

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

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Under the Resource Management Act 1991 (the Act)

In the matter of the Wellington City Council Proposed District Plan–  
Hearing Stream 8:  
**Natural and Coastal Environment**

Between **Wellington City Council**  
Local authority

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

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

Dated 12 April 2024

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## 1 Executive Summary

- 1.1. As outlined in my Hearing Stream 6 evidence, 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 broader submission and contextual information relating to the quarry is outlined in my Hearing Stream 6 evidence and I request the panel to refer to my earlier evidence, and that of Mr Ross Baker, in considering the submission points relevant to Hearing Stream 8. For the sake of efficiency, the background, and planning contextual information will not be repeated. However, I have provided a summary in this evidence.
- 1.3. My evidence is to be read with that of Mr Shannon Bray, who has provided expert landscape evidence in relation to the Horokiwi submission.
- 1.4. Specific to Hearing Stream 8, I broadly categorise Horokiwi’s 28 original and eight further submissions points under four topics:
  - **Coastal Environment line:** Amendment to the location of the Coastal Environment line, support for CE-O1, CE-P1, CE-P8, and CE-R4, and a confined amendment to CE-P2
  - **Hilltops and Ridgelines:** Appropriateness of the ‘Hilltops and Ridgelines’ overlay and amendment to policies (NFL-P2, and NFL-P7)
  - **Special Amenity Landscapes:** Clarification of the characteristics for the scheduled Special Amenity Landscapes, and amendment to policy (NFL-P4)
  - **Mining and Quarrying activities:** Support for the recognition of quarrying activities (NFL-P7, NFL-R5, NFL-R6, CE-P9, and CE-R10)
- 1.5. While I accept many of the officer recommendations on the above, (including the recognition for quarrying activities within policies NFL-P7 and CE-P9, and rules NFL-R5 and NFL-R6), the main outstanding submission point relates to the location of the

Coastal Environment Line as it relates to the Horokiwi site. Based on the evidence of Mr Bray, I remain supportive of the relocation of the line.

- 1.6. In my evidence I also raise concerns with the appropriateness of the Hilltops and Ridgelines overlay, and I support retention of Objective NFL-O3 as notified, or if to be amended as recommended in the S42A report, a slight amendment to the officer recommended wording.
- 1.7. In relation to Special Amenity Landscapes, while I support the identification of values within Schedule 11, it is noted that the schedule provides no reference to characteristics. Clarification on the characteristics would assist given the policies still require an assessment against 'characteristics and values'. Specific to Horokiwi, I would support wording in Schedule 11 Special Amenity Landscape: Korokoro Stream Valley, to recognise the existing quarry.

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## 2. Qualifications and Experience

- 2.1. My full name is Pauline Mary Whitney.
- 2.2. For my qualifications and experience and other introductory comments, please refer to paragraphs 2.1 – 2.6 of my statement of evidence for Hearing Stream 6 (“Hearing 6 Evidence”), dated 5 February 2024.
- 2.3. I have read the Code of Conduct for Expert Witnesses contained in Section 9 of the Environment Court Consolidated Practice Note (2023), and I agree to comply with it.

## 3. Scope of Evidence

- 3.1. My evidence will address the following:
  - 3.1.1. A brief outline of the Horokiwi Quarry and Horokiwi submission to the PDP (noting that two of the panel members for Hearing Stream 8 differ from that for Hearing Stream 6); and
  - 3.1.2. Responses to the officer recommendations, focusing on those amendments sought in this evidence in relation to submission points that are outstanding.
- 3.2. My evidence is to be read with that of Mr Shannon Bray, who has provided expert landscape evidence in relation to the Horokiwi submission.

## 4. Background information

### *Horokiwi Quarry Operation*

- 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. Where I refer to ‘site’ in the evidence, this relates to the collective nine 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.

### *Operative District Plan*

- 4.3. The Operative District Plan (“**ODP**”) zones the site as Rural Zone, with a portion within the Conservation Zone. The Hilltops and Ridgelines apply to parts of the site and

reflects that in the Proposed District Plan. The ODP contained no Special Amenity Landscapes or Outstanding Natural Feature and Landscapes and did not identify/delineate the Coastal Environment.

### ***Proposed District Plan***

- 4.4. The Proposed District Plan (“**PDP**”) seeks to recognise the role and continued use and operation of the two Wellington City large scale quarries (being the council owned Kiwi Point Quarry, and the Horokiwi Quarry) through a specific zone (being the Special Purpose Quarry Zone).
- 4.5. The importance of quarries is recognised in the Hearing Stream 1 recently released decision to provide a Strategic Objective to the Strategic City Assets and Infrastructure chapter, as follows:

*SCA-07 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.*
- 4.6. A large portion 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.
- 4.7. For context, I note at Hearing Stream 6 Horokiwi sought rezoning of all of site to Special Purpose Quarry zone. In Minute 47, the Panel outlined its tentative conclusion that the areas sought for rezoning (Part Sections 16, 17 and 18) should be provided by way of Precinct within the Quarry Zone similar to that applying at Kiwi Point. The Panel directed expert conferencing on potential provisions to accompany the precinct. I do note the panel directed mapping to show two rezoning options – one including the land to the property boundary bordering SH1 and one having the rezoning boundary ‘sitting’ on the ridgeline.
- 4.8. In addition to the site zoning, relevant to the subject matter of Hearing Stream 8 (noting Significant Natural Areas to be addressed at a later hearing) the site is subject to the following overlays and features. Refer Figure 1. below.

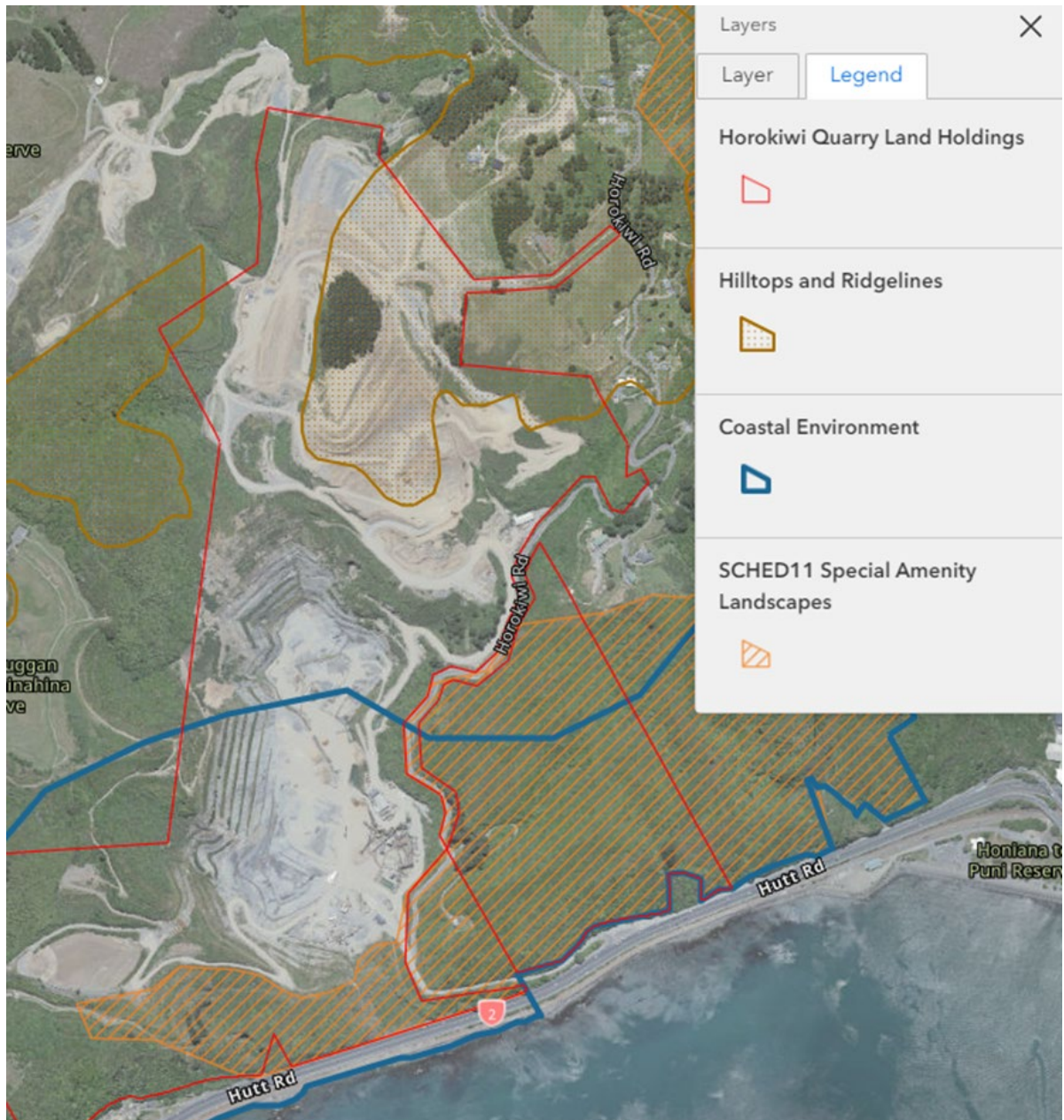


Figure 1 Horokiwi site and PDP overlays

- 4.9. To assist the panel in understanding the zoning and overlays that apply, in addition to Figure 1, the following provides a link to a multi layer viewer map. The various layers can be displayed together. [BM19483 Horokiwi Quarry Overlays Updated 4 April 2024 \(arcgis.com\)](https://arcgis.com/BM19483/Horokiwi%20Quarry%20Overlays%20Updated%204%20April%202024)
- 4.10. Included in the map layers are:
- a. The existing quarry site and landholdings

- b. The notified PDP zones (Special Purpose Quarry zone, Natural Open Space zone and General Rural zone) and overlays (Coastal Environment line, Special Amenity Landscape, and Significant Natural Area, and Hilltops and Ridgelines)
- c. The amendments sought in the Horokiwi submission to the location/extent Coastal Environment line overlay (noting amendments sought to the Significant Natural Area overlay are to be addressed at a yet to be scheduled subsequent hearing and therefore not shown in the web viewer in context of changes sought)
- d. The amended Coastal Environment line as sought though submitter expert hearing evidence; and
- e. Site contours

### ***Regional Policy Context – Quarrying Activities***

- 4.11. Quarrying activities are recognised within the operative Wellington Regional Policy Statement (“**RPS**”) under Objective 21 and Policy 60, and the Natural Resources Plan for the Wellington Region (“**NPR**”) within Objective 12 and Policy 12A. Attached as **Appendix B** are the relevant provisions.
- 4.12. RPS Objective 21 provides a strong directive to ensure the demand for mineral resources is located in close proximity to the areas of demand. Policy 60 provides a strong policy directive which requires consideration of utilising the regional mineral resources. NRP Objective 12 and Policy 12A further recognises the importance and role of mineral extraction with the region.

### ***Horokiwi’s Submission on the Wellington City Council Proposed District Plan***

- 4.13. Horokiwi lodged a number of original submissions point to the PDP, the primary purpose of which was to ensure the PDP appropriately recognises quarry activities at the existing Horokiwi quarry site, as well across the city generally. Given the interconnected nature and breadth of all of Horokiwi’s submission points, I have attached as **Appendix C** a summary of Horokiwi’s submission on the PDP.

### ***Hearing Stream 8 Relevant Points***

- 4.14. Submission points relevant to Hearing Stream 8 relate to:
  - **Coastal Environment line (“CE Line”)**: In its submission Horokiwi opposed parts of the Coastal Environment Overlay as it relates to the existing Horokiwi quarry



site. 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.

- In relation to the policy and rule framework, while some confined changes were sought, the overall framework for the Coastal Environment was supported, in particular policy CE-P9 (which recognise the existing quarry activities and their expansion), objective CE-O1, policies CE-P1, CE-P8 and rules CE-R4, CE-R10 and CE-R11. Amendment was sought to CE-P2 to recognise existing lawfully established activities.
- **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 Special Amenity Landscapes (“**SAL’s**”) and Outstanding Natural Features and Landscapes (“**ONFL’s**”) have also been identified in the PDP (noting ONFL’s and SAL’s are not within the operative plan). It is noted the Hilltops and Ridgelines are not scheduled and therefore their characteristics or values are not identified. Specific amendments were also sought to objective (NFL-O3), policy (NFL-P2 and NFL-P7) and rule (NFL-R5) to recognise existing quarry activities and their expansion within the overlay.
- **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 (NFL-O2, NFL-P3, NFL-P4, NFL-P7), or rule (NFL-R5, NFL-R6, NFL-R7 and NFL-R8) framework but did seek clarification as to the characteristics of the SAL applying to the Horokiwi site. Horokiwi supported the recognition of existing quarry activities, and their expansion, within the SAL’s provisions.
- **Mining and Quarrying activities:** Within the above features, Horokiwi supported the specific recognition within policies and rules for quarrying activities (NFL-P7, NFL-R5, NFL-R6, CE-P9, CE-R10 and CE-R11).

4.15. To assist the panel in understanding the policy and rule framework for quarrying within Significant Amenity Landscapes, Hilltops and Ridgelines and the Coastal Environment, attached as **Appendix D** is a summary table of the relevant rule and policy framework (as amended by the S42A Report).

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

5.1. The following section responds to the Hearing Stream 8: S42A Report recommendations on Horokiwi’s submission points. Attached as **Appendix E** is a

summary table of all the Horokiwi submission points relating to Hearing Stream 8 and whether the s42A Report recommendations are accepted, supported or opposed.

- 5.2. While I accept many of the officer recommendations on the above, (including the recognition for quarrying activities within policies NFL-P7 and CE-P9, and rules NFL-R5, NFL-R6 and CE-R10), the main point remaining outstanding relates to the location of Coastal Environment Line as it relates to the Horokiwi site. Based on the evidence of Mr Bray, I remain supportive of the relocation of the line.
- 5.3. In my evidence I also raise concerns with the appropriateness of the Hilltops and Ridgelines overlay, and I support retention of Objective NFL-O3 as notified, or a slight amendment to the officer recommended wording should the panel be minded to amend the objective as recommended by the S42A Report.
- 5.4. In relation to Special Amenity Landscapes, while I support the S42A Report recommended identification of values within Schedule 11, it is noted that the schedule provides no reference to characteristics. Clarification would assist with plan interpretation and application given the policies still require an assessment against 'characteristics and values'. Specific to Horokiwi, I would support wording to Schedule 11 Special Amenity Landscape: Korokoro Stream Valley, to recognise the existing quarry.
- 5.5. The above points are addressed in turn below.

## **6. Outstanding Submission Points**

### **Location of the Coastal Environment Line**

- 6.1. In its submission Horokiwi sought amendment to the location of the Coastal Environment overlay as it relates to the existing Horokiwi quarry site. Refer Figure 2. below. In relation to the policy and rule framework, while some confined changes were sought, the overall framework for the Coastal Environment was supported, in particular CE-P9 (which recognise the existing quarry activities and their expansion) objective CE-O1, CE-P1, CE-P8 and rules R4, R10 and R11. Amendment was sought to CE-P2 to acknowledge existing lawfully established activities (however this is not pursued through this evidence).
- 6.2. By way of context, part of the Horokiwi site is subject to an SAL overlay, but none of the quarry site is identified as high or very high natural character, outstanding natural

feature or landscapes, and the entire site is outside the defined coastal and riparian margins.

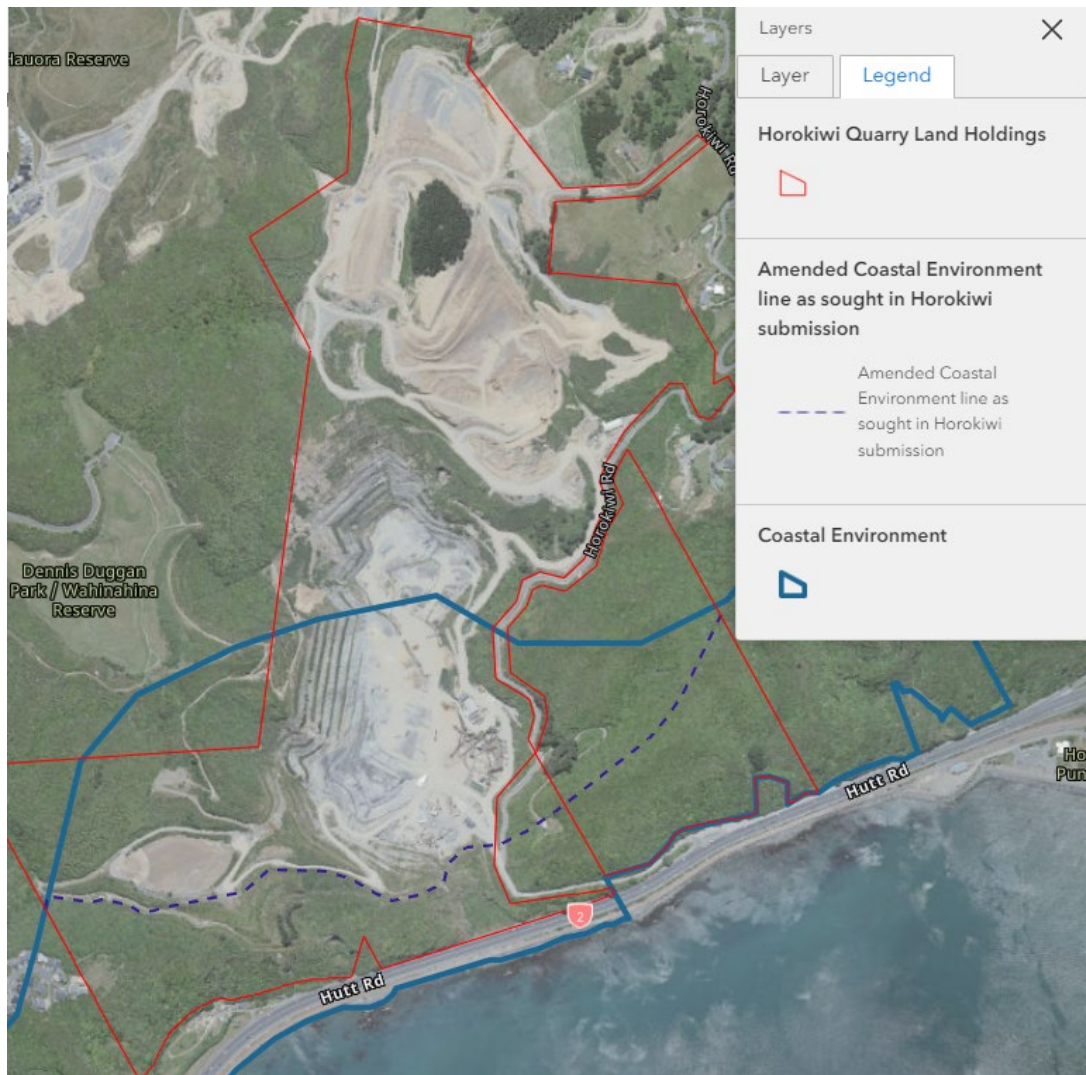


Figure 2. PDP Coastal Environment line as notified (shown as solid blue line —) and amended line as sought by Horokiwi in its submission (shown as dashed blue line - - - -).

6.3. In relation to the location of the Coastal Environment line, the officer has recommended the sought relocation be rejected and the line be retained as notified. The officer recommendation is based on the following “As outlined in paragraphs 50 to 52 of this report, the identification of the Coastal Environment Overlay responds to the direction of Policy 1 of the NZCPS and Policy 4 of the RPS and reflects the Natural Character Evaluation report prepared by Boffa Miskell (being the 2016 Natural Character assessment)”<sup>1</sup>, with reliance on the evidence of My Anstey.

<sup>1</sup> [Section 42A Report - Coastal Environment, Natural Character, and Public Access \(wellington.govt.nz\)](https://www.wellington.govt.nz), paragraph 100

- 6.4. I do note that I could not find a clear assessment in the Council evidence (either that of the S42A Report author or Mr Anstey) in relation to Policy 4 of the RPS, and the assessment in relation to NZCPS Policy 1 appears to rely on the 2014 high level Boffa Miskell assessment as opposed to undertaking a specific site evaluation against the NZCPS.
- 6.5. Based on evidence of Mr Shannon Bray (which assesses in greater detail the line against Policy 1 of the New Zealand Coastal Policy Statement 2010 and Policy 4 of the Regional Policy Statement for the Wellington Region 2013), I do not accept the S42A Report recommendation and remain supportive of the relocation of the line for the following reasons:
- 6.5.1. The line in the PDP as notified is based on a report prepared by Boffa Miskell in 2014 at a broad, district-wide scale. As outlined in the evidence of Mr Bray, a more detailed and finer-grained scale can more accurately spatially define the location of this line. As outlined in the conclusions by Mr Bray in his evidence:

*As I have outlined, I do not oppose the method of identifying the CE through identifying first ridgelines, but I consider this can only be applied at a broad scale. The original 2014 BML Report achieves this at a scale of 1:50,000 – in my opinion suitable for a District-wide assessment, but not suitable for consideration at a fine-grained scale. Given that the line affects how policy (both at a District and Regional level) is applied to the Horokiwi site, it is important that this is mapped appropriately for this specific site.*

*As identified in the 2014 BML Report, in best practice guidance published by NZILA, and conveyed in Environment Court decisions, the most definitive way of identifying landscape or CE boundaries is through assessment of the attributes of a landscape. Although this cannot be easily achieved at a District scale assessment, this should not rule out applying such a methodology in instances where a more fine-grained approach is required. This is the assessment I have undertaken.*

*On this basis, I consider that my use of the attributes method provides Council with a finer-grained and more detailed assessment of the CE around the Horokiwi site, and that through the assessment of the actual landscape and coastal attributes, the process to define the line through*

*this relatively complex (and historically excavated) topography has provided a more robust location for the CE line, rather than relying only on the broad scale contour method.*

- 6.5.2. Based on the evidence of Mr Bray, and in the absence of a clear assessment on the part of my Mr Antsey, I am satisfied the amended line gives effect to Policy 1 of the New Zealand Coastal Policy Statement 2010 in relation to the *extent and characteristics of the coastal environment*, and Policy 4 of the Regional Policy Statement for the Wellington Region 2013 *Identifying the landward extent of the coastal environment – district plans*.
- 6.6. As the panel will be aware, the location of the Coastal Environment line has implications for the rule and policy framework within the district plan. While I appreciate the implications and application of the Coastal Environment overlay is not a determining factor in the identification or location of the line, it demonstrates the importance to ensure the line is correctly and comprehensively assessed and determined, as it has significant planning implications. Put simply, in terms of its planning relevance, the line is simply not just a line on a map that has no other relevance.
- 6.7. Within the RMA statutory context, where a site is subject to a Coastal Environment overlay, the New Zealand Coastal Policy Statement 2010 (“**NZCPS**”) applies. Of specific relevance to this hearing<sup>2</sup> and the Horokiwi site, are NZCPS policies 13, 14 and 15 relating to natural character and natural features and landscapes. By way of summary, these policies provide an ‘avoid’ directive in relation to adverse effects on outstanding natural features and landscapes and character, with an avoid directive for significant adverse effects on other natural character and features and landscape, and a duty to avoid, remedy or mitigate other adverse effects. Specific to quarrying (being the extraction of minerals) NZCPS Policy 6(1)(a) recognises “the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities”. Such a policy approach is in my opinion reflected in the provisions as recommended in the S42A Report and therefore I am supportive of the policy and rule framework as notified in the PDP and subsequently amended in the S42A Report as it applies to the coastal environment.

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<sup>2</sup> Acknowledging that NZCPS Policy 11 is relevant to the Horokiwi site but is not a matter to be addressed at this hearing.

- 6.8. Outside the district plan, the NZCPS (and therefore the Coastal Environment overlay) has specific relevance to the Regional Policy Statement and the Natural Resources Plan. Specific to the Regional Policy Statement for the Wellington Region 2013 (“RPS”)<sup>3</sup>, policy 4 (district plan) and policy 38 (consent consideration) provide the policy context for identifying the landward extent of the coastal environment. Other (relevant) policy considerations for activities within the coastal environment are provided within Objectives 3, 5 and 7, and policies 5, 6, 35 and 36. Section 75 of the RMA requires that district plans must give effect to the RPS policy directive. Where an activity is within the delineated Coastal Environment, an appropriate policy framework is provided with the RPS policies providing a number of directive policy considerations. In my opinion, the adjustment of the Coastal Environment line still gives effect to the RPS objectives and policies.
- 6.9. In relation to the Natural Resource Plan for the Wellington Region 2023 (“NRP”), the NRP contains the policy and rule framework for managing activities within the Coastal Environment, as identified in the district plan. Discharges (diffuse and points source) are one such activity that would be applicable, noting Proposed Plan Change 1 to the NRP proposes significant changes to the NRP with a comprehensive policy and rule framework for activities including stormwater and earthworks.
- 6.10. From a Section 32 perspective, the benefits of the Coastal Environment Line as notified means the area is in effect ‘protected’ through the strong avoidance policies in the NZCPS (particularly where overlays exist). The costs are essentially the restrictions on the use of land which is a) already in part used for quarrying activities, b) in part zoned in the PDP for quarrying activities, and c) has been extensively modified over the past 90 years with the Coastal Environment line as notified traversing through the middle of the highly modified working quarry floor. The recognition for quarrying activities is recognised throughout the PDP in a policy context, through zones and the overlays. While I appreciate the spatial identification of the Coastal Environment line is independent and not outright influenced by land use, zoning and overlays, quarrying is clearly recognised in the PDP in the objectives and policies and zone. In my opinion, the objectives and policies of both the coastal environment and quarrying activities can be achieved through the amendment to the Coastal Environment line.
- 6.11. The issue key for this hearing (in relation to the Horokiwi relief) is whether the delineation of the Coastal Environment line is correct in context of Policy 1 of the

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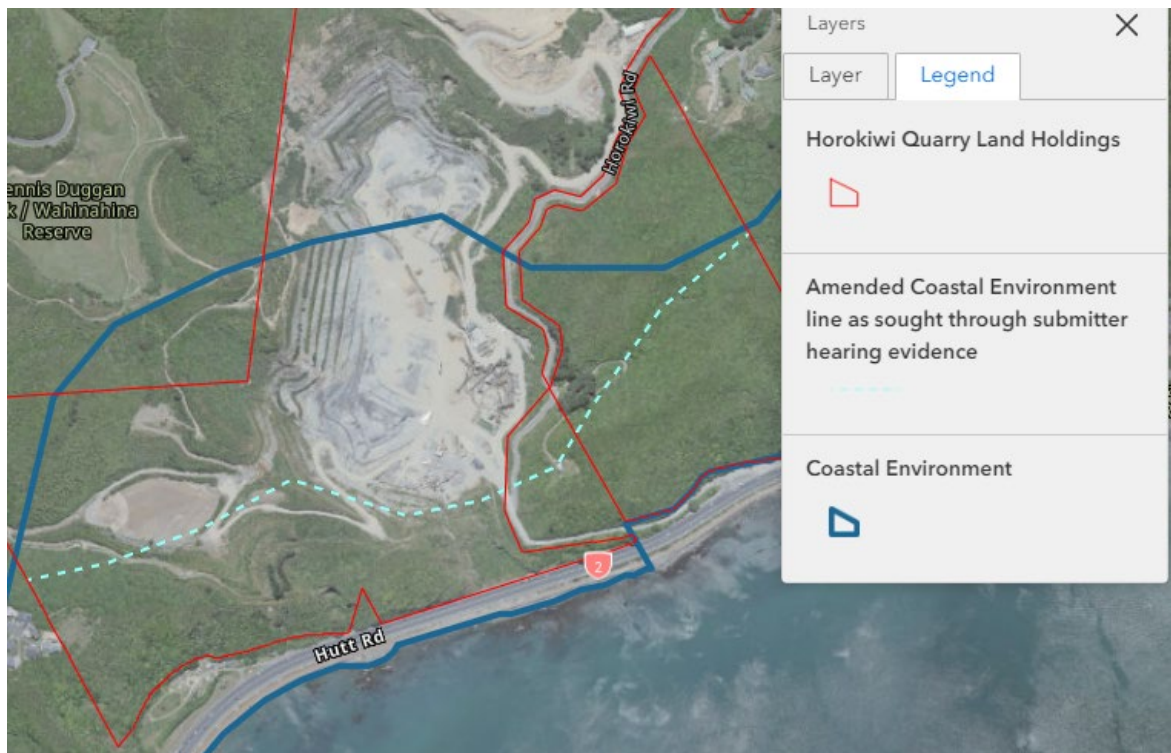
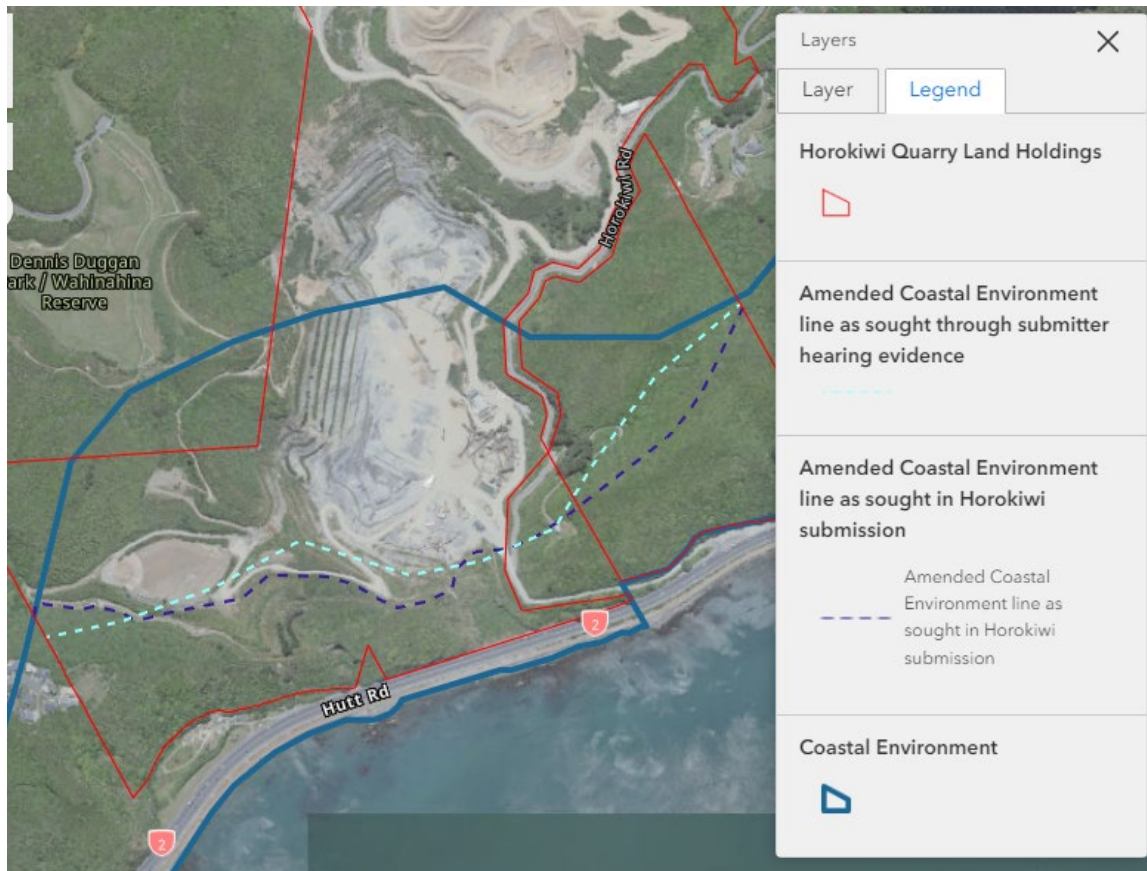
<sup>3</sup> Note: Plan Change 1 to the RPS does not seek to amend Policy 4 or 38 of the operative RPS.

NZCPS and Policy 4 of the RPS. In my opinion, the adjustment of the Coastal Environment line still gives effect to the wider policy framework (specifically within the RPS and NZCPS).

- 6.12. Turning to the PDP provisions, in relation to the relevant policies and rules (in context of the Horokiwi submission), I accept the officer recommendations. In particular, for the reasons outlined in the Horokiwi submission, I support the retention of policy CE-P9, acknowledging the officer recommended amendments (specifically clauses b. and c.) give effect to the NZCPS, and the retention of rules CE-R4 and CE-R7 with amendment, and rules CE-R10 and R11 as notified.
- 6.13. Based on the above and consideration of the evidence of Mr Bray, while the line as identified in the 2014 Boffa Miskell report may be consistent with this policy direction at a broad and district-wide scale, based on the more detailed and finer grained assessment undertaken by Mr Bray against these policies, I support relocation of the line. In this regard I note Mr Bray has recommended further refinement to the location of the line as a result of the cross section analysis included within his evidence which identifies the Coastal Environment line location in context of the topography of the site. This further refinement moves the line slightly inland at certain points such that it now sits behind this first ridgeline in all instances (so landward from that sought in the Horokiwi submission). The amended Coastal Environment line now sought is shown as , with the line as sought in the Horokiwi submission shown as , and the Coastal Environment line as notified shown as .

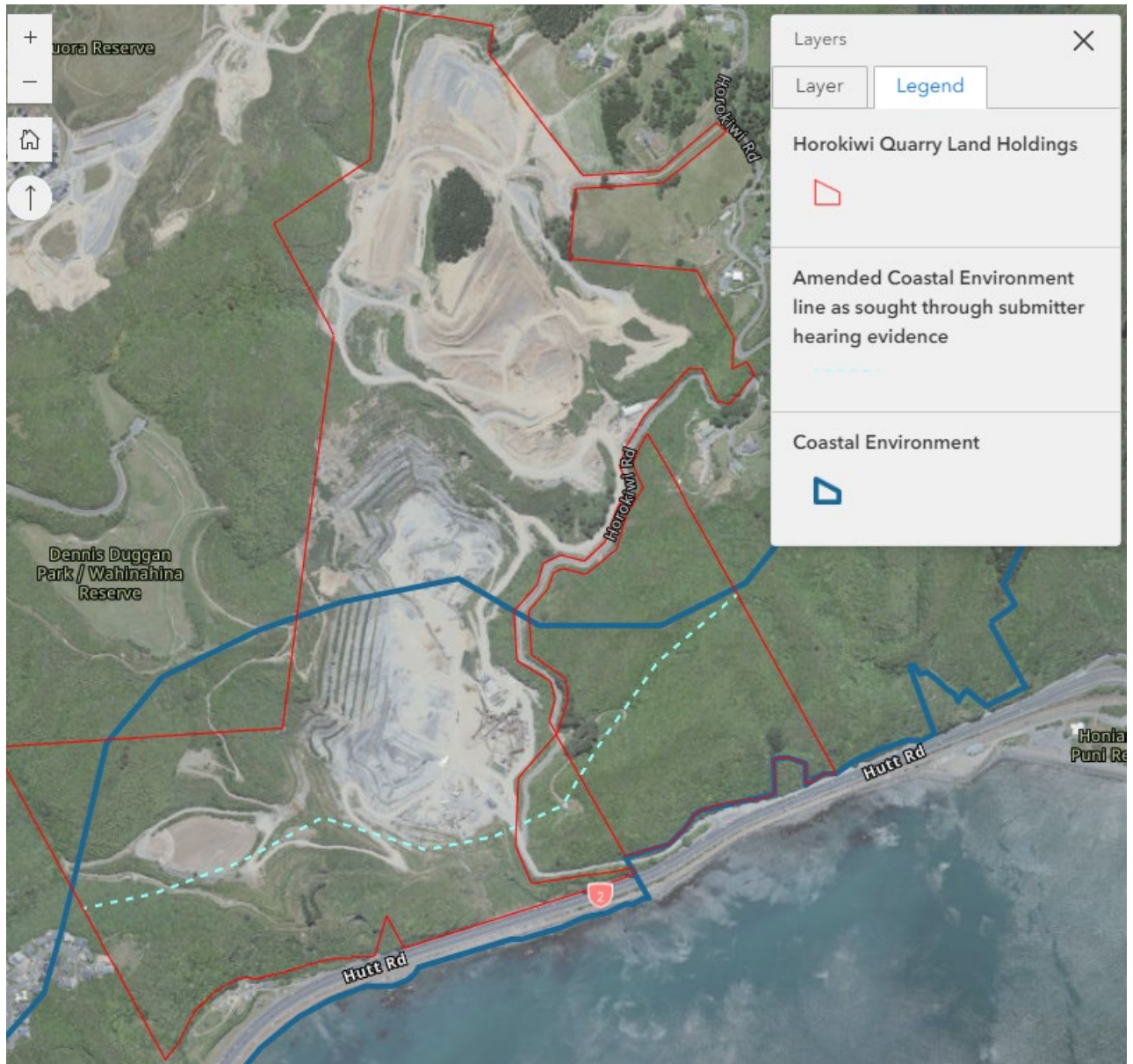


- Relocation of the Coastal Environment line to that outlined in the evidence of Mr Bray and shown below: (The amended/refined line now sought is shown as - - - - -)





A large-scale map with the PDP Coastal Environment Line (—) and that sought thought evidence (- - - -) is shown below:



### Special Amenity Landscapes

6.14. I largely accept the officer recommendations relating to Significant Amenity Landscapes. As summarised in the policy and rule matrix attached as **Appendix D**, existing quarries are permitted under NFL-R5, extensions are a discretionary activity under rule NFL-R6 and new quarries are non-complying under NFL-R7. Quarrying is specifically provided for under policy NFL-P7, with activities generally within a SAL within the CE addressed under policy INF-P4, and outside the CE within NFL-P3.

6.15. One aspect of the recommendations in the S42A Report I do not accept (or more accurately, I seek clarification on), is in relation to the lack of clarity within the PDP as to the characteristics within SAL's (as referenced within Schedule 11, NFL-O2, NFL-P3, NFL-P4, NFL-P5, NFL-R1, and NFL-S1). The provisions require an assessment against the 'characteristics and values'. While the values have been clearly articulated in Schedule 11 through the S42A Report, there is no reference to characteristics. While these characteristics may in fact be contained within the values description, this is not clear.

6.16. Based on the above, I would support:

- Either deletion of the term 'characteristics', or
- If the characteristics are encapsulated within the values, that this be clarified;

And

- Recognition be provided within the Schedule 11 Special Amenity Landscape Korokoro Stream Valley, Site Summary, of the adjoining Horokiwi Quarry operation which impacts on the characteristics, as follows (refer **green** text):

*The Korokoro Stream Valley landscape comprises the portion of the stream valley between the Horokiwi Ridge and the eastern boundary of Wellington City, extending from Belmont Regional Park to the stream mouth into Te Whanganui a Tara Wellington Harbour. The landscape is a north/south complex system with steep spurs and gullies interweaving down to a narrow stream valley floor. The land cover is largely regenerating native vegetation with remnant native forest remaining in many of the gullies. The landscape is known for its recreational, cultural, and historic value, **and is adjacent to a long established aggregate quarry**. A portion of the landscape lies within Belmont Regional Park and is highly valued for its recreational opportunities. The stream valley has high spiritual value. A heritage concrete gravity dam is located just upstream of Korokoro Stream outlet into the harbour.*

### **The appropriateness of the Hilltops and Ridgelines overlay**

6.17. In its submission Horokiwi questioned the appropriateness of the Hilltops and Ridgelines ("H&R") overlay, on the basis the PDP identifies SAL's and ONFL's, features which were not provided under the operative DP (when the H&R were promulgated). Figure 3 below shows a map of the Horokiwi site and Hilltops and Ridgelines overlay.

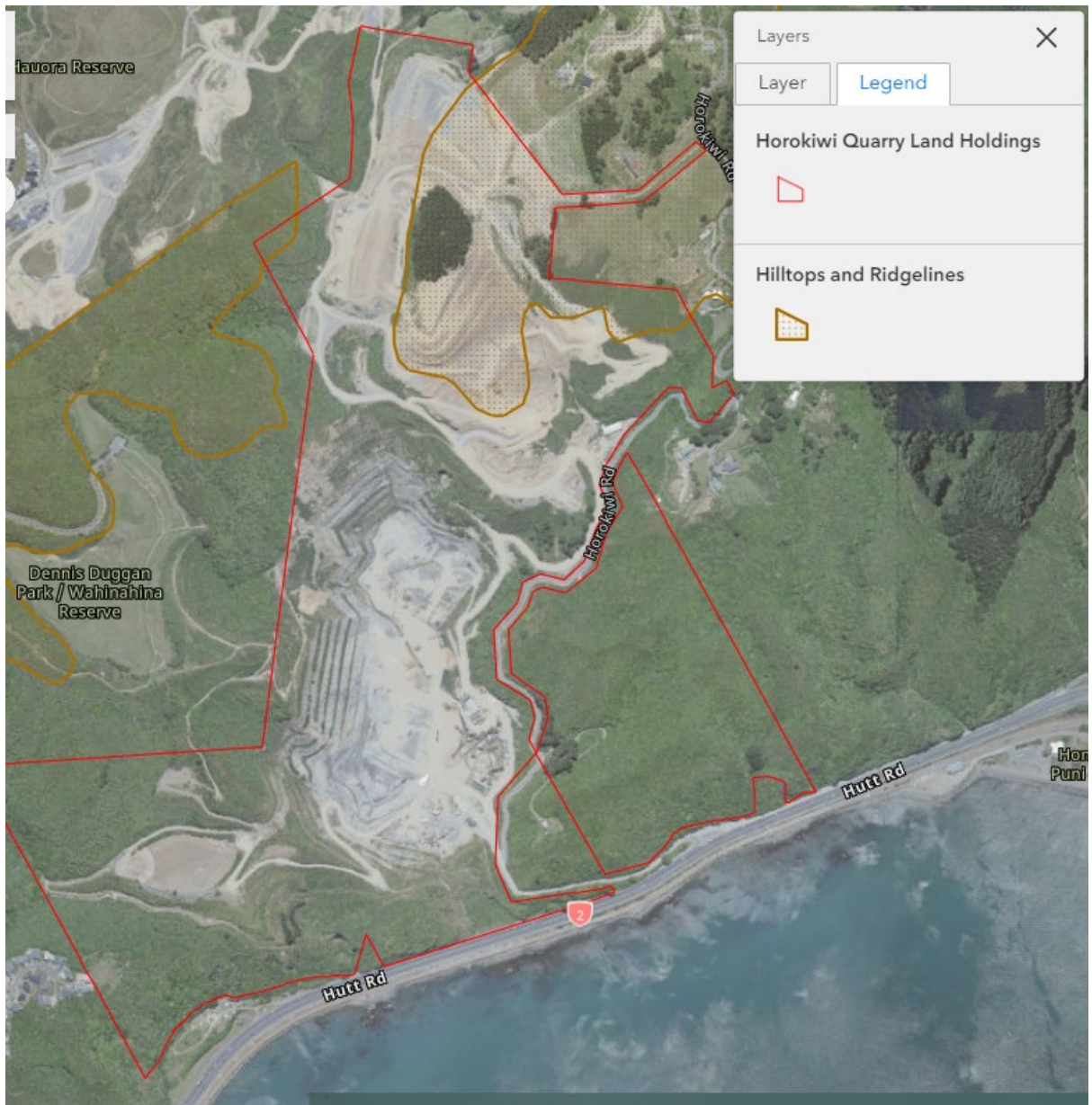


Figure 3. Horokiwi site (outlined in red) and Hilltops and Ridgelines overlay (shown as brown hatched area)

6.18. While I appreciate the H&R overlay addresses Section 7 RMA amenity matters, I do have some remaining concerns with the overlay, as follows:

6.18.1. While I appreciate the H&R have been developed to give effect to Section 7 RMA amenity matters, and the S42A Report (para 110) refers to ‘all other landscapes’ in the RPS, I note that from my review of the relevant policies in the RPS, there is no policy directive to identify (and therefore protect) all other landscapes. Rather the landscape policies 25, 26, 27, 28 and 50 relate to outstanding and special amenity landscapes and the introductory text in the Section 3.7 Landscape of the RPS refers to ‘all other landscapes’ groups “are managed through the general amenity provisions in local authority



plans". On this basis, I am not convinced as to the higher order policy support and direction for the overlay.

6.18.2. The PDP does not identify any values of the specific H&R's. Policy NFL-P2 provides *'to enable use and development within H&R where:...3. Any adverse effects on the visual amenity and landscape values can be mitigated.'* However it is not clear from the PDP what are the values for which effects are to be mitigated.

6.18.3. Objective NFL-O3 has been recommended to be amended in the S42A Report as follows:

*The natural green backdrop and continuity of open space provided by identified ridgelines and hilltops is maintained and enhanced, where practicable.*

6.18.4. From my review of the PDP, the H&R overlay is confined to Natural Open Space zones, General Rural zones, and Special Purpose zones (including the Horokiwi Special Purpose Quarry Zone). The overlay does not extend to any residential zoned areas. While I can understand the objective (in terms of maintaining the natural green backdrop and continuity of open space) in relation to open space and rural zoned land, when applied to the Horokiwi site (and the existing quarry operation) the application of the objective is less clear. If the S42A Report recommended wording is to be retained, I support amendment to amend the 'space' to 'spaces' thereby recognising that is the continuation of several opens spaces (plural) that is the objective, as opposed to a focus on a single space or that the spaces be joined.

6.19. Based on the scope of the Horokiwi submission, and on the basis of the officer recommended amendments to NFL-P7 and NFL-R5 to include reference to Hilltops and Ridgelines, I support:

- The retention of NFL-O3 as notified, or if the officer recommendation is to be retained, amendment to the objective as follows (S42A Report recommended text is shown as red, text sought through this evidence is shown as green:)

*The natural green backdrop and continuity of open spaces provided by identified ridgelines and hilltops is maintained and enhanced, where practicable.*

And

- *Clarification as to the values to be “maintained and where practicable, enhanced” and on which adverse effects are to be mitigated.*

And

- *Careful consideration be given to the appropriateness of the overlay.*

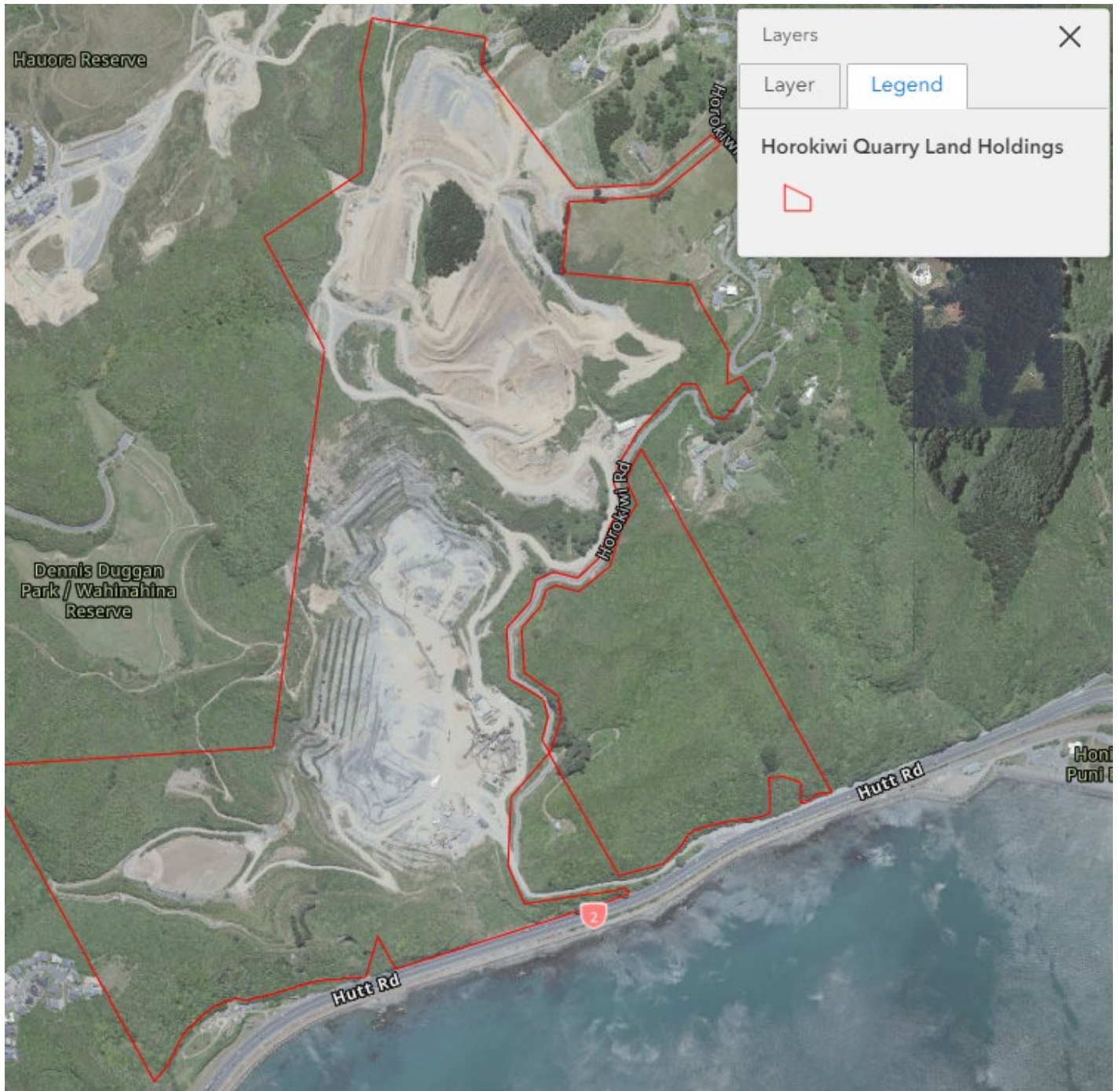
## 7. Conclusion

- 7.1. 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. Hearing Stream 8 focuses on natural value features.
- 7.2. While I accept many of the officer recommendations on the above (including the recognition for quarrying activities within policies NFL-P7 and CE-P9, and rules NFL-R5, NFL-R6, CE-10 and CE-11), the main point remaining outstanding relates to the location of Coastal Environment Line as it relates to the Horokiwi site. For the reasons set out above, including based on the evidence of Mr Bray, I am supportive of the relocation of the line.
- 7.3. In my evidence I have also raised concerns with the appropriateness of the Hilltops and Ridgelines overlay, and the lack of specificity or clarity as to the characteristics associated with Special Amenity Landscapes.
- 7.4. I respectfully request the panel give due consideration to the relief sought in this evidence.

**Pauline Mary Whitney**

12 April 2024

Appendix A  
Aerial image of the Horokiwi Quarry site and landholding



## Appendix B

### Provisions – Wellington Regional Policy Statement and Natural Resource Plan

#### The Operative Regional Policy Statement

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 21 and Policy 60.

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.*

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.*

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.*



5. Method 52<sup>4</sup>, when implemented, will identify the locations of significant mineral resources within the region. I understand this has not yet been undertaken.

6. Objectives 3, 4 and 7 relate to the Coastal Environment.

*Objective 3 Habitats and features in the coastal environment that have significant indigenous biodiversity values are protected; and Habitats and features in the coastal environment that have recreational, cultural, historical or landscape values that are significant are protected from inappropriate subdivision, use and development.*

*Objective 4*

*The natural character of the coastal environment is protected from the adverse effects of inappropriate subdivision, use and development*

*Objective 7*

*The integrity, functioning and resilience of physical and ecological processes in the coastal environment are protected from the adverse effects of inappropriate subdivision, use and development.*

7. Policy 4 relates to the identification of the Coastal Environment in district plans. Policy 38 is a policy consideration relevant until Policy 4 is give effect to.

*Policy 4: Identifying the landward extent of the coastal environment – district plans*

*District plans shall include policies and/or rules to identify the landward extent of the coastal environment using the following criteria:*

*(a) any area or landform dominated by coastal vegetation or habitat;*

*(b) any landform affected by active coastal processes, excluding tsunami;*

*(c) any landscapes or features, including coastal escarpments, that contribute to the natural character, visual quality or amenity value of the coast; and*

*(d) any site, structure, place or area of historic heritage value adjacent to, or connected with, the coastal marine area, which derives its heritage value from a coastal location.*

*Explanation*

*Policy 4 identifies those natural and physical resources that, because of their form, function, or value, give particular parts of the region a coastal character.*

*Tsunami are excluded from the criteria because they are not ‘an active coastal process’, but are generated by submarine fault rupture, landslide or volcanic eruption. Active coastal processes include: storm surge, inundation, liquefaction, aeolian (the action of wind on coastal landforms and features, such as dunes), and the effects of sea level rise.*

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<sup>4</sup> 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

*The criteria used in policy 4 reflect the New Zealand Coastal Policy Statement's intended field of influence, in terms of the landward extent of the coastal environment.*

*This policy does not direct how the use, development and protection of the identified natural and physical resources of the coastal environment should be managed. Other policies provide guidance on these matters. Neither does the policy direct the timescale of coastal processes to be used in the determination. This will be specific to the processes involved and the location or geomorphology of the area.*

*Councils shall identify in consultation with landholders, the community, tangata whenua and other key stakeholders, the landward extent of the coastal environment.*

8. Policies 5, 6, 35 and 36 relate to effects on the Coastal Environment.

*Policy 5: Maintaining and enhancing coastal water quality for aquatic ecosystem health – regional plans*

*Regional plans shall include policies and rules to:*

*(a) require, as a minimum, water quality in the coastal marine area to be managed for the purpose of maintaining or enhancing aquatic ecosystem health; and*

*(b) manage coastal water quality for other purposes identified in regional plans.*

*Explanation*

*A high standard of water quality is an essential requirement for maintaining healthy aquatic ecosystems in the coastal marine area. This policy means that discharges, after reasonable mixing, cannot cause water quality to be unsuitable for sustaining healthy, functioning aquatic ecosystems. Regional plans will identify limits for coastal water quality for the maintenance and enhancement of aquatic ecosystem health.*

*Most contaminants and sediments that arrive in the coastal marine area are carried by rivers, streams and stormwater drains. Fresh water quality in rivers and streams is addressed in policies 12 and 14. Policy 16 promotes the discharge of contaminants to land and policy 15 seeks to minimise erosion and sediment runoff, prior to plan controls being established. Other purposes include, and are not limited to, contact recreation and food gathering.*

*Policy 6: Recognising the regional significance of Porirua Harbour (including Pauatahanui Inlet and Onepoto Arm) – district and regional plans*

*District and regional plans with jurisdiction over all or part of the Porirua Harbour catchment area shall include policies, rules and/or methods that:*

*(a) recognise and acknowledge the regional significance of Porirua Harbour (including Pauatahanui Inlet and Onepoto Arm); and*

*(b) recognise and provide for the maintenance, protection and enhancement of the significant amenity, recreational, ecological and cultural values associated with the Porirua Harbour.*

*Policy 35: Preserving the natural character of the coastal environment – 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 preserving the natural character of the coastal environment by:*

- (a) minimising any adverse effects from point source and non-point source discharges, so that aquatic ecosystem health is safeguarded;*
- (b) protecting the values associated with estuaries and bays, beaches and dune systems, including the unique physical processes that occur within and between them from inappropriate subdivision, use and development, so that healthy ecosystems are maintained;*
- (c) maintaining or enhancing amenity – such as, open space and scenic values – and opportunities for recreation and the enjoyment of the coast by the public;*
- (d) minimising any significant adverse effects from use and enjoyment of the coast by the public;*
- (e) safeguarding the life supporting capacity of coastal and marine ecosystems;*
- (f) maintaining or enhancing biodiversity and the functioning of ecosystems; and*
- (g) protecting scientific and geological features from inappropriate subdivision, use and development*

*Policy 36: Managing effects on natural character in the coastal environment – consideration*

*When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, a determination shall be made as to whether an activity may affect natural character in the coastal environment, and in determining whether an activity is inappropriate particular regard shall be given to:*

- (a) the nature and intensity of the proposed activity including:*
  - (i) the functional need or operational requirement to locate within the coastal environment*
  - (ii) the opportunity to mitigate anticipated adverse effects of the activity*
- (b) the degree to which the natural character will be modified, damaged or destroyed including:*
  - (i) the duration and frequency of any effect, and/or*
  - (ii) the magnitude or scale of any effect;*
  - (iii) the irreversibility of adverse effects on natural character values;*
  - (iv) whether the activity will lead to cumulative adverse effects on the natural character of the site/area.*
- (c) the resilience of the site or area to change;*

- (d) the opportunities to remedy or mitigate previous damage to the natural character;*
- (e) the existing land uses on the site.*

9. Proposed Change 1 to the RPS was notified in August 2022. No changes are proposed to the above.

### **Natural Resources Plan for the Wellington Region**

10. 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*

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

## Appendix C

### Overview of Horokiwi's submission to the PDP

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

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.
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.
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.

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 its 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.
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 characteristics of the SAL applying to the Horokiwi site. Horokiwi supported the recognition of existing quarry activities, and their expansion within the SAL provisions.
  6. **General Rural Zone**: Horokiwi seeks clarification on the policy and framework for new vs existing quarries.
  7. **Open Space Zone**: Horokiwi seeks recognition of other activities within the Open Space zone.
  8. **Definitions**: Support the definitions of Earthworks, Functional need, Infrastructure, and Quarry.
  9. **Natural Hazards**: Largely supportive of the risk based approach, and provision of permitted activities.
  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.

## Appendix D

### Policy and rule framework for quarrying within Special Amenity

### Landscapes, Hilltops and Ridgelines and the Coastal Environment (with amendments recommended by the S42A Report shown as underlined/Strikethrough text)

Overlay	Policies	Rules
Significant Amenity Landscapes	NFL-O2 Special amenity landscapes  The characteristics and values of special amenity landscapes are maintained and, where practicable, enhanced.	NFL-R5 – Existing quarry operations: <b>Permitted Activity</b>  NFL-R6 – Extension of existing quarry operations: <b>Discretionary Activity</b>  NFL-R7 – New quarry operations: <b>Non complying Activity</b>
SAL Outside CE	NFL-P3 Use and development in special amenity landscapes outside the coastal environment  <del>Provide</del> <u>Only allow</u> for use and development within special amenity landscapes outside the coastal environment where: 1. Any adverse effects on the identified values can be avoided, remedied or mitigated; and 2. The scale of the activity maintains the identified landscape values and characteristics.	
SAL Inside CE	NFL-P4 Use and development in special amenity landscapes within the coastal environment  <del>Provide for</del> <u>Avoid</u> use and development within special amenity landscapes within the coastal environment, <del>unless</del> <u>where</u> : 1. Any significant adverse effects on the identified values can be avoided and any other adverse effects on the identified values can be avoided, remedied or mitigated; and 2. The activity maintains the identified landscape values and characteristics.	
SAL Mining policy	NFL-P7 Mining and quarrying activities in outstanding natural features and landscapes, <del>and</del> special amenity landscapes, <u>and ridgelines and hilltops</u>  Manage mining and quarrying activities within outstanding natural features and landscapes, and special amenity landscapes, <del>and ridgelines and hilltops</del> as follows: 1. Allow for the ongoing operation of established mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes, <u>and ridgelines and hilltops</u> ; 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.	
Hilltops and Ridgelines	NFL-O3 Ridgelines and hilltops  The natural green backdrop <u>and continuity of open space</u> provided by identified ridgelines and hilltops is maintained <u>and enhanced, where practicable</u> .	NFL-R5 – Existing quarry operations: <b>Permitted Activity</b>
H&R Geneal policy	NFL-P2 Use and development within ridgeline and hilltops  Enable use and development within identified ridgelines and hilltops where: 1. The activity is compliant with the underlying zone provisions; and 2. There is a functional or operational need to locate within the ridgeline and hilltop area; and	

<p>H&amp;R Mining policy</p>	<p>3. Any adverse effects on the visual amenity and landscape values can be mitigated.</p> <p>NFL-P7 Mining and quarrying activities in outstanding natural features and landscapes, <del>and</del> special amenity landscapes, <u>and ridgelines and hilltops</u></p> <p>Manage mining and quarrying activities within outstanding natural features and landscapes, and special amenity landscapes, <del>and</del> <u>ridgelines and hilltops</u> as follows:</p> <ol style="list-style-type: none"> <li>1. Allow for the ongoing operation of established mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes, <u>and ridgelines and hilltops</u>;</li> <li>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;</li> <li>3. Avoid the establishment of new mining and quarrying within special amenity landscapes; and</li> <li>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.</li> </ol>	<p>NFL-R2 –  <b>Extension</b> of existing and quarry operations:  <b>Restricted Discretionary</b> Activity (default rule)</p>
<p>Coastal Environment</p>	<p>CE-O1 Coastal environment</p> <p>The natural character and qualities that contribute to the natural character within the landward extent of the coastal environment are maintained and, where appropriate, <u>rehabilitated</u>, restored or enhanced.</p>	<p>CE-R4 –  <b>Vegetation</b> trimming/removal:  <b>Permitted</b> Activity</p>
<p>CE General policy</p>	<p>CE-P2 Use and development within the coastal environment</p> <p>Provide for use and development in the landward extent of the coastal environment where it:</p> <ol style="list-style-type: none"> <li>1. Consolidates existing urban areas; <del>and</del></li> <li>2. Does not establish new urban sprawl along the coastline; <u>and</u></li> <li>3. <u>Avoids any significant adverse effects on the natural character of the coastal environment and avoids, remedies or mitigates any other adverse effects on the natural character of the coastal environment.</u></li> </ol>	<p>CE-R7 – <b>Existing</b> quarry operations:  <b>Restricted Discretionary</b> Activity (default rule as quarrying not permitted in underlying zone)</p>
<p>CE Mining policy</p>	<p>CE-P9 Mining and quarrying activities within the coastal environment</p> <p>Manage mining and quarrying activities within in the coastal environment as follows:</p> <ol style="list-style-type: none"> <li>1. Allow for established mining and quarrying activities in the Coastal Environment;</li> <li>2. Only allow for the extension of established mining and quarrying activities <del>or new quarrying and mining activities</del> where it is: <ol style="list-style-type: none"> <li>a. located outside of high coastal natural character areas and outside of coastal and riparian margins;</li> <li>b. <u>and avoids any potential significant adverse effects on natural character of the coastal environment; and</u></li> <li>c. <u>any other adverse effects on natural character can be</u> are avoided, remedies or mitigated;</li> </ol> </li> <li>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</li> <li>4. Avoid the establishment of new mining and quarrying activities within the coastal environment</li> </ol>	<p>CE-R10 –  <b>Extension</b> of existing quarry operations:  <b>Restricted Discretionary</b> Activity (located outside of high NC and coastal and riparian margins)</p> <p>CE-R11 – <b>New</b> quarry operations:  <b>Non complying</b> Activity</p>



## Appendix E

### Summary table of Horokiwi submission points and response to S42A recommendations

(Outstanding submission points are shaded orange)

Submission details	Plan Provision	Summary of Submission and Relief Sought	Section 42A Recommendations and Reasoning	Response to S42A Recommendations
Horokiwi Quarries Ltd 271.6	Mapping General	<p><b>Reasoning:</b> Considers that specific to Natural Features, their site and adjoining properties feature Special Amenity Landscapes (SALs) and Ridgelines and Hilltops. There are not Outstanding Natural Features and Landscapes (ONFLs) within the vicinity of the site.</p> <p><b>Decision sought:</b> Not specified.</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> 70. Horokiwi Quarries [271.6] consider that while their site and adjoining properties feature Special Amenity Landscapes and Ridgelines and Hilltops, there are no Outstanding Natural Features and Landscapes within the vicinity of the site. No specific relief is sought.</p>	<p>Accept the recommendation, noting no specific relief was sought in the submission and the matter is addressed under other submission points.</p>
Horokiwi Quarries Ltd 271.10 and 271.11	Mapping	<p>Amend</p> <p><b>Reasoning:</b> Opposes that a portion of the Horokiwi site is within a special amenity landscape with a large portion within the coastal environment, and zoned General Rural.</p> <p>The Coastal Environment (“CE”) overlay is identified over part of the Horokiwi site and adjoining properties. [Refer Figure 9 of the original submission]. 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.</p>	<p><b>Decision:</b> Reject</p> <p><b>S42A Reasoning:</b> 101. I note that there are various examples of highly modified and urbanised areas included within the extent of the mapped Coastal Environment and that Policy 1.2.i. of the NZCPS anticipates this by recognising that the coastal environment includes ‘physical resources and built facilities, including infrastructure, that have modified the coastal environment’. Consequently, and following expert landscape advice of Mr Anstey as outlined in his Statement of Evidence, I disagree with Horokiwi Quarries Ltd [271.10, 271.11, and 271.42] and Aggregate and Quarry Association [303.7 and 303.8]. I also note that Coastal Environment chapter provisions (CE-R10) provide for the expansion of existing quarrying activities. 102. I also note that Horokiwi Quarries Ltd highlighted in their submission that Boffa Miskell Limited Wellington and Hutt City Coastal Study: Natural Character Evaluation of the Wellington City and Hutt City Coastal Environment 2016 report was not made available at the time of notification of the PDP. I understand that this was an oversight and the report has been made available on Council website. I note that the report would have been provided on request in the event that Council had received one post notification of the PDP.</p>	<p>Oppose the recommendation to retain the Coastal Environment lines as notified. Refer evidence.</p>
Horokiwi Quarries Ltd 271.27	Natural Features and Landscapes / General NFL	<p><b>Reasoning:</b> Considers that, in relation to objectives and policies in the Natural Features and Landscapes Chapter, while the values for particular sites are outlined in Schedule 11, the characteristics are not. Clarification on the characteristics would assist with plan interpretation and application.</p> <p><b>Decision sought</b> Clarify what characteristics of special amenity landscapes are in the PDP, and in particular the Natural Features and Landscapes Chapter.</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b> 52. In response to Horokiwi Quarries [271.27], the language used throughout the NFL chapter and schedules are consistent and clear in their references to identified values and characteristics. I consider that my recommended amendments to Schedule 11 to add details of the specifics of these values and characteristics will provide further clarity on this matter.</p>	<p>Accept in part the recommendation on the basis the values have been expanded upon.</p> <p>However, specific to reference to characteristics, it is noted that the schedule still provides no reference to characteristics. Clarification would assist. Sought relief is provided in evidence.</p>

<p>Horokiwi Quarries Ltd 271.28</p>	<p>Natural Features and Landscapes / General NFL</p>	<p><b>Reasoning:</b> Considers that there is a lack of higher order document policy support for the policy and rule framework for Ridgelines and Hilltops assuming that Special Amenity Landscapes capture RMA S6(c) matters); and a lack of identified values within the PDP for the Ridgelines and Hilltops (noting they are not scheduled) and therefore lack of clarity for plan users as to the values. [Refer to original submission for full reason]</p> <p><b>Decision sought</b> Clarify the policy and rule framework for Ridgelines and Hilltops and review the appropriateness of Hilltops and Ridgelines within the PDP.</p>	<p><b>Decision:</b> <i>Reject</i></p> <p><b>S42A Reasoning:</b> 110. <i>Turning to Horokiwi Quarries [271.28] questioning the higher order document policy support for the policy and rule framework for Ridgelines and Hilltops, and seeking a review of the appropriateness of hilltops and ridgelines within the PDP, I make the following comments:</i></p> <p><i>a. The ODP contains identified ridgelines and hilltops with supporting provisions controlling activities in relation to these areas. These provisions were operative in 2009. It is noted that these features were identified before the RPS was made operative;</i></p> <p><i>b. The Overlay was introduced in 2009 in response to community submissions on a Proposed District Plan Change (notified in 1994) which consistently raised concerns on the effects of development on undeveloped and visually prominent ridgelines and hilltops across the district. A range of values were identified for the ridgetops and hilltops through assessment work (including natural, visual, heritage and recreation values). However, the Overlay was introduced by Council primarily to manage adverse effects on visual amenity (sensory values) in these areas, (a s7 (Other) matter under the RMA), with the balance of values to be managed through other provisions;</i></p> <p><i>c. The Ridgelines and Hilltops Overlay boundary has been defined based on visibility, slope angle, and landform continuity, with provisions adopted with the purpose of managing adverse visual amenity effects on prominent ridgelines and hilltops across the district (to address consistent concerns raised by Wellington communities on the effects of development);</i></p> <p><i>d. ONFs, ONLs and SALs have been identified under RMA s6 (matters of national importance) and s7 (other matters), to manage effects on a full range of values identified in defined areas, in line with the Wellington Regional Policy Statement (RPS). These include natural science, and shared and recognised, as well as sensory (including visual) values;</i></p> <p><i>e. The tests required to be met in relation to the identification of SAL and ONFL are set out in the RPS. They differ from the tests used to identify the Hilltops and Ridgelines. While all landscape areas, including the Ridgelines and Hilltops, have natural science, sensory, and shared and recognised factors that contribute to values, in most parts of the Overlay these do not meet the test to be identified as an SAL or ONFL. The Overlay has been defined to provide a landscape framework and visual “continuum” of relatively undeveloped, elevated landforms across the district. ONFs, ONLs and SALs are not necessarily visually prominent or connected to each other.</i></p> <p><i>f. The Overlay has value in that it contributes to Wellington’s recognised landscape character and identity at a district scale with relevance to s7 matters under the RMA. Although not of ONFL/SAL status, it provides important guidance as a physical framework for development, promoting the best practice urban design principles sought in Wellington’s urban growth strategies – namely a compact urban form, connected to existing infrastructure;</i></p> <p><i>g. It is likely that the more recent ONFs, ONLs and SALs have captured some of the highvalue natural, heritage and recreation values identified in the ridgetop and hilltop areas by the 2001 study, with those values now mapped to specific areas, where they are concentrated enough to meet the RPS tests. These areas are likely to occur as the “crossover” areas where both the Overlay and identified ONF/ONL/SAL are present;</i></p> <p><i>h. The Overlay “continuum” also “stitches together” the higher value ONFs, ONLs and SALs across the district, providing potential for a highly connected open space network;</i></p> <p><i>i. In addition to ONFs, ONLs and SALs, the Wellington RPS refers to a third category of landscape - “all other landscapes”. These are described by the RPS as ‘landscapes that contribute to the amenity and character of the region and are managed through the general amenity provisions in local authority plans.’ Impacts on these landscapes are not considered to be regionally significant. While ‘all other landscapes’ are not required to be identified under the RPS, the definition helps to differentiate these landscapes from SALs. The Ridgelines and Hilltops Overlay provides such an “other” landscape, contributing to the overall amenity and landscape character of Wellington and may be further protected by targeted provisions in the PDP; and</i></p> <p><i>j. Ridgelines and Hilltops therefore recognise a “third-tier” of landscapes across the district, relative to ONFs, ONLs and SALs. \</i></p> <p>111. <i>Under the RMA and RPS Council has an obligation to identify and protect ONFL using prescribed criteria. The identification and protection of SAL is optional but also supported by prescribed criteria. No such statutory basis exists for the identification of ridgelines and hilltops. Therefore, ridgelines and hilltops have not been identified by way of an assessment that uses criteria prescribed by the RPS and are not listed in Schedules. The identification of ridgelines and hilltops relies largely on the existing ODP and previous assessments. I again refer to the Wellington City Council Ridgelines Hilltops Overlay Initial Review, Isthmus, 8 April 2020 and Ridgelines and Hilltops Phase 2 Review, Isthmus, 24 November 2020 which have comprehensively reviewed the ridgelines and hilltops overlay. Based on these reports, and the evidence of Mr Anstey, I am satisfied that the ridgelines and hilltops overlay adds value in that it contributes to Wellington’s recognised landscape character and identity at a district scale with relevance to s7 matters under the RMA.</i></p>	<p>While the recognition of quarrying within Policy NFL-P7 and the associated rules is supported, broader concerns remain with the overlay as outlined in my evidence.</p>
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Horokiwi Quarries Ltd 271.29	Natural Features and Landscapes / NFL-O2	<p><b>Reasoning:</b> Supports the policy directive within NFL-O2 to enhance the values 'where practicable'. Notwithstanding the support, the submitter notes that while the values for particular sites are outlined in Schedule 11, the characteristics are not. Clarification on the characteristics would assist with plan interpretation and application.</p> <p><b>Decision sought</b> Retain NFL-O2 (Special amenity landscapes) as notified, with clarification.</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b> <i>140. In response to Horokiwi Quarries [271.29], I agree that clarification of the identified characteristics and values in Schedule 11 to include more detailed descriptions would assist plan interpretation. This matter is addressed further in section 3.8 in relation to SCHED11.</i></p> <table border="1" data-bbox="869 272 1868 392"> <tr> <td data-bbox="869 272 1016 392"><b>NFL-O2</b></td> <td data-bbox="1016 272 1868 392"> <p><b>Special amenity landscapes</b></p> <p>The characteristics and values of special amenity landscapes are maintained and, where practicable, enhanced.</p> </td> </tr> </table>	<b>NFL-O2</b>	<p><b>Special amenity landscapes</b></p> <p>The characteristics and values of special amenity landscapes are maintained and, where practicable, enhanced.</p>	The retention of NFL-O2 as notified is supported
<b>NFL-O2</b>	<p><b>Special amenity landscapes</b></p> <p>The characteristics and values of special amenity landscapes are maintained and, where practicable, enhanced.</p>					
Horokiwi Quarries Ltd 271.30	Natural Features and Landscapes / NFL-O3	<p><b>Reasoning:</b> Considers that the wording of objective NFL-O3 could be clarified as to the appropriateness of ensuring a natural green backdrop to the city on private land.</p> <p><b>Decision sought</b> Clarify the appropriateness of ensuring a natural green backdrop to the city on private land and review the appropriateness of Hilltops and Ridgelines within the PDP.</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b> <i>148. In respect of the relief sought by Horokiwi Quarries [271.30] to review the ridgelines and hilltops overlay, I refer to my parallel assessment in section 3.2.6 of this report as to a review of the appropriateness of the overlay.</i></p> <table border="1" data-bbox="869 746 1868 866"> <tr> <td data-bbox="869 746 1016 866"><b>NFL-O3</b></td> <td data-bbox="1016 746 1868 866"> <p><b>Ridgelines and hilltops</b></p> <p>The natural green backdrop <u>and continuity of open space</u> provided by identified ridgelines and hilltops is maintained <u>and enhanced, where practicable.</u></p> </td> </tr> </table>	<b>NFL-O3</b>	<p><b>Ridgelines and hilltops</b></p> <p>The natural green backdrop <u>and continuity of open space</u> provided by identified ridgelines and hilltops is maintained <u>and enhanced, where practicable.</u></p>	On the basis of the officer recommended amendments to Policy NFL-P7, the recommendation is accepted in part. However, the appropriateness of directing land (which in many instances is held in private ownership) being maintained and enhanced (where practicable) for the purpose of a natural green backdrop and open space is questionable. Sought relief is outlined in the evidence.
<b>NFL-O3</b>	<p><b>Ridgelines and hilltops</b></p> <p>The natural green backdrop <u>and continuity of open space</u> provided by identified ridgelines and hilltops is maintained <u>and enhanced, where practicable.</u></p>					

<p>Horokiwi Quarries Ltd 271.31</p>	<p>Natural Features and Landscapes / NFL-P2</p>	<p><b>Reasoning:</b> The submitter has concerns with the policy directive within NFP-P2 clause 3. to mitigate ‘any’ adverse effects on the visual amenity and landscape values, given the directive relates to all adverse effects regardless of scale or significance and that the values are not identified within the PDP. The requirement within clause 1. To “be compliant with the underlying zone provisions” is also not clear in its application. Considers the policy is subjective and open to interpretation and requests amendment to remove reference to the underlying zone provisions.</p> <p><b>Decision sought</b> Amend NFL-P2 (Use and development within ridgeline and hilltops) as follows: <i>Enable use and development within identified ridgelines and hilltops where:</i> <del>1. The activity is compliant with the underlying zone provisions; and</del> <del>2.1. There is a functional or operational need to locate within the ridgeline and hilltop area; and</del> <del>3.2. Any Significant adverse effects on the visual amenity and landscape values can be mitigated.</del></p>	<p><b>Decision:</b> Reject</p> <p><b>S42A Reasoning:</b> <i>166. In response to Horokiwi Quarries [271.31], I disagree that NFL-P2.1 is unclear in its application. The rule framework for managing adverse effects on ridgelines and hilltops essentially relies on the underlying zone and district wide provisions (such as earthworks and subdivision) to maintain the natural backdrop of ridgelines and hilltops. Where the underlying zone and district wide provisions are not complied with, the relevant ridgeline and hilltop policy (NFL-P2) comes into play as a matter of discretion under NFL-R2.2.</i> <i>167. This approach is premised on the permitted activity provisions within underlying zones adequately managing adverse effects on ridgelines and hilltops. For example, the Rural Zone will be more enabling of development than the Natural Open Space Zone which is comparatively less modified from its natural state. When land use or development is not a permitted activity in the underlying zone, adverse effects on ridgelines and hilltops is then required to be assessed (by way of NFL-P2 as a matter of discretion) as part of the resource consenting process. In this sense, I consider that reliance on the underlying zone and district wide rules is an effective and efficient approach to the management of adverse effects.</i> <i>168. In respect of their proposed amendment to NFL-P2.3 to change ‘any adverse effect’ to ‘significant adverse effect’ I believe this sets an inappropriately high threshold for acceptable effects given the outcomes established in NFL-O3 to maintain, and enhance where practicable, the natural green backdrop of ridgelines and hilltops.</i></p> <table border="1" data-bbox="875 536 1883 794"> <tr> <td data-bbox="875 536 1025 794"><b>NFL-P2</b></td> <td data-bbox="1025 536 1883 794"> <p><b>Use and development within ridgeline and hilltops</b></p> <p>Enable use and development within identified ridgelines and hilltops where:</p> <ol style="list-style-type: none"> <li>1. The activity is compliant with the underlying zone provisions; and</li> <li>2. There is a functional or operational need to locate within the ridgeline and hilltop area; and</li> <li>3. Any adverse effects on the visual amenity and landscape values can be mitigated.</li> </ol> </td> </tr> </table>	<b>NFL-P2</b>	<p><b>Use and development within ridgeline and hilltops</b></p> <p>Enable use and development within identified ridgelines and hilltops where:</p> <ol style="list-style-type: none"> <li>1. The activity is compliant with the underlying zone provisions; and</li> <li>2. There is a functional or operational need to locate within the ridgeline and hilltop area; and</li> <li>3. Any adverse effects on the visual amenity and landscape values can be mitigated.</li> </ol>	<p><b>Accept the recommendation on the basis of the officer recommended changes to Policy NFL-P7.</b></p>
<b>NFL-P2</b>	<p><b>Use and development within ridgeline and hilltops</b></p> <p>Enable use and development within identified ridgelines and hilltops where:</p> <ol style="list-style-type: none"> <li>1. The activity is compliant with the underlying zone provisions; and</li> <li>2. There is a functional or operational need to locate within the ridgeline and hilltop area; and</li> <li>3. Any adverse effects on the visual amenity and landscape values can be mitigated.</li> </ol>					
<p>Horokiwi Quarries Ltd 271.32</p>	<p>Natural Features and Landscapes / NFL-P3</p>	<p><b>Reasoning:</b> Considers that while NFL-P3 (Use and development in special amenity landscapes outside the coastal environment) is not in itself opposed, the submitter does note that while the values for particular sites are outlined in Schedule 11 of the PDP, the characteristics are not. It is therefore not clear what are the characteristics referred to in the policy. Clarification would assist with plan interpretation.</p> <p><b>Decision sought</b> Clarify what are the characteristics referred to in NFL-P3.2 (Use and development in special amenity landscapes outside the coastal environment).</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b> <i>177. In response to Horokiwi Quarries [271.32], the values and characteristics referred to in NFL-P3.2 are recommended to be included within Schedule 11 of the PDP in order to provide clarity to plan users.</i></p> <table border="1" data-bbox="875 975 1924 1193"> <tr> <td data-bbox="875 975 1025 1193"><b>NFL-P3</b></td> <td data-bbox="1025 975 1924 1193"> <p><b>Use and development in special amenity landscapes outside the coastal environment</b></p> <p><b>Provide Only allow</b> for use and development within special amenity landscapes outside the coastal environment where:</p> <ol style="list-style-type: none"> <li>1. Any adverse effects on the identified values can be avoided, remedied or mitigated; and</li> <li>2. The scale of the activity maintains the identified landscape values and characteristics.</li> </ol> </td> </tr> </table>	<b>NFL-P3</b>	<p><b>Use and development in special amenity landscapes outside the coastal environment</b></p> <p><b>Provide Only allow</b> for use and development within special amenity landscapes outside the coastal environment where:</p> <ol style="list-style-type: none"> <li>1. Any adverse effects on the identified values can be avoided, remedied or mitigated; and</li> <li>2. The scale of the activity maintains the identified landscape values and characteristics.</li> </ol>	<p><b>Accept the recommendation on the basis of the officer recommended changes to Policy NFL-P7.</b></p>
<b>NFL-P3</b>	<p><b>Use and development in special amenity landscapes outside the coastal environment</b></p> <p><b>Provide Only allow</b> for use and development within special amenity landscapes outside the coastal environment where:</p> <ol style="list-style-type: none"> <li>1. Any adverse effects on the identified values can be avoided, remedied or mitigated; and</li> <li>2. The scale of the activity maintains the identified landscape values and characteristics.</li> </ol>					


<p>Horokiwi Quarries Ltd 271.33 and 271.34</p>	<p>Natural Features and Landscapes / NFL-P4</p>	<p><b>Reasoning:</b> Considers that while NFL-P4 (Use and development in special amenity landscapes within the coastal environment) is not in itself opposed, the submitter does note that while the values for particular sites are outlined in Schedule 11 of the PDP, the characteristics are not. It is therefore not clear what are the characteristics referred to in the policy.</p> <p><b>Decision sought</b> Amend Policy NFL-P4 (Use and development in special amenity landscapes within the coastal environment) as follows: <i>Provide for use and development within special amenity landscapes within the coastal environment where:</i> 1. ... 2. <del>The activity maintains the identified landscape values and characteristics</del></p> <p>Clarify what are the characteristics referred to in NFL-P4.2 (Use and development in special amenity landscapes within the coastal environment).</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b> <i>197. In response to Horokiwi Quarries [271.33 and 271.34], I disagree with the suggested amendment on the basis of my recommended amendments to SCHED11 to add in detail of the values and characteristics identified in the 2019 Boffa Miskell Wellington City Landscape Evaluation Report.</i></p> <table border="1" data-bbox="869 272 1917 517"> <tr> <td data-bbox="869 272 1025 517"> <p><b>NFL-P4</b></p> </td> <td data-bbox="1025 272 1917 517"> <p><b>Use and development in special amenity landscapes within the coastal environment</b></p> <p><del>Provide for Avoid</del> use and development within special amenity landscapes within the coastal environment, <u>unless where:</u></p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects on the identified values can be avoided and any other adverse effects on the identified values can be avoided, remedied or mitigated; and</li> <li>2. The activity maintains the identified landscape values and characteristics..</li> </ol> </td> </tr> </table>	<p><b>NFL-P4</b></p>	<p><b>Use and development in special amenity landscapes within the coastal environment</b></p> <p><del>Provide for Avoid</del> use and development within special amenity landscapes within the coastal environment, <u>unless where:</u></p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects on the identified values can be avoided and any other adverse effects on the identified values can be avoided, remedied or mitigated; and</li> <li>2. The activity maintains the identified landscape values and characteristics..</li> </ol>	<p>While the notified wording is preferred, the recommendation is accepted on the basis of the officer recommended changes to Policy NFL-P7.</p>
<p><b>NFL-P4</b></p>	<p><b>Use and development in special amenity landscapes within the coastal environment</b></p> <p><del>Provide for Avoid</del> use and development within special amenity landscapes within the coastal environment, <u>unless where:</u></p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects on the identified values can be avoided and any other adverse effects on the identified values can be avoided, remedied or mitigated; and</li> <li>2. The activity maintains the identified landscape values and characteristics..</li> </ol>					
<p>Horokiwi Quarries Ltd 271.35 and 271.36</p>	<p>Natural Features and Landscapes / NFL-P7</p>	<p><b>Reasoning:</b> Supports that NFL-P7 recognises existing quarry activities, and their expansion. NFL-P7 is specific to mining and quarrying, and specific to the Horokiwi site. The policy recognises the importance and role of existing quarry activities and provides a policy pathway for their expansion (outside ONFLs).</p> <p><b>And</b> Considers that reference to Hilltops and Ridgelines within the policy is appropriate given the Horokiwi Quarry site has a Hilltops and Ridgelines overlay.</p> <p><b>Decision sought</b> Retain NFL-P7 (Mining and quarrying activities in outstanding natural features and landscapes and special amenity landscapes), with amendments as follows: <i>Mining and quarrying activities in outstanding natural features and landscapes, <del>and</del> special amenity landscapes, and hilltops and ridgelines</i> <i>Manage mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes, and hilltops and ridgelines as follows:</i> 1. Allow for the ongoing operation of established mining and quarrying activities within outstanding natural features and landscapes and special amenity landscapes <u>and hilltops and ridgelines</u>; 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; ...</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> <i>222. In respect of the amendment sought by Horokiwi Quarries [271.35 and 271.36], I agree that it would be appropriate to add ridgelines and hilltops. This would align with their amendments sought to NFL-R5 for existing quarrying activities in the ridgelines and hilltops overlay.</i></p> <table border="1" data-bbox="869 868 1765 1251"> <tr> <td data-bbox="869 868 1765 1251"> <p><b>NFL-P7 Mining and quarrying activities in outstanding natural features and landscapes, <del>and</del> special amenity landscapes, and ridgelines and hilltops</b></p> <p>Manage mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes, <u>and ridgelines and hilltops</u> as follows:</p> <ol style="list-style-type: none"> <li>1. Allow for the ongoing operation of established mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes <u>and ridgelines and hilltops</u>.</li> <li>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;</li> </ol> <p>...</p> </td> </tr> </table>	<p><b>NFL-P7 Mining and quarrying activities in outstanding natural features and landscapes, <del>and</del> special amenity landscapes, and ridgelines and hilltops</b></p> <p>Manage mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes, <u>and ridgelines and hilltops</u> as follows:</p> <ol style="list-style-type: none"> <li>1. Allow for the ongoing operation of established mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes <u>and ridgelines and hilltops</u>.</li> <li>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;</li> </ol> <p>...</p>	<p>Accept the recommendation.</p> <p>The recommended changes reflect that sought in the Horokiwi submission and provides a consistent policy approach for Hilltops and Ridgelines to other landscape features in the PDP.</p>	
<p><b>NFL-P7 Mining and quarrying activities in outstanding natural features and landscapes, <del>and</del> special amenity landscapes, and ridgelines and hilltops</b></p> <p>Manage mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes, <u>and ridgelines and hilltops</u> as follows:</p> <ol style="list-style-type: none"> <li>1. Allow for the ongoing operation of established mining and quarrying activities within outstanding natural features and landscapes, <del>and</del> special amenity landscapes <u>and ridgelines and hilltops</u>.</li> <li>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;</li> </ol> <p>...</p>						



<p>Horokiwi Quarries Ltd 271.37 and 271.38</p>	<p>Natural Features and Landscapes / NFL-R5</p>	<p><b>Reasoning:</b> Supports the permitted activity rule NFL-R5. Notwithstanding the proposed Special Purpose Quarry Zone which would apply to the Horokiwi site, and the existing use certificate.</p> <p><b>And</b> Considers that in order to provide consistency in how existing quarries are managed within NFL features, an amendment is sought to include Hilltops and Ridgelines in the permitted rule, noting that rule NFL-R2 provides a qualifier to the permitted activity rule that is not provided in NFL-R5.</p> <p><b>Decision sought</b> Retain NFL-R5 (Operation of existing quarrying and mining activities within special amenity landscapes), with amendments as follows: <i>Operation of existing quarrying and mining activities within special amenity landscapes and Hilltops and Ridgelines</i> All Zones Activity status: Permitted</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> 260. In response to Horokiwi Quarries [271.37 and 271.38] I agree with the addition of ridgelines and hilltops to NFL-R5 as I consider this achieves alignment with the recommended policy direction in NFL-P7. I note that there are quarrying activities occurring in the notified extent of the ridgelines and hilltops overlay at Horokiwi Quarry. The Section 32 Report sets out that 'the rule framework distinguishes between the ongoing operation of any existing activity as a permitted NFL-R5 Operation of existing quarrying and mining activities within special amenity landscapes</p> <p>1. Activity status: Permitted Restricted Discretionary Matters of discretion: 1. [add cross references to relevant ECO and NFL policies that are aimed at maintenance of biodiversity outside Significant Natural Areas and give effect to policy 11 of NZ Coastal Policy Statement]. activity and extensions into SALs are discretionary in order to consider the effects on the landscape values'. On this basis, I agree with the submission of Horokiwi Quarries and reject the relief sought by Forest and Bird [345.245]</p> <div data-bbox="869 491 1697 639" style="border: 1px solid black; padding: 5px;"> <p><b>NFL-R5 Operation of existing quarrying and mining activities within special amenity landscapes and ridgelines and hilltops</b></p> <p>1. Activity status: <b>Permitted</b></p> </div>	<p><b>Accept the recommendation.</b></p> <p><b>The recommended change reflects that sought in the Horokiwi submission.</b></p>				
<p>Royal Forest and Bird Protection Society 345.245</p> <p>Horokiwi Quarries Ltd FS28.6</p>	<p>Natural Features and Landscapes / NFL-R5</p>	<p><b>Reasoning:</b> Opposes the blanket provision for existing quarrying and mining activities, as this suggests their effects would not need to be considered if they require consenting.</p> <p><b>Decision sought</b> Amend NFL-R5 (Operation of existing quarrying and mining activities within special amenity landscapes): 1. Activity status: <del>Permitted</del> Restricted Discretionary Matters of discretion: 1. [add cross references to relevant ECO and NFL policies that are aimed at maintenance of biodiversity outside Significant Natural Areas and give effect to policy 11 of NZ Coastal Policy Statement].</p> <p><b>Horokiwi Oppose. Reasoning:</b> Horokiwi Quarries Ltd opposes the sought change in activity status for existing quarries. The rule as proposed recognises existing quarries and the PDP provides an appropriate consenting framework for any expansion or activities that require a new consent.</p>	<p><b>Decision:</b> Reject original submission and accept Horokiwi further submission</p> <p><b>S42A Reasoning:</b> 260. .... On this basis, I agree with the submission of Horokiwi Quarries and reject the relief sought by Forest and Bird [345.245]</p> <div data-bbox="869 823 1697 971" style="border: 1px solid black; padding: 5px;"> <p><b>NFL-R5 Operation of existing quarrying and mining activities within special amenity landscapes and ridgelines and hilltops</b></p> <p>1. Activity status: <b>Permitted</b></p> </div>	<p><b>Accept the officer recommendation to retain the permitted activity status.</b></p> <p><b>The recommended change reflects that sought in the Horokiwi submission.</b></p>				
<p>Horokiwi Quarries Ltd 271.39</p>	<p>Natural Features and Landscapes / NFL-R6</p>	<p><b>Reasoning:</b> Supports the discretionary activity rule NFL-R5 in so far as it applies to an expansion of the existing quarry operation. Notwithstanding the proposed Special Purpose Quarry Zone which would apply to the Horokiwi site, and the existing use certificate.</p> <p><b>Decision sought</b> Retain NFL-R6 (Extension of existing quarrying and mining activities within special amenity landscapes) as notified.</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> 263. Horokiwi Quarries [271.39] seek to retain NFL-R6 as notified.</p> <table border="1" data-bbox="891 1362 1939 1449"> <tr> <td><b>NFL-R6</b></td> <td><b>Extension of existing quarrying and mining activities within special amenity landscapes</b></td> </tr> <tr> <td>All Zones</td> <td>1. Activity status: <b>Discretionary</b></td> </tr> </table>	<b>NFL-R6</b>	<b>Extension of existing quarrying and mining activities within special amenity landscapes</b>	All Zones	1. Activity status: <b>Discretionary</b>	<p><b>Accept the recommendation.</b></p> <p><b>The retention of the rule reflects that sought in the Horokiwi submission.</b></p>
<b>NFL-R6</b>	<b>Extension of existing quarrying and mining activities within special amenity landscapes</b>							
All Zones	1. Activity status: <b>Discretionary</b>							



<p>Royal Forest and Bird Protection Society 345.246</p> <p>Horokiwi Quarries Ltd FS28.7</p>	<p>Natural Features and Landscapes / NFL-R6</p>	<p><b>Reasoning:</b> Seeks the rule is given restricted discretionary status and that matters of discretion cross reference relevant policies in the plan including new ECO and NFL policies sought above.</p> <p><b>Decision sought</b> Amend NFL-R6 (Extension of existing quarrying and mining activities within special amenity landscapes): 1. Activity status: <del>Discretionary</del> <b>Restricted Discretionary</b> <u>Matters of discretion:</u> <u>1. [add cross references to relevant ECO and NFL policies that are aimed at maintenance of biodiversity outside Significant Natural Areas and give effect to policy 11 of NZ Coastal Policy Statement].</u></p> <p><b>Horokiwi Oppose. Reasoning:</b> Horokiwi Quarries Ltd opposes the sought change in activity status for expansions. As a discretionary activity, other policies in the PDP would be applied where relevant and applicable.</p>	<p><b>Decision:</b> Reject original submission and accept Horokiwi further submission</p> <p><b>S42A Reasoning:</b> 265. In response to Forest and Bird [345.246], I disagree with their amendment as the notified discretionary activity status allows for the consideration of all effects, whereas restricted discretionary status would limit the assessment to identified matters.</p> <table border="1" data-bbox="891 272 1939 357"> <tr> <td data-bbox="891 272 1048 312">NFL-R6</td> <td data-bbox="1048 272 1939 312">Extension of existing quarrying and mining activities within special amenity landscapes</td> </tr> <tr> <td data-bbox="891 312 1048 357">All Zones</td> <td data-bbox="1048 312 1939 357">1. Activity status: <b>Discretionary</b></td> </tr> </table>	NFL-R6	Extension of existing quarrying and mining activities within special amenity landscapes	All Zones	1. Activity status: <b>Discretionary</b>	<p>Accept the officer recommendation.</p> <p>The retention of the rule reflects that sought in the Horokiwi submission.</p>
NFL-R6	Extension of existing quarrying and mining activities within special amenity landscapes							
All Zones	1. Activity status: <b>Discretionary</b>							
<p>Horokiwi Quarries Ltd 271.40</p>	<p>Natural Features and Landscapes / NFL-R7</p>	<p><b>Reasoning:</b> Considers that on the basis NFL-R6 relates to the expansion of existing quarries, Rule NFL-R7 has limited relevance to the submitter.</p> <p><b>Decision sought</b> Retain NFL-R7 (New quarrying and mining activities within special amenity landscapes) as notified.</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> 270. Horokiwi Quarries [271.40] and Forest and Bird [345.247] seek to retain NFL-R7 as notified.</p> <table border="1" data-bbox="891 775 1939 860"> <tr> <td data-bbox="891 775 1048 815">NFL-R7</td> <td data-bbox="1048 775 1939 815">New quarrying and mining activities within special amenity landscapes</td> </tr> <tr> <td data-bbox="891 815 1048 860">All Zones</td> <td data-bbox="1048 815 1939 860">1. Activity status: <b>Non-complying</b></td> </tr> </table>	NFL-R7	New quarrying and mining activities within special amenity landscapes	All Zones	1. Activity status: <b>Non-complying</b>	<p>Accept the officer recommendation.</p> <p>The retention of the rule reflects that sought in the Horokiwi submission.</p>
NFL-R7	New quarrying and mining activities within special amenity landscapes							
All Zones	1. Activity status: <b>Non-complying</b>							
<p>Horokiwi Quarries Ltd 271.41</p>	<p>Natural Features and Landscapes / NFL-R8</p>	<p><b>Reasoning:</b> Considers that given there are no ONFLs within proximity of the existing Horokiwi site, the rule has limited relevance to the submitter.</p> <p><b>Decision sought</b> Retain NFL-R8 (Extension of existing quarrying and mining activities, new quarrying and mining activities and new plantation forestry within outstanding natural features and landscapes) as notified.</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> 274. Horokiwi Quarries [271.41] and Forest and Bird [345.248] seek to retain NFL-R8 as notified.</p> <table border="1" data-bbox="891 1000 1899 1129"> <tr> <td data-bbox="891 1000 1048 1086">NFL-R8</td> <td data-bbox="1048 1000 1899 1086">Extension of existing quarrying and mining activities, new quarrying and mining activities and new plantation forestry within outstanding natural features and landscapes</td> </tr> <tr> <td data-bbox="891 1086 1048 1129">All Zones</td> <td data-bbox="1048 1086 1899 1129">1. Activity status: <b>Non-complying</b></td> </tr> </table>	NFL-R8	Extension of existing quarrying and mining activities, new quarrying and mining activities and new plantation forestry within outstanding natural features and landscapes	All Zones	1. Activity status: <b>Non-complying</b>	<p>Accept the officer recommendation.</p> <p>The retention of the rule reflects that sought in the Horokiwi submission.</p>
NFL-R8	Extension of existing quarrying and mining activities, new quarrying and mining activities and new plantation forestry within outstanding natural features and landscapes							
All Zones	1. Activity status: <b>Non-complying</b>							
<p>Yvonne Weeber 340.21</p> <p>Horokiwi Quarries Ltd FS28.12</p>	<p>Coastal Environment / General CE</p>	<p><b>Reasoning:</b> Activities related to mining and quarrying within the coastal environment mentioned in CE-P9 are opposed.</p> <p><b>Decision sought</b> Seeks that Mining and quarrying activities within the coastal environment not be permitted. [Inferred decision requested]</p> <p><b>Horokiwi Oppose. Reasoning:</b> Policy CE-P9 provides a policy framework for quarrying and mining activities within the coastal environment as opposed to activity status. The reasoning for the relief sought by the submitter is not clear.</p>	<p><b>Decision:</b> Reject original submission and accept Horokiwi further submission</p> <p><b>S42A Reasoning:</b> 77. I disagree with Yvonne Weeber [340.21 and 340.22] and consider that providing for the extension of existing quarrying activities (which are areas zoned for quarrying purposes) outside of high coastal natural character areas and outside of coastal and riparian margins as a restricted discretionary activity (CE-P9 and CE-R10) strikes an appropriate balance of protecting the Coastal Environment whilst enabling quarrying activities that contribute to the economic well-being and functioning of the city through providing locally-sourced aggregate required for infrastructure and development, as recognised in Policy 6(1)(a) of the NZCPS and Policy 36 of the RPS.</p>	<p>Accept the officer recommendation.</p> <p>The retention of the rules (and policy CE-P9) reflects that sought in the Horokiwi submission.</p>				

<p>Horokiwi Quarries Ltd 271.42</p>	<p>Coastal Environment / General CE</p>	<p><b>Reasoning:</b> Opposes parts of the Coastal Overlay as it relates to part of the exiting Horokiwi quarry site. An amended boundary is sought given the nature of the existing quarrying activities undertaken and modified nature of the environment.</p> <p><b>Decision sought</b> Seeks that the coastal environment line as it relates to Horokiwi is amended.</p> 	<p><b>Decision:</b> Reject</p> <p><b>S42A Reasoning:</b> 101. I note that there are various examples of highly modified and urbanised areas included within the extent of the mapped Coastal Environment and that Policy 1.2.i. of the NZCPS anticipates this by recognising that the coastal environment includes 'physical resources and built facilities, including infrastructure, that have modified the coastal environment'. Consequently, and following expert landscape advice of Mr Anstey as outlined in his Statement of Evidence, I disagree with Horokiwi Quarries Ltd [271.10, 271.11, and 271.42] and Aggregate and Quarry Association [303.7 and 303.8]. I also note that Coastal Environment chapter provisions (CE-R10) provide for the expansion of existing quarrying activities. 102. I also note that Horokiwi Quarries Ltd highlighted in their submission that Boffa Miskell Limited Wellington and Hutt City Coastal Study: Natural Character Evaluation of the Wellington City and Hutt City Coastal Environment 2016 report was not made available at the time of notification of the PDP. I understand that this was an oversight and the report has been made available on Council website. I note that the report would have been provided on request in the event that Council had received one post notification of the PDP.</p>	<p><b>Oppose the recommendation to retain the Coastal Environment lines as notified.</b> <b>Refer evidence.</b></p>
<p>Horokiwi Quarries Ltd 271.43</p>	<p>Coastal Environment / CE-01</p>	<p><b>Reasoning:</b> Supports Objective CE-01 .</p> <p><b>Decision sought</b> Retain CE-01 (Coastal environment) as notified.</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b> 150. Forest and Bird [345.294, opposed by WIAL FS36.86], Horokiwi Quarries Ltd [271.43] and Te Rūnanga o Toa Rangatira [488.58] seek the objective to be retained as notified.</p> <div data-bbox="891 895 1753 1007" style="border: 1px solid black; padding: 5px;"> <p>The natural character and qualities that contribute to the natural character within the landward extent of the coastal environment are maintained and, where appropriate, restored, <u>rehabilitated</u>, or enhanced.</p> </div>	<p><b>Accept the recommendation on the basis the 'rehabilitation' is 'where appropriate', and the officer recommended changes to Policy CE-P9.</b></p>
<p>Horokiwi Quarries Ltd 271.44</p>	<p>Coastal Environment / CE-P1</p>	<p><b>Reasoning:</b> Supports the identification and mapping of the landward extent of the coastal environment at the broad scale level at which it was determined. Notwithstanding its submission point seeking amendment to the identification and mapping of the landward extent of the coastal environment as it applies to the Horokiwi site.</p> <p><b>Decision sought</b> Retain CE-P1 (Identification of the coastal environment and of high coastal natural character areas within the coastal environment) as notified.</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> 190. Horokiwi Quarries Ltd [271.44], WCC ERG [377.230] and Yvonne Weeber [340.25] seek to retain the policy as notified.</p> <div data-bbox="880 1153 1693 1377" style="border: 1px solid black; padding: 5px;"> <p><b>CE-P1 Identification of the coastal environment and of high coastal natural character areas within the coastal environment</b></p> <ol style="list-style-type: none"> <li>1. Identify and map the landward extent of the coastal environment.</li> <li>2. Identify and map areas of very high and high natural character within the coastal environment and list the identified <u>key</u> values in SCHED 12 – High Coastal Natural Character Areas.</li> </ol> </div>	<p><b>Accept the recommendation. The policy is largely retained as supported in the Horokiwi submission.</b></p>

Horokiwi Quarries Ltd 271.45	Coastal Environment / CE-P2	<p><b>Reasoning:</b> Supports CE-P2 in part - largely accepts CE-P2 but seeks recognition of those existing activities which are lawfully established.</p> <p><b>Decision sought</b> Not specified.</p>	<p><b>Decision:</b> Reject</p> <p><b>S42A Reasoning:</b> 214. I disagree with Horokiwi Quarries Ltd [271.45 and 271.46] as I consider that the amendment sought is unnecessary as existing use rights can be relied upon for existing lawfully established activities.</p>	<p>Accept the recommendation, noting no specific relief was sought in the submission and the matter is addressed under other submission points.</p>
Horokiwi Quarries Ltd 271.46	Coastal Environment / CE-P2	<p><b>Reasoning:</b> Considers that CE-P2 recognises existing activities which are lawfully established.</p> <p><b>Decision sought</b> Amend Policy CE-P2 (Use and development within the coastal environment) as follows: <i>Provide for use and development in the landward extent of the coastal environment where it:</i></p> <ol style="list-style-type: none"> <li>1. ....</li> <li>2. ....</li> <li>3. <u>Relates to an existing lawfully established activity</u></li> </ol>	<p><b>Decision:</b> Reject</p> <p><b>S42A Reasoning:</b> 214. I disagree with Horokiwi Quarries Ltd [271.45 and 271.46] as I consider that the amendment sought is unnecessary as existing use rights can be relied upon for existing lawfully established activities.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>CE-P2 Use and development within the coastal environment</b></p> <p>Provide for use and development in the landward extent of the coastal environment where it:</p> <ol style="list-style-type: none"> <li>1. Consolidates existing urban areas; <del>and</del></li> <li>2. Does not establish new urban sprawl along the coastline; <u>and</u></li> <li>3. <u>Avoids any significant adverse effects on the natural character of the coastal environment and avoids, remedies or mitigates any other adverse effects on the natural character of the coastal environment.</u></li> </ol> </div>	<p>Accept the recommendation on the basis of the quarrying specific policy CE-P9.</p>
Horokiwi Quarries Ltd 271.47	Coastal Environment / CE-P8	<p><b>Reasoning:</b> Supports the ability to remove vegetation in the coastal environment outside of areas of very high or high coastal natural character.</p> <p><b>Decision sought</b> Retain CE-P8 (Vegetation removal within the coastal environment) as notified.</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b> 267. Horokiwi Quarries Ltd [271.47] and WCC ERG [377.237] seek to retain the policy as notified.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>CE-P8 Vegetation removal within the coastal environment</b></p> <p>Manage the removal of vegetation in the coastal as follows:</p> <ol style="list-style-type: none"> <li>1. Allow for the removal of vegetation in the coastal environment: <ul style="list-style-type: none"> <li><u>a. outside of areas of high coastal natural character; and</u></li> <li><u>b. outside coastal and riparian margins</u></li> </ul> </li> <li>2. Allow for the removal of exotic vegetation in the coastal environment within areas of high coastal natural character <u>or within coastal margins and riparian margins;</u> and</li> <li>3. Only allow for the removal of indigenous vegetation in the coastal environment within areas of high coastal natural character <u>or within coastal and riparian margins</u> that: <ul style="list-style-type: none"> <li>a. Is of a scale that maintains the <del>identified values existing natural character;</del> or</li> <li><u>b. Is necessary for the safe and efficient operation, maintenance and repair of public accessways, or infrastructure; or</u></li> <li><u>c. Is necessary to avoid an imminent threat to the safety of people, or significant damage to property.</u></li> <li><del>b. Is associated with ongoing maintenance of existing public accessways.</del></li> </ul> </li> </ol> </div>	<p>Accept the recommendation, noting the Horokiwi site is not within coastal and riparian margins, and not within areas of high natural character.</p>

<p>Horokiwi Quarries Ltd 271.48</p>	<p>Coastal Environment / CE-P9</p>	<p><b>Reasoning:</b> Supports that CE-P9 recognises existing quarry activities, and their expansion. The policy recognises the importance and role of existing quarry activities and provides a policy pathway for their expansion (outside of high coastal natural character areas and outside of coastal and riparian margins). Notwithstanding the sought amendment to the CE line as it relates to the Horokiwi site, the submitter supports policy CE-P9.</p> <p><b>Decision sought</b> Retain CE-P9 (Mining and quarrying activities within the coastal environment) as notified, with amendments to the Coastal Environment Overlay.</p>	<p><b>Decision:</b> Reject</p> <p><b>S42A Reasoning:</b> <i>287. Horokiwi Quarries Ltd [271.48] supports that CE-P9 recognises existing quarry activities, and their expansion and seeks CE-P9 is retained as notified, with amendments to the Coastal Environment Overlay.</i></p> <div style="border: 1px solid black; padding: 5px;"> <p><b>CE-P9 Mining and quarrying activities within the coastal environment</b></p> <p>Manage mining and quarrying activities within in the coastal environment as follows:</p> <ol style="list-style-type: none"> <li>1. Allow for established mining and quarrying activities in the Coastal Environment;</li> <li>2. Only allow for the extension of established mining and quarrying activities <del>or new quarrying and mining activities</del> where it: <ul style="list-style-type: none"> <li><u>a.</u> is located outside of high coastal natural character areas and outside of coastal and riparian margins <del>and</del>;</li> <li><u>b.</u> <del>avoids any potential significant</del> adverse effects <u>on natural character of the coastal environment</u>; and</li> <li><u>c.</u> <del>any other adverse effects on natural character can be</del> <u>are</u> avoided, remedied or mitigated;</li> </ul> </li> <li>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</li> <li>4. Avoid the establishment of new mining and quarrying activities within the coastal environment</li> </ol> </div>	<p><b>Accept the recommendation, noting the recommended changes give effect to the NZCPS. The Horokiwi site is not within any high coastal natural character areas or within coastal and riparian margins.</b></p>
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<p>Royal Forest and Bird Protection Society 345.311</p> <p>Horokiwi Quarries Ltd FS28.8</p>	<p>Coastal Environment / CE-P9</p>	<p><b>Reasoning:</b> Opposes the blanket provision (in 1.) for existing activities, as this suggests their effects would not need to be considered if they require re consenting. Opposes because it is inconsistent with the NZCPS requirement to avoid significant adverse effects on all areas of natural character, not only high natural character. Support 3, but this should not be limited to areas of high natural character. Supports paragraph 4.</p> <p><b>Decision sought</b> Amend CE-P9 (Mining and quarrying activities within the coastal environment): <i>Manage mining and quarrying activities within in the coastal environment as follows:</i> 1. Allow for established mining and quarrying activities in the Coastal Environment <u>where their effects can be managed in accordance with the objectives and policies of this Plan;</u> 2. <del>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;</del> 3. Avoid the extension of established mining and quarrying activities and the establishment of new mining and quarrying within <del>high</del> coastal natural character areas and within coastal and riparian margins in the coastal environment; and Avoid the establishment of new mining and quarrying activities within the coastal environment</p> <p><b>Horokiwi Oppose. Reasoning:</b> Policy NFL-P9 is specific to mining and quarrying, and in relation to the Horokiwi site, is supported in that it recognises existing quarry activities, and their expansion. Specific to Horokiwi, the policy recognises the importance and role of existing quarry activities and provides a policy pathway for their expansion (outside of high coastal natural character areas and outside of coastal and riparian margins).</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p><b>CE-P9 Mining and quarrying activities within the coastal environment</b></p> <p>Manage mining and quarrying activities within in the coastal environment as follows:</p> <ol style="list-style-type: none"> <li>1. Allow for established mining and quarrying activities in the Coastal Environment;</li> <li>2. Only allow for the extension of established mining and quarrying activities <del>or new quarrying and mining activities</del> where it: <ul style="list-style-type: none"> <li>a. is located outside of high coastal natural character areas and outside of coastal and riparian margins <del>and;</del></li> <li>b. <u>avoids any potential significant adverse effects on natural character of the coastal environment; and</u></li> <li>c. <u>any other adverse effects on natural character can be are</u> avoided, remedied or mitigated;</li> </ul> </li> <li>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</li> <li>4. Avoid the establishment of new mining and quarrying activities within the coastal environment</li> </ol> </div> <p><small>Versioned Wellington City District Plan</small></p>	<p>Accept the recommendation, noting the recommended changes give effect to the NZCPS. The Horokiwi site is not within any high coastal natural character areas or within coastal and riparian margins.</p>
<p>Horokiwi Quarries Ltd 271.49</p>	<p>Coastal Environment / CE-R4</p>	<p><b>Reasoning:</b> Supports a permitted activity rule (with no controls) for vegetation trimming or removal noting that vegetation trimming or removal within an SNA within the CE is managed under the ECO chapter of the PDP.</p> <p><b>Decision sought</b> Retain CE-R4 (Vegetation trimming or removal within the coastal environment, outside of high coastal natural character areas) as notified.</p>	<p><b>Decision:</b> Accept in part</p> <p><b>S42A Reasoning:</b> 325. FENZ [273.142], Horokiwi Quarries Ltd [271.49], and WCC ERG [377.259] seek to retain the rule as notified.</p> <div style="border: 1px solid black; padding: 5px;"> <p><b>CE-R4 Vegetation trimming or removal within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>outside of high coastal natural character areas; and</b></li> <li>• <b>outside of coastal or riparian margins.</b></li> </ul> <ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b></li> </ol> </div>	<p>Accept the recommendation, noting the Horokiwi site is not within any high coastal natural character areas or within coastal and riparian margins.</p>

<p>Horokiwi Quarries Ltd 271.50</p>	<p>Coastal Environment / CE-R10</p>	<p><b>Reasoning:</b> Supports rule CE-R10 and in particular the restricted discretionary activity status.</p> <p><b>Decision sought</b> Retain CE-R10 (Extension of existing mining and quarrying activities within the coastal environment) as notified.</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> 384. HS8-CE-Rec62: That CE-R10 be confirmed as notified.</p> <table border="1" data-bbox="869 225 1939 834"> <tr> <td data-bbox="869 225 1039 339"></td> <td data-bbox="1039 225 1939 339"> <p><b>CE-R10</b>    <b>Extension of existing mining and quarrying activities within the coastal environment</b></p> </td> </tr> <tr> <td data-bbox="869 339 1039 687"> <p>All Zones</p> </td> <td data-bbox="1039 339 1939 687"> <p>1. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. It is located outside of high coastal natural character areas and outside of coastal and riparian margins in the coastal environment.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The effects of the activity on the natural character of the coastal environment;</li> <li>2. Whether there is a functional or operational need for the activity to be located within the coastal environment; and</li> <li>3. The matters in CE-P9.</li> </ol> </td> </tr> <tr> <td data-bbox="869 687 1039 834"> <p>All Zones</p> </td> <td data-bbox="1039 687 1939 834"> <p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R10.1.a cannot be achieved.</p> </td> </tr> </table>		<p><b>CE-R10</b>    <b>Extension of existing mining and quarrying activities within the coastal environment</b></p>	<p>All Zones</p>	<p>1. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. It is located outside of high coastal natural character areas and outside of coastal and riparian margins in the coastal environment.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The effects of the activity on the natural character of the coastal environment;</li> <li>2. Whether there is a functional or operational need for the activity to be located within the coastal environment; and</li> <li>3. The matters in CE-P9.</li> </ol>	<p>All Zones</p>	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R10.1.a cannot be achieved.</p>	<p><b>Accept the recommendation.</b></p> <p>The recommendation reflects that sought in the Horokiwi submission and the rule and activity status is retained.</p> <p>It is noted the Horokiwi site is not within any high coastal natural character areas or within coastal and riparian margins.</p>
	<p><b>CE-R10</b>    <b>Extension of existing mining and quarrying activities within the coastal environment</b></p>									
<p>All Zones</p>	<p>1. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. It is located outside of high coastal natural character areas and outside of coastal and riparian margins in the coastal environment.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The effects of the activity on the natural character of the coastal environment;</li> <li>2. Whether there is a functional or operational need for the activity to be located within the coastal environment; and</li> <li>3. The matters in CE-P9.</li> </ol>									
<p>All Zones</p>	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R10.1.a cannot be achieved.</p>									
<p>Yvonne Weeber 340.54</p> <p>Horokiwi Quarries Ltd FS28.13</p>	<p>Coastal Environment / CE-R10</p>	<p><b>Reasoning:</b> CE-R10 is opposed as it relates to the mining and quarrying activities within the coastal environment, which is generally opposed.</p> <p><b>Decision sought</b> Not specified.</p> <p><b>Horokiwi Oppose. Reasoning:</b> The relief sought by the submitter is not clear. Rule CE-R10 provides a restricted discretionary activity and non-complying activity status and therefore provides a consenting and assessment process and framework.</p>	<p><b>Decision:</b> Reject original submission and accept Horokiwi further submission</p> <p><b>S42A Reasoning:</b> 384. HS8-CE-Rec62: That CE-R10 be confirmed as notified.</p>	<p><b>Accept the recommendation.</b></p> <p>The recommendation reflects that sought in the Horokiwi submission and the rule and activity status is retained.</p> <p>It is noted the Horokiwi site is not within any high coastal natural character areas or within coastal and riparian margins.</p>						



<p>Royal Forest and Bird Protection Society 345.342</p> <p>Horokiwi Quarries Ltd FS28.9</p>	<p>Coastal Environment / CE-R10</p>	<p><b>Reasoning:</b> Considers the activity should be non-complying, particularly in the context of this Plan’s approach of only identifying high natural character areas, and the requirements of policy 13 NZCPS.</p> <p><b>Decision sought</b> Amend CE-R10 (Extension of existing mining and quarrying activities within the coastal environment): <i>1. Activity status: <del>Restricted Discretionary</del> Non-complying</i></p> <p><b>Horokiwi Oppose. Reasoning:</b> The PDP restricted discretionary activity status is supported and provides an appropriate framework in which to consider the effects of existing quarry and mining activities.</p>	<p><b>Decision:</b> Reject original submission and accept Horokiwi further submission</p> <p><b>S42A Reasoning:</b> <i>384. HS8-CE-Rec62: That CE-R10 be confirmed as notified.</i></p>	<p>Accept the recommendation.</p> <p>The recommendation reflects that sought in the Horokiwi submission and the rule and activity status is retained.</p> <p>It is noted the Horokiwi site is not within any high coastal natural character areas or within coastal and riparian margins.</p>
<p>WCC Environmental Reference Group 377.265</p> <p>Horokiwi Quarries Ltd FS28.10</p>	<p>Coastal Environment / CE-R10</p>	<p><b>Reasoning:</b> CE-R10 is supported as it is considered logical and beneficial.</p> <p><b>Decision sought</b> Amend CE-R10 (Extension of existing mining and quarrying activities within the coastal environment) to add the following matter of discretion: <i>“the long-term emissions profile of such an activity, in particular the impact of such an emissions profile on future generations.”</i></p> <p><b>Horokiwi Oppose. Reasoning:</b> The matter is not an appropriate matter of discretion. It is not clear if the matter is restricted to the activity itself or the end use to the extracted material.</p>	<p><b>Decision:</b> Reject original submission and accept Horokiwi further submission</p> <p><b>S42A Reasoning:</b> <i>384. HS8-CE-Rec62: That CE-R10 be confirmed as notified.</i></p>	<p>Accept the recommendation.</p> <p>The recommendation reflects that sought in the Horokiwi submission and the rule and activity status is retained.</p> <p>It is noted the Horokiwi site is not within any high coastal natural character areas or within coastal and riparian margins.</p>
<p>Yvonne Weeber 340.55</p> <p>Horokiwi Quarries Ltd FS28.14</p>	<p>Coastal Environment / CE-R11</p>	<p><b>Reasoning:</b> CE-R11 is opposed as it relates to the mining and quarrying activities within the coastal environment, which is generally opposed.</p> <p><b>Decision sought</b> Not specified.</p> <p><b>Horokiwi Oppose. Reasoning:</b> The relief sought by the submitter is not clear. Rule CE-R11 provides a NC activity status and therefore provides a consenting and assessment process and framework.</p>	<p><b>Decision:</b> Reject original submission and accept Horokiwi further submission</p> <p><b>S42A Reasoning:</b> <i>392. HS8-CE-Rec64: That CE-R11 be confirmed as notified.</i></p>	<p>Accept the recommendation.</p> <p>The recommendation reflects that sought in the Horokiwi submission and the rule and activity status is retained.</p> <p>It is noted the Horokiwi site is not within any high coastal natural character areas or within coastal and riparian margins.</p>



<p>Horokiwi Quarries Ltd 271.95</p>	<p>SCHED11 – Special Amenity Landscapes</p>	<p><b>Reasoning:</b> Considers that, in relation to objectives and policies in the Natural Features and Landscapes Chapter, while the values for particular sites are outlined in Schedule 11, the characteristics are not. Clarification on the characteristics would assist with plan interpretation and application.</p> <p><b>Decision sought</b> Clarify what characteristics of special amenity landscapes are in the PDP, and in particular the Natural Features and Landscapes Chapter.</p>	<p><b>Decision:</b> Accept</p> <p><b>S42A Reasoning:</b> <i>346. In response to the amendments sought by Horokiwi Quarries [271.95], Forest and Bird [345.415], and Taranaki Whānui [389.140], Mr Anstey in his evidence recommends that detail from the 2019 Boffa Miskell Wellington City Landscape Evaluation should be included in the schedule to provide a more comprehensive guide to those wishing to apply for resource consents. I agree that Schedule 11 should identify what the values and characteristics of each Special Amenity Landscape are in the PDP and that this would provide clarity and ease of reference for plan users without the need to refer back to the background report.</i></p>	<p>Accept in part the recommendation on the basis of the identification of values within Schedule 11. However, it is noted that the schedule provides no reference to characteristics. Clarification would assist given the policies still require an assessment against ‘characteristics and values’. Specific to Horokiwi, I would support wording to Schedule 11 Special Amenity Landscape: Korokoro Steam Valley, to recognise the existing quarry.</p>
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