

**Before New Plymouth District Council
Independent Commissioner Mark St Clair**

IN THE MATTER of an application for variation of subdivision consent notice conditions
SUB24/50201.01 — 1 and 9 Washer Road, Omata

Washer Family Trust Limited
Applicant

BRIEF OF EVIDENCE OF KATHRYN LOUISE HOOPER

Date 29 May 2026

INTRODUCTION AND QUALIFICATIONS

1. My full name is Kathryn Louise Hooper.
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.
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. I have been a full member of the New Zealand Planning Institute since 2012.
4. The majority of my work is here in Taranaki though Landpro operates throughout New Zealand. I grew up in the New Plymouth District.
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; feasibility, consultation and land access negotiations. My previous roles have involved enforcement activities under the RMA for Wellington and Taranaki Regional Councils.
6. Although this is a Council level hearing, I confirm that I have read the Code of Conduct for Expert Witnesses as contained in the Environment Court Practice Note 2023, and I agree to comply with it in giving this evidence. The data, information, facts and assumptions I have considered in forming my opinions are set out in this statement to follow. The reasons for the opinions expressed are also set out in this evidence.
7. Unless I state otherwise, this evidence is within my sphere of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

INFORMATION CONSIDERED

8. In preparing this statement, I have reviewed:
 - (a) The application and supporting documents;
 - (b) Documentation associated with the substantive application;
 - (c) Correspondence with NPDC arising from the application's processing;
 - (d) The section 42A report prepared by Mr Robinson dated 22 May 2026 and the addendum dated 26 May 2026;
 - (e) The site and surrounding area;
 - (f) Submissions received that raise issues which may be relevant to my field of expertise;

- (g) The Expert Statement of Chris Rendall (Principal Planner, Landpro Limited) dated 29 May 2026, including the earlier expert planning evidence provided by Mr Rendall on 17 September 2025 and its appendix (Appendix A to Mr Rendall's updating statement) and the Joint Witness Statement completed 7 November 2025; and
- (h) The Statement of Evidence of Kristel Franklin, expert on geotechnical engineering.

REVIEW OF EXPERT EVIDENCE

- 9. The purpose of this brief of evidence is to provide an overarching review of the planning evidence before the Commissioner and to provide some high level comment relative to my experience with subdivision in New Plymouth for over 20 years.
- 10. I agree with Mr Rendall's assessment. In particular I agree with his expert opinion that the application to vary the wording of the consent notice conditions should be granted; that the application is consistent with the purpose of the RMA and will promote the sustainable management of natural and physical resources; and that the application does not generate any effects which are minor or more than minor.
- 11. I do not intend to revisit the full suite of planning matters covered in evidence. However, I wish to highlight some key matters that I consider are important to this application and its preceding application related to the boundary adjustment/subdivision.

AMENITY

- 12. I concur with Mr Rendall in relation to the issues raised about amenity. In my view, the section 42A report relies too heavily on amenity as a basis for decline without providing any objective assessment of the scale or significance of the asserted effects within the Tapuae Farm Park context.
- 13. I agree with Mr Rendall that any amenity analysis should, in the context of this proposal, conclude that effects are less than minor. I further agree that the proposal will not enable a loss of rural character, and that the nature and character of Tapuae Estate will not be adversely affected by the proposal.
- 14. I consider that the reliance on amenity as the primary basis for the recommendation to decline this application is not well founded, and that the section 42A report does not adequately test the scale or significance of the implied adverse effects against the purpose and context of the relevant objectives and policies.

NATIONAL POLICY STATEMENT – NATURAL HAZARDS 2025

- 15. Mr Rendall addresses the National Policy Statement – Natural Hazards 2025 ("NPS-NH"), which came into force on 15 January 2026, and I agree with his assessment in that regard. I wish to add the following observations from my own perspective.
- 16. I concur with Mr Rendall that the NPS-NH reinforces the need for allotments to be safe to build upon, and that granting the applications would better give effect to this national direction — specifically Policies 1, 2 and 3 — by enabling the avoidance of the very high natural hazard risk that would be present if development were to occur unmitigated on the current Lot 20. As Mr Rendall notes, and as confirmed by Ms Franklin's geotechnical evidence, development on the current configuration of Lot 20 would result in a building platform that is intimately connected to an existing slip, a risk that cannot readily be avoided while the current consent notice wording and lot boundaries remain unchanged.
- 17. I agree with Mr Rendall that this in turn reinforces the need to complete the subject boundary adjustment and to make the associated alterations to the consent notice to enable it. Granting the variation application provides the mechanism to appropriately manage the identified natural hazard risk by enabling the substantive applications (LUC24/48662 and SUB24/50201) to be given effect to in a manner consistent with the NPS-NH.

CONCLUSIONS

18. I also make the observation that the Farm Park style of Tapuae Estate was a new 'concept' to New Plymouth at the time it was granted, and in hindsight the consent notice conditions imposed on the subdivision clearly do not provide the degree of flexibility required to provide for situations such as those that have arisen here.
19. The consequences of that inflexibility are now apparent — without the ability to adjust the boundary, Lot 20 cannot be developed safely in accordance with the intent of the original consent and the requirements of the NPS-NH. Granting this application resolves that position in a manner that is consistent with sound planning practice and the sustainable management framework of the RMA.
20. In my opinion, it is in the interests of all parties, and consistent with the purpose of the RMA, that this matter is resolved through this process so that the land can be put to the use for which it was always intended.

Dated 29 May 2026



Kathryn Hooper