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| **From:** | Benjamin Murray |
| **To:** | RPS |
| **Cc:** | Alaine DesFountain; Bridgette Malcon |
| **Subject:** | 210903_T2021-086_BMM_0392021_FINAL Graymont Ltd pORPS Submission.pdf |
| **Date:** | Friday, 3 September 2021 2:40:05 p.m. |
| **Attachments:** | 210903_T2021-086_BMM_0392021_FINAL Graymont Ltd pORPS Submission.pdf |

To whom it may concern

Please find attached a submission from Graymont, on the proposed Otago RPS.

Regards
Ben

**Benjamin Murray**
HSE Manager, APAC South
**GRAYMONT**

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4/214 Collingwood Street
Hamilton 3204
New Zealand

**Proposed Otago Regional Policy Statement 2021**

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| **To:** | Otago Regional Council,<br>Private Bag 1954,<br>DUNEDIN 9054<br><br>**Attn:** ORC Policy Team |
| **By email:** | rps@orc.govt.nz |
| **Submission on:** | Proposed Otago Regional Policy Statement (hereafter referred to as '**the pORPS**') |
| **Name:** | Graymont (NZ) Limited |
| **Address:** | Graymont (NZ) Limited<br>4/214 Collingwood Street<br>Hamilton Lake<br>**Hamilton**<br><br>Attention: Mr. Benjamin Murray |
| **Phone:** | (09) 222 4323 or 021 714 926 |
| **E-mail:** | bmurray@graymont.com |
| **Signature:** | |
| | Mr. Benjamin Murray<br>**HSE Manager, APAC South - Graymont (NZ) Limited** |
| **Date:** | 3rd of September 2021 |

# 1.0 INTRODUCTION

Graymont Limited (hereafter referred to as **'Graymont** or **'the Company'**) would like to thank the Otago Regional Council for the opportunity to present submissions to the pORPS.

Graymont is 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, and supplies quality 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 67-hectare quarry produces high-grade limestone for use as agricultural lime, kiln feed stock, aggregates and pulverised limestone products.

**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.

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

**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. As a Company, 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.

This submission is made to the document titled "*Proposed Otago Regional Policy Statement 2021*" ('**the pORPS**' or '**the proposed plan**').

Graymont is primarily concerned to ensure that 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 the pORPS does not currently contain provisions that specifically promote the responsible use of minerals. The Company considers that the pORPS should specifically recognise mineral resources and the need to protect these resources from encroachment by new incompatible activities that could be located elsewhere. Further, Graymont considers that the pORPS should recognise that mineral processing activities can only occur in that location where the mineral resource is present.

Graymont considers that objectives and policies that promote the responsible use of minerals and seek to resolve issues associated with the same, should be included in the pORPS and that this will enable them to be both reflected in, and guide, the associated regional and district plans.

The submission addressing the specific provisions of the pORPS in the order that they are set out in the proposed plan commences on the following page. This submission follows the directions provided within the form 5 template, as required by the Otago Region Council.

## 2.0 SUBMISSION ON PROPOSED OTAGO REGIONAL POLICY STATEMENT

**To: Otago Regional Council**

1. **Name of submitter**

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| Graymont (NZ) Limited |

2. This is a submission on the **Proposed Otago Regional Policy Statement 2021**.
3. I **could not** gain an advantage in trade competition through this submission.
4. I **wish** to be heard in support of my submission
5. If others make a similar submission**, I will** consider presenting a joint case with them at a hearing
6. **Submitter Details**
    a. **Signature of submitter**

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    b. **Signatory name, position, and organisation**

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|---|
| ***Name:*** Benjamin Murray<br>***Position:*** HSE Manager, APAC South<br>***Organisation:*** Graymont (NZ) Limited |

    c. **Date**

| |
|---|
| 3rd of September 2021 |

**Address for service of submitter**

**d. Contact person:**

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| Benjamin Murray |

**e. Email:**

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| bmurray@graymont.com |

**f. Telephone:**

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| 021 714 926 |

**g. Postal address:**

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| Graymont (NZ) Limited,<br>4/212 Collingwood Street,<br>**Hamilton 3204.** |

## 7. My submission is:

| Specific Provisions | Support / Oppose / Amend | Reasons for Submission | Relief Sought |
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| **Definition: Mineral**<br><br>Has the same meaning as in section 2(1) of the Crown Minerals Act 1991.<br><br>*"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."* | Support | Graymont supports the definition of mineral as provided within the pORPS. The Company consider that the inclusion of a definition that is consistent with the Crown Minerals Act 1991 is appropriate. | Retain definition of Mineral as notified. |
| **IM-O1 – Long term vision**<br><br>*"The management of natural and physical resources in Otago, by and for the people of Otago, including Kāi Tahu, and as expressed in all resource management plans and decision making, achieves healthy, resilient, and safeguarded natural systems, and the ecosystem services they offer, and supports the well-being of present and* | Amend | While Graymont generally supports this Objective, recognising that it broadly sets out the goal of sustainable management for Otago, the Company considers that the wording of the same should be amended so that it is more consistent with the wording in the purpose of the Resource Management Act 1991 (the **'RMA'** or **'the Act'**).<br><br>Graymont understands that the purpose of the pORPS is to achieve the purpose of the RMA, as recorded within the Section 32 report.[1] The Company considers that the objective should be amended so that it explicitly references support for social, economic and cultural well-being of present and future generations. In this regard, the Company considers that this amendment will assist in providing certainty to those activities that operate within the Otago Region. | Amend IM-O1 – Long term vision as follows:<br><br>*The management of natural and physical resources in Otago, by and for the people of Otago, including Kāi Tahu, and as expressed in all resource management plans and decision making, achieves healthy, resilient, and safeguarded natural systems, and the ecosystem services they offer, and supports the social, economic and cultural well-being of present and future generations, mō tātou, ā, mō kā uri ā muri ake nei.* |

[1] At paragraph 99., page 27

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| *future generations, mō tātou, ā, mō kā uri ā muri ake nei."* | | | |
| **IM-P2 – Decision priorities**<br><br>*"Unless expressly stated otherwise, all decision making under this RPS shall:*<br><br>*(1) firstly, secure the long-term life-supporting capacity and mauri of the natural environment,*<br><br>*(2) secondly, promote the health needs of people, and*<br><br>*(3) thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future."* | Amend | Graymont notes that the wording as proposed in this policy provides a pathway for resolving decision priorities that is consistent with the National Policy Statement for Freshwater Management 2020 (**'NPS FM'**). This pathway is intended to reflect the fundamental importance of environmental health, considering first the long term life supporting capacity of the environment, second people's health and third, other facets of wellbeing.[2] While this is appropriate in terms of the freshwater provisions, Graymont considers that it is important to recognise that the NPS FM only applies to freshwater bodies (including groundwater) and, to the extent they are affected by freshwater, to receiving environments (which may include estuaries and the wider CMA). In this regard, for example, the NPS FM isn't applicable to the coastal environment. As a consequence, given that this policy is an overarching policy, Graymont considers that it is imperative to also consider the direction that is provided by other appropriate higher order policy documents (including but not limited to the New Zealand Coastal Policy Statement 2010 (**'NZCPS'**), the National Policy Statement for Renewable Electricity Generation 2011 (**'NPS REG'**), and the National Policy Statement on Urban Development (2020) (**'NPS UD'**)) together with the RMA, which proposes a more balanced, as opposed to a hierarchical approach to decision making. | Amend Policy IM-P2 to provide a more balanced approach to decision making under the RPS that is consistent with the sustainable management purpose of the Act, as follows:<br><br>*Unless expressly stated otherwise, all decision making under this RPS shall:*<br><br>*(1) ~~firstly,~~ secure the long-term life-supporting capacity and mauri of the natural environment, and*<br><br>*(2) ~~secondly,~~ promote the health needs of people, and*<br><br>*(3) ~~thirdly,~~ safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.* |
| **IM-P6 – Acting on best available information**<br><br>*"Avoid unreasonable delays in decision-making processes by using the best information available at the time, including but not limited to mātauraka Māori, local knowledge, and reliable partial data."* | Amend | The Section 32 report to the pORPS states that perfect information is never available when making resource management decisions. It goes on to state however, that there can be considerable risks in choosing not to act, due to a lack of information.[3] As such, Graymont understands that this policy could mean that where the Otago Regional Councill does not have complete and scientifically robust data, it could use best efforts to proceed in any event, relying on the best information available at the time, including mātauraka Māori, partial data, local knowledge, and information obtained from other sources, so as to not delay making decisions because of uncertainty about the quality or quantity of the information.<br><br>Graymont considers that this policy may lead to a conservative approach being implemented, which, could potentially unduly restrict activities and operations. Put another way, Graymont considers that the degree of urgency in making | Amend IM-P6 – Acting on best available information, as follows:<br><br>*Avoid unreasonable delays in decision-making processes by using robust information, that is considered the best information available at the time, including but not limited to mātauraka Māori, local knowledge, and reliable partial data, while ensuring that people and communities are able to provide for their social, economic and cultural wellbeing and for their health and safety.*<br><br>Alternatively, if IM-P6 – Acting on best available information is retained, add the following explanation to the policy: |

[2] As recorded at paragraph 218, page 72 of the Section 32 report for the pORPS.
[3] At paragraph 220, page 73.

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| | | decisions introduces a significant risk that adequate environmental outcomes may not be achieved, or that the social and economic consequences are not fully understood, which, in turn, could bring about significant implications.<br><br>Graymont is of the opinion that it is crucial that decisions aren't rushed and that enough time must be provided to ensure that robust information is utilised, that is further informed by meaningful consultation and that change is implemented at a pace and cost that can be afforded, and further, that capacity and capability allows. In saying this, while Graymont is concerned as to the potential implications of this policy, it does accept that there may be instances where immediate action is needed, and a conservative approach may be justified where data is limited. However, in these instances, the Company considers that any conservative approach must be time limited to that period in which data is being gathered after which a plan change or variation process is advanced to ensure that the ultimate position reflects good data and is both a reasonable and robust response. | *Any decision that has been made based on limited information or partial data must be revisited as information becomes available / data is captured and analysed, and a plan change / variation advanced as necessary. This is required to ensure that the ultimate position does not come at the expense of people and communities' ability to provide for their social, economic and cultural wellbeing, and for their health and safety.* |
| **IM-P8 – Climate change impacts**<br><br>"*Recognise and provide for climate change processes and risks by identifying climate change impacts in Otago, including impacts from a te ao Māori perspective, assessing how the impacts are likely to change over time and anticipating those changes in resource management processes and decisions.*" | Amend | Graymont recognises the challenge climate change presents and supports the Otago Regional Council taking action to identify climate change impacts. In this regard, the Company has been engaging with Government agencies on climate change matters for some time. While supportive of this policy, Graymont notes, that any decisions made as a result of anticipated climate change impacts should be based on robust scientific information and take into account the needs of existing activities in order to remain viable. | Amend IM-P8 – Climate change impacts, as follows:<br><br>*Recognise and provide for climate change processes and risks by utilising robust scientific information to identify ~~identifying~~ climate change impacts in Otago, including impacts from a te ao Māori perspective, assessing how the impacts are likely to change over time and anticipating those changes in resource management processes and decisions, while taking into account the sustainable needs of existing activities.* |
| **IM-P9 – Community response to climate change impacts**<br><br>"*By 2030 Otago's communities have established responses for adapting to the impacts of climate change, are adjusting their lifestyles to follow them, and are reducing their* | Support | Graymont's main product, lime, is indispensable for many industrial processes and applications, including the manufacturing of steel and paper, the production of clean drinking water and various applications in construction and agriculture.<br><br>Lime products are also a big part of the solution for a multitude of crucial environmental applications - everything from enabling clean drinking water, environmental water and sewage treatment, construction of housing subdivisions and infrastructure, to the treatment of acid mine drainage, environmental | Retain IM-P9 – Community response to climate change impacts, as notified. |

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| *greenhouse gas emissions to achieve net-zero carbon emissions by 2050."* | | remediation and power generation. Further, the Company notes that lime has increasingly become a product of choice for addressing complex environmental challenges, both naturally occurring and man-made.<br><br>Graymont notes that the fastest growing use of lime is in environmental applications, where lime is used to comply with air, drinking water, wastewater, and solid waste regulations.<br><br>To maintain and grow New Zealand's lime industry, it is important that any policies developed to assist in achieving the target of zero net emissions by 2050 enable the industry to remain economically viable, and in turn to deliver product to people and communities, and for use in what are key environmental processes. Graymont considers that it would be counter-intuitive and nonsensical for the pORPS to effectively make the production of a key ingredient in environmental restoration unavailable / more difficult to secure in order to achieve another positive environmental outcome. In this regard, Graymont considers a balance must be struck where both outcomes can be achieved.<br><br>As an aside, based on its own research, Graymont notes that there is currently no technology available for quicklime production using electrical energy. The Company has, and continues to investigate solutions that are practicable, technologically sound and economically viable, implementing those that make sense both environmentally and economically. Provision in the pORPS to support emission reduction, such as by fuel switching to biomass, would help to remove unnecessary barriers to emission reduction.<br><br>Graymont considers that amendments are required to policies IM-P10 – Climate change adaptation and mitigation, and IM-P12 – Contravening environmental bottom lines for climate change mitigation. Changes are needed to ensure that these policies enable the lime extraction and processing activities to remain operationally viable, and to ensure that the policies are clear, measurable and applicable to the Otago Region.<br><br>While striving to reduce the impacts of climate change, Graymont notes that in some instances there is little ability to reduce greenhouse gas emissions, where this occurs, the Company the option of carbon offsetting could be employed. | |
| **IM-P10 – Climate change adaptation and mitigation**<br><br>*"Identify and implement climate change adaptation and mitigation methods for Otago that:*<br><br>*(1) minimise the effects of climate change processes or risks to existing activities,*<br><br>*(2) prioritise avoiding the establishment of new activities in areas subject to risk from the effects of climate change, unless those activities reduce, or are resilient to, those risks, and*<br><br>*(3) provide Otago's communities, including Kāi Tahu, with the best chance to thrive, even under the most extreme climate change scenarios."* | Amend | | Amend IM-P10 – Climate change adaptation and mitigation, as follows:<br><br>*"Identify and implement climate change adaptation and mitigation methods for Otago that:*<br><br>*(1) minimise the effects of climate change processes or risks to existing activities,*<br><br>*(2) prioritise avoiding the establishment of new activities in areas subject to risk from the effects of climate change where practicable, unless those activities reduce, or are resilient to, those risks, and*<br><br>*(3) provide Otago's communities, including Kāi Tahu, with the best chance to thrive, even under the most extreme climate change scenarios.* |
| **IM-P11_Enhancing environmental resilience to effects of climate change**<br><br>*"Enhance environmental resilience to the adverse effects of climate change by facilitating activities that reduce human impacts on the environment."* | Support | | Retain IM-P11_Enhancing environmental resilience to effects of climate change, as notified. |

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| **IM-P12 – Contravening environmental bottom lines for climate change mitigation**<br><br>"*Where a proposed activity provides or will provide enduring regionally or nationally significant mitigation of climate change impacts, with commensurate benefits for the well-being of people and communities and the wider environment, decision makers may, at their discretion, allow noncompliance with an environmental bottom line set in any policy or method of this RPS only if they are satisfied that:*<br><br>*(1) the activity is designed and carried out to have the smallest possible environmental impact consistent with its purpose and functional needs,*<br><br>*(2) the activity is consistent and coordinated with other regional and national climate change mitigation activities,*<br><br>*(3) adverse effects on the environment that cannot be avoided, remedied, or mitigated are offset, or compensated for if an offset is not possible, in accordance with any specific criteria for using offsets or compensation, and ensuring that any offset is:*<br><br>*(a) undertaken where it will result in the best ecological outcome,* | Amend | In addition, Graymont notes that mineral extraction and processing activities must occur where the mineral resource is located, it may be that these areas are subject to climate change risks, given this it may not be practicable to avoid establishment in these areas. Graymont notes that the use of the term 'practicable' in IM-P10 – Climate change adaptation and mitigation that it is suggesting in its amendments to bullet point (2) of provision is deliberate, as this term is it is both well understood and has been tested in in a number of Environment Court processes. As a consequence, Graymont considers that it is more measurable and certain than alternative terms such as 'possible'. | Amend IM-P12 – Contravening environmental bottom lines for climate change mitigation, as follows:<br><br>*Where a proposed activity provides or will provide enduring regionally or nationally significant mitigation of climate change impacts, or is crucial to mitigating other environmental issues, with commensurate benefits for the well-being of people and communities and the wider environment, decision makers may, at their discretion, allow noncompliance with an environmental bottom line set in any policy or method of this RPS only if they are satisfied that:*<br><br>*(1) the activity is designed and carried out to have the smallest possible environmental impact consistent with its purpose and functional needs, while remaining operationally viable,*<br><br>*(2) the activity is consistent and coordinated with other regional and national climate change mitigation activities,*<br><br>*(3) adverse effects on the environment that cannot be avoided, remedied, or mitigated are offset, or compensated for if an offset is not possible, in accordance with any specific criteria for using offsets or compensation, and ensuring that any offset is:*<br><br>*(a) undertaken where it will result in ~~the best ecological outcome~~ a net improvement in the ecological outcome,*<br><br>*(b) close to the location of the activity, and*<br><br>*(c) within the same ecological district or coastal marine biogeographic region,*<br><br>*(4) the activity will not impede either the achievement of the objectives of this RPS ~~or the objectives of regional policy statements in neighbouring regions~~, and*<br><br>*(5) the activity will not contravene a bottom line set in a national policy statement or national environmental standard.*<br><br>*Advice Note:* |

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| *(b) close to the location of the activity, and*<br><br>*(c) within the same ecological district or coastal marine biogeographic region,*<br><br>*(4) the activity will not impede either the achievement of the objectives of this RPS or the objectives of regional policy statements in neighbouring regions, and*<br><br>*(5) the activity will not contravene a bottom line set in a national policy statement or national environmental standard."* | | | *For the avoidance of doubt, where there is not ability to reduce greenhouse gas emissions, carbon offsetting may be employed, further, methods such as fuel swapping can be utilised to support emission reduction.* |
| **IM-P14 – Human impact**<br><br>*"Preserve opportunities for future generations by:*<br><br>*(1) identifying limits to both growth and adverse effects of human activities beyond which the environment will be degraded,*<br><br>*(2) requiring that activities are established in places, and carried out in ways, that are within those limits and are compatible with the natural capabilities and capacities of the resources they rely on, and*<br><br>*(3) regularly assessing and adjusting limits and thresholds for activities* | Amend | As the Company has already noted in this submission, a sustained supply of minerals and aggregate is essential to resolving environmental challenges and sustaining a modern society, and minerals such as lime and limestone are used in a number of applications.<br><br>Mineral extraction facilities 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. Graymont notes that while minerals and aggregates are a commodity upon which a variety of industries and organisations depend, their importance to regional economies is not always fully appreciated. In this regard, in addition to extracting and supplying essential product, mineral extraction and processing activities create a number of jobs, which are particularly important to regional economies. Graymont notes that, since 1993, New Zealand's annual aggregate production amounts to more than 700 million tonnes of quarried rock, sand and gravel.[4] Further, demand for minerals is predicted to increase as we move to a lower carbon economy.[5]<br><br>Graymont is of the opinion that economic wellbeing considerations are interwoven with the concept of sustainable management of natural and physical resources, as | **Amend IM-P14 – Human impact, as follows:**<br><br>*Provide ~~Preserve~~ opportunities for future generations by:*<br><br>*(1) identifying limits to both growth and adverse effects of human activities beyond which the environment will be degraded,*<br><br>*(2) recognising the functional, locational and operational needs of particular activities, while requiring that activities are established in places, and carried out in ways, that are within those limits and are compatible with the natural capabilities and capacities of the resources they rely on, and*<br><br>*(3) regularly assessing and adjusting limits and thresholds for activities over time via plan change and / or variation processes, in consultation with the appropriate stakeholders, in light of the actual and potential environmental impacts.* |

[4] Based on New Zealand's minerals and petroleum industry annual minerals industry statistics for 1993 – 2019.
[5] Submission for Straterra to MBIE, Minerals and Petroleum Resource Strategy, September 2019, page 2.

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| *over time in light of the actual and potential environmental impacts."* | | prescribed within section 5 of the Act. In this regard, Graymont notes that section 5(2) refers to enabling "*people and communities to provide for their … economic ... well being*" as part of the meaning of "*sustainable management*" and while "*(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment"*. As section 5(2) uses the word 'provide' rather than 'preserve', Graymont suggests that it is appropriate that this policy should be amended to 'provide' opportunities for future generations, utilising wording that is consistent with the Act. Further, Graymont notes that section 7(b) of the Act directs that, in achieving the Act's purpose, all persons *"shall have particular regard to ... the efficient use and development of natural and physical resources"*. Due to the significance of minerals and aggregate in building and infrastructure, Graymont considers that enabling the extraction of locally sourced low-cost minerals and aggregate is important to economic wellbeing and the efficient use and development of resources. In addition, the Company highlights that those lower prices in turn reduce the cost for building, infrastructure and other projects, which enables people and communities to provide for their economic wellbeing. Given this, the Company is firmly of the opinion that in order to provide for future generations, there is also a need to find new sources of minerals and aggregate to meet demand well into the future, which is consistent with the Otago Regional Council's requirement to have particular regard to the *"efficient use and development of physical and natural resources"*, along with their sustainable management.<br><br>Finally, while recognising that limits and thresholds for activities may need to be adjusted over time in light of actual and potential environmental impacts, Graymont considers that it is imperative that any adjustments are made in consultation with those that may be specifically affected by the change and that any change will be subject to the plan change / variation process. | |
| **IM-P15 – Precautionary approach**<br><br>"*Adopt a precautionary approach towards proposed activities whose effects are uncertain, unknown or little understood, but could be significantly adverse, particularly where the areas and values within Otago have not been identified in plans as required by this RPS."* | Amend | Graymont notes that it is important that a precautionary approach does not result in over-regulation, or unnecessary restrictions on use and development. Without any specific guidance on how the precautionary approach is intended to be applied, Graymont considers that there is a risk that this provision, is overused and applied to situations where the effects are not potentially significant.<br><br>As previously noted, Graymont is of the opinion that the overuse of a precautionary approach is very likely to lead to a higher burden on applicants to 'prove' the scale of potential effects, and this in turn can lead to unreasonable costs being borne by applicants and unnecessarily constrained development. While Graymont is | Amend IM-P15 – Precautionary approach, as follows:<br><br>*Adopt a precautionary approach towards proposed activities whose effects are uncertain, unknown or little understood, and where there is a realistic prospect that ~~but could be~~ significantly adverse effects could be generated by the proposed activities, particularly where the areas and values within Otago have not been identified in plans as required by this RPS.* |

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| | | concerned as to the potential implications of this policy, it does accept that there may be instances where immediate action is needed, and a conservative approach may be justified where data is limited. However, in these instances, and as addressed earlier in this submission, the Company considers that any conservative approach must be time limited to that period in which data is being gathered after which a plan change or variation process is advanced to ensure that the ultimate position reflects good data and is both a reasonable and robust response.<br><br>Finally, to assist in resolving its concerns in relation to this policy, the Company considers that specific reference to the ability to apply an adaptive management approach is necessary. Further, Graymont considers that robust guidance should be provided on implementing the precautionary approach, so that it may be applied in a consistent manner. | *The application of the precautionary approach may include the adoption of adaptive management methods.*<br><br>Alternatively, if IM-P15 – precautionary approach is retained as notified, add the following explanation to the policy:<br><br>*Any decision that has been made based on limited information or partial data must be revisited as information becomes available / data is captured and analysed, and a plan change / variation advanced as necessary. This is required to ensure that the ultimate position does not come at the expense of people and communities' ability to provide for their social, economic and cultural wellbeing, and for their health and safety.*<br><br>In addition, if IM-P15 – Precautionary approach is to be retained, in addition to adopting the preceding relief sought, Graymont seeks the provision of robust guidance on implementing the precautionary approach.<br><br>Precautionary approach guidance should at least include:<br>• the process for deciding whether a proactive approach is necessary;<br>• the precautionary approach and how it is to be implemented with respect to climate change;<br>• further steps to be undertaken upon the receipt of robust data / full information;<br>• how the adaptive management approach is to be implemented. |
| **IM-M2 – Relationships**<br><br>"*Starting immediately, local authorities must:*<br><br>*(1) partner with Kāi Tahu to ensure mana whenua involvement in resource management,* | Support | Graymont considers that good relationships and meaningful consultation between Otago Regional Council, Kāi Tahu and Otago's communities are crucial to ensuring that policy frameworks adequately and appropriately respond to the diverse facets of environmental, social, cultural, and economic well-being in the Otago Region. Given this, the Company supports this method regarding relationships. | Retain IM-M2 – Relationships, as notified. |

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| *(2) work together and with other agencies to ensure consistent implementation of the objectives, policies and methods of this RPS, and*<br><br>*(3) consult with Otago's communities to ensure policy frameworks adequately respond to the diverse facets of environmental, social, cultural, and economic well-being."* | | | |
| **AIR-P2 – Improve poor ambient air quality**<br><br>*"Poor ambient air quality is improved across Otago by:*<br><br>*(1) establishing, maintaining and enforcing plan provisions that set limits and timeframes for improving ambient air quality, including by managing the spatial distribution of activities and transport, and*<br><br>*(2) prioritising actions to reduce PM10 and PM2.5 concentrations in polluted airsheds, including phasing out existing domestic solid fuel burning appliances and preventing any discharges from new domestic solid fuel burning appliances that do not comply with the standards set in the NESAQ."* | Amend | As we have previously recorded in this submission, mineral extraction facilities have a functional need to be close to the resource that they utilise. Their locations are dictated by those areas in which minerals exist. Given this, while the Otago Regional Council may be able to manage the spatial distribution of some activities, Graymont considers that it will not be possible for the Council to manage the spatial distribution of all activities. As such, Graymont suggests a minor change to part (1) of this policy to recognise this outcome.<br><br>In terms of the use of the term 'practicable' as suggested in the amendments to bullet point (1) Graymont considers that this term is both well understood and has been tested in in a number of Environment Court processes. As a consequence, it is more measurable and certain than alternative terms such as 'possible'. | Amend AIR-P2 – Improve poor ambient air quality as follows:<br><br>*Poor ambient air quality is improved across Otago by:*<br><br>*(1) establishing, maintaining and enforcing plan provisions that set practicable limits and timeframes for improving ambient air quality, including by managing the spatial distribution of activities and transport, to the extent that is practicable and necessary to improve air quality where it is degraded to the point that it cannot meet the air quality limits, and*<br><br>*(2) prioritising actions to reduce PM10 and PM2.5 concentrations in polluted airsheds, including phasing out existing domestic solid fuel burning appliances and preventing any discharges from new domestic solid fuel burning appliances that do not comply with the standards set in the NESAQ.* |
| **AIR-P5 – Managing certain discharges**<br><br>*"Manage the effects of discharges to air beyond the boundary of the* | Amend | Graymont is very aware that the mining and processing of minerals, such as limestone, can generate dust and other contaminants, which, if left uncontrolled could potentially pose a nuisance or have a negative impact on the environment. | Amend AIR-P5 – Managing certain discharges, as follows: |

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| *property of origin from activities that include but are not limited to:*<br><br>*(1) outdoor burning of organic material,*<br><br>*(2) agrichemical and fertiliser spraying,*<br><br>*(3) farming activities,*<br><br>*(4) activities that produce dust, and*<br><br>*(5) industrial and trade activities."* | | The Company's operations involve the removal and deposition of earth and low-quality limestone as overburden, followed by excavation and further size reduction of the limestone underneath. Crushed limestone undergoes further comminution[6] and classification or is sent to the quicklime kilns.<br><br>Graymont operates in accordance with company-wide standards and practices that are focussed on reducing air pollutants and discharges / emissions to a practicable minimum, in many cases over and above requirements in resource consent conditions.<br><br>Graymont seeks a minor change to this policy, so that it is clear that it is those adverse effects of discharge to air that are not acceptable that are required to be managed in accordance with this policy. | *Manage the adverse effects of discharges to air that are not acceptable, beyond the boundary of the property of origin from activities that include but are not limited to:*<br><br>*(1) outdoor burning of organic material,*<br><br>*(2) agrichemical and fertiliser spraying,*<br><br>*(3) farming activities,*<br><br>*(4) activities that produce dust, and*<br><br>*(5) industrial and trade activities.* |
| **LF-WAI-P1 – Prioritisation**<br><br>*"In all management of fresh water in Otago, prioritise:*<br><br>*(1) first, the health and well-being of water bodies and freshwater ecosystems, te hauora o te wai and te hauora o te taiao, and the exercise of mana whenua to uphold these,*<br><br>*(2) second, the health and well-being needs of people, te hauora o te tangata; interacting with water through ingestion (such as drinking water and consuming harvested resources) and immersive activities (such as harvesting resources and bathing), and*<br><br>*(3) third, the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future."* | Support | Graymont considers that this policy is consistent with the already established direction that is provided within the NPS FM. As a consequence, Graymont supports the proposed policy, noting that it provides clarity with respect to how both the Otago Regional Council and the community are intended to approach freshwater. This, in the Company's opinion, is appropriate. | Retain LF-WAI-P1 – Prioritisation, as notified. |

[6] Comminution is the action of reducing a material, such as a mineral ore, to minute particles or fragments.

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| **LF-WAI-P3 - Integrated management/ki uta ki tai**<br><br>*"Manage the use of fresh water and land in accordance with tikaka and kawa, using an integrated approach that:*<br><br>*(1) recognises and sustains the connections and interactions between water bodies (large and small, surface and ground, fresh and coastal, permanently flowing, intermittent and ephemeral),*<br><br>*(2) sustains and, wherever possible, restores the connections and interactions between land and water, from the mountains to the sea,*<br><br>*(3) sustains and, wherever possible, restores the habitats of mahika kai and indigenous species, including taoka species associated with the water body,*<br><br>*(4) manages the effects of the use and development of land to maintain or enhance the health and well-being of fresh water and coastal water,*<br><br>*(5) encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,*<br><br>*(6) has regard to foreseeable climate change risks, and*<br><br>*(7) has regard to cumulative effects and the need to apply a precautionary approach where there is limited* | Amend | Graymont generally supports the intent of this policy.<br><br>The Company considers a minor amendment necessary to bullet point 4 of this requirement, so that it is clear that enhancement of the health and well-being of fresh water and coastal water is required only where water is degraded to the point that it cannot achieve the applicable water quality standards, or where enhancement is specifically agreed by the community. This is consistent with Policy 5 of the NPS FM which requires that *"Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved."*<br><br>In terms of bullet point (7) of this policy, again, Graymont is concerned to ensure that the application of a precautionary approach does not result in over-regulation, or unnecessary restrictions on activities that may bring about potential adverse effects.<br><br>As noted previously, Graymont considers that overuse / unnecessary use of the precautionary approach mechanism may lead to a higher burden on applicants to 'prove' the scale of potential effects, and this in turn can lead to unreasonable costs being borne by applicants and unnecessarily constrained activities. However, as noted previously in this submission, while Graymont is concerned as to the potential implications of this policy, it does accept that there may be instances where immediate action is needed, and a conservative approach may be justified where data is limited. The Company considers that in these instances, any conservative approach must be time limited to that period in which data is being gathered after which a plan change or variation process is advanced to ensure that the ultimate position reflects good data and is both a reasonable and robust response<br><br>Finally, as requested within the Company's submission to Policy IM-P15 – Precautionary Approach, Graymont considers that to assist in resolving its concerns in relation to this policy, specific reference to the ability to apply an adaptive management approach is necessary. | **Amend LF-WAI-P3 – Integrated management/ki uta ki tai, as follows:**<br><br>*Manage the use of fresh water and land in accordance with tikaka and kawa, using an integrated approach that:*<br><br>*(1) recognises and sustains the connections and interactions between water bodies (large and small, surface and ground, fresh and coastal, permanently flowing, intermittent and ephemeral),*<br><br>*(2) sustains and, wherever possible, restores the connections and interactions between land and water, from the mountains to the sea,*<br><br>*(3) sustains and, wherever possible, restores the habitats of mahika kai and indigenous species, including taoka species associated with the water body,*<br><br>*(4) manages the effects of the use and development of land to maintain or where degraded to the point that is cannot achieve the applicable water quality standards, enhance the health and well-being of fresh water and coastal water,*<br><br>*(5) encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,*<br><br>*(6) has regard to foreseeable climate change risks, and*<br><br>*(7) has regard to cumulative effects and the need to apply a precautionary approach where there is limited available information or uncertainty about potential adverse effects, while noting that the application of the precautionary approach may include the adoption of adaptive management methods.*<br><br>In addition, add the following explanation to the policy LF-WAI-P3 – Integrated management/ki uta ki tai:<br><br>*Explanation:* |

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| *available information or uncertainty about potential adverse effects."* | | | *Any decision that has been made based on limited information or partial data must be revisited as information becomes available / data is captured and analysed, and a plan change / variation advanced as necessary. This is required to ensure that the ultimate position does not come at the expense of people and communities' ability to provide for their social, economic and cultural wellbeing, and for their health and safety.* |
| **LF-VM-O3 – North Otago FMU vision**<br><br>"*By 2050 in the North Otago FMU:*<br><br>*(1) fresh water is managed in accordance with the LF-WAI objectives and policies, while recognising that the Waitaki River is influenced in part by catchment areas within the Canterbury region,*<br><br>*(2) the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained and Kāi Tahu maintain their connection with and use of the water bodies,*<br><br>*(3) healthy riparian margins, wetlands, estuaries and lagoons support thriving mahika kai, indigenous habitats and downstream coastal ecosystems,*<br><br>*(4) indigenous species can migrate easily and as naturally as possible to and from the coastal environment,*<br><br>*(5) land management practices reduce discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and* | Amend | Graymont generally supports the vision for the North Otago FMU.<br><br>As a company, 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, the Company aims to consistently meet or exceed its regulatory and resource consent or permit obligations, while working to minimise the environmental impact of its operations.<br><br>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.<br><br>With regard to bullet point (5) of this objective, industries such as Graymont would not be able to continue operate without some form of discharge to water. Given this, the Company considers that, while recognising the importance of, and need for, improvements in water quality and conversely a reduction in discharges of nutrients and other contaminants to water bodies, existing authorised activities that are operating within the bounds of their resource consents, must be provided with some certainty that they will be able to continue to operate and develop as necessary. As such (and as highlighted elsewhere in this submission), Graymont suggests the phrase 'to the extent practicable' be included in bullet point (5) this objective as is it is both well understood and has been tested in in a number of Environment Court processes. As a consequence, it is more measurable and certain than alternative phrases such as 'to the extent possible'.<br><br>With regard to bullet point (6), Graymont consider that further to food production, those activities that produce products that assist in resolving environmental challenges in the FMU, Otago Region (and beyond) should also be provided for. | Amend LF-VM-O3 – North Otago FMU vision, as follows:<br><br>*By 2050 in the North Otago FMU:*<br><br>*(1) fresh water is managed in accordance with the LF-WAI objectives and policies, while recognising that the Waitaki River is influenced in part by catchment areas within the Canterbury region,*<br><br>*(2) the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained and Kāi Tahu maintain their connection with and use of the water bodies,*<br><br>*(3) healthy riparian margins, wetlands, estuaries and lagoons support thriving mahika kai, indigenous habitats and downstream coastal ecosystems,*<br><br>*(4) indigenous species can migrate easily and as naturally as possible to and from the coastal environment,*<br><br>*(5) land management practices reduce discharges of nutrients and other contaminants to water bodies, to the extent practicable, so that they are safe for human contact, and*<br><br>*(6) innovative and sustainable land and water management practices support food production and other activities that make products that may assist in addressing environmental challenges in the area while improving ~~and improve~~ resilience to the effects of climate change.* |

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| *(6) innovative and sustainable land and water management practices support food production in the area and improve resilience to the effects of climate change."* | | | |
| **LF-FW-P7 – Fresh water**<br><br>*"Environmental outcomes, attribute states (including target attribute states) and limits ensure that:*<br><br>*(1) the health and well-being of water bodies is maintained or, if degraded, improved,*<br><br>*(2) the habitats of indigenous species associated with water bodies are protected, including by providing for fish passage,*<br><br>*(3) specified rivers and lakes are suitable for primary contact within the following timeframes:*<br><br>*(a) by 2030, 90% of rivers and 98% of lakes, and*<br><br>*(b) by 2040, 95% of rivers and 100% of lakes, and*<br><br>*(4) mahika kai and drinking water are safe for human consumption,*<br><br>*(5) existing over-allocation is phased out and future over-allocation is avoided, and* | Amend | Graymont generally supports this policy. The Company takes water from an ephemeral tributary on the Shag River at the downstream end of the Shag catchment. Given the isolated nature of Graymont's manufacturing plant and the level of existing investment in the plant, the Company considers that the water take that supports the plant is critical to the plant's ongoing operation. As such, Graymont considers that it is crucial to ensure that environmental outcomes, attribute states and limits are set in consultation with both Kāi Tahu and the community – in particular, those that may be particularly affected by the setting of environmental outcomes, attribute states and limits, such as those that have existing consented takes. | Amend LF–FW–P7 – Fresh water, as follows:<br><br>*"Environmental outcomes, attribute states (including target attribute states) and limits are set in consultation with Kāi Tahu and the community to ensure that:*<br><br>*(1) the health and well-being of water bodies is maintained or, if degraded, improved,*<br><br>*(2) the habitats of indigenous species associated with water bodies are protected, including by providing for fish passage,*<br><br>*(3) specified rivers and lakes are suitable for primary contact within the following timeframes:*<br><br>*(a) by 2030, 90% of rivers and 98% of lakes, and*<br><br>*(b) by 2040, 95% of rivers and 100% of lakes, and*<br><br>*(4) mahika kai and drinking water are safe for human consumption,*<br><br>*(5) existing over-allocation is phased out and future over-allocation is avoided, and*<br><br>*(6) fresh water is allocated within environmental limits and used efficiently."* |

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| *(6) fresh water is allocated within environmental limits and used efficiently."* | | | |
| **LF-LS-P18 – Soil erosion**<br><br>*"Minimise soil erosion, and the associated risk of sedimentation in water bodies, resulting from land use activities by:*<br><br>*(1) implementing effective management practices to retain topsoil in-situ and minimise the potential for soil to be discharged to water bodies, including by controlling the timing, duration, scale and location of soil exposure,*<br><br>*(2) maintaining vegetative cover on erosion-prone land, and*<br><br>*(3) promoting activities that enhance soil retention."* | Amend | By its very nature, Graymont's operations involve the removal and deposition of earth and low-quality limestone as overburden, followed by excavation and further size reduction of the limestone underneath. Once the quality limestone is removed from the ground, historic practice has been to rehabilitate this into productive pasture.<br><br>The Company operates in accordance with stringent company-wide standards (including those set by relevant conditions of consent) and management practices aimed at reducing any effects associated with its activities and remedying and mitigating the same. Maintaining vegetative cover on those areas of the site currently being worked is not possible. Given this, Graymont seeks a minor change to bullet point 2 of this policy to make it clear that vegetative cover is to be maintained to the extent that is practicable. The use of 'practicable' is deliberate is it is both well understood and have been tested in in a number of Environment Court processes. As a consequence, it is more measurable and certain than alternative terms such as 'possible'. | Amend LF–LS–P18 – Soil erosion, as follows:<br><br>*Minimise soil erosion, and the associated risk of sedimentation in water bodies, resulting from land use activities by:*<br><br>*(1) implementing effective management practices to retain topsoil in-situ and minimise the potential for soil to be discharged to water bodies, including by controlling the timing, duration, scale and location of soil exposure,*<br><br>*(2) maintaining vegetative cover on erosion-prone land, to the extent practicable, and*<br><br>*(3) promoting activities that enhance soil retention.* |
| **LF-LS-P21 – Land use and fresh water**<br><br>*"Achieve the improvement or maintenance of fresh water quantity or quality to meet environmental outcomes set for Freshwater Management Units and/or rohe by:*<br><br>*(1) reducing direct and indirect discharges of contaminants to water from the use and development of land, and*<br><br>*(2) managing land uses that may have adverse effects on the flow of water* | Amend | As we have previously highlighted in this submission, industries such as Graymont would not be able to continue operate without some form of discharge to water. Graymont prides itself on the management procedures that it implements to maintain compliance across its operations, as a Company it is continually looking at measures to reduce its environmental impact.<br><br>Given this, the Company considers that, while recognising the need to minimise direct and indirect discharge of contaminants to water, existing authorised activities that are operating within the bounds of their resource consents and/or the water quality limits imposed for the applicable surface and/or groundwater resource, must be provided with some certainty that they will be able to continue to operate and develop as necessary. | Amend LF–LS–P21 – Land use and fresh water, as follows:<br><br>*Achieve the improvement or maintenance of fresh water quantity or quality to meet environmental outcomes set for Freshwater Management Units and/or rohe by:*<br><br>*(1) reducing direct and indirect discharges of contaminants to water from the use and development of land, to the extent practicable, and*<br><br>*(2) managing land uses that may have adverse effects on the flow of water in surface water bodies or the recharge of groundwater.* |

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| *in surface water bodies or the recharge of groundwater."* | | | |
| **HAZ-NH-P3 – New activities**<br><br>"*Once the level of natural hazard risk associated with an activity has been determined in accordance with HAZ-NH-P2, manage new activities to achieve the following outcomes:*<br><br>*(1) when the natural hazard risk is significant, the activity is avoided,*<br><br>*(2) when the natural hazard risk is tolerable, manage the level of risk so that it does not become significant, and*<br><br>*(3) when the natural hazard risk is acceptable, maintain the level of risk."* | Amend | Mineral extraction often occurs in areas that are subject to significant natural hazard risk, as such, Graymont considers that it is not possible for mineral extraction activities to avoid such areas. Doing so would curtail an activity that is important for the social, economic and cultural wellbeing of people and communities.<br><br>In this respect, Graymont notes that gravel extraction within floodplains is a common form of flood management, that is undertaken in accordance with regional resource consents or permits. This activity, in particular, provides a valuable resource, while managing the flood hazards associated with river gravel accretion. Thus, rather than avoiding mineral extraction in areas subject to significant natural hazard risk, Graymont considers that it would be more appropriate to minimise and robustly manage mineral extraction activities in such areas. | Amend HAZ-NH-P3 – New activities, as follows:<br><br>*Once the level of natural hazard risk associated with an activity has been determined in accordance with HAZ-NH-P2, manage new activities to achieve the following outcomes:*<br><br>*(1) when the natural hazard risk is significant, the activity is avoided* *except where the activity may be functionally required to be undertaken in an area where the natural hazard risk is significant, then the activity must be managed so that it does not further increase the natural hazard risk*,<br><br>*(2) when the natural hazard risk is tolerable, manage the level of risk so that it does not become significant, and*<br><br>*(3) when the natural hazard risk is acceptable, maintain the level of risk.* |
| **HAZ-NH-P4 – Existing activities**<br><br>*"Reduce existing natural hazard risk by:*<br><br>*(1) encouraging activities that reduce risk, or reduce community vulnerability,*<br><br>*(2) restricting activities that increase risk, or increase community vulnerability,*<br><br>*(3) managing existing land uses within areas of significant risk to people and communities,* | Amend | Mineral extraction activities by their very nature can result in significant adverse effects. Ensuring that these effects are remedied, mitigated or offset is, however, the fundamental and overriding requirement.<br><br>Graymont supports bullet point 3 of this policy in particular, while suggesting that it is amended to reference land uses 'and activities', so as to be consistent with bullet points (1) and (2) and so that it may apply to both the use of the land and activities associated with that use. | Amend HAZ-NH-P4 – Existing activities, as follows:<br><br>*Reduce existing natural hazard risk by:*<br><br>*(1) encouraging activities that reduce risk, or reduce community vulnerability,*<br><br>*(2) restricting activities that increase risk, or increase community vulnerability,*<br><br>*(3) managing existing land uses* *and associated activities* *within areas of significant risk to people and communities,*<br><br>*(4) encouraging design that facilitates:*<br><br>*(a) recovery from natural hazard events, or*<br><br>*(b) relocation to areas of acceptable risk, or*<br><br>*(c) reduction of risk,* |

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| *(4) encouraging design that facilitates:*<br><br>*(a) recovery from natural hazard events, or*<br><br>*(b) relocation to areas of acceptable risk, or*<br><br>*(c) reduction of risk,*<br><br>*(5) relocating lifeline utilities, and facilities for essential and emergency services, away from areas of significant risk, where appropriate and practicable, and*<br><br>*(6) enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services."* | | | *(5) relocating lifeline utilities, and facilities for essential and emergency services, away from areas of significant risk, where appropriate and practicable, and*<br><br>*(6) enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services.* |
| **HAZ-NH-P5 – Precautionary approach to natural hazard risk**<br><br>"*Where the natural hazard risk, either individually or cumulatively, is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk by adopting an avoidance or adaptive management response to diminish the risk and uncertainty."* | Support | Graymont considers the precautionary approach prescribed by this policy, is appropriate. | Retain HAZ-NH-P5 – Precautionary approach to natural hazard risk, as notified. |
| **HCV-HH-P5 - Managing historic heritage** | Amend | Graymont's Makareao Plant and Quarry Site is classified as a Category 1 Historic Place. It is noted that the Site provides insight into the history of the lime burning | Amend HCV-HH-P5 – Managing historic heritage, as follows:<br><br>*Protect historic heritage by:* |

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| *"Protect historic heritage by:*<br><br>*(1) requiring the use of accidental discovery protocols,*<br><br>*(2) avoiding adverse effects on areas or places with special or outstanding historic heritage values or qualities,*<br><br>*(3) avoiding significant adverse effects on areas or places with historic heritage values or qualities,*<br><br>*(4) avoiding, as the first priority, other adverse effects on areas or places with historic heritage values or qualities,*<br><br>*(5) where adverse effects demonstrably cannot be completely avoided, remedying or mitigating them, and*<br><br>*(6) recognising that for infrastructure, EIT-INF-P13 applies instead of HCV-HH-P5(1) to (5)."* | | industry, which was integral in the nineteenth century to the production of lime for both building materials and for agricultural purposes. Heritage New Zealand record that the history of the Plant and Site and the associated railway line shows the essential nature of the industry. The Site has a specific exclusion area over the quarry and plant that allows for its operations to take place<br><br>While Graymont do not wish to bring about any adverse effects to the historic heritage located on the Site, the Company considers that it is important to ensure that its existing activities can continue to operate and to be maintained, developed and its facilities upgraded where necessary. | *(1) requiring the use of accidental discovery protocols,*<br><br>*(2) avoiding adverse effects on areas or places with special or outstanding historic heritage values or qualities,*<br><br>*(3) avoiding significant adverse effects on areas or places with historic heritage values or qualities,*<br><br>*(4) avoiding, as the first priority, other adverse effects on areas or places with historic heritage values or qualities,*<br><br>*(5) where adverse effects demonstrably cannot be completely avoided, remedying or mitigating them, and*<br><br>*(6) recognising that for infrastructure, EIT-INF-P13 applies instead of HCV-HH-P5(1) to (5).*<br><br>*(7) providing for existing, lawfully established activities to continue to operate and to be maintained, developed and upgraded where necessary.* |
| HCV-HH-P6 – Enhancing historic heritage<br><br>*"Enhance places and areas of historic heritage wherever possible through the implementation of plan provisions, decisions on applications for resource consent and notices of requirement and non-regulatory methods."* | Amend | | Amend HCV-HH-P6 – Enhancing historic heritage, as follows:<br><br>*Enhance places and areas of historic heritage wherever possible through the implementation of plan provisions, decisions on applications for resource consent and notices of requirement and non-regulatory methods while providing for existing, lawfully established activities to continue to operate and to be maintained, developed and upgraded where necessary.* |

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| **NFL-O1 - Outstanding and highly valued natural features and landscapes**<br><br>"*The areas and values of Otago's outstanding and highly valued natural features and landscapes are identified, and the use and development of Otago's natural and physical resources results in:*<br><br>*(1) the protection of outstanding natural features and landscapes, and*<br><br>*(2) the maintenance or enhancement of highly valued natural features and landscapes."* | Amend | Section 6 of the RMA requires the protection of outstanding landscapes and natural features from inappropriate subdivision, use and development. Given this, Graymont considers that bullet point (1) requires minor amendment so as to be consistent with the Act. | Amend NFL-O1 – Outstanding and highly valued natural features and landscapes as follows:<br><br>*The areas and values of Otago's outstanding and highly valued natural features and landscapes are identified, and the use and development of Otago's natural and physical resources results in:*<br><br>*(1) the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development, and*<br><br>*(2) the maintenance or enhancement of highly valued natural features and landscapes.* |
| **NFL-P1 – Identification**<br><br>"*In order to manage outstanding and highly valued natural features and landscapes, identify:*<br><br>*(1) the areas and values of outstanding and highly valued natural features and landscapes in accordance with APP9, and*<br><br>*(2) the capacity of those natural features and landscapes to accommodate use or development while protecting the values that contribute to the natural feature and landscape being considered outstanding or highly valued."* | Amend | Graymont notes that the identification of outstanding and highly valued natural features and landscape on private property can present a significant impediment to the affected party, or to an existing use, or activity which may, in itself be important to the social, economic and cultural wellbeing and for the health and safety of the Otago community. As such, Graymont considers that it is imperative that any identification is made in consultation with Kai Tahu and the community, and in particular, with those that may be affected by the change.<br><br>Graymont further considers that it must recognised that existing uses and development form part of the existing landscape and have existing values and effects and that their continued operation and expansion may be consistent with outstanding and highly valued natural features and landscapes.<br><br>With regard to the identification of outstanding natural landscapes, Graymont notes that it has recently had a desktop assessment undertaken with regard to its Makaraeo Quarry Site to determine whether the site had an Outstanding Natural Feature located on it, further to correspondence from Waitaki District Council | Amend NFL-P1 – Identification, as follows:<br><br>*In order to manage outstanding and highly valued natural features and landscapes, identify:*<br><br>*(1) the areas and values of outstanding and highly valued natural features and landscapes in accordance with APP9 and in consultation with Kāi Tahu and the community, and*<br><br>*(2) the capacity of those natural features and landscapes to accommodate use or development while protecting the values that contribute to the natural feature and landscape being considered outstanding or highly valued.* |

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| **NFL-P2 - Protection of outstanding natural features and landscapes**<br><br>*"Protect outstanding natural features and landscapes by:*<br><br>*(1) avoiding adverse effects on the values that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding, and*<br><br>*(2) avoiding, remedying or mitigating other adverse effects."* | Amend | regarding the same. The outcome of this assessment did not find a substantive basis for such a classification.[7] | Amend NFL–P2 – Protection of outstanding natural features and landscapes, as follows:<br><br>*Protect outstanding natural features and landscapes by:*<br><br>*(1) avoiding adverse effects on the values that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding, and*<br><br>*(2) avoiding, remedying or mitigating other adverse effects, while recognising that existing uses and development form part of existing landscapes and have existing values and effects, and that their continued operation and expansion may be consistent with the outstanding natural features and landscapes.* |
| **NFL–P3 - Maintenance of highly valued natural features and landscapes**<br><br>*"Maintain or enhance highly valued natural features and landscapes by:*<br><br>*(1) avoiding significant adverse effects on the values of the natural feature or landscape, and*<br><br>*(2) avoiding, remedying or mitigating other adverse effects."* | Amend | | Amend NFL–P3 – Maintenance of highly valued natural features and landscapes, as follows:<br><br>*Maintain or enhance highly valued natural features and landscapes by:*<br><br>*(1) avoiding significant adverse effects on the values of the natural feature or landscape, and*<br><br>*(2) avoiding, remedying or mitigating other adverse effects, while recognising that existing uses and development form part of existing landscapes and have existing values and effects, and that their continued operation and expansion may be consistent with the highly valued natural features and landscapes.* |
| **New Provisions - Mineral Extraction** | | Graymont notes that industrial activities are defined in the pORPS as activities that manufacture, fabricate, process, package, distribute, repair, store, or disposes of materials (including raw, processed, or partly processed materials) or goods, including any ancillary activity to the industrial activities. | Include objectives and policies that promote the responsible use of minerals and seek to resolve issues associated with mineral extraction and processing, as follows: |

[7] Brown, S, Memo on Makaraeo ONF Proposal from Waitaki District Council, dated 26th June 2021.

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| | | Similarly, mineral is specifically defined as 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.<br><br>While industrial activities and minerals are specifically defined, unlike activities such as infrastructure, transport and energy, there are no specific provisions that relate to mineral extraction.<br><br>Graymont considers that the pORPS should recognise that mineral processing activities can only occur in that location where the mineral resource is present. Graymont records that the pORPS does not currently contain provisions that specifically promote the responsible use of minerals. The Company is primarily concerned to ensure that 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.<br><br>As previously highlighted, Graymont notes that a sustained supply of minerals (particularly aggregate and lime) is essential to the continued development of the Otago Region and New Zealand as a whole. Given this, Graymont considers that the importance of minerals should be specially addressed within specific objectives and policies in the pORPS, particularly as, a sustained supply of minerals (particularly aggregate and lime) is essential to the continued development of the Otago Region.<br><br>Graymont notes that this, in turn would enable mineral specific provisions to be reflected in regional and district plans and for local authorities to find policy support in the RPS for recognising the benefits derived from mineral extraction and processing activities; addressing potential 'reverse sensitivity' issues; and other issues such as those associated with the locational needs for mineral extraction and processing activities and the management of adverse effects from mineral extraction and processing activities.<br><br>Within Otago, Graymont supplies drinking water treatment and biosolids sludge treatment (to increase safety and reduce runoff). The Company also provides product to dairy and food producers to be used in process water treatment, which then enables this the treated water to be irrigated, while protecting the soil structure. Further to this, Graymont supplies products for a multitude of other uses in Otago such as product which is used in gold processing, lime mortar which | *Recognise the benefits derived from mineral extraction and processing activities, particularly their contribution towards social, cultural and economic wellbeing.*<br><br>*Activities that may result in reverse sensitivity effects or compromise the operation or maintenance of mineral extraction and processing activities are, managed so that reverse sensitivity effects are minimised.*<br><br>*Manage the adverse effects of mineral extraction and processing activities while having regard to:*<br><br>*(1) the functional and operational need to locate mineral processing activities where resources are available;*<br>*(2) the extent and magnitude of adverse effects on the environment and the degree to which unavoidable adverse effects can be remedied or mitigated, or residual adverse effects are offset or compensated for;*<br>*(3) requiring consideration of alternative sites, methods and designs, and offsetting or compensation measures (in accordance with any specific requirements for their use in this RPS), where adverse effects are potentially significant or irreversible.* |

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| | | is used for architecture and for protection of heritage buildings, product that is utilised for animal health and nutrition (both dairy and poultry), product used for soil health to bring about enhanced fertiliser absorption and aggregates for local roads.<br><br>As a Company, Graymont is proud that its products are part of the solution in terms of addressing many of today's environmental challenges. 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 (as highlighted above). The value of retaining local supply of these products has become even clearer during the Covid-19 pandemic, when Graymont continued to operate as an essential service in within Otago and in every other region that the Company is present. With the disruption of supply chains globally, having local supply of lime products to provide for activities such as but not limited to clean drinking water, environmental water treatment, gold treatment, construction products and tissue paper (amongst other things) is essential. | |