

BEFORE THE DIRECTOR-GENERAL OF CONSERVATION

UNDER An application for land exchange, for the Belmont Quarry Development (a listed project), the Fast Track Approvals Act 2024

IN THE MATTER of land exchange application lodged by the Applicant with the Director-General of Conservation

**WINSTONE AGGREGATES (A DIVISION OF
FLETCHER CONCRETE & INFRASTRUCTURE
LIMITED)**

Applicant

**RESPONSE TO DRAFT REPORT ON LAND EXCHANGE ON BEHALF OF
WINSTONE AGGREGATES**

Dated 15 June 2026

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1. This legal memorandum forms part of Winstone Aggregate's response to the draft land exchange report issued by the Director-General of Conservation (DOC) on 29 May 2026 (**Draft Report**).
2. Winstone is grateful for the opportunity to respond to the Draft Report. It appreciates the effort that DOC and its consultants have put into reviewing and testing Winstone's land exchange proposal.
3. Winstone's land exchange proposal is a significant opportunity for the Wellington region to improve its resilience and security of supply of aggregate by enabling an extension of the life of Belmont Quarry. This project has been listed in Schedule 2 of the Fast-track Approvals Act 2024 (**Act**) because of its regional significance. Aggregate is a critical resource for infrastructure and other development.
4. Land exchanges involving conservation land have a degree of novelty and are seldom requested in Aotearoa. They involve making public conservation land available for a commercial operation. It is entirely appropriate that such a proposal is carefully scrutinised by those with relevant expertise, as is occurring through this process.
5. Winstone accepts and acknowledges many aspects of the Draft Report but equally disagrees with some aspects of the Draft Report and its accompanying appendices. It considers there are some fundamental errors, and sections in the Draft Report which unfairly criticise Winstone's land exchange proposal. We elaborate on these areas of disagreement below as Winstone's considers it important to ensure that any factual and legal inaccuracies are raised and corrected for the purposes of DOC's preparation of its final report.
6. Winstone's response to the Draft Report clarifies aspects of its land exchange application and package and offers further information updates in its proposal. This is to provide a greater level of comfort to the ultimate decision maker — the fast track panel — that the land exchange meets the relevant statutory tests and ought to be approved.
7. This memorandum is structured as follows:

- a. Areas of disagreement: we identify specific areas where Winstone disagrees with the Draft Report or considers that it unreasonably criticises or omits consideration of relevant topics. These points are discussed in further detail in individual responses by Winstone's consultants.
- b. Expert conferral: it is noted that there are areas of disagreement between technical experts, which derive from different methodologies and professional fields of expertise, information considered, or base assumptions. These matters could be efficiently addressed through an expert conferencing process at a later date, if directed by the fast track panel.
- c. Overall approach to comparative assessment of conservation values: an overarching issue is whether the test for approving land exchanges in clause 29(2) of schedule 6 of the Act requires an overall and holistic approach to the assessment of conservation values; or whether each subcategory of conservation value must have a net benefit before the exchange can be approved.
- d. Which version of the Act: a key area of legal difficulty arising in respect of this land exchange proposal is the determination of which version of the Act applies. The Act was amended after Winstone lodged its application.¹ While there is agreement that the pre-amendment provisions apply to the DOC Report, there is a lack of certainty as to whether the pre- or post-amendment version applies to the panel's consideration. While Winstone are of the strong view that the pre-amendment provisions continue to apply to the Panel's consideration of its exchange application, in light of this legal uncertainty, Winstone has developed two alternative improvement packages and proposed condition sets:
 - i. **Package A** is premised on the Act applying pre-amendment, with no discounting of the conservation values of the QEII-covenanted areas. Package A is a refined

¹ Fast-track Approvals Amendment Act 2025.

version of Winstone's originally submitted improvements package.

- ii. **Package B** incorporates the improvements proposed in Package A but goes further. It is premised on the Act as amended applying to this land exchange, with the conservation values of the QEII areas discounted in the panel's assessment. The extent of improvements offered is greater under Package B than Package A to account for the discounting of the QEII areas' values and includes improvements within the wider Belmont Regional Park (in the event the panel considers they are required).
 - e. Conditions: some comments are provided on the legality, feasibility, workability and practicability of the conditions proposed by DOC.
 - f. Other points: further points of clarification and correction are identified relating to: the application of the Conservation General Policy; the relevance of the paper road area in the DOC-Get Land, and DOC's approach to the assessment of legal and financial liabilities and risks.
 - g. Overall submission: The land exchange proposed by Winstone meets the statutory threshold in clause 29(2) (either pre- or post-amendment, under Package A or Package B respectively), and ought to be approved upon consideration of the matters set out in cl 29(1).
8. This legal memorandum takes up the opportunity offered for Winstone to clarify and update aspects of its improvements package in light of DOC's feedback. While Winstone had received some feedback from DOC and other key stakeholders prior to lodging its land exchange application, the Draft Report provides much more detailed commentary, all of which has been carefully considered.

Areas of disagreement (errors, unreasonable criticism and omissions)

9. There are several key areas where Winstone was disappointed by the tenor of the Draft Report and disagrees with the approach taken in the Draft Report and its technical appendices. The points of difference arise from a mixture of errors, misunderstandings, unreasonable criticisms, and omissions from DOC's assessment.
10. In terms of legal points, Winstone has a different view to DOC on the following points.

Interpretation of the test in cl. 29(2)

11. DOC's overall approach to the statutory test for approving a land exchange in clause 29(2) appears to be one that requires a net benefit for each sub-category of conservation values. DOC's summary of its technical advice is that there is a net benefit for some types of conservation values (landscape, natural character and terrestrial fauna) but no net gain for other types of values (biodiversity – flora and recreation). DOC also notes there is no difference and therefore "no gain" for cultural heritage values and freshwater ecology values (i.e. these values are neutral).² The Draft Report is compared as a comparative analysis of conservation values, and does not provide a recommended outcome. However the tenor of the Draft Report is that based on the assessed values the exchange does not meet the clause 29(2) test.
12. Winstone does not agree with the suggestion that there needs to be a net benefit for each sub-category of conservation values. Instead it considers that an overall or holistic approach to conservation values is required by the Act. The reasons for this view are expanded upon later in these submissions (see paragraphs 41 to 54 below).

Discrepancies in calculating overall values

13. There are methodological discrepancies in the way in which DOC's experts have approached their technical assessments. These mean that the assessments are not comparable with those put forward by Winstone

² Draft Report at page 55.

nor undertaken on a like-for-like basis. One particular area of difficulty is how the DOC Report has collated various sub-values for the purposes of deriving an overall assessment of the conservation values of the DOC-Get areas. This concern is elaborated upon in Winstone's planning response and the peer review memorandum provided by Dr Graham Ussher, which accompany these submissions.³

14. In Winstone's submission, the lack of consistency and transparency in DOC's overall assessment is a potential legal error in DOC's assessment of the conservation values of the exchange parcels. Clause 26(1)(a) requires DOC's report to provide information about the conservation values of the land concerned, and a comparative assessment of the values that relate to each area of land concerned. This information must be presented in a clear, rational and consistent manner in order to meet the purposes for which DOC's report is prepared.

Cultural values and approach to improvements

15. The Draft Report implies that there will be no benefit to cultural values from the land exchange. It says that "based on the cultural values assessment the DOC sites appear to provide opportunities for partnership and active kaitiakitanga, which accords with the principles of the Treaty of Waitangi — but only through the improvements offered not through the land exchange itself".⁴ This suggests that opportunities for partnership and active kaitiakitanga are not considered to be a benefit of the land exchange.
16. For the reasons set out in Wikaira Consulting Ltd's memorandum,⁵ the Draft Report does not adequately engage with the findings of the Cultural Values assessment prepared by Hīkoikoi Management Limited, the mandated representative of Taranaki Whānui ki te Upoko o Te Ika. s9(2)(ba)(i)

[REDACTED]

[REDACTED]

³ Wikaira Consulting memorandum dated 15 June 2026; RMA ecology memorandum dated 14 June 2026 at point 1 "Merits of assessment approaches".

⁴ Draft Report at page 53.

⁵ Wikaira Consulting Ltd memorandum dated 15 June 2026

17. Winstone submits there is also a legal error in the Draft Report by DOC in not factoring in the strengthening of cultural values because of a view that it arises from the improvements not the land exchange itself. Clause 29(2) indicates that when assessing whether the land exchange enhances the conservation values, consideration can be given to the whole exchange package (including any money that may be offered and conditions that may be imposed),⁶ which for this land exchange include improvements and opportunities for partnership and active kaitiakitanga. These improvements and opportunities arise because of the land exchange — they are part of the proposed land exchange package — so they must form part of the panel's cl 29(2) assessment.
18. The Draft Report has erred in failing to have regard to the cultural evidence that there will be a strengthening of cultural values and overall uplift of conservation outcomes from the land exchange (and the ensuing improvements that arise out of the land exchange), including its conditions, being approved.

References to Greater Wellington Regional Council managing the land

19. There are suggestions in the Draft Report and supporting appendices that the DOC-Get land is intended to form part of Belmont Regional Park once the land exchange is implemented.⁷
20. Those suggestions are incorrect. The DOC-Get areas are proposed to be managed by DOC, and not to form part of Belmont Regional Park, following the implementation of the land exchange. This is because the statutory test, at the time the land exchange application was lodged, requires enhancement of conservation of conservation values on land managed by DOC.⁸ DOC confirmed with Winstone in pre-application consultation that management of the land following exchange would be by DOC for the foreseeable future.⁹

⁶ Under both the pre-amendment and post-amendment versions of cl 29(2).

⁷ For example page 42 of the Draft Report notes a potential health and safety hazard for anyone using these areas once they are incorporated into the Belmont Regional Park. This implies that the DOC-Get areas are to be incorporated into Belmont Regional Park, when that forms no part of Winstone's proposal.

⁸ Clause 29(2) and 34(3), pre-amendment.

⁹ Memorandum from Emma Fahey (DOC) to Phernne Tancock (Winstone's Counsel), dated 4 July 2025, at paragraph 7.1.

21. There is a similar misunderstanding in Mr Matt Ward’s statement of advice where he refers to a requirement to “ascertain whether this application will benefit the DOC estate and the [Belmont Regional Park]”.¹⁰ There is no requirement under the Act to consider whether the application will benefit Belmont Regional Park. The clause 29(2) direction requires the exchange land to be managed by the Department of Conservation, and the values of that land to be enhanced.

Correct approach to effects of the land exchange application

22. There are some examples of language in the DOC report and supporting appendices that could erroneously be taken to suggest that the effects of the substantive development of the overburden disposal area have been factored into the assessment of the land exchange proposal.¹¹
23. The effects of developing the OBDA on the DOC-Give area must be considered as part of the substantive application for resource consent and other approvals at a later stage. Those effects are irrelevant to the current exercise. The Draft Report acknowledges this when it says “This report does not consider any future land uses and concentrates entirely on the effects of a change in ownership.”¹² However, it appears that the statement of direction has not flowed through to all of the supporting appendices.

Hutt City vegetation covenant

24. Winstone confirms that the Hutt City Council vegetation encumbrance has been removed from the title to the Firth Block since the lodging of the report, and no longer requires consideration.¹³ An updated title to the Firth Block land is attached to these submissions.

¹⁰ Statement of advice of Matt Ward at page 2, summary.

¹¹ For example, the statement of evidence of Matt Ward at page 9 says that constructing the OBDA would expose swamp maire specimens on the western edge to southerly winds. This is clearly an example where the technical expert has factored in the substantive effects of developing the OBDA to his assessment of conservation values. See Blue Green Ecology memorandum dated 15 June 2026 at paragraph 65–66. Another example is in the statement of evidence of Jeremy Head at paragraph 29, where he refers to the substantive and future changes to the area if the land exchange is approved and a net loss in landscape quality in the future. This is a comment on the proposed development of the OBDA area and is not relevant for the purposes of the land exchange application. See Boffa Miskell Landscape memorandum dated 10 June 2026 at page 7.

¹² Draft Report at page 4.

¹³ Draft Report at pages 12 and 41 can be amended to remove reference to this encumbrance.

DOC's proposed conditions

25. As a final point, one apparent omission from the Draft Report is an assessment of whether the land exchange would be approved if DOC's proffered condition set were imposed. The Draft Report contains inconsistent statements to this effect.¹⁴
26. DOC has proposed a set of conditions that are more onerous and detailed than those offered by the applicant. There is a statement in the report that:

... the conditions recommended by DOC to ensure there is a benefit to the conservation values as the weed removal, pest management, and restoration plantings improve the values of some of the DOC-Get sites.¹⁵
27. But the technical appendices to the Draft Report do not provide assessment of the conservation values against the DOC-offered conditions.
28. Winstone submits that DOC has a legal obligation to provide such an assessment in relation to the conditions it has recommended under clause 26(1)(g). DOC must show that its conditions are able to be imposed by the condition-setting framework in clauses 31 and 32 and section 84, in light of the overarching obligation that conditions must not be more onerous than necessary (s 83). This requires the conditions to be supported by technical evidence.
29. These points are just some examples of apparent errors, unreasonable criticisms, or omissions in the Draft Report. Further detail and areas of discrepancy and difference are identified in the technical memoranda that Winstone's experts have prepared in response to the Draft Report.
30. Winstone requests that DOC carefully reviews its Draft Report and supporting appendices in light of these points, prior to completing its final report.

¹⁴ Draft Report at page 46 ("To be clear they [the conditions] are not put forward on the basis that they will satisfy the relevant test in the Act ..."); compare page 55 ("Should the panel be of the mind to approve the land exchange, the conditions recommended by DOC ensure there is a benefit to the conservation values as the weed removal, pest management, and restoration plantings improve the values of some of the DOC-Get sites.")

¹⁵ Draft Report at page 55.

Discrepancies between technical experts

31. Many of the points of difference between DOC's experts and Winstone's experts relate to differences in methodology, underlying assumptions, or information relied upon.
32. Winstone's technical experts have considered the Draft Report and supporting material and sought to identify the reason for any points of difference. They have provided further information requested by DOC and its experts, where it is possible to do so, noting that some of the information requested had already been provided by was not expressly considered by DOC's experts. For example many of DOC's experts appear to have not considered or been provided with Winstone's experts' responses to comments dated March 2026.¹⁶
33. Where there are discrepancies between the methodologies and criteria used by DOC's and Winstone's experts in conducting their comparative assessments, it is difficult to reconcile the two. They are not comparing like with like. This is most stark for the ecology report prepared by Dr Keesing for Winstone vs the botany/vegetation report prepared by Mr Ward for DOC. Winstone's peer review ecologist Dr Ussher has considered the methodological difference in his peer review report and concludes that Winstone's assessment provided by Dr Keesing is more transparent and systematic.¹⁷ In Winstone's submission Dr Keesing's recommendations should be preferred. We also note that Mr Ward's report is an assessment of the "botanical and vegetation elements of the project",¹⁸ whereas Dr Keesing's report applies a broader ecological lens.
34. The methodological discrepancies are disappointing for Winstone as they may complicate the panel's task of comparing and evaluating the technical assessments.

¹⁶ Matt Ward does not say he has reviewed Blue Green Ecology's addendum dated 5 March 2026; Jacob Williams does not list what documents he has reviewed but does not refer to Blue Green Ecology's addendum dated 5 March 2026; Michael Harbrow does not say he has reviewed Greenaway & Associate's memorandum dated 5 March 2026; Richard Nester does not say he has reviewed Clough & Associate's memorandum dated 4 March 2026.

¹⁷ RMA Ecology memorandum dated 14 June 2026 at page 4.

¹⁸ Statement of advice of Mr. Ward at paragraph 6i.

Lack of expert conferencing to date

35. The discrepancies in methodology and information relied upon could be resolved by an expert conferral process.
36. Winstone raised the possibility of an expert conferencing process between DOC's experts and Winstone's experts. But that proposal was not taken up. Expert conferencing has not yet taken place.
37. There would be significant benefit in having an expert conferencing process for this application. Conferencing would provide an opportunity for Winstone's experts to engage with DOC's experts on many of the points of difference and that have been raised. The experts may be able to narrow or refine the points of disagreement by conferring.
38. Instead, DOC's expert reports were prepared in isolation from Winstone's experts. The DOC report writer and the fast-track panel are consequently required to resolve differences of expert opinion based solely on written evidence. This is hard without a hearing or expert conferencing process to allow discussion and refinement of the expert evidence.
39. Expert conferencing is customarily available for substantive fast track applications and similar processes.¹⁹ Fast-track panels often will direct that such conferencing is to occur.²⁰ The joint witness statements that result from expert conferencing are invariably of assistance to panels in narrowing the issues that require analysis in the panel's decision-making. This is important given the compressed decision-making timeframes under this process. It is unfortunate that an expert conferencing process has not formed part of the process to date, particularly given the extent of technical evidence to be considered and the late emerging points of difference between Winstone and DOC on technical points.
40. Winstone wishes to place these comments about the absence of expert conferencing on the record. The fast-track panel may, at the substantive

¹⁹ Fast-track Approvals Act 2024: Panel convener's practice and procedure guidance (22 July 2025) at para 15.

²⁰ For example, the panel considering the Wellington International Airport Southern Seawall Renewal (FTAA-2510-1118) directed in their [Minute 3](#) that expert conferencing take place in respect of points of difference between experts on contamination, Pāua and lobster, end effect erosion, stability of cut batter, and conditions.

stage, wish to consider whether expert conferencing on the key technical issues in the land exchange application would assist its decision-making. If the Panel considers that its consideration of the exchange would benefit from discussion between the experts, Winstone is willing to make its experts available.

Comparative assessment of conservation values — an overall approach; or a sub-category based approach?

41. Clause 29(2) says that the land exchange cannot be approved unless the panel is satisfied that the land exchange will enhance the conservation values. Under the pre-amendment Act, the enhancement must relate to “land managed by the Department of Conservation”. Following amendment, the enhancement must relate to “conservation areas and Crown-owned reserves considered as a whole”.
42. A key legal issue is whether the “enhancement” of conservation values is required to be considered on an individualised basis for each sub-category of value, or whether a holistic assessment is required of all conservation values considered together. This legal issue arises under both the pre-amendment and post-amendment versions of the Act, because it relates to the requirement to “enhance the conservation values”.
43. DOC's summary of its technical advice says there is a net benefit for some types of conservation values (landscape, natural character and terrestrial fauna) but “no net gain” for other types of values (biodiversity, flora and recreation). DOC also notes there is no difference and therefore “no gain” for cultural heritage values and freshwater ecology values.²¹
44. DOC's framing suggests there needs to be a net gain in each and every subcategory of conservation value in order to reach an overall conclusion that the land exchange will enhance the conservation values. That is: if there is a net loss for one type of conservation value, then notwithstanding the gains in other areas, the land exchange cannot be approved. DOC also mischaracterizes situations of neutrality (“no difference”) as a situation of

²¹ Draft Report at page 55.

“no gain”; again suggesting that if values are unaffected by the land exchange then that points against approval.

45. The basis for this is not articulated in the Draft Report.
46. Winstone has a different understanding of the law here. Its position is that clause 29 mandates an overall or global assessment of all types of conservation values considered together to form an overall conclusion as to whether conservation values are enhanced. It is a test that requires a net conservation benefit.
47. Winstone set out this position on this in our legal memorandum in response to comments dated 5 March 2026,²² paragraphs 33 to 42. We expand on those earlier comments.
48. First, if there was a requirement under the Act that each subcategory of conservation values needs to be enhanced by a land exchange in order for it to be approved, the Act would have said this explicitly. It does not. Rather clause 29(2) of Schedule 6 to the Act provides:

The panel must not grant the approval unless the panel is satisfied that the land exchange (including any money that may be received under clause 30 and any conditions that the panel may impose in accordance with clause 32) will enhance the conservation values of [land managed by the Department of Conservation]/[conservation areas and Crown-owned reserves considered as a whole].

(pre-amendment wording and *post-amendment wording* marked in square brackets).

49. The language of cl 29(2) requires all relevant conservation values to be considered individually and weighed together to inform a judgment as to the outcome as a whole. This is entirely consistent with the concept of a “net conservation benefit”, which the applicant demonstrated in its application as was required by cl 24(a).²³ It is also consistent with the

²² [Legal memorandum dated 5 March 2026](#).

²³ See sch 6, clause 24(a) and (b), which lists the information required to be provided in the s 33 application, including “an explanation of why the exchange would benefit the conservation estate” and “details of any improvement work to be done to provide a **net conservation benefit** ...”. Winstone also notes that the New Zealand Conservation Authority’s comments on the application say that the overall test is whether there is a “net benefit for conservation” (New Zealand Conservation Authority — Comments under the Fast-track Approvals Act 2024 — Belmont Quarry Development at page 3, 6 and 7”.

apparent intention of the Act to give a statutory discretion to the decision-making panel to be applied on both a qualitative and quantitative basis to reach an overall conclusion on comparative values. For these reasons, an “unders and overs” approach to conservation values is clearly contemplated.

50. If there were a requirement for all different types of conservation value to be enhanced by the exchange, then where would you stop? There would be no obvious limit on the degree of granularity that could be required. For example, an applicant for a land exchange could be required to show an enhancement in values relating to individual species of birds, reptiles and plants present on the exchange parcels. This would make the statutory test unworkable and likely impossible to achieve. It would mean a land exchange that offered significant benefits to the conservation estate in all areas except one would be unable to proceed. That cannot have been intended by Parliament.
51. The requirement for there to be an enhancement in conservation values reflects DOC’s broader mandate to manage its land “for conservation purposes” and to promote the benefits to present and future generations of conservation under s 6(a) and (c) of the Conservation Act 1987. “Conservation” is defined in that Act in a composite way as “the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations”.²⁴ This definition includes a mixture of intrinsic and anthropocentric values, as well as a future-focused element.
52. In exercising its functions under the Conservation Act, DOC will always be weighing up different subcategories of conservation values to assess whether a proposed management decision affecting conservation land will promote benefits of conservation and management for conservation purposes. DOC will routinely make judgement calls that involve balancing different subcategories of conservation value. For example, a decision to establish a walking track involves balancing the increased recreational values offered by that track against an increased risk to natural resources

²⁴ Conservation Act 1987, s 2(1), definition of “conservation”.

in the area that is to be accessed. The different subcategories of conservation values relevant to any decision within DOC's functions will always require balancing and trade-offs between different types of conservation values and looking to achieve a net benefit for conservation on a global basis.

53. Finally, an approach that requires a net benefit for all types of conservation values is inconsistent with the way in which land exchanges are considered by DOC at a policy level under the Conservation General Policy (CGP). Policy 6 of the CGP indicates that land exchange may be undertaken for a number of purposes which are linked together by the word "or". The policy contemplates that a land exchange might be undertaken where it would: improve representativeness of public conservation land; or improve the natural functioning or antiquity of places; or improve the amenity or utility of places; or achieve various other matters. But it doesn't have to do all of those things. This indicates that conservation values are generally understood to be approached in a holistic way and that there is no requirement for all aspects of conservation values to be enhanced by a land exchange.
54. For these reasons, it is submitted that the Draft Report, and in turn the panel should take a holistic net benefit approach to its assessment of whether conservation values as a whole are enhanced by the proposed land exchange. The panel is not required to be satisfied that there is a net benefit for each subcategory of conservation value.

Which version of the Act applies?

55. The Draft Report considers the land exchange application against clause 29(2) as it stood prior to 17 December 2025 (the pre-amendment version),²⁵ and also as it now stands following an amendment on 31 March 2026 (the post-amendment version).²⁶ The Draft Report notes that it was prepared under the pre-amendment version but that DOC considers the

²⁵ Draft Report at page 17: "Preparation of this report by the Department is clearly under the law as it stood when the application was lodged."

²⁶ Statement of advice of Matt Ward at page 10; Statement of advice of Rhys Burns at Appendix 1; Statement of advice of Jeremy Head at page 15, table 2; Statement of advice of Jacob Williams at table 7; Statement of advice of Michael Harbrow at paragraph 56; Statement of advice of Richard Nester at table 2.

fast track panel's decision is required to be made under post-amendment version.²⁷

56. The pre-amendment and the post-amendment versions of clause 29(2) of the Act are set out side by side with points of difference underlined.

Pre-amendment (before 17 December 2025)	Post-amendment (from 31 March 2026)
(2) The panel must not grant the approval unless the panel is satisfied that the land exchange (including any money that may be received under clause 30 and any conditions that the panel may impose in accordance with clause 32) will enhance the conservation values of <u>land managed by the Department of Conservation</u> .	(2) The panel must not grant the approval unless the panel is satisfied that the land exchange (including any money that may be received under clause 30 and any conditions that the panel may impose in accordance with clause 32) will enhance the conservation values of <u>conservation areas and Crown-owned reserves considered as a whole</u> . <u>(2A) When considering the conservation values of the land to be acquired by the Crown, for the purpose of forming its view under subclause (2), the panel must discount the extent to which the conservation values of that land are affected by anything registered or noted for conservation purposes on the record of title for that land.</u>

57. The key differences between the two versions relate to two aspects:

- a. Discounting: Under the pre-commencement version there was no requirement to identify and discount conservation values that were affected by matters registered or noted on the title. This meant that conservation values affected by QEII covenants were able to be placed on the scales in the cl 29(2) assessment. Now, under the post-commencement version, the panel is directed to discount the extent to which conservation values of the exchanged land are affected by matters registered or noted on the title, including QEII covenants.

²⁷ Draft Report at page 16.

b. Land areas to be considered: Under the pre-commencement version, the conservation values that were required to be enhanced were those of “land managed by [DOC]”. That meant the enhancement in conservation values had to relate solely to the land to be acquired and managed by the Crown under the exchange. Under the post-commencement version, the conservation values required to be enhanced are broader as conservation areas and Crown-owned reserves are to be considered as a whole. This permits consideration of off-site enhancements or benefits in conservation values across the broader conservation estate.²⁸

58. The significance of these differences to the Belmont Land Exchange proposal is discussed shortly. However we first set out the difference of opinion on which version of the Act applies.
59. DOC’s opinion is explained in its draft legal memorandum in Appendix 5 to the Draft Report. It considers that the post-commencement version of clause 29(2) must be applied in the panel’s decision making.
60. Winstone’s position is that the panel’s decision is required to be made against the pre-amendment version of clause 29(2) as it stood at the time that the land exchange application was lodged on 10 December 2025. The transitional provisions in the Act require that an application lodged before 17 December 2025 is subject to the Act as in force immediately before 17 December 2025 — i.e. an application is to be lodged on the basis of the provisions in force at the time it was lodged.²⁹ This is consistent with the well-established principle that amendments to legislation do not have retrospective effect.³⁰
61. Winstone has obtained an independent opinion on this matter from Mr Bal Matheson KC dated 11 June 2026. A copy of Mr Matheson’s opinion is enclosed.
62. Mr Matheson’s view is that the land exchange application should be fully determined under the law as it stood at the time the application was

²⁸ CI 32(1)(b) and 34(3).

²⁹ Refer to Schedule 1, Part 2 cl 6(1). Clause 5 defines an application as including a “land exchange application” for the purposes of the transitional provisions.

³⁰ Legislation Act 2019, s 12.

lodged, including as part of any decision on a substantive application by an expert panel.³¹ He notes there is no evidence that Parliament intended to give retrospective effect to the amendments to the amended criteria in clause 29.³²

Way forward

63. Winstone accepts that there are differing interpretations of this issue, and that the issue is not clear cut. The Panel will need to form a view on this issue as part of its substantive consideration.
64. Which version of the Act applies has consequences for Winstone's land exchange proposal in relation to the two aspects summarised above in paragraph 57.
65. First, as to discounting: it is common ground between Winstone and DOC and DOC's experts that the QEII-covenanted areas have conservation values. It is likely to be more difficult for the land exchange application to meet the clause 29(2) test if the discounting approach is required.
66. However, it is important to be clear about what is and is not required to be discounted. Clause 29(2A) requires discounting of "the extent to which the conservation values of that land are affected by" the QEII covenant. The terms of the QEII covenant protect, maintain, restore and enhance the open space values of the covenanted area with objectives relating to: natural character, landscape value, indigenous biodiversity, and prevention of subdivision.³³
67. To the extent that the QEII covenanted area holds other conservation values such as archeological, recreation, or cultural values, those are not affected by the QEII covenant. Therefore, they are not to be discounted if cl 29(2A) applies.
68. On the second aspect (land areas to be considered), if the post-commencement version of clause 29 applies to the Belmont land exchange, then there is the ability for the panel to take into account

³¹ Matheson opinion, para 9.

³² Matheson opinion, para 14(a).

³³ See the terms of the QEII Covenant in Appendix E3 to the land exchange application, at clause 2 "Purpose and objectives".

enhancements of conservation values on the conservation estate “considered as a whole”. This allows off-site improvements and gains in value to be placed on the scales. Winstone has included proposals for off-site improvements and gains as part of its improvement Package B, which we now turn to.

Improvement Packages

69. It is uncertain which legal test will be applied by the expert panel. Winstone will not know which approach is being taken until at the earliest some time after the panel is appointed — and potentially not until the draft decision. As recommended by Mr Matheson KC,³⁴ Winstone has prepared two improvement packages for the panel's consideration.
70. **Package A** is premised on the pre-amendment version of section 29(2) applying to the land exchange. Under that scenario, the panel is not required to discount the conservation values associated with the QEII covenanted areas. This means that the conservation values of all of the Northern Gully and Firth Block are to be placed on the scales and given full weight in the panel's assessment.
71. Package A (as now revised by Winstone from what was originally submitted with its land exchange application in December 2025) includes the following features:
 - a. The flora planting, target weed and mammalian pest control measures and physical works set out in Table 1 Package A, this includes:
 - i. Planting 200 swamp maire in the Southern Gully,
 - ii. Approximately 7,000 plants in Dry Creek, of which 500 will be ramarama; and
 - iii. 1000 kamahi and 1000 kanuka in Firth Block.
 - b. A comprehensive package of targeted weed control for 5 years and mammalian pest control for 10 years.

³⁴ Matheson opinion at para 22.

c. Addition of public access via the right of way to Southern Gully.

72. These improvements are captured in a revised Package A contained in a memorandum dated 15 June 2026, from Winstone in response to the Belmont Quarry Development and the set of revised draft conditions.
73. The land exchange, with the improvements proposed by Package A, will meet the statutory requirement to “enhance the conservation values of land managed by the Department of Conservation” based on the assessment set out in the following table.³⁵

Discipline	DOC-Give	DOC-Get	Net gain
Ecology (Habitat)	Moderate	Moderate – Very High	Yes
Ecology (Birds)	Moderate	High	Yes
Ecology (Bats)	Nil	Nil	Unchanged
Ecology (Freshwater)	Low	Medium – High	Yes
Hydrology	1,855 m of stream length	3,029 m of stream length	Yes
Ecology (Lizards)	18.83 ha of habitat	33.19 ha of habitat	Yes
Landscape	Moderate	Moderate-High	Yes
Recreation	Low	Low-Medium	Yes
Archaeology	Very-Low	Very-Low	Unchanged
s9(2)(ba)(i)			

74. As clear from this table, under Package A all subcategories of conservation value either have a net-gain or are unchanged by the land exchange. For the two subcategories of value that are unchanged, this is not considered to be detrimental as there are no significant conservation values associated with bats or archaeology on any of the exchange parcels. The focus of the panel’s consideration needs to be on the values that are present.
75. **Package B** is premised on the post-amendment version of clause 29(2) and (2A) applying to the land exchange. Under that scenario, the panel is

³⁵ Wikaira Consulting Ltd memorandum dated 15 June 2026.

³⁶ Cultural Values Assessment, Hikoikoi Management (2025), paragraph 30.

³⁷ Cultural Values Assessment, Hikoikoi Management (2025), paragraph 48

required to discount conservation values associated with the QEII covenanted areas. This means that there will be discounting of the protected conservation values of part of the Northern Gully area and all of the Firth Block area (but only to the extent of those values protected by the provisions of the QEII covenant).³⁸ The panel can also take into account improvements or benefits to the conservation estate “considered as a whole” including those that sit outside the exchange parcels.

76. Winstone is of the firm view that clause 29(2) does not apply. Package B is offered only if the Panel reaches a different view. Should that occur, Winstone's experts have included an updated evaluation of the conservation values associated with the exchange discounting the QEII values.
77. Package B (as proposed by Winstone) includes the following elements:
 - a. All of Package A (as summarised above in paragraph 71)
 - b. Provision for the establishment of planting of 200 further Swamp Maire and 200 Ramarama at an offsite location in the Belmont Regional Park, adjacent to the DOC-Give area; and
 - c. Additional 5 year weed pest control and 10 year mammalian pest control in the Belmont Regional Park offsite planting location to assist the successful establishment of the planting.
78. Package B is more fully described in a Memorandum dated 15 June 2026, from Winstone's in response to the Belmont Quarry Development and the revised set of conditions, (noting there are some conditions that will only apply if Package B is required)
79. The land exchange, discounting the conservation values affected by the QEII covenants, but adding the values provided by the Package B improvements, will meet the new statutory requirement to “enhance the conservation values of conservation areas and Crown-owned reserves

³⁸ See above at paragraph 66–67 for discussion of which conservation values are affected by the QEII covenants.

considered as a whole” based on the assessment set out in the following table.³⁹

Discipline	DOC-Give	DOC-Get	Net gain
Ecology (Habitat)	Moderate	Moderate – Very High	Yes
Ecology (Birds)	Moderate	High	Yes
Ecology (Bats)	Nil	Nil	Unchanged
Ecology (Freshwater)	Low	Medium – High	Yes
Hydrology	1,855 m of stream length	2,408 m of stream length	Yes
Ecology (Lizards)	18.83 ha of habitat	20.98 ha of habitat	Yes
Landscape	Moderate	Moderate-High	Yes
Recreation	Low	Low-Medium	Yes
Archaeology	Very-Low	Very-Low	Unchanged
s9(2)(ba)(i)			

80. As clear from this table, under Package B all subcategories of conservation value either have a net-gain or are unchanged by the land exchange. The Package has been designed to result in an overall net-gain in favour of the Crown, should the Panel consider that the post-amendment version of cl 29 applies and find on the evidence that further improvements are in fact needed.

81. Winstone notes that the panel may need to request more information from Winstone (s 67) in the event that it forms the view the post-amendment version of clause 29(2) applies. An RFI would be welcomed if the panel considered it necessary, noting that Winstone prepared its application on the basis of the pre-amendment version of the Act that was in force at the time its application was lodged.

Conditions

82. Both Package A and Package B have been prepared to provide a set of conditions that are workable and to ensure that Winstone is clear on what is required to be delivered, its liabilities and costs.

³⁹ Wikaira Consulting Ltd memorandum dated 15 June 2026.

⁴⁰ Cultural Values Assessment, Hikoikoi Management (2025), paragraph 30.

⁴¹ Cultural Values Assessment, Hikoikoi Management (2025), paragraph 48

83. This section provides legal submissions on the approach taken by DOC to the setting of conditions. First, global points are made on the legal framework for setting conditions under the Act; secondly, specific comment is provided on the DOC-proffered conditions. These submissions apply to both Package A and Package B that have been proffered by Winstone.

Legal framework for setting conditions

84. There are two global points that are relevant to the legal framework for setting conditions.
85. First, there is a distinction under the Act between preconditions imposed under clause 31 and conditions imposed under clause 32. The distinction has important practical consequences. Clause 31 preconditions must be complied with within two years of the panel's decision — if not, the approval lapses.⁴² So in practical terms, any clause 31 preconditions must be achievable within a two-year time frame (a note has been added to the heading of the pre-conditions as a reminder of this). There must be a good reason to set a precondition under clause 31 because of the additional burden that is cast on the applicant of requiring it to be met within a two-year time frame. Clause 31 should be limited to cases where the proposed condition is strictly “necessary” to enable the land exchange to be effected.⁴³ This is to ensure that conditions are no more onerous than is necessary.⁴⁴
86. Winstone considers that DOC’s condition set may assign too many conditions to the clause 31 category. Some of DOC’s clause 31 preconditions are not readily achievable within a two-year timeframe and are not strictly necessary to enable the land exchange to be effected. These conditions can be reallocated to clause 32, if they are indeed necessary at all. One example of this is the planting requirements, the propagation of swamp maire to a suitable planting size will exceed the 2-year timeframe. Planting and related conditions are more suitable as cl 32 conditions on the exchange, as opposed to cl 31 pre-conditions.

⁴² Section 86(2) of the Act.

⁴³ Clause 31(1)(a) of schedule 6 of the Act.

⁴⁴ Section 83 of the Act.

87. Second, the Draft Report recommends that certain conditions are imposed under section 78.⁴⁵ This part of the Draft Report appears to reflect a misunderstanding of how Section 78 of the Act operates. Section 78 is headed "Appropriate Minister may specify **standard conditions**" (emphasis added). Subs (1) says that the appropriate Minister may specify conditions that a panel may be required to impose on approvals of a particular kind, including a land exchange. As far as the applicant is aware the Minister for Conservation has not specified any "standard conditions" for land exchanges. DOC cannot invoke section 78 by simply asserting that conditions ought to be imposed. There needs to be a prior decision by the Minister to specify a set of standard conditions. That simply has not occurred.
88. It is anticipated, however, that the unavailability of section 78 as a condition setting power will not have any practical significance for this land exchange. Many of the conditions that DOC proposes under the s 78 heading are, for the most part, mechanical in nature and while Winstone has redrafted these for clarity, it has no issue with intent of them, other than the general observation that many appear to be better suited as contractual terms to be included in the commercial exchange agreement between the parties, rather than pre-conditions on the exchange.
89. We turn now to discuss Winstone's position on specific conditions that have been proffered by DOC.

Clause 31 pre-conditions

Draft process for survey plan

90. DOC has added in, as condition 1 of its draft conditions, a draft process for the survey plan to provide sufficient time to review and make changes if necessary.
91. Winstone notes that DOC has had a copy of Winstone's draft survey plan since December 2025. It is unclear why DOC has not been able to review and comment on this in the Draft Report.

⁴⁵ Paragraph 5.7.2 of the draft DOC report

92. The specification of a condition for a process to review the survey plan needs to be viewed in the context of DOC having had the draft survey plan for six months already. Winstone intends to apply for the consents to subdivide the exchange land as part of its substantive fast track application that it will lodge once it receives the Final DOC Exchange Report. It is important to have an approved survey plan from DOC upon which to base that application. Winstone had expected any comment from DOC on the survey plan to occur as part of the Draft Report and requests DOC specifically consider the Scheme Plan in its Final Report.
93. It also needs to be factored in that any requirement for a survey plan to be approved by DOC should not be open ended. That could imperil the ability of Winstone to achieve the preconditions within the two-year time frame specified by the Act.
94. Winston requests that conditions 1 and 2 of DOC's proffered conditions are amended to:
- a. Set a clear time frame of 20 working days for the Minister to provide final approval of the Survey Plan, noting that any approval should relate to any aspects of the final Survey Plan which are different to the prior draft plan DOC will have approved; and
 - b. Provide that the Survey Plan will be automatically approved if there is no response within that specified time frame.

Removal of requirement to vest the sites as a reserve subject to the Reserves Act 1977

95. Winstone has no objection to the deletion of the requirement to vest the sites as reserve subject to the Reserves Act 1977.⁴⁶ However it notes that the DOC land must be held for conservation purposes as a matter of law under the Reserves Act and that the precise classification of the parcels is a matter for a future decision by the Minister.⁴⁷

⁴⁶ Draft Report, page 47. This was proposed in the draft conditions in Winstone's land exchange report at para 13.6, condition (2): "... and vested as a reserve subject to the Reserves Act 1977 [with the reserve classification to be consistent with the classification specified by the Panel]."

⁴⁷ Clause 34(2).

Discharge of HCC vegetation encumbrance

96. Condition 7 requires the applicant to obtain a full discharge of the vegetation protection encumbrance. This condition is unnecessary because that encumbrance has already been discharged, as is apparent from the record of title enclosed with this memorandum.

Bonds

97. DOC proposes in its draft conditions 13 to 23 a requirement for the applicant to post a bond.
98. For the reason set out in Winstone's legal submissions in response to comments dated 5 March 2026 at paragraphs 43 to 48, there is no lawful ability under the Act for a bond condition to be imposed on an applicant.
99. Winstone's preference is that no bond is required, noting that the land exchange approval does not authorise any physical works to the OBDA — these are to be addressed through the later substantive process.
100. If however, the panel disagrees with this legal submission, then Winstone submits that the bond conditions ought to be amended to provide much greater clarity and focus on what the bond is being imposed to address. The bond must be limited to a practical, enforceable completion bond for the performance of specific improvement works that are offered for the exchange, with clearly defined works, timeframes, a cap on the bond quantum, defined default triggers, and provisions for release of the bond upon certification of completion.
101. As currently framed the bond conditions are open-ended as to what deliverables the bond is intended to provide security for, the quantum of a bond, the duration of the bond and the process used to set the bond amount. This means that the condition is significantly more onerous than is necessary to address the reasons for imposing the condition, in breach of section 83 of the Act. The key topics where greater specificity is required in the broad conditions are:
- a. what physical works is the bond being required to cover;

- b. a clear and measurable methodology for setting the bond quantum that can be assessed by an independent expert if necessary;
 - c. time frames for setting the bond amount; and
 - d. timeframes for releasing the bond upon completion of the physical works.
- 102. Some amendments to the bond conditions are proposed in the attachment to this memorandum to capture the above topics. These amendments are appropriate to ensure that the bond is imposed solely to manage risks and potential liabilities of the Crown arising from the land exchange, which is the limit of the condition-setting power in section 78. The ability to set a bond (if one exists) should not be used to cover works or risks unrelated to the land exchange, and the bond condition must be no more onerous than necessary to address the reason for which it is set.

Management plans

- 103. Winstone has proposed amendments to the management plan conditions to make them more workable to give effect to a land exchange, providing for ongoing management obligations.
- 104. It considers that the way in which the management plan conditions had been proposed by DOC were more akin to those that would be imposed on a resource consent to mitigate effects; that is not the purpose of management plans on a land exchange proposal.

Number of swamp maire

- 105. There is factual disagreement between Winstone and DOC's experts as to the number of swamp maire that Winstone needs to plant to provide an equivalency of conservation values to account for the present 9-swamp maire within the DOC-Give land.
- 106. For the reasons set out in Dr Vaughan Keesing's (and supported in Dr Graham Ussher's peer review of Mr Ward and Dr Keesing's reports and DOC report),⁴⁸ DOC's proposed planting requirement of 1,800 specimens

⁴⁸ Blue Green Ecology memorandum dated 15 June 2026 at paragraphs 60–62. RMA ecology memorandum dated 14 June 2026 at point 2 "Ratio for planting swamp maire".

is disproportionate and inappropriate and ought to form no part of any ecological restoration plan.

107. Both Dr Keesing and Dr Ussher consider that the original proposal by Winstone of planting 200 swamp maire in the Southern Gully is proportionate to the 9-swamp maire that will no longer be present in the conservation estate following the exchange and supported by evidence as to appropriate offset ratios (as provided in Package A).⁴⁷ Winstone's strong view is that no additional planting above this is required.
108. In the event that the panel concludes that the post-amendment version of s29(2A) applies, and that further planting is required to address the discounting of the QEII conservation values, then Package B makes provision for further planting to occur within the Belmont Regional Park (if the Panel determine this is necessary). Winstone has consulted with Greater Wellington Regional Council who manage the Belmont Regional Park, and it has confirmed its in-principal agreement for Winstone to use this area (a copy of that approval is enclosed).⁴⁹
109. Any requirement for planting of swamp maire or other species needs to be considered in light of the two-year time frame for the applicant to comply with clause 31 preconditions. It is unlikely to be practical to establish a significant number of specimens within a two-year time frame. For this reason the applicant proposes that any conditions relating to planting and establishment ought to be imposed as conditions under clause 32 rather than preconditions under clause 31.

Pest management period

110. Winstone has accepted DOC's requirement for 10 years of mammalian pest management, however it has proposed amendments to the monitoring and target species.⁵⁰ These changes are on the basis that DOC's proposed pest management package was more onerous than necessary to address the reasons for the pest management requirement.

⁴⁹ Letter from David Boone (GWRC) to Shalini Sanjeshni (Winstone) dated 15 June 2026.

⁵⁰ Winstone memorandum dated 15 June 2026 "Package A: Proposed ecological improvements in response to Belmont Quarry Development, Post DOC Report Fast-Track Project FT308".

111. There is additional pest control proposed as part of Package B if required, in relation to the proposed offsite planting in Belmont Regional Park. This is for the purpose of establishment of swamp maire and ramarama in that site.

Fencing

112. DOC has proposed in its draft condition 24 that the applicant will construct “any boundary fencing required around the land being received” by DOC, to the Minister's satisfaction.
113. There is no detail as to where this fencing is to be located, what standard it is to be built to or what purpose the fence is to serve. The condition is too vague as it is unclear what's meant by the “Minister's satisfaction”.
114. If there were to be a dispute about the requirements for such a fence, then that would create a risk as to whether Winstone could achieve approval and construct a fence within the two-year time frame.
115. This condition:⁵¹
- a. Should be a clause 32 condition, rather than a clause 31 precondition, because it is not necessary to enable the land exchange to be effected; and
 - b. Should include a clear set of requirements for what must be provided to meet the Minister's satisfaction. Winstone has proposed a rewording of this condition to provide that clarity. Winstone's revised condition provides a fencing plan and fence standard to be agreed prior to settlement.

Biosecurity Act

116. Doc has proposed as Condition 24 a requirement for Winstone to comply with the rules under the Biosecurity Act to the Minister's satisfaction prior to the Settlement Date.
117. This condition is considered redundant and more onerous than is necessary. If it is simply replicating an existing legal obligation on Winstone

⁵¹ Winstone's redrafting of this condition is headed “Fencing”.

under the Biosecurity Act then it is unnecessary. If it is adding to Winstone's obligations by requiring the "Minister's satisfaction" as to compliance with the Biosecurity Act then it is unclear what, if any, additional obligation is being required. This uncertainty is inappropriate and Winstone has suggested that this condition be deleted in its revised condition set.

Clause 32 conditions / section 78 conditions

Contaminated land

118. DOC proposes as condition 55 that there be remediation of any land contamination if discovered within 12 months of the settlement date. This condition is proposed under section 78 of the Act.
119. For reasons set out above there is no jurisdiction for DOC to recommend such a condition in the absence of being specified by the Minister as a standard condition for land exchanges.⁵²
120. The proposed land contamination condition appears to be specific to this particular land exchange rather than a standard condition. It is therefore not within the scope of the Section 78 condition setting power.
121. Winstone also notes the comments from its land contamination consultant, PDP, that it is unlikely that there is any contaminated land in the DOC-Give areas.⁵³
122. If, however, the proposed land contamination condition is intended to be set by the panel, then Winstone has set out in its marked-up version of the conditions some amendments to the proposed land contamination conditions to limit the period and extent of remediation required, improve its workability and clarity by referring to the relevant standards and provide a bespoke set of conditions providing for the further investigation and remediation of any contamination in the Northern Gully site.⁵⁴

⁵² See paragraph 87 above.

⁵³ PDP Memorandum on draft DOC report response dated 15 June 2026.

⁵⁴ Winstone's redrafting of this condition is headed "Contaminated Land".

Withdrawal by agreement.

- 123. DOC propose as condition 26 that the parties may mutually agree in writing that they no longer wish to proceed with the land exchange, in which case the Minister is no longer obliged to give effect to the exchange.
- 124. This appears to be imposed as a standard condition under Section 78. However as explained above the Minister has not specified any standard conditions on land exchanges.
- 125. Winstone has deleted that condition as it considers that the ability for the parties to mutually agree not to proceed is more appropriately to be included as part of a land exchange agreement rather than a condition on the land exchange approval. Winstone also notes that it is not obliged to exercise any approval that is granted to it.

Other topics

Conservation General Policy

- 126. The Draft Report says that the Conservation General Policy is considered to apply to DOC for the purposes of this land exchange application, even though in the future (if the land exchange is approved) the DOC-get sites may be administered by Greater Wellington Regional Council.⁵⁵ The report then goes on to evaluate the land exchange against Policy 6 of the Conservation General Policy and concludes that the DOC-get sites are not considered to achieve certain matters set out in that policy.
- 127. Winstone considers that whether the land exchange achieves the matters set out in the Conservation General Policy is not relevant to the decision-making process for the land exchange.⁵⁶ This is because, as DOC acknowledges, the Conservation General Policy does not apply to reserves that are controlled and managed by administering bodies such as Greater Wellington Regional Council.⁵⁷

⁵⁵ Draft Report, para 5.5.

⁵⁶ Wikaira Consulting memorandum dated 15 June 2026.

⁵⁷ Conservation General Policy (2005, revised 2019) at page 8 "This General Policy provides guidance for the administration and management of all lands and waters and all natural and historic resources managed for the purposes of the above Acts, **excluding reserves administered by other agencies under the Reserves Act 1977.**" (emphasis added).

128. The Act states that the DOC report, and the panel's subsequent consideration, shall take into account "statements of general policy approved under section 17B and 17C of the Conservation Act 1987".⁵⁸ Winstone submits that this direction does not mean that decision-makers need to give weight the General Policy if, on the terms of that policy itself, it does not apply to the land parcels in question.
129. DOC agreed with Winstone during pre-application consultation that the Conservation General Policy itself clarifies that none of its content applies to reserves managed by persons other than DOC. DOC suggested that the policy may provide some guidance but would not directly apply.⁵⁹ DOC has departed from this pre-application guidance without explanation.

Paper road

130. There is some confusion in the Draft Report about the role of the paper road on the DOC give area and what is proposed to happen to that as part of the exchange. The Draft Report notes that there is a "legal risk" in terms of the paper road in the northern corner that belongs to the Hutt City Council and that it will be necessary to consider what is going to occur to this as part of the exchange.⁶⁰
131. To clarify the position:
- a. the paper road area is currently vested in Hutt City Council, not DOC; and
 - b. it does not currently form part of the DOC/Crown land that is able to be subject to a land exchange.
132. It would be possible for the Minister of Lands to require Hutt City Council to transfer this unformed road to the Crown under section 323 of the Local Government Act 1974. If that happens, then the paper road could be declared to be held for conservation purposes as part of Belmont Regional Park, and it could then be included within the land exchange.

⁵⁸ Schedule 6, cl 26(1)(e) and 29(1)(a)(vi).

⁵⁹ Memorandum from Emma Fahey (DOC) to Phermne Tancock (Winstone's Counsel), dated 4 July 2025, at paragraph 9.1 and 9.2

⁶⁰ Draft Report at page 42.

133. Winstones suggested in its land exchange application that “the paper road is sought for exchange and will form part of the footprint for the RMA approvals in the substantive application”.⁶¹ This statement was included because of the possibility the paper road could form part of the regional park pursuant to the statutory process described in the previous paragraph.
134. However, as that possibility appears to be remote, Winstone is content for the application to be processed on the basis that the paper road does not form part of the land exchange application. This will mean that stopping the paper road and transferring it to Winstone would need to occur via a separate road-stopping process from the fast-track application process.
135. Winstone reserves its position on seeking resource consent and other approvals for a footprint that includes the current paper road area. There is no barrier on seeking and obtaining those approvals prior to a road stopping process being completed.

Legal and financial liabilities and risks.

136. The Draft Report discusses the legal and financial liability risks for the Crown associated with the land exchange, as is required by cl 26(1)(b) and (d).⁶²
137. This assessment of liabilities and risks is one-sided in that it only considers the potential legal and financial liabilities associated with DOC taking ownership of the land exchange parcels. It does not consider the liabilities that DOC will be exposed to in the counterfactual scenario where the land exchange does not proceed and the status quo continues.
138. Winstone submits that it is relevant to consider, as a baseline, DOC’s legal and financial liabilities and risks in the counterfactual that the land exchange is not approved. In that counterfactual, DOC continues to own the DOC-Give area currently in Belmont Regional Park and will have a potential liability to remediate contaminated land that has been found in that area. There are a number of examples of rubbish and “a ruinous 20th

⁶¹ Wikaira Consulting Ltd land exchange report at fn 1.

⁶² Draft Report at paragraph 5.4.

century farm outbuilding” in the DOC-give area.⁶³ Initial investigations indicate the area associated with this former farm building has some level of contamination. These features ought to be balanced against the potential liabilities that DOC will be exposed to if the land exchange proceeds.

139. Winstone submits that overall the potential exposure to the Crown associated with cleaning up rubbish and contaminated land is not significantly increased by it taking ownership of the DOC-get areas in exchange for the DOC-give area, and subject to the proposed condition package.
140. As an additional point, the Draft Report is also based on a misconception about the potential land contamination risk from quarrying activities. Rock quarrying for aggregate or building stone (e.g., Belmont Quarry) is a natural material and is excluded from the MfE’s Hazardous Activities and Industries List (HAIL), as such activities are generally considered to present a low likelihood of soil contamination. The HAIL activities associated with the storage of hazardous materials were outside of the DOC-Give areas.⁶⁴ It is incorrect to assume that all areas that have been quarried have a land contamination problem.

Overall submission on tests for land exchange

141. The legal tests that the panel must apply when considering a land exchange are set out in clause 29 of Schedule 6 of the Act. As an initial gateway, the land exchange must “enhance the conservation values” of land managed by DOC (or conservation areas and Crown-owned reserves considered as a whole). The exchange cannot be approved if that gateway is not met.⁶⁵ There are then certain disqualifying matters in cl 29(3) — none of which are engaged for this application.⁶⁶ Once those matters are addressed, there is a list of factors that must be taken into account under clause 29(1), giving the greatest weight to the purpose of the Act.

⁶³ Clough and Associates “Response to comment from FoBRP” dated 4 March 2026.

⁶⁴ PDP Preliminary site investigation for Firth Block, Northern Gully, and Southern Gully, dated 5 December 2025; PDP preliminary and detailed site investigation for Dry Creek dated 5 December 2025; PDP memorandum on land contamination in response to Draft DOC Report dated 15 June 2026.

⁶⁵ Section 85(1)(f).

⁶⁶ Wikaira Consulting Ltd Land exchange report at para 14.25–14.26.

142. The panel must also apply section 81 to its decision on the approval sought in the substantive application, including the land exchange.
143. The panel may also consider possible grounds for declining approval under section 85. There is a discretionary basis to decline an approval if there are adverse impacts in relation to the approval sought that are sufficiently significant to be out of proportion to the project's regional or national benefits, taking into account conditions that may be set and conditions or modifications that the applicant may agree to.
144. How do these tests apply to the land exchange approval?
145. First, for the reasons set out above in paragraphs 69 to 80 of these submissions, the statutory threshold in clause 29(2) is satisfied by this land exchange proposal. The land exchange when considered with the proffered improvements package will enhance the conservation values, under either the pre-amendment or post-amendment versions of clause 29(2) and (2A).
146. As set out above the applicant's proffered improvements package is:
- a. Package A if the panel considers that the pre-amendment version applies; and
 - b. Package B if the panel concludes that the post-amendment version applies.
147. Having crossed the cl 29(2) threshold, the panel must consider the application by taking into account the mandatory matters in cl 29(1)(a). These are:
- a. The purpose of the Act (cl 29(1)(a)(i));
 - b. The conservation values of the land concerned, how threatened or abundant they are, and a comparative assessment of the values (cl 29(1)(a)(ii));
 - c. The financial implications for the Crown of the land exchange (cl 29(1)(a)(iii));

- d. Whether the consequences of the link exchange, would it be practical to manage on an ongoing basis (cl 29(1)(a)(iv));
 - e. legal and financial liabilities and health and safety risks for the Crown (cl 29(1)(a)(v));
 - f. statements of general policy approved under the Conservation Act (cl 29(1)(a)(vi));
 - g. conservation management strategies, conservation management plans, or reserve management plans that were co-authored, authored, or approved by a Treaty settlement entity (cl 29(1)(a)(vii)).
148. The panel also *may*, in its discretion, consider any conservation management strategy, conservation management plan, or reserve management plan that was not co-authored or approved by a Treaty settlement entity under clause 29(1)(b).
149. In taking these matters into account the panel must give the greatest weight to the purpose of the Act.

Purpose of the Act

150. The DOC report is not required to, and does not attempt to, provide any assessment of the land exchange proposal against the purpose of the Act.⁶⁷ It is outside of DOC's statutory remit to report on whether the land exchange proposal will meet the purpose of the Act by facilitating the delivery of infrastructure and development projects with significant regional or national benefits.
151. Winstone has provided analysis of how its land exchange proposal facilitates the delivery of infrastructure and development projects with significant regional or national benefits. It provided an economics assessment from by Market Economics as part of its exchange application.⁶⁸ That concluded that approving the Land Exchange will

⁶⁷ Schedule 6, cl 26(1) does not include "the purpose of the Act" as a matter that DOC must report on. This contrasts with the panel's role under cl 29(1), which directs that the panel is to give the greatest weight to "the purpose of the Act".

⁶⁸ Wikaira Consulting Ltd Land Exchange Report at paragraphs 15.2–15.6.

unlock additional capacity and extend the Belmont Quarry's operational life by up to 35 to 40 years. It also reduces the need for long-haul overburden transport, thereby decreasing traffic on the State Highway network, lowering emissions, and mitigating environmental impacts. It does so by enabling the location of a new overburden disposal area next to the quarry.

152. These efficiencies will support the timely and cost-effective delivery of regional infrastructure projects such as RiverLink, housing development, and public transport upgrades.⁶⁹
153. Market Economics has quantified the net economic benefits of allowing the land exchange to occur. These are \$313 million in net present value terms over a 35-year lifetime of the quarry. In addition to that, the Belmont quarry development plans will add \$20.4 million of household income to the Wellington region, and the flow on effects will increase employment by 557 FTEs. Market Economics concludes that the economic benefits of the Belmont Quarry Development Project, which includes the land exchange, are significant at the regional level and will be ongoing. The most economically efficient approach to secure Wellington's supply of aggregate is to enable the continued operation of Belmont Quarry, as new quarry sites are very difficult to find and costly to set up.⁷⁰
154. In light of this evidence the panel should conclude that the land exchange proposal has significant regional or national benefits and is therefore aligned with the purpose of the Act.

Other matters in cl 29(1)(a) and (b)

155. The remaining matters in cl 29(1)(a) and (b) are summarised in Winstone's land exchange report,⁷¹ and have been addressed in the Draft Report.⁷² Winstone's comments on these points are contained in this memorandum and other memoranda from Winstone's technical experts. In short:
 - a. the land exchange will result in a net gain in conservation values;

⁶⁹ Wikaira Consulting Ltd Land Exchange Report at paragraphs 15.2–15.5.

⁷⁰ Market Economics, page 5.

⁷¹ Wikaira Consulting land exchange report at paragraph 15.7–15.35 and 15.49–15.57.

⁷² Draft Report at paragraphs 5.2–5.6.

- b. the financial implications, legal and financial liabilities, and health and safety risks of the land exchange can be practically managed to a negligible level;
 - c. the consequences of the land exchange are practical for the Crown to manage on an ongoing basis; and
 - d. there is nothing in the Conservation General Policy or other planning documents that points against the appropriateness of the proposed exchange.
- 156. These matters are required to be given lower weight than the purpose of the Act.
- 157. Winstone submits that, when taking into account the purpose of the Act and the other matters in cl 29(1), the panel should approve the land exchange proposal, subject to conditions.
- 158. The appropriate condition set will depend on the panel's view on which version of the Act applies and the level of planting required. Winstone has set out its Package A and Package B in this memorandum and supporting documents, in order to provide the panel with a set of workable options that would allow the exchange to be implemented successfully, in either scenario.

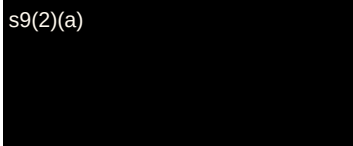
Supporting documentation

- 159. This memorandum is submitted with the following technical memoranda from Winstone's experts:
 - a. Wikaira Consulting Ltd — Memorandum in response to DOC report dated 15 June 2026;
 - b. Blue Green Ecology: Response to DOC botanical assessment and response to DOC Freshwater Ecology dated 15 June 2026;
 - c. RMA Ecology (Dr Graham Ussher) — Peer Review of Winstone Aggregates and DOC Assessment Reports on Ecology Matters Memorandum dated 14 June 2026;

- d. Blue Print Ecology — response to DOC report — Lizards dated 12 June 2026;
 - e. Greenaway & Associates — response to DOC report dated 15 June 2026;
 - f. PDP — memorandum on land contamination issues in response to Draft DOC Report dated 15 June 2026;
 - g. Boffa Miskell:
 - i. memorandum on landscape issues dated 10 June 2026; and
 - ii. updated landscape assessment (Rev A) dated 24 April 2026;
 - iii. Response re Terrestrial Fauna, Bats dated 12 June 2026;
 - h. Landscape Dynamics Limited Memorandum on impact of QEII covenant areas dated 12 June 2026;
 - i. Clough & Associates — Archaeology memorandum dated 10 June 2026.
160. These memoranda provide detailed comments from Winstone's experts on points of difference raised by the DOC report and supporting technical appendices.
161. Also attached are memoranda from Winstone Aggregates dated 15 June 2026 providing details of the Improvement Package A and B and proposed condition sets relating to each of those Packages.
162. Also attached are:
- a. Legal opinion authored by Mr Bal Matheson KC dated 11 June 2026;
 - b. A letter from Greater Wellington Regional Council confirming in-principle agreement for a planting area in Belmont Regional Park (for Package B) dated 15 June 2026;

- c. An updated title to the Firth Block land, showing that the Hutt City Council vegetation encumbrance has been discharged; and
- d. Winstone's response to comments, documents and addendums, submitted on 5 March 2026. These are included because they appear to have not been expressly considered by some of DOC's experts.⁷³

s9(2)(a)



P D TANCOCK/D W BALLINGER
Counsel for Winstone Aggregates

Dated 15 June 2026

⁷³ Winstone's response to comments was provided pursuant to s 35(2) of the Act, which applies s 55 (response to comments) in relation to written comments provided under s 35(1).

MEMORANDUM

TO	Department of Conservation
CC	Amy Robinson, Department of Conservation
FROM	Jade Wikaira, Wikaira Consulting Limited
CC	Shalini Sanjeshni, Winstone Aggregates
DATE	15 June 2026
TOPIC	Belmont Land Exchange Application – Response to draft DOC report

FTA308: BELMONT LAND EXCHANGE - RESPONSE TO DOC REPORT

INTRODUCTION

1. I have been engaged by Winstone Aggregates (Winstone) to provide planning assistance in relation to its fast-track application for a land exchange for Belmont Quarry (FTA308). I previously prepared the following:
 - a) Land Exchange Report¹ dated 7 December 2025.
 - b) Applicant response to completeness assessment² dated 27 January 2026.
 - c) Memorandum responding to further information in relation to section 13(4)(o), as required by section 43(2) of the Fast-track Approvals Act 2024 (the Act), to provide clarification on parcels of Māori land, marae and identified wāhi tapu within the project area.
 - d) Planning memorandum³ responding to comments received from invited persons and groups in relation to the land exchange application dated 5 March 2026.
2. This memorandum has been prepared on behalf of Winstone in response to the Draft Director-General of Conservation Report⁴ (Draft Report) under section 35(3) of the Act. The Draft Report was prepared by the Department of Conservation on behalf of the Director-General of Conservation. It addresses a number of matters arising from the Draft Report, including the assessment approach adopted, the use and interpretation of information contained within the application material, the comparative assessment of values associated with the proposed land exchange, and the application of the relevant provisions of the Act.

¹ Land Exchange Report prepared for Winstone Aggregates, December 2025.

² Applicant response to completeness assessment, 27 January 2026
https://www.fasttrack.govt.nz/_data/assets/pdf_file/0020/19505/JW-Memo-to-DOC-20260127.pdf

³ Planning memorandum responding to comments received from invited persons and groups, 5 March 2026 [Microsoft Word - WCL Planning memo 20260305](#)

⁴ Draft Report on land exchange (Belmont Quarry – FTAA-2603-L003), 29 May 2026.

Qualifications and Experience

3. My qualifications and expertise are set out in the planning memorandum dated 5 March 2026.
4. I confirm that have read the Environment Court Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. I confirm that the opinions expressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.
5. I provide this statement in response to the Draft Report.

Overview

6. This memorandum is structured as follows:
 - a) Review of the Draft Report: a section-by-section review of the Draft Report, including responses on matters where I have reached a different conclusion to the authors of the Draft Report and my reasons for that.
 - b) Provides details of Winstone's updated Improvements Package in response to the Draft Report.
 - c) Provides planning comments on the Draft Conditions proposed by DOC and explains the reasons for the proposed changes sought by Winstone's.

REVIEW OF THE DRAFT REPORT

7. Having reviewed the Draft Report and supporting appendices (technical advice to DOC), I consider that a number of overarching issues arise from the Department of Conservation's assessment. These issues have influenced the assessment of the proposed exchange and the conclusions reached in the Draft Report, many of which I disagree with. The principal issues are discussed below.

Section 2 – The Land Exchange Application

8. Section 2 of the Draft Report outlines the Land Exchange application.

Paper Road⁵

9. The inconsistent use of areas due to the paper road and variances in the description of area from approximately 23.24 ha to 23.86 ha are noted. The stopping of the unformed paper road within the DOC-Give area is not a matter that can be determined through the Fast-track Approvals Act 2024 process. The unformed paper road can only be stopped by Hutt City Council as the road controlling authority and Winstone has engaged with Hutt City Council regarding the future stopping of the road.

⁵ Draft Report at page 5.

10. Winstone notes that the exact area of land will be confirmed once a topographical survey of the exchange areas is completed. For the purposes of the land exchange application, it is noted that there is inconsistent use of areas due to the paper road resulting in slightly different approaches to rounding in expert reports.
11. For the avoidance of doubt, the area including the paper road is not sought for exchange, but will form part of the footprint for the RMA approvals in the substantive application. Winstone will pursue the road stopping and acquiring of this land at a later date from HCC in the event that the approvals are granted.

Description of exchange parcels

12. Sections 2.1 and 2.2 of the Draft Report describe the land proposed to be exchanged by the Crown and the land offered by the Applicant (Winstone). The Land Exchange Report includes a dedicated Site Context section prepared specifically to describe the exchange parcels, their planning context, and their key features and values. While the Draft Report is not required to adopt that approach, it instead draws on a range of technical assessments and other parts of the application. In my view, this results in descriptions that are not always presented in a consistent or readily comparable manner.
13. The descriptions contained in Section 5 of the Land Exchange Report formed the basis of the application and informed the technical assessments prepared in support of the proposal. However, in my view, due to the seeming incomplete understanding by DOC of the activities associated with the proposal, those descriptions in the Draft DOC Report did not completely reflect the scale and extent of the exchange land. Greater reliance on the Section material by DOC's assessors would have provided a more consistent and accurate basis for describing and assessing the exchange land.

Encumbrance in favour of Hutt City Council

14. The Draft Report notes the vegetation protection encumbrance over Part Lot 1 DP22561 (document 9032630.1) as a potential constraint affecting the Firth Block.⁶ Winstone confirms that the Hutt City Council vegetation encumbrance has been removed from the title to the Firth Block since the lodging of the report, and no longer requires consideration. An updated title to the Firth Block land is attached to this memorandum.

3 – Invitations to comment on the application

15. Section 3 of the Draft Report addresses the section 35(1) process inviting written comments on the proposed land exchange. Appendix 2 provides a summary of those comments and the responses received and are discussed further in Section 8.

Appendix 2

16. I have reviewed Appendix 2 of the Draft Report, which summarises the comments received on the proposed land exchange and the responses provided. In my opinion, Appendix 2 does

⁶ Refer to Appendix 17 – Record of title Hutt City Council vegetation encumbrance

not fully reflect the breadth of comments received during the section 35(1) process. As a result, the summary does not provide a complete account of the views expressed by parties consulted on the proposal.

17. This is relevant because section 35(3)(b) requires the report to include the information lodged with the application together with comments received through the section 35 process. In my view, Appendix 2 focuses, and DOC only responds to comments opposing the proposed exchange and does not adequately reflect the broader range of views expressed by parties consulted on the proposal. For example, comments received by Taranaki Whānui ki te Upoko o te Ika, Hutt City Council, Minister for Infrastructure, Heritage New Zealand Pouhere Taonga, and occupiers of the parcels to be exchanged (Transpower, HCC (re: paper road), Holcim, Firth Industries, Fulton Hogan, Waka Kotahi, Greater Wellington Regional Council in its view as statutory manager of the Belmont Regional Park, and QEII Trust) are described as neutral or supportive, subject to conditions, and are largely ignored or categorised in the Draft Report as “no response required.” As a result, the summary presents an incomplete, one-sided account of the comments received, downplaying the widespread support for or acceptance of the reasons for the exchange among key stakeholders or parties whose interests may be affected.
18. In my opinion, the views of key stakeholders, including those expressing support for or neutral position towards the proposal, warrant equal consideration alongside comments expressing opposition. It is unclear where in the Draft Report the views of these groups have been taken into account. A balanced assessment should take account of the full range of responses received.
19. I note for completeness that section 35(3)(b)(ii) specifically directs that the Director General’s Report include the comments received under section 35(1)-(2), which includes local authorities, mana whenua groups, and occupiers of the land to be exchanged; in my opinion, this is not adequately discussed in the Draft Report or provided sufficient weight.

Te Rūnanga o Toa Rangatira

20. Appendix 2 records the comments received from Te Rūnanga o Toa Rangatira and notes a neutral position in relation to the proposed exchange. However, the response recorded alongside those comments refer to Taranaki Whānui ki te Upoko o te Ika rather than Te Rūnanga o Toa Rangatira.⁷ In my view, this does not appropriately reflect or respond to the comments provided by Te Rūnanga o Toa Rangatira and creates uncertainty as to how their specific concerns and observations have been taken into account in the Draft Report.

5 – Section 35(3)(a) requirements

21. Section 5 of the Draft Report addresses the requirements of section 35(3)(a) which requires the matters specified in clause 26 of Schedule 6 be included.

5.1 Conservation values of the land

⁷ Draft Report, page 76

22. The Draft Report adopts assessment approaches that differ from those applied in the Land Exchange Application and supporting technical assessments. These differences are significant because they directly influence the identification, assessment and comparison of values associated with both the DOC-Give and DOC-Get land and, ultimately, the conclusions reached regarding the proposed land exchange.
23. The Draft Report presents a number of different scenarios:
 - a) Conservation values of the exchange land (including QEII);
 - b) Conservation values of the exchange land with the improvement proposed by Winstone;
 - c) Conservation values of the exchange land (without the QEII values) – (noting this is applied inconsistently by some experts as being removal of Firth and the whole Northern Gully (despite the QEII area only forming a part thereof);
24. DOC suggests conditions at Appendix 7 that it considers are required to ensure a net benefit which includes a greater improvement package than offered by Winstone, which I assume is based on scenario (c) and DOC's proposed improvements contained in the conditions due to this being the version of the law that DOC say that the Panel must apply. Rather unhelpfully the author of the Draft DOC Exchange Report, has not qualified this, and DOC has not asked its experts to consider the values of the exchange on this basis (it is not an improvement scenario that has been assessed in the tables).
25. As per legal memorandum responding to comments, DOC must prepare and assess the report based on the old cl 29(2) as it existed prior to the Fast Track Approval Amendment Act 2025 coming into force, because it was lodged in advance of that being law.
26. While I appreciate this was well-intentioned to assist the Panel in reaching a decision, it has resulted in a wide range of differing scenarios, none of which are particularly helpful (on their own) in determining the overall outcome. No clear conclusions are reached, leaving them to be inferred. We understand that DOC prepared its Draft Report as a comparative assessment only, without arriving at a definitive recommendation. DOC has also indicated that the Panel is the appropriate decision maker to assess how the conservation values are met.
27. The Draft Report adopts a different approach to the comparative assessment of conservation values, the consideration of proposed enhancement measures, and the assessment of the overall outcomes of the proposed exchange.
28. DOC's technical advice reads as a discipline-by-discipline review of Winstone's individual expert reports, rather than an assessment of the proposal as a whole. Each reviewer comments on the single report corresponding to their own discipline. The reviews do not appear to give adequate weight to Winstone's 5 March 2026 response package and the addenda that accompanied it, nor to the proffered conditions, the improvements package, or the way consultation has informed the proposal. The effect is that conclusions are reached on a partial view, and the gaps show on the points that matter. Three examples illustrate the problem:

- a) Freshwater (Appendix 4D) applies a qualitative method that gives limited weight to the increase in stream length the exchange delivers, from 1,855 m to 3,029 m. A complete assessment would weigh that gain rather than set it aside.
- b) Recreation (Appendix 4E) relies on informal pest-control lines as recreation value. Those lines do not meet the track construction standard DOC itself provided to Winstone at the pre-application stage, and cannot fairly be treated as recreation assets.
- c) Heritage (Appendix 4F) addresses mana whenua matters without regard to the written response from Taranaki Whānui ki te Upoko o Te Ika, s9(2)(ba)(i)

- 29. Another example of the above is the rec report (Appendix 4E) imports 'social licence' as an assessment criterion and rates it Low. That finding rests almost entirely on a single opposing comment, from the Friends of Belmont Regional Park. Social licence was not raised with Winstone at any point during the approximately six-month pre-application process. Assessing it properly would require evidence, which DOC has not commissioned. A social licence conclusion drawn from one comment, introduced late and without that analysis, is not soundly based. The exchange is not appropriately (or correctly) assessment on the balance of support and opposition; which to do so would ignore the statutory tests.
- 30. To the extent the Draft Report ventures into social licence, its treatment is one-sided. It focuses on opposing comments while giving little or no recognition to parties that expressed neutral or supportive positions. Several parties expressly recorded a neutral position, including Greater Wellington Regional Council, Hutt City Council, and QEII National Trust. Others were supportive, including Firth Industries, Holcim, and Fulton Hogan. Transpower confirmed that it had no objection to the proposal, and the Minister for Infrastructure acknowledged the project's benefits.
- 31. In my view, the discussion does not accurately reflect the full range of comments received on the proposed exchange; there appears to be no reasoning provided as to why the Draft Report has preferred the views of a few over those expressed by mana whenua and other stakeholders.

Methodology used by DOC

- 32. The assessment of conservation values adopted by DOC uses six categories: terrestrial flora, terrestrial fauna, freshwater ecology, recreation, cultural heritage (which included archaeology and cultural values), and landscape. For each category, DOC engaged a technical advisor (SME) who reviewed the Land Exchange application rather than commissioning new survey work; supplemented with site observation where stated. In effect, this functioned as a peer review exercise; however, the criteria and metrics applied by each expert were not applied consistently across the categories, resulting in a lack of alignment in the way values were assessed in the Land Exchange report.
- 33. Each advisor assessed the DOC-Give land and the four DOC-Get blocks separately, assigning qualitative rankings (Negligible to High) against discipline-specific assessment criteria. In some disciplines, including terrestrial indigenous biodiversity and landscape, those

criteria are broadly consistent with the methodology applied in the Land Exchange Application. In others, including recreation, freshwater and archaeology, different assessment approaches have been adopted.

34. The Draft Report assesses the conservation values of the exchange land under a number of different scenarios, including both with and without the proposed improvement package. The individual DOC-Get blocks are then brought together into a single comparative assessment and compared against the DOC-Give land to determine whether the exchange results in a net gain, net loss, or no change for each discipline. However, the method used to derive the overall DOC-Get assessment is not clearly explained in the Draft Report.

Methodology used by Winstone

35. By way of comparison, the method used in Land Exchange report is set out at paragraphs 9.7 - 9.11 on page 53. It sets out a method for systematically assessing conservation value by topic and site, allowing for a direct comparison between DOC-Get and DOC-Give to be made. For some technical disciplines such as terrestrial ecology, and landscape these topics already have established methods (e.g. Te Tangi a te Manu which are the official landscape assessment criteria for the New Zealand Institute of Landscape Architects, or in the case of terrestrial and freshwater ecology the Environmental Institute of Australia and New Zealand – EIANZ Ecological Impact Assessment Guidelines for the use in New Zealand Terrestrial and freshwater ecosystems) which are widely adopted across the respective industry, and provide specific guidance and language for use in comparative effects assessments. For other disciplines, e.g. recreation, archaeology), new methods were developed in order to undertake the comparative assessment.
36. These methods were extensively developed with experts and the Department of Conservation before the comparative assessment were undertaken, and the applicant and its consultants were provided with guidance on how to do the comparative assessment prior to completing reports.
37. In brief, the methodology was to identify criteria, in consultation with experts and DOC, which accurately capture the depth and breadth of values that are representative of the physical and natural resources of the land, and to score each land parcel on a sliding spectrum from low to high. Composite scoring was done in accordance with the directions in professional guidelines.

Conclusion

38. In my view, the methodology adopted in the Land Exchange report provides a clearer basis for assessing the proposed exchange and should be preferred. The assessment was developed to evaluate the proposal as presented, including the DOC-Give land, the DOC-Get land, and the proposed improvements package. The Draft Report assesses a number of different scenarios based on differing assumptions regarding QEII covenant land, proposed enhancements, and future conditions. However, it does not identify a single basis upon which the exchange should ultimately be assessed. The result is a range of differing outcomes from which the overall conclusion must be inferred.

Section 5.1.1 – 5.1.3 Terrestrial fauna, flora and freshwater values

Overview

39. This section provides responses from Winstone experts in relation to the Draft Report. Their responses address the respective assessment methodologies, comparative assessments, proposed improvement packages, and the conclusions reached regarding net conservation benefit. The discussion below provides a summary of the principal matters raised.

Ecology response – Dr Vaughan Keesing, BlueGreen Ecology (Ecology)

40. Dr Keesing, BlueGreen Ecology has reviewed the Draft Report and provided a response dated 15 June 2026 on the DOC Botanical Assessment. I note that the discussion below is intended as a summary of the key matters raised. Dr Keesing's response should be read in full and relied upon as the primary source of his evidence and conclusions.
41. A copy of the response is attached to this memorandum.

Core methodological dispute

42. Dr Keesing considers the primary difference in ecological values appears to be related to the botanical aspects of the site more than any other factor and this is derived from different assessment methodologies used. Mr Ward's assessment is botanical and the BlueGreen assessment is ecological.

OBDA (DOC-Give land) and DOC-Get land

43. Dr Keesing disagrees with Mr Ward's assessment of both the DOC-Give and DOC-Get land. In his opinion, the values of the DOC-Give land have been overstated, while the values of the DOC-Get land, particularly the Firth Block, Northern Gully and Southern Gully, have been understated. His memorandum provides detailed commentary on the basis for those conclusions and the implications for the comparative assessment of ecological values.

Swamp maire

44. Mr Ward refers to the NZTA offset example of a ratio of 200:1. Dr Keesing does not consider the NZTA 200:1 offset example relied upon by Mr Ward to be directly applicable to the proposed land exchange. That ratio was developed as an offset to manage the effects of complete removal of mature swamp maire trees. Instead of being an effects management (offset) approach, the land exchange proposal is about ensuring the DOC-Get land contains swamp maire to achieve comparative conservation values. Dr Keesing has recommended adding one swamp maire for (an averaged 20 years) year that the existing swamp maire have been present to be planted in the Southern Gully wetland. This figure of 200 additional swamp maire planted at the Southern Gully was included in the improvements package in the Land Exchange report and features in the Improvements Package A and B outlined later in this report.

Wetlands

45. Dr Keesing does not consider a low-moderate rating to appropriately reflect the ecological values of the Southern Gully wetland. In his opinion, the application of weed and pest control and swamp maire planting would elevate the area to high or very high value.

Edge Effects

46. In response to edge effects, Dr Keesing notes the BlueGreen report (Section 6.4.5) assesses values and only references an edge effect as it relates to the current impacts to the value of the Firth Block, in this case a discussion of the improvements offered (planting) to increase/protect the value on the Firth Block which is suffering exposure related to the current extent of the open quarry.

Improvement packages

47. Dr Keesing comments on the proposed improvements package. Management at the Northern Gully and Firth Block will include pest and weed control with western edge butter planting in the Firth Block also resulting in moderate ranking. The Dry Creek area will benefit from weed and pest management and supplementary planting resulting in a moderate value.

QEII

48. In relation to values associated with QEII, Dr Keesing considers where the land area exchanged does not alter (i.e. DOC still give 24ha and get 33ha), the loss of the QEII area values represents the loss of two areas of mature forest and the rarity elements of the forest ecosystem in the Northern Gully and some of the Ramarama.
49. The residual areas of the Northern Gully however still contain mature forest assemblages (Pukatea forest, hinau forest, kamahi forest with tawa) and the values associated with that and the Southern Gully and the managed Dry Creek still sum to moderate value habitats assessed against my overall ranking for the DOC-Give area as moderate – i.e. of equivalent value, but the package does require the addition of 200 of swamp maire (to the Southern Gully) and 500 Ramarama to Dry Creek (as per the original improvement Package A proposed by Winstone) which then tips the balance in favour of DOC. A further 400 swamp maire could be accommodated in the Southern Gully (DOC-Get land) if the Panel found that more was required.
50. Further planting of swamp maire could also be accommodated on the land adjacent to the DOC-Give land within Belmont Regional Park, if found to be necessary (Package B), in the event the Panel found that the new law applied that permitted consideration of off-site requirements.
51. Winstone are proposing (only if necessary, and if the QEII covenant value is considered to be discounted and the amended Act is considered to apply) to plant 200 swamp Maire and 200 Ramarama along with pest control to support the planting in this area as part of Package B, this would add significantly to the values of those wetland areas and spread the location of populations of swamp maire. While this would undoubtedly enhance the conservation estate's values, Dr Keesing does not believe this is necessary.

Freshwater response – Dr Vaughan Keesing, BlueGreen Ecology (Ecology)

52. Dr Keesing provides a review of DOC's Draft Technical Review by Mr Jacob Williams (Freshwater technical advisor) dated 20 April 2026. I note that the discussion below is intended as a summary of the key matters raised. Dr Keesing's response should be read in full and relied upon as the primary source of his evidence and conclusions.

53. Dr Keesing does not agree with the DOC response that appears to conclude there is a balance in freshwater values received (medium-high) and the conclusion in the Draft Report that there is no net gain (i.e that the Freshwater values of the DOC-Give and Doc-Get land are neutral. Dr Keesing considers the DOC-Get areas have higher freshwater values than the DOC-Give areas.
54. The Land Exchange report included both a hydrology report by Dr McConchie and an aquatic ecology assessment to inform its assessment of values, including the length of the stream and stream habitat provided. It is unclear whether the DOC Reviewer was provided with that full set of information as only Dr Keesing's initial ecology assessment is referenced in the reviewer's memorandum. Mr Williams fails to specify what documents he reviewed and relied upon in forming his view. Dr Keesing confirms he has taken the findings of the hydrological assessment and hydrological addendum into account as part of his conclusions. Dr Keesing agrees with Dr McConchie and confirms there is a greater amount of stream (and therefore stream habitat) being acquired by DOC in the proposed land exchange.
55. Dr Keesing states the DOC Review overinflated the DOC-Give areas in the exchange waterways and underrated the Northern Gully waterways but arrived at the same overall value (without consideration of the quantity of stream and habitat being given and offered).

Response to DOC's stated limitations and information gaps

56. In response to criticism relating eDNA collection sites at the OBDA boundaries, three of the eDNA sampled sites are within 40m of the exchange boundary and are within the same habitat type and quality. These locations were chosen because of the focus on the OBDA itself. There is no reason to expect additional species within that 40m reach not sampled and no basis for expecting fish to be present. These would be captured in the slightly downstream sampling location.
57. The north-western sample is from intermittent habitat, with about 200m of stream between the same point and exchange boundary downstream. The downstream reach is similar in habitat type as the intermittent in terms of substrate, channel form, riparian cover, just with more permanent flow. There is no reason to expect a materially different macroinvertebrate assemblage in that downstream section. Dr Keesing considers the eDNA sampling locations to provide an accurate representation of the values to be found there.

Macroinvertebrate metrics indicate a good assemblage, with EPT taxa present near the boundary between intermittent and ephemeral reaches.

58. In relation to macroinvertebrate metrics indicating good assemblage, with EPT taxa present near the boundary between intermittent and ephemeral reaches, Dr Keesing's view is that the samples reflect the upper intermittent reaches present upstream of all sample sites, rather than the ephemeral reaches themselves. Dr Keesing agrees that the results show generally fair to good representative assemblages in the intermittent reaches, although (and as discussed below) not as good assemblages as in the DOC-Get streams.

DOC states that it is not clear as to the specific types of wetlands that are present.

59. Dr Keesing states wetlands are incorporated in the terrestrial habitat assessment of the BlueGreen (2026) report. It is not a seepage/flush or an ephemeral wetland or other special “threatened” type. The DOC-Get wetland (Southern Gully) is also a riverine swamp.

DOC note the absence of farm pond assessment

60. Dr Keesing notes the farm pond/wetland is outside of the OBDA in total but around half (the upper / north half) is within the exchange area, the rest in the Firth QEII Block (DOC-Get).

Waterways may be ephemeral/intermittent/perennial at the time of surveying and may change throughout time

61. Dr Keesing accepts this point but notes the assessment can only be related to the current and clearly foreseeable value and given the small catchments and climate change, it is unlikely the current ephemeral and intermittent reaches are going to become more perennial.

DOC suggests that there is qualitative and assumed statements

62. Dr Keesing has exercised professional expert judgements in reaching conclusions. These are made from, and based on, the data collected and numerous site visits. The assessment does not track the extent of intermittency through years of research, and a judgement has to be made based on the survey data available. But that judgement is made from careful observation and consideration of the conditions present as seen at several times and is a reasonable estimation. He agrees that intermittent and ephemeral flow paths are not valueless, but they are of lesser value as aquatic habitat than intermittent systems which are of lesser value than perennial systems, but all of the system supplies resources and space to the assemblages present.

DOC state that there is no quantitative survey information for the waterways in the Firth Block.

63. Dr Keesing points out that is true, there is only observational judgement. The downstream reach is perennial and with good substrates under good riparian cover and must, by dint of permanence of flow and good substrate bed be of greater species habitat and richness value than the upper ephemeral and intermittent reaches in sediments (in the OBDA) – even while noting a stream system and its functions require the entire gambit of the catchments flow regime. Again, Firth Block is steep and covered in dense bush making it difficult to undertake such assessments.
64. While DOC are correct that there is no quantitative or qualitative survey information for the waterways present in the Dry Creek Block, there is very little stream habitat in the DOC-Get space, there is no assigned value in that area, i.e. no “value” gain is attributed to that habitat for DOC-Get.

Response to DOC’s Reviewer’s assessment of Values

65. Dr Keesing is of the strong opinion that the exchange favours DOC, with DOC receiving more and better aquatic habitat than it releases. If discounting of the conservation values of the QEII land is required, Dr Keesing notes that when considering the conservation values of the land to be acquired by the Crown, for the purpose of forming its view, the Panel must discount the extent to which the conservation values of the land are affected by anything registered or noted for conservation purposes on the title.

66. If the freshwater values of the Firth Block and the portion of the Northern Gully areas that are subject to a QEII covenant are discounted, then Dr Keesing's assessment would be unchanged as a set of medium and high value habitat remains in the exchange but the amount of stream with those same values would be reduced. That is the 110m of the Firth Block and Circa 250m (leaving 370m) from the Northern Gully and so values and extent would still remain in favour of DOC.

Review of proposed conditions

67. In regard to the ecological components of the conditions (the ecological restoration plan) Dr Keesing agree with the Winstone's edits and the following observations are made.
68. Dr Keesing concurs with the purpose of the ERP
- to manage pest weeds as targeted by the site table requirements to a 90% eradication noting that this does not address every exotic plant but those ecological weeds noted to be present and which could threaten the restoration
 - To protect and improve the condition of indigenous vegetation\establish 200 swamp maire in the Southern Gully (improvement Package A)
 - Target a 90% success (survival) rate of planted swamp maire at year 7 post planting and for other planted natives after 5 years.
69. The salient weeds of the site which are successional issue weeds are listed in the Package A improvements table, under the weeds heading for each site. It is these weeds that should be the focus and be eradicated, or as near to that level as possible.
70. Winstone's have amended the conditions in item I to an annual report instead of 6 monthly which is an appropriate time frame to achieve and report on the monitoring following the actions each year of weed management.
71. In regard to mammalian pest management, which is to support the restoration outcomes, the revised proposal by Winstone's is well suited to the requirements and avoids some of the excessive effort in monitoring (frequency and methods) that can be common to more academic ecological studies.
72. Dr Keesing does not see that new condition 41 stipulating baseline monitoring of mammalian pests should be required because the purpose is not a reduction in pests from the current level, but the holding down of any local pest population to a reasonable low level to facilitate the plant growth sort and improvement to lizard breeding chances, it is irrelevant how many pests are present now and a measure of the level of pests is attained after the first control operation in any case.
73. Thus "reduction target monitoring" is not required, what is required is understanding the levels of the pest animals in each site that trigger / require a control action, or by using, regardless of pest level, calendar control operations with a measure of the impact of each control (measured by trap, bait or shoot results).

Ecology Peer Review – Dr Graham Ussher, RMA Ecology

74. Dr Graham Ussher has completed a peer review of the ecology findings of Dr Keesing. I note that the discussion below is intended as a summary of the key matters raised. Dr Ussher's response should be read in full and relied upon as the primary source of his evidence and conclusions.
75. A copy of this peer review is attached to this memorandum. His review focuses on the merits of assessment approaches, ratio for planting swamp maire, enhancements offered as uplift, equitable land exchange for ecology values and QEII discounting.
76. In relation to the merits of the assessment approaches, Dr Ussher found that there are inconsistencies in the way the Draft Report derives and applies composite ecological rankings, particularly for flora and freshwater values. He considers that insufficient weight has been given to the extent of indigenous vegetation communities, threatened species and stream habitat present within the DOC-Get land. Dr Ussher concludes that the BlueGreen Ecology methodology provides a more transparent and systematic basis for comparing the ecological values of the exchange parcels.
77. In the Draft Report, Mr Ward cites a decision from the Manawātū Tararua Highway NZTA project where loss of swamp maire was replaced at a ratio of 200:1 through planting. Mr Ward recommends the same ratio be applied to this land exchange to provide adequate uplift for the loss of swamp maire on DOC-Give land. Dr Ussher does not support the ratio suggested by Mr Ward for three reasons:
 - a) the project cited by Mr Ward was a resource consent project for construction of a new state highway, where loss of swamp maire was the focus. For the land exchange project, the loss of swamp maire is out of scope and will be considered at the FTAA substantive application stage
 - b) recognised offsetting methodologies indicate a substantially lower replacement ratio of between 6:1 and 11:1, meaning Winstone's proposed planting of 200 swamp maire trees already exceeds what would ordinarily be required to achieve equivalence
 - c) the significance attributed to the existing swamp maire population may be overstated, as the extent of swamp maire within Belmont Regional Park is not fully known. Across Belmont Regional Park there must be other similar wet sites that should be investigated for this species.
78. In terms of equitable land exchange for ecology, Dr Ussher considers the information provided by Winstone and the BlueGreen Ecology report is thorough, robust and supports the case that the DOC-get blocks of land provide, in aggregate, better areas of habitat, wildlife values, freshwater values and vegetation values as are proposed to be exchanged for the DOC-give land.

Package B

79. Dr Ussher notes the 'Package B' proposed by Winstone over this land is to undertake works that are not currently being undertaken by Belmont Regional Park, including planting 200 swamp maire, planting 200 ramarama around wetland/swamp maire planting areas, to undertake swamp maire and ramarama maintenance and monitoring to ensure at least 90% survival after 7 years, to undertake weed control for 5 years and undertake possum control

for 10 years will ensure a viable population of swamp maire and ramarama are established on the Package B 13 ha and that native birds and lizards are protected (to some extent) from predation by exotic predators for a short period of time.

80. He confirms that the combination of a relatively large land area (13 ha), permanent creation of a population of swamp maire and ramarama, removal of weeds, and temporary control of possums, will be adequate to 'lift' a current ranking of "Moderate" to 'Moderate-High' in line with how uplift through enhancements are treated by both BlueGreen Ecology and DOC for the other blocks of exchange land subject to enhancements.
81. In conclusion, the DOC-get land, plus the enhancements offered up by Winstone, will in Dr Ussher's opinion provide a net-gain for ecology values of the sites such that the DOC-get parcels will result in an overall conservation benefit from the exchange. If discounting of the QEII blocks is applied, Package B offered by Winstone (including planting of two critically threatened plant species, weed and animal pest control) will still result in an overall conservation benefit on the conservation estate considered as a whole.

Hydrology response – Dr Jack McConchie

82. Dr Jack McConchie has completed a technical memorandum in response to matters raised in the Draft Report. The initial hydrological analysis provided relating to the potential impact of a proposed land exchange between Winstone Aggregates and the Department of Conservation included the hydrological values of two blocks (Northern Gully and Firth Block) that are held under QEII covenants currently.
83. In the event that these hydrological values need to be excluded, this would remove from consideration the 436m of stream length in the Firth Block and the 185m of stream length in the part of the Northern Gully that is subject to the QEII covenant. The land exchange needs to be considered in its entirety rather than as discrete parcels.
84. When considered as a package, the proposed land exchange will provide the Department of Conservation with:
 - Significantly longer streams i.e., maximum length of 463m compared to 265m;
 - Although there will be a reduction in the number of gully heads and ephemeral flow paths, there will be a significant increase in both the length and number of larger streams with higher and more resilient flow regimes i.e., 1,500m compared to 223m;
 - A significant increase in the total length of streams and watercourses i.e., 2,408m compared to 1,855m;
 - A significant increase in the upstream catchments contributing flow (i.e., 164.92ha compared to 89.2ha). This will ensure more stable and resilient flows in the larger streams which form part of the exchange; and
 - The land exchange will provide 'protected' hydraulic connections to several upstream catchments.
85. Dr McConchie concludes that, even excluding the areas under QEII covenants currently, from a hydrological perspective the proposed land exchange offers a range of attributes and

advantages to the Department of Conservation, providing a net benefit in favour of the Crown.

Section 5.1.4 Recreational values

86. The Draft Report concludes that the DOC-Give land has a higher recreation value (low-medium) than the DOC-Get land (low) and that the proposed exchange would result in a reduction in recreation values associated with conservation land.
87. Mr Greenaway maintains that the DOC-Give land has low recreation value, reflecting its limited use and reliance on informal, unsanctioned tracks. He considers that the additional improvements proposed by Winstone, including public access from Liverton Road and the swamp mire restoration area, increase the recreation value of the DOC-Get land from **low to low-medium**.
88. Mr Greenaway considers that any discounting of QEII covenant values has little bearing on the recreation assessment and does not alter his conclusions regarding the comparative recreation values of the DOC-Give and DOC-Get land.
89. A copy of the updated recreation report is attached to this memorandum.

5.1.5 Cultural and heritage values

90. The following comments address the archaeological and cultural values components of the Draft Report.

Archaeology values

91. Ms Cameron has responded to the archaeology matters raised in the Draft Report. She agrees with Mr Nester's assessment that the recorded archaeological site within the DOC-Give land is of low heritage value and that any archaeological sites that may be identified within the exchange areas are also likely to be of low overall heritage value. There is also agreement that the proposed land exchange will not adversely affect cultural heritage values and does not alter her conclusion that the overall archaeological benefits of the exchange are neutral.
92. Ms Cameron also notes that archaeological values are not associated with, or affected by, the QEII covenants. In her opinion, the archaeological assessment of the DOC-Give and DOC-Get land remains unchanged regardless of whether QEII covenant values are discounted.
93. A copy of Ms Cameron's Archaeology letter is attached to this memorandum.

Cultural values

94. The Draft Report does not appropriately reflect the cultural values evidence provided through the Cultural Values Assessment (CVA) and the extensive engagement undertaken with mana whenua throughout the development of the proposal.

95. Winstone is committed to working with its mana whenua partners. This is reflected in the strong relationships that have been built with Taranaki Whānui ki te Upoko o Te Ika and Ngāti Toa Rangatira. The consultation summaries appended to the Land Exchange application record an extensive programme⁸ of hui, site visits, and technical meetings with relevant experts.
96. The CVA was prepared by Hīkoikoi Management Limited, the mandated representative of Taranaki Whānui ki te Upoko o Te Ika for this project. s9(2)(ba)(i)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
97. I have reviewed Mr Nester's cultural heritage advice and note that, at paragraph 6, he states that broader cultural values identified and associated with mana whenua are not addressed in his assessment. Ms Cameron⁹ makes the same observation in her memorandum and recommends that any assessment of cultural values be determined by mana whenua.
98. Mr Nester assigns a 'Low' cultural value ranking to both the DOC-Give and DOC-Get sites and those rankings are subsequently reflected in the Draft Report's comparative assessment. In my view, the basis for these rankings is unclear. While reference is made to the CVA in Mr Nester's table 1, there is no explanation as to how the findings of that assessment have been evaluated or how they support a conclusion that the cultural values of the exchange lands are low.
99. s9(2)(ba)(i)
[REDACTED]
100. s9(2)(ba)(i)
[REDACTED]
101. s9(2)(ba)(i)
[REDACTED]

⁸ Land Exchange application, Appendix C.

⁹ Archaeology memorandum dated 10 June 2026, paragraph 11.

102. For these reasons, I do not consider the 'Low' cultural value rankings assigned in the Draft Report to be adequately supported by the cultural evidence.

5.1.6 Landscape and natural character values

103. Mr Girvan has responded to the matters raised in the Draft Report regarding landscape and natural character. Mr Girvan notes there is broad agreement between his assessment and Mr Head's review, with both assessing the DOC-Give land as having Moderate landscape value and recognising that the DOC-Get land includes areas of higher landscape value, particularly within the Northern Gully and Firth Block.
104. Mr Girvan remains of the view that the DOC-Get land, considered with the proposed improvement measures, will provide a stronger long-term landscape contribution to the conservation estate than the DOC-Give land.
105. Mr Girvan also addresses the treatment of QEII covenanted land. In his view, while QEII status may influence the weighting attributed to certain associative values, the higher landscape values identified within the DOC-Get land arise from the underlying landform, vegetation cover and landscape character of those areas, rather than the covenant itself.
106. A copy of the landscape report is attached to this memorandum.

5.1.7 – Overall Comparative Assessment of Conservation Values

107. The Draft Report provides commentary on the comparative assessment both including and discounting QEII covenant land under Schedule 6, clause 29(2) and (2A). As a result, the report presents differing conclusions depending on whether those areas are taken into account in the assessment.
108. Winstone and its technical experts have reviewed the Draft Report and prepared responses to the matters raised. Those responses are attached to this memorandum. As a result of that review, a number of the comparative assessments have been updated, including assessments both with and without the QEII covenant areas. Accordingly, the assessments previously presented in Table 28 of the Land Exchange Report are superseded by the updated tables below.

5.5 Statements of general policy (cl 26(1)(e))

5.5.1 Conservation General Policy

109. The Draft Report and the Land Exchange Report both acknowledge that the Conservation General Policy 2005 does not directly apply to the DOC-Give land as it is land that is subject to the Reserves Act 1977 and not the Conservation Act 1986. Both reports consider the policy to be a useful indicator of matters relevant to the assessment of conservation outcomes arising from the proposed exchange. The principal difference between the reports relates not to the relevance of the policy, but to the manner in which Policy 6 has been interpreted and applied.
110. The Draft Report concludes that the proposed exchange would achieve Policy 6(a)(ii) of the Conservation General Policy 2005 but would not achieve the outcomes identified in Policy 6(a)(i) and (iii) to (vii).

111. The Land Exchange Report adopted a different approach. While recognising the Conservation General Policy 2025 does not directly apply to the land subject to the proposed exchange (CGP Policy 1(a) the land is not ‘administered’ by DOC), it considered Policy 6(a) may be considered as part of the exchange and concluded the proposed exchange would enable land to be managed for conservation purposes and contribute to the conservation estate.
112. In my opinion, the assessment of Policy 6(a) in the Draft Report adopts a narrow interpretation of the policy. The assessment focuses primarily on whether individual DOC-Get parcels achieve the outcomes identified in Policy 6(a)(i) to (vii), rather than considering the conservation outcomes of the proposed exchange package as a whole. This approach does not fully reflect the structure of Policy 6(a), which anticipates that land acquisition or exchange may be undertaken where it contributes to conservation purposes or achieves one or more of the outcomes identified in the policy. In my view, the proposed exchange should be assessed on that basis.
113. It is my reading that CGP Policy 6(a) is a three-limb test insofar as either the proposed exchange may be ‘*undertaken to manage, for conservation purposes, natural resources or historical and cultural heritage*’ or *for the benefit and enjoyment of the public, including public access, where the land has international, national or regional significance*’ or where the land exchange will satisfy any one or more of the points listed in (i) – (vii). It is my interpretation that by way of reliance upon “or” in Policy 6(a) that a proposal is entitled to rely on any one of the three arms and need not necessarily satisfy all.
114. In response to the first test, the Land Exchange report¹⁰ demonstrates that the first limb is met in that the proposed exchange will provide a package of land and improvement works that collectively will enhance the conservation values of Crown-owned reserves as a whole. That is, the land exchange is proposed to be undertaken to manage natural resources for conservation purposes.
115. If the Panel did feel is necessary to revert to the third limb, it is my interpretation that Policy 6(a)(iii) ‘*improve the amenity or utility of places*’ is met, as evidenced in Land Exchange Report at section 9.61 and the Draft Report at Table 6 which agree that landscape and natural character is enhanced as a result of the exchange. I also note that in addition to that, the Draft Report concludes that the proposed land exchange achieves Policy 6(a)(ii) (improve the natural functioning or integrity of places) — I agree with that conclusion.
116. It is, therefore, my interpretation that to the extent it is necessary (noting the clear wording of the Policy, is that it does not apply to land managed by others, as in this case by Greater Wellington) two limbs of CGP Policy 6(a) are met. CGP Policy 6(b) does not apply as the land does not have a classification under the Conservation Act 1987. CGP Policy 6(c) and (d) do not apply as the land is not being disposed of but rather is being exchanged.

¹⁰ Land Exchange Report prepared for Winstone Aggregates, December 2025, pages 76 and 79

5.6 Strategies and plans (cl 26(1)(f))

5.6.2 Toitū Te Whenua Parks Network Plan 2020-2030

117. The Draft Report concludes that the proposed exchange does not achieve a number of the outcomes sought by the Toitū Te Whenua Parks Network Plan 2020-2030, including goals relating to natural heritage, recreation experience, cultural heritage features and landscape values¹¹.
118. I acknowledge that the Draft Report identifies a number of existing values associated with the DOC-Give land. However, in my opinion, the assessment places considerable emphasis on the existing characteristics of the DOC-Give land and gives comparatively limited consideration to the broader conservation outcomes associated with the proposed exchange package, including ecological restoration, biodiversity enhancement and the addition of land to the conservation estate.
119. This approach differs from that adopted in the Land Exchange Report, which assessed both the values of the DOC-Give land and the values and future management opportunities associated with the DOC-Get land. In my view, a comparative assessment of this nature is more consistent with the purpose of a land exchange assessment than an assessment focused primarily on the existing values of the land proposed for disposal.

5.7 Conditions (cl 26(1)(g))

120. Section 5.7 of the Draft Report addresses the requirement to identify any conditions that should be imposed. I address the proposed conditions, and the amendments proposed by Winstone, later in this memorandum.

6 – Section 35(4) matters

121. I have reviewed Section 6 of the Draft Report and generally agree with the matters outlined in that section.

7 – Treaty of Waitangi considerations

122. I have reviewed Section 7 of the Draft Report, which addresses Treaty of Waitangi considerations relevant to the proposed land exchange. I note the Draft Report's acknowledgement of the comprehensive engagement undertaken with mana whenua throughout the development of the proposal. I note my specific comments above on DOC's consideration of cultural values as part of the comparative assessment which is that I do not consider the 'Low' cultural value rankings assigned in the Draft Report to be adequately supported by the cultural evidence.

8 – Comments received

¹¹ Draft Report, section 5.6.2 (page 44-45)

123. Section 8 of the Draft Report provides a summary of the main themes received from the parties who responded to the Director-General of Conservation's invitation for comments. In accordance with s35(2), the Applicant was required to provide responses to those comments, a summary of which is included in Appendix 2.
124. As noted above, section 35(3)(b) requires the report to include the information lodged under section 33(1) and any comments received under subsections 35(1) and 35(5). In my view, the summary provided in Section 8 does not adequately reflect the full range of comments received. It focuses largely on comments opposing the proposed exchange and gives limited attention to neutral or supportive comments, including comments from parties with direct interests in the exchange land.
125. This creates an incomplete account of the matters raised through the section 35 process. In my view, a fair summary should identify the range of views expressed, including comments from parties that supported, did not oppose, or raised technical or property-specific matters relevant to the exchange. As drafted, Section 8 does not provide a balanced basis for understanding the comments received on the proposal.
126. For example, comments were received from a range of parties including Firth, Fulton Hogan, Greater Wellington Regional Council, Hutt City Council, QEII National Trust, Transpower, iwi authorities, and the Minister for Infrastructure. These parties raised a range of matters relevant to the proposed exchange, including property interests, operational considerations, conservation outcomes, and statutory responsibilities. However, these comments receive limited attention in the summary provided in Section 8. In contrast, substantially greater attention is given to comments opposing the exchange. In my view, this does not accurately reflect the breadth of matters raised during the section 35 process.
127. This is particularly relevant where comments have informed refinements to the proposal, identified potential benefits associated with the exchange, or confirmed that particular parties do not oppose the proposal. These matters form part of the overall context within which the proposed exchange should be assessed and, in my view, warrant greater recognition in the Draft Report.

UPDATED LAND EXCHANGE IMPROVEMENTS PACKAGE

128. There is a degree of uncertainty as to the version of the law that applies to the Panel Report; Winstone and DOC have differing views on that,¹² and that will be a matter that the Panel need to determine. Winstone hold the view that the pre-amendment version of clause 29(2) applies to its application, but has sought to navigate that uncertainty by providing two packages, the application of which hinges on this legal question:
- If the pre-amendment version of the Act applies (as of the date of application), then Package (A) is proposed.
 - If the amended provisions of the Act applies (as of the date of determination), then Package (B) is proposed.
129. The effect of the amendment to the Act will be that the conservation values subject to the Open Space Covenant (QEII) must be discounted
130. These conservation values are those which are covered by conservation covenants on the land are reflected in cl. 2 of the QEII Covenant, which records that the purpose of the deed is to maintain and enhance the Open Space Values of the covenant area and in particular achieve the following objectives:
- (a) the protection and enhancement of the natural character of the natural character of the Covenant Area with particular regard to the indigenous flora and fauna;
 - (b) Maintenance and enhancement of the landscape value of the covenant area,
 - (c) enhancing the contribution that the covenant area makes to the protection of the indigenous biodiversity, by encouraging where appropriate the restoration of indigenous vegetation cover on the covenant land
 - (d) Prevention of subdivision within the covenant area.
131. The maintenance of landscape values, and the protection of enhancement of vegetation, bats, lizards, and freshwater values are recognised in the covenant. The Covenant does not mention or address other aspects (eg. recreation, archaeology, cultural are not values protected by the covenant). In response to the Draft Report, Winstone's experts have reviewed their assessments and provided further commentary on the implications of including and discounting the QEII covenant areas. This has resulted in updated versions of Table 28, set out below.
132. The updated expert assessments respond to the matters raised in the Draft Report and result in changes to the ecology (habitat), freshwater and recreation assessments. Those changes strengthen the comparative assessment and confirm that the proposed exchange delivers an overall net conservation gain. Cultural values were not included in the original Table 28 for the reasons set out in the Land Exchange Report. However, given the treatment of cultural

¹² Draft Report, pages 16-17.

values in the Draft Report, I have included a comparative cultural values assessment for completeness.

Updated Table 28 (Improvements Package A)

Discipline	DOC-Give	DOC-Get	Net gain
Ecology (Habitat)	Moderate	Moderate – Very High	Yes
Ecology (Birds)	Moderate	High	Yes
Ecology (Bats)	Nil	Nil	Unchanged
Ecology (Freshwater)	Low	Medium – High	Yes
Hydrology	1,855 m of stream length	3,029 m of stream length	Yes
Ecology (Lizards)	18.83 ha of habitat	33.19 ha of habitat	Yes
Landscape	Moderate	Moderate-High	Yes
Recreation	Low	Low-Medium	Yes
Archaeology	Very-Low	Very-Low	Unchanged
s9(2)(ba)(i)			

133. The following table presents the updated comparative assessment applying Improvement Package (B), should the Panel determine that the QEII covenant areas are to be discounted from the assessment. The table reflects the updated expert evidence prepared in response to the Draft Report. Updated Table 28 with QEII considerations (Improvements Package B).

Discipline	DOC-Give	DOC-Get	Net gain
Ecology (Habitat)	Moderate	Moderate - Very High	Yes
Ecology (Birds)	Moderate	High	Yes
Ecology (Bats)	Nil	Nil	Unchanged
Ecology (Freshwater)	Low	Medium – High	Yes
Hydrology	1,855 m of stream length	2,408 m of stream length	Yes
Ecology (Lizards)	18.83 ha of habitat	20.98 ha of habitat	Yes
Landscape	Moderate	Moderate-High	Yes
Recreation	Low	Low-Medium	Yes
Archaeology	Very-Low	Very-Low	Unchanged

¹³ Cultural Values Assessment, Hikoikoi Management (2025), paragraph 30

¹⁴ Cultural Values Assessment, Hikoikoi Management (2025), paragraph 48

s9(2)(ba)(i)

Winstone Aggregates Memo – Improvements Package A and B

134. Winstone has provided a memorandum¹⁷ dated 15 June 2026, which sets out the proposed Improvement Packages (A) and (B) and the specific details of each package.

Improvement Package A

135. As part of the proposed land exchange, Winstone Aggregates ('Winstone') proffers the following improvement package to ensure that a net conservation benefit is realised. These works have been designed in consultation with Department of Conservation (DOC), Councils, mana whenua and community and were included as part of the Land Exchange Application, submitted DOC on 10 December.
136. Following the receipt and careful review of the draft Report and the recommended condition proposed by DOC Draft Report Winstone has amended their Improvement Package. These amendments respond to matters raised regarding; the number of ramarama included within the proposed Dry Creek planting and the increasing the duration of mammalian pest management from 5 to 10 years. Winstone also has made provision for public access onto the DOC Get land, via the right of way to the Southern Gully.
137. Enabling public access has implication for future nature-based recreation. The Southern Gully is proposed to be planted with 200 swamp maire as part of this Land Exchange, and providing access (via right of way) from Liverton Road would allow for mana whenua involvement in restoration activities and visitors to directly experience these restoration plantings, taking into account feedback from the Conservation Board and Botanical Society about ensuring that there are opportunities for access and community involvement.
138. The works will be undertaken by Winstone and are referenced in the draft conditions that form part of Winstone's response. The works would be undertaken by Winstone and secured through the proposed conditions. The amended Improvements Package is summarised below and presented in Table 1 in memorandum titled **Improvement Package A**.
139. Package (A) is summarised as follows:
- a. Planting: Flora, pest control measures and physical works for up to 10 years (as detailed in the table attached in memorandum titled Improvement Package A).
 - b. Southern Gully: 200 swamp maire to be planted in the southern gully
 - c. Dry Creek Approximately 7,000 plants, of which 500 ramarama within 0.8 ha area

¹⁵ Cultural Values Assessment, Hikoikoi Management (2025), paragraph 30

¹⁶ Cultural Values Assessment, Hikoikoi Management (2025), paragraph 48

¹⁷ Winstone Aggregates Memo titled 'Proposed ecological improvements in response to Belmont Quarry Development, Post DOC Report Fast-track Project FT308'

- d. Firth Block: 1000 kamahi and 1000 kanuka
- e. Addition of public access via the right of way to Southern Gully.

Improvement Package B

- 140. The proposed works will be undertaken by Winstone Aggregates (Winstone) and are referenced in draft conditions in the form **Package A** conditions and **Package B** conditions.
- 141. The two packages correspond to the two versions of the act. **Package A** is premised on the pre-amendment version of section 29(2) applying to the land exchange. Under that scenario, the values associated with the QEII covenant are not discounted, and the Package proffered by Winstone as part of the land exchange application on 10 December remains, with the addition of providing public access to the Southern Gully and extension of mammalian pest control from 5 to 10 years.
- 142. It is understood from BlueGreen's (2026) response on the Draft DOC Report that no additional planting is required to enhance conservation values. Dr Keesing's position is that Package A is sufficient, even if QEII discounting is applied, and therefore a **Package B** is not required. Winstone agrees with Dr Keesing's position.
- 143. However, as a conservative measure, and in the event the Panel decide to apply the post-amendment cl. 29(2A) FTAA Winstone has identified an additional 13 ha of land immediately adjacent to the exchange area in the Belmont Regional Park where further planting could be undertaken (Figure 1). **Package B** provides improvements by way of restoration and enhancement of the conservation values of land that is already within the conservation estate. Planting and pest control for a further 200 swamp maire and ramarama is proposed in this area to address the discounting of values associated with the QEII covenants (if required). The **Package B** will be implemented alongside **Package A** and would result in an overall exchange in favour of the crown.
- 144. Details of both packages are presented below and in the subsequent Table 1 and 2 noted in
- 145. Package (B) is summarised as follows:
 - a. All of Package (A) and
 - b. 200 swamp maire planting in the Belmont Regional Park, within the indicative area shown in Figure 1.
 - c. 200 ramarama planting in the Belmont Regional Park, within the indicative area shown in Figure 1
 - d. 5 year weed management in Belmont Regional Park to assist with the establishment of 200 swamp maire and 200 ramarama
 - e. 10-year pest management in the Belmont Regional Park to assist with the establishment of 200 swamp maire and 200 ramarama
- 146. However, it is noted that there is a professional disagreement between ecologists (Dr Keesing, Dr Ussher on one side and Mr Ward on the other) as to the appropriate number of

Swamp Maire that are required to provide equivalency of conservation values between the two blocks.

147. It is my reading of RMA Ecology (2026) that Package (A) is sufficient to enhance the conservation values across the exchange, including in respect to Swamp Maire. Dr Ussher of RMA Ecology Ltd (at Page 4) was asked by Winstone to provide a peer review in response to the differing views, and confirmed that he agreed with Dr Keesing.
148. If the Panel decide that discounting of the QEII covenants is required, Winstone has provided a further improvement package (Package B) that provides for further planting and pest control to restore and enhance conservation values in the Regional Park.
149. Both Dr Keesing and Dr Ussher have confirmed that this would ensure an enhancement to Crown-owned reserves when managed as a whole, the new law, changes the position to allow the Panel to take into account off-site improvements. Noting that Dr Keesing does not consider that Package B is needed, and Package A is sufficient to provide a net –benefit regardless of the discounting.
150. Winstone agree with Dr Keesings view, however out of an abundance of caution Winstone have secured agreement from GWRC, in its capacity as manager of the Belmont Regional Park to use the Reginal Park land in the immediate vicinity of the DOC Give land for further planting (should the Panel consider that necessary in order to approve the exchange). It contains a number of wetlands and existing swamp maire.

CONDITIONS

151. Winstone has considered Appendix 7 – Draft conditions recommended by DOC and has provided an updated improvement package and proposed condition set, which is discussed in detail below. Its expert assessments have taken the improvements proposed by Winstone into account in their updated assessments.
152. It is important to note that two proposed condition sets have been provided by Winstone, one that applies to Package A and Package B that includes all of Package A, and additional amendments required to give effect to improvements within the Belmont Regional Park Improvement Area.

Definitions

153. Definitions of the terms “Approval Holder”, “Approval Holders Land,” DOC –Get, DOC –Give, Crown Land, the Minister have been provided to give clarity and certainty over what was being discussed.
154. I note that the legal memorandum describes legal issues associated with the proposed conditions and preconditions, rather than repeat that I provide planning commentary on main proposed changes to conditions, noting where I disagree with the Draft Report’s reasoning on the same conditions.

Proposed Draft Pre-Conditions for land exchange

155. Winstone have added in a note describing how the preconditions work and a reminder that these need to be completed by the parties within 2 years of the date of completion (to reflect the statutory timeframe).
156. Conditions 1 and 2 Survey plan - Winstone submitted a survey plan with its Land Exchange application in December 2025. This provided for the subdivision of the parcels to prepare for the exchange. Winstone had expected DOC but did receive feedback on that survey plan as part of the Draft Report.
157. Winstone will apply for resource consent to subdivide the parcels as part of its substantive fast track application. Amendments are proposed to this condition to reflect the timeframe in which DOC's feedback on the survey plan is required.
158. I disagree with the DOC Draft Report reasoning for adding this condition at page 47 of the Draft Report, in particular the references to sufficient time to review and make changes as necessary and a no surprises approach. I consider this feedback should have occurred as part of the Draft Report.
159. Condition 3 – is accepted, with a minor amendment to (c) to refer to the correct creating document. Refer to Document 5835385.5
160. Condition 4 – is a broad condition confirming that DOC and Winstone must work together to promptly and reasonably do all things required to enable the land exchange.
161. Condition 5 - Firth Block Pit Fence. Winstone have proposed refinements to this condition that require safety fencing along 60m of the Firth Block pit face boundary. This has been refined to provide greater certainty in relation to the purpose, location, design and standard that the fence must be built to and for independent certification by a Geotechnical engineer. DOC's original condition wording provided the design of the fence to be submitted to the Minister for approval, however contained no criteria in terms of what that approval would be based on. The changes introduce clear timeframes, criteria and certification processes to support efficient implementation of the exchange.

Encumbrances

162. Condition 6 wording is accepted by Winstone's.
163. Note DOC's proposed Condition 7 - this condition has been deleted to reflect the vegetation encumbrance (document 9032630.1) has now been discharged. This has numbering implications for the remaining conditions.

Costs

164. Conditions 7 – 10 DOC's wording of these conditions is generally accepted by Winstone's. The revised drafting clarifies that only reasonable costs recoverable by the Crown with certainty regarding the basis on which those costs are assessed.

Easements

165. Condition 11 - The revised conditions clarify the scope and operation of the proposed easements, including access arrangements and the ongoing management of the exchange land. The main amendment here is that the changes proposed by Winstone to the easement

instrument allow for public access to the Southern Gully, the words of the proposed easement have been updated to reflect that in line with revised Package A.

Bonds [for Conservation Works]

166. Condition 12 - Winstone is opposed to the suite of pre-conditions around Bonds, it is concerned that the bond conditions drafted by DOC is too loosely worded and open-ended. It proposes a risk assessment process that appears vastly disproportionate to fairly discrete improvement works and actions that need to be undertaken as part of the exchange. I note that further reasons for this are discussed in the legal submissions.
167. Winstone's preferred position is that no bond is required, because the land exchange approval does not authorise the OBDA, quarrying, earthworks, or other physical works, and those matters will be addressed through the later substantive approval process. Winstone has proposed alternative conditions that directly link the bond to the conservation improvement works, establishes a clear methodology for calculating the bond, and identifies the circumstances in which it may be drawn upon.
168. However, if the Panel decides a bond is necessary, it should be limited to a practical, enforceable completion bond for the specific improvement works offered as part of the exchange, with clear works, clear timeframes, a fixed cap, defined default triggers, and release once those works are certified complete.

Fencing

169. Condition 13 – The proposed pre-condition by DOC in relation to fencing was loosely worded and could be interpreted to suggest that Winstone would be required to provide boundary fencing across the entire site to the Minister's approval. It is not clear to Winstone's what it would need to do to meet this condition as no standard is applied and it contains an absolute discretion. Winstone are not opposed to providing fencing where required, but note it is a large area, where some parts are inaccessible and where fencing is not practicable or necessary.
170. The condition has been refined to contain reference to the reasons when fencing is required and for the parties to agree to a fence standard pre-settlement, regarding the extent and nature of the fencing required and the process for agreeing its location and standard prior to settlement.

Rates

171. Condition 14 – Winstone agrees with the rating condition.

Structures and Improvements, Condition of Land

172. Conditions 15 – 19 Additional detail is provided regarding structures, improvements, site reinstatement and the condition of the land at settlement. The revised condition replaces the open-ended obligations with clearer, more defined scope and agreed terms with both parties (DOC) and Winstone. The conditions seek to develop a joint pre-settlement schedule and provide clarity on what is to be removed and from where. The Approval Holder is to remove all structures and rubbish and fully reinstate areas directly disturbed by removal.

Ecological Restoration Plan

173. Condition 20 - Revised drafting retains ecological outcomes sought and provides a clearer framework for implementation and monitoring. DOC recommends that the Ecological Restoration Plan covers both weed management and revegetation, while a Mammalian Pest Management Plan targets eradication of animal pests. The key amendments proposed by Winstone provides the ERP prepared by a suitably qualified and experienced ecologist as being consistent with the conditions and a 20 working day timeframe for the ERP to be provided to DOC.
174. Winstone considered that the monitoring requirements suggested by DOC were inappropriate, given that this is a land exchange and not a resource consent, these have been amended for annual reporting.
175. Amendments for the planting requirements are provided for in Package A and B (in the differing condition sets) based on the size, species, age, sourcing and number of plants expert evidence of Dr Keesing as confirmed by Dr Ussher in his peer review as being appropriate. Winstone disagrees with DOC's addition of 1800 swamp maire, noting there is no rationale or basis for this and it is not possible to accommodate that many plants on the site.
176. Winstone also disagree with DOC's suggested 10 year duration for weed control, noting that 5 years will be sufficient to properly establish the planting, given the eradication targets provided for in the target objective column in Table 1.
177. Further amendments refer to pest control of target weed species identified in the tables to Package A and B, rather than more broadly as all weeds and all animal pests in the DOC condition. A targeted approach is based on ecological advice and assessment and efficiency of gains expected. Package B Table 1 & 2 contains additional weed control and restoration planting in the event that planting within the Regional Park Improvement Area is required.
178. Condition 23 and 24 - Provides further amendments to specify the consultation and input process for Taranaki Whānui ki te Upoko o Te Ika and Te Rūnanga o Toa Rangatira into the ERP, including a comment process, and ability to submit any comments provided as part of the final ERP to DOC.
179. Package B includes an additional wording in condition 24, and further additional condition 25) that provides for GWRC to be consulted and have input into the Draft EMP and MPMP to ensure that any proposed methodology for restoration or pest control in the Greater Wellington Reigonal Park Improvement Area is undertaken in a manner consistent with Greater Wellington Management of the Park. These conditions are only required in respect of Package B if the Park land is included.

Mammalian Pest Management Plan

180. Condition 25 – 28 A similar approach has been adopted for the Mammalian Pest Management Plan. The revised drafting retains the pest management outcomes sought by DOC but provides a more practical framework for implementation, monitoring and adaptive management over time. Winstone have accepted increase in duration for Mammalian Pest control from 5 years to 10 years suggested by DOC but for the same reasons as outlined

above, considers it more appropriate to focus on the specified target species identified in the Package A and B tables for particular areas and has reduced the monitoring requirements proposed on the basis that these are not necessary and are disproportionate. Winstone has proposed that pest control contractor records and observations is a more efficient and effective form on monitoring as to the success of mammalian pest management measures.

181. It is noted that Package B condition set in Table 3 contains additional pest management requirements for the Belmont Regional Park Area (offered only if the Panel consider that is necessary).¹⁸

Proposed Draft Conditions

182. Conditions 30 –31 The revised drafting clarifies the interests intended to remain following the exchange and how those interests are reflected in the transfer documentation.

Ecological Restoration

183. Condition 31- 38 - The revised drafting provides a clearer directive for the Approval holder to undertake the ecological restoration in accordance with the ERP and an adaptive management framework for implementing, monitoring and adapting ecological restoration activities while retaining the outcomes sought in the Draft Report.

Mammalian Pest Management

184. Condition 39 – 42 - The revised drafting provides a clearer directive framework for implementing, monitoring and adapting pest management activities while retaining the outcomes sought in the Draft Report.

Contaminated Land

185. Condition 43 –45 The revised drafting improves the clarity and workability of the condition and aligns it with the contaminated land investigations undertaken to date and is based on the technical evidence received from PDP on land contamination, risk, and suitable measurable standards for remediation.
186. Revised condition 43 builds on DOC's suggestion that the obligation in respect of contaminated land survives settlement. It puts a clear timeframe (12 months following settlement) for discovery, sets out (a)-(c) the circumstances in which the condition can be relied upon by the Crown, and the standard that must be met to trigger Winstone's obligation to remediate aligning this with NES-CS. It also makes it clear that compliance with the National Environmental Standard is the level that any remediation must achieve (DOC's suggested condition was to the satisfaction of the Minister, which is an inappropriate discretion).

¹⁸ Refer to Improvement Package B.

187. Condition 44 provides a way forward to address potential contamination in the Northern Gully site, providing for the necessary investigation and condition 45 imposes the same standards and rigour in terms of remediation and compliance as outlined in 43.
188. Condition 45 Continuance of Rights – Winstone accept this condition.

15 June 2026

Shalini Sanjeshni
Project Manager
Winstone Aggregates Limited

CC: Phernne Tancock

Kia ora Shalini

Response DOC Botanical Assessment

Authored by Matt Ward (27 May 2026)

1. I have been engaged by Winstone Aggregates (Winstone) to provide technical assistance in relation to its fast-track application for a land exchange for Belmont Quarry FTA308. I previously prepared with Dr Leigh Bull a report on ecological values dated 2 December 2025 (Blue Green Ecology 2025), and an update to that report (Blue Green Ecology, dated 20 February 2026), and a response to comments document dated 5 March 2026.
2. My qualifications and expertise and agreement to comply with the Environment Court's code of practice for expert witnesses is set out in my earlier report. I provide this statement in response to the draft report by the Director-General of Conservation dated 29 May 2026 and the appendices to that report that are relevant to my expertise.
3. I have read the initial draft and the updated report (by Mr Ward), the terrestrial fauna report (by Mr Rhys Burns) and the freshwater report (by Mr Jacob Williams) and I was present at two meetings (4 September 2025 and 17 October 2025) with DOC discussing my initial findings and the methods for making the comparative values assessment of each set of communities present in the exchange areas.

Executive summary

4. This document responds to the botanical ecological values assessment prepared by Mr Matt Ward (27 May 2026) in connection with the proposed Belmont Quarry land exchange, under which approximately 34 hectares of Fletcher-owned land (the DOC-Get areas) would be added to the conservation estate in return for approximately 24 hectares of Crown reserve land within Belmont Regional Park (the DOC-Give area or OBDA). The fundamental disagreement between my assessment and Mr Ward's is methodological: Mr Ward's assessment is primarily based on botany, focusing on species lists and the presence of swamp maire (*Syzygium maire*), whereas the BlueGreen assessment applies a broader ecological methodology, evaluating habitat maturity, structural complexity, and landscape function across all four EIANZ assessment criteria — representativeness, rarity and distinctiveness, diversity and pattern,

and ecological context. That methodological difference is the primary driver of the divergent conclusions.

5. With respect to the DOC-Give area, this report takes the view that Mr Ward has materially overstated its conservation values. Approximately 17 hectares of the 24-hectare OBDA is either exotic-dominated (gorse, pasture) or in an early seral native shrubland stage with no mature forest components. In my assessment, that means that the DOC-Give area supports no higher than a low to moderate representativeness ranking under the NPS-IB and EIANZ criteria. I consider that Mr Ward has conflated rarity (the presence of (he says) nine swamp maire individuals and 23 Ramarama) with the structural and compositional criteria of diversity and pattern, representativeness, and ecological context. By doing so, Mr Ward has inflated the overall value score for the OBDA to a moderate-high level — I do not think that is supportable. Conversely, I consider that Mr Ward has undervalued the DOC-Get areas, and in particular the Northern Gully and Firth Block. Those areas contain mature tawa-kāmahi forest (a regionally threatened type), pukatea-tawa riparian forest, perennial stream systems, and a complex mosaic of vegetation age-classes and topographic gradients that collectively warrant a high value assessment under each of the EIANZ criteria. When the EIANZ methodology is consistently applied, the DOC-Get areas should have a rating that exceeds the OBDA's assessed value.
6. On the specific matter of swamp maire, I disagree with Mr Ward's direction to a 200:1 offset ratio drawn from an NZTA example. That ratio was developed for the full removal of mature trees as an offset and is not applicable here, where the proposal is to establish comparative conservation values in the DOC-Get areas rather than to offset effects under the RMA. The proposal to plant 200 swamp maire in the Southern Gully wetland — on a basis of one plant per year of estimated averaged age of the existing OBDA specimens — is considered fair and proportionate and is likely to result in a more significant swamp maire population than would arise from natural processes in the DOC-Give area.
7. I have also identified that Mr Ward's analysis does not conform to the EIANZ (2018) values assessment protocol in its use of intermediate value rankings (moderate-high, low-moderate). Such intermediate values are not recognised by EIANZ. Overall, in disagreement with Mr Ward, I consider that the land exchange will achieve a net conservation gain in terms of ecological values.

Core methodological dispute

8. The primary difference in ecological values appears to be related to the botanical aspects of the site more than any other factor. Mr Burns, in regarding terrestrial fauna, finds in the round there to be a net gain in the exchange and the freshwater expert Mr Williams concludes a neutral case (although I refute that and will respond to that freshwater report separately). Of note is that the faunal elements reflect their habitats, and the terrestrial ecologist notes that it is the mature and complex nature of vegetation in the DOC Get areas that differentiate the exchange.
9. The difference in botanical value appears to derive from a different assessment methodology. Although the value headings are the same (representativeness, diversity & pattern, etc.) how each assessment was undertaken and what was considered is at the root of the difference. Mr Ward's assessment is floristic (botanical); the BlueGreen assessment is ecological.
10. In essence, there remains a difference in the botanic values attributed to the exchange (DOC-Give) area as opposed to the DOC Get areas (northern gully, southern gully, Dry Creek and the Firth Block).

11. I note, and it is important to keep in mind, that my assessment was an ecological assessment following EIANZ guidance, NPS IB guidance, and also guided by a table with examples of criteria interpretation supplied to me by DOC (Appendix 7 of my report), not just a botanic assessment focused on rarity.

OBDA (DOC-Give land) – overstatement of values

12. In my opinion, Mr Ward has significantly underplayed the values present in the DOC-Get areas and overly raised the value of the DOC-Give area (for which he uses the term OBDA area).
13. While a substantive part of the botany assessment prepared by Mr Ward focuses on the presence of swamp maire and swamp maire habitat, the assessment itself (the tabulated assessment of representativeness, diversity and pattern, rarity and distinctiveness, ecological context) finds the “OBDA” to be moderate or higher in all categories, “averaged”, possibly, to a moderate-high overall value.
14. I disagree with this aspect of Mr Ward’s assessment, firstly because it is unusual for a relatively recent regenerated common broadleaf shrubland area to rank as moderate-high even while there are some (he says) nine specimens of swamp maire scattered throughout. I believe he has conflated the values of the ordinary with a focus on this one species (noting also the 23 Ramarama that are present).
15. I consider his assessment to have ignored the greater part of the wider site (of the 24ha present 8ha is exotic weed fields (30%) and 9ha are young common native regenerating scrub 37%)¹. I conservatively found the value to average to a moderate level mostly because of the presence of a small wetland and the gullies in which the swamp maire occurs as well as the Ramarama; there are no mature forest areas, no pukatea-kahikatea forest, no tawa forests, etc.
16. I do not understand the scoring of the individual components of Mr Ward’s assessment.²
17. While I attempted to utilise the EIANZ values approach and the table supplied by DOC³ (as an agreed method proposed by DOC prior to me completing my report) I cannot see, other than the headings, how Mr Ward has used the same method with the same criterion interpretations.
18. For example, his table 2 (page 10) “overall assessment of flora values” says representativeness ranking is moderate based on:

Belmont Regional Park (BRP) is located in the Wellington Ecological District (WED), in general the vegetation is described as remnants of originally widespread forests: podocarp forests (kahikatea, totara, matai) on hills... miro-rimu/tawa forest at higher levels; all these species present in remnant forests though podocarps have been logged out of many remnants

¹ Tables 12-14 in my assessment

² Ward evidence page 10, second table “The OBDA”

³ Appendix 7 of my report

(McEwan, 1987). The WED covers an area which has many types of habitats (see Appendix 2.), and therefore many indigenous plant species.

- *When directly compared to the plant list of the WED (Ward, 2026) which has 602 indigenous native plant species, the OBDA area has 111 species (Ward, 2025, Appendix 3.), this includes Woody species 49 (30% of WED); Ferns 38 (37%); Grasses/sedges/rushes 14 (13%); Herbs 10 (4%).*
- *The floral vegetation is in recovery after being an area farmed at low impact rates until 1996 (GWRC, 2007). This can be seen by the low percentage of palatable herbs and grass-like plant species recorded. Tall specimens are present particularly on the Southwestern section of the area (Figure 11).*
- *The OBDA is regarded as 'Lowland broadleaf forest remains' within the BRP see Appendix 4 (GWRC, 2007). There are several land cover types including a manuka/kanuka dominated block on the Eastern edge. The Southwestern edge also has the components of MF7 Tawa, Kamahi, podocarp forest regionally endangered 22% remaining (Singers et. al., 2018).*

19. The first paragraph, perhaps used to set the Wellington Ecological District scene, does not directly apply to the exchange site in that there are no remnant areas of kahikatea, totara, matai forest, or miro-rimu/tawa forest in the OBDA. Mr Ward then compares the species list he made of the exchange site (111 indigenous species) to a list he has compiled for the Wellington Ecological District (WED) (602 indigenous species), but that is not a measure of representativeness and I am unsure, except as a consideration of diversity, what this number offers. He states that the OBDA is a recovery post 1996 farming (with which I concur), and that it has a low presence of palatable species of herbs and grasses because of this older use – and that alone suggests that its representativeness is modified, and so inconsistent with his concluding rank for this aspect.
20. Lastly, his evidence is that the OBDA is regarded as “lowland broadleaf forest remains” by the Regional Council citing a GWRC reference (GWRC 2007. *Belmont Regional Park – Resource Statement*. Greater Wellington Regional Council) in which there is a broadscale map that includes gorse and broom in the area and says that outside of remnant forest bits it is regenerating forest and lists a number of common broadleaf species and Singers et al (2018). But as he acknowledges, most of the area was pasture and only the gullies retained any form of shrub and tree fern during farming. It is not tawa, kamahi, podocarp forest (MF7) as he cites and so does not have the rarity element of MF7. The mapping of Mr Singers et al 2018 reference is the display of where forest types were (based on soil and climate etc) not a map of the current remaining forests.
21. The NPS Indigenous biodiversity in Appendix 1 of that document explains the use of representativeness to assess significance and this is replicated in the policy 23 RPS GWRC criteria.

22. The NPS explains that *"Representativeness is the extent to which the indigenous vegetation or habitat of indigenous fauna in an area is typical or characteristic of the indigenous biodiversity of the relevant ecological district."*⁴
23. The key attributes are:⁵
- indigenous vegetation that has ecological integrity that is typical of the character of the ecological district, and
 - habitat that supports a typical suite of indigenous fauna that is characteristic of the habitat type in the ecological district and retains at least a moderate range of species expected for that habitat type in the ecological district.
24. It is about the assemblage of species in the vegetation layers (ground, middle tier and canopy) and across environmental gradients and the array of animals in those vegetation communities.
25. There is no easy measure or yard stick for these criteria, but it is about the presence of the right species in each layer (are those expected present) and the use of those species by expected fauna. While a young regenerating seral stage coming up through exotic cover is typical of itself, where there are still areas of exotic species (e.g. gorse, blackberry, holly, barbery), then this detracts from the representativeness and where the number of species is depressed because a range of species has not succeeded in colonising that area, then this too reduces the representativeness, as does the absence or paucity of signs of the final canopy species, colonisation, etc. This is how I considered the representativeness but not, it appears to me, how Mr Ward has considered it.
26. In Appendix 7 of my report the DOC table given to me as the example to follow for the assessment provides (re representatives), the following examples:
- High rating: Old-growth forests typical of largely natural mountainous ecological districts throughout New Zealand, such as those of South Westland, North West Nelson and the Raukumara Range.
 - Medium rating: Native shrublands of moderate diversity in gullies in ecological districts centred on foothills that have been peripherally oversown and/or top-dressed.
 - Low rating: Patches of cutty grass *Carex geminata* in developed paddocks of low-altitude New Zealand, such as the coastal hills and terraces of eastern Wairarapa.
27. While the examples are not overly relevant to the exchange area, the key point is that old and mature and native is more highly ranked than native shrublands of some disturbance which is of greater rank than semi-native agriculturally used areas.
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⁴ NPS-IB, Appendix 1, at "A — Representativeness criterion, para 1".

⁵ NPS-IB, Appendix 1, at "A — Representativeness criterion, para 7".

28. In my assessment, this meant that large areas of the exchange (DOC-Give) (17ha exotic prevalent or dominant) were low representativeness, and the smaller remainder (7ha) medium/moderate representativeness independent of the presence of rarity factors and none were high representativeness. I erred on the side of caution with a moderate ranking and could have reflected that two-thirds of the area shows a low representativeness ranking and averaged the outcome towards the majority.
29. I cannot see what the bullet points reported by Mr Ward measure or do to influence the score he raises.
30. In terms of diversity and pattern Mr Ward scores the DOC-Give (OBDA) area as moderate-high because of:
- a. *The OBDA area has sections of WF8 Kahikatea, pukatea forest — Regionally critically endangered — 1% remaining (Singers et. al., 2018). The components are present and regenerating of note to this forest type is the Syzygium maire – swamp maire, a specialist obligate wetland species (Clarkson et. al., 2021). Apart from nearby along the western edge, this species is not found in any other part of the BRP. The evidence of these gully's being rare remnants can be seen in figures 1-3 as mentioned above.*
31. But this discussion by Mr Ward is about rarity (of a forest type and a species), not about diversity and pattern. Importantly, I did not find that there is a WF8 kahikatea-forest in the exchange area and Mr Ward has no map of vegetation types. So there appears to be no evidence in Mr Ward's report of a WF8 Kahikatea section. Indeed, a critical part of my assessment was to make and understand the vegetation communities over the site⁶ and map these.
32. Mr Ward also scores the DOC-Give area as moderate high in diversity and pattern because:
- "The gullies are in good health with a canopy of tree fern; the lack of weedy species can be seen in figure 12."*
33. Again, I am unsure how this relates to diversity and pattern. The DOC proffered guidance to me states that this criterion is about the extent to which the expected range of diversity and pattern of biological and physical components within the relevant ecological district is present.⁷
34. In the DOC guidance (my Appendix 7) they say as examples that:
- a. High rating: Complex mosaics of primary and secondary forests and shrublands across environmental gradients (e.g. altitude, rainfall).
 - b. Medium rating: Small kettlehole turfs with limited diversity of habitat and flora.

⁶ See Figure 1 and Figure 11

⁷ See also NPSIB, Appendix 1 at "B — Diversity and pattern criterion, para 1"

- c. Low rating: Low-statured induced shrub monocultures (e.g. matagouri, mānuka, kānuka) with few other native plants, little habitat diversity and no indigenous vegetation sequences, e.g. dry eastern New Zealand hill country.
35. The essence is that where there is a mosaic of aged vegetation communities on a range of slopes and hydrology and soils (environmental gradients) that area ranks highly. This is exactly what I see in the Firth Block and Northern Gully - mature stands, middle aged stands, earlier seral stages and young regeneration on various slopes and hydrology and inclusive of perennial stream habitats too, whereas the DOC-Give area has no mature stands and a relatively young and relatively uniform set of seral stages on less pronounced slopes and lower diversity of hydrology. In terms of diversity and pattern, I would evaluate this as perhaps moderate, if not low. I cannot see how, in comparison, the DOC-Give (OBDA) can be assessed as moderate-high, and the Firth Block low and the Northern Gully (which is the most diversity and has greatest pattern) as moderate only.
 36. I believe Mr Ward has made an error in treating rarity as the driver for this criterion rather than diversity and pattern, which is what he was meant to be considering.
 37. I accept Mr Ward's ranking for rarity and distinctiveness as high for the DOC-Give (OBDA) but note that this ranking can only relate to the (he says) nine swamp maire and the 23 Ramarama, one Coprosma. There is not any wider forest community rarity as there are no existing forest communities, only variously aged broadleaf seral shrubland, kanuka shrubland and tree fern gullies.
 38. These species and forest types are also recognised in my assessment with the exchange area being high but the same applies to the Northern Gully and the Southern Gully (as a wetland).
 39. With respect to Ecological Context again Mr Ward ranks the exchange DOC-Give site as moderate-high citing the following reason:

"Having a decent population of swamp maire present within the OBDA will continue to provide a seed source that may be transported by the visiting avifauna, making the wider area (where swampy) potential sites for further spread of the species".
 40. I do not consider nine individuals of swamp maire scattered over the OBDA as a "decent" population and note that the central western gully, which was removed from the exchange area because of its swamp maire values, holds the only cluster of more than 10 large seeding swamp maire (it is the only stand with clear evidence of germinated seedling) and is likely the source for all the local swamp maire). As that area of swamp maire has been removed from the exchange parcel, it should form no part of the assessment of the ecological context of the OBDA/DOC-Give area. Again, Mr Ward's assessment looks more like an assessment of rarity than of ecological context.
 41. Lastly, he also adds to his analysis of ecological context the following reason:

"The ongoing pest animal management in the area (GWRC, 2023, pg. 24) will continue to allow more seedlings to survive as is evident with this area already having a considerably higher percentage of native flora species than those areas outside the BRP."
 42. I am not sure how this statement reflects the ecological contextual value of the vegetation community; it is a comment of the GWRC pest management more than anything else.
 43. The presence of swamp maire trees (but not the only or best seed source) and pest management of the area does not make a moderate-high value for ecological context.

44. The DOC guidance given to me for the assessment (and the NPS IB) says “ecological context” is: The extent to which the size, shape, and configuration of an area within the wider surrounding landscape contributes to its ability to maintain indigenous biodiversity or affects the ability of the surrounding landscape to maintain its indigenous biodiversity.⁸ And as examples DOC stated:
- a. High rating: Extensive old-aged matagouri on large terraces that are well buffered by adjacent floodplains and vegetated mountain slopes.
 - b. Medium rating: Secondary podocarp-broadleaved forest fragments in lowland hill country, providing stepping stones between larger habitats (e.g. in Rodney ED, north Auckland).
 - c. Low rating: Small indigenous shrub remnants on a river terrace, where adjoining terraces have been cleared and developed for vineyards. They are highly vulnerable to edge effects and have no linkages to other remnants.
45. It seems age, size, extent of buffering, functional roles in species movement, seed sources and food resources should be the focus of the assessment of ecological context. That was the focus of my assessment.

DOC-Get land — undervaluing of conservation values

46. While I do not agree with Mr Ward’s overall assessment of moderate-high for the DOC-Get area I also consider that he has undervalued the Firth Block, Northern Gully and Southern Gully areas.
47. Both the Firth Block and Northern Gully areas have more complex and aged and less disturbed communities than the DOC-Get area. The Firth Block and Northern Gully also have the same younger seral communities as the OBDA, and there is a rare forest type (tawa-kāmahī forest type), and they support perennial waterways. The only thing that is absent from the Northern Gully/Southern Gully and Firth Block areas that is present in the DOC-Give area is swamp maire.
48. The principal issue with Mr Ward’s assessment is that the same application of the criteria to the Northern Gully and Firth Block should result logically in a higher than OBDA result, because those areas are larger, older, more mature, of greater integrity, are mosaics of greater diversity and stature and have been less adversely impacted by past uses. This makes them better developed, of wider ecological importance (functions and context) and with better diversity and pattern reflecting more complex hydrological and topographic variation. However, Mr Ward ranks the Northern Gully, Southern Gully and Firth Block as having a lower value ranking than the DOC (OBDA).

⁸ NPSIB Appendix 1 “D — Ecological context criterion, para 1”.

49. Also not factored in by Mr Ward is the area difference, 33ha in the DOC-Get area compared with 24ha in the DOC-Give area. In my assessment, the greater area being given to DOC together with its higher conservation values contributes to a net benefit in ecological values.⁹
50. After surveying the Northern Gully (including the eastern pukatea gully) it was evident to me that compared to other areas in the park, this was of high value. The absence of understory mammal disturbance is important but so is the value related to the rare forest type (Tawa-Kamahi MF7 - endangered) and the Pukatea - Kahikatea (WF8 – critically endangered) type, which Mr Ward claims is also in the OBDA (based on swamp maire I assume – because there are no canopy pukatea and kahikatea forest in the OBDA). Those swamp maire are not a “forest”, they are most often single trees in a common broadleaf shrubland or tree fern gully. I do not agree with Mr Ward that there is a rare forest type present in the OBDA.
51. The Firth Block, similar to the Northern Gully, has this range of mature forest in basins through to complex steep shrublands, but does not appear to have the rarity components of either the Northern Gully or the OBDA and hence was conservatively assessed as moderate value. That said, in all measures other than rarity, the Firth Block should be greater than the OBDA because of its age, less modification and complexity. While I conservatively ranked it as moderate it cannot be said to be low-moderate as assessed by Mr Ward. Mr Ward in his assessment table for the Firth Block says he agrees with the BlueGreen assessment for diversity and pattern, but I scored that as moderate (Table 16), not low as he scores it. That difference in score is the difference between his low-moderate and moderate.
52. I also disagree with the value of the Southern Gully exchange wetland area which Mr Ward ranks as moderate but I rank as high. Our differences relate to rarity where I reflect the regional scarcity (<4% remaining) of natural inland wetlands and he does not. He does not appear to recognise the Carex sedgelands and reflects only on the obviously planted specimens. The other main difference is our consideration of ecological context, and it appears with his low-moderate ranking does not recognise the functional importance this largest wetland in the local area plays in terms of wetland hydrological functions, and in buffering the stream.
53. In addition, the value is heightened by the potential for greater restoration through the proposed weed management and importance of the area in being able to establish a sizable swamp maire forest area.
54. He agrees that my outcome for Dry Creek (currently low value), would be improved by the management package offered.
55. In terms of wetland the OBDA example is more representative and better than the Southern Gully as it currently is, but much smaller and with less future potential. It is this Southern Gully in which Winstone proposes to establish 200 swamp maire as a forest. Such numbers could not be accommodated in any of the OBDA narrow gully swamp maire habitats.
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⁹ Blue Green ecology report at para 11.0, page 91.

56. On reflection of Mr Ward's summary table of value components and in terms of the EIANZ guidance (Rope, Lindsey et al 2018)¹⁰ there are no conjoined (mid-way) values in the EIANZ system. Instead, the EIANZ system provides for: negligible, low, moderate, high and very high. To be moderate requires one high and the rest moderate or low, or two moderate and the rest low or lower¹¹. With moderate-high or low-moderate rankings as given by Mr Ward you cannot apply the EIANZ (2018) guidance process. I assume therefore he does not use or reflect on the EIANZ guidance in his values assessment. Instead of using the EIANZ published guidance protocol, Mr Ward is using some other method to average or collate his outcomes.
57. A last curious note of inconsistency in Mr Ward's approach is that in Mr Ward's values table (Table 1) the QEII is the only element of the Northern Gully that scores more than the entire North Gully area put forward for diversity and pattern, rarity and distinctiveness and ecological context and yet the wider area includes terrain and species assemblages that are different and add to the whole (i.e. just the QEII area) such that the score ranks should not be less in the whole than in the small (but better) part.
58. I cannot see how or why Mr Ward causes the smaller area to be of high rank than the wider area or that the smaller area (as opposed to the whole area) has a different ranking for rarity and distinctiveness or context given the same functions and species are represented in both areas but the larger area has additions not seen in the smaller area in terms of types of terrain and seral stages.
59. It simply does not make sense to me in reflecting on what those criteria area asking, noting that the criteria are not weighted by issues present – i.e. if in looking at the wider Northern Gully Mr Ward downgrades diversity and pattern there because of weed presence then this is a wrong interpretation of the criteria.

Swamp Maire

60. On the matter of 200 swamp maire as replacement for the nine in the OBDA. Mr Ward refers to the NZTA offset example of a ratio of 200:1.
61. That ratio was developed as an offset to manage the effects of complete removal of mature swamp maire trees. As an offset to manage that effect, it may well be appropriate (for mature old trees).
62. But the proposal here is not an effects management (offset) approach. Rather, it is about ensuring that the DOC-Get lands contain swamp maire to achieve comparative conservation values. There are nine or so swamp maire in the exchange area (noting Mr Ward's map does not reflect the numerous swamp maire of the central Western Gully that was purposefully excluded from the exchange because it contains the largest number of oldest swamp maire with clear evidence of seedling production). The affected swamp maire are variously young, perhaps 10-30 years old, as they are not evident in the farmed gully aerial photographs. I have

¹⁰ An industry standard guidance protocol

¹¹ Table 6 chapter 5.

therefore recommended adding one swamp maire for (an averaged 20 years) year that the existing swamp maire have been present to be planted into the Southern Gully wetland, i.e. 20 for one such that the number covers the age gap, more or less. Thus, instead of DOC, in 20 years, at the OBDA having nine canopy swamp maire instead there will be 200 maturing canopy swamp maire in the southern gully (one of the Get areas). I think that this number is fair and proportionate and which in all probability is more than would result from the natural processes if nothing was to occur. The substantive application for resource consent and other approvals will deal with the management of the effects of the proposed activity on these OBDA swamp maire as a separate process.

Wetlands

63. Mr Ward features the one wetland component of the DOC-Get (OBDA) in his assessment in parts of his rationalisation of various criteria.
64. I assess the wetland separately as a component to the DOC-Get where it has a high value contribution. In the Southern Gully, it being a wetland (due to rarity) also affords the Southern Gully a high rarity value. Mr Ward does not reflect the natural inland wetland (which is native species dominated despite the level of blackberry and with planted species) as rare or of high rarity. Certainly, the NRP and NPS-FM do not discriminate between exotic and native dominated wetlands — those documents are based on the premise that a qualifying natural inland wetland or natural wetland is always said to have equal and high importance and value. Likewise, the Ecological Context of this large wetland area in the Southern Gully, which includes a perennial stream and good buffer native shrubland edge, has a greater importance and ecological context than low-moderate. I do not consider a low-moderate rating for the Southern Gully to appropriately reflect such a sizable wetland. While Mr Ward suggests this area improves to moderate with weed and pest control, I suggest, by his own consideration of the value of swamp maire and swamp maire habitat, it must be considered as high or even very high following weed and pest and swamp maire planting.

Edge effects

65. Mr Ward discusses edge effects in some detail at his section 6, but I do not know why as such effects and their management are usually considered as a vegetation clearance effect through consent applications. The BlueGreen report (Section 6.4.5) assesses values and only references an edge effect as it relates to the current impacts to the value of the Firth Block, in this case a discussion of the improvements offered (planting) to increase/protect the value on the Firth Block which is suffering exposure related to the current extent of the open quarry.
66. Mr Ward drifts into the post exchange potential effects of the substantive application in section 6 and that is not a current values exchange topic - it is for the substantive application where those and similar effects of the proposed new land use are assessed and managed, not in the exchange values report.

Improvement packages

67. Mr Ward acknowledges the improvements package offered by Winstone, which includes revegetation (edge effect buffering), special species additions (Swamp maire and Ramarama) and animal pest and plant weed managements. His overall assessment value stable (his table 1) shows increases in values associated with these managements in Dry Creek, Firth Block, Northern Gully and Southern Gully. An increase by a half ranking - typically from his low-moderate rank to moderate or, in Dry Creek, from low to low-moderate.

68. I have always assumed that the management in the North Gully is to limit weed and pest in the North Gully but advance/secure the Cottle Block younger seral development in the south, raising those areas to meet the better northern elements, but does not raise the average over all value to a different rank (which I say is high). In the Firth Block the western edge buffer planting and the weed and pest control similarly protects the existing values and allows progression of the vegetation but the deficit in this area in terms of values is the absence of rarity and the weed and pest management does not cause rarity to change. It is likely that the moderate ranking will persist, but more securely.
69. The Dry Creek area, however, will greatly benefit from the weed and pest management and supplementary planting which will liberate existing native young plants and open space for more native colonisation and add species. I consider that the proposed management can bring the Dry Creek area up to a moderate value, assisting diversity and pattern and context.
70. Lastly, there remains the question of values associated with the QEII areas and what the exchange looks like were those values to be discounted. In my opinion and where the land area exchanged does not alter (i.e. DOC still give 24ha and get 33ha), the loss of the QEII area values represents the loss of two areas of mature forest and the rarity elements of the forest ecosystem in the North Gully and some of the Ramarama.
71. The residual areas of the North Gully however still contain mature forest assemblages (Pukatea forest, hinau forest, kamahi forest with tawa) and the values associated with that and the South Gully and the managed Dry Creek still sum to moderate value habitats assessed against my overall ranking for the DOC-Give area as moderate – i.e. of equivalent value, but the package does require the addition of 200 of swamp maire (to the South Gully) and 500 Ramarama to Dry Creek (as per the original improvement Package A proposed by Winstone) which then tips the balance in favour of DOC.
72. While I do not believe that further planting is needed to enhance conservation values, I note that a further 400 swamp maire could be accommodated in the South Gully DOC-Get land (if the Panel found that more was required). I note this would provide a total of 600 swamp maire on the DOC-Get land, the DOC-Get land is not capable of supporting the 1800 swamp maire that have been suggested as being needed by Mr Ward.
73. Further planting of swamp maire could also be accommodated on the land adjacent to the DOC-Give land within Belmont Regional Park, if found to be necessary (Package B), in the event the Panel found that the new law applied that permitted consideration of off-site requirements.
74. This area is known to have acceptable swamp maire habitat (there are already a number of swamp maire growing in the four natural inland wetlands), shown on the attached graphic.



Wetlands with swamp maire habitat conditions.

Winstone are proposing to plant 200 swamp Maire and 200 Ramarama along with pest control to support the planting in this area as part of Package B, This would add significantly to the values of those wetland areas and spread the location of populations of swamp maire. While this would undoubtedly enhance the conservation estate's values, I do not believe it is necessary for the reasons outlined above.

Conclusion

75. As will be apparent from the above discussion, there are a number of areas where I disagree with the assessments by Mr Ward of the ecological values associated with the various exchange parcels. I present these in summary in the Table below. Overall, I remain of the view that, taking into account the proposed improvements, principal of which is the addition of a large number of swamp maire and Ramarama, the land exchange proposal will achieve a net conservation benefit for ecological values. I have not assessed the benefits of Package B in a lot of detail in my table below, because I do not consider that they are necessary and the conservation values are met with Package A alone (as initially proposed with the 200 Swamp maire and Rama Rama), however I accept that those conservation values are further enhanced and provide even more benefit to the Crown if an additional 200 swamp maire and Ramarama in the Regional Park area proposed in Package B is provided.

	Vegetation type	Representativeness	Rarity and distinctiveness	Diversity & pattern	Eco context	Outcome pre management (no improvements)	With managements (improvement Package A)*
DOC Give	Ward	Moderate	High	Moderate-High	Moderate	Moderate-High	
	BGE (EIANZ)	Moderate	High	Moderate	Low	Moderate	
DOC Get	Northern Gully						
	Ward	Moderate	Low-Moderate	Low-Moderate	Moderate	Low-Moderate	Moderate
	BGE (EIANZ)	High	High	Moderate	High	Very High	Very High
	Firth Block						
	Ward	Moderate	Low	Low	Moderate	Low-Moderate	Low-Moderate
	BGE (EIANZ)	High	Low	Moderate	Moderate	Moderate	Moderate
	Southern Gully						
	Ward	Low-Moderate	Moderate	Moderate	Low-Moderate	Low-Moderate	Moderate
	BGE (EIANZ)	Moderate	High	Moderate	High	High	Very High
	Dry Creek						
	Ward	Low-Moderate	Low	Low	Low	Low	Low-Moderate
	BGE (EIANZ)	Moderate	Low	Low	Low	Low	Moderate

Responses to DOC Freshwater Ecology

76. I have been asked to review DOC's Draft Technical Review by Mr Jacob Williams (Freshwater technical advisor) dated 20 April 2026.

Overview

77. The DOC response appears to conclude that there is a balance in freshwater values received and given (medium-high), and the draft DOC report concludes that there is no net gain, i.e., that the Freshwater values of the DOC-Give and DOC-Get land are neutral. I disagree with

that view because I consider that the DOC-Get areas have higher freshwater values than the DOC-Give areas.

78. There are several points that I would like to make regarding the differences in opinion.

Information that formed part of DOC Freshwater Review

79. I note that Winstone's application included both a hydrology report by Dr McConchie and an aquatic ecology assessment to inform its assessment of values, including the length of the stream and the stream habitat provided. Both Dr McConchie and I also provided further memoranda as part of Winstone's response to comments relevant to freshwater values.
80. It is unclear whether the DOC Reviewer was provided with that full set of information as only my initial ecology assessment is referenced in the reviewer's memorandum. Mr Williams fails to specify what documents he reviewed and relied upon in forming his view.
81. I confirm that I have taken into account the findings of the hydrological assessment and hydrological addendum as part of my conclusions. I agree with Dr McConchie, who has confirmed that there is a greater amount of stream (and therefore stream habitat), being acquired by DOC in the proposed exchange.

Overinflation of freshwater values in DOC-Give

82. In my opinion, the DOC Review overinflated the DOC-Give areas in the exchange waterways and underrated the Northern Gully waterways but arrived at the same overall value (without consideration of the quantity of stream and habitat given and offered).
83. It is unclear what data or evidence has been provided by the DOC Reviewer to reach that conclusion. The DOC response has reviewed and relies on data, evidence, and observations from Winstone's ecological consultants (myself included), based on ten years of site engagement.
84. DOC has not undertaken any of its own surveys of the waterways in any season and has not collected its own data (and the Reviewer does not appear to have ever even been on site). This is an important consideration when exercising professional opinion and making judgement calls in regard to representativeness and diversity of habitat and ecological context.
85. Mr Williams' desktop review should not reasonably outweigh the repeated, site-based observations collected over almost a decade of familiarity with the site, that I (and the other applicants' consultants) have drawn upon to come to our conclusions.
86. One important factor in DOC's evaluation of freshwater values should have been that the DOC-Give site holds predominantly ephemeral flow paths, with lesser amounts of intermittent reach and very limited amounts of perennial flow, whereas the DOC-Get site has substantive amounts of perennial waterway.
87. In the DOC assessment the significance of intermittent aquatic habitat has been exaggerated: no fish are present, and the macroinvertebrate fauna identified by eDNA testing reflects the hydrology, in that it is limited but indicative of fair quality.
88. There is no rarity present and only typical functional ecological contextual values related to limited water presence. In my view, the eDNA evidence does not support the DOC Reviewer's assessment or warrant assigning a high value to the DOC-Give site and, in my opinion, even assigning it a "medium" rating in reliance on this evidence is an overstatement of the data.
89. In short there is a much more and better perennial waterway present in the DOC-Get areas offered by Winstone than in the area DOC-Give. The majority of the DOC-Give site is without

permanent aquatic habitat and there is nothing unusual present on the DOC-Give land to justify raising the value.

90. Figure 48 of the BlueGreen Ecological Assessment (page 76) for the exchange shows the extent of ephemeral flow paths upstream of the intermittent reaches, and the extent of perennial reaches in the exchange area. This mapped distinction is also consistent with the hydrologist's (Dr McConchie) hydrological assessment and indicates that most flow paths within the exchange area are ephemeral and intermittent. DOC's Reviewer does not appear to have accepted this mapped extent of freshwater habitat types over the DOC-Give and DOC-Get (as depicted in Figure 48) but has not provided any additional evidence, by way of data, to the contrary to challenge that delineation.
91. Further information on hydrology was provided by Dr McConchie in response to comments received on the exchange application regarding waterways, and further information about downstream receiving environmental conditions, including maps and data, was provided, but it does not appear to have been taken into account.

Response to DOC's stated limitations and information gaps

92. Mr Williams identifies a number of information gaps. My response to each of those is set out below, along with my assessment as to the significance or otherwise of those gaps.

1. Criticism: eDNA collection sites were located at the OBDA boundaries and so miss species in the exchange.

93. Three of the eDNA sampled areas (the two eastern and the south-western sites) are within 40m of the exchange boundary and are within the same habitat type and quality. These locations were chosen because of the focus on the OBDA itself.
94. There is therefore no reason to expect additional species within that 40m reach not sampled, and certainly no basis for expecting fish to be present. These would be properly captured in the slightly downstream sampling location.
95. The north-western sample is from intermittent habitat, with about 100m of stream between the sample point and the exchange boundary downstream. The downstream reach is similar in habitat type as the intermittent in terms of substrate, channel form, riparian cover, just with more permanent flow. There is no reason to expect a materially different macroinvertebrate assemblage in that downstream section. I consider the eDNA sampling locations to provide an accurate representation of the values to be found there.

2. DOC notes that the macroinvertebrate metrics indicate a good assemblage, with EPT taxa present near the boundary between intermittent and ephemeral reaches. DOC argues this suggests the ephemeral reaches have higher values than described or may not be ephemeral.

96. My view is that the samples reflect the upper intermittent reaches present upstream of all sample sites, rather than the ephemeral reaches themselves. We agree that the results show generally fair to good representative assemblages in the intermittent reaches, although (and as discussed below) not as good assemblages as in the DOC-Get streams.
97. It is useful to bear in mind that the macroinvertebrate metrics of the Northern Gully perennial system (DOC-Get) show MCI 121-124, 26-31 taxa and 12-16 EPT taxa, whereas the DOC-Give intermittent streams have MCIs 89-109, 16-25 taxa, and 5-15 EPT taxa. In

other words, the DOC-Get areas have better macroinvertebrate assemblage metrics (the Macroinvertebrate community indices), the taxa number and number of “special” – EPT -taxa, as well as including fish species.

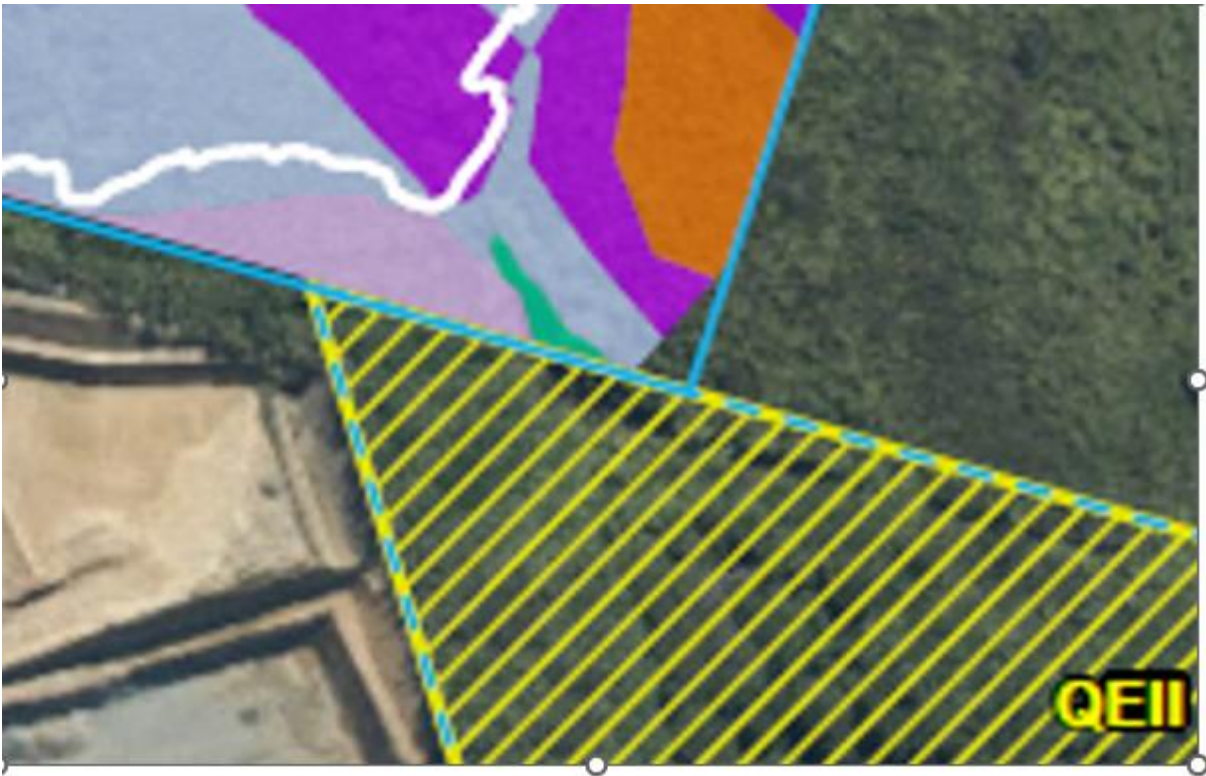
3. DOC states that it is not clear as to the specific types of wetlands that are present.

98. Wetlands are incorporated in the terrestrial habitat assessment part of the exchange report.¹² The wetlands in the exchange are, on the east side, kiokio-sedge wet gully bottom sediment dominated features which under Johnson and Gerbeaux (2004) are riverine (associated with streams and channels) where the dominant function is continually or intermittently flowing freshwater in open channels (even while those channels fill up with sediments). These riverine systems are swamps (rather than marsh), i.e. receiving a relatively rich supply of nutrients (courtesy of the older farming), and often sediment runoff. While there is no peat, there is a thin sediment cover over a relatively hard bed and there is a mineral substrate. There are leads of standing water with gentle periodic inflows and the water table is generally at or near the surface. The vegetation is sedge, rush, flax and scrub i.e. swamp.
99. It is not a seepage/flush or an ephemeral wetland or other special “threatened” type (Holdaway *et al*, 2012). The DOC-Get wetland (Southern Gully) is also a riverine swamp.

4. DOC note the absence of farm pond assessment

100. The farm pond/wetland is outside of the OBDA in total but around half (the upper / north half) is within the exchange area, the rest in the Firth QEII Block (DOC-Get).
101. The water body was recognised as of higher avian value, the edge vegetation in the exchange is tree fern gully canopy, and manuka-kanuka shrublands on the northeast boundary and the ponded feature itself open water with a scattered of *Carex secta*. In the Firth Block the south-eastern edge is later seral broadleaf forest. The BGE in assessing each recognised component vegetation type of the DOC-Give area (Table 13) classifies the tree fern gully habitat as of low value (young, simple, modified) and the manuka (kanuka) mixed broadleaf as moderate value the “wetland” being mostly open water as low value but the faunal value as high (avian). Whereas on the Firth Block it is later seral (moderate value). See enlarged vegetation map below. The values in the exchange match, i.e. the DOC-Get = the DOC-Give.

¹² BlueGreen ecology 2026 at pages 30–65 and 80–83.



Position of pond in relation to Firth and exchange areas.

5. *The DOC states that while some of the waterways may be ephemeral/intermittent/perennial at the time of surveying, they may change throughout time.*

102. That is accepted, but the assessment can only be related to the current and clearly foreseeable value and given the small catchments and climate change, it is unlikely the current ephemeral and intermittent reaches are going to become more perennial.

6. *The DOC suggests that there is qualitative and assumed statements*

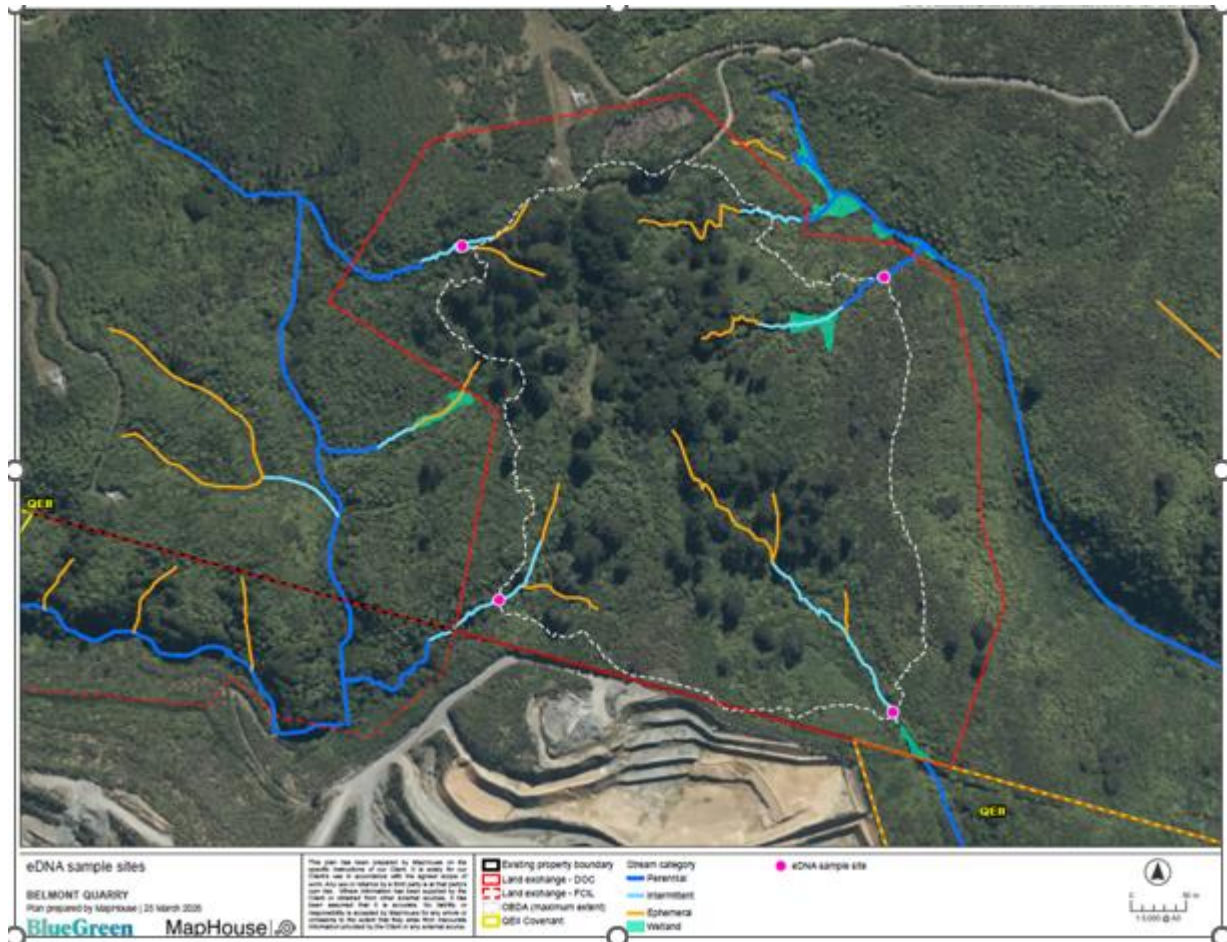
103. The DOC Reviewer is critical of the fact that I have made qualitative judgements and assumptions in reaching my conclusions. I agree that I have exercised professional expert judgements in reaching my conclusions. These are made from, and based on, the data collected and numerous site visits. The assessment does not track the extent of intermittency through years of research, and a judgement has to be made based on the survey data available. But that judgement is made from careful observation and consideration of the conditions present as seen at several times and is a reasonable estimation. I agree that intermittent and ephemeral flow paths are not valueless, but they are of lesser value as aquatic habitat than intermittent systems which are of lesser value than perennial systems, but all of the system supplies resources and space to the assemblages present.

7. *DOC state that there is no quantitative survey information for the waterways in the Firth Block.*

104. That is true, there is only observational judgement. The downstream reach is perennial and with good substrates under good riparian cover and must, by dint of permanence of flow and good substrate bed be of greater species habitat and richness value than

the upper ephemeral and intermittent reaches in sediments (in the OBDA) – even while noting a stream system and its functions require the entire gambit of the catchments flow regime. Again, Firth Block is steep and covered in dense bush making it difficult to undertake such assessments.

105. The end result of hydrological and ecology assessment of the lower Firth Block stream is portrayed in the map below.



106. While DOC are correct that there is no quantitative or qualitative survey information for the waterways present in the Dry Creek Block, there is very little stream habitat in the DOC-Get space, I have not assigned any value in that area, i.e. no “value” gain is attributed to that habitat for DOC-Get.

Response to DOC’s Reviewer’s assessment of Values

107. The DOC Reviewer provided their assessment in a number of tables showing their freshwater values assessment for the DOC-Give and Get sites, which incorporates a range of factors used in the terrestrial assessment (such as the LENZ classification and wetland presence) rather than the streams themselves.
108. DOC also incorporate aspects for the DOC Give site that are not relevant to the DOC Give site, for example under “representativeness” they cite, as the last bullet point, the MCI downstream (the main stem) - which has better MCI than the exchange area which if accorded weight inflates wrongly the perception of the exchange area. It is not relevant because it is an area

outside of the exchange. Those values are relevant to the substantive application as potential receiving environments of earthworks and material storage discharge.

109. In terms of representativeness, ignoring wetlands, simply the presence of ephemeral/ intermittent/perennial streams (as is the case for all streams) does not make the reaches “representative”, all streams in catchments have these classes / structures. The fact that the waterways are recovering from farming does mean that the waterways are modified and the sediment beds and only recently attained canopy cover supports my view that those waterways are not “representative.” The eDNA outcomes show no fish and the macroinvertebrate metrics favour a “fair” representation not “good” level of representative values (for all but one tributary). I consider that a more accurate rating for the value of these intermittent systems is low (I reproduce my assessment as a table below following discussion of the rest of the DOC’s assessment of the OBDA).
110. Under “diversity and pattern,” again DOC reflect on wetlands and on the pattern of ephemeral to perennial which is in every waterway, and neither are valid considerations here. The reflection on MCI (not taxa diversity) and the lack of acceptance of the absence of fish has affected this score which I say is better considered as low.
111. DOC raise LENZ but the LENZ mapping suggests it’s the flat ridge and uplands that is in the “red” <10% remaining with indigenous cover and this factor features in the terrestrial assessment, not in the aquatic and is not valid for the aquatic.
112. Wetlands are again raised but that rarity is accounted for in the vegetation assessment. DOC then state under rarity that long fin eel and koura are present. North Island Koura are not an At Risk or threatened species (this is acknowledged at the end).
113. Long fin eel they state are present in the exchange area, bringing a rarity value. However, long fin eel are not shown by the eDNA and fish barrier data suggests it unlikely, and their presence is not supported by evidence. I am of the view that the eDNA data is a fairly accurate and true evidence of the absence of fish in the tributaries, along with the shallow flow nature of the stream systems in the DOC-Get area.
114. I accept that there is a very small chance of long fin eel in the perennial section of the north-western tributary in the exchange area (not in the OBDA itself), although the depth of water in this system should prevent the reach being used as permanent habitat, but believe that the DOC Reviewer has overestimated the likely presence of this species in the DOC-Give area, which has contributed to the reviewers assigning a higher value.
115. Further DOC’s use of a modelled presence of fish species is without merit compared to the stream observational and eDNA data, stream condition and barrier surveys carried out - it is invalid to raise possible threatened and at risk species present as though they were. Rarity and distinctiveness cannot be medium-high with the information presented and known, the data gathered indicates a low ranking.
116. For context DOC cite good buffering, which is fair, but as a source of water for the Hutt River, as is the entire catchment, this is not a valid metric given the very small and insubstantial amount of water and proportion of the Hutt River catchment (See Dr McConchie’s report). It acknowledges the fish barriers and lack of connectiveness, but I consider it fails to reflect the shallow and intermittent nature supplying unstable habitat, small sizes and in the round is best described as low.
117. While I did not set out my assessment in tabular form in the exchange document, using instead text, I follow the DOC reviewers presentation style below and set out in tabular form

my assessment of freshwater values of the DOC-Give tributaries (which are relatively uniform in physical type and condition and so can be treated as a single assessment).

Table 1: My assessment of freshwater values of the DOC-Give tributaries

Criterion	Rank	Reasons
Representativeness	Low	The intermittent reaches are characteristic of intermittent reaches in headwater situations under vegetation cover but generally do not have retained pool habitat or any sizable refugia for species at low flow periods, the substrates are relatively homogenous sediments rather than mixed hard and soft types. The Macroinvertebrate assemblages are fair to good (indicating moderate) but there is an absence of fish species. Sign of modification in the substrates and riparian cover (pine inputs). Low end of the spectrum.
Diversity & Pattern This considers the diversity of aquatic habitat within an area and considers if there are gradients and patterns in physical habitat etc	Low	There are a limited set of types - pools and slow runs - there are few riffles, no cascades or complex flow types. Velocities are similar in all areas, i.e. there is a limited flow heterogeneity. Few permanent fish habitat areas. There is reasonable small woody debris and leaf litter, but few accumulations in dams. Sediments are the predominant substrates without boulder or cobble bases or reasonable mixes where past land uses had not changed the nature of run off. Riparian cover is good. Typical but on the lower scale of the gradient.
Rarity & distinctiveness	Low	There are no rare species, types or features and little is distinctive about the types and species present - common and reflective of a slightly modified headwater system.
Ecological context	Low	Small catchments of little water collection and transfer value. Good riparian buffering now, but less so historically during farming which has resulted in modification. No fish spawn or refugia areas, no fish connectivity, unlikely a source for species downstream.
Outcome Overall DOC - Give	Low	

118. For the northern Gully DOC (DOC's table 3) follows the same pattern as their DOC Give analysis, which (I say) suffers from the same over simplified and flawed considerations that I have discussed above, but accept that we both arrive at (for differing reasons) the same value which is medium or moderate (despite also being perennial and with fish).

119. For the Southern Gully the assessment is the same with the same, I say, flawed elements but I say has a high (relative) (not medium-high) value because it has the best macroinvertebrate assemblages and best (only) fishery, has flow and depth and velocity variations, a mix of substrate including gravel-small cobble reaches, wetland and native shrubland riparian conditions and is also perennial with a good wider catchment. I illustrate below the assessment I make of the north and south gullies (both on the DOC-Get land).

North Gully

Criterion	Rank	Reasons
Representativeness	Moderate	The perennial reaches of the northern gully contain varied hard substrates (bed rock, bolder, cobble sediments) with gradient related velocity changes and run, riffle pool sequences. Woody debris and leaf litter is common, riparian shade optimal and the macroinvertebrate communities good with expected species. Eel are present. However, the true right bank has modifications and younger riparian vegetation. It is best considered as of moderate representativeness.
Diversity & Pattern	Moderate	As noted above there is a diversity of substrates, flows and habitat types and these patterns are natural and related to gradient and bank stability. The diversity of macroinvertebrates is moderate and reflective of the conditions. Fish presence is depressed (related to down stream passage issues).
Rarity & distinctiveness	Low	In the northern gully long fin eel are likely present (being connected to the central main stem in which they were surveyed) but not surveyed in this reach and so not considered here. Otherwise other than being in relatively good condition there are no rare or distinctive attributes.
Ecological context	Low	While Northern Gully tributary contributes water to the Hutt River catchment, the scale is insignificant and there is a considerable passage barrier for all aquatic species between the wider Hutt Catchment and this reach.
Outcome North Gully	Moderate	

Southern Gully

Criterion	Rank	Reasons
Representativeness	Moderate	The perennial reaches of the southern gully have a gravel-cobble upper section under terrestrial riparian broadleaf shrub with pools and riffles, the passage through the wetlands is deeper and more narrow and

		run and pool habitat in tall wetland riparian with slow flows. The cobble based upper is galaxiid habitat the wetland stream eel habitat (more so). The whole sites flow and habitat types and abundance show low modification and reflect reasonably well the natural state.
Diversity & Pattern	High	The southern gully, as well as substrate variance, has two types of stream – slow deeper wetland and faster shallower stoney bush streams sections. The macroinvertebrate communities are better than the northern gully or OBDA and there are fish species present including galaxiids.
Rarity & distinctiveness	High	In the Southern Gully there are banded kokopu, long fin eel and short fin eel (at least), two At Risk taxa. The stream also passes through and contributes to the wider wetland (distinctiveness). Given the paucity locally of native fish species, I rank this higher than usual.
Ecological context	Moderate	The South Gully has a greater role in species movement and refugia by dint of the best local macroinvertebrate assemblages and several fish species and its connection to the Hutt River — better than those of the Northern Gully or OBDA.
Outcome South Gully	High	

120. I agree with the reviewer's Dry Creek assessment but note that the length of stream involved is likely much less than the 507 m in Table 5 DOC (I measure it as at 170m), but I did not use this stream in considering the gains of the exchange because most of the stream has been piped lower down to the Hutt River.
121. With respect to the Firth Block below the ponded area, while I have no metrics having observed the stream and its bed the condition suggests as good a perennial system (based on wetted width, depth, substrate and riparian condition) as the northern gully and so I agree with DOC on an averaged medium (moderate) value likely.
122. Overall, in the round I determine that the DOC Get stream habitats are of greater lengths of better condition perennial reaches, with better instream condition and values than the DOC Give tributaries, and that raising the smaller, less flowing, less developed, more modified headwater tributaries of the DOC Give well above their reasonable value is not warranted in a fair exchange consideration.
123. DOC table 7, their overall assessment, if taken at face value and as an averaged state would see the DOC Give tributaries as a medium (moderate) value not a medium-high value, as the low-medium and high-medium scores cancel and cause an averaged medium outcome.
124. This is typically how the EIANZ values evaluation process works, noting, as I did for the botanic assessment of Mr Ward, that the EIANZ process does not have partial values – in between categories - a feature is either Negligible, low, moderate high or very high not in between.

Under the EIANZ process the DOC scoring would come out as a moderate value (for the DOC Give area) while mine is low.

125. As noted, I disagree strongly with the rarity aspect of that assessment (as well as the diversity and pattern and context). I assessed the values of these tributaries as low.
126. Further I had not made an evaluation of the Dry Creek stream, although I have walked the lower 20m into the bushed section and so am unaware how DOC can tabulate values of this stream. If I was asked to make a judgement based on my one site inspection I would have to say with excellent substrate, diverse morphology, good riparian condition it above the open quarry area is of good quality and so of at least medium value but without fish species.

The appropriate comparison is (noting I have converted all moderates to medium):

	Representativeness	Diversity & pattern	Rarity & distinctiveness	Ecological context	value	Approximate length of aquatic habitat (m)
DOC assessment - DOC Give	Medium	Medium	Medium-High	Low-Medium	Medium-High	450
BGE assessment - DOC Give	Low	Low	Low	Low	Low	
DOC assessment - Northern gully	Medium	Medium	Medium	Low-Medium	Medium	620
BGE assessment - Northern Gully	Medium	Medium	Low	Low	Medium	
DOC assessment - Southern gully	Medium-High	Medium	Medium-High	Low-Medium	Medium-High	170
BGE assessment - Southern Gully	Medium	High	High	Medium	High	

DOC assessment - Firth Block	Medium-High	Low-Medium	Medium-High	Low-Medium	Medium-High	110
BGE assessment - Firth Block	Medium	Medium	Low	Low	Medium	
DOC assessment - Dry Creek	Low	Low	Low	Low	Low	127
BGE - Dry Creek					Medium	

127. DOC gives up 450m of aquatic habitat that they say is of medium-High but which I say is of low value.
128. DOC get 1,027m of mostly perennial habitat much of which I say is medium (857m), or High (170m) value but which they say is low through to medium-High value (280m).

Conclusion

129. While DOC eventually conclude that the exchange is balanced, I am of the strong opinion that the exchange favours DOC, with DOC receiving more and better aquatic habitat than it releases.
130. If discounting of the conservation values of the QEII land is required, I note that when considering the conservation values of the land to be acquired by the Crown, for the purpose of forming its view, the Panel must discount the extent to which the conservation values of the land are affected by anything registered or noted for conservation purposes on the title.
131. If the freshwater values of the Firth and the portion of the Northern Gully areas that are subject to a QEII covenant are discounted, then my assessment would be unchanged as a set of medium and high value habitat remains in the exchange but the amount of stream with those same values would be reduced. That is the 110m of the Firth Block and Circa 250m (leaving 370m) from the Northern Gully and so values and extent would still remain in favour of DOC.

Review of proposed conditions

132. The DOC has recommended a set of draft conditions which Winstone's have amended in relation to their perspectives. In regard to the ecological components of the conditions (the ecological restoration plan) I agree with the Winstone's edits and I make the following observations.
133. I concur with the purpose of the ERP

- to manage pest weeds as targeted by the site table requirements to a 90% eradication noting that this does not address every exotic plant but those ecological weeds noted to be present and which could threaten the restoration
- To protect and improve the condition of indigenous vegetation\establish 200 swamp maire in the Southern Gully (improvement Package A)
- Target a 90% success (survival) rate of planted swamp maire at year 7 post planting and for other planted natives after 5 years.

134. However, in looking at the details in terms of weeds to be controlled, item h of the list references targets weeds as being those weeds listed in Kate G. McAlpine and Clayson J. Howell, publication (August 2024), which is a list of environmental weeds in New Zealand 2024. This is too wide a set of weeds to be managed to a 90% eradication. The salient weeds of the site which are successional issue weeds are listed in the Package A improvements table, under the weeds heading for each site. It is these weeds that should be the focus and be eradicated, or as near to that level as possible.
135. Winstone's have amended the conditions in item I to an annual report instead of 6 monthly and I consider this an appropriate time frame to achieve and report on the monitoring following the actions each year of weed management.
136. In regard to mammalian pest management, which is to support the restoration outcomes, the revised proposal by Winstone's is well suited to the requirements and avoids some of the excessive effort in monitoring (frequency and methods) that can be common to more academic ecological studies.
137. Given my opinion, I do not see that new condition 41 stipulating baseline monitoring of mammalian pests should be required because the purpose is not a reduction in pests from the current level, but the holding down of any local pest population to a reasonable low level to facilitate the plant growth sort and improvement to lizard breeding chances, it is irrelevant how many pests are present now and a measure of the level of pests is attained after the first control operation in any case.
138. Thus "reduction target monitoring" is not required, what is required is understanding the levels of the pest animals in each site that trigger / require a control action, or by using, regardless of pest level, calendar control operations with a measure of the impact of each control (measured by trap, bait or shoot results).

Yours sincerely

s9(2)(a)



Dr Vaughan Keesing
15.06.2026
BlueGreen Ecology

Memo

To:	Shalini Sanjeshni, Winstone Aggregates	Job No:	1601.203
From:	Graham Ussher, RMA Ecology Limited	Date:	14 June 2026
cc:	Ian Wallace, Winstone Aggregates		
Subject:	Belmont Quarry, Wellington: review of Winstone Aggregates and DOC assessment reports on ecology matters		

Dear Shalini,

Winstone Aggregates (**Winstone**) has lodged an application for a land exchange relating to the Belmont Quarry Development project, Wellington, which is a listed project under the Fast Track Approvals Act (**FTAA**), with the Department of Conservation (**DOC**) in December 2025.

The proposed exchange involves land adjoining the existing quarry.

The application is for up to 34 hectares of Winstone-owned land to be added to the conservation estate and approximately approx. 23.5 ha of conservation land within Belmont Regional Park to be transferred to Winstone Aggregates.

‘DOC-give’ refers to the Crown reserve land within Belmont Regional Park that Winstone seeks to obtain for an overburden disposal area as part of the Belmont Quarry Development Project. The effects of the overburden disposal area are not a relevant matter of this land exchange comparison; any matters relating to the effects of the disposal site activities will be addressed as part of the substantive resource consent/ FTAA process.

‘DOC-get’ refers to the four Winstone-owned parcels proposed to be transferred to the conservation estate called the Northern Gully, Southern Gully, Firth Block, and Dry Creek Block (**Figure 1**). These land blocks adjoin Belmont Regional Park and include a mix of forest, scrub and wetland environments.

The information supporting the application by Winstone is summarised in these ecology reports:

- BlueGreen Ltd. 20 February 2026. Belmont Quarry Land Exchange: Overview of Ecological Values. Report prepared by BlueGreen Ecology Ltd for Winstone Aggregates Ltd. 118 pp.
- Blueprint Ecology Ltd. 3 December 2025. Belmont Quarry Land exchange Lizard Assessment. 12 pp
- Boffa Miskell Ltd. 2025. Belmont Quarry: Acoustic bat survey results. Report prepared by Boffa Miskell Limited for Winstone Aggregates. 23 pp.
- Winstone, 13 June 2026. Proposed ecological improvements in response to Belmont Quarry Development, Post DOC Report Fast-Track Project FT308. Memo prepared by Shalini Sanjeshni. 211 pp
- BlueGreen ecology Ltd. 12 June 2026. Responses to DOC land exchange reports. 25 pp.

The draft review undertaken by DOC is contained within the DOC Land Exchange Report:

- Department of Conservation. 29 May 2026. [Draft] Report on land exchange: Belmont Quarry – FTAA -2603-L003. 115 pp plus appendices.
- Botanical report. Statement of Evidence of Matt Ward, for the Department of Conservation. 45 pp
- Freshwater report. Statement of Evidence of Amy Robinson, for the Department of Conservation. 9 pp

I have been engaged by Winstone to review the application document, and the DOC draft report with respect to ecology, and to focus on areas where the two reports differ in terms of technical approach, interpretation and conclusions. I have prepared this report in my capacity as an appropriately qualified and experienced ecologist¹.

I confirm that have read the Environment Court Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. I confirm that the opinions expressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

I have read the above application and DOC reports. In past years, I have walked over the Belmont Quarry site and Dry Creek sites as part of ecological surveys regarding other matters, and I am familiar with the vegetation communities in the Dry Creek, Belmont Quarry and ridgetops of the Northern and Southern Blocks. I have not visited the DOC-give area.



Figure 1: Overview of proposed land exchange parcels with the DOC-give parcel in green (the proposed future overburden disposal site), and the DOC-get sites in blue (Dry Creek, Northern Gully, Southern Gully, and Firth Block).

I have focused my response on the issues I consider most material. The absence of comment on other matters should not be taken as agreement or acceptance.

The matters that I comment on in this review are:

1. Merits of the approaches to assessing equivalence;
2. Ratio for planting swamp maire;
3. Enhancements offered as uplift; and

¹ See Attachment A for the qualifications and experience of Dr Graham Ussher.

4. Equitable land exchange for ecology values.

1 Merits of assessment approaches

The Winstone values assessment approach uses a standard vegetation classification to consider each vegetation community individually, rather than as part of a whole, as part of comparing vegetation values across the sites. This has the advantage of clearly defining the spatial extent of more ecologically valuable communities from those that are younger or exotic dominated.

Ecological value of each area (DOC-give or DOC-get) is assessed under the Winstone approach by applying judgement in the context of the NPS-IB significance criteria, and using the EIANZ system for deriving a single overall descriptive qualitative score for value. The Winstone approach then provides a scoring system to generate a single quantitative score for the DOC-give and the DOC-get land separately, and according to the 'value' of ecological resources within them.

The approach taken by DOC for the botanical assessment (by Mr Ward) is similar in that it applies assessment rankings from Low through to High, although the basis for defining these rankings is not made apparent in the report. Whereas the Winstone analysis focusses on specific vegetation units within sites, the DOC analysis focusses on overall land blocks, such that it is not clear how high-value vegetation communities and low-value communities are merged to form an overall judgement for each land block (Table on Page 10 of Mr Ward's report). For example, it is not clear if high-value communities contribute more or less to an overall score, or if communities within land blocks are 'smoothed or averaged' in the attribution of a score. Likewise, the overall indigenous flora value column of the table on page 10 of Mr Ward's report has been generated from the four individual qualitative values, but how this is generated is not made clear (for example, has it been averaged somehow, or has greater weight given to a larger site or part of a site for some reason). The methodology is unclear nor specified.

I note that ramarama (a Nationally Critical threatened species) was recorded from the DOC-get Northern Gully site, but is not mentioned in Mr Ward's narrative. There is no indication that the presence of this species has contributed to a higher ranking for the 'Rarity and distinctiveness' criterion in Mr Ward's summary table on Page 10 of his report, yet much is made of the presence of swamp maire on the DOC-give land.

Whereas the Winstone report provides a clear basis for comparing the presence, absence and amount of comparable vegetation community at the DOC-give and DOC-get sites, the analysis by Mr Ward does not. The Winstone approach shows clearly that indigenous vegetation communities are well represented in the DOC-get land, in larger areas, and with additional vegetation types not present in the DOC-give land. The analysis by Mr Ward does not seem to take into account whether the vegetation values of the DOC-give land are represented in the DOC-get land; rather his analysis focusses simply on species or overall land units that combined exotic and indigenous values, yet omits mention of how much is offered up by Winstone.

Consideration of areas of land parcels and areas of each community of importance should form an important basis for comparison (as well as considering condition (values)). The BlueGreen Ecology report summarises this clearly in Table 13 of that report. A similar comparison is absent from Mr Ward's report.

Mr Ward's report deals only with values of the land parcels. It does not provide a comparison; that has been provided in the overall DOC land exchange report (Section 5). The DOC land exchange report provides several tables that summarise the findings of the relevant DOC experts. Table 10 of the report includes a column that provides an overall 'DOC-get composite ranking'. The ranking listed for flora is given as Moderate, but that ranking is not provided in Mr Ward's report. I surmise that the author of the overall DOC land exchange report has provided this overall ranking themselves, which has required a judgement as to how the individual rankings of the four DOC-get sites must have been balanced.

There is no method provided as how this composite ranking is derived, by whom (and what qualifications they have), or the weighting attributed to the various DOC-get site individual rankings.

The composite ranking given for Terrestrial Fauna in the summary report (Table 10) is Moderate-High on the basis of two Moderate and two Low-Moderate or Low scores. It is unclear why this same rationale is not applied to Flora, which has two Moderate and two Low-Moderate scores. If the methodology were consistent, it would surely result in a composite score of Moderate-High for Flora, which would make the DOC-get comparable to the DOC-give land.

The summary of values for terrestrial fauna reflects the specialist report provided to DOC by Mr Burns and no interpretation by the DOC land exchange author has been necessary. The same is not true of the DOC land exchange report author's approach to botany.

For freshwater values, the DOC land exchange report correctly transposes the values for each land parcel from the DOC specialist freshwater report from Mr Williams. However, for some undefined reason, the overall composite score, even though it is the same for the DOC-give and the DOC-get land, is judged by the DOC summary report author to not result in a net-gain. This is a strange conclusion, as the amount of stream habitat that is within the DOC-get site is far greater than that in the DOC-give site (2,957 m in the DOC-get vs 1,845 m in the DOC-give), and as the overall ranking is the same, why does this not reinforce that the DOC-get land provides greater benefits in terms of freshwater values?

Overall, there is a clear inconsistency in the composite scoring in the DOC land exchange report; this is important to resolve because these composite scores are the basis that DOC uses to judge equivalence or net-gain across values.

When comparing the two approaches, the Winstone approach presented by BlueGreen Ecology is more transparent and systematic, and provides a focus on special features within each site of conservation importance, compared to the approach taken by DOC.

2 Ratio for planting swamp maire

The DOC-give land supports 23 swamp maire, of which 9 may be within the future overburden disposal area planned by Winstone.² The BlueGreen Ecology report has assessed these trees as being relatively small diameter and therefore young – in the range of 50- 60 years old (section 9.3 of that report).

The absence of swamp maire on the DOC-get land is recognised by the applicant and by DOC as an inequality for the land exchange.

The loss of potentially 9 swamp maire trees is proposed to be addressed through a planting programme that will add swamp maire to a wetland area of the Southern Gully, which has been assessed by BlueGreen Ecology as providing suitable habitat for up to potentially 1,000 swamp maire.

The BlueGreen report proposes to plant 200 swamp maire within the DOC-get Southern Block so as to provide a balance to the 9 swamp maire within the DOC-give block.

In the DOC report (Appendix 4A Botany; section 3), DOC's consultant botanist Matt Ward cites a decision from the Manawatū Tararua Highway NZTA project where loss of swamp maire was replaced at a ratio of 200:1 through planting. Mr Ward recommends the same ratio be applied to this land exchange to provide adequate uplift for the loss of swamp maire on the DOC-give land.

I do not support the ratio suggested by Mr Ward of 200:1 for the following reasons:

1. The project that Mr Ward cites was a resource consent designation project for construction of a new state highway, where loss of swamp maire was the focus. For this land exchange project, loss of swamp maire is out of scope, and will be considered at the resource consent application/ FTAA substantive application stage.

Therefore, the matter of importance is what is an appropriate ratio for planting of swamp maire that will guarantee that swamp maire will be introduced to the DOC-get land, and will persist in at least the same numbers as within the DOC-give land.

² BlueGreen Ecology Ltd report section 9.3, page 84

If an offsetting approach is applied that takes into account time lags and age to replace the assumed age of trees within the DOC-give land, then an appropriate ratio would be around 6:1 or 8:1 (depending if trees on the site were 50 or 60 years old). The calculations are based on the simplified offset formula that incorporates tree age and time lag discount rate of 3.5 % compounding per year³ (which is a standard approach for offsetting modelling).

If instead DOC's Biodiversity Offset Accounting Model (BOAM) is applied, which assesses functional replacement, time lag, uncertainty, and environmental risk of delivery, the ratio derived is around 11:1, on the assumption that the trees being removed are around 50 years old, and that planted trees will take around 40 years to mature and provide equivalent ecological services to those currently on the site⁴.

Therefore, when viewed from an offset accounting perspective (as is promoted by Mr Ward), an appropriate multiplier is between 6:1 and 11:1. Winstone is offering 200 swamp maire trees to be planted, maintained and confirmed to be established to provide equivalence for the 9 trees on the DOC-give site — that is an approximate ratio of 22:1. That ratio is far above what is required from offset modelling using either offset approach.

With the 200 swamp maire proposed to be planted, maintained, and managed by Winstone to ensure establishment (10 years) will provide a very generous net-benefit outcome.

2. I also note that any agreement reached through this land exchange for planting of swamp maire has no bearing on any replacement planting works that may be proposed through the RMA / FTAA process for the loss of swamp maire, should that be proposed as part of the overburden disposal site application. I assume that the effects assessment for that application will require planting to mitigate or offset the loss of swamp maire from the DOC-give site.
3. Part of the importance attributed to swamp maire is the apparent lack of this species in Belmont Regional Park. This is stated by Mr Ward; however, I do not know if all of Belmont Regional Park has been surveyed for this species; there may well be gullies with wetlands that have this species present that are unrecorded within the Park. If there were, it could possibly lessen the importance attributed to these 23 trees in and near to the DOC-give land, although it would not change the ratio of planting recommended above to provide equivalence. The work by BlueGreen Ecology included potential swamp maire habitat modelling, and investigation of two sites, both of which support wetland (but no swamp maire). Across Belmont Regional Park there must be other similar wet sites that should be investigated for this species.

3 Enhancements offered as uplift

As part of the exchange package, Winstone is proposing a number of management actions to improve the state of biodiversity on the DOC-get land.

These include:

- Northern Gully:
 - Pest animal control (goat and possum) for 5 years
 - Weed control for 5 years
- Southern Gully:
 - Pest animal control (undefined) for 5 years
 - Weed control for 5 years

³ The formula is Offset number = Impacted number x (1+discount rate 0.035)^{time lag (years)}

⁴ This BOAM model can be provided on request.

- Establishment of 200 swamp maire > 2m in height (no monitoring duration proposed)
- Dry Creek:
 - No animal control proposed
 - Supplementary planting of indigenous species for 2 years of an area of 0.8 ha with approximately 7,000 plants
 - Maintenance of planting for 4 years to achieve 90 % establishment
 - Weed control
- Firth Block:
 - Planting of approximately 1,000 kāmahī and 1,000 *Olearia paniculata* and kānuka along the quarry edge. This is to be planted within a year
 - Maintenance of planting for 4 years to achieve 90 % establishment
 - Rat trapping (10 years)

The enhancement package proposed by Winstone is intended to provide DOC with assurance that the DOC-get land will be delivered in a state that does not create an operational burden to DOC.

Another role of these enhancements is that they can provide uplift to the current condition of the DOC-get sites, in particular the Dry Creek, Northern Gully, and Southern Gully sites for vegetation values.

As it stands, the enhancements offered by Winstone are not particularly clear about what is being provided, and for how long (see list above). For some sites, control is of ‘animal pests’ in general, and for others, possums, or only rats. The duration of control also varies between 5 years (most sites) and 10 years (Firth Block).

The animal control part of the enhancement programme could be better aligned, and the duration better defined in relation to the desired outcome. If the desire is only to provide an immediate short-term boost to breeding or seedling germination, then 5 years is probably sufficient, although herbivory of any gains will probably quickly follow the cessation of control.

If, instead, the goal is to provide assurance of measurable gains to seed survival, seedling germination, and bring about positive changes to understorey composition, then a longer period of sustained control is probably needed, for example 20 years. Over that period, tree health, seed production, and seedling growth through to saplings should be able to occur. Pest control for animals (and weeds) over that duration – if committed to as a condition of the land exchange within the higher-value sites – would result in improved values to biodiversity that will persist, and should be reflected in a higher scoring for those sites under the vegetation (flora) and wildlife (terrestrial fauna) assessments for these sites.

4 Equitable land exchange for ecology values

In my opinion, the information provided by Winstone and the BlueGreen Ecology report is thorough and robust, and supports the case that the DOC-get blocks of land provide, in aggregate, better areas of habitat, wildlife values, freshwater values and vegetation values as are proposed to be exchanged for the DOC-give land.

The Winstone approach to scoring for ecology is more robust and transparent, and follows a more logical and structured approach, whereas the DOC approach focusses on the overall land parcels (rather than the community values within them), and has been reduced to composite scores that are inconsistent and seemingly not representative of DOC’s own expert values reports. The DOC scoring system does not appear to incorporate land area and only reflects values, meaning that the larger parcels of habitat and vegetation types identified by Winstone in the DOC-get land do not appear to be incorporated into DOC’s assessment of values, in particular for flora and freshwater values.

In my opinion, the combination of land areas, land values, and enhancements offered by Winstone will ensure a net gain for the exchange in terms of ecological communities, important species (in particular swamp maire), and fauna.

The DOC land exchange guidance document does not prescribe a clear methodology or approach, other than the exchange must enhance the conservation values as a whole, which DOC in its summary report interprets as to whether the exchange land will result in a net-gain across each of the values assessed.

In terms of ecology, the DOC summary across flora, wildlife and freshwater values assesses a net gain for wildlife, but not for freshwater or flora. The flora assessment is flawed in the DOC summary report because the method for assessing composite value has been applied inconsistently, and omits consideration of parcel size. If correctly transposed, and if Winstone undertake animal browser control for a longer duration than currently proposed (e.g. for 20 years), the ranking of the DOC-get land should exceed the ranking of the DOC-give land on the approach taken by Mr Ward.

For freshwater values, the rankings provided in the DOC report are equal between the DOC-give and the DOC-get land, but omit the much greater length of stream that is offered through the DOC-get parcels. If this is taken into account, the DOC-get land will exceed the freshwater values of the DOC-give land.

5 QEII discounting

I have been asked to comment on the proposed land exchange package should the amended version of the Act prevail, which requires that the conservation values of QEII land are discounted as part of the weighing up exercise for assessing if the exchange and any improvements will enhance the conservation values of conservation areas and Crown-owned reserves considered as a whole.

This is relevant to the part of the North Gully that is subject to a QEII covenant (2.87 ha), and the Firth Block (9.6 ha). The QEII part of the North Gully block supports tawa-kamahi forest. The Firth Block supports early and mid-seral broadleaf scrub regeneration and older tawa forest. These are ranked 'Very High' (North Gully) and 'Moderate' (Firth Block) for overall ecology values by Bluegreen Ecology Ltd,⁵ and are ranked 'Moderate' (North Gully) and 'Low-Moderate' (Firth Block) by DOC⁶, compared to the overall ranking of 'Moderate' for the DOC-give land as assessed by BlueGreen Ecology⁷ and 'Moderate/ Moderate-High' by DOC⁸.

The QEII North Gully area, and the Firth Block comprise 12.5 ha of the 33.75 ha of land offered by Winstone in exchange for the 24 ha of land that forms the DOC-give parcel.

My understanding is that the QEII land blocks are still intended to form part of the exchange, in which case the physical land areas involved the exchange are still 33.75 ha. It is the conservation values of the QEII parcels that cannot be 'counted' if discounting is applied.

There are two ways in which the land exchange could provide an overall enhancement of ecological values, even with the two QEII areas discounted. These are:

1. Include an additional land parcel(s) not currently in public ownership or QEII covenant, which can be transferred to the Crown and within which the values are greater than the 'Moderate' values of the DOC-give land, or in which the values can be enhanced to provide a greater than 'Moderate' value in a reasonable period of time; or
2. Identify land that is currently protected (for example Belmont Regional Park), within which ecology values can be enhanced to be at least 'Moderate'.

Winstone has undertaken further investigations, and has an agreement to undertake management actions for the purpose of enhancing ecology values at an additional 13 ha of Belmont Regional Park (see **Figure 2**). The current ecology values of these two parcels of land are described in the BlueGreen ecology report to include wetlands (see **Figure 3**), 14 swamp maire, and regenerating mixed shrubland and forest. Although the BlueGreen Ecology report does not provide a ranking for this land, if the

⁵ BlueGreen Ecology report dated 20 February 2026 at table 18.

⁶ DOC summary report, Table 10.

⁷ Table 16 of the BlueGreen Ecology assessment report.

⁸ Table 10 of the DOC overall summary report.

scoring system used by BlueGreen Ecology and DOC is applied, the values for flora, wildlife and freshwater must at least be 'Moderate'.

The 'Package B' proposed by Winstone over this land is to undertake works that are not currently being undertaken by Belmont Regional Park, including:

- Plant 200 swamp maire;
- Plant 200 ramarama around the wetland/ swamp maire planting areas;
- Undertake swamp maire and ramarama maintenance and monitoring to ensure at least 90 % survival after 7 years;
- Undertake weed control for 5 years; and
- Undertake possum control for 10 years

The combined actions listed above will ensure a viable population (i.e. not just scattered individuals) of swamp maire and ramarama are established on the Package B 13 ha, and that native birds and lizards are protected (to some extent) from predation by exotic predators for a short period of time.

The combination of a relatively large land area (13 ha), permanent creation of a population of swamp maire and ramarama, removal of weeds, and temporary control of possums, will be adequate to 'lift' a current ranking of "Moderate" to 'Moderate-High' in line with how uplift through enhancements are treated by both BlueGreen Ecology and DOC for the other blocks of exchange land subject to enhancements.

Confirmation of the uplift potential and resulting ranking should be provided by BlueGreen Ecology with specific reference and justification of the current ecology values of the proposed 13 ha Belmont Regional Park block that is proposed as part of Package B.

On the basis of the above assumptions, Package B with the 13 ha of land and ecology enhancement should, in my opinion, provide greater conservation value than the DOC-give land.

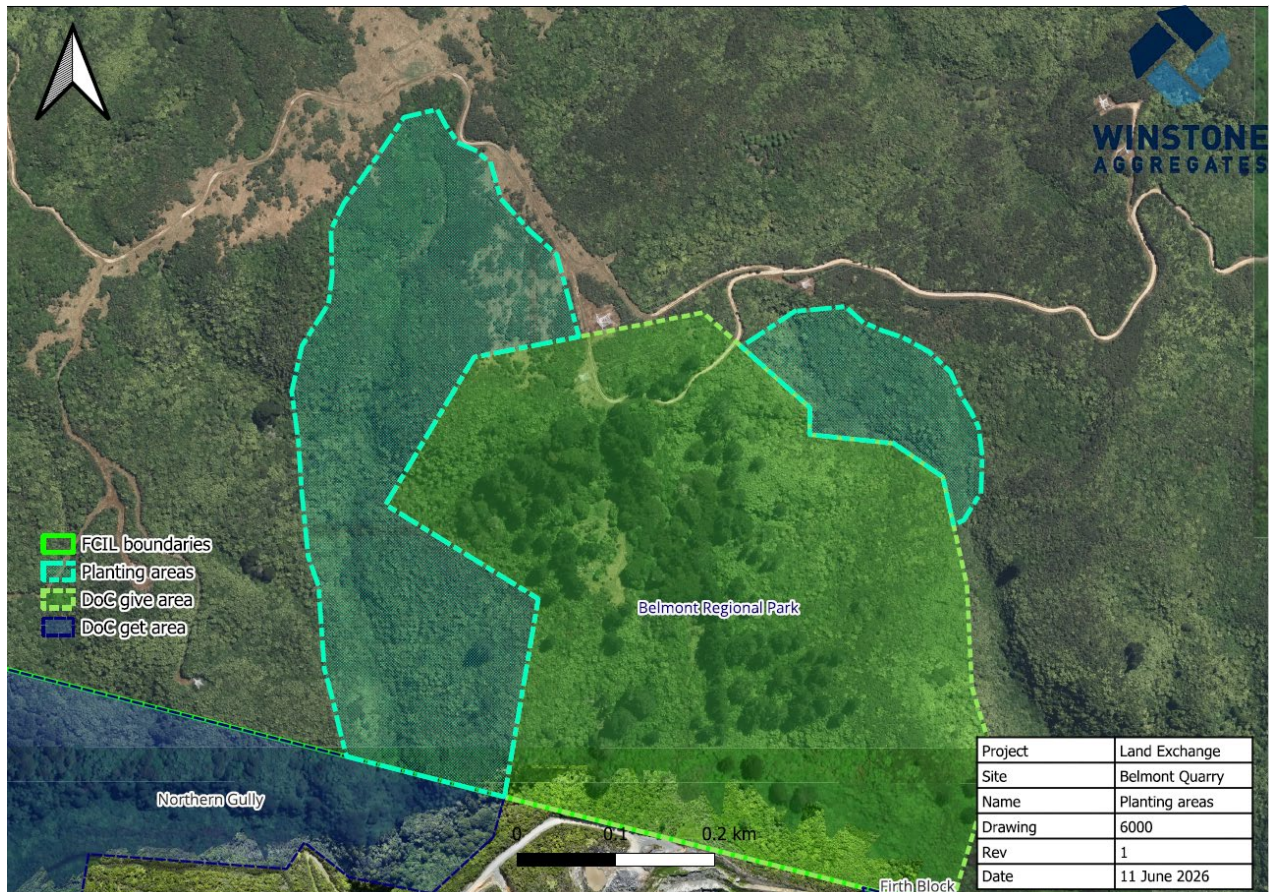


Figure 2. Package B areas (turquoise) on the periphery of the DOC-give land (shaded green). These two areas total 13 ha and are located within Belmont Regional Park.



Figure 3. Wetland areas (purple polygons) mapped within the Package B land on the periphery of the DOC-give land (blue outline). These wetlands provide opportunity for planting of swamp maire (200 plants are proposed) and ramarama on the edge (200 ramarama are proposed).

6 Conclusion

My overall comment is that the DOC-get land, plus the enhancements offered up by Winstone, will provide a net-gain for ecology values of the sites such that the DOC-get parcels will result in an overall conservation benefit from the exchange.

If discounting of the QEII blocks is applied, Package B offered by Winstone (including planting of two critically threatened plant species, weed and animal pest control) will still result in an overall conservation benefit on the conservation estate considered as a whole.

Yours sincerely,

s9(2)(a)

Dr Graham Ussher

Principal Ecologist

RMA Ecology Ltd

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Attachment A: Qualifications and experience of Dr Graham Ussher



Dr Graham Ussher – Principal Ecologist/ Director

Graham has more than 33 years experience with government agencies and the commercial sector assessing biodiversity and biosecurity issues. He brings a multi-disciplinary approach to ecological monitoring and assessment, strategy development and implementation, and project design and management.

Through his involvement with resource developers, local government and government agencies, he is a recognised leader in New Zealand in the field of ecological effects management – including offsetting and ecological compensation - incorporating ecological risk assessment with detailed project engineering design. Graham regularly presents expert evidence on these matters to local hearings, Boards of Inquiry and the Environment Court.



Qualifications

- PhD (Environmental Management), University of Auckland, NZ.
- MSc (Conservation Ecology) and BSc, UoA, NZ.

Statutory hearing / Court experience

- Council hearings: 35
- Environment Court: 4 (plus 6 mediations)
- Fast Track (COVID & FTAA)
 - For Applicant 18
 - Advising Panel 5
 - On Panel 1

Employment History

- 2016 – Principal Ecologist, RMA Ecology Ltd.
- 2007 – 2016 Principal Ecologist; Tonkin & Taylor Ltd, Auckland.
- 2004 – 2007 Regional Ecologist; Auckland Council.
- 2001 – 2004 Lecturer in Environmental Management; University of Auckland.
- 1995 – 2004 Independent ecological consultant.

Expertise

Core competencies include:

- Ecological survey and effects assessment.
- Stream ecological assessments (incl. SEV).
- Specialist lizard survey and salvage/ relocation.
- Project design ecological risk and cost estimation.

- Mitigation and offset compensation development, including brokering packages with regulators.
- Science advisor for biodiversity offset programmes in industry and government (nationally recognised expert in offset brokering).

Over his 30 years in industry, Graham has focused on work where development is most likely – greenfields areas, lowland shrublands and forests, coastal environments, and environments already modified in terms of wildlife habitat. His past experience in wildlife research, Council parklands management and wildlife programmes with the Department of Conservation required work in wilderness and offshore island locations, providing a robust benchmark against which to assess effects in more modified land proposed for active development.

A common thread running his project experience is a deep involvement with the RMA, particularly in the areas of significance assessments, effects assessments (s88) and more recently, s104 assessments involving ecological offsetting. Over the last 19 years Graham has worked increasingly closer with planners and lawyers so that project-specific designs accurately reflect up-front ecological risk, potential offsetting or compensation needs (and costs), and so that consentable solutions provide ecological benefits as well as achieving desired development outcomes.

Graham has worked for many years with multi-disciplinary teams on projects across New Zealand. From this he has a robust understanding of civil construction processes and engineering design for flood, stormwater, and wastewater management, and a base understanding of issues involved with land development, mining and quarrying sectors, resource management planning, civil engineering, renewables (wind, solar, hydro) and contaminated land management.

E s9(2)(a)

P s9(2)(a)



In recent years, Graham has been sought out for his experience in effects management theory, processes and practical application. He has presented on matters of the effects management hierarchy and offsetting to professional bodies including the Planning Institute, Law societies, and to the Environment Court. He has written or co-written national guidance on ecological effects assessment in New Zealand, as well as national guidance on biodiversity offsetting and compensation frameworks as applied under the RMA.

Experience

Examples of relevant projects:

- Lee River Dam, Nelson, Waimea Water Augmentation Committee/Tasman District Council/ Waimea Water, 2008-ongoing**
 Ecological effects project manager/ ecological specialist for the ecological AEE, including consultation, sub-contractor management, effects assessment, development of mitigation and offset design with key stakeholders (DOC, iwi, public groups), expert at Council hearing and mediation for the Environment Court appeal. Preparation of biodiversity mitigation management plans as required by consent conditions. Ecology technical advisor to TDC on matters post-consent. Undertook cost analysis and costing for environmental components of the dam for Waimea Water (2017). Prepared Vegetation Clearance Plan for consent holders. Senior ecologist advising the consent holder and construction contractor during the 4-year build phase for the dam (2019 onwards).
- National guidance on biodiversity offsetting; NZ Transport Agency; 2016-2017.** Lead author and researcher for the development of national guidance to the Agency on the application of biodiversity offsetting to roading projects in New Zealand.
- Local Government guidance on biodiversity offsetting; 2017.** Ecology technical advisor as part of 5-specialist, multi-disciplinary team that prepared national guidance on biodiversity offsetting and ecological compensation for the Regional Bio-managers Group. Co-presenter on 14-city national road show to socialise Guidance amongst regulators and practitioners.
- Expert advisor to NZ Transport Agency (2014-ongoing)** on biodiversity matters during Auckland Unitary Plan hearings, including SEAs and significance criteria for assessing site values.
- Auranga Housing development, South Auckland. Karaka and Drury Consultant Ltd. 2015 – ongoing.** Assessment of ecological values and potential effects for a 160 ha, 3,000 lot Special Housing Area/ Plan Change subdivision in rural/ residential land in Papakura, South Auckland. Work includes the mapping of streams & wetlands, vegetation, and coastal values, and development of mitigation and ecological compensation plans where potential effects cannot be avoided. Expert at hearings. Project ecologist dealing with all matters raised by Council through the development administrative process. Project ecologist implementing construction management, wildlife salvage/ relocation, and ecological restoration arising from consents.
- Milldale Housing development (Auckland). 2018-ongoing.** Lead ecologist for this 200 ha / 2,500-lot subdivision, dealing with values and effects assessment, offsetting requirements, expert for consenting process, and implementation of ecological parts of granted consents (staged development).
- Auckland housing development projects. 2015 – present.** Lead ecologist for baseline ecological values assessments, assessments of effects, mitigation and compensation programme development, expert representation for clients at Council hearings and development of site ecological management and planting plans (where necessary). Project involvement includes substantial subdivisions such as:
 - Auranga A (Drury), Auranga B (Drury), Oraha Rd SHA, Bollard Av SHA (Mt Albert), Oakland Road (Hingaia), McRobbie Road (Kingseat), Stables Retirement Village (Drury), Mangere HNZ/HCL State Housing Redevelopment Project.*
- Hunua Quarry, Winstone Aggregates, 2007 - ongoing**
 Project manager for mitigation programme development and implementation, expert witness, and project manager for ecological monitoring projects of the \$70M Symonds Hill pit development project. Includes substantial annual lead for ecological programmes to salvage wildlife, monitor planting success, report on KPIs and manage consent deliverables on behalf of GBC Winstone for Hunua Quarry.
- Ecological assessments, AEEs, technical reporting, input into conditions of consent – for at least 250 projects.**
- Various revegetation and biodiversity management plans as part of consented land development and infrastructure works (at least 150 projects),** including revegetation of shrubland and forest communities, rare species, managing site risks and constraints for plant community persistence, lizard relocation, fish salvage, fish passage and stream diversion design. Sectors include Auckland coastal property rehabilitations, commercial developments, subdivisions, infrastructure and industrial site rehabilitations. Outside Auckland projects include major hydro and irrigation/ water supply dams, national highways, wind farms, port development, quarries and mines, and landfills (new and rehabilitation).

Relevant project involvement (2016 to present)

Large scale projects

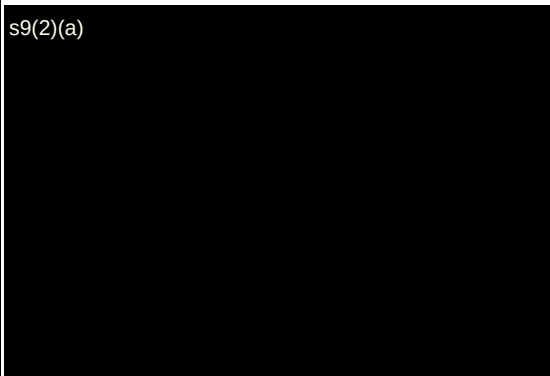
- Matakanui Gold mine in Bendigo, Otago - lizard, vegetation, rare plant and birds assessors (RMA Ecology Ltd)
- Ida Valley Solar Farm, Alexandra - lizard and wetland advisor
- Waitaha Hydro project, West Coast - lizard specialist
- Kaimai Wind Farm project, Waikato - overall ecology advisory and effects management expert
- Southland Wind Farm under the COVID-19 Fast Track process - panel expert advisor on ecological effects management
- Oceana Gold Waihi North mine expansion project (including underground mine in southern Coromandel Forest Park), Coromandel - overall ecological effects assessor and management advisor/ technical lead
- Ecological effects advisor to Oceana Gold (NZ) for Macrae's Gold Mine expansion (Deepdell North III)
- Auranga Housing Development – ecological assessment, expert witness, construction contractor
- Milldale Housing Development – ecological assessment, expert witness, construction contractor
- Hunua Quarry Symonds Hill Pit – ecological assessment, expert witness, construction salvage/ monitoring
- Waimea Community Dam - ecological assessment, expert witness, offset design, salvage/ monitoring
- Te Kuha Coal Mine – expert reviewer on behalf of Council; expert for Env Court appeal
- Mt Cass Wind Farm (Christchurch) – project ecologist managing construction monitoring & regulator liaison, lizard and rare plant salvage (extensive), monitoring, reporting, ecological offset modelling, science advisory
- Wongan Farms, Kaitorete Spit. Project ecologist for 1,000 ha farm development for selected irrigation & rare plant/ ecosystem restoration and preservation, effects assessments, monitoring designs, compliance reporting
- Kapiti Coast Airport site re-development – lead ecologist.
- Genesis Energy – Tekapo Power Scheme Re-consenting. Project herpetologist.
- Stevenson Quarries – Clevedon Quarry consenting; expert advisor to Env Court cases regarding AUP zoning
- Wellington region – 200 ha confidential subdivision with considerable ecological issues

Small scale projects

- Lyttelton Port Company – ecological assessment for Gollan's Bay Quarry reactivation & lizard salvage
- Land development projects (effects assessment, management plans, specialist offset, or inputs into consenting)
 - Auckland - approximately 100 projects
 - Wellington - approximately 60 projects
 - Elsewhere North Island – approximately 40 projects
 - Elsewhere South Island - approximately 35 projects

Technical advice only

- Nelson Plan – policy analysis and advice regarding Esplanade Reserve setbacks
- NZTA – lead for preparation of national guidance on biodiversity offsetting
- LGNZ – senior author on national guidance on offsetting under the RMA
- Department of Conservation – 18-month secondment to biodiversity offsetting research programme
- Auckland Council – expert advisor on offsetting for Watercare Services Huia Water Treatment Plan consent
- Wellington Regional Council – technical advice via workshop to across-Council team (legal, policy, planning, ecology, consenting) regarding biodiversity offsetting in practice relative to regional plan provisions.

Date	15 June 2026
To	Winstone Aggregates, Department of Conservation
From	Rob Greenaway
Project advice provided for	Belmont Quarry – land exchange
Documents referred to	Comments provided by the Department of Conservation
Qualifications	See Rob Greenaway & Associates report dated December 2025, Executive Summary and Appendix 4
Code of Conduct	Confirmed below.
Signature	s9(2)(a) 

1. I have received the comments made by the Department of Conservation (DOC) in the Draft Land Exchange Report dated 29 May 2026. I respond to the points made as they relate to the recreation values and opportunities of the exchange lands.
2. I confirm that I have the qualifications set out in my Recreation Assessment. In preparing this addendum, I agree to adhere to the Environment Court Code of Practice.
3. In general terms, I remain very comfortable with my original assessment considering the data provided by Xyst, my site visit, review of the GWRC Parks Network Plan, wider discussions with the Project team, and their conversations with GWRC, and the first round of public comments and my subsequent 5 March 2026 memo.
4. The latest comments by DOC include the points of difference with my findings below, and I respond to each. I note that DOC has not provided

any additional data which conflicts with the information presented in my December assessment.

5. At the date of receiving comments from DOC, I am overseas and I have engaged Samantha Strong of Thrive Spaces and Places to assist with the preparation of my response .
6. I remain the author and solely responsible for this evidence.

Assessment of recreation values

7. Mr. Harbrow suggests that my Recreation Assessment does not fully capture the recreation values of the DOC-Give land, particularly in relation to the existing use and value of that land. While that criticism identifies some uncertainty in the way use has been quantified, it is in my view that my Recreation Assessment, nevertheless, provides a reasonable and proportionate basis for concluding that the DOC-Give land is of low recreation value in the broader context of Belmont Regional Park.
8. In particular, the methodological concern raised by Mr. Harbrow is directed to the annual estimate of 6,570 uses of the Buchanan Road Tramping Track, which was derived from a short-term visitor counter and Strava data (para. 49). Mr. Harbrow considers that approach may understate actual use because Strava users are not necessarily representative of all park users and because seasonal patterns may not be captured by a winter counting period.
9. I acknowledge these concerns; however, the Recreation Assessment did not rely on Strava in isolation. It was cross-checked against trail-counter data, ranger observations, the GWRC Parks Network Plan, interview and survey information, and feedback from earlier stages of consultation. Those multiple sources are consistent in indicating that Buchanan Road and the adjacent DOC-Give land are relatively lightly used compared with the main park entrances and track corridors.
10. The trail counter data clearly demonstrates the difference in visitor numbers (Table 1). In my view, these counts show that the Korokoro

entrance functions as a high-use, high-value destination, whereas Dry Creek is a comparatively moderate-use destination, the Buchanan Road Tramping Track a further subset of that, and the DOC-Give land an even further subset of that but at a low-use level. This is reflected in my Recreation Assessment.

11. Even if some informal or seasonal use is not fully captured by those methods, the effect on the overall conclusion is modest. Off-track exploration, including use of predator-control lines, is inherently difficult to quantify and is typically associated with low-intensity specialised use. Its presence can add diversity and interest for a small group of experienced users, but it does not, in my view, transform the DOC-Give area into a medium-value recreation resource when considered at the scale of the Belmont Regional Park network.

Table 1: Trail counter comparison

Location / counter	Reported annual use	Relative use/value indication	Comment
Korokoro / Cornish Street entrance	414,100 visits in 2024.	High use / high value.	Major regional park access and part of the wider Puke Ariki / Korokoro destination experience.
Hill Road entrance	361,500 visits in 2024.	High-moderate use/high-moderate value	Important multi-use entrance
Dry Creek entrance	29,400 visits in 2024; Buchanan Road Tramping Track estimated at about 6,570 uses annually.	Moderate use / Moderate value relative to the wider park.	Valued local access point and trailhead, but clearly lower use than the major park gateways.
OBDA Area	Buchanan Road Tramping Track estimated at about 6,570 uses annually. Included within the 6,570 annual uses of the Buchanan Road	Low use / low value relative to both Dry Creek and the main park entrances.	Recreational activity is largely confined to the utility track, which functions as a minor alternative line to the main Buchanan Road Tramping Track; off-track use on pest-control lines within the OBDA is very

	Tramping Track; approximately 41% of track users (around 2,700 uses per year) are estimated to detour via the utility track, with negligible recorded use beyond that formed route.		limited and was assessed as insignificant at the park scale.
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Tracks and Trails on the DOC-Give land

12. The Recreation Assessment was informed by three site visits to the DOC-Give land undertaken between June and September 2025, and by a land-status check carried out during August 2025 as part of the Fast-track process. As part of that check, Greater Wellington Regional Council's Manager (Ecosystems and Community), identified "approximately 15 bait stations and traps in the area, no public tracks, [and] one small section of gravel road approximately 100 m" as the relevant improvements within the DOC-Give block. No formed recreational tracks were identified or disclosed at that time (see appendix).
13. On that basis, the predator-control lines and desire lines¹ within the OBDA area were understood to be informal and associated with pest-control operations and occasional off-track exploration by confident users rather than with any planned or maintained recreational track network. The development of any new trails within the OBDA area as general recreation tracks is unsanctioned. They were not listed improvements in the Fast-track disclosure by GWRC, are not mapped or promoted as part of the Belmont Regional Park track system, are not

¹ an unplanned route or path (such as one worn into a grassy surface by repeated foot traffic) that is used by pedestrians in preference to or in the absence of a designated alternative (such as a paved pathway).

noted in the management plan, and there is no indication in GWRC Parks planning documents that Council intended to invest in or formalise a trail network in this location. None of them were noted in our 2025 site visits.

14. Mr. Harbrow's description of "well used trails" and a more extensive network of "clear ground trails" (para. 24) within the OBDA area is drawn from his site visits in April 2026, around six months after my last field inspection and after lodgement of the land-exchange proposal.
15. In my opinion, and having regard to my sites visits and to the August 2025 GWRC disclosure that did not record any formed tracks as improvements, this indicates that the more defined routes he observed have been developed recently and most likely in response to heightened community interest in the Winstone land exchange proposal. They are informal tracks created by a small group of users, at their own initiative and outside the Belmont Regional Park planning framework, rather than long-standing components of the managed recreation network.
16. I do not consider it appropriate to afford those informal OBDA routes the same weight as properly planned, sanctioned and maintained tracks when assessing the long-term recreation outcomes of the exchange. Their informal and unsanctioned status, small user base and uncertain longevity all indicate that they should be treated as incidental off-track use, not as a material shift in the underlying recreation value of the DOC-Give land.
17. Similar opportunities for off-track exploration and botanising exist within the DOC-Get blocks and elsewhere in the park and region, so this activity does not, in my view, justify elevating the DOC-Give recreation value above "low" in a regional context.

Social License

18. Mr. Harbrow refers to social license in his review. A social license assessment relies on a full social impact assessment. Social license is based on more than just recreation values, and includes, for example,

the employment practices of the business, local economic impacts, their broader community engagement (sponsorships for example), and the strategic value of their service to a community. It is not possible to rely on the opinions of a small group of advocates to assume community-wide attitudes. It is beyond the scope of my assessment.

Access

19. Turning to access more generally, Mr. Harbrow's higher "Medium" access rating for the DOC-Give land is driven by the ability to reach the OBDA area via the Buchanan Road Tramping Track, utility track and a short section of 4WD track. While that route undoubtedly provides access for those prepared to make a 1.7 km uphill approach, it remains a relatively long and physically demanding entry compared with areas that are reached directly from main park entrances and car parks.
20. For clarity, the reference to a 4WD track in this context relates to a Transpower service route formed and maintained for network access under statutory powers, with vehicle use generally limited to Transpower and GWRC staff. It is not promoted or managed as a public 4WD recreation opportunity, and 4WD recreationists would not be able to access the track because there is a locked gate at the bottom of the hill. The primary recreational users of the Buchanan Road Tramping Track and associated routes are walkers, runners, mountain bikers and dog walkers, not 4WD recreationists.
21. In the assessment, access across the park is best considered on a "like-for-like" basis by distinguishing between:
 - i. formal, mapped and maintained tracks that are signposted and promoted as visitor experiences; and
 - ii. informal routes, predator-control lines and desire lines that are incidental to recreation and not intended as managed access.
22. On that approach, the DOC-Give block has one short alternative utility route of low recreation value, and the balance of the block is effectively off-track or unused reserve land. That is materially different from the

formed, way-marked track access available elsewhere in the park and does not justify treating DOC-Give as having a substantially higher access value than the DOC-Get land.

Inequity of land exchange: Proposed alternative access

23. Winstone is now proposing, as an amendment to its improvement package, to secure public access from Liverton Road via the existing right-of-way through Southern Gully. This would create a new entry into the regional park, providing a direct connection into the DOC-Get land and linking through Northern Gully to the wider Belmont Regional Park track system. In practical terms, this would markedly improve the quality and equity of access by giving local residents and visitors a shorter, more intuitive route into this side of the park, in contrast to the December 2025 proposal, which limited Liverton Road access to maintenance and conservation purposes only.
24. The proposed access also has implications for future nature-based recreation. Southern Gully and the adjacent DOC-Get land will include Swamp Maire Forest restoration areas, and providing public access (by right of way) from Liverton Road would allow visitors to experience these plantings directly. Wellington Conservation Board² submissions have sought community involvement in planting and restoration, and Winstone has indicated in its responses that it is open to such involvement alongside iwi participation.
25. When access is viewed at the park-network scale rather than within each block, the differences between DOC-Give and DOC-Get become modest. Both DOC-Give and key parts of DOC-Get (for example, Northern Gully) lie adjacent to the existing track system and can be reached from the same trailheads, and both are characterised by steep terrain, regenerating vegetation and a general absence of constructed, promoted tracks beyond short sections of utility or vehicle access. In practical terms, each side of the exchange currently provides largely

² Wellington Conservation Board. (February, 2026). Submission-Winstone Aggregates Land Exchange Application.pg.5-6

unformed access suited to a small subset of experienced users, rather than the formed, family-friendly experiences available at the park's core nodes.

26. Within that context, the Liverton Road right-of-way has realistic potential to be formed as a direct walking and link from Southern Gully through Northern Gully, connecting into the wider park network, including the Buchanan Road Tramping Track. The expected gradient and effort would be comparable to existing access from the Dry Creek entrance, while the Swamp maire habitat would offer a regionally uncommon ecological experience. Importantly, this would introduce a new public access point into a part of Belmont Regional Park that currently has no direct entry, and neither the existing OBDA land nor the exchange land has been identified in planning documents or consultation as a focus for new track development.
27. In that context, the uplift in recreation value arises from creating a new connection and access option, and from enabling iwi and community involvement in restoration, rather than from delivering an 'easy' access route. It is in my opinion, taken together, the new public right-of-way, improved access to the ecological restoration area, and the opportunities for iwi and community participation are, in my opinion, sufficient to support an uplift in the DOC-Get recreation value from low to low-medium.

Summary of Value Assessment

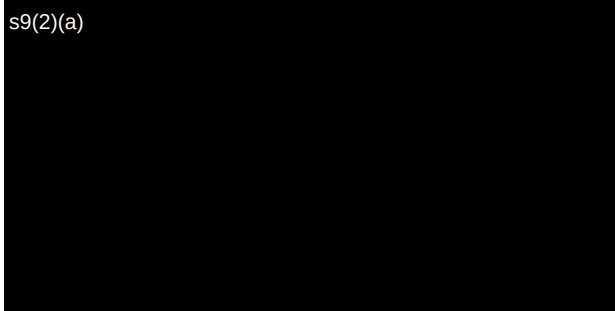
28. Based on the evidence presented regarding visitor usage, track status, and proposed enhancements, my final assessment of the recreation values is as follows:
 - i. DOC-Give Land: I maintain that this possesses low recreation value (considering recent recreation development appears a response to the proposal). This is supported by trail counter data showing low-use levels on Buchanan Road Tramping Track compared to the wider park network, and the fact that its recent

trails are informal, unsanctioned, and intended for a small subset of experienced users.

- ii. DOC-Get Land: While currently a peripheral low-use area, the combination of secured public access from Liverton Road and the creation of a unique ecological destination via the Swamp Maire restoration represents a significant uplift. These measures are sufficient to increase its potential recreation value from low to low-medium

- 29. If discounting of the conservation values of the QEII land is required, I note that when considering the conservation values of the land to be acquired by the Crown, for the purpose of forming its view, the Panel must discount the extent to which the conservation values of the land are affected by anything registered or noted for conservation purposes on the title.
- 30. There is no presumption of public access to the QEII areas at present (it is privately held). The public's ability to access the QEII areas remains a relevant recreation benefit of the exchange and is unaffected by the covenants. I agree with Mr. Harbrow that the presence of the QEII values has a very minor impact on the assessment of recreation values. My overall rating of the recreation values for the DOC Get and DOC Give land remains unchanged, regardless of discounting.

s9(2)(a)



Rob Greenaway

FAST TRACK – LAND STATUS CHECK DISCLOSURE

Date of disclosure	12 August 2025
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The purpose of this document is for the Department of Conservation to record relevant information in its possession

PROTECTED AREA NAME(S)	Dry Creek Recreation Reserve
NaPALIS ID(s):	#3376081
Administering Body:	Wellington Regional Council (Control and Manage)
FT Application Name / Ref:	Belmont Quarry Development / FT-0064-PRE
Project land required for:	Proposed Quarry expansion
Area required for FT work (e.g. whole or part):	Part (29.04ha of a ~532ha protected area). Parts of (Legal descriptions): (a) Part Section 200A Hutt District [PID 3836284] (b) Part Section 255 Hutt District [PID 3864752] (c) parts of Part Section 261 Hutt District [PID 3948663; 3774210; 4020004]
Map of Area involved:	

1.0 TITLE ISSUES

1.1 Title references

1.2 Gazette notice

1.3 Tenure or Status of Land

i. Fee simple

ii. Reserve

iii. Conservation Area

iv. Crown Land

v. Other status

vi. Marine and Coastal Area (Takutai Moana) Act 2011

Yes	Details	Copy Held
	N/A	
	Gazette Notice 1989 p2757, New Zealand Gazette Set apart as a reserve for recreation purposes Gazette Notice 1991 p1765, New Zealand Gazette Appointment to Control and Manage a Reserve	✓✓
	N/A	
	Recreation Reserve – section 17 Reserves Act 1977	
	N/A	
	N/A	
	No	
	N/A	

1.4 Registered Interests

- i. Leases*
- ii. Statutory memorials*
- iii. Easements*
- iv. Caveats*
- v. Fencing Covenants*
- vi. Other*

	No Nil Includes registered concessions and any registered rights of occupation, or profits granting rights.	
	None known None Any memorials imposed by statute against the title or gazette notice etc.	
	No None Subject and appurtenant easements. Easements in gross.	
	No Nil	
	No Nil Note obligation to share fencing costs or agreements to give and take fences.	
	No Nil Any ad hoc registered interests granted over the land	

2.0 THIRD PARTY INTERESTS

- 2.1 Unregistered leases
- 2.2 Tenancy agreements
- 2.3 Licences
 - i. Grazing*
 - ii. Other Occupation*

Yes	Details	Copy Held
	Nil	
	Nil	
	Nil	
	Nil	

iii. Mining

iv. Other

2.4 Other concessions or permits

2.5 Other third party interests (including informal agreements, drainage rights or pipes)

2.6 Unauthorised occupations

	Mining permissions Prohibited under the reserve management plan	
	Likely Transpower easement for powerlines (looking at aerial photo for parcels Part Section 261. There are no easements for the Transpower lines, they do however have rights under the electricity act to access and maintain their works.	
	Hunting prohibited under the reserve management plan, no other concessions active.	
	Nil	
	Nil	

3.0 ACCESS TO PROPERTY

3.1 Current public access to the property

3.2 Detail of access:

i. Formal legal public access

ii. Informal public access over private land

iii. Informal public access over public land

3.3 Current owner's access to property

i. Legal access

Yes	Details
	The public have access to the site given it is public reserve being recreation reserve.
	Yes. Access from either Western Hutt Road or Buchanan Road Yes and from Boulder hill and Kaitangata Crescent in Kelson.
	N/A. Access from either Western Hutt Road or Buchanan Road Yes and from Boulder hill and Kaitangata Crescent in Kelson.
	Access from either Western Hutt Road or Buchanan Road Yes and from Boulder hill and Kaitangata Crescent in Kelson.
	Yes. Access from either Western Hutt Road or Buchanan Road Yes and from Boulder hill and Kaitangata Crescent in Kelson.

ii. Informal access over private land	N/A Nil
iii. Informal access over public land	Access from either Western Hutt Road or Buchanan Road Yes and from Boulder hill and Kaitangata Crescent in Kelson.
3.4 Estimated annual maintenance cost or time requirement for the access	Nil shared costs, GWRC has control and management agreement.

4.0 IMPROVEMENTS ON THE SITE

Yes	Details
4.1 Identifying improvements and their ownership (including fences)	Approx. 15 bait stations and traps in the area, no public tracks, one small section of gravel road approx. 100m.

5.0 CURRENT MANAGEMENT OF THE SITE

Yes	Details
5.1 Estimated annual maintenance cost or time requirement	This includes costs of maintaining major improvements, which should be itemised separately. [REDACTED] to maintain traps and trap lines in the area.
5.2 Pest and weed control	Identify any known weed and pest issues. Rats, stoats, possums and deer, no significant weed issues.
5.3 Relevant conservation management plans	Attach relevant documentation (for example, CMP or operating plans). No need for summary or explanation Nil

6.0 ENFORCEMENT NOTICES AND OTHER MATTERS

Yes	Details
6.1 Any outstanding enforcement or other notices, requisitions or proceedings	TLA notices for example weed and pest control Nil

6.2 Orders or resolutions for compulsory acquisitions or acquisitions by agreement

	E.g. Public Works Act actions by Crown, Local Authorities or Requiring Authorities Nil
6.3 Proposals for road widening	NZ Transport Agency or Local Authority interests Nil
6.4 Protection orders	Any known orders protecting historic places, buildings, structures or trees). None known

7.0 MARGINAL STRIPS

7.1 Possible qualifying waterway/ waterbody

Yes	Details
	Not known Nil
7.2 Does a marginal strip apply?	Not known Nil
7.3 Any notes	N/A Nil

8.0 OTHER COMMENTS

8.1 Comments

8.2 Are there any proposed changes but not yet completed, e.g. a public works consent requirement (taking part for road).

Details
No other relevant information known by SLM
None known by SLM

9.0 ADDITIONAL INFORMATION

Survey required

Subdivision required

Yes	Details
Y	Required
Y	Required

The information set out in this checklist is all the material information relating to the property that the Crown is aware of from its records as owner. It has not undertaken a formal physical inspection of the Property or made enquiries beyond its own records.

PROVIDED BY:	Name and designation
SLM Advisor:	Craig Jones, Senior SLM Advisor
GWRC delegate:	David Boone, Manager, Ecosystems and Community

Land Notices

Conservation

Land Act 1948

Reservation of Land

Pursuant to the Land Act 1948, the Minister of Conservation with the consent of the Minister of Lands hereby sets apart the land described in the Schedule hereto as a reserve for recreation purposes subject to the provisions of the Reserves Act 1977.

Schedule

Wellington Land District—Lower Hutt City

147.3688 hectares, more or less, being Sections 257 and 258 and part Sections 259 and 437, Hutt District, situated in Blocks III and IV, Belmont Survey District. Part *New Zealand Gazette*, 1983, page 751.

46.7412 hectares, more or less, being Sections 255 and 256, Hutt District, situated in Blocks III and IV, Belmont Survey District. Part *New Zealand Gazette*, 1983, page 751, limited as to parcels.

338.5587 hectares, more or less, being Sections 263 and 264 and part Sections 14, 197, 198, 200, 200A, 260, 261, 262 and 265, Hutt District, situated in Blocks III and IV, Belmont Survey District. Subject to Proclamations 3673 and 3693, defining the middle line of a road, Proclamation 3862, defining the middle of a road deviation and to the right of way easements created by Proclamation 5074 and to the water pipeline easement taken by Proclamation 5571, together with the right of way easement contained in easement certificate 701267. All *New Zealand Gazette*, 1983, page 2755. (Document 579901.1).

Dated at Wellington this 10th day of June 1989.

PHILIP WOOLLASTON, Minister of Conservation.

(D.O.C. C.O. R.R.C. 0997; R.O. G04/401; D.O. R04/303)^{1/1}
In9466

National Parks Act 1980

Adding Land to Mount Aspiring National Park

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 12th day of June 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to section 7 of the National Parks Act 1980, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby declares that the land described in the Schedule hereto shall, as from the 28th day after the date of the publication of this Order in Council in the *Gazette*, be national park subject to the National Parks Act 1980 and shall be added to and form part of the Mount Aspiring National Park.

Schedule

Otago Land District—Queenstown—Lakes District

765 hectares, more or less, being Section 1, (formerly Crown Land, Forbeside and Cascade Survey Districts), situated in Forbeside Survey District. Land held for conservation purposes by part *New Zealand Gazette*, 1989, page 1739. S.O. Plan 22170.

Westland Land District—Westland County

23,520 hectares, more or less, being Rural Section 6765, (formerly Rural Section 4816, Part Rural Section 4855, Part Run 24, Part Reserve 1718 and Parts Reserve 1692), situated in Blocks V, IX Turnbull Survey District; Blocks VII, VIII, X, XI, XII, XIV, XV, XVI Arawata Survey District; Blocks XII, XV, XVI MacFarlane Survey District; Blocks II, III, V, VI, VII, IX, X, XI, XIII Jackson Survey District; and Block I Mount Aspiring Survey District. Land held for Conservation Purposes by part *New Zealand Gazette* 1989, page 1739. S.O. 11151.

Schedule**South Auckland Land District—Otorohanga District Council Kawhia Recreation Reserve**

1.1685 hectares, more or less, being Section 3, Block X, Kawhia North Survey District. All *New Zealand Gazette*, 1940, page 2569 (S.O. 28046).

1.2141 hectares, more or less, being Section 1, Block X, Kawhia North Survey District. All *New Zealand Gazette*, 1909, page 2148 (S.O. 14789).

2924 square metres, more or less, being part Section 1, Block XI, Town of Kawhia, situated in Blocks IX and X, Kawhia North Survey District. Part *New Zealand Gazette*, 1908, page 1592 (S.O. 28046, S.O. 22564, S.O. 30876, S.O. 14789, M.L. 15218).

2757 square metres, more or less, being Sections 16, 17 and 18, Block I, Te Puru Township, situated in Block X, Kawhia North Survey District. Part *New Zealand Gazette*, 1923, page 843 (M.L. 15218).

7740 square metres, more or less, being Sections 1, 2, 3, 4, 5, 6 and 19, Block I, Te Puru Township, situated in Block X, Kawhia North Survey District. Balance *New Zealand Gazette*, 1923, page 843 (M.L. 15218).

2155 square metres, more or less, being Sections 20 and 21, Block I, Te Puru Township, situated in Block X, Kawhia North Survey District. All *New Zealand Gazette*, 1941, page 3894 (S.O. 28212 and S.O. 30876).

2023 square metres, more or less, being Lot 1 of Allotments 7 to 10, Block I, Te Puru Township, situated in Block X, Kawhia North Survey District. All *New Zealand Gazette*, 1928, page 2927 (S.O. 22564).

Dated at Hamilton this 22nd day of May 1991.

G. E. ROWAN, Regional Conservator, Waikato Conservancy, Department of Conservation, Hamilton.

(D.O.C. Ref: RRL 007)

In5429

1CL

Appointment to Control and Manage a Reserve

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Regional Conservator, Wellington Conservancy of the Department of Conservation, hereby appoints The Wellington Regional Council to control and manage for recreation purposes the Dry Creek Recreation Reserve, being all that land in Lower Hutt City contained in *New Zealand Gazette*, 1989, No. 107, page 2757. (All DOC B. 012769).

Dated at Wellington this 24th day of May 1991.

N. D. R. McKERCHAR, Regional Conservator, Wellington.

In5430

G. H. CAMPBELL, Regional Conservator.

(File R.O. LRC 797)

In5488

Iwi Transition Agency**Maori Affairs Restructuring Act 1989****Maori Land Development Notice**

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

Notice

1. This notice may be cited as Maori Land Development Notice Whangarei 1991, No. 9.

2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the lands described in the Second Schedule hereto.

3. The lands described in the Second Schedule hereto are hereby released from Part II of the Maori Affairs Restructuring Act 1989.

First Schedule

Date of Notice	Reference	Registration No.
30 January 1963	<i>Gazette</i> , 7 February 1963, No. 8, page 162	19943 A.93292
24 November 1971	<i>Gazette</i> , 2 December 1971, No. 95, page 2692	A.616610

Second Schedule**North Auckland Land District**

All those pieces of land described as follows:

Area ha	Being
15.7169	Part Whirinaki 5X, situated in Block V, Waoku Survey District. All certificate of title No. 2A/5.
2.6633	Whirinaki 6C4A, situated in Block V, Waoku Survey District. Provisional Register, Volume 6B, folio 1097.
15.8257	Whirinaki 5L1, situated in Block V, Waoku Survey District. All certificate of title, Volume 1308, folio 5.
5.2128	Whirinaki 5G2, situated in Block V, Waoku Survey District. All certificate of title, Volume 1308, folio 4.

Dated at Whangarei this 20th day of May 1991.

For and on behalf of the General Manager, Iwi Transition



Memorandum

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Hamilton

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Attention: Shalini Sanjeshni

Company: Winstone Aggregates

Date: 10/6/2026

From: Rhys Girvan (Registered Landscape Architect)

Message Ref: Belmont Quarry Land exchange – DOC Peer Review

Project No: W15069

I have been engaged by Winstone Aggregates to provide technical assistance in relation to the fast-track application for a land exchange for Belmont Quarry (FTA308). I previously prepared:

- Belmont Quarry Overburden: Land Exchange Landscape Assessment (**BML Assessment**) - 1 December 2025 prepared by Rhys Girvan, Senior Principal Landscape Planner, Boffa Miskell Ltd (Appendix B6a of Application).
- Site visit with Jeremy Head (Landscape Architect) 24 March 2026
- Response to comments on the land exchange application, dated 3 March 2026
- Belmont Quarry Overburden: Land Exchange 24 April 2026

My qualifications and expertise, and agreement to comply with the Environment Court's Code of Conduct for Expert Witnesses, is set out in my earlier report.

I provide this statement in response to the landscape peer review (**Peer Review**) provided by registered landscape architect Jeremy Head (dated 26 May 2026) and the draft report by the Director-General of Conservation dated 29 May 2026.

Overview

I have reviewed the landscape advice prepared by Mr Head (Registered Landscape Architect) and consider that this Peer Review generally supports the methodology, structure and principal findings of the BML Landscape Assessment. In particular, I note Mr Head's agreement with the existing landscape context, the extent of visibility of each land parcel, and differentiating the current land exchange assessment and any future assessment of physical works associated with a substantive application.

During the Site visit, I discussed the format of the BML Assessment with Mr Head and agreed it would benefit from some additional clarification including summarising the nature and extent of existing natural elements in each respective land parcel. This included additional clarification of land areas on graphic information and quantifying the extent and nature of existing waterbodies, boundary lengths and existing vegetation cover in each land parcel. Since preparing my initial

assessment, these have been updated in my Rev A assessment, dated 24 April 2026. This includes the following:

- Annotation of site photographs to identify the extent of the land exchange areas, including the boundaries of each relevant site.
- Inclusion of physical descriptions within each land area encompassing boundary length, approximate % of native landcover and length of streams with reference to ecology assessment¹.
- A summary table at the end of the report bringing together the findings for each land exchange component.
- Addition of viewpoint location symbols to Figure 4.

I understand that Mr Head's review was prepared before the Rev A Landscape Assessment was available to him. Some of the matters he identifies as information gaps have therefore since been addressed, or can be more clearly cross-referenced, through the Rev A assessment and supporting technical reporting.

Notwithstanding the benefit of further clarification, Mr Head's assessment is broadly consistent with the relative weighting in my assessment including assessing the DOC-Give land as **Moderate** in landscape value, with **low-moderate** visibility. Where he differs, by rating the Firth Block slightly higher and Dry Creek slightly lower in its existing condition, I do not consider those differences materially alter the overall landscape conclusion. I also agree that improvements are relevant in terms of working to ensure restoration outcomes which relate to DOC-Get landscape values and will work to gradually improve landscape values over time. Overall, his assessment is broadly consistent with the view that in terms of landscape values, the DOC-Get land has greater collective value than the DOC-Give land, particularly if the proposed improvement package is secured through robust and measurable conditions.

I also acknowledge that, to the extent discounting of the conservation values of the QEII covenanted land is required, the Panel may need to discount the extent to which those values are affected by anything registered or noted for conservation purposes on the title. In landscape terms, I understand that to mean reduced weight should be given to any additional shared, recognised or associative value arising from the QEII covenant itself. It does not, in my view, require the underlying landscape attributes of that land to be disregarded, including its gully landform, vegetation cover, stream corridor context, visual coherence and important contribution to the wider Western Escarpment landscape.

This distinction is important when considering Mr Head's Table 2. Even if reduced weight is given to the landscape values associated with the QEII status of the Northern Gully QEII area and Firth Block QEII area, Mr Head separately identifies the balance of Northern Gully, excluding the QEII part, as retaining a **Moderate-high** landscape value. On that basis, the DOC-Get package continues to include land of **Moderate-high** landscape value, compared with the **Moderate** value attributed to the DOC-Give / OBDA land. While the comparison is less emphatic if QEII-related values are discounted, I consider the overall landscape comparison remains consistent with a net benefit in favour of the Crown, particularly when the DOC-Get parcels are considered as a package and alongside the proposed improvement measures.

¹ Blue Green Ecology Belmont Quarry Land Exchange: Overview of Ecological Values, prepared for Winstone Aggregates Ltd, 2 December 2025

Beyond this, I accept the key residual matters identified by Mr Head that remain are in relation to edge effects, weed management, pest control, and the need for greater certainty around restoration outcomes. In my view, those matters are capable of being addressed through strengthened conditions and clear management obligations, including through the proposed ecological restoration / management framework. They do not materially alter the overall conclusion that, from a landscape perspective, the exchange provides a net benefit when the DOC-Get land parcels are assessed together as a package, particularly having regard to their combined contribution to vegetated gully sequences, landscape connectivity, and the broader natural landscape pattern of the Western Escarpment.

I acknowledge Mr Head's concern that the exchange would alter the extent and nature of vegetation edge conditions requiring management, particularly where new or existing quarry-edge interfaces may be susceptible to weed invasion, pest pressure and other edge effects. I understand those figures to address potential edge-effect exposure rather than the broader park / catchment configuration. In that latter respect, the BML Dry Creek Catchment lineal length plan indicates that the relevant Belmont Regional Park / Dry Creek Catchment lineal length would increase from approximately 16.31 km to 19.88 km, with the associated area increasing from approximately 546.68 ha to 556.96 ha (see **Appendix 1 attached**). I therefore accept that edge management is a relevant issue but consider it does not displace the broader landscape benefit associated with a modest increase in park extent / catchment area a more connected vegetated conservation pattern and stronger vegetated continuity along the Dry Creek / Western Escarpment landscape.

In light of Mr Head's advice, I have not changed my overall landscape value ratings, but have clarified the visibility rating for Southern Gully as **Low**, acknowledged the more nuanced treatment of QEII-related associative value, and accepted that edge effects, weed management and pest control require greater certainty through conditions.

Proposed OBDA / DOC-Give Land

I assessed the Proposed OBDA as having **Moderate landscape** value and **Low–Moderate** visibility. Mr Head also assessed the OBDA as having **Moderate** landscape value. I therefore understand there to be broad agreement between us on the existing landscape value of the DOC-Give land.

The OBDA forms part of the broader Belmont Hills and Boulder Hill landscape context and contributes to the wider vegetated setting of Belmont Regional Park. It also includes regenerating vegetation and some wetlands and watercourses that contribute positively to natural landscape character. I do not treat the OBDA as low-value land.

However, the OBDA is located beside the existing quarry and is already influenced by quarry activity, access tracks, transmission infrastructure and its position on the more contained upper edge of the Western Escarpment. In comparison with the more prominent and visually legible parts of the Western Escarpment, it is relatively contained and less visually prominent. This supports my assessment of Moderate landscape value.

I agree with Mr Head that the DOC-Give land will not visually change much, if at all, simply as a consequence of the exchange. That is an important distinction. The exchange itself changes ownership, not the physical landscape. The potential physical effects of any future OBDA development are a matter for the substantive application and should be assessed at that time.

Northern Gully

I assessed Northern Gully as having **Moderate–High** landscape value and **Low** visibility. I remain of that view. Northern Gully contains a steep-sided vegetated gully landform, an unnamed stream corridor, areas of mature and regenerating native vegetation, and a strong relationship with the wider sequence of vegetated gullies associated with the Western Escarpment and Belmont Regional Park.

I accept Mr Head's observation that parts of Northern Gully have been modified, including areas associated with previous quarrying, overburden placement, cleanfill and drainage works. I also accept that part of the Northern Gully QEII area may include modified landform and planted or regenerated vegetation rather than wholly intact natural landscape. However, this does not materially alter my assessment of the contribution made by Northern Gully as part of the larger vegetated gully sequence.

The important point is that the Moderate–High landscape value of Northern Gully is not dependent solely on its QEII status. Mr Head's Table 2 separately identifies Northern Gully excluding the QEII part as retaining Moderate-high landscape value. That supports my view that the underlying landscape value arises from the inherent characteristics of the gully system, including landform, vegetation, stream context and its relationship with the broader Western Escarpment landscape. Those attributes remain legible and continue to support the parcel's moderate-high landscape value.

Southern Gully

I assessed Southern Gully as having **Moderate landscape** value. I remain of that view. Southern Gully contains a vegetated gully landform, approximately 225 metres of stream corridor and a wetland that is relatively large in the local context. It also provides a vegetated buffer and transition between the Cottle Block, Liverton Road and the wider Western Escarpment landscape.

I acknowledge that the visibility of Southern Gully is **Low** rather than Low–Moderate. To the extent that any earlier text suggested Low–Moderate visibility, I accept that was an error. This has been correctly reflected in my summary tables and does not alter my overall assessment or conclusion. The lower visibility of Southern Gully does not reduce its landscape value, because its contribution is primarily localised and relates to gully form, vegetation, wetland character and integration with the adjoining landscape pattern.

I agree with Mr Head that Southern Gully plays more of a supporting landscape role than a prominent scenic role. However, I consider that supporting role remains important in the context of the exchange package, particularly given its wetland, stream and regenerating vegetation values.

Firth Block

I assessed Firth Block as having **Moderate–High** landscape value and **High** visibility. I remain of that view. The Firth Block forms a prominent vegetated spur on the Western Escarpment, visible from parts of the Hutt Valley and Eastern Hutt Hills. Its contribution is not limited to ecological or covenant values. It also plays an important scenic and perceptual role as part of the vegetated western backdrop to the Hutt Valley.

I acknowledge that the whole of the Firth Block is subject to QEII covenant and that, if discounting is required, reduced weight may need to be given to any value arising from that legal protection or recognised conservation status. However, I do not consider that discounting the covenant-related aspect removes the underlying landscape values of the land. The Firth Block remains a steep, vegetated, visually prominent escarpment landform that contributes to the coherence, legibility and naturalness of the Western Escarpment.

Mr Head's distinction is that QEII protection contributes to the shared, recognised and associative value of the covenanted land, rather than materially changing its underlying natural landscape character. I accept that distinction. In relation to Firth Block, Mr Head assesses the associative value as Moderate-high to High, whereas my assessment was Moderate–High. I do not consider that giving reduced weight to the value attributable to the QEII covenant itself would require me to reduce my Moderate–High associative value rating. That is because the associative value I identified is not based solely on the covenant, but also reflects Firth Block's recognised role as a prominent vegetated escarpment landform within the wider Western Escarpment and Belmont Regional Park landscape. On that basis, my Moderate–High associative value rating, and my Moderate–High overall rating for Firth Block, remain appropriate, while acknowledging that the weight given to the existing covenant protection component may be reduced.

Dry Creek

I assessed Dry Creek as having **Moderate landscape** value, and I remain of that view. I acknowledge Mr Head's opinion that its existing value is **Low–Moderate**, particularly because of the proximity to previous quarry modification, visible landform alteration and weed cover. I agree those factors moderate the value of the parcel, but I do not consider they reduce it below Moderate.

In relation to Dry Creek, I accept Mr Head's view that its existing landscape value is moderated by previous quarry modification, visible landform alteration and weed presence. I do not place the same weight on Dry Creek as I do on the Northern Gully or Firth Block, which have higher existing naturalness, coherence and landscape integrity. However, I do not consider that Dry Creek should be discounted from the overall landscape assessment. The area sought to be exchanged includes upper and less modified parts of the former Dry Creek quarry / cleanfill landscape, where the effects of previous modification are less dominant and where regenerating native vegetation is already contributing to the wider vegetated escarpment pattern.

For clarity, I assessed Dry Creek as having **Moderate** landscape value in the BML Assessment, and I remain of that view. I acknowledge Mr Head's opinion that its existing value is **Low–Moderate**, particularly because of the nearby former quarry activity, visible landform alteration and weed cover. I agree those factors moderate the value of the parcel, but I do not consider they reduce it below Moderate. My assessment does not treat Dry Creek as an intact or high-value landscape. Rather, its Moderate value reflects the balance between its modified quarry-edge context and its positive contribution through regenerating vegetation, connection with the surrounding Belmont Regional Park landscape, and its potential to consolidate and restore the wider vegetated gully and escarpment pattern.

In my view, Dry Creek's contribution is therefore best understood as a restoration and consolidation opportunity. Its value lies in bringing the less modified and regenerating outer parts of the former Dry Creek quarry-edge landscape into the Conservation Estate, improving their long-term management, and supporting the broader pattern of vegetated gullies and slopes associated

with Belmont Regional Park. On that basis, I support Mr Head's view that Dry Creek has the potential to strengthen and consolidate its Moderate landscape value over time, provided that the proposed weed control, natural regeneration and rehabilitation outcomes are secured and successfully implemented.

QEII Covenant

As set out in the BML Assessment and Peer Review it is agreed that areas subject to QEII covenant have elevated shared and recognised / associative values by virtue of their protected status. This supports a modest refinement to the evaluation of the Firth Block, and to the associative value of the QEII portions of the Northern Gully. This remains consistent with the overall finding that the Firth Block and Northern Gully contain higher relative landscape values than the OBDA.

For completeness, I have considered the extent to which any landscape values attributed to the QEII covenanted land arise from the covenant itself, rather than from the underlying landscape attributes of the land. I understand this distinction is relevant because, if discounting of QEII-related values is required, reduced weight may need to be given to the value attributable to existing covenant protection. It does not require the underlying physical, perceptual or associative values of the land to be disregarded where those values exist independently of the covenant.

Weed Management / Edge Effects Response

I accept that edge effects are relevant where future physical works create new vegetation interfaces or expose existing vegetation margins. However, the land exchange itself does not create those physical edge effects. Any increase in exposed edge associated with the future OBDA would also arise from the substantive quarry proposal and should be assessed and managed at that stage, including through weed control, rehabilitation, planting design, maintenance and monitoring. I accept, however, that the land exchange is a necessary precursor to the future OBDA proposal, and for that reason it is appropriate to identify the likely edge-management issues now, while leaving the detailed assessment of physical effects to the substantive application.

While I accept that weed management is an important matter in assessing the long-term landscape outcome of the exchange, I consider the detailed specification of weed species, control methods and targets is primarily an ecological and biosecurity matter. Where successful, I accept that the presence and management of weeds is also directly relevant to landscape value because it affects perceived naturalness, vegetation integrity, coherence and edge resilience. In this respect I agree that parts of the DOC-Get land, particularly Dry Creek and parts of Southern Gully, include existing weed issues that will need active management. That does not, in my view, undermine the landscape value of those parcels, but it does mean the expected continued landscape benefit relies on an appropriate management regime being secured and implemented. With successful weed removal/control, adjoining areas may also naturally reinvigorate over time and better align with the surrounding Belmont Regional Park vegetation system.

From a landscape perspective, the important point is that weed management should not be treated as a generic maintenance task. It should be tied to the intended landscape outcome: strengthening indigenous vegetation cover, improving edge resilience, reducing reinvasion risk, and supporting the long-term integration of the DOC-Get land into the wider Belmont Regional Park gully and escarpment vegetation system.

I would, however, defer to the project ecologist / biosecurity specialist on the exact weed species, control methods, eradication targets and timeframes. My landscape view is that the conditions should be sufficiently certain to ensure that weed management is delivered, monitored and maintained, but sufficiently flexible to allow adaptive management where site conditions, reinvasion risk or best-practice control methods change over time. On that basis, I consider the weed-management criticism can be addressed through strengthened conditions. Subject to ecological confirmation, those conditions would improve the certainty that the DOC-Get land achieves its anticipated contribution to landscape restoration, naturalness and vegetated connectivity over time.

Scenic Backdrop

In relation to the scenic backdrop of the Hutt Valley, I accept that the wording in the conclusion of the BML report would benefit from clarification. The land exchange itself would not physically alter the outward appearance of any of the land parcels. Any physical change to the vegetated backdrop would arise only if the OBDA is subsequently authorised and developed through the substantive application, albeit seen beyond the more visible Western Escarpment.

I therefore do not rely on the land exchange, by itself, as maintaining all aspects of the existing scenic backdrop. Rather, my point is that the exchange would bring a substantial part of the wider vegetated escarpment and gully framework into the conservation estate, including areas that contribute to the green backdrop of the Hutt Valley. That is a positive landscape outcome. I accept that my original wording could have been read as placing too much reliance on the land exchange itself maintaining the existing scenic backdrop.

I also accept that future OBDA development may affect part of the more elevated vegetated backdrop presently seen from parts of the Hutt Valley and surrounding public viewpoints. Those effects should be assessed directly through the subsequent substantive application, including the extent of vegetation removal, landform change, visibility, rehabilitation, and the degree to which the altered landform can be integrated back into the broader vegetated escarpment pattern.

On that basis, I would clarify my conclusion as follows: the land exchange does not itself change the existing visual backdrop, but it does consolidate a meaningful part of the adjoining vegetated gully and escarpment system within the conservation estate. The separate question of whether future OBDA development would adversely affect the scenic backdrop is a matter for the substantive application, not the land exchange decision alone.

Landscape Values following improvements

I have also considered whether the applicant's proposed improvements, and the more detailed DOC conditions, would alter my assessment of the overall landscape value of the DOC-Get land parcels. In my opinion, the primary landscape benefit remains the exchange itself. DOC would receive a larger and more connected group of vegetated gully and escarpment parcels, including Northern Gully and Firth Block, which I assess as having **Moderate–High** landscape value, together with Southern Gully and Dry Creek, which I assess as having **Moderate landscape** value. I acknowledge Mr Head's lower **Low–Moderate** rating for Dry Creek, but remain of the view that its regenerating vegetation, quarry-edge rehabilitation context, and ability to strengthen the wider conservation land pattern support a **Moderate** rating. This compares with the Proposed OBDA, which I assess as having **Moderate** landscape value and **low–moderate** visibility.

In my opinion, the applicant's improvement package does not immediately transform the inherent landscape value of each DOC-Get parcel. Its importance is that it improves the certainty and

durability of the positive landscape outcomes identified in the BML Assessment. The package is directed toward pest control, weed management, ecological restoration and planting, and would support the recovery of native vegetation, improve the condition of stream and wetland margins, and strengthen the continuity and legibility of the Western Escarpment as part of the broader Belmont Regional Park landscape. I accept that the proposed planting would provide ongoing landscape benefits by supporting biophysical enhancement and reinforcing the vegetated coherence of the Western Escarpment over time, and improving the continuity of the green backdrop experienced from the Hutt Valley. From a landscape perspective, I agree with Mr Head that planting alone should not be relied on as the principal measure of improvement. Planting and replanting will only materially improve landscape values where this is supported by measurable establishment, protection, replacement, weed control, pest control, monitoring and maintenance obligations.

For that reason, I consider the DOC conditions are helpful because they would convert management aspects of the improvement package into more measurable and enforceable requirements. In particular, an approved Ecological Restoration Plan, supported by maintenance, monitoring, reporting and replacement planting obligations, would provide greater certainty that the intended landscape outcomes are achieved over time. Subject to confirmation from the project ecologist / biosecurity specialist and Winstone that the proposed pest and weed control methods, targets, timing and implementation obligations are practicable, I support the intent of DOC's proposed conditions. If Winstone is able to strengthen its pest and weed control commitments in response to those conditions, that would further reinforce the certainty of the anticipated landscape benefits.

On that basis, I would not substantially change my existing landscape value ratings as an immediate consequence of the proposed improvements. Rather, I would describe the applicant's improvement package, and more particularly the DOC conditions if adopted or reflected in amended conditions, as strengthening the long-term landscape trajectory of the DOC-Get land. The clearest shift is in the certainty of outcome: the DOC-Get parcels would be more likely to establish as a coherent, connected and better-managed part of the Belmont Regional Park landscape over time, with planting contributing to that outcome through incremental biophysical enhancement and improved vegetated continuity, and reinforcement of the Western Escarpment's role as a coherent green backdrop. This reinforces, rather than replaces, my earlier conclusion that the exchange would result in an overall net landscape benefit.

I also note that Mr Head's comparative assessment appears to focus principally on the existing values of the DOC-Get land, and does not fully assess the future value of those parcels on the basis that the more substantial DOC improvement package is implemented. I would not overstate those benefits as immediate or guaranteed, and I do not rely on them as transforming the inherent landscape value of the parcels at the point of exchange. However, if secured through conditions, the improvement package would provide a clearer and more durable pathway for those values to be strengthened over time. In particular, pest and weed control, ecological restoration, planting establishment, maintenance and replacement obligations would support improved vegetation condition, better-managed gully, stream and wetland margins, and greater vegetated continuity across the Western Escarpment. In my view, that would reinforce the long-term landscape contribution of the DOC-Get land to the Conservation Estate beyond what is apparent from existing values alone.

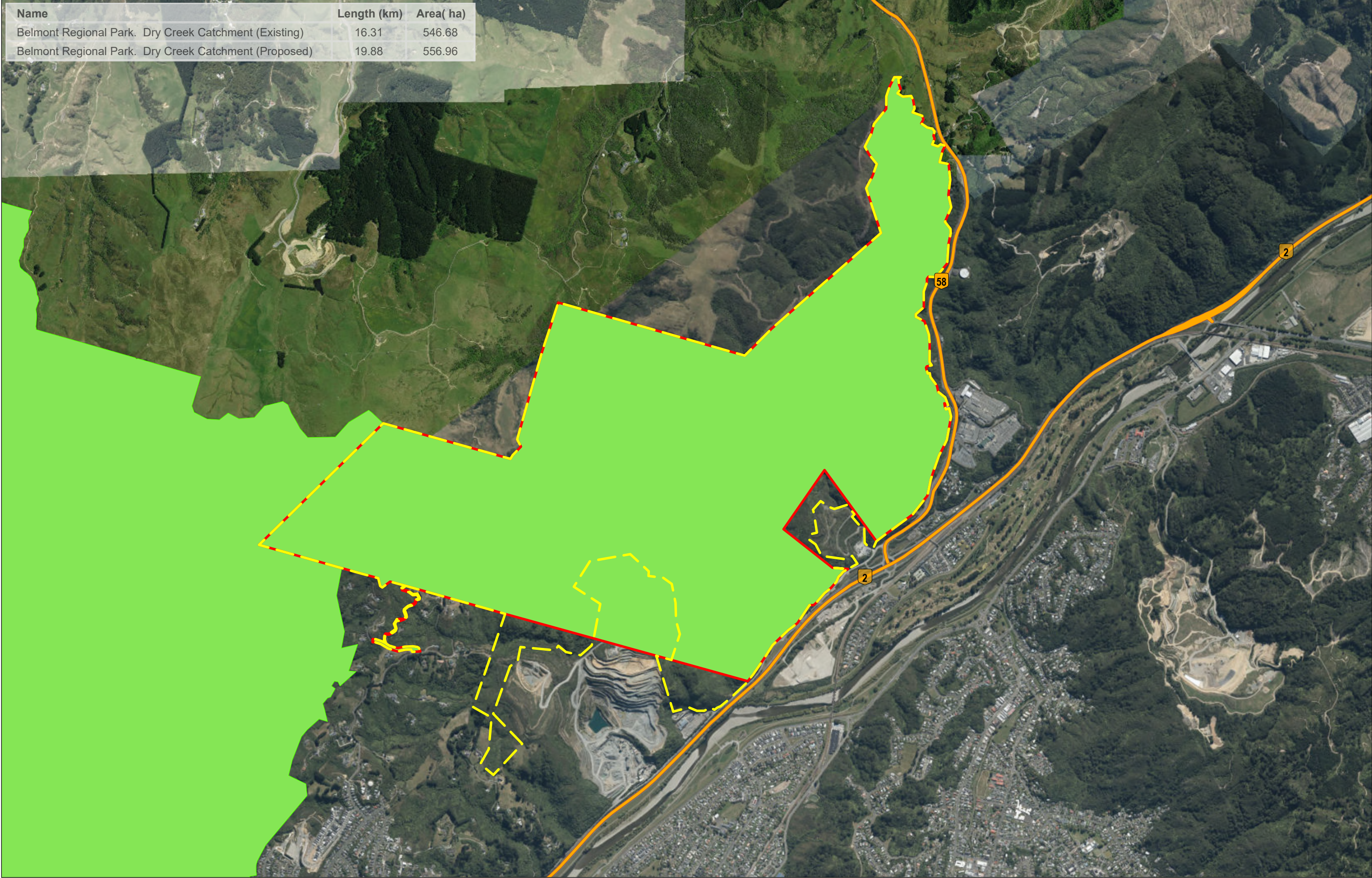
Conclusion

Overall, I consider there is broad agreement between my assessment and Mr Head's advice on the key landscape matters. Both assessments identify the Proposed OBDA / DOC-Give land as having Moderate landscape value. Both assessments also recognise that the DOC-Get land includes areas of higher landscape value, particularly Northern Gully and Firth Block, while Southern Gully and Dry Creek make a positive supporting contribution as part of the wider exchange package.

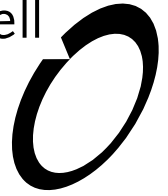
I accept that the comparison is more nuanced if QEII-related values are given reduced weight. Firth Block is wholly subject to QEII covenant, and part of Northern Gully is also covenanted. However, the physical and perceptual landscape values I have attributed to those areas are not created by the covenant. They arise from the land itself, including landform, vegetation cover, visual coherence, prominence, and relationship with the wider Western Escarpment and Belmont Regional Park landscape. The associative value is informed in part by QEII protection, but is not dependent on that factor alone. Mr Head's separate assessment of Northern Gully excluding the QEII part as Moderate-high is important in that respect, because it confirms that higher landscape value within the DOC-Get package is not dependent on QEII status alone.

While I acknowledge Mr Head's more cautious wording and his identification of limitations relating to edge effects, weed management, pest control and restoration certainty, I do not consider those matters change the overall landscape conclusion. Rather, they identify matters that should be addressed through robust and measurable conditions. If secured in that way, the proposed improvement measures would strengthen the long-term landscape contribution of the DOC-Get land by improving vegetation condition, supporting restoration of gully and wetland margins, and reinforcing the coherence of the wider Western Escarpment landscape.

For those reasons, I remain of the view that the DOC-Get land, considered as a package and alongside the proposed improvement measures and DOC's recommended conditions, would make a stronger and more certain long-term landscape contribution to the Conservation Estate than the DOC-Give land. I therefore remain of the view that the proposed land exchange provides a net landscape benefit in favour of the Crown.



Boffa Miskell



Belmont Quarry Overburden: Land Exchange

Landscape Assessment Prepared
for Winstone Aggregates
24 April 2026





Boffa Miskell is proudly a
Toitū net carbonzero certified consultancy

Document Quality Assurance

This document may be cited as: Boffa Miskell Limited 2025. <i>Belmont Quarry Overburden: Land Exchange: Landscape Assessment</i> . Report prepared by Boffa Miskell Limited for Winstone Aggregates.				
For any information regarding this report please contact: Rhys Girvan Landscape Planner Senior Principal info@boffamiskell.co.nz				
Revision /version:	Issue date:	Prepared by:	Description:	Reviewed by:
Final	01/12/2025	Rhys Girvan: Senior Principal / Landscape Planner	Final report for lodging	Emma McRae Landscape Architect / Senior Principal
Final (Rev A)	24/04/2026	Rhys Girvan: Senior Principal / Landscape Planner	Final following DOC review	
Approved for issue: Rhys Girvan Landscape Planner Senior Principal 22/04/2025				
Release and Reliance This report has been prepared by Boffa Miskell Limited on the instructions of our Client, in accordance with the agreed scope of work. If it is intended to support an application under the Fast-track Approvals Act 2024, it may be relied upon by the Expert Panel and relevant administering agencies for the purposes of assessing the application. While Boffa Miskell Limited has exercised due care in preparing this report, it does not accept liability for any use of the report beyond its intended purpose. Where information has been supplied by the Client or obtained from external sources, it has been assumed to be accurate unless otherwise stated.				

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Cover photograph: Belmont Regional Park © BML, 2025

Executive Summary

Boffa Miskell Limited was engaged by Winstone Aggregates to undertake a landscape assessment as a component of a conservation values assessment for a proposed land exchange. This entails exchanging land owned by the Department of Conservation and held as recreation reserve in Belmont Regional Park, with land associated with the adjacent Belmont Quarry, namely the Northern Gully, Southern Gully, Firth Block, and part of the former Dry Creek Quarry site.

This assessment follows *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines* and draws on field investigations, desktop review, and GIS visibility modelling. Accordingly, it evaluates physical, perceptual, and associative attributes of each site alongside any visual implications in the context of both the *Fast-track Approvals Act 2024* and the *Conservation Act 1987* and *Reserves Act 1977*.

Key findings:

- **Proposed Overburden Disposal Area (“Proposed OBDA”):** Moderate landscape value and low–moderate visibility. Its proximity beside the established quarry reflects a relatively contained aspect of the broader Belmont Hills with capacity to absorb progressive quarry development.
- **DOC gets:**
 - o *Northern Gully and Firth Block:* These sites both have Moderate–high landscape value with low to high visual sensitivity offering higher relative landscape values and visual integrity compared with the Proposed OBDA.
 - o *Dry Creek Quarry and Southern Gully:* Moderate landscape value and low to low–moderate visual sensitivity, with potential for ongoing rehabilitation restoring natural character along existing streams and wetlands and expanding areas of regenerating native vegetation.

Net effect: The proposed land exchange would expand and strengthen the ecological, visual, and recreational fabric of the Conservation Estate, while consolidating quarry disturbance within a largely contained and modified area. From a landscape perspective, this represents a net gain in conservation value and aligns with the intent of the Fast-track Approvals Act enabling the delivery of infrastructure alongside enhancing the conservation value of public conservation land.

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Graphic Supplement (bound separately)

1.0 Introduction

1.1 Scope of the report

Boffa Miskell Limited (BML) was engaged by Winstone Aggregates (Winstone) in May 2025 to undertake a Landscape Assessment for a proposed land exchange application to swap Department of Conservation (DOC) land within Belmont Regional Park, with adjacent land that forms part of Belmont Quarry. Winstone seek to acquire an Overburden Disposal Area (OBDA) from DOC via an exchange of land under schedule 6 of the Fast Track Approvals Act 2024, to then seek approvals for the deposit of overburden necessary to facilitate the ongoing operation of quarrying activity. The continued Belmont Quarry operation would remain located at 541 Hebden Crescent Lower Hutt, but would expand into the land acquired from DOC to develop an overburden disposal area subject to a substantive application.

To assist with evaluating the overall proposed conservation outcomes, BML have undertaken a comparative landscape assessment which evaluates the Proposed OBDA (the land which DOC gives) in exchange for adjoining areas of Winstone-owned land—namely Northern Gully, Southern Gully, Firth Block, and part of the Dry Creek Quarry (see **Figure 1**) which DOC would get in exchange. The existing characteristics and landscape values and likely visibility of each site have been described and evaluated.

This report has been prepared in accordance with the Environment Court Practice Note 2023 (Code of Conduct for Expert Witnesses) and complied with that Code. A Curriculum Vitae of the primary author and peer reviewer are included in **Appendix 1**.

1.2 Project background

BML were previously engaged to assess the expansion of Belmont Quarry through Plan Change 33, approved in 2014. Subsequently, BML were engaged with the expansion of the Cottle Block enabling an increased deposit of overburden as part of the ongoing quarry operation which was consented in 2017. More recently BML advised Winstone on consideration of alternative sites for the OBDA, once it became clear that opportunities for OBDA within the Quarry site had been exhausted.

1.3 Assessment Method

This assessment follows the concepts and principles outlined in *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines*. To inform this assessment, an initial site visit was undertaken on the 22 May 2025, during which the OBDA and areas proposed as part of the land exchange were visited as part of informing the assessment of landscape characteristics and values. During this site visit the weather was fine with good visibility.

In accordance with current best practice, this landscape assessment has engaged with articulating and evaluating the interplay between relevant physical, perceptual, and associative attributes to determine the overall landscape implications of the proposed land exchange. These relevant attributes can be summarised as follows:

Physical attributes refer to the tangible elements of the landscape—such as landforms, soils, vegetation, climate, waterways, and wildlife—alongside built and modified features like roads, buildings, land use patterns, and heritage sites. These elements together shape the landscape's physical structure and ecological function.

Perceptual attributes relate to how people experience and interpret the landscape. This includes its visual coherence, aesthetic qualities, sense of scale, and the way natural and human-made features come together to form a legible and memorable environment.

Associative attributes capture the cultural, historical, and spiritual connections that people and communities have with a place. These include tāngata whenua traditions, stories, and values, as well as shared and recognised meanings linked to identity, belonging, and lived experience.

In accordance with the above method, this landscape assessment has involved an analysis of relevant factors based on a standard seven-point scale from very low to very high to determine the overall landscape value of each site, as set out below.

VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH
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To assess the consequence of change on existing landscape values, current best practise recognise that ‘Sensitivity’ and ‘Capacity’ are widely used generic parameters which can be useful where future proposals are not yet fully known or subject to subsequent more detailed consideration (e.g. for issue-based assessments)¹. In these circumstances, ‘sensitivity’ means the susceptibility of a landscape’s values to the potential effects of certain types of activity or change. ‘Capacity’ is an estimate of how much of that activity could be accommodated while retaining the specified landscape values.

As part of this assessment, opportunities for enhancement and provisions which may assist with the capacity of the landscape have also been considered. This includes preservation of natural character and related opportunities to restore natural character where this improves the existing condition of streams, wetlands and their margins. Notwithstanding this, the future specific form of development which may result through this land exchange will be addressed in further detail as part of any substantive application.

In terms of landscape outcomes, the land exchange would ultimately influence the configuration of Belmont Regional Park and adjoining areas within the Conservation Estate and Belmont Quarry, including in terms of available views. Landscape values are assessed together with visibility and influences the comparative value of this proposed land exchange, whilst acknowledging no physical or landscape change is entailed in the proposed change of ownership.

1.4 Other Technical Relevant Reports

The assessment of landscape values has been undertaken concurrently with the assessment of the following matters which complement and will further inform the final assessment:

- Planning – Wikaia Consulting Limited
- Cultural Values – Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa
- Recreation – Rob Greenaway and Associates
- Terrestrial and Aquatic Ecology – Blue Green Ecology

This assessment was subsequently updated following a site visit with landscape architect Jeremy Head engaged on behalf of the Department of Conservation on the 24th March 2026.

¹ ‘Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines’, (July 2022). Tuia Pito Ora New Zealand Institute of Landscape Architects, para 5.49.

2.0 Existing Environment

2.1 Site Location

The proposed land exchange occupies part of the north-eastern area of Belmont Regional Park (see **Figure 1**) and adjacent Belmont Quarry. Much of this area is now cloaked in regenerating vegetation supporting conservation and some recreation use. Puke Ariki Traverse / Buchanans Road Tramping Track passes in the vicinity of the northern edge of the Proposed OBDA which currently sits within the Regional Park and provides access between the eastern most park access at Dry Creek and Boulder Hill. Land proposed to be brought into the Conservation Estate in exchange includes part of the former Dry Creek Quarry and three contiguous vegetated areas which straddle the adjacent Belmont Quarry, namely the Northern Gully, Southern Gully and Firth Block.

Belmont Quarry is accessed off Hebden Crescent approximately 1.7 km to the south-west of the Belmont Regional Park entrance at Dry Creek. Belmont Quarry occupies part of the western escarpment defining the edge of the Hutt Valley and extending into the lower more visually contained slopes of the Belmont Hills, approximately 6 km north-east of the Lower Hutt Central Business District.

2.1.1 General Description

The area of Belmont Regional Park being proposed for exchange with Winstone's comprises of an irregular shaped block situated at the convergence of State Highway 2 and State Highway 58 adjoining Manor Park. The land has road frontage onto Haywards Hill Road / State Highway 58 along the northern boundary and can be accessed via a main entry to the park along Hebden Crescent at Dry Creek which is used by walkers, mountain bikers, horse riders and campers.

A main bush covered valley running to the northwest and accommodating the Waterfall Route, roughly divides this larger northeast area of Belmont Regional Park accessed from Dry Creek. To the north of Dry Creek, the land rises steeply onto rolling tops which continue to be managed as pasture adjoining areas of regeneration native vegetation continuing through gullies. Within much of the park, former areas of grassland are predominantly regenerating into native vegetation with some selective grazing. To the west of Dry Creek, the land rises towards Boulder Hill where the park opens out into grassland. This is recognised as the highest vantage point within this area of the park, providing a good bush walk before opening out to obtain panoramic views of Upper Hutt to the north, Wellington Harbour and Heads to the south and Pauatahanui/Porirua Basin to the west.

The park contains several four-wheel drive access tracks which are used for recreation and for access to service transmission tower corridors which traverse the park connected from the Haywards Substation. Bush walks are enhanced by high landscape quality and easy access to visitors from grassed camping areas and camping facilities.

2.1.2 Tangata Whenua and Mana whenua values

Tāngata whenua are the definitive holders of mātauranga and kōrero relating to their rohe—including matters relating to landscape. It is recognised that the mātauranga and tikanga of each tāngata whenua group informs contemporary tāngata whenua resource management in each landscape setting.

Mana Whenua refers to iwi and hapū who have historic and territorial rights over this area of Te Awa Kairangi | Hutt Valley. Taranaki Whānui ki Te Upoko o Te Ika, Ngāti Toa Rangatira, Te Āti Awa, Rangitāne o Wairarapa and Rangitāne o Tāmaki nui-ā-Rua and Muaūpoko, are all recognised iwi entities in this context, through which ongoing engagement will occur to identify and manage Māori cultural values which may be relevant to this application.

2.1.3 History

Since European arrival, the Dry Creek slopes west of the Hutt River have shifted from an almost continuous kohekohe–tawa–podocarp forest (with beech on ridge crests) to a heavily cleared, grazed landscape of pasture and scrub, and more recently back towards an almost continuous cloak of regenerating indigenous forest. Early European clearing and farming removed most lowland forest from valley floors and easier slopes; only steep gullies and upper slopes retained forest remnants.

From roughly the 1960s, retirement of marginal land, park acquisition, and later pest control and fencing have allowed gorse/manuka scrub and broadleaf species to re-establish. The larger Dry Creek Block which comprises the north-east area of Belmont Regional Park was originally purchased for State housing purposes and was transferred to the Department of Lands and Survey in 1983. Control of the land has subsequently passed to the DOC as Recreation Reserve and controlled and managed by GWRC as a mosaic of remnant tawa–pukatea–podocarp forest, advanced regenerating broadleaf forest and mānuka scrub, with only small areas of pasture remaining.

2.1.4 Geology

The broader area encompassing Belmont Regional Park was formed as part of an uplifted peneplain between the Wellington and Owhariu fault lines. The peneplain eroded over time to create the present rolling remnant landform characterised by the boulders familiar to the Kilminsters and Boulder Hill area. The surface geology is greywacke which has given rise to soils of low to moderate fertility.

2.1.5 Topography

The broader area of land which makes up adjoining areas included within Belmont Regional Park rises between approximately 40 metres above sea level (masl) at Dry Creek to approximately 442 masl at Boulder Hill. Contour varies greatly from rolling easterly facing hilltops, to the steep land which remains evident along the Wellington Fault. The greywacke base rock has given rise to the most common soils of the Makara steepland series on the steeper less fertile slopes and the Korokoro hill soils on the moderate to steep lower slopes and ridges.

2.1.6 Soils

The soils of the area can be classified, according to the New Zealand Land Resource Inventory Sheets into five major categories. They conform to the Central Yellow Brown earths formed of greywacke and are differentiated by varying soil depths as related to steepness and altitude.

2.1.7 Land Use Capability

The land exchange areas include a combination of LUC 4, 6 and 7 soils, representing arable land with significant limitations for arable use or cultivation, as well as non-arable land with slight to moderate and moderate to very severe limitations to pastoral use.

2.1.8 Vegetation

Vegetation within the land exchange areas includes mixed exotic and indigenous scrub and areas of regenerating indigenous forest of various ages. A full description and a botanical survey of the Site is included in the Ecological Assessment (Blue Green Ecology, 2025).

3.0 Statutory Context

Belmont Regional Park is a publicly accessible park administered by Greater Wellington Regional Council (GWRC).

3.1.1 Fast-track Approvals Act 2024

The Fast-track Act streamlines decision-making for selected infrastructure and development projects. This also enables the exchange of public land (including regional park land) where certain criteria are met — including consideration of landscape and visual effects. Under this Act, Belmont Quarry Development including the proposed land exchange is included as a Schedule 2 Project.

3.1.2 Conservation Act (1987)

Under the Conservation Act (1987), managing conservation values means, “*the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations*”. Section 16A provides for exchanges of public conservation land where the exchange will enhance the conservation values of land managed by the Department and promote the purposes of this Act.

3.1.3 Reserves Act (1977)

As the land to be exchanged is part of a recreation reserve, values under the Reserves Act 1977 are also relevant. The general purpose of the Reserves Act requires:

- (a) *providing, for the preservation and management for the enjoyment of the public, areas of New Zealand possessing –*
 - (i) *recreational use or potential, whether active or passive; or*
 - (ii) *wildlife; or*
 - (iii) *indigenous flora or fauna; or*
 - (iv) *Environmental and landscape amenity of interest; or*

- (v) *Natural, scenic, historic, cultural, archaeological, biological, geological, scientific, educational, community, or other special features or value.*
- (b) *ensuring, as far as possible, (where consistent with the use of the reserve) the survival of all indigenous species of flora and fauna, both rare and commonplace, in their natural communities and habitats, and the preservation of representative samples of all classes of natural ecosystems and landscape which in the aggregate originally gave New Zealand its own recognisable character:*
- (c) *ensuring, as far as possible, the preservation of access for the public to and along the sea coast, its bays and inlets and offshore islands, lakeshores, and riverbanks, and fostering and promoting the preservation of the natural character of the coastal environment and of the margins of lakes and rivers and the protection of them from unnecessary subdivision and development.*

Because the land to be exchanged (the OBDA Area) is held as recreational reserve, the purposes of recreational reserves under the Reserves Act offer further guidance when assessing landscape values. Recreational reserves are classified under section 17 for the general purpose of:

...“providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.”

Recreational reserves are also administered for the further purposes of:

- (a) *The public having freedom of entry and access to the reserve... subject to such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it.*
- (b) *where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve....*
- (c) *those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved:*
- (d) *to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.*

Landscape and visual amenity are inherent components of the values recognised in this legislation.

3.1.4 Greater Wellington Regional Council Parks Network Plan, Toitū Te Whenua (2020–30)

Toitū Te Whenua identifies that Belmont Regional Park is a place of regional significance for recreation, conservation, landscape character, and cultural heritage. In terms of landscape values, the current plan recognises that the park contributes to legibility and identity of the Wellington landscape, particularly through its ridgelines, open spaces, and scenic views.

4.0 Landscape Characteristics and Values

The broader landscape character associated with each land area was previously assessed at both a district-wide scale and local scale as part of Belmont Regional Park, the findings of which are summarised below.

4.1 Hutt Landscape Study: Hutt Character Description

The boundaries of landscape character areas identified through previous district-wide landscape assessment undertaken for Hutt City Council in 2012² are shown on **Figure 3**.

In terms of the Hutt Landscape Study, the land exchange areas straddle the boundary between the Belmont Hills and the Western Escarpment landscape character areas, with the Proposed OBDA largely elevated above the Western Escarpment within the Belmont Hills. The extracts of relevant character areas are reproduced below.

Belmont Hills Character Area

The Belmont Hills character area includes the rounded hilltops and slopes above the Wellington Fault escarpment, adjacent to the lower reaches of Te Awa Kairangi/Hutt River. The hills with their distinctive flat tops form part of a central plateau separating Wellington Harbour and the Hutt Valley from Porirua Harbour. This plateau is part of an ancient peneplain that has been uplifted and subjected to the freeze-thaw action of the most recent ice age, which has had a smoothing influence on ridge tops and spurs. At 410m asl, Round Knob is the highest point on this part of the peneplain. Broad basins, gullies and fault-defined valleys create diverse microclimates within the character area.

...

Much of this character area is part of the Belmont Regional Park, the first park in New Zealand to combine land for recreation, conservation and farming purposes. In pre-European times this would have been covered in podocarp forest. However, the elevated and open hilltops are now in pasture and grazed primarily by sheep. In the lower and more sheltered slopes and gullies, broadleaf indigenous hardwoods are present, although there are also large sections of gorse and broom and some pine plantations, particularly in the area to the east of Haywards Hill Road (SH58).

West of Haywards Hill Road, remnant native forest around Dry Creek includes pukatea, matai and kahikatea...

...

Easily accessible from Porirua and the Hutt Valley, the Belmont Hills including Belmont Regional Park, are popular for recreational activities such as walking, running, horse riding and mountain biking. Generally, development in the area is sparse, although the area surrounding Sweetacres Drive, Stratton Street and upper Kelson contains a number of small farms and lifestyle blocks.

Western Escarpment Character Area

The Western Escarpment character area includes the steep escarpment on the north-west side of the Hutt Valley from Riverstone Terraces in the north-east to Petone in the south-west. The Wellington fault line runs along the north-western edge of the Hutt

² Boffa Miskell (2012), *Hutt Landscape Study: Hutt Character Description*, Prepared for Greater Wellington Regional Council, Hutt City Council, and Upper Hutt City Council.

Valley; the Belmont Hills have gradually been pushed up while the Eastern Hutt hills have gradually been tilted down, thus creating the Hutt Valley.

The Escarpment's steepness compared to the surrounding landscape makes it a very distinctive feature of the Hutt Valley and clearly defines the valley's western edge. At a more local scale, the Escarpment is fragmented by numerous steep gullies that drain the Western Hills, resulting in a topographically convoluted landscape.

...

Residential areas occupy approximately 37% of the character area with the remainder being 'undeveloped'. The escarpment generally has a dense cover of native and exotic woody vegetation, which adds to its distinctiveness as a landform and as backdrop to the wider Hutt Valley landscape. The vegetation comprises a mix of mature exotic trees such as macrocarpa and pine, patches of gorse, small areas of pine plantation, and regenerating podocarp / tawa forest particularly in the gullies where moist, fertile conditions have allowed a dense under storey to thrive.

...

4.2 Hutt City District Wide Landscape Evaluation

The Hutt City Landscape Evaluation was undertaken by BML in 2016 which included identification of the Outstanding Natural Features and Landscapes included within the Proposed Hutt City District Plan, none of which apply to this land exchange. The nearest outstanding natural landscape is the Rimutaka Ranges located approximately 10 kilometres east and well beyond the Eastern Hutt Hills.

As part of the Hutt City Landscape Evaluation, parts of the Land Exchange Area were identified within the Belmont Hills Special Amenity Landscape (SAL). Following the completion of this draft, Hutt City Council has decided not to include SAL in the District Plan but rely on the appropriate zoning and other district wide provisions to manage and maintain the identified values³. While plans prepared under the Resource Management Act 1991 are not a relevant consideration for the exchange, these documents are helpful to gain an appreciation or understanding of the landscape values in the areas being assessed. The following description and evaluation are therefore relevant within the context of the surrounding landscape:

Belmont Hills SAL is located within the hill country of Hutt City forming the Valley's westerly backdrop. Rising above the Wellington Fault, the hills are bound by the district's western, northern, and southern boundaries. The grazed rolling hilltops and forested valleys and gullies contain notable features such as Korokoro Valley, Speedys Stream, Dry Creek and several distinctive geological natural features.

NATURAL SCIENCE VALUES: MEDIUM

Although ecosystem function along open hilltops has been compromised by grazing practices, highly functioning ecosystems are evident along many of the sheltered slopes and gullies where indigenous hardwood vegetation and regeneration is prevalent. The Korokoro Valley contains significant stands of rimu, rata, tawa, and kohekohe.

PERCEPTUAL VALUES: HIGH

The broad, undulating, rounded hilltops are highly expressive of the uplifted ancient peneplain. The hills form the visually striking westerly backdrop to the Hutt Valley. They

³ Hutt City Council (2024) Section 32 Evaluation NATURAL FEATURES AND LANDSCAPES, para 113.

are recognised both locally and in adjacent districts for their memorable qualities. While the forested slopes and gullies are highly natural with little modification as evidenced by an absence of roads, structures, and small communities of introduced vegetation, the hilltops are modified by grazing.

SHARED AND RECOGNISED VALUES: HIGH

Highly valued for a diverse range of active recreational opportunities.

Old Coach Road is significant to Māori as a war trail route linking Normandale and Pauatahanui. As early settlers established homestead sites within the Hutt Valley, the straight survey line through Belmont formed the alignment for The old Belmont to Pauatahanui Road (Old Coach Road), (Greater Wellington Regional Council, 2012).

They are historically significant for having an extensive system of concrete magazines used to store weapons during World War II.

New Zealand's first gravity concrete dam is found within the Korokoro Valley (Astwood & Baines, 2014).

4.3 Belmont Regional Park Landscape Assessment

A previous landscape assessment undertaken in 1988 describes the broad landscape character areas which make up Belmont Regional Park⁴. Within this assessment, the northeast area of Belmont Regional Park was identified as the Boulder Hill Character Area.

This Boulder Hill Character Area includes the land to the east of the central ridge extending between Kelson and Haywards. Visually, this character area is recognised as being a significant feature in the Hutt Valley Landscape. It extends east to State Highway 2 and also includes the escarpment face from Haywards to Liverton Road. At the time, quarrying activity along the escarpment was identified as a major visual intrusion which required efforts to relocate and rehabilitate disturbed areas as a priority landscape management issue.

4.4 Summary of Landscape Context and Character of Land Exchange Areas

The proposed land exchange is located along part of the western hills of Lower Hutt and part of the eastern flanks of the Belmont Hills within Belmont Regional Park. This area is primarily elevated above and west of the Wellington Fault scarp which physically and visually encloses much of the western edge of the Hutt Valley. It also contains the area of existing extraction activity within Belmont Quarry and the former Dry Creek Quarry.

Land cover across most of the land exchange areas is dominated by regenerating vegetation, including seral forest of varying ages and more scattered tree ferns, manuka, and a variety of broadleaf species including some mature areas of forest. Pockets of mature pine and macrocarpa are also present on the accessible ridgetop area that remains associated with former agricultural use. Land use in the wider landscape includes recreation tracks extending through Belmont Regional Park from the entrance at Dry Creek. Overhead transmission lines also pass through this area and connect into the nearby Haywards substation.

The broader landscape containing the identified land exchange areas is recognised as part of the Belmont Hills and Western Escarpment landscape character areas at the district scale, and as part of the Boulder Hill character area within Belmont Regional Park. This area of landscape

⁴ Boffa Miskell (1988) *Belmont Regional Park Landscape Assessment*, prepared for Parks and Recreation Department, Wellington Regional Council.

is characterised by a transition from the rounded hilltops and slopes that rise above the Wellington Fault scarp west of the Hutt Valley and extending eastward across a distinctive flat-topped central plateau that separates the Hutt Valley from Porirua Harbour.

The Western Escarpment slopes away to the east of the Proposed OBDA and forms a more immediate backdrop to most residential development contained within the Hutt Valley. Near the Proposed Overburden Site, existing quarrying activity is often visually intrusive, albeit with some level of visual containment provided by the foreground toe of vegetated spurs. Areas of rural lifestyle development have also extended on parts of the western hills in the vicinity of Belmont Quarry including rural lifestyle development to the north of Kelson.

5.0 Visual Appraisal

The process of visual appraisal includes an analysis of the likely visibility of the land areas subject to this proposed land exchange alongside fieldwork to identify the viewing audience and obtain representative photographs.

5.1 Visibility Analysis / Zone of Theoretical Visibility (ZTV)

As an initial step in the visual analysis, Zone of Theoretical Visibility (ZTV) mapping was undertaken of the proposed overburden to determine its potential visibility in the wider landscape.

Additional ZTV mapping has been based on the existing ground level of each land exchange site (see **Figures 4-8**). Cumulatively, it therefore represents the potential areas where the proposed land exchange is visible. As this visibility analysis is based entirely on 'bare ground' topographic data, this does not consider the screening effects of intervening vegetation or structures in the landscape. Conversely, vegetation within the land exchange may also be visible over broader areas in some more open contexts.

5.2 Viewing Audience and Representative Viewpoints

Following the initial ZTV analysis, field work was carried out to determine the actual extent of visibility and to check the localised screening effect of topography, buildings and vegetation from which the combined land exchange areas are visible. This helped to determine the potential visibility of the proposed land exchange when viewed from within Belmont Regional Park and within the Hutt Valley and including when viewed over longer distances from the northern edge of Kelson, Liverton Road and along the Eastern Hills of the Hutt Valley above Stokes Valley.

Representative viewpoints have been identified from the nearest available publicly accessible viewpoints and assessments carried out to date. Photographs from each viewpoint were taken to demonstrate visibility of the proposed land exchange areas within their landscape context. The representative viewpoints do not include views from private properties. The selection of representative viewpoints has been based on the following criteria:

- The requirement to provide an even spread of representative viewpoints within the visual envelope;
- From locations which represent a range of near, middle and long distance views; and

- Whilst private views are relevant, public viewpoints are used to provide representative worse case views from private dwellings. Views from dwellings may also be curtailed by building location and orientation, intervening fences, vegetation or other buildings which cannot be assessed without gaining access to private property.

Using the above criteria, nine representative publicly accessible viewpoints were identified from which potential views have been considered. The locations of these viewpoints are illustrated together with ZTV analysis on **Figures 4-8** and summarised together with indicative representative viewing audiences in **Table 1** below:

Table 1: Viewpoint number location and represented viewing audience

View-point	Location	Indicative Represented Viewing Audience	Extent of Land Exchange Area Visible ⁵				
			Proposed Overburden Site	Northern Gully	Firth Block	Dry Creek Quarry	Southern Gully
1	Buchanans Road Tramping Track	Recreation users within Belmont Regional Park	Partial	Glimpse	No View	Glimpse	Glimpse
2	Recreation track connecting with Kaitangata Crescent		Partial	Glimpse	No View	No View	Glimpse
3	Kaitangata Crescent	Residents of rural lifestyle dwellings to the north of Kelson	Partial	Partial	Glimpse	No View	Partial
4	Liverton Road	Residents of rural lifestyle dwellings along Liverton Road	Glimpse / No View	Glimpse / No View	Glimpse / No View	No View	Glimpse
5	High Street (opposite Pomare Shops)	Residents and commuters through the Hutt Valley floor	Glimpse	No View	Partial / Full	No View	No View
6	Aldersgate Grove	Residents and visitors to residential dwellings along the Eastern Hutt Hills	Partial	No View	Partial / Full	Glimpse	No View
7	Eastern Hutt Road	Commuters along the Hutt Valley floor	Glimpse	No View	Partial	Partial	No View

⁵ Extent of visibility assessed in terms of: Full View, Partial View, Glimpse View, No view.

View-point	Location	Indicative Represented Viewing Audience	Extent of Land Exchange Area Visible ⁵				
			Proposed Overburden Site	Northern Gully	Firth Block	Dry Creek Quarry	Southern Gully
8	Lord Street	Residents and commuters through residential areas along the Eastern Hutt Hills	Partial	No View	Partial	Partial	No View
9	Fraser Park	Recreation users within the Hutt Valley floor	Glimpse	No View	Partial	Glimpse	No View

6.0 Landscape Assessment

6.1 Proposed Overburden Disposal Area

The area of Belmont Regional Park proposed to accommodate the overburden ("Proposed OBDA") entails a total area of approximately 23.2 hectares and forms part of the north-east area of the park. The Proposed OBDA adjoins and is directly accessible through the existing Belmont Quarry. Separate vehicle access also extends through public land and supports recreational activity enabled along the northern boundary of the OBDA associated with accessing existing transmission lines.

6.1.1 Physical Attributes

The existing topography within the Proposed OBDA ranges between approximately 160 metres above sea level (masl) and 216 masl and comprises a rolling ridge top and spur which is flanked by the upper reaches of steep undulating gullies. This forms part of the lower eastern flanks of the Belmont Hills and upper edge of the Western Escarpment within Hutt City.

In the local context, the landscape containing the Proposed OBDA contains a series of gullies contained beyond steeper spur faces which collectively rise from the Hutt Valley floor. This rolling hill country landform continues to the summit of Boulder Hill located approximately 1.3 km to the north-west of the Proposed OBDA and subsequently recognised as a significant geological feature associated with a broader ancient, uplifted erosion surface as well as an important visual and recreational feature in the Belmont Hills landscape adjacent the Proposed OBDA.

Vegetation within the Proposed OBDA predominately encompasses regenerating exotic and native vegetation with regenerating native shrub interspersed with pockets of gorse and clearings with pasture grasses. Pine and macrocarpa trees are also present, associated with previous farming use. Within Belmont Regional Park, and most typically in the northeast area surrounding the Proposed OBDA, areas of open pasture have gradually been colonised by scrub and regenerating native vegetation as pastoral grazing has been reduced.

Where present, regenerating native vegetation is reflective of differing stages of forest regeneration, most likely due to differences in intensity of past farming activity. Of the native

scrub and forest species present, the seral tree, mahoe, is usually dominant in association with tree ferns, manuka, and a variety of broadleaf species. A small inland wetland adjoins a farm pond located in the south-east corner of the Proposed OBDA containing young swamp Maire trees (*Syzygium maire*). A larger area of swamp Maire trees is located to the west of the Proposed OBDA and has been omitted.

Built form within the Proposed OBDA is largely absent, with former farm buildings no longer apparent. A series of transmission towers which supply electricity from the Haywards Substation extend along northern boundary. Access tracks servicing transmission lines are evident alongside some fence lines and other less defined informal tracks.

6.1.2 Perceptual Attributes

The Proposed OBDA forms part of the broader rolling vegetated landscape which is characteristic of the Boulder Hill Character Area within Belmont Regional Park.

Elevated above the Western Escarpment, the Proposed OBDA contributes to the expansive green backdrop that frames the upper slopes of the Western Hutt Hills. This forms a transitional landscape zone between the pastoral grasslands and regenerating native vegetation that typify this part of the park. Historically, the area supported a small farm building and associated access track, indicative of its former rural use. However, the physical remnants of these structures and pathways have been largely erased through natural regeneration processes and land management practices, with little evidence of prior occupation now evident.

When viewed from areas to the southeast and east of the Proposed OBDA, existing quarrying activity influences much of the immediate landscape character, expressed as a series of stepped terraces from which material has previously been quarried. Adjoining the quarry, established native vegetation is also a key characteristic of this area along the Western Escarpment. In addition, a framework of more recent regenerating vegetation typically encloses tracks which extend near the Proposed OBDA through adjoining areas within Belmont Regional Park.

The nearest rural lifestyle properties are located approximately 750 metres to the south-west of the Proposed OBDA along Kaitangata Crescent. Dwellings in this area are typically dispersed throughout areas of pasture and regenerating indigenous vegetation. Further south, a similar enclave of rural lifestyle development is located along Liverton Road beyond the northern edge of Kelson. To the south-east of the Proposed OBDA, residential development covers much of the Hutt Valley floor, extending east of the Hutt River. This includes the residential suburbs of Taita and Pomare, which are closest to Belmont Quarry. Most of these properties will have no view of the Proposed OBDA beyond the vegetated slopes of the Western Escarpment.

Over longer distances further to the east, residential development is located on the Eastern Hutt Hills which will have potential views towards the Proposed OBDA seen above the Western Escarpment. This includes dwellings accessed from Holborn Drive and Manor Drive either side of the entrance to Stokes Valley.

6.1.3 Associative Attributes

The landscape character of the Proposed OBDA forms part of the existing recognised extent of Belmont Regional Park. As part of an established Regional Park, this landscape is most typically associated with conservation, recreation and transitioning farming activity. This part of Belmont Regional Park also includes a section of the Puke Ariki Traverse which passes for approximately 250 metres through the northern area of the Proposed OBDA between Dry Creek Campground and Boulder Hill. Existing and former quarrying activity is also associated with this

area. No specific significant cultural or historical associations have been identified within this immediate area.

6.1.4 Landscape Evaluation

Based on the identified landscape attributes described above the OBDA is considered to have an overall **moderate landscape value** as set out below:

Attributes	Landscape Characteristics and Values	Value
Physical	- Part of a broader ancient and legible peneplain landform - Reflects past agricultural use and natural recovery of native forest regeneration and biodiversity - A small modified inland wetland adjoins a farm pond islocated in the south-east corner of the Proposed OBDA - Minimal built structures; includes transmission towers and old fence lines and established vehicle tracks used for tower maintenance and recreation	Moderate
Perceptual	- Part of the broader elevated green and natural backdrop set back above the Western Hutt Hills - Adjoins existing quarry and overburden activity, with some nearby rural lifestyle development - Offers part of the context of scenic views and contributes to the naturalness of the Belmont Hills	Moderate
Associative	- Forms part of the broader area of Belmont Regional Park recognised for conservation, recreation, and transitioning farmland. - Proximity to Boulder Hill enhances outdoor and recreational opportunities - No specific significant cultural or historical associations have been identified in context of existing and former quarrying activity	Moderate
OVERALL RATING		MODERATE

6.1.5 Visibility

As pastoral grazing reverts to the indigenous vegetation, tracks and walking routes near the Proposed OBDA are becoming increasingly enclosed by regenerating exotic and native vegetation, limiting views from within and from adjoining access tracks which creates a sense of immersion for recreational users in terms of an available network of bush walks. Rural lifestyle properties located approximately 750 metres to the south-west obtain views however often have limited visibility of the Proposed OBDA due to distance and intervening landform, including the rehabilitated form of intervening overburden observed from Liverton Road. The residential suburbs of Taita and Pomare are largely screened by the vegetated slopes of the Western Escarpment. However, there is potential for long-range views from elevated dwellings in the Eastern Hutt Hills, such as those along Holborn and parts of Manor Drive.

Within the context of the proposed land exchange, the Proposed OBDA will also have limited visibility from the land to be given as part of the proposed land exchange (see **Figure 4**). Potential views from within the Firth Block and part of Dry Creek are typically limited to glimpse views from elevated areas within which more extensive areas of vegetation are established and

conceal available views. Similar extensive vegetation is established within the Northern Gully through which potential views of the Proposed OBDA will remain contained with the exception of some potential filtered views from the northern edge of the Cottle Block. From here, visibility is therefore limited in duration and consistent with a strong sense of enclosure within broader areas of regenerating vegetation.

VISIBILITY = LOW-MODERATE

6.2 Northern Gully

Northern Gully contains approximately 12.6 hectares forming the north-west extent of the existing Belmont Quarry Extraction Activity Area. Much of this area is established in mature forest cover wedged between the established overburden operation in the Cottle Block and Belmont Regional Park. The southern extent of this area remains accessible as part of the established Belmont Quarry operation for the purpose of monitoring water quality.

6.2.1 Physical Attributes

The topography of Northern Gully forms a steep sided gully which culminates along an unnamed stream for a length of approximately 350 metres. The northern corner of this land area forms the existing boundary of Belmont Quarry and reaches an elevation of 210 masl where it continues ascending within Belmont Regional Park. This area includes the largest densest oldest tawa forest in the local area.

The entirety of Northern Gully is covered in regenerating native vegetation with mature tawa kāmīhi forest in the northern end merging into mixed broadleaved forest along the gully floor. Mature tawa trees reach between 12 and 14 meters in height with areas of tree fern continuing along the margins of Belmont Regional Park. The southwest margins of Northern Gully wrap along the north-western slopes of the Cottle Block and reflect a sequence of more modified slopes from successive overburden deposits. By comparison this area supports areas of exotic and native vegetation as part of ongoing regeneration like what might be expected within the Proposed Overburden Site.

Existing vehicle access is also enabled to an unnamed stream before it enters culvert beneath a haul road within Belmont Quarry, however most of the gully included in the land exchange remains largely intact.

6.2.2 Perceptual Attributes

The folded gully system along the Western Escarpment and continuing west into the Belmont Hills is a distinctive and legible landform feature that contains and encloses western parts of the Hutt Valley. Steep, incised gullies cut down through the uplifted slopes and reveal ongoing erosion and a complex and convoluted vegetated character adjoining more significant areas of modification, including within adjoining areas of Belmont Quarry.

Visually, the pattern of incised gullies enhances the natural form of the escarpment and contrasts the more prominent spur features of the Wellington Fault typically viewed from within the Hutt Valley. Where cloaked in regenerating native vegetation, contained gully areas also support diverse microclimates and ecological niches, adding to the overall coherence of this folded landform.

As part of the established Extraction Zone adjoining Belmont Quarry, Northern Gully is not particularly memorable along the Firth Block of Belmont Regional Park or generally seen above the more prominent Firth Block of the Belmont Hills adjoining the Western Escarpment.

6.2.3 Associative Attributes

Part of Northern Gully (2.9 ha.) contains forest identified as QEII covenant consistent with ongoing conservation, however this is not presently accessible except for part of the ongoing activity within the quarry. No further specific significant cultural or historical associations have been identified within this area.

6.2.4 Landscape Evaluation

Based on identified landscape attributes within the Northern Gully, this area is assessed as contributing a **moderate-high landscape value** as set out below:

Attributes	Landscape Characteristics and Values	Value
Physical	- Steep-sided gully landform extending approximately 350 metres along an unnamed stream. - The gully is fully vegetated with regenerating native forest, transitioning from mature tawa in the north to mixed broadleaved species and tree ferns along the gully floor and margins. - Most of the northern gully remains intact adjoining the northwest slopes of existing overburden and an existing vehicle access and culverted stream.	Moderate-High
Perceptual	- Part of the broader elevated green backdrop set back and generally more contained above the Western Escarpment. - The steep incised and vegetated gully form enhances the escarpment's legibility within the context of the adjoining modified quarry landscape. - Regenerating native vegetation within the gully supports diverse microclimates and adds ecological and visual richness and opportunities to experience nature.	Moderate
Associative	- Northern Gully forms part of a broader regenerating forest context including a QEII covenant which has specifically been identified across part of the Northern Gully, supporting its ongoing conservation and ecological value. - No additional significant cultural or historical associations have been identified	Moderate - High
OVERALL RATING		MODERATE – HIGH

6.2.5 Visibility

Views into Northern Gully are typically localised and observed from adjoining areas accessed through the quarry. Beyond this, there are some partial and glimpse views from rural lifestyle properties established to the north of Kelson including Kaitangata Crescent and access along Kelson Track ascending Boulder Hill. Vegetation within adjoining areas of Belmont Regional

Park is typically well established and supported by ongoing regeneration of the Cottle Block which further contains potential available views.

VISIBILITY = LOW

6.3 Firth Block

This land area comprises 9.6 hectares along the Western Escarpment including a prominent spur covered in regenerating native vegetation and the lower reach of an unnamed stream. To the south of the spur is the Firth Plant which remains visually well contained within a cleared area of hardstanding excavated into the broader vegetated spur above.

6.3.1 Physical Attributes

The landform of this site forms part of the steep convoluted and vegetated slopes characteristics of the Western Escarpment. This extends between approximately 32 masl along the eastern boundary and reaches an elevation of approximately 180 metres in the north-west corner. An approximate 130-metre section of unnamed stream passes through the north-east area before flowing into a culvert beneath Hebden Crescent and SH2.

While the entirety of this area is now cloaked in regenerating vegetation, linear terracing remains evident along part of the lower southern edge of this spur which likely resulted from previous excavation in this area. Vegetation communities comprise of a mix of early, mid and later seral forest which culminates in an area of tawa-kāmihi forest near the upper edge of the spur.

No existing built form remains evident in this area as part of the vegetated spur frequently containing views of more expansive modification contained within Belmont Quarry and the Firth Plant below.

6.3.2 Perceptual Attributes

The Firth Block forms part of the larger contiguous vegetated Western Escarpment observed from the Hutt Valley. Within this context, the Firth Block contributes a prominent slope which rises to the west of the SH2 and the Hutt River and remains broadly visible from established settlement which extends through this area of the Hutt Valley. Formative tectonic process which has shaped the Hutt Valley remain highly legible and provide an important juxtaposition seen against more extensive modification which remains more comparatively contained within Belmont Quarry.

When viewed from the Hutt Valley, the forested slopes and gullies which characterise the Firth Block remain highly natural with little modification as evidenced by an absence of roads and structures. As a prominent green backdrop, this remains locally memorable in the context of the containing natural backdrop retained along the larger Western Escarpment.

6.3.3 Associative Attributes

All of the Firth Block is included as QEII covenant contiguous with conservation and recreation opportunities widely recognised within the adjoining Belmont Regional Park. No specific significant cultural or historical associations have been identified located in the immediate context of ongoing quarrying activity.

6.3.4 Landscape Evaluation

Based on the identified landscape attributes within the Firth Block, this area is assessed as contributing a **moderate–high landscape value** as set out below:

Attribute	Landscape Characteristics and Values	Value
Physical	- Part of a broader uplifted landform defined along the Wellington Fault Scarp - Some terracing along the southern edge indicates past excavation - Fully cloaked in regenerating native vegetation, ranging from early to later seral stages and culminating in tawa–kāmahī forest near the upper slopes	Moderate-High
Perceptual	- Prominent part of the larger elevated green backdrop set back above Western Hutt Hills - The formative tectonic process which shaped this area of the Hutt Valley remain highly legible - The forested slopes and gullies which characterise the Firth Block remain highly natural with little evident modification	High
Associative	- Protected as part of QEII Covenant. - Broadly recognised as part of the broader vegetated western escarpment - No specific significant cultural or historical associations have been identified.	Moderate-High
OVERALL RATING		MODERATE - HIGH

6.3.5 Visibility

Most of the Firth Block appears prominent along the Western Escarpment and contributes towards the vegetated green backdrop observed beyond the Hutt River along the Wellington Fault. Visibility of this spur extends throughout the Hutt Valley and along the Eastern Hutt Hills. It is highly visible as part of a sequence of steep vegetated spurs which rise to the west of State Highway 2 and the Hutt River Corridor and define the Wellington Fault Scarp.

VISIBILITY = HIGH

6.4 Part of Dry Creek

Land proposed to be included from within the former Dry Creek quarry site comprises some 7.9 hectares adjoining the operational Holcim Cement Plant accessed from Hebden Crescent. This aspect of the proposed land exchange includes the steeper and typically more established areas of native vegetation surrounding the former quarry.

6.4.1 Physical Attributes

The landform of Dry Creek is influenced by and surrounds rehabilitated benching from the Dry Creek Quarry and remains contained in lower areas of the former modified gully. An unnamed stream remains culverted through this area and facilitates continued vehicle access into this area of the park. The surrounding topography extends from a low point of approximately 50

metres on the lower slopes of the Western Escarpment and a high point of approximately 180 metres along a vegetated spur which runs along the north-west boundary.

Vegetation surrounding the former Dry Creek quarry includes areas of early and late seral broadleaved forest (nikau, pigeonwood, rewarewa, and titoki) with some signs of previous landform modification remaining apparent in some areas. The upper corner of Dry Creek includes overhead transmission lines connecting into Haywards substation with a general lack of built development otherwise apparent. The landcover established along the faces of the former clean fill below this site remain more modified and less extensively vegetated with native vegetation and inclusion of gorse, buddleia, wattle, broom, silver wattle, tree lucerne, pampas, pine, blackberry and honey suckle.

6.4.2 Perceptual Attributes

The former Dry Creek Quarry has modified this contained area along the Western Escarpment. This reflects rehabilitated landforms and private access in the context of ongoing industrial activity. While much of the internal form of this site has been modified by former quarrying and cleanfill operations and benching, elements of the original gully structure remain legible and help maintain a sense of topographic continuity together with more established vegetation on upper slopes. In land use terms, this site is also perceived as a missing piece of the wider escarpment system included in Belmont Regional Park, culminating along SH2 and Haywards Hill Road.

Aesthetically, the site does not presently exhibit a high degree of naturalness due to its recent and ongoing adjoining industrial use. In terms of coherence, the internal character of the site currently appears somewhat fragmented, with a mix of rehabilitated benches, emerging vegetation and residual vehicle access tracks. Nonetheless, when viewed from a distance or in the context of the adjoining vegetated hills, this site aligns visually with the surrounding landscape, particularly as natural cover remains more evident along the front faces of the Western Escarpment and extends onto the elevated vegetated slopes which adjoin the park.

6.4.3 Associative Attributes

The former Dry Creek Quarry holds limited associative values reflecting both its industrial legacy and its adjoining conservation and recreational context. While no specific significant cultural or historical associations have been identified in this immediate context, filming for Helm's Deep and Minas Tirith in the Peter Jackson Lord of the Rings trilogy provide some more recent associative values, albeit limited duration which does not substantially increase sensitivity.

6.4.4 Landscape Evaluation

The identified landscape attributes of the former Dry Creek Quarry reflect a mix of natural regeneration and historic modification. The assessment of landscape value is set out below:

Attribute	Landscape Characteristics	Value
Physical	- Landform reflects a modified gully with rehabilitated benching in lower areas and an unnamed culverted stream enabling vehicle access. - Topography rises from approximately 50 m to 180 m, culminating in a vegetated spur along the north-west boundary.	Moderate

Attribute	Landscape Characteristics	Value
	- Vegetation includes early to late seral broadleaved forest on upper slopes, while lower modified faces remain visibly modified and less vegetated. - Overhead transmission lines cross the upper site, though built development is otherwise minimal.	
Perceptual	- Upper extent of former quarry retains partial legibility of the original gully system. - Modified landform and benching adjoining this area and reduce overall naturalness. - Fragmented internal coherence due to mixed vegetation, former access tracks, and rehabilitated surfaces. - Visually integrates with the broader escarpment in longer-range views, where natural vegetation on upper slopes and adjacent parkland reinforces continuity.	Moderate
Associative	- Linked to the broader conservation and recreational identity of Belmont Regional Park. - Adjoins Holcim Cement Plant, reflecting an ongoing industrial association. - No specific cultural or historical associations have been identified other than filming location for The Lord of the Rings	Low - Moderate
OVERALL RATING		MODERATE

6.4.5 Visibility

The location of Dry Creek predominantly forms a localised depression adjoining a working quarry which means views typically remain contained and observed from within the adjoining quarry. Notwithstanding this, there are some more limited partial and glimpse views from rural lifestyle properties to the north of Kelson and glimpse views through open areas observed through clearings in vegetation within Belmont Regional Park.

VISIBILITY = LOW-MODERATE

6.5 Southern Gully

The proposed Southern Gully comprises some 3.9 hectares which skirts the lower south-west extent of overburden deposited in the Cottle Block and contiguous with the Northern Gully along its western extent. This aspect of the proposed land exchange forms a lower vegetated gully which separates modified terraces which are gradually revegetating in the Cottle Block and rural lifestyle development established along Liverton Road.

6.5.1 Physical Attributes

The Southern Gully straddles the middle section of an unnamed catchment which commences from the headwaters below Kaitangata Crescent and flows east into a steeper vegetated gully to the north of Liverton Road. The centre of the gully contains an approximate 225 metre section of unnamed stream corridor comprising areas of wetland before flowing through a steeper gorge-like section down a series of waterfalls adjoining Te Awa Kairangi/ The Hutt River. The

physical attribute of the Southern Gully is influenced by a range of seepages from the surrounding hills, as well as natural barriers downstream that impede flows and back up groundwater. The existing wetland area comprises of approximately 0.27ha and is relatively large for the local area.

Part of the landform of the Southern Gully extends into the Cottle Block and is influenced by the lower western edge of rehabilitated overburden. This continues to the northeast of the Southern Gully and comprises of legible benching enclosure part of the adjoining gully system. Within the Southern Gully the topography extends from a low point of approximately 110 metres along the eastern edge of the stream corridor and a high point of approximately 160 metres near the north-east corner. Earthworks resulting from an overgrown track remain evident between the base of the gully and Liverton Road.

Vegetation surrounding the Southern Gully slopes are variously vegetated in later seral broadleaf vegetation with some emergent rimu and totara. The landcover established along the faces of the former overburden disposal remain more modified and less extensively vegetated. The wetland area includes a mix of indigenous and exotic plant communities. The upper and middle areas are rautahi (*Carex geminata*) dominated and the lower portions contain small areas of raupo (*Typha orientalis*), but it is predominantly a sedgeland with areas of exotic monkey musk. A range of native wetland plants have also been planted.

6.5.2 Perceptual Attributes

The Southern Gully forms part of an unnamed tributary located west of the modified area within the Cottle Block. The adjoining Belmont Quarry has reshaped this contained area along the Western Escarpment through rehabilitated landforms and private access associated with ongoing quarry operations. In this context, the Southern Gully functions as an established vegetated corridor located between the operational quarry from rural lifestyle development along Liverton Road.

In terms of aesthetic coherence, extending the existing pattern of contained vegetated gullies and wetland features would reinforce the natural form and character of the landscape, particularly in combination with the more prominent spur landforms associated with the Wellington Fault. Where retained and enhanced in planted and regenerating native vegetation, this more enclosed wetland environment supports a greater diversity of ecological niches and contributes positively to natural character, thereby strengthening the overall coherence of the natural landscape pattern.

As land wedged between the Cottle Block and Liverton Road, the Southern Gully is not especially memorable and is generally not visible above the more prominent Western Escarpment.

6.5.3 Associative Attributes

No specific significant cultural or historical associations have been identified in this immediate context to date. Within the context of the Western Escarpment, the Southern Gully forms a localised area of regenerating vegetation and relatively large area of wetland which contributes to the coherence of the whole.

6.5.4 Landscape Evaluation

The identified landscape attributes of the former the Southern Gully reflect a mix of natural regeneration and historic modification. The assessment of landscape value is set out below:

Attribute	Landscape Characteristics	Value
Physical	• Mid-catchment gully containing approximately 225 m of unnamed stream and 0.27 ha. wetland which is relatively large in the local context. • Natural landform partially shaped by rehabilitated overburden benching within the Cottle Block and evidence of historic track earthworks to Liverton Road. • Slopes covered in later seral broadleaf forest with emergent rimu and tōtara, and enclosing a mixed sedgeland wetland supplemented by planted native species.	Moderate
Perceptual	• Functions as a vegetated corridor between Belmont Quarry and rural lifestyle properties on Liverton Road. • Contributes to a coherent pattern of contained gullies and wetlands linked to the Western Escarpment / Wellington Fault landforms. • Established and regenerating native vegetation supports diverse ecological niches and strengthens natural character. • Visually contained and not especially memorable in wider views, playing more of a supporting/background landscape role.	Moderate
Associative	• No specific significant cultural or historical associations identified to date. • Forms a localised pocket of regenerating native vegetation within the Western Escarpment. • Contains a relatively large wetland for the area, contributing to overall landscape coherence.	Low-Moderate
OVERALL RATING		MODERATE

6.5.5 Visibility

Views looking into the Southern Gully remain limited as a section of gully wedged between Overburden within the Cottle Block and rural lifestyle development along Liverton Road. This means views are typically observed from within the adjoining areas of overburden and adjoining areas along Liverton Road and glimpse views from the upper end of Kaitangata Crescent and adjoining areas along Liverton Road. Beyond this, there are also some more limited partial and glimpse views from the Hutt Valley to the east with vegetation within the Southern Gully contributing part of the broader vegetated backdrop of the Western Escarpment.

VISIBILITY = LOW-MODERATE

7.0 Landscape Capacity

In response to the landscape characteristics and values which make up the proposed land exchange, the specific capacity of the landscape has been assessed in terms of the consequences of the land exchange on identified landscape values. This aspect of the assessment takes account of the landscape values of the proposed land exchange areas in the

context of their broader landscape, adopting the character areas previously identified at the Hutt City Landscape Characterisation Study.

The consequence of the land exchange on landscape values addresses landscape as the connected, integrated environment which reflects the cumulative effect of natural and cultural process over the combined sites over time. Changes to one area can influence how we perceive or experience the surrounding landscape — for example, interrupting or extending natural patterns, by altering views, or shifting the sense of openness or enclosure. Having assessed the landscape values of each exchange area, assessing effects at the broader landscape character area level engages with the implications of the land exchange in the context of the broader landscape, acknowledging this remains subject to a separate substantive application as necessary to manage potential for significant adverse effects.

7.1 Belmont Hills

Within the Belmont Hills landscape character area, the proposed OBDA forms part of the edge of the broader central plateau which extends between Wellington Harbour, Hutt Valley, and Porirua Harbour. The character of this landscape remains expressive of uplift and freeze-thaw action from the last ice age and local highpoints providing lookout opportunities with broad basins, gullies, and fault-defined valleys supporting diverse microclimates. In this context, the land proposed to be given to Winstone forms a peripheral spur subject to regenerating vegetation which remains well set back beyond the more visible Western Escarpment. Steeper vegetated gullies, including the Northern Gully, adjoin this area and extend from the Western Escarpment into the Belmont Hills to reinforce nature conservation.

The landscape and visual effects associated of the proposed OBDA development will be assessed in the substantive application for resource consent approvals under the Fast Track application and do not form part of this assessment.

7.2 Western Escarpment

The Western Escarpment Character Area will experience a slight increase in visible land included within the Conservation Estate along the prominent Wellington Fault scarp and proportion of waterways forming tributaries along the true right of the Hutt River. This escarpment expresses the steep, defining western edge of the Hutt Valley, shaped by ongoing tectonic uplift and erosion. In response to the proposed land exchange, the surrounding landscape will remain characterised by the steep vegetated backdrop which remains prominent and forms a strong natural and green contrast with the surrounding urban areas, including as part of containing working areas within the adjoining quarry.

Along the Western Escarpment and its associated gully systems, the expanded vegetation cover will maintain and enhance the ecological diversity represented within Belmont Regional Park and adjoining Conservation Estate, reinforcing the escarpment's role as a prominent and visually cohesive natural backdrop along the Hutt Valley.

7.3 Summary of Landscape Values and Capacity

Based on the identified characteristics and values of the proposed land exchange, including the respective landscape value and visibility of each site as set out above, a summary of the overall landscape evaluation and capacity of this proposed land exchange is set out below and summarised in **Appendix 2**:

Proposed Land Exchange	Site	Landscape Value	Visibility	Landscape Capacity
DOC Land Given	Proposed Overburden Site	Moderate	Low–Moderate	Belmont Hills Moderate landscape capacity within the broad, undulating, rounded ridgetop which remains stepped back from the Western Escarpment and relatively well contained in the context of former working rural activity. Gullies support areas of mature forest well suited to long term nature conservation.
DOC Land Obtained	Northern Gully	Moderate–High	Low	
	Firth Block	Moderate–High	High	Western Escarpment More limited capacity for change, most often visible within the context of areas of higher ecological and amenity value, including prominent revegetated scarps and spurs, enclosed wetlands and gullies. High capacity for enhancing landscape values including scenic aspects within the broader context of the Conservation Estate.
	Dry Creek Quarry	Moderate	Low–Moderate	
	Southern Gully	Moderate	Low	

8.0 Conclusion

From a landscape perspective, this proposal provides a net benefit in terms of the contribution to conservation values via the following improvements:

- Increasing the extent of high-value vegetated land (Northern Gully, Firth Block, Dry Creek, Southern Gully) with higher naturalness and intactness than the land removed.
- Maintaining the scenic backdrop role in the Hutt Valley, consistent with its recognition in the Greater Wellington Regional Council Parks Network Plan (*Toitū Te Whenua 2020–30*).
- Strengthening the contribution of landscape values to the Conservation Estate including connectivity and legibility along the Western Escarpment and support progressive quarrying activity in this context including the ongoing rehabilitation of Dry Creek.

In conclusion, the proposed land exchange is assessed as representing a balanced and strategic landscape response that supports the continued operation of Belmont Quarry while enhancing the ecological, visual, and recreational values of the Conservation Estate adjoining Belmont Regional Park.

The Proposed OBDA holds moderate landscape values that are well suited to absorbing change due to this site's contained location and adjoining quarry context. In contrast, the land parcels offered in exchange, namely Northern Gully, Firth Block, part of Dry Creek and Southern Gully, are of higher collective relative landscape value with moderate to moderate-

high landscape value and therefore afford greater relative contribution towards the Conservation Estate's overall long-term conservation value. The exchange will therefore result in a net landscape gain and is considered appropriate from a landscape perspective.

9.0 References

Boffa Miskell (2012). Hutt Landscape Study: Hutt Character Description, Prepared for Greater Wellington Regional Council, Hutt City Council, and Upper Hutt City Council.

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Hutt City (2024) District Plan Review, Section 32 Report.

Natural England (June 2019) An approach to landscape sensitivity assessment – to inform spatial planning and land management. Christine Tudor

Tuia Pito Ora, New Zealand Institute of Landscape Architects (July 2022) Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines',

Appendix 1: Curriculum Vitae



RHYS GIRVAN

KAIWHAKAMAHERE WHENUA | LANDSCAPE PLANNER,
SENIOR PRINCIPAL | LANDSCAPE PLANNING TECHNICAL LEAD

s9(2)(a)

s9(2)(a)

TOHU MĀTAURANGA | EDUCATION

Master of Landscape Architecture,
Lincoln University

Bachelor of Arts, Psychology,
University of Canterbury

NGĀ PUKENGA O MUA | EXPERIENCE

20 Years

TŪHONO MĀTANGA | AFFILIATIONS

Registered NZILA Landscape
Architect

NOHOANGA KA TIKI | SUITABILITY FOR THE ROLE

Rhys has over 20 years of experience in landscape planning, both within New Zealand and in the United Kingdom. His expertise includes broad-scale landscape characterisation and evaluation assessments, natural character assessments, assessments of landscape and visual effects for development proposals, site planning, and the formulation of measures to avoid, remedy or mitigate potential adverse effects. He regularly provides evidence at Council hearings, and occasionally at Environment Court.

Projects he has worked on cover the breadth of urban, rural and coastal landscapes. His role involves the preparation of landscape and townscape character assessments, coastal and freshwater natural character assessments, landscape and visual impact assessments, landscape capacity studies identifying opportunities and constraints to inform development opportunities, landscape management and rehabilitation plans, and landscape strategies to support successful development proposals.

He is experienced in collaborating with multi-disciplinary teams to deliver effective landscape outcomes. He takes pride in maintaining strong relationships with clients, colleagues and stakeholders.

PUKENGA HANGARAU | TECHNICAL SKILLS

- Assessment of Landscape and Visual Effects
- Landscape Assessment and Planning
- Guidance Papers and Methodologies
- Landscape Capacity Studies and Site Planning
- Urban Planning
- Management Plans
- Expert Evidence

TŪMAHI WHEAKO | PROFESSIONAL EXPERIENCE

BURNHAM QUARRY, WINSTONE AGGREGATES 2025

Landscape and visual effects assessment and evidence to support a council hearing for new consented quarry operation in Selwyn District in Canterbury.

WHEATSHEAF QUARRY EXPANSION, WINSTONE AGGREGATES 2024

Landscape and visual effects assessment and evidence to support a council hearing for expansion of existing quarry operation in Selwyn District in Canterbury.

MOUNT MUNRO WINDFARM, MERIDIAN ENERGY LIMITED, 2021-2024

Preparation of assessment and evidence for direct referral relating to a recently consented 20 turbine wind farm located to the east of between Masterton and Tararua District Councils and approximately 5km south of Eketahuna.

UPPER RUAMAHANGA FLOODPLAIN MANAGEMENT PLAN, WAIRARAPA, GREATER WELLINGTON, 2013 – 2019:

Preparation of floodplain management plan directing ongoing floodplain management of the Upper Ruamahanga catchment.

KAIWHARAWHARA FERRY TERMINAL REDEVELOPMENT, KIWIRAIL, 2020:

Preparation of a landscape and natural character effects assessment for consented redevelopment and upgrade to the Wellington Interislander Ferry Terminal. Cancelled following withdrawal of Government funding.

OMĀRARO PRINCE OF WALES RESERVOIR, WELLINGTON WATER, 2017:

Assessment of landscape and visual effects and associated hearing evidence to support a buried 35,000 m3 reservoir within the Wellington Town Belt. This included the development of virtual reality visualisations to assist community engagement.

WAIHI NORTH - OCEANA GOLD NEW ZEALAND, 2017-2025:

Landscape and visual effects assessment and evidence to support a Fast Track Application lodged to expand the existing Waihi Gold Mining Operation.

ASHFORD PARK QUARRY, WINSTONE AGGREGATES 2015:

Assessment of landscape and visual effects and preparation of evidence to support a major extension of existing aggregate extraction through a resource consent application.

**MAHINGA O MUA |
BACKGROUND**

2018 to present

Senior Principal Landscape
Planner,
Boffa Miskell, Christchurch

2012 to 2018

Principal Landscape Planner, Boffa
Miskell, Wellington

2007 - 2012

Associate Landscape Planner,
Barton Willmore, London

2006 - 2007

Principal: Landscape Architecture,
Lakes Environmental, Queenstown

2004 - 2005

Landscape Architect, Civic
Corporation Limited, Queenstown

BELMONT QUARRY EXTENSION, LOWER HUTT, WINSTONE AGGREGATES, 2012–2013:

Assessment of landscape and visual effects and preparation of evidence and landscape rehabilitation management plan to support a major extension of quarrying activity through a private plan change.

TRANSPower 220KV SUPPLY LINE, PARAPARAUMU, 2013:

Assessment of landscape and visual effects informing a preferred supply line for a new 220kV connection upgrade to Paraparaumu substation and enabling the removal of 24km of existing 110kV line through Transmission Gully to make way for the highway.



EMMA MCRAE

KAIMAHERE TAIAO | LANDSCAPE PLANNER, SENIOR PRINCIPAL

s9(2)(a)

+ s9(2)(a)

TOHU MĀTAURANGA | EDUCATION

Bachelor of Design, Landscape
Architecture (Hons), Victoria
University of Wellington, 2005

NGĀ PUKENGA O MUA | EXPERIENCE

19 Years

TŪHONO MĀTANGA | AFFILIATIONS

Registered NZILA Landscape
Architect

Chartered Member, Landscape
Institute (CMLI), United Kingdom,
2015 - 2018

NGĀ HAUTAKA | PUBLICATION RECORD

*Getting to Grips with Glint and
Glare*, Local Government New
Zealand Magazine, December
2024

*Spatial Planning for New Zealand's
renewable energy future* (cover
article), Resource Management
Journal, April 2021

A Case for Solar Energy, Local
Government NZ magazine, May
2021

*Natural Character assessments
and provisions in a coastal
environment* (co-author), New
Zealand Association of Impact
Assessment Newsletter #6,
January 2019

Interview in Local Government New
Zealand Magazine: *Smart
Solutions -Coastal Management*,
December 2018

NOHOANGA KA TIKI | SUITABILITY FOR THE ROLE

I have a wide range of experience working for both public sector and private clients on landscape assessment, landscape planning, landscape design and regeneration projects in New Zealand and the United Kingdom.

I have specialist expertise in carrying out landscape and visual impact assessments, natural character assessments and landscape sensitivity and capacity studies for a range of development types, including residential, energy and renewables, commercial, industrial, minerals developments and the acquisition and disposal of reserve land.

I also have landscape design experience working from concept through to detailed design in areas including social housing, extra care schemes, residential developments and infrastructure projects.

I have experience representing both Councils and private entities at Hearings and in the Environment Court in relation to landscape, visual and natural character matters.

PUKENGA WHAKARITE | MANAGEMENT SKILLS

I have experience coordinating and managing multi-disciplinary projects, bringing together specialists from various fields (both internal and external to Boffa Miskell) to ensure that timeframes, budgets, and expectations are successfully met. I have also served as a team manager in the Boffa Miskell Wellington office since 2022, which has included coordinating team members and respective inputs across the landscape planning and urban design teams in the Central (Wellington and Nelson offices) Region.

PUKENGA HANGARAU | TECHNICAL SKILLS

- Assessment of Effects on the Environment
- Landscape Design
- Master Planning
- Landscape Assessment and Planning
- Management Plans
- Open Space Planning and Development
- Site Planning
- Visual Assessment

LANDSCAPE ARCHITECT, NGĀPOTIKI STATION LANDSCAPE ASSESSMENT, 2024:

Prepared a landscape and visual effects assessment for a proposed minor dwelling in the Coastal Environment and High Natural Character overlays on the South Wairarapa Coast. The project was granted non notified consent in 2024.

LANDSCAPE ARCHITECT, HUTT CITY COUNCIL DISTRICT PLAN REVIEW, 2024:

Review of Proposed District Plan provisions and boundaries for Outstanding Natural Features and Landscapes and Coastal Natural Character Areas, engagement with affected landowners on behalf of Council and provided representation for Council at the District Plan Hearing. The Draft Plan was adopted for public notification in December 2024.

LANDSCAPE ARCHITECT, WHAKAWHIRINAKI – SILVERSTREAM PIPE CROSSING, WELLINGTON, 2018-CURRENT:

Provided natural character and landscape inputs into the Multi-Criteria Analysis (MCA) process to select a preferred site and method of crossing. Prepared the Landscape and Visual Effects Assessment as part of the Resource Consent Application for the bridge. Provided project management of the design team who detailed design drawings for hard and soft landscape elements for the bridge surrounds and prepared an Urban Design and Landscape Plan (UDLP) for discharge of conditions relating to the resource consent. The project is currently under construction, completion due mid 2025.

LANDSCAPE ARCHITECT, MCLEAN ROAD SOLAR FARM, HELIOS ENERGY, WHAKATANE DISTRICT, 2023:

Prepared Glint and Glare assessment (including representing client at Council Hearing) and provided internal peer review of Landscape and Visual Effects Assessment for a proposed 115MW solar farm near Edgecumbe.

LANDSCAPE ARCHITECT, MT MARUA, UPPER HUTT, 2019

Assessment of landscape and visual effects and landscape mitigation plan for proposed 14 lot residential development at Mt Marua, Upper Hutt.

LANDSCAPE ARCHITECT, PRIVATE PLAN CHANGE 49, JOHNSTONE ST, WAITARA. NEW PLYMOUTH DISTRICT COUNCIL, 2020:

Provided landscape advice, including peer review of landscape and visual effects assessment on behalf of New Plymouth District Council.

LANDSCAPE ARCHITECT, PRIVATE PLAN CHANGE 48, WAIRAU ROAD, OAKURA. NEW PLYMOUTH DISTRICT COUNCIL, 2019

Provided landscape advice in relation to the proposed Plan Change, including representing Council at a public Hearing.

LANDSCAPE ARCHITECT, LANDSCAPE ARCHITECT. PORIRUA COASTAL STUDY: NATURAL CHARACTER EVALUATION OF THE PORIRUA CITY COASTAL ENVIRONMENT, WELLINGTON REGIONAL COUNCIL AND PORIRUA CITY COUNCIL, 2018:

Preparation of combined region and district wide natural character assessment and subsequent evaluation of areas of high and outstanding natural character in accordance with the New Zealand Coastal Policy Statement.

**MAHINGA O MUA |
BACKGROUND**

2018 to present

Principal Landscape Architect,
Boffa Miskell, Wellington

2015 - 2017

Principal Landscape Architect,
WYG, Cardiff, UK

2012 - 2015

Senior Landscape Architect, WYG,
Cardiff, UK

2005 - 2012

Registered Landscape Architect,
PAOS Ltd, Wellington

Appendix 2: Summary of Landscape Values

Proposed Land Exchange	Site	Physical Description	Key Landscape Values	Landscape Value	Visibility
DOC Land Given	Proposed Overburden Site	Area = 23.9 ha. Boundary length = 2,029 m Approximate % native land cover⁶ = 88% Length of existing streams⁷ - Ephemeral = 765m - Intermittent = 564m - Perennial = 174m	- Part of a broader ancient peneplain landform set back beyond a more visible elevated green backdrop along the Western Escarpment within the Belmont Hills. - Displays a partially modified pastoral-to-regenerating landscape, with regenerating native vegetation alongside some tracks, fence lines, transmission infrastructure, and adjoining quarry influence. - Contributes to the wider recreation and conservation setting of Belmont Regional Park.	Moderate	Low–Moderate
DOC Land Obtained	Northern Gully	Area = 12.6 ha. Boundary length = 2,179 m QEII Covenant = 2.9 ha. Approximate % native land cover = 100% Length of existing streams - Ephemeral = 303m - Intermittent = 23m - Perennial = 744m	- Steep, incised gully landform with an intact stream corridor, strengthening the legibility of the escarpment beside the modified quarry landscape. - Largely vegetated in established and regenerating native forest, from mature tawa to mixed broadleaf species and tree ferns. - Part of the wider elevated green backdrop and broader regenerating forest network, with recognised ongoing conservation value including QEII protection across part of the gully.	Moderate–High	Low

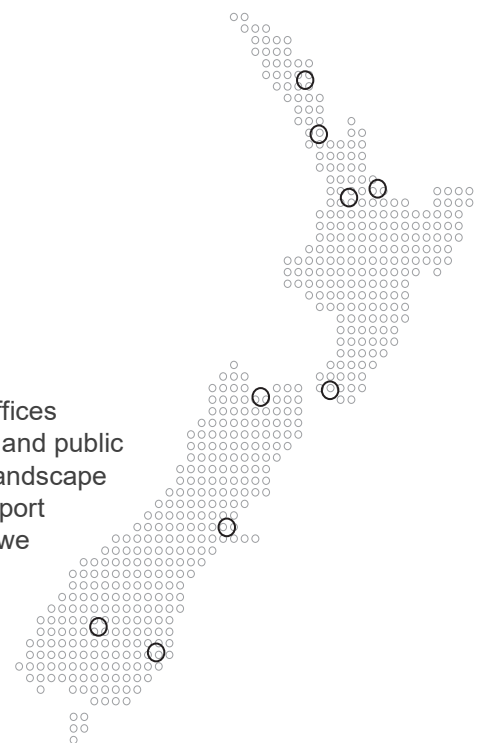
⁶ Blue Green Ecology (December 2025) Belmont Quarry Land Exchange: Overview of Ecological Values

⁷ Ibid.

Proposed Land Exchange	Site	Physical Description	Key Landscape Values	Landscape Value	Visibility
	Firth Block	Area = 9.6 ha. Boundary Length = 1,397 m QEII Covenant = 9.6 ha. Approximate % native land cover = 100% Existing streams Perennial = 477m	- Part of the uplifted Wellington Fault Scarp, with tectonic landform patterns remaining highly legible. - Strongly natural in character, with extensive regenerating native vegetation grading into tawa-kāmahi forest and little evident modification. - Contributes to the prominent elevated green backdrop of the western escarpment, with recognised landscape value and QEII protection.	Moderate–High	High
	Dry Creek Quarry	Area = 7.9 ha. Boundary length = 2,613 m Approximate % native land cover = 100% Length of existing streams n/a	- Modified gully landform with rehabilitated benching and a culverted stream, retaining only partial legibility of the original landform pattern. - Upper slopes support regenerating native vegetation and help maintain continuity with the wider escarpment, while lower faces remain visibly modified and less natural adjoining a modified quarry with potential weed encroachment. - Contributes to the broader recreational and conservation setting of Belmont Regional Park, but its internal coherence and naturalness are reduced by former quarrying, access tracks, transmission lines, and adjoining industrial activity.	Moderate	Low–Moderate
	Southern Gully	Area = 3.9 ha. Boundary length = 887 m Approximate % native land cover = 92% Length of existing streams - Ephemeral = 59m - Perennial = 273m	- Enclosed gully with a relatively large wetland and stream, supporting natural character and ecological diversity. - Reinforces the Western Escarpment pattern of enclosed gullies and wetlands, contributing to local landscape coherence. - Functions as a vegetated corridor and supporting landscape backdrop, with mainly local rather than prominent visual value.	Moderate	Low

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DRAFT



BELMONT QUARRY OVERBURDEN: LAND EXCHANGE

GRAPHIC SUPPLEMENT

24 APRIL 2026

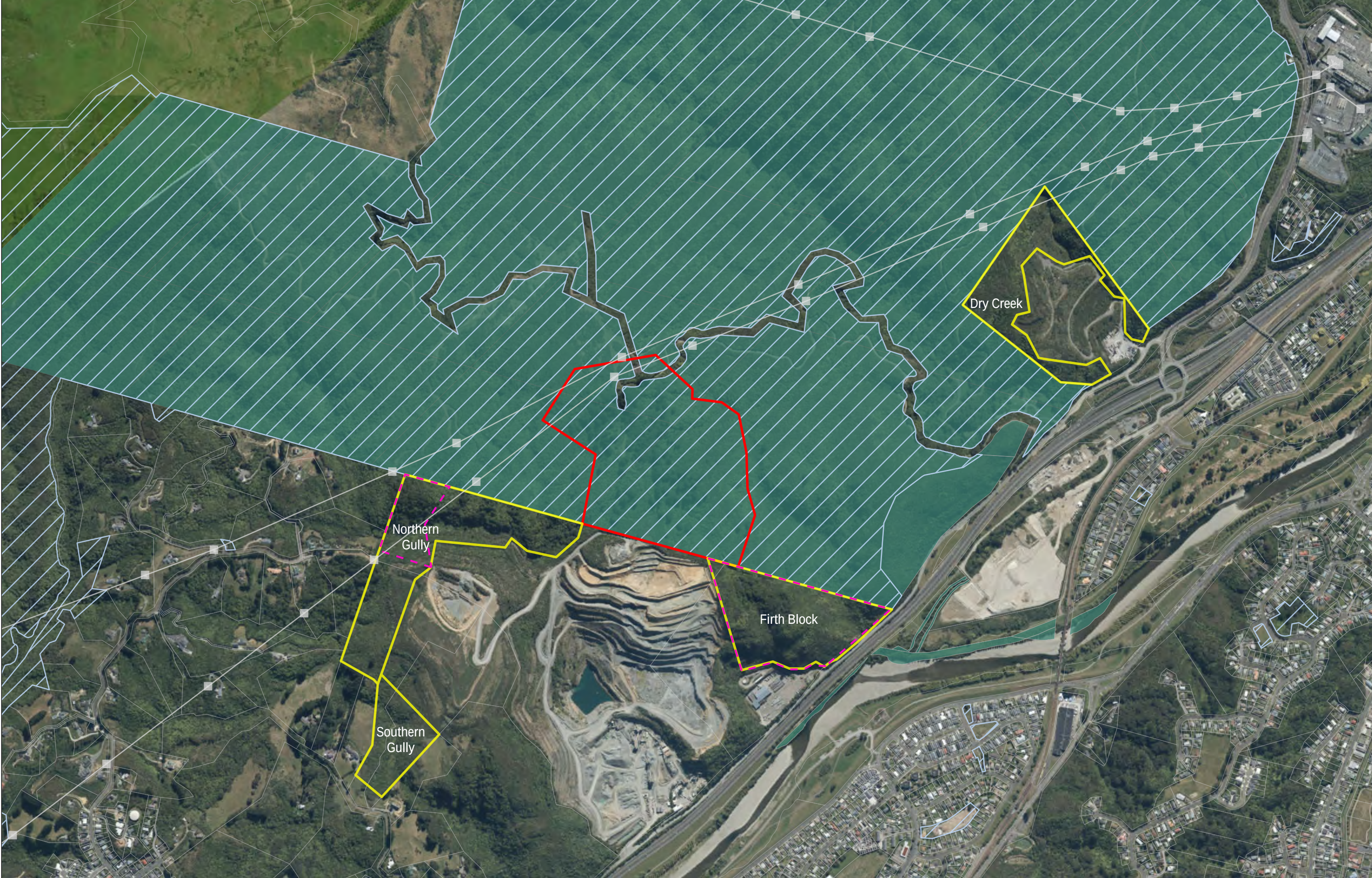


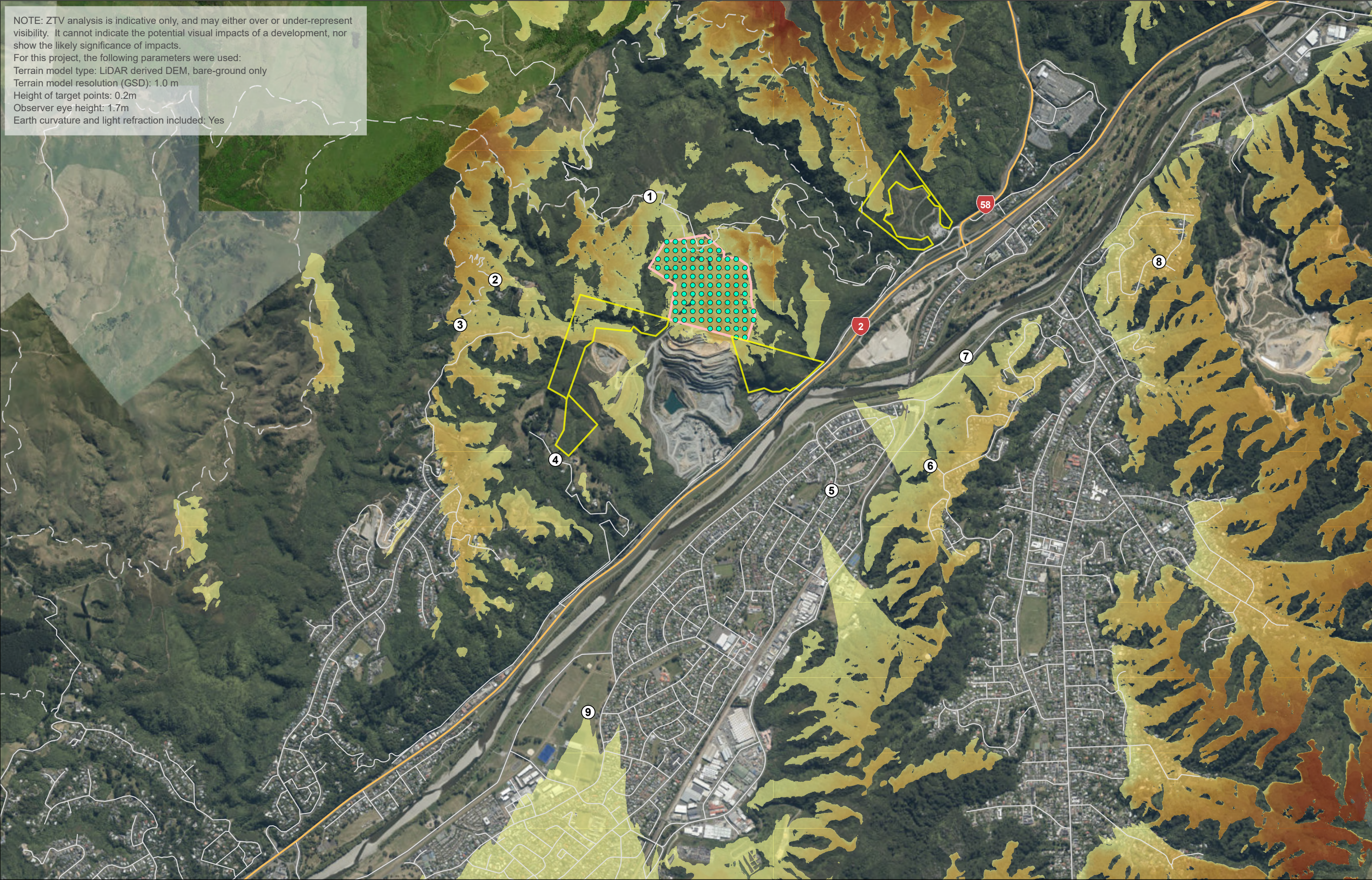


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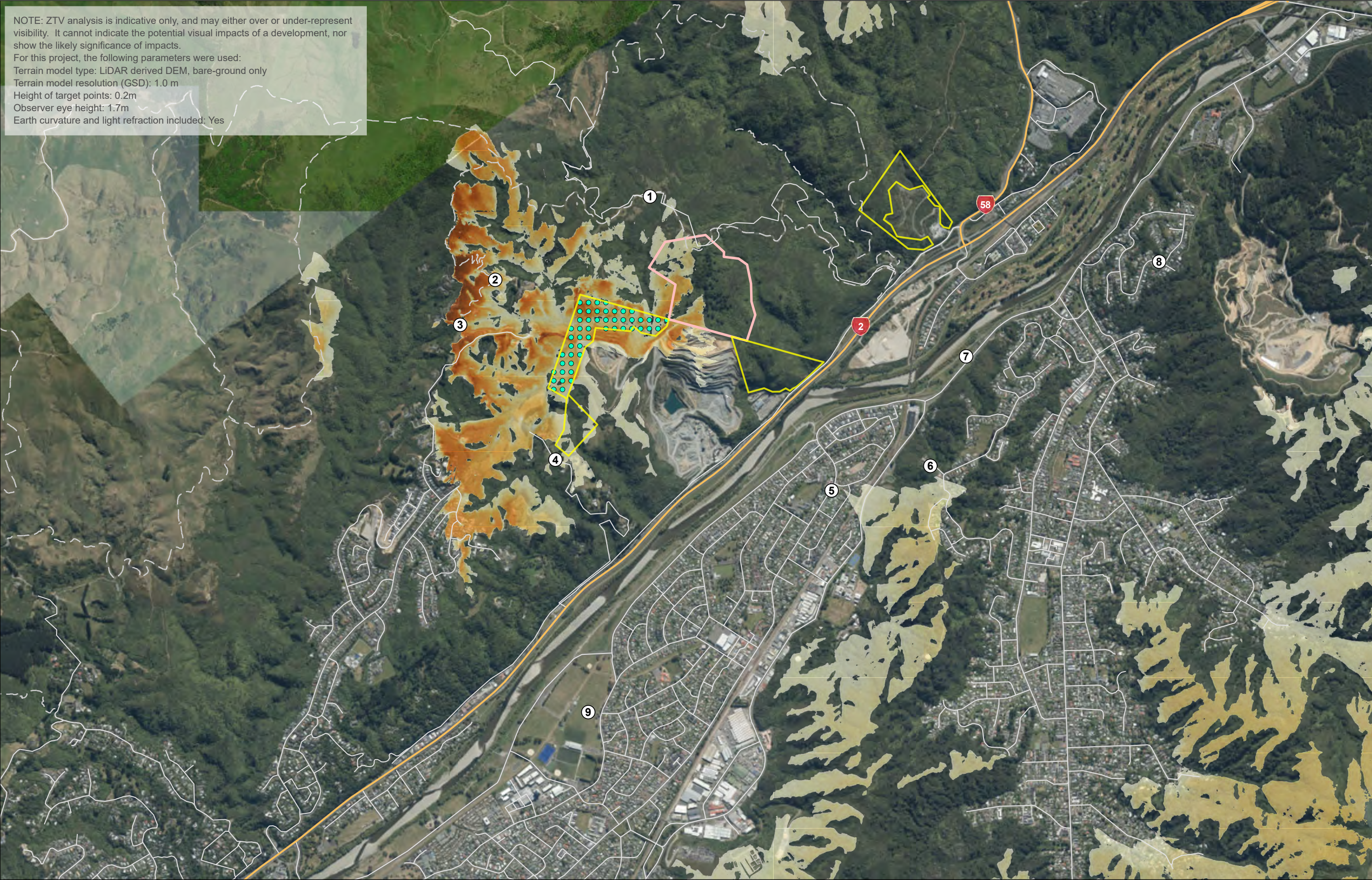
FIGURE 1: Belmont Regional Park Boundary	1
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NOTE: ZTV analysis is indicative only, and may either over or under-represent visibility. It cannot indicate the potential visual impacts of a development, nor show the likely significance of impacts.
For this project, the following parameters were used:
Terrain model type: LiDAR derived DEM, bare-ground only
Terrain model resolution (GSD): 1.0 m
Height of target points: 0.2m
Observer eye height: 1.7m
Earth curvature and light refraction included: Yes



NOTE: ZTV analysis is indicative only, and may either over or under-represent visibility. It cannot indicate the potential visual impacts of a development, nor show the likely significance of impacts.

For this project, the following parameters were used:

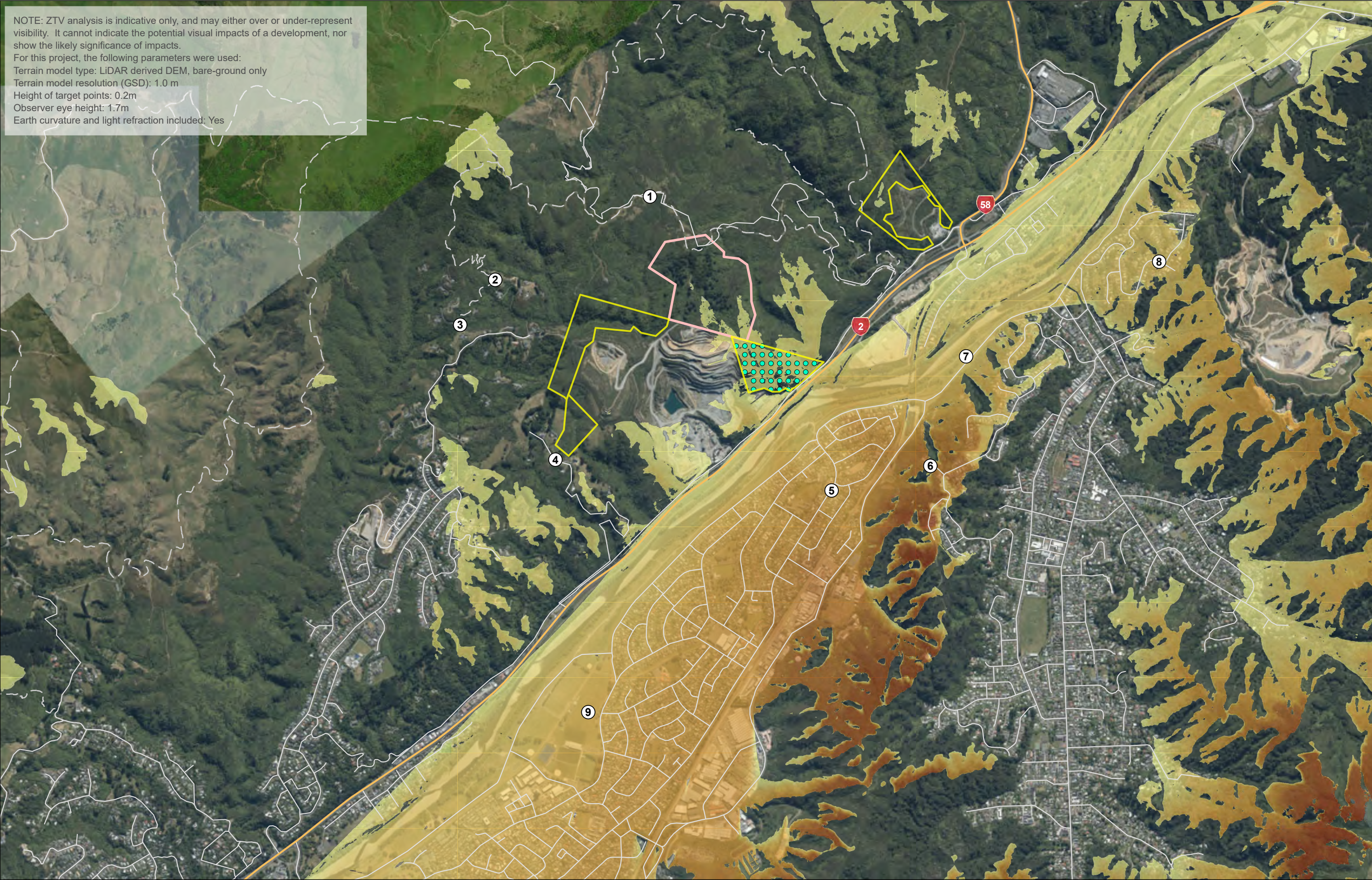
Terrain model type: LiDAR derived DEM, bare-ground only

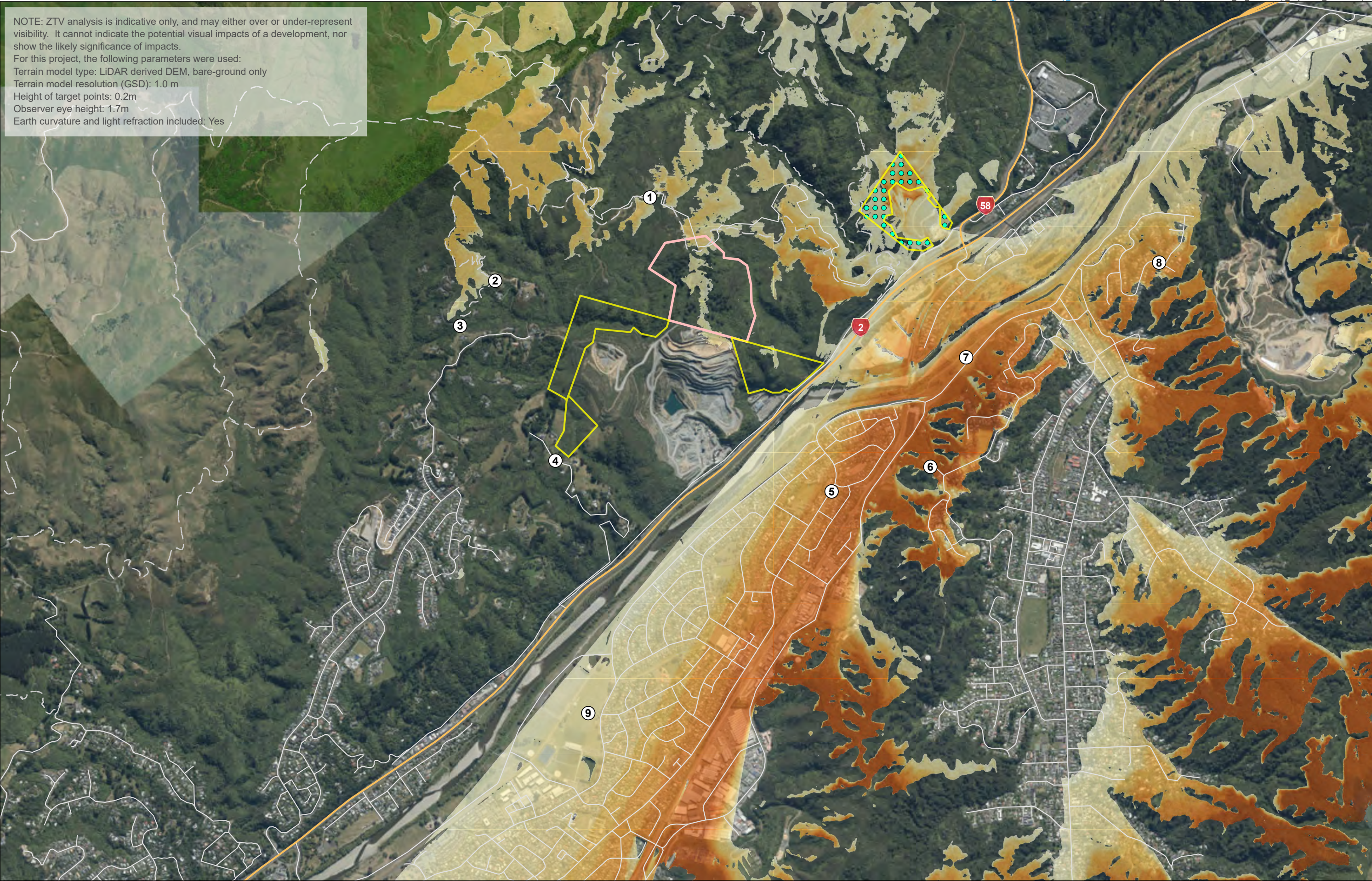
Terrain model resolution (GSD): 1.0 m

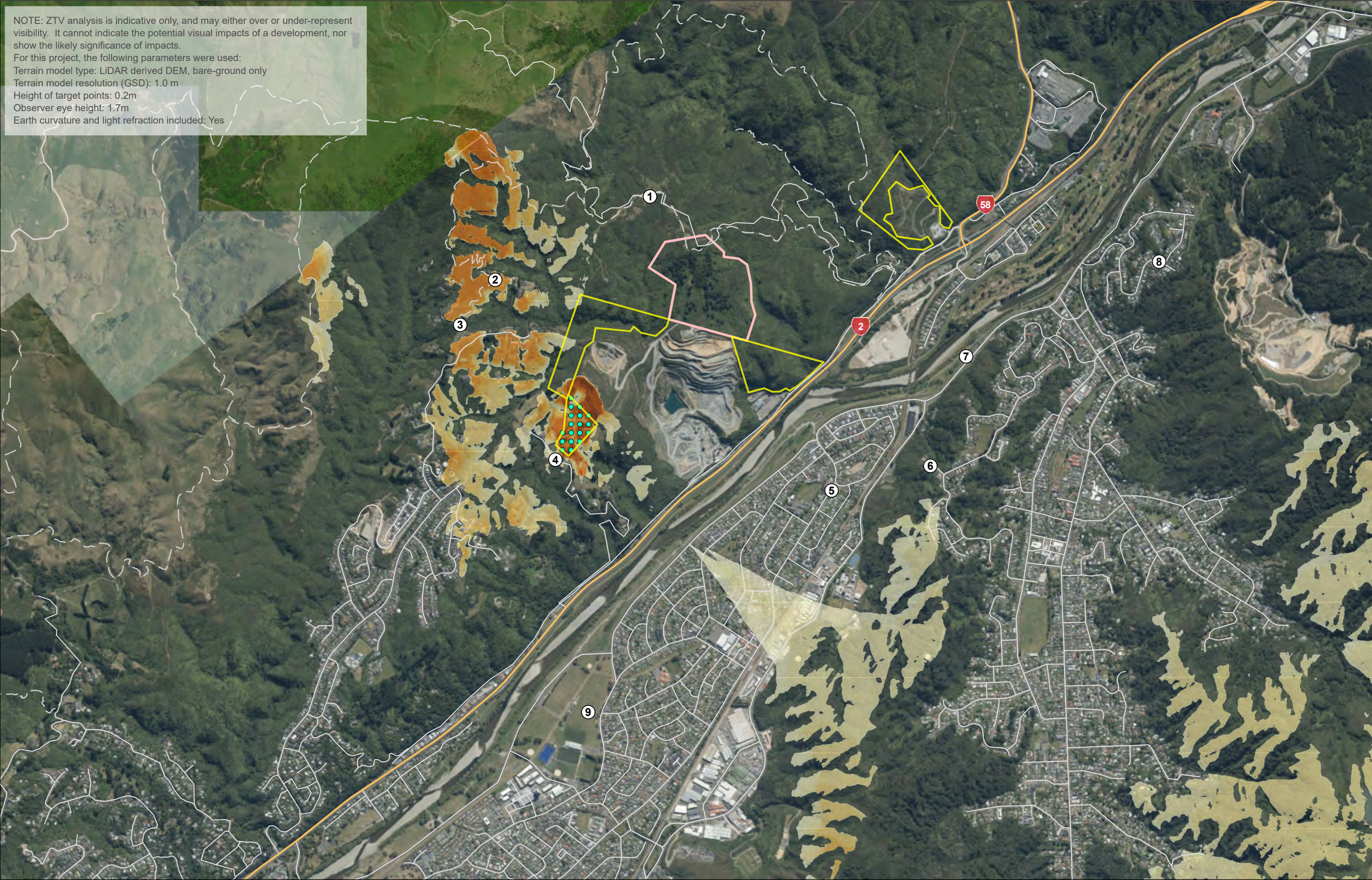
Height of target points: 0.2m

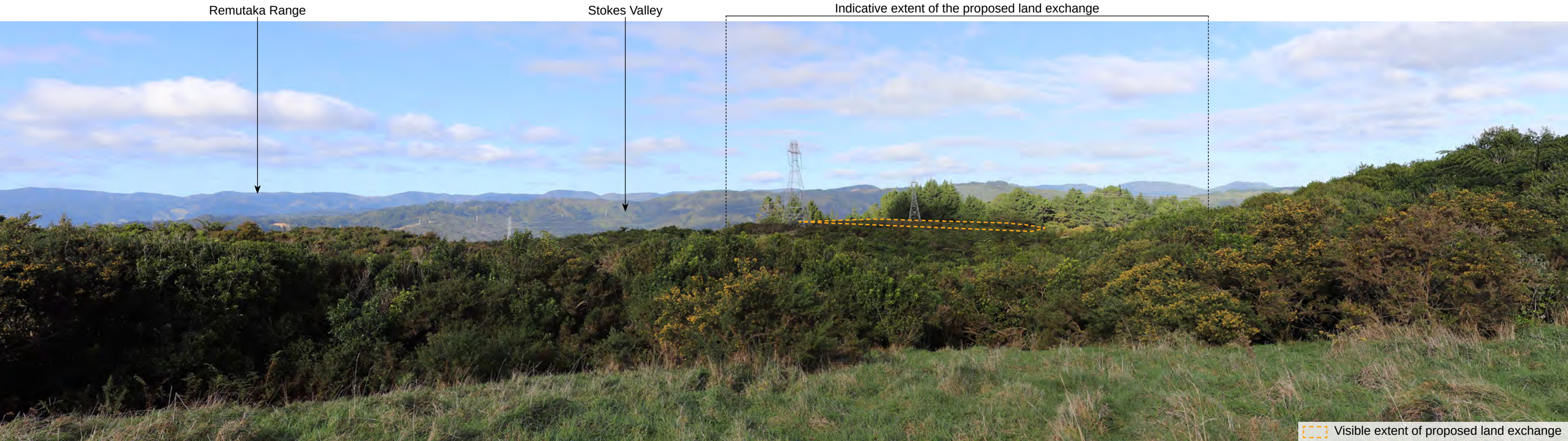
Observer eye height: 1.7m

Earth curvature and light refraction included: Yes









Viewpoint 1: View from Boulder Hill Track in Belmont Regional Park, approximately 340 metres northwest of the proposed land exchange, looking in a southeasterly direction.



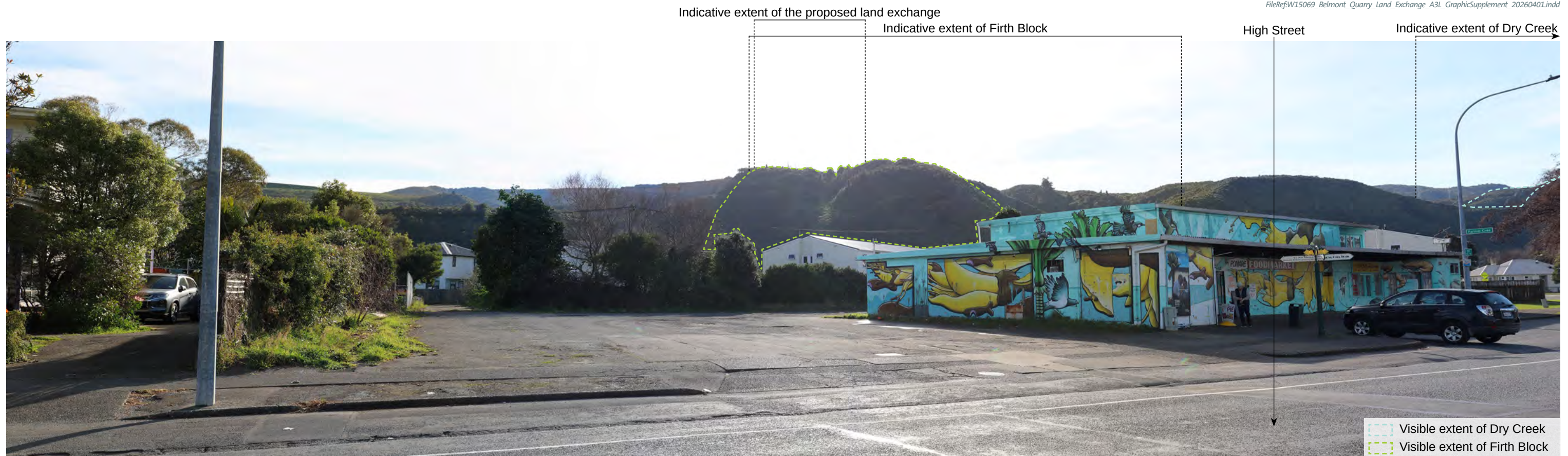
Viewpoint 2: View from Kelson Track in Belmont Regional Park, approximately 930 metres west of the proposed land exchange, looking in an easterly direction.



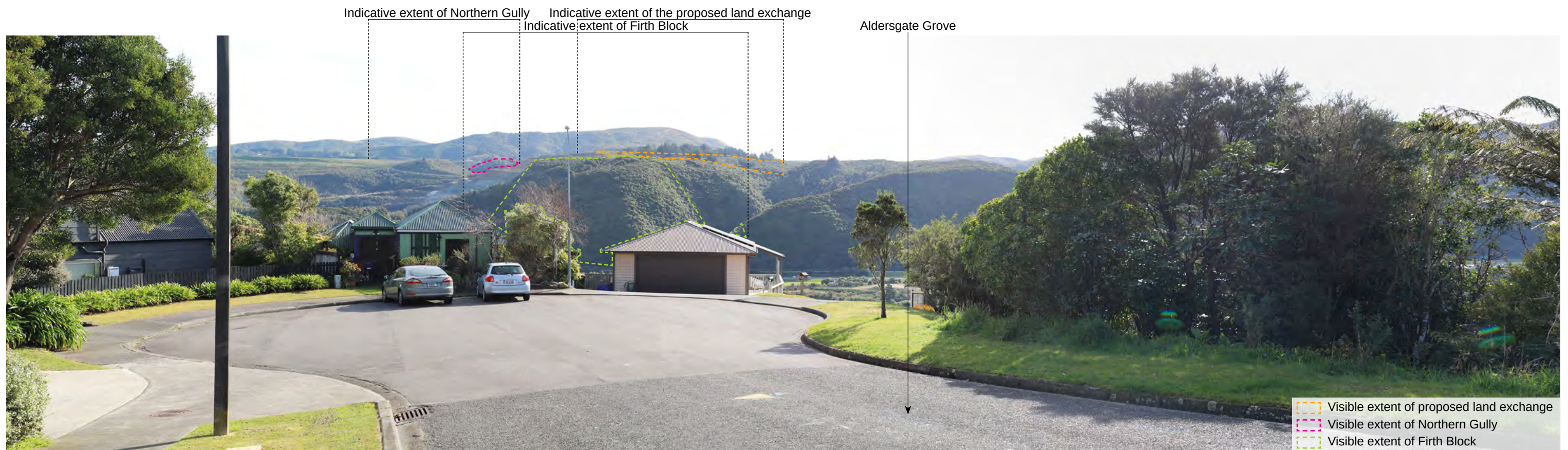
Viewpoint 3: View from Kaitangata Crescent, approximately 1.1 kilometres west of the proposed land exchange, looking in an easterly direction.



Viewpoint 4: View from Liverton Road, approximately 1 kilometre southwest of the proposed land exchange, looking in a northeasterly direction.



Viewpoint 5: View from High Street, approximately 1 kilometre southeast of the proposed land exchange, looking in a northwesterly direction.



Viewpoint 6: View from Aldersgate Grove, approximately 1.3 kilometres southeast of the proposed land exchange, looking in a northwesterly direction.



Viewpoint 7: View from Eastern Hutt Road, approximately 1.3 kilometres southeast of the proposed land exchange, looking in a northwesterly direction.



Viewpoint 8: View from Lord Street, approximately 2.3 kilometres east of the proposed land exchange, looking in a westerly direction.



Viewpoint 9: View from Fraser Park, approximately 2.3 kilometres southwest of the proposed land exchange, looking in a northeasterly direction.

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Technical Memorandum

To: Shalini Sanjeshni (Winstones)

From: Dr Jack McConchie

Company: Winstone Aggregates

Landscape Dynamics Ltd

cc:

Date: 12 June 2026

RE: Impact of QEII covenant areas

Confidentiality

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The initial hydrological analysis provided relating to the potential impact of a proposed land exchange between Winstone Aggregates and the Department of Conservation included the hydrological values of two blocks that are held under QEII covenants currently.

If the conservation values of these two QEII Blocks must be discounted by the Panel when forming its view, the hydrological values within these blocks must also be removed from the hydrological analysis provided previously. This is because freshwater values form a subset of natural character recognised in the QEII covenant.

In the event that these hydrological values need to be excluded, this would remove from consideration the 436m of stream length in the Firth Block (142m of Order 6, 130m of Order 7, 77m of Order 8 and 87m of Order 9) and the 185m (95m $\geq$ Order 10 and 90m of Order 6) of stream length in the part of the Northern Gully that is subject to the QEII covenant.

It is important to remember that the land exchange is a package and needs to be considered in its entirety rather than as discrete parcels. Consequently, the hydrological metrics within the OBDA are compared to the combined metrics for the Winstone blocks but excluding those within areas subject to QEII covenants (**Table 1**).

Table 1: Comparison of stream channel metrics for land exchange.

Land exchange parcel	Longest stream in exchange area (m)	Stream length less than Strahler order 7	Stream length Strahler orders 7&8	Stream length greater than Strahler order 9	Total stream length in exchange area (m)	Upstream contributing catchment area (ha)
OBDA parcel	265	899	723	223	1,855	89.2
Winstone parcels (Excluding QEII Blocks)	463	217	691	1,500	2,408	164.92

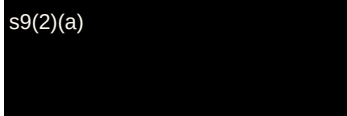
When considered as a package, the proposed land exchange will provide the Department of Conservation with:

- Significantly longer streams i.e., maximum length of 463m compared to 265m;
- Although there will be a reduction in the number of gully heads and ephemeral flow paths, there will be a significant increase in both the length and number of larger streams with higher and more resilient flow regimes i.e., 1,500m compared to 223m;
- A significant increase in the total length of streams and watercourses i.e., 2,408m compared to 1,855m;
- A significant increase in the upstream catchments contributing flow (i.e., 164.92ha compared to 89.2ha). This will ensure more stable and resilient flows in the larger streams which form part of the exchange; and
- The land exchange will provide 'protected' hydraulic connections to several upstream catchments.

Therefore, even excluding the areas under QEII covenants currently, from a hydrological perspective the proposed land exchange offers a range of attributes and advantages to the Department of Conservation, providing a net benefit in favour of the Crown. The exchange will protect and provide access to a greater range of larger watercourses than exists at present. It will also offer potential protection of the mid and lower reaches of some streams. This will enhance hydraulic connectivity of watercourses within the public domain.

If you require any clarification or explanation, please do not hesitate to contact me.

s9(2)(a)



12 June 2026



Response – Terrestrial Fauna, Bats

Introduction

My name is Dr Hazel Burridge and I am a terrestrial ecologist with Boffa Miskell. I have been engaged by Winstone Aggregates to provide technical assistance in relation to its fast-track application for a land exchange for Belmont Quarry (FTA308). I previously prepared:

- Belmont Quarry Acoustic Bat Survey Results, dated 5 December 2025

My qualifications and expertise, and agreement to comply with the Environment Court's Code of Practice for Expert Witnesses, is set out in my earlier report. I provide this statement in response to the statement of advice for terrestrial fauna provided by Dr Rhys Burns, Senior Technical Advisor, Department of Conservation, dated 28 May 2026.

Background

An acoustic bat survey was undertaken for 21 nights between the 24th October and 14th November 2025. The environmental conditions considered appropriate for a valid survey ¹ within the North Island are as follows:

- Temperature 8°C or greater for the first four hours after official sunset time

¹ Protocols for minimising the risk of felling occupied bat roosts, Department of Conservation 2024

- Ideally no to very little precipitation within the first 4 hours after official sunset, although a light mist or occasional drizzle may be acceptable as assessed by an ecologist accredited with Competency 3.1
- No to light winds within the first four hours after official sunset.

Dr Burns has requested clarification in paragraph 47 of his report of the weather conditions during the acoustic survey to determine whether the survey results can be relied upon.

Dr Burns has suggested there is a requirement for temperatures of greater than 10°C for the first 2 hours of darkness.

Response

All survey nights met the requirement for minimum temperature, which is a primary driver of bat activity.

The minimum temperature requirement for a valid survey night has been updated in the most recent version of the Department of Conservations protocols and is now 8°C for the north island.

Three nights (out of the total of 21 nights) were assessed in more detail due to recorded rain and/or wind during the first four hours after sunset.

27th October 2025 – Light rain with higher winds

28th October 2025 – Light rain

12th November 2025 – Drizzle

Of these, only the 27th October is considered to have had environmental conditions that might have limited bat activity. Light to breezy wind is almost continuously present at this location and achieving a three week survey with no wind would not be possible.

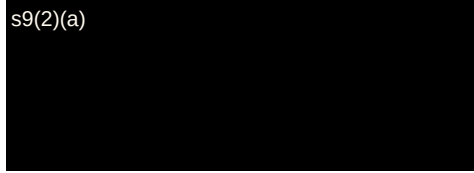
I am therefore confident that the bat survey that has been undertaken is representative of bat activity at this site for this time of year and can be relied upon to detect bats that might have been intermittently present at the site.

In addition, Clause 29(2A) of the Fast-track Approvals Amendment Act 2025 (which came into force on March 31, 2026) requires decision-making panels to discount the conservation values of any land being acquired by the Crown, to the extent those values are already affected by anything registered or noted for conservation purposes on the land's title. If this clause applies, given the very

low likelihood of bats using the site, no values relating to bats or bat habitat will be impacted.

Signed:

s9(2)(a)

A large black rectangular redaction box covers the signature area.

Hazel BurrIDGE

12 June 2026

Memo

To:	Shalini Sanjeshni; Winstones Aggregates Ltd	Project:	2529
From:	Tony Payne; Blueprint Ecology Ltd	Date:	12 June 2026
Subject:	Belmont Quarry Land Exchange: Response to DOC report - Lizards		

Dear Shalini,

Winstones Aggregates Limited (WAL) is in a process with the Department of Conservation (DOC) to swap an area of Belmont Regional Park ("**DOC-Give**") in exchange for four areas known as Northern Gully, Southern Gully, Firth Block and Dry Creek (**DOC-Get**) (**Figure 1**).

The purpose of this memorandum is to respond to the matters raised in the Statement of Advice of Rhys Burns, Senior Technical Advisor (Fauna), Department of Conservation (Appendix 4B, dated 28 May 2026), in relation to the land exchange application by WAL. This memorandum responds to:

- a. The adequacy of the 2025 lizard survey methodology, including the omission of closed-cell foam covers as a detection method and the comparison with previous survey effort at this locality (Appendix 4B, paras 15-19).
- b. The feasibility and effectiveness of proposed ground-based pest control at the exchange sites given terrain and vegetation constraints (Appendix 4B, para 24).
- c. The benefit to lizard populations of the proposed seasonal rat control programme (Appendix 4B, para 64).
- d. A comparison of the lizard values between the DOC-Get and DOC-Give sites If discounting of the conservation values of the QEII land is required.

Where Mr Burns' concerns overlap with or are addressed by the habitat equivalence assessment in Appendix B2, I have addressed those matters together under a single heading. Points in Mr Burns' evidence where agreement is reached have been acknowledged expressly, so that the Panel can identify clearly the matters that remain in contention.

I confirm that, in my capacity as author of this memorandum, I have read and agree to abide by the Environment Code of Conduct for Expert Witnesses Practice Note 2023.



Figure 1.

Introduction

Qualifications and experience

1. My name is Tony Michael Payne. I am a Principal Ecologist and Director at Blueprint Ecology Limited, a consultancy specialising in ecological effects assessment and management.
2. I hold a Bachelor of Science (Biological Sciences; 2008) and Bachelor of Science Honours (Environmental Science; 2009) from the University of Canterbury, New Zealand. I am a Certified Environmental Practitioner with the Environment Institute of Australia and New Zealand (EIANZ).
3. I have over 15 years' experience in environmental research and consulting, specialising in terrestrial and freshwater ecology, herpetofauna management, offset mitigation, and restoration ecology.
4. Since 2010, I have had extensive involvement in local, regional, and nationally significant development projects across New Zealand, including roads of national significance, quarries, wind farms, solar farms, and large-scale residential developments. I have been involved on a professional basis for over 100 land development projects.
5. My experience as an expert herpetologist most relevant to this application includes the many lizard surveys used to inform resource consent applications, preparing over 30 Lizard Management Plans (LMP), research in mitigation habitat design (constructed habitats, plantings) and longitudinal, seasonal use of survey devices, preparing lizard-specific predator control plans, undertaking large-scale lizard salvages and multi-year post-release monitoring programmes. Over the past 10 years I have worked with over 4,000 native lizards across 19 different species between Northland and Otago, and I hold a Wildlife Act Authority from the Department of Conservation ("DOC") that allows me to survey lizards across Aotearoa New Zealand.
6. Transmission Gully Motorway, Mt Cass Wind Farm, Haldon Station Solar Farm, Twizel Solar Farm and Lincolnshire Farm are examples of landscape scale developments that required extensive lizard surveys, determination of lizard values and applied effects management.

Involvement in the Project

7. I have been engaged by Winstone Aggregates to provide technical assistance in relation to its fast-track application for a land exchange for Belmont Quarry (FTA308). I previously prepared:
 - a. Belmont Quarry Land Exchange: Lizard Assessment. Dated 3 December 2025.
 - b. Belmont Quarry Land Exchange: Applicants response to The Friends of Belmont Regional Park; lizards. Dated 3 March 2026
8. I undertook comprehensive lizard surveys at the Belmont Regional Park ("**DOC-Give**") site over September to November 2025, comprising deployment of 75

triple-stacked artificial cover objects (ACOs), 105 pitfall traps, and three nights of spotlighting totalling 15.5 person-hours. These surveys were conducted to evaluate lizard habitat values within the proposed over burden disposal area (OBDA), to detect and identify lizard species present, and to assess habitat quality and relative abundance as a basis for comparison with the proposed exchange sites ("**DOC-Get**").

Response to Lizard Survey Methodology

9. Mr Burns raises concerns regarding the adequacy of the Blueprint Ecology Ltd 2025 lizard survey¹, with particular criticism directed at the omission of closed-cell foam covers (CCFCs) as a detection method (Appendix 4B, paras 17–18, p.7–8). With respect, this criticism is mistaken on both practical and technical grounds, is based on a material misreading of the source material and is immaterial to the conclusions of the assessment.
10. Mr Burns observes at paragraph 15 that previous surveys conducted in 2013–2017 did survey the Firth Block, and suggests this demonstrates that surveys at the exchange sites are feasible. This point is acknowledged. However, the 2013 surveys were conducted in circumstances materially different from the present assessment. Those surveys were undertaken with commensurate resources and time committed to a formal salvage programme. The question is not whether surveys are physically possible but whether they are necessary and proportionate for the purposes of this habitat equivalence assessment. For the reasons set out below and in the Blueprint Ecology memo (Appendix B2), they are not.
11. Mr Burns draws an adverse comparison at paragraphs 17 and 18 between the survey effort in 2013 and the 2025 Blueprint Ecology survey, and specifically criticises the omission of CCFCs from the 2025 methodology. CCFCs are most effective when affixed to trees of sufficient diameter to provide meaningful refugia and stable attachment. The young māhoe (*Melicytus ramiflorus*)-broadleaved-mānuka (*Leptospermum scoparium*) forest surveyed at the DOC-Give site, where ngahere gecko (*Mokopirirakau* "Southern North Island") were recorded, had stems too slender to practically or effectively deploy CCFCs. In comparison, the 2013–2017 surveys were undertaken in more mature vegetation, including large kanuka trees (*Kunzea robusta*). This was not an oversight; it was a considered methodological judgment appropriate to the vegetation structure present.
12. At paragraph 18, Mr Burns invokes the figure of 16,000 CCFC checks yielding 51 ngahere gecko as evidence of the rigorous effort required to adequately survey this species and implies both that this figure derives from the 2013 assessment surveys and that the 51 geckos were detected by CCFCs alone. Both propositions are incorrect.

¹ Blueprint Ecology 2025. Belmont Quarry Land Exchange: Lizard Assessment. Dated 3 December 2025.

13. First, as to the source of the figures: the BECA Limited (2023) Lizard Management Plan states explicitly that the 16,000 CCFC checks and the associated gecko captures relate to the 2015-2017 salvage operation conducted by Winstone Aggregates ahead of imminent quarry extension, not to the 2013 assessment surveys as Mr Burns implies. A multi-year salvage programme conducted under the pressure of imminent habitat destruction, with the express purpose of removing every individual from an area scheduled to be impacted, is categorically different from a standard ecological assessment. To treat them as equivalent misrepresents both the nature of the earlier effort and the standard against which the 2025 survey should be assessed.
14. Secondly, the BECA Lizard Management Plan states in terms that the 51 ngahere gecko were the combined yield of 16,000 CCFC checks and 120 person-hours of spotlighting effort. Mr Burns attributes all 51 detections to CCFCs alone. The 51 geckos represent the total output of an enormous combined effort, 16,000 CCFC check-days plus 120 person-hours of active spotlighting across a multi-year salvage programme. This combined detection rate of 51 individuals from that scale of effort, far from demonstrating the effectiveness of CCFCs as Mr Burns suggests, in fact underscores the inherent difficulty of detecting this species and the limited additional yield that any passive trapping method provides in this habitat type.
15. The data set out in Mr Burns' own Table 1 (Appendix 4B, p.7) demonstrates that CCFCs are a considerably less efficient detection method than spotlighting in this habitat type, and that the 2025 Blueprint Ecology survey substantially outperformed the 2013 effort on a per-hour basis. The comparative data is set out in **Table 1**.

Table 1. Belmont quarry lizard survey comparison.

Survey	Method	Effort	Gecko detected	Detection rate / notes
Bell et al., March–May 2013 (Appendix 4B, Table 1, p.7)	CCFCs	270 covers × 7 checks = 1,890 check-days	12	CPUE 0.63% per check-day
	Spotlighting	20 person-hours over 3.05 ha	1	0.05 gecko / person-hour
2015-2017 Salvage (BECA LMP 2023)	CCFCs + spotlighting combined	16,000 CCFC check-days + 120 person-hours spotlighting	51 total (combined methods)	Mr Burns attributes all 51 to CCFCs alone, incorrect per BECA LMP. Multi-year salvage and not a standard assessment.

2025 BRP Survey Blueprint Ecology, Nov 2025 (Appendix B2, Table 2)	Spotlighting only. CCFCs impractical due to mean DBH <10cm.	15.5 person- hours over 3.0 ha	3	0.19 gecko / person-hour. 4x more efficient than 2013 spotlighting benchmark.
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16. The omission of CCFCs, given both the structural characteristics of the vegetation and the demonstrated efficiency of the spotlighting methodology employed, did not meaningfully diminish the survey's detection capability.
17. It is noted that at paragraph 19, Mr Burns expressly states that he generally agrees with the applicant's approach of correlating lizard diversity and abundance with vegetation maturity and complexity as a proxy for habitat value across the land parcels. This concession is significant and is returned to below.
18. Even if one were to accept, contrary to the evidence above, that additional gecko detections might have been achieved through CCFC deployment, this would have no bearing on the conclusions of the habitat assessment. The areas within DOC-Get and DOC-Give sites where ngahere gecko are confirmed or most likely to occur have already been assessed and mapped as high quality lizard habitat (Appendix B2, Table 3 and Figure 5). Mr Burns does not take issue with that characterisation (Appendix 4B, para 19, p.8). The habitat quality assessment is therefore robust to any variation in raw gecko detection numbers, and a higher gecko count would confirm what the assessment already assumes, not alter it.
19. The methodology is appropriate precisely because it identified the presence of an At Risk species and triggered the assignment of high-quality habitat status to the relevant areas. The purpose of the survey was not to enumerate every individual gecko but to characterise habitat values with sufficient confidence to support the land exchange assessment, and that purpose was achieved.
20. The criticism therefore has no meaningful bearing on the conclusions available to the Panel.

Response to Rat Control

21. At paragraph 24, Mr Burns contends that steep terrain and dense vegetation at the DOC-Get sites will limit the effectiveness of ground-based pest control relative to the more accessible DOC-Give sites.
22. Both the DOC-Give and DOC get sites include extensive areas with steep terrain and dense regenerating forest that constrains effective ground-based rodent control. This is not a differentiating factor that operates exclusively against the DOC-Get sites, it is a shared characteristic of the surrounding Belmont Hills landscape within which this land exchange is situated.
23. At paragraph 64, Mr Burns concludes that seasonal rat control alone will provide low benefit to lizards, as lizards are vulnerable to rat predation throughout the year, and that indigenous revegetation will only marginally benefit lizards within

a five-year timeframe. However, the land exchange does not rely on pest control delivering lizard population benefits at the DOC-Get sites. It rests on the substantial net-gain in lizard habitat extent and quality that DOC receives as a consequence of the exchange. The DOC-Get sites provide 33.19 ha of lizard habitat compared to 18.83 ha at the DOC-Give, including 7.75 ha of high-quality habitat compared to 4.29 ha, an increase of 14.36 ha of lizard habitat overall and 3.46 ha of high-quality habitat specifically (Appendix B2, Table 3).

24. More habitat of higher quality, even in the absence of intensive pest control, represents a meaningful conservation gain. Larger and more structurally complex habitat provides greater refugia from predation, supports greater population resilience, and increases the likelihood of lizard populations persisting over time. A point Mr Burns himself acknowledges at paragraph 21 of his evidence (Appendix 4B).
25. The proposed pest control should therefore be understood as a supplementary benefit rather than the primary justification for the exchange. For lizards, the primary justification stands independently on habitat quantum and quality alone.

Land Exchange Considering QEII Covenant Areas

26. If discounting of the conservation values of the QEII land is required, I note that when considering the conservation values of the land to be acquired by the Crown, for the purpose of forming its view, the Panel must discount the extent to which the conservation values of the land are affected by anything registered or noted for conservation purposes on the title.
27. The two areas of QEII covenant land within the DOC-Get site has a notable influence of the quantum of lizard values being exchanged by excluding the conservation values assigned to the QEII covenants (**Table 2**). However, the total area of lizard habitat at the DOC-Get sites is still greater by 2.2 ha, and the differences between high, medium and low value habitat effectively balance each other out such that a relatively comparable exchange in lizard values is achieved, slightly in DOC's favour.

Table 2. Comparison of the area of lizard habitat values between the DOC-Get and DOC-Give sites if discounting of the conservation values of the QEII land is required.

Lizard Habitat Value	DOC-Get (ha)	DOC-Give (ha)	Total Difference
High	4.67	4.29	Increase for DOC of 0.38 ha
Medium	12.94	13.99	Decrease for DOC of 1.05 ha
Low	3.37	0.5	Increase for DOC of 2.87 ha
Total	20.98	18.83	Increase for DOC of 2.2 ha

Conclusion

28. The central question before the Panel in relation to lizard values is whether the proposed land exchange results in an equivalent or better conservation outcome for lizards. The evidence establishes that it does, and that Mr Burns' criticisms do not undermine that conclusion.
29. On survey methodology, the 2025 Blueprint Ecology survey was appropriate, targeted, and well-suited to the habitat and species present. The omission of CCFCs was a considered methodological judgment justified by the structural characteristics of the forest. Mr Burns' criticism of that omission rests on a material error of fact, attributing all 51 gecko detections to CCFCs alone when the BECA Lizard Management Plan expressly records that figure as the combined yield of 16,000 CCFC check-days and 120 person-hours of spotlighting. The criticism does not establish survey inadequacy.
30. On habitat equivalence, Mr Burns accepts the applicant's core methodology of correlating lizard values with vegetation maturity and complexity (Appendix 4B, para 19). The area's most likely to support ngahere gecko at all sites are already assessed and mapped as high quality, a characterisation Mr Burns does not dispute. No additional survey data, however obtained, would materially alter those ratings.
31. On pest control, it is accepted that seasonal rat trapping alone will deliver limited direct benefit to lizard populations. However, the conservation case for the exchange does not depend on pest control outcomes for lizards. It depends on habitat quantum and quality and on both measures the exchange delivers a demonstrable net-gain for DOC.
32. Overall, the matters raised by Mr Burns in relation to lizard values do not identify any deficiency in the habitat equivalence assessment that would alter the conclusions available to the Panel. The land exchange delivers a meaningful and demonstrable improvement in lizard habitat extent and quality, and the assessment supporting that conclusion is methodologically sound.

Yours sincerely,

s9(2)(a)

Tony Payne

Principal Ecologist²



² This report has been prepared by Blueprint Ecology Limited on the instructions of our Client in accordance with the agreed scope of work. It is intended to support the Client's application for a land exchange and may be relied upon by the Department of Conservation and relevant administering agencies for the purposes of assessing the application. While Blueprint Ecology Limited has exercised due care in preparing this report, it does not accept liability for any use of the report beyond its intended purpose. Where information has been supplied by the Client or obtained from external sources, it has been assumed to be accurate unless otherwise stated.

Belmont Land Exchange Application (Archaeology)

1. My full name is Ellen Ann Cameron. I have been a Director at Clough & Associates since 2022. Previously I was a Senior Archaeologist at Clough & Associates from 2014. I hold a Master of Science Degree in Environmental Archaeology and Palaeoeconomy from the University of Sheffield (1991). I am also a member of the New Zealand Archaeological Association (**NZAA**).

2. I have 30 years' experience in cultural heritage management. I specialise in the field of archaeology including research, survey, excavation, analysis and report preparation, initially in Asia, and have worked full time in New Zealand carrying out assessment of effects for development and infrastructure projects since 2014.

3. I have been engaged by Winstone Aggregates to provide technical assistance in relation to its fast-track application for a land exchange for Belmont Quarry (FTA308). I previously prepared:

- Archaeological Assessment Report dated November 2025
- Response to comments on the land exchange application dated 4 April 2026

4. I am familiar with the area to which the application for the land exchange relates. I have visited the area of the land exchange on two occasions, on 25 November 2022 and 27 June 2025. As well, a Clough & Associates archaeologist has also visited the DOC Give Site to inspect the archaeological site on 18 March 2026.

5. Although this is not a hearing before the Environment Court, I record that I have read and agree to and abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2023. This evidence is within my area of expertise, except where I state that I rely upon the evidence of other expert witnesses as presented to this hearing. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

I provide the following statements in response to the draft report by the Director-General of Conservation and in particular Appendix 4F Heritage dated 29 May 2026 below.

6) I agree with the statements in Paragraphs 9 and 10 in Appendix 4F that based on the author's review, the proposed transfer would not impact on the conservation of cultural heritage values.

7) I also agree with the author's statement in Paragraph 12 in Appendix 4F that the recorded archaeological site is of low cultural heritage value and agree that if it were to be determined to be of pre-1900 origin an Authority would be required before it could be modified.

8) I also agree with the author's statement in Paragraph 19 in Appendix 4F that any archaeological sites identified in future would likely be of overall low cultural heritage values, but that the archaeological provisions of the heritage New Zealand Pouhere Taonga Act would still apply.

9) I have reviewed Table 1 in Appendix 4F for the ranking of values for the DOC Give sites. I note that in Table 1 that the archaeological significance or value of Site R27/910 is ranked and low to medium. In my professional opinion, based on the current knowledge of the site, the significance is currently low, however, as the presence of subsurface remains has not been established, the ranking of medium could be applied in future if based on the nature of any such remains, and their condition and extent.

10) I have also reviewed Table 2 in Appendix 4F and agree with the ranking of the DOC Get sites in the Northern Gully but note that this should also be applied to the Southern Gully, as there is potential for archaeological remains of the tramway identified on an historical plan to also be present in both the Northern and Southern Gully sites. This would result in a low-medium ranking for archaeological value for Southern Gully.

11) Also with regards to Table 2, I note that In Paragraph 6 in Appendix 4F it is stated that broader cultural values identified and associated with mana whenua are not addressed in this report. However, Table 2 contains a "Cultural Value" with low value assigned for all of the land exchange sites. In this case I recommend that the cultural values column is removed completely from the table or that the low value is removed and replaced that this value is to be determined by mana whenua.

12) If discounting of the conservation values of the QEII land is required, I note that when considering the conservation values of the land to be acquired by the Crown, for the purpose of forming its view, the Panel must discount the extent to which the conservation values of the land are affected by anything registered or noted for conservation purposes on the title.

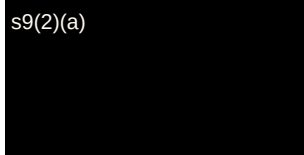
13) The QEII covenant on the land (No. 5-07-755) is for the protection of open space values, these are defined in the covenant instrument as protection and enhancement of the natural character of the covenant area with particular regard to the indigenous flora and fauna, maintenance and

enhancement of the landscape value of the covenant area, and focusing on enhancing the restoration of the covenant area.

14) Archaeological values are not associated with or affected by QEII covenants and there is no reference to these values in the covenant. The relevant archaeological values of the exchange are therefore unaffected by the presence of QEII covenants. My overall rating for the values of the DOC Get and DOC Give land remains unchanged, regardless of discounting.

Signed:

s9(2)(a)

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Ellen Cameron

10 June 2026

11 June 2026

Rebecca Cotter
Senior Legal Counsel
Fletcher Building
Private Bag 92114
AUCKLAND 1142

By email: [REDACTED] s9(2)(a)

FAST-TRACK APPROVALS ACT 2024 – EFFECT OF THE AMENDMENT ACT’S TRANSITIONAL PROVISIONS

Introduction

1. As part of its future expansion of Belmont Quarry, Winstone Aggregates is proposing a land exchange with the Director-General of Conservation.
2. The Fast-track Approvals Act 2024 (**FTAA**) provides a process for such an exchange whereby the application for exchange is first lodged with the Director-General, after which the Director-General will seek comments from the applicant and interested parties, and will then prepare a report. The applicant then submits that report as part of a substantive application for an approval of that land exchange under the FTAA.
3. Winstone Aggregates lodged the application with the Director-General on 10 December 2025, and the report from the Director-General is not likely to be available until around July 2026. The FTAA prevents the lodgement of a substantive application for a land exchange approval unless it is accompanied by a final report from the Director-General. This means that Winstone Aggregates will not be able to lodge its substantive application until after that date.
4. In late 2025, amendments were passed to the FTAA (**Amendment Act**). Relevant to this advice, these amendments made changes to the criteria to be applied by an Expert Panel to the granting of substantive application for a land exchange approval (**Amended Criteria**). The reference in this advice to “existing law” and “new law” means the law applying prior to and after the Amended Criteria taking effect.
5. You initially asked for my opinion whether or not the Amended Criteria (ie the new law) applies to a consideration of either or both of the:
 - a. application for land exchange made to the Director-General;

- b. substantive application.
- 6. That advice was provided on 2 March 2026.
- 7. You subsequently requested advice on the following matters raised by the Draft Report on the land exchange dated 29 May 2026 prepared on behalf of the Director-General of Conservation under s 35(3) of the FTAA (**Draft Report**):
 - a. whether I agree with the contents of the legal memorandum attached to the Draft Report, and, if not, why not;
 - b. whether further information can be sought by the Expert Panel when considering the Draft Report, under sections 67 and 68 of the FTAA;
 - c. whether I could identify a practicable path through the different legal interpretations that would preserve the objective of the FTAA, while responding to concerns of fairness and natural justice.
- 8. This opinion therefore represents my consolidated and updated advice on all matters in paragraphs 5 and 7 above, and supersedes the advice provided on 2 March 2026.

Advice

Applicable Law

- 9. In my opinion, the land exchange application should be fully determined under the existing law (including any decision on a substantive application by an Expert Panel).
- 10. My reasons follow.
 - a. The legislative intention of the Amendment Act is that a land exchange application that is lodged under the existing law will be determined under the existing law. It makes no sense for the land exchange application to be only partly determined under the existing law and then “change” part way through the process to be determined under the new law.
 - b. While the FTAA defines a “substantive application” as being separate from a land exchange application in the interpretation section, there is no separate decision made on a land exchange application except as part of a substantive application. (A substantive application is defined by the FTAA as being an application for one or more of the listed approvals, one of which is of course an application to exchange land.) This is in contradistinction to a referral application, which is subject to a specific decision on that application. (To that extent, I do not agree with the characterisation of the land exchange application process being an application to obtain 'a report' from the Director-General, following which there is a separate application for the land exchange as part of a substantive application. In my view, the land exchange processes commences with the land exchange application and is completed once an Expert Panel issues its decision on that application.)

- c. The 3 parts to the definition of “application” in the transitional provisions makes sense because those transitional provisions would need to capture 3 separate scenarios:
 - i. A referral application, which should continue to be processed and decided under the existing law.
 - ii. A land exchange application, which must be commenced prior to a substantive application, but is then decided under a substantive application.
 - iii. A substantive application, which can of course include many approvals other than a land exchange application.
 - d. I do not agree that the fact that the application is defined in this way means that, for the purposes of the transitional provisions, a land exchange application is required to be subject to different transitional provisions because it is subsequently part of a substantive application. (If that was the intention, then there would have been no purpose in referring separately to a land exchange application - because all such land exchange applications need to be part of a substantive application, the transitional provisions could have simply made the threshold date the time of lodgement of the substantive application and not referred to a land exchange application at all.)
11. My interpretation is consistent with the context of the FTAA’s transitional provisions, including cl 6(1), Schedule 1: “This Act, as in force immediately before the first commencement date, continues to apply in respect of an application lodged before the first commencement date.” The “application” in this case is the land exchange application.
 12. No absurdity arises from my interpretation, however there would be an absurdity with an interpretation that meant that an application was lodged and a report prepared under the existing law, but that the Expert Panel must make a decision on that same application under a different law (ie the new law). This is particularly problematic given the core importance of the report provided by the Director-General to the Expert Panel in response to any land exchange application and the specific statutory process for these steps (s 32-36, FTAA). This includes seeking specific comment from a range of separate groups, and the preparation of a report addressing the matters specified in cl 26 of Schedule 6, the information lodged under s 33(1) and all comments received under s 35(1) or (5). The report may also include advice on matters relating to ss 82, 83 and 84 (these are 3 core decision-making considerations). The report is also able to specify conditions “that must be imposed” by an Expert Panel (s 33 and cl 26, Schedule 6). Before finalising the report, the Director-General must invite comments on the draft report from both the applicant and from any group that provided comments.
 13. Of particular importance is clause 27, Schedule 6 “For the purpose of s 43(3)(f) [contents of a substantive application for a land exchange], the application [for land exchange] must contain the report provided to the authorised person under section 35 [the Director-General’s report]; and must not contain any further information in relation to the land exchange”. In other words, it

appears that the only information able to be presented in a substantive application for a land exchange is the Director-General's report prepared, in this case, under the existing law.

14. I have considered the possible reasons for taking a different approach to the interpretation of these provisions (ie for suggesting that the existing law applies to the land exchange application and the new law applies to the substantive application). Those reasons are not persuasive and certainly do not discount the clear absurdity that would arise from an application being lodged and considered under one statutory regime but the substantive decision on that application must be made under a different regime. In that regard:
 - a. There is no evidence that the concern resulting in the Amended Criteria being implemented through the new law was so significant as to warrant impacting applications already underway and therefore having a form of retrospective effect. To the contrary: the Select Committee report on the Amendment Act was aware of concerns about potential retrospective application of the law to applications in process, and noted there would be transitional provisions added to "avoid adverse effects on applicants, commenters, and expert panels for applications that are currently in train."
 - b. While the transitional provisions do provide for some elements of the process to be amended part way through consideration of a substantive application, these all appear to be carefully written so as to ensure that the applicant or any commenter is not prejudiced (eg by needing to repeat consultation already undertaken). In contrast, the contrary interpretation to that which I support would result in significant prejudice to the applicant in this case (Winstone Aggregates) who has developed and lodged its application for a complex project on the basis of a particular understanding of the legal position.
 - c. Finally, I acknowledge that the plain words (read literally) of cl 8, Schedule 1, would mean that a substantive application lodged after 31 March should be determined in accordance with the new law. In my opinion the necessary gloss on that is that all approvals sought as part of substantive application must be based on the new law **except for** the land exchange application component of any substantive application, which should be determined under the law existing at the time the land exchange application was lodged. This gloss is not only appropriate but is necessary given that, as highlighted above, the core (and in fact, only) piece of information that can be provided as part of a substantive application is the Director-General's report - which must be prepared under the existing law. Further:
 - i. I have earlier addressed at paragraph 7(c) and (d) the reasons why "land exchange application", "land exchange" and "substantive application", have all been given separate definitions under the Amendment Act.

- ii. I do not consider it appropriate that an Expert Panel could address a fundamental change in the assessment criteria (ie the Amended Criteria) through requests for further information that seek clarification of some completely new statutory test. That would be completely inconsistent with the clear statutory requirement that the substantive application **must only** include the Director-General's report.
- iii. Nor do I consider it appropriate for the Director-General's report to include any assessment of the Amended Criteria (ie the new law). Doing so would run directly contrary to the uncontentious statutory requirement that the land exchange application be processed under the existing law.

Draft Report

- 15. The FTAA requires that a draft land exchange report be provided to an applicant and any identified party who provided comments (s 35(5), FTAA).
- 16. I make the following comments about the Draft Report, including Appendix 5 which comprises a legal memorandum. I have deliberately avoided restating my opinion set out above.
- 17. As to the central issue as to whether the existing law or new law should apply:
 - a. The Department and the legal memorandum agrees with me that the Draft Report must be prepared under what I have termed above as the "existing law" (ie the law prior to the December 2025 amendments) (Draft Report, p 17; Legal memorandum, [7.3]).
 - b. The Department does not agree me with that the Expert Panel should also make its decision on the substantive application for land exchange under the existing law. Rather, it says, the Expert Panel must apply the new law.
 - c. The legal memorandum suggests that, even under the existing law, it might have been open to an Expert Panel to discount conservation values that are already protected on the title of land proposed for exchange (ie via QEII covenants or otherwise) – this is due to the breadth of the criteria under cl 26, Schedule 6 (Legal memorandum, [11]). I do not agree. Parliament considered it necessary to make a change to clause 29 by adding sub-clause (2A):

When considering the conservation values of the land to be acquired by the Crown, for the purpose of forming its view under subclause (2), the panel must discount the extent to which the conservation values of that land are affected by anything registered or noted for conservation purposes on the record of title for that land.
 - d. Importantly, that amendment in December 2025 was also accompanied by another change, which effectively allowed an applicant to undertake works on other land so as to achieve an overall enhancement of conservation values. The change was to extend the available land from "land managed by the Department of Conservation" to "conservation

areas and Crown-owned reserves considered as a whole”. This amendment to clause 29(2) of Schedule 6 is shown below:

(2) The panel must not grant the approval unless the panel is satisfied that the land exchange (including any money that may be received under [clause 30](#) and any conditions that the panel may impose in accordance with [clause 32](#)) will enhance the conservation values of land managed by the Department of Conservation conservation areas and Crown-owned reserves considered as a whole.

- e. This is an important acknowledgement that:
 - i. the requirement to discount was coupled with the introduction of relief to broaden the areas upon which enhancements could be considered, to allow for off-site improvements; and
 - ii. in the past, land developers (and particularly quarry operators) registered covenants over other areas of land that they might own that had existing high ecological values.
 - f. Accordingly, if an applicant for a land exchange proposal was required to discount the effect of that covenant, then many applicants would not be able to meet the enhancement of conservation values test because they would not own any land to swap that was not subject to a covenant. Hence the need to be able enhance the values of a much wider subset of land, ie beyond that managed by the Department of Conservation and beyond the boundaries of the land in question.
 - g. In my opinion, both of these changes must be read and applied together. It would be an error of law to interpret the existing law in a manner that allowed the Expert Panel to undertake this discount, but did not allow an applicant to rely on works on third party land to achieve the necessary enhancement in conservation values.
18. In respect of whether or not ss 67-68 provide a method by which the Expert Panel could receive further information, I say:
- a. The Department suggests that the apparent “gap” between the Draft Report being prepared under the existing law and the Expert Panel’s decision being made under the new law can be plugged by the Expert Panel requesting further information (ss 67 and 68, FTAA). I observed above that there is no ability for any party to proactively present further information to an Expert Panel under the FTAA for the substantive application for land exchange (ie there is no “comments-process”), but I do agree that it might be possible for the Expert Panel to seek further information under s 67, and that if the Expert Panel did decide that the new law applied, then it would have to exercise this process in order to bring to it the relevant material on which to base a sound decision.
 - b. While I agree that the s 67 request for information process is a possible route open to an Expert Panel, that process is intended to deal with matters of detail and not issues that are fundamental to the success or otherwise of any application. In this case, which law applies has a material

impact on whether or not the application can meet the statutory test, and if so, how much mitigation works are required.

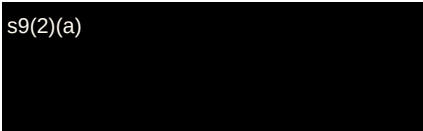
- c. A more fundamental concern is that because an applicant would need to be able to respond to new information (and potentially other parties), then this effectively creates a “comments-process” which the FTAA has limited, in the context of a land exchange, to comments on the draft land exchange report– in other words, such a comments process at the substantive application stage appears to be in direct conflict with the clear statutory intent as to how a land exchange process should work.
 - d. I do not agree that s 68 would provide an avenue for the Expert Panel to seek comment from all parties, which as a matter of fairness it would need to do. Section 68 only allows the seeking of advice from a limited range of entities (ie Director-General of the Department or CEO of LINZ), and otherwise only for a limited range of issues (ie potential risks or liabilities to the Crown). It does not contemplate other parties having a right to respond to that advice.
19. So, where to from here?
 20. The Expert Panel will have to make a determination as to whether the existing law or the new applies to the substantive application for the land exchange. (I agree that the new law applies to all other substantive applications that will be lodged.)
 21. While the Expert Panel might seek further information under s 67, FTAA, there is no legal requirement for it to do so. Accordingly, while my advice remains that the Expert Panel should continue to apply the existing law to the substantive application for the land exchange, the Expert Panel might take a different view and decide to apply the new law. Winstone Aggregates will not know which law applies until (at least) the Expert Panel is appointed, and potentially not until the issue of the draft decision.
 22. I therefore recommend that, in providing comments on the Draft Report, Winstone Aggregates offers two versions of the proposed conditions for the land exchange approval:
 - a. One version would set various conservation enhancement works that would be undertaken on the applicant’s exchange parcels, but without applying any discount to the conservation values of land subject to a QEII covenant (ie the existing law).
 - b. Another version would set out the conservation enhancement works or other measures that would be undertaken, primarily off the applicant’s exchange parcels, and which would discount the conservation values of land subject to a QEII covenant.
 23. Either one of these version should allow the necessary statutory test to be met and, subject to the Expert Panel generally being comfortable with the form of the conditions, it could elect either set based on its finding as to the applicable law and subject to the other provisions of the FTAA generally and Schedule 6 in particular.

Conclusion

24. Please contact me if you need any further elaboration of my opinion above.

Yours sincerely

s9(2)(a)

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Bal Matheson KC

Appendix 7 - Package A

Draft conditions proposed by Winstone in response to the Draft Report

This approval for land exchange is conditional until the Minister of Conservation is satisfied that Conditions 1 to 44 below (being pre-conditions imposed in accordance with clause 31 and conditions imposed in accordance with clause 32 of Schedule 6 of the Fast-Track Approvals Act 2024) are complied with.

Definitions:

Approval Holder Means the authorised person for the purposes of the Schedule 2 listing, being Winstone Aggregates (A Division of Fletcher Concrete and Infrastructure Limited), or any successor approved in writing by the Minister, being the entity to whom approval is granted under these conditions.

Approval holder's land: Means the land in the ownership or control of the Approval Holder that is subject to the Land exchange and identified as the parcels known as:

- Northern Gully: means the area of land comprising approximately 12.62 hectares being part of Lot 1 DP 60552 and Lot 5 DP322126, and as identified in approved plan [x]
- Southern Gully: means the area of land comprising approximately 3.94 hectares, being Lots 4 and 5 DP 32212, and as identified in approved plan [x]
- Firth Block: means the area of land comprising approximately 9.6 hectares, being part of Lot 1 DP 60552 and Part Lot 1 DP 22561, and as identified in approved plan [x] and
- Dry Creek: means the area of land comprising approximately 7.94 hectares being Part Lot 1 DP 28205, and as identified in approved plan [x]

DOC – Get: Means the land to be transferred from the Approval Holder to the Crown and administered by the Department of Conservation, comprising the Approval Holder's land and shown on approved plans x.

DOC – Give: Means the land currently owned by the Crown and administered as part of the Belmont Regional Park that is to be transferred to the Approval Holder, comprising approximately 23 hectares (more or less), as shown on the approved plans [X].

Crown Land: Means land owned by the Crown and held for conservation or reserve purposes, including land administered by or on behalf of the Department of Conservation under the Conservation Act 1987 and/or the Reserves Act 1977.

The Minister: Means Minister for Conservation, or any person acting under delegated authority on behalf of the Minister, in accordance with the Conservation Act 1987 or the Reserves Act 1977.

Proposed Draft Pre-Conditions for land exchange

To prepare the land for exchange, the following pre-conditions are imposed under schedule 6, clause 31 and must be completed within 2 years of the date of approval:

1. The Approval holder must provide a draft survey plan to the Minister no less than 10 working days before submitting the final survey plan under condition 2. Any comments provided by the Minister within that period must relate only to the identification of the exchange boundaries and required transfer mechanics.
2. The Minister or the Minister's delegate must, acting reasonably, approve or reject the final survey plan within 10 working days of receipt. Any rejection must be accompanied by written reasons. If no response is given within that period, the plan is deemed approved.
3. The Approval holder shall obtain all consents and approvals required to separately define the Applicant's land and to enable ownership of that land to be transferred to the Crown. The Approval holder's land will be provided free of all encumbrances and interests, except for the following interests that must remain in place and be brought down onto the new titles:
 - a. Open Space Covenant Pursuant to Section 22 of the QEII National Trust Act 1977 (Lot 1 DP60552 and Part Lot 1 DP22561 – Creating document 10476608.1);
 - b. Right of way over Part Lot 1 DP28205 (Creating Document 701267); and

- c. Easement in Gross – Quarrying effects, shown on Lots 4, 5 and 100 DP322126, burdened land Lots 4, 5 & 100 DP322126 (creating document 5835385.5).
4. The Crown and the Approval holder must each promptly do all things reasonably required to enable the Crown Land to be transferred to the Approval holder as fee simple land, free of encumbrances and without reserve classification on Gazettal. The Minister must not unreasonably withhold, delay or condition any approval or execution required for that purpose.
5. Before settlement, the Approval holder must install a fence approximately 60 metres in length and set back 6 metres from the Firth Block pit face in the location shown on Drawing W15069_Land_Exchange_Concept Boffa Miskell 1 December 2025, or as otherwise certified by a suitably qualified geotechnical engineer for equivalent safety outcomes. The design and location certification must be provided to the Minister before construction.

Encumbrances

6. The Approval holder will transfer its estate and interest in the Approval Holder's land to the Minister free from all leases and tenancies and discharges from all mortgages, charges and other encumbrances other than those listed in Condition 3.

Costs

7. For avoidance of doubt all reasonable costs associated with complying with Conditions 1 to 6 shall be met by the Approval holder.
8. The Approval holder must pay the Minister's reasonable costs and expenses of, and incidental to, preparing and signing the Exchange Agreement or any extension or variation of it, including surveying, conveyancing and legal costs.
9. The Approval holder must pay all reasonable costs associated with the Minister's work to give effect to the Exchange Agreement, calculated at DOC's standard cost-recovery rates current at the date the work is undertaken and invoiced within 3 months of the relevant work being completed.
10. The Approval holder must pay in full immediately and on demand all reasonable costs and fees (including solicitors' costs and fees of debt collecting agencies engaged by the Minister) arising out of and associated

with steps taken by the Minister to enforce or attempt to enforce the Minister's rights and powers under the Exchange Agreement including the right to recover outstanding money owed to the Minister.

Easements

11. The Approval holder shall survey and register the appropriate easements as shown on Scheme Plan SC-02 (Appendix B10a), including but not limited to:
 - a. Easement Z (Right of Way) to be granted over part of Lot 9 for the benefit of Lot 10 (comprised in the DOC-Get Area) for the purpose of conservation activity and maintenance undertaken by DOC or its agents and public pedestrian access. DOC shall have the full and unrestricted right of access, including the right to enter, pass, and repass on foot or by vehicle or machinery, together with its employees and contractors, for the sole purpose of accessing adjoining conservation land for inspection and maintenance related to conservation purposes. Public pedestrian only access shall be permitted, subject to any reasonable temporary restrictions required for public safety, ecological restoration works, pest or weed control, maintenance, fire risk, weather events, or quarry operational safety and may be reasonably determined and specified from time to time by the grantor. DOC shall have the right to carry out inspection, maintenance, repair, and improvement works on any tracks, roads, or structures within Easement Z as reasonably required for conservation purposes and managing public pedestrian access subject to standard terms regarding the suitable management of health and safety obligations and ensuring that the grantor has reasonable prior notice of the intended access and programme of works.

Bonds for Conservation Works

12. If the Land Exchange is approved, the Approval holder shall provide to the Minister, before giving effect to the exchange, a performance security ("Bond") for the purpose of ensuring completion of the "Conservation Improvement Works" defined below. The Bond shall:

(a) **Scope:** Secure the Approval holders timely performance of all identified Conservation Improvement Works on the land to be given, as specified in Conditions 13, 22, 27 and **Error! Reference source not found.** (for example, weed clearance, native planting, fencing, and pest-management), but shall not cover any other obligations.

(b) **Amount:** Be in an amount equal to the reasonably estimated cost (as certified by an independent Quantity Surveyor or registered valuer or contractor) of completing the Works. The Bond amount shall be subject to audit and revaluation by mutual agreement (or by binding expert determination if disputed). In no case shall it exceed a specified cap \$200,000.

(c) **Form:** Be provided by way of a performance guarantee by a group company of the Approval holder which provides performance security, or (if preferred by the Approval holder) an unconditional bank guarantee or irrevocable performance bond from a NZ-registered bank or insurer reasonably acceptable to the Minister (alternatively, a cash deposit may be lodged).

(d) **Release Schedule:** The Bond shall be released in two stages:

(i) fifty percent (50%) upon completion and acceptance of the specified Conservation Improvement Works by the Minister or the Minister's agent; and

(ii) the remaining fifty percent (50%) at the close of the 24 month maintenance period following such completion, provided the land remains free of noxious weeds and meets agreed success standards. If all Conservation Improvement Works are completed to satisfaction before the expiry of 24 months, the second half may be released early.

(e) **Default and Call:** The Bond shall only be drawn upon if the Approval holder fails to complete the specified Conservation Improvement Works by the agreed deadlines (or maintain them during the maintenance period) after receiving written notice and a 30 working day cure period. Any call on the Bond shall be limited to the cost of completing or remedying the Works, and the Applicant may dispute any call by written notice; unresolved disputes will be referred to arbitration in New Zealand under the Arbitration Act 1996 before funds are released.

Conservation Improvement Works means those specific enhancement works or restoration measures agreed by the parties and detailed in an annex to these conditions (for example, specified planting areas, pest-proof fences, access tracks, or restoration of riparian margins).

The Bond is a section 78 condition (Crown risk condition) and shall not be used as a penalty. The value of the Bond is expressly intended to cover only the cost of completing the above-defined Conservation Improvement Works.

Fencing

13. The Approval holder must construct, only that boundary fencing which is reasonably necessary to exclude persons, meet any existing covenant requirement, or address an identified safety risk on the external boundary of the land being transferred to the Crown. The required locations and fence standard must be identified in a pre-settlement fencing plan agreed by the parties, acting reasonably.

Rates

14. There shall be no apportionment of rates or other outgoings paid by the Parties.

Structure and improvements, condition of land

15. The land being acquired by the Approval holder, including any structures or improvements thereon, is transferred and accepted by the Approval holder on an “as is, where is” basis.
16. The Minister accepts no liability (financial or otherwise) in relation to any structure or other improvement on the land being acquired by the Approval holder, including for any remedial, removal, or maintenance costs associated with any structure or improvement.
17. The Approval holder must remove from the Approval holder’s Land only those structures, improvements or materials identified in a joint pre-settlement schedule prepared by the parties, no later than 20 working days before settlement. Reinstatement is limited to areas directly disturbed by that removal.
18. Any structure or improvement expressly agreed in writing to remain on the Approval holder’s land at settlement must, as at settlement, be safe for its

intended use and lawful so far as reasonably ascertainable from existing records and visible condition.

19. The Approval holder must remove surface rubbish, dumped materials and anthropogenic debris identified in the joint pre-settlement schedule or visible upon reasonable inspection, and reinstate areas directly disturbed by that removal. This condition does not extend to buried material not identified in pre-settlement investigations.

Ecological Restoration Plan [ERP]

20. No later than 20 working days before settlement, the Approval holder must provide DOC with an Ecological Restoration Plan [ERP] prepared by a suitably qualified and experienced ecologist and certified by that ecologist as being consistent with these conditions.
21. The ERP must be prepared by a suitably qualified and experienced ecologist.
22. The purpose of the ERP is to:
 - a. reduce target species on the Northern Gully, Southern Gully, Firth Block and Dry Creek sites, including the wetlands, to a target of 90% eradication.
 - b. protect and improve the condition of indigenous vegetation on the sites;
 - c. successfully establish 200 swamp maire in the Southern Gully;
 - d. target 90% success rate of planted swamp maire so that at least 180 specimens survive after seven years;
 - e. achieve the standards in Table 1 for weed species;
 - f. achieve the standards in Table 2 for replanting of indigenous vegetations; and
 - g. target a 90% success rate for newly planted indigenous vegetation after five years (other than swamp maire which has a seven year timeframe).

To achieve this purpose, the ERP must include the following:

- h. Measures for how weed control will be undertaken on the sites. The target weed species are those listed in Table 1;
- i. Measures for managing the introduction of weed plant species to the sites;

- j. Identification of times of year to focus on particular weed control strategies;
- k. Methods for giving effect to the Greater Wellington Regional Pest Management Plan;
- l. A yearly report on the results of weed management will be provided to DOC.
- m. Baseline and ongoing monitoring of threatened plant populations and weed species at the sites;
- n. A planting plan for indigenous species including the timing of plantings;
- o. Adaptive management and restorative measures to ensure the survival of threatened plant populations on the sites.

Table 1. Weed management requirements

Location	Duration of management	Target objective
Northern Gully	5 years	90% eradication of the following weed species: • Old man's beard (<i>Clematis vitalba</i>) • Tradescantia No exotic canopy tree species.
Southern Gully	5 years	90% eradication of the following weed species: • Blackberry • Exotic vines • Pampas
Dry Creek	5 years	90% eradication of weed species • Exotic weeds • Broom • Gorse • Buddleia • Spanish heath • Old man's beard • Wattle • Tradescantia • Rama grass • Soft rush nasturtium • Creeping buttercup • Verbena • Ink weed • Pampas
Firth Block	5 years	90% eradication of weed species

Table 2: Ecological restoration requirements

Location	Indigenous species	Minimum area/ density / number of specimens	Timeframe and target success rate
Southern Gully	Swamp maire	200 individual plants to be planted when they reach at least PB3 size with a vegetative minimum height of 600mm (not including the bag). This is likely to be 2 years after propagation of seedlings.	90% success rate in the seventh year following planting on the site.
Dry Creek	A mixture of the following species all eco-sourced: • Pigeonwood (<i>Hedycarya arborea</i>), • Ramarama (<i>Lophomyrtus bullata</i>), • Hebe (<i>Veronica stricta</i> var. <i>stricta</i>), • Kānuka (<i>Kunzea robusta</i>), • Five finger (<i>Pseudopanax arboreus</i>), • Wharangi (<i>Melicope ternate</i>), • Shining karamu (<i>Coprosma lucida</i>), • Thin leaved coprosma (<i>Coprosma areolate</i>), • Kanono (<i>Corprosma grandifolia</i>),	Replanting of 0.8 ha with indigenous species within three years. Minimum 7,000 plants, of which at least 500 must be ramarama.	90% success rate in the fifth year following planting.

	• Karamū (<i>Coprosma robusta</i>)		
Firth Block	Kāmahi (<i>Pterophylla racemosa</i>) Kānuka (<i>Kunzea robusta</i>)	Minimum of 1,000 of each species planted within 10 m of the quarry edge within one year The location must avoid the skink mitigation site that has previously established.	90% success rate in the fifth year following planting.

23. The ERP must be prepared in consultation with Taranaki Whānui ki te Upoko o Te Ika and Te Rūnanga o Toa Rangatira. It may identify opportunities for mātauranga Māori, cultural engagement and restoration participation.
24. The Approval holder must provide a draft ERP to Taranaki Whānui ki te Upoko o Te Ika and Te Rūnanga o Toa Rangatira for comment no later than 20 working days before finalising the ERP. When providing the final ERP to DOC, the Approval holder must include any written comments received and a brief response schedule explaining how those comments were addressed. The Approval holder bears its own consultation costs and any reasonable, pre-agreed tangata whenua participation costs, but not DOC's internal review costs under this condition

Mammalian Pest Management Plan

25. No later than 20 working days before settlement, the Approval holder must provide DOC with a Mammalian Pest Management Plan certified by a suitably qualified and experienced ecologist or pest-management practitioner as being consistent with Conditions 26 to 27.
26. The purpose of the Mammalian Pest Management Plan is to set out how mammalian pest control will be undertaken on the Northern Gully, Southern Gully, Firth Block and Dry Creek sites to support the ecological restoration outcomes required by these conditions.
27. The Mammalian Pest Management Plan must include:
 - a. the target pest species listed in Table 3;
 - b. the areas where pest management will be undertaken;

- c. the control methods and timing of control;
 - d. monitoring methods for target pest species;
 - e. response actions where monitoring or contractor observations indicate that pest activity is materially reducing the effectiveness of restoration or natural regeneration; and
 - f. annual reporting to DOC.
28. The Mammalian Pest Management Plan may be amended where the amendment is certified by a suitably qualified and experienced ecologist or pest-management practitioner as improving practicality or effectiveness while remaining materially consistent with these conditions. The Approval holder must provide DOC with a copy of any certified amendment before it is implemented. A pest detection or increase in pest activity is not, of itself, a breach of these conditions, provided the Approval holder implements the relevant response actions in accordance with the Mammalian Pest Management Plan.

Table 3. Mammalian pest control management

Location	Pest species	Duration	Response trigger
Northern Gully	Possums	10 years	Contractor records observations indicate pest levels are materially reducing
Northern Gully Tawa-Kāmahi Northwestern Forest and Eastern Pukatea Forest	Goats Rats		
Southern Gully	Possums	10 years	Contractor records observations indicate pest levels are materially reducing
Firth Block around the water body bordering the park, OBDA and Firth Block (Farm Pond)	Rodents	10 years	Contractor records observations indicate pest levels are materially reducing
All sites	Mustelids	10 years	Contractor records observations indicate pest levels are materially reducing

Proposed draft conditions (CI.32 Sch.6)

To prepare the land for exchange the following conditions are imposed under schedule 6 clause 32:

29. The land being given by the Crown by way of exchange must be transferred to the Approval holder, without reservation, classification, interest or encumbrance. And must be transferred from the Crown to the Approval Holder after Gazettal.
30. The Approval holder's land will be provided to the Crown free of all encumbrances and interests, except for the following interests that must remain in place. These must be specified in the exchange Gazette notice and brought down onto the new titles:
 - a. Open Space Covenant Pursuant to Section 22 of the QEII National Trust Act 1977 (Lot 1 DP60552 and Part Lot 1 DP22561 – Creating document 10476608.1).
 - b. Right of way over Part Lot 1 DP28205 (Creating Document 701267); and
 - c. Easement in Gross-Quarrying effects, shown on Lots 4, 5 and 100 DP 322126, burdened land Lots 4, 5 & 100 DP322126 (creating document 5835385.5).

Ecological restoration

31. The Approval Holder must undertake the anticipated activities in accordance with the certified ERP prepared in accordance with pre-conditions 21 to 24 above at all times.
32. The Approval holder may amend the ERP where the amendment is certified by a suitably qualified and experienced ecologist as improving practicality, efficacy or environmental fit while remaining materially consistent with these conditions. The Approval holder must give DOC written notice of the amendment at least 10 working days before implementation. If DOC objects within that period and explains the inconsistency relied on, the amendment must not proceed until resolved.
33. The ERP may be amended by the Approval holder at any time, provided the amendments are:
 - a. for the purpose of improving the efficacy of the management of weeds;
 - b. for the purpose of providing for better planting and maintenance methodology(s). This may include substituting plant species if it is

- found that a more appropriate plant species is better suited to this environment, while achieving biodiversity enhancements;
- c. for the purpose of applying best practicable measures;
 - d. consistent with the conditions of this approval; and
 - e. submitted in writing to DOC 10 days prior to any amendment being implemented.
34. Plants must be eco-sourced within the Wellington Ecological District and sourced from a reputable nursery able to provide provenance information on request.
35. Except where the ERP specifies a different and ecologically appropriate grade for a particular species or location, all plants must be healthy, not root-bound, and generally no smaller than PB2 at the time of planting.
36. Slow-release fertiliser may be used where recommended by the ecologist or nursery supplier for the relevant species and site conditions.
37. Weed-free mulch may be used where recommended by the ecologist for moisture retention and weed suppression, except in wetland areas or other locations where mulch is ecologically inappropriate.

Mammalian Pest Management

38. The Approval holder must implement the Mammalian Pest Management Plan during the periods stated in Table 3.
39. The Approval holder may amend the Mammalian Pest Management Plan where the amendment is certified by a suitably qualified and experienced ecologist as improving practicality or efficacy while remaining materially consistent with these conditions.
- a. The Approval holder must give DOC written notice at least 10 working days before implementation.
 - b. If DOC objects within that period and explains the inconsistency relied on, the amendment must not proceed until resolved.
40. The Applicant must provide DOC with an annual report within 30 working days after each year of implementation. The report must summarise pest control undertaken, monitoring results, any threshold exceedances, and any response actions implemented.

Contaminated land

41. If, within 12 months after settlement, contamination (as defined in National Environmental Standard for Assessing and Managing Contaminants in

Soil to Protect Human Health) is identified on the Approval holder's Land transferred to the Crown and that contamination:

- a. was caused by the activities of the Approval holder occurring before settlement;
- b. was not disclosed in the pre-settlement contamination reports; and
- c. exceeds the applicable standard for the actual or intended conservation and recreation use of the land under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 requiring management, then the Approval holder must, after receiving written notice, be given a reasonable opportunity to investigate and carry out any remediation or risk-management works.

Compliance is to the standard required by any remediation plan prepared by a suitably qualified contaminated land practitioner.

- 42. Before settlement, the Approval holder must undertake a targeted contaminated land investigation of the discrete area identified in the Northern Gully, including the deposited material in the stream bed and on the adjacent stream embankment.
- 43. The investigation must be undertaken by a suitably qualified contaminated land practitioner and must determine whether contamination associated with the area is present at concentrations requiring management or remediation having regard to:
 - a. the applicable soil contaminant standards for the actual or intended conservation and recreation use of the land under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, where applicable;
 - b. where relevant, potential effects of such contamination on water, sediment or ecological receptors, the ANZG (2018) default guideline values or other applicable environmental guideline values;
 - c. If the investigation identifies contamination requiring management or remediation, the Approval holder must prepare and implement a remediation or risk-management plan certified by a suitably qualified contaminated land practitioner; and

- d. Compliance with Conditions 42 and 43 is achieved when a suitably qualified contaminated land practitioner certifies that any contamination associated with the deposited area has been investigated and, where required, managed or remediated to the standard required for the actual or intended conservation and recreation use of the land detailed above.

Continuance of rights

- 44. The rights and obligations of the parties under this agreement continue beyond settlement of this agreement accordingly those rights and obligations will not merge in the settlement but will continue thereafter with full force and effect.

Appendix 7 – Package B Draft conditions proposed by Winstone

Draft conditions proposed by Winstone in response to the Draft Report - Package B

This approval for land exchange is conditional until the Minister of Conservation is satisfied that Conditions 1 to 46 below (being pre-conditions imposed in accordance with clause 31 and conditions imposed in accordance with clause 32 of Schedule 6 of the Fast-Track Approvals Act 2024) are complied with.

Definitions:

Approval Holder: Means the authorised person for the purposes of the Schedule 2 listing, being Winstone Aggregates (A Division of Fletcher Concrete and Infrastructure Limited), or any successor approved in writing by the Minister, being the entity to whom approval is granted under these conditions.

Approval holders land: Means the land in the ownership or control of the Approval Holder that is subject to the Land exchange and identified as the parcels known as:

- Northern Gully: means the area of land comprising approximately 12.62 hectares being part of Lot 1 DP 60552 and Lot 5 DP322126, and as identified in approved plan [x]
- Southern Gully: means the area of land comprising approximately 3.94 hectares, being Lots 4 and 5 DP 32212, and as identified in approved plan [x]
- Firth Block: means the area of land comprising approximately 9.6 hectares, being part of Lot 1 DP 60552 and Part Lot 1 DP 22561, and as identified in approved plan [x] and
- Dry Creek: means the area of land comprising approximately 7.94 hectares being Part Lot 1 DP 28205, and as identified in approved plan [x]

DOC - Get: Means the land to be transferred from the Approval Holder to the Crown and administered by the Department of Conservation, comprising the Approval Holder's land and shown on approved plans x.

DOC - Give: Means the land currently owned by the Crown and administered as part of the Belmont Regional Park that is to be transferred to the Approval Holder, comprising approximately 23 hectares (more or less), as shown on the approved plans [X].

Crown Land: Means land owned by the Crown and held for conservation or reserve purposes, including land administered by or on behalf of the Department of Conservation under the Conservation Act 1987 and/or the Reserves Act 1977.

Conservation Improvements: Means the ecological restoration, pest management, weed control, planting, access, and associated works to be undertaken by the Approval Holder in accordance with the Improvements Package (including Package A and Package B) for the purposes of achieving and net conservation benefit.

The Minister: Means Minister for Conservation, or any person acting under delegated authority on behalf of the Minister, in accordance with the Conservation Act 1987 or the Reserves Act 1977.

Belmont Regional Park Improvement Area means the approximately 13 hectares (more or less) of land within Belmont Regional Park owned by the Department of Conservation and managed by Greater Wellington Regional Council adjacent to the DOC-Give area proposed for improvement planting, as shown on the approved plans [x].

Proposed Draft Pre-Conditions for land exchange

To prepare the land for exchange, the following pre-conditions are imposed under schedule 6, clause 31 and must be completed within 2 years of the date of approval:

1. The Approval holder must provide a draft survey plan to the Minister no less than 10 working days before submitting the final survey plan under condition 2. Any comments provided by the Minister within that period must relate only to the identification of the exchange boundaries and required transfer mechanics.
2. The Minister or the Minister's delegate must, acting reasonably, approve or reject the final survey plan within 10 working days of receipt. Any rejection must be accompanied by written reasons. If no response is given within that period, the plan is deemed approved.
3. The Approval holder shall obtain all consents and approvals required to separately define the Applicant's land and to enable ownership of that land

to be transferred to the Crown. The Approval holder's land will be provided free of all encumbrances and interests, except for the following interests that must remain in place and be brought down onto the new titles:

- a. Open Space Covenant Pursuant to Section 22 of the QEII National Trust Act 1977 (Lot 1 DP60552 and Part Lot 1 DP22561 – Creating document 10476608.1);
 - b. Right of way over Part Lot 1 DP28205 (Creating Document 701267); and
 - c. Easement in Gross – Quarrying effects, shown on Lots 4, 5 and 100 DP322126, burdened land Lots 4, 5 & 100 DP322126 (creating document 5835385.5).
4. The Crown and the Approval holder must each promptly do all things reasonably required to enable the Crown Land to be transferred to the Approval holder as fee simple land, free of encumbrances and without reserve classification on Gazettal. The Minister must not unreasonably withhold, delay or condition any approval or execution required for that purpose.
 5. Before settlement, the Approval holder must install a fence approximately 60 metres in length and set back 6 metres from the Firth Block pit face in the location shown on Drawing W15069_Land_Exchange_Concept Boffa Miskell 1 December 2025, or as otherwise certified by a suitably qualified geotechnical engineer for equivalent safety outcomes. The design and location certification must be provided to the Minister before construction.

Encumbrances

6. The Approval holder will transfer its estate and interest in the Approval Holder's land to the Minister free from all leases and tenancies and discharges from all mortgages, charges and other encumbrances other than those listed in Condition 3.

Costs

7. For avoidance of doubt all reasonable costs associated with complying with Conditions 1 to 6 shall be met by the Approval holder.
8. The Approval holder must pay the Minister's reasonable costs and expenses of, and incidental to, preparing and signing the Exchange Agreement or any extension or variation of it, including surveying, conveyancing and legal costs.

9. The Approval holder must pay all reasonable costs associated with the Minister's work to give effect to the Exchange Agreement, calculated at DOC's standard cost-recovery rates current at the date the work is undertaken and invoiced within 3 months of the relevant work being completed.
10. The Approval holder must pay in full immediately and on demand all reasonable costs and fees (including solicitors' costs and fees of debt collecting agencies engaged by the Minister) arising out of and associated with steps taken by the Minister to enforce or attempt to enforce the Minister's rights and powers under the Exchange Agreement including the right to recover outstanding money owed to the Minister.

Easements

11. The Approval holder shall survey and register the appropriate easements as shown on Scheme Plan SC-02 (Appendix B10a), including but not limited to:
 - a. Easement Z (Right of Way) to be granted over part of Lot 9 for the benefit of Lot 10 (comprised in the DOC-Get Area) for the purpose of conservation activity and maintenance undertaken by DOC or its agents and public pedestrian access. DOC shall have the full and unrestricted right of access, including the right to enter, pass, and repass on foot or by vehicle or machinery, together with its employees and contractors, for the sole purpose of accessing adjoining conservation land for inspection and maintenance related to conservation purposes. Public pedestrian only access shall be permitted, subject to any reasonable temporary restrictions required for public safety, ecological restoration works, pest or weed control, maintenance, fire risk, weather events, or quarry operational safety and may be reasonably determined and specified from time to time by the grantor. DOC shall have the right to carry out inspection, maintenance, repair, and improvement works on any tracks, roads, or structures within Easement Z as reasonably required for conservation purposes and managing public pedestrian access subject to standard terms regarding the suitable management of health and safety obligations and ensuring that the grantor has reasonable prior notice of the intended access and programme of works.

Bonds for Conservation Works

12. If the Land Exchange is approved, the Approval holder shall provide to the Minister, before giving effect to the exchange, a performance security ("Bond") for the purpose of ensuring completion of the "Conservation Improvement Works" defined below. The Bond shall:

(a) **Scope:** Secure the Approval holders timely performance of all identified Conservation Improvement Works on the land to be given, as specified in Conditions **Error! Reference source not found., Error! Reference source not found., Error! Reference source not found.** and **Error! Reference source not found.** (for example, weed clearance, native planting, fencing, and pest-management), but shall not cover any other obligations.

(b) **Amount:** Be in an amount equal to the reasonably estimated cost (as certified by an independent Quantity Surveyor or registered valuer or contractor) of completing the Works. The Bond amount shall be subject to audit and revaluation by mutual agreement (or by binding expert determination if disputed). In no case shall it exceed a specified cap \$200,000.

(c) **Form:** Be provided by way of a performance guarantee by a group company of the Approval holder which provides performance security, or (if preferred by the Approval holder) an unconditional bank guarantee or irrevocable performance bond from a NZ-registered bank or insurer reasonably acceptable to the Minister (alternatively, a cash deposit may be lodged).

(d) **Release Schedule:** The Bond shall be released in two stages:

(i) fifty percent (50%) upon completion and acceptance of the specified Conservation Improvement Works by the Minister or the Minister's agent; and

(ii) the remaining fifty percent (50%) at the close of the 24 month maintenance period following such completion, provided the land remains free of noxious weeds and meets agreed success standards. If all Conservation Improvement Works are completed to satisfaction before the expiry of 24 months, the second half may be released early.

(e) **Default and Call:** The Bond shall only be drawn upon if the Approval holder fails to complete the specified Conservation Improvement Works by the agreed deadlines (or maintain them during the maintenance period) after receiving written notice and a 30 working day cure period. Any call on the Bond shall be limited to the cost of completing or remedying the Works, and the Applicant may dispute any call by written notice; unresolved disputes will be referred to arbitration in New Zealand under the Arbitration Act 1996 before funds are released.

Conservation Improvement Works means those specific enhancement works or restoration measures agreed by the parties and detailed in an annex to these conditions (for example, specified planting areas, pest-proof fences, access tracks, or restoration of riparian margins).

The Bond is a section 78 condition (Crown risk condition) and shall not be used as a penalty. The value of the Bond is expressly intended to cover only the cost of completing the above-defined Conservation Improvement Works.

Fencing

13. The Approval holder must construct, only that boundary fencing which is reasonably necessary to exclude persons, meet any existing covenant requirement, or address an identified safety risk on the external boundary of the land being transferred to the Crown. The required locations and fence standard must be identified in a pre-settlement fencing plan agreed by the parties, acting reasonably.

Rates

14. There shall be no apportionment of rates or other outgoings paid by the Parties.

Structure and improvements, condition of land

15. The land being acquired by the Approval holder, including any structures or improvements thereon, is transferred and accepted by the Approval holder on an “as is, where is” basis.
16. The Minister accepts no liability (financial or otherwise) in relation to any structure or other improvement on the land being acquired by the Approval

holder, including for any remedial, removal, or maintenance costs associated with any structure or improvement.

17. The Approval holder must remove from the Approval holder's Land only those structures, improvements or materials identified in a joint pre-settlement schedule prepared by the parties, no later than 20 working days before settlement. Reinstatement is limited to areas directly disturbed by that removal.
18. Any structure or improvement expressly agreed in writing to remain on the Approval holder's land at settlement must, as at settlement, be safe for its intended use and lawful so far as reasonably ascertainable from existing records and visible condition.
19. The Approval holder must remove surface rubbish, dumped materials and anthropogenic debris identified in the joint pre-settlement schedule or visible upon reasonable inspection, and reinstate areas directly disturbed by that removal. This condition does not extend to buried material not identified in pre-settlement investigations.

Ecological Restoration Plan [ERP]

20. No later than 20 working days before settlement, the Approval holder must provide DOC with an Ecological Restoration Plan [ERP] prepared by a suitably qualified and experienced ecologist and certified by that ecologist as being consistent with these conditions.
21. The ERP must be prepared by a suitably qualified and experienced ecologist.
22. The purpose of the ERP is to:
 - a. reduce target species on the Northern Gully, Southern Gully, Firth Block, Dry Creek sites and Belmont Regional Park areas [Limited to areas within 13ha adjacent to the DOC-give areas], including the wetlands, to a target of 90% eradication.
 - b. protect and improve the condition of indigenous vegetation on the sites;
 - c. successfully establish 200 swamp maire in the Southern Gully and 200 swamp maire in the Belmont Regional Park;
 - d. target 90% success rate of planted swamp maire so that at least 360 specimens survive after seven years;
 - e. achieve the standards in Table 1 for weed species;

- f. achieve the standards in Table 2 for replanting of indigenous vegetations; and
- g. target a 90% success rate for newly planted indigenous vegetation after five years (other than swamp maire which has a seven year timeframe).

To achieve this purpose, the ERP must include the following:

- h. Measures for how weed control will be undertaken on the sites. The target weed species are those listed in Table 1;
- i. Measures for managing the introduction of weed plant species to the sites;
- j. Identification of times of year to focus on particular weed control strategies;
- k. Methods for giving effect to the Greater Wellington Regional Pest Management Plan;
- l. aA yearly report on the results of weed management will be provided to DoC.
- m. Baseline and ongoing monitoring of threatened plant populations and weed species at the sites;
- n. A planting plan for indigenous species including the timing of plantings;
- o. Adaptive management and restorative measures to ensure the survival of threatened plan populations on the sites.

Table 1. Weed management requirements

Location	Duration of management	Target objective
Northern Gully	5 years	90% eradication of the following weed species: • Old man's beard (Clematis vitalba) • Tradescantia No exotic canopy tree species.
Southern Gully	5 years	90% eradication of weed species • Blackberry • Exotic vines • Pampas
Dry Creek	5 years	90% eradication of weed species:

		• Exotic weeds • Broom • Gorse • Buddleia • Spanish heath • Old man's beard • Wattle • Tradescantia • Rama grass • Soft rush nasturtium • Creeping buttercup • Verbena • Ink weed • Pampas
Firth Block	5 years	90% eradication of weed species
Belmont Regional Park areas	5 years	90% eradication of weed species. Targeted weed control within Belmont Regional Park planting areas and their immediate surrounds to support establishment of swamp maire and associated indigenous planting.

Table 2: Ecological restoration requirements

Location	Indigenous species	Minimum area/ density / number of specimens	Timeframe and target success rate
Southern Gully	Swamp maire	200 individual plants to be planted when they reach at least PB3 size with a vegetative minimum height of 600mm (not including the bag). This is likely to be 2 years after propagation of seedlings.	90% success rate in the seventh year following planting on the site.
Dry Creek	A mixture of the following species all eco-sourced: • Pigeonwood (<i>Hedycarya arborea</i>), • Ramarama	Replanting of 0.8 ha with indigenous species within three years. Minimum 7,000 plants, of which	90% success rate in the fifth year following planting.

	(<i>Lophomyrtus bullata</i>), • Hebe (<i>Veronica stricta</i> var. <i>stricta</i>), • Kānuka (<i>Kunzea robusta</i>), • Five finger (<i>Pseudopanax arboreus</i>), • Wharangi (<i>Melicope ternate</i>), • Shining karamu (<i>Coprosma lucida</i>), • Thin leaved coprosma (<i>Coprosma areolate</i>), • Kanono (<i>Corprosma grandifolia</i>), • Karamū (<i>Coprosma robusta</i>)	at least 500 must be ramarama.	
Firth Block	Kāmahi (<i>Pterphylla racemosa</i>) Kānuka (<i>Kunzea robusta</i>)	Minimum of 1,000 of each species planted within 10 m of the quarry edge within one year The location must avoid the skink mitigation site that was previously established.	90% success rate in the fifth year following planting.
Belmont Regional Park areas	Swamp maire Ramarama	200 individual plants of swamp maire to be planted when they reach at least PB3 size with a vegetative minimum height of 600mm (not including the bag). This is likely to be 2	90% success rate in the seventh year following planting on the site.

		years after propagation of seedlings. And 200 Ramarama	
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- ~~23.~~ The ERP must be prepared in consultation with Taranaki Whānui ki te Upoko o Te Ika, Te Rūnanga o Toa Rangatira and Greater Wellington Regional Council (Manager, Ecosystems & Community). It may identify opportunities for mātauranga Māori, cultural engagement and restoration participation.
24. The Approval holder must provide a draft ERP to Taranaki Whānui ki te Upoko o Te Ika, Te Rūnanga o Toa Rangatira and Greater Wellington Regional Council (Manager, Ecosystems & Community) for comment no later than 20 working days before finalising the ERP. When providing the final ERP to DOC, the Approval holder must include any written comments received and a brief response schedule explaining how those comments were addressed. The Approval holder bears its own consultation costs and any reasonable, pre-agreed tangata whenua and councils participation costs, but not DOC's internal review costs under this condition
25. The ERP and the MPMP must be prepared in consultation with Greater Wellington in its role as Manager of the Belmont Regional Park to ensure that any proposed methodology for restoration or pest control in Belmont Regional Park Improvement Area is undertaken in a manner that is consistent with Greater Wellington's management of the Regional Park.

Mammalian Pest Management Plan

26. No later than 20 working days before settlement, the Approval holder must provide DOC with a Mammalian Pest Management Plan certified by a suitably qualified and experienced ecologist or pest-management practitioner as being consistent with Conditions 27 to 28.
27. The purpose of the Mammalian Pest Management Plan is to set out how mammalian pest control will be undertaken on the Northern Gully, Southern Gully, Firth Block, Dry Creek sites and Belmont Regional Park to support the ecological restoration outcomes required by these conditions.
28. The Mammalian Pest Management Plan must include:
- the target pest species listed in Table 3;
 - the areas where pest management will be undertaken;

- c. the control methods and timing of control;
 - d. monitoring methods for target pest species;
 - e. response actions where monitoring or contractor observations indicate that pest activity is materially reducing the effectiveness of restoration or natural regeneration;
 - f. annual reporting to DOC; and
 - g. a description of how any Mammalian Pest control proposed in the Belmont Regional Park areas is consistent with the methodology used by Greater Wellington in the Regional Park.
29. The Mammalian Pest Management Plan may be amended where the amendment is certified by a suitably qualified and experienced ecologist or pest-management practitioner as improving practicality or effectiveness while remaining materially consistent with these conditions. The Approval holder must provide DOC with a copy of any certified amendment before it is implemented. A pest detection or increase in pest activity is not, of itself, a breach of these conditions, provided the Approval holder implements the relevant response actions in accordance with the Mammalian Pest Management Plan.

Table 3. Mammalian pest control management

Location	Pest species	Duration	Response trigger
Northern Gully	Possums	10 years	Contractor records observations indicate pest levels are materially reducing
Northern Gully Tawa-Kāmahī Northwestern Forest and Eastern Pukatea Forest	Goats Rats		
Southern Gully	Possums	10 years	Contractor records observations indicate pest levels are materially reducing
Firth Block around the water body bordering the park, OBDA and Firth Block (Farm Pond)	Rodents	10 years	Contractor records observations indicate pest levels are materially reducing
All sites	Mustelids	10 years	Contractor records observations indicate

			pest levels are materially reducing
Regional Park areas	Possums	10 years	Contractor records observations indicate pest levels are materially reducing

Proposed draft conditions (Cl.32 Sch.6)

To prepare the land for exchange the following conditions are imposed under schedule 6 clause 32:

30. The land being given by the Crown by way of exchange must be subject to no reservation, classification, interest or encumbrance. And must be transferred from the Crown to the Approval Holder after Gazettal.
31. The Approval holder's land will be provided to the Crown free of all encumbrances and interests, except for the following interests that must remain in place. These must be specified in the exchange Gazette notice and brought down onto the new titles:
 - a. Open Space Covenant Pursuant to Section 22 of the QEII National Trust Act 1977 (Lot 1 DP60552 and Part Lot 1 DP22561 – Creating document 10476608.1).
 - b. Right of way over Part Lot 1 DP28205 (Creating Document 701267); and
 - c. Easement in Gross-Quarrying effects, shown on Lots 4, 5 and 100 DP 322126, burdened land Lots 4, 5 & 100 DP322126 (creating document 5835385.5).

Ecological restoration

32. The Approval Holder must undertake the anticipated activities in accordance with the certified ERP prepared in accordance with pre-conditions 20 to 23 above at all times.
33. The Approval holder may amend the ERP where the amendment is certified by a suitably qualified and experienced ecologist as improving practicality, efficacy or environmental fit while remaining materially consistent with these conditions. The Approval holder must give DOC written notice of the amendment at least 10 working days before

- implementation. If DOC objects within that period and explains the inconsistency relied on, the amendment must not proceed until resolved.
34. The ERP may be amended by the Approval holder at any time, provided the amendments are:
- a. for the purpose of improving the efficacy of the management of weeds;
 - b. for the purpose of providing for better planting and maintenance methodology(s). This may include substituting plant species if it is found that a more appropriate plant species is better suited to this environment, while achieving biodiversity enhancements;
 - c. for the purpose of applying best practicable measures;
 - d. consistent with the conditions of this approval; and
 - e. submitted in writing to DOC 10 days prior to any amendment being implemented.
35. Plants must be eco-sourced within the Wellington Ecological District and sourced from a reputable nursery able to provide provenance information on request.
36. Except where the ERP specifies a different and ecologically appropriate grade for a particular species or location, all plants must be healthy, not root-bound, and generally no smaller than PB2 at the time of planting.
37. Slow-release fertiliser may be used where recommended by the ecologist or nursery supplier for the relevant species and site conditions.
38. Weed-free mulch may be used where recommended by the ecologist for moisture retention and weed suppression, except in wetland areas or other locations where mulch is ecologically inappropriate.

Mammalian Pest Management

39. The Approval holder must implement the Mammalian Pest Management Plan during the periods stated in Table 3.
40. The Approval holder may amend the Mammalian Pest Management Plan where the amendment is certified by a suitably qualified and experienced ecologist as improving practicality or efficacy while remaining materially consistent with these conditions.
- a. The Approval holder must give DOC written notice at least 10 working days before implementation.
 - b. If DOC objects within that period and explains the inconsistency relied on, the amendment must not proceed until resolved

41. The Approval holder must undertake monitoring of mammalian pest management in accordance with the Mammalian Pest Management Plan using a trigger or calendar-based approach, and must:
- a. Undertake monitoring for each target species using methods as deemed appropriate by a suitably qualified and experienced ecologist;
 - b. Reasonably demonstrate that controls measures are effectively reducing pest populations over calendar year, Approval Holder must implement additional pest control in accordance with the Mammalian Pest Management Plan, as specified by the suitably qualified ecological and monitor the outcomes of any additional control.
42. The Applicant must provide DOC with an annual report within 30 working days after each year of implementation. The report must summarise pest control undertaken, monitoring results, any threshold exceedances, and any response actions implemented.

Contaminated land

43. If, within 12 months after settlement, contamination (as defined in National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) is identified on the Approval holder's Land transferred to the Crown and that contamination:
- a. was caused by the activities of the Approval holder occurring before settlement;
 - b. was not disclosed in the pre-settlement contamination reports; and
 - c. exceeds the applicable standard for the actual or intended conservation and recreation use of the land under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 requiring management, then the Approval holder must, after receiving written notice, be given a reasonable opportunity to investigate and carry out any remediation or risk-management works.

Compliance is to the standard required by any remediation plan prepared by a suitably qualified contaminated land practitioner.

44. Before settlement, the Applicant must undertake a targeted contaminated land investigation of the discrete area identified in the Northern Gully,

including the deposited material in the stream bed and on the adjacent stream embankment.

45. The investigation must be undertaken by a suitably qualified contaminated land practitioner and must determine whether contamination associated with the area is present at concentrations requiring management or remediation having regard to:
- a. the applicable soil contaminant standards for the actual or intended conservation and recreation use of the land under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, where applicable;
 - b. where relevant to potential effects on water, sediment or ecological receptors, the ANZG (2018) default guideline values or other applicable environmental guideline values.
 - c. If the investigation identifies contamination requiring management or remediation, the Applicant must prepare and implement a remediation or risk-management plan certified by a suitably qualified contaminated land practitioner; and
 - d. Compliance with Conditions 44 to c is achieved when a suitably qualified contaminated land practitioner certifies that any contamination associated with the deposited area has been investigated and, where required, managed or remediated to the standard required for the actual or intended conservation and recreation use of the land detailed above.

Continuance of rights

46. The rights and obligations of the parties under this agreement continue beyond settlement of this agreement accordingly those rights and obligations will not merge in the settlement but will continue thereafter with full force and effect.

MEMORANDUM



Date: 15 June 2026
From: Shalini Sanjeshni, Project Manager
Re: **PACKAGE A: Proposed ecological improvements in response to Belmont Quarry Development, Post DOC Report Fast-Track Project FT308.**

As part of the proposed land exchange, Winstone Aggregates ('Winstone') proffers the following improvement package to ensure that a net conservation benefit is realised. These works have been designed in consultation with Department of Conservation (DOC), Councils, mana whenua and community and were included as part of the Land Exchange Application, submitted DOC on 10 December.

Following the receipt and careful review of the draft Report and the recommended condition proposed by DOC Draft Report Winstone has amended their Improvement Package. These amendments respond to matters raised regarding; the number of ramarama included within the proposed Dry Creek planting and the increasing the duration of mammalian pest management from 5 to 10 years. Winstone also has made provision for public access onto the DOC Get land, via the right of way to the Southern Gully.

Enabling public access has implication for future nature-based recreation. The Southern Gully is proposed to be planted with 200 swamp maire as part of this Land Exchange, and providing access (via right of way) from Liverton Road would allow for mana whenua involvement in restoration activities and visitors to directly experience these restoration plantings, taking into account feedback from the Conservation Board and Botanical Society about ensuring that there are opportunities for access and community involvement.

The works will be undertaken by Winstone and are referenced in the draft conditions that form part of Winstone's response. The amended Improvements Package is summarised below and presented in Table 1:

Package A includes:

- Planting: Flora, pest control measures and physical works for up to 10 years (as detailed in the table attached).
- Southern Gully: 200 swamp maire to be planted in the southern gully
- Dry Creek Approximately 7,000 plants, of which 500 ramarama within 0.8 ha area
- Firth Block: 1000 kamahi and 1000 kanuka
- Addition of public access via the right of way to Southern Gully.

MEMORANDUM



Table 1: Package A

Land Area	Restoration Proposal	Target Species	Timeframes	Physical Works Required	Measurable Objective or Outcome	Estimated Area
Mammalian Pest Management						
Northern Gully Northern Gully Tawa-Kamahi Northwestern Forest and Eastern Pukatea Fores	Targeted possum and rats control and full goat eradication from the area	Possums Goats Rats	10 years	Installation of 13 x Flipping Timmy traps for possum control (2 per ha). Goat eradication	Contractor records observation indicate pest levels are materially reducing Overall natural regeneration of the under-canopy of the tawa-kamahi forest	Total northern gully 5.7 of which 2.8730 is QEII
Southern Gully	Targeted possums control	Possums	10 years	Installation of 8 x Flipping Timmy traps for possum control (2 per ha).	Contractor records observation indicate pest levels are materially reducing	3.94 ha
Firth Block around the water body bordering the park, OBDA and Firth Block (Farm Pond)	Specific targeted rodent control around the water	Rodents	10 years	Establishment of a rodent trap plan and execution of the plan aimed at annually reducing local rodent numbers	Contractor records observation indicate pest levels are materially reducing	9.604 ha
All sites	Specific targeted mustelid control around	Mustelids	10 years	Establishment of a mustelid trap plan and execution plan aimed at annually reducing local mustelid numbers	Contractor records observation indicate pest levels are materially reducing	34 ha

MEMORANDUM

	all DOC get sites					
Weed Management						
Northern Gully	Weed control and exotic canopy tree species	• Old man's beard • (<i>Clematis vitalba</i>) • Tradescantia • Potential canopy trees	5 years	Drill and fill (established trees) or cut and paste (juvenile trees) any exotic woody tree species (<i>Pinus radiata</i>, <i>Acacia sp.</i>) 2 x rounds of (Spring & Autumn) of <i>C. vitalba</i> vine control work per year for 5 years. Hand pulling young vines, and cutting and pasting established vines Knapsack spray any blackberry and pampas grass where possible	90% eradication of exotic weed species within the northern gully (Cottle block extent) No exotic canopy tree species found within all of Northern Gully	12.56 ha
Southern Gully	Weed control to enable establishment of swamp maire planting	• Blackberry, • exotic vines, • pampas	5 years	Preparation of site for swamp maire planting	90% eradication of exotic weed species	3.94 ha with 0.27 ha natural inland wetland
Dry Creek	Weed management to nurture native broadleaf seral stage canopy	• Exotic weeds • Broom • Gorse • Buddleia • Spanish heath • Old man's beard • Wattle • Tradescantia	5 years	Drill and fill all large exotic trees (<i>Acacia spp.</i>) 2 x rounds of (Spring & Autumn) of <i>C. vitalba</i> vine control work per year for 5 years. Hand pulling	90% eradication of exotic weed species	Weed management over an area of 1.85 ha

MEMORANDUM



	Remove ecologically problematic weeds	• Rama grass • Soft rush • nasturtium • Creeping buttercup • Verbena • Ink weed • Pampas grass		young vines, and cutting and pasting established vines Knapsack spray any blackberry and pampas grass where possible		
Firth Block	Weed management to nurture native broadleaf seral stage canopy Remove ecologically problematic weeds	Exotic weeds	5 years	Drill and fill all large exotic trees (Acacia spp.) 2 x rounds of (Spring & Autumn) of C. vitalba vine control work per year for 5 years. Hand pulling young vines, and cutting and pasting established vines Knapsack spray any blackberry and pampas grass where possible	90% eradication of exotic weed species	9.604 ha
Ecological Restoration Requirement						
Southern Gully	Establishment of 200 swamp maire	Swamp maire	7 years	200 individual plants to be planted when they reach at least PB3 size with a vegetative minimum height of 600mm (not including the bag). This is likely to be 2 years after propagation of seedlings	90% success rate in the seventh year following planting on the site.	3.94 ha with 0.27 ha natural inland wetland

MEMORANDUM



Dry Creek	Planting of 0.8 ha of indigenous species within three years	A mixture of the following species all eco-sourced: Pigeonwood (<i>Hedycarya arborea</i>), Ramarama (<i>Lophomyrtus bullata</i>), Hebe (<i>Veronica stricta</i> var. <i>stricta</i>), Kānuka (<i>Kunzea robusta</i>), Five finger (<i>Pseudo panax arboreus</i>), Wharangi (<i>Melicope ternate</i>), Shining karamu (<i>Coprosma lucida</i>), Thin leaved coprosma (<i>Coprosma areolate</i>),	5 years	Replanting of 0.8 ha with indigenous species within three years. Minimum 7,000 plants, of which at least 500 must be ramarama.	90% success rate in the fifth year following planting.	0.8 ha
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MEMORANDUM



		Kanono (<i>Corprosm a grandifolia</i>), Karamū (<i>Coprosm a robusta</i>)				
Firth Block	Infill planting	Kāmahi (<i>Pterophylla racemosa</i>) Kānuka (<i>Kunzea ro busta</i>)	5 years	Minimum of 1,000 of each species planted within 10 m of the quarry edge within one year. Planting of approximately 1000 kāmahi (<i>Pterophylla racemosa</i>) and approximately 1000 kanuka along the quarry edge The location must avoid the skink mitigation site has previously established.	90% success rate in the firth year following planting on site	The 10-metre revegetation strip is 0.4 ha. (2000 plants)

Date: 14 June 2026
From: Shalini Sanjeshni, Project Manager
Re: **PACKAGE B Proposed ecological improvements in response to Belmont Quarry Development, Post DOC Report Fast-Track Project FT308**

As part of the proposed land exchange, and in consideration of the DOC Draft Report, Winstone offers the improvements package to ensure that a net conservation benefit is realised. At this stage of the process, it is uncertain which legal test will be applied by the expert panel, and Winstone will not know which approach will be adopted until the Panel is appointed.

The proposed works will be undertaken by Winstone Aggregates (Winstone) and are referenced in draft conditions in the form **Package A** conditions and **Package B** conditions.

The two packages correspond to the two versions of the act. **Package A** is premised on the pre-amendment version of section 29(2) applying to the land exchange. Under that scenario, the values associated with the QEII covenant are not discounted, and the Package proffered by Winstone as part of the land exchange application on 10 December remains, with the addition of providing public access to the Southern Gully and extension of mammalian pest control from 5 to 10 years.

It is understood from BlueGreen's (2026)¹ response on the Draft DOC Report that no additional planting is required to enhance conservation values. Dr Keesing's position is that **Package A** is sufficient, even if QEII discounting is applied, and therefore a **Package B** is not required. Winstone agrees with Dr Keesing's position.

However, as a conservative measure, and in the event the Panel decide to apply the post-amendment cl. 29(2A) FTAA Winstone has identified an additional 13 ha of land immediately adjacent to the exchange area in the Belmont Regional Park where further planting could be undertaken (Figure 1). **Package B** provides improvements by way of restoration and enhancement of the conservation values of land that is already within the conservation estate. Planting and pest control for a further 200 swamp maire and ramarama is proposed in this area to address the discounting of values associated with the QEII covenants (if required). The **Package B** will be implemented alongside **Package A** and would result in an overall exchange in favour of the crown.

Details of both packages are presented below and in the subsequent Table 1 and 2.

Package A includes:

- Planting: Flora, pest control measures and physical works for up to 10 years (as detailed in the table attached).
- Southern Gully- 200 swamp maire in the southern gully
- Dry Creek - Approximately 7,000 plants, of which 500 ramarama within 0.8 ha
- Firth Block 1000 kamahi and 1000 kanuka
- Addition of public access via the right of way to Southern Gully

Package B includes:

¹ BlueGreen (2026) Response DOC Botanical Assessment

MEMORANDUM



- All offered under Package A; and
- 200 swamp maire planting in the Belmont Regional Park, within the indicative area shown in Figure 1.
- 200 ramarama planting in the Belmont Regional Park, within the indicative area shown in Figure 1
- 5 year weed management in Belmont Regional Park to assist with the establishment of 200 swamp maire and 200 ramarama
- 10-year pest management in the Belmont Regional Park to assist with the establishment of 200 swamp maire and 200 ramarama

MEMORANDUM

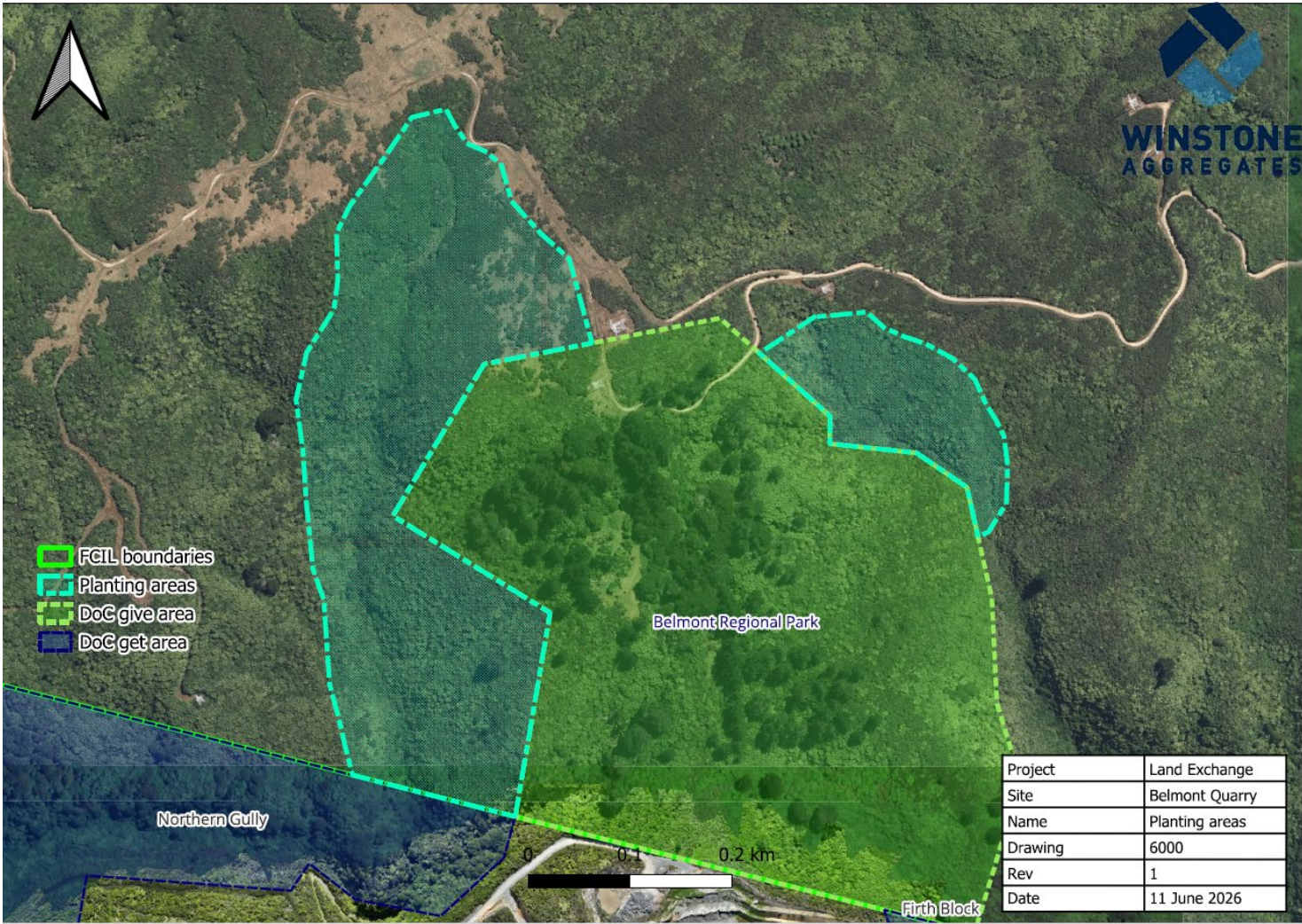


Figure 1 Indicative area of swamp maire planting within the Belmont Regional Park

MEMORANDUM

Table 1: Package A

Land Area	Restoration Proposal	Target Species	Timeframes	Physical Works Required	Measurable Objective or Outcome	Estimated Area
Mammalian Pest Management						
Northern Gully Northern Gully Tawa-Kamahi Northwestern Forest and Eastern Pukatea Fores	Targeted possum and rats control and full goat eradication from the area	Possums Goats Rats	10 years	Installation of 13 x Flipping Timmy traps for possum control (2 per ha). Goat eradication	Contractor records observation indicate pest levels are materially reducing Overall natural regeneration of the under-canopy of the tawa-kamahi forest	Total northern gully 5.7 of which 2.8730 is QEII
Southern Gully	Targeted possums control	Possums	10 years	Installation of 8 x Flipping Timmy traps for possum control (2 per ha).	Contractor records observation indicate pest levels are materially reducing	3.94 ha
Firth Block around the water body bordering the park, OBDA and Firth Block (Farm Pond)	Specific targeted rodent control around the water	Rodents	10 years	Establishment of a rodent trap plan and execution of the plan aimed at annually reducing local rodent numbers	Contractor records observation indicate pest levels are materially reducing	9.604 ha
All sites	Specific targeted mustelid control around	Mustelids	10 years	Establishment of a mustelid trap plan and execution plan aimed at annually reducing local mustelid numbers	Contractor records observation indicate pest levels are materially reducing	34 ha

MEMORANDUM

	all DOC get sites					
Weed Management						
Northern Gully	Weed control and exotic canopy tree species	Old man's beard (Clematis vitalba) Tradescantia Potential canopy trees	5 years	Drill and fill (established trees) or cut and paste (juvenile trees) any exotic woody tree species (Pinus radiata, Acacia sp.) 2 x rounds of (Spring & Autumn) of C. vitalba vine control work per year for 5 years. Hand pulling young vines, and cutting and pasting established vines Knapsack spray any blackberry and pampas grass where possible	90% eradication of exotic weed species within the northern gully (cattle block extent) No exotic canopy tree species found within all of Northern Gully	12.56 ha
Southern Gully	Weed control to enable establishment of swamp maire planting	Blackberry, exotic vines, pampas	5 years	Preparation of site for swamp maire planting	90% eradication of exotic weed species	3.94 ha with 0.27 ha natural inland wetland
Dry Creek	Weed management to nurture native broadleaf seral stage canopy	Exotic weeds	5 years	Drill and fill all large exotic trees (Acacia spp.) 2 x rounds of (Spring & Autumn) of C. vitalba vine control work per year for 5 years. Hand pulling	90% eradication of exotic weed species	Weed management over an area of 1.85 ha

MEMORANDUM



	Remove ecologically problematic weeds			young vines, and cutting and pasting established vines Knapsack spray any blackberry and pampas grass where possible		
Firth Block	Weed management to nurture native broadleaf seral stage canopy Remove ecologically problematic weeds	Exotic weeds	5 years	Drill and fill all large exotic trees (Acacia spp.) 2 x rounds of (Spring & Autumn) of C. vitalba vine control work per year for 5 years. Hand pulling young vines, and cutting and pasting established vines Knapsack spray any blackberry and pampas grass where possible	90% eradication of exotic weed species	9.604 ha
Ecological Restoration Requirement						
Southern Gully	Establishment of 200 swamp maire	Swamp maire	7 years	200 individual plants to be planted when they reach at least PB3 size with a vegetative minimum height of 600mm (not including the bag). This is likely to be 2 years after propagation of seedlings	90% success rate in the seventh year following planting on the site.	3.94 ha with 0.27 ha natural inland wetland

MEMORANDUM



Dry Creek	Planting of 0.8 ha of indigenous species within three years	A mixture of the following species all eco-sourced: Pigeonwood (Hedycarya arborea), Ramarama (Lophomyrtus bullata), Hebe (Veronica stricta var. stricta), Kānuka (Kunzea robusta), Five finger (Pseudopanax arboreus), Wharangi (Melicope ternate), Shining karamu (Coprosma lucida), Thin leaved coprosma (Coprosma areolate),	5 years	Replanting of 0.8 ha with indigenous species within three years. Minimum 7,000 plants, of which at least 500 must be ramarama.	90% success rate in the fifth year following planting.	0.8 ha
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MEMORANDUM



		Kanono (<i>Coprosma grandifolia</i>), Karamū (<i>Coprosma robusta</i>)				
Firth Block	Infill planting	Kāmahi (<i>Pterophylla racemosa</i>) Kānuka (<i>Kunzea robusta</i>)	5 years	Minimum of 1,000 of each species planted within 10 m of the quarry edge within one year The location must avoid the skink mitigation site has previously established.	90% success rate in the firth year following planting on site	The 10-metre revegetation strip is 0.4 ha. (2000 plants)

Table 2: Package B

Land area	Restoration proposal	Target species	Timeframes	Physical Works Required	Measurable objective or outcome	Estimated area
All of Package A plus the following:						
Mammalian Pest Management						
Belmont Regional Park	Assist in successful establishment of swamp maire and ramarama the BRP	Possum	10 years	Installation of 13 x Flipping Timmy traps for possum control (2 per ha).	Contractor records observation indicate pest levels are materially reducing	Within 13 ha, as required to assist in successful establishment of swamp maire and ramarama
Weed Management						
Belmont Regional Park	Assist in the successful establishment of swamp maire and ramarama in the BRP	Exotic species	5 years	Drill and fill all large exotic trees (Acacia spp.) 2 x rounds of (Spring & Autumn) of C. vitalba vine control work per year for 5 years. Hand pulling young vines, and cutting and pasting established vines	90% eradication of weed species to assist in the establishment for swamp maire	Within 13 ha , as required to assist in successful establishment of swamp maire and ramama

MEMORANDUM



				Knapsack spray any blackberry and pampas grass where possible		
Enhancement Planting						
Belmont Regional Park	200 swamp maire 200 ramarama	-	7 years	200 individual plants to be planted when they reach at least PB3 size with a vegetative minimum height of 600mm (not including the bag). This is likely to be 2 years after propagation of seedling 200 ramarama to be planted	90% success rate in the seventh year following planting on the site.	Within 13 ha, as required to assist in successful establishment of swamp maire and ramarama

MEMORANDUM





RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **WN31D/969**

Land Registration District **Wellington**

Date Issued 20 May 1988

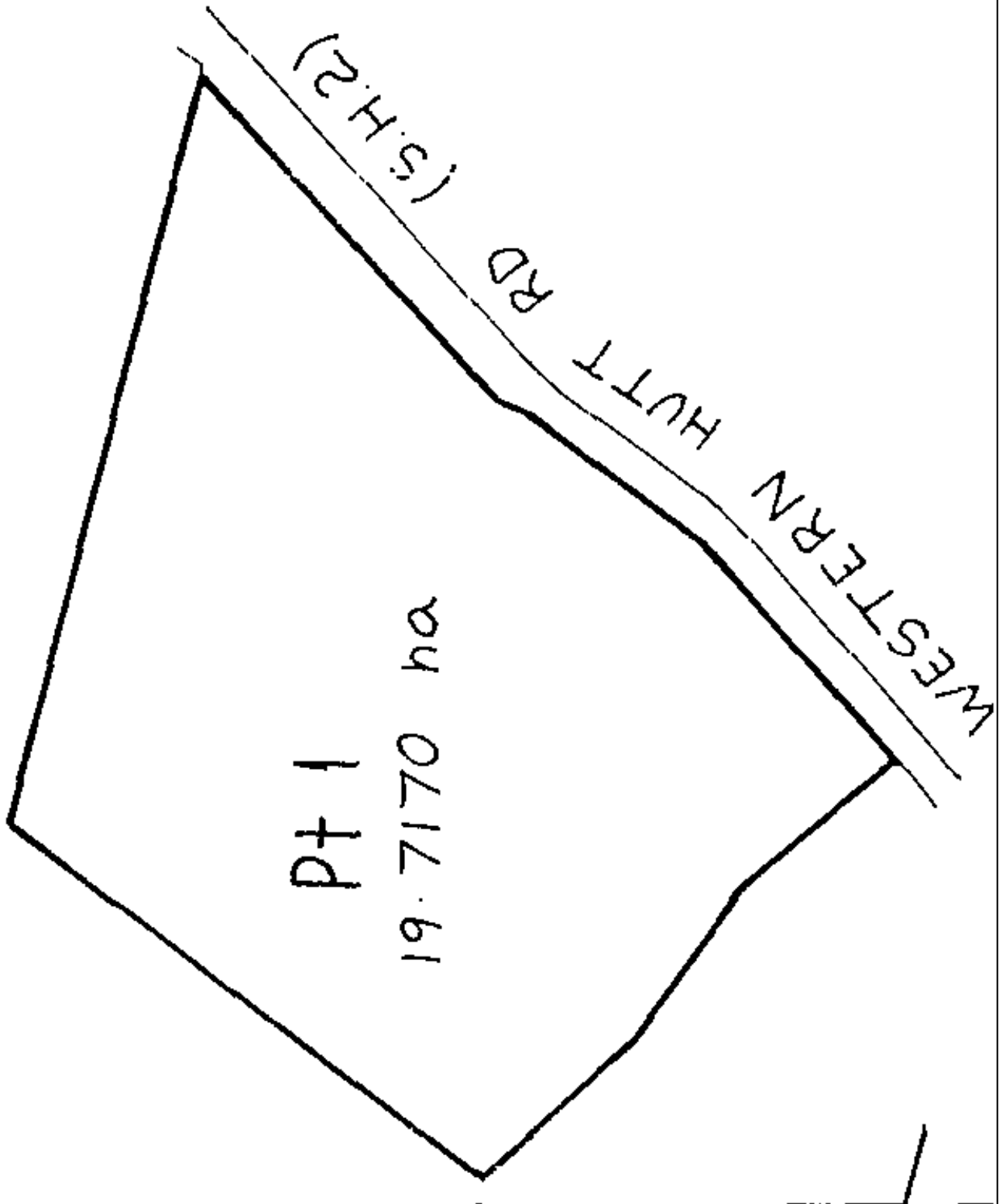
Prior References

WN549/175

Estate Fee Simple
Area 19.7170 hectares more or less
Legal Description Part Lot 1 Deposited Plan 22561
Registered Owners
Fletcher Concrete and Infrastructure Limited

Interests

10476608.1 Open Space Covenant pursuant to Section 22 Queen Elizabeth the Second National Trust Act 1977 - 23.6.2016
at 10:44 am



By email:

Shalini Sanjeshni (Winstone Aggregates) [redacted]

Phernne Tancock [redacted]

Philip Heffernan (Winstone Aggregates) [redacted]

Winstone Aggregates (Winstone's) Belmont Quarry Development

Support for Offset/Mitigation Proposal

15 June 2026

Shalini Sanjeshni
Project Manager
Fletcher Concrete and Infrastructure Limited trading as Winstone Aggregates
C/- 810 Great South Road
Penrose
Auckland 1061

Dear Shalini

I refer to your correspondence dated 11 June 2026, seeking Greater Wellington's confirmation of support for Winstone's proposed **Belmont Quarry Development – Belmont Regional Park Offset Areas** associated with the Belmont Quarry Development project, (the project).

I confirm our support in principle for the use of land within Belmont Regional Park, consisting of two potential sites:

- Land that is part of the Conservation Estate (owned by the Crown but which is managed and controlled by Greater Wellington as Belmont Regional Park) in the immediate vicinity of the Proposed OBDA land; and
- A block of land known as the Heffernan Block that is within the Regional Park and owned by Hutt City.

Greater Wellington Regional Council gives support for the use of this identified land for use for biodiversity restoration and enhancement (the proposed works), which may be required for offsetting/mitigation purposes involved in regulatory requirements of the project.

Greater Wellington's support for the use of this land is subject to the matters outlined below.

We confirm the following:

- The proposed works described in the correspondence dated 11 June 2026 are not currently subject to programmed works by Greater Wellington that would conflict with the proposed offset or mitigation activities.
- The proposed works are generally consistent with the long-term management intent for the land, including ecological management and site restoration.
- The land is held as Belmont Regional Park land and managed by Greater Wellington and is subject to applicable statutory and management plan requirements being a recreation reserve.

For the avoidance of doubt, this letter confirms support from an asset management perspective only.

The regulatory process for the Belmont Quarry Development Project is managed through the relevant statutory approval pathway, including the requirements of the Resource Management Act 1991 and/or the Fast-track Approvals Act 2024. Accordingly:

- The proponent must comply with all relevant statutory requirements.
- Any offset or mitigation proposal must be assessed and accepted through the applicable consent or approval process.
- This letter does not override or pre-empt any regulatory decision regarding the appropriateness, scale, or location of the proposed offset or mitigation.

Should statutory approval be granted for the Belmont Quarry Development Project, a separate agreement with Greater Wellington Regional Council will be required to address operational matters, including (as applicable):

- Access arrangements
- Health and safety requirements
- Staging/timing of works
- Methodology of works – Winstone's will consult Greater Wellington, in its capacity as manager of Belmont Regional Park as part of the development of the Ecological Restoration Plan for this area to ensure that the proposed methods align with Greater Wellington's management methods for park restoration and biodiversity enhancement in Belmont Regional Park.
- Maintenance and monitoring obligations
- Long-term management responsibilities
- Any cost recovery or funding arrangements

We appreciate the opportunity to review and discuss the proposal and trust that this letter assists you in progressing the necessary approvals.

Nāku iti noa, nā.

s9(2)(a)

David Boone
Manager, Ecosystems & Community