

RDG222960 – Roding

Received: 05/04/2022

Response Sent Date: 20/12/2022

Tena koe Calvin,

This is to submit my official statement and complaint to the investigation in regards to the spraying incidents with herbicides in public places.

My name is [REDACTED] I live on the [REDACTED] so we are around home a lot. Approximately 4 years ago the [REDACTED] and another local [REDACTED] were bouncing on the trampoline which at the time was located a few metres inside my boundary. I was outside with the [REDACTED] and saw a vehicle with a boom go past spraying the roadside. The drift was significant and went like a low cloud over [REDACTED] on the trampoline. I immediately made them come in and shower.

[REDACTED] was working across the road on Sandy Bay Farms and saw the contractor and the spray go over [REDACTED]. He has worked with chemicals previously and was horrified at this method and the lack of control this contractor showed. He followed the contractor down the road and confronted him about spraying the [REDACTED]. Later [REDACTED] arrived with their [REDACTED] who jumped out and walked thru the freshly sprayed grass. There is nothing that indicates to the public when and where toxic spray has been used. Rural kids get off buses onto rural roads and walk through those areas. How can that be acceptable?

I have seen Fulton Hogan vehicles in town blanket spraying the kerbs and footpaths with high powered spray wands while sitting in their vehicles. It seems an excessive practice so much chemical coverage over an extensive area when the target area is quite small.

When I first moved to this area the Council used diggers to clear drains and roadsides. It would be interesting to know how this practice of blanket spraying roadsides has become common place and ok and the cost benefits. When you drive around the district and see the dead sprayed roadsides it looks ugly and over time has allowed more herbicide resistant plants to grow and as a result more lethal toxic herbicides are used. Its a no win process

CC220455 – Complaint

[REDACTED]

Received: 16/12/2022

Response Sent Date: 20/12/2022

I have written to Calvin Thomas on 2 September and 14 October regarding the Council's roading contract and the blanket spraying of our roadsides. I have asked for a conversation to start regarding this practice and have had no response or even acknowledgment of the emails. The issue of blanket spraying roadsides has been raised through the LTP process by others and has not been picked up. During the last spray regime by Fulton Hogan, students getting off the school bus in Ngunguru and waiting parents were sprayed by the Council's contractors. This is serious and the continuation of this regime placing members of the public at risk is negligent. This complaint is the final step before approaching the Ombudsman.

RDG22656 – Roading

[REDACTED]

Received: 10/11/2022

From: [REDACTED]

Sent: Friday, 14 October 2022 11:38 am

To: Calvin Thomas | NTA <Calvin.Thomas@nta.govt.nz>

Cc: vince@cocurullo.co.nz; Secretary <secretary@tutukakacoast.org>; [REDACTED]

[REDACTED] NTAG 2011 Northland Toxin Awareness Group <ntag2011@hotmail.co.nz>

Subject: Re: Roadside Spraying

Sorry pushed send by accident.

In closing, the Tutukaka Ratepayers and Residents Association have offered to cheer a meeting of Council, NZTA, NTAG and others to see if this could be progressed. I have not copied Simon Weston into this email as I do not have his address but am hoping that you will inform him of the recent incident. It is my understanding that Mr Weston has been contacted by the Association with a view to meeting.

I await your response. Regards

[REDACTED]

On 14/10/2022 11:30 [REDACTED] > wrote:

Dear Calvin

I refer to my below email to which I have received no reply. More importantly I wish to report another incident involving Council's roadside spraying contractors.

I recently stood as a Candidate for the Northland Regional Council. I used this opportunity 'to raise awareness of the growing use of toxins and have conversations to hear how widespread these concerns are. It was important to me that we ensure that the methods that have evolved adhere to good management practices and importantly are sustainable.'

The Coastal Central General Constituency that I stood for is quite large and so I had the opportunity to meet members of our wider community. People shared concerns many verbal and some through social media. In urban areas people questioned why such a large amount of boom/nozzle spraying when the area being targetted was a crack? Spray drifting into gardens. People walking and getting spray drift. In Ngunguru the wide sprayed area where people picnic beside the river. In rural it was the wide blanket spraying method again that killed off areas and left large areas unnm

RDG226985 – Roding
Norah Shayeb
Ngunguru Road
Whangarei 0173
Received: 10/11/2022

Response Sent Date: 19/01/2023

Tena koe Calvin,

This is to inquire about the status of the investigation into the spraying incident on Mill Rd., which I reported to WDC in October 2022. Has the investigation been completed by now and if so, can I please get a copy of the report?

Supporting our serious concern about the inadequate safety standards practiced by council contractors, is a recent spraying incident at the entrance to Ngunguru reported on social media by Anna Murphy.

Quote: "Two weeks ago the school bus was stopped opposite Pipis, the children were literally getting out of the bus and waiting behind it and the spraying contractor, a young guy obviously focused on what he was doing but not on anyone else, went past the bus and started spraying RIGHT THERE just on the corner of Haven place where the kids were waiting. It was windy too and it blew the residue across the road towards myself and another Mum who were waiting. Unbelievable. This is an issue I have raised many many times in council chambers and with roading staff."

This is proof if proof is needed, that these are not isolated incidences and it is simply not acceptable!

We again urgently request a meeting with WDC to discuss the issue of toxic pesticide exposure to our

communities and the environment. As we have submitted to the WDCs LTP, practicing integrated roadside management is not only the safest way to prevent such incidences in the future, but also more cost effective on all levels. Again, we remind WDC that NRC Councillor Jack Craw has offered to conduct workshops for WDC, as he is an expert on this subject.

Nga mihi,

Nora Shayeb

Coordinator of the Northland Toxin Awareness Group

Jacqui Crompton

From: Hilary Gerrard | NTA <xxxxxx.xxxxxxx@xxx.xxx.xx>
Sent: Thursday, 22 December 2022 10:32 am
To: [REDACTED]
Subject: RDG222960 and CC220455

Hi [REDACTED]

Below is an update on your requests logged under RDG222960 and CC220455

Thank you for your email.

There are a number of your complaints that we are investigating and we will hopefully be able to respond to you fully shortly.

Unfortunately we have been unable to fully investigate your specific complaint in this case due to the time that has elapsed since the incident occurred.

With regard to the other issues you have raised in your email:

1. Council requires the Contractor to place a public notice in the local newspaper at least one week prior to his operations commencing and a contact telephone number for any enquiries.

Public notices of weed control spray programmes will be published in a local community newspaper by the Contractor, generally twice per month and at least one week prior to the commencement of any work. The notices will specify the area where the weed control programme is to be carried out, the types of chemicals to be applied, the period of application (subject to weather conditions permitting) and the vegetation to be treated. Prior notification is to be approved by the Engineer.

2. In the rural areas of the road network Council requires the maintenance contractor to spray a 2m wide strip off the edge of seal to manage vegetation growth in this area. Spraying is done using a 2m spray bar that is situated on the left side of the vehicle by the passenger door as shown below in the attached picture. The spray boom is dropped level with the ground which minimises the area sprayed and the possibility of spray drift.



3. Fulton Hogan are no longer the maintenance contractor for the urban areas of Whangarei. The current contractor does not do blanket spraying in the urban area it is target spraying only utilising specialist equipment, as you will see from the attached photo, the spray nozzle is located 100mm in from the end of the boom making it virtually impossible to spray someone without physically contacting them with the boom.



Jeff Devine

Strategy & Planning Manager | Northland Transportation Alliance

Level 1, Walton Plaza, 4 Albert Street, Private Bag 9023, Whangarei 0148

P 09 430 4200 | **DDI** 09 4304226 | **M** 0274543292 | **E** Jeff.Devine@nta.govt.nz

NORTHLAND TRANSPORTATION ALLIANCE



From: [Hilary Gerrard | NTA](#)
To: [Calvin Thomas - NTA](#); [Jeff Devine - NTA](#); [Simon Weston](#); [Jim Sephton](#)
Cc: [Tanja Sullivan](#)
Subject: RE: Roadside Spraying

Thanks Calvin,

Logged as RDG226567, I will liaise with Jeff.

Cheers
Hilary

From: Calvin Thomas | NTA <xxxxxx.xxxxxx@xxx.xxxx.xx>
Sent: Friday, October 14, 2022 12:00 PM
To: Jeff Devine | NTA <xxxx.xxxxxx@xxx.xxxx.xx>; Simon Weston WDC <xxxxx.xxxxxx@xxx.xxxx.xx>; Hilary Malcolm | NTA <xxxxxx.xxxxxxx@xxx.xxx.nz>; Jim Sephton WDC <xxx.xxxxxxx@xxx.xxxx.xx>
Cc: Tanja Sullivan <xxxxx.xxxxxxx@xxx.xxxx.xx>
Subject: FW: Roadside Spraying

Hi Jeff

Can you please review the information below and work with Hilary to compile response noting the request for a meeting that, given the on going concerns being raised around this subject, suggest will need to be arranged.

[@Hilary Malcolm | NTA](#) – can you please raise a CRM and acknowledge receipt of this latest corresponding, confirming also that it has also been forwarded through to Simon

[@Simon Weston \(xxxxx.xxxxxx@xxx.xxxx.xx\)](#) / [@Jim Sephton WDC](#) - FYI

Regards
Calvin

From: [REDACTED]
Sent: Friday, 14 October 2022 11:38 am
To: Calvin Thomas | NTA <xxxxxx.xxxxxx@xxx.xxxx.xx >
Cc: [xxxxx@xxxxxxxxx.xx.xx](#); Secretary <xxxxxxxxx@xxxxxxxxxxxxxx>; [REDACTED] >; NTAG 2011 Northland Toxin Awareness Group <xxxxxxxx@xxxxxxxx.xx.xx >
Subject: Re: Roadside Spraying

Sorry pushed send by accident.

In closing, the Tutukaka Ratepayers and Residents Association have offered to cheer a meeting of Council, NZTA, NTAG and others to see if this could be progressed. I have not copied Simon Weston into this email as I do not have his address but am hoping that you will inform him of the recent incident. It is my understanding that Mr Weston has been contacted by the Association with a view to meeting.

I await your response. Regards

On 14/10/2022 11:30 > wrote:

Dear Calvin

I refer to my below email to which I have received no reply. More importantly I wish to report **another incident** involving Council's roadside spraying contractors.

I recently stood as a Candidate for the Northland Regional Council. I used this opportunity 'to raise awareness of the growing use of toxins and have conversations to hear how widespread these concerns are. It was important to me that we ensure that the methods that have evolved adhere to good management practices and importantly are sustainable.'

The Coastal Central General Constituency that I stood for is quite large and so I had the opportunity to meet members of our wider community. People shared concerns many verbal and some through social media. In urban areas people questioned why such a large amount of boom/nozzle spraying when the area being targeted was a crack? Spray drifting into gardens. People walking and getting spray drift. In Ngunguru the wide sprayed area where people picnic beside the river. In rural it was the wide blanket spraying method again that killed off areas and left large areas unmanaged and for many was offensive. Often too there is no indication that a contractor has gone through until die off in the meantime school children have walked on areas that had been sprayed. I have been given the contact address of a woman who was sprayed in Ngunguru while she was weeding in her garden - I will be following this up. I am encouraging people to notify Council, to let the People Inquiry 2020 know who are still receiving submissions and in some cases I recommend Worksafe.

Referring now to the above 'another incident'. , formally a WDC Councillor, replied to my question on social media if other people had stories of being sprayed. This is hers:

"Yup two weeks ago the school bus was just stopped opposite pipis, the children were literally getting out of the bus and waiting behind it and the spraying contractor..a young guy obviously focused on what he was doing but not on anyone else, went past the bus and started spraying RIGHT THERE just on the corner of Haven place where the kids were waiting.It was windy too and it blew the residue across the road towards myself and another Mum who were waiting. Unbelievable. This is an issue I have raised many many times in council chambers and with roading staff."

I understand that you have engaged an investigator to look into the Mill Road incident and that this is still ongoing. It is important that this investigator is told

about [REDACTED] report. Northland Toxin Awareness Group (NTAG) are also aware of this incident and will be following up with both [REDACTED] and the other parent. I would also like the opportunity to be interviewed by the investigator regarding the incident where my children and others were sprayed.

What the information is showing is that while it is not sustainable it is also placing public at risk. During the campaign process I also heard that Waiheke Island stopped the blanket roadside spraying over 10 years ago. They use an integrated system of organic spray and/or machinery. I am attaching the Auckland City Council Legacy Weed Management Policy for your information. It is achievable and I understand that Waiheke are not the only community.

On 02/09/2022 09:02 [REDACTED]
wrote:

Hi Calvin

I am just wanting to follow up on a response from you regarding Roadside Spraying in the Whangarei District. I have also just sent off another OIA which may or may not make its way to you.

I was a submitter to the WDC long term plan in which I included my concerns regarding the Council's current practice of blanket spraying roadsides. We live rurally and over the years I have watched as Council has gone from digger and truck to maintain roadsides to the current boom spraying.

Some years ago [REDACTED] were playing on the trampoline and a Council contractor came past boom spraying herbicides - [REDACTED] were covered in spray drift. I am aware of a more recent incident involving children walking home from school, witnessed by a passerby. I have witnessed boom spraying on urban streets where the area sprayed is well beyond the targetted area. These are hugely concerning.

I am aware that Northland Toxin Awareness Group have also raised concerns and were a Submitter to the long term plan and had support from within the Tutukaka Coast Community. It is my understanding that this group have been trying to engage with Council for a number of years and are still waiting for this to happen.

As I see it, and correct me if I am mistaken, but it this management practice is within your area of responsibility. It is a management

practice that has evolved over time, possibly led by Contractors ease of methodology and inline with management guidelines of roadsides around northland. It is a practice that is not sustainable and has little regard for environmental health and wellbeing of our community. Herbicides are a tool but are not sustainable.

I understand that next year contracts with Fulton Hogan will be renegotiated or up for renewal. In this regard can you please advise if there is an opportunity right now to work towards stopping the blanket spraying of roadsides and work on a plan for integrated management. I know there are people in Northland who have considerable experience in this area, Jack Craw a current NRC Councillor for one, and who I am sure would be willing to be part of any discussions.

Can you please advise if you would be willing to meet to discuss how we can move forward with this issue.

Thank you for your consideration.

kind regards

A solid black rectangular redaction box covering the signature area.

From: [Mail Room](#)
To: [Call Centre Public Folder](#)
Subject: FW: Spray
Date: Thursday, 19 January 2023 12:50:49 pm

From: [REDACTED]
Sent: Thursday, January 19, 2023 12:37 PM
To: Mail Room <mailroom@wdc.govt.nz>
Subject: Spray

EXTERNAL: This email originated from outside Whangarei District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

I am driving through McLeod Bay and roadside spraying was going on along the waterfront. There were no signs out - so we drove straight into it with our outside air fans on literally sucking up spray in the air.

There needs to be signage!

There are people like me who have respiratory problems caused by environmental sprays etc and we need along with the rest of the healthier population to be protected and able to make choices regards exposure.

Thursday 19 12.30pm.

Thanks.

[REDACTED]
[REDACTED]

Jacqui Crompton

From: Jeff Devine | NTA <Jeff.Devine@nta.govt.nz>
Sent: Monday, 20 November 2023 2:29 pm
To: Jacqui Crompton
Subject: FW: Council spays young children with pesticides

EXTERNAL: This email originated from outside Whangarei District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Jacqui
Below is the original complaint
cheers

Jeff Devine

Strategy & Planning Manager | Northland Transportation Alliance
P 09 430 4200 | DDI 09 4304226 | M 0274543292 | E Jeff.Devine@nta.govt.nz



From: Elsa Hunt <elsa.hunt@wdc.govt.nz>
Sent: Monday, 4 April 2022 1:34 pm
To: Jeff Devine | NTA <Jeff.Devine@nta.govt.nz>
Subject: FW: Council spays young children with pesticides

Hi Jeff

Below is the original complaint.

Ngā mihi

Elsa Hunt

Executive Assistant to Mayor and Deputy Mayor

From: NTAG 2011 Northland Toxin Awareness Group <ntag2011@hotmail.co.nz>
Sent: Thursday, October 21, 2021 1:15 PM
To: Mail Room <mailroom@wdc.govt.nz>
Cc: Sheryl Mai <mayor@wdc.govt.nz>; Cr. Anna Murphy <cr.murphy@wdc.govt.nz>
Subject: Council spays young children with pesticides

EXTERNAL: This email originated from outside Whangarei District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Tena koe WDC Team,

Yesterday evening I was contacted by a member of the public, who was outraged about an incident she had just witnessed at 4pm Wednesday the 20th of October on Mill Road Whangarei.

She had pulled over at Young's Supermarket, when she noticed a quadbike with spraying equipment spraying the kerb.

The woman reported: " I saw the quadbike coming up behind me and passing me. And then the man continued spraying the kerb as he was passing 3 young children, walking on Mill road in bare feet. The operator did not stop the spraying, nor did he swerve to evade the children, but he sprayed right over their feet and kept going. I was shocked and so outraged about his irresponsible behaviour and quickly took photos and then followed him to get a better picture of the vehicle. I just can't believe this, she said."

Neither can I, but this is not the first time people have told me that they were hit by weed killers through roadside spraying. People have complained many a times that there are no signs warning them ahead of time. It is a common occurrence to drive on a road and all of a sudden there is a spraying operator, whose wake of dangerous toxins you have been following all along and you only know when you passed their vehicle. This is not acceptable! All roadside and blanket applications of pesticides, including aerial spraying on private property, should be publicly notified ahead of time, to give people the chance to evade and evacuate the area.

Even if the claims that these pesticides are not harmful were true, many of them are classified as an 'irritant' to our respiratory systems. The last thing we need right now with Covid-19 in our communities is to compromise the health of our lungs, especially of our most vulnerable.

It is a well-known fact that pesticides are particularly dangerous for children.

On the just concluded 44th session of the United Nations Human Rights Council (UNHRC), Michelle Bachelet, UN High Commissioner for Human Rights, delivered a very potent statement on the need for urgent action to recognise and realise the rights of the child through a healthy environment.

"Environmental harms severely affect the youngest children. Indigenous children and those from low-income and marginalized communities are also among those most affected. Many of the effects of environmental degradation on children and their rights are completely preventable. And today they are being compounded by COVID-19," Bachelet stated. ...

Pesticides were among the toxic substances identified by the UNHRC that children are exposed to through the air, ground or water, "significantly affecting their health, development and well-being, violating multiple rights." It pointed out that children are exposed while playing, swimming in local water sources, going to or at school, eating, drinking or working. It also acknowledged that in utero exposure of children to hundreds of hazardous chemicals compromise their foetal development.

We demand that WDC explicitly instructs and monitors compliance of all their roadside maintenance contractors and pesticide applicators with the Health&Safety Standard regulations. ALL CONTRACTORS MUST EXERCISE THEIR 'DUTY OF CARE' AND 'DUE DILIGENCE' AT ALL TIMES.

<https://www.worksafe.govt.nz/managing-health-and-safety/getting-started/health-and-safety-at-work-quick-reference-guide/>

We ask WDC to immediately speak to this contractor (see photos attached below) and reprimand him for his reckless behaviour and we request to receive feedback on this action.

Nga mihi,

Nora Shayeb

Coordinator of the Northland Toxin Awareness Group







The Northland Transportation Alliance is a partnership of Northland's Councils, with Waka Kotahi (NZTA), for better transport outcomes. The information contained within this email may be confidential. Therefore, if you have received this in error, you should delete it immediately and advise the sender noting that information contained within this communication should not be used or transmitted in any