Submission from the AQA to New Zealand Petroleum & Minerals on the Minerals Programme for Minerals (Excluding Petroleum)

February 2025

Introduction

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.

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

We would like to thank you for the opportunity to submit on the Minerals Programme for Minerals (the MPM).

General

We are generally supportive of the MPM, and fully support the submission made by Straterra, having participated in the expert working group of professionals convened by Straterra to inform their submission.

Sourcing aggregate locally, safely, at reasonable cost and in environmentally sustainable ways is fundamental to New Zealand's future. In order to sustainably derive value from aggregate, it is critical that mineral permit processes are simplified and 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.

Chapter 2 – Regard to the Principles of the Treaty

2.8 Requests by iwi or hapū to protect certain land

We are concerned that clause 2.8(1) may be applied to permits currently under application, or under change applications, including for subsequent permits on already permitted land. This would have serious impacts on investment certainty and deter investment in quarries needed for regional development.

This clause should be amended to exclude permits currently under application, including change applications, and subsequent permits on already permitted land.

We are concerned that clause 2.8(1)(h) could be used as a reason to exclude land from permitting without consulting the quarry sector. Many quarries, including those

requiring mining permits, operate in areas that could be classified as archaeological sites. A regulatory process exists already under the Heritage New Zealand Pouhere Taonga Act 2014, including in relation to wāhi tapu and the like.

Clause 2.8(1)(h) should be deleted because it is unnecessary and is currently dealt with under the Heritage New Zealand Pouhere Taonga Act 2014.

2.9 Matters the Minister must consider when considering requests to protect certain land

Clause 2.9(f) implies predetermination that the land will be protected, which is unlikely to be the Crown's intent. Subclause (f) should be reworded as follows:

> *(f) how the proposed activity may affect the land being considered for protection.*

Chapter 6 – Methods of allocating permits

6.1 Introduction

It is our experience that NZP&M is undertaking the process step in clause 6.1(5) in much less than 60 working days. We propose 20 working days should be sufficient, noting there does not appear to be a statutory time frame for this process in the Act.

6.2 Overlapping permit applications

We do not support the new clause 6.2(9). It is not clear how the Minister would decide whether the application was made to avoid the provisions relating to duration under s36 of the Act, or who would be providing that information. It is also unclear whether the applicant would be allowed an opportunity to review the information upon which a Ministerial decision was going to be made. Any Overlapping Permit or Overlapping Land Extension should be assessed on its merits and not on subjective views as to the reasons for that application.

Clause 6.2(9) should be deleted as it is unnecessary.

Chapter 10 – Mining permits

10.3 Assessment of mining permit area

A number of quarries have mining permits over only a portion of the land being quarried. We therefore propose that clause 10.3(2) be reworded as follows:

> *2) A mining permit (or any EOL) will ordinarily be granted over an unbroken area, except if the mining is to be carried out in respect of both Crown-owned and privately owned minerals, or unless the Minister considers that special circumstances exist as set out in clause 4.6.*

10.15 Restoration

Clauses 10.15 and 13.6 refer to the term "restoration". The term "restoration" is inappropriate here because it implies a return of land to the condition it was in prior to

the quarrying activity, which is unachievable in practice. We propose replacing the term "restoration" with "rehabilitation", which is a technical term used by the industry, and is in common parlance under the Resource Management Act (RMA).

Clause 10.15(2) is unnecessary regulatory duplication because this matter is dealt with already under the RMA. Clause 10.15(2) should be deleted.

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