

Please enter your details below:

1. Details of further submitter:

* Submitter Name: Full name, or Name of Organisation / Company	Goodman Contractors Limited
Contact person for submission: (If different to above)	Marianne Archer
Telephone no: (Not required)	Optional
* Address for service: (Email, or physical address) Please note, an <u>email address</u> is the preferred method	marianne@goodmans.nz
* I wish to be heard in support of my submission at a hearing	No
* I would consider presenting a joint case at the hearing with others who make a similar submission	Yes

2. Criteria applicable to Further Submitter:

* Only certain people may make further submissions Please select the option that applies to you:	
A) I am a person representing a relevant aspect of the public interest; or	Yes
B) I am a person who has an interest in the proposal that is greater than the interest the general public has (for example, I am affected by the content of a submission); or	Yes
C) I am the local authority for the relevant area.	No
* Specify the reasoning behind why you qualify for either of these above options:	I am making this further submission under criteria A because the ability to conduct earthworks for transport and water construction is of great public benefit, and therefore in the public interest. I am also making this further submission under criteria B, because I work in a civil construction business that will be directly impacted by the changes.

3. For the further submitter to action

<p>Service of your further submission: Please note that any person making a further submission must serve a copy of that submission on the original submitter no later than five working days after the submission has been provided to Greater Wellington. Each submitter has an address for service available at: NRP PC1 Address for Service</p> <p>If you have made a further submission on a number of original submissions, then copies of your further submission will need to be served with each original submitter.</p>
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4. Disclosures:

If providing a submission on behalf of a company / organisation

I confirm that I have authority to do so:



Date:

8/03/2024

Public information:

Note that under the RMA all submissions and accompanying data must be made available for public inspection. To achieve that, Greater Wellington Regional Council will publish all Further Submissions and accompanying data on our website.

In providing a further submission on the Natural Resources Plan, Plan Change 1, you confirm that you have read and understood the below:

[Plan Change 1 to the Natural Resources Plan Information Statement.](#)

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. Please contact us at privacy@gw.govt.nz.

5. Further Submission:

- The original submissions received have been summarised into submission points and collated into one summary table.

This document(s) is a Summary of Decisions Requested:

[NRP PC 1 - Summary of Decisions Requested – By Submitter](#)

[NRP PC 1 - Summary of Decisions Requested –By Provision](#)

- Further submitters can submit on multiple submission points (identified in the Summary of Decisions Requested above) within the following section. Please use additional pages if necessary.

- If you are providing suggested text amendments to a provision, please do so in the following format:

- Suggested added text, shown as **bolded text** format

- Suggested deleted text, shown as ~~striketrough~~ format

Please enter your Further Submission in the next worksheet. All of the original submitters and their associated submission points on the proposed change have been included so please place your comments in the corresponding cells.

If you have questions on how to use this submission form please email one of our friendly team at regionalplan@gw.govt.nz

Natural Recourses Plan: Chapter	Natural Recourses Plan: Provision	Original Submitter Name, and Number	Submission point Number	Stance*	Decision Sought *	Decision Sought "The decision I would like the Council to make on this submission point is..."	Reason for feedback:
Filter original submission point by the chapter location	Filter original submission point by specific provision title	Filter by the original submitter Name and associated Submitter Number	Unique identifying number allocated to each specific submission point	Support Oppose Support in part Oppose in part Not stated	Allow Disallow Allow in part Disallow in part	<p>Illustrate which aspects of this original submission that you support or oppose.</p> <p>Please identify which part(s) (if not the whole submission point) of the original submission point that this further submission is in reference to.</p>	Please provide a summary of the reasons why you support or oppose this original submission to help us understand your position.
General comments	Earthworks	S285 - Civil Contractors New Zealand	S285.003	Support	Allow	GWRC to take more responsibility for planning and consenting appropriate cleanfill site locations across the region, especially if this material must be disposed of at an official cleanfill site. The wording 'to a cleanfill site' should be removed in the short term, as there are very few available sites.	The region is currently experiencing a major shortage of available cleanfill disposal sites, with a single significant site left in Wellington near the Southern Landfill, and this is escalating project costs. If this single remaining site fills up, shipping cleanfill out of the region will greatly escalate cost and reduce project efficiency.
Chapter 2	Earthworks	S285 - Civil Contractors New Zealand	S285.006	Support	Allow	<p>Reinstate the previous definition of earthworks.</p> <p>Remove 'to a cleanfill area' from the point in definition for 'all other whaitua'.</p>	<p>Changing the definition of earthworks will require considerable resource from industry to understand and implement. The existing definition of earthworks is well understood, and the complication arising from a new definition for Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua is not needed.</p> <p>The addition of 'to a cleanfill area' to 2.2 (i) is problematic as there are significant constraints around sites in the region at the moment and the availability of cleanfill sites needs to be taken into account. If it is not, this will hamper the ability to deliver infrastructure projects</p> <p>The new definition proposed may also result in a significant rise in consent applications being required for minor pipe or road repairs, which is something that should be avoided as it will not add value and council is unlikely to be resourced to handle the required volume of consent applications in a timely way.</p>

Chapter 8	Table 8.4: Target attribute states for rivers.	S285 - Civil Contractors New Zealand	S285.018	Support	Allow	Delete specific reference to test methodologies from the plan and handle site testing based on the nature of the site and its location. Or, (minimum) make sure the test method used is industry appropriate, and not increasing cost without adding value.	Test methodologies should be appropriate to how monitoring occurs on site and the industry uses turbidity as a measure for earthworks consents, whereas PC1 specifies a measure of total suspended solids. Concern that this requires a lab test which will take 1-2 weeks to report a result which is arbitrary because it is based on a point in time, and suggests there is not enough lab testing capacity to conduct testing. Notes the impact of the type of material being worked (consider pumice vs iron sand) and their relative exceedance of the 100g/m3 threshold. Considers it is unclear who a 'suitably qualified person' for monitoring discharge would be. Suggests the qualification needs to be achievable by contractors due to project costs and delays.
Chapter 8	Policy WH.P31: Winter shut down of earthworks.	S285 - Civil Contractors New Zealand	S285.019	Support	Allow	Delete policy WH.P31 If amended rather than deleted, ensure sufficient and appropriate exemptions exist to provide some ability for winter earthworks in situations where potential sediment can be well managed and controlled. Increasing hard shutdown of work sites over winter is not tenable for the region's civil construction industry.	This policy will be catastrophic for the region, and greatly reduce contractor capacity. A 'hard shutdown' over winter will render civil construction and earthmoving companies unable to retain staff (impossible to hold a job where you cannot work for four months of the year). In turn, this will increase project costs significantly. The plan change also does not take into account differences in material worked or terrain and that some winter works must be allowed via resource consents or some other avenue, if the site meets certain criteria. Notes some jobs (sand jobs) have much less sediment and runoff in rainfall and winter is actually a better time for these jobs to run, as there is less dust.
Chapter 8	Rule WH.R6: Stormwater from new greenfield impervious surfaces –	S43 - Fulton Hogan Ltd	S43.015	Support	Allow		

	controlled activity.						
Chapter 8	Rule WH.R23: Earthworks – permitted activity.	S285 - Civil Contractors New Zealand	S285.024	Support in part	Allow	Amend Rule WH.R23 to reinstate the exemptions for certain earthworks activities as exist for 'other Whaitua', including for the thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and for the construction, repair, upgrade or maintenance of pipelines. Any consequential amendments, to other relevant provisions, which are in general accordance with this request.	It is important rules of this nature are as simple and easy to apply as possible. Many earthworks activities undertaken by contractors working for local authority transport teams and Waka Kotahi have significant public benefits would be unable to meet the permitted activity conditions of proposed Rule WH.R23, inclusive of minor repairs and maintenance of three waters infrastructure. Notes that a burst pipe may require resource consent as a restricted discretionary activity under Rule WH.R24 and this could lead to hundreds of resource consent applications per annum for minor earthworks activities. We are concerned council would not have capacity to perform this work on a timely basis.
Chapter 8	Rule WH.R24: Earthworks – restricted discretionary activity.	S285 - Civil Contractors New Zealand	S285.025	Support	Allow	Amend policy WH.R24 (b) If amended, ensure sufficient and appropriate exemptions exist to provide some ability for winter earthworks in situations where potential sediment can be well managed and controlled. At a minimum, a provision should be added for 'Regionally significant infrastructure'. Amend to either specify which sort of test is used and leave this to implementation guidance, or refer to the correct on-site test method (NTU).	The shutdown of earthworks between 1 June and 30 September is inappropriate as works can be managed during this period with no adverse effects. Test methodologies should add value rather than just adding complexity and cost, and be appropriate to how monitoring occurs on site. The industry uses turbidity as a measure for earthworks consents, whereas PC1 specifies a measure of total suspended solids (inappropriate as different materials have a different weight - i.e. iron sand vs pumice).
Chapter 8	Rule WH.R33: Take and use of water in the Whaitua Te Whanganui-a Tara – restricted discretionary activity.	S285 - Civil Contractors New Zealand	S285.026	Support	Allow	Amend to consider use of standpipes, water use on infrastructure projects and emergency water take	This policy needs to better reflect the realities around water use in projects and work sites, or it could inflict significant delay on works and hamper ability of contractors and emergency services to respond.

Chapter 9	Policy P.P28: Discharge standard for earthworks sites.	S285 - Civil Contractors New Zealand	S285.030	Support	Allow	Strongly amend to remove prevention of winter work permits, amend to either specify which sort of test is used and leave this to implementation guidance, or refer to the correct on-site test method (NTU).	Strongly opposes and considers the shutdown of earthworks between 1 June and 30 September is inappropriate as works may be able to be managed during this period with no adverse effects. Notes test methodologies should be appropriate to how monitoring occurs on site and the industry uses turbidity as a measure for earthworks consents, whereas PC1 specifies a measure of total suspended solids. Concern that this requires a lab test which will take 1-2 weeks to report a result which is arbitrary because it is based on a point in time, and suggests there is not enough lab testing capacity to conduct testing. Notes the impact of the type of material being worked and their relative exceedance of the 100g/m3 threshold. Considers it is unclear who a 'suitably qualified person' for monitoring discharge would be. Suggests the qualification needs to be achievable by contractors due to project costs and delays.
Chapter 9	Policy P.P29: Winter shut down of earthworks.	S285 - Civil Contractors New Zealand	S285.031	Support	Allow	Amend policy P.P29 (a) to ensure sufficient and appropriate exemptions exist to provide some ability for winter earthworks in situations where potential sediment can be well managed and controlled	A hard shutdown of earthworks between 1 June and 30 September is inappropriate as many works may be able to be managed during this period with no adverse effects. A hard shutdown should be avoided where possible, as this creates the situation where companies cannot retain staff, and the region will lose capability and capacity, as well as facing much higher costs and extended project timeframes due to staffing shortages and severely restricted ability to carry out works.
Chapter 9	Rule P.R22: Earthworks – permitted activity.	S285 - Civil Contractors New Zealand	S285.032	Support in part	Allow in part	Amend the definition of earthworks that governs Rule P.R22, to reinstate the exemptions for certain earthworks activities as exist for 'other Whaitua', including for the thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and for the construction, repair, upgrade or maintenance of pipelines.	Many earthworks activities undertaken by contractors working for local authority transport teams and Waka Kotahi have significant public benefits but would be unable to meet the permitted activity conditions of proposed Rule WH.R23, inclusive of minor repairs and maintenance of three waters infrastructure. Does council have capacity to consent this additional workload on a timely basis?

						Any consequential amendments, to other relevant provisions, which are in general accordance with this request.	
Chapter 9	Rule P.R23: Earthworks – restricted discretionary activity.	S285 - Civil Contractors New Zealand	S285.033	Support	Allow	Amend policy P.R23 (b), which proposes inappropriate and excessive shutdown of earthworks over winter. Ensure sufficient and appropriate exemptions exist to provide some ability for winter earthworks in situations where potential sediment can be well managed and controlled. At a minimum, a provision should be added for 'Regionally significant infrastructure'. Amend to either leave this to implementation guidance specify which sort of test is used , or refer to the correct on-site test method (NTU)	The shutdown of earthworks between 1 June and 30 September is inappropriate as works may be managed during this period with no adverse effects. Notes test methodologies should be appropriate to how monitoring occurs on site and the industry uses turbidity as a measure for earthworks consents, whereas PC1 specifies a measure of total suspended solids. Concern that this requires a lab test which will take 1-2 weeks to report a result which is arbitrary because it is based on a point in time, and suggests there is not enough lab testing capacity to conduct testing. Notes the impact of the type of material being worked and their relative exceedance of the 100g/m3 threshold. Considers it is unclear who a 'suitably qualified person' for monitoring discharge would be. Suggests the qualification needs to be achievable by contractors due to project costs and delays.

07/03/2024

Dear Greater Wellington Regional Council,

I am writing in support of the submission made by Civil Contractors New Zealand on your proposed Natural Resources Proposed Plan Change 1.

I request that you consider the feedback made in the submission, and the impact proposed changes may have on the local civil construction industry, and the region's ability to carry out infrastructure projects.

Specifically, and with priority I request that you:

- Do not proceed with your proposal to implement different definitions of earthworks in different part of the region. This will only result in added cost and confusion. Please retain the existing definition of earthworks.
- Delete policy WH.P30: Discharge standard for earthworks. The proposed test methodology is not fit for purpose, and this should instead be handled in consent conditions depending on the nature of the site where the earthworks are taking place.

If the policy is to remain, the test methodology should be handled in guidance depending on the site and its surroundings, not as a blanket rule in the Natural Resources Plan itself.

- Delete policy WH.R23, which is written in a way that may require resource consent for basic works and emergency maintenance of transport and water networks, and in turn may overload council consenting capacity. If you do not delete this, please remove the reference to a hard shutdown of earthworks over winter and allow appropriate exceptions to this.
- Delete policy P.R24 (which treats earthworks as a non-complying activity, and should instead treat it as a restricted discretionary activity).
- Delete policy WH.P31 and P.P29, which dictate hard shutdowns of earthworks sites for four months of the year. This policy will be disastrous for the regional industry, as it will prevent companies from retain earthmoving staff over those months. In turn, this will greatly escalate project cost and the ability for projects to proceed across the region. And if it is applied to sites that are already well-managed, it will create cost and disruption while adding no value. This approach must be reconsidered.
- Consider in P.R31, P.R32, P.R33 water usage for emergency works and essential environmental controls – i.e. dust control.

I also support the rest of the points made in the Civil Contractors New Zealand submission, and ask you to consider the impacts this plan change will have on horizontal construction across the region, which will increase costs across the board, including housing, transport and water construction.

Overall, I feel direct consultation with the civil construction industry has been absent in the creation of this plan, and is required to make sure the Natural Resources Plan is fit for purpose. I also feel that the consultation process is very difficult to follow, ruling most



contractors out of having a say. Accordingly, I request the plan change does not go ahead.

Yours sincerely



Marianne Archer
Director

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