BEFORE THE INDEPENDENT HEARINGS PANEL HUTT CITY COUNCIL

UNDER	The Resource Management Act 1991
IN THE MATTER	Of the Proposed Lower Hutt District Plan
	Hearing Stream 4: Other Zones – Quarry Zone (QUARZ) and Quarry Zone Protection Overlay (QZPO)

Statement of evidence of Colin Robert Hopkins on behalf of Winstone Aggregates Ltd (Planning)

02 July 2026

PHERNNE TANCOCK

Barrister, Harbour Chambers
phernne.tancock@legalchambers.co.nz
+64 21 496 823

1. Executive summary

1.1. This statement of evidence addresses Winstone Aggregates (WA) submission points within scope of Hearing Stream 4: Other Zones – Quarry Zone (QUARZ) and Quarry Zone Protection Overlay (QZPO).

1.2. Overall, the Proposed District Plan (PDP) seeks to provide an appropriately enabling framework for quarrying, and WA supports the provisions that recognise the importance of the activity. Where the Section 42A report recommends accepting Winstone's submission points, or where matters are not in dispute, these are acknowledged and not addressed further in my evidence.

1.3. My evidence focuses on the remaining matters where refinements are required to ensure:

a. That quarry activities remain appropriately unconstrained;

b. That reverse sensitivity is effectively managed, and

c. That the PDP is fully consistent with the NPS-Infrastructure 2025 (**NPS:I**) and the operational realities of a long-term, highly capital-intensive quarry, as well as the recognition in the NPS-Indigenous Biodiversity (**NPS:IB**) and NPS Freshwater (**NPS:FW**) of the benefits of quarrying activities, and their operational and functional needs.

d. That the planning framework is compatible with, and does not unnecessarily complicate the existing lawfully established quarry activities.

1.4. The outcomes and amendments sought are targeted and effects-based to ensure that the Quarry Zone and Quarry Zone Protection Overlay function as intended and continue to support the efficient and secure supply of aggregate to the region.

1.5. My evidence also outlines where I agree with the Council Officer that submission points can be rejected.

2. Introduction

2.1. My full name is Colin Robert Hopkins. I am a planning consultant at DCS, a planning consultancy based in Auckland.

2.2. My statement of evidence on behalf of Winstone Aggregates (**WA**) is in relation to those matters to be heard within Hearing 4 of the Proposed Lower Hutt District Plan (**PDP**).

2.3. I have reviewed the Section 42A Report for Hearing Stream 4 and the relevant submission points made by WA.

2.4. I am familiar with the Belmont Quarry and Hayward Quarry (which is known as the Dry Creek Block) sites and their operations, as well as the planning context for quarry activities within Lower Hutt.

3. Qualifications and relevant experience

3.1. I hold a Masters in Planning Practice from the University of Auckland (2004) and a Bachelor of Arts from Otago University (2002).

3.2. I have 21 years of experience in the planning profession in New Zealand and Scotland, including nine years in government roles and twelve years in the private sector. I have worked for:

a. Auckland City Environments (2004-2007);

b. Aberdeenshire Council (2007-2008);

c. Auckland City Environments / Auckland Council (2008-2014); and

d. DCS Planning Limited (2014 – present).

3.3. I have extensive experience in the preparation and assessment of resource consent and plan changes applications for private clients and the Council, and have previously worked as a Principal Planner and Team Leader within the Auckland Council Resource Consents Department.

4. Expert Witness Code of Conduct

4.1. I have prepared my evidence in compliance with the Code of Conduct for expert witnesses set out in the Environment Court's Practice Note 2023. I confirm that my evidence is within my area of expertise and that I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

4.2. I have qualified my evidence where I consider that any part of it may be incomplete or inaccurate, and identified any information or knowledge gaps, or uncertainties in any scientific information or mathematical models and analyses that I am aware of, and their potential implications. I have stated in my evidence where my opinion is not firm or concluded because of insufficient research or data or for any other reason and have provided an assessment of my level of confidence, and the likelihood of any outcomes specified, in my conclusion.

5. Scope and structure of evidence

5.1. In this statement, I address the following matters:

a. The background to WA's operations and the reasons for its submission;

b. Planning evidence on the WA submission points where I consider the amendments proposed are warranted, and identification of those points where I agree with the Section 42A recommendations that they should be rejected, including commentary on the implications of the NPS-I;

c. Where I agree with the Section 42A recommendations, I have noted this and do not address those points further.

d. Conclusions

6. Involvement with the applications

6.1. I was engaged by WA following the close of submissions and further submissions on the PDP. My role is to provide planning assistance in relation to the submissions on the PDP to the Quarry Zone (QUARZ) and Quarry Zone Protection Overlay (QZPO) provisions, and to support Winstone in responding to the recommendations made in the Section 42A report for Hearing Stream 4.

6.2. In parallel with this work, I am also assisting WA with the preparation of applications under the Fast-track Approvals Act 2020 (**FTAA**) for the listed project at Belmont Quarry. This includes advising on planning matters relevant to the overburden disposal area, and the integration of fast-track approvals with the current and proposed District Plan framework.

6.3. In preparing this evidence, I have reviewed and relied on the following evidence or material in relation to the submissions:

a. The evidence of Jamie Exeter (Vibration)

b. The evidence of David Compton-Moen (Landscape)

c. Winstone Aggregates Submission on the PDP, and Further Submissions

d. The Council Officer's s42A Report, and the s32AA Assessment

e. The Council Officer's s32 Report.

7. Background and reasons for Submissions

7.1. WA is a major supplier of aggregate to the Wellington Region. Belmont Quarry is one of the Wellington region's most important sources of supply, providing around 41% of total demand and supporting major projects for more than a century.

7.2. The Belmont Quarry listed project under the FTAA, relates to enabling the disposal of overburden within approximately 23ha within the Belmont Regional Park proposed to be exchanged with approximately 34ha of land owned by Fletcher Concrete and Infrastructure Limited (of which WA is a division of). The Project enables additional capacity from the quarry, extending its operational life by up to 35-40 years.

7.3. Part of the land exchange includes a portion of the Haywards Quarry area (this land is also identified as the Dry Creek Block). Quarrying within the Haywards Quarry, including the land that is part of the land-exchange proposal has now been retired. The land exchange also includes to a portion of land within the existing quarry identified as the Firth Block. These parcels are shown below in Figure 1 from the officers s42A Report which identifies a portion of Hayward Quarry mapped as Area 1, and the Firth Block mapped as Area 2 for the Quarry Amenity Protection Area Overlay.

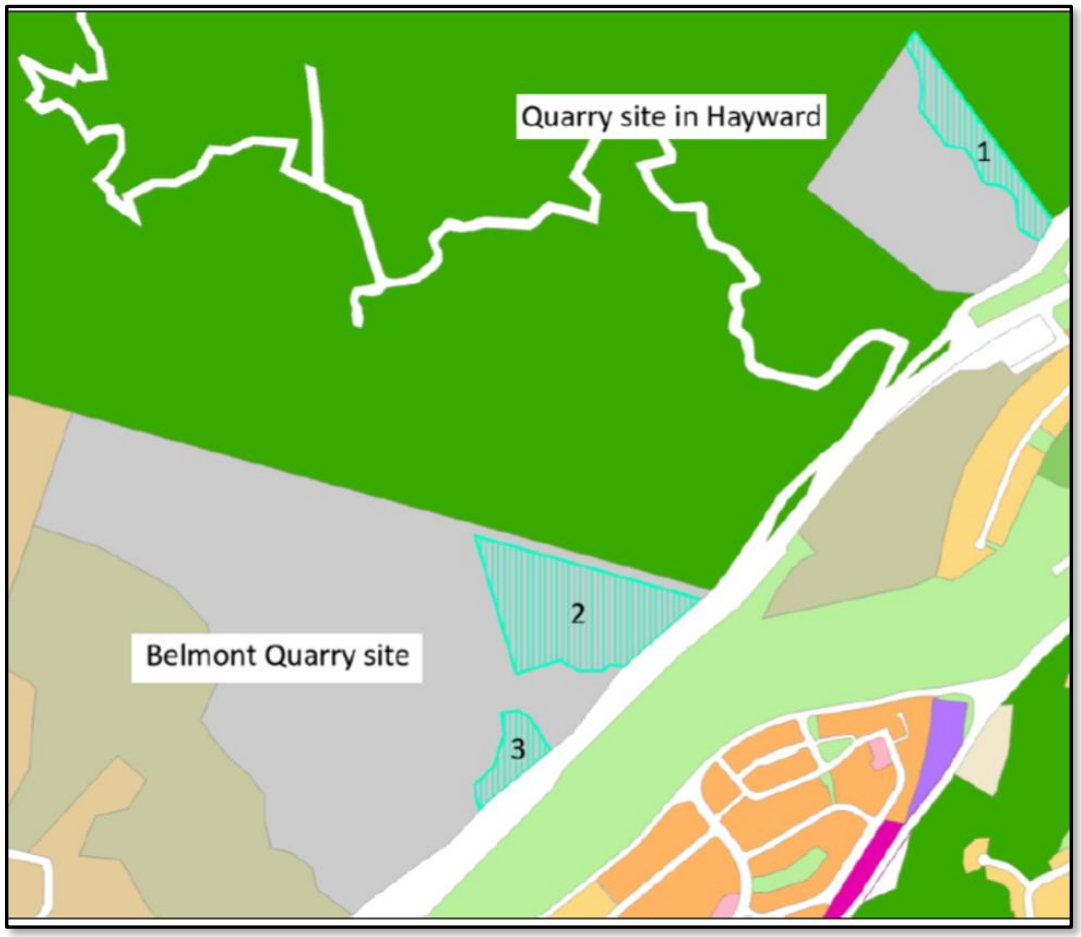


Figure 1 - Location of the three Quarry Amenity Protection Overlay sites (in cyan) (Source Figure 1 of the Officers s42A Report)

7.4. In addition to the consents held for the quarrying activities, WA also holds a Certificate of Compliance for the quarry land, establishing the lawful baseline for vegetation removal outside the mapped buffer strip and Special Amenity Protection Area.

7.5. Quarrying is recognised in the NPS-I as an infrastructure supporting activity, essential to the construction, maintenance, and operation of infrastructure. The significant national and regional benefits of the quarrying are also recognised in the NPS-IB, as well as under NES-FW, which also recognises their operational and functional needs.

7.6. Quarry operations are long-term, highly capital-intensive, and require planning frameworks that:

a. recognise functional and operational needs,

b. provide certainty for ongoing extraction,

c. manage reverse sensitivity, and

d. avoid unnecessary constraints on efficient quarrying.

7.7. Winstone's submission seeks to ensure the PDP appropriately provides for quarrying activities and avoids provisions that would unduly restrict quarry operations or create uncertainty.

Pre-hearing meeting

7.8. The s42A report records the informal pre-hearing meeting held on 26 May 2026 between Council Officers and WA. That summary accurately reflects the purpose and nature of the discussion. The meeting was informal and focused on clarifying aspects of WA's' submission relating to the Quarry Zone provisions. No joint positions were sought or reached. We acknowledge and appreciate the opportunity for meeting with the Council Officers and the constructive manner in which the discussion was undertaken.

7.9. I have been informed that Winstone and the Council had consulted in respect of the Draft Plan and the development of the Notified Plan prior to my engagement.

Discussion on recommendations in the s42A report

8. Deferred Submission Points

8.1. As recorded in the Section 42A report, a number of Winstone Aggregates' submission points have been deferred to a later hearing stream due to their connection with the fast-track land exchange and Overburden Disposal Area. I agree that the deferred matters are correctly identified, and my evidence is confined to the submission points that remain within the scope of Hearing Stream 4.

9. Accepted submission points, and points not in dispute

9.1. In addition to the matters that are to be deferred, the Section 42A report clearly identifies the submission points by WA that are either supported by the reporting officer or relate to provisions that are not in dispute. WA accepts and supports those recommendations, and my evidence focuses only on the matters where the officer has recommended rejecting or modifying the relief sought.

9.2. Where the submission point is identified by the Reporting Officer as providing general support, this is supported, although does not detract from my evidence regarding the need for the PDP provisions to remain compatible with, and consistent with, the operational realities for the quarry. For completeness, those recommendations are:

a. Submission Points not in dispute:

444.40, 444.41, 444.44, 444.45, 444.50, 444.51, 444.52, and 444.74.

b. Submission points supported by the reporting officer:

444.59, 444.61, 444.63, 444.64, 444.78, 444.79.

c. Submission points identified as providing general support providing general:

444.39, 444.77, 444.98, 444.102, 444.109, 444.110, and 444.113.

10. Submission Points Recommended for Rejection

Whole Plan submissions relating to quarries

10.1. WA's general submission points appropriately highlight the importance of the quarry activity, including its long-established nature, its role in supplying a regionally significant mineral resource, and the operational realities of quarrying such as progressive landform change and the need for bespoke management approaches. These matters provide important context for understanding the functional and operational needs of the quarry and the planning framework required to support it.

10.2. I acknowledge the reporting officer's conclusion that the PDP already provides an enabling framework for quarrying, and I agree that many of the general matters raised by WA are reflected in the structure and intent of the Quarry Zone, and subject to the specific points addressed in the sections below, I agree that the PDP broadly recognises the importance of the quarry and provides for its continued operation.

10.3. However, as I outline in my evidence, the submission points also serve to reinforce the need for the PDP to ensure that quarry activities remain appropriately unconstrained, and that the framework is fully consistent with the NPS:I, which directs councils to enable infrastructure-supporting activities such as quarrying, as well as the NPS-IB and NPS-FW which

recognise the operational and functional needs of quarrying activities. The amendments sought in the remainder of my evidence are targeted refinements to ensure that the PDP provisions accurately reflect the functional, operational and practical realities of the quarry, and that the enabling intent of the zone is not undermined by unnecessary or unintended constraints.

Quarry Zone Objectives and Policies

10.4. Submission point 444.42 seeks to amend objective QUARZ-03.

a. The reporting officer recommends that this submission point be rejected. I have reviewed the officer's reasoning and consider it an appropriate planning response in the context of the Quarry Zone and the wider PDP framework. I agree with the reporting officer's conclusion that this submission point should be rejected.

10.5. Submission point 444.43 seeks to amend policy QUARZ-P1.

a. In my opinion, it is not necessary or appropriate for the PDP to specifically enable conservation activities within the Quarry Zone. Conservation activities are defined in the PDP as:

> *means the use of land for activities undertaken for the purposes of maintaining, protecting and enhancing the natural and/or ecological values of a natural resource. It may include activities which assist to enhance the publics appreciation and recreational enjoyment of the resource, including:*
>
> *i. Species protection and conservation management work, including restoration and revegetation,*
>
> *ii. Pest and weed control, and*
>
> *iii. Educational activities.*

b. The inclusion of conservation activities, and in particular the protective element of this activity, in QUARZ-P1 elevates the importance of this activity beyond what is required to manage effects, and is inconsistent with the planning purpose of the zone and the direction in the NPS-I. The objective of the NPS-I seeks to infrastructure and infrastructure-supporting activities, including quarrying, and policy 5 directs decision makers to recognise the operational and functional need for these activities to be located in

particular environments and locations. Quarry zones are therefore intended to provide for extraction and associated operational activities, not to promote or prioritise unrelated land uses. Conservation activities are not functionally or operationally necessary for quarrying, and their explicit inclusion in the policy framework risks creating an unintended policy expectation that such activities should be undertaken or given weight in decision-making.

c. In addition, this approach fails to reflect the direction of the NPS-IB[1] through the exemption to the requirement in clause 3.10 (2) in clause 3.11 (1) (iii) to avoid effects on Significant Natural Areas (as defined in Clause 1.6 of the NPS-IB) where they provide significant national or regional benefits , and the NPS-FW with respect to the pathway for quarrying activities in clause 3.22 (d) where a they provide significant national or regional benefit, there is a functional and operational need and the effects will be manged through applying the effects management hierarchy. Together, these national policy statements reinforce that the planning framework should recognise and support essential quarry activities and their operational requirements, rather than elevate vegetation retention as a conservation issue within the Quarry Zone.

d. Rehabilitation is already specifically and appropriately provided for within the definition of quarrying activities and through the PDP's effects-based provisions. Rehabilitation is the correct mechanism for managing post-extraction outcomes. Conservation activities, by contrast, are conceptually different and relate to ecological enhancement or protection rather than the staged restoration of quarry land. Similarly, conservation activities such as pest control form part of the rehabilitation works, and do not require specific provisions to be enabled in the quarry zone.

e. The PDP already contains a targeted method for managing amenity effects in the Quarry Zone through the Special Amenity Overlay (clarified in the s42A report as the Quarry Amenity Protection Overlay), which addresses the retention of vegetation for visual screening and amenity purposes. Retaining indigenous vegetation for amenity is distinct from retaining vegetation for conservation purposes. The overlay being an

[1] Through the exemption to the requirement in clause 3.10 (2) to avoid effects on Significant Natural areas (as defined in Clause 1.6 of the NPS-IB).

effects-management tool, and the enabling the activity relating to an ecological outcome that sits outside the core purpose of the Quarry Zone. Notwithstanding my evidence below with respect to the land that the overlay has been mapped on, the Special Amenity Overlay provides a mechanism for managing vegetation where it is required to mitigate visual effects. These two concepts should not be conflated.

f. It is also noted that prior its removal in accordance with section 80Q of the RMA, the ECO – Ecosystems and Indigenous Biodiversity chapter addressed a framework for protecting and restoring native habitats, and provision for the removal of indigenous vegetation, outlining that the provisions of controlling vegetation removal apply only with to the Open Space and Residential zones, and included a rule providing for indigenous vegetation removal as a permitted activity (ECO-R2). There are no specific rules in the Quarry Zone that seek to control vegetation removal outside of any overlay. Notwithstanding the withdrawal of the ECO chapter, when considering the structure of the PDP, introducing specific direction for conservation activities within the Quarry Zone would imply a greater level of protection or policy importance for vegetation than is intended or appropriate, and would elevate conservation outcomes beyond what the planning framework provides for in this zone.

g. In summary, in my opinion enabling conservation activities within the Quarry Zone:

   i. Is not required to manage effects relating to quarry activities;

   ii. Is not aligned with the NPS-I direction to enable quarrying as an infrastructure-supporting activity and does not accord with the direction in the NPS-IB and NPS-FW to support essential quarry activities and their operational requirements. Conflicts with the fundamental nature of quarrying as a land-disturbing, extractive activity.

   iii. Duplicates the existing PDP mechanisms (e.g., Special Amenity Overlay); and

   iv. Risks elevating conservation activities and outcomes beyond what is necessary or appropriate in a quarrying context or PDP planning framework.

h. For these reasons, in my opinion conservation activities should not be expressly enabled in the Quarry Zone through Policy QUARZ-P1 and that rehabilitation provisions already provide the appropriate and necessary framework.

10.6. Submission point 444.46 seeks to amend objective QUARZ-P5.

a. The reporting officer recommends that this submission point be rejected. I have reviewed the officer's reasoning and consider it an appropriate planning response in the context of the Quarry Zone and the wider PDP framework. I agree with the reporting officer's conclusion that this submission point should be rejected.

10.7. Submission point 444.47 seeks to amend policy QUARZ-P6.

a. In my opinion, the officer's assessment, along with WA's original submission do not capture the actual function of QUARZ-P6. The policy sets direction for Standard QUARZ-S3 (Vibration associated with blasting), which establishes the acceptable limits for vibration generated by quarry blasting (the component of the quarrying activity with the potential to generate perceived or actual adverse vibration effects). Notwithstanding my evidence, and that of Mr Exeter regarding the measurement of limits under that standard, a more effective policy approach would be to clearly recognise that vibration associated with quarrying activities is enabled, and that acceptability is determined by compliance with the relevant standard so that people's health is not compromised at the zone boundary. This ensures the policy is correctly focused on enabling quarrying activity while managing external environmental effects. It also avoids conflating internal workplace safety with the District Plan's role in managing effects, or unnecessarily seeking to control ancillary activities that would otherwise be considered discretionary or non-complying under Rules QUARZ-R6 and QUARZ-R8.

b. An alternative relief would be:

Enable the generation of vibration from quarrying activities within the Quarry Zone, subject to compliance with the applicable standards to ensure effects do not compromise people's heath.

10.8. Submission points 444.48 and 444.49 seek to oppose in part and amend policy QUARZ-P7.

a. In my opinion, QUARZ-P7 inappropriately elevates the importance of retaining indigenous vegetation within the Quarry Zone in a way that conflicts with the fundamental nature of quarrying activities and the purpose of the zone. Quarrying is an extractive activity that necessarily involves land disturbance, vegetation removal, and ongoing modification of the landform. Embedding a policy direction that prioritises vegetation retention within the zone is inconsistent with the enabled activities and creates internal tension within the planning framework.

b. Elevating the importance of retaining indigenous vegetation across the entire Quarry Zone, outside of any specifically mapped overlay, should also be considered in light of the Certificates of Compliance held by Winstone Aggregates for the land within the zone. Those certificates confirm that vegetation outside the buffer strip (rule 6D J) and the Special Amenity Protection Area (rule 6D K) under the operative plan may be removed as a permitted activity. I note this lawful baseline here, as any broader expectation of vegetation retention would sit differently from the permissions already established under the operative framework

c. The Council officer also considers that QUARZ-P7 provides direction for mitigating effects on adjacent zones and that indigenous vegetation may assist with visual screening. However, the PDP already proposes a specific and purpose-built mechanism for identifying where vegetation is required to be retained for amenity or character reasons through the Special Amenity Area Overlay. If vegetation is necessary for screening or visual mitigation, it should be identified through that overlay, not through a general policy applying across the entire Quarry Zone. As drafted, QUARZ-P7 risks elevating vegetation retention beyond what is compatible with the enabled quarrying activities.

d. Notwithstanding my evidence below with respect to the land that the overlay has been mapped on, this policy should be clearer that it only relates to vegetation that is specifically identified as necessary to retain for amenity or character purposes, and that this is managed through the proposed overlay rather than through a standalone vegetation-retention directive within the Quarry Zone. If the policy were to be retained, it would be more appropriate for it to be amended to explicitly recognise that the management of visual amenity and character effects is addressed through

the Special Amenity Area Overlay, rather than through a general vegetation-retention policy within the Quarry Zone.

e. In summary, in my opinion QUARZ-P7:

   i. Elevates the importance of retaining indigenous vegetation within the Quarry Zone in a manner that is inconsistent with the extractive and land-disturbing nature of quarrying activities, and introduces an inappropriate level of constraint beyond what can be achieved lawfully by WA across the site.

   ii. Creates internal tension with the enabled activities of the zone by implying a level of vegetation protection that is not compatible with quarry operations

   iii. Would require amendment, if retained, to clarify that vegetation retention for visual amenity is managed through the Special Amenity Area Overlay rather than through a general policy within the Quarry Zone

f. For these reasons, in my opinion Policy QUARZ-P7 is not appropriate for the Quarry Zone as drafted, and if retained should be amended to reflect that the outcomes relate to specific vegetation identified (through the overlay) to minimise visual amenity and character effects rather than promote a direction for general protection of vegetation.

Quarry Zone rules and standards

10.9. Submission point 444.53 seeks to amend rule QUARZ-R4.

a. In my opinion, it is not necessary or appropriate for the PDP to specifically enable conservation activities within the Quarry Zone through Rule QUARZ-R4. The Quarry Zone is intended to provide for quarrying and associated operational activities. Conservation activities are not functionally required to support quarrying, and embedding them as a permitted activity elevates their importance beyond what is appropriate in an extractive zone.

b. The Council officer's assessment states that removing "*conservation*" from the rule would cause those activities to default to non-complying status. In my view, that outcome is unlikely. Activities of this kind would generally either form part of rehabilitation works or constitute routine vegetation management, both of which can be undertaken as permitted activities as

they come within the definition of quarrying activities. A separate permitted activity rule for conservation activities within the Quarry Zone is therefore unnecessary.

c. Rehabilitation activities, by contrast, are directly linked to quarrying and are already provided for within the definition of quarrying activities. Rehabilitation is the appropriate mechanism for managing post-extraction outcomes and reflects the operational realities of quarry staging and landform modification. Conservation activities are conceptually different and relate to ecological enhancement or maintenance of areas not subject to quarrying. These activities do not require a dedicated rule within the Quarry Zone, and their inclusion risks elevating conservation outcomes beyond what is necessary or appropriate in a zone established for extraction.

d. The officer also refers to the need to provide for conservation activities associated with QEII-covenanted land and vegetation used as visual buffers. These matters are already addressed through overlays and other PDP provisions, and by the nature of the QEII covenant. They do not require a standalone conservation rule within the Quarry Zone. Moreover, the future status of the QEII land is subject to the fast-track process, and the PDP should not embed assumptions about that outcome.

e. In summary, in my opinion Rule QUARZ-R4:

   i. Unnecessarily elevates conservation activities within a zone intended for extractive use.

   ii. Is not required to enable routine vegetation management or ecological maintenance and is unnecessary, as conservation activities would otherwise be permitted or managed appropriately under the wider PDP framework; and

   iii. Should support rehabilitation activities, where they are directly associated with quarry operations.

f. For these reasons, in my opinion a specific permitted activity rule for conservation activities within the Quarry Zone is not required, and that rehabilitation activities are better provided for in the zone.

10.10. Submission points 444.54 and 444.55 seek to amend rule QUARZ-R5.

a. The reporting officer recommends that submission point 444.54 be accepted in part seeking the deletion of the Quarry Setback Overlay. I have reviewed the officer's reasoning and consider that accepting the submission in part is appropriate and retains the relevant standards to be achieved (notwithstanding my assessment below with respect to the appropriateness of the mapped extent of the overlays). I agree with the reporting officer's conclusion and proposed amendment to this rule.

b. The reporting officer recommends that submission point 444.55 be rejected. I have reviewed the officer's reasoning and agree that a restricted discretionary activity is appropriate for this activity, and also agree with his conclusion that this submission point should be rejected.

10.11. Submission point 444.60 supports in part rule QUARZ-R8.

a. The reporting officer recommends that this submission point be rejected. I have reviewed the original submission and the proposed rule, and the rule establishing activities not provided within the quarry zone as non-complying is considered appropriate. I agree with the reporting officer's conclusion that this submission point should be rejected.

10.12. Submission point 444.62 seek amendments to standard QUARZ-S1:

a. In my opinion, greater weight should be given to the functional and operational context in which structures such as radio towers, cell towers, support structures and cement silos are located within an active quarry. These structures form important components of quarry operations, and their effects should be considered in that context. These structures are typically located on the quarry floor, with the surrounding quarry landform acting as a visual backdrop. As a result, even at heights above 24m they are generally visually unobtrusive when viewed from surrounding areas. The rule framework should reflect this operational pattern rather than assume that such structures will be placed in visually exposed locations, or seek to control structures in those locations.

b. The expert evidence of Mr Compton-Moen supports this position. He concludes that a targeted exemption for quarry operational structures located within the quarry floor, processing area or yard is appropriate, as their visual effects are likely to be low in the context of an active quarry. He has also considered the reporting officer's comments regarding a

change to the datum referenced in the standard and confirms that, given the existing quarry form and the relevant viewing distances, such a change would be unlikely to result in any additional adverse effects. The officer also notes that the bulk and location standards in the Quarry Zone are permissive and that height is the only restriction. However, this is appropriate given the nature of quarrying, where structures must be functional, adaptable, and responsive to operational needs. Applying additional consenting requirements to structures that are essential to quarry operations would introduce unnecessary regulatory burden without delivering meaningful environmental benefit.

c. Furthermore, the officer's comparison to the NES-TF is not directly relevant. Telecommunications facilities under the NES-TF are assessed in the context of the general rural environment, not within a highly modified, industrial-scale quarry setting. The visual expectations and receiving environment are fundamentally different.

d. For these reasons, and relying of the evidence of Mr Compton-Moen, I consider that exemptions for these operational structures sought by WA are appropriate and that the officer's recommendation does not reflect the functional context or the actual level of visual effects associated with these structures.

10.13. Submission points 444.65 444.66, 444.67, 444.68, 444.69 and 444.70 oppose standard QUARZ-S3.

a. WA's submission seeks amendments to Standards QUARZ-S3 to ensure that the standard:

i. Provides clear and consistent assessment location.

ii. Removes uncertainties in determining compliance, monitoring and enforcement.

iii. Clarifies communication provisions; and

iv. Removes unnecessary clauses that are more appropriately addressed by other standards.

b. In forming my opinion, I have relied on the expert evidence of Mr Exeter, who addresses the technical components of the vibration standards and responds to the assessments of the Council officer and Mr Hunt.

c. With respect to the submission points and the specific clauses of the standard, I note:

i. QUARZ-S3.2.b:

Mr Exeter's recommended relief provides certainty and consistency regarding the measurement location, and demonstrates how a proxy location can be used to maintain consistency where access is limited or reflective surfaces need to be avoided. This provides clarity and certainty for monitoring, appropriately determining compliance, and informing any enforcement action. From a planning perspective, this is an appropriate and practicable approach. In contrast, the Council's relief does not provide for a consistent measurement point or a practicable proxy location where monitoring is challenging, other than establishing that reflected pressure will be negligible at least 4 m from a building façade. I therefore agree with Mr Exeter's recommendation that clause S3.2(b) be amended as follows:

133 dB L_{Zpeak} incident on the façade of any building on another site

ii. QUARZ-S3.5:

Both Mr Exeter and the Council's expert, Mr Hunt, agree that the notified clause would be difficult to assess compliance with and should be deleted. Mr Hunt proposes an alternative clause to be included as QUARZ-S7.3(vii), and this is supported by Mr Exeter. The Council's reporting officer accepts this recommendation but nevertheless recommends retaining QUARZ-S3.5. In my experience, the Quarry Management Plan is an effective tool for managing operational effects, and the clause proposed for QUARZ-S7.3(vii) appropriately provides for methods to notify occupants of nearby sites of blasting, including irregular blasting. Retaining QUARZ-S3.5 would create an unnecessary duplication and could raise compliance issues for the reasons outlined by the experts. I therefore support the deletion of QUARZ-S3.5 and the inclusion of QUARZ-S7.3(vii) as follows:

Methods to be employed to provide prior advice to occupants of nearby sites of the timing of proposed quarry blasting including a

description of properties to be advised, the proposed method of notification and the timing of such notification prior to planned blasting.

iii. QUARZ-S3.12:

Mr Exeter recommends deleting this clause and relying instead on the DIN 4150-3:2016 Standard (as referenced in QUARZ-S3.11) to demonstrate that amenity effects are reasonable. His recommendation is based on practical issues with applying the Australian Standard AS 2187-2:2006 *Explosives – Storage and Use, Part 2: Use of Explosives* as a permitted standard. Having considered his assessment, I agree that there are notable practical limitations to demonstrating compliance, particularly with the standard including the exclusion of the top five blasts and necessitating the collation of the data from all blasts over a year before determining compliance. From a planning perspective this significantly reduces the effectiveness of the standard in demonstrating whether amenity effects are reasonable. Furthermore, notwithstanding that DIN 4150-3:2016 is designed to address structural vibration and its effects on buildings, and noting that the provisions require notification of proposed blasting, due to the infrequent nature of vibration events, I agree with Mr Exeter that it is reasonable to rely on DIN 4150-3:2016 as an indicator that amenity effects are acceptable with respect to blasting associated with the quarry activities. On this basis I agree that QUARZ-S3.12 should be deleted. *Special Amenity Area Overlay and Quarry Amenity Protection Overlay Map*

10.14. Submission points 444.72 opposes standard QUARZ-S1, whist submission points 444.76, 444.104 and 444.105 relate to the maps.

a. There are two distinct matters for consideration with these submission points:

i. Whether the standard should be corrected to refer to the Quarry Amenity Projection Overlay rather than the Special Amenity Overlay; and

ii. Whether the mapped extent of the overlays (being Areas 1, 2, and 3) are appropriate.

b. With respect to the naming and purpose of the control, the notified reference to the "Special Amenity Area Overlay" is a clear error. WA's legal submissions will address this as a scope issue; however, I note that correcting the standard to refer to the Quarry Amenity Protection Overlay reflects the intended planning purpose of the control. Should commissioners determine that there is scope to make this change (rather than delete the standard) I suggest that the use of an overlay to identify vegetation that provides specific screening and amenity benefits is a logical and effects-based method, provided that a resource consent pathway exists for activities that do not comply, which the PDP does.

c. Quarrying in Area 1 (Dry Creek) has ceased, and retaining the overlay across this area is not opposed. Similarly, Area 2 (Firth Block) is subject to a QEII covenant is not proposed to be quarried, retaining the overlay across this area is also not opposed. It is noted that, separate to this Plan Review Process, Areas 1 and 2 are located on land proposed for inclusion in the land exchange under the Fast-track Approvals Act and are anticipated to form part of the regional park. If the land exchange is approved and that land becomes Crown reserve, the QAPO over those areas would serve no purpose. That is something the Panel will need to consider as part of the re-zone request later in the year.

d. Area 3 is identified by the reporting officer as mitigating the visual effects of the quarry on the residential areas to the east of the existing quarry. No specialist landscape or visual evidence is provided by the council to support this position.

e. The specialist landscape and visual assessment undertaken for WA by Mr Compton-Moen concludes that the mapped QAPO on Area 3 is not necessary from a landscape or visual amenity perspective. As outlined in his expert evidence, Mr Compton-Moen's assessment found that vegetation removal in this area would result in minor (Low) effects at most, with views from Manor Park, Taitā, the Hutt River corridor, State Highway 2, and nearby trails either already containing visible quarry elements, being partially screened by existing vegetation and landform, or occurring at

distances where effects are negligible. Mr Compton-Moen identifies that the quarry is an established feature in these views, and any change would be perceived as an extension of an existing activity rather than a new or prominent visual intrusion.

f. In addition, as outlined in the evidence of Mr Heffernan, enabling quarrying in Area 3 provides access to a significant aggregate resource, which is wholly consistent with the enabling purpose of the Quarry Zone and the direction in the planning framework to recognise the operational and functional need for quarrying activities to occur in particular locations, in this case part of the zoned quarry and contiguous with the existing quarry activities.

g. In this context, and relying on the evidence of Mr Compton-Moen and Mr Heffernan, retaining the overlay over Area 3 would provide limited amenity benefit and unnecessarily constrain access to a significant aggregate resource, and it is considered that the operational and strategic benefits of accessing this resource outweigh any limited amenity value associated with retaining the mapped vegetation. This outcome would be contrary to the enabling purpose of the Quarry Zone and the planning framework.

h. In summary:

   i. It is acknowledged that correcting the reference in QUARZ-S5 to the Quarry Amenity Protection Overlay reflects the intended planning purpose.

   ii. Retaining the overlay over Areas 1 and 2 is not challenged, although it is noted that these areas are anticipated to form part of the regional park should the land exchange under the FTAA progress, and in respect to Area 1, no longer actively quarried so may not be necessary.

   iii. Area 3 does not provide meaningful amenity or screening, as confirmed by the evidence of Mr Compton-Moen, and retaining the overlay over Area 3 would unnecessarily constrain access to a significant aggregate resource, contrary to the enabling purpose of the Quarry Zone and the planning framework. The PDP should not elevate vegetation retention in Area 3 where the effects-based justification is not supported by evidence

i. Should the Panel form a view that a mapped visual amenity protection area of vegetation is required, in his evidence Mr Compton-Moen has identified that the most appropriate area would be the narrow edge strip along the State Highway 2 / Western Hutt Road and Hutt River corridor side of the site. Along this area, Mr Compton-Moen identifies that that a 10m wide strip (allowing for access to the site) would be effective at filtering low-level views of the quarry floor, processing area and vehicle movements from the closest public road and river corridor viewpoints. I agree with Mr Compton-Moen that this would be the limit of necessary visual amenity protection required in the context of the existing lawfully established quarry and existing environment. In this location, the overlay would result in a balanced policy approach that recognises the existing environment and context, provides a meaningful control to address effects (if the panel are satisfied that there are still effects), and does not unreasonably constrain quarrying activities and limit the significant benefit of accessing the resource. This buffer can be mapped as the QAPO in this area, no changes would be required to the provisions of the Quarry Zone (other than those outlined in my evidence).

10.15. Submission point 444.73 opposes standard QUARZ-S6.

a. The reporting officer recommends that this submission point be rejected and proposes an amendment. I have reviewed the original submission and the amended standard, and I agree with the reporting officer's amendment. This reflects that the Quarry Management Plan includes the methods for managing risks of landslide and erosion hazards within the quarry zone and appropriately reflects the operational context of the quarry.

Quarry Zone Protection Overlay Rules and standards

10.16. Submission points 444.80 and 444.81 seek to amend GRUZ -QZPO-P1 and RLZ-QZPO-P1.

a. The reporting officer recommends that this submission point be rejected. I have reviewed the original submission and the officer's reasoning, and I agree that the QZPO is the appropriate spatial tool for managing reverse sensitivity effects, and that it should apply to the mapped extent of the overlay only.

b. The overlay is an essential for managing reverse sensitivity effects on the quarry. The overlay provides a clear and spatially defined mechanism for identifying where additional consideration is required when sensitive activities are proposed. While I agree with the officer's conclusion that the QZPO should be retained as the primary tool, I consider that the PDP could more effectively address reverse sensitivity effects that this overlay seeks to control by including specific direction within the notification provisions.

c. There are two options for available to the panel to strengthen the notification framework for sensitive activities (e.g. residential activities) within the QZPO:

   i. The plan could prescribe a rule requiring public notification for sensitive activities within the QZPO where written approval from the quarry operator is not provided. This would ensure transparent consideration of reverse sensitivity effects and appropriately recognise the operator's role in managing those effects.

   ii. Alternatively, the plan can require explicit consideration of the quarry operator as an affected person. This would ensure that the potential for reverse sensitivity effects are appropriately assessed at the time of application, and that the operator has the opportunity to provide input where relevant. An appropriate amendment to achieve this outcome would be to include a clause within the notification provisions requiring the specific consideration of the quarry operator for sensitive activities within the QZPO. For example:

      When deciding who is an affected person in relation to any application for Residential Activities or Visitor Accommodation within the Quarry Zone Protection Overlay, for the purposes of section 95E of the Resource Management Act 1991, the council will give specific consideration to the quarry operator.

d. This approach would strengthen the effectiveness of the QZPO by ensuring that reverse sensitivity effects on the quarry operator are explicitly considered at the notification stage, while avoiding unnecessary restrictions on activities outside the overlay. Importantly, this enables the provisions to effectively recognise that reverse sensitivity effects are to be considered for activities within the QZPO, whilst also acknowledging and identifying that it

is the existing quarry operations and activities enabled in the Quarry Zone that potentially impacted by activities in the QZPO. These clauses therefore provide a clear and efficient pathway for applicants, the Council, and the quarry operator.

10.17. Submission points 444.82, 444.83, 444.84, 444.85, 444.86, 444.87, 444.88, 444.89, 444.90, 444.91, 444.92, 444.93 all seek to amend GRUZ -QZPO-R1/RLZ-QZPO-R1, GRUZ -QZPO-R2/RLZ-QZPO-R2, and GRUZ -QZPO-R3/ RLZ-QZPO-R3.

a. The reporting officer recommends that all of these submission points be rejected on the basis that the matters of discretion are appropriate to provide a broad scope of assessment, and that non-complying activity status would be too restrictive for activities within the QZPO.

b. As outlined in my evidence above, to be consistent with the framework established by the NPS-I to enable quarrying, as well as the recognition of the operational needs of quarries within the NPS-IB and NES-FW, the provisions of the PDP need to reflect the operational realities of the quarry, and ensure that the intent of the zone is not undermined by unnecessary or unintended constraints. In this regard, the QZPO plays a critical role in managing reverse sensitivity effects from activities that may constrain quarry activities. In this case, the relief sought by WA to include the standard proposed sets a clear, reasonable, and enforceable limit for design and construction of buildings containing sensitive activities provides a practical and effective planning provision to manage these effects.

c. In terms of activity status, I recognise the reporting officers concerns that the non-complying status would be restrictive, however given the importance of managing effects associated with these activities due to their potential impact on activities enabled in the Quarry Zone, defaulting to a non-complying activity is not considered unreasonable in my opinion.

d. Further to these points, including the sensitive activities in the QZPO specifically consider the quarry operator is an appropriate relief to these submission points too.

11. Overall Conclusion and Recommendation

11.1. Overall, while the officer's report generally recognises that the relief sought seeks to ensure that the Quarry Zone appropriately enables quarrying and

associated activities in line with the planning framework, it nevertheless recommends retaining provisions that elevate vegetation protection and off-site amenity considerations above the significant contribution of the resource, the existing lawful activities, and the functional and operational need associated with quarrying. In my opinion, this approach does not reflect the intended purpose of the Quarry Zone, nor the established planning framework that supports essential quarrying activities and their effects-based management.

11.2. In my opinion, the relief sought by Winstone Aggregates is consistent with:

a. The direction set by the NPS-I, NPS-IB, NPS-FW which supports enabling provisions that recognise the operational realities, and national and regional significance of quarrying.

b. Reflects that an appropriate recognition of the functional and operational needs of quarrying.

c. Provide provisions that support the efficient use of natural resources

d. Provide an appropriate resource management framework for managing quarrying activities and their effects, and

e. Deliver on the intended purpose of the Quarry Zone and QZPO.

11.3. I therefore recommend that the Hearing Panel accept Winstone's requested relief for the submission points addressed in this evidence.



Colin Robert Hopkins
02 July 2026