

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

ENV-2024-WLG-000051

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 **WINSTONE AGGREGATES**
Appellant

AND **WELLINGTON REGIONAL COUNCIL**
Respondent

**NOTICE OF INTENTION TO BE A PARTY TO PROCEEDINGS UNDER
SECTION 274 ON BEHALF OF FULTON HOGAN LTD**

9 December 2024

**ADD IN CONTACT PERSON DETAILS
AND ADDRESS**

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. **Fulton Hogan Ltd (Fulton Hogan)** wish to be a party to the following proceedings:
 - a) Winstone Aggregates (**Winstone**) appeal against the decision of the Wellington Regional Council on proposed Plan Change 1 to the Wellington Regional Policy Statement.
2. **Fulton Hogan** made a submission and further submission on proposed Plan Change 1 to the Regional Policy Statement on provisions to which Winstone has appealed. Fulton Hogan made similar submissions and supported Winstone Aggregates position in its further submission on RPS-PC1.
3. **Fulton Hogan** is a trade competitor of Winstone's for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Fulton Hogan, (as a fellow operator of aggregate quarry's in the Wellington Region) is also directly affected by the RPS-PC1 provisions that have been appealed by Winstone, the impact that the RPS-PC1 has on the Region's aggregate industry will impact all operators and be felt industry wide.
5. No trade competition effects arise as a result of Fulton Hogan's support of Winstone's appeal.
6. The part of the proceedings Fulton Hogan are interested in are:
7. All of the Appeal.

8. Fulton Hogan Limited, including its subsidiaries and joint ventures, is the largest producer of aggregate in the country. The company has a large presence in the Wellington Region, building, maintaining and supporting regional infrastructure. The company also operates two quarries in the region, one in its own right and a second through a joint venture operation. The provision of these services and the supply of aggregates for construction, are strategic and essential to the future development of infrastructure in the region.
9. Fulton Hogan support the entirety of Winstone's Notice of Appeal and the relief requested by Winstones in its appeal.
10. In particular Fulton Hogan consider that the relief requested by Winstone is necessary to ensure that the RPS-PC1 and provisions:
 - (a) Properly recognise the importance and benefits of aggregates and quarrying;
 - (b) Ensure that the RPS provided 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.
 - (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.

11. Fulton Hogan agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 9 December 2024



TIM TALBOT, GENERAL MANAGER (HS&E)

NAME counsel for Fulton Hogan Ltd or

Person authorised to sign on behalf of Fulton Hogan

Address for service of the appellant:

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Documents for service on the s274 party may be left at that address for service or may be emailed to the [contacts email]