

BEFORE THE WAIKATO REGIONAL COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Submissions and Further Submissions lodged by Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited) and Fulton Hogan Limited on the Proposed Waikato Regional Plan Change 1.

STATEMENT OF PRIMARY EVIDENCE OF SHARON DINES

FOR

WINSTONE AGGREGATES (A DIVISION OF FLETCHER CONCRETE AND INFRASTRUCTURE LIMITED) AND FULTON HOGAN LIMITED

**Submitter ID 73992
Submitter ID 74048**

15 FEBRUARY 2019

**Part A: Overview and Context
Part B: Overall Direction, Values and Uses, Science and Economics, Objectives,
Limits and Targets**

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EXECUTIVE SUMMARY

- A. Fulton Hogan Limited (Fulton Hogan) and Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited) (Winstone) each own and operate three quarries in the Waikato region that take, use and then discharge water, potentially containing contaminants (primarily sediment), to land or water. These operations may be affected by the provisions of Proposed Waikato Regional Plan Change 1 (PC1).
- B. Fulton Hogan and Winstone lodged submissions and further submissions on PC1 that, in general terms, seek to ensure the provisions of PC1:
- give effect to, and are consistent with, the Vision and Strategy for the Waikato and Waipa Rivers ('Vision and Strategy') and the National Policy Statement for Freshwater Management ('NPSFM');
 - allow people and communities in the Waikato region to continue to provide for their economic and social wellbeing, while giving effect to the Vision and Strategy; and
 - are clear, fair and workable for resource users.
- C. The submissions and further submissions lodged by Fulton Hogan and Winstone have been given effect to in the relief recommended in the section 42A report. In my opinion, the changes proposed in the section 42A report are appropriate and will give effect to the Vision and Strategy and the NPSFM more effectively than PC1 as notified.

1.0 INTRODUCTION

- 1.1 My full name is Sharon Gail Dines. I am a planner and senior principal at Boffa Miskell Limited, a national firm of consulting planners, ecologists and landscape architects.
- 1.2 I hold the qualifications of Master of Science (Technology) (Hons) in Earth Sciences from the University of Waikato and Post Graduate Diploma (Distinction) in Resource Studies from Lincoln University. I am a full member of the New Zealand Planning Institute and a member of the Resource Management Law Association.
- 1.3 I have over 20 years' experience in planning and environmental management in both the corporate and consulting fields. I have a wide range of experience in providing strategic resource management advice, managing environmental projects, representing clients in plan development processes, acquiring resource consents, preparing assessments of environmental effects, and managing stakeholder engagement. Much of the work I have undertaken has been on large and often complex projects related to commercial property, industry and infrastructure.
- 1.4 I have represented clients in regional plan development processes in Northland, Auckland, Hawkes Bay, Canterbury and Southland.
- 1.5 I have assisted Fulton Hogan Limited (Fulton Hogan) and Winstone Aggregates Limited (a division of Fletcher Concrete and Infrastructure Limited) (Winstone) in the preparation of their submissions and further submissions on Proposed Waikato Regional Plan Change 1 – Waikato and Waipā River Catchments (PC1).
- 1.6 While this matter is not before the Environment Court, I have read the Code of Conduct for expert witnesses in the Environment Court Practice Notes and I agree to comply with it. I am also satisfied the evidence in this statement is within my area of expertise, except where I state that I am relying on the evidence of another person. I am also not aware of any material facts that I have omitted that might alter or detract from the opinions that I express in this evidence.
- 1.7 In preparing this statement of evidence, I have relied on the evidence of Mr Dan McGregor and Mr Phill Houben.

2.0 SCOPE OF EVIDENCE

- 2.1 I have been engaged by Fulton Hogan and Winstone to provide a planning analysis of PC1 and the recommendations in the Section 42A Hearing Report Part A and Part B ('S42A report') including recommended tracked changes to the text of PC1.
- 2.2 I have reviewed the S42A report prepared by the Council officers and the tracked changes version of Plan Change 1 that accompanied it. I commend the Council officers on the work undertaken in preparing the S42A report and note that in many cases the relief sought in submissions and further submissions lodged by Fulton Hogan and Winstone is recommended to be accepted.

3.0 BACKGROUND

Fulton Hogan and Winstone activities in the Waikato and Waipā River catchments

- 3.1 As discussed in the evidence of Mr Houben, Fulton Hogan employs over 5,000 staff in a range of industries. In the Waikato region this includes construction, asphalt production and quarrying. The key industry in Fulton Hogan's portfolio potentially affected by PC1 is quarrying. Fulton Hogan owns three quarries in the Waikato region at Waingaro, Tauhei and Tuakau.
- 3.2 The Waingaro greywacke quarry is located in the Firewood sub-catchment; the Tauhei greywacke catchment is located in the Mangawara sub-catchment and the Tuakau sand quarry is located in the Whakapipi sub-catchment.
- 3.3 Mr McGregor states that Winstone employs over 400 staff across New Zealand. Within the Waikato Region, Winstone has operations at Pukekawa, near Tuakau, Meremere and Whitehall, near Karapiro.
- 3.4 The Pukekawa sand and basalt quarry is located in the Waikato at Tuakau Bridge sub-catchment, the Meremere greywacke quarry is located in the Whangamarino at Island Block Rd sub-catchment and the Whitehall greywacke quarry is located in the Karapiro sub-catchment.

Fulton Hogan and Winstone Interests in PC1

- 3.5 Both Fulton Hogan and Winstone are well established, long standing companies in the Waikato region. As described by Mr McGregor and Mr Houben, quarrying operations take, use and then discharge water, potentially containing

contaminants (primarily sediment), to land or water. The operation of these quarries and the associated point source discharges to land or water therefore will therefore be potentially affected by the provisions of PC1.

3.6 As both Mr Houben and Mr McGregor state, the companies are supportive of the direction and pace of change required by PC1 as notified and as recommended to be amended by in the S42A report and their key interests are to ensure that the provisions of PC1:

- give effect to, and are consistent with, the Vision and Strategy for the Waikato and Waipa Rivers ('Vision and Strategy') and the National Policy Statement for Freshwater Management ('NPSFM').
- allow people and communities in the Waikato region to continue to provide for their economic and social wellbeing, while giving effect to the Vision and Strategy; and
- are clear, fair and workable for resource users.

3.7 In the following section of my evidence, I set out the key changes that Fulton Hogan and Winstone seek in their submissions and further submissions, an analysis of the Council officers' recommendations in the S42A report and my recommendations for any additional changes I consider to be necessary.

4.0 PROVISIONS OF THE PROPOSED WAIKATO REGIONAL PLAN CHANGE 1

4.1 Fulton Hogan and Winstone each made the same five primary submission points and a number of further submissions on the provisions of PC1 covered by the Block 1 Hearings on PC1.

4.2 Submissions related to:

- The overall direction of PC1;
- Consistency of terminology with the NPSFM;
- Amendments to Objective 2;
- Amendments to Objective 3; and
- Amendments to Objective 4.

4.3 Further submissions related to:

- The overall direction of PC1;
- Additional Freshwater Management Units;
- Changes to Values and Uses for the Waikato and Waipa Rivers;
- Amendments to Objective 1;
- Amendments to Objective 2;
- Amendments to Objective 3;
- Amendments to Objective 4;
- Amendments to Objective 5; and
- Tables 3.11-1 and 3.11.2.

4.4 Many of the submission points on which Fulton Hogan and Winstone made opposing further submissions have been recommended to be rejected by the officers in the S42A report, due to insufficient information supporting the relief sought, or insufficient detail in the submission to implement the relief sought. I support these recommendations for the reasons stated in the S42A report and do not intend to address the further submissions of Fulton Hogan and Winstone in this statement of evidence. Rebuttal evidence will be prepared if required once the primary evidence of those submitters has been reviewed.

4.5 In the following subsections of my evidence, I address the matters set out in paragraph 4.2 above.

Overall Direction for PC1

4.6 In their general submissions, Fulton Hogan and Winstone¹ both supported the Vision and Strategy and PC1 as notified. As noted in section B.1.2 of the S42A report, a significant number of submissions sought changes to the 10-year and 80-year timeframes over which Objectives 1 and 3 should be achieved.

¹ Fulton Hogan submission, page 2. Winstone submission page 2.

4.7 In my opinion, the 10-year and 80-year timeframes are appropriate and should be retained. PC1, as notified, was developed through a collaborative process involving a number of participants in the Collaborative Stakeholder Group (CSG) who represented all key stakeholder sectors in the Waikato and Waipa catchments. The CSG sought robust technical advice on a range of technical matters relating to a range of matters, including for example, water quality and economics. The individual members of the CSG engaged with a broader group of each of their sectors and participated in public forums which canvassed the views of the wider community and fed those views back into the plan development process. The CSG then collectively decided on the extent of water quality improvement that was necessary to achieve the Vision and Strategy and the timeframe over which it should be achieved. From a planning perspective, I consider the process undertaken to derive key Objectives 1 and 3 of PC1 was technically and procedurally robust and canvassed opinion from a large number of parties that represented a cross section of the views of the broader Waikato and Waipa communities. Accordingly, I support the S42A report recommendation to retain the 10-year and 80-year timeframe and the numerical objectives of Objectives 1 and 3.

Consistency with NPSFM

4.8 Fulton Hogan and Winstone made submissions seeking that the terminology used in PC1 is amended to ensure it is consistent with the NPSFM. This is addressed in section B4.3.1 of the S42A report² where the officers recommend that the amendments sought by the companies are accepted.

4.9 I support this outcome for the reason set out in the S42A report. In addition, it assists to give effect to the NPSFM as required by s67(3)(a) of the Resource Management Act 1991 ('RMA').

Objectives 2, 3 and 4

4.10 Fulton Hogan and Winstone seek a number of changes to Objectives 2, 3 and 4 in their submissions. The changes are sought to improve the clarity of the objectives and better reflect their intent, as described in the explanatory text of PC1 and the section 32 report. In particular, Fulton Hogan and Winstone seek to ensure that the improvements to water quality that are required, occur without unduly affecting

² See paragraph 335, page 58 of S42A report.

the ability of people and communities to provide for their economic, social and cultural wellbeing. Furthermore, the companies consider that is important for reductions in contaminant losses to occur in a staged manner to provide people and communities with time to adapt.

4.11 In the S42A report, the officers recommend a number of changes to Objective 1-4, accepting some of the relief sought by Fulton Hogan and Winstone and rejecting other relief sought³.

4.12 While not all of the relief sought by Fulton Hogan and Winstone has been accepted, in my opinion, the combination of changes recommended to be made to Objectives 1-4 in the S42A report, give effect to the submissions of the companies. It is clear from the technical reports that support PC1 that achieving Objective 1 and giving effect to the Vision and Strategy is going to be challenging for the communities of the Waikato and Waipa River catchments. It is therefore important to ensure that PC1 provides sufficient time and opportunity for people and communities to adapt. In my opinion, the changes recommended to Objective 1-4 of PC1 by the officers provide for this and the specific relief sought by Fulton Hogan and Winstone is unnecessary because the issue of concern has been addressed through the combination of alternative wording recommended.

5.0 CONCLUSION

5.1 The officers have clearly invested considerable time and effort into the preparation of the S42A report. The submissions and further submissions lodged by Fulton Hogan and Winstone have been given effect to in the relief recommended in the S42A report. In my opinion, the changes proposed in the S42A report are appropriate and will give effect to the Vision and Strategy and the NPSFM more effectively than PC1 as notified.

Sharon Dines

Boffa Miskell Limited

15 February 2019

³ See section B4.3.2-B4.3.4, beginning page 61 of the S42A report.