

Environment Court Hearing



A site visit is scheduled for the fourth day of the Environment Court appeal hearing.

The Environment Court appeal hearing for Holcim's proposed cement plant near Oamaru starts on Monday 9 March.

Holcim was granted 46 resource consents to operate the new cement plant and associated quarries and pits last February. These consents came with a number of conditions covering areas such as noise limits, air quality, water and traffic management and hours of operation. While Holcim is not opposed to conditions in principle, it is important that the conditions associated with the consents are reasonable and workable and are based on the effects that technical experts have identified could result from the construction and operation of the proposed plant.

The hearing is expected to take up to three weeks and will be held in two stages.

Starting on Monday 9 March, the Court will sit in Oamaru for three days with a site visit on the fourth day. The hearing will then continue on 30 March until completed.

As part of the lead up to the hearing we have been working to a timetable set by the Court. Evidence has been exchanged between all the parties involved in the hearing. Meetings of experts have also been held to work through some of the outstanding issues between the parties.

The appeal hearing will be heard in the Oamaru courthouse before Environment Court Judge Gordon Whiting who will be assisted by Environment Commissioner Charles Manning and Deputy Environment Commissioner Dr Bruce Gollop.

Environment Court Process

The Environment Court is a specialist court operating under the Resource Management Act. It has the same powers as the District Court and considers appeals on council decisions. When the Court hears an appeal it must have regard to the council's decision, but is not bound by it. Among the Environment Court's powers are the ability to confirm, amend or cancel decisions on applications for resource consents and designations.

The Court is made up of Environment Judges assisted by Environment Commissioners. Commissioners have specialist knowledge and experience in a range of areas such as local government, resource management, environmental science, and the Treaty of Waitangi. An Environment Court usually consists of at least one Environment Judge and one or more Environment Commissioners.

In general, at a hearing, those who lodged an appeal (the appellants) present their case first, which will consist of presentation of legal submissions followed by (usually) expert evidence. The parties that support the appellants then usually present their case, followed by the respondent (the person or organisation whose decision has been appealed) and any persons who support the respondent. The appellants then have the opportunity to reply to matters raised by the other parties during the hearing. Each party can ask relevant questions of those giving evidence for other parties (cross-examination). The Court itself can also ask questions at any stage of the hearing.

The media and the public can attend hearings, except cases in which the Environment Court orders that the evidence is to be heard in private. Sometimes the Court may rule that the evidence cannot be published.

Decisions of the Environment Court are almost always reserved. That is, written judgments are delivered at a date after the hearing, rather than being given orally at the end of the hearing. This is due to the nature of the subject matter of the proceedings, which are often complex and of some public importance. The Court must give reasons for the decision it makes and therefore the preparation and drafting of the decision takes some time.

Next Steps

Depending on the outcome of the Environment Court appeal, possible next steps for the project are:

- Environment Court appeal outcome is reviewed by the Cement Supply Options Project team, and implications are outlined in a report to the Holcim (New Zealand) Ltd Board.
- Holcim (New Zealand) Ltd Board decides whether to proceed with putting forward the formal investment proposal to our parent company, Holcim Ltd, and in what timeframe this will be done.
- The project proposal (including a comprehensive feasibility study) is put forward to the Holcim Ltd Executive Committee based in Switzerland and, if approved, goes on to the Holcim Ltd Board for their final decision.
- Their decision could be influenced by factors such as how the Holcim New Zealand options compare with other international investment opportunities, timing factors around availability of capital, satisfaction with the information supplied by Holcim New Zealand, and New Zealand Government policies.

Supporting our communities

Children at a Hamilton primary school are aiming to halve their ecological footprint by building New Zealand's first eco-classroom, supported by Holcim New Zealand.

Students from Hukanui Primary School have researched eco-friendly building materials and have worked with Hamilton architect Antanas Procuta on the design to ensure it's as sustainable as possible.



The children have come up with a design which utilises sustainably-harvested timber, a concrete floor to retain heat, natural light and ventilation, double glazing and pergolas on the west and north sides. Solar heating will be used to heat the nearby school pool, and rainwater will be collected from the roof for a native garden.

Holcim is pleased to be part of this worthwhile initiative by providing concrete for the classroom floor.

Frequently Asked Questions

Q: Why is Holcim New Zealand still considering building a new plant when we are experiencing an economic downturn?

A: Building a new cement plant is a long-term decision. Our research indicates that demand for cement will continue to grow at an average of 1.2% per annum over the longer term.

Additionally we need to take into account the age of our current plant. While a new plant could be expected to operate for 50 years or more, continuation of the current Westport plant with an appropriate maintenance and capital investment programme (in combination with imports on a bulk basis) is seen as providing only a medium term option.

Q: How long would it take to construct the new plant?

A: Prior to the construction phase commencing up to a year would be needed for detailed planning to be completed. Construction of the cement plant and installation of equipment is expected to extend over a period of approximately 24 months. A further 6 – 12 months would be required for testing and commissioning of the plant.

Q: How many people would be employed for construction of the cement plant?

A: The number of people employed on construction of the plant would vary over the two year period depending on the stage of construction and what work was involved. For example, the number of people required for site preparation is less than the number of people required for actual construction. The total construction workforce required could be up to 450 spread over the two years and would require management personnel, skilled tradesperson, specialists and labourers.



In December Ngai Tahu Maori Rock Art Trust directors and members viewed rock art on Holcim land near Weston.



Do you want more information?

Here are some ways you can get more information or register to go on the mailing list:

- Check out our website: www.holcim.com/nz
- Or email us: info-nz@holcim.com
- Or call us: 0800 43 20 20 to have someone from Holcim call you

About Holcim

Holcim (New Zealand) Ltd is a leading manufacturer of cement, concrete, aggregates and industrial lime products. It has more than 35 operating sites and employs in excess of 550 staff in New Zealand. Holcim is respected and valued by the communities in which it operates and its employees live. The company's involvement in the New Zealand building and construction industry dates back to its Otago origins in 1888. It was formerly named Milburn New Zealand Limited, and is a wholly owned subsidiary of the Holcim Ltd Group, which has operations in 70 countries on all continents.

Site Visit by Rock Art Trust

In December, directors and members of the Ngai Tahu Maori Rock Art Trust joined with Holcim team members to view rock art on Holcim land at Weston. Some members were already very familiar with the site; for others it was their first visit. Rock art on the site will be protected and a monitoring programme implemented as part of the project.

A key focus for the Trust over the last few years has been the development of a Maori Rock Art Centre in Timaru. Designed to support the Trust's wider work in rock art protection and management, the Centre will significantly raise the profile of Maori rock art throughout New Zealand.