

# Submission on the Proposed Selwyn District Plan

## December 2020

### 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.

Selwyn is a fast-growing district which has increasing demand for aggregate. High population growth and significant road and housing developments are occurring, and this is expected to continue.

AQA welcomes the opportunity to submit on the [Proposed Selwyn District Plan](#) ("Proposed Plan"). We generally support the direction of the Proposed Plan subject to the amendments which are outlined in this submission.

In this submission we have provided:

- General comments on the Proposed 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 30 km travel cost 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.

## **Proposed Selwyn District Plan**

This is one of the first Proposed District Plans that gives effect to the government's National Planning Standards (NPS).

We note there is a standalone chapter on Earthworks in the Proposed Plan. It appears as though these provisions could potentially apply to quarrying which could cause issues as quarry and quarrying activities have their own specific definition in the National Planning Standards and quarrying is included within the definition of "primary production". Such definitions are discreet from the definition of Earthworks in the National Planning Standards.

The AQA is interested in future growth and planning restrictions that have the potential to adversely affect the general operation of mineral extraction. In particular we want to ensure that:

- Aggregate resources are recognised as a significant and essential resource for development
- New planning provisions do not unreasonably restrict future access to aggregate resources
- New planning provisions provide for an efficient and cost-effective planning process to allow aggregate extraction and processing activities
- Development does not result in reverse sensitivity effects constraining existing or future mineral extraction activities.

Failure to adequately plan for future aggregate extraction within Selwyn would lead to a substantial increase in costs of aggregate supply as a result of increased transportation costs, and this would have flow-on effects on the cost of development and maintaining existing infrastructure. It would also increase levels of heavy transport on local and state highway roads which will adversely affect the environment, New Zealand's economic productivity and the interests of road users generally.

Sound planning is required to ensure that future access to aggregate resources is sufficiently recognised, provided for and protected for future generations.

## **Setback Distances**

We support the setback distances as set out in in GRUZ-REQ11. However, for the record, we would like to state our preference for an alternative approach which we are promoting at the national level.

Rather than specifying prescribed distances, we believe district plans should allow setback distances to be determined on a case-by-case basis.

There are a number of factors that need to be considered to ensure the benefit and comfort of neighbouring activities and residents as well as the interests of the quarries and its customers. If the environmental effects of quarrying such as noise, dust and vibration etc can be addressed by other parts of the District Plan, then it begs the question as to whether prescriptive setback distances are necessary. Aligning any setbacks with appropriate standards such as noise limits is preferable to prescribed distances.

Table: Specific submission points on the Proposed Selwyn District Plan

REF	Provision	Support / Oppose	Comments
<b>Part 1</b>			
Definitions	Definitions		We support the use of National Planning Standards definitions used for the following: primary production, quarry, quarrying activities, cleanfill area, and cleanfill material.
<b>Part 2</b>			
Policy EW-P4	Require that during and on completion of earthworks any visual impact, loss of privacy, dust nuisance, and shading from earthworks does not detract from the amenity values and quality of the environment.	Oppose	The wording of Policy EW-P4 is ambiguous. It appears to conflate the activity of earthworks with subsequent use of a site that has been subject to earthworks. We recommend it be reworded
Objective NOISE-O1	The health and wellbeing of people and communities and their amenity values are protected from significant levels of noise.	Support	We support the protection of people and amenity values from significant levels of noise.
Policy NOISE-P1	Manage noise effects by setting: <ul style="list-style-type: none"> <li>1. Maximum noise limits to reflect the character and amenity of each zone;</li> <li>2. Limits on the location, frequency, and duration of specific activities that generate noise;</li> <li>3. A vibration standard.</li> </ul>	Support	We support the application of noise standards.
<b>Part 3</b>			
Objective GRUZ-O1	Subdivision, use, and development in rural areas that: <ul style="list-style-type: none"> <li>1. supports, maintains, or enhances the function and form, character, and amenity value of rural areas;</li> </ul>	Support	We support this objective as it specifically provides for Primary Production. We note quarrying is included in the National Planning Standards definition of Primary Production.

REF	Provision	Support / Oppose	Comments
	<ol style="list-style-type: none"> <li>2. prioritises primary production, over other activities to recognise its importance to the economy and wellbeing of the district;</li> <li>3. allows primary production to operate without being compromised by reverse sensitivity; and</li> <li>4. retains a contrast in character to urban areas.</li> </ol>		
Policy GRUZ-P1	<p>Maintain or enhance rural character and amenity values of rural areas by:</p> <ol style="list-style-type: none"> <li>1. retaining a low overall building density, and predominance of vegetation cover;</li> <li>2. enabling primary production while managing adverse effects of intensive primary production, and mineral extractive industries;</li> <li>3. managing the density and location of residential development; and</li> <li>4. retaining a clear delineation and contrast between the district's rural areas and urban areas, including Christchurch City.</li> </ol>	Support	We support the 'enabling' of primary production (and quarrying) in the Policy.
Policy GRUZ-P7	<p>Reverse Sensitivity Avoid reverse sensitivity effects on lawfully established primary production activities.</p>	Support	We support the intent of Policy GRUZ-P7 to protect lawfully established quarries from reverse sensitivity effects. The policy should extend to activities that have been authorised but have not yet been established.
Policy GRUZ-P8	<p>Mineral Extraction Provide for mineral extraction in the General Rural Zone to meet the District's and region's supply needs, while:</p> <ol style="list-style-type: none"> <li>1. maintaining the amenity values of sensitive activities in the surrounding area;</li> </ol>	Support in Part.	We support the policy provisions for mineral extraction.  However, we oppose clause 3, ' <i>managing the location of mineral extraction activities</i> ' as this overlooks the fact that minerals are locationally constrained (see text in body of submission) and there is less scope for this. So we recommend that the clause be rewritten so it

REF	Provision	Support / Oppose	Comments
	<ol style="list-style-type: none"> <li>2. internalising adverse environmental effects as far as practicable using industry best practice and management plans; and</li> <li>3. <i>managing the location of mineral extraction activities.</i></li> </ol>	Oppose GRUZ-P8 clause 3	acknowledges this and that its clear it refers to mineral extraction in proximity to sensitive activities and residential zones and not more broadly.
Policy GRUZ-P9	<p>Mineral Extraction Ensure that mineral extraction sites are rehabilitated to:</p> <ol style="list-style-type: none"> <li>1. enable use of the land for an alternative permitted or consented activity that provides economic, environmental, social, or cultural benefit; and</li> <li>2. an appropriate final landform that maintains or enhances the amenity values of the surrounding area.</li> </ol>	Support	We acknowledge the importance of rehabilitation and we support this policy
Rule GRUZ-R20	<p>Mineral Prospecting Activity status: PER 1. Any mineral prospecting.</p>	Support	We support the permitted activity status applied to mineral prospecting
Rule Requirement GRUZ-REQ11	<p>Sensitive Activity Setback from Mineral Extraction 1. The sensitive activity shall be setback to any lawfully established operational mine or quarry post the decision date of this District Plan, or any operational mine or quarry located on any property listed in GRUZ-SCHED1 by:</p> <ol style="list-style-type: none"> <li>1. 200m to any excavation; and</li> <li>2. 500m to any processing; and</li> <li>3. 500m to any activity that involves blasting.</li> </ol>	Support in part	<p>We support GRUZ-REQ11 to protect lawfully established quarries from reverse sensitivity effects. However, it should also to area authorised to be excavated as part of a quarrying activity as well as existing.</p> <p>Please also note the comments under Setback distances in the body of the submission which outlines what we are trying to achieve at a national level.</p>