
Submission on Napier City Proposed District Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Napier City Council - Planning Unit

Date received: 15/12/2023

Submission Reference Number #:177

This is a submission on the following proposed plan (the **proposal**): Napier City Proposed District Plan

Submitter:

Aggregate and Quarry Association

Address for service:

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Attachments:

Submission AQA - Napier Proposed Plan.pdf

I wish to be heard: No

I am willing to present a joint case: No

Could you gain an advantage in trade competition in making this submission?

- No

Are you 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

- No

Submission points

Point 177.1

Section: General

Sub-section: General

Provision: General

Sentiment: Oppose

Submission:

Please see the attached submission.

Key points of our submission

- It is troubling that there is not more reference, or clarity given, to quarrying as an important primary production economic activity. We recommend this is rectified in the Proposed District Plan.
- The Proposed District Plan does not acknowledge land containing aggregate resource as land that should be protected against competing land uses.
- The definitions relevant to the quarrying sector are taken from the National Planning Standards, which we support, including “primary production”. However, references to primary production in the Proposed District Plan exclude quarrying and support for primary production does not extend to quarrying.
- Land containing quarry materials is more productive than soils used for agriculture because of the value and scarcity of the aggregates produced. We recommend that the Council revisit references to highly productive land after planned changes to the National Policy Statement for Highly Productive Land 2022 have been made by the new Government.

General comment on aggregates and Napier

1. Aggregate (crushed rock, gravel and sand) is an essential resource for the construction of housing, roading projects and other transport infrastructure. It is used for general construction – in concrete, asphalt, mortar and other building products.
2. Aggregate is also important for increasing resilience and adapting to extreme weather events and climate change.
3. Due to unprecedented levels of construction and infrastructure development activity, there is growing demand for aggregate which is in short supply in many parts of New Zealand including Napier and the surrounding region.
4. Not only is Napier a fast-growing district where aggregate is needed to support infrastructure and other construction activity. It is also consuming a lot of aggregate in the cyclone recovery and rebuild.
5. Aggregate deposits are ‘location specific’ – limited in quantity, location and availability. They can only be sourced from where they are physically located and where the industry is able to access them.
6. It is therefore important that the District Plan does not shut off access to potential aggregate resources. Council planning must identify where the rock is located and protect those areas from other development and alternative land uses.
7. Due to its weight and volume, aggregate is very expensive to transport. An additional 30kms of travel typically doubles the cost of aggregate. This highlights that shifting large volumes from outside the region or far from where it is to be used is very expensive and would increase the cost of many of the proposed projects.

General comment on the plan

1. There is little mention of quarrying in the Proposed District Plan which is a concern given its importance to the district and the unique characteristics of aggregate which make planning for it so important as discussed in General comment on Aggregates and Napier above.
2. Many quarrying activities will fall under the Earthworks chapter, but quarrying activities are significantly broader than just earthworks and not having specific references to quarrying in the plan will create uncertainty.
3. The Proposed District Plan is (understandably) protective of agriculture, horticulture, viticulture and rural lifestyle land but quarrying, which is often located in rural areas is neglected and in fact disadvantaged by the protections provided these industries.
4. The rural zones in the proposed Napier plan include Rural Lifestyle, Rural Production and Settlement – none of which are very enabling of quarrying. Unlike many other district plans, the proposed Napier plan does not have a General Rural Zone.
5. The implications of not allowing for quarrying in the Proposed District Plan are that the aggregate resource will not be protected against competing land uses. Consents to quarry may be harder to come about and quarry companies may be deterred from seeking a consent. Napier will be disadvantaged if it does not have access to affordable quarry materials.

Relief sought

Please see the attached submission

Point 177.2

Section: Definitions

Sub-section: General

Provision: General

Sentiment: Support

Submission:

1. The Proposed District Plan generally uses the National Planning Standards definitions throughout, including those relating to quarrying. We support this approach – the use of these definitions is helpful for consistency and to avoid misinterpretation.
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Point 177.3

Section: Definitions

Sub-section: Definitions

Provision:

means:

- a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities;

PRIMARY PRODUCTION

- and
- b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);
- c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but
- d. excludes further processing of those commodities into a different product.

Sentiment: Amend

Submission:

1. The Proposed District Plan uses the National Planning Standards for “primary production”, which we fully support. This definition incorporates quarrying as a primary industry, as it should. However, references to primary production in the Proposed District Plan exclude quarrying and support for primary production does not extend to quarrying.

Relief sought

Provide for quarrying activities in the PDP (inferred).

Point 177.4

Section: Definitions

Sub-section: Definitions

Provision:

HIGHLY PRODUCTIVE LAND

has the same meaning as in National Policy Statement for Highly Productive Land 2022 (as below):

means land that has been mapped in accordance with the NPSHPL and is included in an operative regional policy statement as required by the NPSHPL.

Sentiment: Amend

Submission:

1. The definition of “highly productive land”, is not taken from the National Planning Standards. Instead, it has the same meaning as in the National Policy Statement for Highly Productive Land 2022 (NPS-HPL).

1. The NPS-HPL places a significant focus on land-based agriculture and reliance on use of the soil. It needs to be noted that land containing quarry materials is also highly productive. In fact, it is significantly more productive than soils used for agriculture because of the value and scarcity of the aggregates produced relative to the value of agricultural commodities.

2. Like highly productive soils, aggregate deposits, can only be sourced from where they are physically located and where the industry is able to access them. The original intent of the NPS-HPL was to protect highly productive land for future primary production. This would include quarrying recognising that other factors in addition to soil determine the productive capacity of land.

Relief sought

1. We recommend that the Council revisit this after planned changes to the NPS-HPL have been made by the new Government.

Point 177.5

Section: RPROZ - Rural Production Zone

Sub-section: Issues

Provision:

RPROZ-I6: Some rural land uses have cumulative effects on natural and physical resources

Some rural activities such as vegetation removal, landfills, gravel extraction, quarrying, and the removal of vegetation from stream margins can deplete the life supporting capacity, quality, and diversity of soils, and other natural resources.

The cumulative effect of development over the long term can place pressures on natural and physical resources and their associated values. While the principal function of the Rural Production Zone is for primary production, rural land can also deliver public benefits in natural resource management, biodiversity conservation, and protection of landscapes and views. If not managed in an integrated manner, cumulative effects can eventually lead to the gradual diminishing of environmental quality.

Subdivision, use, or development cumulatively will reduce the availability and productive capacity of highly productive land.

Sentiment: Oppose

Submission:

The Rural Production Zone is ostensibly zoned for what it calls primary production but geared towards agriculture, horticulture, and viticulture land uses and not primary production as defined in the Interpretation section of the proposed plan ie not quarrying. This is made clear in the chapter's introduction and throughout.

Sometimes the term land-based primary production activities is used but it still excludes quarrying.

RPROZ-I6 goes as far as specifying gravel extraction and quarrying as activities which are depleting natural resources.

Submission from the AQA on the Proposed Napier District Plan December 2023

Introduction

1. The Aggregate and Quarry Association (AQA) is the industry body representing quarrying companies which produce 45 million tonnes of aggregate and quarried materials consumed in New Zealand each year.
2. 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.
3. We would like to thank the Napier District Council for the opportunity to comment on the [Napier Proposed District Plan \(the Proposed District Plan\)](#). Our submission is limited to issues impacting on quarrying.

Key points of our submission

- It is troubling that there is not more reference, or clarity given, to quarrying as an important primary production economic activity. We recommend this is rectified in the Proposed District Plan.
- The Proposed District Plan does not acknowledge land containing aggregate resource as land that should be protected against competing land uses.
- The definitions relevant to the quarrying sector are taken from the National Planning Standards, which we support, including "primary production". However, references to primary production in the Proposed District Plan exclude quarrying and support for primary production does not extend to quarrying.
- Land containing quarry materials is more productive than soils used for agriculture because of the value and scarcity of the aggregates produced. We recommend that the Council revisit references to highly productive land after planned changes to the National Policy Statement for Highly Productive Land 2022 have been made by the new Government.

General comment on aggregates and Napier

4. Aggregate (crushed rock, gravel and sand) is an essential resource for the construction of housing, roading projects and other transport infrastructure. It is used for general construction – in concrete, asphalt, mortar and other building products.
5. Aggregate is also important for increasing resilience and adapting to extreme weather events and climate change.

6. Due to unprecedented levels of construction and infrastructure development activity, there is growing demand for aggregate which is in short supply in many parts of New Zealand including Napier and the surrounding region.
7. Not only is Napier a fast-growing district where aggregate is needed to support infrastructure and other construction activity. It is also consuming a lot of aggregate in the cyclone recovery and rebuild.
8. Aggregate deposits are 'location specific' – limited in quantity, location and availability. They can only be sourced from where they are physically located and where the industry is able to access them.
9. It is therefore important that the District Plan does not shut off access to potential aggregate resources. Council planning must identify where the rock is located and protect those areas from other development and alternative land uses.
10. Due to its weight and volume, aggregate is very expensive to transport. An additional 30kms of travel typically doubles the cost of aggregate. This highlights that shifting large volumes from outside the region or far from where it is to be used is very expensive and would increase the cost of many of the proposed projects.

General comment on the plan

11. There is little mention of quarrying in the Proposed District Plan which is a concern given its importance to the district and the unique characteristics of aggregate which make planning for it so important as discussed in General comment on Aggregates and Napier above.
12. Many quarrying activities will fall under the Earthworks chapter, but quarrying activities are significantly broader than just earthworks and not having specific references to quarrying in the plan will create uncertainty.
13. The Proposed District Plan is (understandably) protective of agriculture, horticulture, viticulture and rural lifestyle land but quarrying, which is often located in rural areas is neglected and in fact disadvantaged by the protections provided these industries.
14. The rural zones in the proposed Napier plan include Rural Lifestyle, Rural Production and Settlement – none of which are very enabling of quarrying. Unlike many other district plans, the proposed Napier plan does not have a General Rural Zone.
15. The implications of not allowing for quarrying in the Proposed District Plan are that the aggregate resource will not be protected against competing land uses. Consents to quarry may be harder to come about and quarry companies may be deterred from seeking a consent. Napier will be disadvantaged if it does not have access to affordable quarry materials.

Specific provisions in the Proposed District Plan

Interpretation

16. The Proposed District Plan generally uses the National Planning Standards definitions throughout, including those relating to quarrying. We support this approach – the use of these definitions is helpful for consistency and to avoid misinterpretation.
17. The Proposed District Plan uses the National Planning Standards for “primary production”, which we fully support. This definition incorporates quarrying as a primary industry, as it should. However, references to primary production in the Proposed District Plan exclude quarrying and support for primary production does not extend to quarrying.
18. The definition of “highly productive land”, is not taken from the National Planning Standards. Instead, it has the same meaning as in the National Policy Statement for Highly Productive Land 2022 (NPS-HPL).
19. The NPS-HPL places a significant focus on land-based agriculture and reliance on use of the soil. It needs to be noted that land containing quarry materials is also highly productive. In fact, it is significantly more productive than soils used for agriculture because of the value and scarcity of the aggregates produced relative to the value of agricultural commodities.
20. Like highly productive soils, aggregate deposits, can only be sourced from where they are physically located and where the industry is able to access them. The original intent of the NPS-HPL was to protect highly productive land for future primary production. This would include quarrying recognising that other factors in addition to soil determine the productive capacity of land.
21. We recommend that the Council revisit this after planned changes to the NPS-HPL have been made by the new Government.

Rural Production Zone

22. The Rural Production Zone is ostensibly zoned for what it calls primary production but geared towards agriculture, horticulture, and viticulture land uses and not primary production as defined in the Interpretation section of the proposed plan ie not quarrying. This is made clear in the chapter's introduction and throughout.
23. Sometimes the term land-based primary production activities is used but it still excludes quarrying.
24. RPROZ-16 goes as far as specifying gravel extraction and quarrying as activities which are depleting natural resources.

Wayne Scott

Chief Executive Officer

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