

Proposed District Plan submission form

Clause 6 of the First Schedule, Resource Management Act 199.

Feel free to add more pages to your submission to provide a fuller response.

Remember
submissions
close on Friday
6 August 2021
at 5pm.

To: Central Hawke's Bay District Council			
1. Submitter details			
Full Name	Last <i>Stretton</i>	First <i>Tessa</i>	
Company/Organisation (if applicable)	<i>Aggregate and Quarry Association</i>		
Contact Person (if different)	<i>Wayne Scott</i>		
Email Address	<i>Wayne@aga.org.nz</i>		
Address	<i>PO Box 10-668 Wellington</i>	Pcstcode	<i>6140</i>
Phone	Mobile <i>021 944 336</i>	Home	Work
2. This is a submission on the Proposed District Plan for Central Hawke's Bay			
3. <input type="checkbox"/> I could <input checked="" type="checkbox"/> I could not – gain an advantage in trade competition through this submission (Please tick relevant box)			
If you could gain an advantage in trade competition through this submission please complete point 4 below:			
4. <input type="checkbox"/> I am <input checked="" type="checkbox"/> I am not – directly affected by an effect of the subject matter of the submission that:			
(a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition. (Please tick relevant box if applicable)			
Note: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.			
5. <input type="checkbox"/> I wish <input checked="" type="checkbox"/> I do not wish – to be heard in support of my submission in person (Please tick relevant box)			
6. <input type="checkbox"/> I will <input checked="" type="checkbox"/> I will not – consider presenting a joint case with other submitters, who make a similar submission, at a hearing. (Please tick relevant box)			
7. Do you wish to present your submission via Zoom? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
8. Please complete section below (insert additional boxes per provision you are submitting on):			
The specific provision of the plan that my submission relates to:			
<i>Earthworks – EW-02, EW-R4, EW-R1, EW-S4</i> <i>Setbacks</i>			
Do you: <input type="checkbox"/> Support <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Amend (Please tick relevant box)			
What decision are you seeking from Council?			
Reasons: <i>See attached.</i>			
Please note: All submissions will be treated as public documents and will be made available on Council's website. However, you may request that your contact details (but not your name) be withheld. If you want your contact details withheld, please let us know by ticking this box. <input type="checkbox"/>			



Submission on the Central Hawkes Bay Proposed District Plan

August 2021

Introduction

The Aggregate and Quarry Association (AQA) is the industry body representing construction material companies which produce 45 million tonnes of aggregate and quarried materials consumed in New Zealand each year.

Funded by its members, the AQA has a mandate to increase understanding of the need for aggregates to New Zealanders, improve our industry and users' technical knowledge of aggregates and assist in developing a highly skilled workforce within a safe and sustainable work environment.

AQA welcomes the opportunity to submit on the [Central Hawkes Bay Proposed District Plan \("Proposed Plan"\)](#). We generally support the Proposed Plan subject to the amendments which are outlined in this submission. We are pleased to see that many of the recommendations we made on the Plan when it was released as a Draft have been adopted.

In this submission we provide:

- General comments on the Draft Plan, and;
- Specific submission points on the Proposed Plan, including suggested recommended amendments, provided in the table below.

General Comments

Aggregate is a significant resource for the district, regional and national economies. A sustainable supply of aggregate is essential for continued development - to provide for building, construction and roading projects associated with growth, and to maintain and redevelop existing infrastructure.

While demand for aggregate continues to grow across New Zealand, current supplies are being exhausted, mandating a need to provide future supplies. It is important to note, 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 (an additional 30km travel typically doubles the cost of aggregate). Such aggregate resources must be found, subjected to feasibility studies, before necessary approval to extract is secured (involving consultation with affected parties), prior to extraction, and processing. To find, assess, seek approval and develop a new aggregate extraction and processing site can take many years at significant cost.

Aggregate extraction is a temporary land-use whereby the aggregate material is extracted and processed before the area is rehabilitated to a former use, or an alternative and/or enhanced use. Responsible environmental management using best practice

approaches is an integral part of any aggregate extraction and processing venture. We make further comment on this in the table below under the Site Reinstatement clause.

Central Hawkes Bay and Aggregate Supply

In Central Hawkes Bay aggregate supply is mostly sourced from rivers not from hard rock sources.

River flows are becoming more and more inconsistent – and this trend is likely to intensify as climate change increases. This means the available supply of river sourced gravel for extraction will likely contract over time.

Increasing development for building and infrastructure in the district and neighbouring areas is likely to increase in the coming years putting pressure on available river-sourced supply. This will mean hard rock quarrying is likely to be needed in the near future. We welcome the forward-thinking provisions of the Proposed Plan which are amenable to hard rock quarrying as well as gravel extraction.

Proposed Central Hawkes Bay District Plan

This Proposed District Plan has been prepared in line with the Government's new National Planning Standards (NPS) and it has a separate overlay for mineral extraction.

In general, the Proposed District Plan recognises the importance of quarrying and its provisions are conducive to it. In general, we support the objectives, policies, rules and standards of the Draft Plan as they relate to quarrying although we have some comments as provided in the table below.

Earthworks

We note there is a standalone chapter on Earthworks in the Proposed Plan with provisions and quarrying located within it. These provisions are differentiated from general earthworks which is important as quarrying activities are typically significantly different activities from general earthworks.

Quarry and quarrying activities have their own specific definitions in the Proposed Plan distinct from Earthworks. All of these are taken from the National Planning Standards.

To avoid potential confusion between earthworks and quarrying, further measures are needed in places as specified in the table.

Effects Management Hierarchy

In the Earthworks Chapter here are several references to “avoid, remedy or mitigate” adverse effects (the “effects management hierarchy”). We fully support this approach but for the avoidance of doubt, recommend that offsetting and compensation, which some government documents and RMA case law include as part of the hierarchy, be added to the list. We have referred to this in the table below under EW-O2 but to avoid repetition have not replicated the recommendation as it applies throughout the Proposed Plan.

Setbacks

As mentioned above, aggregates are a site-specific resource which means access to mineral resource needs to be identified and protected

We advocate the use of setbacks to ensure that incompatible activities are not established in close proximity to existing or future mineral extraction activities to avoid potential reverse sensitivity effects. This would safeguard the benefit and amenity of neighbouring activities and residents as well as the interests of the quarries.

We are promoting an approach which would allow district plans to determine setback distances on a case-by-case basis rather than specifying prescribed distances.

Table: Specific submission points on the Proposed Central Hawkes Bay Plan

REF	Provision	Support / Oppose	Comments	Recommendation
EW-02		Support in part	We support this objective which applies the effects management hierarchy but it would be improved if, for the avoidance of doubt, offsetting and compensation were included as well as “avoid, remedy and mitigate”.	... avoided, remedied, or mitigated, <u>offset or compensated</u> , while ...
EW-R4		Support	We support the permitted activity status for quarrying in the General Rural Zone and Rural Production Zone subject to conditions. We support the conditions (with the exception of EW-S4) as discussed below.	
EW-R1		Support	We support the permitted activity status of “Gravel extraction within the bed of a river” subject to rules administered by the Hawkes Bay Regional Council.	
EW-S4	Site Reinstatement	Support in part	Site reinstatement is normal practice for quarries at the end of their life. However, the timeframes for quarrying are longer than this clause envisages. Six months after disturbance ceases may not be enough time. We ask that quarrying be added to the list of exceptions.	
Standards	Setbacks	New	AQA is proposing a policy framework to safeguard future access to mineral resources in the District. Consistent with this policy framework, appropriate setback performance standards are proposed to ensure that incompatible activities are not established in close proximity to existing or future mineral extraction activities to avoid potential reverse sensitivity effects.	Add a new performance standard requiring a setback for “sensitive activities” in relation to: 1) quarrying activities (either legally operating or consented for future use); and 2) Any areas identified by Council as containing significant mineral resources for future extraction.

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