

BEFORE COMMISSIONER MARK ST. CLAIR APPOINTED BY NEW PLYMOUTH DISTRICT COUNCIL

UNDER

the Resource Management Act 1991 ("RMA")

IN THE MATTER

of an application under section 88 of the Act by **ROBE AND ROCHE INVESTMENTS LIMITED** to the **NEW PLYMOUTH DISTRICT COUNCIL** for a subdivision to create 113 residential lots and additional road and recreational reserves at 56 Pohutukawa Place, Bell Block. (SUB21/47803)

STATEMENT OF EVIDENCE KATHRYN LOUISE HOOPER ON BEHALF OF ROBE AND ROCHE INVESTMENTS LIMITED

1. INTRODUCTION

- 1.1 My name is Kathryn Louise Hooper.
- 1.2 I have a Masters in Applied Science (Natural Resource Management) from Massey University and a Graduate Certificate in Environmental Management from Central Queensland University.
- 1.3 I am a Principal Planner and Executive Director at Landpro Limited and have been a consulting Planner based in New Plymouth since 2001. Prior to this I worked for Wellington and Taranaki Regional Councils.
- 1.4 I have been a full member of the New Zealand Planning Institute since 2012.
- 1.5 My experience includes consenting subdivision and land use activities under the New Plymouth District Council (NPDC) Plans and other District Plans in New Zealand; private plan changes, structure planning, feasibility, consultation and land access negotiations.
- 1.6 This evidence is given in support of the subdivision and land use consent application ("the application") lodged by Robe and Roche Investments Limited ("the applicant"), to subdivide the land at 56 Pohutukawa Place, Bell Block into 113 residential lots and associated road and recreational reserves.
- 1.7 I am authorised to give this evidence on behalf of the applicant.

2. INVOLVEMENT IN THE PROJECT

2.1 My involvement in the application has included providing planning assistance to the applicant through the notification process.

2.2 I have reviewed the following documents produced with the application, including:

- (a) The original application for consent dated 26 May 2021;
- (b) The 'Addendum to Application for Resource Consent 56 Pohutukawa Place' dated 8 July 2021;
- (c) The associated scheme plans for the development dated 6 August 2021;
- (d) The 'Archaeological Assessment' dated November 2021;
- (e) The 'Consultation Summary';
- (f) The 'Mounga Ecology Ecological Statement on Road 2 and Water Quality Standards' dated 11 August 2021;
- (g) The 'Mounga Ecology Wetland Delineation Map' dated 24 June 2021;
- (h) The 'Mounga Ecology Wetland Delineation Results and Assessment Against National Environmental Standards – Freshwater 2020' dated 28 June 2021;
- (i) The 'Red Jacket Earthworks Plan' dated 25 May 2021;
- (j) The 'Red Jacket Engineering Drawings' dated 25 May 2021;
- (k) The 'Red Jacket Engineering Drawings C1 3 and C1 4 amendments' dated 5 August 2021;
- (l) The 'Red Jacket Engineering Report' dated May 2021;
- (m) The 'M.E Consulting Economic Assessment' dated May 2024;
- (n) The 'Red Jacket Stormwater Management Report' dated August 2024;
- (o) The 'Red Jacket Stormwater Engineering Drawings' dated August 2024;

- (p) The 'Wildlands Assessment of Potential Ecological Effects' dated October 2024;
- (q) The 'McKinlay Surveyors Revised Subdivision Scheme Plans' dated January 2025;
- (r) The Red Jacket Report and Drawings included as Appendices 1 and 2 in Mr Bunn's evidence dated 28 March 2025; and
- (s) The Red Jacket Memo included as Appendix 1 in Mr Miller's evidence dated 28 March 2025.

3. CODE OF CONDUCT

- 3.1 I confirm that I have read the Code of Conduct for expert witnesses contained in the 2023 Environment Court Practice Note and that I agree to comply with it. I confirm I have considered all the material facts that I am aware of that might alter or detract from the opinions I express. In particular, unless I state otherwise, this evidence is within my area of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

4. PURPOSE AND SCOPE OF EVIDENCE

- 4.1 In this matter, I have been asked by the applicant to provide evidence from a strategic planning perspective, and consider the activity against the higher order planning documents including the strategic objectives in the Proposed New Plymouth District Plan (PNPDP), and National Planning Instruments. Mr Lawn will provide evidence that is specific to the application and I have reviewed this evidence.
- 4.2 I confirm that I have read the submissions on the Application, the evidence for the Applicant, and the Council Officer's Report (the '42A report').
- 4.3 My evidence is structured as follows:
 - (a) Summary (Section 5);
 - (b) The application (Section 6);
 - (c) The Application Site and Receiving Environment (Section 7);
 - (d) The History of the zoning of the land (Section 8);
 - (e) Cultural Significance (Section 9);

- (f) The Economic Effects of the Development (Section 10);
- (g) The provision of housing in the New Plymouth District - National Policy Statement on Urban Development (NPS-UD) & PNPDP Policy UFD-19 (Section 11);
- (h) Taranaki Regional Council (TRC) Regional Policy Statement (Section 12)
- (i) PNPDP Strategic Objectives (Section 13);
- (j) Submissions (Section 14);
- (k) S42A Report (Section 15);and,
- (l) Conclusion (Section 16).

5. SUMMARY

5.1 The key strategic planning related issues in my opinion are:

- (a) The history of the zoning of this land;
- (b) How the application responds to policy direction in relation to cultural matters (and potential adverse environmental effects generally);
- (c) The role of the land in providing housing in the New Plymouth District, including in meeting the NPDC's and TRC's requirements under the NPS-UD;
- (d) The benefits to local and regional economics associated with development of the land;
- (e) How the development of this land will occur in the wider context of the growth of the New Plymouth District.

5.2 By way of a summary, my assessment has enabled me to confidently conclude that:

- (a) There have been a number of opportunities over many years to revoke residential zoning of the land if its development was inappropriate for any reason.
- (b) The applicant has sought and responded to the cultural advice and input received from tangata whenua, to present a development that

aligns with the relevant planning policies and objectives developed through the recent PNPDP process.

- (c) The land is significant, and is relied upon, to meet housing demand in the New Plymouth District under the NPS-UD.
- (d) The economic benefits to the community will be significant, and extend far beyond the immediate construction stimulus that dwellings will create.
- (e) The applicant has responded to the evolving policy direction, submissions, and requests from Council positively so that a high quality development that is integrated with future potential development in the area is proposed.

6. THE APPLICATION

- 6.1 Details of the application are well described in the section 42a report and I agree with the description and will not repeat this information.

7. THE APPLICATION SITE AND RECEIVING ENVIRONMENT

- 7.1 The application site and receiving environment are well described in the application and section 42A report and I agree with the description and will not repeat this information.

8. THE HISTORY OF THE ZONING OF THIS LAND

- 8.1 The subject site has been zoned residential since at least 1980 where it is identified as 'Residential' in the County of Taranaki District Planning Scheme (District Planning Map 6, 1980). A designation was over part of the land for what appears to be broadcasting purposes at this time.
- 8.2 Residential zoning was retained through the Operative New Plymouth District Plan (2005) (ODP) when it was notified in 1998 and this has subsequently carried over into the PNPDP 'general residential' zoning. See **Figures 1-3** below.



Figure 1. County of Taranaki District Planning Scheme (District Planning Map 6, 1980) – Puke Ariki.

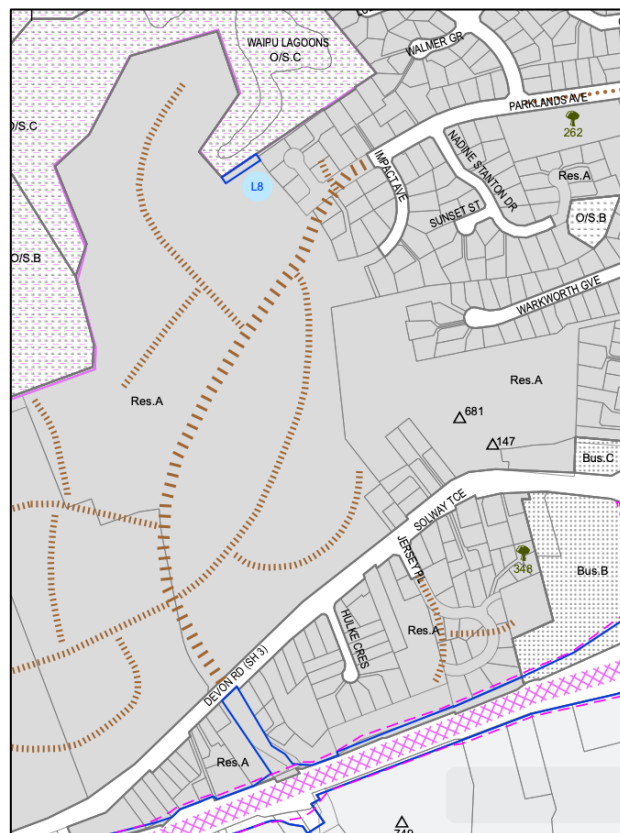


Figure 2. ODP 2005 – Planning Map B29. Residential A zoning.

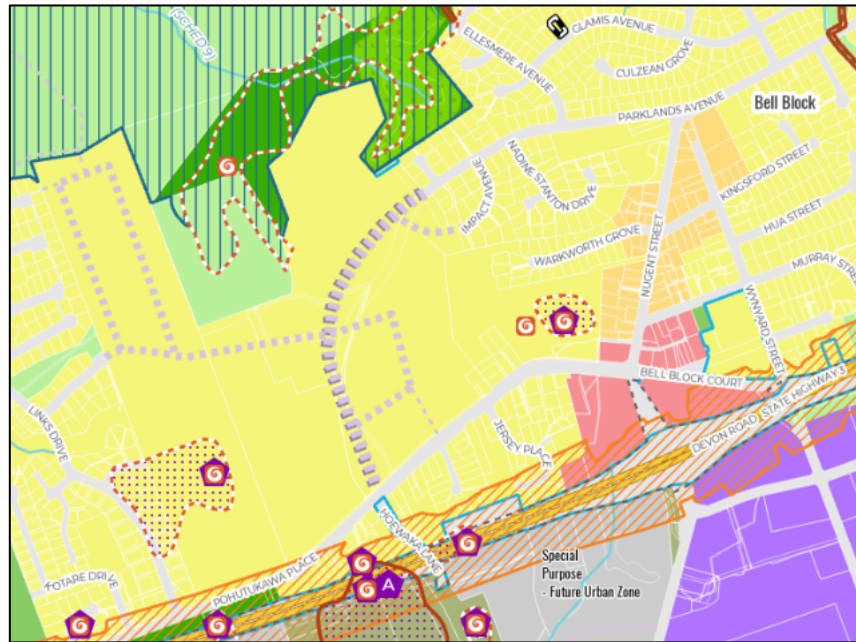


Figure 3. PNPDP (Appeals Version December 2023) – General Residential Zoning, with overlays.

- 8.3 The subject land has, in summary, sat as undeveloped residential land in the district for over 40 years, signalling that the relevant NPDC planning documents are enabling of this use, and the development and infrastructure associated with this. The most recent opportunity to reconsider the zoning of the land was via the recent PNPDP process, and it has been retained. In my opinion, that it is now the subject of an application for consent for subdivision and development is not a surprise to the community or the NPDC; and is entirely contemplated in this local context.

9. CULTURAL SIGNIFICANCE

- 9.1 Puketapu Hapū, Ngāti Tawhirikura Hapū, Te Kotahitanga o Te Atiawa Trust and Parininihi Ki Waitotara (PKW) expressed concerns in relation to ensuring this land is developed appropriately given the cultural significance of the area and the Waipu Lagoons, and these concerns were articulated in their submissions on the notified application.
- 9.2 Since submissions closed, the application has been adapted and modified in consultation with Puketapu Hapū, with this detailed by Mr Hawke and Mr Lawn in their evidence. I note for completeness that since submissions were received, that it is my understanding that Puketapu Hapū have been leading discussions, with the concerns of PKW, Ngāti Tawhirikura and Te Atiawa included in this process.

9.3 In my opinion the development that is now presented by the applicant represents a proposal that is:

- (a) Consistent with Section 6(e) of the Resource Management Act 1991 (RMA), with the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga recognised and provided for by the applicant; Section 7(a) in terms of recognition of the Kaitiaki role of the hapu (and iwi): and, Section 8 in the context of recognising the relationship of tangata whenua with natural and physical resources, and encouraging active participation of, and consultation with, tangata whenua in resource management decision making.
- (b) Consistent with the Policies of the NPS-FM 2020 (October 2024), in particular;

- (i) **Policy 1** - Freshwater is managed in a way that gives effect to Te Mana o te Wai.

The fundamental concept of Te Mana o te Wai is set out in section 1.3 of the NPS-FM, as follows;

(1) Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

(2) Te Mana o te Wai is relevant to all freshwater management and not just to the specific aspects of freshwater management referred to in the National Policy Statement.

- (ii) **Policy 3:** Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.
 - (iii) **Policy 6:** There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

- (c) Consistent with, in particular, the following Policies in part C of the Taranaki Regional Policy Statement (RPS) (while all Policies in Part C have relevance):
 - (i) **REL Policy 3** - Wāhi tapu and other sites or features of historical or cultural significance to iwi, and hapu and the cultural and spiritual values associated with ancestral lands, fresh water, air and the coast, will be protected from the adverse effects of activities, as far as is practicable and in a manner, which is consistent with the purpose of the RMA.
 - (ii) **REL Policy 7** – The maintenance and enhancement of rivers, streams, lakes and other water bodies, which have special significance to Iwi, will be provided for in a manner respectful of tikanga maori.
- (d) Consistent with Strategic Objectives HC-2 and HC-3 in the PNPDP, which are;
 - (i) **HC-2** - to ensure that cultural, spiritual and cultural, spiritual and historical values associated with historic heritage including sites and areas of significance to Māori, are protected from inappropriate activities; and
 - (ii) **HC-3** - Tangata whenua relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance, are recognised and provided for.
- (e) Consistent with Strategic Objectives TW-13 to TW-17 in the PNPDP, which are;
 - (i) **TW-13:** Tangata whenua are able to exercise kaitiakitanga and actively participate in resource management processes and decision-making in a way that provides for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.
 - (ii) **TW-14:** Timely, effective and meaningful engagement and consultation with tangata whenua is encouraged and supported.
 - (iii) **TW-15:** Recognise that tangata whenua:

1. are kaitiaki;
2. hold unique expertise in mātauranga Māori and tikanga;
3. are the only people who can identify impacts on their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.

(iv) **TW-16:** Tangata whenua are able to protect, develop and use their ancestral land in a way which is consistent with their culture and traditions and their social, cultural and economic aspirations

(v) **TW-17:** Recognise the contribution that tangata whenua and their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance make to the district's identity and sense of belonging.

9.4 In relation to the RMA, and the policies above, I particularly note the extensive integrated effort that has gone into understanding the cultural importance of the immediate area, and the wider Puketapu Rohe. Within this context, the effort from both the applicant and Puketapu Hapu to share their respective information and perspectives has enabled understanding of the connectivity of the land to the waterways (predominantly the Waipu Lagoons) from a cultural, physical and ecological perspective so that appropriate measures to avoid, remedy and mitigate potential adverse effects were able to be developed in a holistic manner.

9.5 Further, I note that this application has been progressed alongside a growing understanding of the Strategic Objectives of the PNPDP, particularly as they relate to Tangata Whenua involvement in development. The applicant, in particular Mr Hawke personally, has responded to the guidance provided by Puketapu Hapu in the matters which are summarised in policies TW-13 to TW17.

9.6 It is my opinion that the application as presented represents a development that that is consistent with Sections 6(e), 7(a) and 8 of the RMA, the NPS-FM, the RPS, and the Strategic Objectives in PNPDP.

10. ECONOMIC EFFECTS OF THE DEVELOPMENT

- 10.1 Before I commence analysis of the development in relation to the NPS-UD, the RPS and PNPD Strategic Objectives, it is necessary to set the scene with comment on the Economic Effects of the activity.
- 10.2 Mr McIlrath has assessed the potential economic implications of the proposed development from a local and regional perspective in his report dated 2 May 2024, and summarises this in his evidence.
- 10.3 Regionally, Mr McIlrath outlines that the Taranaki economy is growing, and this growth is driven by a diverse range of activities in the region.
- 10.4 In a local economic context, Mr McIlrath also identifies that Bell Block generally has a lower dwelling value profile than the central main urban area of New Plymouth, and this enables households seeking larger dwellings to occupy a larger dwelling at a lower cost, than in the larger main urban area of New Plymouth.
- 10.5 He also identifies that in the two decades to 2022, employment in Bell Block (including the area south of SH3 which is locally referred to as the 'Bell Block Industrial Area') has grown 40%, a faster rate than the rest of the District, and that these growth projections are expected to continue¹. From a planning perspective, this indicates that the proposed housing development is located where it is needed in the New Plymouth economy and provides for efficient urban form, as the housing is provided near where people will work.
- 10.6 Ensuring that the local residential construction sector can respond to the anticipated growth in New Plymouth is identified by Mr McIlrath as critically important², and the importance of the subject development in doing this is reinforced by Mr Hawke in his evidence.
- 10.7 Locally Mr McIlrath identifies benefits including housing choice, local retail spending and support of local businesses which will support the viability and vitality of the Bell Block centre, and the competitive price point for housing in this location.
- 10.8 Mr McIlrath identifies that, with its strategic location, affordability, and potential for suitable development, Bell Block emerges as a key focal point for future residential growth in the district³. This is consistent with my

¹ L McIlrath, paragraph 7.8, page 7.

² L. McIlrath, Paragraph 5.3, Page 4.

³ Appendix 1 to Mr McIlrath's Evidence, 56 Pohutukawa Place Economic Assessment, 2 May 2024, para. 5, page 25.

experience as an Urban Planner in New Plymouth and the patterns of growth I have witnessed since I commenced work here in 2001, and those anticipated in the PNPDP and previous NPDC Planning Documents.

- 10.9 In summary, it is my opinion that the development will have positive economic effects that are far reaching for the New Plymouth District and the Taranaki Region.

11. THE PROVISION OF HOUSING IN THE NEW PLYMOUTH DISTRICT – NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT (NPS-UD) AND PNPDP POLICY UFD-19

- 11.1 The proposed subdivision will enable 113 new allotments in the New Plymouth District, with potential for a further 90 lots in the future if the area marked 'balance allotment for future development' on the scheme plan is ultimately developed.

- 11.2 The Objectives of the NPS-UD that are relevant to consideration of this application are:

- (a) **Objective 1:** New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- (b) **Objective 2:** Planning decisions improve housing affordability by supporting competitive land and development markets.
- (c) **Objective 4:** New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.
- (d) **Objective 5:** Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- (e) **Objective 6:** Local authority decisions on urban development that affect urban environments are:
 - (i) integrated with infrastructure planning and funding decisions; and
 - (ii) strategic over the medium term and long term; and

- (iii) responsive, particularly in relation to proposals that would supply significant development capacity.

11.3 I will return to these Objectives after I discuss the specific Policies of relevance.

11.4 In my opinion the application is entirely consistent with Policy 1 of the NPS-UD, and the consent authority can have confidence that any planning decision to grant the consent is also consistent with this policy, which is that:

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have or enable a variety of homes that:

(i) meet the needs, in terms of type, price, and location, of different households; and

(ii) enable Māori to express their cultural traditions and norms; and

(iii) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and

(iv) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and

(v) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and

(vi) support reductions in greenhouse gas emissions; and

(vii) are resilient to the likely current and future effects of climate change.

11.5 In terms of Policy 1 of the NPS-UD:

(a) Mr McIlrath has described how the price and variety of housing that is expected is appropriate in this market, and it is clear that in the location of the development there is excellent accessibility for people between the proposed housing, jobs, community, and open space. I particularly note access by way of active transport given the proximity to the Coastal Walkway.

(b) The redesign of the subdivision layout in response to concerns of and guidance provided by Puketapu Hapu has in particular provided additional protection for the Waipu Lagoons, which are culturally

significant to Puketapu in terms of cultural practice and norms. A key to this was separation of the lagoons from private lots by the positioning of open space and roadways. Archaeological investigation and Discovery Protocols developed for the site also assist in this regard.

- (c) Mr McIlrath confirms that the type of housing proposed is at a density that is consistent with anticipated demand⁴, that the development will increase the number of lower cost dwellings available to households, in comparison to being supplied elsewhere within the main New Plymouth urban area,⁵ and increase housing choice at a local level, supporting housing competition that delivers economic benefits⁶.
- (d) Mr Bunn details that modelling of stormwater flows has occurred using design software that utilises 24-hr nested rain-fall data obtained via NIWA High Intensity Rainwater Design System (HIRDS⁷) RCP.8.5 for the years 2081-2100⁸ as required by NPDC and TRC. RCP.8.5 is the 'highest risk' scenario provided by NIWA, and takes into account the impact of climate change, as it is based on a mean annual temperature rise of 2.8–3.1 degrees Celsius by 2081–2100.
- (e) In summary, all of the above will enable a planning decision that will contribute to a well-functioning urban environment under Policy 1, and I note this is consistent with the 42A report (paragraphs 138 to 140).

11.6 In relation to other policies, NPDC is identified as a Tier 2 Territorial Authority in the NPS-UD (Table 2 in the single Appendix of this NPS). New Plymouth is accordingly identified as a 'Tier 2 Urban Environment' in this same table.

11.7 Corresponding to this, the New Plymouth District is identified as a Tier 2 Territorial Authority under Section 4 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

⁴ L. McIlrath, paragraph 8.2.

⁵ L. McIlrath, paragraph 8.9.

⁶ L. McIlrath, paragraph 8.10.

⁷ For full details about HIRDS, see <https://niwa.co.nz/climate-and-weather/climate-change/climate-change-adaptation-toolbox/projected-regional-climate-change-hazards#:~:text=RCP%208.5%20-%20with%20a%20range,degrees%20Celsius%20by%202081-2100.>

⁸ L. Bunn, paragraph 6.1.

- 11.8 This means that additional statutory responsibilities are placed on the TRC and NPDC, and Policies 2, 7 and 10 of the NPS-UD apply in the New Plymouth District, in addition to the other policies. These policies place greater obligations on Tier 1, 2 or 3 local authorities and do not apply to Territorial Authorities that are not Tier 1, 2 or 3. They read as follows;

Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

Policy 7: Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.

Policy 10: Tier 1, 2, and 3 local authorities:

- a) that share jurisdiction over urban environments work together when implementing this National Policy Statement; and
- b) engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning;
- c) engage with the development sector to identify significant opportunities for urban development.

- 11.9 Strategic Objective UFD-19 in the PNPDP reflects the requirements that the NPDC has under the NPS-UD, and it is most logical to consider it alongside this discussion. UFD-19 is;

UFD-19: There is sufficient land available to meet the short, medium and long-term housing demands of the district, as follows:

- 1. in the short to medium-term (in no particular time priority order):
 - a. infill;
 - b. undeveloped residential zones, particularly the Structure Plan Development Areas;
 - c. residential intensification in and around the city centre, town centres, local centres and key transport routes where there will be increased housing densities.
- 2. in addition to the above, in the long-term in Future Urban Zones that have been zoned for urban development through a plan change process.

- 11.10 The NPDC and TRC, as a tier 2 local authorities, must undertake the 'Evidence-based decision making' detailed in sub-part 3 of the NPS, which involves monitoring, assessment, and reporting on housing and development capacity, and the development and implementation of a Future Development Strategy (FDS) identified in sub-part 4 of the NPS-UD
- 11.11 Via submissions on the NPDC Future Development Strategy (which was adopted in 2024), in which a number of parties, including myself and the applicant, were involved, and to which Mr Lawn provided significant evidence, it was illustrated that the NPDC has significant difficulties in meeting its long term obligations under the NPS-UD under the PNPDP. The concerns with plan enabled capacity are detailed in the Officer's Report to the FDS Sub-Committee dated 10 May 2024, from paragraphs 74 onwards⁹.
- 11.12 As a result of submissions, the capacity modelling for the New Plymouth District was re-done, and this showed a shortfall of long term housing capacity of 1089 dwellings¹⁰. More critically however it showed that the capacity modelling for the New Plymouth District changed from a surplus of 1017 to a deficit of 1089, so 2106 dwellings. The NPDC has acknowledged this issue, and has prepared a FDS Implementation Plan¹¹ so that it complies with Policy 2 of the NPS-UD.
- 11.13 The most recent Housing and Business Capacity Assessment (HBCA) is dated 2024¹². In this assessment, land that is subject to this application is included in the assessment as 'undeveloped residential land' (see **Figure 4** below) and, therefore, has been considered by the NPDC to meet the definition of 'plan-enabled and infrastructure-ready' as defined in section 3.4 of the NPS-UD.
- 11.14 To be 'Plan Enabled and Infrastructure Ready' the land must be zoned for housing or business use, which this land clearly is. However, land is considered zoned for housing or for business use *'only if the housing or business use is a permitted, controlled, or restricted discretionary activity on*

⁹ Agenda FDS Sub-Committee, available via following link - see Appendix 1, Submission Report, from paragraph 74 onwards.

https://www.npdc.govt.nz/media/fvvlthti/ecm_9249287_v2_future-development-strategy-agenda-10-may-2024.pdf

¹⁰ Agenda FDS Sub-Committee, available via following link - see Appendix 1, Submission Report, paragraph 92.

https://www.npdc.govt.nz/media/fvvlthti/ecm_9249287_v2_future-development-strategy-agenda-10-may-2024.pdf

¹¹ <https://www.npdc.govt.nz/media/yczlhvui/future-development-strategy-implementation-plan-2024-2054.pdf>

¹² https://www.npdc.govt.nz/media/qxqhzwow/ecm_9171969_v4_nps-ud-housing-and-business-capacity-assessment-2024.pdf

that land' (section 3.4 NPS-UD). While I have concerns about whether this land is infact 'plan enabled' capacity due to the planning and practical constraints imposed by SASM's, for the purpose of this evidence, I accept it as such. It is my opinion however that to subdivide the land, and therefore 'unlock' the housing use, is a discretionary activity under the PNPD and to divorce subdivision from the ultimate land use artificially increases the area of 'plan enabled' capacity under the NPS-UD.

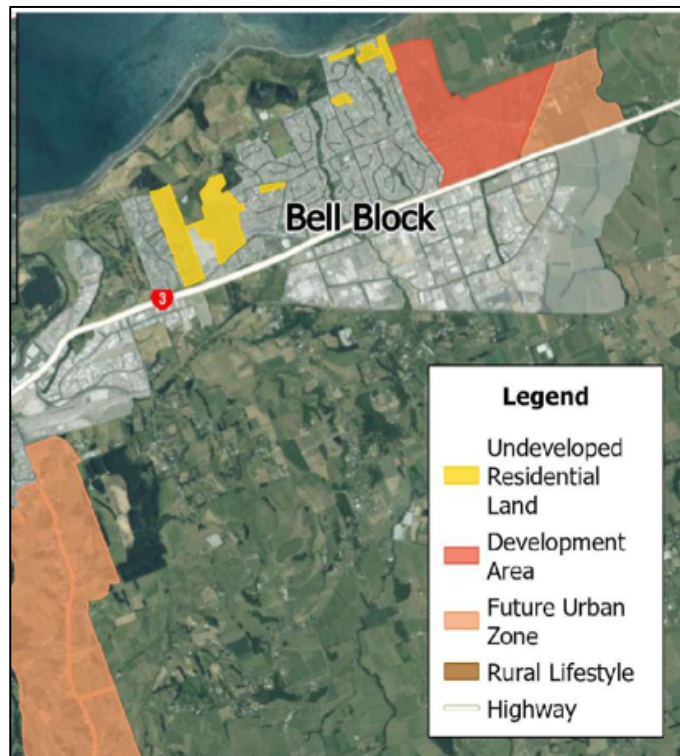


Figure 4. Figure 4.13, New Plymouth District Growth Map – NPDC HBDCA 2024 showing the site as Undeveloped Residential Land

11.15 Table 4.12 of the HBCA (2024), shown as **Figure 5** below, summarises the Plan Enabled Capacity in Bell Block as 475 standalone dwellings and 190 attached dwellings, with this assessment including the areas shown as 'undeveloped residential land' in figure 4.13 of the HBCA (shown in Figure 4 above). The 42A report also agrees that this site is part of the area of undeveloped residential land in Bell Block¹³.

¹³ S42A Report, paragraph 177.

Undeveloped Residential Land		Plan-enabled Capacity		Feasible Capacity		Reasonable Capacity	
	Total Area (ha)	Standalone	Attached	Standalone	Attached	Standalone	Attached
New Plymouth	181.8	1,052	162	791	158	584	136
Bell Block	52.5	475	190	443	190	253	110
Total	234.3	1,527	352	1,234	348	837	246

Table 4.12 – New Plymouth Undeveloped Residential Land Potential Capacity

Figure 5. Table 4.12, NPDC HBDCA 2024 showing the plan enabled capacity that has been assessed.

11.16 The subject application – assuming one dwelling is built on each of the 113 lots – therefore represents approximately 17% of the plan enabled capacity identified in the Bell Block area. The 42A report states that the granting of this consent would be consistent with the FDS and HBA¹⁴, and the NPS-UD¹⁵ which I agree with, and I also consider that the development will assist the NPDC to provide genuine housing capacity.

11.17 To conclude and referencing the conclusions reached by Mr McIlrath in his evidence, in relation to the relevant Objectives of the NPS-UD (from which the relevant Policies derive), it is my opinion that, the proposal is:

- (a) consistent with Objective 1, in that it will provide for a well-functioning urban environment that supports the NPDC community now, and into the future;
- (b) consistent with Objective 2, as the development of 113 lots in Bell Block will improve housing affordability and support competitive land development markets;
- (c) provided for by Objective 4, as the development of the land will change the amenity values of the area, but this is a change that has been signalled for over 40 years, and it is part of the 'change over time' to accommodate housing growth for the community;
- (d) consistent with Objective 5, for reasons discussed in earlier sections of my evidence;
- (e) if granted, and considered in context of wider development in this area, the decision would be consistent with Objective 6 as;

¹⁴ 42A report, paragraph 177.

¹⁵ 42A report, paragraph 140.

- (i) through consultation with the NPDC, it is integrated with Infrastructure Planning and funding decisions, as detailed by Mr Georgeson (Traffic/Roading) and Mr Bunn (Engineering);
- (ii) it is part of, and has been adapted to facilitate, a medium to long term strategy for this part of the District (i.e. the area between Parklands Drive and the Links); and,
- (iii) it will respond positively to a proposal that will significantly increase development capacity in the District.

12. REGIONAL POLICY STATEMENT (RPS)

12.1 Part B of the RPS addresses the Built Environment. SUD Objective 1 is to promote sustainable urban development in the Taranaki Region, and SUD Policy 1 is as follows:

SUD POLICY 1 To promote sustainable development in urban areas by:

- (a) encouraging high quality urban design, including the maintenance and enhancement of amenity values;
- (b) promoting choices in housing, work place and recreation opportunities;
- (c) promoting energy efficiency in urban forms, site layout and building design;
- (d) providing for regionally significant infrastructure;
- (e) integrating the maintenance, upgrading or provision of infrastructure with land use;
- (f) integrating transport networks, connections and modes to enable the sustainable and efficient movement of people, goods and services, encouraging travel choice and low- impact forms of travel including opportunities for walking, cycling and public transport;
- (g) promoting the maintenance, enhancement or protection of land, air and water resources within urban areas or affected by urban activities;
- (h) protecting indigenous biodiversity and historic heritage; and
- (i) avoiding or mitigating natural and other hazards.

- 12.2 The RPS was finalised in 2010, with an interim review undertaken in 2017 identifying no immediate need for changes¹⁶. Since the RPS came into effect there have however been a number of key policy changes at the national level including the NPS-UD and its predecessor the NPS-UDC. There is some minor conflict between the NPS-UD and the RPS for this reason, in particular around maintaining and enhancing amenity values (SUD Policy 1 (a)) which conflicts with Policy 4 of the NPS-UD which anticipates a change in amenity values.
- 12.3 Where there is a conflict between the RPS and the NPS-UD, in my opinion the NPS-UD takes precedence, as the more recent higher order document. In its next review, I would expect that the RPS would be updated to reflect the Policies in the NPS-UD. In all other respects, I consider the activity is consistent with the RPS.

13. PNPDP STRATEGIC OBJECTIVES RELATING TO URBAN DEVELOPMENT

- 13.1 The discussion in Sections 10 and 11 above is relevant to the assessment of the activity against the Strategic Objectives relating to Urban Development in the PNPDP. I note that none of the relevant UFD Objectives remain under appeal.
- 13.2 **UFD-18:** The district develops and changes over time in a cohesive, compact and structured way that:
1. delivers a compact, well-functioning urban form that provides for connected, liveable communities;
 2. manages impacts on the natural and cultural environment;
 3. recognises and provides for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance;
 4. enables greater productivity and economic growth;
 5. enables greater social and cultural well-being;
 6. takes into account the short, medium and long-term potential impacts of natural hazards, climate change and the associated uncertainty;
 7. utilises existing infrastructure and social infrastructure or can be efficiently serviced with new infrastructure and social infrastructure;

¹⁶ <https://www.trc.govt.nz/assets/Documents/Plans-policies/RPS/RPS-Interim-Review.pdf>

8. meets the community's short, medium and long-term housing and industrial needs; and
9. may detract from amenity values appreciated by existing communities but improve such values for new communities by providing increased and varied housing densities and types.

13.3 **UFD-20:** A variety of housing types, sizes and tenures are available across the district in quality living environments to meet the community's diverse social and economic housing needs in the following locations:

1. suburban housing forms in established residential neighbourhoods;
2. a mix of housing densities in and around the city centre, town centres, local centres and key transport routes, including multi-unit housing;
3. opportunities for increased medium and high-density housing in the city centre, town centres and local centres that will assist to contribute to a vibrant, mixed-use environment;
4. a range of densities and housing forms in new subdivisions and areas identified as appropriate for growth; and
5. papakāinga that provides for the ongoing relationship of tangata whenua with their culture and traditions and with their ancestral land and for their cultural, environmental, social and economic well-being.

13.4 **UFD-24:** Urban environments are well-designed, liveable, connected, accessible, and safe spaces for the community to live, work and play, which:

1. integrate and enhance natural features and topography into the design of development to minimise environmental impacts;
2. recognise the local context and planned character of an area;
3. reduce opportunities for crime and perceptions of crime through design solutions;
4. create ease of movement in communities through connected transport networks, a range of transport modes and reduced reliance on private motorised vehicles;
5. incorporate mātauranga Māori in the design, construction and development of the built environment;
6. use low impact design solutions and healthy, accessible, energy efficient buildings; and
7. are adequately serviced by utilising and upgrading existing infrastructure and social infrastructure or with new infrastructure and social infrastructure.

13.5 The PNPDP UFD Strategic Objectives align with the NPD-UD.

13.6 Mr McIlrath's evidence addresses urban form and economic matters. It is his opinion that the development is likely to contribute positively to meet the demand needs of the District¹⁷, and that the density proposed by the applicant is consistent with the demand. At paragraph 8.3 of his evidence, he confirms that proposed development will make an important contribution to meeting short-term demand, while also supporting the housing market over the medium to longer term.

13.7 Considering the objectives above, and reflecting on;

- (a) The history of this land, which signals an intent over 40 years that the land be developed for residential use; and,
- (b) The evidence in particular of Mr McIlrath and Mr Hawke;
- (c) The evidence of Mr Bunn on 3-waters infrastructure and Mr Miller and Mr Georgeson on Roading Infrastructure;

I consider the proposed development is entirely consistent with the UFD Strategic Objectives in the PNPDP.

14. NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT AND NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER MANAGEMENT

14.1 The application was put on hold under s91 of the RMA so that TRC Consents could be obtained. These consents covered activities within 100m of the Waipu Lagoons, which are Natural Inland Wetlands.

14.2 These consents were granted, and the TRC consent decision is appended to Mr Lawns evidence.

14.3 The TRC granted a consent under the relevant regulations of the NES-FM and undertook an assessment of the activities under the relevant policies and objectives of the NPS-FM. They concluded that the activities were consistent with these documents, and their Regional Plans. I agree with the assessment that it undertook.

¹⁷ L. McIlrath paragraph 8.2, pages 8/9

15. SUBMISSIONS

- 15.1 Some submissions raised that the application was not consistent with the various high level policy direction, including the NPS-FM, NPD-UD and the RMA. It is my opinion that the proposal, as modified since it was notified and subject to appropriate conditions, is consistent with these high level planning documents and the RMA.
- 15.2 Submissions were also received in support of the proposal, with the re-occurring themes of these submissions reflecting the issues that the NPS-UD in particular is aimed at addressing, and the economic benefits of the development. The key themes in the submissions of support included;
- (a) The development will assist to address NPDC's (and NZ's) 'Housing Shortage' and the shortage of good quality sections in the New Plymouth District to build on;
 - (b) It is well connected to active transport modes (the walkway), shops and amenities;
 - (c) Quality homes for local people will be provided;
 - (d) The location is in close proximity to infrastructure;
 - (e) Opportunities for employment;
 - (f) Create work for trades people and service providers, and also 'upcoming' tradespeople – securing employment and keeping them in New Plymouth;
 - (g) Wide reaching positive effects on the economy;
 - (h) The generous sized sections are ideal for families; and,
 - (i) It will be good for local businesses.
- 15.3 These reflect in more 'layman's terms' the positive effects identified by Mr McIlrath in his evidence (Paragraphs 8.1 to 8.17).

16. COUNCIL S42A REPORT

- 16.1 I have reviewed the s42A Report for the Application provided by the NPDC processing officer.
- 16.2 The processing officer assesses the application against the higher level planning documents in Section 7 and, while I have gone into more detail in

some areas, I agree with the 42A assessment that the activity is consistent with the NPS-UD¹⁸ and the parts of the RPS that are relevant¹⁹.

17. CONCLUSION

17.1 My evidence has assessed the high level planning matters in relation to the Application and I can safely conclude that the proposed subdivision and its associated land use is consistent with:

- (a) The RMA;
- (b) The NPS-FM;
- (c) The NPS-UD;
- (d) The RPS; and
- (e) The PNPDP Strategic Objectives.

17.2 In conclusion, it is my opinion that, when assessed holistically against the strategic direction provided in the NPS-FM, NPS-UD and the relevant PNPDP Strategic Objectives and RPS policies and objectives;

- (a) The applicant has sought and responded to the cultural advice and input received from tangata whenua, to present a development that aligns with the more 'up to date' planning policies and objectives developed through the recent PNPDP process.
- (b) The land is significant, and is relied upon, to meet housing demand in the New Plymouth District under the NPS-UD.
- (c) There have been opportunities since 1980 to revoke residential zoning of the land if its development in this manner was inappropriate for any reason.
- (d) The economic benefits to the community will be significant, and extend far beyond the immediate construction stimulus that dwellings will create; both district wide and regionally.
- (e) The applicant has responded to the evolving policy direction, submissions, and requests from Council positively since they lodged

¹⁸ 42A Report, Paragraph 140

¹⁹ 42A Report, Paragraph 150

this application - so that a high quality development that is well integrated with future potential development in the area is proposed.

**Kathryn Louise Hooper
Landpro Limited**

28 March 2025