



GRAYMONT

Proposed Waitomo District Plan

**Graymont (NZ) Limited submissions to the Proposed
Waitomo District Plan**

22nd of December 2022

Graymont (NZ) Limited ('**Graymont**' '**GL**' or '**the Company**') welcomes the opportunity to provide a submission to the Waitomo District Council ('**WDC**' or '**the Council**') on its Proposed Waitomo District Plan (the '**pWDP**' or the '**proposed Plan**').

This submission has been prepared in general accordance with Form 5 in Schedule 1 of the Resource Management (Forms, Fees and Procedure) Regulations 2003.

The first section of this submission provides context for the submission points. Graymont's submissions on the pWDP's provisions (specific provisions; submission reasons; decision sought) is set out in **Appendix A** of this submission.

For any questions relating to the material in this submission, please contact:

Benjamin Murray

HSE Manager

APAC South - Graymont (NZ) Limited

Address for Service:

Graymont (NZ) Limited

4/214 Collingwood Street

Hamilton Lake

Hamilton

Email: bmurray@graymont.com

Phone: 021 714 926

**SUBMISSIONS ON THE PROPOSED WAITOMO DISTRICT PLAN UNDER CLAUSE 6 OF
THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

To: Waitomo District Council
Email: districtplan@waitomo.govt.nz

Name of Submitter: Graymont (NZ) Limited

Graymont (NZ) Limited (**'Graymont'**) makes the following submission to the Waitomo District Council on the proposed Waitomo District Plan.

Graymont **cannot** gain an advantage in trade competition through this submission.

Graymont **does wish** to be heard in support of this submission.

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

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

Attention: Benjamin Murray

Email: bmurray@graymont.com

Phone: 021 714 926

Signature:

Benjamin Murray
For, and on behalf of Graymont (NZ) Limited.

Dated: 22nd of December 2022.

1.0 INTRODUCTION

Graymont (NZ) Limited (hereafter referred to as ‘Graymont’ ‘GL’ or ‘the Company’ 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. A suite of resource consent applications have recently been sought for the expansion of this quarry. Those resource consent applications have been lodged with the Waikato Regional Council and the WDC and relate to the establishment of a second quarry pit. As would be expected, the volume of information that has been assembled to accompany these applications is significant and means that Graymont is extremely well placed to comment on the environmental values that exist within, and in close proximity to this quarry. We come back to this matter shortly.

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 and located in North Otago. 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.

These submissions are made to the Proposed Waitomo District Plan (the 'proposed Plan' or the 'pWDP')

Graymont is principally concerned to ensure that its existing lawfully established activities within the Waitomo District 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 expansion of its operations, 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 records that its Oparure 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. Approximately \$70 million has been invested in assets and equipment associated with the quarry and the quarry has annual production rates of up to 1 Megatonne ('Mt') of limestone putting the quarry amongst the largest in New Zealand. Lime has been recognised as a product that is fundamental to the New Zealand economy.

Graymont's Te Kuiti plant (which consists of a gas fired Maerz Kiln) produces product that is required across a range of different industries and needs, including steel making, production of clean drinking water, reduction of nutrient runoff in pasture, construction (for soil stabilisation for infrastructure and subdivision), sewerage sludge treatment and environmental water treatment. As highlighted above, the benefits associated with its product are experienced at a regional and national scale, given this, and while Graymont's Oparure Quarry has been recognised as a 'Significant mineral resource' (RPROZ-3), Graymont queries why its Oparure Quarry and associated Te Kuiti plant have not been recognised within the proposed Plan as regionally significant industry. Graymont considers that recognition as regionally significant industry would assist the Company in being able to continue to supply those products listed above.

Graymont notes that there are a number of high and outstanding landscapes and significant natural areas, karst areas and other important features in or around its properties. While protection of such landscapes, areas and overlays is appropriate, Graymont contends that a

number of the provisions associated with these sites, areas and overlays are overly restrictive and do not accord with the sustainable management purpose of the Resource Management Act 1991 (the 'RMA' or 'the Act').

Graymont notes that there have been some new areas of Natural Open Space Zone added alongside the streams that run through its industrially zoned Te Kuiti Plant site, off SH30.¹ Further, adjacent to Graymont's Te Kuiti site there is a land parcel² that has been partially rezoned as General Rural (noting that the other part of the parcel is General Rural). Graymont's key interest in the zoning change is to ensure that it does not bring about reverse sensitivity effects and other implications for its on-site activities.

As we have already highlighted, Graymont has recently (on the 19th of October 2022) lodged a resource consent application associated with the expansion of Oparure Quarry (by establishing a second quarry pit). This application, if granted, will enable the quarrying of limestone to continue for a further 70 years. The area of proposed expansion associated with the Company's Oparure Quarry has now been zoned Rural Production Zone, which accords with the zoning of the Company's current operations. Graymont considers this to be appropriate and supports the zoning of the same. In this regard, the Company seeks the retention of this zoning without change.

Submissions addressing specific provisions of the proposed Plan, are set within **Appendix A**, which commences on the following page.

Graymont would be pleased to meet with the Council to discuss any questions it might have with regard to the Company's submissions.

¹ Valuation ID 0586223400, 0586217303 and 0586217301

² Valuation IDs 0586223100

Graymont's Submissions to the Proposed Waitomo District Plan

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
Definitions			
industrial activity <i>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.</i>	Support	Graymont notes that 'industrial activity' is not defined in the Waikato Regional Policy Statement ('RPS') or Waikato Regional Plan ('WRP'). However, this definition is the same as the meaning of 'industrial activities' in Standard 14 of the National Planning Standards 2019.	Retain the definition for industrial activity notified.
mineral <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>	Support	Graymont notes that the definition for mineral is consistent with that of the RPS and WRP, which both utilise the definition from the Resource Management Act 1991 ('RMA' or 'the Act').	Retain the definition for mineral as notified.
mineral prospecting and exploration <i>means any activity (excluding blasting) undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences and/or evaluating the feasibility of mining particular deposit or occurrence. It 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 - geological, geochemical and geophysical surveys, the taking of samples by hand or hand-held methods and aerial surveys.</i>	Support	Graymont supports the inclusion of a definition for mineral prospecting and exploration and considers that the definition provides clarity as to what is intended to be included in terms of mineral prospecting and exploration activities.	Retain the definition for mineral prospecting and exploration as notified.
primary production <i>means:</i>	Support	Graymont notes that this definition has the same meaning as in Standard 14 of the National Planning Standards. As such, Graymont considers this definition appropriate.	Retain the definition for primary production as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
<p><i>(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and</i></p> <p><i>(a) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</i></p> <p><i>(b) 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</i></p> <p><i>(c) excludes further processing of those commodities into a different product.</i></p>			
<p>quarry <i>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.</i></p>	Support	Graymont notes that the definition for quarry is the same as that provided within the National Planning Standards.	Retain the definition for quarry as notified.
<p>quarrying activities <i>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 quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.</i></p>	Support	Graymont notes that the definition for quarrying activities is the same as that provided within the National Planning Standards.	Retain the definition for quarrying activities as notified.
<p>regionally significant industry <i>has the same meaning as in the Waikato Regional Policy Statement; means an economic activity based on the use of natural and physical resources in the region and is identified in regional or district plans, which has been shown to have benefits that</i></p>	Support	While Graymont's Oparure Quarry has been highlighted as a 'significant mineral resource' within RPROZ-SCHED1 - Scheduled rural production sites, within the Rural Production chapter of the proposed Plan, it has not been specifically highlighted or defined as 'regionally significant industry'.	Graymont seeks that it's Oparure Quarry and associated Te Kuiti Processing Plant are identified as 'regionally significant industry'

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<p><i>are significant at a regional or national scale. These may include social, economic or cultural benefits.</i></p>		<p>Graymont seeks clarification regarding the classification of both its Oparure Quarry and Te Kuiti Plant sites.</p> <p>Graymont records that its Oparure 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. Approximately \$70 million has been invested in assets and equipment associated with the quarry and the quarry has annual production rates of up to 1 Megatonne ('Mt') tonne of limestone putting the quarry amongst the largest in New Zealand. Lime has been recognised as a product that is fundamental to the New Zealand economy. As we have already noted, Graymont has recently lodged resource consent applications (in October 2022) to expand this operation, enabling the quarrying of limestone to continue for a further 70 years. This has involved the retention of some 25 experts to help to both design and then refine the design of the expansion Proposal and to identify and then offset any adverse effects. The expected outcome is one whereby the social and economic wellbeing of the Waitomo District is improved for at least an extra seven planning periods (it is accepted that a planning period equals a decade) and any adverse environmental effects are small to less than minor). Indeed, a positive ecological outcome is projected by the three expert ecologist's that are advising Graymont. The Council is aware of this predicted outcome, given that the applications have been discussed with, and are currently before it.</p> <p>Graymont's Te Kuiti plant (which consists of a gas fired Maerz Kiln) produces product that is required across a range of different industries and needs, including steel making, production of clean drinking water, reduction of nutrient runoff in pasture, construction (for soil stabilization for infrastructure and subdivision), sewerage sludge treatment and environmental water treatment. The benefits</p>	

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		associated with its product are experienced at a regional and national scale. Given this, Graymont queries why its Oparure Quarry and associated Te Kuiti Plant have not been specifically recognised within the proposed Plan as regionally significant industry.	
<p>significant hazardous facility means any facility which involves one or more of the following activities:</p> <ul style="list-style-type: none"> (a) Manufacturing and associated storage of hazardous substances (including industries manufacturing agrochemicals, fertilisers, acids/alkalis or paints); (b) Oil and gas exploration and extraction facilities; (c) Purpose built bulk storage facilities for the storage of hazardous substances (other than petrol, diesel or LPG) for wholesale or restricted commercial supply; (d) The above ground storage of more than 50,000 L of petrol; and (e) The aboveground storage of more than 100,000 L of diesel; (f) The storage/use of more than 6 tonnes of LPG; (g) Galvanising plants; (h) Electroplating and metal treatment facilities; (i) Tanneries; (j) Timber treatment; (k) Freezing works and rendering plants; (l) Wastewater treatment plants; (m) Metal smelting and refining (including battery refining or recycling); (n) Milk treatment plants; 	Support	Graymont supports the inclusion of a definition for significant hazardous facilities.	Retain the definition for significant hazardous facility as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<p>(o) Fibreglass manufacturing; (p) Polymer foam manufacturing; (q) Asphalt/bitumen manufacture or storage; (r) Landfills; (s) The storage and/or treatment of hazardous waste (including reuse and recycling facilities) or hazardous substances awaiting reuse, recycling, or treatment; and (t) Any facility deemed a Major Hazardous Facility under the Health and Safety at Work Major Hazardous Facilities Regulations 2016.</p> <p>For the avoidance of doubt, the following activities are not significant hazardous facilities':</p> <p>(i) The incidental use and storage of hazardous substances in minimal domestic scale quantities; (ii) Retail outlets for hazardous substances intended for domestic usage (eg supermarkets, hardware stores, and pharmacies); (iii) The incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities; (iv) Pipelines used for the transfer of hazardous substances such as gas, oil, trade waste and sewage; (v) Fuel in motor vehicles, boats, airplanes and small engines; (vi) Military training activities;</p>			

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(vii) <i>The transport of hazardous substances; and</i> (viii) <i>Emergency management activities.</i>			
<p>significant mineral resources <i>means sites identified in accordance with the criteria contained in Method 6.8.1 of the Waikato Regional Policy Statement.</i></p>	Support in part	<p>Graymont notes that Method 6.81 (now Method UFD-M29-Identification of mineral resources in accordance with the electronic version dated 28/09/2022 on the Waikato Regional Council's website) states that the WRC will map the location of significant mineral resources. Until such a time as significant mineral resources are identified, the criteria below shall be used to determine the significance of any mineral resource at a specific location:</p> <ul style="list-style-type: none"> a) relative scarcity; b) contribution or potential contribution to national and regional economy; c) current and potential demand, and location with respect to demand; d) constraints on extraction including existing or planned settlement; e) quality and size of deposit; f) importance of the mineral resource to tāngata whenua; and g) importance to infrastructure development. <p>Graymont understands that its Oparure Quarry is considered a significant mineral resource (RPROZ-3), as recorded within the Rural Production Zone Chapter.</p>	<p>Graymont seeks the inclusion of the assessment criteria for defining significant mineral resources be included within the proposed Plan, for ease of access for the plan user.</p> <p>Graymont supports a definition and the recognition for significant mineral resources within the proposed Plan.</p>
Strategic Direction			
<p>SD-05 <i>Compatible activities with similar effects and functions are located together and new development is directed towards the appropriate zones to ensure that land use and subdivision:</i></p>	Support in part	<p>Graymont supports the inclusion of an objective that recognises lawfully established activities and their ongoing operations must be protected from incompatible activities.</p> <p>Graymont notes, however, that it is important to recognise that a number of activities, including activities such as</p>	<p>Amend SD-05 is amended as follows:</p> <p><i>Compatible activities with similar effects and functions are located together and new development is directed towards the</i></p>

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<ol style="list-style-type: none"> 1. Are consistent with the anticipated character and amenity values of the areas where they are located; and 2. Efficiently use natural and physical resources in order to meet the community's and the environment's needs both now and in the future; and 3. Recognise existing lawful activities and protect their ongoing operation from incompatible activities 		<p>renewable electricity generation activities and mineral extraction and quarrying activities, have a functional need to be close to the resource that they utilise, they also must remain economically viable in order to operate efficiently and effectively, and in turn provide for current and future generations.</p>	<p>appropriate zones to ensure that land use and subdivision:</p> <ol style="list-style-type: none"> 1. Are consistent with the anticipated character and amenity values of the areas where they are located, <u>while recognising the functional, locational and operational needs of particular activities</u>; and 2. Efficiently use natural and physical resources in order to meet the community's and the environment's needs both now and in the future; and 3. Recognise existing lawful activities and protect their ongoing operation from incompatible activities.
<p>SD-O29 Ensure sufficient industrial land supply is available along key transport routes and in areas located away from sensitive activities to enable industrial activities to develop and operate efficiently and effectively.</p>	Support	<p>Graymont supports this provision.</p> <p>The Company notes that Objective IM-O2 of the RPS reads as follows: "Recognise and provide for the role of sustainable resource use and development and its benefits in enabling people and communities to provide for their economic, social and cultural wellbeing, including by maintaining and where appropriate enhancing:...</p> <ol style="list-style-type: none"> 4. access to the significant mineral resources of the region; and..." <p>Graymont considers that the wording of SD-O29 accords with the same.</p>	Retain SD-O29 as notified.
<p>SD-O30 Recognise and provide for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources.</p>	Support	<p>Graymont supports the inclusion of this provision. The Company considers that it is consistent with the direction provided by the RPS. Further Graymont considers that this provision also accords with the Rural Production Zone of the proposed Plan, which provides for a number of regionally significant industries, infrastructure and significant mineral</p>	Retain SD-O30 as notified.

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		resources, given that they contribute to the economic and social well-being of the community.	
Contaminated Land			
CL-O1 <i>Ensure risks to human health, land and property from contaminated land are appropriately managed.</i>	Support	<p>Graymont notes that the RPS (at HAZ-P4) requires Council's to identify and manage contaminated land to ensure human, plant and animal health, and water, air and soil quality are protected from unacceptable risk. Further, it directs (at HAZ-M16) that District Plans shall include provisions that support the implementation of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the 'NESCO').</p> <p>The Contaminated Land Chapter of the proposed Plan is consistent with the direction provided within the RPS.</p> <p>It is noted that there are no rules in the proposed Plan with respect to contaminated land. The proposed Plan notes that the NESCO provides a complete framework of rules for managing subdivision, use, development or redevelopment of contaminated or potentially contaminated land, which the Council must enforce.</p> <p>Graymont consider the objective and policies 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.</p>	Retain Objective CL-O1 and policies CL-P1 and CL-P2 as notified.
CL-P1 <i>Ensure contaminated land or potentially contaminated land is suitable for its intended use by enabling site investigations and requiring remediation or management as necessary, at the time of land use change, subdivision or re-development.</i>	Support		
CL-P2 <i>Ensure any unacceptable risk to human health and the environment posed by the subdivision, use, development or redevelopment of contaminated land is avoided, remedied or mitigated.</i>	Support		
Hazardous Substances			
HS-P2 <i>Outside of the industrial and rural production zones and the aerodrome precinct (PREC3), new significant hazardous facilities may only be considered where:</i>	Support	Graymont records that 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.	Retain HS-P2 as notified.

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<ol style="list-style-type: none"> 1. <i>Robust protection measures are proposed to avoid adverse effects on the receiving environment; and</i> 2. <i>There is an operational and functional need to locate in that area.</i> 		While it is recognised that significant hazardous facilities must be carefully managed, and pose a risk to the community, Graymont considers that there may be some sites that sit outside of the Industrial and Rural Production Zones that could accommodate new significant hazardous facilities, given this, Graymont supports the inclusion of HS-P2.	
HS-P3 <i>Ensure new significant hazardous facilities avoid locating adjacent to water bodies or within hazard areas or coastal hazard areas unless there is a functional need for them to do so and they are able to demonstrate that they do not pose an increased risk to people, property and the environment.</i>	Support	Graymont notes that there is a functional need to locate their facilities in close proximity to the resource that they utilise. Given this, Graymont considers that applications for new significant hazardous facilities with a functional need to locate adjacent to water bodies or within hazard areas or coastal hazard areas should be able to do so, where they are able to confirm that they do not pose a risk to people property or the environment. As such, Graymont supports the inclusion of HS-P3.	Retain HS-P3 as notified.
HS-P4 <i>Where the location of new significant hazardous facilities is considered appropriate, ensure that the site layout, construction, operation, facilities and emergency management systems provided are designed to avoid accidental or unintentional release, or loss of control (such as spills and gas escapes) of hazardous substances.</i>	Support	While Graymont notes that accidents may occur and procedures must be implemented should such instances occur, the Company consider that it is appropriate for new significant hazardous facilities to be designed to avoid accidental or unintentional release or loss of control of such hazardous substances.	Retain HS-P4 as notified.
Rules - Table 1 - Activities Rules			
HS-R1 - Significant hazardous facilities existing at 20 October 2022 which propose to increase the use, storage or handling of hazardous substances <i>Activity Status: Permitted (within the Industrial and Rural Production Zones and the Aerodrome precinct (PREC3))</i> <i>Where:</i> <ol style="list-style-type: none"> 1. <i>The use, storage, or handling of hazardous substances increases by no more than 20%</i> 	Support	Graymont supports a permitted activity status for significant hazardous facilities that propose to increase the use storage or handling of hazardous substances by up to 20% over a 5-year period.	Retain HS-R1 as notified.

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<p><i>from the base figure over a 5 year period; and</i></p> <p>2. <i>The use, storage, or handling of hazardous substances must be setback at least 50 m from the edge of any water body as measured from the bankfull channel width (see HS - Figure 1).</i></p> <p>Where compliance can't be achieved with 1. or 2., the activity status will be discretionary.</p> <p>Activity Status: Discretionary (All other zones and precincts)</p>			
<p>HS-R2 - General rural zone, industrial and rural production zones and aerodrome precinct (PREC3).</p> <p>Activity Status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. <i>The new significant hazardous facility is not located in a hazard area or a coastal hazard area; and</i> 2. <i>The new significant hazardous facility is not located within the national grid yard or within 60 m of the gas transmission network; and</i> 3. <i>The new significant hazardous facility must be setback at least 50 m from the edge of any water body as measured from the bankfull channel width (see HS - Figure 1)</i> 	Support	Graymont considers a discretionary activity status for all new significant hazardous facilities located within the general rural zone, industrial and rural production zones and aerodrome precinct (subject to meeting clauses 1. - 3.) to be appropriate.	Retain HS-R2 as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<p>Where compliance can't be achieved with 1., 2. or 3., the activity status will be non-complying.</p> <p>Activity Status: Non-complying (All other zones and precincts)</p>			
Natural Features and Landscapes			
<p>NFL-O1 <i>The values and character of the outstanding natural features and outstanding natural landscapes identified in SCHED7 and SCHED8 are recognised and protected from inappropriate subdivision, use and development.</i></p>	Support	<p>Graymont supports the inclusion of this objective. Graymont considers that the objective is consistent with the direction provided in the RMA.</p>	Retain NFL-O1 as notified.
<p>NFL-P1 <i>Ensure the values and character of the outstanding natural features and outstanding natural landscapes are protected by:</i></p> <ol style="list-style-type: none"> 1. <i>Avoiding adverse effects which compromise the values and character of outstanding natural features and landscapes; and</i> 2. <i>Ensuring the location, scale, materials, design, colour and grouping of buildings, structures and infrastructure avoid adverse effects on the values and character of outstanding natural features and landscapes; and</i> 3. <i>Ensuring earthworks integrate with the existing landform to preserve the values and character of outstanding natural features and landscapes; and</i> 4. <i>Avoiding any activity, particularly earthworks, harvesting of plantation forestry and structures, where this will adversely affect caves and fragile</i> 	Oppose	<p>Graymont considers NFL-P1 to be overly restrictive, noting that the policy applies an avoidance principle in a number of instances.</p> <p>Graymont records that the RPS, at NFL-M1 states that Regional and District Councils shall “<i>identify and provide for the protection of the values and characteristics of outstanding natural features and landscapes from inappropriate subdivision, use and development...by:</i></p> <ol style="list-style-type: none"> a. <i>avoiding adverse effects of activities on the values and characteristics of outstanding natural features and landscapes in the coastal environment; and</i> b. <i>outside of the coastal environment, avoiding adverse effects of activities on the values and characteristics of outstanding natural features and landscapes, and if avoidance is not possible remedy or mitigate the adverse effects”</i> <p>Given the direction provided within the RPS, Graymont seeks that NFL-P1 is reworked to provide consideration for remediation, mitigation and offsetting of effects, in those</p>	<p>Amend NFL-P1 as follows:</p> <p><i>Ensure the values and character of the outstanding natural features and outstanding natural landscapes are protected by:</i></p> <ol style="list-style-type: none"> 1. <i>Avoiding adverse effects which compromise the values and character of outstanding natural features and landscapes; and</i> 2. <i>Ensuring the location, scale, materials, design, colour and grouping of buildings, structures and infrastructure avoid adverse effects on the values and character of outstanding natural features and landscapes; and</i> 3. <i>Ensuring earthworks integrate with the existing landform to preserve the values and character of outstanding natural features and landscapes; and</i> 4. <i>Avoiding any activity, particularly earthworks, harvesting of plantation forestry and structures, where this</i>

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<p><i>outstanding natural features identified in SCHD8; and</i></p> <ol style="list-style-type: none"> 5. <i>Ensuring developments in locations that are of significance to mana whenua appropriately assess those effects and any resulting development is managed in a way that protects the values of the site; and</i> 6. <i>Avoiding in the first instance or minimising the removal of indigenous vegetation; and</i> 7. <i>Ensuring any earthworks or vegetation removal activities focus on protecting existing indigenous vegetation in the first instance, minimising clearance in the second instance and undertaking any measures necessary to rehabilitate the land including restoration and re-planting as a final resort; and</i> 8. <i>Avoiding the adverse effects of mineral extraction activities in outstanding natural landscapes; and</i> 9. <i>Providing for plantation forestry only where there is a clear and on-going land stability benefit and the ensuing operations avoid detracting from the values and character of outstanding natural features and landscapes; and</i> 10. <i>Providing for the continued operation of lawfully established farming activities.</i> 		<p>instances where avoidance is not possible, particularly as it relates to mineral extraction activities.</p> <p>In addition to the foregoing, the Company consider that NFL-P2 does not adequately provide for nationally and regionally significant industry, infrastructure and, for significant mineral resources. Graymont considers that this is inconsistent with the direction provided by SD-O30 of the proposed Plan which reads as follows: “<i>Recognise and provide for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources.</i>”</p> <p>Further NFL-P1 specifically provides for ‘the continued operation of lawfully established farming activities.’ While farming activities are important to the Waitomo District, so too are other activities such as the quarrying of limestone.</p>	<p><i>will adversely affect caves and fragile outstanding natural features identified in SCHD8; and</i></p> <ol style="list-style-type: none"> 5. <i>Ensuring developments in locations that are of significance to mana whenua appropriately assess those effects and any resulting development is managed in a way that protects the values of the site; and</i> 6. <i>Avoiding in the first instance or minimising the removal of indigenous vegetation; and</i> 7. <i>Ensuring any earthworks or vegetation removal activities focus on protecting existing indigenous vegetation in the first instance, minimising clearance in the second instance and undertaking any measures necessary to rehabilitate the land including restoration and re-planting as a final resort; and</i> 8. <i>Avoiding <u>in the first instance, and where avoidance is not practicable, remedying and mitigating</u> the adverse effects of mineral extraction activities in outstanding natural landscapes; and</i> 9. <i>Providing for plantation forestry only where there is a clear and on-going land stability benefit and the ensuing operations avoid detracting from the values and character of outstanding natural features and landscapes; and</i> 10. <i>Providing for the continued operation of lawfully established <u>farming activities; and</u></i>

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			11. <u>Providing for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources.</u>
NFL-P3 <i>Provide for the appropriate use of natural resources, including land and water, within outstanding natural features and outstanding natural landscapes by:</i> <ol style="list-style-type: none"> 1. <i>Providing thresholds to allow limited earthworks and vegetation removal, particularly where this is part of the continued operation of lawfully farming established activities; and</i> 2. <i>Ensuring buildings and structures are setback from riparian and coastal margins and do not dominate ridgelines or coastal headlands.</i> 	Support in part	<p>Graymont considers that the functional, locational and operational needs of particular activities must be recognised within this policy. In this regard, quarrying can only occur where mineral resources are located.</p> <p>Further Graymont considers that the policy should apply to the continued operation of all lawfully established activities, rather than farming alone.</p>	<p>Amend Policy NFL-P3 as follows:</p> <p><i>Provide for the appropriate use of natural resources, including land and water, within outstanding natural features and outstanding natural landscapes by:</i></p> <ol style="list-style-type: none"> 1. <i>Providing thresholds to allow limited earthworks and vegetation removal, particularly where this is part of the continued operation of lawfully <u>farming</u> established activities; and</i> 2. <i>Ensuring buildings and structures are setback from riparian and coastal margins and do not dominate ridgelines or coastal headlands, <u>while recognising the functional, locational and operational needs of particular activities.</u></i>
NFL-O4 <i>Recognise, maintain, and where practicable, enhance the qualities and values of the landscapes of high amenity value identified in SCHED9, including those values associated with working agricultural, pastoral and horticultural landscapes.</i>	Support	Graymont supports the inclusion of this objective. Graymont considers that the objective is consistent with the direction provided in the RMA.	Retain NFL-O4 as notified.
NFL-P4 <i>Maintain and where practicable, enhance the qualities and values of the landscapes of high amenity value during subdivision, land use and development by:</i>	Oppose	Graymont notes that the RPS (at IM-O9), states that “ <i>the qualities and characteristics of areas and features, values for their contribution to amenity are maintained or enhanced</i> ”.	<p>Amend NFL-P4 as follows:</p> <p><i>Maintain and where practicable, enhance the qualities and values of the landscapes of high amenity value during subdivision, land use and development by:</i></p>

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<ol style="list-style-type: none"> 1. Ensuring that the effects of any activity which could compromise the qualities and values of the landscapes of high amenity value are minimised; and 2. Ensuring that buildings, structures and infrastructure are integrated into landscapes of high amenity value to minimise, to the maximum extent practicable, any visual impacts; and 3. Managing the adverse effects of earthworks for buildings, driveways, new tracks and farm quarries through appropriate subdivision and development design; and 4. Ensuring developments in locations that are of significance to mana whenua appropriately assess those effects and any resulting development is managed in a way that protects the values of the site; and 5. Minimising the removal of indigenous vegetation as far as practicable; and 6. Providing for the continued operation of lawfully established farming activities; and 7. Providing for the continued operation, maintenance and repair of lawfully established renewable electricity generation activities. 		<p>Further, RPS Implementation Method IM-M30 requires, amongst other things, that Regional and District Plans shall ensure that “3. subdivision, use and development is managed to avoid, remedy or mitigate adverse effects on identified values of areas of amenity value...”</p> <p>NFL-P4 specifically provides for ‘the continued operation of lawfully established farming activities and renewable electricity generation activities.’ While Graymont both agrees with and considers that these activities are important to the Waitomo District, so too are other activities, which, as noted, may include the quarrying of limestone.</p> <p>In addition, as currently worded, Graymont considers that NFL-P4 is overly restrictive and does not adequately provide for nationally and regionally significant industry and infrastructure and, for significant mineral resources, which are recognised in the Rural Production Zone Chapter as being important activities that contribute to the economic and social well-being of the community.</p>	<ol style="list-style-type: none"> 1. Ensuring that the effects of any activity which could compromise the qualities and values of the landscapes of high amenity value are minimised; and 2. Ensuring that buildings, structures and infrastructure are integrated into landscapes of high amenity value to minimise, to the maximum extent practicable, any visual impacts; and 3. Managing the adverse effects of earthworks for buildings, driveways, new tracks and farm quarries through appropriate subdivision and development design; and 4. Ensuring developments in locations that are of significance to mana whenua appropriately assess those effects and any resulting development is managed in a way that protects the values of the site; and 5. Minimising the removal of indigenous vegetation as far as practicable; and 6. Providing for the continued operation of lawfully established <u>farming</u> activities; and 7. Providing for the continued operation, maintenance and repair of lawfully established renewable electricity generation activities; and 8. <u>Providing for nationally and regionally significant infrastructure and industry, and for those activities</u>

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			<u>associated with significant mineral resources.</u>
<p>NFL-P5 <i>Recognise, protect, and where practicable, enhance the values of the karst overlay by:</i></p> <ol style="list-style-type: none"> 1. <i>Ensuring that the effects of any activity which could compromise the values of the karst overlay are avoided in the first instance, and where this is not practicable, minimised; and</i> 2. <i>Managing the adverse effects of earthworks through appropriate development design, mitigation measures and rehabilitation; and</i> 3. <i>Avoiding any activity, particularly vegetation clearance and large-scale earthworks including quarrying activities, where these will adversely affect the values of the karst systems or features; and</i> 4. <i>Avoiding developments in locations that are of significance to mana whenua; and</i> 5. <i>Minimising the removal of indigenous vegetation; and</i> 6. <i>Providing for plantation forestry only where there is a clear and on-going land stability benefit and the ensuing operations do not significantly detract from the values of the karst overlay; and</i> 7. <i>Providing for the continued operation of lawfully established farming activities.</i> 	Oppose	<p>Like NFL-P1 and NFL-P4, Graymont consider that NFL-P5 is overly restrictive.</p> <p>NFL-P5 specifically provides for ‘the continued operation of lawfully established farming activities.’ While farming activities are important to the Waitomo District, so too are other activities, in this regard significant mineral resources are highlighted in a number of instances throughout the proposed Plan as being important to the district (such as in the Rural production Zone chapter).</p> <p>This policy also prevents development outright in locations that are of significance to mana whenua, regardless of the scale of effect. Graymont record that the RMA does not contain a veto for cultural considerations. As such, it follows that even when a proposal is located within an area of notable cultural values, the plan should not default to a position whereby areas of significance to mana whenua are avoided. In the Company’s experience, it is often possible to ensure that the cultural values associated with an area are respected and that they are not impacted to a degree that is unacceptable to mana whenua.</p> <p>In addition, part 3 requires that any activity, particularly vegetation clearance and large-scale earthworks including quarrying activities, where these will adversely affect the values of the karst systems or features are avoided. Graymont contends that there may be instances where remediation, mitigation or offsetting is entirely appropriate. As currently drafted NFL-P5(3) does not allow for any consideration of the same and seems to be at odds with RPROZ-P3 which states “Where the location of an existing quarrying activity of significant mineral resources coincides with the karst overlay in whole or part, adverse effects on</p>	<p>Amend NFL-P5 as follows:</p> <p><i>Recognise, protect, and where practicable, enhance the values of the karst overlay by:</i></p> <ol style="list-style-type: none"> 1. <i>Ensuring that the effects of any activity which could compromise the values of the karst overlay are avoided in the first instance, and where this is not practicable, minimised; and</i> 2. <i>Managing the adverse effects of earthworks through appropriate development design, mitigation measures and rehabilitation; and</i> 3. <u><i>Ensuring that the effects of Avoiding any activity, particularly vegetation clearance and large-scale earthworks including quarrying activities, where these will adversely affect the values of the karst systems or features are avoided in the first instance, and where this is not practicable, remedied or mitigated; and</i></u> 4. <u><i>Ensuring developments in locations that are of significance to mana whenua appropriately assess adverse effects and any resulting development is managed in a way that protects (to the extent warranted by the circumstances) the values of the site; and</i></u>

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		<p><i>the geomorphological or hydrological characteristics of the karst system should be remedied or mitigated in that order in the first instance, or if this is not possible, offset adverse effects”</i></p> <p>Graymont is particularly concerned with this provision and seeks that NFL-P5 is substantially amended to provide a more balanced approach.</p>	<p>5. Minimising the removal of indigenous vegetation; and</p> <p>6. Providing for plantation forestry only where there is a clear and on-going land stability benefit and the ensuing operations do not significantly detract from the values of the karst overlay; and</p> <p>7. Providing for the continued operation of lawfully established <u>farming activities; and</u></p> <p>8. <u>Providing for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources, where the effects of these activities do not compromise the values of the karst overlay.</u></p>
Rules - Caves and Sinkholes - Applicable to all zones			
<p>NFL-16 - Creation of new entrances into caves, structures within caves or other modifications to cave features</p> <p>The rules apply to all zones</p> <p><i>Outstanding natural features - NC</i></p> <p><i>Outstanding natural landscapes - NC</i></p> <p><i>Landscapes of high amenity value - DIS</i></p> <p><i>Karst Overlay - NC</i></p>	<p>Support in part</p>	<p>While Graymont agrees that resource consent should be sought for the creation of new entrances into caves, structures within caves or other modifications to cave features, and for any earthworks or clearance of vegetation (other than plant pest species, wilding pines, or when required in emergency situations such as the recovery of stock) within a 20 m radius of an entry or opening into any cave or sinkhole, the Company records that there are sinkholes concentrated throughout its Oparure Quarry site. Given this it is likely that the Company will need to undertake earthworks and clearance of vegetation within a 20 m radius of an entry or opening into a cave or sinkhole and may need to modify the same, from time to time. Graymont has previously obtained resource consent from the Waikato Regional Council to undertake such activities.</p>	<p>Amend NFL- 16 as follows:</p> <p>Creation of new entrances into caves, structures within caves or other modifications to cave features</p> <p>The rules apply to all zones</p> <p><i>Outstanding natural features - NC</i></p> <p><i>Outstanding natural landscapes - NC</i></p> <p><i>Landscapes of high amenity value - DIS</i></p> <p><i>Karst Overlay - NC-DIS: Rural production zone</i> <i><u>PR: All other zones</u></i></p>

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<p>NFL-R17 - Any earthworks or clearance of vegetation (other than plant pest species, wilding pines, or when required in emergency situations such as the recovery of stock) within a 20 m radius of an entry or opening into any cave or sinkhole</p> <p>The rules apply to all zones</p> <p><i>Outstanding natural features - NC</i></p> <p><i>Outstanding natural landscapes - NC</i></p> <p><i>Landscapes of high amenity value - DIS</i></p> <p><i>Karst Overlay - NC</i></p>		<p>The Company notes that sometime works may be undertaken to fence off sinkholes within 20m of the same, so as to protect them. Given this, Graymont considers a discretionary activity status associated with earthworks or clearance of vegetation within a 20 m radius of an entry or opening into any cave or sinkhole, or modification works as a discretionary activity, for the Rural production zone is more appropriate. In this regard, Graymont notes that a resource consent application is still able to be declined should an activity, once assessed on its merits, be considered inappropriate.</p> <p>Further, Graymont seeks new rules for the fencing of caves and sinkholes within a distance of 20m of the same as a controlled activity, with fencing beyond 20m being permitted.</p>	<p>Amend NFL- 17 as follows:</p> <p>Any earthworks or clearance of vegetation (other than plant pest species, wilding pines, or when required in emergency situations such as the recovery of stock) within a 20 m radius of an entry or opening into any cave or sinkhole</p> <p>The rules apply to all zones</p> <p><i>Outstanding natural features - NC</i></p> <p><i>Outstanding natural landscapes - NC</i></p> <p><i>Landscapes of high amenity value - DIS</i></p> <p><i>Karst Overlay -NC-DIS: Rural production zone</i> <i><u>PR: All other zones</u></i></p> <p><u>New Rule:</u></p> <p><u>Fencing to protect caves and sinkholes</u></p> <p><u>The rules apply to all zones.</u></p> <ol style="list-style-type: none"> <u>1. Any fencing and associated earthworks and weed removal or indigenous planting at a 20 m radius (or greater) of an entry or opening to a cave or sinkhole to protect an entry or opening into any cave or sinkhole - PER</u> <u>2. Any fencing and associated earthworks and weed removal or</u>

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			<u>indigenous planting within a 20 m radius of an entry or opening to a cave or sinkhole to protect an entry or opening into any cave or sinkhole - CONTROLLED</u>
<p>NFL-R18 - Any fill or rubbish placement into any cave or sinkhole OR within a 20 m radius of an entry or opening into any cave or sinkhole</p> <p>The rules apply to all zones</p> <p><i>Outstanding natural features - DIS: Rural production zone PR: All other zones</i></p> <p><i>Outstanding natural landscapes - NC</i></p> <p><i>Landscapes of high amenity value - DIS</i></p> <p><i>Karst Overlay - DIS: Rural production zone PR: All other zones</i></p>	Support	<p>Graymont agrees that it is inappropriate to place rubbish into a cave or sinkhole or close to the entry or opening of any cave or sinkhole, however, the Company considers that in a number of instances it may be necessary to place fill in or within a 20 metre radius of the same.</p> <p>As highlighted above, there are sinkholes concentrated throughout Graymont's Oparure Quarry site, and the Company has previously undertaken the filling of sinkholes on its property further to obtaining resource consent from the Waikato Regional Council.</p> <p>Graymont considers a discretionary activity status associated with placing fill or rubbish into any cave or sinkhole within the Rural Production Zone to be appropriate. As highlighted above, Graymont notes that a resource consent application is still able to be declined should an activity, once assessed on its merits, be considered inappropriate.</p>	Retain NFL-R18 as notified.
Ecosystems and Indigenous Biodiversity			
<p>ECO-01 <i>Indigenous biodiversity in Significant Natural Areas identified in SCHED6 is protected or enhanced, where appropriate</i></p>	Support	Graymont considers that ECO-01 is consistent with Section 6 (c) of the RMA. Further, ECO-01 is generally consistent with the RPS wording of ECO-M13 which requires regional and district plans to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.	Retain ECO-01 as notified.
<p>ECO-02 <i>Ensure that the cultural and spiritual relationships of Māori with significant natural areas are recognised and provided for as part of subdivision, use and development activities.</i></p>	Support	Graymont considers the wording of ECO-02 appropriate. In this regard, Graymont notes that Section 6 of the RMA requires the relationship of Māori and their culture and	Retain ECO-02 as notified.

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		<p>traditions with their ancestral lands, water, sites, waahi tapu, and other taonga to be <i>'recognised and provided for.'</i></p> <p>Further, IM-07 of the RPS states that the relationship of tāngata whenua with the environment is to be recognised and provided for.</p> <p>As such, ECO-02 is consistent with these provisions.</p>	
<p>ECO-03 <i>Provide for identified permitted activities which have been assessed as having no more than minor adverse effects on the values of significant natural areas.</i></p>	Support	Graymont considers that provision for permitted activities that have no more than minor adverse effects on the values of significant natural areas is appropriate.	Retain ECO-03 as notified.
<p>ECO-04 <i>Maintain or enhance and where practicable restore district-wide indigenous biodiversity outside of significant natural areas.</i></p>	Support	<p>Objective 1 of the Draft National Policy Statement for Indigenous Biodiversity ('NPS IB') requires that indigenous biodiversity is maintained.</p> <p>Policy ECO-PR1 of the RPS requires that indigenous biodiversity is maintained or enhanced.</p> <p>Graymont consider that ECO-04 as currently worded is accords with the provisions of both the NPS IB and the RPS, as set out above, and is thus, appropriate.</p>	Retain ECO-04 as notified.
<p>ECO-P1 <i>Recognise and protect the values, characteristics or extent of significant natural areas identified in SCHED6 by:</i></p> <ol style="list-style-type: none"> 1. <i>Avoiding loss or degradation in preference to remediation or mitigation; and</i> 2. <i>Remedying or mitigating any unavoidable adverse effects; and</i> 3. <i>Where any adverse effects cannot be avoided, remedied or mitigated in accordance with ECO-P1.1 and P1.2,</i> 	Support	<p>Graymont considers the wording of ECO-P1 to be appropriate. ECO-P1 provides a cascade approach to the maintenance and protection of Significant Natural Areas ('SNA's).</p> <p>Like ECO-01, ECO-P1 is generally consistent with the RPS wording of Policy IM-P7 which requires regional and district plans to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna. Indeed, ECO-P1 uses a lot of the same wording as RPS IM-P7.</p>	Retain ECO-P1 as notified.

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<p><i>significant residual adverse effects are offset to achieve no net loss; and</i></p> <p>4. <i>Where remediation, mitigation or offsetting are required, as a first priority it relates to the indigenous biodiversity that has been lost or degraded (whether by on-site or off-site methods).</i></p>			
<p>ECO-P2 <i>Recognise, protect, and enhance the ecological sustainability, indigenous biodiversity values and characteristics of significant natural areas by:</i></p> <ol style="list-style-type: none"> 1. <i>Only allowing the removal of indigenous vegetation in sustainable quantities within locally significant natural areas; and</i> 2. <i>Only allowing the removal of indigenous vegetation in limited circumstances within internationally, nationally or regionally significant natural areas; and</i> 3. <i>Avoiding indigenous vegetation clearance in locations that are of significance to mana whenua; and</i> 4. <i>Protecting the health and functioning of significant natural areas that are wetland or include part of a wetland, by avoiding inappropriate land use practices, subdivision and development.</i> 5. <i>Protect and enhance connectivity along and between significant natural areas and other areas of indigenous vegetation and habitat of indigenous fauna</i> 	Oppose	<p>The SNA's associated with Graymont's properties are both considered to be of local and national significance.</p> <p>Graymont considers that it is important to ensure that the proposed Plan provisions adequately provide for the continued operation of existing lawfully established activities, including its mineral extraction, quarrying and processing activities. The Company notes, also, that its activities have been undertaken so as to not to detract from the significant natural areas that exist,</p> <p>Graymont also notes that part 3 of ECO-P2 requires avoiding indigenous vegetation clearance in locations that are of significance to mana whenua. This effectively establishes a veto with regard to vegetation clearance, regardless of effect, and is of particular concern to Graymont.</p>	<p>Amend ECO-P2 as follows:</p> <p><i>Recognise, protect, and enhance the ecological sustainability, indigenous biodiversity values and characteristics of significant natural areas by:</i></p> <ol style="list-style-type: none"> 1. <i>Only allowing the removal of indigenous vegetation in sustainable quantities within locally significant natural areas; and</i> 2. <i>Only allowing the removal of indigenous vegetation in limited circumstances within internationally, nationally or regionally significant natural areas; and</i> 3. <u><i>Ensuring</i></u> <i>Avoiding</i> <i>indigenous vegetation clearance in locations that are of significance to mana whenua</i> <u><i>appropriately assess those effects and any resulting development is managed in a way that protects the indigenous biodiversity values of the site; and</i></u> 4. <i>Protecting the health and functioning of significant natural areas that are wetland or include</i>

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			<p><i>part of a wetland, by avoiding inappropriate land use practices, subdivision and development.</i> <u>and</u></p> <p>5. <i>Protect and enhance connectivity along and between significant natural areas and other areas of indigenous vegetation and habitat of indigenous fauna.</i> <u>and</u></p> <p>6. <u>While providing for indigenous vegetation clearance required for the continued operation of lawfully established activities.</u></p>
<p>ECO-P3 <i>Provide for permitted activities and for the continued operation of lawfully established activities in and adjacent to significant natural areas by enabling the removal of indigenous vegetation for:</i></p> <ol style="list-style-type: none"> 1. <i>The relocation, maintenance or construction of fence lines for stock exclusion; and</i> 2. <i>Conservation activities; and</i> 3. <i>Construction of permitted building platforms including services and access; and</i> 4. <i>Maintenance of existing roads, driveways, tracks and water intake/discharge structures; and</i> 5. <i>Sustainable harvesting of indigenous vegetation and/or removal of manuka or kanuka where the indigenous biodiversity values and ecological characteristics of the significant natural area are maintained or enhanced; and</i> 	<p>Support in part</p>	<p>While Graymont supports the inclusion of this provision, the Company considers that it should be extended to provide for both maintenance, repair and minor upgrading in addition to the continued operation of lawfully established activities.</p> <p>Further, Graymont considers that ECO-P2 could be extended to specifically reference nationally or regionally significant industry and infrastructure, and those activities associated with significant mineral resources.</p>	<p>Amend ECO-P3 as follows:</p> <p><i>Provide for permitted activities and for the continued operation, <u>maintenance, repair and minor upgrading</u> of lawfully established activities in and adjacent to significant natural areas by enabling the removal of indigenous vegetation for:</i></p> <ol style="list-style-type: none"> 1. <i>The relocation, maintenance or construction of <u>all fence lines, including fence lines</u> for stock exclusion; and</i> 2. <i>Conservation activities; and</i> 3. <i>Construction of permitted building platforms including services and access; and</i> 4. <i>Maintenance <u>or minor upgrading</u> of existing roads, driveways, tracks and water intake/discharge structures; and</i> 5. <u>For maintenance of culverts and bridges; and</u>

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<p>6. Limited indigenous vegetation removal to manage fire risk; and</p> <p>7. Limited indigenous vegetation removal for small scale renewable energy generation.</p> <p>For all of these activities, the removal of indigenous vegetation is only enabled where:</p> <p>(i) The adverse effects on indigenous biodiversity values and connectivity are appropriately avoided, remedied or mitigated; and</p> <p>(ii) Any existing cleared areas on a site that are suitable to accommodate subdivision or new development are used in the first instance; and</p> <p>(iii) Any practicable alternative locations that would reduce the need for indigenous vegetation removal are used in the first instance; and</p>			<p>6. <u>For maintenance associated with stormwater detention and treatment-facilities; and</u></p> <p>7. <u>As part of maintenance or minor upgrading of existing drains; and</u></p> <p>8. Sustainable harvesting of indigenous vegetation and/or removal of manuka or kanuka where the indigenous biodiversity values and ecological characteristics of the significant natural area are maintained or enhanced; and</p> <p>9. Limited indigenous vegetation removal to manage fire risk; and</p> <p>10. Limited indigenous vegetation removal for small scale renewable energy generation, <u>and</u></p> <p>11. <u>Providing for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources.</u></p> <p>For all of these activities, the removal of indigenous vegetation is only enabled where:</p> <p>(i) The adverse effects on indigenous biodiversity values and connectivity are appropriately avoided, remedied or mitigated; and</p>

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			<p>(ii) <i>Any existing cleared areas on a site that are suitable to accommodate subdivision or new development are used in the first instance; and</i></p> <p>(iii) <i>Any practicable alternative locations that would reduce the need for indigenous vegetation removal are used in the first instance; and</i></p>
<p>ECO-P4 <i>In limited circumstances, provide for the unavoidable removal of indigenous vegetation for larger scale activities only where the ensuing operations remedy or mitigate adverse effects in the first instance or if this is not practicable, offset residual adverse effects on the indigenous biodiversity values and ecological characteristics of the significant natural area by:</i></p> <ol style="list-style-type: none"> <i>1. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and</i> <i>2. Ensuring the biodiversity offset is as close as practicable to the affected significant natural area and achieves no net loss of indigenous biodiversity at a regional scale.</i> 	Support	Graymont consider ECO-P4 appropriate in that from time to time, the removal of indigenous vegetation may be unavoidable.	Retain ECO-P4 as notified.
<p>ECO-P5 <i>Where the limited circumstances of unavoidable removal of indigenous vegetation, or habitats of indigenous fauna, or disturbance of wetland areas are being considered (including situations provided</i></p>	Support in part	While supportive of this provision, Graymont considers that in addition to those matters set out in ECO-P4, that the removal of indigenous vegetation or habitats of indigenous fauna could be considered for those activities that are important on a national or regional scale, or that are considered significant including the continued operation	Amend ECO-P5 is amended as follows: <i>Where the limited circumstances of unavoidable removal of indigenous vegetation, or habitats of indigenous fauna, or disturbance of wetland areas are being</i>

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<p>for in ECO-P4), regard must be given to the following matters:</p> <ol style="list-style-type: none"> 1. Whether the area contains nationally significant examples of indigenous community types and indigenous ecosystems and/or vegetation types that are threatened in the coastal environment, or are naturally rare; and 2. Effects on the required range of habitats, including roosting, nesting, foraging and migratory pathways of fauna; and 3. Effects on the habitats of threatened and at risk species including migratory pathways; and 4. Effects on the maintenance of ecological corridors, processes and sequences; and 5. Whether sensitive sites remain buffered from intensive land use, development and subdivision; and 6. The outcome of consultation where indigenous vegetation clearance is proposed in locations that are of significance to mana whenua; and 7. Effects on natural waterway and wetland habitats and hydrology; and 8. The legal and physical protection of existing habitat; and 9. Whether consideration has been given to opportunities that contribute to no net loss of indigenous biodiversity at a regional scale; and 10. Whether any practicable alternative locations that would reduce the need for removal of indigenous vegetation or habitats of indigenous fauna or disturbance of wetland areas, are used in the first instance. 		<p>repair maintenance and minor upgrading of nationally or regionally significant industry, infrastructure, or for those activities associated with significant mineral resources.</p>	<p>considered (including situations provided for in ECO-P4), regard must be given to the following matters: ...</p> <ol style="list-style-type: none"> 11. <u>Whether the activity is required for the continued operation, repair, maintenance and minor upgrading of nationally or regionally significant industry, infrastructure, or is associated with significant mineral resources.</u>

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<p>ECO-P13 <i>When removal of indigenous vegetation, or habitats of indigenous fauna, or disturbance of wetland areas occurs outside of significant natural areas, ensure the following matters are considered when avoiding, remedying or mitigating adverse effects on indigenous biodiversity:</i></p> <ol style="list-style-type: none"> 1. <i>Whether any existing cleared areas on a site that are suitable to accommodate subdivision or new development, are used in the first instance; and</i> 2. <i>Any practicable alternative locations that would reduce the need for removal of indigenous vegetation, or habitats of indigenous fauna, or disturbance of wetland areas are used in the first instance; and</i> 3. <i>Whether consideration has been given to opportunities that contribute to no net loss of indigenous biodiversity at a regional scale; and</i> 4. <i>The maintenance of indigenous habitats adjoining wetlands, rivers, springs, karst ecosystems and fragmented forests; and</i> 5. <i>The maintenance of buffers around underrepresented or naturally uncommon indigenous ecosystems; and</i> 6. <i>The maintenance or creation of ecological stepping stones or corridors to link indigenous vegetation and/or fragmented ecosystems on land and via waterways; and</i> 7. <i>The maintenance of habitat of nationally threatened or at risk indigenous species</i> 	<p>Support in part</p>	<p>ECO-P13 lists a number of matters to be considered when avoiding, remedying and mitigating adverse effects on indigenous biodiversity.</p> <p>Graymont records that the RPS requires consideration of regionally significant industry and primary production, amongst other matters. In this regard it notes (within the explanation to Issue SRMR-14 - Managing the Built Environment) that “<i>Regionally significant industry and primary production play an important role in providing for the economic, social and cultural wellbeing of people and communities. The sustainable management of natural and physical resources needs to consider the ability and need for regionally significant industry and primary production to have appropriate access to resources in order for them to continue to successfully operate and develop, having regard to catchment specific situations.</i>”.</p> <p>In addition, RPS Objective IM-O2 - Resource use and development states “<i>Recognise and provide for the role of sustainable resource use and development and its benefits in enabling people and communities to provide for their economic, social and cultural wellbeing, including by maintaining and where appropriate enhancing:</i></p> <ol style="list-style-type: none"> A) <i>access to natural and physical resources to provide for regionally significant industry and primary production activities that support such industry;</i> B) <i>the life supporting capacity of soils, water and ecosystems to support primary production activities;</i> C) <i>the availability of energy resources for electricity generation and for electricity generation activities to locate where the energy resource exists;</i> D) <i>access to the significant mineral resources of the region; and</i> 	<p>Amend ECO-P13 as follows:</p> <p><i>When removal of indigenous vegetation, or habitats of indigenous fauna, or disturbance of wetland areas occurs outside of significant natural areas, ensure the following matters are considered when avoiding, remedying or mitigating adverse effects on indigenous biodiversity: ...</i></p> <ol style="list-style-type: none"> 8. <u><i>The need for the activity to provide for nationally or regionally significant industry, infrastructure or activities associated with significant mineral resources.</i></u>

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		<p><i>E) the availability of water for municipal and domestic supply to people and communities"</i></p> <p>Given this, Graymont considers that, amongst other matters, an additional matter should be included within ECO-P13 to specifically provide for nationally or regionally significant industry, infrastructure and activities associated with significant mineral resources.</p>	
ECO - Table 1 - Activities Rules			
It is noted that the rules in this table apply to significant natural areas in all zones, precincts and on the surface of water unless specified otherwise. It does not apply to roads.			
Trimming, pruning or removal of indigenous vegetation is permitted where undertaken in the following circumstances:			
ECO-R3 <i>To remove, dead or damaged indigenous vegetation or indigenous vegetation presenting an imminent danger to human life</i>	Support	Graymont supports the inclusion of this permitted activity rule, and, in particular, considers it imperative to be able to remove any indigenous vegetation presenting an imminent danger to human life	Retain ECO-R3 as notified.
ECO-R5 <i>For maintenance purposes on or within 2 m of existing roads, driveways, tracks, fences or water intake/discharge structures</i>	Support	Graymont supports the inclusion of this permitted activity rule, allowing for maintenance works on or within 2 m of existing roads, driveways, tracks, fences or water intake/discharge structures.	Retain ECO-R5 as notified.
ECO-R8 <i>For Māori cultural and customary uses or for scientific purposes</i>	Support	<p>Graymont consider it appropriate to provide for trimming, pruning or removal of indigenous vegetation for scientific purposes as a permitted activity.</p> <p>In this regard, should Graymont wish to carry out any measurements, samples, analyses, surveys, investigations or inspections of natural resources including flora and fauna, earth, rocks and soil and water for the purpose of scientific research, resource consent would not be required.</p>	Retain ECO-R8 as notified.
ECO-R9 <i>For pest management activities as identified in the Waikato Regional Pest Management Plan</i>	Support	Graymont considers this rule appropriate and supports the retention of this rule.	Retain ECO-R9 as notified
ECO-R1 to ECO-R10 <i>Activity Status: PER</i> <i>Where:</i> 1. <i>From 20 October 2022 any clearance must be no more than a maximum of 500 m² or</i>	Support in part	While Graymont is generally supportive of providing permitted activity limits for indigenous vegetation clearance so that it is clear to see where resource consent is required, the Company notes that Schedule 6 of the draft Plan does not provide any detail of the area size of each SNA, as such	<p>Graymont seeks that the standard for ECO-R1-ECO-R10 is amended as follows:</p> <p>1. To provide a link to guidance on where to determine the areas of</p>

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<p><i>less of indigenous vegetation at any one time or in total cumulatively per holding OR less than 1% of the SNA size at any one time or in total cumulatively per holding - whichever is the lesser.</i></p> <p><i>Activity status where compliance is not achieved: The activity is subject to the provisions of ECO-R16.</i></p>		<p>it is difficult to easily determine what 1% of the particular SNA might be in square metres.</p> <p>Given this, Graymont considers that the SNA areas are specifically provided within the proposed Plan, or that guidance on where to determine the areas of the SNAs is provided, so that compliance can readily be determined.</p> <p>.</p>	<p>those SNA's located within the Waitomo District, or</p> <p>2. That the proposed plan provides detail of the area size of each SNA within Schedule 6.</p>
Removal of indigenous vegetation for any other purpose (and where not compliant with ECO-R1 to ECO-R12)			
<p>ECO-R16 - Removal of indigenous vegetation for any other purpose (and where not compliant with ECO-R1 to ECO-R12)</p> <p><i>Activity Status: DIS</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>The activity is located in a significant natural area - local category; or</i> 2. <i>The activity is located in a significant natural area - local or regional category and the land has been returned under Te Tiriti o Waitangi settlements;</i> <p>AND</p> <ol style="list-style-type: none"> 3. <i>A report from an experienced ecologist is submitted at the time of application which demonstrates that the site is not vegetation or habitat that is currently a naturally uncommon or significantly underrepresented ecosystem or habitat for indigenous species or associations of indigenous species that are classified as threatened or at risk, endemic to the</i> 	<p>Support in part</p>	<p>Graymont notes that ECO-R16 provides for discretionary and non-complying activity consent where the permitted activity requirements of ECO -R1 - 12 cannot be achieved.</p> <p>Graymont requests a minor amendment to specifically highlight that the removal of vegetation associated with nationally or regionally significant industry, infrastructure, or those activities associated with a significant mineral resource that exceeds 500 m² at any one time, or in total cumulatively per holding is a discretionary activity. Graymont considers that this is appropriate, given these activities are scheduled and recorded within the Rural Production Zone chapter overview as being “important scheduled rural industrial activities which contribute to the economic and social well-being of the community”.</p>	<p>ECO-R16 - Removal of indigenous vegetation for any other purpose (and where not compliant with ECO-R1 to ECO-R12)</p> <p><i>Activity Status: DIS</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>The activity is located in a significant natural area - local category; or</i> 2. <i>The activity is located in a significant natural area - local or regional category and the land has been returned under Te Tiriti o Waitangi settlements; <u>or</u></i> 3. <i><u>The removal of vegetation is associated with nationally or regionally significant industry, infrastructure or those activities associated with significant mineral resources that exceeds 500 m² at any one time, or in total cumulatively per holding</u></i> <p>AND</p>

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<p><i>Waikato region or at the limit of their natural range.</i></p> <p>Activity status where compliance is not achieved: NC</p>			<p>4. <i>A report from an experienced ecologist is submitted at the time of application which demonstrates that the site is not vegetation or habitat that is currently a naturally uncommon or significantly underrepresented ecosystem or habitat for indigenous species or associations of indigenous species that are classified as threatened or at risk, endemic to the Waikato region or at the limit of their natural range.</i></p> <p>Activity status where compliance is not achieved: NC</p>
Natural Character			
<p>NATC-P1 <i>Protect and enhance the qualities and values of wetlands, and lakes and rivers and their margins by:</i></p> <ol style="list-style-type: none"> 1. <i>Requiring that activities are setback from wetlands, lakes and rivers; and</i> 2. <i>Avoiding activities which could generate effects that compromise the values of wetlands, and lakes and rivers and their margins; and</i> 3. <i>Ensuring the location, scale, intensity and form of subdivision, use and development are appropriate; and</i> 4. <i>Avoiding any activity, particularly earthworks and vegetation clearance, where this will adversely affect the qualities and values of wetlands, and lakes and rivers and their margins; and</i> 	Oppose	<p>Consistent with its comments to policies within the natural features and landscapes and ecosystems and indigenous biodiversity chapters, Graymont considers that NATC-P1 is overly restrictive and should be recast to provide a more balanced approach.</p> <p>Graymont records that RPS Objective NAT-O1 - Natural Character states "<i>The natural character of the coastal environment, wetlands, and lakes and rivers and their margins are protected from the adverse effects of inappropriate subdivision, use and development.</i>"</p> <p>Graymont notes that activities, such as mineral extraction and associated quarrying activities are required to locate in accordance with the resource that they utilise. In addition, the Company notes that there is a consenting pathway for quarries associated with wetlands in accordance with the National Environmental Standard for Freshwater. Given this, the Company records that while every effort may be made</p>	<p>Amend NAT-P1 as follows:</p> <p><i>Protect and enhance the qualities and values of wetlands, and lakes and rivers and their margins <u>from the adverse effects of inappropriate subdivision, use and development</u> by:</i></p> <ol style="list-style-type: none"> 1. <i>Requiring that activities are setback from wetlands, lakes and rivers; and</i> 2. <i>Avoiding <u>in the first instance, and where avoidance is not practicable, remedying or mitigating</u> activities which could generate effects that compromise the values of wetlands, and lakes and rivers and their margins; and</i> 3. <i>Ensuring the location, scale, intensity and form of subdivision, use</i>

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<p>5. <i>Avoiding developments in locations that are of significance to mana whenua; and</i></p> <p>6. <i>Providing for plantation forestry and mineral extraction activities only where the ensuing operations do not adversely affect the qualities and values of wetlands, and lakes and rivers and their margins; and</i></p> <p>7. <i>Providing for the continued operation of lawfully established farming activities and recreational hunting.</i></p>		<p>to avoid adverse effects, in some instances and when an activity is considered appropriate, remediation, mitigation and offsetting may also be appropriate.</p>	<p><i>and development are appropriate; and</i></p> <p>4. <u>Avoiding in the first instance, and where avoidance is not practicable, remedying or mitigating</u> any activity, particularly earthworks and vegetation clearance, where this will adversely affect the qualities and values of wetlands, and lakes and rivers and their margins; and</p> <p>5. <u>Ensuring Avoiding</u> developments in locations that are of significance to mana whenua <u>appropriately assess those effects and any resulting development is managed in a way that protects the values of the site;</u> and</p> <p>6. <i>Providing for plantation forestry and mineral extraction activities only where the ensuing operations do not adversely affect the qualities and values of wetlands, and lakes and rivers and their margins; and</i></p> <p>7. <i>Providing for the continued operation of lawfully established farming activities and recreational hunting.</i></p>
<p>NATC-P2 <i>When considering the appropriateness of subdivision, land use or development activities, ensure the values of wetlands, and lakes and rivers and their margins are preserved by:</i></p>	Oppose	<p>Graymont consider that NATC-P2 should provide for the continued operation of all lawfully established activities, rather than just farming activities.</p> <p>In addition to those matters set out in NATC-P2, Graymont consider that the policy should provide for those activities that are important on a national or regional scale, or that</p>	<p>Amend NATC-P2 as follows:</p> <p><i>When considering the appropriateness of subdivision, land use or development activities, ensure the values of wetlands, and lakes and rivers and their margins are preserved by:</i></p>

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<ol style="list-style-type: none"> 1. <i>Assessing the functional necessity of the activity being located in or near wetlands, and lakes and rivers and their margins; and</i> 2. <i>Recognising the potential for restoration, rehabilitation or enhancement of natural character to mitigate the adverse effects of an activity; and</i> 3. <i>Ensuring sufficient development setbacks are in place; and</i> 4. <i>Avoiding the significant adverse effects of subdivision, use and development where these would damage, diminish or compromise natural character; and</i> 5. <i>Ensuring that activities are carried out in a way that maintains or enhances water quality; and</i> 6. <i>Providing for the continued operation of lawfully established farming activities; and</i> 7. <i>Recognising and protecting the following natural elements, patterns, processes and experiential qualities which contribute to natural character:</i> <ol style="list-style-type: none"> (i) <i>Waterbodies in their natural states or close to their natural state; and</i> (ii) <i>Freshwater landforms and landscapes; and</i> (iii) <i>Freshwater physical processes, including the movement of water and sediment; and</i> (iv) <i>Biodiversity; and</i> (v) <i>Biological processes and patterns; and</i> 		<p>are considered significant including the continued operation repair maintenance and minor upgrading of nationally or regionally significant industry, infrastructure or for those activities associated with significant mineral resources.</p>	<ol style="list-style-type: none"> 1. <i>Assessing the functional necessity of the activity being located in or near wetlands, and lakes and rivers and their margins; and</i> 2. <i>Recognising the potential for restoration, rehabilitation or enhancement of natural character to mitigate the adverse effects of an activity; and</i> 3. <i>Ensuring sufficient development setbacks are in place; and</i> 4. <i>Avoiding the significant adverse effects of subdivision, use and development where these would damage, diminish or compromise natural character; and</i> 5. <i>Ensuring that activities are carried out in a way that maintains or enhances water quality; and</i> 6. <i>Providing for the continued operation of lawfully established <u>farming</u> activities; and</i> 7. <u><i>Providing for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources; and</i></u> 8. <i>Recognising and protecting the following natural elements, patterns, processes and experiential qualities which contribute to natural character:</i>

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<p>(vi) <i>Water flows and levels, and water quality; and</i></p> <p>(vii) <i>The experience of the above elements, patterns and processes.</i></p>			<p>(i) <i>Waterbodies in their natural states or close to their natural state; and</i></p> <p>(ii) <i>Freshwater landforms and landscapes; and</i></p> <p>(iii) <i>Freshwater physical processes, including the movement of water and sediment; and</i></p> <p>(iv) <i>Biodiversity; and</i></p> <p>(v) <i>Biological processes and patterns; and</i></p> <p>(vi) <i>Water flows and levels, and water quality; and</i></p> <p>(vii) <i>The experience of the above elements, patterns and processes.</i></p>
<p>Rules The rules of this table apply to activities adjoining water bodies outside of the coastal marine area in all zones</p>			
<p>NATC-R4 - Earthworks within 5 m from the edge of a water body</p> <p><i>Activity Status: PER</i></p> <p><i>Where:</i></p> <p>1. <i>Earthworks up to 15 m³ can occur within 5 m from the bankfull channel width (see NATC - Figure 1) only if the activity is undertaken:</i></p> <p>(i) <i>Under the direction or control of the Department of Conservation, Waikato or Manawatū-Whanganui Regional Councils or Waitomo District Council; or</i></p>	<p>Support in part</p>	<p>While Graymont generally considers this rule appropriate, the Company seeks some amendments to provide for minor upgrading</p>	<p><i>Amend NAT-R4 as follows:</i></p> <p>Earthworks within 5 m from the edge of a water body</p> <p><i>Activity Status: PER</i></p> <p>Where:</p> <p>1. <i>Earthworks up to 15 m³ can occur within 5 m from the bankfull channel width (see NATC - Figure 1) only if the activity is undertaken:</i></p> <p>(i) <i>Under the direction or control of the Department</i></p>

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<p>(ii) To maintain or construct perimeter fences for stock exclusion; or</p> <p>(iii) For maintenance of culverts and bridges; or</p> <p>(iv) For maintenance associated with bank stabilisation and erosion protection; or</p> <p>(v) For maintenance associated with stormwater detention and treatment facilities; or</p> <p>(vi) For maintenance purposes on or within 2 m of existing roads, tracks or water intake/discharge structures; or</p> <p>(vii) As part of maintenance of existing drains.</p> <p>Activity status where compliance is not achieved: Discretionary</p>			<p>of Conservation, Waikato or Manawatū-Whanganui Regional Councils or Waitomo District Council; or</p> <p>(ii) To maintain or construct <u>or for the minor upgrading of perimeter fences and fences</u> for stock exclusion; or</p> <p>(iii) For maintenance of culverts and bridges; or</p> <p>(iv) For maintenance associated with bank stabilisation and erosion protection; or</p> <p>(v) For maintenance associated with stormwater detention and treatment <u>facilities</u> facilities; or</p> <p>(vi) For maintenance purposes <u>or minor upgrading</u> on or within 2 m of existing roads, tracks or water intake/discharge structures; or</p> <p>(vii) As part of maintenance <u>or minor upgrading</u> of existing drains.</p> <p>Activity status where compliance is not achieved: Discretionary</p>
Surface of Water			
<p>ASW-03 Maintain and enhance the amenity values of water bodies and their margins.</p>	Support	Graymont that it is appropriate for the amenity values of water bodies and their margins to be maintained and	Retain ASW-03 as notified.

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		enhanced. Graymont considers that this objective is consistent with RPS Policy IM-P5.	
<p>ASW-P2 <i>Ensure any activities (including temporary activities) proposing to locate on the surface of the water, including structures and tourism activities, are appropriate having regard to the:</i></p> <ol style="list-style-type: none"> 1. <i>Particular natural character, ecological, cultural, historical, amenity and/or recreational values of the water body and the impact of the activity on these values; and</i> 2. <i>Purpose of the activity and whether it has a functional need to locate on the surface of the water; and</i> 3. <i>Ability to provide, maintain, or enhance public access to the water body; and</i> 4. <i>Ability to restore and rehabilitate the water body and/or off-set any adverse effects; and</i> 5. <i>Ability to maintain or enhance the natural character and natural functions of the water body and its margins; and</i> 6. <i>Potential to create new or exacerbate existing natural hazards, including flooding or streambank erosion.</i> 	Support in part	<p>While Graymont considers this provision to be generally appropriate, the Company notes that it is not always appropriate to provide, maintain or enhance public access to a water body, particularly where there are health and safety issues associated with the same. As such, Graymont suggest a minor change to part 3. To recognise this.</p> <p>In addition, and with regard to part 4. Graymont notes the not all water bodies will require restoration and rehabilitation, as such, restoration and rehabilitation need only happen where required</p>	<p>Amend ASW-P2 as follows:</p> <p><i>Ensure any activities (including temporary activities) proposing to locate on the surface of the water, including structures and tourism activities, are appropriate having regard to the:</i></p> <ol style="list-style-type: none"> 1. <i>Particular natural character, ecological, cultural, historical, amenity and/or recreational values of the water body and the impact of the activity on these values; and</i> 2. <i>Purpose of the activity and whether it has a functional need to locate on the surface of the water; and</i> 3. <i>Ability to provide, maintain, or enhance public access to the water body, <u>where practicable</u>; and</i> 4. <i>Ability to restore and rehabilitate the water body and/or off-set any adverse effects, <u>where required</u>; and</i> 5. <i>Ability to maintain or enhance the natural character and natural functions of the water body and its margins; and</i> 6. <i>Potential to create new or exacerbate existing natural hazards, including flooding or streambank erosion.</i>
Light			
Objectives			

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Light-O1 <i>Enable activities to generate an appropriate level of artificial lighting to support the safety and security of people and property, while managing adverse light spill effects.</i>	Support	Graymont considers Light-O1 appropriate in that it enables activities to generate an appropriate level of artificial lighting to support the safety and security of people and property.	Retain Light-O1 as notified.
Light-O2 <i>The benefits of artificial lighting are recognised, particularly the ability to extend the use of outdoor areas for night-time working, recreation and entertainment activities.</i>	Support	Graymont considers Light-O2 appropriate in that it recognises that artificial lighting serves a number of purposes, including allowing for work to occur at night, if required.	Retain Light-O2 as notified.
Light-P1 <i>Artificial lighting is located, designed and operated so that it does not adversely affect amenity, the health and safety of people, and the safe operation of the transport network.</i>	Support in part	Graymont considers Light-P1 to be generally appropriate, while seeking a minor amendment to recognise that it might not be practicable in all instances to avoid adversely affecting amenity. In this regard, lighting required for night time work, or to protect the health, safety and security of people, may in some instances have minor effects on amenity.	Amend Light-P1 as follows: <i>Artificial lighting is located, designed and operated so that it does not adversely affect amenity <u>to an unacceptable extent</u>, the health and safety of people, and the safe operation of the transport network.</i>
Light - Table 2 - Performance Standards Light-R2 - Emission of artificial light 1. <i>All exterior artificial lighting must be oriented so that light is emitted away from any road or any oncoming traffic; and</i> 2. <i>The spill of light from artificial lighting on to any site in the general rural zone as measured at or within the notional boundary of any sensitive activity must not exceed:</i> (i) 10 lux (horizontal and vertical); AND 3. <i>Within the industrial zone, the spill of light from artificial lighting must not</i>	Support in part	Graymont is generally supportive of this provision, and agrees that exterior artificial lighting should not be oriented so that it spills on to any road or effects on-coming traffic, however the Company is concerned that R2.1 as currently worded may restrict or prevent lighting on top of a building that faces outwards toward a road (due to being oriented to face away from the building), but does not spill on to the same.	Amend Light-R2 as follows: Light-R2 - Emission of artificial light 1. <i>All exterior artificial lighting must be oriented so that light <u>does not spill onto</u> is emitted away from any road or <u>cause an adverse effect to</u> any oncoming traffic; and ...</i>

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<p><i>exceed 20 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site. However, where the site adjoins another zone, the provisions of LIGHT-R2.4 apply; and</i></p> <p>4. <i>In all other zones, the spill of light from artificial lighting must not exceed 10 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site; and</i></p> <p>5. <i>In the case of contiguous sites held in the same ownership for the same activity, the spill of light shall be measured or calculated at points 1.5 m within the boundary of any other site beyond the boundary of the holding; and</i></p> <p>6. <i>The standards for light must be measured and assessed in accordance with AS/NZS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting; and</i></p> <p>7. <i>The following activities are exempt from the provisions of this rule:</i></p> <ul style="list-style-type: none"> <i>(i) Streetlights, navigation aids and traffic signals; and</i> <i>(ii) Lights of vehicles, trains and aircraft; and</i> <i>(iii) Lighting associated with temporary events and commercial filming; and</i> <i>(iv) Temporary lighting for the purpose of emergency management activities, temporary military training</i> 			

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<p style="text-align: center;"><i>activities and emergency response.</i></p> <p><i>If the emission of artificial light is unable to comply with the above performance standards the matters over which discretion is restricted include:</i></p> <ul style="list-style-type: none"> <i>(a) Measures to ensure that the natural night sky is preserved where practical in the tourism zone of Waitomo Caves Village; and</i> <i>(b) The extent to which light overspill may impact on activities occurring on an adjoining property, including areas for outdoor living; and</i> <i>(c) The ability to mitigate adverse effects through the imposition of conditions such as shielding the light; and</i> <i>(d) The extent and effect of the duration, hours of operation and frequency of the activity on the amenity values and sleep quality experienced in adjoining properties; and</i> <i>(e) Whether artificial lighting is necessary for operation or functional purposes; and</i> <i>(f) Effects on the safety of traffic system users attributable to lighting and glare</i> 			
Relocated Building and Shipping Containers			
RLB-O4 <i>New transportable buildings, second-hand relocated buildings and shipping containers must only be placed in overlays, scheduled sites or features where they do not detract from the values</i>	Support	Graymont considers that it is appropriate that new transportable buildings, second-hand relocated buildings and shipping containers do not detract from the values of the landscape or environment they propose to locate in.	Retain RLB-O4 as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
<i>of the landscape or environment, they propose to locate in.</i>			
<p>RLB-R4 - Shipping containers not used for living accommodation purposes</p> <p>Zones: Industrial & rural production zones, Te Kūiti commercial zone (excluding Te Kūiti CBD precinct PREC5) & aerodrome precinct (PREC3)</p> <p><i>Activity Status: PER</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>Shipping containers must be used as an accessory building only and must not be used for living accommodation purposes; and</i> 2. <i>In the Te Kūiti commercial zone only, any shipping container must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site this rule is not met and resource consent is required; and</i> 3. <i>Shipping containers must comply with the provisions of this plan as though it were a building.</i> 	Support	Graymont supports the provision of shipping containers to be utilised as accessory buildings within the industrial and rural production zones as a permitted activity	Retain RLB-R4 as notified.
Signs			
<p>SIGN-P1</p> <p><i>Allow signs that are required by legislation, including but not limited to health and safety, dangerous buildings and hazardous substances signs.</i></p>	Support	Graymont supports the inclusion of Sign-P1 and Sign-R1. In this regard, the Company records that it is required to erect signs for health and safety reasons in order to comply with the Health and Safety at Work Regulations 2016, given this, Graymont consider that it is appropriate that the proposed Plan provisions provide for this and other legislative requirements.	Retain Sign-P1 as notified.
<p>SIGN-R1 Official signs</p> <p><i>Unless otherwise specified in a rule, the rules in this table apply to all zones, all precincts and all</i></p>	Support		Retain Sign-R1 as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
<p><i>scheduled sites and features, all roads including new roads approved by way of resource consent EXCEPT the rules for signs on the surface of water, sites and areas of significance to Māori, historic heritage and network utilities are contained within their relevant chapter.</i></p> <p>Activity status: PER</p> <p>Where:</p> <p>1. The sign is required by the New Zealand Transport Agency, KiwiRail, Waitomo District Council or is required to meet legislative requirements such as health and safety legislation.</p> <p>Note: This rule is not subject to any other rule in this plan.</p>			
Earthworks			

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<p>EW-P1 <i>Enable earthworks where they maintain the stability of land, buildings, structures and network utilities while minimising:</i></p> <ol style="list-style-type: none"> 1. <i>Erosion and sediment loss from the site, including loss to reticulated stormwater systems; and</i> 2. <i>The effect of cut or fill faces and retaining structures on the visual amenity and character of the surrounding area; and</i> 3. <i>Significant alterations to natural landforms; and</i> 4. <i>Adverse effects on air quality from objectionable particulate matter.</i> 	Oppose in part	<p>By their very nature, mineral extraction and quarrying activities will require earthworks and vegetation removal, 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 mineral extraction and quarrying activities associated with significant mineral resources.</p>	<p>Amend EW-P1 as follows:</p> <p><i>Enable earthworks where they maintain the stability of land, buildings, structures and network utilities, <u>or are associated with significant mineral resources</u> while minimising:</i></p> <ol style="list-style-type: none"> 1. <i>Erosion and sediment loss from the site, including loss to reticulated stormwater systems; and</i> 2. <i>The effect of cut or fill faces and retaining structures on the visual amenity and character of the surrounding area; and</i> 3. <i>Significant alterations to natural landforms; and</i> 4. <i>Adverse effects on air quality from objectionable particulate matter.</i>
<p>EW-P5 <i>Avoid earthworks where their scale and location have the potential to create or exacerbate natural hazards.</i></p>	Oppose in part		<p>Amend EW-P5 as follows:</p> <p><u>Manage</u> Avoid <i>earthworks where their scale and location have the potential to create or exacerbate natural hazards</i></p>
<p>EW-P6 - Volume of Earthworks</p> <p>All zones</p> <ol style="list-style-type: none"> 1. <i>This rule does not apply to earthworks incidental to an approved resource consent; and</i> 2. <i>This rule does not apply to the cultivation of land associated with the growing of crops where this activity is located at least 5 m</i> 	Support	<p>Graymont supports EW-P6 clause 1 in particular, given that, in order to maintain its existing operations, it is required to undertake earthworks incidental to its existing lawfully established activities.</p>	Retain EW-P6 as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
<p><i>from the edge of any water body (see NATC-R3); and</i></p> <p>3. <i>This rule does not apply to plantation forestry, or to the construction and maintenance of farm silage pits and existing drains or to the maintenance and upgrading of farm tracks, however these activities must comply with the provisions of EW-R1.</i></p>			
<p>EW-R7 - Excavation and Filling</p> <p>All zones</p> <p>1. <i>The cut depth or fill height (measured vertically) must not exceed:</i></p> <ul style="list-style-type: none"> <i>(i) Outside the minimum building setback for the underlying zone - 1.5 m; and</i> <i>(ii) Inside the minimum building setback for the underlying zone - 0.5 m; and</i> <i>(iii) Where no minimum building setback applies (eg in the road reserve), the cut depth or fill height shall not exceed 1.5 m vertically.</i> <p><i>This rule does not apply to lawfully established underground tanks and septic systems where the replacement is 'like for like'. That is a cut or fill that is in the same location and the effects are the same or similar in character, intensity and scale to those that previously existed.</i></p> <p>It the above cannot be achieved the matters over which discretion is restricted are as follows:</p>	<p>Oppose in part</p>	<p>Graymont notes that within EW-R6 - Volume of Earthworks, it is noted that the rules relating to quarrying activities in the industrial and rural production zones prevail over the volume of earthworks rules in the earthworks chapter (EW - Table 2 - ref clause 6). Graymont considers that a similar clause should be included in EW-R7 - Excavation and Filling.</p>	<p>Amend EW-R7 as follows:</p> <p>All zones</p> <p>1. <i>The cut depth or fill height (measured vertically) must not exceed:</i></p> <ul style="list-style-type: none"> <i>(i) Outside the minimum building setback for the underlying zone - 1.5 m; and</i> <i>(ii) Inside the minimum building setback for the underlying zone - 0.5 m; and</i> <i>(iii) Where no minimum building setback applies (eg in the road reserve), the cut depth or fill height shall not exceed 1.5 m vertically.</i> <p><i>This rule does not apply to lawfully established underground tanks and septic systems where the replacement is 'like for like'. That is a cut or fill that is in the same location and the effects are the same or similar in character, intensity and scale to those that previously existed.</i></p>

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
<p>(a) Effects on the stability of land or structures, and potential to create new or exacerbate existing natural hazards, impact natural drainage patterns, redirect overland flow paths or flood flows and/or create instability, erosion, or scarring; and</p> <p>(b) Impacts on character and amenity values, natural landforms and features, including whether the cut face and/or any retaining structures can be concealed behind development or effectively landscaped.</p>			<p><u>The rules relating to quarrying activities in the industrial and rural production zones prevail over this rule.</u></p>
Noise			
<p>Noise-O1 Enable activities to generate noise that is compatible with the role, function and predominant character of each zone.</p>	Support	Graymont notes that this provision recognises that noise may vary from zone to zone, based on the function of the zone and the type of activities that are located within the same.	Retain Noise-O1 as notified.
<p>Noise - O2 Ensure that activities do not generate noise levels which adversely affect amenity values, the health and wellbeing of people and communities.</p>	Support in part	Graymont considers Noise - O2 to be generally appropriate, while seeking a minor amendment to recognise that it might not be practicable in all instances to avoid adversely affecting amenity. In this regard, noise, may in some instances have minor or temporary effects on amenity.	<p>Amend Noise - O2 as follows:</p> <p><u>Ensure that activities do not generate noise levels which adversely affect amenity values to an unacceptable extent and / or, the health and wellbeing of people and communities.</u></p>
<p>Noise - P1 Ensure any noise effects generated by an activity, or a combination of activities, are of a type, scale and level that supports the character and amenity outcomes anticipated in the relevant zone:</p> <ol style="list-style-type: none"> 1. The residential, rural lifestyle, Māori purpose and settlement zones are predominantly living environments where a low level of noise is anticipated, and people's peace and comfort is maintained. 2. The general rural and future urban zones are working and living environments. 	Support	Like Noise-O1, Graymont considers this policy appropriate as it recognises that noise may vary from zone to zone, the function of the zone and type of activities intended to be located within the same.	Retain Noise-P1 as notified.

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<p><i>Noise from rural activities is an accepted part of these environments, including higher noise levels at night or in the morning during different times of the year.</i></p> <p>3. <i>The open space and natural open space zones experience moderate levels of noise at different times of the day and infrequently at night time, depending on whether the space is used for playgrounds or active sports. At times there may also be noise from festivals, markets and other temporary activities.</i></p> <p>4. <i>The tourism zone has a mix of living and working activities. Residents expect a reasonable level of night time amenity, while visitors are there to experience a full range of tourism activities. A balance of low to moderate levels of noise at night is anticipated for this zone.</i></p> <p>5. <i>The commercial zone is a business environment. A noise environment which accommodates restaurants and bars is required in this zone. However, consideration of the mixed use nature of some parts of this zone is necessary.</i></p> <p>6. <i>The industrial and rural production zones are a higher noise environment. Management of noise at site boundaries is particularly important to ensure that the potential for cumulative effects outside of these zones are addressed.</i></p>			
<p>Noise-P3 <i>Manage noise at source while recognising that some activities are important for economic and social wellbeing and may exceed the specified noise levels on a temporary and/or irregular basis. However,</i></p>	Support	Graymont supports the inclusion of this policy. Graymont considers it particularly important that the noise provisions provide for those activities such as quarrying associated with significant mineral resources, which are important to the	Retain Noise-P3 as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>												
<i>there remains a duty for such activities to avoid unreasonable noise.</i>		District as specifically highlighted in the overview to the Rural Production Zone chapter.													
<p>Noise-R12 1. <i>Within the rural production and industrial zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the site or the nearest practical measuring point to that boundary:</i></p> <table border="1" data-bbox="129 638 685 813"> <thead> <tr> <th>Time</th> <th>Noise Limit</th> </tr> </thead> <tbody> <tr> <td>7am - 7pm</td> <td>75 dBA(LAeq)</td> </tr> <tr> <td>7pm - 10pm</td> <td>65 dBA(LAeq)</td> </tr> <tr> <td>10pm - 7am</td> <td>60 dBA(LAeq)</td> </tr> <tr> <td>10pm - 7am</td> <td>90 dBA(LAmax)</td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table> <p>AND</p> <p>(i) <i>Noise generated by an activity in the rural production and industrial zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, tourism, rural lifestyle, settlement, future urban, natural open</i></p>	Time	Noise Limit	7am - 7pm	75 dBA(LAeq)	7pm - 10pm	65 dBA(LAeq)	10pm - 7am	60 dBA(LAeq)	10pm - 7am	90 dBA(LAmax)			Support	Graymont supports the inclusion of the noise limits associated with the industrial and rural productions zones, and considers that they are appropriate for the type of activity undertaken within these zones.	Retain Noise R-12 as notified.
Time	Noise Limit														
7am - 7pm	75 dBA(LAeq)														
7pm - 10pm	65 dBA(LAeq)														
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10pm - 7am	90 dBA(LAmax)														

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<p style="text-align: center;"><i>space, open space or Māori purpose zones:</i></p> <table border="1" data-bbox="129 437 683 587"> <thead> <tr> <th><i>Time</i></th> <th><i>Noise Limit</i></th> </tr> </thead> <tbody> <tr> <td><i>7am - 7pm</i></td> <td><i>55 dBA(LAeq)</i></td> </tr> <tr> <td><i>7pm - 10pm</i></td> <td><i>50 dBA(LAeq)</i></td> </tr> <tr> <td><i>10pm - 7am</i></td> <td><i>45 dBA(LAeq)</i></td> </tr> <tr> <td><i>10pm-7am</i></td> <td><i>75 dBA(LAmax)</i></td> </tr> </tbody> </table> <p><i>Matters of discretion if compliance is not achieved:</i></p> <ul style="list-style-type: none"> <i>(a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</i> <i>(b) The degree to which the noise will be compatible with existing and anticipated activities; and</i> <i>(c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</i> <i>(d) Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</i> <i>(e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and</i> <i>(f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and</i> <i>(g) Ambient noise levels and any special character of noise from any existing activities, the nature and character of any</i> 	<i>Time</i>	<i>Noise Limit</i>	<i>7am - 7pm</i>	<i>55 dBA(LAeq)</i>	<i>7pm - 10pm</i>	<i>50 dBA(LAeq)</i>	<i>10pm - 7am</i>	<i>45 dBA(LAeq)</i>	<i>10pm-7am</i>	<i>75 dBA(LAmax)</i>			
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<p><i>changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; and</i></p> <p><i>(h) The economic benefits, including providing opportunities for employment that will be derived from the activity.</i></p>			
<p>Noise-R19 - Emission of noise and vibration from blasting</p> <ol style="list-style-type: none"> 1. <i>The activity must only occur in the general rural or rural production; and</i> 2. <i>Noise generated by blasting/use of explosives must not exceed a peak sound pressure of 120dB (Lzpeak) when measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity; and</i> 3. <i>A level of 115 dBA may be exceeded on up to 5% of the total number of blasts over a period of 12 months; and</i> 4. <i>Blasting must not occur outside of the hours of 9am - 5pm, Monday to Saturday; and</i> 5. <i>Blasting must not occur more than once per day. This requirement does not apply to minor blasts as identified in the Australian and New Zealand Environment Council - Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration, September 1990; and</i> 6. <i>Vibration generated by blasting/use of explosives must not exceed the guideline values in Tables 1 and 3 of DIN 4150 inside any building, except in the case of a building</i> 	Support in part	<p>Graymont generally supports Noise-R19. However, the Company notes that, while it may undertake blasting once on any given day, it may need to undertake more than one blast as part of any blasting exercise. In this regard, a series of blasts may occur in short succession in any one blasting period. Graymont notes that this is common practice within the quarrying industry, especially for those quarries extracting more than one grade of rock. The Company seeks clarification as to whether clause 5. provides for this. Graymont adheres to health and safety legislative requirements in undertaking any blasting.</p> <p>From time to time the Company note that more than one blasting exercise may occur per day, this is primarily for health and safety reasons. In this regard, if non-detonation has occurred, Graymont will undertake a further blasting operation so as to ensure that there are no live detonators nor explosives left in the ground, Graymont seeks an exemption to blasting once per day, for blasting that may be necessary for safety purposes.</p>	<p>Graymont seeks that Noise-R19 is amended as follows:</p> <p>Noise-R19 - Emission of noise and vibration from blasting</p> <ol style="list-style-type: none"> 1. <i>The activity must only occur in the general rural or rural production; and</i> 2. <i>Noise generated by blasting/use of explosives must not exceed a peak sound pressure of 120dB (Lzpeak) when measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity; and</i> 3. <i>A level of 115 dBA may be exceeded on up to 5% of the total number of blasts over a period of 12 months; and</i> 4. <i>Blasting must not occur outside of the hours of 9am - 5pm, Monday to Saturday; and</i> 5. <i>Blasting, <u>which may include one or more blasts undertaken within a short time period</u>, must not occur more than once per day. This requirement does not apply to minor blasts as identified in the Australian and New Zealand Environment Council -</i>

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<p><i>located on property under the same ownership or management as that of the party blasting/using explosives.</i></p> <p>Matters of discretion if compliance is not achieved: Discretionary.</p>			<p><i>Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration, September 1990 <u>or blasting necessary for safety purposes;</u> and</i></p> <p>6. <i>Vibration generated by blasting/use of explosives must not exceed the guideline values in Tables 1 and 3 of DIN 4150 inside any building, except in the case of a building located on property under the same ownership or management as that of the party blasting/using explosives.</i></p> <p>Further or as an alternative to the above, insert a definition to address what blasting means, noting that this definition needs to be clear that the term 'blasting' includes a number of blasts undertaken within a set window of time. In that regard, the definition needs to be clear that the term 'blasting' refers to a planned blasting event within a set window of time rather than one blast.</p>
Industrial Zone			
<p>INZ-01 <i>Ensure that the industrial zone is developed and functions in a way that restricts the establishment of non-industrial activities and protects industrial activities from incompatible land uses and reverse sensitivity effects.</i></p>	Support	Graymont supports the inclusion of INZ-01 which provides for protection from reverse sensitivity effects.	Retain INZ-01 as notified.
<p>INZ-03 <i>Ensure that industrial activities are enabled to operate and expand within their respective sites while addressing adverse effects.</i></p>	Support	Graymont supports the inclusion of INZ-03 which provides for the expansion of industrial activities within their respective sites.	Retain INZ-03 as notified.
<p>INZ-04</p>	Support in part	Graymont considers that this objective should be specific to new activities, as opposed to those lawfully established	Amend INZ-04 as follows:

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<p><i>Improve amenity where sites are located adjacent to a State Highway or in proximity to the gateway entrances of Te Kūiti and Piopio.</i></p>		<p>activities which already exist within the industrial zone and are located adjacent to a State Highway or in proximity to the gateway entrances of Te Kūiti and Piopio.</p> <p>Further, while Graymont is not opposed to improvement of amenity within specific locations, the Company considers that this may not be practicable in every instance.</p>	<p><u>New activities seek to improve amenity, where this is appropriate and practicable, where sites are located adjacent to a State Highway or in proximity to the gateway entrances of Te Kūiti and Piopio.</u></p>
<p>INZ-P4 <i>The development or re-development of any site must avoid or mitigate any actual or potential adverse effects by:</i></p> <ol style="list-style-type: none"> 1. <i>Maintaining a practical level of amenity; and</i> 2. <i>Ensuring that road boundaries are landscaped and buildings on front and corner sites provide an active street frontage; and</i> 3. <i>Providing for security and boundary fencing in a way that does not adversely affect the anticipated level of amenity as viewed from roads and public spaces; and</i> 4. <i>Ensuring buildings are sufficiently setback, and sites are landscaped and screened so that an appropriate buffer is provided to adjoining zones, roads and public spaces; and</i> 5. <i>Ensuring that industrial buildings do not overshadow buildings and/or activities on surrounding rural, residential and commercial properties; and</i> 6. <i>Avoiding, remedying or mitigating adverse effects on lakes and water bodies.</i> 	<p>Support in part</p>	<p>Graymont considers INZ-P4 to be generally appropriate. The Company has sought one minor amendment to clauses 4., to provide for those instances where landscaping and screening is not practicable.</p>	<p>Amend INZ-P4 as follows:</p> <p><i>The development or re-development of any site must avoid or mitigate any actual or potential adverse effects by:</i></p> <ol style="list-style-type: none"> 1. <i>Maintaining a practical level of amenity; and</i> 2. <i>Ensuring that road boundaries are landscaped and buildings on front and corner sites provide an active street frontage; and</i> 3. <i>Providing for security and boundary fencing in a way that does not adversely affect the anticipated level of amenity as viewed from roads and public spaces; and</i> 4. <i>Ensuring buildings are sufficiently setback, and sites are landscaped and screened, <u>where practicable</u>, so that an appropriate buffer is provided to adjoining zones, roads and public spaces; and</i> 5. <i>Ensuring that industrial buildings do not overshadow buildings and/or activities on surrounding rural, residential and commercial properties; and</i>

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
			6. <i>Avoiding remedying or mitigating adverse effects on lakes and water bodies.</i>
<p>INZ-P5 <i>Where the site is located adjacent to a State Highway, any development or redevelopment including the location and design of buildings and landscaping, must contribute to a high level of visual amenity by:</i></p> <ol style="list-style-type: none"> 1. <i>Where practicable, avoiding large blank walls that will be visible from the State Highway and public spaces; and</i> 2. <i>Providing practical building forms that facilitate visual interest while meeting the purpose of the activity; and</i> 3. <i>Encouraging building design that is environmentally sensitive; and</i> 4. <i>Ensuring the boundary treatment adjacent to the State Highway contributes positively to the appearance of the streetscape and clearly delineates the public and private realms; and</i> 5. <i>Ensuring fencing provides adequate site security and coordinates with the design of the building and landscaping; and</i> 6. <i>Stepping any high retaining wall that is visible from the State Highway or public spaces and integrating planting and high quality materials into its design; and</i> 7. <i>Supporting the development of gateway areas into Te Kūiti and Piopio by providing landscape design that responds to the characteristics and qualities of the area; and</i> 8. <i>Minimising the visual impact of loading bays and service areas that are visible from the State Highway or public spaces; and</i> 	Support	Graymont considers INZ-P4 to be appropriate, noting that it may not be practicable in every instance to avoid large blank walls, visible from the State Highway and public places.	Retain INZ-P5 as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
9. <i>Providing an environment where parking is not perceived as the dominant element from the State Highway or public spaces.</i>			
General Rural Zone			
Objectives			
GRUZ-010 <i>Protect existing lawfully established activities from reverse sensitivity effects.</i>	Support in part	Graymont generally supports those objectives within the General Rural Zone that: <ul style="list-style-type: none"> • Protect existing lawfully established activities and regionally significant industry from reserve sensitivity effects (GRUZ-010 and GRUZ-015); and • Require mineral and aggregate needs to be taken predominantly from local sources (GRUZ-012). 	Graymont seeks to retain those objectives, or parts of those objectives that seek to protect existing lawfully established activities and regionally significant industry from reserve sensitivity effects; and that require mineral and aggregate needs to be taken predominantly from local sources.
GRUZ-012 <i>Meet district and regional mineral and aggregate needs from predominantly local sources.</i>	Support in part		
GRUZ-015 <i>In the general rural zone, unless specifically provided for by zone provisions, avoid subdivision or development that:</i> <ol style="list-style-type: none"> 1. <i>Provides for dwellings that are at a density greater than that anticipated by the general rural zone; or</i> 2. <i>Fails to provide for a clear delineation between urban areas and rural areas; or</i> 3. <i>Allows the establishment of incompatible adjacent land uses that could result in reverse sensitivity effects on rural activities or existing lawfully established rural industries; or</i> 4. <i>Adversely affects on-going access to significant mineral resources; or</i> 5. <i>Impedes the ongoing operation maintenance, upgrading and development of existing and planned nationally/regionally significant infrastructure; or</i> 6. <i>Results in the uneconomic expansion of existing infrastructure.</i> 	Support in part		

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
<p>GRUZ-P3 <i>Ensure that rural character, amenity and safety is maintained and that reverse sensitivity effects are minimised by:</i></p> <ol style="list-style-type: none"> 1. <i>Ensuring that activities and structures are set back from road and internal boundaries; and</i> 2. <i>Ensuring that enclosures housing animals are set back from internal and zone boundaries to avoid adverse effects on adjacent sites; and</i> 3. <i>Ensuring that buildings housing residential activities are appropriately setback from the boundary of a rural production zone or an established site of intensive indoor primary production; and</i> 4. <i>Ensuring utilisation of mineral resources is not constrained by managing the establishment of noise sensitive activities and subdivision in areas close to mineral extraction activities; and</i> 5. <i>Recognising that farming, forestry and quarrying activities are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects; and</i> 6. <i>Managing the scale, intensity, timing and duration of activities to ensure compatibility with the amenity and character of the rural environment; and</i> 7. <i>Ensuring noise sensitive activities located adjacent to State Highways and/or railways provide sufficient acoustic treatment to protect the level of amenity anticipated in the zone; and</i> 8. <i>Ensuring activities do not compromise the safe operation of the land transport network</i> 	<p>Support</p>	<p>Graymont generally supports GRUZ-P3 in particular those parts of the policy that seek to minimise reverse sensitivity effects associated with mineral resources and to recognise that quarrying activities are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects (Clauses 4. and 5.).</p> <p>Graymont considers this policy to be appropriate and in keeping with RPS Policy UFD-P5 - Access to minerals that states “<i>Management of development of the built environment appropriately recognises:</i></p> <ol style="list-style-type: none"> A) <i>the potential for impacts of subdivision, use and development on access to mineral resources; b)</i> B) <i>the need for mineral resources to be available for infrastructure and building developments;</i> C) <i>the potential benefits of further development of the region's minerals and providing for the continued operation of existing lawfully established mineral extraction activities;...</i> 	<p>Retain GRUZ-P3 as notified.</p>
<p>GRUZ-P5</p>	<p>Support in part</p>	<p>Graymont, considers GRUZ-P5 generally appropriate in that it requires rural based industry to internalise adverse effects</p>	<p>Amend GRUZ-P5 as follows:</p>

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<p>Recognise the economic and employment <i>benefits from rural based industry while ensuring rural based industry is designed, located and operated to internalise adverse effects on the environment as far as practicable by:</i></p> <ol style="list-style-type: none"> 1. <i>Ensuring the scale, location and operation of the rural based industry is consistent with the capacity, design and function of the roading hierarchy; and</i> 2. <i>Ensuring the operation of the rural based industry does not adversely affect rural character or constrain lawfully established primary production activities from operating; and</i> 3. <i>Ensuring that the scale, intensity, duration and nature of the adverse effects can be avoided, remedied or mitigated; and</i> 4. <i>Ensuring the removal of vegetation and soil disturbance is minimised as far as practicable; and</i> 5. <i>Employing all methods necessary to protect the values of scheduled sites and features.</i> 		<p>as far as practicable. Graymont notes that adverse effects will not always be able to be fully internalised.</p> <p>While Graymont considers the policy generally appropriate, the Company records that it may not always be possible to protect the values of scheduled sites and features by employing all 'methods necessary'. In this regard some methods will not be practicable (such as, for example, outright avoidance of effects) depending on the nature of the rural based activity, or conducive to its own operation.</p>	<p>Recognise the economic and employment <i>benefits from rural based industry while ensuring rural based industry is designed, located and operated to internalise adverse effects on the environment as far as practicable by:</i></p> <ol style="list-style-type: none"> 1. <i>Ensuring the scale, location and operation of the rural based industry is consistent with the capacity, design and function of the roading hierarchy; and</i> 2. <i>Ensuring the operation of the rural based industry does not adversely affect rural character or constrain lawfully established primary production activities from operating; and</i> 3. <i>Ensuring that the scale, intensity, duration and nature of the adverse effects can be avoided, remedied or mitigated; and</i> 4. <i>Ensuring the removal of vegetation and soil disturbance is minimised as far as practicable; and</i> 5. <i>Employing all methods that are <u>considered both necessary and that are practicable</u>, to protect the values of scheduled sites and features.</i>
<p>GRUZ-P12 <i>Quarrying activities are managed so that the adverse effects are internalised as far as practicable in the first instance, then avoided, remedied or mitigated through management methods and rehabilitation plans that address matters including:</i></p>	Support in part	While Graymont considers it appropriate that quarrying activities are managed so that the adverse effects are internalised as far as practicable in the first instance, then avoided, remedied or mitigated through management methods and rehabilitation plans, the Company notes that those methods employed must be both practicable and appropriate.	Amend GRUZ-P12 as follows: <i>Quarrying activities are managed so that the adverse effects are internalised as far as practicable in the first instance, then avoided, remedied or mitigated through management methods and rehabilitation plans that address matters including:....</i>

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
<ol style="list-style-type: none"> 1. Demonstrating that the activity will not adversely affect the health and well-being of the Upper Waipa River catchment; and 2. Management of dust, noise, vibration, access and illumination to maintain amenity values, particularly during night time; and 3. Ensuring structures are appropriately located in relation to boundaries, and are of an appropriate scale; and 4. Undertaking remedial measures during extraction operations; and 5. Ensuring the scale and location of mineral extraction is consistent with the capacity, design and function of the roading hierarchy; and 6. Minimising any adverse effect on rural character; and 7. Ensuring sites are rehabilitated using appropriate materials, substrates and indigenous vegetation to provide for the recolonisation of indigenous species; and 8. Minimising the removal of indigenous vegetation and soil as far as practicable; and 9. Controlling and filtering sediment movement at source to prevent entry of sediment into karst hydrological systems; and 10. Employing methods to manage and reduce peak runoff in order to simulate near natural infiltration rates and patterns of karst hydrological systems; and 11. Minimising the drawdown of water in the subcutaneous zone in karst hydrological systems. 			<ol style="list-style-type: none"> 8. Controlling and filtering sediment movement at source to prevent entry of sediment into karst hydrological systems, <u>where practicable</u>; and 9. <u>As appropriate, e</u>Employing methods to manage and reduce peak runoff in order to simulate near natural infiltration rates and patterns of karst hydrological systems; and
GRUZ-P13 <i>When assessing resource consents for quarrying activities, take into account that mineral</i>	Support	Graymont supports this provision and notes that it is consistent with the direction provided within the RPS.	Retain GRUZ-P13 as notified

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through, new text shown in <u>red and underlined</u>)
<i>extraction is constrained by the location of the resource and it is important to maintain a supply of extracted minerals.</i>			
GRUZ-P14 <i>Mineral prospecting and exploration is enabled provided that the adverse effects of the activities are not significant and impacts on adjacent water bodies and karst systems are minimised.</i>	Support	Graymont supports the provision of this policy in that it provides for mineral prospecting and exploration activities within the Rural General Zone.	Retain GRUZ-P14 as notified.
GRUZ-P15 <i>Avoid modification to abiotic and biotic cave features by protecting the immediate radius around cave entries and sinkholes from earthworks and vegetation disturbance</i>	Oppose	Graymont notes that there are a number of sinkholes located across its Oparure site including within the bounds of the existing lawfully established Quarry, given this it is not always possible or practicable to protect the immediate radius around the same. As such, Graymont consider it is more appropriate to allow for remediation, mitigation and offsetting where avoidance is not practicable.	Amend GRUZ-P15 as follows: <u>In the first instance, avoid modification to abiotic and biotic cave features by protecting the immediate radius around cave entries and sinkholes from earthworks and vegetation disturbance. Where this is not practicable, employ appropriate remediation, mitigation measures and/or offsetting mechanisms to ensure that there is a net ecological gain in terms of the broader localities abiotic and biotic features.</u>
Rural Production Zone			
RPROZ-O1 <i>This zone provides for and recognises both the economic and social benefits afforded by the scheduled rural production sites and their unique operational requirements.</i>	Support	Graymont considers this objective to be appropriate and in keeping with the direction provided by the RMA.	Retain RPOZ-O1 as notified.
RPROZ-O2 <i>Recognise and provide for the ability of the sites identified as regionally significant in RPROZ-SCHED1 - Scheduled rural production sites, to continue to operate, grow and develop and to be maintained and upgraded by:</i> <ol style="list-style-type: none"><i>Avoiding or minimising the potential for reverse sensitivity effects on activities in this zone; and</i>	Support in part	While supportive of this objective, Graymont seeks that its Oparure Quarry and Te Kuiti Processing Plant sites are provided for as regionally significant industry for those reasons set out in the definition to the same. As its operations are not provided for at this time, Graymont also seeks that significant mineral resources (including its Oparure Quarry) are recognised and provided for. Graymont considers that the inclusion of recognition accords with the direction provided in the RPS.	Retain RPROZ-O2 as notified. In addition, provide to recognising and providing for regionally significant industry, Graymont seeks that the proposed Plan is amended to also specifically recognise and provide for significant mineral resources (as identified in SCHED1 - Scheduled rural

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
2. <i>Managing the establishment of noise sensitive activities including subdivision, use and development.</i>			production sites) as highlighted in the relief to specific provisions, throughout this submission.
RPROZ-O3 <i>Ensure the adverse effects of the scheduled rural production sites are internalised, or avoided, remedied or mitigated as far as practicable.</i>	Support	Graymont supports this objective. Graymont considers it is appropriate that scheduled rural production sites are managed so that the adverse effects are internalised or avoided, remedied or mitigated as far as practicable. Graymont notes that the adverse effects of scheduled rural production sites cannot always be internalised in all instances.	Retain RPROZ-O3 as notified.
RPROZ-O4 <i>Provide for the primary purpose of any scheduled activity in the rural production zone including opportunities for their growth and expansion to meet future demands, while managing the adverse effects on the environment.</i>	Support	Graymont supports the retention of this objective, while noting that it appears to be at odds with some of the overly restrictive provisions associated with ecosystems and indigenous biodiversity and natural features and landscapes. Given this, Graymont contends that while managing adverse effects on the environment, that the proposed Plan provides a more balanced approach, particularly as it relates to regionally and nationally significant infrastructure and industry and significant mineral resources.	Retain RPROZ-O4 as notified
RPROZ-P1 <i>Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZ-SCHED1 - Scheduled rural production sites, by limiting the establishment or growth of noise sensitive activities on surrounding sites.</i>	Support in part	Graymont contends that RPROZ-P1 should protect the ongoing operation, development, maintenance and upgrading of all of those sites listed in RPROZ-SCHED1 - Scheduled rural production sites, rather than just those noted to be regionally significant. In this regard, the Company notes that some sites are listed in the schedule as 'significant mineral resource', while others are listed as regionally significant infrastructure or industry. Graymont records that the overview to the Rural Production Zone notes that the zone provides for a number of important scheduled rural industrial activities which contribute to the economic and social well-being of the community.	Amend RPROZ-P1 as follows: <i>Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZ-SCHED1 - Scheduled rural production sites, by limiting the establishment or growth of noise sensitive activities on surrounding sites.</i>
RPROZ-P2	Support in part	Further to its comments provided to RPROZ-P1 above, Graymont considers that RPROZ-P2 should apply to all those	Amend RPROZ-P2 as follows:

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<p>Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, the ensuing operations must remedy or mitigate adverse effects in that order in the first instance, or if this is not possible, offset adverse effects on the indigenous biodiversity values and ecological characteristics of the significant natural area by:</p> <ol style="list-style-type: none"> 1. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and 2. Ensuring the biodiversity offset can achieve no net loss of indigenous biodiversity values at a regional scale, preferably in the affected significant natural area, or where that is not practicable, in the ecological district in which the affected significant natural area is located. 		<p>sites recorded in RPROZ-SCHED1 - Scheduled rural production sites, given that they are all considered important sites that contribute to the economic and social well-being of the community.</p>	<p>Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, <u>or as a significant mineral resource</u>, the ensuing operations must remedy or mitigate adverse effects in that order in the first instance, or if this is not possible, offset adverse effects on the indigenous biodiversity values and ecological characteristics of the significant natural area by:...</p>
<p>RPROZ-P3 Where the location of an existing quarrying activity of significant mineral resources coincides with the karst overlay in whole or part, adverse effects on the geomorphological or hydrological characteristics of the karst system should be remedied or mitigated in that order in the first instance, or if this is not possible, offset adverse effects.</p>	Support	<p>Graymont supports the provision for offsetting to be considered in this policy, in those instances where remediation or mitigation do not address all residual adverse effects.</p>	Retain RPROZ-P3 as notified.
<p>RPROZ-P4 Enable scheduled activities in the rural production zone, provided that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods</p>	Support in part	<p>Graymont generally supports this policy, however the Company seeks a minor amendment to clause 4. To provide for adverse effects on water bodies to be avoided, remedied or mitigated. Graymont notes that this in in keeping with</p>	<p>Amend RPROZ-P4 as follows: <i>Enable scheduled activities in the rural production zone, provided that the adverse effects of the activities are internalised, or</i></p>

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought <small>(deleted text shown in strike through, new text shown in <u>red and underlined</u>)</small>
<p><i>such as management practices, rehabilitation plans and mitigation measures that include:</i></p> <ol style="list-style-type: none"> 1. <i>Managing dust, odour, noise, vibration, access, debris on roads, illumination and driver behaviour to maintain amenity values, particularly during the night time; and</i> 2. <i>Ensuring that noise and vibration effects are not unreasonable and do not adversely affect amenity values in the surrounding area; and</i> 3. <i>Ensuring that effects associated with glare, odour and particulates are appropriately mitigated; and</i> 4. <i>Avoiding adverse effects on water bodies; and</i> 5. <i>Undertaking remedial measures during operations as appropriate; and</i> 6. <i>Requiring sites where quarrying activities occur to be rehabilitated and ensuring appropriate materials are used for this purpose.</i> 		<p>the wording provided elsewhere in the proposed Plan, including the Industrial chapter.</p> <p>Further, while not opposed managing driver behaviour, Graymont seeks to understand what is intended in managing the same and the types of behaviour that are required to be managed.</p>	<p><i>avoided, remedied or mitigated as far as practicable through methods such as management practices, rehabilitation plans and mitigation measures that include:</i></p> <ol style="list-style-type: none"> 1. <i>Managing dust, odour, noise, vibration, access, debris on roads, illumination and driver behaviour to maintain amenity values, particularly during the night time; and</i> 2. <i>Ensuring that noise and vibration effects are not unreasonable and do not adversely affect amenity values in the surrounding area; and</i> 3. <i>Ensuring that effects associated with glare, odour and particulates are appropriately mitigated; and</i> 4. <i>Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and</i> 5. <i>Undertaking remedial measures during operations as appropriate; and</i> 6. <i>Requiring sites where quarrying activities occur to be rehabilitated and ensuring appropriate materials are used for this purpose.</i> <p>In addition to the amendment requested above, Graymont seeks clarification of what is intended in managing driver behaviour and the types of behaviour that are required to be managed.</p>
<p>RPROZ-P7 <i>Recognise that meeting mineral and aggregate needs from predominantly local sources is desirable and provide for this by:</i></p>	Support	Graymont considers this policy appropriate and notes that it is consistent with the direction provided in the RPS.	Retain RPROZ-P7 as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<ol style="list-style-type: none"> 1. <i>Recognising that quarrying activities are constrained by the location of the resource; and</i> 2. <i>Recognising the importance of maintaining a supply of extracted minerals</i> 			
<p>RPROZ-P8 <i>Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development.</i></p>	Support in part	While Graymont considers this policy appropriate, the Company suggests a minor amendment to make it clear that reverse sensitivity effects are to be avoided or minimised in relation to important rural production sites.	<p>Amend RPROZ-P8 as follows:</p> <p><i>Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>in those areas surrounding RPROZ-SCHED1 - Scheduled rural production sites.</u></i></p>
Rural Production Zone Rules			
<p>RPROZ-R12 - RPROZ-1 to RPROZ-9: Mineral prospecting and exploration</p> <p>RPROZ-R13 - RPROZ-1 to RPROZ-9: Quarrying activities</p> <p><i>Activity status: PER</i></p> <p><i>Where</i></p> <ol style="list-style-type: none"> 1. <i>This rule only applies to sites RPROZ-1 to RPROZ-9 as listed in RPROZ-SCHED1; and</i> 2. <i>All of the performance standards in RPROZ - Table 2 are complied with.</i> <p><i>Note: The provisions of the earthworks chapter do not apply to quarrying activities.</i></p> <p><i>Activity status where compliance is not achieved: RDIS</i></p> <p><i>Matters over which discretion is restricted:</i></p>	Support	Graymont supports the provision for mineral prospecting and exploration and quarrying activities as permitted activities where they apply to RPROZ-1 to RPROZ-9.	Retain as notified.

Chapter & Provision	Support / Oppose	Graymont's reasons for submission	Relief Sought (deleted text shown in strike through , new text shown in <u>red and underlined</u>)
<i>(a) The matters of discretion associated with any performance standard which cannot be complied with in RPROZ - Table 2.</i>			