

DDPR_feedback_0097s	
Name	Benjamin Murray
Organisation	Graymont
Email	bmurray@graymont.com
Response Date	Aug 31 22
Notes	
Q1	Select the chapter you want to provide feedback on
Q2	In general, to what extent do you support the contents of this chapter?
Q3	Objective/Policy/Rule/Standard reference:
Q4	Feedback/Comments
Q5	Objective/Policy/Rule/Standard reference:
Q6	Feedback/Comments
Q7	Objective/Policy/Rule/Standard reference:
Q8	Feedback/Comments
Q9	Objective/Policy/Rule/Standard reference:
Q10	Feedback/Comments
Q11	supporting documents?
	0
Q12	If you need more space, or have any other general comments, please leave them here
	<p>Kia ora Please find the attached feedback form and letter, describing Graymont's suggestions to the draft District Plan. We feel these are very important for the ongoing efficient operation, maintenance and development of our site at Makareao. We would welcome the opportunity to discuss these, and will be in touch at a later date.</p> <p>Regards Ben Benjamin Murray HSE Manager, APAC South GRAYMONT T +64 9 222 4323 M +64 21 714 926 4/214 Collingwood Street Hamilton 3204 New Zealand</p>

# **Table of Contents**

<b>220831_feedback form .....</b>	<b>2</b>
<b>T2022-050_BMM_30082022_Draft Waitaki District Plan Review Feedback GRAYMONT FINAL PDF .....</b>	<b>4</b>

# Draft District Plan FEEDBACK FORM

scan for online  
feedback form

Have  
your say



Please get your feedback in by  
5pm on Wednesday 31 August 2022



Save time - Do it online!

Fill in our online feedback form: [www.waitaki.govt.nz/district-plan-review/have-your-say](http://www.waitaki.govt.nz/district-plan-review/have-your-say)  
- you can upload any extra documents and attachments there. Or:

- Email:** planreview@waitaki.govt.nz  
**Post:** Draft District Plan Feedback  
Waitaki District Council, Private Bag 50058, Ōamaru 9444  
**Deliver:** Drop it off at any Council office or district library

Thank you for taking the time to comment on the Draft Waitaki District Plan. We welcome your feedback. Your feedback will be used to inform what goes into the next stage of the District Plan Review process, which will be the formal notification of the Proposed District Plan.

### Points to remember when providing your feedback:

1. For your feedback to be considered you must include your full name, and a postal address or email address.
2. You are welcome to submit multiple feedback forms and add in any attachments if you have lots to tell us. Please make sure your feedback is provided under the relevant chapter heading. This helps us to make sure that we are considering your feedback correctly.
3. All feedback, including your name, are considered public under the Local Government Official Information and Meetings Act and may be published and made available to elected members and the public. Private contact details will not be made public.
4. If you would like help to fill out the feedback form, please contact one of our support team on 03 433 1661 or email planreview@waitaki.govt.nz

### Your contact details: (please print clearly)

Full name: Benjamin James Murray  
Organisation (if applicable): Graymont (NZ) Limited.  
Street address: 4/214 Collingwood St Town: Hamilton  
Email: bmurray@graymont.com Phone: 021 714 926

We are asking the following questions to understand more about who we are hearing from - these questions are completely optional.

Age (optional)  Under 18  18-24  25 - 49  50-64  65+

#### Ethnicity (optional)

Māori  Pacific Island  NZ European/Pakeha  other .....

#### Do you

Live in Waitaki  Live elsewhere in NZ  Live overseas

# Feedback on the Draft District Plan

Please provide your feedback on as many of the draft chapters that you would like to. If you run out of space, feel free to submit additional surveys or attachments.

## Which Chapter are you commenting on?

Name of Chapter..... *Please see attached letter*

	Strongly support	Support	Neutral	Oppose	Strongly oppose
In general, to what extent do you support the contents of this chapter?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Is there a particular objective, policy or rule you would like to provide feedback on for this chapter?

Please use the space below to identify which provision you are providing feedback on. Please use a separate box for each provision. If you run out of space, please use the 'General Feedback' section at the end of the feedback form or attach more pages - but please remember to let us know which chapter AND provision you are commenting on.

Objective/Policy/Rule/Standard ref: .....

Comments: .....

Objective/Policy/Rule/Standard ref: .....

Comments: .....

## General feedback

*Please see attached letter. We would welcome the opportunity to discuss the draft Plan.*



Need more room? You can add extra pages if there is not enough space on this form.



# GRAYMONT

## Draft Waitaki District Plan - Waitaki District Plan Review

**To:** Waitaki District Council,  
20 Thames Street,  
OAMARU 9444

**By email:** [planreview@waitaki.govt.nz](mailto:planreview@waitaki.govt.nz)

**Feedback on:** Draft Waitaki District Plan ('draft Plan' or 'DWDP')

**Name:** Graymont (NZ) Limited

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

Attention: Mr. Benjamin Murray

**Phone:** (09) 222 4323 or 021 714 926

**E-mail:** [bmurray@graymont.com](mailto:bmurray@graymont.com)

**Signature:**  Digitally signed by  
Benjamin J Murray  
Date: 2022.08.31  
15:31:26 +12'00'

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

**Date:** 31<sup>st</sup> of August 2022



## 1.0 INTRODUCTION

Graymont Limited (hereafter referred to as ‘Graymont or ‘the Company’) would like to thank the Waitaki District Council (‘WDC’ or ‘the Council’) for the opportunity to provide feedback to the Draft Waitaki District Plan.

Graymont is wholly owned subsidiary of Graymont Limited, a global leader in the manufacture and supply of lime and limestone products. The Company currently operates four plants across New Zealand, and supplies essential lime and limestone products to Agricultural, Animal Health, Construction, Water Treatment, Environmental and Industrial markets of New Zealand and the Asia Pacific regions.

The Company’s plant across New Zealand consists of:

### **Oparure Quarry**

Presently Graymont owns and mines the country’s largest single limestone quarry at Oparure, just north of Te Kuiti. This quarry produces high-grade limestone for use as agricultural lime, quicklime feed stock, aggregates and pulverised limestone products.

### **Te Kuiti**

Supplied with limestone from Oparure, the Te Kuiti site operates a vertical gas fired Maerz Kiln to produce quicklime.

### **Otorohanga**

At Otorohanga, 20km north of the Oparure quarry, the Company operates two rotary lime kilns. This plant manufactures quicklime and hydrated lime products which are supplied to domestic and export customers across the South Pacific. At the Otorohanga site Graymont has specialised teams such as laboratory staff and associated facilities. The Company also has engineering and maintenance teams, who work to consciously maintain, manage and improve its operations.

### **Makareao Plant and Quarry**

The Makareao plant and quarry is based in the South Island, located in North Otago and within the Waitaki District. The quarry produces pure limestone of between 96-99 percent calcium carbonate and has its own rotary kiln, to produce exceptionally high-quality products. These include quicklime, hydrated lime, aggregates and pulverised limestone products and have the potential to be exported solely for their quality. Currently Makareao quicklime is shipped to the North Island because of its purity, and international markets in Asia Pacific are also being explored.

Graymont’s products have proven essential for mitigating a multitude of natural and man-made environmental impacts, while at the same time remaining indispensable for vital industrial processes. The value of retaining local supply of these products has become even clearer during the Covid-19 pandemic, within which Graymont has continued to operate as an essential service in every jurisdiction that it is present. With the disruption of supply chains globally, having local supply of lime products to provide for clean drinking water, environmental water treatment, construction products and tissue paper (amongst other things) is essential.

Consistency of supply of quality product is critical to a number of Graymont’s customers and, as a company, Graymont places great importance on its ability to manage production and logistics to accommodate its customer’s requirements in an environmentally aware and sustainable manner.

Graymont both prides itself on, and is committed to, operating in a sustainable manner. Graymont is proud that its products are part of the solution in terms of addressing many of today's environmental challenges. Indeed, Graymont aims to consistently meet or exceed its regulatory and resource consent or permit obligations, while working to minimise the environmental impact of its operations. To fulfil its commitment, Graymont integrates environmental accountability into its strategic planning and takes a systems approach to its practices with respect to environmental impacts, carefully monitoring environmental compliance and conducting a regular comprehensive audit programme, which includes both internal and external auditing being undertaken.

### **Feedback - Summary of Key Points**

This feedback is made to the Draft Waitaki District Plan / Waitaki District Plan Review document (the 'draft Plan' or the 'DWDP').

Graymont is principally concerned to ensure that its existing lawfully established activities within the Waitaki District, namely the Makareao Plant and Quarry, can continue to exist, operate and are able to be maintained, repaired, and upgraded without undue restriction, during operation and rehabilitated as quarrying is completed. Further, given the long-term viability of its operations hinges on being able to access high quality limestone, Graymont seeks to provide for the carefully considered development or expansion of its operations, should it wish to do so, using world class environmental practices, and also to ensure that the existing and possible future extraction of minerals is not compromised by activities established or establishing near to those resources, which do not rely on access to those mineral resources.

Graymont would like to see regionally significant industry recognised within the draft Plan. Graymont records that its Makareao Plant and Quarry site provides rich sources of high-grade limestone, a feed stock for lime and limestone products necessary for ongoing regional and national economic and societal benefit. Lime has been recognised as a product that is fundamental to the Otago Region and to the New Zealand economy as a whole. Within Otago, Graymont supplies drinking water treatment and treatment of historic water pollution to ensure viable aquatic environment. The Company also provides product to dairy and food producers to be used in process water treatment, which then enables this the treated water to be irrigated, while protecting the soil structure. Further to this, Graymont supplies products for a multitude of other uses in Otago such as product which is used in gold processing, lime mortar which is used for architecture and for protection of heritage buildings, product that is utilised for animal health and nutrition (both dairy and poultry), product used for soil health to bring about enhanced fertiliser absorption and aggregates for local roads. Lime is used in many mineral extraction processes, and will be important for any future development of a "green minerals" industry in New Zealand, such as rare earths and lithium processing.

Having viewed the draft District Plan maps, Graymont notes that its Makareao Plant and Quarry site is located within the General Rural Zone. There is a Heritage Item (Setting) and Heritage Exclusion Area over portion of the site, further a Surface Fault Rupture Hazard - Activities and Buildings overlays a portion of the site at its McLay Road and Limekiln Road boundaries and the site also as an area of Land Use capability 3 at its Limekiln Road boundary. A large portion of the site is covered by Rural Scenic

Landscape, with an area considered to be Outstanding Natural Feature, partially covering and to the west of the existing Makareao Quarry area.

Graymont commenced correspondence with the Council regarding its District Plan and District Plan review in July 2015, inviting the Council (Mike Sewell) to visit its Makareao Plant and Quarry site. In April 2016 a letter was provided to the Council (Richard Mabon) with suggestions for the District Plan review pertaining to Graymont's Makareao site. Further to this, in August 2019, Graymont hosted the Council (Anna McKenzie) on site. At this time, Graymont noted an interest in working with the Council over a possible zone for the site and relevant provisions (including earthworks provisions). Graymont did not hear back from Anna McKenzie directly, but was provided with notice regarding the earthworks chapter via the Council's generic email. In May 2020 Graymont provided written feedback regarding Aggregate Quarry and Mining provisions, and offered to meet to discuss the same. Following this, in 2021 Graymont recorded its concern with the draft Outstanding Natural Feature ('ONF') Overlay which covers part of its site. This occurred in May 2021, after receiving a letter from the Council (dated the 27<sup>th</sup> of April 2021). Graymont requested information from the Council (in late May 2021) as to how the draft ONF area over its site had been determined. While Graymont was told the draft ONF was based on desk top analysis and site visits, no further information was provided, with Graymont being told that background information was confidential.

This is of significant concern to Graymont. With some notable exceptions (culturally significant knowledge being the most obvious) Graymont notes that all background information needs to be freely available and able to be critically reviewed. Given the potential implications for its existing operations and any development of the same, the Company commissioned an independent landscape, natural character and visual amenity assessment. This assessment was ultimately completed by Stephen Brown of Brown NZ in June 2021. Mr Brown, who is widely regarded as one of New Zealand's leading landscape architects / landscape planners concluded that *"...it remains unclear what factors have contributed to the identification of the blue Mountains band of chert and marble as an Outstanding Natural Feature. Presently, that status does not appear to be supported by expert geomorphological evaluation, while the shortcomings of the landscape around the crest of the Blue Mountains - in terms of current activities in that area, its visual coherence and spectacle - and its value overall - appear to preclude more perceptual values from contributing to such status. This analysis has been undertaken purely as a desktop exercise, but it does raise concerns about the criteria employed to identify the Makareao ONF and the application of that status to the subject area. At present, there does not appear to be a substantive basis for such classification."* Mr Brown's assessment was provided to Council for its consideration and response. Unfortunately, no feedback was provided by the Council, and the draft ONF has been retained in the draft Plan maps. The Council's approach to this matter will likely lead to submissions / further submissions that could otherwise be avoided. Given this existing situation, Graymont remains significantly concerned about the draft ONF located on its site, and how it might impact its existing Makareao Plant and Quarry.

Graymont records that feedback addressing specific provisions of the draft Plan, or providing comment to particular Sections and Chapters is set out in the table which follows. Graymont intends to provide a more fulsome response, particularly with



regard to earthworks, historic heritage, its existing activities and the ONF associated with its site when the proposed Waitaki District Plan is notified, as and if required.

Again, Graymont thanks the Council for the opportunity to provide this feedback. Graymont wishes to commend the Waitaki District Council for the work it has put into the District Plan Review to date and reinforces that it would like to work alongside the Council and other stakeholders as it advances the Review, with a view to resolving or narrowing matters of concern and disagreement. Graymont would be pleased to meet with the Council to discuss its feedback, in particular, with regard to the draft ONF which covers a portion of its site, and the development of the proposed Waitaki District Plan more generally.

# Waitaki District Council - Waitaki District Plan Review

## REVIEW OF DRAFT PLANNING DOCUMENT

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
<b>Introduction and General Provisions - Definitions</b>			
Exploration	<p>has the same meaning as in the Crown Minerals Act, 1991 (as set out below):</p> <p>means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of 1 or more minerals; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and to explore has a corresponding meaning.</p>		Graymont supports the inclusion of these definitions within the draft Plan and seeks their retention.
Flood tolerant activities and land use	<p>means activities and land use that will not be impacted in a flood event, and that are designed to easily recover in a flood event and includes:</p> <ol style="list-style-type: none"> <li>1. recreation and leisure activities and organised sports and recreation activities, including sport fields, courts or associated open space facilities (including structures but excluding buildings);</li> <li>2. public amenities, including bicycle stands, lighting, park benches, shelters, rubbish bins, toilet facilities;</li> <li>3. forestry;</li> <li>4. quarrying activities and mining activities;</li> <li>5. temporary events;</li> <li>6. at grade parking and loading areas; and</li> <li>7. horticulture and viticulture.</li> </ol>		
Functional Need	<p>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment</p>		

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
Hazardous substance	<p>has the same meaning as in section 2 of the RMA:</p> <p>includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance. The Hazardous Substances and New Organisms Act 1996 defines hazardous substances as meaning, unless expressly provided otherwise by regulations or an EPA notice, any substance—</p> <p>(a) with 1 or more of the following intrinsic properties:</p> <ul style="list-style-type: none"> <li>i. explosiveness:</li> <li>ii. flammability:</li> <li>iii. a capacity to oxidise:</li> <li>iv. corrosiveness:</li> <li>v. toxicity (including chronic toxicity):</li> <li>vi. ecotoxicity, with or without bioaccumulation; or</li> </ul> <p>(b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a).</p>		
Industrial Activity	<p>means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.</p>		
Operational need	<p>has the same meaning as operational need in section 2 of the RMA (as set out below):</p> <p>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.</p>		
Primary Production	<p>means:</p>		

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	<ul style="list-style-type: none"> <li>a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and</li> <li>b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</li> <li>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</li> <li>d) excludes further processing of those commodities into a different product.</li> </ul>		
Prospecting	<p>has the same meaning as in the Crown Minerals Act, 1991:</p> <ul style="list-style-type: none"> <li>a) means any activity undertaken for the purpose of identifying land likely to contain mineral deposits or occurrences; and</li> <li>b) includes the following activities: <ul style="list-style-type: none"> <li>i. geological, geochemical, geophysical surveying;</li> <li>ii. aerial surveying;</li> <li>iii. taking samples by hand or hand held methods;</li> <li>iv. taking small samples offshore by low-impact mechanical methods</li> </ul> </li> </ul>		
Quarry	<p>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</p>		
Quarrying activity	<p>means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the</p>		

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.		
Reverse sensitivity	means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained.		
Mining activities	means the use of land and buildings and associated infrastructure for the primary purpose of the extraction, winning, quarrying, excavation, taking and associated processing of minerals and any ancillary activity related to mining, but does not include prospecting and exploration and quarrying activities.	<p>While Graymont supports the inclusion of a definition for mining activities, Graymont notes that there is no associated definition for 'mineral'. The definition from the RMA and also the Crown Minerals Act is:</p> <p><i>"means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic minerals, non-metallic minerals, fuel minerals, precious stones, industrial rocks and building stones, and a prescribed substance within the meaning of the Atomic Energy Act 1945"</i></p>	<p>Graymont seeks the inclusion of a definition for 'mineral' consistent with the RMA and Crown Minerals Act 1991.</p> <p><u>"... means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic minerals, non-metallic minerals, fuel minerals, precious stones, industrial rocks and building stones, and a prescribed substance within the meaning of the Atomic Energy Act 1945."</u></p>
New definition - Regionally significant industry		<p>While Graymont notes that the draft Plan has a definition for regionally significant infrastructure, Graymont records that there is no similar definition provided for regionally significant industry.</p> <p>Graymont considers that a definition should be included, with regionally significant industry clearly defined in the same way that regionally significant infrastructure has been.</p> <p>Graymont considers that regionally significant industry could be defined as an economic activity based on the use of natural and physical resources in the region which has been shown to have benefits that</p>	<p>Graymont seeks that 'regionally significant industry' is defined and that it's Makareao Quarry is identified as 'regionally significant industry'.</p> <p><u>means an economic activity based on the use of natural and physical resources in the region which has been shown to have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits.</u></p>

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
		<p>are significant at a regional or national scale. These may include social, economic or cultural benefits.</p> <p>Graymont records that its Makareao plant and quarry site provides rich sources of high-grade limestone, a feed stock for lime and limestone products necessary for ongoing regional and national economic and societal benefit, thus could be considered regionally significant industry. Graymont notes that lime has been recognised as a product that is fundamental to the New Zealand economy.</p> <p>Within the South Island:</p> <ul style="list-style-type: none"> <li>• Graymont supplies drinking water treatment plants including but not limited to Dunedin City Council.</li> <li>• Graymont also supplies product to mitigate the effects of historic acid mine drainage, to maintain and protect waterway ecology.</li> <li>• The Company also provides product to dairy and food producers to be used in process water treatment, which then enables the treated water to be irrigated, while protecting the soil structure.</li> <li>• Further to this, Graymont supplies products for a multitude of other uses in Otago such as: <ul style="list-style-type: none"> <li>a) product which is used in gold processing,</li> <li>b) lime mortar which is used for architecture and for protection of heritage buildings,</li> <li>c) product that is utilised for animal health and nutrition (both dairy and poultry),</li> <li>d) product used for soil health to bring about enhanced fertiliser absorption and</li> </ul> </li> </ul>	



Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
		e) aggregates for local roads.	
<b>Strategic Direction</b>			
<b>Objectives</b>			
SD-RA-O3 Avoiding incompatible activities and reverse sensitivity	Ensure development remains compatible with rural character and avoids reverse sensitivity impacts.	Graymont supports the inclusion of an objective that avoids incompatible activities and reverse sensitivity effects within the rural environment.  Graymont considers, however, that the objective should explicitly recognise that lawfully established activities and their ongoing operations must be protected from incompatible activities.	Ensure development remains compatible with rural character, <u>recognising existing lawfully established activities and protecting their ongoing operation from incompatible activities by avoiding and</u> <del>avoids</del> reverse sensitivity impacts.
SD-UFD-O3 - Location of Activities	Compatible activities with similar effects and functions locate together in appropriate areas and are managed to: 1. ensure the efficient use of land, resources, and infrastructure; and 2. maintain the character and amenity values of different parts of the District; and 3. minimise adverse effects from incompatible activities.	Graymont supports the inclusion of an objective that promotes compatible activities with similar effects being located within the same location.  Graymont notes, however, that it is important to recognise that activities such as mineral extraction and quarrying activities have a functional need to be close to the resource that they utilize, given this the Company suggest a minor amendment to SD-UFD-O3.	Compatible activities with similar effects and functions locate together in appropriate areas and are managed to: 1. ensure the efficient use of land, resources, and infrastructure; and 2. maintain the character and amenity values of different parts of the District <u>while recognising the functional, locational and operational needs of particular activities;</u> and 3. minimise adverse effects from incompatible activities
<b>Contaminated Land</b>			
<b>Objective and Policies</b>			
CL-O1 - Managing	The risks to human health from the unacceptable exposure to contaminated land as a result of subdivision and development are minimised.	Graymont notes that the draft Plan is generally consistent with the direction provided within the partially operative Otago Regional Policy Statement	No changes recommended.

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
Contaminated Land		(the 'RPS') and the proposed Otago Regional Policy Statement 2011 (the 'RPS 2021').	Graymont supporting the Council's decision not to include any rules within the contaminated land chapter.
CL-P1 - Identification of contaminate sites	Identify, in conjunction with the relevant Regional Council, sites that may be subject to potential contamination as a result of historical land uses and activities.	It is noted that there are no rules in this draft Plan with respect to contaminated land. The draft Plan notes that reference should instead be made to the rules contained in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NESCS').	
CL-P2 - Minimising risks from contaminate lands	<p>Minimise the risk to people and the environment from subdivision, use and development of land that may contain, or does contain, elevated levels of contaminants by:</p> <ol style="list-style-type: none"> <li>1. enabling site investigations to better understand the type and level of contaminants present; and</li> <li>2. having particular regard to management measures proposed, which may include remediation, containment, or disposal of contaminated soil; and</li> <li>3. applying a best practice approach to remediation that does not pose a more significant risk to human health than if the remediation had not occurred; and</li> <li>4. ensuring the land is suitable for its intended use</li> </ol>	Graymont consider the objective and polices appropriate, while supporting the Council's decision not to include any rules within the contaminated land chapter. Graymont considers that to do so, would likely lead to unnecessary duplication.	
<b>Hazardous Substances</b>			
<b>Objectives and Policies</b>			
HAZS-O1 - Hazardous facilities	The benefits associated with activities involving the use, storage, disposal, and transportation of hazardous substances are recognised while ensuring that risks to the environment and human health are minimised.	Graymont consider the objective and policy appropriate, as they recognise the benefits of, and enable activities that involve the use, storage and disposal of hazardous substances, while managing the risks associated with the same. The Company considers that the provisions adopt a balanced approach.	No changes recommended.
HAZS-P1 Residual risk of hazardous facilities	Enable activities involving the use, storage, disposal, and transportation of hazardous substances while managing the residual risk to people, property, and the environment to acceptable levels.		

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
HAZS-P5 - Residual Risk to sensitive activities and environments	<p>Manage use and development which uses, stores or disposes of hazardous substances, from locating within, or adjoining, the following areas, unless it can be demonstrated that the residual risk to the identified values and qualities of these areas will be avoided, or where avoidance is not practicable, remedied or mitigated:</p> <ol style="list-style-type: none"> <li>1. defined Heritage Items;</li> <li>2. defined Wāhi Tūpuna sites outside of urban areas;</li> <li>3. defined Significant Natural Areas;</li> <li>4. defined Outstanding Natural Features and Landscapes;</li> <li>5. defined Significant Natural Features;</li> <li>6. defined Coastal Environment;</li> <li>7. above 900m in altitude;</li> <li>8. within 250m of a sensitive activity</li> </ol>	<p>The purpose of the Hazardous Substances and New Organisms Act 1996 ('HSNO') is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms.</p> <p>While it is recognised that major hazard facilities must be carefully managed, and pose a risk to the community, Graymont considers that other hazardous facilities do not pose the same level of risk and that this could be identified within HAZS - P5 by providing for these facilities within or adjoining sensitive activities and environments where the residual risk to the identified values and qualities of these areas can be avoided, remedied or mitigated.</p>	<p>Manage use and development <u>of major hazard facilities</u> which uses, stores or disposes of hazardous substances, from locating within, or adjoining, the following areas, unless it can be demonstrated that the residual risk to the identified values and qualities of these areas will be avoided, or where avoidance is not practicable, remedied or mitigated; <u>and provide for the use and development of other hazard facilities within or adjoining the following areas where it can be demonstrated that the residual risk to the identified values and qualities of these areas can be avoided, remedied or mitigated:</u></p> <ol style="list-style-type: none"> <li>1. defined Heritage Items;</li> <li>2. defined Wāhi Tūpuna sites outside of urban areas;</li> <li>3. defined Significant Natural Areas;</li> <li>4. defined Outstanding Natural Features and Landscapes;</li> <li>5. defined Significant Natural Features;</li> <li>6. defined Coastal Environment;</li> <li>7. above 900m in altitude;</li> <li>8. within 250m of a sensitive activity.</li> </ol>
<b>Natural Hazards</b>			
<b>Policies</b>			
NH-P3 - Risk based approach	Avoid subdivision, use and development in areas where natural hazards may occur, unless it can be demonstrated that the risk from natural hazards to people, property, and the environment can be	Mineral extraction often occurs in areas that are subject to natural hazard risk, as such, Graymont considers that it is not possible for mineral extraction activities to avoid such areas. Doing so would curtail an activity that is important for the social, economic	Avoid subdivision, use and development in areas where natural hazards may occur, unless it can be demonstrated that the risk from natural hazards to people, property, and the environment

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	<p>mitigated to an acceptable level, taking into consideration the:</p> <ol style="list-style-type: none"> <li>1. likelihood of the natural hazard event; and</li> <li>2. type and characteristics of the natural hazard; and</li> <li>3. potential consequence of the natural hazard event, including cumulative effects; and</li> <li>4. effects of climate change.</li> </ol>	<p>and cultural wellbeing of people and communities. Given this, Graymont considers that the functional requirements of particular activities should be recognised within the provision, and clarification provided that the provision is directed at new, rather than existing activities.</p>	<p>can be mitigated to an acceptable level, taking into consideration the:</p> <ol style="list-style-type: none"> <li>1. likelihood of the natural hazard event; and</li> <li>2. type and characteristics of the natural hazard; and</li> <li>3. potential consequence of the natural hazard event, including cumulative effects; and</li> <li>4. effects of climate change <u>and</u></li> <li>5. <u>functional requirements of the activity to be undertaken in the area of natural hazard risk.</u></li> </ol>
<p>NH-P11 - Surface Fault Rupture Hazard Overlay - activities and buildings</p>	<p>Require applications for critical facilities, education facilities, retirement facilities and buildings containing hazardous substances within the Surface Fault Rupture Hazard Overlay - activities and buildings to demonstrate that:</p> <ol style="list-style-type: none"> <li>1. the activity or building is setback from the fault to avoid damage associated with fault rupture; and</li> <li>2. any potential effects of fault rupture are mitigated.</li> </ol>	<p>As we have already noted, mineral extraction often occurs in areas that are subject to natural hazard risk, as such, Graymont considers that it is not always possible for mineral extraction activities to avoid such areas. For this reason, the Company requests an amendment to NH-P11 to provide for activities within the Surface Fault Rupture Hazard Overlay to be managed to avoid damage associated with fault rupture where they are unable to be setback from the fault.</p>	<p>Require applications for critical facilities, education facilities, retirement facilities and buildings containing hazardous substances within the Surface Fault Rupture Hazard Overlay - activities and buildings to demonstrate that:</p> <ol style="list-style-type: none"> <li>1. the activity or building is setback from the fault, <u>or where it cannot be set back, that the activity is managed</u> to avoid damage associated with fault rupture; and</li> <li>2. any potential effects of fault rupture are mitigated.</li> </ol>
<b>Historic Heritage</b>			
<b>Objectives and Policies</b>			
<p>HH-01 - Protection of heritage</p>	<p>The District's historic heritage is recognised, maintained and protected in order that the heritage of the District be retained.</p>	<p>Graymont's Makareao Plant and Quarry Site is classified as a Category 1 Historic Place. It is noted that the Site provides insight into the history of the lime burning industry, which was integral in the nineteenth century to the production of lime for both</p>	<p>The District's historic heritage is recognised, maintained and protected in order that the heritage of the District be retained, <u>while providing for the continued operation, maintenance,</u></p>

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HH-P8 - Protecting historic heritage from inappropriate heritage alterations and heritage additions.	<p>Provide for additions or alterations to Historic Heritage Items where these avoid, remedy or mitigate adverse effects on the heritage fabric and heritage values of the Item identified in SCHED2 - Historic Heritage Items, having regard to:</p> <ol style="list-style-type: none"> <li>1. the extent the proposal is sympathetic to the original design, proportions, floorplans, materials, fabric, finishes and setting; and</li> <li>2. the extent that the visual impact of additions and alterations is minimised as far as practicable; and</li> <li>3. the extent to which the loss or obstruction of architectural features and details and significant original features that contribute to the heritage values is avoided, remedied or mitigated; and</li> <li>4. the extent to which the works are reversible; and</li> <li>5. the Item's sensitivity to change or capacity to accommodate change without compromising the historic heritage values of the Item; and</li> <li>6. the cumulative effects of use and development on heritage fabric and values; and</li> <li>7. whether the proposal is consistent with the conservation principles of the ICOMOS New Zealand Charter (2010).</li> </ol>	<p>building materials and for agricultural purposes. Heritage New Zealand record that the history of the Plant and Site and the associated railway line shows the essential nature of the industry. The Site has a specific exclusion area over the quarry and plant that allows for its operations to take place.</p> <p>While Graymont do not wish to bring about any adverse effects to the historic heritage located on the Site, the Company considers that it is important to ensure that its existing activities can continue to operate and to be maintained, upgraded, and its facilities further developed, where necessary.</p>	<p><u>upgrading and development of existing lawfully established activities.</u></p> <p>Provide for additions or alterations to Historic Heritage Items where these avoid, remedy or mitigate adverse effects on the heritage fabric and heritage values of the Item identified in SCHED2 - Historic Heritage Items, having regard to:</p> <ol style="list-style-type: none"> <li>1. the extent the proposal is sympathetic to the original design, proportions, floorplans, materials, fabric, finishes and setting <u>where this is practicable</u>; and</li> <li>2. the extent that the visual impact of additions and alterations is minimised as far as practicable; and</li> <li>3. the extent to which the loss or obstruction of architectural features and details and significant original features that contribute to the heritage values is avoided, remedied or mitigated; and</li> <li>4. the extent to which the works are reversible; and</li> <li>5. the Item's sensitivity to change or capacity to accommodate change without compromising the historic heritage values of the Item; and</li> <li>6. the cumulative effects of use and development on heritage fabric and values; and</li> </ol>

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
			<p>7. whether the proposal is consistent with the conservation principles of the ICOMOS New Zealand Charter (2010); <u>and</u></p> <p>8. <u>existing lawfully established activities, and their ability to continue to operate and to be maintained, upgraded and developed, where necessary.</u></p>
HH-P12 - Buildings and structures within Historic Heritage settings	<p>Only allow buildings and structures within the setting of a Historic Heritage Item listed in SCHED2 - Historic Heritage Items, where the heritage significance of the Item and its setting is maintained, by having regard to:</p> <ol style="list-style-type: none"> <li>1. the Item's values and significance, including when the Item is a building that is part of a group of similar buildings; and</li> <li>2. whether the form, scale, design, and appearance (including materials and colour) of the development are compatible with the style, character and scale of the Historic Heritage Item; and</li> <li>3. ensuring no visual domination of either the setting or the Historic Heritage Item occurs; and</li> <li>4. the Item and setting's capacity to accommodate change without compromising the historic heritage values of the Item; and</li> <li>5. the maintenance of existing views of the Item from adjoining public places, or publicly accessible places within the setting, as far as practicable; and</li> <li>6. the extent to which any services and utilities are located, designed, or screened to be as unobtrusive as practicable; and</li> </ol>	<p>While Graymont considers policy HH-P12 generally appropriate, it considers that the provision should provide for existing lawfully established activities. Further, the Company notes that it might not always be practicable for the form, scale, design and appearance (including materials and colour) of developments to be compatible with the scale of a Historic Heritage Items, particularly where materials used in the past may not be considered suitable in accordance with the applicable building standards. Given this, the Company seeks minor amendments to address the same.</p>	<p>Only allow buildings and structures within the setting of a Historic Heritage Item listed in SCHED2 - Historic Heritage Items, where the heritage significance of the Item and its setting is maintained, by having regard to:</p> <ol style="list-style-type: none"> <li>1. the Item's values and significance, including when the Item is a building that is part of a group of similar buildings; and</li> <li>2. whether the form, scale, design, and appearance (including materials and colour) of the development are compatible with the style, character and scale of the Historic Heritage Item, <u>where practicable and in accordance with applicable building standards</u>; and</li> <li>3. ensuring no visual domination of either the setting or the Historic Heritage Item occurs; and</li> </ol>



Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	<p>7. the extent to which any earthworks avoid or minimise any adverse effects on the heritage values of the Item; and</p> <p>8. ensuring that cumulative effects of use and development on the heritage values are considered.</p>		<p>4. the Item and setting's capacity to accommodate change without compromising the historic heritage values of the Item; and</p> <p>5. the maintenance of existing views of the Item from adjoining public places, or publicly accessible places within the setting, as far as practicable; and</p> <p>6. the extent to which any services and utilities are located, designed, or screened to be as unobtrusive as practicable; and</p> <p>7. the extent to which any earthworks avoid or minimise any adverse effects on the heritage values of the Item; and</p> <p>8. ensuring that cumulative effects of use and development on the heritage values are considered;</p> <p>9. <u>while providing for existing lawfully established activities to continue to operate and to be maintained, upgraded and developed, where necessary.</u></p>
HH-R3 - Earthworks within the setting of a Historic Heritage Item	<p>All zones</p> <p>Activity status: Permitted</p> <p>Where: PER-1</p>	<p>Graymont supports the inclusion of HH-R3 within the draft Plan, however seeks that it is further amended to provide for the maintenance and repair of additional activities, including but not limited to stormwater infrastructure, sediment detention ponds, culverts and stormwater drains.</p>	<p>All zones</p> <p>Activity status: Permitted</p> <p>Where: PER-1</p>

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
<p>listed in SCHED2 - Historic Heritage Items</p>	<p>Earthworks undertaken for the repair and maintenance of existing and lawfully established:</p> <ol style="list-style-type: none"> <li>1. farm tracks;</li> <li>2. yards;</li> <li>3. irrigation infrastructure;</li> <li>4. fences;</li> <li>5. dams;</li> <li>6. walking tracks;</li> <li>7. cycling tracks; or</li> <li>8. driveways and access; and</li> </ol> <p>PER-2 The width, length and materials used are the same to that which existed prior to the repair and maintenance being required.</p> <p>Activity status when compliance is not achieved: Discretionary</p> <p>Where: DIS-1 Compliance is not achieved with PER-1 or PER-2</p>		<p>Earthworks undertaken for the repair and maintenance of existing and lawfully established:</p> <ol style="list-style-type: none"> <li>1. farm tracks;</li> <li>2. yards;</li> <li>3. irrigation infrastructure;</li> <li>4. fences;</li> <li>5. dams;</li> <li>6. walking tracks;</li> <li>7. cycling tracks; or</li> <li>8. driveways and access; <del>and</del></li> <li>9. <u>stormwater infrastructure;</u></li> <li>10. <u>sediment detention ponds;</u></li> <li>11. <u>culverts; and</u></li> <li>12. <u>stormwater drains.</u></li> </ol> <p>PER-2 The width, length and materials used are the same to that which existed prior to the repair and maintenance being required.</p>
<p>HH-R13 - Any heritage alternations or heritage additions to a Category A Historic Heritage Item listed in SCHED2 - Historic Heritage Items, except where specifically provided for as permitted. controlled or</p>	<p>All zones</p> <p>Activity status: Non-complying</p> <p>Activity status when compliance is not achieved: Not Applicable</p>	<p>Graymont generally supports HH-R13, however considers that the activity status for heritage alternations or heritage additions to a Category A Historic Heritage Item listed in SCHED2 is overly restrictive. In this regard, Graymont is concerned that the non-complying activity status may hinder the ongoing operation, maintenance, upgrading and development of is lawfully established existing activities. Given this, Graymont seeks that the activity status is amended to Discretionary.</p>	<p>All zones</p> <p>Activity status: <del>Non-complying</del> <b>Discretionary</b></p> <p>Activity status when compliance is not achieved: Not Applicable</p>

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
restricted discretionary			
<b>Public Access</b>			
<b>Objectives and Policies</b>			
PA-01 - Public and customary access.	Public and customary access is protected, maintained, and where practicable, enhanced to and along the District's rivers, lakes and coastal marine area.	While Graymont considers PA-01, PA-P1 and PA-P3 to be generally appropriate, the Company notes that it is not always appropriate to protect, maintain or enhance public access to and along the coastal marine area, lakes and rivers, particularly where there are health and safety issues associated with the same. As such, Graymont suggests that minor changes are made to the public access provision to recognise this.	Graymont seeks that PA-01, PA-P1 and PA-P3 are amended to take into account those times where it is not appropriate to provide for public access.
PA-P1 - Activities that protect and maintain public access and customary access	Enable activities that protect, maintain and, where practicable, enhance public and customary access to and along the coastal marine area, lakes and rivers.		
PA-P3 Consideration of adverse effects on public access	When considering any application for resource consents, have regard to any adverse effects of the proposed activity on public access routes and access points.		
<b>Special Purpose Zone - Macraes Mining</b>			
<b>Objectives and Policies</b>			
SPZMM-01 - Purpose of the Special Purpose Zone - Macraes Mining	The economic, cultural and social benefits of accessing the significant mineral resource in the Hyde-Macraes Shear Zone are recognised and the continuation of mining is provided for while ensuring any actual or potential adverse effects on the environment from mining activities are avoided, remedied, or mitigated.	Graymont understands that the Macraes goldmine is the largest in New Zealand, and as such is a significant resource that provides economic, cultural and social benefits to the Waitaki District, Otago Region and New Zealand as a whole. Given this, Graymont supports the inclusion of a Special Purpose Zone - Macraes Mining.	Graymont supports, in principle, the inclusion of the Special Purpose Zone - Macraes Mining.  Graymont considers that the draft Plan should provide greater recognition to quarrying, mining and mineral processing activities, and the benefits to be brought about by the same.
SPZMM-P1 - Existing Mining Overlay	Identify an Existing Mining Overlay within the Special Purpose Zone - Macraes Mining to recognise existing mining is occurring where authorised by way of past resource consents for mining-related activities, and control any new mining activities to: <ol style="list-style-type: none"> <li>maintain any indigenous biodiversity values present due to previous avoidance or mitigation measures; and</li> </ol>	Graymont further understands that the zone is divided into two overlays - an existing Mining Overlay and a 'Potential Mining Overlay'. The Existing Mining Overlay reflects land that has previously received authorisations for mining-related proposals and has been the subject of disturbance during the excavation of pits, the construction of waste rock stacks, the	

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	<p>2. avoid, remedy or mitigate the effects of noise, vibration, access and lighting on amenity values in the adjacent General Rural Zone.</p>	<p>construction of haul roads and other tracks, the construction of the gold processing plant as well as other ancillary infrastructure, and underground mining. The Potential Mining Overlay is the remaining land within the Zone that has not been mined. It may be pursued in the future depending on the results of detailed prospecting or exploration, and an assessment of financial feasibility (which relates to matters such as gold price and haulage costs).</p>	
<p>SPZMM-P2 - Potential Mining Overlay</p>	<p>Identify a Potential Mining Overlay within the Special Purpose Zone - Macraes Mining which recognises that mining has not previously occurred in the Overlay area but which may be appropriate for mining activities, provided mining activities:</p> <ol style="list-style-type: none"> <li>1. avoid, remedy or mitigate the adverse effects from noise, vibration, lighting, or from traffic on amenity values in the adjacent General Rural Zone; and</li> <li>2. avoid, remedy or mitigate any adverse effects on the landscape values of the surrounding area, taking into account both landscape character and visual effects; and</li> <li>3. do not compromise the identified characteristics and values of any sensitive environment and achieve the relevant objectives and policies for the sensitive environment; and</li> <li>4. achieve the objectives and policies contained in the relevant district-wide chapters.</li> </ol>	<p>Graymont considers that the less restrictive rules associated with the Special Purpose Zone - Macraes Mining are appropriate, given the purpose of the zone. The Company records that such zoning is consistent with other districts within New Zealand that recognise and provide for a range of important activities which contribute to the economic and social well-being of the community.</p> <p>With regard to mining in particular, Graymont considers that outside of the Special Purpose Zone - Macraes Mining, the draft Plan should more readily recognise the benefits associated with mining and that such activities can only occur in that location where the mineral resource is present. The Company is primarily concerned to ensure that existing and possible future extraction of minerals across the District are not compromised by activities established or establishing near to those resources, which do not rely on access to those mineral resources.</p>	
<p>SPZMM-P4 - Exploration in the Potential Mining Overlay</p>	<p>Recognise the need to investigate the gold resource through exploration in the Potential Mining Overlay, while controlling the activity to:</p> <ol style="list-style-type: none"> <li>1. avoid, remedy or mitigate the actual or potential adverse effects on amenity values in the adjacent General Rural Zone; and</li> <li>2. requiring rehabilitation of the disturbed ground.</li> </ol>	<p>Graymont notes that a sustained supply of minerals (particularly aggregate and lime) is essential to the continued development of the Waitaki District, the Otago Region and New Zealand as a whole.</p> <p>Within Otago, as previously highlighted, Graymont supplies drinking water treatment and biosolids sludge treatment (to increase safety and reduce</p>	

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
		<p>runoff). The Company also provides product to dairy and food producers to be used in process water treatment, which then enables this the treated water to be irrigated, while protecting the soil structure. Further to this, Graymont supplies products for a multitude of other uses in Otago such as product which is used in gold processing, lime mortar which is used for architecture and for protection of heritage buildings, product that is utilised for animal health and nutrition (both dairy and poultry), product used for soil health to bring about enhanced fertiliser absorption and aggregates for local roads.</p> <p>Given this, the Company considers that the draft Plan should provide greater recognition to quarrying, mining and mineral processing activities, and the benefits to be brought about by the same.</p>	
<b>Rules</b>			
SPZMM-R1 Prospecting	- Special Purpose Zone - Macraes Mining Activity Status: Permitted	Refer to our preceding commentary.	Refer to the preceding recommendations.
SPZMM-R2 Exploration	- Special Purpose Zone - Macraes Mining Activity Status: Permitted		
SPZMM-R9 Exploration	- Special Purpose Zone - Macraes Mining - Potential Mining Overlay  Activity status: Controlled  Matters of control are restricted to: <ol style="list-style-type: none"> <li>1. the duration, timing, frequency, extent and staging of works; and</li> <li>2. the generation of noise, vibration, lighting and traffic; and</li> <li>3. disturbance to land, including vegetation clearance; and</li> <li>4. siting of tracks, parking areas, buildings or other equipment; and</li> </ol>		

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	<p>5. the matters addressed in the content of the rehabilitation plan.</p> <p>Note: Section 88 Information Requirements for Applications: Pursuant to s88 of the RMA, any applications for activities under this rule must provide, in addition to the standard information requirements, a rehabilitation plan.</p>		
SPZMMR10 - Mining Activities	<p>Special Purpose Zone - Macraes Mining - Existing Mining Overlay</p> <p>Activity status: Controlled Matters of control are restricted to:</p> <ol style="list-style-type: none"> <li>1. the duration, timing, frequency, extent and staging of works; and</li> <li>2. the generation of noise, vibration, lighting and traffic; and</li> <li>3. disturbance to land, including vegetation clearance and volumes of material to be removed in relation to the consequential size of any waste rock stacks; and</li> <li>4. siting of buildings, infrastructure, or other equipment, including plant required to process minerals; and</li> <li>5. landscaping treatment, including the shaping of the pits and pit margins, the siting and shaping of waste rock stacks and embankments, tailings impoundments, any other dams and the siting of roads and tracks; and</li> <li>6. measures to manage long-term structural stability, environmental integrity, and safety of the pits, pit margins, waste rock stacks and embankments, tailings impoundments and any other dams, roads and private tracks; and</li> </ol>		



Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	<p>7. measures to maintain indigenous biodiversity; and</p> <p>8. the matters addressed in the content of the rehabilitation plan.</p> <p>Note: Section 88 Information Requirements for Applications: Pursuant to s88 of the RMA, any applications for activities under this rule must provide, in addition to the standard information requirements, a rehabilitation plan.</p>		
SPZMMR11 - Mining Activities	<p>Special Purpose Zone - Macraes Mining - Potential Mining Overlay</p> <p>Activity status: Restricted Discretionary Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. the duration, extent, location and staging of the excavation and construction of pits, pit margins, waste rock stacks and embankments, tailings impoundments and any other dams, roads, buildings and tracks associated with mining; and</li> <li>2. the generation of noise, vibration, lighting and traffic; and</li> <li>3. the location of plant used to process any mineral; and</li> <li>4. landscaping treatment, including the siting and shaping of the pits, pit margins, waste rock stacks and embankments, tailings impoundments and any other dams, and the siting of roads and tracks; and</li> <li>5. measures to manage long-term structural stability, environmental integrity, and safety of the pits, pit margins, waste rock stacks and embankments, tailings impoundments and any other dams, roads and tracks; and</li> </ol>		

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	<p>6. the matters addressed in the content of the rehabilitation plan.</p> <p>Note: Section 88 Information Requirements for Applications: Pursuant to s88 of the RMA, any applications for activities under this rule must provide, in addition to the standard information requirements, a rehabilitation plan.</p>		
<b>Earthworks</b>			
<b>Objectives and Policies - General</b>			
EW-P2 - Protecting sensitive environments	Provide for earthworks where adverse effects on the identified values of sensitive environments are avoided, except where enabled under EW-P3.	Graymont considers that EW-P2 is overly restrictive and does not provide a balanced approach. As such, Graymont seeks changes to avoid significant adverse effects and to avoid, remedy or mitigate all other adverse effects.	Provide for earthworks; <u>1. where significant adverse effects on the identified values of sensitive environments are avoided, except where enabled under EW-P3, and</u> <u>2. where all other adverse effects are avoided, remedied or mitigated.</u>
EW-P4 - Primary Production Activities	Enable earthworks that support the operational efficiency of primary production activities, including the maintenance and repair of existing tracks, yards, irrigation infrastructure, fences and dams.	Graymont supports the inclusion of EW-P4 within the draft Plan, however seeks that it is further amended to provide for the maintenance and repair of additional activities, including but not limited to stormwater infrastructure, sediment detention ponds, culverts and stormwater drains.	Enable earthworks that support the operational efficiency of primary production activities, including the maintenance and repair of existing tracks, yards, irrigation infrastructure, fences, <u>and dams, stormwater infrastructure, sediment detention ponds, culverts and stormwater drains.</u>
EW-P6 - The effects of earthworks	Require any earthworks to avoid, remedy or mitigate adverse effects on the following: 1. the stability of land, buildings and structures at or beyond the boundary of the site; and 2. the visual amenity of the site; and 3. natural landforms; and 4. local amenity values; and	By their very nature, mining and quarrying activities will require earthworks and further, they will create alterations to natural landforms which may be significant.  Graymont seeks an amendment to recognise the operational requirements of particular activities such	Graymont seeks that EW-P6 and EW-P7 are amended to recognise the operational requirements of particular activities, including mining and quarrying activities.

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	5. erosion and sediment loss from the site; and 6. natural hazard risk; and 7. the stormwater network; and 8. dust, lighting, odour, vibration, noise and traffic beyond the boundaries of the site; and 9. highly productive land.	as mining and quarrying activities associated with important mineral and aggregate resources.	
EW-P7 - Rehabilitation of disturbed ground	Enable earthworks that rehabilitate areas of disturbed ground to reflect the surrounding landform and vegetation.		
<b>Objectives and Policies - Mining (EW(M))</b>			
EW(M)-01 - Mining in the District	The economic and social benefits of accessing the District's mineral resources are recognised and provided for while, at the same time, any actual or potential adverse environmental effects are avoided, remedied or mitigated.	Graymont supports the inclusion of EW(M)-01 within the draft Plan.	No changes recommended.
EW(M)-P2 - Exploration	Exploration can be undertaken in the General Rural Zone and the Special Purpose Zone - Macraes Mining to further understand the character and extent of mineral deposits provided adverse effects are avoided, remedied or mitigated.	Graymont notes that its 254 Limekiln Road site is located within the General Rural Zone. While Graymont generally supports this policy, the Company seeks clarification as to whether the policy applies to those areas of the site that may be overlain with identified sensitive environments. Given EW(M)-P3 applies to sensitive environments (so long as adverse effects are avoided, remedied or mitigated), Graymont considers that EW(M)-P2 should too.	EM(M)-P2 to be amended to clarify that exploration may be undertaken within sensitive environments that may be located within the General Rural Zone, so long as any adverse effects are avoided, remedied or mitigated.
EW(M)-P3 - Mining Activities	Mining activities can be undertaken in the General Rural Zone provided that the activity: 1. avoids, remedies or mitigates any actual or potential adverse effects within an identified sensitive environment or on the margins of rivers or wetlands in accordance with the objectives, policies and rules contained in the relevant district-wide chapters;	Graymont supports the inclusion of EW(M)-P3 within the draft Plan.	No changes recommended.

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	<ol style="list-style-type: none"> <li>2. avoids, remedies or mitigates effects on activities sensitive to mining activities, including residential activities;</li> <li>3. internalises adverse environmental effects as far as practicable using industry best practice and management plans, including monitoring and self-reporting;</li> <li>4. manages noise, vibration, access and lighting to maintain local rural amenity values; and</li> <li>5. ensures the siting and scale of buildings and visual screening maintains local rural amenity values and character.</li> </ol>		
<b>Rules</b>			
EW(M)-R2 - Exploration	<p>General Rural Zone</p> <p>Activity status: Controlled</p> <p>Where: CON-1 A rehabilitation plan addressing the matters in EW(M)-APP1 - Rehabilitation Plan is provided with the application.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> <li>1. the duration, timing, frequency, extent and staging of works; and</li> <li>2. disturbance to the land, including vegetation clearance; and</li> <li>3. siting of tracks, parking area, buildings or other equipment; and</li> <li>4. measures to manage noise, vibration and dust; and</li> <li>5. the rehabilitation of disturbed land associated with exploration includes, but is not limited to, those matters contained in EW(M)-APP1 - Rehabilitation Plan.</li> </ol>	<p>Graymont generally supports EW(M)-R2, however considers that the activity status for exploration where the matters of control cannot be achieved are overly restrictive and may hinder the development of mining activities. Given this, Graymont seeks that the activity status where the matters of control cannot be achieved is amended to be discretionary.</p>	<p>Graymont considers that where compliance is not achieved with the matters of control, EW(M)-R2 should default to a discretionary activity. In this regard, there seems to be no substantive or compelling resource management reason to make an activity that cannot achieve the matters of control, a non-complying activity. A discretionary activity status provides for any exploration that does not meet the matters of control to be considered on its merits.</p>

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
	Activity status when compliance is not achieved: Non-complying.		
EW(M) -R4 - Mining Activities	General Rural Zone  Activity status: Discretionary.  Activity status when compliance is not achieved: Not Applicable.	Graymont supports the inclusion of EW(M)-R4 within the draft Plan.	No changes recommended.
<b>Natural Features and Landscapes</b>			
<b>Objectives and Policies</b>			
NFL-O1 - Protect Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes from inappropriate activities	Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes are protected from inappropriate subdivision, use and development	Section 6 of the Resource Management Act 1991 (the 'RMA' or 'the Act') requires the protection of outstanding landscapes and natural features from inappropriate subdivision, use and development. While section 7 requires particular regard to be given to the maintenance and enhancement of amenity values.  Further the RPS 2021, requires at NFL-O1, the protection of outstanding natural features and landscapes, and the maintenance or enhancement of highly valued natural features and landscapes. Given the direction provided in both the RMA and the RPS 2021, Graymont seek a change to NFL-O1 to reflect the same.	<u>The protection of</u> Outstanding Natural Features and Landscapes <u>from inappropriate subdivision, use and development, and the maintenance of</u> Significant Natural Features, and Rural Scenic Landscapes, <del>are protected from inappropriate subdivision, use and development</del>
NFL - O3 - Restoration and enhancement of landscapes	Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes are restored and enhanced, where appropriate.	Graymont considers that Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes will not need to be restored and enhanced in all instances and that it may be appropriate to restore and enhance these features and landscapes when their values have been degraded or lost.  Given this, and in line with the direction provided by the RPS and Policy NFL-P4 of the RPS 2021, which states " <i>Promote restoration of the areas and values</i>	Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes are restored and enhanced, where <del>appropriate</del> <u>degraded</u> .

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		<p><i>of outstanding and highly valued natural features and landscapes where those areas or values have been reduced or lost”</i> Graymont seeks a minor change to NFL-O3 to clarify when restoration and enhancement should occur.</p>	
<p>NFL-P1 - Identify Natural Features and Landscapes and SCHED7 - Outstanding Natural Features</p>	<p>In relation to the identification of important landscapes:</p> <ol style="list-style-type: none"> <li>1. apply the following assessment matters that address the biophysical, sensory and associative values when assessing landscapes: <ol style="list-style-type: none"> <li>a) natural science values;</li> <li>b) legibility values;</li> <li>c) aesthetic values;</li> <li>d) transient values;</li> <li>e) tākata whenua values;</li> <li>f) shared and recognised values;</li> <li>g) historic values; and</li> </ol> </li> <li>2. use these to: <ol style="list-style-type: none"> <li>a) identify the values, location and extent of Outstanding Natural Features and Landscapes on the Planning Maps and include those values in SCHED7 - Outstanding Natural Features and SCHED8 - Outstanding Natural Landscapes; and</li> <li>b) identify the location and extent of Significant Natural Features and Rural Scenic Landscapes on the Planning Maps.</li> </ol> </li> </ol>	<p>Graymont considers that it is important to both identify and describe the values, location and extent of Outstanding Natural Features and Landscapes on the Planning Maps and include those values in SCHED7 - Outstanding Natural Features and SCHED8 - Outstanding Natural Landscapes. Further Graymont considers it important to identify the location and extent of Significant Natural Features and Rural Scenic Landscapes on the Planning Maps.</p> <p>Graymont notes that the identification of outstanding and significant natural features and landscape on private property can present a significant impediment to the affected party, or to an existing use, or activity which may, in itself be important to the social, economic and cultural wellbeing and for the health and safety of the Waitaki community. As such, Graymont considers that it is imperative that any identification is made in consultation with those that may be affected by the change.</p> <p>In reviewing the planning maps associated with it 254 Limekiln Road Makaraeo Plan and Quarry site, Graymont has identified that its site is in the General Rural Zone, a portion of which is covered by the Rural Scenic Landscape and there is an Outstanding Natural Feature ('ONF') on the site, which according to the planning maps is identified as ONF048.</p> <p>Graymont is concerned to understand the values associated with the draft ONF on its site, particularly given that operative Waitaki District Plan does not identify an ONF on the site and the presence of the</p>	<p>As no assessment detail has been provided, Graymont requests that the draft ONF located on its 254 Limekiln Road site be removed.</p> <p>Alternatively, and so as to understand how ONF048 has been determined, Graymont requests that a description against the SCHED7 assessment criteria is included within SCHED7 for ONF048.</p>



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		<p>ONF may impact upon the Company's existing operations and any future quarry expansion or development on the site.</p> <p>Graymont notes that there is no description included within SCHED7 for ONF048, given this Graymont is unsure how the ONF has been assessed and determined. Graymont has previously asked the Council for information regarding the same (in 2021, as highlighted within the cover letter above) and when this was not forthcoming, Graymont commissioned Brown New Zealand Limited to undertake an assessment of the draft ONF which raised concerns about the criteria employed to identify the draft ONF and the application of the status to the subject area, concluding that there does not appear to be a substantive basis for such a classification.</p>	
<p>NFL-P3 - Inappropriate activities on or within an Outstanding Natural Feature or Landscape</p>	<p>Only provide for subdivision, use and development where it:</p> <ol style="list-style-type: none"> <li>1. maintains the values identified in SCHED7 - Outstanding Natural Features and SCHED8 - Outstanding Natural Landscapes that make the natural feature or landscape outstanding; or</li> <li>2. avoids, remedies or mitigates adverse effects on other ONFL values.</li> </ol>	<p>As highlighted above, Graymont considers that the identification of outstanding and significant natural features and landscapes on private property can present a significant impediment to the affected party, or to an existing use, or activity which may, in itself be important to the social, economic and cultural wellbeing and for the health and safety of the Waitaki community and the wider region.</p> <p>Graymont further considers that it must recognised that existing uses and development form part of the existing landscape and have existing values and effects and that their continued operation and expansion may be consistent with outstanding and highly valued natural features and landscapes. As such, Graymont seeks that NFL-P3 and NFL-P4 are amended to reflect this.</p>	<p>Graymont seeks that NFL-P3 is amended to recognise that existing uses and development form part of existing landscapes and have existing values and effects, and that their continued operation and expansion may be consistent with the outstanding natural features and landscapes.</p>
<p>NFL-P4 - Inappropriate activities within Significant Natural Features and Rural Scenic Landscapes</p>	<p>Only provide for subdivision, use and development in Rural Scenic Landscapes and on Significant Natural Features where it:</p> <ol style="list-style-type: none"> <li>1. maintains amenity values; or</li> <li>2. avoids, remedies or mitigates adverse effects on other values of Significant Natural Features or Rural Scenic Landscapes.</li> </ol>	<p>Graymont further considers that it must recognised that existing uses and development form part of the existing landscape and have existing values and effects and that their continued operation and expansion may be consistent with outstanding and highly valued natural features and landscapes. As such, Graymont seeks that NFL-P3 and NFL-P4 are amended to reflect this.</p>	<p>Graymont seeks that NFL-P4 is amended to recognise that existing uses and development form part of existing landscapes and have existing values and effects, and that their continued operation and expansion may be consistent with the significant natural features and landscapes.</p>

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
NFL-P6 - Earthworks	<p>When determining if earthworks are appropriate, have regard to whether:</p> <ol style="list-style-type: none"> <li>1. earthworks are designed and undertaken to reflect natural contours;</li> <li>2. volume, cut and fill heights are minimised; and</li> <li>3. there is any resulting erosion and visual scarring of the landscape.</li> </ol>	<p>By their very nature, mining and quarrying activities will require earthworks further, they will create alterations to natural landforms which may be significant.</p> <p>Graymont seeks an amendment to recognise the operational requirements of particular activities such as mining and quarrying activities which are associated with important aggregate and mineral resources.</p>	<p>Graymont seeks that NFL-P6 is amended to recognise the operational requirements of particular activities, including mining and quarrying activities.</p>
NFL-P10 - Enhancement and restoration of Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes	<p>Support the enhancement and restoration of Waitaki's Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes by:</p> <ol style="list-style-type: none"> <li>1. enabling activities that maintain the integrity of, restore, or enhance ONFL values and amenity values of Rural Scenic Landscapes; and</li> <li>2. encouraging owners, community groups and others to take action to restore and/or enhance ONFL values of Outstanding Natural Features and Landscapes and amenity values of Significant Natural Features and Rural Scenic Landscapes.</li> </ol>	<p>Graymont generally supports the intent of NFL-P10. Graymont considers, however, that Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes will not need to be restored and enhanced in all instances and that it may be appropriate to restore and enhance these features and landscapes when their values have been degraded or lost.</p> <p>Given this, Graymont seeks a minor change to NFL-P10 to clarify when restoration and enhancement should occur.</p>	<p>Support the enhancement and restoration of Waitaki's Outstanding Natural Features and Landscapes, Significant Natural Features and Rural Scenic Landscapes <u>where these have been degraded</u> by:</p> <ol style="list-style-type: none"> <li>1. enabling activities that maintain the integrity of, restore, or enhance ONFL values and amenity values of Rural Scenic Landscapes; and</li> <li>2. encouraging owners, community groups and others to take action to restore and/or enhance ONFL values of Outstanding Natural Features and Landscapes and amenity values of Significant Natural Features and Rural Scenic Landscapes.</li> </ol>
<b>Rules</b>			
NFL-R4 - Earthworks on or within Outstanding Natural Features or	<p>All Zones</p> <p>Activity status: Permitted Where: PER-1 Earthworks undertaken for the repair and maintenance of existing and lawfully established:</p> <ol style="list-style-type: none"> <li>1. farm tracks;</li> </ol>	<p>Graymont generally supports NFL-R4, however considers that the activity status for repair and maintenance of existing and lawfully established activities where the permitted activity criteria cannot be achieved is overly restrictive and may hinder the ongoing operation, of existing activities. Given this,</p>	<p>Graymont considers that where compliance is not achieved it may be appropriate to default to a restricted discretionary or discretionary status.</p>

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
Landscapes, Significant Natural Features or Rural Scenic Landscapes	<ol style="list-style-type: none"> <li>2. yards;</li> <li>3. non-system irrigation infrastructure;</li> <li>4. fences;</li> <li>5. dams;</li> <li>6. walking tracks;</li> <li>7. cycling tracks; or</li> <li>8. driveways and access; and</li> </ol> <p><b>PER-2</b> The width and length are the same as that which existed prior to the repair and maintenance being required; and</p> <p><b>PER-3</b> The earthworks are located at an elevation less than 900m above sea level; and</p> <p><b>PER-4</b> All bare areas are re-sown or finished within 6 months of the earthworks being undertaken.</p> <p>For Significant Natural Features and Rural Scenic Landscapes: Activity status when compliance is not achieved: Restricted Discretionary Where: RDIS-1 Compliance is not achieved with PER-1, PER-2, PER-3 or PER-4.</p> <p>For Outstanding Natural Features and Landscapes: Activity status when compliance is not achieved: Non-Complying Where: NC-1 Compliance is not achieved with PER-1, PER2, PER-3 or PER-4</p>	<p>and considering that the earthworks in question are associated with an existing, rather than a new activity, Graymont seeks that the activity status is amended to reflect the same.</p>	<p>In this regard, there seems to be no compelling reason to make an activity that cannot achieve the stated permitted activity standards, a non-complying activity.</p> <p>Further, Graymont would like to see earthworks undertaken for the repair and maintenance of existing and lawfully established activities extended to include stormwater infrastructure, sediment detention ponds, culverts and stormwater drains.</p>
NFL-R11 - Mining and/or quarrying activities within or on a Significant Natural Feature or Rural Scenic Landscape	<p>All zones</p> <p>Activity Status: Discretionary</p> <p>Activity status when compliance is not achieved: Not applicable</p>	<p>Graymont considers that NFL-R11 and NFL-R12, may be appropriate for new mining and/or quarrying activities, but that a discretionary and non-complying activity status are overly restrictive when considering the consenting of existing activities and the expansion/development of the same.</p>	<p>Graymont considers that NFL-R11 and NFL-R12 should be amended to provide a less restrictive activity status to the consenting of existing activities and the expansion/development of these activities.</p>

Section, Chapter & Provision	Draft text	Graymont's comments to the draft text	Recommendation (including text changes)
NFL-R12 - Mining and/or quarrying activities on or within an Outstanding Natural Feature or Landscape	All zones  Activity Status: Non-complying  Activity status when compliance is not achieved: Not applicable		
<b>General Rural Zone</b>			
<b>Objectives and Policies</b>			
GRUZ-O1 - Purpose of the General Rural Zone	The General Rural Zone provides for primary production activities and those natural and physical resources which contribute to the District's rural productive economy while managing adverse effects of activities on the environment.	Graymont supports the inclusion of GRUZ-O1 within the draft Plan.  Graymont seeks an additional objective to protect existing lawfully established activities from reverse sensitivity effects within the General Rural Zone.	No changes recommended to GRUZ-O1.  Insert an additional objective as follows: <u>Protect existing lawfully established activities from reverse sensitivity effects.</u>
GRUZ-P1 - Development in the General Rural Zone	Maintain the rural character in the General Rural Zone by: 1. ensuring a dominance of open space and vegetation, including paddocks, trees, natural features and primary production activities over buildings; and 2. providing for activities that are reliant on the natural and physical resources of the General Rural Zone while ensuring that any adverse effects occurring beyond the site are minimised; and 3. limiting activities that are not reliant on the resources, or do not have a functional or operational need to establish in a General Rural Zone; and 4. encouraging the retention of existing, and planting of new, indigenous vegetation.	While Graymont generally supports GRUZ-P1, the Company suggests a further inclusion to specifically provide for mining and quarrying activities.	Maintain the rural character in the General Rural Zone by: 1. ensuring a dominance of open space and vegetation, including paddocks, trees, natural features and primary production activities over buildings; and 2. providing for activities that are reliant on the natural and physical resources of the General Rural Zone while ensuring that any adverse effects occurring beyond the site are minimised; and 3. limiting activities that are not reliant on the resources, or do not have a functional or operational need to establish in a General Rural Zone; and

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			<ol style="list-style-type: none"> <li>4. encouraging the retention of existing, and planting of new, indigenous vegetation; <u>and</u></li> <li>5. <u>recognising that quarrying and mining activities are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects.</u></li> </ol>
New rules for Quarrying and Mining activities		<p>While there are a number of different rules for activities within the General Rural zone, there are no specific rules for quarrying and mining activities. Given this, Graymont consider that rules for both the consenting of existing and development of new quarrying and mining activities should be provided. Graymont suggests a restricted discretionary activity status for the re consenting of existing activities and a discretionary activity status for new quarrying and mining activities.</p>	<p>Insert new rules for existing and new quarrying and mining activities.</p> <p>Graymont notes that it is not uncommon for District Plans to provide for quarrying and mining activities within a rural setting, recognising the importance of these activities to the District.</p> <p>Graymont considers that a similar approach could be provided to that prescribed within the Macraes Mining Special Purpose Zone, given that quarrying and mining activities are an excepted component of the rural environment.</p>