



# GRAYMONT

## Further Submissions on the Waitomo District Plan (2023)

**To:** Waitomo District Council  
15 Queen Street  
PO Box 404  
Te Kūiti 3941

**Attn:** Proposed District Plan

**By email:** [districtplan@waitomo.govt.nz](mailto:districtplan@waitomo.govt.nz)

**Submission on:** Further Submissions on the proposed Waitomo District Plan (hereafter referred to as the 'pWDP' or the 'proposed plan')

**Name:** Graymont (NZ) Limited

**Address:** Graymont (NZ) Limited  
4/214 Collingwood Street  
Hamilton Lake  
**Hamilton**

Attention: Mr. Benjamin Murray

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**Signature:**

Mr. Benjamin Murray  
HSE Manager, APAC South - Graymont (NZ) Limited

**Date:** 28<sup>th</sup> of July 2023

Graymont (NZ) Limited's ('Graymont' or 'GL') further submission

**Submitter:** Aggregate & Quarry Association ('AQA')  
**Submitter ID:** 29  
**Contact Person:** Jeremy Harding  
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The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
29.04	<p>Earthworks</p> <p>AQA seeks the following:</p> <ul style="list-style-type: none"> <li>Retention of the distinctions given to quarrying in the Earthworks Chapter from general earthworks. For example, AQA states that the pWDP specifies that "<i>the provisions of the Earthworks Chapter do not apply to quarrying activities</i>" and further notes that the rules relating to quarrying activities in the general rural, industrial and production zones prevail over earthwork rules.</li> </ul>	Support	<p>Quarrying activities vary from general earthworks in character and purpose. Further, quarrying is an important activity with national / regional, economic and social benefits.</p> <p>Graymont supports the promotion and allowance of comprehensive and responsible quarrying activities in the General Rural, Industrial and Rural Production zones.</p>	Allowed

Graymont (NZ) Limited's ('Graymont' or 'GL') further submission

<p><b>Submitter:</b> Horticulture New Zealand ('HNZ')</p> <p><b>Submitter ID:</b> 27</p> <p><b>Contact Person:</b> Sarah Cameron</p> <p><b>Address for Service:</b> PO Box 10-232 Wellington</p> <p><b>E-mail:</b> <a href="mailto:sarah.cameron@hortnz.com">sarah.cameron@hortnz.com</a></p>
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The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
27.25	<p>Definitions</p> <p>HNZ seeks the following:</p> <ul style="list-style-type: none"> <li>• Include a new definition for reverse sensitivity: <i>“Is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.”</i></li> </ul>	Support	The definition requested is consistent with the Waikato Regional Policy Statement	Allowed
27.27	<p>Strategic Direction</p> <p>HNZ seeks the following:</p> <ul style="list-style-type: none"> <li>• Include a new strategic direction: Rural environment</li> </ul> <p><i>“SD-OX Primary production activities can operate efficiently and effectively and the contribution that they make to the economic and social well-being and</i></p>	Support	It is important to provide direction for the rural zones within the pWDP.	Allowed

	<i>prosperity of the district is recognised and provided for.”</i>			
27.80	<p>RPROZ</p> <p>HNZ seeks the following:</p> <ul style="list-style-type: none"> <li>• HNZ states that it is not appropriate for areas to be classed as rural production as they do not fit the description of the zone in the National Planning Standard. HNZ considers that they would be more appropriately included as precincts in the General Rural Zone, as such HNZ request that the pWDP be amended.</li> </ul>	Oppose in part	No detail is provided in terms of what is proposed by the precinct approach and whether it is intended to change any of the policy direction provided in the Rural Production Zone. Without such detail, Graymont is unsure as to how HNZ’s requested changes may affect its quarrying activities that are located within the Rural Production Zone.	Disallowed

**Graymont (NZ) Limited's ('Graymont' or 'GL') further submission**

**Submitter:** Omya  
**Submitter ID:** 7  
**Contact Person:** Emily Patterson and Chris Dawson  
**Address for Service:** C/O - BBO, Level 4, 18 London Street PO Box 9041, Hamilton 3240  
**E-Mail:** [consultants@bbo.co.nz](mailto:consultants@bbo.co.nz)

The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
7.12	RPROZ-R25  Omya seeks the following: <ul style="list-style-type: none"> <li>• Omya has concerns with the outdoor storage screening provisions, particularly in relation to the placement of overburden. Omya seeks that RPROZ-25 excludes Mineral Processing Plants and Quarries. Alternatively, overburden associated with mineral processing plants and quarries should be excluded from the definition of outdoor storage (in Part 1 - Interpretation - 9. Definitions chapter of the Proposed District Plan).</li> </ul>	Support	Graymont considers that the requirements for quarrying are unique and therefore that overburden placement does not readily fit the outdoor storage requirements of other activities (such as stockpiling associated with earthworks).	Allowed

Graymont (NZ) Limited's ('Graymont' or 'GL') further submission

<p><b>Submitter:</b> Federated Farmers of New Zealand ('FF')</p> <p><b>Submitter ID:</b> 46</p> <p><b>Contact Person:</b> Jo-Anne Cook Munro</p> <p><b>Address for Service:</b> PO Box 447, Hamilton 3240</p> <p><b>E-mail:</b> <a href="mailto:jcookmunro@fedfarm.org.nz">jcookmunro@fedfarm.org.nz</a></p>
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The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
46.47	<p>Natural Environment Values Natural Character - NATC - Policies NATC-P2.4</p> <p>Federated Farmers of New Zealand ('FF') seeks the following:</p> <ul style="list-style-type: none"> <li>While supporting the intent of clause (4) of NATC-P2, FF notes that it applies a higher bar than what is set out in s6 of the Resource Management Act 1991 which applies the protection of the coastal environment, outstanding natural features and landscapes and areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate subdivision, use, and development. As such, FF requests the amendment of clause 4 of policy NATC-P2 to refer to inappropriate subdivision, use and development; and</li> <li>Any consequential amendments required as a result of the relief sought.</li> </ul>	Support	<p>The wording requested by FF would more appropriately reflect the legislative requirements of section 6 (a) of the Resource Management Act 1991 (RMA') which requires that <i>"the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development."</i></p> <p>NATC-P2.4 as it currently reads requires <i>"Avoiding the significant adverse effects of subdivision, use and development where these would damage, diminish or compromise natural character; and..."</i> This is considered to be overly restrictive.</p>	Allowed

46.49	<p>Natural Environment Values Natural Character - NATC - Rules</p> <p>FF seeks the following:</p> <ul style="list-style-type: none"> <li>• Federated Farmers supports the permitted activities listed in NATC-R4 but submits that earthworks for environmental protection purposes should also be permitted e.g. bunding. As such FF seeks to amend NATC-R4 to include environmental protection and enhancement activities</li> <li>• Any consequential amendments required as a result of the relief sought</li> </ul>	Support	<p>Providing for activities that protect and enhance the environment is consistent with policies, objectives, and national direction. It is reasonable to include wording that would promote such activities.</p>	Allowed
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Graymont (NZ) Limited's ('Graymont' or 'GL') further submission

**Submitter:** Royal Forest and Bird Protection Society of New Zealand Inc ('F&B')  
**Submitter ID:** 47  
**Contact Person:** Barbara Hammonds  
**Address for Service:** PO Box 631, Wellington 6140  
**E-Mail:** [b.hammonds@forestandbird.org.nz](mailto:b.hammonds@forestandbird.org.nz)

The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
47.86	<p>ECO-PX New</p> <p>F&amp;B seeks the following:</p> <ul style="list-style-type: none"> <li>• Add a new policy setting out an effects management hierarchy for adverse effects on indigenous biodiversity as follows:</li> <li>• ECO -PX effects management hierarchy for adverse effects on indigenous biodiversity               <ol style="list-style-type: none"> <li>1. Subject to ECO -P1, avoid adverse effects as far as practicable while recognising the functional and operational needs of Regionally Significant Infrastructure and the need to maintain indigenous biodiversity and protect significant natural areas</li> <li>2. where adverse effects cannot be avoided, remedy adverse effects</li> <li>3. where adverse effects cannot be remedied, mitigate adverse effects</li> </ol> </li> </ul>	Oppose in part	<p>The recently published National Policy Statement for Indigenous Biodiversity 2023 ('NPS IB') applies an "effects management hierarchy" (as set out below). F&amp;B's requested policy will need to be amended to be consistent with the same.</p> <p><b>Effects management hierarchy</b> means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:</p> <ol style="list-style-type: none"> <li>a) Adverse effects are avoided where practicable; then</li> <li>b) Where adverse effects cannot be avoided, they are minimised where practicable; then</li> <li>c) Where adverse effects cannot be minimised, they are remedied where practicable; then</li> <li>d) Where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then</li> <li>e) Where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then</li> <li>f) If biodiversity compensation is not appropriate, the activity itself is avoided, (NPS-IB, page 8).</li> </ol>	Disallowed



	<p>4. where residual adverse effects remain after applying 1, 2 and 3 above:</p> <ul style="list-style-type: none"> <li>a. in significant natural areas in relation to RSI activities consider whether offsetting is appropriate in accordance with APP4 Offsetting criteria; and</li> <li>b. outside significant natural areas consider whether offsetting is appropriate in accordance with APP4 Offsetting criteria</li> <li>c. If a and b are not satisfied consider whether the proposal should go ahead having regard to the residual effects and the need to maintain indigenous biodiversity and to provide for the protection of significant natural areas.</li> </ul> <ul style="list-style-type: none"> <li>• And any consequential changes or alternative relief to achieve the relief sought.</li> </ul>			
47.87	<p>ECO-P2</p> <p>F&amp;B seeks the following:</p> <ul style="list-style-type: none"> <li>• Delete ECO-P2</li> <li>• Add a new policy capturing aspects of P2 clause 4 and 5 and P6 clauses 1 to 13 as follows:</li> <li>• Maintain, restore and support the improvement of indigenous biodiversity through: <ul style="list-style-type: none"> <li>1. Protecting the health and functioning of significant natural areas that are or include wetlands;</li> <li>2. Protecting and improving connectivity along and between significant natural areas and other areas of</li> </ul> </li> </ul>	Oppose	The provision sought is overly restrictive and goes beyond the requirements of Part 2 the RMA.	Disallowed

	<p>indigenous vegetation and habitat of indigenous fauna;</p> <ol style="list-style-type: none"> <li>3. Support encouraging landowners to: <ol style="list-style-type: none"> <li>a. Fence off stock from areas of indigenous vegetation;</li> <li>b. Undertake plant and animal pest control;</li> <li>c. Apply for covenants to provide permanent protection to indigenous biodiversity;</li> </ol> </li> <li>4. The establishment of both mountain to sea corridors and north-south corridors of terrestrial and aquatic ecosystems; and</li> <li>5. The reconnection of fragmented ecosystems on land via waterways; and</li> <li>6. The establishment of buffers around underrepresented and/or threatened indigenous ecosystems; and</li> <li>7. The creation of ecological stepping stones or corridors to link indigenous vegetation; and</li> <li>8. The improvement of habitat of nationally threatened or at risk indigenous species; and</li> <li>9. The improvement or restoration of indigenous habitats adjoining wetlands, rivers, springs, karst ecosystems, coastal cliffs, dunes, estuaries and fragmented forests; and</li> <li>10. The establishment and on-going management of pest free areas; and</li> <li>11. The improvement or restoration of rare ecosystems; and</li> <li>12. The retention and enhancement of indigenous vegetation cover; and</li> </ol>			
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	<p>13. The restoration, maintenance and improvement of natural wetland and karst hydrology; and</p> <p>14. The avoidance of physical and legal fragmentation; and</p> <p>15. The role of mana whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing significant natural areas</p> <ul style="list-style-type: none"> <li>• And any consequential changes or alternative relief to achieve the relief sought</li> </ul>			
47.90	<p>ECO-P5</p> <p>F&amp;B seeks the following:</p> <ul style="list-style-type: none"> <li>• Amend ECO-P5 as follows:</li> <li>• <del>When re the limited circumstances of unavoidable removal of activities that may adversely affect indigenous vegetation, or habitats of indigenous fauna, or disturbance of wetland areas are being considered (including situations provided for in ECO-P4), in addition to any other considerations, have regard must be given to the following matters:</del></li> </ul> <ol style="list-style-type: none"> <li>1. Whether the area contains nationally significant examples of indigenous community types and indigenous ecosystems and/or vegetation types that are threatened in the coastal environment, or are naturally rare; and</li> <li>2. Effects on the <del>required</del> range of habitats, including roosting, nesting, foraging and migratory pathways of fauna; and</li> <li>3. Effects on the habitats of threatened and at risk species including migratory pathways; and</li> </ol>	Oppose	It is unclear what 'any other considerations' means. It would be difficult to ensure consistency with the policy without an understanding of the same.	Disallowed

	<ol style="list-style-type: none"> <li>4. Effects on the maintenance of ecological corridors, processes and sequences; and</li> <li>5. Whether sensitive sites remain buffered from intensive land use, development and subdivision; and</li> <li>6. The outcome of consultation where indigenous vegetation clearance is proposed in locations that are of significance to mana whenua; and</li> <li>7. Effects on natural waterway and wetland habitats and hydrology; and</li> <li>8. <del>Whether consideration has been given to opportunities that contribute to no net loss of indigenous biodiversity at a regional scale; and</del></li> <li>9. Whether <u>any</u> <u>there</u> are practicable alternative locations for the activity that would <u>avoid or reduce the need for removal of adverse effects</u> on indigenous vegetation or habitats of indigenous fauna or disturbance of wetland areas, <del>are used in the first instance;</del> and</li> <li>10. <u>Whether the area contains indigenous ecosystems or indigenous fauna habitat that are threatened by climate change factors, such as sea level rise, drought, fire or pathogens.</u></li> </ol>			
47.113	<p>New ECO Rules</p> <p>F&amp;B seeks the following:</p> <ul style="list-style-type: none"> <li>• Add a new Rule to Table 1 for new mineral extraction and quarrying to be a Prohibited activity in SNAs.</li> </ul>	Oppose	<p>Graymont agrees that it is appropriate to provide protection for Significant natural areas, and notes that this is consistent with the direction provided within part 2 of the Act, however Graymont notes that a prohibited activity status does not allow for any site specific considerations to be made.</p>	Disallowed

47.126	<p>NATC-P1</p> <p>F&amp;B seeks the following:</p> <ul style="list-style-type: none"> <li>• Add mineral extraction to clause 4.</li> <li>• Amend clause 7 as follows: “Providing for the continued operation of lawfully established farming activities and recreational hunting, <u>only where the operations do not adversely affect the qualities and values of wetlands, and lakes and rivers and their margins</u>”</li> <li>• Add the following, or similar, clause to P1: <u>“Promoting the enhancement, restoration, and rehabilitation of the natural character of wetlands and lakes and rivers and their margins, giving special regard to areas where the natural character of wetlands and lakes and rivers and their margins have been compromised.”</u></li> <li>• Add the following, or similar, clause to P1: <u>“Safeguarding the life-supporting capacity of the freshwater habitats and maintaining or enhancing indigenous biodiversity and the functioning of their ecosystems.”</u></li> </ul>	Oppose	<p>Clause 4 of the pWDP currently requires the avoidance of any activity, particularly earthworks and vegetation clearance, where this will adversely affect the qualities and values of wetlands, lakes and rivers and their margins. Mineral extraction and associated quarrying activities are required to locate in accordance with the resource that they utilise. Further, it is noted that there is a consenting pathway for quarries associated with wetlands in accordance with the National Environmental Standard for Freshwater. Given this, while every effort is made avoid adverse effects, in some instances and when an activity is considered appropriate, remediation, mitigation and offsetting may also be appropriate. Consequently, the amendment proposed to clause 4 of NATC-P1 is overly restrictive.</p>	Disallowed
47.129	<p>NFL-P4</p> <p>F&amp;B seeks the following:</p> <ul style="list-style-type: none"> <li>• Add SCHED7 to clause 4</li> <li>• Amend Clause 5 to: <del>Minimising</del> <u>Avoiding the removal of indigenous vegetation as far as practicable.</u></li> <li>• Amend clause 6 to: “Avoiding in the first instance or <del>minimising</del></li> </ul>	Oppose	<p>Avoiding the removal of indigenous vegetation outright is overly restrictive, there may be instances where removal is necessary, for example, for maintenance or health and safety purposes. F&amp;B’s requested amendments do not provide for nationally and regionally significant industry and infrastructure, or for significant mineral resources, which are recognised in the Rural Production Zone Chapter as being important activities that contribute to the economic and social well-being of the community.</p>	Disallowed

	<u>remedying or mitigating adverse effects on natural character from the removal of indigenous vegetation;</u>			
47.133	NFL-R15  F&B seek the following: <ul style="list-style-type: none"> <li>Delete NFL-R15</li> </ul>	Oppose	NFL-R15 relates to the removal of vegetation clearance outside of a Significant Natural Area and provides for the same as a permitted or restricted discretionary activity subject to overlay and clearance volume limits. Not all indigenous vegetation clearance is inappropriate, in this regard, indigenous vegetation clearance may be required for example, for maintenance or health and safety purposes. As such, NFL-R15 should be retained.	Disallowed.

Graymont (NZ) Limited's ('Graymont' or 'GL') further submission

<p><b>Submitter:</b> Department of Conservation ('DOC')</p> <p><b>Submitter ID:</b> 53</p> <p><b>Contact Person:</b> Jesse Gooding</p> <p><b>Address for Service:</b> Hamilton Shared Services Private Bag 3072, Hamilton 3240, New Zealand</p> <p><b>E-mail:</b> <a href="mailto:jgooding@doc.govt.nz">jgooding@doc.govt.nz</a></p>
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The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
53.07	<p>New Definition - Light Sensitive Areas</p> <p>DOC seeks the following:</p> <ul style="list-style-type: none"> <li>• Insert the following definition or relief to like effect Light Sensitive Area:</li> <li>• <u>Includes land in the following areas:</u> <ol style="list-style-type: none"> <li>a) <u>Significant Areas Overlay</u></li> <li>b) <u>Outstanding Natural Landscapes Overlay</u></li> <li>c) <u>the Natural Open Space Zone.</u></li> <li>d) <u>Bat Protection Areas Overlay</u></li> </ol> </li> </ul>	Oppose	While understanding the need to protect sensitive areas and wildlife from light pollution, artificial light is often required to maintain health and safety standards in accordance with Health and Safety at Work 2015 legislation, for many activities, including quarrying and quarrying related activities, which may be located within or in proximity to areas that DOC consider to be light sensitive areas.	Disallowed
53.12	<p>Definition of Quarry</p> <p>DOC seeks the following:</p> <ul style="list-style-type: none"> <li>• Amend as follows or with wording to like effect:</li> <li>• means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities. It does not</li> </ul>	Oppose	The definition for quarry, as provided within the pWDP is the same as that provided within the National Planning Standards.	Disallowed

	<u>include earthworks, indigenous vegetation or habitat of indigenous fauna disturbance or the use of land and accessory buildings for offices, workshops and car parking area.</u>			
53.66	<p>New Objective and Policy Light-OX Light-PX</p> <p>DOC seeks the following:</p> <ul style="list-style-type: none"> <li>• Introduce new objective LIGHT -Ox:</li> <li>• Artificial outdoor lighting is designed and located to minimise its adverse effects, is compatible with the character and qualities of the surrounding area and protects the values and characteristics of light sensitive areas.</li> <li>• Introduce new policy LIGHT -Px:</li> <li>• Avoid all artificial outdoor lighting that does not meet the intensity, type, and direction requirements for light sensitive areas unless it is critical for health and safety reasons.</li> </ul>	Oppose in part	As previously highlighted, while understanding the need to protect light sensitive areas, it is critical that both lawfully established existing activities and new activities are able to meet the health and safety requirements associated with the same. Artificial lighting is often required to maintain health and safety standards in accordance with Health and Safety at Work 2015 legislation, given this, any new provisions must provide for the same.	Disallowed
53.67	<p>Rules Light Table 1 Light Table 2</p> <p>DOC seeks the following:</p> <ul style="list-style-type: none"> <li>• Amend: LIGHT-R1</li> <li>• Add New Rule: Unless specifically stated otherwise, the rules in this table apply to all zones, precincts, all roads, new roads approved by a resource consent and activities on the surface of the water.</li> <li>• Light Sensitive areas: LIGHT-Rx - Emission of artificial light in Light Sensitive areas</li> <li>• Activity Status: PER</li> <li>• Where: <ol style="list-style-type: none"> <li>1) All of the relevant performance standards in LIGHT Table 3</li> </ol> </li> </ul>	Oppose in part	<p>While understanding the need to protect sensitive areas and wildlife from light pollution, the ability to both maintain health and safety standards / legislative requirements and to provide site security and for those activities that operate at night is crucial.</p> <p>Quarry operations are constrained by the resource that they utilise, therefore cannot readily choose to locate away from a light sensitive environment.</p> <p>Without an understanding of the extent to the light performance standards requested for proposed rule LIGHT - Rx Emission of Artificial Light in Light Sensitive Area, it is difficult to understand whether they may impact Graymont's existing lawfully established and proposed activities.</p>	Disallowed



	<p style="text-align: center;">LIGHT - Table 3 - Performance Standards</p> <ul style="list-style-type: none"> <li>• LIGHT - Rx Emission of Artificial Light in Light Sensitive Area</li> <li>• DOC requests that performance standards should include, at minimum, a requirement that light (lux) be as low as possible (0.1 lux) at the boundary or within any area set aside for bat protection, including any such SNAs and/or corridor, lux level should be in line with the Eurobats Guidelines for consideration of bat in lighting projects. Standards should also manage colour temperature, directing that fixed lighting in the Light Sensitive Area will be white and not exceed 2700 kelvins with as little blue light as possible. All lighting should emit zero upward light, be installed with the light emitting surface directly down and be mounted as low as practical.</li> <li>• In accordance with the DOC's recommended definition for 'light sensitive areas, DOC also requests lighting performance standards appropriate to avoid and mitigate adverse effects on the characteristics and values of SNA's, ONLs, NOSZ. It requested that these standards consider other indigenous biodiversity that are affected by lights such as seabirds.</li> <li>• Any other similar, alternative, additional, or consequential relief which will address the matters outlined above</li> </ul>			
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Graymont (NZ) Limited's ('Graymont' or 'GL') further submission

**Submitter:** Waikato Regional Council ('WRC')  
**Submitter ID:** 10  
**Contact Person:** Ashleigh Ngow  
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The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
10.74	ECO-03  WRC seeks the following: <ul style="list-style-type: none"> <li>Reword the objective to "Provide for identified permitted activities which have been assessed as having no more than minor adverse effects on the values of <u>significant natural areas</u> indigenous biodiversity."</li> </ul>	Oppose	<p>WRC's submission to ECO-03 states that any adverse effects on indigenous biodiversity should be avoided completely. It is considered that the amendments requested are overly restrictive. The recently published National Policy Statement for Indigenous Biodiversity 2023 ('NPS IB') applies an "effects management hierarchy" rather than requiring 'avoidance of adverse effects completely', as follows:</p> <p><b>Effects management hierarchy</b> means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:</p> <ol style="list-style-type: none"> <li>Adverse effects are avoided where practicable; then</li> <li>Where adverse effects cannot be avoided, they are minimised where practicable; then</li> <li>Where adverse effects cannot be minimised, they are remedied where practicable; then</li> <li>Where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then</li> <li>Where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then</li> <li>If biodiversity compensation is not appropriate, the activity itself is avoided, (NPS-IB, page 8).</li> </ol>	Disallowed

10.84	ECO-P4 and ECO-R16  WRC seeks the following: <ul style="list-style-type: none"> <li>Amend ECO-R16 to classify large scale clearances as non-complying activities.</li> <li>As previously expressed, WRC also recommends providing a definition for 'limited circumstances'</li> <li>WRC also recommends providing a definition for 'larger scale'</li> </ul>	Oppose	While definitions for 'large scale clearances', 'limited circumstances' and 'larger scale' have been recommended, these definitions have not been provided. It is difficult to understand the implications of the same without clear definitions being provided.	Disallowed
10.98	NFL-P4.5  WRC seeks the following: <ul style="list-style-type: none"> <li>Amend the wording to: "<del>Minimising</del> <u>Avoiding</u> the removal of indigenous vegetation as far as practicable."</li> </ul>	Oppose	WRC's requested amendment to NFL-P4.5 is considered to be overly restrictive. In this regard, section 6 of the RMA provides for, at clause (c), the protection of areas of <b>significant</b> indigenous vegetation and <b>significant</b> habitats of indigenous fauna (emphasis added).	Disallowed
10.99	NFL-P4.6  WRC seeks the following: <ul style="list-style-type: none"> <li>Amend the wording to: "Ensuring that <del>the effects of any</del> activities which could compromise the qualities and values of the landscapes of high amenity value are <del>minimised</del> <u>avoided</u>."</li> </ul>	Oppose	Objective IM-09 of the Waikato RPS requires that " <i>the qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained and enhanced.</i> " Further, IM-P5 states " <i>Areas of amenity value are identified, and those values are maintained and enhanced...</i> ", while IM-M30 states, amongst other things, that Regional and District Plans shall ensure that " <i>3. Subdivision, use and development is managed to avoid, remedy or mitigate adverse effects on identified values of areas of amenity value . . .</i> " With this in mind, it is considered that the principle of avoidance only is overly restrictive and not consistent with the higher order planning documents.	Disallowed
10.102	NFL-R15  WRC seeks the following: <ul style="list-style-type: none"> <li>Vegetation removal outside of an SNA (of 5000m<sup>2</sup> per holding per calendar year) only for ONLs and KO overlays as permitted activity is not appropriate. In its current form, this rule would allow for 50,000m<sup>2</sup> of vegetation to be cleared over the life of the plan as a permitted activity. Clearances of this scale could result in significant, widespread adverse effects on indigenous biodiversity. This is particularly concerning for karst</li> </ul>	Oppose	Without an understanding of the limit to be imposed on vegetation removal and timeframes, Graymont is unable to understand the implications of the same. Clarification needs to be provided as to vegetation removal limits and timeframes proposed.	Disallowed

	<p>ecosystems and cave mouths, which can host threatened and indigenous species such as the spleenwort (huruhuruwhenua) and cave wētā.</p> <ul style="list-style-type: none"><li>• WRC notes that the section 32 report for this chapter did not provide justification for the proposed 5000m<sup>2</sup> clearance limit.</li><li>• In its current form, this rule contravenes ECP-P1 of the WRPS. This limit should be reduced to ensure consistence with the WRPS, which provides strong direction for district plans to avoid the loss or degradation of indigenous biodiversity (ECO-M3)</li></ul>			
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Graymont (NZ) Limited's ('Graymont' or 'GL') further submission

**Submitter:** Fire and Emergency New Zealand ('FENZ')  
**Submitter ID:** 16  
**Contact Person:** Alec Duncan  
**Address for Service:** PO Box 448, Waikato Mail Centre, Hamilton  
**E-mail:** [alec.duncan@beca.com](mailto:alec.duncan@beca.com)

The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
16.47	RPROZ-R26  FENZ seeks the following: <ul style="list-style-type: none"> <li>• Retain RPROZ-R26 as notified.</li> </ul>	Oppose in part	RPROZ-R26 - Servicing requires that: <ol style="list-style-type: none"> <li>1. All developments must have an independent potable water supply for activities on the site; and</li> <li>2. All developments must have an independent water supply for fire-fighting that is compliant with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; and</li> <li>3. All developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and</li> <li>4. All developments must be on a site of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP).</li> </ol> <p>A discretionary activity resource consent is required if compliance with RPROZ-R26 cannot be achieved. Graymont considers the requirement for consent as a discretionary activity to be overly restrictive.</p>	Disallowed

**Graymont (NZ) Limited's ('Graymont' or 'GL') further submission**

**Submitter:** Wayne Jensen on behalf of Te Tokanganui-a-noho Whare  
**Submitter ID:** 38  
**Contact Person:** Wayne Jensen  
**Address for Service:** 1403 Te Anga Road, Waitomo, RD 8 Te Kuiti, 3988  
**E-mail:** [teoiroa@hotmail.com](mailto:teoiroa@hotmail.com)

The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
38.04	<p>SASM</p> <p>Wayne Jensen (on behalf of Te Tokanganui-a-noho Whare) seeks the following:</p> <ul style="list-style-type: none"> <li>Amend SASM to note that additional information about these scheduled sites is held by Mana Whenua and can be made available through consultation. Due to the nature of some sites Mana Whenua may evoke an option to keep information tapū.</li> </ul>	Support	Graymont supports the approach of direct consultation with mana whenua when seeking further information regarding scheduled sites of significance to Māori.	Allowed

**Graymont (NZ) Limited's ('Graymont' or 'GL') further submission**

<p><b>Submitter:</b> Te Nehenehenui Trust  <b>Submitter ID:</b> 50  <b>Contact Person:</b> Samuel Mikaere  <b>Address for Service:</b> PO Box 36, Te Kūiti  <b>E-mail:</b> <a href="mailto:sam@tnn.co.nz">sam@tnn.co.nz</a></p>
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The particular parts of the submission that Graymont supports/opposes are:

Original Submission Point number	Relevant Provision / Submission Point	Support or Oppose	Reasons	Relief sought by Graymont (NZ) Limited as to whether the submission point be allowed or disallowed
50.05	<p>Statutory Context Chapter - Relevant Planning Documents</p> <p>Te Nehenehenui Trust seek the following:</p> <ul style="list-style-type: none"> <li>• Retain reference to the Iwi management plans including:               <ol style="list-style-type: none"> <li>1) Ko Tā Maniapoto Mahere Taiao Environmental Management Plan 2018 and where necessary we request that the policies and objectives are aligned to, enhanced or strengthened through the Proposed District Plan</li> <li>2) Waikato-Tainui Environmental Management Plan 2013</li> </ol> </li> </ul>	Support	Reference to applicable Iwi Management Plans will assist plan users, particularly those wishing to undertake activities in areas where there is a statutory acknowledgement in place, or the area is of significance to a particular Iwi group(s).	Allowed