

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 2 **(HS2)**
Overarching Issues and
Objective, Integrated
Management

SUBMITTER Winstone Aggregates

**STATEMENT OF PLANNING EVIDENCE OF PHILIP WAYNE HEFFERNAN ON
BEHALF OF WINSTONE AGGREGATES ON HEARING STREAM 2 (HS2)
INTEGRATED MANGEMENT.**

DATED: 28 JUNE 2023.

1. SUMMARY OF EVIDENCE

- 1.1. This evidence is presented to highlight the oversight of Winstone Aggregates' submission point on Objective A in the Proposed Change 1 (PPC1) to the Regional Policy Statement for the Wellington Region in the officers 42A report. Winstone's submission on Objective A, emphasised the importance of recognising mineral extraction activities within this key objective, a vital component for increasing housing supply, maintaining and improving infrastructure, and minimising carbon emissions.
- 1.2. Winstone sought relief by proposing a new bullet point to this Objective reflecting the significance of protecting and utilising the region's mineral resources, aligning with the sentiments of the RSI group and Fulton Hogan. However, the Officer's Report has overlooked Winstone Aggregates' submission.
- 1.3. This evidence will evaluate the arguments presented in the Officer's Report, focusing on its treatment of mineral resources, the need for them to be recognised as being a vital part of integrated management and its response to similar submissions, and its dismissal of the role of aggregate extraction in the regions key policies.

2. INTRODUCTION

- 2.1. My name is Philip Wayne Heffernan, and I am contracted as a Principal Planner and a Project Manager at Winstone Aggregates (**Winstone**). I have been fulfilling these roles since 2023.
- 2.2. I hold a Bachelor of Applied Science degree in Natural Resource Management from Massey University, and I am an Associate Member of the New Zealand Planning Institute and a member of the Resource Management Law Association.
- 2.3. With over 19 years of experience in resource management and planning in New Zealand, I have worked in both the public and private sectors, managing planning teams, overseeing projects, preparing resource consent applications, providing expert evidence at hearings and resource management and planning advice to a diverse range of clients.
- 2.4. Prior to my work with Winstone, I served as the Planning Manager and Principal Planner at Wood and Partners Consultants from 2015 to 2022. Previously, I held positions with at Babbage Consultants Limited, Jacobs (formerly Sinclair Knight Merz) and Auckland City Council.
- 2.5. In this instance, I am representing Winstone Aggregates and providing Planning evidence to support their submissions. I confirm I am authorised to give evidence on their behalf.
- 2.6. I confirm that I have complied with the Environment Court's Code of Conduct for expert witnesses, as stated in the Environment Court of New Zealand's Practice Note 2023. In preparing this evidence, I affirm that my expertise covers the matters discussed unless I explicitly rely on the evidence of others. Moreover, I confirm that I have considered all material facts known to me that may impact or detract from my stated opinions.

3. SCOPE OF EVIDENCE

- 3.1. The purpose of my evidence to provide a planning evaluation of the Winstone Aggregate submission, other relevant submissions, the relevant 42A report¹

¹ Wyeth, Jerome (4Sight Consulting Ltd, Section 42A Hearing Report: Overarching Issues and Objective / Integrated Management, 16 June 2023).

and Proposed Change 1 (PPC1) as it relates to the topic of Hearing Stream 2 (HS2) Overarching Issues and Objective, Integrated Management.

3.2. My evidence will address the following matters:

- The oversight of Winstone's submission on Objective A by the Officer's Report.
- The alignment of Winstone's relief sought with the submissions made by the RSI group and Fulton Hogan.

4. BACKGROUND

4.1. Winstone Aggregates, (a division of Fletcher Concrete and Infrastructure), holds a prominent position in the aggregates industry in New Zealand. With a rich history dating back to the 19th century, Winstone has established itself as the largest manufacturer and distributor of aggregates in the country. The company operates numerous extraction sites across New Zealand, including the Wellington region, where it plays a significant role in meeting the demand for aggregates.

4.2. Please refer to my previous evidence on PPC1² for a comprehensive background on Winstone Aggregates.

5. OVERVIEW OF PPC1 - IMPLICATIONS FOR WINSTONE AGGREGATES

5.1. Winstone submitted on Objective A, noting a lack of recognition of mineral extraction activities in this pivotal introductory objective. Continued access to mineral resources in close proximity to the market is required to achieve the goals of increasing housing supply, maintaining and improving infrastructure, and minimising carbon emissions.

5.2. Winstone's relief sought proposed a new bullet point that reflects Objectives 9 and 11 in the NRP, be added to Objective A stating:

- *'Recognises the benefits of protecting and utilising the region's significant mineral resources.'*

² Heffernan, Philip (Winstone Aggregates, Statement of Planning Evidence of Philip Wayne Heffernan on Behalf of Winstone Aggregates: Plan Change 1, 13 June 2023).

6. RELEVANT SUBMISSIONS AND EVIDENCE

- 6.1. Winstone's amendment to Objective A aligns with the RSI group and Fulton Hogan who sought similar relief to Winstone's. Despite this alignment, the Officer's Report has overlooked Winstone's submission.

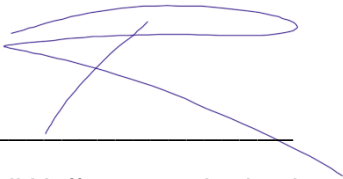
7. REVIEW SECTION 42A OFFICER REPORT

- 7.1. The Officer's Report suggests in paragraphs [116/117] that the intention is not to assign more importance to differing issues. Whether that is the intention or not, is not that relevant. In my opinion, the effect of mentioning some matters in this overarching Objective A and not others does assign a tier of importance and is an example of "picking winners." If this is an overarching objective for the plan, it should capture all key issues aggregates and soils being finite physical resources are key to that.
- 7.2. The Officer's Report in paragraph [118] employs reasoning that ignores valid issues in the integrated management objective. The report points to a silo objective for infrastructure and development. In the RMA, the mineral resource is considered a physical resource and therefore deserves recognition if other physical resources are being named. Regional direction should give some importance to providing for this issue. I do not understand why the Officer has taken a differing approach to matters to ecosystems and freshwater, both mentioned in Objective A – those topics also have their own Objectives in their own Chapters but the Officer has not sought to confine them in that way.
- 7.3. The Officer's Report rejects Fulton Hogan's submission at [120] and does not recommend any amendments.
- 7.4. Paragraph [132] of the 42A Report does recommend amending Objective A, however in my opinion it does not go far enough to ensure adequate recognition of mineral resources to the region. As noted in legal submissions presented by Winstone Aggregates in HS1 it is not appropriate to take this restrictive and confined approach to aggregate and soils, by confining any mention of them in the plan to only the Soils and Minerals chapters.

8. CONCLUSION

- 8.1. Winstone Aggregates' submission point, which was overlooked by the Officer's Report, is critical to the plan's overarching objective. The proposed amendments, particularly at paragraph 132, may not sufficiently capture the importance of mineral resources.
- 8.2. Ignoring mineral extraction activities in the key Objective for integrated management, (and setting up the same silo approach to the policies) for the region is not true "integrated management." It is essential to take a consistent stance with them on this matter. I reiterate the argument put forward in the original submission by Winstone Aggregates regarding including the significance of mineral resources within Objective A.

Signature

A handwritten signature in blue ink, consisting of a large, stylized loop at the top and a long, sweeping stroke that extends downwards and to the right.

Phil Heffernan authorised to give evidence on behalf of
Winstone Aggregates.

Dated 28 June 2023

ATTACHMENT A QUALIFICATIONS AND EXPERIENCE OF PHIL HEFFERNAN

Career Summary	2023 - Now	Project Manager and Principal Planner Winstone Aggregates
	2022- Now	Director and Principal Planner 7Lab Limited
	2015 – 2022	Wood and Partners Consultants Ltd – Planning Manager and Principal Planner
	2014 – 2015	Babbage Consultants Limited - Planning Manager
	2012 – 2014	Jacobs – Auckland Environmental and Planning Team Leader
	2010 – 2012	Jacobs – Senior Planner
	2005 – 2010	Jacobs - (formally Sinclair Knight Merz) - Environmental Planner
	2004 – 2005	Auckland City - Regulatory Planner
Qualifications	Bachelor Applied Science – Natural Resource Management	
Affiliations	Associate New Zealand Planning Institute	
	Member Resource Management Law Association	