

Memo

To Waitomo District Council
From Emily Patterson and Chris Dawson (BBO)
Date 28 July 2023
Job No. 142770
Job name Omya Proposed District Plan Submission
Subject **Omya Further Submission on Proposed Waitomo District Plan**

This further submission is made on behalf of Omya New Zealand Limited (Omya), a key stakeholder in Te Kuiti. Omya made a submission on the Proposed Waitomo District Plan (Submission # 7).

Omya have reviewed the submissions on the Proposed Waitomo District Plan and wish to submit on various submission points, as set out in **Table 1** below. The further submission form is attached within **Attachment 1**.

Omya have an interest in the Proposed Waitomo District Plan and the various submission points commented on below, that is greater than the interest that the general public has in relation to the operation and planned expansion of their various quarry sites in and around Te Kuiti.

Refer to **Table 1** below for the further submission points made by Omya.



Table No. 1

Further Submission Points					
Submitter #	Submitter's Name	Submission Point #	Support/Oppose	Reasons	Outcome Sought
4	New Zealand Agricultural Aviation Association	4.28	Oppose	Omya oppose the suggested removal of 'quarrying activities' from GRUZ-P3 as it is considered that quarrying should be recognised as an accepted component of the Rural environment.	Do not adopt this change.
10	Waikato Regional Council	10.39	Neutral	Omya is interested in the outcome of this submission as any new road hierarchy inserted in the District Plan may affect the way that Omya currently operates on the existing road network.	Omya would like to be engaged in the outcome/decision of this submission point and have the opportunity to review any road hierarchy.
10	Waikato Regional Council	10.68	Neutral	Omya are interested in the outcome of the relationship between Waikato Regional Council and Waitomo District Council as it relates to the management of the Mangaokewa Stream.	Omya would like to be engaged in the outcome/decision of this submission point.
10	Waikato Regional Council	10.121	Neutral	Omya are interested in the addition of environmental standards relating to earthworks in the Waitomo District Plan as it will directly relate to the work undertaken on the Omya quarry sites.	Omya would like to be engaged in the outcome/decision of this submission point and have an opportunity to review any environmental standards proposed.
27	Horticulture New Zealand	27.47	Support	Omya support the increase of earthworks volumes from 2000m ³ to 5000m ³ . While earthworks consent	Adopt this change.



				will still be required and sought for the bulk quarry activities, this additional permitted volume will assist with other potential ancillary earthworks required on the site (i.e. to create access tracks, parking areas etc).	
27	Horticulture New Zealand	27.80	Neutral	This submission point relates to the Rural Production Zone being included as a precinct of the General Rural Zone. Omya do not support or oppose this change. However in either case, Omya request that all provisions of the Rural Production Zone are retained as notified (or amended by the original Omya submission) for the Rural Production Zone.	No specific outcome sought however Omya would like to be engaged in the outcome/decision of this submission point.
29	Aggregate and Quarry Association	29.08	Neutral	Omya are interested in the outcome of this submission point, particularly as it relates to the higher order National Policy Statements which are relevant.	No specific outcome sought however Omya would like to be engaged in the outcome/decision of this submission point.
35	Te Ruunanga o Ngaati Mahuta ki te Hauaaaru	35.14	Oppose	This submission seeks to include a requirement in the District Plan that all discretionary and non-complying activities are to complete a cultural impact/values assessment. It is considered that this would be overly encumbering if adopted for all discretionary and non-complying activities. Cultural impact assessments should be required on a case-by-case basis, relative to the extent of activity, location of an activity and the potential effects resulting from a proposed activity.	Do not adopt this change.
35	Te Ruunanga o Ngaati Mahuta ki te Hauaaaru	35.20	Oppose	It is understood that Omya's processing plant located at 260 Hangatiki Road is surrounded by Maori owned land. The adoption of this submission point would have a direct effect on the processing plant potentially resulting in an inappropriate	Do not adopt this change.



				<p>density of sensitive receivers nearby on an existing lawfully established operation.</p> <p>The density of development on Maori owned land should be subject to District Plan rules relating to density, access, reverse sensitivity and development outcome to allow Council to assess the effects of a development on the environment and potentially affected parties.</p>	
43	Graymont Limited	43.78	Support	Omya support the proposed addition to rule NOISE-R19 relating to blasting. This change provides clarification that one blasting event may include more than one blast within a short time period.	Adopt this change.
53	Department of Conservation	53.06	Oppose	This addition of a bat protection area in the planning maps would be an extensive exercise to include all areas that provide for breeding, roosting, foraging and commuting. Additionally, it is considered that it is more suitable to require a bat assessment on a case by case basis, based on site specific features and on the activity proposed to be undertaken.	Do not adopt this change.
53	Department of Conservation	53.11	Neutral	Omya are interested in the outcome of this submission point as it may result in additional Significant Natural Areas on their sites and the potential for restrictions on the quarry operations.	No specific outcome sought however Omya would like to be engaged in the outcome/decision of this submission point.
53	Department of Conservation	53.12	Oppose	The proposed additions to the definition of quarry will exclude ancillary quarry activities from the quarry definition. This will likely result in various subsequent consenting processes for minor works on a quarry site. It is considered that the definition should include any ancillary activities. This submission will also cause inconsistencies between the definition for 'quarry' and 'quarry activities' as included in the Proposed District Plan.	Do not adopt this change.



53	Department Conservation	of	53.34	Oppose	Refer to comments on submission point 53.06 above.	Do not adopt this change.
53	Department Conservation	of	53.44	Oppose	Refer to comments on submission point 53.06 above.	Do not adopt this change.
55	Kura Stratford		55.02	Oppose	Refer to comments on submission 35.20 above.	Do not adopt this change.





Level 4, 18 London Street
PO Box 9041, Hamilton 3240
New Zealand

+64 7 838 0144
consultants@bbo.co.nz
www.bbo.co.nz

It is noted that Omya will serve this further submission on each of the submitters within 5 working days following to lodgement of this further submission to Waitomo District Council.

Omya wishes to be heard in relation to the submissions and further submissions.

Please contact us if you wish to discuss any of these points further or seek clarification.

Yours sincerely

Bloxam Burnett & Olliver

Emily Patterson
Planner
027 845 4321
epatterson@bbo.co.nz

Chris Dawson
Principal Planner
027 533 3899
cdawson@bbo.co.nz

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Appendix A – Further Submission Form



Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6



Send your submission to districtplan@waitomo.govt.nz or post to :

Attn: Proposed District Plan
Waitomo District Council
15 Queen Street
PO Box 404
Te Kūiti 3941

For office use only

Further Submission No:

Receipt Date:

Further Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Omya New Zealand Limited (c/o: Emily Patterson - BBO)

Organisation Name (if further submission is made on behalf of Organisation)

Omya New Zealand Limited

Address for service of Further Submitter

PO Box 372, Te Kuiti, Te Kuiti, 3941 (c/o: PO Box 9041, Hamilton, 3240)

Telephone:

0278454321

Email:

epatterson@bbo.co.nz

Contact Person: (Name and designation, if applicable) Emily Patterson (Agent - BBO)

Scope of Further Submission

This is a further submission in support of (or opposition to) a submission on the Proposed Waitomo District Plan:

Various further submissions are made, as set out in attached Memo.

I support : **Oppose** (tick one) **the submission of:**

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number

Point-Number

Various, refer to attached Memo for details of this further submissions

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The reasons for my support / opposition are:

Refer to attached memo for reasons of each submission point made.

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) _____

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

E Patterson

28/07/23

Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Omya owns and operates various quarries (being regionally significant infrastructure) in the Waitomo District

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.