

**IN THE ENVIRONMENT COURT
AT WELLINGTON
TE KŌTI TAIAO O AOTEAROA**

ENV-2024-WLG-000048

IN THE MATTER

the Resource Management Act 1991

AND

IN THE MATTER OF

An appeal under clause 14(1) of Schedule 1 of
the Resource Management Act 1991

BETWEEN

UPPER HUTT CITY COUNCIL

Appellant

AND

WELLINGTON REGIONAL COUNCIL

Respondent

**NOTICE OF INTENTION TO BE A PARTY TO PROCEEDINGS UNDER
SECTION 274 ON BEHALF OF WINSTONE AGGREGATES**

9 December 2024

Solicitor acting

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To The Registrar
Environment Court
Wellington

**NOTICE OF INTENTION TO BE A PARTY TO PROCEEDINGS
UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT
1991**

1. Winstone Aggregates (**Winstone**) wish to be a party to the following proceedings:
 - a) Upper Hutt City Council's (**UHCC**) appeal against the decision of the Wellington Regional Council on proposed Plan Change 1 to the Wellington Regional Policy Statement.
2. Winstone made a submission and further submission on proposed Plan Change 1 to the Regional Policy Statement.
3. Winstone is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Winstone is interested in part of the proceedings. The part of the proceedings Winstone Aggregates is interested in are:
 - a) The definitions '*Ecosystem processes*' and '*environmentally responsive*.'
 - b) Objective 16, 16A and 16B.
 - c) Policy 23.
 - d) Policy 24.
 - e) Policy 47; and
 - f) Policy CC.2.
5. And any consequent amendments or other relief arising from the appellant's appeal on these points.

6. Winstone has also filed a Notice of Appeal (ENV 2024-WLG-000051) of RPS-PC1 provisions.
7. Winstone is the largest manufacturer and distributor of aggregates in the country. The company operates several quarries in the Wellington Region including Belmont Quarry, Otaki Quarry and Petone Quarry. These operations provide a local and reliable supply of aggregates for construction in the region that is essential for roading, construction and infrastructure development. The availability of a locally sourced aggregate 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 of suitable public infrastructure, resilience planning and affordable housing, and underpin's the growth outcomes sought by the NPS-UD.
8. Winstone's s 274 interest in UHCC appeal (in summary) is to ensure that the RPS-PC1 and provisions:
 - (a) Properly recognise the importance and benefits of aggregates and quarrying;
 - (b) Ensure that the RPS provides policy recognition and support for continued pathways for quarrying in the region providing security of supply.
 - (c) Ensure that the RPS recognised the need to quarry in areas where the resource is located, protected significant resource deposits from reverse sensitivity effects.
 - (d) Ensure that land long set aside for quarrying activities at its existing sites was not sterilised as a result of the Policy framework implemented through RPS-PC1 over and above limits provided in National Direction including (but not limited to) the introduction of a Policy framework that broadens the scope of land to be protected due to ecological values.

- (e) That the RPS introduced policy that gave proper effect to NPS-FM, NPS-UD and NPS-IB, in a more balanced and integrated way by ensuring that it gave equal recognition to the use as well as protection elements of those National Directions (including reference to the consenting pathways for quarrying of aggregates and clean-filling and aggregate extraction), including providing for the interaction of those activities.
 - (f) That biodiversity offsetting and availability of the effects management hierarchy remains as articulated in National Direction in the NPS-IB and NPS-FM (including the most recent amendments) and the Council do not seek to impose further undue restrictions by way of regional circumstances that render biodiversity offsetting/ application of the effects hierarchy unavailable which will result in sterilisation of aggregate resource in the Wellington Region or undermine those consenting pathways provided for quarrying and aggregate extraction in National Direction.
 - (g) Avoids unnecessary duplication.
9. Winstone **supports** in part the relief sought by UHCC to the extent that it is consistent with the relief sought by Winstone and **opposes** in part the relief sought by UHCC to the extent it is inconsistent with Winstone's relief sought in appeal and submissions and/or would not achieve the outcomes set out above at paragraph 8.
10. Winstone agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 9 December 2024



P D Tancock / D W Ballinger

Counsel for Winstone Aggregates

Address for service of the appellant:

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Documents for service on the appellant may be left at that address for service
or may be emailed to the solicitor prl@bartlettlaw.co.nz, provided that a copy
is sent to counsel at Phernne.tancock@legalchambers.co.nz and
duncan.ballinger@stoutstreet.co.nz.