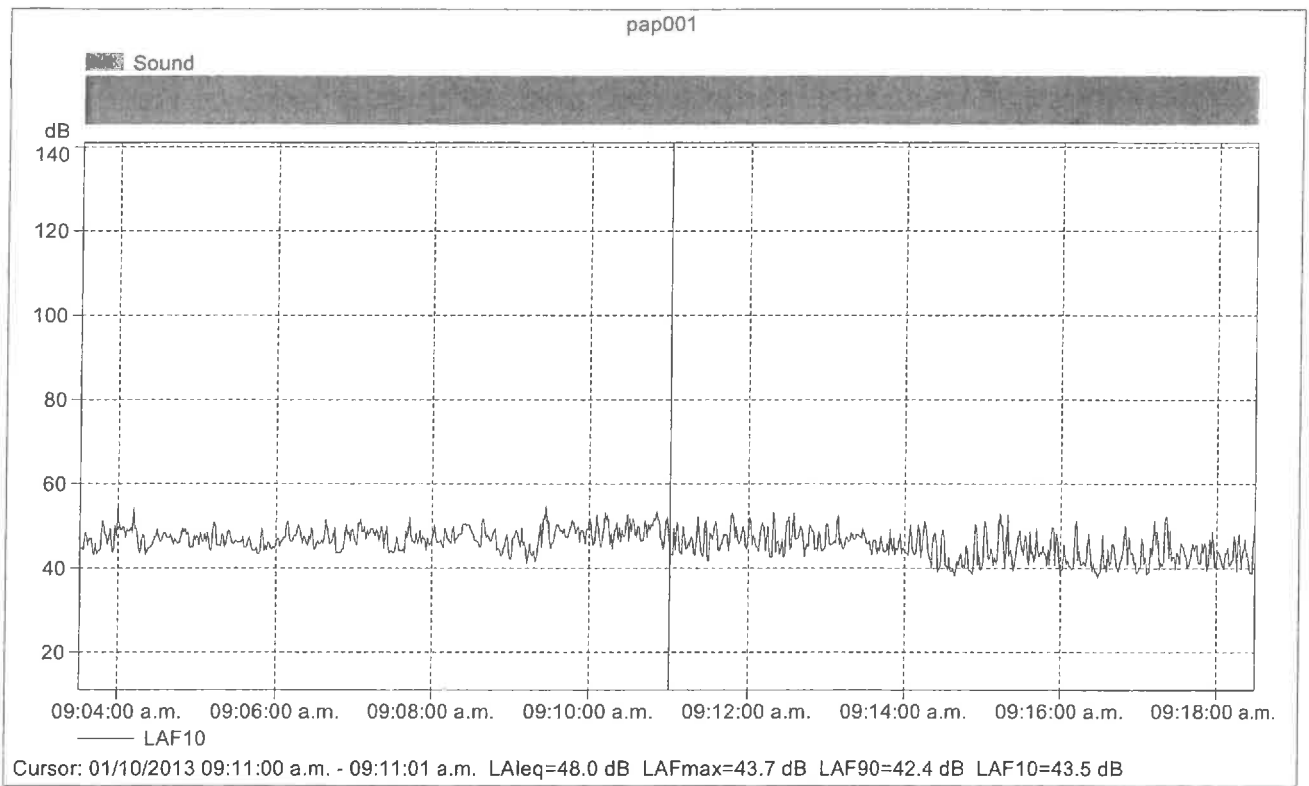


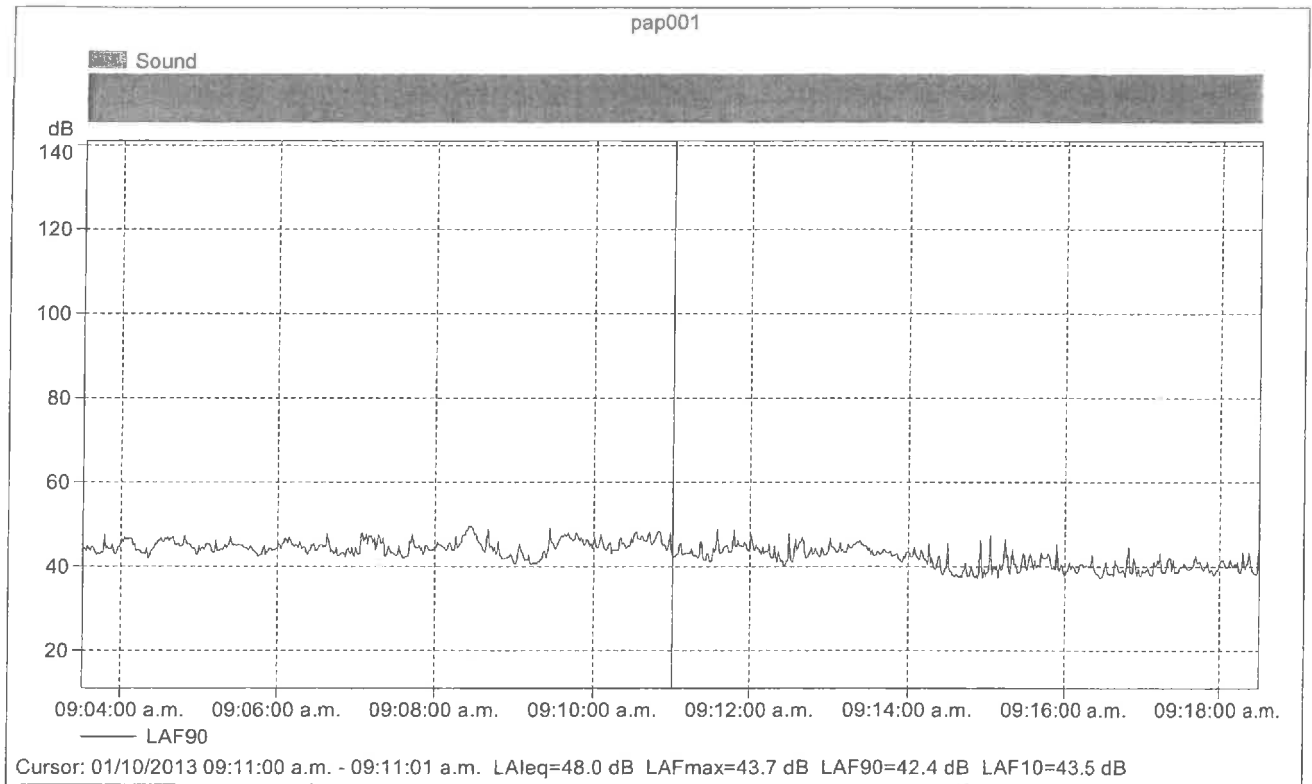
Wayne Boss SEHO

pap001

	Start time	End time	Elapsed time	LAeq [dB]	LAFmax [dB]	LAF10 [dB]	LAF90 [dB]
Value				45.5	56.9	48.3	39.8
Time	09:03:31 a.m.	09:18:31 a.m.	0:15:00				
Date	01/10/2013	01/10/2013					







**ABATEMENT NOTICE ISSUED BY THE DUNEDIN CITY COUNCIL UNDER
SECTION 322 OF THE RESOURCE MANAGEMENT ACT 1991**

To: Mr Steven Clearwater
P.O.Box 402
Dunedin 9054

The Dunedin City Council gives notice that you must cease the following action:

Any further excavation or placing of quarry overburden beyond the consented boundary of the quarry as defined by RMA 2006-1124. This boundary was further clarified by Photo 3 in a letter dated 17 September 2013 from the Dunedin City Council to yourself.

The location to which this abatement notice applies is:

78 Cape Saunders Road (also shown historically as 27 Papanui Inlet Road) , legally described as Sections 34, 36 and 38 Block III, Portobello Survey District

You must comply with this abatement notice within the following period:

From Monday 14 July 2014

This notice imposes the following further conditions:

Nil

This notice is issued under section 322(1)(a)(i) of the Resource Management Act 1991.

The reasons for this notice are:

Non compliance with the conditions of consent contained in Land Use Consent RMA 2006-1124 and in particular Conditions 1 and 3 which require compliance with information supplied in the application and with approved plans.

If you do not comply with this notice, you may be prosecuted under section 338 of the Resource Management Act 1991 (unless you appeal and the notice is stayed as explained below).

You have the right to appeal to the Environment Court against the whole or any part of this notice. If you wish to appeal, you must lodge a notice of appeal in form 49 with the Environment Court within 15 working days of being served with this notice.

An appeal does not automatically stay the notice and so you must continue to comply with it unless you also apply for a stay from an Environment Court Judge under section 325(3A) of the Resource Management Act 1991 (see form 50). To obtain a stay, you must lodge both an appeal and a stay with the Environment Court.

You also have the right to apply in writing to the Dunedin City Council to change or cancel this notice in accordance with section 325A of the Resource Management Act 1991.

The Dunedin City Council authorised the enforcement officer who issued this notice. Its address is:

*Dunedin City Council
50 The Octagon
PO Box 5045
Dunedin 9058
New Zealand.*

The enforcement officer is acting under the following authorisation:

Phillip Robert Marshall was appointed by the Dunedin City Council as an enforcement officer on 17 June 2008. He has the authority to exercise powers under the following:

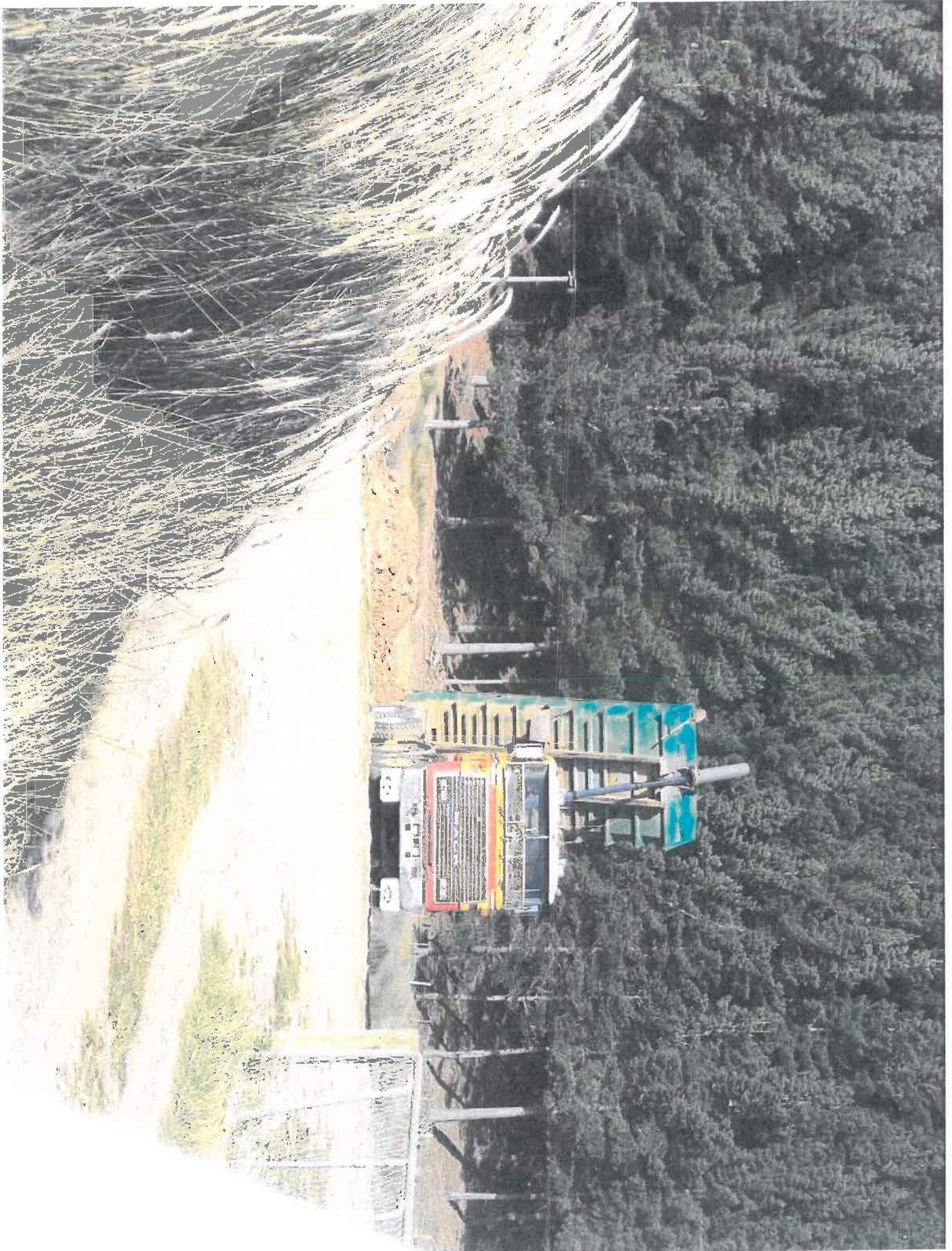
Resource Management Act 1991

*S22: Direct any person to provide certain information
S322: Issue and serve any person an abatement notice
S332(1): Power of entry for inspection
S333: Power of entry for survey
S343C: Issue of infringement notice]*

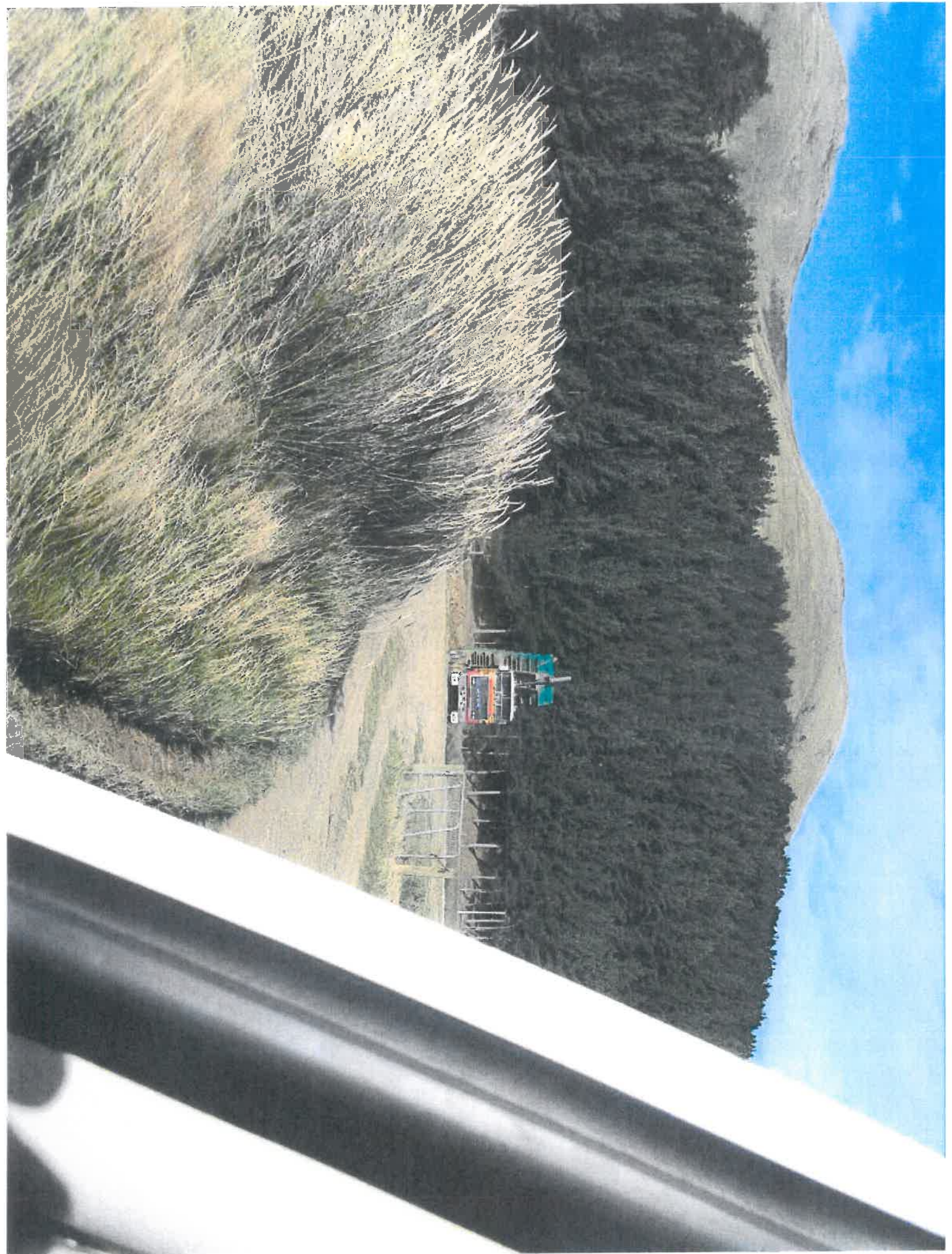
Phillip Robert Marshall
Enforcement Officer

Date: 8 July 2014

2 April 2005



2 April 2005



20 April 2005



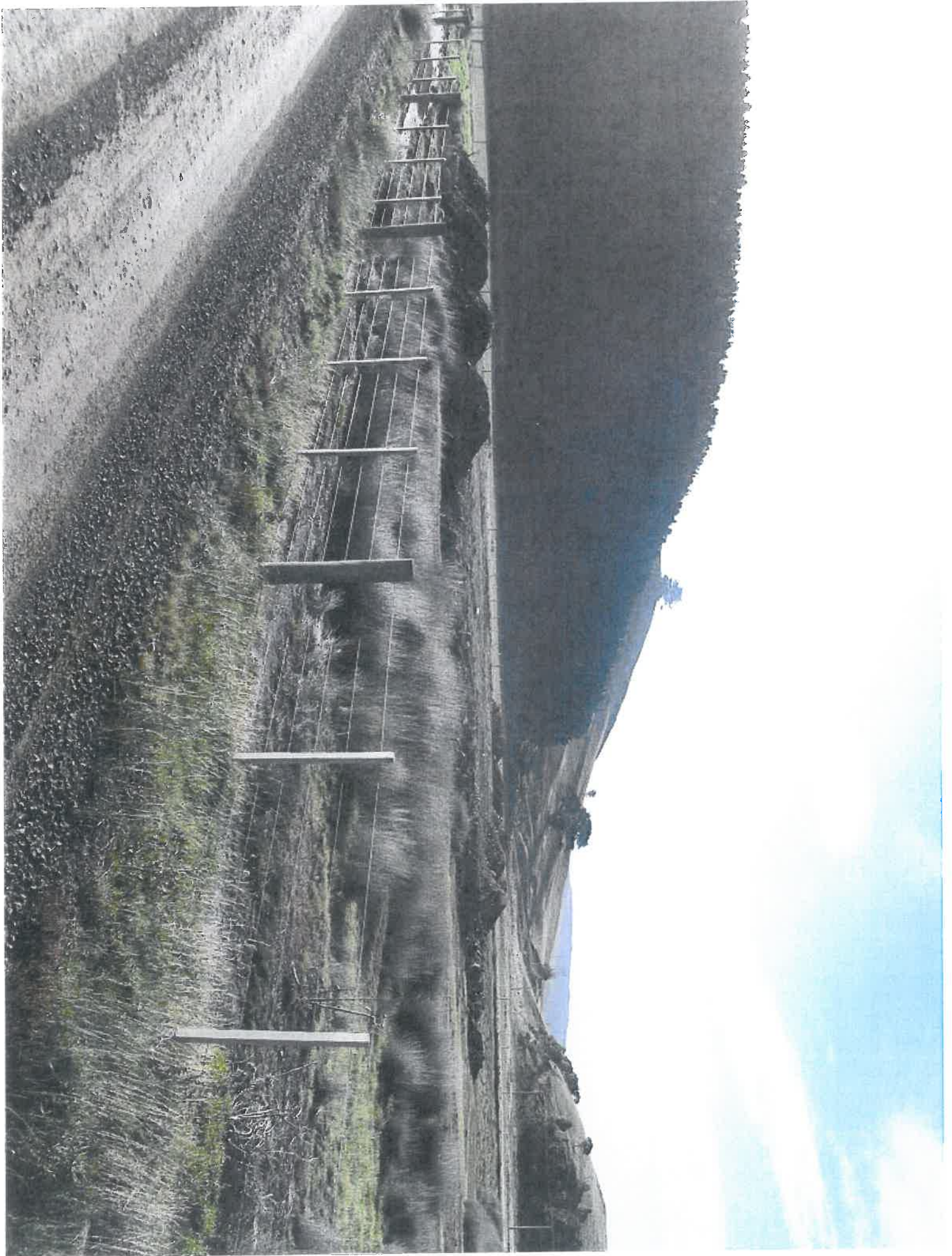
20 April 2005



20 April 2005



20 April 2005





Scale: 1:6,526
16/05/2013 02:37:03 PM



PARCEL LINES CAN VARY FROM
LEGAL PARCEL BOUNDARIES
This map is for illustration purposes only
and is not accurate to surveying, engineering
or orthographic standards. Every effort
has been made to ensure correctness and
timeliness of the information presented.

Urban Aerial Photography dated March 2007.
Copyright NZ Aerial Mapping Ltd.
Lower Resolution Photography (scale smaller
than 1:7500 and rural areas) dated March
2006. Copyright Terralink International Ltd.

Photographic Map





The dotted lines are the old fence line as shown on the
"old stone plan" proposed Quarry Extension
refer BSA 2006124 clause 2

SUPPLIED BY GRAEME GRANGER,
DATE ? 2008 POSSIBLY 1/10/2008



16 MAY 2013

* GENERAL AREA OF ACTIVITY



Nov 2009.



11 APRIL 2013



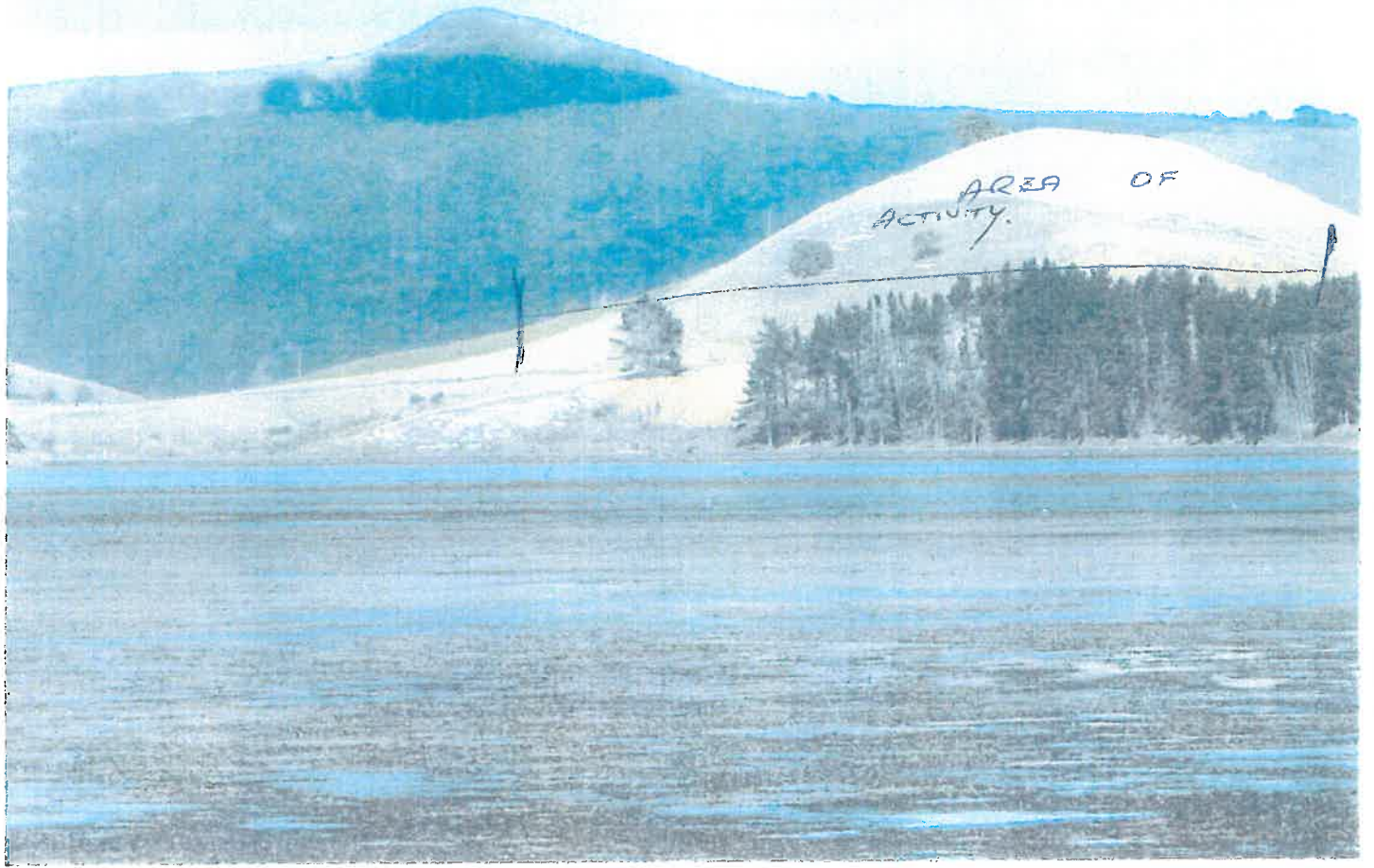
11 APRIL 2013



27 MAY 2013



16 May 2013



11 APRIL 2013







Google Earth

File Edit View Tools Add Help

9/17/2011

Sign in

150 m

Image © 2013 DigitalGlobe

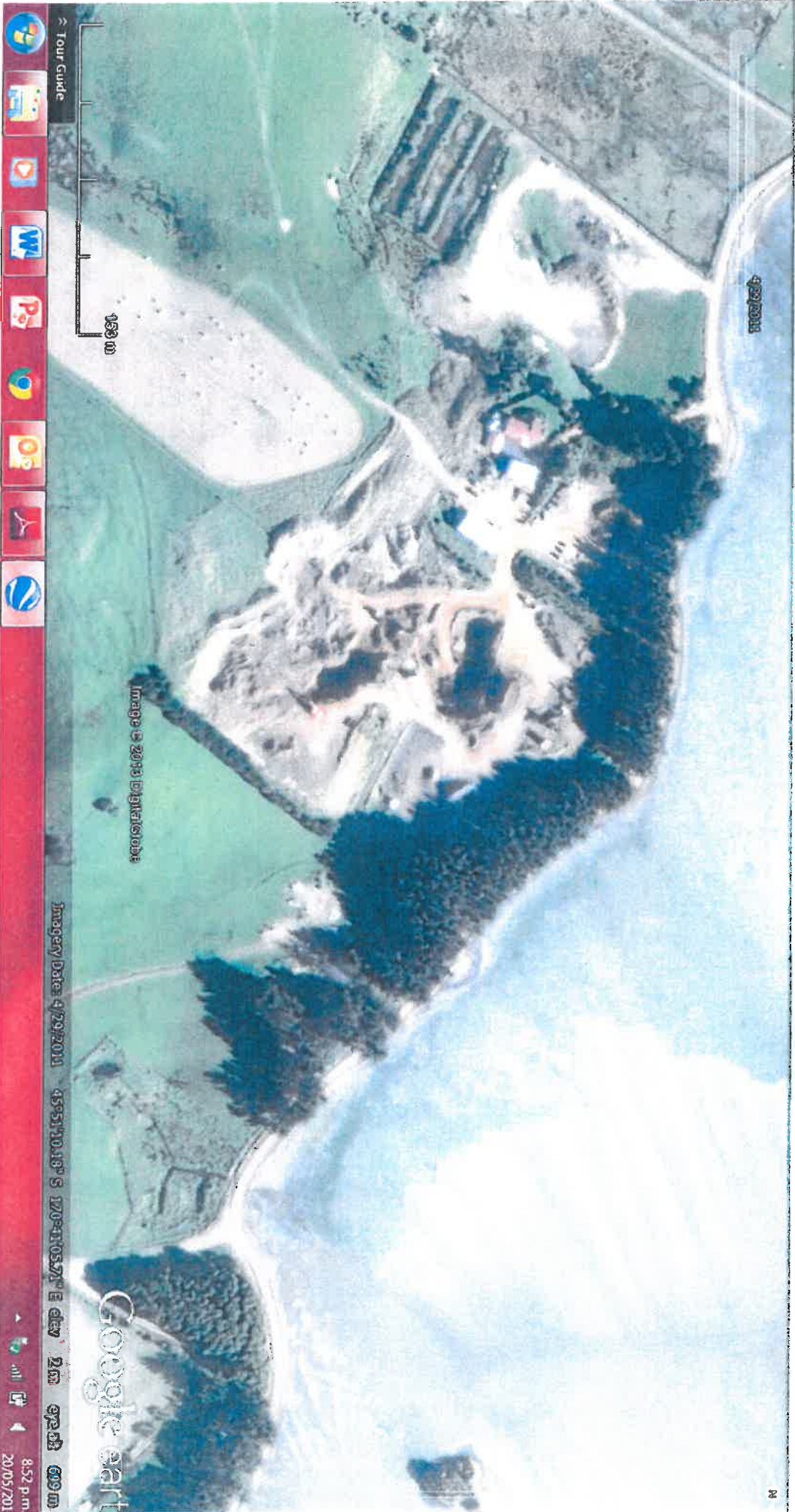
Imagery Date: 9/17/2011 45°51'09.81" S 170°41'12.66" E elev 0 m eye alt 699 m

Google earth



8:55 p.m. 20/05/2013











RESULTS





153 m

Image © 2013 DigitalGlobe

Imagery Date: 12/26/2004 45°51'11.17" S 170°41'11.12" E elev 2 m eye alt 699 m

Google earth

FR 1.

WOODHOUSE LAW

Ninth Floor, Tower One, 205 Queen Street, Auckland 1010
Post: P.O. Box 205 Shortland St, Auckland 1140, New Zealand
Tel: 09-9792105, Mobile 027-5510116,
Fax: 09-307 1360, E-Mail: ajwlaw@orcon.net.nz

31 December 2014

Dunedin City Council
DUNEDIN

Dear Sir/Madam,

RE: REQUEST FOR INFORMATION PURSUANT TO THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 ("LGOIMA")

1. I am assisting Graeme Granger and Megan Bardell who live at 178 Papanui Inlet Road.
2. There is a resource consent application (variation to existing consent conditions) that has recently been made by the quarry operator at the property immediately adjacent to my client (being the quarry located at 194 Papanui Inlet Road) to extend the extent of the current quarrying activity. My clients wish to make submissions on this proposal but in order to do so will be assisted by having at their disposal information held by the Council relevant to the current/historic operation of the quarry.
3. Accordingly, on behalf of my clients I request pursuant to LGOIMA that you provide to my clients (with a copy to me – by pdf – per below) all information (less, only, the information that my clients already hold as noted below and/or as may be advised to you by my clients) relating to the resource consent relating to and operation of the quarry at 194 Papanui Inlet Road including (but without limiting the generality of this request):
 - a. annual monitoring and/or management reports:
 - i. all annual monitoring and/or management reports (as required by the conditions attached to resource consent 2006/1124) relating to the quarry including the dates that these were submitted to Council; *not done*
 - ii. all assessments including memoranda and notes and made by Council in terms of approving the annual management reports; *no*
 - iii. all communications to Council from any third parties in relation to the annual management/monitoring reports including requests for copies of the same; *no*
 - iv. any other information or material that Council holds in relation to the annual management and/or monitoring reports for the quarry operation; *no*
 - b. any notes or reports held by Council as to whether the present application to vary the resource consent (i.e. the application to vary resource consent 2006/1124) should be publicly notified or not; *not done*
 - c. any tests carried out by Council as to noise levels, air quality, GPS records of extent of the quarry; aesthetic remediation and the like including any notes or memoranda held by Council on any aspect of the quarry operation;

- d. any complaints lodged with Council (complainant's names can be redacted if necessary) and any notes or memoranda held by Council in relation to any action taken (or not) in respect of such complaints;
 - e. any abatement notice(s) or other enforcement action taken by Council in respect of the quarry operation and or notes or memoranda as to the issue of any abatement notice (or other enforcement action) including notes or documents as to whether to proceed (or not) with enforcement action;
4. Both my clients and I appreciate that there will potentially be a substantial amount of information held by the Council that will need to be supplied pursuant to this request and that collating all material and providing the same may take some time – which will be counter-productive to my clients having access to the same for the purpose of preparing their submission in response to the application that has been made (submissions close 2 February 2015)
5. Given the time constraints for my clients to make their submissions, rather than collate all material and provide the same to my clients it would be appreciated if information could be supplied as and when it is available. A priority for my clients (and I) are the annual monitoring/management reports and related information that is referred to in 3(a)(i)-(iv) above.
6. To facilitate you providing the requested information both efficiently and in a cost effective manner my clients (and I) are happy to receive the same in emailed/pdf format and in a serial fashion as mentioned. My clients' email address is geemeg8@gmail.com and my email address is set out below.
7. In terms of information already held by my clients (that you therefore do not need to provide pursuant to this request) I can advise that my client already hold the following material:
- a. resource consent application 2006/1124;
 - b. report of council planning officer pre-hearing on RC 2006/1124;
 - c. decision of Dunedin City Council on RC 1124;
 - d. new resource consent application LUC-2006-370881/A;
8. You may wish to liaise direct with my clients Graeme Granger and/or Megan Bardell as to what other information they already have (that you therefore do not need to supply).
9. My clients' authority to supply the information requested to me (as well as ensuring that a copy is also sent to them) will be forwarded to you by Graeme Granger and Megan Bardell separately. If you prefer to send hard copies of all information that you hold to my clients (and me) then let me know and I will advise the best address(es) for sending that information (or potentially it could be collected by my clients from you).
10. I look forward to hearing from you.

Yours faithfully
WOODHOUSE LAW

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