

## Form 5

# Submission on notified proposal for policy statement or plan, change or variation

To: **Greater Wellington Regional Council**  
[regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

Name of submitter: **Horokiwi Quarries Limited**

This is a submission on the following proposed plan change: **Plan Change 1 to the Natural Resources Plan for the Wellington Region**

**Horokiwi Quarries Limited could not gain an advantage in trade competition through this submission.**

The specific provisions of the proposal that my submission relates to are:

**Refer to attached submission.**

**Horokiwi's specific submission points are included as Appendix A. Amendments sought through this submission are shown as ~~red strikethrough~~ and underline text.**

My submission is:

**Refer to attached submission.**

I seek the following decision from the local authority:

**Refer to attached submission. Retain or amend the provisions of the Proposed Plan Change as set out in Appendix A including such further alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.**

**Horokiwi Quarries Limited wish to be heard in support of it's submission.**

**Electronic address for service of submitter:**

Contact person: **Pauline Whitney**  
**Boffa Miskell Ltd**

Telephone: **(04) 901 4290**

Postal address: **PO Box 11340, Wellington**

Email address: [pauline.whitney@boffamiskell.co.nz](mailto:pauline.whitney@boffamiskell.co.nz)

Date: **15 December 2023**

**Ross Baker**

**Signature of person authorised to sign  
on behalf of Horokiwi Quarries Limited**

## Background and context

Horokiwi Quarries Limited (“Horokiwi”) 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 B** is an aerial image of the site and land parcels.

Quarrying at the site first commenced circa 1934 and the site has been used for quarry activities since that time.

In terms of the quarry activity itself, the existing quarry site has approximately 5-20 years of quarry resource remaining (subject to regional council consents).

The importance of quarry material to the Wellington region was highlighted in the recent Kiwi Point Quarry Plan change (operative 2019). As noted in the decision, there is a strong demand for roading and construction aggregate in the region and Commissioners’ heard evidence that “to bring in aggregate from other regions where there was an available supply would result in an aggregate cost some four times the existing price in Wellington.” Other evidence presented at the hearing noted that “no other alternative quarry sites had been identified in the local area” and that “finding a new quarry site and getting it operational would have a long lead in time, which might be of the order of 10 years”. The Kiwi Point Hearing Panel noted that “it was very unlikely that a suitable alternative location could be identified and approved within the next 2-5 years”.

Given the limited lifespan of the existing Horokiwi quarry and in response to an increasing demand for quarry material within the Wellington region, Horokiwi has for the past three years been considering its future quarry expansion aspirations at its existing quarry site, as well as exploring the potential for a new quarry site within the Greater Wellington region. In searching for a potential new greenfield quarry site, it has become clear that the issues with first finding a site with a suitable quarry resource and then securing resource consent, are in reality, insurmountable. As such, Horokiwi has focused on expansion of its existing operation beyond its current site. The exploration of expansion options recognises the necessity for the Wellington region to have a viable long-term (potentially 20 years) local, quality quarry resource.

## Importance of Quarrying

The demand for aggregates is typically quoted at a population level of 7-8 tonnes of aggregate per person per year. Currently, according to the Aggregate and Quarry Association, demand in New Zealand equates to about 8.5 tonnes per person per year.

Quarry materials are used in roading in basecourse, sealing chip, asphalt. Each kilometre of motorway uses about 40,000 tonnes of aggregate. Quarry materials also are used in construction, including foundations, concrete, building materials, and drainage. A single new house is estimated to require about 250 tonnes of aggregate for its construction.

There has been sustained demand for quarry products in the Wellington Region. Ongoing demand is also anticipated to be strong with the current construction forecasts for the Wellington indicating significant growth. These include a 65% increase in residential construction between 2017 to 2023.

There is very limited scope to develop a new quarry in the region and over the past 20 years several former quarries have closed (eg Owhiro Bay Quarry, Plimmerton Quarry). While there are many small historical quarry areas, establishing a new quarry is very challenging. The rock resources in the Wellington region are located close to fault lines but there are limited areas that have been identified with suitable rock for quality aggregate production. There are major environmental challenges and potential impacts to establish and operate a new quarry.

The Commerce Commission has noted the following barriers to entry in the quarry and aggregate industry<sup>1</sup>:

- Appropriate Resource. The rock needs to be of sufficient quality to be utilized.
- Land. Land needs to be available next to the appropriate resource.
- Equipment/capital. There is significant investment required to establish and develop a quarry. Hard rock quarries have higher equipment needs than river gravel extraction.
- Resource consent.

## RMA Policy Framework

The **Regional Policy Statement for the Wellington Region (Operative 2013)** 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.*

Objective 31 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 31: The demand for mineral resources is met from resources 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.

*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*

---

<sup>1</sup> Commerce Commission decision: Fletcher-Building-Holdings-NZ-Ltd-Higgins-Group-Holdings-Ltd-and-Horokiwi-Quarries-Ltd-clearance-application-16-February-2016

*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.*

*Method 52, when implemented, will identify the locations of significant mineral resources within the region.*

Proposed Plan Change 1 to the RPS was notified in August 2022. No changes are proposed to Objective 21 and Policy 60.

The operative **Natural Resources Plan for the Wellington Region** further recognises the importance and role of mineral extraction with Objective 09 and Policy 12A requiring:

*Objective O9*

*The social, economic, cultural and environmental benefits of Regionally Significant Infrastructure, renewable energy generation activities and the utilisation of mineral resources are recognised.*

*Objective O11*

*Significant mineral resources and the ongoing operation, maintenance and upgrade of Regionally Significant Infrastructure and renewable energy generation activities are protected from incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.*

*Policy P12: 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.*

Further policy support in relation to the protection of the resource from new incompatible use and development is provided in Objective 11, and Policy 15.

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.

## District Plan Zoning and Overlays

The existing quarry operation area is zoned Special Purpose Zone – Quarry zone in the Wellington City Proposed District Plan (“PDP”). A portion of the property (Pt Section 16 Harbour District) also owned by Horokiwi 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. Horokiwi’s submission to the PDP sought rezoning of these areas to Special Purpose Quarry Zone.

The Horokiwi Quarry site is zoned General Rural in the Operative Wellington City District Plan.

## NPR PC1 Overlays and features

The Horokiwi is subject to the following features and overlays, as depicted in the images contained within Appendix C. A summary map showing the vegetation features is provided below.

- *Unplanned Greenfield Development (entire site)*
- *Highest and high erosion risk land (Woody Vegetation)*
- *Highest and high erosion risk land (Planation forestry)*

- High erosion risk land (Pasture)



GWRC NRP PC1

Highest and high erosion risk land (pasture) Te Whanganui-a-Tara (Map 93)

- Highest erosion risk land (Pasture)
- High erosion risk land (Pasture)

Highest and high erosion risk land (woody vegetation) Te Whanganui-a-Tara (Map 94)



Highest and high erosion risk land (plantation forestry) Te Whanganui-a-Tara (map 95)



Horokiwi’s submission

Horokiwi acknowledges that the Proposed Plan Change 1 is a plan change to implement the National Policy Statement for Freshwater Management 2020 within Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua. Other elements include:

- Amendments to the air quality rules
- Amendments to the beds of lakes and rivers rules
- New sites with significant indigenous biodiversity values.

Horokiwis submission on the Proposed Plan Change seeks amendments to recognise quarry activities and the associated effects within the policy and rule framework. Horokiwis main concerns can be summarised as follows:

**Prohibiting “unplanned greenfield development”**

Horokiwis principal concern with Council’s proposed approach to regulating “unplanned greenfield development” is that it is unclear what types of development activity are prohibited, and whether it

would prohibit the development or upgrading of quarrying activities. To address this, Horokiwi considers the term “greenfield development” must be defined.

### ***High-risk industrial or trade premises***

While Horokkiwi supports appropriate control through the NRP over high-risk industrial or trade premises, the provisions proposed by PC1 for high risk industrial or trade premises are considered unreasonable with respect to the control of impervious surfaces, which provide for the redevelopment of existing or the creation of new impervious surfaces at high-risk industrial or trade premises as a discretionary activity. This approach does not enable a reasonable level of maintenance, upgrading or development (subject to appropriate conditions). Additionally, the rules incentivise retaining existing degraded impervious surfaces, and do not recognise that new or redeveloped impervious surfaces will perform better at containing hazardous substances and other contaminants than existing ones. This is counter-productive and contrary to the objectives of the NRP, which seek to maintain or improve water quality.

### ***Stormwater management for Quarry activities***

Horokiwi seeks the provision of two specific quarrying rules in the NPR as follows:

- A permitted activity rule that applies to all stormwater discharges from a quarrying activity, and
- A restricted discretionary activity that applies where the permitted rule is not met and is subject to the stormwater discharge continuing to meet relevant target attribute states.

This is similar to the approach taken in Rules WH.R8, WH.R9 and WH.R10 to provide for airports and roading.

### ***Earthworks***

Under the earthworks rules proposed by PC1 (as notified) earthworks or any scale are no longer a permitted activity (unless they are to implement actions in a farm erosion risk treatment plan or farm environmental plan). As a result, all earthworks are a restricted discretionary activity regardless of scale and are a non-complying activity if those earthworks (again regardless of scale) occur between 1 June and 1 October. While Horokiwi understands the above notified rule framework is an error and a clause 16 correct has been made, its comments are made on the plan change as notified. Horokiwi also note that the rule as notified only relates to earthworks and not the associated discharge to water.

Horokiwi also strongly opposes the blanket shut down of earthworks activities between 1 June and 1 October, noting that the policy and rule framework does not reasonably anticipate activities that require earthworks year-round, including quarrying activities, and there is little evidence to support its direction.

### ***Vegetation clearance (High erosion risk land)***

Horokiwi opposes the mapping associated with the definitions for High erosion risk land, and in particular the “high erosion risk land (woody vegetation)” which is referenced in rules.

Horokiwi considers that the provisions associated with vegetation clearance on land identified as “highest erosion risk land (woody vegetation)” do not sufficiently recognise the need to undertake vegetation clearance.

***Financial contributions for residual adverse effects of contaminants in stormwater***

The financial contributions should not be a mandatory means of providing for aquatic offsetting, and resource consent applicants should have a reasonable opportunity provide aquatic offsetting or compensation in accordance with Appendix 6 or 7 of the NPS-FM as part of their proposal.

***Inappropriate use of the freshwater planning process for vegetation clearance and earthworks provisions***

Provisions for vegetation clearance, as well as the permitted activity rule for earthworks, have been included in the freshwater planning instrument. Horokiwi considers that this is an inappropriate use of the freshwater planning instrument, on the basis that the principal purpose of these provisions is to control the use of land for the purpose of soil conservation. In addition to this, none of these rules manage discharges to freshwater. On this basis, these provisions must be reallocated to the Part 1 Schedule 1 planning instrument.

Horokiwi's specific submission points are included as Appendix A. Amendments sought through this submission are shown as ~~red strikethrough and~~ underline text.

**Horokiwi seeks the following decision:**

Retain or amend the provisions of the Proposed Plan Change as set out in **Appendix A** including such further alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

**Horokiwi wishes to be heard in support of its submission, and will consider presenting a joint case.**

**Ross Baker**

**Signature of person authorised to sign  
on behalf of Horokiwi Quarries Limited**

**Date:** 15 December 2023  
**Electronic address for service:** paulinew@boffamiskell.co.nz  
**Telephone:** +64 4 901 4290  
**Postal address:** PO Box 1021, Wellington 6140  
**Contact person:** Pauline Whitney

**Appendix A – Specific Submission Points**

Provision	Position	Comments	Relief sought
<b>Section 2.2 Definitions</b>			
<p><b>Earthworks</b></p> <p><u>For <b>Whaitua</b> Te Whanganui-a-Tara and Te Awarua-o-Porirua <b>Whaitua</b> only:</u>  The alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, <b>cultivation</b>, and disturbance of land for the installation of fence posts. Except that, for the purposes of Rules WH.R20, WH.R21 and P.R19, P.R20, ‘earthworks’ has the same meaning as given in section 3 of the <i>Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017</i>.</p> <p><u>For all other <b>whaitua</b>:</u>  The disturbance of a land surface from the time soil is first disturbed on a site until the time the site is <b>stabilised</b>. <b>Earthworks</b> includes blading, contouring, ripping, moving, removing, placing or replacing soil or earth, by excavation, or by cutting or filling operations, or by root raking.</p> <p><b>Earthworks</b> do not include:</p> <ul style="list-style-type: none"> <li>(a) <b>cultivation</b> of the soil for the establishment of crops or pasture, and</li> <li>(b) <u>the harvesting of crops, and</u></li> <li>(c) <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and</u></li> <li>(d) <u>the construction, repair, <b>upgrade</b> or maintenance of:</u> <ul style="list-style-type: none"> <li>(i) <u>pipelines, and</u></li> <li>(ii) <u>electricity lines and their support structures, including the <b>National Grid</b>, and</u></li> <li>(iii) <u>telecommunication structures or lines, and</u></li> <li>(iv) <u>radio communication structures, and</u></li> <li>(v) <u>firebreaks or fence lines, and</u></li> <li>(vi) <u>a <b>bore</b> or geotechnical investigation <b>bore</b>, and</u></li> </ul> </li> <li>(e) <u>repair or maintenance of existing roads and tracks, and airfield runways, taxiways, and parking aprons for aircraft, and</u></li> <li>(f) <u>maintenance of orchards and shelterbelts, and</u></li> <li>(g) <u>domestic gardening, and</u></li> <li>(h) <u>repair, sealing or resealing of a road, footpath, driveway, and</u></li> <li>(i) <u>discharge of <b>cleanfill material</b> to a cleanfill area</u></li> </ul>	Amend	<p>Horokiwi seeks that the definition for Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua include the full list of exemptions provided in the existing definition of earthworks, noting amendments are sought to clarify that the exclusions are disjunctive through the use of ‘or’.</p> <p>Horokiwi supports the clarification provided to exemption clause (i) of the existing definition.</p>	<p><b>Amend the definition of “Earthworks” as follows:</b></p> <p><b>Earthworks</b></p> <p><u>For <b>Whaitua</b> Te Whanganui-a-Tara and Te Awarua-o-Porirua <b>Whaitua</b> only:</u>  The alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); <del>but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.</del></p> <p><b>Earthworks</b> do not include:</p> <ul style="list-style-type: none"> <li>(a) <u><b>cultivation</b> of the soil for the establishment of crops or pasture, or</u></li> <li>(b) <u>the harvesting of crops, or</u></li> <li>(c) <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, or</u></li> <li>(d) <u>the construction, repair, <b>upgrade</b> or maintenance of:</u> <ul style="list-style-type: none"> <li>(i) <u>pipelines, or</u></li> <li>(ii) <u>electricity lines and their support structures, including the <b>National Grid</b>, or</u></li> <li>(iii) <u>telecommunication structures or lines, or</u></li> <li>(iv) <u>radio communication structures, or</u></li> <li>(v) <u>firebreaks or fence lines, or</u></li> <li>(vi) <u>a <b>bore</b> or geotechnical investigation <b>bore</b>, or</u></li> </ul> </li> <li>(e) <u>repair or maintenance of existing roads and tracks, and airfield runways, taxiways, and parking aprons for aircraft, or</u></li> <li>(f) <u>maintenance of orchards and shelterbelts, or</u></li> <li>(g) <u>domestic gardening, or</u></li> <li>(h) <u>repair, sealing or resealing of a road, footpath, driveway, or</u></li> <li>(i) <u>discharge of <b>cleanfill material</b> to a cleanfill area</u></li> </ul> <p>Except that, for the purposes of Rules WH.R20, WH.R21 and P.R19, P.R20, ‘earthworks’ has the same meaning as given in section 3 of the <i>Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017</i>.</p> <p><u>For all other <b>whaitua</b>:</u>  The disturbance of a land surface from the time soil is first disturbed on a site until the time the site is <b>stabilised</b>. <b>Earthworks</b> includes blading, contouring, ripping, moving, removing, placing or replacing soil or earth, by excavation, or by cutting or filling operations, or by root raking.</p> <p><b>Earthworks</b> do not include:</p> <ul style="list-style-type: none"> <li>(a) <u><b>cultivation</b> of the soil for the establishment of crops or pasture, <del>and or</del></u></li> <li>(b) <u>the harvesting of crops, <del>and or</del></u></li> <li>(c) <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, <del>and or</del></u></li> <li>(d) <u>the construction, repair, <b>upgrade</b> or maintenance of:</u> <ul style="list-style-type: none"> <li>(vii) <u>pipelines, <del>and or</del></u></li> <li>(viii) <u>electricity lines and their support structures, including the <b>National Grid</b>, <del>and or</del></u></li> <li>(ix) <u>telecommunication structures or lines, <del>and or</del></u></li> <li>(x) <u>radio communication structures, <del>and or</del></u></li> <li>(xi) <u>firebreaks or fence lines, <del>and or</del></u></li> <li>(xii) <u>a <b>bore</b> or geotechnical investigation <b>bore</b>, <del>and or</del></u></li> </ul> </li> <li>(e) <u>repair or maintenance of existing roads and tracks, and airfield runways, taxiways, and parking aprons for aircraft, <del>and or</del></u></li> </ul>

Provision	Position	Comments	Relief sought
			(f) <u>maintenance of orchards and shelterbelts, <del>and or</del></u> (g) <u>domestic gardening, <del>and or</del></u> (h) <u>repair, sealing or resealing of a road, footpath, driveway, <del>and or</del></u> (i) <u>discharge of <b>cleanfill material</b> to a cleanfill area</u>
<p><b>High risk industrial or trade premise</b></p> <p><u>An industrial or trade premise that stores, uses or generates contaminants or <b>hazardous substances</b> on-site that are exposed to rain and could become entrained in <b>stormwater</b>. Activities that may occur at these premises could include:</u></p> <ul style="list-style-type: none"> <li>• <u>boat construction and maintenance</u></li> <li>• <u>commercial cement, concrete or lime manufacturing or storage</u></li> <li>• <u>chemical manufacture, formulation or bulk storage, recovery, processing or recycling</u></li> <li>• <u>fertiliser manufacture or bulk storage</u></li> <li>• <u>storage of <b>hazardous wastes</b> including waste dumps or dam tailings associated with mining activities</u></li> <li>• <u>petroleum or petrochemical industries including a petroleum depot, terminal blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials,</u></li> <li>• <u>scrap yards including automotive dismantling, wrecking or scrap metal yards</u></li> <li>• <u>wood treatment or preservation, or bulk storage of treated timber</u></li> <li>• <u>mineral extraction, refining and reprocessing, storage, and use</u></li> <li>• <u>explosives and ordnances production, storage, and use</u></li> <li>• <u>electronics including the commercial manufacturing, reconditioning, or recycling of computers, televisions, and other electronic devices</u></li> <li>• <u>waste recycling, treatment, and <b>disposal</b></u></li> <li>• <u>engineering workshops with metal fabrication, or electroplaters</u></li> <li>• <u>power stations, substations, or switchyards.</u></li> </ul>	Amend	<p>Horokiwi oppose the list of activities provided in the definition which “may” be high risk industrial or trade premise. The list includes various activities which are unlikely to generate industrial or trade waste contaminants, including bullet point nine “mineral extraction, refining and reprocessing, storage, and use” which would capture Horokiwi Quarry site. There has been no evidence provided that the activities listed are high risk industrial or trade premises, and as drafted the list is unhelpful to plan readers which implies that those activities are predetermined as meeting the definition. Horokiwi seeks that the list is removed.</p> <p>Horokiwi also opposes the use of the word ‘contaminants’ within the definition. The current definition uses the broad term “contaminants” as defined below<sup>1</sup>:</p> <p><b>contaminant</b> includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—</p> <p><b>(a)</b> when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</p> <p><b>(b)</b> when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged</p> <p>Horokiwi considers that the term “contaminant” is too broad to be used in the definition. “Contaminant” could include any substance that is not the stormwater itself. As such, all industrial or trade premises could potentially fall under the definition (not just those storing, generating or using hazardous substances). As a result, the scope of activities covered by the definition is unclear.</p> <p>On the basis that the focus of the provisions that the definition relates to is the management of the risk of hazardous substances from high risk industrial or trade premises being entrained in stormwater, then the definition should be amended to delete reference to “contaminants” and focus only on hazardous substances. This would also provide greater clarity to plan users on the scope of activities that will fall under the definition.</p>	<p><b>Amend the definition of “high risk industrial or trade premise” as follows:</b></p> <p><b>High risk industrial or trade premise</b></p> <p><u>An industrial or trade premise that stores, uses or generates <del>contaminants or</del> <b>hazardous substances</b> on-site that are exposed to rain and could become entrained in <b>stormwater</b>. <del>Activities that may occur at these premises could include:</del></u></p> <ul style="list-style-type: none"> <li>• <del><u>boat construction and maintenance</u></del></li> <li>• <del><u>commercial cement, concrete or lime manufacturing or storage</u></del></li> <li>• <del><u>chemical manufacture, formulation or bulk storage, recovery, processing or recycling</u></del></li> <li>• <del><u>fertiliser manufacture or bulk storage</u></del></li> <li>• <del><u>storage of <b>hazardous wastes</b> including waste dumps or dam tailings associated with mining activities</u></del></li> <li>• <del><u>petroleum or petrochemical industries including a petroleum depot, terminal blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials,</u></del></li> <li>• <del><u>scrap yards including automotive dismantling, wrecking or scrap metal yards</u></del></li> <li>• <del><u>wood treatment or preservation, or bulk storage of treated timber</u></del></li> <li>• <del><u>mineral extraction, refining and reprocessing, storage, and use</u></del></li> <li>• <del><u>explosives and ordnances production, storage, and use</u></del></li> <li>• <del><u>electronics including the commercial manufacturing, reconditioning, or recycling of computers, televisions, and other electronic devices</u></del></li> <li>• <del><u>waste recycling, treatment, and <b>disposal</b></u></del></li> <li>• <del><u>engineering workshops with metal fabrication, or electroplaters power stations, substations, or switchyards.</u></del></li> </ul>
<p><b>Highest erosion risk land (pasture)</b></p> <p><u>Land with highest erosion risk (pasture) in Te Awarua-o-Porirua <b>Whaitua</b> shown on Map 90 or in <b>Whaitua</b> Te Whanganui-a-Tara shown on Map 93.</u></p> <p><b>Highest erosion risk land (woody vegetation)</b></p> <p><u>Land with highest erosion risk (woody vegetation) in Te Awarua-o-Porirua <b>Whaitua</b> shown on Map 91 or in <b>Whaitua</b> Te Whanganui-a-Tara shown on Map 94.</u></p> <p><b>Highest erosion risk land (plantation forestry)</b></p> <p><u>Land with highest erosion risk (plantation forestry) in Te Awarua-o-Porirua <b>Whaitua</b> shown on</u></p>	Oppose	<p>Horokiwi opposes the mapping associated with these definitions, and in particular the “high erosion risk land (woody vegetation)” which is referenced in rules.</p> <p>As an example of how the mapping is applied to the Horokiwi site, there is an area of Plantation forestry within the Horokiwi site, areas of pasture adjoining the quarry, and areas of woody vegetation within the actual quarry site. More detailed maps are attached as Appendix C to this submission.</p>	<p><b>1. Update all the mapping (pasture, woody vegetation and plantation forestry) with accurate and evidence-based mapping, or delete definitions and retain existing definition of “erosion prone land” as shown below:</b></p> <p><b><i>Erosion prone land</i></b></p> <p>The pre-existing slope of the land exceeds 20 degrees.</p> <p><b>2. Should the definitions be retained, Horokiwi seeks that those definitions are subject to the Part 1 Schedule 1 Process and not the Freshwater Planning Process.</b></p>

<sup>1</sup> Derived from Section 2 of the Resource Management Act 1991.

Provision	Position	Comments	Relief sought
<p>Map 92 or in <b>Whaitua</b> Te Whanganui-a-Tara shown on Map 95.</p>		 <p>Horokiwi has concerns the mapping is too high level to and has not been substantiated. It is unclear how this mapping has been based, or whether it has been truthed. For example, the mapping of “Highest erosion risk land (Woody vegetation)” includes many small areas of identified land that are incohesive (the size of each individual square identified in the maps is 5m by 5m). Horokiwi questions the value of regulating small, incohesive areas of woody vegetation, given that the controlled activity threshold for vegetation clearance is 200m<sup>2</sup>. To ensure that the maps (and the rules for vegetation removal) are efficient to administer and effective at achieving their intended outcome, Horokiwi considers that the maps should be amended to only identify cohesive areas of woody vegetation, and remove incohesive or isolated areas removed. For consistency with the rules, isolated areas smaller than 200m<sup>2</sup> should be removed from the maps.</p> <p>Horokiwi appreciates that this approach seeks to nuance the existing definition of ‘erosion prone land’ in the operative plan which simply is defined by the slope of the land. However, Horokiwi considers that until GWRC have undertaken a robust vegetation and land instability mapping exercise, the former approach should be retained.</p> <p>Horokiwi also notes that these definitions have been notified as being subject to the Freshwater Planning Process. Horokiwi opposes this and note that the definition and associated rules relate to soil conservation and not freshwater. Horokiwi also notes that this would be inconsistent with the approach taken to the overarching objective and policy<sup>2</sup> of Proposed Change 1 Regional Policy Statement, which have been confirmed by GWRC officers as subject to the Schedule 1 Process.</p>	
<p><b>Impervious surfaces</b></p> <p>Surfaces that prevent or significantly impede the infiltration of <b>stormwater</b> into soil or the ground, includes:</p> <ul style="list-style-type: none"> <li>• roofs</li> <li>• paved areas (including sealed/compacted metal) such as roads, driveways, parking areas, sidewalks/foot paths or patios,</li> </ul> <p>and excludes:</p> <ul style="list-style-type: none"> <li>• grassed areas, gardens and other vegetated areas</li> <li>• porous or permeable paving</li> <li>• slatted decks which allow water to drain through to a permeable surface</li> <li>• porous or permeable paving and living roofs</li> <li>• roof areas with rainwater collection and reuse</li> <li>• any <b>impervious surfaces</b> directed to a rain tank utilised for grey water reuse (permanently plumbed)</li> </ul>	<p>Amend</p>	<p>Horokiwi notes that the definition would currently capture a range of surfaces that may exist within a quarry, including:</p> <ul style="list-style-type: none"> <li>- Concrete pads,</li> <li>- Haul roads,</li> <li>- Site offices,</li> <li>- Storage sheds,</li> <li>- Processing plant.</li> </ul> <p>It is understood, based on the Section 32 evaluation, that the impervious surface rules are intended to capture urban development (e.g. residential, commercial and industrial activities in an urban area). The definition and associated rules as drafted would apply more broadly and capture quarrying activities without a reasonable consenting pathway. Horokiwi seeks that the definition explicitly exclude impervious surfaces associated with quarrying activities.</p>	<p><b>Amend the definition of “impervious surface” as follows:</b></p> <p><b>Impervious surfaces</b></p> <p>Surfaces that prevent or significantly impede the infiltration of <b>stormwater</b> into soil or the ground, includes:</p> <ul style="list-style-type: none"> <li>• roofs</li> <li>• paved areas (including sealed/compacted metal) such as roads, driveways, parking areas, sidewalks/foot paths or patios,</li> </ul> <p>and excludes:</p> <ul style="list-style-type: none"> <li>• grassed areas, gardens and other vegetated areas</li> <li>• porous or permeable paving</li> <li>• slatted decks which allow water to drain through to a permeable surface</li> <li>• porous or permeable paving and living roofs</li> <li>• roof areas with rainwater collection and reuse</li> <li>• any <b>impervious surfaces</b> directed to a rain tank utilised for grey water reuse (permanently plumbed)</li> <li>• any <b>impervious surface</b> associated with a quarrying activity</li> </ul>

<sup>2</sup> Objective 29 and Policies 15 and 41

Provision	Position	Comments	Relief sought
<p><b>New definition</b></p>	<p>Amend</p>	<p>The term “unplanned greenfield development” is related to prohibited activity rules WH.R13 and P.R12. The term is defined as “greenfield development” within areas specified as ‘unplanned greenfield areas’ in the maps. However, the term “greenfield development” is undefined. As a result, there is a high degree of uncertainty about the kinds of development that are prohibited under the rules. This level of uncertainty is inappropriate for a definition that determines the scope of prohibited activity rules.</p> <p>If the term “greenfield development” is interpreted as development on greenfield land, then this would include all types of development, including the development of quarries.</p> <p>If the intent of the definition and associated provisions is to manage urban development on land that has not been previously developed, then this should be clearly stated.</p> <p>Based on the Section 32 Evaluation provided by GWRC, it is understood that “greenfield development” is principally focused on urban development, rather than all other activities, including quarrying activities. However, as drafted, and without a definition, all activities could fall into “greenfield development”. Horokiwi seeks that a definition is included to clarify what is anticipated and to avoid unnecessarily capturing all other activities. Horokiwi also seeks that the definition expressly exclude activities that are not greenfield development, including quarrying activities.</p> <p>If the intent of the definition and associated provisions is to manage urban development on land that has not been previously developed, then this should be clearly stated. To achieve this, Horokiwi considers that the term “greenfield development” must be defined. An appropriate definition would be “urban development on land that has not been previously developed for urban land uses”. This is similar to the definition of “greenfield” used in the Auckland Unitary Plan. To support this definition, the term “urban development” should also be defined in the Plan. The definition of “urban development” from the Regional Policy Statement would be appropriate and support integration between the RPS and the NRP.</p>	<p><b>1. Insert new definition of “greenfield development” as follows:</b></p> <p><b><u>Greenfield development</u></b></p> <p><u>Means any urban development undertaken within a site or sites that has not previously been used for urban land use.</u></p> <p><u>Greenfield development does not include:</u></p> <ul style="list-style-type: none"> <li>• <u>Quarrying activities,</u></li> <li>• <u>...</u></li> </ul> <p><b>2. Insert new definition of “urban development” as follows:</b></p> <p><b><u>Urban development</u></b></p> <p><u>Urban development is subdivision, use and development that is characterised by its planned reliance on reticulated services (such as water supply and drainage) by its generation of traffic, and would include activities (such as manufacturing), which are usually provided for in urban areas. It also typically has lots sizes of less than 3000 square metres.</u></p>
<p><b>New definition</b></p>	<p>Amend</p>	<p>Horokiwi seek that the term “quarrying activities” is included as a defined term. This aligns with relief sought through other submission points.</p>	<p><b>Insert new definition of “quarrying activities” as follows:</b></p> <p><u>Has the same meaning as in the National Planning Standards (as set out below): means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.</u></p>
<p><b><u>Unplanned greenfield development</u></b></p> <p><u>Greenfield development within areas identified as ‘unplanned greenfield area’ on maps 86, 87, 88 and 89 which also require an underlying zone change (from rural/non-urban/open space to urban) through a District Plan change to enable the development.</u></p> <p><u>Note: Unplanned greenfield areas are those areas that do not have an urban or future urban zone at the time of Plan Change 1 notification, 30<sup>th</sup> October 2023.</u></p>	<p>Amend</p>	<p>Horokiwi seek consequential amendment to this definition to include the defined term of ‘greenfield development’. See full comments in the submission point seeking new definitions for Greenfield Development and Urban Development.</p>	<p><b>Amend the definition of “unplanned greenfield development” as follows:</b></p> <p><b><u>Unplanned greenfield development</u></b></p> <p><u>Greenfield development within areas identified as ‘unplanned greenfield area’ on maps 86, 87, 88 and 89 which also require an underlying zone change (from rural/non-urban/open space to urban) through a District Plan change to enable the development.</u></p> <p><u>Note: Unplanned greenfield areas are those areas that do not have an urban or future urban zone at the time of Plan Change 1 notification, 30<sup>th</sup> October 2023.</u></p>
<p><b>New definition</b></p>	<p>Amend</p>	<p>Horokiwi note that there is currently no definition for “aquatic offset”. The Natural Resources Plan currently defines “biodiversity offset” which relates primarily to indigenous biodiversity. There is also a definition of “offset” which is more general definition. Both of those definitions are provided below:</p>	<p><b>Insert new definition of “aquatic offset” as follows:</b></p> <p><b><u>Aquatic offset</u></b></p> <p><u>Has the same meaning as in the National Policy Statement for Freshwater Management (as set out below): means a measurable conservation outcome resulting from actions that are intended to:</u></p>

Provision	Position	Comments	Relief sought
		<p><b>Biodiversity offset</b></p> <p>A measurable positive environmental outcome resulting from actions designed to redress the residual adverse effects on biodiversity arising from activities after appropriate avoidance, minimisation, and remediation measures have been applied. The goal of a biodiversity offset is to achieve no net loss, and preferably a net gain, of indigenous biodiversity values. The principles to be applied when proposing and considering biodiversity offsets are provided in Schedule G2 (biodiversity offsetting).</p> <p><b>Offset</b></p> <p>A measurable positive outcome resulting from an action designed to compensate for the residual adverse effects on the environment arising from an activity after avoidance, remediation and mitigation measures have been taken.</p> <p>Without a specific definition for aquatic offset, there is risk that the definition for biodiversity offset is inappropriately applied. Horokiwi considers that it would be inconsistent with the National Policy Statement for Freshwater Management (<b>NPS-FM</b>) to continue to omit the definition which is included as a defined term within the NPS-FM. Howokiwi seeks that the definition is inserted. It is understood that consequential amendments may be required to objectives, policies and rules to reference this term.</p>	<p>(b) <u>redress any more than minor residual adverse effects on a wetland or river after all appropriate avoidance, minimisation, and remediation, measures have been sequentially applied; and</u></p> <p>(c) <u>achieve no net loss, and preferably a net gain, in the extent and values of the wetland or river, where:</u></p> <p>(i) <u>no net loss means that the measurable positive effects of actions match any loss of extent or values over space and time, taking into account the type and location of the wetland or river; and</u></p> <p>(ii) <u>net gain means that the measurable positive effects of actions exceed the point of no net loss</u></p>
<p><b>New definition</b></p>	<p>Amend</p>	<p>Horokiwi note that there is currently no definition for “Biodiversity compensation”. The Natural Resources Plan currently defines “biodiversity compensation” which relates primarily to indigenous biodiversity. The definition is are provided below:</p> <p><b>Biodiversity compensation</b></p> <p>Biodiversity compensation means a measurable positive environmental outcome resulting from actions that are designed to compensate for residual adverse biodiversity effects. The principles to be applied when proposing and considering biodiversity compensation are provided in Schedule G3 (biodiversity compensation).</p> <p>Without a specific definition for aquatic compensation, there is risk that the definition for biodiversity compensation is inappropriately applied. Horokiwi consider that it would be inconsistent with the National Policy Statement for Freshwater Management (<b>NPS-FM</b>) to continue to omit the definition which is included as a defined term within the NPS-FM. Howokiwi seeks that the definition is inserted.</p> <p>It is understood that consequential amendments may be required to objectives, policies and rules to reference this term.</p>	<p><b>Insert new definition of “Biodiversity compensation” as follows:</b></p> <p><b><u>Biodiversity compensation</u></b>  <u>Biodiversity compensation means a measurable positive environmental outcome resulting from actions that are designed to compensate for residual adverse biodiversity effects. The principles to be applied when proposing and considering biodiversity compensation are provided in Schedule G3 (biodiversity compensation).</u></p>
<b>Section 5.4.5 Uses of beds of lakes and rivers</b>			
<p> Rule R128: New structures – permitted activity</p> <p><b>The placement of a new structure, including sediment retention weirs, pipelines (such as a natural gas pipeline), ducts, cables, hydrological and water quality monitoring equipment, fences, erosion protection structures, debris arrestor structures or a and-structures associated with vegetative bank edge protection except a structure permitted by Rules R125, R126 and R127 and passive flap gates, that is fixed in, on, under, or over the bed of any river or lake, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except general condition 5.4.4(n), including any associated:</b></p>	<p>Oppose</p>	<p>Removal of the reference to “structure” from the chapeau of the rule significantly reduces the range of structures that are permitted under the rule. This change removes the ability to construct minor structures within the bed of a river without need of a resource consent. The changes would mean that the following structures would no longer be a permitted activity and will become a discretionary activity under R145:</p> <ul style="list-style-type: none"> <li>- Intake structures,</li> <li>- Outfall structures,</li> <li>- Weirs (excluding those used for sediment retention)</li> <li>- Fish screens,</li> </ul>	<p><b>Changes are rejected and Rule R128 is retained as operative</b></p>

Provision	Position	Comments	Relief sought
<p>(a) disturbance of the river or lake bed, and  (b) deposition on the river or lake bed, and  (c) diversion of water, and  (d) discharge of sediment to water, and  (e) temporary damming of water,  <u>excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except when general condition 5.4.4(n) applies.</u></p> <p><b>is a permitted activity, provided the following conditions are met:</b></p> <p>(a) <b>the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.4.4, and</b></p> <p>(b) the activity does not occur within a site identified in Schedule C (mana whenua), excluding adding pipelines or cables to an existing structure or providing for fish refuge, and</p> <p>(c) the activity does not occur in or on any part of the river bed identified as inanga spawning habitat in Schedule F1 (rivers/lakes), and</p> <p>(d) the structure does not occupy a bed area any greater than 10m<sup>2</sup>, except for where the structure is associated with <b>vegetative bank edge protection</b>, or a pipeline, duct, fence or cable which is located over or under the bed where no bed occupancy limits apply, and</p> <p>(e) the catchment upstream of any sediment retention weir is not greater than 200ha, and</p> <p>(f) the height of any sediment retention weir from the upstream base to the crest of the weir at the time of construction shall be no more than 0.5m, and</p> <p>(g) the placement of a weir other than a customary weir, in, on over or under the bed of any river or connected area must also comply with the following:</p> <p>(i) the fall height of the weir must be no more than 0.5m, and  (ii) the slope of the weir must be no steeper than 1:30, and  (iii) the face of the weir must have roughness elements that are mixed grade rocks of 150 to 200mm diameter and irregularly spaced no more than 90mm apart to create a hydraulically diverse flow structure across the weir (including any wetted margins), and  (iv) the weir's lateral profile must be V-shaped, sloping up at the banks, and with a low-flow channel in the centre, with the lateral cross-section slope between 5° and 10°, and</p> <p>(h) for all new weirs (except customary weirs), non-passive flap gates, aprons and ramps, placed in rivers or connected areas, the information requirements of Regulations 62, 64, 65, and 68 as relevant for the structure, of the <i>Resource Management (National Environmental Standards for Freshwater) Regulations 2020</i> shall be provided as set out in the regulations.</p>		<ul style="list-style-type: none"> <li>- Fish passage devices,</li> <li>- Navigational aid structure, and</li> <li>- temporary structures.</li> </ul> <p>The existing rule appropriately provides for minor structures (less than 10 m<sup>2</sup>) which is provided through permitted conditions limiting the size of a structure. To require that a resource consent is sought for all of those activities as a discretionary activity is overly onerous, will result in unnecessary consenting costs and is not efficient nor effective. Horokiwi considers that this matter would be addressed by reinstating the words “structure, including” to the chapeau of the rule.</p> <p>The Section 32 evaluation provided little explanation for the proposed change, other than the rule providing for a broad range of structures is inappropriate. There is no acknowledgement of the efficiency of requiring resource consent for all minor structures that are no longer permitted.</p>	
<b>Section 5.4.5 Uses of beds of lakes and rivers</b>			
 <p><a href="#">Rule R151A: Ongoing diversion of a river – permitted activity</a></p> <p><b>The diversion of a river as a result of:</b></p> <p>(a) <u>an existing permanent diversion, that is not associated with existing structures, that was lawfully established by way of a resource consent as at the date of this rule becoming operative, or</u></p> <p>(b) <u>a permanent diversion, that is not associated with existing structures, that has been lawfully established by way of a resource consent after the operative date of this rule,</u></p> <p><b>is a permitted activity subject to the following conditions:</b></p>	Support	Horokiwi support the inclusion of this rule which will negate the requirement for long term river diversions where that diversion is permanent.	Retain as notified.

Provision	Position	Comments	Relief sought
<p>(c) <u>the permanent diversion has been in place for at least 10 years, and</u></p> <p>(d) <u>all of the conditions of the resource consent to lawfully establish the diversion have been complied with.</u></p> <p><i>Note</i>  <b>Diversion of water in association with existing structures is subject to permitted activity rule R122 (Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates) – permitted activity).</b></p>			
<b>Section 8.1 Whaitua Te Whanganui-a-Tara Objectives</b>			
<p><b>Objective WH.O1</b>   <u>The health of all freshwater bodies and the coastal marine area within Whaitua Te Whanganui-a-Tara is progressively improved and is wai ora by 2100.</u></p> <p><i>Note</i>  In the wai ora state:</p> <ul style="list-style-type: none"> <li>• <u>Āhua (natural character) is restored and freshwater bodies exhibit their natural quality, rhythms, range of flows, form, hydrology and character</u></li> <li>• <u>All freshwater bodies have planted margins</u></li> <li>• <u>All freshwater bodies and coastal waters have healthy functioning ecosystems and their water conditions and habitat support the presence, abundance, survival and recovery of At-risk and Threatened species and taonga species</u></li> <li>• <u>Mahinga kai and kaimoana species are healthy, plentiful enough for long term harvest and are safe to harvest and eat or use, including for manuhiri and to exercise manaakitanga</u></li> <li>• <u>Mana whenua are able to undertake customary practices at a range of places throughout the catchment.</u></li> </ul>	Amend	<p>Horokiwi supports this long-term vision for Whaitua Te Whanganui-a-Tara. It does however seek changes to the to ensure requirements are reasonably achievable which are discussed below.</p> <p>The first bullet point requires that Āhua (natural character) is restored. Restoration should only occur where natural character has been degraded. Without providing for this caveat, it sets an unrealistic requirement on what it is being restored and the baseline state.</p> <p>The second bullet point requiring that the margins of freshwater bodies are planted will not be practicable in all instances. Inevitably there are freshwater bodies that cannot have planted margins for various reasons including being piped or being of a concrete channel. Seek that this clause is amended to be “as far as practicable”.</p>	<p><b>Amend Objective WH.O1 as follows:</b>  <b>Objective WH.O1</b> </p> <p><u>The health of all freshwater bodies and the coastal marine area within Whaitua Te Whanganui-a-Tara is progressively improved and is wai ora by 2100.</u></p> <p><i>Note</i>  In the wai ora state:</p> <ul style="list-style-type: none"> <li>• <u>Āhua (natural character) is restored where it has been degraded and freshwater bodies exhibit their natural quality, rhythms, range of flows, form, hydrology and character</u></li> <li>• <u>All freshwater bodies have planted margins as far as practicable</u></li> <li>• <u>All freshwater bodies and coastal waters have healthy functioning ecosystems and their water conditions and habitat support the presence, abundance, survival and recovery of At-risk and Threatened species and taonga species</u></li> <li>• <u>Mahinga kai and kaimoana species are healthy, plentiful enough for long term harvest and are safe to harvest and eat or use, including for manuhiri and to exercise manaakitanga</u></li> <li>• <u>Mana whenua are able to undertake customary practices at a range of places throughout the catchment.</u></li> </ul>
<p> <b>Objective WH.O6</b>  <u>Groundwater flows and levels, and water quality, are maintained at levels that:</u></p> <p>(a) <u>ensure base flows or levels in surface water bodies and springs are supported and salt-water intrusion is avoided, and</u></p> <p>(b) <u>protect groundwater dependent ecosystems, and</u></p> <p>(c) <u>protect ecosystems in connected surface water bodies, and</u></p> <p>(d) <u>ensure that groundwater is of sufficient quality for human and stock drinking water, and</u></p> <p>(e) <u>ensure there is not a long-term decline in mean annual groundwater levels, including artesian pressures and</u></p> <p>(f) <u>avoid aquifer consolidation.</u></p>	Amend	<p>Horokiwi generally support this objective, but seeks amendments as described below.</p> <p>Clause (b) and (c) direct to protect groundwater dependent ecosystems and ecosystems in connected surface water bodies. This direction is inconsistent with the NPS-FM, which requires freshwater and freshwater ecosystems is “maintained” through Policy 5. It is noted that “protection” is only afforded to outstanding freshwater bodies and habitats of indigenous freshwater species through Policies 8 and 9 of the NPS-FM accordingly. Protection is a higher bar than maintain which could lead to perverse outcomes and an inability for reasonable development to occur.</p> <p>Clause (f) requires avoidance of “aquifer consolidation”. It is unclear what aquifer consolidation refers to and Horokiwi seek that this term is clarified.</p>	<p>1. <b>Clarify what is “aquifer consolidation”, and</b>  2. <b>Amend Objective WH.O6 as follows:</b>   <b>Objective WH.O6</b>  <u>Groundwater flows and levels, and water quality, are maintained at levels that:</u></p> <p>(a) <u>ensure base flows or levels in surface water bodies and springs are supported and salt-water intrusion is avoided, and</u></p> <p>(b) <del>protect</del> <u>maintain</u> groundwater dependent ecosystems, and</p> <p>(c) <del>protect</del> <u>maintain</u> ecosystems in connected surface water bodies, and</p> <p>(d) <u>ensure that groundwater is of sufficient quality for human and stock drinking water, and</u></p> <p>(e) <u>ensure there is not a long-term decline in mean annual groundwater levels, including artesian pressures and</u></p> <p>(f) <u>avoid aquifer consolidation.</u></p>

Provision	Position	Comments	Relief sought
<b>Section 8.2.1 Ecosystem health and water quality (Whaitua Te Whanganui-a-Tara)</b>			
<p><a href="#">Policy WH.P1: Improvement of aquatic ecosystem health</a></p> <p><b>COASTAL</b> Aquatic ecosystem health will be improved by:</p> <ul style="list-style-type: none"> <li>(a) progressively reducing the load or concentration of contaminants, particularly sediment, nutrients, pathogens and metals, entering water, and</li> <li>(b) restoring habitats, and</li> <li>(c) enhancing the natural flow regime of rivers and managing water flows and levels, including where there is interaction of flows between surface water and groundwater, and</li> <li>(d) co-ordinating and prioritising work programmes in catchments that require changes to land use activities that impact on water.</li> </ul>	Amend	<p>Horokiwi seeks amendments to this policy as described below.</p> <p>Clause (a) requires progressive reduction in the load and concentration of contaminants. It is understood that this is aligned with the required reductions in order to achieve improvements in water quality as required by Objective WH.O9. As drafted, the clause implies that this would apply to all water bodies, regardless of whether improvement is required or not. Changes are sought to clarify this.</p> <p>As drafted, Clause (b) would be applied broadly to all habitats, including exotic. There is no requirement under the NPS-FM restore all habitats, rather it is limited to indigenous wetland habitat, and restoration should only be required where that habitat has been degraded. Changes are sought to clarify that restoration is limited to indigenous habitats and to caveat to where those habitats have been degraded.</p> <p>It is not clear in Clause (d) what is being coordinated and prioritised. It is also unclear what “catchments that require changes to land use activities that impact water” means and who decides this or what those activities are. This clause should rather refer to enabling work programmes that provide for improvement. It is also noted that the clause is a method rather than a policy directive. Horokiwi suggest that consideration is given to whether this would be better suited as a method rather than a policy directive.</p>	<p><b>Amend Policy WH.P1 as follows:</b></p> <p><a href="#">Policy WH.P1: Improvement of aquatic ecosystem health</a></p> <p><b>COASTAL</b> Aquatic ecosystem health will be improved by:</p> <ul style="list-style-type: none"> <li>(a) progressively reducing the load or concentration of contaminants <b>where improvement in water quality is required</b>, particularly sediment, nutrients, pathogens and metals, entering water, and</li> <li>(b) restoring <b>indigenous</b> habitats <b>that have been degraded</b>, and</li> <li>(c) enhancing the natural flow regime of rivers and managing water flows and levels, including where there is interaction of flows between surface water and groundwater, and</li> <li>(d) co-ordinating and <b>prioritising enabling</b> work programmes in catchments that seek to improve aquatic ecosystem health <b>require changes to land use activities that impact on water</b>.</li> </ul>
<p><a href="#">Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives</a></p> <p><b>COASTAL</b> Target attribute states and coastal water objectives will be achieved by regulating discharges and land use activities in the Plan, and non-regulatory methods, including Freshwater Action Plans, by:</p> <ul style="list-style-type: none"> <li>(a) prohibiting <b>unplanned greenfield development</b> and for other greenfield developments <b>minimising</b> the contaminants and requiring financial contributions as to offset adverse effects from residual <b>stormwater</b> contaminants, and</li> <li>(b) encouraging <b>redevelopment</b> activities within existing urban areas to reduce the existing urban contaminant load, and</li> <li>(c) imposing <b>hydrological controls</b> on urban development and <b>stormwater</b> discharges to rivers</li> <li>(d) requiring a reduction in contaminant loads from urban <b>wastewater</b> and <b>stormwater networks</b>, and</li> <li>(e) <b>stabilising</b> stream banks by excluding <b>livestock</b> from waterbodies and planting riparian margins with indigenous vegetation, and</li> <li>(f) requiring the active management of <b>earthworks</b>, forestry, <b>cultivation</b>, and <b>vegetation clearance</b> activities, and</li> <li>(g) soil conservation treatment, including revegetation with woody vegetation, of land with <b>high erosion risk</b>, and</li> <li>(h) requiring <b>farm environment plans</b> (including Freshwater Farm Plans) to improve <b>farm</b> practices that impact on freshwater.</li> </ul>	Amend	<p>Horokiwi seeks amendments to clause (a) of this policy as described below.</p> <p>Horokiwi considers that this policy is inappropriate because the definition of “unplanned greenfield development” is broad and uncertain. On this basis, Horokiwi considers that the prohibition on unplanned greenfield development is inappropriate and must be removed. As noted in earlier submission points, it is understood that GWRC are focused primarily on unplanned urban development. Changes to this clause are sought to clarify this. This clause also currently prescribes the activity status of an activity, rather than being focused on an adverse effect.</p> <p>In addition, the clause also requires financial contributions to offset residual adverse effects from stormwater contaminants. Horokiwi consider that this is inconsistent with the NPS-FM and limits the ability to implement the effects management hierarchy. Aquatic offsetting or aquatic compensation are required where there are <b>more than minor</b> residual adverse effects, rather than residual adverse effects generally. It is expected that there will be some residual adverse effect, which is appropriate, provided that effect is no more than minor. This clause also implies that financial contributions are the only form of offset that may be provided. Appendix 6 of the NPS-FM sets out principles that are to be applied when identifying an appropriate aquatic offset. It would be contrary to the NPS-FM to not allow for consideration against those principles. The clause also implies that only offsetting may be applied. The effects management hierarchy provides for aquatic compensation where aquatic offsetting is not able to be provided. Horokiwi accept that a financial contribution may be an appropriate form of aquatic offset, but seek that the policy does not frustrate the ability for other forms of aquatic offsetting or aquatic compensation to be undertaken.</p>	<p><b>Amend Policy WH.P2 as follows:</b></p> <p><a href="#">Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives</a></p> <p><b>COASTAL</b> Target attribute states and coastal water objectives will be achieved by regulating discharges and land use activities in the Plan, and non-regulatory methods, including Freshwater Action Plans, by:</p> <ul style="list-style-type: none"> <li>(a) <del>prohibiting unplanned greenfield development and for other greenfield developments</del> <b>minimising the discharge of stormwater</b> contaminants <b>generated by urban development</b>, and <b>where there are more than minor residual adverse effects caused by stormwater contaminants requiring aquatic offsetting in first instance, which may include a requiring</b> financial contributions <del>as to an aquatic offset adverse effects from residual stormwater contaminants</del>, and</li> <li>(b) encouraging <b>redevelopment</b> activities within existing urban areas to reduce the existing urban contaminant load, and</li> <li>(c) imposing <b>hydrological controls</b> on urban development and <b>stormwater</b> discharges to rivers</li> <li>(d) requiring a reduction in contaminant loads from urban <b>wastewater</b> and <b>stormwater networks</b>, and</li> <li>(e) <b>stabilising</b> stream banks by excluding <b>livestock</b> from waterbodies and planting riparian margins with indigenous vegetation <b>where practicable</b>, and</li> <li>(f) requiring the active management of <b>earthworks</b>, forestry, <b>cultivation</b>, and <b>vegetation clearance</b> activities, and</li> <li>(g) soil conservation treatment, including revegetation with woody vegetation, of land with <b>high erosion risk</b>, and</li> <li>(h) requiring <b>farm environment plans</b> (including Freshwater Farm Plans) to improve <b>farm</b> practices that impact on freshwater.</li> </ul>

Provision	Position	Comments	Relief sought
		Horokiwi supports the direction of Clause (e), but note that the planting of riparian margins may not always be practicable. Changes are sought to recognise this.	
<b>Section 8.2.2 Stormwater (Whaitua Te Whanganui-a-Tara)</b>			
<p><a href="#">Policy WH.P10: Managing adverse effects of stormwater discharges</a></p> <p>All stormwater discharges and associated land use activities shall be managed by:</p> <ul style="list-style-type: none"> <li>(a) <u>using source control to minimise contaminants in the stormwater discharge and maximise, to the extent practicable, the removal of contaminants from stormwater, including through the use of water sensitive urban design measures, and</u></li> <li>(b) <u>using hydrological control and water sensitive urban design measures to avoid, remedy or mitigate adverse effects of stormwater quantity and maintain, to the extent practicable, natural stream flows, and</u></li> <li>(c) <u>installing, where practicable, a stormwater treatment system for stormwater discharges from a property or properties taking into account:</u> <ul style="list-style-type: none"> <li>(i) <u>the treatment quality (load reduction factor), and</u></li> <li>(ii) <u>opportunities for the retention or detention of <b>stormwater</b> flows or volume, including any flood storage volume required, and</u></li> <li>(iii) <u>any potential adverse effects that may arise as a result of the <b>stormwater treatment system</b> or discharge, including erosion and scour, and localised adverse water quality effects, and</u></li> <li>(iv) <u>inspections, monitoring and ongoing maintenance, including costs, to maintain functionality in terms of treatment quality and capacity, and</u></li> <li>(v) <u>existing or proposed communal stormwater treatment systems in the stormwater catchment or sub-catchment, or part Freshwater Management Unit.</u></li> </ul> </li> </ul>	Amend	<p>Horokiwi oppose this policy as it would apply to stormwater discharges from a quarry site and the direction is not practicable.</p> <p>The policy as drafted is specifically directed toward urban activities. While these requirements are appropriate for urban development, they cannot be practicably applied to non-urban activities, including quarrying activities.</p>	<p><b>Amend Policy WH.P10 as follows:</b></p> <p><a href="#">Policy WH.P10: Managing adverse effects of stormwater discharges</a></p> <p>All stormwater discharges <b>from new urban development</b> and associated land use activities shall be managed by:</p> <ul style="list-style-type: none"> <li>(a) <u>using source control to minimise contaminants in the stormwater discharge and maximise, to the extent practicable, the removal of contaminants from stormwater, including through the use of water sensitive urban design measures, and</u></li> <li>(b) <u>using hydrological control and water sensitive urban design measures to avoid, remedy or mitigate adverse effects of stormwater quantity and maintain, to the extent practicable, natural stream flows, and</u></li> <li>(c) <u>installing, where practicable, a stormwater treatment system for stormwater discharges from a property or properties taking into account:</u> <ul style="list-style-type: none"> <li>(i) <u>the treatment quality (load reduction factor), and</u></li> <li>(ii) <u>opportunities for the retention or detention of <b>stormwater</b> flows or volume, including any flood storage volume required, and</u></li> <li>(iii) <u>any potential adverse effects that may arise as a result of the <b>stormwater treatment system</b> or discharge, including erosion and scour, and localised adverse water quality effects, and</u></li> <li>(iv) <u>inspections, monitoring and ongoing maintenance, including costs, to maintain functionality in terms of treatment quality and capacity, and</u></li> <li>(v) <u>existing or proposed communal stormwater treatment systems in the stormwater catchment or sub-catchment, or part Freshwater Management Unit.</u></li> </ul> </li> </ul>
<p><a href="#">Policy WH.P11: Discharges of contaminants in stormwater from high risk industrial or trade premises</a></p> <p> The discharge of <b>stormwater</b> to water, including discharges via the <b>stormwater network</b>, from a <b>high risk industrial or trade premise</b> shall be managed by:</p> <ul style="list-style-type: none"> <li>a) <u>having procedures and equipment in place to contain any spillage of <b>hazardous substances</b> for storage or removal, and</u></li> <li>b) <u>avoiding contaminants or <b>hazardous substances</b> being entrained in <b>stormwater</b> and discharged to a <b>surface water body</b> or coastal water, including via the <b>stormwater network</b>, or where avoidance is not practicable, implementing <b>good management practice</b> to avoid or <b>minimise</b> adverse effects on the environment, including reducing contaminant volumes and concentrations as far as practicable, and applying measures, including secondary containment, treatment, management procedures, and monitoring, and</u></li> <li>c) <u>installing an interceptor where there is a risk of petroleum hydrocarbons entering into the <b>stormwater network</b>, a <b>surface water body</b> or coastal water, and</u></li> <li>d) <u>avoiding or mitigating adverse effects of <b>stormwater</b> discharges on groundwater quality.</u></li> </ul>	Amend	<p>It is impracticable to avoid contaminants being entrained in stormwater. This is acknowledged in the section 32 evaluation report, and by policies such as WH.P15, which recognises that there may be residual stormwater contaminants associated with development.</p> <p>Given that the focus of the policy is on the management of hazardous substances prepared, used or stored at high risk industrial and trade premises, reference to contaminants generally should be removed from the policy, in order that the policy is implementable and retains a clear focus on the management of hazardous substances.</p> <p>Management of stormwater contaminants generally is provided for under policies WH.P10 and WH.P14, which will also apply to high risk industrial or trade premises.</p> <p>Horokiwi seeks amendment to remove the general term “contaminants” from the policy.</p>	<p><b>Amend Policy WH.P11 as follows:</b></p> <p><a href="#">Policy WH.P11: Discharges of <del>contaminants</del> <b>hazardous substances</b> in stormwater from high risk industrial or trade premises</a></p> <p> The discharge of <b>stormwater</b> to water, including discharges <del>via</del> <b>from</b> the <b>stormwater network</b>, from a <b>high risk industrial or trade premise</b> shall be managed by:</p> <ul style="list-style-type: none"> <li>a) <u>having procedures and equipment in place to contain any spillage of <b>hazardous substances</b> for storage or removal, and</u></li> <li>b) <u>avoiding <del>contaminants or</del> <b>hazardous substances</b> being entrained in <b>stormwater</b> and discharged to a <b>surface water body</b> or coastal water, including via the <b>stormwater network</b>, or where avoidance is not practicable, implementing <b>good management practice</b> to avoid or <b>minimise</b> adverse effects on the environment, including reducing contaminant volumes and concentrations as far as practicable, and applying measures, including secondary containment, treatment, management procedures, and monitoring, and</u></li> <li>c) <u>installing an interceptor where there is a risk of petroleum hydrocarbons entering into the <b>stormwater network</b>, a <b>surface water body</b> or coastal water, and</u></li> <li>d) <u>avoiding or mitigating adverse effects of <b>stormwater</b> discharges on groundwater quality.</u></li> </ul>
<p><a href="#">Policy WH.P14: Stormwater discharges from new and redeveloped impervious surfaces</a></p> <p> The adverse effects of <b>stormwater</b> discharges from new greenfield development shall</p>	Amend	Horokiwi seeks consequential amendments to the policy in line with the relief sought in relation to the submission point seeking a new definition of Greenfield Development. Those changes are to update reference to “greenfield development” to be a defined term, and to	<p><b>Amend Policy WH.P14 as follows:</b></p> <p><a href="#">Policy WH.P14: Stormwater discharges from new and redeveloped impervious surfaces</a></p>

Provision	Position	Comments	Relief sought
<p>be <b>minimised</b>, and adverse effects of <b>stormwater</b> discharges from existing urban areas reduced to the extent practicable, upon <b>redevelopment</b>, through implementing:</p> <p>(a) an on-site <b>stormwater treatment system</b> or an off-site communal <b>stormwater treatment system</b> that is designed to:</p> <p>(i) receive at least 85% of the mean annual runoff volume <b>stormwater</b> generated from new and redeveloped <b>impervious surfaces</b> of the <b>property</b>, and</p> <p>(ii) achieve copper and zinc load reductions factors equivalent to that of a <b>raingarden/bioretention device</b>, and</p> <p>(b) where <b>stormwater</b> discharges will enter a river, <b>hydrological controls</b> either on-site, or off-site via a communal</p>		<p>make direct reference to urban development as being the activity the policy relates.</p> <p>In addition, Clause (a)(ii) refers to raingardens and bioretention devices, however neither term is defined in the plan. To provide sufficient certainty to plan users, Horokiwi seeks that definitions of both terms need to be added to the Plan.</p>	<p><b>COASTAL</b> The adverse effects of <b>stormwater</b> discharges from new <b>greenfield development</b> shall be <b>minimised</b>, and adverse effects of <b>stormwater</b> discharges from existing urban areas <b>caused by urban development</b> reduced to the extent practicable, upon <b>redevelopment</b>, through implementing:</p> <p>(a) an on-site <b>stormwater treatment system</b> or an off-site communal <b>stormwater treatment system</b> that is designed to:</p> <p>(i) receive at least 85% of the mean annual runoff volume <b>stormwater</b> generated from new and redeveloped <b>impervious surfaces</b> of the <b>property</b>, and</p> <p>(ii) achieve copper and zinc load reductions factors equivalent to that of a <b>raingarden/bioretention device</b>, and</p> <p>(b) where <b>stormwater</b> discharges will enter a river, <b>hydrological controls</b> either on-site, or off-site via a communal</p> <p><b>And</b></p> <p>Amend the definitions section to include a definition of “raingarden” and “bioretention device”.</p>
<p><u>Policy WH.P15: Stormwater contaminant offsetting for new greenfield development</u></p> <p><b>COASTAL</b> The adverse effects of residual (post-treatment) <b>stormwater</b> contaminants from new greenfield development, roads (not already captured as part of a greenfield development) and state highways where the discharge will enter a <b>surface water body</b> or coastal water, including via an existing or new <b>stormwater network</b>, are to be <b>offset</b> by way of a financial contribution in accordance with Schedule 30 (financial contribution).</p>	Amend	<p>Horokiwi seeks this policy be amended so that it is consistent with the effects management hierarchy set out in the NPS-FM, which requires that aquatic offsetting or compensation is provided in circumstances where residual adverse effects are more than minor. Horokiwi seeks multiples changes to this policy.</p> <p>Further, the financial contributions should not be a mandatory means of providing for aquatic offsetting, and resource consent applicants should have a reasonable opportunity provide aquatic offsetting or compensation in accordance with Appendix 6 or 7 of the NPS-FM as part of their proposal.</p> <p>The policy (and associated rules) implies that “an existing or new stormwater network” is a receiving environment. Stormwater networks are piped and therefore any water within a stormwater network is not considered ‘water’ or subject to the Regional Councils jurisdiction. While the rule may apply to stormwater discharges to a surface waterbody <b>from</b> a stormwater network, it cannot manage effects before this point. If reference is to be retained, this must be clarified as being “from” the stormwater network to ensure that the policy and associated rules are not <i>ultra vires</i>.</p>	<p><b>Amend Policy WH.P15 as follows:</b></p> <p><u>Policy WH.P15: Stormwater contaminant offsetting or compensation for new greenfield development</u></p> <p><b>COASTAL</b> Where <del>There</del> are more than minor residual adverse effects <del>of residual</del> (post-treatment) <b>caused by stormwater</b> contaminants from new <b>greenfield development</b>, roads (not already captured as part of a greenfield development) and state highways where the discharge will enter a <b>surface water body</b> or coastal water, including <del>via</del> <b>from</b> an existing or new <b>stormwater network</b>, <b>those effects must be managed by way of an aquatic offset or aquatic compensation, including through the following:</b></p> <p>(a) <del>are to be provide</del> an <b>aquatic offset</b> by way of a financial contribution in accordance with Schedule 30 (financial contribution), <b>or</b></p> <p>(b) <b>provide an aquatic offset in accordance with the principles for aquatic offsetting in Appendix 6 of the NPS-FM, and</b></p> <p>(c) <b>where more than minor residual adverse effects cannot be offset, aquatic compensation must be provided in accordance with the principles for aquatic compensation in Appendix 7 of the NPS-FM.</b></p>
<p><u>Policy WH.P16: Stormwater discharges from new unplanned greenfield development</u></p> <p><b>COASTAL</b> Avoid all new <b>stormwater</b> discharges from <b>unplanned greenfield development</b> where the discharge will enter a <b>surface water body</b> or coastal water, including through an existing local authority <b>stormwater network</b>.</p>	Oppose	<p>The policy is supported in terms of a) the lack of clarity (based on the definitions as notified) as to what activities the policy applies to, and b) that this direction is not based on an effect, rather land use. There is little evidence provided through the Section 32 evaluation to justify the strong policy directive and to suggest that all new stormwater discharges from unplanned greenfield develop will cause significant effects.</p>	Delete policy.
<b>Section 8.2.4 Rural land use and earthworks (Whaitua Te Whanganui-a-Tara)</b>			
<p><u>Policy WH.P29: Management of earthworks</u></p> <p><b>COASTAL</b> The risk of sediment discharges from <b>earthworks</b> shall be managed by:</p> <p>(a) requiring retention of soil and sediment on the land using <b>good management practices</b> for erosion and sediment control measures that are appropriate to the scale and nature of the activity, and in accordance with the GWRC <i>Erosion and Sediment Control Guideline for the Wellington Region (2021)</i>, for the duration of the land disturbance, and</p> <p>(b) limiting the amount of land disturbed at any time, and</p> <p>(c) designing and implementing <b>earthworks</b> with knowledge of the existing environmental site constraints, specific engineering requirements and implementation of controls to limit the discharge of sediment to receiving</p>	Amend	<p>While supported in principle, Horokiwi seeks several amendments to this policy to clarify its intent and practicability as described below.</p> <p>Firstly, Horokiwi considers the word “risk” should be replaced with “adverse effects” in the chapeau, on the basis that resource management policies should seek to manage actual or potential adverse effects of an activity, rather than risks generally.</p> <p>Secondly, the requirement to retain soil and sediment on site under clause (a) does not recognise that soil and sediment may need to be removed from site in a controlled manner (for example, to a cleanfill area). Thirdly, Horokiwi considers that clause (b) should be qualified with “where practicable” to recognise that any limits placed on land</p>	<p><b>Amend Policy WH.P29 as follows:</b></p> <p><u>Policy WH.P29: Management of earthworks</u></p> <p><b>COASTAL</b> The <del>risk</del> <b>adverse effects</b> of sediment discharges from <b>earthworks</b> shall be managed by:</p> <p>(a) <del>requiring retention of soil and sediment on the land undertaking earthworks in accordance with</del> <b>good management practices</b> for erosion and sediment control measures that are appropriate to the scale and nature of the activity, and in <del>general</del> accordance with the GWRC <i>Erosion and Sediment Control Guideline for the Wellington Region (2021)</i>, <del>for the duration of the land disturbance, and</del></p>

Provision	Position	Comments	Relief sought
<p>environments, and</p> <p>(d) <u>requiring erosion and sediment control measures to be installed prior to, and during earthworks and ensuring those controls remain in place and are maintained until the land is stabilised against erosion.</u></p>		<p>disturbance should be reasonable and proportionate, particularly in the context of the good management practices already required by clause (a).</p>	<p>(b) <u>limiting where practicable, the amount of land disturbed at any time, and</u></p> <p>(c) <u>designing and implementing earthworks with knowledge of the existing environmental site constraints, specific engineering requirements and implementation of controls to limit the discharge of sediment to receiving environments, and</u></p> <p>(d) <u>requiring erosion and sediment control measures to be installed prior to, and during earthworks and ensuring those controls remain in place and are maintained until the land is stabilised against erosion.</u></p>
<p><a href="#">Policy WH.P30: Discharge standard for earthworks</a></p> <p> <u>The discharge of sediment from earthworks over an area greater than 3,000m<sup>2</sup> shall:</u></p> <p>(a) <u>not exceed 100g/m<sup>3</sup> at the point of discharge where the discharge is to a surface water body, coastal water, stormwater network or to an artificial watercourse, except that when the discharge is to a river with background total suspended solids that exceed 100g/m<sup>3</sup>, the discharge shall not, after the zone of reasonable mixing, decrease the visual clarity in the receiving water by more than:</u></p> <p>(i) <u>20% in River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</u></p> <p>(ii) <u>30% in any other river, and</u></p> <p>(b) <u>be managed using good management practices in accordance with the GWRC Erosion and Sediment Control Guidelines for the Wellington Region (2021), to achieve the discharge standard in (a), and</u></p> <p>(c) <u>be monitored by a suitably qualified person, and the results reported to the Wellington Regional Council.</u></p>	<p>Amend</p>	<p>While Horokiwi generally supports the policy, two amendments are sought.</p> <p>Firstly, the policy refers to “an existing or new stormwater network” and “artificial watercourse” as a receiving environment. Changes are sought to only refer to discharges to natural receiving waterbodies.</p> <p>Secondly, clause (c) requires a “suitably qualified person” to monitor the discharge. This is not practicable in all circumstances and will result in unreasonable cost burden on consent holders. Horokiwi seeks that the clause is amended to provide some discretion and to also provide for a “suitably trained person” which is possibly more important than a qualified individual.</p>	<p><b>Amend Policy WH.P30 as follows:</b></p> <p><a href="#">Policy WH.P30: Discharge standard for earthworks</a></p> <p> <u>The discharge of sediment from earthworks over an area greater than 3,000m<sup>2</sup> shall:</u></p> <p>(a) <u>not exceed 100g/m<sup>3</sup> at the point of discharge where the discharge is to a surface water body, or coastal water, <del>stormwater network or to an artificial watercourse,</del> except that when the discharge is to a river with background total suspended solids that exceed 100g/m<sup>3</sup>, the discharge shall not, after the zone of reasonable mixing, decrease the visual clarity in the receiving water by more than:</u></p> <p>(i) <u>20% in River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</u></p> <p>(ii) <u>30% in any other river, and</u></p> <p>(b) <u>be managed using good management practices in accordance with the GWRC Erosion and Sediment Control Guidelines for the Wellington Region (2021), to achieve the discharge standard in (a), and</u></p> <p>(c) <u>where required, be monitored by a suitably qualified or trained person, and the results reported to the Wellington Regional Council.</u></p>
<p><a href="#">Policy WH.P31: Winter shut down of earthworks</a></p> <p> <u>Earthworks over 3,000m<sup>2</sup> in area shall:</u></p> <p>(a) <u>be shut down from 1<sup>st</sup> June to 30<sup>th</sup> September each year, and</u></p> <p>(b) <u>prior to shut down, be stabilised against erosion and have sediment controls in place using good management practices in accordance with the GWRC Erosion and Sediment Control Guideline for the Wellington Region (2021).</u></p>	<p>Oppose</p>	<p>The policy is opposed in its entirety. A policy requiring all earthworks over 3,000m<sup>2</sup> to be shut down over the winter months is inappropriate, as it does not recognise that there may be circumstances where earthworks need to occur over those months, including quarrying activities, and there is little evidence to support its direction.</p> <p>At a general level, Horokiwi recognises that in general, earthworks should be planned so that the majority of bulk earthworks occur outside of the winter months. However, there may be instances where earthworks are unavoidable at this time, and with careful management can be undertaken in a manner that avoids, remedies, or mitigates adverse effects on land stability and runoff. The GWRC Erosion and Sediment Control Guideline for the Wellington Region (2021), which is referred to in the policy, provides a pathway for earthworks to be undertaken during the winter months subject to careful management (refer specifically to section G5.0 of the guideline), and Horokiwi considers that pathway should continue to be available to applicants through the consent process.</p> <p>The justification provided in the Section 32 Evaluation for this shut down period is very limited, other than the climatic characteristics of the winter months being more likely to cause increased sediment discharges. This assumption is questionable, noting the unpredictable rainfall events that would cause uncontrolled releases of sediment can occur at any time of the year, which will only increase with the effects of climate change.</p>	<p><b>Delete the policy.</b></p>
<p><b>Section 8.3.1 Discharge of contaminants (Whaitua Te Whanganui-a-Tara)</b></p>			
<p>New rule</p>	<p>Amend</p>	<p>The current rule framework categorises quarrying activities as a form of “high risk industrial or trade premise”. This currently makes any quarrying activities subject to the following:</p>	<p><b>Insert new Rule WH.R4A as follows:</b></p> <p><b>Rule WH.R4A: Stormwater from quarrying activities – permitted activity</b></p>

Provision	Position	Comments	Relief sought
		<ul style="list-style-type: none"> <li>- Permitted Rule WH.R4 for any stormwater discharges from existing impervious surfaces,</li> <li>- Discretionary Rule WH.R11 for any stormwater discharges from any new or redeveloped surfaces, and</li> <li>- Non-complying activity rule WH.R12 where either of the above two rules are not met.</li> </ul> <p>In addition, prohibited activity Rule WH.R13 manages stormwater from new unplanned greenfield development</p> <p>Horokiwi has significant concerns with the framework as notified which fails to recognise quarrying activities and which will incur significant consenting implications to Horokiwi and provides little consenting pathways. The S32 contains no consideration of quarrying activities and therefore it is unclear whether the framework is intended to apply as it does.</p> <p>As drafted, reasonable activities, such as replacement of a concrete pad, or roof, would require consent despite the scale of the activity or whether there was an associated discharge. Operational stormwater discharges on Horokiwis site would also likely not meet the permitted rule and therefore would require consent as a non-complying activity.</p> <p>The Regional Policy Statement directs recognise the benefits of the Regions mineral resources and seeks to enable the ongoing use of the resource<sup>3</sup>. Horokiwi seeks a rule framework in the NPR which is consistent with the higher order direction.</p> <p>Horokiwi has engaged with Winstone Aggregates on this matter and would support the provision of two specific quarrying rules in the NPR as follows:</p> <ul style="list-style-type: none"> <li>- A permitted activity rule that applies to all stormwater discharges from a quarrying activity, and</li> <li>- A restricted discretionary activity that applies where the permitted rule is not met and is subject to the stormwater discharge continuing to meet relevant target attribute states.</li> </ul> <p>This is similar to the approach taken in Rules WH.R8, WH.R9 and WH.R10 to provide for airports and roading.</p>	<p><b>COASTAL</b></p> <p><u>The discharge of stormwater from a quarrying activity into water, or onto or into land where it may enter a surface water body or coastal water, including where it is associated with the use of land for the creation of new, or redevelopment of existing impervious surfaces, is a permitted activity, provided the following conditions are met:</u></p> <ul style="list-style-type: none"> <li>(a) <u>the discharge is not from, onto or into SLUR Category III land, unless the stormwater does not come into contact with SLUR Category III land, and</u></li> <li>(b) <u>the discharge does not contain wastewater, and</u></li> <li>(c) <u>if the discharge is to land where it may enter groundwater,</u> <ul style="list-style-type: none"> <li>(i) <u>the discharge cannot cause or exacerbate the flooding of any other property, and</u></li> <li>(ii) <u>the discharge is not located within 20m of a bore used for water abstraction for potable supply or stock water, and</u></li> </ul> </li> <li>(d) <u>if the discharge is into a surface water body or into coastal water the concentration of total suspended solids in the discharge shall not exceed:</u> <ul style="list-style-type: none"> <li>(i) <u>50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</u></li> <li>(ii) <u>100g/m<sup>3</sup> where the discharge enters any other water,</u></li> </ul> </li> <li>(e) <u>the discharge shall also not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</u></li> <li>(f) <u>the discharge shall also not give rise to the following effects beyond the zone of reasonable mixing:</u> <ul style="list-style-type: none"> <li>(i) <u>the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</u></li> <li>(ii) <u>any conspicuous change in the colour, or</u></li> <li>(iii) <u>a decrease in water clarity of more than</u> <ol style="list-style-type: none"> <li><u>1. 20% in a River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</u></li> <li><u>2. 30% in any other river, or</u></li> </ol> </li> <li>(iv) <u>any emission of objectionable odour, or</u></li> <li>(v) <u>the freshwater is unsuitable for consumption by farm animals, or</u></li> <li>(vi) <u>any significant adverse effects on aquatic life.</u></li> </ul> </li> </ul> <p><b>Insert new Rule WH.R8A as follows:</b></p> <p><u>Rule WH.R8A: Stormwater from a quarrying activity – restricted discretionary activity</u></p> <p><b>COASTAL</b></p> <p><u>The discharge of stormwater from a quarrying activity into water, or onto or into land where it may enter a surface water body or coastal water, including where it is associated with the use of land for the creation of new, or redevelopment of existing impervious surfaces, is a restricted discretionary activity where:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Rule WH.R4A cannot be met, and</u></li> <li>(b) <u>the target attribute state for copper and zinc in Table 8.4 is met for a relevant part Freshwater Management Unit, and</u></li> <li>(c) <u>the coastal water objective for copper and zinc in Table 8.1 is met in</u></li> </ul>

<sup>3</sup> Objective 31 and Policy 60

Provision	Position	Comments	Relief sought
			<p style="text-align: center;"><u>the relevant coastal water management unit.</u></p> <p><i>Matters for discretion</i></p> <ol style="list-style-type: none"> <li>1. <u>The management of the adverse effects of stormwater capture and discharge, including on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use</u></li> <li>2. <u>The management of effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)</u></li> <li>3. <u>Minimisation of the adverse effects of stormwater discharges</u></li> <li>4. <u>Provision for hydrological control measures where discharges will enter a surface water body (including from an existing local authority stormwater network).</u></li> </ol>
<p><u>Rule WH.R4: Stormwater from an existing high risk industrial or trade premise – permitted activity</u></p> <p> The discharge of <b>stormwater</b> from an existing <b>high risk industrial or trade premise</b>, that is not a port or airport, into water, or onto or into land where it may enter water, including via an existing local authority <b>stormwater network</b>, is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> <li>(a) <u>the discharge is not from, onto or into SLUR Category III land, unless the stormwater does not come into contact with SLUR Category III land, and</u></li> <li>(b) <u>the discharge does not contain wastewater, and</u></li> <li>(c) <u>if the discharge is to land where it may enter groundwater,</u> <ol style="list-style-type: none"> <li>(i) <u>the discharge cannot cause or exacerbate the flooding of any other property, and</u></li> <li>(ii) <u>the discharge is not located within 20m of a bore used for water abstraction for potable supply or stock water, and</u></li> </ol> </li> <li>(d) <u>any contaminants stored or used on site, or hazardous substances, cannot be entrained in stormwater and enter a surface water body or coastal water, including via the stormwater network, or</u> <ol style="list-style-type: none"> <li>(i) <u>there is a containment system in place to intercept and contain any spillage of hazardous substances for storage and removal, or</u></li> <li>(ii) <u>the stormwater contains no hazardous substances except petroleum hydrocarbons, and in that situation, the stormwater is treated by an interceptor and the treated discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons, and</u></li> </ol> </li> <li>(e) <u>if the discharge is into a surface water body, coastal water or via an existing local authority stormwater network, the concentration of total suspended solids in the discharge shall not exceed:</u> <ol style="list-style-type: none"> <li>(i) <u>50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</u></li> <li>(ii) <u>100g/m<sup>3</sup> where the discharge enters any other water,</u></li> </ol> </li> </ol> <p><u>and where the discharge is not via an existing local authority stormwater network the discharge shall also not:</u></p> <ol style="list-style-type: none"> <li>(f) <u>cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</u></li> <li>(g) <u>give rise to the following effects beyond the zone of reasonable mixing:</u> <ol style="list-style-type: none"> <li>(i) <u>the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</u></li> <li>(ii) <u>any conspicuous change in the colour, or</u></li> </ol> </li> </ol>	Amend	Based on the relief sought to include specific rules for Quarrying activities and amendments sought to definitions, Horokiwi seeks amendment to rule R4 to clarify the application of the rule R4.	<p><b>Amend Rule WH.R4 as follows:</b></p> <p><u>Rule WH.R4: Stormwater from an existing high risk industrial or trade premise – permitted activity</u></p> <p> The discharge of <b>stormwater</b> from an existing <b>high risk industrial or trade premise</b>, that is not a port, <del>or</del> airport or <b>from quarrying activities</b>, into water, or onto or into land where it may enter water, including <del>via</del> <b>from</b> an existing local authority <b>stormwater network</b>, is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> <li>(a) <u>the discharge is not from, onto or into SLUR Category III land, unless the stormwater does not come into contact with SLUR Category III land, and</u></li> <li>(b) <u>the discharge does not contain wastewater, and</u></li> <li>(c) <u>if the discharge is to land where it may enter groundwater,</u> <ol style="list-style-type: none"> <li>(i) <u>the discharge cannot cause or exacerbate the flooding of any other property, and</u></li> <li>(ii) <u>the discharge is not located within 20m of a bore used for water abstraction for potable supply or stock water, and</u></li> </ol> </li> <li>(d) <u>any <del>contaminants</del> hazardous substances stored or used on site, <del>or hazardous substances</del>, cannot be entrained in stormwater and enter a surface water body or coastal water, including via the stormwater network, or</u> <ol style="list-style-type: none"> <li>(i) <u>there is a containment system in place to intercept and contain any spillage of hazardous substances for storage and removal, or</u></li> <li>(ii) <u>the stormwater contains no hazardous substances except petroleum hydrocarbons, and in that situation, the stormwater is treated by an interceptor and the treated discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons, and</u></li> </ol> </li> <li>(e) <u>.....</u></li> </ol>

Provision	Position	Comments	Relief sought
<p>(iii) a decrease in water clarity of more than</p> <ol style="list-style-type: none"> <li>1. 20% in a River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</li> <li>2. 30% in any other river, or</li> </ol> <p>(iv) any emission of objectionable odour, or</p> <p>(v) the freshwater is unsuitable for consumption by farm animals, or</p> <p>(vi) any significant adverse effects on aquatic life.</p>			
<p><u>Rule WH.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity</u></p> <p> The use of land for the creation of new, or <b>redevelopment</b> of existing <b>impervious surfaces</b> (including greenfield development and <b>redevelopment</b> activities of existing urbanised property) and the associated discharge of <b>stormwater</b> into water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, including through an existing or new local authority <b>stormwater network</b>, that is not a <b>high risk industrial or trade premise</b> or <b>unplanned greenfield development</b>, is a permitted activity, provided the following conditions are met:</p> <p>(a) the proposal involves the creation of new, or <b>redevelopment</b> of existing impervious areas of less than 1,000m<sup>2</sup> (baseline property <u>existing impervious area as at 30 October 2023</u>) and</p> <p>(b) all new building materials associated with the development shall not include <u>exposed zinc (including galvanised steel) or copper roof, cladding and spouting materials, and</u></p> <p>(c) the proposal provides <b>hydrological control</b> measures (for example rain tanks) onsite or offsite, where discharges will enter a <b>surface water body</b> (including via an existing local authority <b>stormwater network</b>):</p> <ol style="list-style-type: none"> <li>(i) for all impervious areas associated with a greenfield development, or</li> <li>(ii) for all redeveloped and new impervious areas involving greater than 30m<sup>2</sup> of impervious area of a <b>redevelopment</b> (of an existing urbanised property), and</li> </ol> <p>(d) the discharge is not from, onto or into <b>SLUR Category III land</b>, unless the <b>stormwater</b> does not come into contact with <b>SLUR Category III land</b>, and</p> <p>(e) the discharge does not contain <b>wastewater</b>, and</p> <p>(f) the concentration of total suspended solids in the discharge shall not exceed:</p> <ol style="list-style-type: none"> <li>(i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</li> <li>(ii) 100g/m<sup>3</sup> where the discharge enters any other water,</li> </ol> <p><b>and where the discharge is not via an existing or new local authority stormwater network:</b></p> <p>(g) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</p> <p>(h) the discharge shall not give rise to the following effects beyond the zone of reasonable mixing:</p> <ol style="list-style-type: none"> <li>(i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</li> <li>(ii) any conspicuous change in the colour, or</li> <li>(iii) a decrease in water clarity of more than</li> </ol> <ol style="list-style-type: none"> <li>1. 20% in a River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</li> </ol>	<p>Amend</p>	<p>The proposed rules make new or redeveloped impervious surfaces at high risk industrial or trade premises (which as notified includes including quarrying activities) a discretionary activity under rule WH.R11. This could lead to perverse environmental outcomes, where impervious surfaces are left to degrade because redevelopment of the surface would require a discretionary activity consent. Degraded impervious surfaces will be less effective at containing contaminants (including the accidental spillage of hazardous substances) than redeveloped impervious surfaces.</p> <p>Based on the relief sought to include specific rules for Quarrying activities and amendments sought to definitions, Horokiki seeks amendment to rule R5 to clarify the application of the rule, noting it would not apply to quarrying activities. Should the rule continue to apply to quarrying activities, amendments are needed to the rule.</p>	<p><b>Amend Rule WH.R5 as follows:</b></p> <p><u>Rule WH.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity</u></p> <p> The use of land for the creation of new, or <b>redevelopment</b> of existing <b>impervious surfaces</b> (including greenfield development and <b>redevelopment</b> activities of existing urbanised property) and the associated discharge of <b>stormwater</b> into water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, <del>including through from</del> an existing or new local authority <b>stormwater network</b>, that is not a <b>high risk industrial or trade premise</b>, <b>a quarrying activity</b> or <b>unplanned greenfield development</b>, is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> <li>(a) the proposal involves the creation of new, or <b>redevelopment</b> of existing impervious areas of less than 1,000m<sup>2</sup> (baseline property <u>existing impervious area as at 30 October 2023</u>) and</li> <li>(b) all new building materials associated with the development shall not include exposed zinc (including galvanised steel) or copper roof, cladding and spouting materials, and</li> <li>(c) the proposal provides <b>hydrological control</b> measures (for example rain tanks) onsite or offsite, where discharges will enter a <b>surface water body</b> (including <del>via from</del> an existing local authority <b>stormwater network</b>):</li> <ol style="list-style-type: none"> <li>(i) for all impervious areas associated with a greenfield development, or</li> <li>(ii) for all redeveloped and new impervious areas involving greater than 30m<sup>2</sup> of impervious area of a <b>redevelopment</b> (of an existing urbanised property), and</li> </ol> <li>(d) the discharge is not from, onto or into <b>SLUR Category III land</b>, unless the <b>stormwater</b> does not come into contact with <b>SLUR Category III land</b>, and</li> <li>(e) the discharge does not contain <b>wastewater</b>, and</li> <li>(f) the concentration of total suspended solids in the discharge shall not exceed:</li> <ol style="list-style-type: none"> <li>(i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</li> <li>(ii) 100g/m<sup>3</sup> where the discharge enters any other water,</li> </ol> <p><b>and where the discharge is not <del>via from</del> an existing or new local authority stormwater network:</b></p> <li>(g) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</li> <li>(h) the discharge shall not give rise to the following effects beyond the <b>zone of reasonable mixing</b>:</li> <ol style="list-style-type: none"> <li>(i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</li> <li>(ii) any conspicuous change in the colour, or</li> </ol> </ol>

Provision	Position	Comments	Relief sought
<p>2. 30% in any other river, or</p> <p>(iv) any emission of objectionable odour, or</p> <p>(v) the freshwater is unsuitable for consumption by farm animals, or</p> <p>(vi) any significant adverse effects on aquatic life.</p>			<p>(iii) a decrease in water clarity of more than</p> <p>1. 20% .....</p> <p>.....</p>
<p><u>Rule WH.R6: Stormwater from new greenfield impervious surfaces – controlled activity</u></p> <p> The use of land for the creation of new <b>impervious surfaces</b> for greenfield development and the associated discharge of <b>stormwater</b> into water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, including through an existing local authority <b>stormwater network</b>, that is not a <b>high risk industrial or trade premise</b> or <b>unplanned greenfield development</b>, is a controlled activity, provided the following conditions are met:</p> <p>(a) the proposal involves the creation of new <b>impervious surfaces</b> of between 1,000m<sup>2</sup> and 3,000m<sup>2</sup> (baseline property existing impervious area as at 30 October 2023)</p> <p>or,</p> <p>(b) the proposal involves the creation new <b>impervious surfaces</b> of less than 1,000m<sup>2</sup>, but is not permitted under the conditions of Rule WH.R5,</p> <p>and,</p> <p>(c) a financial contribution is paid for the purpose of offsetting the adverse effects of residual <b>stormwater</b> contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions), and</p> <p>(d) where <b>stormwater</b> directly or indirectly (through an existing local authority <b>stormwater network</b>) discharges to a river, <b>hydrological control</b> is provided either:</p> <p>(i) on-site, or</p> <p>(ii) off-site through an existing local authority <b>stormwater network</b> or privately owned <b>stormwater network</b> that has been sized to accommodate the proposed <b>stormwater</b> discharges, and</p> <p>(e) <b>stormwater</b> contaminant treatment is provided that captures 85% of the mean annual runoff and directs it to a <b>stormwater treatment system</b> that treats in accordance with Schedule 28 (contaminant treatment) and is provided either:</p> <p>(i) on-site, or off-site through an existing local authority <b>stormwater network</b> or privately owned <b>stormwater treatment system</b> that has capacity to treat contaminant loads from the site.</p> <p><u>Matters of control</u></p> <p>1. The design and layout of the on-site <b>stormwater treatment system</b>, including the ongoing operational and management measures necessary to ensure that <b>stormwater</b> quality will meet the requirements of condition (e) of this rule</p> <p>2. The adequacy of <b>hydrological control</b> measures either on-site or off-site, where <b>stormwater</b> will enter a river</p> <p>3. Where an off-site (or a combination of on-site and off-site) <b>stormwater treatment system</b> is utilised, whether this has capacity, availability (timing) and appropriate authorisations to connect into</p> <p>4. The long-term operational, maintenance and ownership requirements of the <b>stormwater treatment system</b></p> <p>5. Whether sufficient use of <b>water sensitive urban design</b> measures have been applied to the site design and layout</p> <p>6. A financial contribution as required by Schedule 30 (financial contributions)</p>	<p>Amend</p>	<p>The proposed rules make new or redeveloped impervious surfaces at high risk industrial or trade premises (including quarrying activities ) a discretionary activity under rule WH.R11. Based on the relief sought to include specific rules for Quarrying activities and amendments sought to definitions, Horokivi seeks amendment to rule R6 to clarify the application of the rule, (noting it would not apply to quarrying activities) through an amendment to the chapeau. An amendment is also sought to clause (d) to clarify that this is “from” rather to “through” a stormwater network.</p> <p>Should the rule continue to apply to quarrying activities, amendments are needed to the rule.</p>	<p><b>Amend Rule WH.R6 as follows:</b></p> <p><u>Rule WH.R6: Stormwater from new greenfield impervious surfaces – controlled activity</u></p> <p> The use of land for the creation of new <b>impervious surfaces</b> for greenfield development and the associated discharge of <b>stormwater</b> into water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, <del>including through from</del> an existing local authority <b>stormwater network</b>, that is not a <b>high risk industrial or trade premise</b>, <del>a quarrying activity</del> or <b>unplanned greenfield development</b>, is a controlled activity, provided the following conditions are met:</p> <p>(a) the proposal involves the creation of new <b>impervious surfaces</b> of between 1,000m<sup>2</sup> and 3,000m<sup>2</sup> (baseline property existing impervious area as at 30 October 2023)</p> <p>or,</p> <p>(b) the proposal involves the creation new <b>impervious surfaces</b> of less than 1,000m<sup>2</sup>, but is not permitted under the conditions of Rule WH.R5,</p> <p>and,</p> <p>(c) a financial contribution is paid for the purpose of offsetting the adverse effects of residual <b>stormwater</b> contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions), and</p> <p>(d) where <b>stormwater</b> directly or indirectly (<del>through from</del> an existing local authority <b>stormwater network</b>) discharges to a river, <b>hydrological control</b> is provided either:</p> <p>(i) on-site, or</p> <p>(ii) off-site through an existing local authority <b>stormwater network</b> or privately owned <b>stormwater network</b> that has been sized to accommodate the proposed <b>stormwater</b> discharges, and</p> <p>(e) <b>stormwater</b> contaminant treatment is provided that captures 85% of the mean annual runoff and directs it to a <b>stormwater treatment system</b> that treats in accordance with Schedule 28 (contaminant treatment) and is provided either:</p> <p>(i) on-site, or off-site through an existing local authority <b>stormwater network</b> or privately owned <b>stormwater treatment system</b> that has capacity to treat contaminant loads from the site.</p> <p><u>Matters of control</u></p> <p>.....</p>

Provision	Position	Comments	Relief sought
<p><u>7. Condition of consent to demonstrate and/or monitor compliance with conditions (d) and (e) of this rule</u></p> <p><u>Notification</u></p> <p><b>In respect of Rule WH.R6, applications are precluded from limited and public notification (unless special circumstances exist).</b></p>			
<p><u>Rule WH.R11: Stormwater from new and redeveloped impervious surfaces – discretionary activity</u></p> <p> The use of land for the creation of new, or <b>redevelopment</b> of existing <b>impervious surfaces</b> (including greenfield development and <b>redevelopment</b> of existing urbanised property) and the associated discharge of <b>stormwater</b> into water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, including through an existing local authority <b>stormwater network</b>, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or Rule WH.R7, or prohibited under WH.R13 is a discretionary activity provided the following conditions are met:</p> <p>(a) <u>the resource consent application includes a <b>Stormwater</b> Impact Assessment prepared in accordance with Schedule 29 (impact assessment), and</u></p> <p>(b) <u>if the proposal is for greenfield development a financial contribution is paid for the purpose of offsetting the adverse effects of residual <b>stormwater</b> contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions).</u></p>	Amend	<p>In line with its submission on policy WH.P15, Horokiwi considers that it is not consistent with the NPS-FM to require mandatory financial contributions for the purposes of aquatic offsetting, on the basis that the effects management hierarchy in the NPS-FM only requires offsetting in circumstances where residual adverse effects are more than minor. Further, where residual adverse effects are more than minor, applicants should have the opportunity to propose aquatic offsetting or compensation in accordance with Appendix 6 or 7 of the NPS-FM. On this basis, Horokiwi considers that it is inappropriate to require financial contributions as a condition.</p> <p>In any case, where aquatic offsetting or compensation (which may include financial contributions under Schedule 30) is considered to be necessary, this can be provided for as a condition of consent with reference to the requirements of policy WH.P15.</p> <p>Horokiwi seeks deletion of clause (b) in line with changes sought to Policy WH.P15.</p>	<p><b>Amend Rule WH.R11 as follows:</b></p> <p><u>Rule WH.R11: Stormwater from new and redeveloped impervious surfaces – discretionary activity</u></p> <p> The use of land for the creation of new, or <b>redevelopment</b> of existing <b>impervious surfaces</b> (including greenfield development and <b>redevelopment</b> of existing urbanised property) and the associated discharge of <b>stormwater</b> into water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, including <del>through from</del> an existing local authority <b>stormwater network</b>, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or Rule WH.R7, or prohibited under WH.R13 is a discretionary activity provided the following conditions <del>are</del> <b>is</b> met:</p> <p>(a) <u>the resource consent application includes a <b>Stormwater</b> Impact Assessment prepared in accordance with Schedule 29 (impact assessment), <del>and</del></u></p> <p>(b) <u><del>if the proposal is for greenfield development a financial contribution is paid for the purpose of offsetting the adverse effects of residual <b>stormwater</b> contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions).</del></u></p>
<p><u>Rule WH.R12: All other stormwater discharges – non-complying activity</u></p> <p> The:</p> <p>(a) <u>discharge of <b>stormwater</b> onto or into land, including where contaminants may enter groundwater, that is not permitted by Rule WH.R2, or</u></p> <p>(b) <u>discharge of <b>stormwater</b> into water or onto or into land where it may enter a <b>surface water body</b> or coastal water, that is not permitted by Rule WH.R3, or a restricted discretionary activity under Rules WH.R8 or WH.R9, or</u></p> <p>(c) <u>discharge of <b>stormwater</b> from a <b>high risk industrial or trade premise</b> that is not permitted by Rule WH.R4, or the use of land for the creation of new or <b>redevelopment</b> of existing <b>impervious surfaces</b> and the associated discharge of <b>stormwater</b> from a <b>high risk industrial or trade premise</b> that does not meet the conditions of Rule WH.R11, or</u></p> <p>(d) <u>use of land for the creation of new or <b>redevelopment</b> of existing <b>impervious surfaces</b> and the associated discharge of <b>stormwater</b> into water or onto or into land where it may enter water, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or WH.R7, or a discretionary activity under Rule WH.R10 or WH.R11, or a prohibited activity under WH.R13,</u></p>	Amend	<p>The operative NRP provides for stormwater discharges that are not otherwise provided for as a discretionary activity under rule R55. The move to non-complying activity status for all other stormwater discharges is not clearly explained or justified in the section 32 evaluation report and does not appropriately provide for activities that do not meet permitted activity conditions, but which can otherwise be managed through consent conditions as a discretionary activity. Of particular concern is the jump between permitted activity status for stormwater discharges under rules WH.R2, WH.R3, and WH.R4, and non-complying activity status under this rule. As a result, minor non-compliances with conditions under these rules will trigger the non-complying activity rule.</p> <p>Subject to acceptance of submission point seeking a new rule (WH.R8A) Horokiwi would be neutral to this rule subject to changes to align with the relief sought in this submission.</p>	<p><b>Amend Rule WH.R12 as follows:</b></p> <p><u>Rule WH.R12: All other stormwater discharges – non-complying activity</u></p> <p>The:</p> <p></p> <p>(a) <u>discharge of <b>stormwater</b> onto or into land, including where contaminants may enter groundwater, that is not permitted by Rule WH.R2, or</u></p> <p>(b) <u>discharge of <b>stormwater</b> into water or onto or into land where it may enter a <b>surface water body</b> or coastal water, that is not permitted by Rule WH.R3, or a restricted discretionary activity under Rules WH.R8 or WH.R9, or</u></p> <p>(c) <u>discharge of <b>stormwater</b> from a <b>high risk industrial or trade premise</b> that is not permitted by Rule WH.R4, or the use of land for the creation of new or <b>redevelopment</b> of existing <b>impervious surfaces</b> and the associated discharge of <b>stormwater</b> from a <b>high risk industrial or trade premise</b> that does not meet the conditions of Rule WH.R11, or</u></p> <p>(d) <u>use of land for the creation of new or <b>redevelopment</b> of existing <b>impervious surfaces</b> and the associated discharge of <b>stormwater</b> into water or onto or into land where it may enter water, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or WH.R7, or a discretionary activity under Rule WH.R10 or WH.R11, or a prohibited activity under WH.R13, or</u></p> <p>(e) <u><del>discharge of <b>stormwater</b> from a <b>quarrying activity</b> that is not permitted by Rule WH.R4A, does not meet restricted discretionary by Rule WH.R8A,</del></u></p>

Provision	Position	Comments	Relief sought
<p><a href="#">Rule WH.R13: Stormwater from new unplanned greenfield development – prohibited activity</a></p>  <p>The use of land and the associated discharge of <b>stormwater</b> from <b>impervious surfaces</b> from <b>unplanned greenfield development</b> direct into water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, including through an existing or proposed <b>stormwater network</b>, is a prohibited activity.</p> <p><u>Note Any <b>unplanned greenfield development</b> proposals will require a plan change to the relevant map (Map 86, 87, 88 or 89) to allow consideration of the suitability of the site and receiving catchment(s) for accommodating the water quality requirements of the <i>National Policy Statement for Freshwater Management 2020</i>, and the relevant freshwater and coastal water quality objectives of this Plan. Any plan change process should be considered concurrent with any associated change to the relevant district plan, to support integrated planning and assessment.</u></p>	<p>Oppose / Amend</p>	<p>The entire Horokiwi site is identified in PC1 as “unplanned greenfield development” and PC1 prohibits any discharge from an impervious surface.</p> <p>The site is zoned as specific purposes Quarry zone in the proposed WCC district plan.</p> <p>Horokiwi considers that the general approach taken by PC1 to “unplanned greenfield development” is inappropriate because the definition of “unplanned greenfield development” is broad and uncertain. In particular, it is unclear whether all development is prohibited by the approach, or just specific kinds of urban development. As a result, the approach could prohibit or constrain works associated with the existing Horokiwi quarry, where such works are considered to be “unplanned greenfield development”. If the quarry was caught by the policies and rules that prohibit “unplanned greenfield development”, this would clearly be contrary of the RPS (Objective 31 and Policy 60) which recognises the benefits of mineral resources.</p> <p>Horokiwi opposes this rule as notified. The creation of impervious surfaces within an active quarry is inevitable through need for concrete pads ect. To require a private plan change to the Natural Resources Plan to enable the continued operation of the quarry would result in a significant cost for what is an activity that should be anticipated. Based on the Section 32 Evaluation, it is understood that the intention of this rule is to account for new greenfield urban development that was not previously planned. While intended, the rule as drafted applies to all development. Horokiwi notes that if the intention of this rule was to account for all development, Horokiwi would consider that there is insufficient evidence provided through the Section 32 Evaluation to justify this rule nor has there been sufficient evaluation against the efficiencies and effectiveness.</p> <p>If the intent of the rule is to target urban development, Horokiwi seek changes to clarify this. If the intent of the rule is to account for all development, Horokiwi seek that the rule is deleted in its entirety. A default non complying activity for quarrying activities is sought under WH.R12.</p>	<p><b>Either delete Rule WH.R13 in its entirety</b></p> <p>or</p> <p><b>Amend Rule WH.R13 as follows:</b></p> <p><a href="#">Rule WH.R13: Stormwater from new unplanned greenfield development – prohibited activity</a></p>  <p>The use of land <b>for new urban development</b> and the associated discharge of <b>stormwater</b> from <b>impervious surfaces</b> from <b>the urban development within unplanned greenfield development that directly enters direct-into water, or enters onto or into land where it may enter a surface water body</b> or coastal water, including <del>through</del> <b>from an</b> existing or proposed <b>stormwater network</b>, is a prohibited activity.</p> <p><u>Note Any <b>urban development</b> within an area of <b>unplanned greenfield development</b> proposals will require a plan change to the relevant map (Map 86, 87, 88 or 89) to allow consideration of the suitability of the site and receiving catchment(s) for accommodating the water quality requirements of the <i>National Policy Statement for Freshwater Management 2020</i>, and the relevant freshwater and coastal water quality objectives of this Plan. Any plan change process should be considered concurrent with any associated change to the relevant district plan, to support integrated planning and assessment.</u></p>
<b>Section 8.3.4 Land uses (Whaitua Te Whanganui-a-Tara)</b>			
 <p><a href="#">Rule WH.R17: Vegetation clearance on highest erosion risk land – permitted activity</a></p> <p><b>Vegetation clearance on highest erosion risk land (woody vegetation) and any associated discharge of sediment to a surface water body is a permitted activity provided the following conditions are met:</b></p> <p>(a) <b>the vegetation clearance is:</b></p> <p>(i) <b>to implement an action in the erosion risk treatment plan for the farm, or</b></p> <p>(ii) <b>for the control of pest plants, and</b></p> <p>(b) <b>debris from the vegetation clearance is not placed where it can enter a surface water body.</b></p>	<p>Oppose / Amend</p>	<p>Notwithstanding concerns raised in this submission regarding the mapping of ‘highest erosion risk land (woody vegetation)’, Horokiwi seeks amendment to R17.</p> <p>Should the definition and mapping be retained, Horokiwi consider that the rule is limiting in that it does not allow for <u>any</u> vegetation clearance of the specified land for most land uses. Horokiwi consider that the existing approach of managing erosion prone land under Rule R104 -R107 of the Natural Resources Plan is more fit for purpose. Based on the Section 32 Evaluation, there also looks to be no implementation issues associated with the existing rule framework. While Horokiwi's preference is that the existing rules of the operative plan are retained, should the proposed rules remain, it seek that the permitted rule provides for additional clearance of up to 200 m<sup>2</sup>. This is necessary to avoid clearance of less than 200m<sup>2</sup> becoming an innominate activity (and therefore discretionary).</p> <p>In addition to the above, Horokiwi opposes that the rule is subject to the Freshwater Planning Process. The rule relates to erosion and soil conservation, rather than specifically freshwater. This is also inconsistent with the approach taken to the overarching objective and policy of the RPS Change 1 which considering those under the Schedule 1 process.</p>	<ol style="list-style-type: none"> <li>1. <b>Review mapping and definition of “erosion prone land”.</b></li> <li>2. <b>Consider Rule WH.R17 under a Part 1 Schedule 1 process.</b></li> <li>3. <b>Amend Rule WH.R17 as follows:</b></li> </ol> <p><a href="#">Rule WH.R17: Vegetation clearance on highest erosion risk land – permitted activity</a></p> <p><b>Vegetation clearance on highest erosion risk land (woody vegetation) and any associated discharge of sediment to a surface water body is a permitted activity provided the following conditions are met:</b></p> <p>(a) <b>the vegetation clearance is:</b></p> <p>(i) <b>to implement an action in the erosion risk treatment plan for the farm, or</b></p> <p>(ii) <b>for the control of pest plants, or</b></p> <p>(iii) <b>no more than 200 m<sup>2</sup> per property of vegetation clearance on highest erosion risk land (woody vegetation) in any consecutive 12-month period, and</b></p> <p>(b) <b>debris from the vegetation clearance is not placed where it can enter a surface water body.</b></p>

Provision	Position	Comments	Relief sought
<p> <a href="#">Rule WH.R18: Vegetation clearance on highest erosion risk land – controlled activity</a></p> <p><b>Vegetation clearance on highest erosion risk land (woody vegetation), of more than a total area of 200m<sup>2</sup> per property in any consecutive 12-month period, and any associated discharge of sediment to a surface water body is a controlled activity provided an erosion and sediment management plan has been prepared in accordance with Schedule 33 (vegetation clearance plan) and submitted with the application for resource consent under this Rule.</b></p> <p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>The content of the <b>erosion and sediment management plan</b>, including the actions, management practices and mitigation measures necessary to ensure that discharge of sediment will not exceed that which occurred from the land prior to the <b>vegetation clearance</b> occurring</li> <li>The area, location and method of <b>vegetation clearance</b></li> <li><b>Stabilisation</b> and rehabilitation of the area cleared</li> <li>The monitoring, record keeping, reporting and information provision requirements for the holder of the resource consent (including auditing of information) to demonstrate and/or monitor compliance with the resource consent and the <b>erosion and sediment management plan</b></li> <li>The timing, frequency and requirements for review, audit and amendment of the <b>erosion and sediment management plan</b></li> <li>The time and circumstances under which the resource consent conditions may be reviewed.</li> </ol>	Neutral	<p>Notwithstanding Horokiwi’s position on the associated definition, rule WH.R18 is supported in principle. This rule could also be anticipated to capture the majority of vegetation clearance application sought, where the permitted rule is not met.</p> <p>Clarification is also sought as to how the 200m<sup>2</sup> is calculated – is it the actual and cumulative area of identified woody vegetation or on a site which contains an area of woody vegetation.</p> <p>Notwithstanding the above, Horokiwi opposes that the rule is subject to the Freshwater Planning Process. The rule relates to erosion and soil conservation, rather than specifically freshwater. This is also inconsistent with the approach taken to the overarching objective and policy of the RPS Change 1 which considering those under the Schedule 1 process.</p>	<ol style="list-style-type: none"> <li><b>Review mapping and definition of “erosion prone land”.</b></li> <li><b>Consider Rule WH.R18 under a Part 1 Schedule 1 process.</b></li> <li><b>Retain a controlled activity rule for vegetation clearance greater than 200 m<sup>2</sup> over high erosion risk land.</b></li> <li><b>Clarify how the 200m<sup>2</sup> will be calculated.</b></li> </ol>
<p> <a href="#">Rule WH.R19: Vegetation clearance – discretionary activity</a></p> <p><b>Vegetation clearance on highest erosion risk land (woody vegetation) and any associated discharge of sediment to a surface water body that does not comply with one or more of the conditions of Rule WH.R17 or Rule WH.R18 is a discretionary activity.</b></p> <p><i>Note</i></p> <p>Rules WH.R20, WH.R21 and WH.R22 prevail over the following Regulations of the <i>Resource Management (National Environmental Standards for Freshwater) Regulations 2020</i>:</p>	Amend	<p>Depending on the outcome of other submission points, Horokiwi is neutral on rule WH.R19.</p> <p>Notwithstanding the above, Horokiwi opposes that the rule is subject to the Freshwater Planning Process. The rule relates to erosion and soil conservation, rather than specifically freshwater. This is also inconsistent with the approach taken to the overarching objective and policy of the RPS Change 1 which considering those under the Schedule 1 process.</p>	<ol style="list-style-type: none"> <li><b>Review mapping and definition of “erosion prone land”.</b></li> <li><b>Consider Rule WH.R18 under a Part 1 Schedule 1 process.</b></li> </ol>
<b>Section 8.3.5 Earthworks (Whaitua Te Whanganui-a-Tara)</b>			
<p> <a href="#">Rule WH.R23: Earthworks – permitted activity</a></p> <p><b>Earthworks is a permitted activity, provided the following conditions are met:</b></p> <ol style="list-style-type: none"> <li><b>the earthworks are to implement an action in the erosion risk treatment plan for the farm, or</b></li> <li><b>the earthworks are to implement an action in the farm environment plan for the farm, and</b></li> <li><b>the area of earthworks does not exceed 3,000m<sup>2</sup> per property in any consecutive 12-month period, and</b></li> <li><b>the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and</b></li> <li><b>soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and</b></li> <li><b>the area of earthworks must be stabilised within six months after completion of the earthworks, and</b></li> <li><b>there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that</b></li> </ol>	Amend	<p>While Horokiwi understands it is an error and has been corrected by way of a clause 16 correction, the effect of the use of “and” at the end of condition (b) is to exclude all earthworks that are not related to implementing farm erosion risk treatment plans or farm environmental plans from the permitted activity rule. As a result, all other earthworks, regardless of size or whether they meet conditions (c) to (h) will be a restricted discretionary activity under rule WH.R24. It cannot be efficient or effective to require resource consent for all earthworks, regardless of scale. Nor does this appear to be consistent with policies WH.P30 and WH.P31, which place emphasis on controlling earthworks over 3,000m<sup>2</sup>.</p> <p>Horokiwi also note that the rule as notified only relates to earthworks and not the associated discharge to water. This inclusion is necessary to ensure that the rule relates to a regional function. Without doing so, this rule would simply be regulating land use which is a territorial authority function. It appears that this may also have been an error given the associated restricted discretionary and non-complying rules refer to the associated discharge.</p> <p>Specific to clause (g), Horokiwi also notes that the Council’s proposed approach is to remove associated discharges from the earthworks rule, and instead, discharges associated with earthworks are</p>	<ol style="list-style-type: none"> <li><b>Consider Rule WH.R23 under a Part 1 Schedule 1 process.</b></li> <li><b>Amend Rule WH.R23 as follows:</b></li> </ol> <p><a href="#">Rule WH.R23: Earthworks – permitted activity</a></p> <p><b>Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water, or onto or into land where it may enter a surface water body or coastal water, including from a stormwater network, is a permitted activity, provided the following conditions are met:</b></p> <ol style="list-style-type: none"> <li><b>the earthworks are to implement an action in the erosion risk treatment plan for the farm, or</b></li> <li><b>the earthworks are to implement an action in the farm environment plan for the farm, and or</b></li> <li><b>the area of earthworks does not exceed 3,000m<sup>2</sup> per property in any consecutive 12-month period, and</b></li> <li><b>the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and</b></li> <li><b>soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a</b></li> </ol>

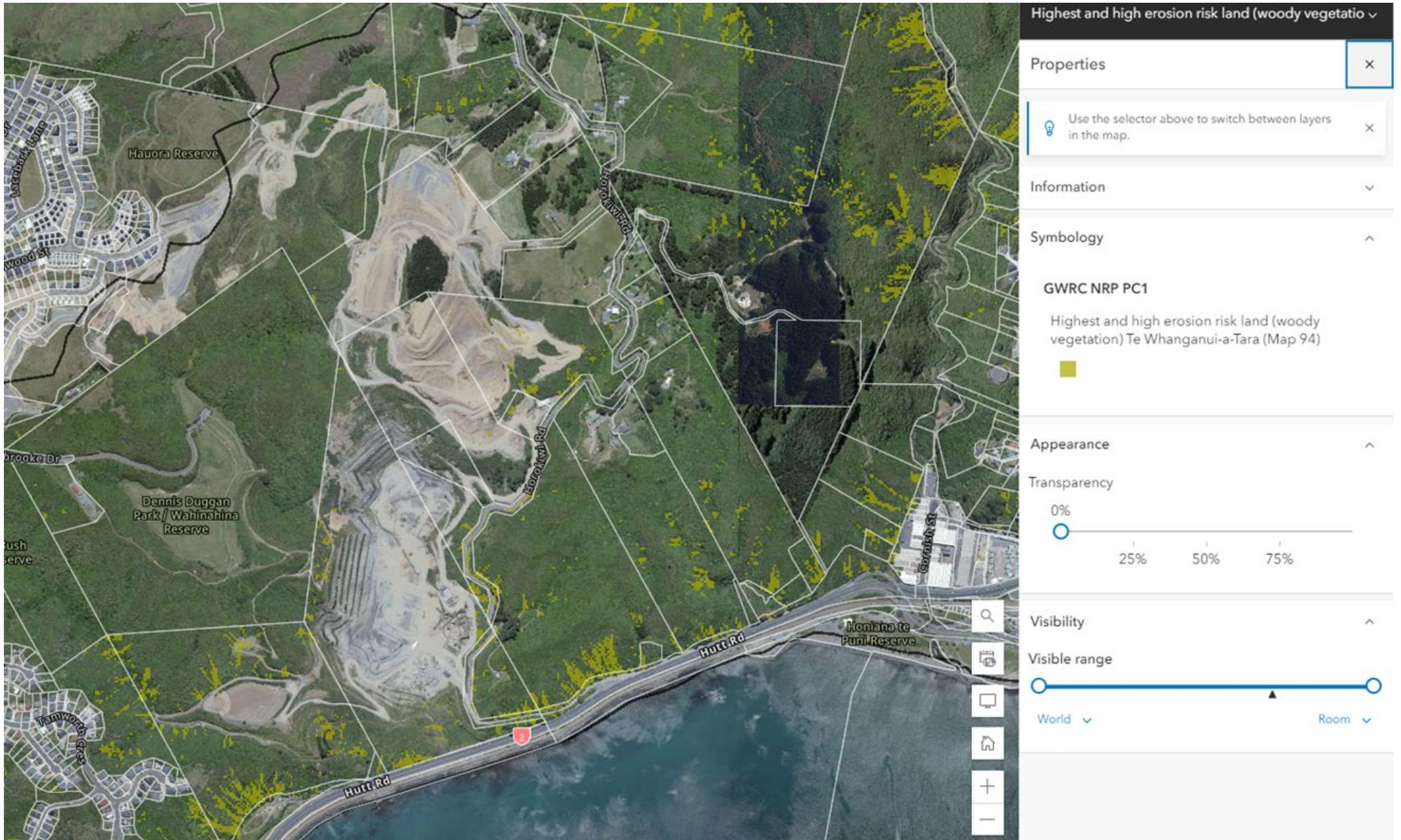
Provision	Position	Comments	Relief sought
<p>may enter a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>, and</p> <p>(h) <u>erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>.</u></p> <p><i>Note</i> <u>Earthworks management guidance is available within the <i>Greater Wellington Regional Council, Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (2021)</i>.</u></p>		<p>permitted under the separate “minor discharges” rule (R91). Given that rule WH.R23 is not a discharge rule, Horokiwi considers that it should not include condition (g), which is a discharge condition. In any case, Horokiwi considers that condition (g) is inappropriate on the basis that it is not consistent with the minor discharges rule, which permits a minor discharge of suspended solids to surface water bodies or coastal water.</p> <p>In addition to the above concerns, Horokiwi opposes the rule being included within the freshwater planning instrument, on the basis that the purpose of the rule is to manage land use for the purposes of soil conservation. Given that the rule does not provide for discharges associated with earthworks, there is no justification for including it in the freshwater planning instrument, and Horokiwi seeks that it be reallocated to the Part 1 Schedule 1 planning instrument.</p>	<p><b>stormwater network</b>, and</p> <p>(f) <u>the area of <b>earthworks</b> must be <b>stabilised</b> within six months after completion of the <b>earthworks</b>, and</u></p> <p><del>(g) — there is no discharge of sediment from <b>earthworks</b> and/or flocculant into a <b>surface water body</b>, the coastal marine area, or onto land that may enter a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>, and</del></p> <p>(h) <u>erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a <b>surface water body</b> or the coastal marine area, including via a <b>stormwater network</b>.</u></p> <p><i>Note</i> <u>Earthworks management guidance is available within the <i>Greater Wellington Regional Council, Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (2021)</i>.</u></p>
<p><a href="#">Rule WH.R24: Earthworks – restricted discretionary activity</a></p> <p> <b>Earthworks</b> and the associated discharge of sediment and/or flocculant into a <b>surface water body</b> or coastal water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, including via a <b>stormwater network</b>, that does not comply with Rule WH.R23 is a restricted discretionary activity, provided the following conditions are met:</p> <p>(a) <u>the concentration of total suspended solids in the discharge from the <b>earthworks</b> shall not exceed 100g/m<sup>3</sup>, except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge exceeds 100g/m<sup>3</sup>, the discharge shall not, after the <b>zone of reasonable mixing</b>, decrease the visual clarity in the receiving water by more than:</u></p> <p>(i) <u>20% in <b>River class 1</b> and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</u></p> <p>(ii) <u>30% in any other river, and</u></p> <p>(b) <u><b>earthworks</b> shall not occur between 1<sup>st</sup> June and 30<sup>th</sup> September in any year.</u></p> <p><i>Matters for discretion</i></p> <ol style="list-style-type: none"> <li><u>The location, area, scale, volume, duration and staging and timing of works</u></li> <li><u>The design and suitability of erosion of sediment control measures including consideration of hazard mitigation and the risk of accelerated soil erosion associated the staging of works and progressive <b>stabilisation</b></u></li> <li><u>The placement and treatment of stockpiled materials on the site, including requirements to remove material if it is not to be reused on the site</u></li> <li><u>The proportion of unstabilised land in the catchment</u></li> <li><u>The adequacy and efficiency of <b>stabilisation</b> devices for sediment control</u></li> <li><u>Any adverse effects on:</u> <ol style="list-style-type: none"> <li><u>groundwater, <b>surface water bodies</b> and their margins, particularly <b>surface water bodies</b> within sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (ecosystems and habitats with indigenous biodiversity), Schedule H (contact recreation and Māori customary use) or Schedule I (important trout fishery rivers and spawning waters)</u></li> <li><u>group drinking water supplies and community drinking water supplies</u></li> <li><u><b>mauri</b>, water quality (including water quality in the coastal marine area), aquatic and marine ecosystem health, aquatic and riparian habitat quality, indigenous biodiversity values, <b>mahinga kai</b> and critical life cycle periods for indigenous aquatic species</u></li> <li><u>the <b>natural character</b> of lakes, rivers, <b>natural wetlands</b> and their margins and the coastal environment</u></li> <li><u>natural hazards, land stability, soil erosion, sedimentation and flood</u></li> </ol> </li> </ol>	<p>Amend</p>	<p>As outlined in Horokiwi's submission point in relation to policy WH.P31, the direction to avoid earthworks over the winter months is opposed. The rule, in conjunction with WH.R25 and proposed policy WH.P31 effectively prohibits earthworks over the winter months. This directly is not supported by evidence, nor is reasonable to expect earthworks to cease over this period, particularly activities that are required year-round such as quarrying.</p> <p>Horokiwi consider that the intent of the policy direction (to minimise the risk of an uncontrolled discharge) can continue to be appropriately managed through matter of discretion – specifically matter 1. For those reasons, it seeks that clause (b) and matter of discretion 8 are deleted.</p>	<p><b>Amend Rule WH.R24 as follows:</b></p> <p><a href="#">Rule WH.R24: Earthworks – restricted discretionary activity</a></p> <p> <b>Earthworks</b> and the associated discharge of sediment and/or flocculant into a <b>surface water body</b> or coastal water, or onto or into land where it may enter a <b>surface water body</b> or coastal water, including via a <b>stormwater network</b>, that does not comply with Rule WH.R23 is a restricted discretionary activity, provided the following conditions are met:</p> <p>(a) <u>the concentration of total suspended solids in the discharge from the <b>earthworks</b> shall not exceed 100g/m<sup>3</sup>, except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge exceeds 100g/m<sup>3</sup>, the discharge shall not, after the <b>zone of reasonable mixing</b>, decrease the visual clarity in the receiving water by more than:</u></p> <p>(i) <u>20% in <b>River class 1</b> and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</u></p> <p>(ii) <u>30% in any other river, <del>and</del></u></p> <p><del>(b) — <b>earthworks</b> shall not occur between 1<sup>st</sup> June and 30<sup>th</sup> September in any year.</del></p> <p><i>Matters for discretion</i></p> <ol style="list-style-type: none"> <li><u>The location, area, scale, volume, duration and staging and timing of works</u></li> <li><u>The design and suitability of erosion of sediment control measures including consideration of hazard mitigation and the risk of accelerated soil erosion associated the staging of works and progressive <b>stabilisation</b></u></li> <li><u>The placement and treatment of stockpiled materials on the site, including requirements to remove material if it is not to be reused on the site</u></li> <li><u>The proportion of unstabilised land in the catchment</u></li> <li><u>The adequacy and efficiency of <b>stabilisation</b> devices for sediment control</u></li> <li><u>Any adverse effects on:</u> <ol style="list-style-type: none"> <li><u>groundwater, <b>surface water bodies</b> and their margins, particularly <b>surface water bodies</b> within sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (ecosystems and habitats with indigenous biodiversity), Schedule H (contact recreation and Māori customary use) or Schedule I (important trout fishery rivers and spawning waters)</u></li> </ol> </li> </ol>

Provision	Position	Comments	Relief sought
<p style="text-align: center;"><u>hazard management including the use of natural buffers</u></p> <p>7. <u>Duration of the consent</u></p> <p>8. <u>Preparation required for the close-down period (from 1<sup>st</sup> June to 30<sup>th</sup> September each year) and any maintenance activities required during this period</u></p> <p>9. <u>Monitoring and reporting requirements</u></p>			<p>(ii) <u>group drinking water supplies and community drinking water supplies</u></p> <p>(iii) <u>mauri, water quality (including water quality in the coastal marine area), aquatic and marine ecosystem health, aquatic and riparian habitat quality, indigenous biodiversity values, mahinga kai and critical life cycle periods for indigenous aquatic species</u></p> <p>(iv) <u>the natural character of lakes, rivers, natural wetlands and their margins and the coastal environment</u></p> <p>(v) <u>natural hazards, land stability, soil erosion, sedimentation and flood hazard management including the use of natural buffers</u></p> <p>7. <u>Duration of the consent</u></p> <p><del>8. <u>Preparation required for the close-down period (from 1<sup>st</sup> June to 30<sup>th</sup> September each year) and any maintenance activities required during this period</u></del></p> <p>9. <u>Monitoring and reporting requirements</u></p>
<p><u>Rule WH.R25: Earthworks – non-complying activity</u></p> <p> <b>Earthworks</b>, and the associated discharge of sediment into a <b>surface water body</b> or coastal water or onto or into land where it may enter a <b>surface water body</b> or coastal water from <b>earthworks</b>, including via a <b>stormwater network</b>, that does not comply with Rule WH.R24 is a non-complying activity.</p>	Oppose / amend	<p>The operative NRP provides for earthworks that are not otherwise provided for as a discretionary activity under rule R107.</p> <p>Horokiwi considers that the non-complying activity rule is not sufficiently justified in the section 32 evaluation and does not appropriately provide for activities that do not meet restricted discretionary activity conditions, but which can otherwise be managed through consent conditions as a discretionary activity.</p>	<p><b>Amend Rule WH.R25 as follows:</b></p> <p><u>Rule WH.R25: Earthworks – <del>non-complying</del> discretionary activity</u></p> <p> <b>Earthworks</b>, and the associated discharge of sediment into a <b>surface water body</b> or coastal water or onto or into land where it may enter a <b>surface water body</b> or coastal water from <b>earthworks</b>, including via a <b>stormwater network</b>, that does not comply with Rule WH.R24 is a <del>non-complying</del> discretionary activity.</p>
<b>Whaitua Te Awarua-o-Porirua Objectives, Policies and Rules</b>			
Whaitua Te Awarua-o-Porirua Objectives, Policies and Rules	Amend	Given the Horokiwi quarry site is within the Whaitua Te Whanganui-a-Tara, the submission is specific to that Whaitua. However, to ensure consistency across the plan, Horokiwi would support consistent relief to the Whaitua Te Awarua-o-Porirua Objectives, Policies and Rules.	Amend relevant provisions in the Whaitua Te Awarua-o-Porirua Objectives, Policies and Rules, consistent with relief sought in submission points within this submission.
<b>Schedules</b>			
Schedule 29: Stormwater Impact Assessments	Neutral	Schedule 29 seeks to promote best practice in the preparation of stormwater impact assessments. It is understood that this schedule, and the associated rule, is directed at new urban development. Should the relief sought in earlier submission points not be granted and the schedule apply to Quarrying activities, Horokiwi opposes the schedule and seeks amendment to ensure the schedule is appropriate and fit for purpose in context of quarrying activities. Should the schedule not apply to quarrying activities, Howokiwi is neutral on the schedule.	<b>Neutral subject to acceptance of submission point for new quarry specific rules.</b>
Schedule 30: Financial Contributions	Neutral	As noted in the submission point on WH.P15, requiring a financial contribution as an offset may only be applied where it is optional along with other forms of aquatic offsetting. Subject to the changes sought on P15 and R11, Horokiwi is neutral to this Schedule.	<b>Neutral subject to acceptance of submission points on P15 and R11</b>
Schedule 33: Vegetation Clearance Erosion and Sediment Management Plan	Amend	<p>Horokiwi opposes the schedule being included within the freshwater planning instrument, on the basis that the purpose of the schedule is to manage land use for the purposes of soil conservation. This is also inconsistent with the approach taken to the overarching objective and policy of the RPS Change 1 which considering those under the Schedule 1 process.</p> <p>In terms of the specifics of the schedule, it is generally supported subject to an amendment to clause (d) to recognise that restoring and revegetating is not always practicable, particularly for activities such as quarrying where surfaces must remain exposed.</p>	<p><b>1. Consider Schedule 33 under a Part 1 Schedule 1 process.</b></p> <p><b>2. Amend Part B of Schedule 33 as follows:</b></p> <p><b>A Management objectives</b></p> <p>The <b>Erosion and Sediment Management Plan</b> must demonstrate that the measures adopted to address the identified risks will:</p> <p>(a) <u>minimise sediment loss from the vegetation clearance by adopting, as a minimum, good management practice, and</u></p> <p>(b) <u>avoid an increase in risk of loss of sediment to water relative to the risk of loss that exists from the land in a natural state, and</u></p> <p>(c) <u>minimise the discharge of water and sediment resulting from the vegetation clearance into a surface water body, and</u></p> <p>(d) <u>where appropriate, provide for the land to be restored and revegetated with appropriate species.</u></p>

Appendix B – Horokiwi Quarry Land Parcels and Aerial Image of the site



Appendix C – Overlays that apply to the site





Highest and high erosion risk land (plantation forestry) ▾

Properties ✕

Use the selector above to switch between layers in the map. ✕

Information ▾

Symbology ^

**GWRC NRP PC1**

Highest and high erosion risk land (plantation forestry) Te Whanganui-a-Tara (map 95)

Appearance ^

Transparency

0% ○ ————— 25% 50% 75%

Visibility ^

Visible range ○ ————— ▲ ————— ○

World ▾ Room ▾



Highest and high erosion risk land (pasture) Te Whar

Properties

Use the selector above to switch between layers in the map.

Information

Symbology

**GWRC NRP PC1**

Highest and high erosion risk land (pasture) Te Whanganui-a-Tara (Map 93)

- Highest erosion risk land (Pasture)
- High erosion risk land (Pasture)

Appearance

Transparency

0%  25% 50% 75%

Visibility

Visible range

World  Room

**Greenfield areas - planned and unplanned, Wellington**

**Properties**

Use the selector above to switch between layers in the map.

**Information**

**Symbology**

**GWRC NRP PC1**

Greenfield areas - planned and unplanned, Wellington City (Map 87)

- Planned/ existing urban area
- Unplanned greenfield areas

**Appearance**

Transparency

0% 25% 50% 75%

**Visibility**

Visible range

World Room