

Before the Wellington City Council Proposed District Plan Hearings Panel

Under the Resource Management Act 1991 (the Act)

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

Between **Wellington City Council**
Local authority

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

Speaking notes of Pauline Mary Whitney for Horokiwi Quarries Limited

Dated 2 May 2024

- 1.1. For the record, my name is Pauline Whitney, an independent planning expert with Boffa Miskell Ltd. You have my evidence and I will take it as read. I confirm the relief sought in my evidence in chief stands.
- 1.2. There were essentially three outstanding issues in my evidence. I have read the supplementary evidence of the reporting officer, listening to questioning of the reporting officers and council's landscape expert, and I can confirm my position on the three outstanding points is as follows:
 - 1.2.1. In relation to Special Amenity Landscapes, I support the supplementary recommendation of the officer for the inclusion of the word 'characteristics' within Schedule 11. I also accept the supplementary recommendation to not provide reference to the quarry in the Korokoro Stream Valley. As such this matter is no longer outstanding from my perspective.
 - 1.2.2. The second outstanding issue in my evidence relates to Hilltops and Ridgelines. I continue to have concerns about the appropriateness of the hilltops and ridgelines, and I would support their removal but I am realistic that will not happen. Should the overlay be retained, it needs to recognise the quarry operation through the provisions.
 - 1.2.3. In terms of NFL-O3, I remain supportive of retention of the objective as notified, noting that the open space is not present in all cases – i.e the quarry which has the overlay over part of it.
 - 1.2.4. The third and the main outstanding issue relates to the identification of the Coastal Environment line/boundary as it relates to the Horokiwi site. I have been listening to the questioning of the reporting officer and council expert. and observe that matters appear to have moved on in terms of the planning officers position.
 - 1.2.5. As outlined in my evidence, the location of the coastal environment line has implications for the rule and policy framework within the district plan, calls into play the NZCPS and provisions in the GWRC NRP.
 - 1.2.6. Mr Bray has also addressed the issue of precedent that has been raised, and I agree with his comments. In terms of the planning framework, the opportunity to amend the coastal environment line identified in the district plan is confined to the submission and hearing process. Once operative the

line is in effect 'locked in' (subject to any plan change). Any party can apply for resource consent to undertake activities but not amend the line as it relates to their site. The perceived issue of precedent is not a reason to ignore the merits, reasoning and methodology of the Howokiwi relief sought.

1.2.7. I am conscious the panel have a number of lines in relation to the Horokiwi site and so to assist the panel, I have had the multi layer map viewer referenced in my evidence updated [BM19483 Horokiwi Quarry Overlays Updated 4 April 2024 \(arcgis.com\)](#) to show the potential rezoning line (addressed at hearing stream 6). The potential rezoning blue line is based on "the ridgeline mapped in Ms van Haren-Giles' Reply as the boundary of the precinct/zone on the harbour side". A screen shot is attached as Appendix A.

1.2.8. After listening the reporting officers, I would like to make three further comments on NFL-P2, CE-P10 and rules NFL-R2 and NFL-R10:

- **NFL-P2:** While acknowledging policy NFL-P7 is specific to quarry activities, in relation to the general policy NFP-P2, I listened to some of the questioning by the panel on NFL-P2. The latest development I heard (appreciating things may have moved on) was an 'idea' from the Panel that the policy be framed along the lines:

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; or*
- 2. There is a functional or operational need to locate within the ridgeline and hilltop area; and in either case (of 1. or 2);*
- 3. Any adverse effects on the visual amenity and landscape values can be mitigated.*

I am comfortable with that policy approach.

- **CE-P10:** I am now aware the council rebuttal evidence (at para 42) recommends amendment to policy CE-P10 to list specific activities to be avoided. However, the recommended changes are not shown in the tracked changes. While I understand the intent is to capture non complying activities (which are new quarrying, mining and plantation forestry activities under CE-R11), in the absence of specific wording

provided by the reporting officer, I would seek that any reference to quarry activities be made clear that it is 'new' quarry activities. While the policy does refer to 'establishment', arguably an extension could still be an establishment. Wording I would accept (based on that sought in the evidence of Ms O'Sullivan for WIAL with the addition of the word 'new') would be "*Avoid the establishment of new quarry, mining or plantation forestry activities that are incompatible with, or detrimental to, the natural character and qualities within the landward extent of the coastal environment*".

- 1.2.9. **NFL-R2 and NFLR10:** I am also aware as part of her appearance before the panel on 30 April, the reporting officer provided further amendment to the NFL Chapter. I understand these have been provided on the council website with the further changes shown as purple text. Specific to Rule NFL-R2 (which is the default catch all rule for Hilltops and Ridgelines), and NFL-R10 (which relates to buildings and structures) it appears the intent is to confine the permitted rule to certain zones. However, I am concerned how this affects quarry activities within the Quarry Zone which are permitted under the underlying zone (for example new buildings or structures). I also do not support the matters of discretion given the strong 'avoid' directive (which is not reflected in NPF-P2) and subjective nature of the matters i.e. what is an 'upper slope') and the lack of detail as to what are the values of the specific hilltop and ridgeline.

Thank you and I welcome any questions.

Appendix A

Ridgeline as mapped in Ms van Haren-Giles' Reply as the boundary of the precinct/zone on the harbour side



