

BEFORE THE HEARINGS PANEL

UNDER the Resource Management Act 1991.

IN THE MATTER of submissions and further submissions on Hutt City Council's Proposed District Plan

Submitter **WINSTONE AGGREGATES**
(Submitter No. 444, Further Submitter No. F33).

LEGAL SUBMISSIONS OF WINSTONE AGGREGATES

HEARING STREAM 3 – RURAL ZONES

Dated: 17 June 2026

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MAY IT PLEASE THE PANEL:

1. These legal submissions are filed on behalf of Winstone Aggregates, a division of Fletcher Concrete and Infrastructure Ltd (“**Winstone**”). Winstone has made a submission (No. 444) and a further submission (No. F33) on the Proposed Hutt City District Plan.
2. Winstone is the largest quarry operator in the District. More detail about Winstone’s operations is set out in the corporate evidence of Mr Heffernan, Winstone’s Project Manager and Principal Planner, which was filed in Hearing Stream 1.¹
3. Winstone’s primary interest in the Plan relates to the Quarry Zone and related provisions. Those are being heard Hearing Stream 4.² Winstone also has rezoning requests, which the panel has directed in Minute 5 are to be deferred to the wrap-up and integration hearing in December 2026.
4. Winstone only has a few confined points for Hearing Stream 3.

Whole of plan points

5. Winstone made a number of whole-of-plan submission points. These include seeking for the plan to be amended to recognise relevant matters and consenting pathways in certain higher-order planning documents, including the National Policy Statement for Infrastructure 2025 (submission points 444.114 and 444.115).
6. The officer recommends rejecting these submission points.
7. Winstone does not wish to advance these points further in this hearing stream; however it reserves its position on advancing them in subsequent hearing streams including Hearing Stream 4 and/or the wrap-up and integration hearing. Accordingly, Winstone requests that its whole-of-plan submission points are not treated as fully disposed of by this hearing stream, as it intends to develop them in later hearing streams.

¹ [Submitter Evidence - Philip Heffernan for Winstone Aggregates - PDP444 & F33 - Planning](#)

² Section 42A report for Hearing Stream 3 by Sean Bellamy at paragraph 32.

Inclusion of quarry zone within the definition of rural/urban environment

8. The Section 42A report recommends that the definition of “urban environment” be amended to expressly include areas within the Quarry Zone.³ This recommendation is purportedly on the basis of Winstone’s further submission point FS33.9.
9. The officer's reasons for this recommendation are that “*The Quarry Zone to long established quarry and associated industrial activities on a site located on the interface between rural and urban environments (sic). Hence, I consider the Quarry Zone is appropriate to be included in the definition for “urban environment”.*”⁴
10. This recommendation is based on a misconstruing of Winstone’s further submission point.
11. Winstone’s further submission opposed Forest and Bird's submission to the extent it was seeking to add “Quarry Zone” to the definition of “rural environment”. Winstone said in its reasons that it considered the Quarry Zone should be excluded from the relief sought. Winstone noted that Quarry Zones “can be located within or near Urban environments or Rural environments”.
12. The point of this submission was that it is not appropriate to treat the Quarry Zones as part of the rural environment or the urban environment, because they can be located within or near either environment. Accordingly, the relief sought was to “refrain from including the Quarry Zone within the definition of rural environment”.
13. Winstone submits that its further submission point does not provide scope to add “Quarry Zone” to the definition of “urban environment”. Its further submission was not asking for that.
14. Winstone also submits that the section 42A report does not include any analysis of the consequences of including the Quarry Zone within the definition of the urban environment. These have not been evaluated to the standard required by s 32AA. Winstone is concerned that there may be unintended consequences of adding Quarry Zone to the definition of “urban environment” — it may, for example, have an influence on how various objectives and policies that refer to “urban environment” (as a defined term)

³ Section 42A report for Hearing Stream 3 by Sean Bellamy at paragraph 478.

⁴ Section 42A report for Hearing Stream 3 by Sean Bellamy at paragraph 475.

are applied. There is no analysis of that by the officer.

15. Accordingly, Winstone:
 - a. clarifies that its further submission point FS33.9 is not seeking for the Quarry Zone to be included in the definition of “urban environment”, and
 - b. opposes such a change being made to the definition of urban environment.
16. If the panel considers that it is necessary for the Quarry Zone to be listed in the definition of either urban environment or rural environment, then its preference is that the Quarry Zone is included in the definition of rural environment. The Quarry Zone is a better fit with the other examples of the Rural environment — being the General Rural Zone, Rural Lifestyle Zone, and Natural Open Space Zone.

Retention of the GRZ zoning

17. Winstone submitted that the general rural zone (GRZ) zoning should be retained for Lot 100 of DP 322126 (submission point 444.75). The section 42A report recommends acceptance of the submission.⁵ Winstone agrees.

Presentation at Hearing Stream 3

18. Winstone has arranged a 5-minute hearing slot to speak to the above legal submissions.
19. In the event that the panel does not wish to hear from Winstone on these points, Winstone is happy for its slot to be re-allocated to other submitters and for these submissions to be taken as read.



Pherne Tancock/Duncan Ballinger

Counsel on behalf of Winstone Aggregates

⁵ Section 42A report for Hearing Stream 3 by Sean Bellamy at paragraph 155.