

**AGGREGATE & QUARRY ASSOCIATION OF NEW ZEALAND SUBMISSION
PROPOSED NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT CAPACITY**

To: NPS Urban Development Capacity
Ministry for the Environment
PO Box 106483
AUCKLAND CITY 1143

Email: npsurbandevelopment@mfe.govt.nz

Name of Submitter: Aggregate and Quarry Association of New Zealand (“AQA”)

Contact Person: Graeme Mathieson

Address for Service: Environmental Management Services Ltd
PO Box 97431
MANUKAU 2241

Telephone: (09) 2555127
Facsimile: (09) 2555129
Email: graeme.mathieson@emslimited.co.nz

1 INTRODUCTION

1.1 The Aggregate and Quarry Association of New Zealand (“AQA”) was formed in 1969 by companies involved in extracting and supplying aggregates in New Zealand (e.g. rock, sand, gravel, clay, limestone), in response to the need for an industry group that could represent aggregate suppliers on a range of issues, as well as liaise with regulators and end users of the materials (see www.aqa.org.nz for website). Membership of the AQA stands at over 80 companies, which between them produce 85% of the 50 million tonnes of aggregates and allied raw materials used in New Zealand annually. AQA members are active throughout New Zealand in terms of extractive industries and provide necessary materials for residential, industrial and commercial development, thereby contributing significantly to sustainable economic development.

1.2 Aggregate is a significant resource for the district, regional and national economies. A sustainable supply of aggregate is essential for continued development to enable people and communities to provide for their social, economic and cultural well-being. This is not only required to provide for building, construction and roading projects associated with growth, but also to maintain and redevelop existing infrastructure¹.

¹ In *Winstone Aggregates Ltd v Papakura District Council A96/98* at [50] the Court concluded “We are satisfied on the evidence that aggregate is a resource of primary significance to our society in a general and in particular to the Auckland region. It is required in very large quantities for roading and construction.”

- 1.3 While demand for aggregate continues to grow, current supplies are being exhausted, mandating a need to provide future supplies. However, aggregates are a site-specific resource, which means that extraction can only occur where the resource is found and can be economically extracted and transported to local markets (n.b. an additional 30 km travel cost typically doubles the cost of aggregate). Such aggregate resources must be found, subjected to feasibility studies, before any necessary statutory approvals are secured (involving consultation with affected parties), prior to extraction, processing and earning an income. To find, assess, authorise and develop a new aggregate extraction and processing site can take many years at significant cost
- 1.4 AQA is interested in future growth and planning restrictions that have the potential to adversely affect the general operation of aggregate extraction. In terms of the Proposed NPS on Urban Development Capacity, AQA wants to ensure that any policy framework adequately protects existing or consented aggregate extraction and processing activities in the vicinity of potential urban development areas in terms of:
- retaining access to the aggregate resource; and
 - avoiding potential reverse sensitivity effects.
- 1.5 Further, some Council's have taken a proactive approach and developed policy frameworks requiring the identification and protection of areas of "significant mineral resources" (and key transportation routes) for future extraction, processing and transportation (e.g. Policy 6.8 in the Waikato Regional Policy Statement). It is considered that such areas also require protection within the policy framework of the Proposed NPS on Urban Development Capacity.
- 1.1 Sound planning is required to ensure that future access to aggregate resources is sufficiently recognised, provided for and protected for future generations in terms of key planning documents such as the Proposed NPS on Urban Development Capacity.

2 SPECIFIC SUBMISSIONS AND RELIEF SOUGHT

2.1 Specific submissions and relief sought are addressed in the table below.

Signature: **AGGREGATE AND QUARRY ASSOCIATION OF NEW ZEALAND**
by its authorised agents Environmental Management Services Ltd



G.J. Mathieson

Date: 14th July 2016

REF	PROVISION	SUPPORT OPPOSE	SUBMISSION	RELIEF SOUGHT
SECTION 3 INTERPRETATION				
2	New definition for “aggregate extraction and processing activities”	Support in part	AQA has sought changes to the policy framework so that “aggregate extraction and processing activities” are adequately protected from new areas of urban expansion, and seeks an appropriate definition.	Include the following definition for “aggregate extraction and processing activities”: “Rural land use activities that rely on the productive capacity of land or have a functional need for a rural location such as agriculture, pastoral farming, dairying, poultry farming, pig farming, horticulture, forestry, quarrying and mining. Also included in this definition are rural service, processing and research facilities that directly service or support those rural land use activities.”
SECTION 6 POLICIES				
3	Policy PD2	Support in part	<p>Policy PD2 states the following:</p> <p><i>A local authority must consider all options available to it under the Act to enable sufficient development capacity to meet residential and business demand, including but not limited to:</i></p> <ul style="list-style-type: none"> • <i>Changes to plans and regional policy statements, including changes to:</i> <ul style="list-style-type: none"> ○ <i>Objectives, policies and rules, zoning and the application of those in both existing urban and undeveloped areas;</i> ○ <i>Activity status;</i> ○ <i>Provisions about the notification of applications for resource consent;</i> ○ <i>Existing overlays, or the introduction of overlays which enable development; and</i> ○ <i>Make them simpler to interpret.</i> • <i>Consenting processes that are customer-focused and coordinated within the local authority; and</i> • <i>In granting consent, the conditions of consent imposed.</i> <p>AQA supports Policy PD2 on the basis that it is prudent to require local authorities to provide further development capacity if such capacity is insufficient within existing urban areas. However, a sustainable supply of aggregate is essential</p>	<p>After Policy PD2, introduce the following new Policy:</p> <p><i>When considering changes to plans and regional policy statements to enable sufficient development capacity to meet residential and business demand (in accordance with Policy PD2), local authorities must ensure that:</i></p> <ul style="list-style-type: none"> • <i>Access is retained to aggregate extraction and processing activities (either legally operating or consented for future use, or within areas identified by local authorities for future use).</i> • <i>Reverse sensitivity effects are avoided on aggregate extraction and processing activities (either legally operating or consented for future use, or within areas identified by local authorities for future use).</i>

REF	PROVISION	SUPPORT OPPOSE	SUBMISSION	RELIEF SOUGHT
			<p>for continued development to enable people and communities to provide for their social, economic and cultural well-being. This is not only required to provide for building, construction and roading projects associated with growth (including within any new Urban Development Areas), but also to maintain and redevelop existing infrastructure². Accordingly, AQA wants to ensure that the policy framework in the Proposed NPS on Urban Development Capacity adequately protects existing or consented aggregate extraction and processing activities in the vicinity of potential urban development areas in terms of:</p> <ul style="list-style-type: none"> • retaining access to the aggregate resource; and • avoiding potential reverse sensitivity effects. <p>Further, some Councils have taken a proactive approach and developed policy frameworks requiring the identification and protection of areas of “<i>significant mineral resources</i>” (and key transportation routes) for future extraction, processing and transportation (e.g. Policy 6.8 in the Waikato Regional Policy Statement). It is considered that such areas also require protection within the policy framework of the Proposed NPS on Urban Development Capacity.</p> <p>A definition for “<i>aggregate extraction and processing activities</i>” is proposed in that part of this submission relating to the Glossary.</p>	

² In *Winstone Aggregates Ltd v Papakura District Council A96/98* at [50] the Court concluded “We are satisfied on the evidence that aggregate is a resource of primary significance to our society in a general and in particular to the Auckland region. It is required in very large quantities for roading and construction.”