

**Before the Wellington City Council Proposed District Plan Hearings
Panel**

Under the Resource Management Act 1991 (the Act)

In the matter of the Wellington City Council Proposed District Plan–
Hearing Stream 6:
Special Purpose Zones and Development Areas

Between **Wellington City Council**
Local authority

And **Horokiwi Quarries Limited**
Submitter 271 and Further Submitter FS28

**Statement of evidence of Pauline Mary Whitney for Horokiwi Quarries
Limited**

Dated 5 February 2024

1 Executive Summary

- 1.1. Horokiwi Quarries Limited (“**Horokiwi**”) owns and operates the Horokiwi Quarry located off State Highway 2 in Horokiwi, north of Wellington City. The quarry produces a wide range of products, such as specialty sands for the concrete and asphalt industries, basecourse and sealing chip for roading and builders mix and drainage metal for the construction industry. The quarry site also contains an asphalt plant.
- 1.2. Horokiwi’s submission on the Wellington City Proposed District Plan (“**PDP**”) centred on recognising and providing for the role and continued use and operation of its existing quarry operation at Horokiwi. The main issues/areas of specific relevance raised in the Horokiwi submission included:
 - 1.2.1. Support for the application of the Special Purpose Quarry Zone to the site (and for this zoning to be applied to adjoining sites owned by Horokiwi but which are zoned Open Space and General Rural Zone).
 - 1.2.2. Support for provisions relating to the operation and expansion of existing quarries.
 - 1.2.3. Amendment to the extent of the Significant Natural Area and the Coastal Environment overlays as applied to the Horokiwi site, and PDP provisions relating to Hilltops and Ridgelines.
 - 1.2.4. Concerns as to the lack of recognition (in particular policy recognition) of quarry activities within the PDP outside the Special Purpose Quarry Zone.
- 1.3. Of relevance within the district plan context, the quarry has existing use rights which are an important planning consideration for the site, noting that the existing use certificate references “the scale of quarrying undertaken in specific areas of the site does not remove quarrying rights from “unused” areas of the greater site”.
- 1.4. This is the first hearing on the PDP at which Horokiwi is presenting evidence. As such, in addition to addressing the Hearing Stream 6 submission points, my evidence and the Horokiwi company evidence of Mr Baker, provide contextual information on the existing quarry operation, the use and need for aggregates and quarries in the city and wider region, and the planning policy framework. This information will inform future hearings.

- 1.5. The need for quarrying activities is recognised in the Regional Policy Statement for the Wellington Region (Operative 2013), which provides a definition for Significant Mineral Resources¹, and Objective 21² which provides a strong directive to ensure the demand for mineral resources is located in close proximity to the areas of demand. The use and expansion of Horokiwi Quarry is consistent with the objective given the local demand for the quarry material. Policy 60³ provides a strong policy and directs that particular regard be given to the social, economic, and environmental benefits of utilising mineral resources within the region.
- 1.6. Specific to Hearing Stream 6, I broadly categorise Horokiwi's 28 original and two further submissions points under two topics:
- Special Purpose Quarry zone, and
 - Rezoning of three sites from General Rural Zone and Open Space Zone to Special Purpose Quarry zone.
- 1.7. I accept the officer recommendations on the first issue. However, the relief sought in relation to the sought rezoning of three sites from General Rural Zone and Open Space Zone to Special Purpose Quarry zone remains outstanding.

¹ *Deposits of minerals, the extraction of which is of potential importance in order to meet the current or future mineral needs of the region or nation.*

² *Objective 21: The demand for mineral resources is met from resources located in close proximity to the areas of demand.*

³ *Policy 60: Utilising the region's mineral resources – consideration*

When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to:

*(a) the social, economic, and environmental benefits from utilising mineral resources within the region; and
(b) protecting significant mineral resources from incompatible or inappropriate land uses alongside.*

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2. Qualifications and Experience

- 2.1. My full name is Pauline Mary Whitney.
- 2.2. I am a Senior Planner and Senior Principal of Boffa Miskell Ltd, a national firm of consulting planners, ecologists and landscape architects. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons). I am a Full Member of the New Zealand Planning Institute and have over 26 years' experience as a resource management planner.
- 2.3. I have been a planning consultant based in Wellington for the past 21 years, providing consultancy services for a wide range of clients around New Zealand, including local authorities, land developers, and the infrastructure and energy sectors. Prior to that I was employed with local authorities in New Zealand and the United Kingdom for 5 years. My experience includes:
 - a. Work on the preparation of plan changes for councils and private clients and review of numerous regional policy statements, regional plans and district plans on their behalf; and
 - b. Preparing resource consent applications and notices of requirement for a wide range of development and infrastructure projects.
- 2.4. My evidence is given in support of Horokiwi's submission on the Wellington City Council Proposed District Plan ("**PDP**"). In this matter, Boffa Miskell Ltd was engaged Horokiwi to provide planning expertise through the submission process, as well as to prepare this evidence on the PDP.
- 2.5. I have read the Code of Conduct for Expert Witnesses contained in Section 9 of the Environment Court Practice Note (2023), and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
- 2.6. My evidence covers all the submission points (28 original and two further) lodged by Horokiwi to Hearing Stream 6.

3. Scope of Evidence

- 3.1. Horokiwi lodged a comprehensive submission to the PDP with the overall intent to recognise and provide for the role and continued use and operation of its existing quarry operation at Horokiwi. As such, its submission is site specific to Horokiwi quarry given the uniqueness of the operation. The main issues/areas of specific relevance raised in the Horokiwi submission include:
 - 3.1.1. Support for the application of the Special Purpose Quarry Zone to the site (and for this zoning to be applied to adjoining sites owned by Horokiwi).
 - 3.1.2. Support for provisions relating to the operation and expansion of existing quarries.
 - 3.1.3. Amendment to the extent of the Significant Natural Area and the Coastal Environment overlays as applied to the Horokiwi site, and PDP provisions relating to Hilltops and Ridgelines.
 - 3.1.4. Concerns as to the lack of recognition (in particular policy recognition) of quarry activities within the PDP outside the Special Purpose Quarry Zone.
- 3.2. As this is the first hearing on the PDP at which Horokiwi is presenting evidence. In addition to addressing the Hearing Stream 6 submission points my evidence and the Horokiwi company evidence of Mr Baker, provide contextual information on the existing quarry operation, the use and need for aggregates and quarries in the city and wider region, and the planning policy framework. This information will inform future hearings.
- 3.3. On this basis my evidence will address the following:
 - a. The PDP framework as it applies to the Horokiwi site, and existing use rights certificate
 - b. An overview of Horokiwi's submission on the PDP; and
 - c. My responses to the recommendations within the Hearing Stream 6 Section 42A Report on Horokiwi's submission points.
- 3.4. My evidence should be read together with the evidence of Mr Ross Baker who describes the existing Horokiwi Quarry operation, and use and need for quarries and

aggregate material, and Horokiwi's experiences of the constraints on establishing and operating quarries, including new greenfield quarries.

4. Horokiwi Quarry Site

4.1. Horokiwi Quarries Limited is a long-established quarry activity located at 39 Horokiwi Road, Horokiwi. The site comprises nine land parcels and contains the Horokiwi Quarry and Asphalt Plant operation. Access to the site is from Horokiwi Road. Attached as **Appendix A** is an aerial image of the site and land parcels.

4.2. Quarrying at the site first commenced circa 1934 and the site has been used for quarry activities since that time. The asphalt plant was established between 1972 and 1974. In terms of the quarry activity itself, the existing quarry site has approximately 5-20 years of quarry resource remaining.

Existing Use Certificate

4.3. In 2012, an existing use certificate was issued by Wellington City Council (file reference 1048648) for the quarry activity and overall site. Figure 1 below shows the areas of land subject to the use certificate, and a copy of the certificate is attached as Appendix B.



Figure 1. Properties owned by Horokiwi and subject to the existing use certificate are outlined in white

- 4.4. The only condition/constraint within the certificate relating to the operation is to *“exclude escarpment faces which might have a visual impact when viewed from the direction of the Wellington Harbour”*.
- 4.5. While I accept the application of the existing use certificate will be a matter for any future resource consent process, I still consider it highly relevant within the district plan context as it in effect allows the quarry activity to continue on the site as a whole, including on areas not already quarried, where the effects are at the same or similar in character, intensity, and scale (provided that land is not an escarpment face which can be viewed from the direction of Wellington Harbour) notwithstanding district plan rules. It is noted that the certificate references *“the scale of quarrying undertaken in specific areas of the site does not remove quarrying rights from “unused” areas of the greater site”*.
- 4.6. The certificate is also a relevant consideration and supports application of the Special Purpose Quarry Zone to land that Horokiwi owns, and either forms part of the existing operation (i.e the sediment pond) or may quarry (being the General Rural zones area across Horokiwi Road), and are covered by the existing use certificate.

Potential Expansion

- 4.7. Given the limited lifespan of the existing Horokiwi quarry and in response to an increasing demand for quarry material within the Wellington region, Horokiwi has for the past four years been considering its future quarry expansion aspirations at its existing quarry site, as well as exploring the potential for a new quarry site within the greater Wellington region. The exploration of expansion options recognises the necessity for the Wellington region to have a viable long-term (potentially 20 years) local, quality quarry resource. In searching for a potential new greenfield quarry site, it has become clear that the issues with first finding a site with a suitable quarry resource and then securing resource consent, are extremely challenging. As such, Horokiwi has focused on expansion of its existing operation beyond its current landholdings. Given the benefits of expanding an existing and well established and operated quarry, a potential and preferred area has been identified to the west of the existing quarry operation, on land owned by Wellington City Council (“Council”).
- 4.8. While I appreciate any expansion beyond the existing Horokiwi landholdings is beyond the scope of the PDP in relation to property/access rights, rezoning and resource consents, any potential expansion does have relevance in the PDP context in that the proposed zoning and overlays have implications for the quarrying potential on

adjoining sites, noting the existing use certificate does not extend beyond land currently owned by Horokiwi. In particular, the overlays relating to Significant Natural Areas and the Coastal Environment, Hilltops and Ridgelines, and Open Space zoning impact on the ability (within a planning context) for quarrying activities.

5. PDP Framework as it applies to the site

- 5.1. The PDP seeks to recognise the role and continued use and operation of the two Wellington large scale quarries through a specific zone (being the Special Purpose Quarry Zone). The zone includes the council owned Kiwi Point Quarry, and the Horokiwi Quarry. Notwithstanding the existing use certificate, I support the approach to apply a quarry zone to the Horokiwi site as it provides certainty and reflects the existing land use. The importance of quarries was recognised through the Hearing Stream 1 officer recommendation to provide a Strategic Objective to the Strategic City Assets and Infrastructure chapter, as follows:

SCA-O7 The benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.

Zoning and Overlays

- 5.2. The majority of the existing quarry operation area is zoned Special Purpose Zone – Quarry zone in the PDP. A portion of the property (Pt Section 16 Harbour District) also owned by Horokiwi and which has the sediment pond, is zoned Natural Open Space Zone. That part of the property to the east and south of Horokiwi Road (Pt Section 17 Harbour District and Pt Section 18 Harbour District) is zoned General Rural Zone. Refer Figure 2.

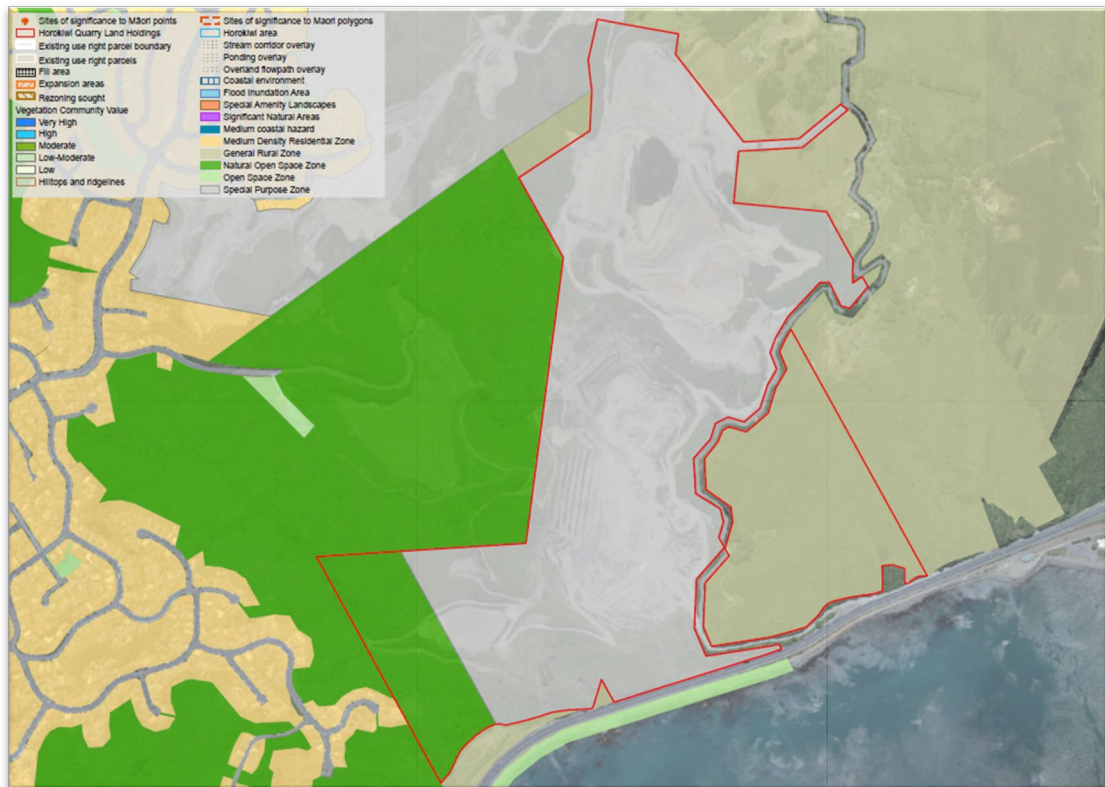


Figure 2. PDP zoning of Horokiwi land (outlined in red). The Special Purpose Quarry Zone is shown in grey, with the Natural Open Space Zone shown as bright green, and the General Rural Zone shown as green/brown.

5.3. In addition to the zoning, the site is subject to the following overlays and features. Corresponding maps showing the overlays are attached as **Appendix C**.

Hazards and Risks Overlays

- Stream Corridor Overlay
- Overlay Flowpath Overlay
- Ponding Overlay

Natural Environment Overlays

- Significant Natural Area (SNAs) (Rules will have legal effect when plan is notified)
- Special Amenity Landscapes (SALs) (Rules will have legal effect when plan is notified)
- Ridgelines and Hilltops
- Coastal Environment

Historical and Cultural Values Overlays

- Site of Significance to Maori (Points) – Waihinahina Awa (Rules will have legal effect when plan is notified)

Specific Controls

- Horokiwi Area

6. Regional Direction under the RMA

The Operative Regional Policy Statement

6.1. The Wellington Regional Policy Statement (“**RPS**”) was made operative in 2013. Section 75(3)(c) of the RMA requires that a District Plan must give effect to any Regional Policy Statement (as well as any NPS). Of particular relevance to the Horokiwi Quarry are Objective 10 and Policy 60.

6.2. The RPS provides a definition for Significant Mineral Resources as follows:

Deposits of minerals, the extraction of which is of potential importance in order to meet the current or future mineral needs of the region or nation.

6.3. Objective 21 provides a strong directive to ensure the demand for mineral resources is located in close proximity to the areas of demand. The use and expansion of Horokiwi Quarry is consistent with the objective given the local demand for the quarry material.

Objective 21: The demand for mineral resources is met from resources located in close proximity to the areas of demand.

6.4. Policy 60 provides a strong policy directive which requires consideration of utilising the regional mineral resources.

Policy 60: Utilising the region’s mineral resources – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to:

(a) the social, economic, and environmental benefits from utilising mineral resources within the region; and

(b) protecting significant mineral resources from incompatible or inappropriate land uses alongside.

Explanation

Policy 60 directs that particular regard be given to the social, economic, and environmental benefits of utilising mineral resources within the region. It also requires that particular regard be given to protecting significant mineral resources from incompatible and inappropriate land use alongside. This protection extends to both the land required for the working site and associated access routes. Examples of methods to protect significant mineral resources

include the use of buffer areas in which sensitive activities may be restricted, and the use of noise reduction measures and visual screening.

- 6.5. Method 52⁴, when implemented, will identify the locations of significant mineral resources within the region. I understand this has not yet been undertaken.
- 6.6. Proposed Change 1 to the RPS was notified in August 2022. No changes are proposed to Objective 21 and Policy 60.
- 6.7. The Natural Resources Plan for the Wellington Region (“**NPR**”) further recognises the importance and role of mineral extraction with Objective 12 and Policy 12A requiring:

Objective 12: The social, economic, cultural and environmental benefits of regionally significant infrastructure, renewable energy generation activities and the utilisation of mineral resources are recognised.

Policy P12A: Benefits of mineral resource utilisation

When considering proposals that relate to the use of the Region’s mineral resources, particular regard will be given to the benefits from the utilisation of those resources

- 6.8. Proposed Plan Change 1 to the NPR does not amend these provision.

7. Horokiwi’s Submission on the Wellington City Council Proposed District Plan

- 7.1. Given this is the first hearing appearance by Horokiwi, and the interconnected nature and breadth of all of Horokiwi’s submission points, I consider it helpful to briefly summarise the general nature of Horokiwi’s submission on the PDP.
- 7.2. Horokiwi lodged a number of original submissions points, the primary purpose of which is to ensure the PDP appropriately recognises quarry activities both at the existing Horokiwi quarry site, as well across the city generally. As noted earlier in this evidence, given the limited life span of the existing quarry operation, Horokiwi has explored options to find a new quarry, as well as expanding the existing quarry beyond that currently owned by Horokiwi. As such, the overall theme and purpose of the Horokiwi submission is support the Special Purpose Quarry Zone, seek wider recognition for quarries across the plan, and amendment to certain overlays as they apply to the quarry site. While I recognise the existing quarry site has the benefit of an existing use certificate, this does not negate the need for an appropriate zoning, overlay and rule and policy framework within the PDP.

⁴ *Method 52: Identify the region’s significant mineral resources.
Identify the location of significant mineral resources in the region
Implementation: Wellington Regional Council * and city and district councils*

7.3. In terms of amendments sought, the main themes within Horokiwi's submission are:

7.3.1. **Recognition of quarry activities:** Given the importance of quarry activities and their resource dependence and functional constraints, provide plan wide recognition (policy recognition) of quarry activities. The relief included seeking a new strategic objective to have regard to the benefits of utilisation of mineral resources.

7.3.2. **Special Purpose Quarry Zone:** Support for the application of the Special Purpose Quarry Zone to the Horokiwi site and the zone provisions, with the zoning also sought to be extended to three other sites (one zoned Open Space and two zoned General Rural) which are all owned by Horokiwi and two of which are subject to the existing use certificate for the wider site. The only change sought to the zone provisions was to objective O2 relating to adverse effects on adjacent residential activities.

7.3.3. **Coastal Environment Overlay line:** Horokiwi opposes parts of the Coastal Overlay as it relates to part of the existing Horokiwi quarry site. An amended boundary is sought given the nature of the existing quarrying activities undertaken and modified nature of the environment. The site is not within any identified Schedule 11 Outstanding Natural Feature and Landscape or Schedule 13 High or Very High Coastal Natural Character Area. The Coastal Environment Overlay line has further implications in terms of the application of the NZCPS, and in the Wellington Region Natural Resources Plan.

In relation to the policy and rule framework, while some confined changes were sought, the overall framework for the Coastal Environment is supported, in particular P9 (which recognise the existing quarry activities and their expansion) and rules R4 and R10. However, It should be noted that this support was made in isolation of the relationship of the Coastal Environment with other overlays and zones, and the implications of the overlay outside the PDP.

7.3.4. **Indigenous Biodiversity:** Depending on the outcome of other submissions points, and in particular the sought amendment to the boundary of part of an SNA on the site, Horokiwi largely supports the policy approach for SNA's. However, clarity was sought as to the application of the rules, specifically clarity as to the activity status for trimming, pruning or removal of vegetation within a significant natural area that is not within the Coastal Environment

and does not comply with ECO- R1.1 or ECO-R1.2. I am aware that in light of the National Policy Statement on Indigenous Biodiversity 2023 (“NPS-IB”) Council is reviewing its approach to the ECO chapter (and SNA’s) and no hearing is currently scheduled to hear the topic.

- **Significant Natural Area (“SNA’s”):** Amendment to the spatial area of an identified SNA on the Horokiwi site and that adjoining, on the basis Horokiwi does not consider the biodiversity values merit the specific areas being identified as SNA. The application of the SNA combined with the application of the Coastal Environment Overlay and NPS-IB creates a very restrictive consenting pathway for any expansion of the existing quarry site.

7.3.5. **Natural Features and Landscapes generally:** Notwithstanding specific points as outlined below, Horokiwi generally supports the recognition of existing quarry activities and expansion within the NFL overlays.

- **Hilltops and Ridgelines:** Given the Hilltops and Ridgelines Overlay applies at the northern part of the quarry site, in its submission Horokiwi sought clarification around the policy and rule framework for Ridgelines and Hilltops and their appropriateness and role in the PDP given SAL’s have been identified. It is noted the Hilltops and Ridgelines are not scheduled and therefore their characterises or values are not identified. Specific policy and rule amendments were also sought to recognise existing quarry activities, and their expansion.
- **Special Amenity Landscapes (“SAL’s”):** Horokiwi did not challenge the extent of SAL’s in its submission as it relates to the Horokiwi site, or the policy framework, but did seek clarification as to the characterises. Transpower supported the recognition of existing quarry activities, and their expansion within the SAL provisions.

7.3.6. **General Rural Zone:** Horokiwi seeks clarification on the policy and framework for new vs existing quarries.

7.3.7. **Open Space Zone:** Horokiwi seeks recognition of other activities within the Open Space zone.

- 7.3.8. **Definitions:** Support the definitions of Earthworks, Functional need, Infrastructure, and Quarry.
- 7.3.9. **Natural Hazards:** Largely supportive of the risk based approach, and provision of permitted activities.
- 7.3.10. **Earthworks:** On the basis the earthworks provisions do not apply to quarrying activities in the quarry zone, they were largely supported with confined amendments sought to remove the reference to Hilltops and Ridgelines within EW-P5 as it is addressed under the NFL chapter.

Hearing Stream 6 relevant points

- 7.4. Submission points relevant to Hearing Stream 6 relate to:
- Special Purpose Quarry zone, and
 - Rezoning of three sites from General Rural Zone and Open Space Zone to Special Purpose Quarry zone.

Hearing Stream 1 and 5 relevant points

- 7.5. Although it did not appear at the hearings and provide evidence, Horokiwi lodged hearing statements to Hearing Stream 1 (Strategic Direction) and Hearing Stream 5 (General District Wide Matters – Earthworks).
- 7.6. Of particular relevance to Hearing Stream 1, Horokiwi supported the officer recommendation for a new Strategic Objective to the Strategic City Assets and Infrastructure chapter, as follows:

The benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.

8. Response to the Section 42A Report Recommendations – Hearing Stream 6

- 8.1. The following section responds to the Hearing Stream 6: S42A Report recommendations on Horokiwi's submission points. Attached as **Appendix D** is a summary table of all the Horokiwi submission points relating to Hearing Stream 6 and whether the s42A Report recommendations are accepted, supported or opposed. I accept the majority of the recommendations with the only outstanding matter being the

sought rezoning of three sites from General Rural Zone and Open Space Zone to Special Purpose Quarry zone.

Outstanding Submission Points - Rezoning Requests

- 8.2. The officer has recommended the relief sought for rezoning of the three sites of land largely be rejected (noting the rezoning of the current stockpile area has been recommended to be accepted). While clearly outlined in the S42A Report, for ease of reference, the area recommended in the S42A Report for rezoning is shown below in Figure 3.



Figure 3. The grey circled area identifies the area recommended in the S42A report for rezoning.

- 8.3. I do not support or accept the recommendation or reasoning to not rezone the balance of the sites. The officer recommended new Strategic Objective to the Strategic City Assets and Infrastructure chapter provides a clear and directive to both recognise and provide for the benefits of quarrying activities.

SCA-O7 The benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.

- 8.4. While I appreciate such an objective cannot apply cate blanch, specific to the existing Horokiwi landholding and operation, and given the existing use certificate and specifies of the site, the rezoning would be a more effective and approach to achieve this

objective, recognising that other overlay objectives and policies would need to be reconciled with those of the quarry zone and will determine the activity status.

8.5. The rezoning would also be consistent with the intent of the Quarry Zone. As outlined in the introduction to the Quarry Zone, *“The purpose of the Quarry Zone is to enable the continued use and operation of Wellington’s large-scale quarries. This zone provides for quarrying activities where quarrying activities may operate as the primary land use activity on the site.”*

8.6. Objective 1 of the Quarry Zone further provides:

QUARZ-O1 Purpose

Quarrying activities operate safely, efficiently and effectively as locally and regionally significant:

- 1. Sources of quarry products; and*
- 2. Enablers of Wellington’s economic well-being.*

8.7. Rezoning of the sites would in my opinion give effect to the objective in providing a local source of quarry material that serves the region, on sites associated with and linked to an existing quarry operation and therefore able to fully utilise the existing operational assets and infrastructure.

8.8. In response to observations of the reporting officer (paragraph 65) that overlays apply to the sites, while I appreciate the existence of such overlays, I do not accept the principle that overlays should be a determining factor in establishing the underlying zoning. To adopt such an approach would negate the need for any zoning on any site which is subject to an overlay. Rather the task as at the consenting determination stage will be to consider and apply the respective policies.

8.9. The S42A Report⁵ also identifies at least three quarrying related consents granted since 2012. As I understand the consents were required in that they involved clean fill and overburden operations – activities considered outside the ambit of the existing use certificate (but would be considered quarrying activities⁶ as defined in the PDP).

⁵ Paragraph 55. S42A Report, Special Purpose Quarry Zone

⁶ means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.

However, I do not support any assertion (paragraphs 56 and 57 of the S42A report) that the need for the consents negates the applicability of the existing use certificate, or 'waters down' (my wording) its application. As the S42A report correctly outlines, the application of the existing use certificate is not a matter to be determined through this process. While I accept an existing use certificate does not in itself determine zoning, it is a relevant consideration in considering the appropriate zoning for a site.

8.10. Bearing in mind the above, the following responds to each of the rezoning requests individually.

Area A (Natural Open Space zoning)

8.11. Area A comprises the balance of Pt Sec 16 Harbour District that is zoned Open Space Zone. The area sought to be rezoned is shown below in Figure 4.

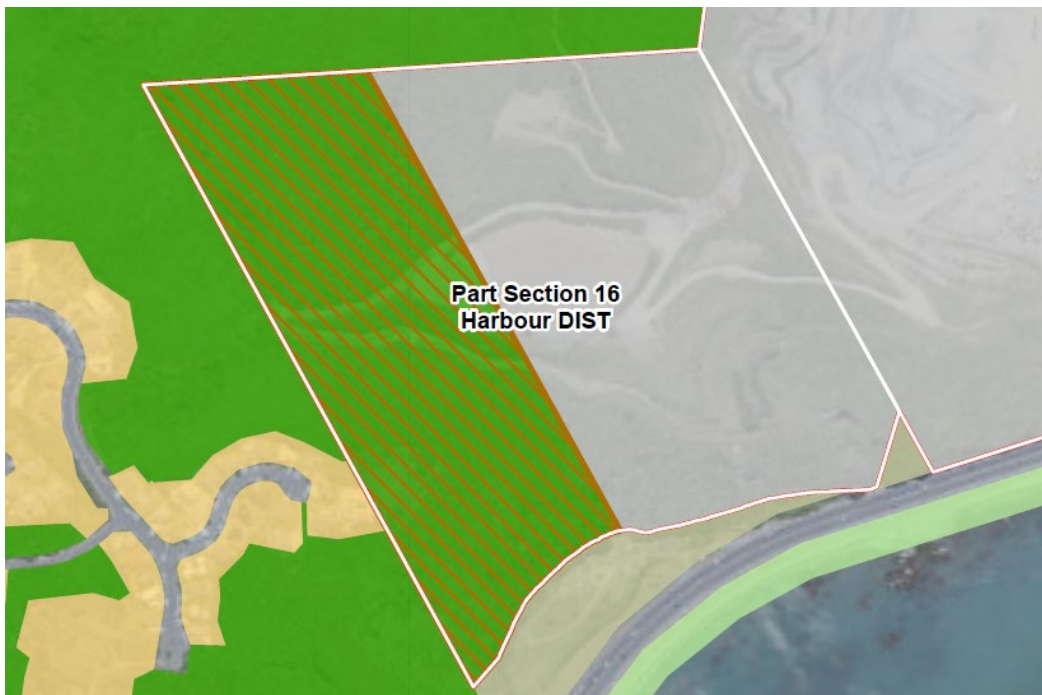


Figure 4 Area sought to be rezoned from Natural Open Space Zone to Special Purpose Quarry Zone is shown as striped.

8.12. This land is owned by Horokiwi Quarries Ltd, is included within the existing use certificate, and part of the site features half the existing sediment pond (with the other half zoned Special Purpose Quarry Zone) and which is now at capacity and the area will be used for fill. Refer Figure 5.



Figure 5. Sediment pond located within Pt Sec 16 Harbour District

- 8.13. Public access within the site is restricted, although there is part of a WCC walking track on the site but I understand Horokiwi Quarries can withdraw the right of access at any time, subject to 6 months' notice to council. The land is not subject to a reserves management plan. Figure 6 shows the access track.

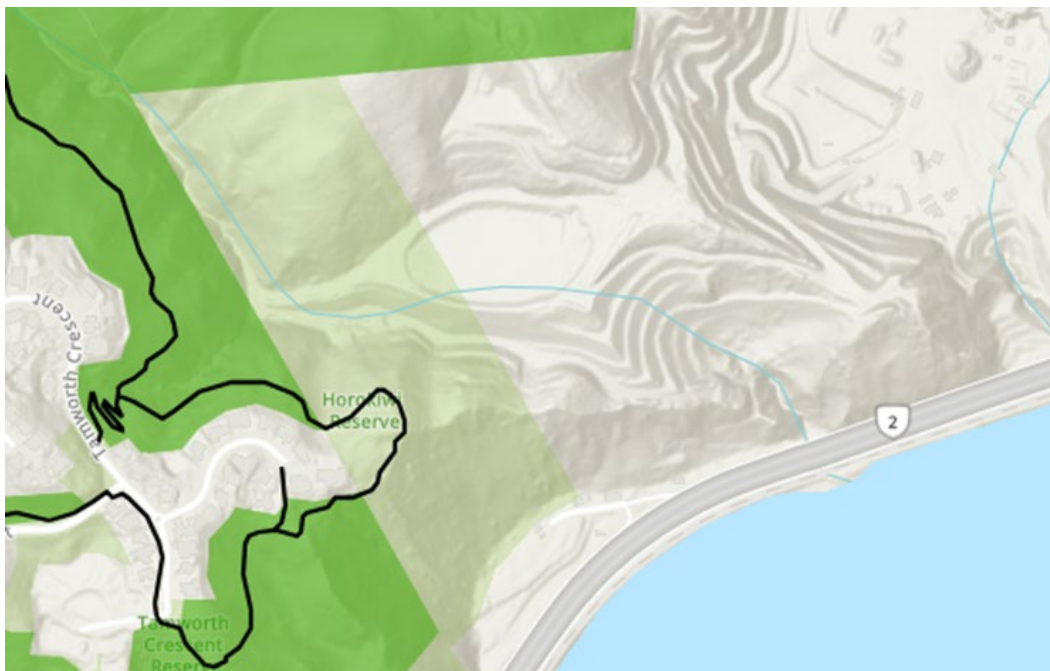


Figure 6. Walking track (shown as black line). Source https://www.arcgis.com/apps/webappviewer/index.html?id=ecc904e99ef34dabb2401c55dc28677d&query=ParksReserves_2797%2Cname_%2CGilberd%20Bush%20Reserve

- 8.14. In addition to the existing sediment pond, Horokiwi has resource consent (SR 324926) to construct a new overburden site in the area shown below in Figure 7:

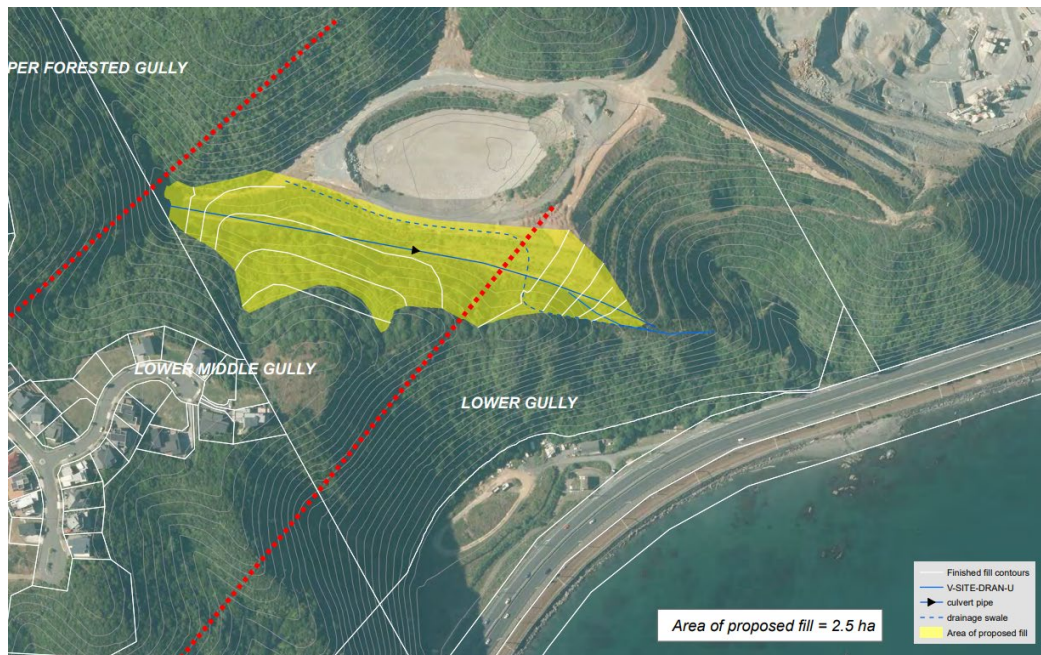


Figure 7. Yellow areas shows the consented overburden disposal area

- 8.15. Two extensions have been granted for the consent, the latest granted in June 2023 (SR 534204). In my opinion, given the existing consent, at the very least the above area should also be rezoned.
- 8.16. The PDP Open Space zoning reflects that in the operative District Plan. The land is not subject to a reserves management plan and other than its historical zoning, there appears no basis or justification for an Open Space Zoning to the site, particularly in context of OSZ-O1 which provides:

Open space areas are predominately used by the public for a wide range of passive and active recreation activities, and may accommodate open space community activities, in such a way that maintains, and where possible, enhances the predominant character and amenity values of the Open Space Zone, which include:

- 1. An open and spacious character;*
- 2. A low level of built form and development; and*
- 3. Buildings and structures are predominately ancillary to recreation or conservation activities.*

- 8.17. In terms of the balance of the sought rezoning area, I remain supportive of rezoning. While I acknowledge the site is subject to overlays⁷ (being a Significant Natural Area

⁷ Noting resource consent SE 324926 extends over the Stream Corridor Overlay

Overlay (“SNA”), and Coastal Environment Overlay (“CE”)) notwithstanding the changes sought to the extent of the CE overlay and the relationship between the two overlays, in my opinion the policies of the two overlays do not outright conflict with a Quarry zone applying to the site. Policy CE-P9⁸ explicitly recognises established quarrying activities as well as their expansion. The SNA policies do not reference quarrying activities, rather apply the effects management hierarchy through policy ECO-P2. As such in my opinion, there is no outright conflict with a Quarry zone and the overlays.

8.18. While I acknowledge the S42A Report recommends rezoning of the sediment pond, this rationale ignores the consented overburden area. Furthermore in my opinion the S42A Report reasoning to reject the rezoning request:

- does not give effect to SCA-O7 in terms of recognising and providing for the benefits and contribution of utilising mineral resources on sites associated with and linked to an existing quarry operation
- overlooks the land ownership of the site
- places too much reliance on the historical zoning which does not reflect the existing activities undertaken on the site, and
- inappropriately discounts the applicability and relevance of the existing use certificate.

Area B (General Rural zoning)

8.19. Area B comprises the land east of Horokiwi Road (being Part Section 18 Harbour DIST) that is zoned General Rural Zone. This land is owned by Horokiwi Quarries Ltd and is included within the existing use certificate. Rezoning is also sought for Part Section 17 Harbour DIST noting that while not in the existing use certificate, the site is

⁸ Mining and quarrying activities within the coastal environment

CE-P9 Avoid the establishment of new mining and quarrying activities within the coastal environment.

Manage mining and quarrying activities within the coastal environment as follows:

1. Allow for established mining and quarrying activities in the Coastal Environment;
2. Only allow for the extension of established mining and quarrying activities or new quarrying and mining activities where it is located outside of high coastal natural character areas and outside of coastal and riparian margins and any potential adverse effects can be avoided, remedied or mitigated;
3. Avoid the extension of established mining and quarrying activities and the establishment of new mining and quarrying within high coastal natural character areas and within coastal and riparian margins in the coastal environment; and
4. Avoid the establishment of new mining and quarrying activities within the coastal environment.

owned by Horokiwi and is positioned between the existing quarry site and Part Section 18. Refer Figure 8. for the areas sought to be rezoned.



Figure 8 Area sought to be rezoned from General Rural to Special Purpose Quarry Zone is shown as striped.

8.20. The PDP General Rural zoning reflects that in the operative District Plan. As with Area A, while I acknowledge the site is subject to overlays (being a Significant Natural Area Overlay (“SNA”), Significant Amenity Landscape (“SAL”), and Coastal Environment Overlay (“CE”)) notwithstanding the changes sought to the extent of the CE overlay, in my opinion the policies of the three overlays do not outright conflict with a Quarry zone applying to the site. Policy CE-P9⁹ recognises established quarrying activities as well as their expansion. SAL policy NFL-P7¹⁰ provides similar recognition. The SNA

⁹ CE-P9 Mining and quarrying activities within the coastal environment
Avoid the establishment of new mining and quarrying activities within the coastal environment.
Manage mining and quarrying activities within in the coastal environment as follows:

1. Allow for established mining and quarrying activities in the Coastal Environment;
2. Only allow for the extension of established mining and quarrying activities or new quarrying and mining activities where it is located outside of high coastal natural character areas and outside of coastal and riparian margins and any potential adverse effects can be avoided, remedies or mitigated;
3. Avoid the extension of established mining and quarrying activities and the establishment of new mining and quarrying within high coastal natural character areas and within coastal and riparian margins in the coastal environment; and
4. Avoid the establishment of new mining and quarrying activities within the coastal environment.

¹⁰ NFL-P7 Mining and quarrying activities in outstanding natural features and landscapes and special amenity landscapes

policies do not reference quarrying activities, rather apply the effects management hierarchy through policy ECO-P2. In my opinion, there is no outright conflict with a Quarry zone and the overlays.

- 8.21. In terms of policies within the General Rural zone, GRUZ-P5¹¹ only applies to new quarry sites or changes of use on existing sites. There is no policy recognition for existing quarry sites or their expansion.
- 8.22. While owned by Horokiwi, the sites have not to date been quarried. Neither are they used for productive farming purposes. As outlined in paragraph 58 of the Section 42A report, the application of the existing use certificate for a specific activity is not a matter to determine as part of this process. However, the existing use certificate clearly applies to Part Section 18, and it clearly states that “*the scale of quarrying undertaken in specific areas of the site does not remove quarrying rights from ‘unused’ area of the greater site*”. Furthermore the certificate clearly applies to, and provides for, quarrying activities (as outlined in the application for the certificate of use¹²). As such, I do not agree with the conclusion of the officer in paragraph 62 of her evidence that resource consent would be required for quarrying on the site (accepting the existing use certificate does not apply to Part Section 17):

Paragraph 62. Irrespective of zone, my view is that any quarrying activities proposed to occur to the east of Horokiwi Road (i.e. on Pt Sec 17 Harbour District or Pt Sec 18 Harbour District) would require resource consent – as an expansion of existing Horokiwi Quarry operations. Where a change in character, intensity and scale beyond

Manage mining and quarrying activities within outstanding natural features and landscapes and special amenity landscapes as follows:

1. Allow for the ongoing operation of established mining and quarrying activities within outstanding natural features and landscapes and special amenity landscapes;
2. Only allow for the extension of established mining and quarrying activities within special amenity landscape where potential adverse effects can be avoided, remedied or mitigated;
3. Avoid the establishment of new mining and quarrying within special amenity landscapes; and
4. Avoid the extension of established mining and quarrying activities and the establishment of new mining and quarrying activities within outstanding natural features and landscapes.

¹¹ GRUZ-P5 Quarrying and mining site rehabilitation

Require any new mining or quarrying activities and changes of use on existing quarry or mining sites in the General Rural Zone to demonstrate, through a detailed management plan, how the site will be rehabilitated, having particular regard to:

1. The rehabilitation objectives, methodology and timescale;
2. The intended end use;
3. The location, gradient and depth of excavation;
4. The availability of cleanfill material, including topsoil;
5. Funding required for rehabilitation;
6. The surrounding landform and drainage pattern;
7. The ability to establish complete vegetation cover;
8. The outcomes of any consultation undertaken with mana whenua;
9. Any adverse effects associated with rehabilitation; and
10. The planned monitoring and reporting on rehabilitation.

¹² Includes Stripping, Blasting, Transport of excavated material, Crushing and screening, Stockpiling, Transport from the Site, and Ancillary activities

the scope of existing use rights or an existing consent is proposed, the quarrying activity would be assessed against the relevant provisions.

8.23. In response to commentary in the S42A Report (paragraph 66) as to the desirability or preferability of quarry on the sites, I do not consider this a relevant zoning consideration. The commitment to exclude escarpment faces can still be achieved through rezoning, notwithstanding it would be bound through the existing use certification.

8.24. In my opinion the S42A Report reasoning to reject the rezoning request:

- does not give effect to SCA-O7 in terms of recognising and providing for the benefits and contribution of utilising mineral resources on sites associated with and linked to an existing quarry operation
- overlooks the land ownership of the site
- does not recognise that the site is not currently used for rural productive purposes, and
- inappropriately discounts the applicability and relevance of the existing use certificate.

8.25. While I acknowledge the existing use certificate does not apply to Part Section 17, given the location of the site, its rezoning would be consistent with those adjoining.

8.26. Based on the above, in my opinion the rezoning would provide for the full utilisation of the quarry site and provide a more efficient consenting regime to give effect to the officer recommended strategic objective SCA-O7.

Conclusion

8.27. Horokiwi's submission on the Wellington City Proposed District Plan ("PDP") centred on recognising and providing for the role and continued use and operation of its existing quarry operation at Horokiwi.

8.28. In my opinion the rezoning request is somewhat unique given the existing use certificate and the consents that currently exist on the sites.

8.29. The outstanding issue pertaining to Hearing Stream Six relates to the sought rezoning of three areas of land which adjoin the proposed Quarry Zone.

8.30. While I support the rezoning of the existing sediment pond, I do not support or accept the recommendation or reasoning to not rezone the balance of the areas. The officer recommended new Strategic Objective (SCA-O7) to the Strategic City Assets and Infrastructure chapter provides a clear and directive to both recognise and provide for the benefits of quarrying activities. While I appreciate such an objective cannot apply cate blanch, specific to the existing Horokiwi site and operation, and given the existing use certificate and specifics of the site, the rezoning would be a more effective and approach to achieve this objective, recognising that other overlay objectives and policies would need to be reconciled with those of the quarry zone and will determine the activity status.

8.31. Based on my evidence, I remain supportive of the rezoning as sought in the Horokiwi submission.

Pauline Mary Whitney

5 February 2024

Appendix A
Aerial image of the Horokiwi Quarry site and land parcels



Appendix B Existing Use Certificate

10 September 2012

Resource Management Solutions Ltd
8 John Street
Titahi Bay
PORIRUA 5022

Service Request No: 255760
File Reference: 1048648

Attention: Dave Armour

Dear Dave,

Application for Existing Use Certificate Granted

Service Request Type:	Existing Use Rights Certificate
Site Address:	39 Horokiwi Road, Horokiwi
Legal Description:	Part Section 18 Harbour District; Lot 1 DP 58444; Section 1 Survey Office 23514; Lot 1 DP 6640; Part Section 16 Harbour District; Lot 1 DP 20888; Lot 8 DP 28139; Lot 2 DP 415604; and Lot 4 415604

I write in relation to your application for an Existing Use Rights for the quarrying operation on the site at 39 Horokiwi Road, Horokiwi.

The application was considered by officers acting under delegated authority on 15 August 2012. The application has been assessed under section 139A of the Resource Management Act 1991, and is approved.

A full copy of the Decision Report is attached. If you would like to discuss this application further please contact me on the number below.

Yours Sincerely

Brett Smith
(Senior) Consents Planner
Development Planning and Compliance
Wellington City Council
Phone: 801 3211
Fax: 801 3165



**Development Planning & Compliance
Existing Use Certificate
Decision Report**

15 August 2012

Service Request No: 255760
File Ref: 1048648

Site Details:

Site Address:	39 Horokiwi Road, Horokiwi
Legal Description:	Part Section 18 Harbour District; Lot 1 DP 58444; Section 1 Survey Office 23514; Lot 1 DP 6640; Part Section 16 Harbour District; Lot 1 DP 20888; Lot 8 DP 28139; Lot 2 DP 415604; and Lot 4 415604
Zoning:	Rural
District Plan Notations:	None
Applicant:	Horokiwi Quarries Ltd C/o Resource Management Solutions
Owner:	Horokiwi Quarries Ltd
Relevant Plans:	Aerial Photos by Boffa Miskel Ltd, entitled 'Horokiwi Quarry Landscape and Visual Assessment' dated April 2010

Site Description and Proposal:

The site comprises of nine land parcels and contains the Horokiwi Quarry and Asphalt Plant operation. The landscape to the north, east and west of the Asphalt Plant has been substantially modified by the quarry operation, and is occupied in certain locations by a range of quarry facilities with the associated buildings and structures relating to these. Access to the Horokiwi Quarry is from Horokiwi Road.

The asphalt plant was established between 1972-1974. A new asphalt plant was consented in 2009.

Resource Management Act 1991 (the 'Act')6

The relevant provisions of Section 139A of the Resource Management Act 1991 (the Act) states:

- (1) *A person may request the consent authority to issue a certificate that—*
- (a) *describes a use of land in a particular location; and*
 - (b) *states that the use of the land was a use of land allowed by section 10 on the date on which the authority issues the certificate; and*
 - (c) *specifies the character, intensity, and scale of the use on the date on which the authority issues the certificate.*

There are four matters that need to be addressed under the Act before existing use rights for this proposal under section 10 of the Act can be established:

- *Whether the use was lawfully established before the rule became operative or the proposed plan was notified (s10(1)(a)(i) of the Act); and*
- *The use must not have been discontinued for a period greater than one year (s10(2) of the Act).*
- *Whether the alteration to the building increases the degree to which the building fails to comply with any rule in the district plan (s10(3) of the Act).*
- *Whether the effects of the use are the same or similar in character, intensity and scale to those which existed before the rule became operative or the proposed plan was notified (s10(1)(a)(ii) of the Act).*

Lawfully Established:

The applicant has presented a decision from the Town and Country Planning Appeal Board, dated 9 February 1977 which confirmed that the quarry "is permitted to carry on quarrying operations as a conditional use in the Wellington City." The decision goes onto state;

"The operation is to be permitted pursuant to a schedule by way of conditional use and the land area set aside for the permitted use to exclude escarpment faces which might have a visual impact when viewed from the direction of the Wellington harbour."

The Wellington City Council District Plan was made operative on 27 July 2000. The Wellington City Council undertook a Plan Change which changed the Rural and Ridgelines and Hilltops Area objective, policies and rules relevant to the site. Plan Change 33 was made operative on 20 November 2009. From the information submitted by the applicant, it is clear that the activity had begun long before either the District Plan, or Plan Change was made operative.

The test of lawful establishment under section 10(1)(a)(i) of the Act is satisfied.

Discontinuance:

The applicant has stated that the overall site has been used for quarrying since (at least) "about 1934 and has been carried out continuously ever since."

The applicant has submitted that on the 29th August 1924 a Certificate of Title was issued to a quarry manager and timber merchant. A variety of quarrying related property transactions were completed over the subsequent years.

Information has been provided that in 1953 the Crown utilised the site for quarrying purposes. The applicant has provided also provided a yearly break down of tonnages of material produced at the site between 1999 and 2011.

This assorted evidence of ongoing use of the site for the concurrent quarrying use is accepted to leave no doubt that the activity has been in operation for a significant length of time.

The activity, therefore, is considered to be continuous in terms of section 10(2) of the Act.

Degree of Non-Compliance:

The applicant is not seeking to alter the activity as it currently operates and, as a result, does not challenge section 10(3) of the Act

Character, Intensity and Scale of Effects:

The applicant has information detailing the relationship between ownership of the various land parcels held by Horokiwi Quarries Limited and that the scale of quarrying undertaken in specific areas of the site does not remove quarrying rights from 'unused' areas of the greater site.

The applicant has provided caselaw and submitted that whilst individual land parcels/areas of the greater site have been specifically quarried at different points in time, this does not "derogate from the fact that, in law, the whole of the land was used for mining or extractive purposes" (Re Omya NZ Ltd [2004] NZRMA 104 (EnvC)). Further, the applicant has stated in relation to the activity effects "it is self evident that that these effects [traffic impacts, noise, dust] are similar in character, scale and intensity." In relation to effects on visual amenity and landscape values, and effects on terrestrial ecology including indigenous vegetation, the applicant has submitted a 'Landscape and Visual Assessment' (refer information from Boffa Miskell Ltd).

The scale of effects has been visually demonstrated with submitted aerial photos contrasting the scale of the quarry from 1996 to 2010. I accept that the scale of the quarry has marginally increased, but do not believe these challenge section 10(1)(a)(ii) of the Act as the actual quarry activity is substantially the same in terms of type of activity, area of the site and scale of landform change.

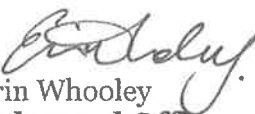
The applicant has also provided images of the site from various view points (Oriental Bay, McEwan Park Petone, and Sunhaven Drive Newlands) with projected future quarrying activities to 2017.

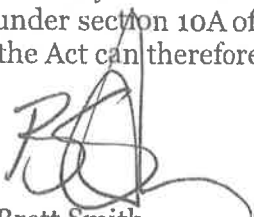
The applicant has provided a yearly break down of tonnages of material produced at the site between 1999 and 2011. This breakdown shows the volume of material is relatively stable. It is therefore possible to conclude that the scale of quarrying activity on the site has generally been in keeping with quantities generated at the time that the District Plan and Plan Change 33 were made operative.

Accordingly, section 10(1)(a)(ii) of the Act is met.

Conclusion

The quarry activity described in the application was lawfully established prior to the current Plan becoming operative and would qualify under section 10A of the Act. An Existing Use Right Certificate under Section 139A of the Act can therefore be issued.


Erin Whooley
Delegated Officer


Brett Smith
Delegated Officer

Delegated Authority Code: (13)

Appendix C Zoning and Overlays

Hazards and Risks Overlays

- Stream Corridor Overlay
- Ponding Overlay
- Overlay Flowpath Overlay
- Flood Inundation Area

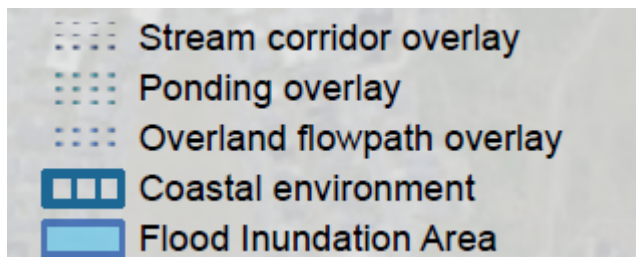
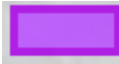




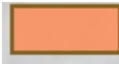
Figure 9. Hazards and Risks overlays

Natural Environment Overlays


- Significant Natural Area (SNAs)

 Significant Natural Areas

- Special Amenity Landscapes (SALs)

 Special Amenity Landscapes

- Ridgelines and Hilltops

 Hilltops and ridgelines

- Coastal Environment


 Coastal environment



Figure 10. Significant Amenity Landscape, and Hilltops and Ridgelines Overlays

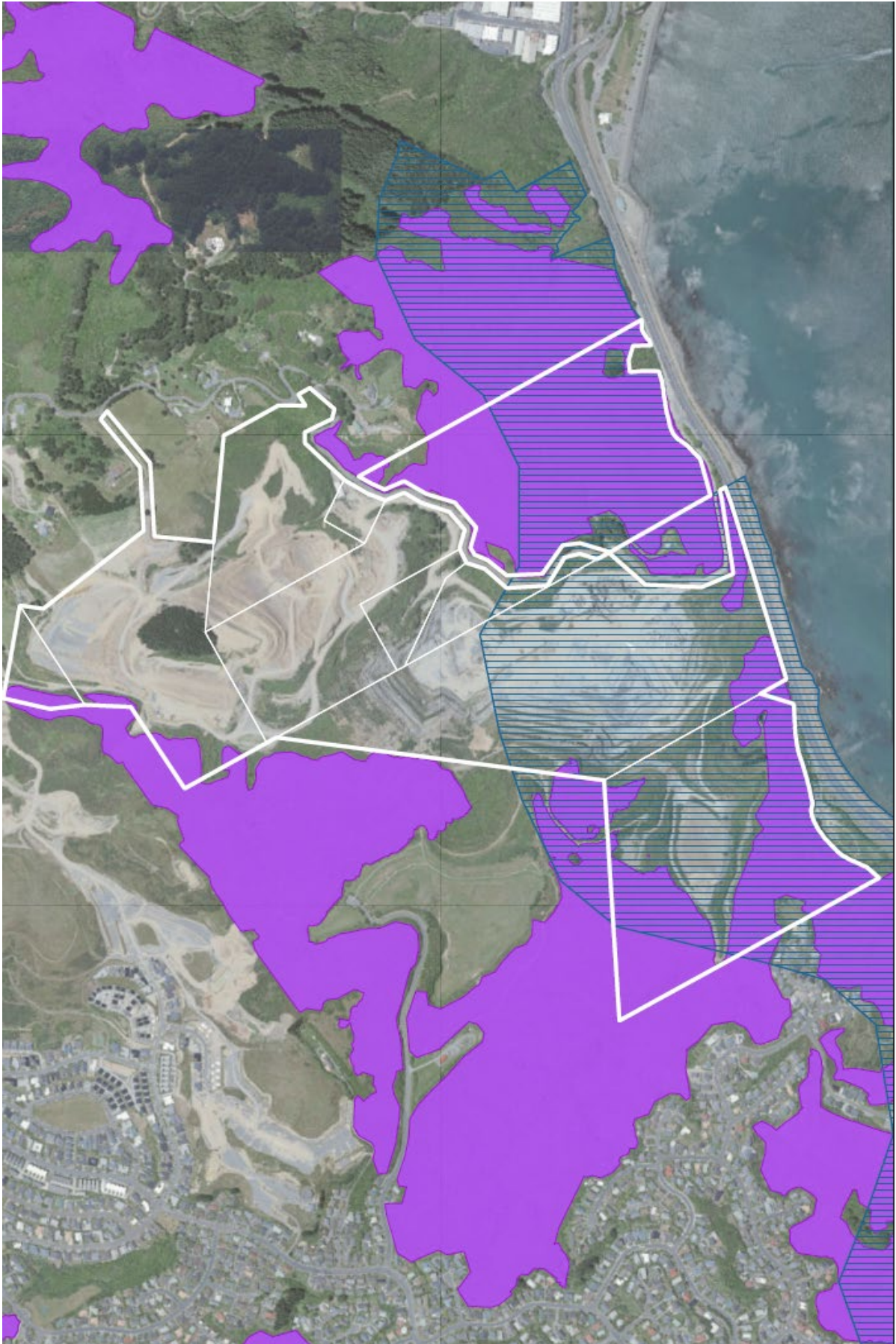


Figure 11. Significant Natural Areas and Coastal Environment Overlays

Historical and Cultural Values Overlays

- Site of Significance to Maori (Points) – Waihinahina Awa


 Sites of significance to Māori points



Figure 12. Site of Significance to Maori (Points)

Appendix D

Summary Table - Response to s42A Report Officer Recommendations

Appendix B Horokiwi Submission points to Hearing Stream 6 – S42A Recommendations and Response

Submitter Name and Number	Sub-part / Chapter / Provision	Summary of Decisions Requested and Reasoning	S42A Recommendation	Response to S42A Recommendation
Horokiwi Quarries Ltd 271.5	Mapping General	<p>Relief Support. Retain Special Purpose Quarry Zone, with amendments.</p> <p>Reasons Support for the application of the Special Purpose Quarry Zone to the site (and for this zoning to be applied to adjoining sites owned by Horokiwi).</p>	<p>Accept in part</p> <p>Commentary: As per commentary on submission points 271.7 and 271.8 above.</p> <p>S42A references: Section 3.2.2, points 47 and 48 (page 13) reasoning for recommendation in points 51-76 (pages 13-20), recommendation in point 78 (page 20). Note that point 78 states “submissions relating to zoning matters are accepted/rejected as detailed in Appendix B”, but this submission point is lumped together with submission point 271.7, 271.8, 271.72, 271.73.</p>	Oppose recommendation as it relates to the rezoning request. Refer evidence
Horokiwi Quarries Ltd 271.7	Mapping / Rezone	<p>Relief Amend. Rezone Pt Sec 16 Harbour District from Open Space Zone to Special Purpose Quarry Zone.</p> <p>Reasons Supports that the Horokiwi site is zoned Special Purpose Quarry Zone, however two sites are not included, and amendments are sought to rezone two areas (being Pt Sec 17 Harbour District and Pt Sect 18 Harbour District from General Rural zone to Special Purpose Quarry zone, and part of Pt Sec 16 Harbour District from Open Space zone to Special Purpose Quarry Zone). This would provide for the full utilisation of the quarry site and provide a more efficient consenting regime. Pt Sec 16 Harbour District is owned by Horokiwi Quarries Ltd, is included within the existing use certificate, and part of the site features the existing sediment pond. Public access within the site is restricted and the site has no passive or active recreational assets or activities. The land is not subject to a reserves management plan and other than its historical zoning, there appears no basis or justification for an Open Space Zoning in the PDP. A consistent zoning would therefore be logical and efficient.</p>	<p>Accept in part</p> <p>Commentary: Consistent with s10(1)(a)(ii) of the RMA, where there has been an extension or expansion of quarrying activities, resource consent has been sought. This suggests that the existing use certificate is not definitive as to the extent of quarrying activities that it covers and that any extension or expansion of quarrying activities would necessitate resource consent due to an associated change to the character, intensity, and scale of effects of the use.</p> <p>I am not satisfied that it is appropriate to rely on the existing use certificate as a reason to accept the rezoning submission points. Firstly, as set out above, I am not satisfied that existing use rights apply to the breadth of activity described in the Horokiwi Quarry submission, or that the sentence in the existing use certificate ‘the scale of quarrying undertaken in specific areas of the site does not remove quarrying rights from ‘unused’ areas of the greater site’ amounts to existing use rights as described in their submission. Secondly, and more fundamentally, the purpose of an existing use rights certificate is to protect existing lawfully established activities from being impacted by new plan provisions. This means that the existing use of a site is not necessarily a decisive, or even significant factor in determining the appropriate zoning and applicable provisions.</p> <p>Whether or not the existing use certificate accurately covers the full scope of Horokiwi Quarries’ existing use rights is not a matter to determine as part of this process. Rather it is a matter for Council’s City Consenting and Compliance team. The more pertinent question, in my view, is whether it is appropriate to zone so as to enable an increase in the scale and intensity of the quarrying activity, and if so, on what basis. 59. Turning firstly to the matter of zoning Pt Sec 17 Harbour District and Pt Sec 18 Harbour District as identified in Figure 1 below. Both sites are zoned GRUZ in the PDP. Pt Sec 17 Harbour District is not included within the existing use certificate.</p>	Oppose recommendation. Refer evidence
Horokiwi Quarries Ltd 271.8	Mapping / Rezone	<p>Relief Amend. Rezone Pt Sec 18 Harbour District and Pt Sec 17 Harbour District from General Rural Zone to Special Purpose Quarry Zone.</p> <p>Reasons Supports that the Horokiwi site is zoned Special Purpose Quarry Zone, however two sites are not included, and amendments are sought to rezone two areas (being Pt Sec 17 Harbour District and Pt Sect 18 Harbour District from General Rural zone to Special Purpose Quarry zone, and part of Pt Sec 16 Harbour District from Open Space zone to Special Purpose Quarry Zone). This would provide for the full utilisation of the quarry site and provide a more efficient consenting regime. Pt Sec 18 is owned by Horokiwi Quarries Ltd and is included within the existing use certificate. Pt Sec 17 Harbour District is not in the existing use certificate, but is owned by Horokiwi and is positioned between the existing quarry site and Pt Sect 18. A consistent zoning would therefore be logical and efficient.</p>	<p>While being included within the existing use certificate, it appears that Pt Sec 18 Harbour District to the east of Horokiwi Road is not presently quarried, nor has it historically been quarried.</p> <p>While I acknowledge that the existing use certificate sets out that ‘the scale of quarrying undertaken in specific areas of the site does not remove quarrying rights from “unused” areas of the greater site’. I am not satisfied this is applicable to the eastern extent of land owned by Horokiwi Quarry for the reasons set out below, as evident in the following aerial imagery which shows that there has not been any quarrying activities on those sites.</p> <p>Irrespective of zone, my view is that any quarrying activities proposed to occur to the east of Horokiwi Road (i.e. on Pt Sec 17 Harbour District or Pt Sec 18 Harbour District) would require resource consent – as an expansion of existing Horokiwi Quarry operations. Where a change in character, intensity and scale beyond the scope of existing use rights or an existing consent is proposed, the quarrying activity would be assessed against the relevant provisions.</p> <p>As notified, any new quarry or expansion of Horokiwi Quarry beyond its existing operations on these sites could be pursued via provisions in the GRUZ. As part of the Hearing Stream 1 s42A Report, Mr McCutcheon recommended a new strategic objective SCA-O73 (HS1-Rec159) be included to recognise the strategic benefits of quarrying activities to the city. If this recommended strategic direction SCA-O7 was to be included within the District Plan, it would, in my view, would support new/expanding quarries.</p> <p>It is important to recognise that the purpose of the QUARZ is to primarily facilitate a ‘business as usual’ approach for the continued use and operation of Wellington’s large-scale quarries. Whereas, retaining the pre-mentioned sites as GRUZ signals that any application for quarrying activities would be subject to ‘greater assessment’.</p>	Oppose recommendation. Refer evidence

			<p>In addition, I note that almost the entirety of Pt Sec 17 Harbour District and Pt Sec 18 Harbour District are covered by the Korokoro Stream Valley Special Amenity Landscape (SAL), as well as Significant Natural Area (SNA). The presence of SNAs and SALs as well as the Coastal Environment overlay would bundle as a discretionary activity under NFL-R6 (Extension of existing quarrying and mining activities within special amenity landscapes). It therefore makes no material difference as to whether the site is zoned GRUZ or QUARZ because the activity would always default to being a discretionary activity under the notified PDP. I note here that Horokiwi Quarry did not seek any amendment or relief in relation to the Korokoro Stream Valley SAL.</p> <p>I further understood from the site visit that the part of the site zoned GRUZ is not a desirable or preferable location to quarry because of the type/quantity/quality of aggregate there, as well as Horokiwi Quarries commitment to exclude escarpment faces which might have a visual impact when viewed from the direction of the Wellington Harbour.</p> <p>For the reasons set out above, I am not satisfied that there is a sufficient basis to support rezoning land to the east of Horokiwi Road to QUARZ. If it is deemed that resource consent is required for any future quarrying activities, a consenting pathway is provided for via the GRUZ, which I consider to be appropriate. As such, I am of the view that it is most appropriate to retain Pt Sec 17 Harbour District and Pt Sec 18 Harbour District as General Rural Zone, and I therefore disagree with Horokiwi Quarry [271.73].</p> <p>Turning to Pt Sec 16 Harbour District (blue) as identified in Figure 2 below.</p> <p>Firstly, in considering the requested rezoning of part of Pt Sec 16 Harbour District, consistent with the direction of the Environment Court in <i>Golf (2012) Limited v Thames-Coromandel District Council</i> [2019] NZEnvC 112, I have researched the planning history of the site with respect to more historic land use zoning.</p> <p>The Horokiwi Quarry site was zoned rural in its entirety in the Wellington City Council Operative District Scheme 1985. Following this, the part of the site in question had a conservation zone applied, with the remaining quarry site retaining its rural zoning in the notified PDP 1994 which was carried through to the Operative District Plan 2000.</p> <p>When assessing a proposal for rezoning, the ODP zone is considered an appropriate starting point consistent with the general approach applied with respect to open space and recreation zoning within the PDP. Pt Sec 16 Harbour District is zoned part conservation zone and part rural zone as shown in Figure 3 below.</p> <p>The part of the site with an ODP conservation zone applied is zoned NOSZ in the PDP, while the part of the site zoned rural zone in the ODP is zoned QUARZ in the PDP as shown in Figure 4 below.</p> <p>Part of the NOSZ portion of the site has a Significant Natural Area (SNA) overlay applied as identified in Figure 5.</p> <p>Pt Sec 16 Harbour District also contains a shared use track (Te Ara Paparangi/Te Ara Paparangi ki te Tonga) as identified on the 'Reserves in Wellington City'4 and 'Wellington Walks'5 maps. The notified NOSZ zoning also provides a buffer to what would otherwise be directly adjoining residential properties at Bendigo Grove as shown in Figure 6 below.</p> <p>Overall, I consider that it would only be appropriate to rezone from NOSZ to QUARZ those parts of the site that have been used/modified by quarrying activities, resulting in a lack of remaining natural open space character, and that do not have a notified PDP SNA overlay. I therefore agree in part with Horokiwi Quarry [271.70, 271.71, and 271.72] to rezone a triangle area of Pt Sec 16 Harbour District.</p> <p>As detailed in Horokiwi Quarries submission6 and as discussed on the site visit, a potential and preferred expansion area has been identified to the west of the existing quarry operation, on land owned by Wellington City Council. I understand that Horokiwi did not submit to rezone this 'preferred expansion area' because it is not owned by Horokiwi Quarry.</p> <p>S42A references: Section 3.2.2, points 47 and 48 (page 13) reasoning for recommendation in points 51-76 (pages 13-20), recommendation in point 78 (page 20). Note that point 78 states "submissions relating to zoning matters are accepted/rejected as detailed in Appendix B", but this submission point is lumped together with submission point 271.5, 271.72, 271.73.</p>	
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Appendix B Horokiwi Submission points to Hearing Stream 6 – S42A Recommendations and Response

Horokiwi Quarries Ltd 271.14	Definitions QUARRY	<p>Relief Support. Retain the definition of QUARRY as notified.</p> <p>Reasons Supports the definition on the basis it reflects the National Planning Standards and provides certainty for users.</p>	<p>Accept</p> <p>Commentary: No further assessment is required.</p> <p>S42A references: Section 3.2.1, points 41-45 (page 12).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.15	Definitions QUARRYING ACTIVITIES	<p>Relief Support. Retain the definition of QUARRY as notified.</p> <p>Reasons Supports the definition on the basis it reflects the National Planning Standards and provides certainty for users.</p>	<p>Accept</p> <p>Commentary: No further assessment is required.</p> <p>S42A references: Section 3.2.1, points 41-45 (page 12).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.70	Special Purpose Zones / Quarry Zone	<p>Relief Support. Retain the Special Purpose Quarry zoning of the Horokiwi Quarry site, with amendments.</p> <p>Reasons Supports the zoning of the Horokiwi Quarry from General Rural in the Operative District Plan to Special Purpose Quarry Zone. Horokiwi has considered the implications of such a zoning and notwithstanding the existing use rights that apply to the existing quarry site (which includes those area of land identified in the Existing Use Certificate which includes unused areas of the greater site) it supports the rezoning of the site on the basis it:</p> <ul style="list-style-type: none"> • Recognises the existing and long-established quarry activity. • Provide policy support and consenting framework recognising the importance, benefit and role of the quarry activity, and provides a more efficient policy and rule framework. • Provide structure to the assessment of any future resource consents on the site that are behind the scope of the Existing Use Certificate. • Reflects the approach in the National Planning Standards for having the provisions in one chapter. • Gives effect to the RPS Objective 31 to provide mineral resources within close proximity of the demand, and Policy 60 to give particular regard to the benefits of utilising mineral resources within the region. 	<p>Accept in part</p> <p>Commentary: I acknowledge the support for Horokiwi Quarry being rezoned from General Rural Zone as it was in the Operative District Plan (ODP) to QUARZ in the PDP.</p> <p>S42A references: Section 3.2.2, points 46, 51 (page 13).</p>	Support the recommendation, noting the submission point does not address the wider rezoning relief sought.
Horokiwi Quarries Ltd 271.71	Special Purpose Zones / Quarry Zone	<p>Relief Support in part. Retain Special Purpose Quarry Zone, with amendments.</p> <p>Reasons Supports the application of the Special Purpose Quarry Zone to the site, and seeks the application of the zoning to adjoining sites owned by Horokiwi. The proposed zoning recognises the existing quarry activities and provides an efficient and effective policy and rule framework in which to consider the effects. Related to the zoning, Horokiwi supports the PDP provisions which recognise the expansion of existing quarries.</p>	<p>Accept in part</p> <p>Commentary: I acknowledge the support for Horokiwi Quarry being rezoned from General Rural Zone as it was in the Operative District Plan (ODP) to QUARZ in the PDP.</p> <p>S42A references: Section 3.2.2, points 46, 51 (page 13).</p>	Oppose recommendation. Refer evidence
Horokiwi Quarries Ltd 271.72	Special Purpose Zones / Quarry Zone	<p>Relief Amend. Rezone Pt Sec 16 Harbour District from Open Space Zone to Special Purpose Quarry Zone.</p> <p>Reasons Supports that the Horokiwi site is zoned Special Purpose Quarry Zone, however two sites are not included, and amendments are sought to rezone two areas (being Pt Sec 17 Harbour District and Pt Sect 18 Harbour District from General Rural zone to Special Purpose Quarry zone, and part of Pt Sec 16 Harbour District from Open Space zone to Special Purpose Quarry Zone). This would provide for the full utilisation of the quarry site</p>	<p>Accept in part</p> <p>Commentary: As per commentary on submission points 271.7 and 271.8 above.</p> <p>S42A references: Section 3.2.2, points 47 and 48 (page 13) reasoning for recommendation in points 51-76 (pages 13-20), recommendation in point 78 (page 20). Note that point 78 states “submissions relating to zoning matters are accepted/rejected as detailed in Appendix B”, but this submission point is lumped together with submission point 271.5, 271.7, 271.8.</p>	Oppose recommendation. Refer evidence

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		and provide a more efficient consenting regime. Pt Sec 16 Harbour District is owned by Horokiwi Quarries Ltd, is included within the existing use certificate, and part of the site features the existing sediment pond. Public access within the site is restricted and the site has no passive or active recreational assets or activities. The land is not subject to a reserves management plan and other than its historical zoning, there appears no basis or justification for an Open Space Zoning in the PDP. A consistent zoning would therefore be logical and efficient.		
Horokiwi Quarries Ltd 271.73	Special Purpose Zones / Quarry Zone	<p>Relief Amend. Rezone Pt Sec 18 Harbour District and Pt Sec 17 Harbour District from General Rural Zone to Special Purpose Quarry Zone.</p> <p>Reasons Supports that the Horokiwi site is zoned Special Purpose Quarry Zone, however two sites are not included, and amendments are sought to rezone two areas (being Pt Sec 17 Harbour District and Pt Sect 18 Harbour District from General Rural zone to Special Purpose Quarry zone, and part of Pt Sec 16 Harbour District from Open Space zone to Special Purpose Quarry Zone). This would provide for the full utilisation of the quarry site and provide a more efficient consenting regime. Pt Sec 18 is owned by Horokiwi Quarries Ltd and is included within the existing use certificate. Pt Sec 17 Harbour District is not in the existing use certificate, but is owned by Horokiwi and is positioned between the existing quarry site and Pt Sect 18. A consistent zoning would therefore be logical and efficient.</p>	<p>Reject</p> <p>Commentary: As per commentary on submission points 271.7 and 271.8 above.</p> <p>S42A references: Section 3.2.2, points 47 and 48 (page 13) reasoning for recommendation in points 51-76 (pages 13-20), recommendation in point 78 (page 20). Note that point 78 states “submissions relating to zoning matters are accepted/rejected as detailed in Appendix B”, but this submission point is lumped together with submission point 271.5, 271.5, 271.7, 271.8.</p>	Oppose recommendation. Refer evidence.
Horokiwi Quarries Ltd 271.74	Special Purpose Zones / Quarry Zone Introduction QUARZ	<p>Relief Support. Retain the Special Purpose Quarry Zone Introduction as notified.</p> <p>Reasons Supports the introductory text to the Quarry Zone on the basis it provides clarity as to the nature and uniqueness of the existing activities and the reasoning for the special purpose zone.</p>	<p>Accept</p> <p>Commentary: No further commentary.</p> <p>S42A reference: Section 3.2.4, point 93 (page 22).</p>	Support the recommendation.
Aggregate and Quarry Association 303.6	Mapping / All Overlays / Overlays General	<p>Relief Not specified. Seeks flexibility for quarrying activities in overlay areas.</p> <p>Reasons Considers that the SNA, SAL, and CE overlays have the potential to impact quarrying activities both inside and outside the Special Purpose Quarry Zone, with two general concerns:</p> <ol style="list-style-type: none"> 1. While quarrying activity within an overlay is not always disallowed/impossible, the provisions within them are very restrictive. 2. It is not certain that in all cases the overlay status is warranted. 	<p>Reject</p> <p>Commentary: In response to the Aggregate and Quarry Association [303.6] (supported by Horokiwi Quarry [FS28.1]) seeking flexibility for quarrying activities in overlay areas, I do not consider this appropriate for the reasons set out above. Where multiple overlays are present, each of the overlay chapters’ relevant rules will be applicable and assessed.</p> <p>When there are potential ‘restrictions’ on quarrying activities in the QUARZ because of overlay provisions, it is important to recognise the balancing act established through the outcomes of the PDP. In particular, as set out in the Hearing Stream 1 s42A Report⁸, a new Strategic Direction SCA-07 was recommended: The benefits of and contribution to the development of the city’s infrastructure and built environment from the utilisation of the city’s mineral resources from quarrying activities are recognised and provided for. In my view SCA-07 provides strategic direction that quarrying activities throughout the City are recognised and provided for – not in a manner that prevails over all other provisions, but in recognition of the important role of quarries. On this basis I disagree with Horokiwi Quarry [303.4 and 303.6].</p> <p>I appreciate Horokiwi Quarry’s concerns as to the number of overlays applying to the quarry site, as detailed in their submission. I note the overlap of their relief sought with the matters addressed in this s42A Report and the chapters and topics forming part of Hearing Stream 8.</p> <p>S42A references: Section 3.2.3, points 82, 85 – 87 (pages 21-22).</p>	Accept the recommendation on the basis overlays are to be addressed at Hearing Stream 8.
Further Submission in Horokiwi Quarries Limited FS28.1	Mapping / All Overlays / Overlays General	Quarries are an important and necessary activity, and the district plan should adequately recognise such activities.	<p>Reject</p> <p>Commentary: As per 303.6 above.</p> <p>S42A references: Section 3.2.3, points 82, 85 – 87 (pages 21-22).</p>	Accept the recommendation on the basis overlays are to be addressed at Hearing Stream 8.

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<p>Aggregate and Quarry Association 303.24 (listed in Appx B as 303.23)</p>	<p>Special Purpose Zones / Quarry Zone / General QUARZ</p>	<p>Relief Not specified. Seeks that the Proposed District Plan provisions do not preclude the potential development of new quarries in areas outside the Special Purpose Quarry Zone.</p> <p>Reasons Considers that it is important that the PDP does not shut off access to potential aggregate sources to provide for Wellington's current and future construction needs as aggregate is expensive to transport, sources of this need to be close to the place of construction.</p>	<p>Accept</p> <p>Commentary: In response to Aggregate and Quarry Association [303.2, 303.3, 303.23, and 303.24] I acknowledge that aggregate is essential for housing and transport infrastructure, and that it is important the PDP does not shut off access to potential aggregate sources to provide for Wellington's current and future construction needs. In my view the QUARZ provisions in addition to the recommended additional Strategic Direction SCA-079 establish strong directive to recognise and provide for the benefits of quarrying activities. I also consider that the outcomes and directives established via recommended SCA-07 and the QUARZ chapter give effect to Objectives 910 and 1111 of the Natural Resources Plan (NRP).</p> <p>I disagree with the part of their submission [303.3] that the PDP should identify where rock for aggregate is located and protect those areas from alternative land uses. However, I agree with the remainder of the Aggregate and Quarry Association's points and consider that the PDP already includes provisions that do not unreasonably curtail or preclude quarrying activities, noting there is also provision for quarrying activities in the General Rural Zone.</p> <p>S42A references: Section 3.2.4, points 91, 95-96 (page 22-23).</p>	<p>Accept the recommendation.</p>
<p>Further Submission Horokiwi Quarries Limited FS28.5</p>	<p>Special Purpose Zones / Quarry Zone / General</p>	<p>Relief Support. Not specified.</p> <p>Reasons Given the importance of quarries to the city and region, Horokiwi Quarries Ltd would support recognition and quarry provisions outside the Special Purpose Quarry zone.</p>	<p>Accept</p> <p>Commentary: As per 303.24 above.</p> <p>S42A references: Section 3.2.4, points 91, 95-96 (page 22-23).</p>	<p>Accept the recommendation.</p>
<p>Horokiwi Quarries Ltd 271.75</p>	<p>Special Purpose Zones / Quarry Zone Objective O1</p>	<p>Relief Support. Retain QUARZ-O1 (Purpose) as notified.</p> <p>Reasons Supports recognition of the purpose and role of quarries.</p>	<p>Accept</p> <p>Commentary: No specific commentary.</p> <p>S42A references: Section 3.4.1, point 108 (page 25).</p>	<p>Support the recommendation.</p>
<p>Horokiwi Quarries Ltd 271.76</p>	<p>Special Purpose Zones / Quarry Zone Objective O2</p>	<p>Relief Support in part. Retain QUARZ-O2 (Adverse effects), with amendment.</p> <p>Reasons Supports recognition of the management of the adverse effects of quarry activities but seeks amendment to require management where practicable.</p>	<p>Accept in part</p> <p>Commentary: In my view SCA-07 responds to the concerns of Horokiwi Quarries and provides strategic direction that quarrying activities are recognised and provided for. On this basis, I do not recommend any amendment to QUARZ-O2.</p> <p>S42A references: Section 3.4.1, points 109, 111-113 (page 25).</p>	<p>On the basis of the recommended strategic direction SCA-07 and the 'manage' directive within the objective, I accept the officer recommendation to retain the objective as notified.</p>
<p>Horokiwi Quarries Ltd 271.77</p>	<p>Special Purpose Zones / Quarry Zone Objective O2</p>	<p>Relief Amend. Amend QUARZ-O2 (Adverse effects) as follows: <u>Where practicable, a</u>Adverse effects generated by quarrying activities onto adjacent residential sites are appropriately managed.</p> <p>Reasons Supports recognition of the management of the adverse effects of quarry activities but seeks amendment to require management where practicable. The Horokiwi quarry is long established and has been operating on its site for nearly 50 years. In that time, residential development on its boundaries has intensified and while Horokiwi endeavours to manage the adverse effects, it is constrained by the nature of the quarry activity and long-term operational constraints.</p>	<p>Reject</p> <p>Commentary: In respect of the amendment sought to QUARZ-O2, I disagree for two reasons:</p> <ol style="list-style-type: none"> Firstly, the proposed wording is, in my view, not appropriate phrasing for an objective, nor does 'where practicable' assist/provide clear direction for decision makers. Secondly, while I acknowledge the submitter's point that Horokiwi Quarry is long established on the site with operational constraints, I consider that when the PDP is read as a whole there are outcomes that recognise the contributions of quarrying activities while also establishing aims to manage adverse effects on residential sites. <p>In this sense, there is a balance struck by the outcomes of the PDP. In particular, as set out in the Hearing Stream 1 s42A Report, a new Strategic Direction SCA-07 was recommended¹³: The benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.</p>	<p>On the basis of the recommended strategic direction SCA-07 and the 'manage' directive within the objective, I accept the officer recommendation to retain the objective as notified.</p>

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			S42A references: Section 3.4.1, points 109, 111-113 (page 25).	
Horokiwi Quarries Ltd 271.78	Special Purpose Zones / Quarry Zone Objective O3	<p>Relief Support. Retain QUARZ-O3 (Site rehabilitation) as notified.</p> <p>Reasons Supports recognition of rehabilitation noting the existing quarry activity has existing use rights and no current consenting rehabilitation requirements.</p>	<p>Accept</p> <p>Commentary: No specific commentary.</p> <p>S42A references: Section 3.4.1, point 110 (page 25).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.79	Special Purpose Zones / Quarry Zone Policy P1	<p>Relief Support. Retain QUARZ-P1 (Enabled activities) as notified.</p> <p>Reasons Supports recognition of the benefits of quarries, and their functional and operational needs.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.5.1, point 116 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.80	Special Purpose Zones / Quarry Zone Policy P2	<p>Relief Support. Retain QUARZ-P2 (Other activities) as notified.</p> <p>Reasons Supports the strong policy directive relating to non-quarrying activities within the zone.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.5.1, point 116 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.81	Special Purpose Zones / Quarry Zone Policy P3	<p>Relief Support. Retain QUARZ-P3 (Zone interfaces) as notified.</p> <p>Reasons Supports recognition of the need to maintain, where practicable reasonable amenity for adjoining residential zones. The reference to 'where practicable' is supported as specific to Horokiwi, it recognises the residential development that has occurred in the lifetime of the quarry and that the ability maintain reasonable amenity is constrained.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.5.1, point 116 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.82	Special Purpose Zones / Quarry Zone Policy P4	<p>Relief Support. Retain QUARZ-P4 (Site rehabilitation) as notified.</p> <p>Reasons Supports that should the Horokiwi site be expanded and require resource consent, it anticipates rehabilitation will be required.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.5.1, point 116 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.83	Special Purpose Zones / Quarry Zone R1	<p>Relief Support. Retain QUARZ-R1 (Rural activities) as notified.</p> <p>Reasons Supports the permitted activity rule for rural activities.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.6.1, point 120 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.84	Special Purpose Zones / Quarry Zone R2	<p>Relief Support. Retain QUARZ-R2 (Conservation activities) as notified.</p> <p>Reasons Supports the permitted activity rule for conservation activities.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.6.1, point 120 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.85	Special Purpose Zones / Quarry Zone R3	<p>Relief Support. Retain QUARZ-R3 (Quarrying activities) as notified.</p> <p>Reasons Supports the controlled activity rule for quarrying activities. The non-notification clause is also supported. Noting the Horokiwi Quarry is operating under existing use rights.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.6.1, point 120 (page 26).</p>	Support the recommendation.

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Horokiwi Quarries Ltd 271.86	Special Purpose Zones / Quarry Zone R4	<p>Relief Support. Retain QUARZ-R4 (All other activities) as notified.</p> <p>Reasons Supports the default discretionary activity rule. Noting the Horokiwi Quarry is operating under existing use rights.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.6.1, point 120 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.87	Special Purpose Zones / Quarry Zone R5	<p>Relief Support. Retain QUARZ-R5 (Maintenance and repair of buildings and structures) as notified.</p> <p>Reasons Supports the permitted activity rule for maintenance and repair of buildings and structures. Noting the Horokiwi Quarry is operating under existing use rights.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.6.1, point 120 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.88	Special Purpose Zones / Quarry Zone R6	<p>Relief Support. Retain QUARZ-R6 (Demolition or removal of buildings and structures) as notified.</p> <p>Reasons Supports the permitted activity rule for demolition or removal of buildings and structures. Noting the Horokiwi Quarry is operating under existing use rights.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.6.1, point 120 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.89	Special Purpose Zones / Quarry Zone R7	<p>Relief Support. Retain QUARZ-R7 (Construction of buildings and structures and alterations and additions to buildings and structures) as notified.</p> <p>Reasons Supports the rule for construction of buildings and structures and alteration and addition to buildings and structures. Noting the Horokiwi Quarry is operating under existing use rights.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.6.1, point 120 (page 26).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.90	Special Purpose Zones / Quarry Zone S1	<p>Relief Support. Retain QUARZ-S1 (Site Rehabilitation Plan) as notified.</p> <p>Reasons Supports the standard for a site rehabilitation plan should consent be required at some stage in the future under Rule QUARZ-R3. Noting the Horokiwi Quarry is operating under existing use rights.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.7.1, point 125 (page 27).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.91	Special Purpose Zones / Quarry Zone S2	<p>Relief Support. Retain QUARZ-S2 (Maximum height of buildings and structures) as notified.</p> <p>Reasons Supports the height in relation to boundary standard, should consent be required at some stage in the future under Rule QUARZ-R3. Noting the Horokiwi Quarry is operating under existing use rights.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.7.1, point 125 (page 27).</p>	Support the recommendation.
Horokiwi Quarries Ltd 271.92	Special Purpose Zones / Quarry Zone S3	<p>Relief Support. Retain QUARZ-S3 (Height in relation to boundary) as notified.</p> <p>Reasons Supports the height in relation to boundary standard, should consent be required at some stage in the future under Rule QUARZ-R3. Noting the Horokiwi Quarry is operating under existing use rights.</p>	<p>Accept</p> <p>Commentary: No further assessment required.</p> <p>S42A references: Section 3.7.1, point 125 (page 27).</p>	Support the recommendation.