

Submission on the Draft National Planning Standards

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Introduction

Since 1934 J Swap Contractors Limited (JCL) has had an association in civil contracting, quarrying, heavy haulage and more recently bulk storage and stock feed importation and distribution. Operations span the whole of New Zealand.

JCL own and operate 10 hard rock quarries that are either located in or supply aggregates to the Waikato, Bay of Plenty, Taranaki, Manawatu-Wanganui and Hawkes Bay Regions. JCL quarries and supplies finished quarry products that are used in roads, railways, concrete, asphalt, building infrastructure and other applications. These materials are used by organisations such as the New Zealand Transport Agency (NZTA), multiple District and Regional Councils, Kiwirail and the Port of Tauranga¹.

These materials underpin the infrastructure that New Zealand is built from. There is no alternative material on the market that is a replacement for aggregate. Roads, railways and cycleways for the majority, cannot be built out of any other material.

Supply is dictated to New Zealanders by virtue of an uneven and variable geology. Protecting and enabling the supply of aggregate should therefore be elevated over and above other interests that are flexible, optional or have alternatives. For example a decision on where to plant production forests can be made around a range of different interests, whereas a suitable rock source does not have this level of flexibility.

JCL have been involved in the development of a number of Regional and District statutory documents since the RMA was enacted and have encountered the same or similar challenges each time. The common issue is a lack of policy inclusion, description and support. The result is imbalanced decisions that are based on policy which supports a wide range of other interests. Either none, little, general or poor policy on quarries is present for decision makers to add to this process.

National direction would provide for consistency across the country.

Accordingly, within the National Planning Standards (NPSs) key questions then arise;

- Where in the current draft NPSs are quarries anticipated to sit?
- Are Councils only voluntarily required to consider quarries and aggregate supply e.g. under a rural or special purpose zone, or will it be mandatory for Councils to consider quarries within a specific new Quarry Zone provision?
- What alternative policy provisions are available or will result from the NPSs for quarries if quarry zoning provisions are not provided for?

This submission seeks to provide guidance to help answer these questions and seeks specific provisions that JCL believes will provide for the supply of a vitally important building material across New Zealand.

¹ For more information, the JCL website can be found here: <https://jswap.co.nz/>

JCL appreciates the opportunity to be involved in the development of the NPSs. Generally JCL supports the intent of the standards in so far as they are intended to make Council plans and policy statements under the RMA faster to prepare and easier for plan users to understand, compare and comply with.

Draft first set of National Planning Standards

1. Do you support the draft first set of National Planning Standards?

Yes

No

JCL supports the intention of the National Planning Standards. There are several amendments that we would support as outlined below.

2. S-RPS: Regional policy statement structure standard

JCL supports the addition of a theme which considers minerals at the regional policy statement level. The importance of mineral extraction to the economy and development of infrastructure should be considered at this level particularly as the costs of sourcing aggregate are reflected in the costs of infrastructure development.

It is critical that this relationship is recognised and provided for at a regional level therefore providing support for the ongoing operations and development of these sites. It is also important that the cross boundary nature of these activities is recognised, in particular the transport of the material over regional boundaries. Transport of materials along strategic haul routes should also be acknowledged at a regional level.

Reducing the time and cost required to provide evidence regarding the importance of these areas and activities each time a regional policy statement is prepared will have a beneficial economic outcome. We note that infrastructure is included as a theme at the regional policy statement level but the associated quarries and aggregate supply is missing.

3. S-RP: Regional plan structure standard

JCL supports the addition of a theme which considers minerals at the regional plan level. As outlined above there is a direct economic link between extraction of minerals and infrastructure development.

We note that infrastructure is included as a theme at the regional plan level but the associated quarries and aggregate supply is missing.

4. S-DP: District plan structure standard

JCL note that mining has been used in the general district wide matters however we would support a more specific reference to quarries and the particular effects of this activity. JCL would refer the Ministry to consider the current Waipa District Plan in this regard. It includes a Significant Mineral Extraction Zone. This zone provides for regionally significant mineral extraction activities and includes specific policies and methods for the scale, intensity and character of these activities. We would expect these provisions to also be required in the case of combined plans.

5. S-DWM: District wide matters standard – Part 4 of District plans

JCL support the addition of a quarrying chapter as outlined above. This chapter would include appropriate provisions which provided for the activity and the protection of transport routes to and from quarry sites to main centres of demand. As noted above the transport of this material occurs across boundaries. We propose that the content proposed for the Infrastructure and Energy chapter (S-IE) could be replicated for a quarrying chapter.

6. S-ASM: Draft area specific matters standard – Part 5 of District plans, Part 6 – Combined plans

In consideration of the comments made above it is unclear from the proposed standards how activities such as quarrying would be considered in a plan. For example some Council's may choose to provide for these activities via an additional special purpose zone (which would be subject to submissions and debate as part of a plan change process). Some Council's may choose to include quarries as precincts within a rural zone, other Council's may require some form of development plan. As such there is unlikely to be any consistent approach which does not support the overall intent of the standards.

JCL contends that a Quarry Zone is created. We would support the provisions included in the Waipa District Plan being considered as a template for a quarrying zone. This would include the extraction area, future extraction area, buffer areas and overburden disposal subzones. It is likely that the surrounding zone would be rural in nature and could be encompassed as part of the rural zone requirements. However it would still be necessary to create specific provisions to be applied to the quarrying activity.

7. F-1: Electronic accessibility and functionality standard

We support electronic accessibility and functionality.

8. F-2: Mapping standard

We support the addition of a colour for a quarry zone in Table 21.

9. F-6: Draft Status of Rules and Other text and Numbering Form Standard

Amend Table 28 based on the proposed amendment contained in this submission.

10. CM-1: Definitions standard

We support the use of standard definitions. We agree that this will provide for greater certainty in terms of the meaning of various terms across the country. We do have some comments regarding the proposed definitions as outlined below. We also propose two additional definitions.

a. Individual definitions

Support for the following definitions:

- clean fill / managed fill
- dust
- earthworks
- functional need
- industrial activity
- land disturbance
- reverse sensitivity

- setback
- stormwater
- structure

Support for the following definitions with some additions:

Quarry - we support the definition for quarry. We propose that the mineral extraction activity definition from the Waipa District Plan is utilised in this regard. This definition provides for a number of matters including the following:

means extraction and processing activities including:

- Blasting; and
 - Excavating rock and minerals; and
 - Processing rock and minerals by crushing, screening, washing, or blending them;
- and
- ancillary activities to rock and mineral processing; and
 - Storing, distributing and selling rock and mineral products; and
 - ancillary land disturbance activities; and
 - Removing and depositing overburden; and
 - Treating stormwater and wastewater; and
 - Landscaping and rehabilitation works including cleanfilling; and
 - Recycling or reusing aggregate from demolition waste such as concrete, masonry, or asphalt; and
 - Accessory buildings and structures; and
 - Ancillary residential accommodation for caretaking and on-site security; and
 - Site offices.

Support for the definition for rural industry to include “or by the nature of the business must be located within a rural setting such as quarrying”.

JCL offers their support to assist in the development and agreement of these definitions if alternatives are sought.

b. Additional definitions

JCL support definitions to be provided for overburden and regionally significant industry.

We would refer the Ministry to the Waikato Regional Policy Statement for the following definition of ‘regionally significant industry - means an economic activity based on the use of natural and physical resources in the region and is identified in regional or district plans, which has been shown to have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits’.

The following definition for overburden is from the Waikato Regional Plan 'overburden - Clay, soil and rock associated with quarries, mining, earthworks, road construction and maintenance'.

JCL offers their support to assist in the development and agreement of these definitions if alternatives are sought.

11. CM-2: Draft noise and vibration metrics standard

JCL supports the proposed standard for noise and vibration metrics. A standard approach to these matters across New Zealand would be beneficial in terms of how the activities undertaken on a number of our sites are assessed and managed.

12. Future content for standards

As noted in our introduction JCL support the development of national standards for quarries and their associated activities. This would support a consistent approach to the development and ongoing operation of these activities.

Releasing submissions

Your submission may be released under the Official Information Act 1982 and will be published on the Ministry's website. Unless you clearly specify otherwise in your submission, we will consider that you have consented to both your submission and your name being posted on the Ministry's website.

Please check this box if you would like your name, address, and any personal details withheld.