

APPENDIX 2

Proposed amendments to plan change provisions

Kiwi Point Quarry Plan Change 83 Provisions

Annotated provisions of Chapters 33 and 34 of the Operative District Plan showing proposed changes as part of Proposed District Plan Change 83 and further changes recommended by s42A report authors.

Key to Changes	
abcdefghijkl	Existing unaltered text
abcdefghijkl	Recommended text to be deleted (as notified)
<u>abcdefghijkl</u>	Recommended text to be added (as notified)
abcdefghijkl	Recommended deletions (s42 Authors)
<u>abcdefghijkl</u>	Recommended additions (s42 Authors)
[##]	Submitter number(s) relevant to proposed amendments in s42A report. Where an Asterix is shown [*], the proposed change is administrative or clerical in nature.

Chapter 33. BUSINESS AREAS

33.1 Introduction

...

The Kiwi Point Quarry is also included as a Business Area. The quarry is subject to specific rules recognising its economic importance to the City and wider region as well as to other relevant rules applying elsewhere in Business Areas to mitigate adverse effects.

Current Relevant Objectives

33.2.1 To provide Business Areas that can accommodate a wide range of business and industrial activities to meet the social and economic needs of the City.

33.2.2 To enable an appropriate range of activities to occur in Business Areas, provided they do not undermine the City's Centres, and that adverse effects are avoided, remedied or mitigated.

33.2.3 To recognise where unique development opportunity areas exist within Business Areas and encourage redevelopment of these in a manner that is compatible with, and enhances amenity values and contribute to the City's distinctive physical character, sense of place and contained urban form.

33.2.4 To ensure that activities and developments at least maintain the amenity values and public safety within Business Areas and those of any nearby Residential Areas.

New Objective

33.2.14 To recognise the importance of quarrying aggregates in the Kiwi Point Quarry to the City's future growth by enabling the use and development of the quarry, while requiring appropriate management and remediation of adverse effects. [7, 20, 28, 29]

Policies

Kiwi Point Quarry

33.2.2.7 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 Appendix 2 required showing the extent of quarry areas)
- A quarry management plan

Kiwi Point Quarry is an established quarry located in the Ngauranga Gorge, 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 (northern) and newer (southern) 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.

In respect of the Kiwi Point Quarry southern face the only practical and available option for ecological mitigation for the loss of terrestrial vegetation and the associated habitat will be carried out in accordance with a restoration plan. This will include mitigation planting is on Lot 2 DP 91179 and part Lots 4 and 6 DP72996. This mitigation planting on Lot 2 and part Lot 4 shall be commenced after these areas have been dedicated as a reserve under the Reserves Act 1977 and prior to the extraction of rock, and planting on Lot 6 shall be commenced as soon as practicable upon the completion of quarrying and cleanfilling activities. Other mitigation to be adopted will include pest control measures, enrichment of native vegetation and habitat within other adjoining open space areas, and staged riparian enhancement to Waitohi Stream to coincide with completion of quarry activities. [28]

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

- *intended staging of the excavation and cleanfilling activities*
- *the means of management of surface and groundwater*

- management of on-site traffic, including maintenance of safe vehicle access and egress for the abattoir^[30]
- 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 and land stability ^[8, 12, 18, 20, 23, 24, 25, 26, 33]
- community liaison practices and^[30] a procedure for addressing any complaints
- objectives, and principles and measures^[*] for the rehabilitation of the site, including:
 - a phasing plan to indicate order of works, potential greatest extent of cut faces and a timetable and associated budget for the rehabilitation of prominent quarry faces^[7]
 - processes and timeframes for monitoring the effectiveness of rehabilitation measures and contingency plans to improve measures shown to be ineffective ^[7]
 - 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 and with the Ngauranga Gorge's location as a gateway to Wellington City ^[2, 7, 20, 29]
- management of buffer areas
- practices and methods that will be adopted to ensure that all permitted and controlled activity standards conditions^[*] applying to the activities will be met
- staged daylighting of Waitohi Stream and restoration of its riparian vegetation ^[28]
- procedures for monitoring the effectiveness of management plan measures and for improving effectiveness over time where needed.^[7]

The quarry management plan will complement the other rules applying to the quarry activity and will provide additional management details. It will be reviewed by Council at least every five years (unless otherwise required by conditions of resource consent)^[7] and any necessary adjustments will be made.

The progressive rehabilitation of the area is an important aspect of quarry management, and accordingly the Quarry Management Plan includes rehabilitation provisions. As quarrying and cleanfilling activities are completed on the site, an implementation plan shall be prepared annually by the consent holder 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 area as part of the development of the extended southern part of the quarry and shall be a minimum of 70 metres from the edge

of the quarrying area to the nearest Residential Area Boundary. At the northern end, the necessary buffer area is within the Open Space B Area. Adjacent to State Highway One, a vegetated bank will be formed and maintained to provide effective screening for motorists of quarry operations in the southern part of the quarry. [2, 7, 20, 29]

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 the 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 if practicable and in a safe location to do so, walkways should be provided in a continuous or linked manner to allow the 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.

Rules

Permitted Activity

34.1.5 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 shown in Appendix 2) is a Permitted Activity provided that it complies with the standards specified in sections 34.6.1 (activities), 34.6.2 (buildings and structures) and 34.6.5 (Kiwi Point Quarry standards), (except that standard 34.6.1.9.2 does not apply to the temporary stockpiling or storage of quarried rock material).

INSERT MARGIN NOTE:
Note, applications under this rule are subject to specific information requirements at 3.2.2.18[]*

Controlled Activity

34.2.3 Quarrying and clean filling on part Lot 4, part Lot 5 and part Lot 6 DP 72996 Ngauranga Gorge (known as Kiwi Point Quarry southern face shown in Appendix 2) is a Controlled Activity if it complies with the standards specified in sections 34.6.1 (activities), 34.6.2 (buildings and structures) and 34.6.5 (Kiwi Point Quarry standards), (except that standard 34.6.1.9.2 does not apply to the temporary stockpiling or storage of quarried rock material). The Council's control shall be limited to the following matters:

34.2.3.1 maximising the extent of residential buffer areas;

34.2.3.2 the extent to which conditions are required to ensure that quarrying activities are timed and staged to ensure that rehabilitation of cut faces can begin as early as practicable;

34.2.3.3 the detailed contents of a Quarry Management Plan for this area outlined in Policy 33.2.2.7;

34.2.3.4 optimising the standard, location and staging of ecological mitigation through the provision of an ecological restoration plan; and

34.2.3.5 the design and location of screening quarry activities adjacent to State Highway 1;

34.2.3.6 measures required to manage noise and vibration from blasting activities; and [3, 4, 7, 10, 12, 13, 24-26, 29, 31-33]

34.2.3.7 measures required to maintain slope stability, and to prevent slope erosion or collapse. [7, 8, 12, 18, 20, 23, 24, 25, 26, 33]

Non-notification/ service

In respect of Rule 34.2.3 applications will not be publicly notified or limited notified (unless special circumstances exist).

Relevant policies for preparing resource consent applications

See policy 33.2.2.7

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application

INSERT MARGIN NOTE:
Note, applications under this rule are subject to specific information requirements at 3.2.2.18[*]

Discretionary Activities

34.3.3 Quarrying and cleanfilling activities in Ngauranga Gorge (Kiwi Point Quarry north and south faces) which would be Permitted or Controlled[*] Activities but that do not meet one or more of the standards specified in sections 34.6.1 (activities), 34.6.2 (buildings and structures) and 34.6.5 (Kiwi Point Quarry standards) are Discretionary Activities (Restricted), (except that standard 34.6.1.9.2 does not apply to the temporary stockpiling or storage of quarried rock material).

Discretion is restricted to the effects generated by the standard(s) not met.,—subject to compliance with the following condition:

~~34.3.3.1 the duration of any consent granted for processing plant or buildings in the southern part of the Quarry provided for under this Rule shall not exceed 10 years.~~

Non-notification/ service

In respect of Rule 34.3.3 applications will not be publicly notified or limited notified (unless special circumstances exist).

34.6.5 KIWI POINT QUARRY STANDARDS

These standards apply to all quarrying and clean filling activities in the Kiwi Point Quarry.

34.6.5.1 General

34.6.5.1.1 Any relevant provisions of standards 34.6.1 and 34.6.2 except that Rule 34.6.1.9.2 does not apply to the temporary stockpiling or storage of quarried rock material.

34.6.5.2 Dust

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

34.6.5.3 Quarry activities

34.6.5.3.1 Quarry activities shall be restricted to the area within the Business 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 2. ^[2, 7, 20, 29]

34.6.5.3.2 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.

34.6.5.3.3 In all cases, for the northern face residents of Tarawera Road, Plumer Street, 113, 130, 166, 170 and 175 Fraser Avenue, and 146 Burma Road, and for the southern face the residents of 25-46 Gurkha Crescent, Shastri Terrace and 6-28 (even numbers) Imran Terrace and the abattoir operator^[30] must be notified by mail no less than one week in advance of blasting. Blasting must be immediately preceded by a siren or hooter with a sound which distinguishes it from normal Police, Ambulance or Fire Service sirens.

34.6.5.3.4 The finished slope of quarry faces shall not exceed 55 degrees from the horizontal.

34.6.5.3.5 The maximum height of finished batters shall not exceed 15 metres.

34.6.5.3.6 For the northern face a A-buffer area with a minimum width of 25 metres shall be maintained on the uphill boundary of the site as shown on Appendix 2. For the southern face a buffer area with a minimum width of 70 metres shall be maintained on the uphill boundary of the site as shown on Appendix 2. This The northern face buffer areas will be allowed to revegetate naturally except where there is a need for additional planting. The southern face buffer area is subject to restoration 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 4 and is governed by the Open Space provisions. At the southern end of the quarry near Gurkha Crescent, Shastri Terrace and Imran Terrace the buffer area is within the Open Space B Area as shown in Appendix 2 and is governed by the Open Space provisions.

34.6.5.3.6A A vegetated bank must be established in the location indicatively shown on Appendix 2 to provide screening between State Highway 1 and the quarry floor in the southern quarry area.

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

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

34.6.5.3.9 No quarry activities shall be undertaken within the buffer area ~~unless agreed by~~ Council.^[32]

Note: an underground gas main traverses the quarry site from Maldive Street, across Lot 2 DP 91179, Lot 4 DP 72996 and Lot 1 DP 34015. An associated regulator station is also located within Lot 4 DP 72996. Advice from the gas main operator should be obtained before conducting any underground works in these areas to ensure the works do not intercept the main or regulator station. Contact information for the asset operator can be obtained from the Council.^[17]

34.6.5.4 Cleanfill activities

34.6.5.4.1 Cleanfill activities shall be restricted to the area shown on the plan included as Appendix 2.

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

34.6.5.5 Location of quarry plant

34.6.5.5.1 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.

34.6.5.6 Traffic movement

34.6.5.6.1 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.

34.6.5.7 Rehabilitation and treatment of stripped areas

34.6.5.7.1 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.

34.6.5.7.2 Excluding the Abattoir area, areas shown on Appendix 2 which are not shown as areas for quarrying and/or cleanfilling shall be allowed to revegetate.

34.6.5.7.3 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.

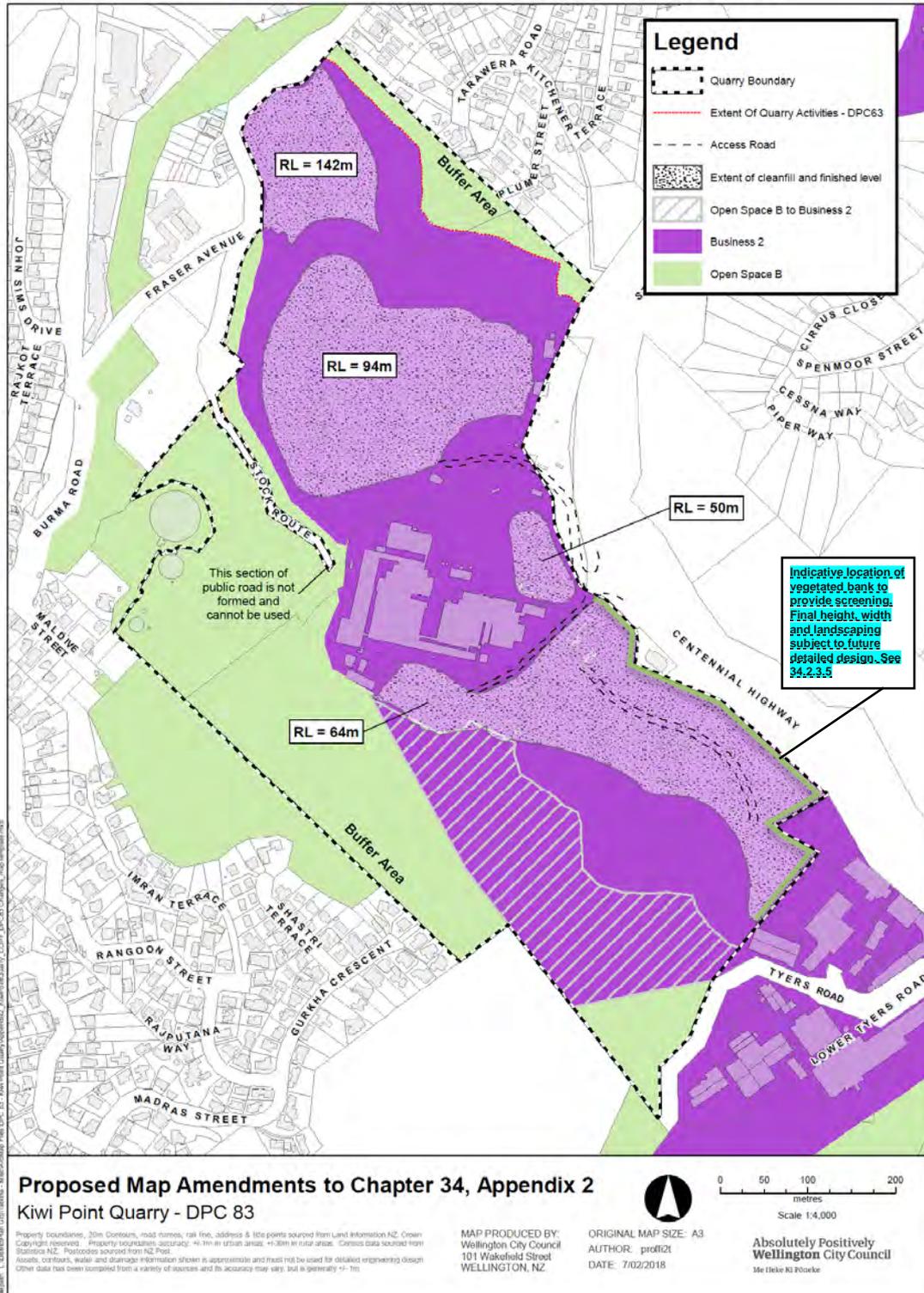
Chapter 34

Appendix 2

Amend by adding new vegetated bank notation adjacent to SH1 and explanatory note (overleaf)

Appendix 2. Kiwi Point Quarry, Ngauranga

(Part Lot 1 and Part Lot 2 DP 72995, Part Lot 2 DP 91179, Part Lot 4, Part Lot 5 and Part Lot 6 72996, Part Lot 1 DP 34015 and Part Lot 1 DP 65030, Ngauranga Gorge)



Planning Maps

Consequential Amendments to Planning Maps 22 and 23 required.

Chapter 3

Section 3.2: Information to be submitted with an application for resource consent

Insert new requirement for resource consent application under section 3.2.2 as follows:

3.2.2.18 Kiwi Point Quarry: Applications made under Rules 34.2.3 or 34.3.3 will be accompanied by the following information:

Acoustic Report

A report prepared by a suitably qualified and experienced acoustic engineer must be provided and contain the following:

- a. a description of all anticipated noise sources associated with quarrying and cleanfilling activities;
- b. measures to be adopted by the applicant to ensure activities will comply with the relevant standards in section 34.6.1 of the District Plan; and
- c. measures to be adopted by the applicant to ensure impulsive noise and vibration effects from blasting activities are not unreasonable, including reference to any relevant standards or guidelines relied upon. [3, 4, 7, 10, 12, 13, 24-26, 29, 31-33]

Ecological Survey & Restoration Plan

A report prepared by a suitably qualified and experienced ecologist must be provided and contain the following:

- a. detailed survey results of all native vegetation that will be damaged or removed as part of the proposed quarrying and cleanfilling activities, including species type, distribution and density of each species and location;
- b. detailed survey results of birdlife observed during vegetation survey and any evidence of avian habitat;
- c. a restoration plan for the wider quarry site to be incorporated into the quarry management plan as described in Policy 33.2.2.7, and to include the following:
 - i. details – including species type, distribution and density – of proposed planting in Lot 2 DP 91179 and part Lot 4 DP 72996, which is to be commenced prior to any extraction of rock;
 - ii. details – including species type, distribution and density – of proposed planting of part Lot 6 DP 72996, which is to be commenced upon completion of quarrying and cleanfilling activities, or sooner if practicable;
 - iii. details of any enrichment planting and any proposed measures for the management of plant and animal pests in Lot 2 DP 91179 and in Imran Terrace / Maldive Street Reserve;

- iv. recommendations for naturalisation and riparian enhancement of Waitohi Stream;
- d. a description of the methodology for adopting the specific suite of measures to address (c)(i)-(iv) above, with specific regard to be given to the results of the surveys described under (a) and (b) above; and
- e. a description of proposed timetables and budgets for implementation, monitoring, and maintenance of the restoration plan measures adopted. ^[28]