

## FURTHER SUBMISSION FORM

IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION/S ON NOTIFIED:

# PROPOSED WAIKATO REGIONAL PLAN CHANGE 1: WAIKATO AND WAIPĀ RIVER CATCHMENTS AND VARIATION 1 TO PROPOSED WAIKATO REGIONAL PLAN CHANGE 1: WAIKATO AND WAIPĀ RIVER CATCHMENTS



Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

**Council needs to receive your further submission by 5pm, Monday, 17 September 2018. Please read the notes on making a Further Submission at the end of this form before completing your submission.**

### IMPORTANT NOTE

A copy of your further submission must be served on the original submitter/s within 5 working days of being lodged with council. An address list of all submitters is included with the summary of decisions requested documents and is available at [waikatoregion.govt.nz/healthyivers](http://waikatoregion.govt.nz/healthyivers)

### YOUR NAME, ADDRESS FOR SERVICE AND CONTACT DETAILS (MANDATORY INFORMATION)

Name of submitter (individual/organisation)	Graymont (NZ) Limited	
Contact person (if applicable)	Mr. Benjamin Murray	
Agent (if applicable)	Enspire Consulting - Bridgette Munro	
Email address for service	bmurray@graymont.com and bridgette@enspire.co.nz	
Postal address for service	Graymont (NZ) Limited	
	498 Old Te Kuiti Road, RD6	
	Otorohanga	Post code: 3976
Phone number/s	Home:	Business: 09 222 4323
	Mobile: 021 714 926	Fax:

### IN ACCORDANCE WITH SCHEDULE 1 OF THE RESOURCE MANAGEMENT ACT:

I am:

- A person representing a relevant aspect of the public interest.  
*In this case, also specify the grounds for saying that you come within this category; or*
- A person who has an interest in the proposal that is greater than the interest the general public has.  
*In this case, also explain the grounds for saying that you come within this category; or*
- The local authority for the relevant area.

My reasons are (i.e. grounds for selection above):

Graymont (NZ) Limited is a wholly owned subsidiary of Graymont Limited, a global operation associated with the manufacture and supply of lime and limestone products. The Company currently operates four plants across New Zealand in Oparure, Otorohanga, Te Kuiti and Makareao. Given much of the Company's assets are located within the area subject to the plan change, the provisions are particularly relevant to their ongoing operations.

#### PLEASE INDICATE WHETHER YOU WISH TO SPEAK AT A HEARING

- Yes, I wish to speak at the hearing in support of my further submission.  
 No, I do not wish to speak at the hearing in support of my further submission.

#### JOINT SUBMISSION

- If others make a similar submission, please tick this box if you would consider presenting a joint case with them at the hearing.

#### IF YOU HAVE USED EXTRA SHEETS FOR THIS SUBMISSION PLEASE ATTACH THEM TO THIS FORM AND INDICATE BELOW

- Yes, I have attached 11 extra sheets.       No, I have not attached extra sheets.

#### SIGNATURE - NOTE A SIGNATURE IS NOT REQUIRED IF YOU MAKE YOUR SUBMISSION BY ELECTRONIC MEANS

Signed PP BMA Date 13th of September 2018  
*Type name if submitting electronically*

#### FURTHER SUBMISSIONS CAN BE SENT BY

-  Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240  
 Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton  
 (07) 859 0998  
 healthydrivers@waikatoregion.govt.nz *Please note: Submissions received by email must contain full contact details.*

**PLEASE CHECK** that you have provided all of the information requested and if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.

**Personal information is used for the administration of the submissions process and will be made public.** All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

Form 6 of Schedule 1, Resource Management Act 1991.

**FURTHER SUBMISSIONS ON PROPOSED PLAN CHANGE 1 AND VARIATION 1 TO PROPOSED PLAN CHANGE 1**

**NAME OF ORIGINAL SUBMITTER:** Graymont (NZ Limited) **ORIGINAL SUBMITTER ID:** 73954

**ADDRESS OF ORIGINAL SUBMITTER:** Graymont (NZ) Limited, 498 Old Te Kuiti Road, RD6, Otorohanga, 3976.

*Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal. Also indicate the Submission Point ID.*

**PROVISION** (e.g. Objective 4 or Rule 3.11.5.1): \_\_\_\_\_ **SUBMISSION POINT ID** (e.g. PC1-1234 or V1PC1-1234) \_\_\_\_\_

Do you support or oppose the submission?  Support  Oppose

**THE REASONS FOR MY SUPPORT OR OPPOSITION ARE:**  
*Tell us why you support or oppose this submission. These reasons will help us to understand your further submission.*

**I SEEK THAT THE WHOLE (OR PART [DESCRIBE PART]) OF THE SUBMISSION BE ALLOWED (OR DISALLOWED):** *Give precise details*

Please refer to the attached further submission document

PLS0008/18

Add another page

## NOTES ON MAKING A FURTHER SUBMISSION

### 1. Serving a copy of your further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on (i.e. received by) Waikato Regional Council.

### 2. Further submission content review

Please note that your further submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

### 3. Privacy information

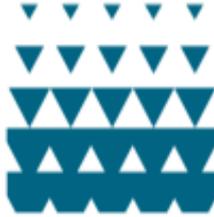
The Waikato Regional Council will make all submissions and further submissions including name and contact details publicly available on Council's website. Under the RMA, any further submission supporting or opposing an original submission is required to be served on the original submitter after it is served on council therefore your contact details must be made available.

Personal information will also be used for administration relating to the subject matter of the submissions, including notifying submitters of hearings and decisions. All information will be held by the Waikato Regional Council with submitters having the right to access and correct personal information.

**Contact us for more information**

**Phone: 0800 800 401**

**Email: [healthyrivers@waikatoregion.govt.nz](mailto:healthyrivers@waikatoregion.govt.nz)**



# GRAYMONT

## FURTHER SUBMISSION TO PROPOSED PLAN CHANGE 1 TO THE WAIKATO REGIONAL PLAN

**TO:** Chief Executive  
401 Grey Street  
Private Bag 3038  
Waikato Mail Centre  
HAMILTON 3240

**BY E-MAIL:** [healthyrivers@waikatoregion.govt.nz](mailto:healthyrivers@waikatoregion.govt.nz)

**FURTHER SUBMISSION ON:** **Proposed Plan Change 1 to the Waikato Regional Plan**

**NAME OF FURTHER SUBMITTER:** Graymont (NZ) Limited

**ADDRESS FOR SERVICE:** Graymont (NZ) Limited  
498 Old Te Kuiti Road  
RD 6  
OTOROHANGA 3976  
  
Attention: Mr Benjamin Murray

**PHONE:** (09) 222 4323

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

## 1.0 INTRODUCTION

Graymont (NZ) Limited (hereafter referred to as '**Graymont**', or '**the Company**') lodged primary submissions to proposed Plan Change 1 to the Waikato Regional Plan on the 7<sup>th</sup> of March 2017. The Company has an interest in the various provisions and submission points that is greater than that of the general public.

Graymont wishes to be heard in support of its submissions and further submissions. If others make similar further submissions, Graymont would consider presenting a joint case with them at any hearing.

Graymont cannot gain an advantage in trade competition through these submissions.

Graymont's further submissions and the reasons for the same are set out within the following table, entitled 'Further Submissions to proposed Plan Change 1 to the Waikato Regional Plan.

Signature:



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

Date: 13<sup>th</sup> of September 2018

## 2.0 FURTHER SUBMISSIONS TO PROPOSED PLAN CHANGE 1 TO THE WAIKATO REGIONAL PLAN

Submitter ID Number	Submission Name	Relevant Proposed Plan Change 1 Provision / Submission Point	Support / Oppose	Reasons	Relief Sought By Graymont
73714	<p>Contact Energy Limited</p> <p>(hereafter referred to as 'Contact')</p> <p>Genelle Slack Environmental Advisor Contact Energy Limited Wairakei Power Station Private Bag 2001 TAUPO 3352</p> <p><a href="mailto:Genelle.slack@contactenergy.co.nz">Genelle.slack@contactenergy.co.nz</a></p>	<p><b>Policy 11: Application of Best Practicable Option and mitigation or offset of effects to point source discharges</b></p> <p>Submission Point PC1-7380</p> <p>The submitter requested the following relief:</p> <p>Amend Policy 11 to the following:</p> <p><i>"Policy 11: Application of Best Practicable Option and mitigation or offset of effects to point source discharges</i></p> <p><i>Require any person undertaking a point source discharge of nitrogen, phosphorus, sediment or microbial pathogens to water or onto or into land in the Waikato and Waipa River catchments to adopt the Best Practicable Option to avoid or mitigate the adverse effects of the discharge, at the time a resource consent application is decided. Where it is not practicable to avoid or mitigate all <u>any significant</u> adverse effects, an offset measure may be proposed in an alternative location or locations to the point source discharge, for the purpose of ensuring positive effects on the environment to lessen any residual adverse effects of the discharge(s) that will or may result from allowing the activity provided that the:</i></p>	Support.	<p>Graymont (NZ) Limited (hereafter referred to as 'Graymont' or 'the Company') supports the direction provided within Policy 11 for the adoption of the Best Practicable Option with regard to managing point source discharges and the provision within the policy which allows for offsetting the adverse effects of discharges to occur at alternative locations (subject to various restrictions).</p> <p>Contact have requested that the words 'all adverse effects' are amended to 'any <b>significant</b> adverse effects', stating that the removal of all adverse effects in many cases may not be feasible or practical, and that mitigation needs to be relative to the scale of the effect. Graymont supports this approach noting that it is not always appropriate or necessary to avoid an adverse effect that is minor, or less than minor in scale.</p>	<p>Graymont seeks:</p> <p>That Submission Point PC1-7380 be accepted.</p>

		<p>a. <i>Primary discharge does not result in any significant toxic adverse effect at the point source discharge location; and</i></p> <p>b. <i>Offset measure is for the same contaminant; and</i></p> <p>c. <i>Offset measure occurs preferably within the same sub-catchment in which the primary discharge occurs and if this is not practicable, then within the same Freshwater Management Unit^ or a Freshwater Management Unit^ located upstream, and</i></p> <p>d. <i>Offset measure remains in place for the duration of the consent and is secured by consent condition.”</i></p> <p>Further to the amendment above ensure that all adverse effects of a point source discharge are not required to be avoided, mitigated or offset and amend to allow existing and low discharging activities to continue or to be established for both point and diffuse source discharges.</p>			
72453	<p><b>BT Mining Limited</b></p> <p>Alison Brown (General Counsel) BT Mining</p>	<p><b>Include a new definition for Regionally Significant Industry.</b></p> <p>Submission Point PC1-9921</p> <p>The submitter requested the following relief:</p>	Support	<p>Graymont supports the addition of a definition for ‘Regionally Significant Industry’. This term is referred to within the proposed Plan Change, therefore it should be defined in order to clarify what is intended to be included as regionally significant</p>	<p>Graymont seeks:</p> <p>That Submission Point PC1-9921 be accepted.</p>

	<p>Limited, Level 12, 1 Willeston Street, PO Box 5963 WELLINGTON 6145</p> <p><a href="mailto:abrown@bathurstresources.co.nz">abrown@bathurstresources.co.nz</a></p>	<p>Add the following definition: Regionally Significant Industry.</p> <p><i><u>“Regionally Significant Industry: means an economic activity based on the use of natural or physical resources in the region which have benefits that are significant at a regional and/or national scale. These may include social, economic or cultural benefits. Regionally significant industry includes:</u></i></p> <ul style="list-style-type: none"> <li>- <i><u>Dairy manufacturing;</u></i></li> <li>- <i><u>Meat processing;</u></i></li> <li>- <i><u>Pulp and paper processing;</u></i></li> <li>- <i><u>Mineral extraction.”</u></i></li> </ul>		<p>industry.</p> <p>Further, Graymont considers that the definition proposed by BT Mining Limited gives effect to the definition of ‘Regionally Significant Industry’ within the Waikato Regional Policy Statement.</p>	
72453	<p><b>BT Mining Limited</b></p> <p>Alison Brown (General Counsel) BT Mining Limited, Level 12, 1 Willeston Street, PO Box 5963 WELLINGTON 6145</p> <p><a href="mailto:abrown@bathurstresources.co.nz">abrown@bathurstresources.co.nz</a></p>	<p><b>Policy 10: Provide for point source discharges of regional significance</b></p> <p>Submission Point PC1-9920</p> <p>The submitter requested the following relief:</p> <p><i>“Policy 10: Provide for point source discharges of regional significance</i></p> <p><i>When deciding resource consent applications for point source discharges of nitrogen, phosphorus, sediment and microbial pathogens to water or onto or into land, provide for the:</i></p> <p style="padding-left: 40px;"><i>a. Continued operation of regionally significant infrastructure <u>and regionally significant industry;</u> and</i></p>	Support in principle	<p>Graymont has provided a primary submission to Policy 10 requesting that the Policy is amended to provide for the ‘continued operation of existing quarrying and mining industry activities that are associated with the extraction and manufacture of products from natural resources and that, due to geographical constraints, are unable to be relocated outside of the catchment’. This is the Company’s preferred relief, as it specifically refers to quarrying and mining industry activities.</p> <p>Graymont supports the addition of a definition for ‘Regionally Significant</p>	<p>Graymont seeks:</p> <p>That Submission Point PC1-9920 be accepted subject to the definition for regional significant infrastructure, as requested in Submission Point PC1 - 9921 above also being accepted.</p>

		<p>b. <u>The growth of regionally significant infrastructure and regionally significant industry; and Continued operation of regionally significant industry.</u></p> <p>c. <u>The establishment of new regionally significant infrastructure and regionally significant industry.</u>”</p>		<p>Industry’ as noted in response to Submission Point PC1-9921 above. Should this definition be excepted and quarrying and mining recognised as ‘regionally significant industry’, Graymont supports the alternative amendments to Policy 10 as requested by BT Mining in submission point PC1-9920. In this respect, the amendments provide certainty for regionally significant infrastructure and industry that they are able to continue to operate and grow and that new regionally significant infrastructure and industry can be established.</p>	
74048	<p><b>Fulton Hogan Limited</b></p> <p>Sharon Dines</p> <p>Fulton Hogan Limited C/o- Boffa Miskell Limited PO Box 91-250 Auckland 1142</p> <p>Sharon.Dines@bof famiskell.co.nz</p>	<p><b>Objective 2: Social, economic and cultural wellbeing is maintained in the long term</b></p> <p>Submission Point PC1-10740</p> <p>The submitter requested the following relief:</p> <p><i>“Objective Two: Social, economic and cultural wellbeing is maintained in the long term</i></p> <p><i>Waikato and Waipa communities and their economy benefit from the restoration and protection of water quality in the Waikato River catchment, <del>which</del> and the restoration and protection is undertaken in a way and at a rate that enables the people and communities to continue to provide for their social, economic and cultural wellbeing.”</i></p>	Support	<p>Graymont supports the intent of Objective 2 in that it is consistent with Part II of the Act.</p> <p>Graymont accepts that water quality plays a vital role in enabling communities to provide for their social economic and cultural wellbeing. However, Graymont considers that no community should face undue social and economic costs in achieving improved water quality, in this regard, a balanced approach is required.</p>	<p>Graymont seeks:</p> <p>That Submission Point PC1-10740 be accepted.</p>

74122	<p><b>The Royal Forest and Bird Protection Society</b></p> <p>Jen Miller</p> <p>The Royal Forest and Bird Protection Society of New Zealand PO Box 2516 Christchurch</p> <p><a href="mailto:j.miller@forestanbird.org.nz">j.miller@forestanbird.org.nz</a></p>	<p><b>Objective 1: Long-term restoration and protection of water quality for each sub-catchment and Freshwater Management Unit</b></p> <p>Submission Point PC1-8218</p> <p>The submitter requested the following relief:</p> <p><i><u>“Long-term restoration and protection of water quality for each sub-catchment and Freshwater Management Unit. The restoration and protection of water quality to achieve healthy rivers by 2050. “</u></i></p> <p>AND RETAIN the explanation.</p> <p><b>Reasons for Objective 1</b></p> <p>Submission Point PC1-8228</p> <p>The submitter requested the following relief:</p> <p>AMEND the reasons for adopting Objective 1 to reflect the changes sought for Objective 1.</p>	Oppose	<p>Graymont is supportive of the 80-year timeframe proposed within proposed Objective 1 to achieve the Vision and Strategy set out in Plan Change 1. The Company considers that this timeframe is both appropriate and achievable in that it takes into account the socio-economic effects of implementing a change in management practices.</p> <p>In this regard, the Company considers that the 80-year timeframe recognises that achieving these targets will be difficult and costly to the community, and that new technologies and practices will be needed that are not currently available or economically feasible. It also recognises that considerable tracts of land will need to change land-use to de-intensify discharges of contaminants.</p> <p>In summary, Graymont considers that an 80-year timeframe is realistic in terms of achieving the water quality targets set out in Table 3.11-1, given the complexity of managing diffuse discharges, the scale of the change in water quality sought and the very significant costs to the community and inability to adapt if such changes are driven over a</p>	<p>Graymont seeks:</p> <p>That Submission Points PC1-8218 and PC1-8228 be rejected.</p>
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				shorter period.	
74122	<p><b>The Royal Forest and Bird Protection Society</b></p> <p>Jen Miller</p> <p>The Royal Forest and Bird Protection Society of New Zealand PO Box 2516 Christchurch</p> <p><a href="mailto:j.miller@forestanbird.org.nz">j.miller@forestanbird.org.nz</a></p>	<p><b>Objective 2: Social, economic and cultural wellbeing is maintained in the long term</b></p> <p>Submission Point PC1-8220</p> <p>The submitter requested the following relief:</p> <p><i><u>“The restoration, protection and enhancement of water quality contributes to social, economic and cultural well-being. Social, economic and cultural wellbeing is maintained in the long term.”</u></i></p>	Oppose	<p>While the restoration, protection and enhancement of water quality contributes to social, economic and cultural wellbeing, Graymont considers that the approach to achieving water quality must be balanced as intended by the purpose of the Resource Management Act 1991 (<b>‘the Act’</b> or <b>‘the RMA’</b>).</p> <p>Further, Graymont considers that the wording of Objective 2 as notified, provides some assurance that the scale and rate of change will not inflict undue social, economic and cultural costs on the community.</p>	<p>Graymont seeks:</p> <p>That Submission Point PC1-8220 be rejected.</p>
74122	<p><b>The Royal Forest and Bird Protection Society</b></p> <p>Jen Miller</p> <p>The Royal Forest and Bird Protection Society of New Zealand PO Box 2516 Christchurch</p> <p><a href="mailto:j.miller@forestanbird.org.nz">j.miller@forestanbird.org.nz</a></p>	<p><b>Objective 3: Short-term improvements in water quality in the first stage of restoration and protection of water quality for each sub-catchment and Freshwater Management Unit.</b></p> <p>Submission Point PC1-8221</p> <p>The submitter requested the following relief:</p> <p><i><u>“Immediate improvements are achieved in water quality in each sub-catchment and Freshwater Management Unit Short-term improvements in water quality in the first stage of restoration and protection of water quality for each sub-catchment and Freshwater Management Unit”</u></i></p>	Oppose	<p>Graymont considers that the target of achieving 10 percent of the required water quality improvement by 2026 to be realistic. To require the achievement of immediate improvements may not be possible and would likely give rise to significant costs and economic hardship to those who must implement immediate measures to bring about the required improvements.</p>	<p>Graymont seeks:</p> <p>That Submission Points PC1-8218, PC1-8320 and PC1-8257 be rejected.</p>

		<p>AND AMEND the explanation to read:</p> <p><i>"Actions are put in place and implemented by 2026 immediately to reduce discharges of nitrogen, phosphorus, sediment and microbial pathogens, are sufficient to achieve ten percent of the required change between current water quality and the 80-year water quality attribute targets in Table 3.11-1. A ten percent change towards the long term water quality improvements is indicated by the short term water quality attribute targets in Table 3.11-1"</i></p> <p><b>Reasons for Objective 3</b></p> <p>Submission Point PC1-8230</p> <p>The submitter requested the following relief:</p> <p>AMEND the reasons for adopting Objective 3 to reflect the changes sought in Objective 3.</p> <p>AND AMEND to ensure the Council set dates for limits/targets in a rule to trigger a review of consents on a sub-catchment or Freshwater Management Unit basis.</p> <p><b>Policy 5: Staged Approach</b></p> <p>Submission Point PC1-8257</p>			
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		<p>The submitter requested the following relief:</p> <p><i><u>“Recognise that achieving the water quality attribute targets set out in Table 11-1 will need to be staged over 35 years 80 years, to minimise social disruption and allow for innovation and new practices to develop, while making a start on reducing discharges of nitrogen, phosphorus, sediment and microbial pathogens, and preparing for further reductions that will be required in subsequent regional plans. Requiring reductions immediately, an additional reduction in the medium to long term where these are necessary to achieve the targets.”</u></i></p>			
73182	<p><b>Mercury Limited</b>      NZ</p> <p>Miles Rowe PO Box 445 HAMILTON 3240</p> <p><a href="mailto:Miles.rowe@mercury.co.nz">Miles.rowe@mercury.co.nz</a></p>	<p><b>Policy 9: Sub-catchment (including edge of field) mitigation planning, co-ordination and funding</b></p> <p>Submission Point PC1-9569</p> <p>The submitter requested the following relief:</p> <p><i>“Take a prioritised and integrated approach to sub-catchment water quality management by undertaking sub-catchment planning, and use this planning to support actions including edge of field mitigation measures. Support measures that efficiently and effectively contribute to water quality improvements. This approach includes:</i></p> <p><i>a. Engaging early with tangata whenua</i></p>	Support	<p>Graymont supports in principle a collaborative approach to sub-catchment mitigation planning in order to efficiently and effectively contribute to water quality improvements. In doing so, Graymont considers that representation from all relevant parties are required in order to agree balanced and practical solutions. For this reason, Graymont supports the amendment suggested by Mercury to include ‘stakeholders’ as parties that should be engaged early regarding sub-catchment water quality management.</p>	<p>Graymont seeks:</p> <p>That Submission Point PC1-9569 be accepted.</p>

		<i>and with landowners, <u>stakeholders</u>, communities and potential funding partners in sub-catchments in line with the priority areas listed in Table 3.11-2; and..."</i>			
71759	<p><b>Department of Conservation</b></p> <p>Gemma White Statutory Manager (Hauraki-Waikato-Taranaki) Director-General of Conservation Private Bag 3072 Hamilton 3240</p> <p><a href="mailto:gwhite@doc.govt.nz">gwhite@doc.govt.nz</a></p>	<p><b>Non-Complying Activity Rules - 3.11.5.7</b></p> <p>Submission Point: PC1-11059</p> <p>The submitter requested the following relief:</p> <p>Retain Rule 3.11.5.7 with stronger policy guidance to support its use.</p> <p>ALTERNATIVELY, CONSIDER a prohibited activity rule to replace Rule 3.11.5.7, as a mechanism to avoid adverse effects of land use change on water quality.</p>	Oppose	<p>Graymont considers the use of a prohibited activity provision to be inappropriate as a prohibited activity status does not allow for further land use change to occur. In this respect, Graymont considers that resource consent applications for land use change should be assessed on a case by case basis, a prohibited activity status does not achieve this.</p>	<p>Graymont seeks:</p> <p>That Submission Point PC1-11059 be rejected.</p>