

SUBMISSION ON PROPOSED WAIKATO REGIONAL POLICY STATEMENT

To: Chief Executive
Environment Waikato
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1. SUBMITTER:

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2. THIS IS A SUBMISSION ON:

Proposed Waikato Regional Policy Statement (“Proposed RPS”)

3. HEARING:

The Aggregate and Quarry Association of New Zealand (Inc) (“AQA”) wishes to be heard in support of its submission.

4. INTRODUCTION:

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 in the Waikato Region in terms of extractive industries and provide necessary materials for residential, industrial and commercial development, thereby contributing significantly to sustainable economic development.

Based on current production, the Waikato Region is the most mineral resource-rich region in New Zealand. This includes gold, silver, coal and peat. In terms of aggregate, the region has potential for new industrial minerals from the volcanic rocks of the central North Island, and has large resources of high quality limestone, ironsand (onshore and offshore), pumice and numerous other minerals. There are at least 70 aggregate quarries, 20 sand extraction operations, 5 limestone quarries and 5 industrial mineral producers.

The need to provide for aggregates will become increasingly important with anticipated population growth and urban expansion within the Waikato Region. In addition, the source of locally used aggregate needs to be relatively close to local markets to minimise transportation distance and the associated cost of the aggregate (n.b. an additional 30 km travel cost typically doubles the cost of aggregate).

In terms of the *Proposed RPS*, the AQA is interested in future growth and planning restrictions within the Waikato Region that have the potential to adversely affect the general operation of aggregate extraction. In particular, the AQA has the following key concerns:

- That mineral resources are recognised as a regionally significant resource;
- That development and new Regional and District planning provisions do not restrict future access to mineral resources; and
- That development does not result in reverse sensitivity effects which constrain existing or future aggregate and mineral extraction sites.

By way of example, prior to the Auckland RPS becoming operative, there had been a general lack of forward planning with regard to protecting future access to mineral resources within the Auckland Region. This has resulted in extremely limited ability to access these resources as well as the sterilisation of substantial areas of aggregate resource. When you consider the considerable volumes of high quality aggregates that exist within the urban Auckland area due to its geological history, it is unfortunate and inefficient that the closest sources of aggregate available to be extracted are in the order of 40-50kms away from the centre of Auckland. The unsatisfactory situation within the Auckland Region highlights the importance of identifying key areas with mineral resource potential, and ensuring such areas are adequately identified and protected to allow future access and extraction.

Failure to plan adequately for future production within the region would lead to a substantial increase in the cost of aggregate with flow-on effects on the cost of roads, building and concrete, while increasing levels of heavy transport on regional roads will affect the environment and the interests of other road users.

A minerals policy framework should safeguard future access to mineral resources in the Region. The AQA commends Environment Waikato for introducing a minerals policy framework in the Proposed RPS but considers that some amendments are required to ensure all mineral extraction activities are adequately provided for.

4 SPECIFIC SUBMISSIONS

Provision: Issue 1.4 – Managing the built environment

Submission:

In terms of the *Proposed RPS*, the AQA is interested in future growth and planning restrictions within the Waikato Region that have the potential to adversely affect the general operation of aggregate extraction. In particular, the AQA has the following key concerns:

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- That development and new Regional and District planning provisions do not restrict future access to mineral resources; and
- That development does not result in reverse sensitivity effects which constrain existing or future aggregate and mineral extraction sites.

Issue 1.4(d) states the following:

Development of the built environment, transport and other infrastructure is impacting on our ability to sustainably manage natural and physical resources and provide for our wellbeing.

While addressing this issue generally, specific focus should be directed to the following matters:...

...d) the effect of development on access to mineral resources (particularly aggregates), high quality soils, and future energy development sites.

The relevant section in the “Explanation” states the following:

...Development of the built environment needs access to nearby aggregate sources which are sometimes made inaccessible by urban and rural-residential development. Such development can be very important to the region, but requires careful management to avoid those kinds of outcomes....

Development can reduce the ability to access mineral resources. This can occur where existing, planned and likely mineral extraction sites (including for aggregate) are built over or where residential or urban development occurs nearby. The AQA commends Environment Waikato for introducing a minerals policy framework in the Proposed RPS to protect access to mineral resources.

Relief Sought:

Retain Issue 1.4(d)

Provision: Objective 3.11 – Built environment

Submission:

In terms of the *Proposed RPS*, the AQA is interested in future growth and planning restrictions within the Waikato Region that have the potential to adversely affect the general operation of aggregate extraction. In particular, the AQA has the following key concerns:

- That mineral resources are recognised as a regionally significant resource;
- That development and new Regional and District planning provisions do not restrict future access to mineral resources; and
- That development does not result in reverse sensitivity effects which constrain existing or future aggregate and mineral extraction sites.

Objective 3.11(d) and (e) state the following:

“Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which provides for positive environmental, social, cultural and economic outcomes, including by:...

...(d) protecting access to identified mineral resources;

(e) minimising land use conflicts, including minimising potential for reverse sensitivity with existing land uses; and...”

Development can reduce the ability to access mineral resources. This can occur where existing, planned and likely mineral extraction sites (including for aggregate) are built over or where residential or urban development occurs nearby. The AQA commends Environment Waikato for introducing a minerals policy framework in the Proposed RPS to protect access to mineral resources.

Relief Sought:

Retain Objective 3.11(d).

Provision: Objective 3.14 – Allocation and use of Fresh Water

Submission:

AQA seeks to ensure that Objective 3.14 recognises non-consumptive takes of fresh water. This is particularly important for quarries whereby the bulk of the water taken is generally returned to the water body from which it is taken, whereby it is used for activities such as aggregate washing, and then treated prior, to being returned to the water body.

Relief Sought

Amend Objective 3.14 to include a new sub-clause (d) as follows:

“that non consumptives and primarily non consumptive uses be recognised and provided for, in the allocation of the fresh water of the region.”

AND/OR

Make any additional and/or alternative changes appropriate to achieve the same outcome being sought by AQA.

Provision: Implementation Method 4.1.7 – Managing the coastal environment

Submission:

Policy 4.1 deals with an integrated approach to resource management. Implementation Method 4.1.7 (Managing the coastal environment) provides guidance for local authorities where 4.1.7(b) states that local authorities should:

recognise the special context of the coastal environment, including the recognition that it has particular values and issues that are of regional and national significance and that impact on the wellbeing of the Waikato region, including:...

Amongst the various matters listed in 4.1.7(b) is *“its potential for renewable energy generation”*.

The AQA notes that some of its members currently undertake mineral extraction activities within some coastal areas throughout the country, including dredging within harbours and sand extraction within dune systems. The Waikato Region has large resources of minerals such as iron-sand (on-shore and offshore) within the coastal environment essential for continued economic growth and development which unlike “renewable energy generation” has not been specifically recognised in Implementation Method 4.1.7(b). The AQA is concerned that mineral extraction could potentially be effectively prohibited from the coastal environment so seeks special recognition and provision of this regionally important resource. The ability to extract mineral resources within suitable sites in the coastal environment is a regionally and nationally significant issue that should be included in Implementation Method 4.1.7.

Relief Sought:

Include the following (or similar) value or issue of regional and national significance in 4.1.7 (Managing the coastal environment):

xi) “its potential for mineral resources”.

AND/OR

Make any additional and/or alternative changes appropriate to achieve the same outcome being sought by AQA.

Provision: Policy 4.1.12 – Off site mitigation of adverse effects

Submission:

AQA supports that Policy 4.1.12 recognises that off-site mitigation may be appropriate in some instances, to mitigate the significant adverse effects of activities.

Relief Sought:

Retain Policy 4.1.12

Provision: Implementation Method 6.1.4 – District plan provisions for rural residential development

Submission:

In terms of the *Proposed RPS*, the AQA is interested in future growth and planning restrictions within the Waikato Region that have the potential to adversely affect the general operation of aggregate extraction. In particular, the AQA has the following key concerns:

- That mineral resources are recognised as a regionally significant resource;
- That development and new Regional and District planning provisions do not restrict future access to mineral resources; and
- That development does not result in reverse sensitivity effects which constrain existing or future aggregate and mineral extraction sites.

Implementation Method 6.1.4 states the following:

District plans shall ensure that rural residential development is directed away from natural hazard areas, high class soils, locations identified as likely renewable generation sites and from identified significant mineral resources and their access routes. In addition, where demand for or potential adverse effects from rural residential development is high, the large majority of new rural residential lots should be in identified rural residential areas.

Development can reduce the ability to access mineral resources. This can occur where existing, planned and likely mineral extraction sites (including for aggregate) are built over or where residential or urban development occurs nearby. The AQA commends Environment Waikato for introducing a minerals policy framework in the Proposed RPS to protect access to significant mineral resources.

Relief Sought:

Retain Implementation Method 6.1.4.

Provision: Policy 6.7 (Access to minerals) and Associated Implementation Methods

Submission:

In terms of the *Proposed RPS*, the AQA is interested in future growth and planning restrictions within the Waikato Region that have the potential to adversely affect the general operation of aggregate extraction. In particular, the AQA has the following key concerns:

- That mineral resources are recognised as a regionally significant resource;
- That development and new Regional and District planning provisions do not restrict future access to mineral resources; and
- That development does not result in reverse sensitivity effects which constrain existing or future aggregate and mineral extraction sites.

Policy 6.7 states the following:

Management of development of the built environment appropriately recognises:

- a) *the potential for impacts of development on access to mineral resources;*
- b) *the need for aggregate resources to be available for infrastructure and building developments;*
- c) *the potential benefits of further development of the region's minerals;*
- d) *the potential for land use development that is inconsistent with nearby mining activities; and*
- e) *that some mineral resources are considered taonga or traditional resources by tāngata whenua.*

Development can reduce the ability to access mineral resources. This can occur where existing, planned and likely mineral extraction sites (including for aggregate) are built over or where residential or urban development occurs nearby. The AQA commends Environment Waikato for introducing a minerals policy framework in the Proposed RPS to protect access to mineral resources.

However, the AQA notes that the focus of Implementation Method 6.7.1 is primarily on identifying and mapping “significant mineral resources” to protect future access. The AQA considers that mineral resources currently identified in District Plans and existing extraction sites may not be covered by the criteria outlined in Implementation Method 6.7.1 for determining “significant mineral resources”. It is sought that the Implementation Methods 6.7.1 to 6.7.3 should better recognise the need to provide for the use and development of (as well as enabling access to) the aggregate resources of the Waikato Region.

Relief Sought:

Retain Policy 6.7.

Amend Implementation Method 6.7.1, Implementation Method 6.7.2 and Implementation Method 6.7.3 as follows (suggested changes underlined):

6.7.1 Identification of mineral resources

*Waikato Regional Council will seek to work with territorial authorities, iwi authorities, relevant industry and other agencies to identify and map the location of significant **mineral resources**. This mapping will be made available to territorial authorities and as a minimum will encompass identified resources in the District Plans of territorial authorities within the Waikato Region at the date of notification of the RPS, and all existing extraction sites. In determining significance, regard will be had to at least the following:*

- a) relative scarcity;*
- b) contribution to regional economy;*
- c) current and potential demand, and location with respect to demand;*
- d) constraints on extraction including existing or planned settlement;*
- e) quality and size of deposit;*
- f) importance of the mineral resource to tāngata whenua; and*
- g) importance to infrastructure development.*

6.7.2 Plan provisions

District Plans and any relevant regional plans shall include provisions to protect access (including aggregate haulage routes) to significant mineral resources currently identified in the District Plans of the Waikato region and any new significant mineral resources identified pursuant to Implementation 6.7.1, and District Plans and any relevant regional plans shall include provisions to provide for the appropriate use and development of the significant mineral resources of the region.

6.7.3 Aggregate haulage

Local authorities should work with the minerals industry and the NZ Transport Agency to identify suitable routes (road and rail) for aggregate movement and to determine methods to manage the development of sensitive activities which may conflict with the effects of aggregate haulage.

AND/OR

Make any additional and/or alternative changes appropriate to achieve the same outcome being sought by AQA.

Provision: 6A Development Principles - General development principles

Submission:

In terms of the *Proposed RPS*, the AQA is interested in future growth and planning restrictions within the Waikato Region that have the potential to adversely affect the

general operation of aggregate extraction. In particular, the AQA has the following key concerns:

- That mineral resources are recognised as a regionally significant resource;
- That development and new Regional and District planning provisions do not restrict future access to mineral resources; and
- That development does not result in reverse sensitivity effects which constrain existing or future aggregate and mineral extraction sites.

The General Development Principles found in Section 6A list guiding principles for the development of the built environment, including transport and other infrastructure, so that such development occurs in a planned and coordinated manner. General development principle (e) states the following:

New development should...

...(e) be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy transmission corridors, locations identified as likely renewable energy generation sites, and high class soils.

Development can reduce the ability to access mineral resources. This can occur where existing, planned and likely mineral extraction sites (including for aggregate) are built over or where residential or urban development occurs nearby. The AQA commends Environment Waikato for introducing a minerals policy framework in the Proposed RPS to protect access to mineral resources.

Relief Sought:

Retain General Development Principle (e) in Section 6A (Development Principles).

Amend General Development Principle (l) in Section 6A (Development Principles) as follows:

“not result in incompatible ~~adjacent~~ land uses generating adverse reverse sensitivity effects such as with respect industry, rural activities, and existing or planned infrastructure, and access to significant mineral resources.”

Provision: 6A Development Principles - Principles specific to rural-residential development

Submission:

In terms of the *Proposed RPS*, the AQA is interested in future growth and planning restrictions within the Waikato Region that have the potential to adversely affect the general operation of aggregate extraction. In particular, the AQA has the following key concerns:

- That mineral resources are recognised as a regionally significant resource;
- That development and new Regional and District planning provisions do not restrict future access to mineral resources; and

- That development does not result in reverse sensitivity effects which constrain existing or future aggregate and mineral extraction sites.

The principles specific to rural residential development found in Section 6A list guiding principles for new rural residential development.

Unlike the preceding sub-section on General Development Principles, or Implementation Method 6.1.4 (District Plan provisions for rural residential development), there is no specific reference to directing rural-residential development away from mineral resources.

Development can reduce the ability to access mineral resources. This can occur where existing, planned and likely mineral extraction sites (including for aggregate) are built over or where residential or urban development occurs nearby. The AQA commends Environment Waikato for introducing a minerals policy framework in the Proposed RPS to protect access to mineral resources. However, for completeness and greater certainty, the AQA considers that the principles specific to rural residential development found in Section 6A should also refer to directing rural residential development away from significant mineral resources and existing and planned mineral extraction sites (including aggregate) and their access routes.

Relief Sought:

Include the following new “Principle specific to rural-residential development” in 6A Development Principles:

“(i) be directed away from significant mineral resources and access routes to those resources.”

AND/OR

Make any additional and/or alternative changes appropriate to achieve the same outcome being sought by AQA.

Provision: Implementation Method 7.1.1 – Allocation of space within the coastal marine area

Submission:

Implementation Method 7.1.1 deals with allocation of space within the coastal marine area. Implementation Method 7.1.1 provides guidance for criteria within the regional coastal plan to determine the appropriateness of different activities within the coastal marine area and identify areas that are appropriate for different purposes or activities including areas to be protected from development. Among the matters to which particular regard will be had are *“Opportunities for electricity generation”*.

The AQA notes that some of its members currently undertake mineral extraction activities within some coastal areas throughout the country, including dredging within harbours and sand extraction within dune systems. The Waikato Region has large resources of minerals such as ironsand (on-shore and offshore) within the coastal

environment essential for the Region’s continued economic growth and development which unlike “renewable energy generation” has not been specifically recognised in Implementation Method 4.1.7. The AQA is concerned that mineral extraction could potentially be effectively prohibited from the coastal environment so seeks special recognition and provision of this regionally important resource. Accordingly, the ability to extract mineral resources within suitable sites in the coastal environment is a regionally significant issue that should be included in Implementation Method 7.1.1.

Relief Sought:

Include the following (or similar) criteria in 7.1.1 (Allocation of space within the coastal marine area):

i) “*it’s potential for mineral resources*”.

AND/OR

Make any additional and/or alternative changes appropriate to achieve the same outcome being sought by AQA.

Provision: Implementation Method 7.1.2 – Crown’s interest in the coastal marine area

Submission:

The AQA supports the fact that Implementation Method 7.1.2 has recognised that mineral extraction activities can occur within lands of the Crown in the coastal marine area including for the removal of sand, shingle, shell or other natural materials for commercial purposes.

The AQA notes that some of it’s members currently undertake mineral extraction activities within some coastal areas throughout the country, including dredging within harbours and sand extraction within dune systems. The Waikato Region has large resources of minerals such as ironsand (on-shore and offshore) within the coastal environment essential. Such mineral resources are essential for the Region’s continued economic growth and development.

Relief Sought:

Retain Implementation Method 7.1.2 (Crown’s interest in the coastal marine area).

Provision: **Policy 8.3 – All Water Bodies**

Submission:

AQA has concerns with Policy 8.3 requiring “avoiding” “all physical modifications of water bodies, where practicable”.

It is considered that Policy 8.3 should be amended to recognise that some physical modifications of water bodies have no more than minor adverse effects, or where any

significant adverse effect occur, such effects can be avoided, remedied or mitigated. It is considered the avoidance of all physical modifications of water bodies where practicable, will unjustifiably limit use and development in the region.

Relief Sought:

Amend Policy 8.3(d) as follows:

Avoiding, ~~remedying or mitigating the effects of physical modifications of water bodies where practicable;~~ and

Provision: 15.4 Environmental results anticipated, 15.4.3 Built Environment, subsection (l)

Submission:

In terms of the *Proposed RPS*, the AQA is interested in future growth and planning restrictions within the Waikato Region that have the potential to adversely affect the general operation of aggregate extraction. In particular, the AQA has the following key concerns:

- That mineral resources are recognised as a regionally significant resource;
- That development and new Regional and District planning provisions do not restrict future access to mineral resources; and
- That development does not result in reverse sensitivity effects which constrain existing or future aggregate and mineral extraction sites.

The Environmental Results Anticipated for the Built Environment are listed in Section 15.4.3. Section 15.4.3(l) lists the following as an “Environmental Result Anticipated”:

“Development of the built environment does not prevent extraction of minerals from identified significant mineral resources.”


Development can reduce the ability to access mineral resources. This can occur where existing, planned and likely mineral extraction sites (including for aggregate) are built over or where residential or urban development occurs nearby. The AQA commends Environment Waikato for introducing a minerals policy framework in the Proposed RPS to protect access to mineral resources.

Relief Sought:

Retain Section 15.4.3(l).

Signature:

**AGGREGATE AND QUARRY ASSOCIATION OF NEW
ZEALAND (INC)**
by it's authorised agents Environmental Management Services
Ltd

A handwritten signature in black ink, appearing to read 'G.J. Mathieson', written in a cursive style.

G.J. Mathieson

Date:

28 February 2011