

Porirua City Council
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New Zealand

21 October 2021

Attention: The Commissioners, Hearing Stream 2

Dear Commissioners

Fulton Hogan – Letter to be tabled at Porirua City Proposed District Plan Hearing Stream 2

Fulton Hogan made a submission on the Porirua City Proposed District Plan (PDP) (submission number 262). Among other topics, Fulton Hogan's submission on the PDP addressed 'Significant Amenity Landscapes (SAL)'.

The Section 42A reports for Hearing Stream Two have been received and it is noted that the Officer's recommendation is to reject a number of Fulton Hogan's submission points, with the exception of submission point 262.23 (as referenced in the Officer's report).

Fulton Hogan has opted not to attend Hearing Stream Two for the PDP scheduled to commence 29 October 2021. As discussed with Council's Planning Team, we request that this letter be tabled for the Commissioners' consideration in lieu of attendance by Fulton Hogan.

Provision for earthworks within a SAL

The Officer has recommended accepting Fulton Hogan's submission relating to NFL-R1, which requests a change the activity status of point three to 'Discretionary Activity' where compliance is not achieved with NFL-R1-2.b, or NFL-R1-2.c, for earthworks in a SAL overlay (as originally proposed such activities were non-complying). Fulton Hogan supports this recommendation.

Proposed SAL Boundary

With regard to the proposed location of the SAL boundary, a site visit was held with Porirua City Council (PCC), Fulton Hogan and Willowbank Trustee Limited on 16 September 2021. The site visit confirmed the complex and varied topography of Willowbank Farm and confirmed that there are suitable sites within Willowbank Farm that can provide for quarrying while also meeting the relevant SAL requirements and provisions. This is noted in point 99 of the '*Statement of evidence of Rose Armstrong*'.

Ms Armstrong also notes that at the site visit, she was made aware of a resource consent application currently lodged with PCC to expand the Willowbank Quarry footprint and establish associated overburden sites. However, in the statement of evidence, Ms Armstrong notes that the application has not been considered as part of the review of the SAL boundary.

We note that there is some limited overlap between the proposed expanded quarry footprint and the proposed SAL boundary. Fulton Hogan therefore requests that PCC and the Commissioners consider this in finalising the SAL boundary in the PDP. Should the proposed quarry expansion be approved, it would be logical to avoid overlaps between the SAL boundary and the expanded quarry footprint.

Fulton Hogan also notes that one of the overburden sites proposed is within the proposed SAL boundary. We note that this will be a temporary activity (i.e. several years) and the area will be returned to rural pasture landscape upon completion.

Although we have some comfort from Ms Armstrong's statement of evidence that quarrying and earthworks should be able to be undertaken at 'suitable sites' within Willowbank Farm while also meeting the required SAL provisions, Fulton Hogan remain concerned that, as currently drafted, the SAL provisions (which would be applicable to an extensive area across Willowbank Farm) have potential to cause uncertainty during the assessment phase of resource consents when the proposed special amenity values identified in SAL005 Belmont Hills Schedule 10 are assessed in practice.

For example, there appears to be some confusion between the landscape of Willowbank Farm and the Belmont Regional Park. Our interpretation is that these types of identified values do not apply to areas of Willowbank Farm near the proposed quarry site. This could be that the proposed Belmont Hills SAL covers such a vast area and applying a 'blanket' set of amenity values does not suitably address the complex topography and landscape of Willowbank Farm.

Fulton Hogan remains of the opinion that activities meeting the definition of 'primary production' should be enabled and provided for within the Rural zone. This is important when developing overlays such as SALs over rural environments such as Willowbank Farm. Primary production activities actively create the amenity values that underpin rural landscapes and should not be unreasonably constrained.

We look forward to continuing to work with Porirua City Council on these matters.

Yours sincerely



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