



# ***Council Decision on Proposed District Plan Change 64***

**Amendments to Kiwi Point Quarry provisions**

November 2008



## Plan Change Document

### WELLINGTON CITY DISTRICT PLAN

### PROPOSED DISTRICT PLAN CHANGE 64 – AMENDMENTS TO KIWI POINT QUARRY PROVISIONS

Includes the recommendations to Council. Text to be added is highlighted (abcdefghijkl). Text to be deleted is highlighted and struck through (abcdefghijkl).

Note – some consequential renumbering has taken place as a result of additions and deletions.

#### ALTERATIONS TO THE WELLINGTON CITY DISTRICT PLAN

Detailed below are the alterations to the Wellington City District Plan. To assist the understanding of the new provisions, an annotated copy of the Suburban Centre (Chapter 6) and Suburban Centre Rule (Chapter 7) chapters of the District Plan is provided as a separate document (Attachment 1).

#### A. ALTERATIONS TO VOLUME ONE, SUBURBAN CENTRES

Chapter 6, 'SUBURBAN CENTRES'. Delete and insert new provisions by making the following amendments:

##### 6.1 Introduction

1. **Delete** the final paragraph under the 'Introduction' and **Replace** with a new final paragraph to the Introduction to read:

The Kiwi Point Quarry is also included within Suburban Centres. The quarry is subject to specific rules as well as to other relevant rules applying elsewhere in Suburban Centres to mitigate adverse effects. The provisions recognise the quarry's economic importance to the City and wider region. As the long term future of the southern part of the Kiwi Point Quarry (being the area south of the access point off State Highway One) has not yet been determined, the provisions of this Plan require that any use of this area other than quarrying and cleanfilling will require consent as a non-complying activity. It is expected that the long term future of this area will be addressed during a subsequent plan review or by a Plan Change in association with the City's open space strategy at that time.

##### Policy 6.2.1.2

2. **Delete** the sixth paragraph of explanatory text under Policy 6.2.1.2 and **Replace** with a new sixth paragraph of explanatory text under Policy 6.2.1.2 to read:

Specific rules apply to the Kiwi Point Quarry. These rules allow for quarrying and related activities, which are not otherwise provided for in the City, subject to specific rules. For the southern part of the Kiwi Point Quarry (being the area south of the access point from State Highway One), the rules restrict alternative future uses. As the area has a long life as a quarry, future uses will be evaluated at a later date as part of a plan review or by a Plan Change.

## Policy 6.2.3.3A

3. **Delete** existing Policy 6.2.3.3A and **Replace** with a new Policy 6.2.3.3A to read:

**6.2.3.3A Provide for the development and site rehabilitation of the Kiwi Point Quarry to the extent specified in the Plan in a way that avoids, mitigates or remedies adverse effects.**

**METHODS**

- Rules (including Appendices showing the extent of quarry areas )
- A quarry management plan

*Kiwi Point Quarry is an established quarry, involving ongoing extraction, processing, cleanfilling and rehabilitation. As the continuing availability of aggregate and other quarry materials is economically important for the City and wider region, the Plan makes specific provision for the ongoing use and development of the quarry. For both the older and newer areas of the quarry, specific rules and a development plan are incorporated. These provisions provide for the avoidance or mitigation of adverse effects from the quarry activity and the long-term mitigation of effects on landscape and landform following quarrying. It is the Council's intention that cut faces should be designed to yield a relatively natural landform in the long term and that rehabilitation of cut faces should begin as early as practicable. The staging of quarry development, and the day to day management of quarry activities are further detailed and controlled through the application of a quarry management plan.*

*A quarry management plan shall be prepared and regularly updated, which sets out:*

- *intended staging of the excavation and cleanfilling activities*
- *the means of management of surface and groundwater*
- *management of on-site traffic*
- *provision for any onsite processing and temporary storage of quarry material*
- *any specific provisions relating to onsite management of noise, dust, vibration, visual impact, water quality*
- *a procedure for addressing any complaints*
- *objectives and principles for the rehabilitation of the site, including:*
  - *a timetable for the rehabilitation of prominent quarry faces*
  - *measures to create soil conditions which will support plant growth*
  - *measures to create a variety of site conditions to support a range of species*
  - *means of controlling runoff to avoid erosion*
  - *means of control of plant and animal pests*
  - *measures to avoid fire risks*
  - *means to assist native vegetation to regenerate on grazing land*
  - *rehabilitation which is compatible with Open Space strategy for adjacent areas of land*
- *management of buffer areas*
- *practices and methods that will be adopted to ensure that all permitted activity conditions applying to the activities will be met.*

*The quarry management plan will complement the other rules applying to the quarry activity and will provide additional management details. It will be reviewed at least every five years and any necessary adjustments will be made.*

*As progressive rehabilitation of the area is an important aspect of quarry management, the Quarry Management Plan includes rehabilitation provisions. As quarrying and cleanfilling activities are completed on the site, an implementation plan shall be prepared annually in accordance with the Quarry Management Plan.*

The requirement that regular monitoring is undertaken and regular progress reports are completed and submitted to the Council is a key element. This requirement is included because successful rehabilitation of any disturbed area requires constant monitoring as site conditions vary considerably and evolve over time. Regular observation and recording of results is an essential part of managing the process.

A vegetated buffer area is included within the Suburban Centres Area as part of the development of the southern part of the quarry. At the northern end, the necessary buffer area is within the Open Space B Area.

It is important also that rehabilitation of the quarry area should recognise and in the longer term be able to be integrated as appropriate with the Open Space strategy developed by the Council for adjacent areas of land. Current Council policy is for the creation of further Green Belt areas on the steep hill sides of the Ngauranga Gorge and, for instance, it may be possible to allow continuation or linking of proposed walkways.

Overall, the environmental result will be the availability of quarry materials for the City and wider region in the short and medium term, and long-term achievement of well-vegetated quarry faces with the appearance of natural landforms which will be integrated with Council development of Open Space areas in this vicinity.

## **B. ALTERATIONS TO VOLUME ONE, SUBURBAN CENTRE RULES**

Chapter 7, 'SUBURBAN CENTRE RULES'. Delete and insert new provisions by making the following amendments:

### **Rule 7.1.1**

4. **Delete** the following text from the sixth bullet point after the words 'rule 7.1.3':  
"A in part of .... Extension"
5. **Insert** the following text into the sixth bullet point after the words 'Kiwi Point':  
"Quarry"
6. **Delete** the following text from the end of the eighth bullet point:  
"and 7.1.3A"
7. **Delete** the following text from the ninth bullet point after the words 'any activity in the'  
"area defined as the Kiwi Point Quarry Extension Area"
8. **Insert** the following text into the ninth bullet point after the words 'any activity in the'  
"southern part of the Kiwi Point Quarry (defined as the area south of the access point from State Highway One)"
9. **Delete** the letter "A" at the end of the ninth bullet point.

### **Rules 7.1.3 and 7.1.3A**

10. **Delete** existing Rules 7.1.3 and 7.1.3A and **Replace** with the following new Rule 7.1.3 to read:

**7.1.3 Quarrying and clean filling on part Lot 1, and part Lot 2 DP 72995, part Lot 4, part Lot 5 and part Lot 6 DP 72996, part Lot 1 DP 34015, part Lot 1 DP 65030 and part Lot 2 DP 91179 Ngauranga Gorge (known as Kiwi Point Quarry) is a Permitted Activity provided that it complies with the following conditions:**

7.1.3.1 Any relevant provisions of rules 7.1.1 and 7.1.2 except that rule 7.1.1.6.2 does not apply to the temporary stockpiling or storage of quarried rock material.

**7.1.3.2 Dust**

7.1.3.2.1 Dust control measures shall be undertaken to avoid creating a dust nuisance beyond the Quarry Boundary.

**7.1.3.3 Quarry activities**

7.1.3.3.1 Quarry activities shall be restricted to the area within the Suburban Centre Area north of the abattoir and south of the access road, excluding the area shown as a buffer area, as identified on the plan included as Appendix 5.

7.1.3.3.2 Some blasting may be carried out as part of the normal quarrying operations. Blasting of faces for crushed rock production must take place between 10.00am and 2.00pm Monday to Friday only. ~~Other minor blasting and small shots fired for training purposes may be carried out at any time between 9am and 4pm Monday to Friday inclusive.~~

7.1.3.3.3 In all cases, residents of Tarawera Road, Plumer Street, 113, 130, 170 and 175 Fraser Avenue, and 146 Burma Road ~~the following property owners~~ must be notified by mail no less than one week in advance of blasting. ~~faces for crushed rock production, or through an agreed system between the quarry operator and the owners of the properties listed as follows:~~

- ~~9 and 14 Plumer Street, Johnsonville~~
- ~~73, 75, 84, and 86 Tarawera Road, Johnsonville~~
- ~~113, 130, 170 and 175 Fraser Avenue, Johnsonville~~
- ~~146 Burma Road, Johnsonville~~

Blasting must be immediately preceded by a siren or hooter with a sound which distinguishes it from normal Police, Ambulance or Fire Service sirens.

7.1.3.3.4 The ~~maximum finished~~ slope of quarry faces ~~a batter (i.e between benched areas)~~ shall not exceed 55 degrees from the horizontal

7.1.3.3.5 The maximum height of ~~a finished~~ batters shall ~~not exceed~~ ~~be no more than~~ 15 metres.

7.1.3.3.6 A buffer area with a minimum width of 25 metres shall be maintained on the uphill boundary of the site as shown on Appendix 5. This area will be allowed to revegetate naturally except where there is a need for additional planting.

Note: At the north end of the quarry near Plumer Street and Tarawera Road, the buffer area is within the Open Space B Area as shown in Appendix 5 and is governed by the Open Space provisions.

7.1.3.3.7 A fence must be maintained adjacent to any properties in the Residential Area along the quarry boundary to a height of 1.2m.

7.1.3.3.8 Prior to commencement of operations in any area, a security fence must be installed and maintained along the outer edge of the buffer area.

7.1.3.3.9 No quarry activities shall be undertaken within the buffer area unless agreed by Council.

#### **7.1.3.4 Cleanfill activities**

7.1.3.4.1 Cleanfill activities shall be restricted to the area shown on the plan included as Appendix 5.

7.1.3.4.2 The cleanfill shall comply with the definition of cleanfill in Section 3 (Definitions) of this District Plan.

#### **7.1.3.5 Location of quarry plant**

The primary crusher may be moved as the quarry face recedes and new faces are worked. Any processing plant or buildings within the southern part of the quarry shall be relocatable.

#### **7.1.3.6 Traffic movement**

There shall be one entry point to the quarry, via Crossing Place 22 from State Highway One (also the main access to the adjacent Abattoir). This must be the sole means of entry and exit for quarry vehicles. This access must be maintained to the standard of local streets.

#### **7.1.3.7 Rehabilitation and treatment of stripped areas**

7.1.3.7.1 All land encompassed within the quarry boundary shall be progressively rehabilitated (except where used for other permitted or consented activities). Any planting will take place as soon as practicable following the completion of the quarry or cleanfill activity. Planting will be undertaken using indigenous species from local sources, except where exotic species are required to provide erosion control and/or temporary nurse cover for revegetation with indigenous species.

~~7.1.3.6.2 When the stripping of vegetation and overburden is undertaken to expose rock, dust control measures shall be undertaken to avoid creating a dust nuisance outside quarry boundaries.~~

7.1.3.7.2 Excluding the Abattoir area, areas shown on Appendix 5 which are not shown as areas for quarrying and/or cleanfilling shall be allowed to revegetate.

7.1.3.7.3 All exposed surfaces of fill shall be hydro-seeded, or any other approved method, immediately following completion of works as a dust and erosion control measure.

Kiwi Point Quarry is an established quarry activity which is being developed in accordance with the plan in Appendix 5. Rock extraction and other activities associated with the quarry, such as processing and aggregate storage, and restoration of the cut faces will continue. The specific rules that apply to the quarry

area limit the effects of quarrying. The Quarry Management Plan will also ensure that any potential effects will be mitigated.

These provisions allow for the ongoing operation of the Kiwi Point Quarry to the extent shown in Appendix 5. As the potential visual and landscape effects of a quarry in this area have been in part mitigated by reducing the extent of hillside to be removed but allowing the quarry to excavate to below the level of the road, cleanfilling of part of the excavated areas, and site rehabilitation is also provided for.

As the long term future of the southern part of the Kiwi Point Quarry (i.e south of the access point on State Highway One) has not been determined, any other type of activity in this area will be a non-complying activity). At present the Council's Open Space strategy in Capital Spaces indicates that open space is a vital component of the future of the Ngauranga Gorge. It is important that any possible policy issues as to future uses of the southern part of the Kiwi Point Quarry once quarrying is completed are resolved by the Council and the community. Because of the long duration of the quarry activity, the plan leaves any decision on the future of the land to a plan review or future plan change.

#### **Rule 7.3.10**

11. **Delete** existing Rule 7.3.10 and Replace it with a new Rule 7.3.10 to read:

**7.3.10** **Quarrying and cleanfilling activities in Ngauranga Gorge (Kiwi Point Quarry) that do not comply with one or more of the following conditions for Permitted Activities:**

**7.3.10.1** **Matters in rules 7.1.3.1**

**7.3.10.2** **Quarry activities**

**7.3.10.3** **Cleanfill activities**

**7.3.10.4** **Location of quarry plant**

**7.3.10.5** **Traffic movement**

**7.3.10.6** **Rehabilitation and treatment of stripped areas**

**are Discretionary Activities (Restricted) in respect of the condition(s) not met.**

#### **Non-notification**

The written approval of affected persons will not be necessary in respect of rules 7.3.10.1 – 7.3.10.6. Notice of applications need not be served on affected persons and applications need not be notified.

#### **Standards and Terms**



The standards and terms which apply in rules 7.3.1 and 7.3.2 shall apply to all applications under 7.3.10.1.

The duration of a consent granted for processing plant or buildings in the southern part under rule 7.3.10 shall not exceed 10 years.

**Assessment Criteria**

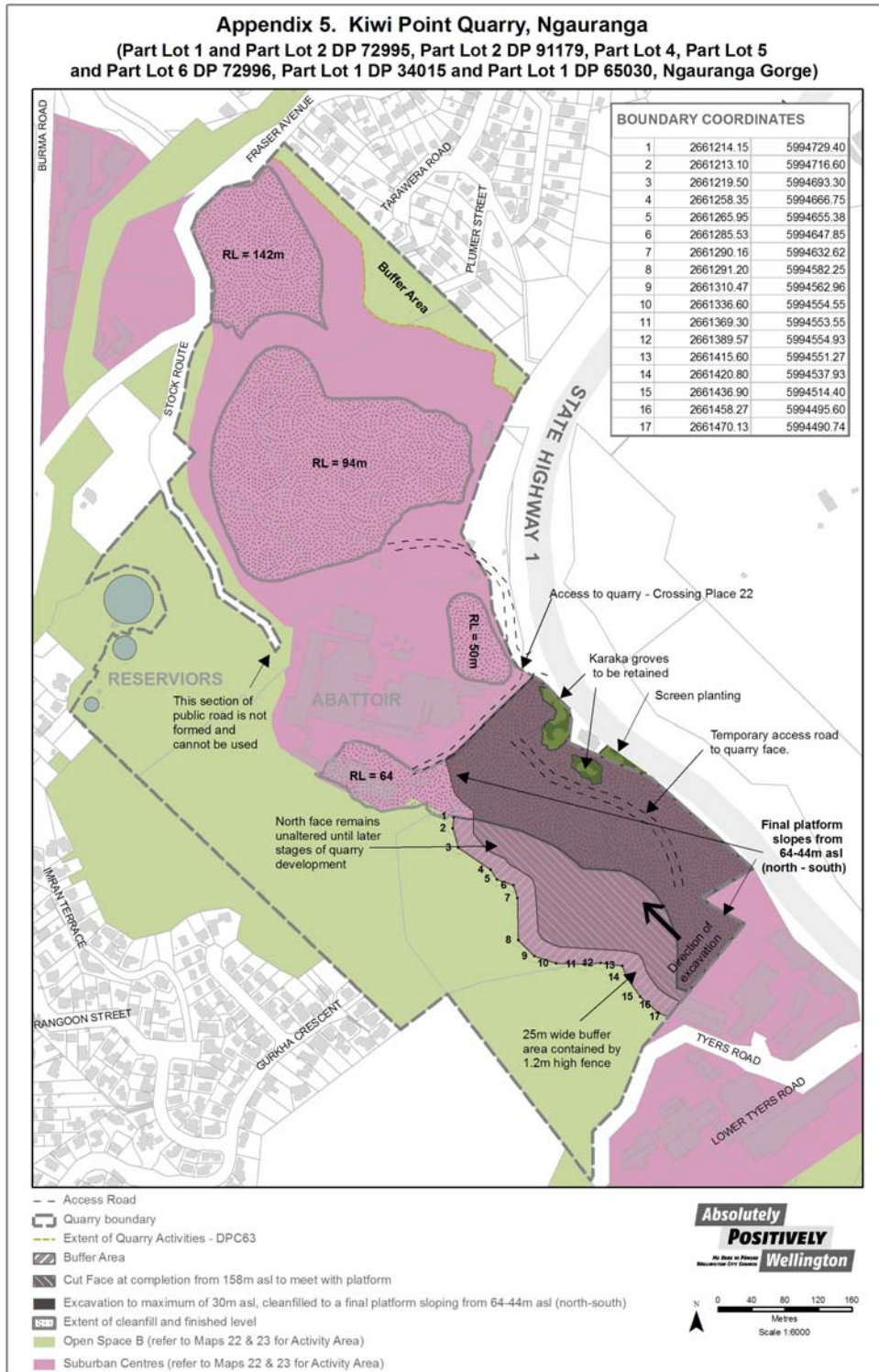
**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to, but not be limited to, the following criteria:**

7.3.10.7.1 Whether the activity is necessary to facilitate the effective and efficient use of the quarry.

7.3.10.7.2 The extent to which the proposal will result in adverse visual, amenity or safety and efficiency effects, including those effects on the State Highway, Fraser Avenue, Tyers Road, on nearby existing activities, and on occupants of nearby dwellings.

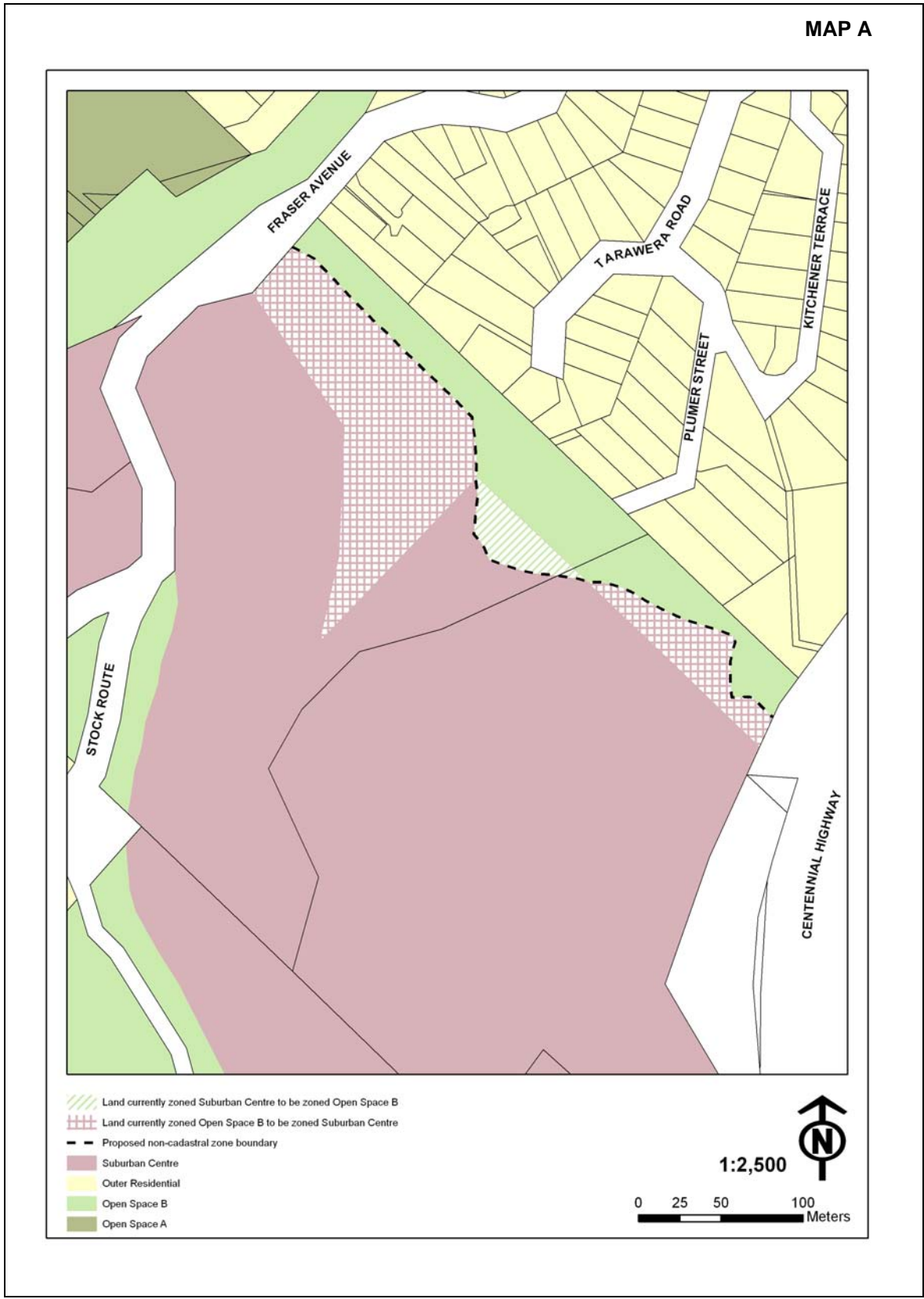
**Chapter 7 - Appendix 5 & Appendix 5A**

12. **Delete** the existing Appendix 5 and Appendix 5A maps and Replace with new Appendix 5 Map as shown below:



C. ALTERATIONS TO VOLUME THREE, MAPS

13. Provide for the **part rezoning** of sites shown on 'Map A' below:





**ANNOTATED CHAPTERS OF THE OPERATIVE DISTRICT PLAN  
INCLUDING PROPOSED DISTRICT PLAN CHANGE  
PROVISIONS**

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*Note: This annotated version does not form part of the plan change, and is included for information purposes to show the plan change proposal in context.*

*Proposed **additions** to text are shown as underlined (abcdefghijkl) and proposed **deletions** are shown as struck through (~~abcdefghijkl~~).*

*Includes the recommendations to Council. Text to be added is highlighted (abcdefghijkl). Text to be deleted is highlighted and struck through (~~abcdefghijkl~~).*

# 6. SUBURBAN CENTRES

## 6.1 Introduction

The Suburban Centre provisions in the District Plan cover the more significant retail and industrial centres in the suburban areas of Wellington City. The Shelly Bay site which was a former military base is also included. These important areas provide a base for a wide range of economic activity essential for the City's growth and development. Note: The extent of the Shelly Bay Suburban Centre area is mapped in Appendix 6 to Chapter 7 for information purposes.

These centres have developed historically, many from the early days of colonial settlement, as either local shopping/service centres or industrial areas. Most of the industrial areas developed along with the major port, railway or airport functions in the City. Others were originally the location of particular industries such as quarries, abattoirs or gas works.

In more recent times the distinction between established retail and industrial centres has diminished markedly. Market forces have changed the focus of most industrial areas from purely industrial to mixed retail, service and industrial centres. Retailing in these centres is directed generally to the sale of heavy or bulky goods from drive-in locations.

The nature of retail centres has also changed, with the development of supermarkets and similar operations requiring extensive parking areas. Distinctions between retail and industrial uses within predominantly retail centres have also declined with the general commercialisation of industrial properties.

The District Plan recognises these changing patterns in Suburban Centres by enabling most activities (with limited exceptions) to be Permitted Activities. This will provide flexibility for centres to respond to changing market situations.

Council intends to promote the development of existing retail centres through its retail strategy and related initiatives. In this way the primary retail focus of these centres for their surrounding suburban communities should be retained.

To avoid, remedy or mitigate the adverse impacts on Residential Areas, the Plan provides for the general containment of Suburban Centres. Any expansion beyond the identified Suburban Centre boundaries requires a plan change. This will enable a full assessment of any environmental effects.

In addition, performance standards have been imposed on Suburban Centre activities to avoid, remedy or mitigate the impact of development on Residential Areas. More stringent standards apply in the interface between Suburban Centres and Residential Areas so that residents will have added protection. Maintaining the character, appearance and environment in and around Suburban Centres is an important objective of the Plan.

Specific provision is also made in the Plan for Suburban Centres which have special characteristics. Building development in the Newtown Centre has a predominantly nineteenth-century character, and this character will be maintained and enhanced through the use of design guidelines.

The Suburban Centres at Greta Point and Shelly Bay are special in that they abut the coastline. Additional provisions have been included at Greta Point to encourage opportunities for public access to the water's edge. At Shelly Bay design guidelines apply to promote new development generally in accordance with the quality and character of the area and that respects the special coastal location. The Shelly Bay provisions are in accordance with decisions of the Environment Court (refer Minister of Defence v Wellington City Council W66/99 and W85/99).

Council is particularly concerned to raise the general standards of design in Suburban Centres, and intends to promote urban design initiatives and further District Plan measures to achieve this end.

~~Kiwi Point Quarry and the Kiwi Point Quarry Extension Area are also included within Suburban Centres. Both areas are subject to specific rules as well as to other relevant rules applying elsewhere in Suburban Centres to mitigate adverse effects. This provision recognises both the existing quarry and its economic importance to the City and wider region, and the future importance of the extension area, which will be commenced within the life of this District Plan. As the long term future of the Kiwi Point Quarry Extension Area following completion of quarrying has not yet been determined, the provisions of this Plan require that any use of this area other than quarrying will require consent as a non-complying activity. It is expected that the long term future of this area will be addressed during a subsequent plan review or by a Plan Change in association with the City's open space strategy at that time.~~

The Kiwi Point Quarry is also included within Suburban Centres. The quarry is subject to specific rules as well as to other relevant rules applying elsewhere in Suburban Centres to mitigate adverse effects. The provisions recognise the quarry's economic importance to the City and wider region. As the long term future of the southern part of the Kiwi Point Quarry (being the area south of the access point off State Highway One) has not yet been determined, the provisions of this Plan require that any use of this area other than quarrying and cleanfilling will require consent as a non-complying activity. It is expected that the long term future of this area will be addressed during a subsequent plan review or by a Plan Change in association with the City's open space strategy at that time.

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## 6.2 Suburban Centre Objectives and Policies

### OBJECTIVE

- 6.2.1 To promote the efficient use and development of natural and physical resources within Suburban Centre areas.**

### POLICIES

To achieve this objective, Council will:

- 6.2.1.1 Generally contain existing Suburban Centres within defined boundaries.**

#### METHOD

- Rules

*Most Wellington Suburban Centres have existed for a long time and already contain the development and infrastructure necessary to fulfil their function as service, employment and social centres.*

*The majority of centres are also appropriately located on or near main arterial routes and are well situated to service their surrounding communities.*

*To permit their continued functioning and development with a minimum of regulation, Suburban Centres have been identified in the Plan.*

*Suburban Centres will also be contained to protect established residential neighbourhoods from the effects of non-residential encroachments. Future expansion of Suburban Centres is not prohibited, but extensions may be considered as a Plan Change so that a full assessment may be made of environmental effects.*

*The establishment of new Suburban Centres also requires a Plan Change. Council is particularly concerned to ensure that any new centres are suitably located and that surrounding Residential Areas are protected.*

*The environmental results will be the maintenance of Suburban Centres which provide for the servicing of local communities and help protect Residential Areas from adverse environmental effects.*

- 6.2.1.2 Encourage a wide range of activities by allowing most uses or activities within a Suburban Centre provided that the conditions specified in the Plan are satisfied.**

#### METHOD

- Rules

*A wide range of uses are permitted within Suburban Centres, as Council does not wish to direct activity through regulatory means. Where Council wishes to encourage activities such as retailing in particular locations, this will be promoted through strategic planning, urban design or related initiatives.*



*This flexible approach to the location of land use and activities is intended to enable owners or developers to respond swiftly and easily to meet market needs or other economic or technological changes. Performance standards are applied to ensure that activities have minimal unwanted side effects.*

*Activities under the Third Schedule of the Health Act are not permitted to be established in the Suburban Centres because of their offensive or noxious nature.*

*Within the Suburban Centre areas adjoining Wellington International Airport there is a need to recognise the potential effects of airport noise on new residential development and conversely, the potential constraints which new residential development have on the airport. The discretionary (unrestricted) rule relating to residential development in Suburban Centres near the airport (being the land inside the airnoise boundary depicted on Map 35) reflects these issues. Reference will also be made to the objectives and policies in Chapter 10 of this Plan when considering resource consent applications for residential development within that area.*

*Helicopter landing areas are included as Discretionary Activities (Unrestricted) to ensure that adverse noise effects and public safety issues can be addressed.*

~~*Specific rules apply to Kiwi Point Quarry and the Kiwi Point Quarry Extension area. These rules allow for quarrying and related activities, which are not otherwise provided for in the City, subject to specific rules. For the Kiwi Point Quarry Extension Area, the rules restrict alternative future uses. As the area has a long life as a quarry, future uses will be evaluated at a later date as part of a plan review or by a Plan Change.*~~

*Specific rules apply to the Kiwi Point Quarry. These rules allow for quarrying and related activities, which are not otherwise provided for in the City, subject to specific rules. For the southern part of the Kiwi Point Quarry (being the area south of the access point from State Highway One), the rules restrict alternative future uses. As the area has a long life as a quarry, future uses will be evaluated at a later date as part of a plan review or by a Plan Change.*

*The environmental results will be the development of Suburban Centres to provide the services, facilities and employment opportunities that the community wants without harming the surrounding environment.*

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**NOTE** – for the sake of this plan change, existing Policy 6.2.3.3A is to be deleted and replaced with the new Policy 6.2.3.3A outlined below.

**OBJECTIVE**

**6.2.3 To maintain and enhance the physical character, townscape and streetscape of Suburban Centres.**

**POLICIES**

To achieve this objective, Council will:

**6.2.3.1 Maintain and enhance the streetscape by controlling the siting and design of structures on or over roads, and through continuing programmes of street improvements.**

## METHODS

- Rules
- Operational activities (Urban Design Strategies)

*The appearance of buildings on or over streets, and of the streets themselves, has a significant bearing on the visual quality of Suburban Centres. Council intends to improve the quality of Suburban Centre streetscapes. Council, through its Urban Design Unit, will work to improve the quality of Suburban Centre environments by implementing urban design strategies for streetscapes that will include some Suburban Centres. This will coordinate Council action.*

*Council also undertakes a wide range of works which improve the City's streetscape. Priority has been given to enhancing areas with high pedestrian counts. This focus will continue.*

*Where building in the air space above roads is proposed, particular consideration will be given to the impact on the streetscape. Such development is controlled and carefully assessed.*

*The environmental result will be improvement of the quality of Suburban Centre streetscapes.*

### **6.2.3.2 Maintain the particular nineteenth-century character of the main commercial centres of Newtown and Tinakori Road in Thorndon by requiring that all new building work, alterations and additions to existing buildings are assessed against Design Guides.**

## METHODS

- Rules
- Design Guides (Newtown, Thorndon)

*The shopping areas of Newtown and Tinakori Road in Thorndon have a nineteenth-century character which Council seeks to protect and enhance. The Newtown Suburban Centre Design Guide and the Thorndon Design Guide identify major elements that characterise the existing commercial developments. It is Council's desire to see that these elements are reflected when development is undertaken. New buildings will not have to duplicate nineteenth-century building forms.*

*The environmental result will be the maintenance and enhancement of the character of the Newtown and Tinakori Road shopping centres.*

### **6.2.3.3 Ensure that any new development at Shelly Bay generally reflects the quality and character of the area and has regard to the site's special coastal location.**

## METHODS

- Rules
- Design Guide (Shelly Bay)

*Shelly Bay is a special Suburban Centre site covering the former military base. Development on the site is characterised by a collection of individual buildings of one or two storeys above ground level. It is council's intention that new building development at Shelly Bay should reflect the character of established development on both sides of the main road through the site, and provide for a pedestrian promenade along the water's edge.*

The environmental result will be the development of Shelly Bay in a manner that reflects the sensitive nature of the site between the sea and the open space of the Miramar headland.

**6.2.3.3A Provide for the development and site rehabilitation of the Kiwi Point Quarry to the extent specified in the Plan in a way that avoids, mitigates or remedies adverse effects.**

**METHODS**

- Rules (including Appendices showing the extent of quarry areas )
- A quarry management plan

Kiwi Point Quarry is an established quarry, involving ongoing extraction, processing, cleanfilling and rehabilitation. As the continuing availability of aggregate and other quarry materials is economically important for the City and wider region, the Plan makes specific provision for the ongoing use and development of the quarry. For both the older and newer areas of the quarry, specific rules and a development plan are incorporated. These provisions provide for the avoidance or mitigation of adverse effects from the quarry activity and the long-term mitigation of effects on landscape and landform following quarrying. It is the Council's intention that cut faces should be designed to yield a relatively natural landform in the long term and that rehabilitation of cut faces should begin as early as practicable. The staging of quarry development, and the day to day management of quarry activities are further detailed and controlled through the application of a quarry management plan.

A quarry management plan shall be prepared and regularly updated, which sets out:

- intended staging of the excavation and cleanfilling activities
- the means of management of surface and groundwater
- management of on-site traffic
- provision for any onsite processing and temporary storage of quarry material
- any specific provisions relating to onsite management of noise, dust, vibration, visual impact, water quality
- a procedure for addressing any complaints
- objectives and principles for the rehabilitation of the site, including:
  - a timetable for the rehabilitation of prominent quarry faces
  - measures to create soil conditions which will support plant growth
  - measures to create a variety of site conditions to support a range of species
  - means of controlling runoff to avoid erosion
  - means of control of plant and animal pests
  - measures to avoid fire risks
  - means to assist native vegetation to regenerate on grazing land
  - rehabilitation which is compatible with Open Space strategy for adjacent areas of land
- management of buffer areas
- practices and methods that will be adopted to ensure that all permitted activity conditions applying to the activities will be met.

The quarry management plan will complement the other rules applying to the quarry activity and will provide additional management details. It will be reviewed at least every five years and any necessary adjustments will be made.

As progressive rehabilitation of the area is an important aspect of quarry management, the Quarry Management Plan includes rehabilitation provisions. As quarrying and cleanfilling activities are completed on the site, an implementation plan shall be prepared annually in accordance with the Quarry Management Plan.

The requirement that regular monitoring is undertaken and regular progress reports are completed and submitted to the Council is a key element. This requirement is included because successful rehabilitation of any disturbed area requires constant monitoring as site conditions vary considerably and evolve over time. Regular observation and recording of results is an essential part of managing the process.

A vegetated buffer area is included within the Suburban Centres Area as part of the development of the southern part of the quarry. At the northern end, the necessary buffer area is within the Open Space B Area.

It is important also that rehabilitation of the quarry area should recognise and in the longer term be able to be integrated as appropriate with the Open Space strategy developed by the Council for adjacent areas of land. Current Council policy is for the creation of further Green Belt areas on the steep hill sides of the Ngauranga Gorge and, for instance, it may be possible to allow continuation or linking of proposed walkways.

Overall, the environmental result will be the availability of quarry materials for the City and wider region in the short and medium term, and long-term achievement of well-vegetated quarry faces with the appearance of natural landforms which will be integrated with Council development of Open Space areas in this vicinity.

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## Chapter 7. Suburban Centre Rules

### Guide to Rules

**NOTE:** The following table is intended as a guide only and does not form part of the District Plan. Refer to specified rules for detailed requirements.

P refers to Permitted Activities, C to Controlled Activities, DR to Discretionary Activities (Restricted) and DU to Discretionary Activities (Unrestricted).

Uses/Activities	Rule	P	C	DR	DU
Any activity (with some exceptions) subject to conditions	7.1.1	●			
Activities not complying with conditions	7.3.1			●	
Any activity or building involving the provision of more than 120 parking spaces	7.3.4			●	
Quarrying and cleanfilling - Kiwi Point Quarry <del>for Kiwi Point Quarry Extension Area (Ngauranga Gorge)</del> subject to conditions	7.1.3	●			
Quarrying and cleanfilling - Kiwi Point Quarry <del>or Kiwi Point Quarry Extension Area (Ngauranga Gorge)</del> not complying with conditions	7.3.10			●	
Critical facilities in a Hazard Area	7.3.6			●	
Any use of a contaminated site	7.4.3				●
Any activity listed in Section 3.5.2.2 (hazardous substances)	7.2.4		●		
Earthworks Tawa Hazard (Flooding) Area	7.2.5		●		
Earthworks Tawa Hazard (Flooding) Area	7.3.7			●	
Earthworks Takapu Hazard (Flooding) Area	7.3.8			●	
Earthworks Takapu Hazard (Flooding) Tawa Hazard (Flooding) Area	7.4.7				●
Helicopter landing areas	7.4.6				●
Buildings	Rule	P	C	DR	DU
Construction of, alteration of and addition to buildings and structures subject to conditions	7.1.2	●			
Construction of three or more residential dwellings at ground level	7.3.5			●	
Construction of new residential buildings within the airnoise boundary	7.4.4				●
Construction of, alteration of and addition to buildings and structures in the Thorndon Character Area or the Newtown Suburban Centre Character Area	7.2.1		●		
Construction, alteration of, and addition to buildings, including accessory buildings in the Tawa Hazard (Flooding) Area	7.2.5		●		
Construction, alteration of, and addition to buildings, including accessory buildings in the Tawa Hazard (Flooding) Area	7.3.7			●	
Construction, alteration of, and addition to buildings, including accessory buildings in the Takapua Hazard (Flooding) Area	7.3.8			●	
Construction, alteration and addition to buildings or structures in the Hazard (Fault Line) Area	7.3.9			●	
Construction, alteration of, and addition to buildings, including accessory buildings, less than 5 metres from Porirua Stream within the Tawa Hazard (Flooding) Area, and the Takapua Stream within the Takapua Hazard (Flooding) Area	7.4.7				●
Construction, alteration of and addition to buildings and structures not complying with conditions or standards and terms	7.3.2			●	

Pedestrian bridges, buildings and structures over roads	7.4.1				●
Demolition or removal of pre-1930s buildings in the Thorndon Character Area	7.4.2				●
Construction of, alteration of, and addition to buildings and structures in the Shelly Bay Suburban Centre subject to conditions	7.2.2		●		
Construction of, alteration of, and addition to buildings and structures in the Shelly Bay Suburban Centre that do not meet conditions	7.3.3			●	
<b>Section 1.01 Subdivision</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Subdivision except for company lease, cross lease and unit title subdivision, subject to conditions	7.1.4	●			
Company lease, cross lease and unit title subdivision	7.2.3		●		
Subdivision not being Permitted or Controlled Activities	7.4.5				●
<b>Section 1.02 Heritage</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Activities affecting heritage items	21.0	●	●		●
<b>Section 1.03 Utilities</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Utilities	23.0	●	●	●	●

## Schedule of Appendices

Number	Appendix
1	Noise
2	Vehicle Parking Standards
3	Loading Standards
4	Site Access for Vehicles
5	Kiwi Point Quarry (Ngauranga Gorge)
<del>5A</del>	<del>Kiwi Point Quarry Extension Area (Ngauranga Gorge)}</del>
6	Shelley Bay Suburban Centre – Boundary Location
7	The Area in Grenada situated between the Northern (Mid Grenada) Landfill and the Motorway (Lincolnshire Farm)

# 7. SUBURBAN CENTRE RULES

## 7.1 Permitted Activities

The following activities are permitted in the Suburban Centres provided that they comply with any specified conditions and the payment of any financial contribution (refer to rule 3.4):

### 7.1.1 Any activity, except for:

- those specified as **Controlled Activities, Discretionary Activities (Restricted) or Discretionary Activities (Unrestricted)**
- **new residential activities, within the airnoise boundary depicted on Map 35 (refer to rule 7.4.4)**
- **those activities listed under the Third Schedule to the Health Act 1956**
- **helicopter landing areas**
- **the total or partial demolition, destruction or removal of any building constructed prior to 1930 in the Thorndon Character Area**
- **cleanfills greater than 100m<sup>3</sup> [, except as provided for in rule 7.1.3, ~~A in part of the Kiwi Point Extension Quarry~~ Area in Ngauranga Gorge.]**
- **landfills**
- **[quarrying, other than that provided for in Ngauranga Gorge under rules 7.1.3 and ~~7.1.3A.~~**
- **any activity in the ~~area defined as the Kiwi Point Quarry Extension Area~~ southern part of the Kiwi Point Quarry (defined as the area south of the access point from State Highway One) in Ngauranga Gorge, other than that provided for in rule 7.1.3A.]**

*Refer to District Plan Maps 17 and 18*

is a Permitted Activity provided that it complies with the following conditions:

...

*NOTE – for the sake of this plan change, existing Rules 7.1.3 and 7.1.3A are to be deleted and replaced with the following Rule 7.1.3*

**7.1.3 Quarrying and clean filling on part Lot 1, and part Lot 2 DP 72995, part Lot 4, part Lot 5 and part Lot 6 DP 72996, part Lot 1 DP 34015, part Lot 1 DP 65030 and part Lot 2 DP 91179 Ngauranga Gorge (known as Kiwi Point Quarry) is a Permitted Activity provided that it complies with the following conditions:**

7.1.3.1 Any relevant provisions of rules 7.1.1 and 7.1.2 except that rule 7.1.1.6.2 does not apply to the temporary stockpiling or storage of quarried rock material.

**7.1.3.2 Dust**

7.1.3.2.1 Dust control measures shall be undertaken to avoid creating a dust nuisance beyond the Quarry Boundary.

**7.1.3.3 Quarry activities**

7.1.3.3.1 Quarry activities shall be restricted to the area within the Suburban Centre Area north of the abattoir and south of the access road, excluding the area shown as a buffer area, as identified on the plan included as Appendix 5.

7.1.3.3.2 Some blasting may be carried out as part of the normal quarrying operations. Blasting of faces for crushed rock production must take place between 10.00am and 2.00pm Monday to Friday only. ~~Other minor blasting and small shots fired for training purposes may be carried out at any time between 9am and 4pm Monday to Friday inclusive.~~

7.1.3.3.3 In all cases, residents of Tarawera Road, Plumer Street, 113, 130, 170 and 175 Fraser Avenue, and 146 Burma Road ~~the following property owners~~ must be notified by mail no less than one week in advance of blasting. ~~faces for crushed rock production, or through an agreed system between the quarry operator and the owners of the properties listed as follows:~~

- ~~• 9 and 14 Plumer Street, Johnsonville~~
- ~~• 73, 75, 84, and 86 Tarawera Road, Johnsonville~~
- ~~• 113, 130, 170 and 175 Fraser Avenue, Johnsonville~~
- ~~• 146 Burma Road, Johnsonville~~

Blasting must be immediately preceded by a siren or hooter with a sound which distinguishes it from normal Police, Ambulance or Fire Service sirens.

7.1.3.3.4 The ~~maximum~~ finished slope of quarry faces ~~a batter (i.e between benched areas)~~ shall not exceed 55 degrees from the horizontal

7.1.3.3.5 The maximum height of ~~a finished~~ batters shall ~~not exceed~~ ~~be no more than~~ 15 metres.



7.1.3.3.6 A buffer area with a minimum width of 25 metres shall be maintained on the uphill boundary of the site as shown on Appendix 5. This area will be allowed to revegetate naturally except where there is a need for additional planting.

*Note: At the north end of the quarry near Plumer Street and Tarawera Road, the buffer area is within the Open Space B Area as shown in Appendix 5 and is governed by the Open Space provisions.*

7.1.3.3.7 A fence must be maintained adjacent to any properties in the Residential Area along the quarry boundary to a height of 1.2m.

7.1.3.3.8 Prior to commencement of operations in any area, a security fence must be installed and maintained along the outer edge of the buffer area.

7.1.3.3.9 No quarry activities shall be undertaken within the buffer area unless agreed by Council.

#### **7.1.3.4 Cleanfill activities**

7.1.3.4.1 Cleanfill activities shall be restricted to the area shown on the plan included as Appendix 5.

7.1.3.4.2 The cleanfill shall comply with the definition of cleanfill in Section 3 (Definitions) of this District Plan.

#### **7.1.3.5 Location of quarry plant**

The primary crusher may be moved as the quarry face recedes and new faces are worked. Any processing plant or buildings within the southern part of the quarry shall be relocatable.

#### **7.1.3.6 Traffic movement**

There shall be one entry point to the quarry, via Crossing Place 22 from State Highway One (also the main access to the adjacent Abattoir). This must be the sole means of entry and exit for quarry vehicles. This access must be maintained to the standard of local streets.

#### **7.1.3.7 Rehabilitation and treatment of stripped areas**

7.1.3.7.1 All land encompassed within the quarry boundary shall be progressively rehabilitated (except where used for other permitted or consented activities). Any planting will take place as soon as practicable following the completion of the quarry or cleanfill activity. Planting will be undertaken using indigenous species from local sources, except where exotic species are required to provide erosion control and/or temporary nurse cover for revegetation with indigenous species.

7.1.3.6.2 ~~When the stripping of vegetation and overburden is undertaken to expose rock, dust control measures shall be undertaken to avoid creating a dust nuisance outside quarry boundaries.~~

7.1.3.7.2 Excluding the Abattoir area, areas shown on Appendix 5 which are not shown as areas for quarrying and/or cleanfilling shall be allowed to revegetate.

7.1.3.7.3 All exposed surfaces of fill shall be hydro-seeded, or any other approved method, immediately following completion of works as a dust and erosion control measure.

*Kiwi Point Quarry is an established quarry activity which is being developed in accordance with the plan in Appendix 5. Rock extraction and other activities associated with the quarry, such as processing and aggregate storage, and restoration of the cut faces will continue. The specific rules that apply to the quarry area limit the effects of quarrying. The Quarry Management Plan will also ensure that any potential effects will be mitigated.*

*These provisions allow for the ongoing operation of the Kiwi Point Quarry to the extent shown in Appendix 5. As the potential visual and landscape effects of a quarry in this area have been in part mitigated by reducing the extent of hillside to be removed but allowing the quarry to excavate to below the level of the road, cleanfilling of part of the excavated areas, and site rehabilitation is also provided for.*

*As the long term future of the southern part of the Kiwi Point Quarry (i.e south of the access point on State Highway One) has not been determined, any other type of activity in this area will be a non-complying activity. At present the Council's open space strategy in Capital Spaces indicates that Open Space is a vital component of the future of the Ngauranga Gorge. It is important that any possible policy issues as to future uses of the southern part of the Kiwi Point Quarry once quarrying is completed are resolved by the Council and the community. Because of the long duration of the quarry activity, the plan leaves any decision on the future of the land to a plan review or future plan change.*

...

*NOTE – for the sake of this plan change, existing Rule 7.3.10 is to be deleted and replaced with the following Rule 7.3.10*

## **7.3 Discretionary Activities (Restricted)**

Section 7.3 describes which activities are Discretionary Activities (Restricted) in Suburban Centres. Consent may be refused or granted subject to conditions. Grounds for refusal and conditions will be restricted to the matters specified in rules 7.3.1 – 7.3.[10.]<sup>1</sup> The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

...

**7.3.10 Quarrying and cleanfilling activities in Ngauranga Gorge (Kiwi Point Quarry) that do not comply with one or more of the following conditions for Permitted Activities:**

**7.3.10.1 Matters in rules 7.1.3.1**

**7.3.10.2 Quarry activities**

**7.3.10.3 Cleanfill activities**

**7.3.10.4 Location of quarry plant**

**7.3.10.5 Traffic movement**

**7.3.10.6 Rehabilitation and treatment of stripped areas**

**are Discretionary Activities (Restricted) in respect of the condition(s) not met.**

### **Non-notification**

**The written approval of affected persons will not be necessary in respect of rules 7.3.10.1 – 7.3.10.6. Notice of applications need not be served on affected persons and applications need not be notified.**

### **Standards and Terms**

The standards and terms which apply in rules 7.3.1 and 7.3.2 shall apply to all applications under 7.3.10.1.

The duration of a consent granted for processing plant or buildings in the southern part under rule 7.3.10 shall not exceed 10 years.

**Assessment Criteria**

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to, but not be limited to, the following criteria:**

7.3.10.7.1 Whether the activity is necessary to facilitate the effective and efficient use of the quarry.

7.3.10.7.2 The extent to which the proposal will result in adverse visual, amenity or safety and efficiency effects, including those effects on the State Highway, Fraser Avenue, Tyers Road, on nearby existing activities, and on occupants of nearby dwellings.

...

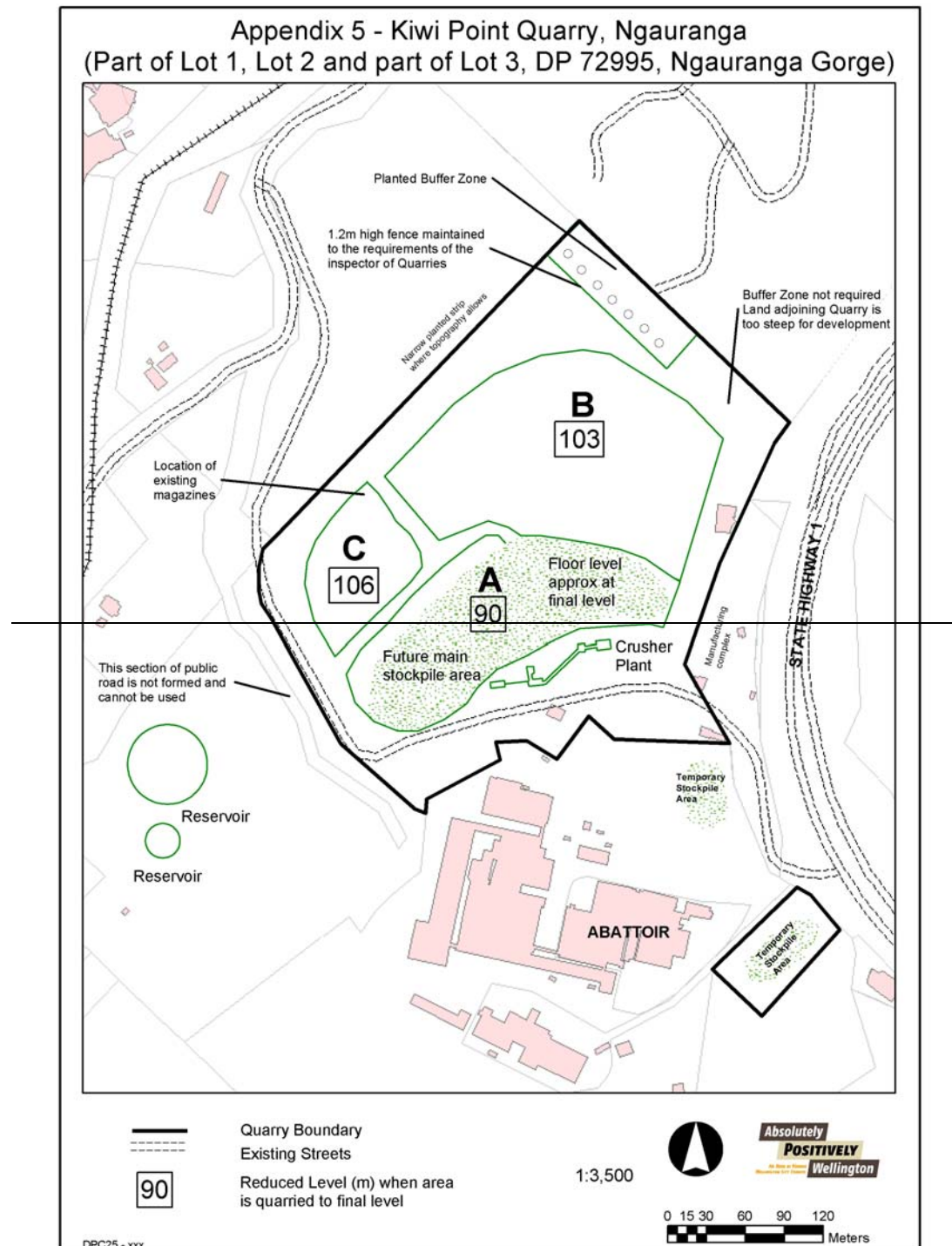
## **7.5 Non-Complying Activities**

Activities that contravene a rule in the Plan, and which have not been provided for as Discretionary Activities (Restricted) or Discretionary Activities (Unrestricted) are Non-Complying Activities. Resource consents will be assessed in terms of section 105(2A)(b) of the Resource Management Act.

The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

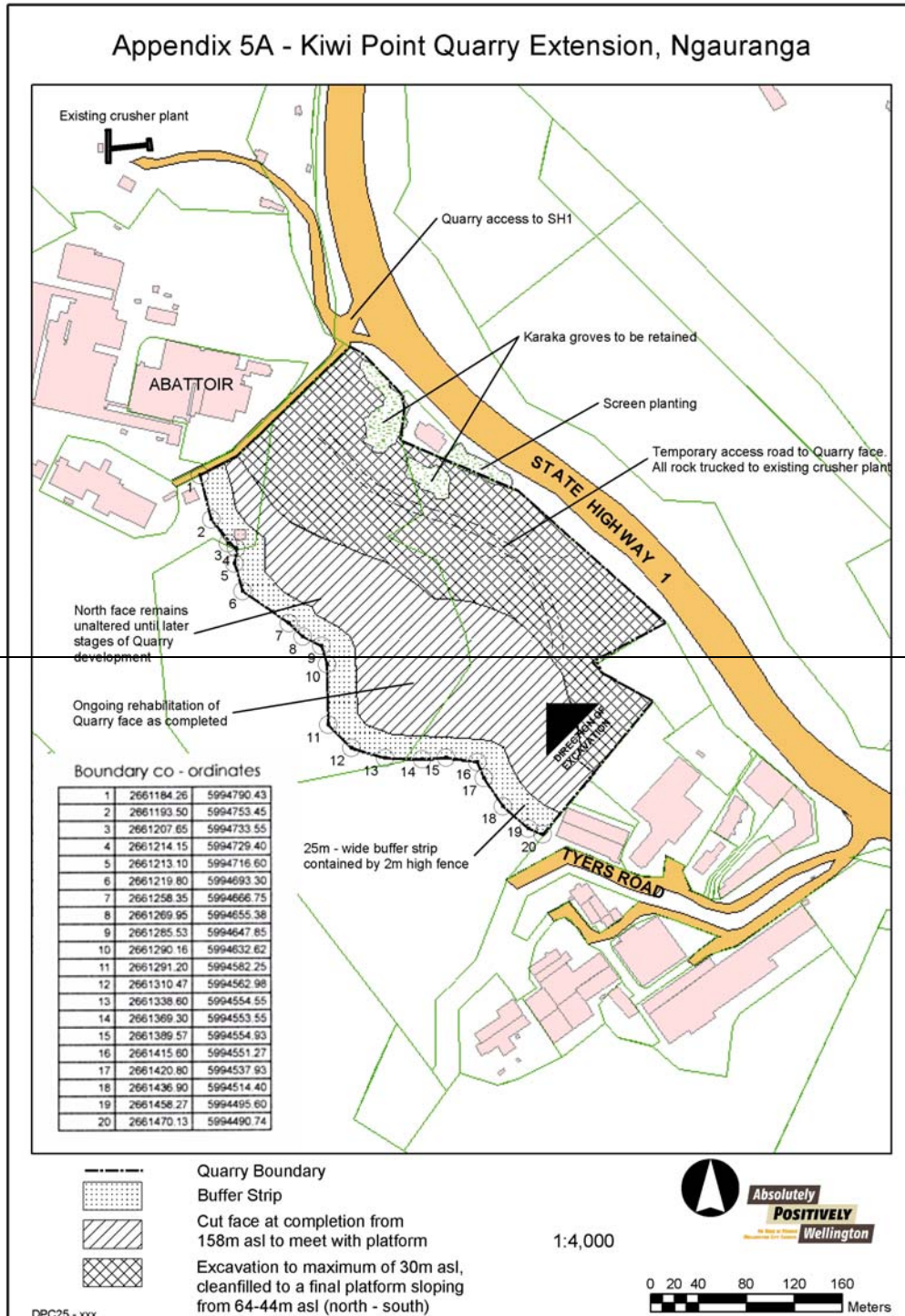
...

# Appendix 5. ~~Kiwi Point Quarry (Part of Lot 1, Lot 2 and part of Lot 3, DP 72995, Ngauranga Gorge)~~



Map amended by District Plan Change No.25 – Kiwi Point Quarry Extension, Ngauranga Gorge (Operative 6 July 2006)

# Appendix 5A. Kiwi Point Quarry Extension Area



# Appendix 5. Kiwi Point Quarry

