



Proposed National Policy Statement for Highly Productive Land

Submission Template

We would like to hear your views on the proposed National Policy Statement for Highly Productive Land (NPS-HPL).

Please feel free to use this template to prepare your submission. Once complete please email to soils@mpi.govt.nz.

You can also make a submission using the online submission tool. A link to the online submission tool is available at www.mpi.govt.nz/HighlyProductiveLand.

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Are you submitting on behalf of an organisation? Yes [] No []

If yes, which organisation are you submitting on behalf of?

J Swaps Contractors

Submissions are public information

All or part of any written submission (including names of submitters) may be published on the Ministry for Primary Industries' website, or the Ministry for the Environment's website. Unless you clearly specify otherwise in your submission, the ministries will consider that you have agreed to have your submission and your name posted on their websites.



Contents of submissions may be released to the public under the Official Information Act 1982, if requested. Tell us if you do not want some or all of your submission released, stating which part(s) you consider should be withheld and the reason(s) for withholding the information.

Under the Privacy Act 1993, people have access to information held by agencies about them. Any personal information you send with your submission will only be used in relation to matters covered by this document. In your submission, indicate if you prefer that we do not include your name in the published summary of submissions.

Questions for submitters

The questions for submitters that are included throughout the discussion document are provided below. We encourage you to provide comments to support your answers to the questions below. You do not have to answer all questions for your submission to be considered.

The page numbers mentioned below indicate where further information about the question is located in the discussion document.

Please use the space below to provide any additional comments you may have.

Please find attached the submission from J Swaps.

Submission on the National Policy Statement for Highly Productive Land by J Swap Contractors Limited

J Swap Contractors Limited (Swaps) is a member of the Aggregate and Quarry Association (AQA) and aligns itself with the AQA submission on the National Policy Statement for Highly Productive Land (NPS-HPL). Swaps seeks to provide feedback on the NPS-HPL and the impact it may have on the mineral extraction (quarrying) industry.

Swaps is engaged in the extraction, processing and transporting of aggregate (crushed rock, gravel and sand), overburden and cleanfill; and has substantial investment in land and other capital assets in the quarry industry. Swaps currently operates ten hard rock quarries across the Bay of Plenty and Waikato regions, and ranks as fourth largest producer of aggregates by volume in New Zealand.

Therefore, Swaps is a significant contributor to the economic growth and development of communities throughout the North Island, including specialized product for roads, rail and infrastructure development, as well as for housing and industrial building facilities.

Quarries need to be located close to the area of end use for transport efficiencies, and to minimize carbon outputs associated with excessively long cartage movements. However, the location is restricted by a number of dynamics including location of the aggregate rock source, topography (favourable slopes required), accessibility, and surrounding (neighbouring) land use activities. Where suitable rock is not locally available, product must be carted to those regions from quarries located elsewhere; with all the necessary (increased) transportation costs and associated implications in terms of affordable materials.

The majority of quarries are located in the rural sector; and both quarrying and mining are recognised as primary production, along with other agricultural, pastoral, horticultural, forestry and aquaculture activities. This approach has been accepted in the National Planning Standards, where mineral extraction and mining involve the production of raw materials, and are recognised as part of the primary sector’s contribution to the national economy. In this regard, the definition under the NPS-HPL for ‘primary production’ has not included quarrying and mining, creating an inconsistency with the National Planning Standards definition, as follows (emphasis added):

Definition in the NPS-HPL for primary production	Definition in the National Planning Standards 2019 for primary production
<p>Primary production means:</p> <ul style="list-style-type: none"> a. any agricultural, pastoral, horticultural, or forestry activities; and b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); and 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. 	<ul style="list-style-type: none"> a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; 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.

The NPS-HPL should, therefore, recognise that quarrying and mining are also part of primary production; and that they are limited by location to certain sites within rural areas, and provide significant benefits for social, cultural and economic wellbeing. Further, when quarrying and mining activities are complete, reinstatement and rehabilitation of the site returns the land for pastoral and

agricultural activities. Therefore, the NPS-HPL should recognise such factors and make provision where appropriate within highly productive land.

Primary production, including quarrying and mining, also needs protection from reverse sensitivity resulting from incompatible new development seeking to establish in close proximity. The risk of urban expansion, new housing or sensitive activities seeking to locate closer to quarrying, mining and other primary production activities creates an increased potential for concerns to be raised about noise, vibration, dust, traffic disturbance, visual and amenity values. This can become highly restrictive and problematic for quarrying and mining, and other primary production activities; and is a potential adverse outcome recognized as reverse sensitivity. This is addressed in Policy 5 of the NPS-HPL for primary production, hence the definition for primary production should also include quarrying and mining.

Accordingly, Swaps seeks changes to the NPS-HPL provisions to provide greater recognition of quarrying and mining as primary production, and being appropriate within highly productive land, and requiring protection from adverse effects of reverse sensitivity.

The following submission points are made:

1. Swaps seeks that the NPS-HPL should recognise and not limit existing aggregate extraction activities or expansion of these activities - as once completed, the land can be re-contoured and re-grassed and become further agricultural productive land.
2. Swaps supports the mapping of highly productive land which meets the criteria, and also identifying those areas where the soils are of poor quality – i.e. these rural areas may be highly appropriate for mineral extraction. Accordingly, Policy 1 is supported in principle, and further amendments should be provided to recognise the importance of quarrying and mining and also to exclude areas of poor soils where mineral extraction may be more appropriate.
3. Swaps seek that the definition for 'primary production' is consistent with the National Planning Standards released in 2019. Swaps do not support the proposed NPS-HPL definition which has removed quarrying and mining.
4. Swaps seek that the NPS-HPL needs to recognise the importance of mineral extraction, with benefits for economic, social and cultural wellbeing; as well as recognising that the location for existing and potential mineral extraction areas is limited to certain areas, i.e. limited to where aggregate is found and/or accessibility. Therefore, Policy 2 is supported in principle; and the NPS-HPL should make adequate provision for existing and potential mineral extraction areas, acknowledging that quarry and aggregate extraction activities are appropriate in areas of highly productive land.
5. Swaps seek that the NPS-HPL should also address reverse sensitivity for existing quarrying activities and future mineral extraction areas, as urban expansion can become restrictive for ongoing and future quarry activities. Accordingly, Policy 5 is supported in principle, subject to this policy recognising primary production includes quarrying and mining.

Swaps appreciates the opportunity to engage in consultation and generally supports the NPS-HPL but highlights the need for NPS-HPL to recognise the importance of the mineral extraction industry.