

# Submission from the AQA on the Proposed Waitaki District Plan

May 2025

## Introduction

1. The Aggregate and Quarry Association (AQA) is the industry body representing quarrying companies which produce 48 million tonnes of aggregate and quarried materials consumed in New Zealand each year.
2. We would like to thank the Waitaki District Council for the opportunity to comment on the [Proposed Waitaki District Plan](#) (the proposed plan). Our submission is limited to issues impacting on quarrying.
3. The Aggregate and Quarry Association is interested in the proposed plan because of the need to protect aggregate and other quarry materials from competing land use and future development of the district and its towns and communities, and to highlight its role in that development.

## Recommendation

4. Our recommendations are summarised in the table below.

	Recommendation
<b>General</b>	Finalisation of the proposed plan should be postponed until the Government's changes to national direction instruments particularly the highly productive land and indigenous biodiversity national policy statements are confirmed.
<b>ECO-P2 2 a iii</b>	The term:  <i>"aggregate extraction that provides significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand"</i>  is problematic and should be rewritten to be consistent with the Government's soon-to-be-released revised national policy statements.
<b>EW(Q) Part A</b>	We would prefer the use of a dedicated quarry chapter setting out the objectives, policies rules and standards

	relating to quarrying, over the current treatment where they are included in the Earthworks chapter.
<b>EW(Q)-R6</b> <b>Activity status in the General Rural Zone</b>	Change activity status from 'discretionary' to 'restricted discretionary'
<b>EW(Q)-R8</b> <b>Activity status in other zones</b>	Change activity status from 'non-complying' to 'discretionary'
<b>EW(Q)-P5</b> <b>Subclauses 1 and 2</b>	In keeping with the effects management hierarchy, 'offsetting' and 'compensation' should be included in these subclauses.

## General comment

- Aggregate (crushed rock, gravel and sand) is an essential resource for the construction of roads, concrete, manufactured concrete building materials, asphalt and other products. It is also important for increasing resilience and adapting to extreme weather events and climate change. Due to increasing levels of construction and infrastructure development activity, there is a growing demand for aggregate across the country as well as in Waitaki District.
- We welcome the recognition in the **Introduction of Part B of the Earthworks Chapter** of the proposed plan that aggregate extraction and associated processing and handling (quarrying activities) is an essential activity for providing roading, housing, critical and lifeline infrastructure.
- Aggregate is a finite resource. It can only be sourced from where it is physically located and where the industry is able to economically access it. There are limited opportunities to establish new quarries because of the 'location specific' characteristic of aggregate deposits.
- It should also be noted that due to its weight and volume, aggregate is very expensive to transport. An additional 30km of travel typically doubles its cost. Quarries should ideally be close to residential and other areas where the aggregate is likely to be needed, but not too close to cause problems for either the quarry or the residential area and associated activities in terms of reverse sensitivity issues.
- The AQA is a strong advocate for council planning across the country to identify where the rock and sand is located and to prevent sterilisation of those areas by new development, and alternative land uses, so that access to such resources is not lost.

## Comment on the plan

10. We have reviewed the sections and chapters of the proposed plan of relevance to us.

## Definitions

11. We support the definitions of '**Quarry**' and '**Quarrying Activities**' in the proposed plan which are taken from the National Planning Standards.
12. As well the importance of being consistent with National Planning Standards definitions generally, it is important to note these definitions work well for the quarrying sector as they encompass the wide range of activities involved with quarrying which are broader than just aggregate extraction. This is important as we discuss later in the submission in paragraphs 14 and 37.
13. We support the definition of '**Primary Production**', also taken from the National Planning Standards. This includes quarrying activities which is important as we set out later in the section on Highly Productive land (from paragraph 28).

## Earthworks Chapter

14. In the proposed plan, quarrying for aggregate activities (including gravel extraction) is addressed in Part B of the Earthworks chapter.
15. Even though a large component of quarrying activities involves earthworks, quarrying activities are significantly different from general earthworks and, consistent with the definitions in the Definitions section as discussed above, are much broader in scope.
16. We would prefer to see a separate, dedicated quarry chapter setting out the objectives, policies rules and standards relating to quarrying works rather than what is outlined in the proposed plan.
17. Having said that, separating Part B for quarrying for aggregate from the general earthworks rules in Part A, is a workable way around this.
18. We support the clarifying statements in the Earthworks Chapter highlighting that quarrying activities are not subject to the general earthworks provisions (Part A). This is very important to avoid complications and contradictions created by the two sets of objectives, policies and rules.

## New quarries in the General Rural zone

19. We support the provisions in **EW(Q)-P5** which enable quarrying activities to be undertaken in the General Rural Zone. This is important as there will be a need for new quarries throughout the district. The size of the General Rural Zone means this is where the location of new quarries, based on available resource, is likely to be. However, this may not always be the case and there needs to be provision for new quarries in other zones as we point out below.

20. We note that under the wording of subclauses 1 and 2 of **EW(Q)-P5** (as well as elsewhere in the Draft Plan) adverse effects need to be 'avoided, remedied or mitigated'. We support this but we argue that in keeping with the effects management hierarchy, 'offsetting' and 'compensation' should also be available to companies and need to be included in the wording of these subclauses.

### **Activity status in the General Rural Zone**

21. **EW(Q)-R6** provides a 'Discretionary' status for quarrying in the General Rural Zone. We recommend it should be changed to 'Restricted Discretionary'. This more enabling activity status is justified given the location specific characteristics of aggregate resources, as outlined in the earlier section.
22. We note other similar districts such as Selwyn District provide a Restricted Discretionary activity status for quarrying in their [General Rural Zone](#).
23. The matters for discretion which could be used, to borrow from that particular council, would include things like effects on amenity values and rural character and highly productive land; and preparation and implementation of a site rehabilitation plan.
24. Any proposal would still have to meet specific standards and strict conditions on matters the plan has listed for a consent to be issued.

### **Quarrying in other zones**

25. **Under EW(Q)-P7** quarrying activities are 'discouraged' outside the General Rural Zone (and the Special Purpose Macraes Mining Zone) due to the 'increased sensitivity of these receiving environments'.
26. We agree with the sentiment that there are places where quarrying is not appropriate due to its impacts. However, it is important that the term 'discourage' does not translate as 'prohibit' and that a consenting pathway is provided for quarrying with appropriate conditions given the location specific characteristics of aggregate resource.
27. Under **EW(Q)R8** the activity status for quarrying in zones excluding the General Rural Zone is 'non-complying'. We recommend this be changed to 'discretionary'. This would recognise the point made above about suitably located aggregate being hard to find and it would also be appropriate given the government's stated intention to remove this activity status under the upcoming resource management legislation.

## **General Rural Zone**

### **Highly Productive Land**

28. **GRUZ-P1** provides for the maintenance of highly productive land for primary production.

29. Because the definition of primary production in the Definitions section includes **quarrying activities**, as it should, we interpret GRUZ-P1 as providing quarrying activities with a consenting pathway on highly productive land.
30. We point out that extractive activities are the most productive of all primary production activities given the value of the aggregate resource. For these reasons, and due to its location specific characteristic as set out earlier, the inclusion of quarrying activity on highly productive land under certain conditions is appropriate.
31. The definition of highly productive land in the Definitions section of the proposed plan includes LUC 1, 2 or 3 land. We note the Government has announced Cabinet agreement to remove LUC-3 protections from the National Policy Statement on Highly Productive Land (NPS-HPL) and so this should be reflected in the Definitions section and elsewhere in the proposed plan.
32. We note there are likely to be further amendments made to the NPS-HPL as signalled by the Minister for RMA Reform. These are expected to be released in May 2025 (any day now) and so we recommend decisions made in this area are consistent with this and that finalisation of the proposed plan is postponed until after the NPS-HPL decisions are confirmed.

## Ecosystems and Indigenous Biodiversity Chapter

33. There are several references in the Ecosystems and Indigenous Biodiversity chapter to the National Policy Statement for Indigenous Biodiversity (NPS-IB). Like the NPS-HPL, referred above, this is shortly due to be further amended as signalled by the Minister for RMA Reform.
34. Again, we recommend the proposed plan is consistent with these changes and that finalisation of the proposed plan is postponed until after the NPS-IB changes are confirmed.
35. There are many parts of the NPS-IB that are problematic for the industry that have been replicated in the proposed plan, and which are likely to be part of the upcoming changes.

### **Protection of Significant Natural Areas ECO-P2 2 a iii**

36. For example, in **ECO-P2 2 a iii** the term “aggregate extraction that provides significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand” is very problematic for a number of reasons.
37. Firstly, the term “aggregate extraction” is too narrow a term for quarrying activities as discussed in the Definitions section of this submission.
38. This is important as non-extraction activities associated with quarrying, for example processing will need to be located adjacent to the aggregate extraction. As written, these would be excluded.
39. The term “significant national or regional public benefit” is undefined and the

uncertainty this brings would likely cause legal challenges as to whether a project is significant and whether the benefit is correctly defined as a public benefit.

40. The term “that could not otherwise be achieved using resources within New Zealand” provides even more uncertainty as to what exactly is meant by this and the different ways of interpreting it.
41. Notwithstanding our issues with the wording, as discussed above, we support the intent of the clause which is intended to enable quarrying activities in SNAs in certain circumstances.
42. While we recognise the special nature of SNAs, it is important that a consenting pathway is provided as in some cases the benefit to the region of extracting the resource will be so great, a prohibition would be counterproductive.

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