

**BEFORE THE INDEPENDENT HEARING PANELS**

**IN THE MATTER** of the Resource  
Management Act 1991  
**(RMA)**

**AND**

**IN THE MATTER** of Proposed Change 1 to the  
Regional Policy Statement for  
the Wellington Region –

**& IN THE MATTER** of Hearing Stream 5 **(HS5)**  
Freshwater/Te Mana o te Wai

**SUBMITTER** Winstone Aggregates

---

**ORAL SUMMARY OF COMPANY EVIDENCE OF PHILIP WAYNE HEFFERNAN  
ON BEHALF OF WINSTONE AGGREGATES ON HEARING STREAM 5 (HS5)  
FRESHWATER/TE MANA O TE WAI.**

**DATED: 22 NOVEMBER 2023**

---

## **1. INTRODUCTION**

### 1.1. Kia ora tātou

Ko Te Mata te maunga

Ko Tukituki te awa

Nō Heretaunga ahau

Ko Piripi Heffernan tōku ingoa

### 1.2. My name is Phil Heffernan, and I am a Principal Planner and a Project Manager at Winstone Aggregates. In my role, I have direct experience dealing with the challenges and implications of the RMA as it pertains to Winstone's operations

## **2. SCOPE OF EVIDENCE**

### 2.1. My evidence today presented to outline a company perspective of Winstone Aggregates' submission.

### 2.2. The following matters have been addressed in my evidence:

- An overview of Winstone Aggregates, its history and operations.
- The adverse effects experienced by Winstone Aggregates due to the regulatory framework pre-2023 update of the NPS-FM, highlighting specific instances of operational hindrances and the resultant delays.
- The challenges posed by the lack of recognition for quarrying within the current draft of PC1 to the RPS, and the implications of a 'wait-and-see' approach as opposed to inclusion of the provisions of the updated NPS-FM in PC1.
- The perceived imbalance in the RPS between environmental protection and resource utilisation.
- The absence of a robust cost-benefit analysis concerning the freshwater provisions in the RPS, underscoring the need for a comprehensive evaluation to understand the economic, social, and environmental trade-offs, therefore informing decision-making.

### 2.3. My evidence aims to provide a thorough understanding of the concerns from Winstone Aggregates' perspective, offering an insight into the operational challenges faced in the

current regulatory landscape.

### **3. BACKGROUND**

- 3.1. Winstone has established itself as the largest manufacturer and distributor of aggregates in the country. The company operates numerous extraction sites across New Zealand, in the Wellington region, Winstone operates several quarries, including Belmont Quarry, Otaki Quarry, and Petone Quarry.
- 3.2. The importance of aggregates to the Wellington region's economy cannot be overstated. Aggregates are fundamental to the construction industry, serving as a vital component in road construction, building projects, and infrastructure development. The availability of locally sourced aggregates is crucial for minimising transportation costs and ensuring a sustainable supply of materials. Aggregates are a vital ingredient in ensuring the Region meets its objectives in for public infrastructure and affordable housing. There is no alternative.
- 3.3. However, the aggregate industry often faces challenges in the consenting process and the protection of quarry resources. Winstone emphasises the need for local government support to create a planning framework that recognises the significance of aggregates, streamlines the consenting process, and safeguards quarry resources from sterilisation and reverse sensitivity effects. Winstone recognises that its aggregate extraction and associated clean filling of overburden by its nature does result in adverse effects to the environment, and not all of these can be avoided. It seeks to carry out its activities as sensitively and as sustainably as possible, and to manage adverse effects.

### **4. IMPLICATIONS FOR WINSTONE AGGREGATES – FRESHWATER/TE MANA O TE WAI**

- 4.1. The NPS-FM, updated in 2023, introduced a tailored consent pathway for quarrying and cleanfilling activities. The inherent nature of quarrying necessitates operations to be situated where the resources are located. Absence of a designated pathway under the NPS-FM as published in 2020 risked sterilising vast tracts of New Zealand land for aggregate and mineral extraction, which in turn threatened the sustainability and growth of the industry.
- 4.2. The lack of a specific consent pathway, prior to the 2023 update, had a far-reaching negative impact on the quarrying industry. This was seen in the operational hurdles faced by existing sites and the challenges in identifying and securing future sites. The

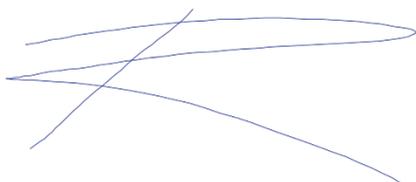
regulatory environment was uncertain and restrictive, which hampered not only the strategic planning but also the daily operations of quarrying.

- 4.3. Winstone Aggregates faced substantial adverse effects following the implementation of the NPS-FM, specifically before its 2023 revision. A specific case is Flat Top Quarry's expansion application submitted in September 2020. Auckland Council declined the application, guided by ecologists' advice. According to the terminology in the NPS-FM at that time (which had at the time just been released), a minor wet area within the property was classified as a 'natural wetland,' consequently designating the proposed extension as a 'prohibited activity.' Under the regulatory environment both prior to the original 2020 NPSFM and following its 2023 update—which included a specific consent pathway for quarrying—the application would have proceeded.
- 4.4. The rejection of Flat Top Quarry's expansion application is illustrative of the broader operational setbacks faced by Winstone Aggregates during this period. The lack of a clear regulatory pathway meant that essential activities were embroiled in a complex and uncertain consenting process. This not only delayed crucial projects but also incurred additional operational, consultant and legal costs.
- 4.5. The overall impact of this regulatory issues was an over 3-year delay to the Flat Top Quarry expansion project. The consenting process for this project has now restarted, with the expectation that the application is likely to be lodged in 2024. This delay represents an example of the hindrances faced by the quarrying industry, underscoring the necessity of the 2023 update to the NPS-FM in providing a clear and navigable pathway for quarrying and cleanfilling activities.
- 4.6. Given the adverse impacts Winstone Aggregates has faced, including significant delays due to the NPSFM, the Company has considerable concern with the approach the Greater Wellington Regional Council (GWRC) has adopted in updating the RPS under PC1. The current 'wait-and-see' strategy, involving future RPS plan changes to include quarrying, is unacceptable, particularly given the recent notification of Plan Change 1 to the Natural Resources Plan.
- 4.7. I believe a better outcome would involve aligning the RPS with the NPS-FM update of 2023 with the pathways to establish a consistent, streamlined, and predictable consenting pathway for quarrying and cleanfilling activities. Implementation of the NPS-FM would not only meet the urgent needs of the aggregate industry but also significantly alleviate the consenting challenges Winstone Aggregates currently faces, thereby promoting a more sustainable quarrying environment.

- 4.8. The current draft of PC1 to the RPS appears to lean heavily towards environmental protection at the expense of resource utilisation. While Winstone Aggregates acknowledges the paramount importance of environmental stewardship, we believe that a more balanced approach is necessary. The RPS should facilitate a balance between environmental preservation and the pragmatic use of natural resources essential for societal advancement, community wellbeing and economic growth. The aggregate industry is a pivotal player in regional development, and a balanced policy framework will not only ensure environmental sustainability but also drive economic prosperity by ensuring a steady supply of critical construction materials.
- 4.9. Winstone Aggregates notes, with concern, the absence of a robust cost-benefit analysis concerning the freshwater provisions stipulated in the RPS where GWRC has adopted an arguably more stringent approach than what is set out in the NPS-FW. Such an analysis is fundamental in evaluating the economic implications against the anticipated environmental benefits of the proposed provisions.
- 4.10. While Winstone's supports the intent of improvements to freshwater, they also bring about economic implications that cannot be overlooked. The costs associated with adapting to new Policy direction, which will inevitably lead to new rules affect not only Winstone Aggregates but also have a ripple effect on the broader construction industry and the economy and may inadvertently undermine aspirations of the Region in terms of intensification, climate change response and growth.

## 5. CONCLUSION

- 5.1. I would be happy to answer any questions the Panel has in relation to this statement or my evidence.



**Dated** 22 November 2023