

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).

**MEMORANDUM OF COUNSEL ON BEHALF OF WINSTONE AGGREGATES ON
TIMING OF HEARING REZONE REQUEST**

Dated: 6 May 2026.

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MAY IT PLEASE THE PANEL:

Introduction

1. Last week, Winstone filed legal submissions and planning evidence for Hearing Stream 1 and appeared before the Panel to present them, seeking that the hearing of the Special Purpose Quarry Zone be deferred so that Winstone's rezoning request could better align with the Belmont Quarry Development fast-track application on which they are contingent.
2. The Chair asked whether counsel saw any difficulty with splitting the hearing of the Quarry Zone and the rezone requests, continuing with the Quarry Zone (as scheduled) in July, but deferring Winstone's quarry related rezone requests until later in the year when more detail about Winstone's fast-track application was available.
3. Having considered the Chair's suggestion, Winstone agrees that the matters can be separated. The Quarry Zone provisions (objectives, policies, methods, rules, etc) can be heard in July 2026. Winstone's rezoning requests can be deferred to December 2026 to be heard as part of the integration hearing.
4. The topics to be deferred to December would include:
 - a. The request to Rezone a 29.04 ha area of land that is proposed to be transferred to Winstone to form the new overburden disposal area as Special Purpose Quarry Zone with an Overburden Disposal Area overlay and associated definition (submission points 444.4, 444.5, 444.94).
 - b. Rezoning various parcels of land that are proposed to be transferred to the Department of Conservation to Natural Open Space Zone with a Quarry Zone Protection Overlay (submission point 444.95 and 444.108);
 - c. Consequential submission points, including the proposed inclusion of a definition and mapping of an Overburden Disposal Area Overlay (submission points 444.4 and 444.5) and rules for activities in the Overburden Disposal Area Overlay (444.11, 444.56 and 444.57). It is noted that there may be further consequential submission points that become apparent as things evolve.

5. The submission points that are proposed to be addressed in the integration hearing are, in essence, consequential on Winstone being granted fast track approval. That application will be more progressed by December 2026. Winstone hopes to keep the extension of the Special Purpose Quarry Zone (limited to overburden disposal activities and excluding resource extraction) relatively discrete to avoid the need to revisit the quarry zone technical evidence.
6. Hearing Winstone's rezone requests towards the start of the integration hearing, would mean that any consequential changes identified to the Special Purpose Quarry Zone or the wider quarrying provisions could be addressed during the remainder of the plan integration hearing (if required). Panel members, experts, and reporting officers are already scheduled to participate in that hearing, so this approach would minimise disruption.
7. Winstone intends to provide Council officers with relevant material in support of its rezone request to allow time for this to be thoroughly canvassed in the officers' reports.



Pherne Tancock/Duncan Ballinger
Counsel on behalf of Winstone Aggregates.