

# Submission on the Planning Bill and Natural Environment Bill

February 2026

## Introduction

The Aggregate and Quarry Association (AQA) is the industry body representing construction material companies which produce an estimated 48 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.

## Key points of our submission

- 1) An NES for Quarrying is essential in providing guidance to permitting decision makers on a simplified and consistent approach to dealing with quarrying permits.
- 2) It is important that environmental limits allow for the specific characteristics of different regions and the system for establishing these limits is flexible enough to cater for regional and ecosystem variations. Given the new system is heavily dependent on the development of national instruments, it will be important that limits are set with a strong scientific basis.
- 3) Although provided for in Clause 104 of the Natural Environment Bill, greater use should be made of adaptive management plans as a means of ensuring positive environmental outcomes are achieved.
- 4) We support the concept of spatial planning and provisions within the Planning Bill to reduce the number of plans to a single plan for each region, together with the preparation of land use plans to enable the use and development of land by allowing activities while regulating effects.
- 5) The zoning or overlays in plans to provide for quarrying activity should be exempt from the provisions for regulatory relief, giving councils confidence to plan for essential aggregate and sand supply for their region.
- 6) The definition of infrastructure in Schedule 5 of the Planning Bill needs to be extended to include infrastructure supporting activities such as quarrying activities (as defined in the National Planning Standards and NPS Infrastructure).
- 7) Both Bills should provide clearer statutory guidance on how competing objectives and outcomes are to be prioritised and reconciled. Reliance on broad evaluative judgement should be reduced in favour of clearer rules, standards and decision-making hierarchies.

We make the following submission in relation to the Natural Environment and Planning Bills.

## National Environment Standard for Quarrying

We support national direction including the National Policy Direction and National Environmental Standards as they provide guidance to permitting decision makers on a consistent approach to dealing with particular issues. National direction is key to ensure the positive effects of development are balanced with regional variations in community expectations and protection of the environment.

National Standards should include a National Environment Standard (NES) for Quarrying to streamline natural resource permitting, and ensure quarrying is conducted in an environmentally and socially responsible way, while providing direction to local authorities on the protection of existing quarries from encroachment of non-compatible land uses.

As natural resource permits are discretionary activities under the Bills, an NES for Quarrying is essential to allowing permitted and restricted discretionary activities for quarry permits, together with more standardised consent conditions.

Appendix 2. contains a draft NES for Quarrying.

## Environmental limits

The Natural Environment Bill requires environmental limits to be set for air, freshwater, coastal water, land, soil, and indigenous biodiversity.

Quarries fully expect to meet environmental and resource management requirements for new or renewed permits. We support the goal of “no net loss” of indigenous biodiversity and use of the effects management hierarchy i.e. avoid, mitigate, offset or compensate, as it provides for improved environmental outcomes from activities like quarrying.

Given the potential for some projects to have significant environmental benefits and/or effects, we would not like to see any weakening of environmental safeguards or reduction in the information required on environmental effects associated with any project.

The draft NES for Quarrying, currently with Ministry for the Environment for consideration, contains environmental limits for a number of quarrying activities and therefore would address some of these requirements for quarrying activities.

Given the new system is heavily dependent on the development of national instruments (including hard environmental limits), it will be important that limits are set with a strong scientific basis to ensure resource use is not necessarily constrained and allows options for local communities to best manage resource use to achieve the economic, environmental, social and cultural aspirations for their region.

Appendix 1. contains an example of a no net loss approach to a quarry development.

## Adaptive management plans

Although provided for in Clause 104 of the Natural Environment Bill, greater use should be made of adaptive management plans as a means of ensuring positive environmental outcomes are achieved.

Embedding management plans within permits will enable the consenting authority and permit holder to ensure outcomes are achieved by providing a more agile approach when thresholds of effects on the receiving environment need to be adjusted.

Regular review of these plans will ensure that consequences on the environment that were not anticipated during the permitting process can be addressed quickly rather than relying on a protracted process for the review of consent conditions.

## Spatial planning

New Zealand needs a secure supply of quarry materials to provide affordable housing and infrastructure now and for future generations.

We consider it imperative that local authorities are directed to protect key resource areas and enable their development in order to both protect existing quarries from encroachment of non-compatible land uses such as housing, reduce reverse sensitivity potential, and to enable the expansion of these resources and development of new greenfield resources.

We support the concept of spatial planning and provisions within the Planning Bill to reduce the number of plans to a single plan for each region, together with the preparation of land use plans to enable the use and development of land by allowing activities while regulating effects.

## Regulatory relief

While we support the principle of property rights, we are concerned at the possible unintended consequences of the regulatory relief provisions in the Bills.

While not specifically listed, the zoning of land or overlays to provide for quarrying will undoubtedly generate claims under these provisions. Councils may seek to recover these costs from resource consent applicants significantly raising the cost of development contributions. The value of land may also be exaggerated by landowners to compensate them for restrictions on land use if they cannot seek regulatory relief.

Quarry materials are not universally available and can only be sourced from where they are located (locationally constrained due to geology). Without spatial planning that provides for adequate access to resources at workable locations, there is the real risk of losing access to such proximate resources.

The impact of potential claims for regulatory relief may mean that councils avoid making decisions on land use for fear of landowner claims.

The zoning or overlays in plans to provide for quarrying activity should be exempt from the provisions for regulatory relief, giving regional spatial planning committees confidence to plan for essential aggregate and sand supply for their region.

## Designations

Schedule 5 of the Planning Bill provides for designations which are a set of provisions in a land use plan relating to a project. While infrastructure is defined in the schedule, it is not

clear that designations extend to quarrying activities which are critical to the infrastructure supply chain.

It is important that designation provisions are available to quarries required for the supply of aggregate and sand for infrastructure, housing and climate change adaptation. In the event that the development of significant infrastructure is fast-tracked, construction materials such as aggregate must be available in quantities to complete the works.

The definition of infrastructure in Schedule 5 needs to be extended to include infrastructure supporting activities such as quarrying activities (as defined in the National Planning Standards and NPS Infrastructure).

### Use of undefined terms

The presence of undefined terms will inevitably lead to protracted legal proceedings for the courts to interpret what was intended. Such litigation would take time and be very costly, a highlighted weakness in the current Resource Management system.

An example of this problem is the language used in the Planning Bill's goals. The Bill's goals include terms such as "unreasonably affect others" (clause 11(1)(a)) and "inappropriate development" (clause 11(1)(g)) that are not defined in the legislation. Without clearer definition or statutory guidance, decision-makers and courts will develop varying interpretations, undermining the consistency and predictability the reform is intended to deliver.

Both Bills should provide clearer statutory guidance on how competing objectives and outcomes are to be prioritised and reconciled. Reliance on broad evaluative judgement should be reduced in favour of clearer rules, standards and decision-making hierarchies.

### General comments

We generally support the Natural Environment and Planning Bills.

New Zealand needs a secure supply of quarry materials to provide affordable housing and infrastructure now and for future generations. In order to do this, it is critical that planning is streamlined, quarry resources are protected so they can supply vital construction materials, and quarry land is returned as an asset to the community once extraction is complete.

We consider it imperative that local authorities are directed to protect key resource areas and enable their development in order to both protect existing quarries from encroachment of non-compatible land uses such as housing, reduce reverse sensitivity potential, and to enable the expansion of these resources and development of new greenfield resources.

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## Appendix 1.



# Case Study

*Conserving natural wetlands at Pukekawa quarry.*

## Pukekawa Quarry

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On the banks of the Waikato River, Winstone Aggregates has taken quarrying to the next level in a partnership with local iwi, and nature conservation work. At Pukekawa quarry, the wetlands and other waterways are on the rebound.

### Introduction

Pukekawa quarry has been operating on the banks of the Waikato River since the 1920s, a hard rock basalt quarry, and for the past 10 years, a sand extraction operation from the Waikato River. As part of the ongoing development and future of this North Waikato / South Auckland site, Winstone Aggregates prioritises the managing of environmental impacts, and engagement with iwi and local community.

Twelve people are employed on site, each multiskilled to cover a full range of materials extraction, processing and sales loadout. River dredging brings sand ashore for processing through a series of screens and gravity spirals, while basalt is blasted from the rockface and fed through a four-stage crushing and screening process, to produce a broad range of sand, roading and building products.



*Enhancing ephemeral waterways in the Waikato.*

## Managing overburden

As is the case for quarrying generally, overburden management is the largest waste stream and can only be managed economically on site. Four years ago, Winstones renewed its resource consents for storing overburden, best placed in gullies to absorb the volume in as small a space as practicable. Therein lies an issue of managing impacts on ephemeral waterways, and wetted pasture areas, under resource consent conditions.

To offset the impacts, Winstone Aggregates fenced off 4.8ha along a nearby stream, tributaries and wetlands, in all, 2.3km of fencing to exclude livestock on land leased to a drystock farmer. The company has controlled weeds, including willow, pampas grass, woolly nightshade and gorse; and animal pests, in particular, mustelids (stoats, weasels, ferrets).

Part of this work is the western stream enhancement, which started in 2017. This entailed 400 metres of fencing around the perimeter of the stream and an associated wetland.

Weed control and planting occurred first in the area referred to as Stream B. Wetland 3b has been the focus since 2019, where willow was prolific. There have been three seasons of treating the willow with a drill-and-poison method.

Works have proceeded in a staged manner, to improve the condition of streams and wetlands in the gully environment. 5300 eco-sourced native seedlings have been planted within this ecological restoration area, including kānuka, mānuka, mahoe, pittosporum, and harakeke/flax.

A stream diversion for placing overburden necessitated the collection of native in-stream fauna and moving them to unimpacted habitat. To date Winstone Aggregates has translocated 9 longfin and 39 shortfin tuna (eels), 18 kōura (freshwater crayfish), one banded kōkopu, and 4 inanga (whitebait). More translocations will occur as overburden is progressively placed.



*Shortfin eels (tuna)*



*Kōura (freshwater crayfish)*



*Inanga (whitebait)*

### Flax for Māori weavers

Winstone Aggregates has built a strong relationship with three local iwi, Ngāti Tamaoho, Ngaati Te Ata Waiohū, and Ngāti Amaru. Established as part of the sand extraction from the Waikato, a kaitiaki forum helps select plant species for site rehabilitation and ecological restoration.

In conjunction with the kaitiaki forum, Winstone Aggregates is planning to plant harakeke of a type suitable for local weavers to harvest. The area has to be accessible, provide open space for processing harakeke, and not be located within active quarrying operations. The company holds regular hui four times a year with the kaitiaki forum to discuss kaitiakitanga (stewardship) responsibilities in relation to quarrying operations and environmental management.

Local Māori are also interested in other plant species of cultural importance, eg for traditional medicinal use (rongoā), and again, a priority is to provide access to these plants.

Winstone Aggregates has also safeguarded access to a cultural site of significance for iwi, a tohu (landmark) in the form of a very large stone.

Held at the quarry, the hui are also an opportunity to share information on upcoming works of interest, and also what's happening for iwi of interest. Both sides also explore opportunities for partnership, for example funding an ecological survey of Namuheiro Island further down the Waikato River and supply of aggregate product to enable improved access to a burial area.

**Case study source:** Winstone Aggregates, in partnership with Ngāti Tamaoho, Ngaati Te Ata Waiohū, and Ngāti Amaru.

## Appendix 2.

### Resource Management (National Environmental Standards for Quarrying Activities) Regulations 2025

#### Title

1. These regulations are the Resource Management (National Environmental Standards for Quarrying Activity) Regulations 20XX.

#### Commencement

2. These regulations come into force on [Date].

### Part 1 - Preliminary provisions

#### Transitional, savings and related provisions

3. There are no transitional, savings or related provisions.

#### Interpretation

4. For the purpose of these regulations, unless the context requires another meaning:
  - a. **Riverbed aggregate extraction** means the removal of gravels and sands from dry river beds.
  - b. **Dry river beds** means the area of a river bed that is more than 1m from the edge of flowing water, when measured at the time the extraction is occurring.
  - c. **River bed** means the space of land which the waters of the river cover at its fullest flow without overtopping its banks.
  - d. **Ancillary activity** means, for the purposes of these regulations, an activity described in Part 3.
  - e. **Farm and Forestry Quarry** means the extraction of minerals for uses ancillary to farming, horticulture, or forestry, where one or more of the following circumstances apply: (i) the quarried material is used only on the property of extraction; (ii) no extracted material, including any aggregate is removed from the property of origin; or (iii) there are no retail or other sales of quarried material.
  - f. **Impervious Areas** means areas of pavement, concrete or other constructed or artificial hardstand that impedes rainwater infiltration and does not include areas of compacted in-situ aggregate, soil or other natural material used for Quarrying Activities.
  - g. **Overallocated** has the meaning specified in the National Policy Statement for Freshwater Management 2020.
  - h. **Quarry** means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities. [**Drafting note:** definition from National Planning Standards]
  - i. **Quarrying activity** has the meaning in the National Planning Standards, and, for the purpose of this regulation, also includes the recovery of aggregate-based construction products, the stripping and disposal of overburden, and the construction and use of internal roads. [**Drafting note:** definition from National Planning Standards together with additions]

5. Unless the context requires another meaning:
  - a. terms that are defined in the Act or the National Planning Standards, and are used but not defined in these regulations, have the meaning defined in the Act or the National Planning Standards; and
  - b. a reference in these regulations to a particular zone or overlay includes any equivalent zone or overlay that may be described in a different way. [**Drafting note:** for example, a reference in these regulations to a Special Purpose Quarry Zone includes a Mineral Extraction zone]

### Scope of regulations

6. These regulations apply to Quarrying and Ancillary activities associated with industrial rocks and building stones as defined by the Crown Minerals Act 1991. [**Drafting note:** the Crown Minerals Act definition “includes aggregate, basalt, diatomite, dunite, granite, limestone, marble, perlite, pumice, sandstone, serpentine, slate, sand, and gravel.”, and this definition could alternatively be directly included within these regulations]
7. These regulations apply to Quarrying activities carried out in any Special Purpose Quarry zone, General Rural zone, or Rural Production zone. (For the purposes of this clause, any unzoned land shall take of the zoning of the immediately adjacent land.)
8. These regulations do not apply to:
  - a. any activities carried out in the coastal marine area; or
  - b. Farm and Forestry Quarries.

### Relationship between regulations, water conservation order, plan rules and resource consents

9. A district rule or regional rule must not be more stringent than these regulations but may be more lenient than these regulations. If a district or regional rule is more lenient than an equivalent rule in these regulations, then that rule applies and the equivalent rule in these regulations does not apply.
10. A resource consent for Quarrying and Ancillary activities and River aggregate extraction activities must not impose conditions that are more stringent than the standards specified in these regulations.
11. These regulations are subject to any water conservation order made under Part 9 of the Resource Management Act 1991.
12. These regulations prevail over the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.

## Part 2 – Quarrying activities

### Quarrying activities

*Controlled activity: Quarrying activity [District Plan rule]*

13. Quarrying activity within a Special Purpose Quarry zone, General Rural zone, or Rural Production zone is a controlled activity subject to compliance with the following standards:
  - a. Operating pursuant to a Quarry Environmental Management Plan – refer Standard A1.x.x.
  - b. Noise – refer Standard A1.x.x;
  - c. Vibration and blasting – refer Standard A1.x.x;

- d. Height – refer Standard A1.x.x;
  - e. Lighting – refer Standard A1.x.x;
  - f. Setbacks from boundaries – refer Standard A1.x.x;
  - g. The extent to which entry and exit points to the site are designed to suitably accommodate all traffic movements.
14. The matters of control are limited to the standards identified in sub-clauses (c)-(h) above, and the contents of a Quarry Environmental Management Plan.

*Restricted discretionary activities: quarrying activity*

15. Quarrying activity within a Special Purpose Quarry zone, General Rural zone, or Rural Production zone that does not comply with any one or more of the controlled activity standards in sub-clauses (a)-(h) of clause 14 is a restricted discretionary activity.
16. The matters of discretion are limited to the particular controlled activity standard not complied with.
17. A consent authority will consider the relevant assessment criteria below for restricted discretionary activities:
- a. the extent to which the relevant controlled activity standard will be exceeded; and
  - b. the likely adverse effects of that non-compliance on any sensitive receiver to be assessed as at the date of the application.

*Controlled or Restricted Discretionary activities: Matters that must be disregarded*

18. In assessing any resource consent for a controlled activity or restricted discretionary activity for Quarrying and Ancillary activities or any River aggregate extraction activity, a consent authority must disregard:
- a. any adverse landscape and visual amenity effects of the Quarrying and Associated activities;
  - b. any adverse traffic safety or amenity effects associated with the transportation of aggregate on any public roads, provided that any traffic safety effects of vehicles entering and exiting a quarry site may be considered; and
  - c. any adverse effects on land values.

*Discretionary activities: quarrying activity*

19. Quarrying and Ancillary activities are a discretionary activity if they occur within any of the following Overlays:
- a. Outstanding Natural Landscapes or Outstanding Natural Features.
  - b. Sites of Significance to Mana Whenua.
  - c. Water Supply Protection.
20. Provided that:
- a. clause 20 does not apply if the Quarrying or Ancillary activity is proposed to occur within a Special Purpose Quarry zone;

- b. the discretionary activity classification only relates to that part of the Quarrying or Ancillary activity that occurs within the overlays identified in sub-clauses (a)-(c) of clause 20.

### **Part 3 - Ancillary activities associated with Quarrying activities**

#### **Vegetation clearance**

*Permitted activity: vegetation clearance [Regional Plan rule / District Plan rule]*

- 21. Vegetation clearance associated with any quarrying activity is a permitted activity subject to compliance with the following standards:
  - a. Any vegetation clearance (including vegetation classified as SEA) occurs within a Special Purpose Quarry zone.
  - b. Outside of a Special Purpose Quarry zone, the vegetation to be cleared is not classified as a SEA.

*Controlled activity: vegetation clearance*

- 22. Vegetation clearance associated with any Quarrying and Ancillary activity is a controlled activity if it does not comply with any of the standards described at clause 21.
- 23. The matters of control are:
  - a. The effects that the vegetation alteration or removal will have on ecological values, including on threatened systems and ecosystems.
  - b. The effects that vegetation removal will have on soil conservation, water quality and hydrological function of the catchment.
  - c. Methods to offset and compensate for the adverse effects of vegetation alteration and removal.
  - d. Methods to contain and control plant pathogens and diseases, and pest plants.

#### **Stormwater management**

*Permitted activity: discharge of stormwater from impervious areas [Regional Plan rule]*

- 24. The take, diversion, and discharge of stormwater from any Quarrying and Ancillary activity is a permitted activity subject to:
  - a. The activity operating pursuant to a certified Erosion and Sediment Control Plan – refer Standard A1.x.x.
  - b. Compliance with the following standards:
    - i. Suspended sediment/turbidity – refer Standard A1.x.x;
    - ii. Setbacks from waterbodies – refer Standard A1.x.x;
    - iii. Restrictions on activities above aquifers – refer Standard A1.x.x;
    - iv. Alkalinity – refer Standard A3.x.x.
    - v. Temperature – refer Standard A3.x.x.

- c. The discharge:
  - i. being free of contaminants, other than sediment and any residue flocculants or chemical treatment used to reduce suspended sediment;
  - ii. not causing flooding or runoff beyond the site boundary;
  - iii. not resulting in an increase in the flow in the receiving waterbody at the point of discharge of more than 1% of a flood event with an Annual Exceedance Probability of 20%;
- d. The discharge not causing, after reasonable mixing, any of the following effects in a river, lake or natural wetland:
  - i. the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
  - ii. any conspicuous change in the colour or visual clarity;
  - iii. any emission of objectionable odour;
  - iv. the rendering of fresh water unsuitable for consumption by farm animals; or
  - v. any significant adverse effects on aquatic life, provided that this standard shall be deemed to be complied with if the contaminant is sediment and it complies with 24(b)(i) above.

*Controlled activity: discharge of stormwater from impervious areas [Regional Plan rule]*

25. Subject to clause 26, the take, diversion, and discharge of stormwater associated with any Quarrying and Ancillary activity is a controlled activity if it does not comply with any of the standards described at clause 24.

26. The matters of control are:

- a. effects on compliance with water quality standards, including with any specific requirements for the Freshwater Management Unit inserted by a Freshwater Plan;
- b. potential effects on ecological and indigenous biodiversity values;
- c. measures to avoid erosion, scour and flood risk;
- d. location of the discharge point(s) and method of discharge and disposal;
- e. operation and maintenance requirements;
- f. monitoring and reporting.

*Discretionary activity: discharge of stormwater from impervious areas to ground within certain areas*

The discharge of stormwater in breach of [*insert any standards or other matters that should trigger DA status*] is a discretionary activity.

### **Take, divert and use of water**

*Permitted activity: divert groundwater [Regional Plan rule]*

27. The diversion of groundwater as a result of excavation associated with Quarrying and Ancillary activities is a permitted activity.

*Controlled activity: take and use of groundwater [Regional Plan rule]*

28. Subject to clause 31, the take and use of groundwater associated with any Quarrying and Ancillary activity from an identified aquifer [water management unit] is a controlled activity.

29. The matters of control are:

- a. the potential effects on other water users;
- b. the potential effects on surface water flows and associated values;
- c. the potential effects on sites of significance to mana whenua.

*Discretionary activity: take and use of groundwater from overallocated aquifer [Regional Plan rule]*

30. The take and use of groundwater associated with any quarrying activity for a consumptive use (i.e. dust suppression) from within an aquifer that is overallocated in terms of water quantity is a discretionary activity.

*Controlled activity: take, divert and use of surface water [Regional Plan rule]*

31. The take, divert and use of surface water associated with any Quarrying activity is a controlled activity unless it is classified as a discretionary activity under clause 40.

32. The matters of control are:

- a. the potential direct effects on other water users;
- b. the potential effects on surface water flows and associated values;
- c. the potential effects on sites of significance to mana whenua.

*Discretionary or restricted discretionary activity: take, divert and use of surface water from a Natural Stream Management Area [Regional Plan rule]*

33. The take, divert and use of surface water associated with any Quarrying and Ancillary activity from within a Natural Stream Management Area is a discretionary activity if the take, diversion or use occurs in any zone other than a Special Purpose Quarry zone.

### **Transfer of water permits for Quarrying Activities**

34. The temporary or permanent site-to-site transfer, in whole or in part, of a water permit to take or use water for any Quarrying or Ancillary activity a controlled activity, subject to:

- a. any site to site transfer being within the same catchment;
- b. the conditions of consent remaining unchanged, except changes required by the proposed transfer to the new location or to the new use.

35. The matters of control are:

- a. the potential direct effects on other water users arising from the transfer;

- b. the potential effects on surface water flows and associated values arising from the transfer or from the change in use.

### **Removal, reclamation or diversion of rivers and streams**

*Permitted activity: removal or reclamation of ephemeral and intermittent streams [Regional Plan rule]*

- 36. The removal or reclamation of ephemeral and intermittent streams associated with any Quarrying or Ancillary activity is a permitted activity, and the effects do not need to be offset or compensated for.

*Controlled activity: removal, reclamation or diversion of rivers and streams [Regional Plan rule]*

- 37. The removal, reclamation or diversion of any stream associated with any Quarrying activity is a controlled activity, subject to the following standards:

- a. not in Natural Stream Management Area, except in Special Purpose Quarry Zone.

- 38. The matters of control are:

- a. offsetting or compensation proposed;
- b. the potential effects on surface water flows and associated values.

*Discretionary activity: removal, reclamation or diversion of rivers and streams*

- 39. The removal or reclamation of any rivers or streams associated with any Quarrying or Ancillary activity that do not comply with clause 38 is a discretionary activity.

### **Discharge to air**

*Controlled activity: discharge to air [Regional Plan rule]*

- 40. The discharge of contaminants to air from any mineral extraction, processing and storage operation is a **controlled activity** subject to the following standards and terms:

- a. Any processing plant shall be located at least 160m metres from the nearest off-site dwelling not under the control of the Quarry operator.
- b. All quarrying and related earthworks shall be carried out in accordance with an approved Quarry Dust Management Plan.

- 41. The matters of control are:

- a. The methods to be used for monitoring of dust (as particulate matter) and wind speed and direction.
- b. The contents of a Quarry Dust Management Plan (QDMP) and in particular the following:
  - i. A description of the activity including: site layout, the nature of any earthworks, quarrying stages, and location of overburden disposal.
  - ii. Identification of any residential dwellings or other sensitive receptors within 100 metres of the site boundary.

- iii. A description of the sources of dust and the dust management methods that will be applied, including any specific mitigation measures if sensitive receptors are located within 100 metres to the property boundary including: use of water dust suppression on crushing and screening equipment; use of watercarts and/or pea gravel on unsealed haul roads; sealing of site accessways; and use of wheel washes.
- c. Dust management responsibilities for site staff.
- d. Dust complaint investigation and response procedures.
- e. Methods that will be used to monitor dust (as particulate matter) and wind and monitoring trigger values for dust management.
- f. Processes for review and updating of the QDMP, including provision of updates to the regulatory authority for its approval.

## **Part X – Riverbed aggregate extraction**

### **Riverbed aggregate extraction**

*Controlled activity: river aggregate extraction from the bed of a river [Regional Plan rule]*

42. Riverbed aggregate extraction, including associated vegetation clearance from the bed of a river, is a controlled activity subject to compliance with the following standards:
- a. The activity is not undertaken in, on, or under that part of any bed of any river classified as a Significant Natural Area, Significant Ecological Area, Outstanding Natural Landscape or Outstanding Natural Feature.
  - b. The activity is not undertaken in any inanga spawning habitat identified in the QMP during the period of 1 January to 1 June inclusive.
  - c. Excavation shall not occur within 50 m of birds which are nesting or rearing their young in the bed of the river, as identified in the QMP.
  - d. Excavation does not occur within, or within 1 m of, flowing water.
  - e. Excavation shall not occur to a depth greater than 1 m below water level, with the water level to be identified and specified in Quarry Management Plan prior to any extraction commencing.
  - f. The activity does not include the deposition of any substance, other than river bed material, on the bed of the river.
  - g. Any excavated material (other than overburden, surplus or reject material) is removed from the bed within 10 days of the material being excavated.
  - h. The activity is undertaken more than 50 m from any lawfully established dam, weir, culvert crossing, bridge, surface water intake or network utility pole or pylon, more than 150 m from any lawfully established water level recorder and more than 7.5 m from any existing defences against water unless the written approval of the asset owner is obtained.
  - i. The activity and any associated equipment, materials or debris does not obstruct or alter access to or the navigation of the river.
  - j. The activity does not include screening or any other processing of the aggregate within the bed of the river.

- k. The activity does not occur within a water supply protection zone.
- l. The activity does not occur in a Site of Significance to Mana Whenua [or equivalent overlay] as mapped in a District Plan.

43. The matters of control are:

- a. The effects associated with the controlled activity standards that are not complied with.
- b. The effects that the vegetation alteration or removal will have on ecological values, including on threatened systems and ecosystems.
- c. Methods to offset and compensate for the adverse effects on ecological values.
- d. Methods to contain and control plant pathogens and diseases, and pest plants.

*Discretionary activity: aggregate extraction from the bed of a river*

44. Aggregate extraction from the bed of a river is a discretionary activity if it does not comply with any of the controlled activity standards.

#### **Temporary culverts associated with aggregate extraction from the bed of a river**

*Permitted activity: temporary culverts*

45. Temporary culverts to enable aggregate extraction from the bed of a river are a permitted activity subject to compliance with the following standards:

- a. The culvert is in place for no more than 30 days.
- b. The activity is undertaken more than 50 m from any lawfully established dam, weir, culvert crossing, bridge, surface water intake plant or network utility pole or pylon, more than 150 m from any lawfully established water level recorder and more than 7.5 m from any existing defences against water.
- c. The activity is not undertaken in any inanga spawning habitat during the period of 1 January to 1 June inclusive.

*Controlled activity: temporary culverts*

46. Temporary culverts to enable aggregate extraction from the bed of a river are a controlled activity if it does not comply with any of the standards described.

47. The matters of control are:

- a. The effects associated with the permitted activity standards that are not complied with.
- b. Methods to offset and compensate for the adverse effects on ecological values.

#### **Part 4 – Other matters**

##### **Application of the National Policy Statement for Freshwater Management 2020**

48. The effects management hierarchy described in the National Policy Statement for Freshwater Management 2020 shall apply to quarrying activities (including associated activities), provided that:

- a. There is no requirement to avoid any adverse effects associated with aggregate extraction; and

- b. Any offset or compensation that is proposed or required by conditions of consent may occur on another site to that on which the quarrying activity is occurring.

### **Application of the National Policy Statement for Highly Productive Land 2022**

- 49. The National Policy Statement for Highly Productive Land 2022 does not apply to any activity undertaken pursuant to these regulations.

### **Bundling of resource consent applications**

- 50. In assessing any resource consent application, a consent authority must assess each controlled activity separately against the identified matters of control and must not bundle together any discretionary activities and controlled activities.

### **Term of resource consents for Quarrying and Ancillary activities**

- 51. The term of regional resource consents for Quarrying and Ancillary activities shall be 35 years, unless an applicant for consent seeks a shorter term.

### **Local authorities may charge for monitoring permitted activities**

- 52. A local authority may charge for monitoring activities that are permitted activities under these regulations, if the authority is responsible for monitoring those activities.

### **Notification of resource consent**

- 53. No controlled or restricted discretionary activity under these regulations shall be publicly notified or served on affected persons.

### **Notification of commencement of permitted activities**

- 54. Any person seeking to rely on a permitted activity shall give the Council at least 5 working days written notice of their intention to do so.