

February 2007



# Aggregate News

## LIABILITY

In these days of increasing litigation, one has to be increasingly vigilant as to what liability one is exposed to.

A recent incident highlighted the extent of the liability of both the Principal and the Contractor. The circumstances were that a company was contracted to truck material and stockpile it at a site by a river. To access the site, the trucks used a formed track which was also used by pedestrians, joggers, other motorists etc.

Following a complaint from a nearby resident concerning the amount of traffic, health and Safety ordered the operation to cease until a separately defined access way was marked and enforced.

Health and Safety officers advised that while the contracting trucking company could be held responsible in the event of an accident. The Principal (in this case a member of the Association would also be held liable).

Do not assume therefore that your liability stops once the vehicle or material has left your control. Your liability may extend much further than that.

### IoQ & AQA Conference

Preparations are well advanced for the Conference.

Sponsorship and exhibitor material will be sent to all sponsors and exhibitors in the very near future, while Registration Forms will be out in April.

Just make sure those dates (11-13 July) are kept free.

And mark your calendar for 9-11 July 2008 for the 40th Conference and the meeting of the International Presidents of IOQ in Auckland

### Legislative Changes

#### Waste Minimisation (Solids) Bill

The Association made submissions to the Local Government and Environment Select Committee gearing the above Bill. The submissions seemed to be well received. Two questions were asked, one relating to the 500 tonnes exemption and the second relating to the private/partner relationship and the need for the funds to be contestable.

A copy of the Association's submissions have been previously circulated. The Select Committee is due to report back on 29 June 2007

Aggregate & Quarry  
Association of New  
Zealand Incorporated

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### DIARY DATES

#### 2007

IoQ/AQA Joint  
Conference  
Wellington  
Wednesday 11 July -  
Friday 13 July

#### 2008

IoQ/AQA Joint  
Conference  
Auckland  
Wednesday 9 July -  
Friday 11 July

# Aggregate News

## District Plans

The Association has an ongoing relationship with a firm of planning consultants who closely monitor all planning activity that could affect members or the industry, and make submissions on our behalf.

The following is the latest activity report as presented to the Council at its last meeting:

### Oreti River Water Conservation Order

Preliminary hearings have commenced on the Oreti River Water Conservation Order, which the AQA submitted on last year. The hearings for those who have submitted in opposition are scheduled to be held on 18 - 20 April 2007.

There has been a change of dates because the Southland Regional Council are looking at releasing decisions on the Water Sections of its Proposed Regional Plan in March, which will have implications for the hearings.

The Ministry for the Environment has advised that Fish and Game's evidence will be available on the Council's website in the next couple of weeks, so as we can start looking into it further.

### Proposed Waikato District Plan

The time for lodgement of appeals against the various decisions on this plan has now passed, and advice has been forwarded to the AQA on matters that may be of interest to join as parties under section 274 of the Resource Management Act 1991.

[Note, AQA is a party to the hearings under s274, conjointly with the New Zealand Minerals Association]

### Private Plan Change - Papakura District Plan

We have received an acknowledgement that the AQA's submission has been received by Papakura District Council. We are awaiting advice of the further submissions period, and then hearings following this.

### Taranaki Regional Policy Statement

A submission has been lodged on behalf of the AQA, we are awaiting the further advice of the Council as to the period of further submissions, hearings etc.

A general letter of support has also been prepared, which the Association will willingly send to support the application of any of its members who are making submissions.

A copy of the sample letter is attached

Aggregate & Quarry  
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#### COUNCIL

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Bruce Taylor,  
Fulton Hogan

##### Vice-President

James Boyce  
Holcim Aggregates

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## **SUPPORT OF AGGREGATE AND QUARRY ASSOCIATION OF NEW ZEALAND (INC) IN RELATION TO QUARRY PROPOSAL**

The Aggregate and Quarry Association of New Zealand (Inc) has produced this letter in support of a proposal to <description of proposal> by one of our member companies, <company name>.

### **The Aggregate and Quarry Association of New Zealand**

The Aggregate and Quarry Association of New Zealand (Inc) ("AQA") was formed in 1969 by companies involved in extracting and supplying gravel and allied materials in New Zealand, in response to the need for an industry group that could represent aggregate suppliers on a range of issues. Since the formation of the AQA the membership has widened to include other minerals producers, such as lime producers. Membership of the AQA stands at over 80 companies, which between them product 85% of the aggregates and allied raw materials used in New Zealand.

The AQA takes its responsibilities regarding the environment seriously, and is committed to encouraging its member companies' in avoiding, remedying or mitigating the effects of operations on the surrounding environment.

In support of economic sustainability, The Association promotes the reuse and recycling of aggregates.

### **The Importance of Aggregate and Mineral Resources to New Zealand**

Aggregate and mineral resources are essential for development of New Zealand generally. Aggregate resources in particular are primarily used by the building industry in the construction of our towns and cities, and for roads. Most aggregate deposits are fixed in location, unevenly distributed, and are generally a non-renewable resource.

The main uses of aggregate resources are:

- **Construction and Roading Industry:** uses large amounts of roading and concrete aggregates.
- **Subdivision and Urban Growth:** uses significant quantities of aggregates in the creation of new neighbourhoods and urban areas.
- **Infrastructure Development and Maintenance:** uses vast amounts of aggregate, particularly in the form of concrete.
- **Farming:** quarried rock in used on farm tracks and races, and large quantities of lime are also used for fertilisers.
- **Forestry:** in relation to the large networks of roads that are required to undertake harvesting activities.
- **Coal Mining:** uses large quantities of roading aggregates within its coal mines.

The value of commodities quarried in New Zealand continues to increase, and since 2003 the value of industrial minerals, including aggregates has increased in 23%. New Zealand's aggregate production peaked at over 35 million tonnes in 2004, increasing from 20 million tonnes in 1993.

The resident population in New Zealand on 31 December 2004 was 4,084,200 people, and as stated above, the aggregate production was in excess of 35 million tonnes. This production equates to a per capita consumption of 8.6 tonnes per annum of quarry products. It is anticipated that demand for aggregate resource will continue to increase as population growth and urban expansion continues to occur.

The aggregates industry comprises approximately 100 producer companies, employing approximately 25,000 people. Many of these companies are relatively small operators, but there are also a number of large aggregate companies which represent a large market share of the production of aggregate resources.

### **The Aggregates Industry and the Resource Management Act 1991**

Section 5(2)(a) of the Resource Management Act 1991 promotes the management of the use, development and protection of natural and physical resources in a way, or at a rate, that enables people and communities to provide for their social, economic and cultural well-being and for their health and safety. Minerals (including aggregates) are excluded however, from the requirement to sustain the potential to meet the reasonably foreseeable needs of future generations.

In terms of section 31 of the Act, the effects of extractive industries are controlled by territorial authorities. Effects surrounding soil conservation and discharge of contaminants to air and water are controlled by regional councils.

The AQA seeks a planning regime that supports the ongoing activities of the industry, whilst ensuring that the adverse environmental effects of those activities are avoided, remedied or mitigated.

### **The Proposal**

The AQA supports <member company>'s proposal to <describe proposal> for the above reasons, and because <free text in relation to proposal>

The AQA would be pleased to discuss its position further, and invites you to contact its Executive Director, Roger Parton on 0-4-568 9123.

Yours sincerely

Roger Parton  
**EXECUTIVE DIRECTOR**