

BEFORE THE PORIRUA CITY COUNCIL

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

Porirua City Proposed District Plan
and a submission by BRANZ
Incorporated

STATEMENT OF EVIDENCE OF PETER ALAN COOP

Dated: 4 May 2022

INTRODUCTION

- 1 My name is Peter Alan Coop. I am a self-employed Resource Management Consultant.
- 2 My qualifications are a BA (Canterbury University), Diploma of Town Planning (Auckland University) and a Master of Public Policy (Victoria University of Wellington).
- 3 I have over 40 years resource management work experience in both New Zealand and the United Kingdom. From 1979 to 1995 I worked for the Wellington City Council, being Manager of Resource Consents (5 years) and then Manager of Strategic Planning and Policy (5 years). From 1996 to 2003 I was employed by Opus International Consultants Ltd and from 2004 to 2022 by Urban Perspectives Ltd.
- 4 I provide resource management advice and assistance to a range of Government, local government, and private sector clients. My assistance has included the preparation of applications for resource consent, plan changes, designations and associated Assessment of Effects on the Environment (AEE) reports for a diverse range of projects. These have included developments on institutional campuses for Victoria University of Wellington, Massey University, Capital and Coast District Health Board, NIWA and ESR.
- 5 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2011. I have complied with it in preparing this evidence and I agree to comply with it in presenting evidence at the hearing. The evidence that I give I consider is within my area of expertise. I have considered all material facts that are known to me that might alter or detract from the opinions that I express in this evidence.

BACKGROUND

- 6 BRANZ Incorporated (BRANZ) is a longstanding owner and occupier of its campus on Moonshine Road in Porirua where it undertakes independent and impartial research, testing, consulting, and knowledge dissemination for the benefit of the New Zealand building and construction industry. Its role is therefore of national importance.

- 7 The nature of the campus was described by the Council in its District Plan review work as follows:

BRANZ has operated on its campus-like site (5.2 ha) at 1222 Moonshine Road, approximately 290m north of the intersection with the Paremata Haywards Road/State Highway 58, since 1975. The site is relatively flat. The campus is a long-established research facility and comprises a 'collection' of buildings of varying size and height spread over the site, with large areas devoted to carparking. In these ways it is similar in character to a university campus. The nature of the work carried out by BRANZ means that its facilities are generally quite large and involve a wide range of associated activities.

There are substantial built complexes containing laboratories, offices, testing facilities, exposure sites and experimental buildings and houses, as well as onsite accommodation for the caretaker. The site has a campus character that is not out of place in the rural environment. There is a fire laboratory, a structural laboratory where product durability is tested, and there are buildings covered in roofing and cladding materials, and others set up high or tightly sealed to test window performance, air quality and airflow.

- 8 BRANZ is one of Porirua's major employers. Currently it employs 115 staff most of whom are leading professionals who reside in or close by Porirua City. I am advised by BRANZ that its monthly expenditure is over \$1m, making BRANZ a major contributor to Porirua's economy.
- 9 My involvement with BRANZ and the campus commenced in 2019 when I was requested to give advice on the resource consent requirements for a proposed redevelopment of the western part of the campus, primarily for a larger replacement fire laboratory building and for a larger replacement structures laboratory building.
- 10 I was surprised to find that under the Operative District Plan the nationally important campus and the major importance of BRANZ to Porirua's economy was not recognised or provided for by appropriate Zone provisions. Instead, the campus is zoned Rural with a building height standard of 10m.
- 11 I therefore advised BRANZ that its proposed redevelopment faced resource consent risks because of the failure of the Operative District Plan to make appropriate provision for its nationally important activities.
- 12 In 2020 I assisted BRANZ to apply for resource consent under the Operative District Plan for the proposed redevelopment of the western part of the campus, including for a larger replacement fire laboratory building with a height of 22.6m and a replacement structures laboratory building with a height of 13.52m.
- 13 The application was limited notified. The proposal was supported by some nearby neighbours and opposed by others. It was not fully supported by the Council's resource consent officer's report.

- 14 After what was an expensive and stressful process for BRANZ, an independent hearing panel granted resource consent, subject to conditions. There were no appeals and the redevelopment is now being constructed.
- 15 I have also assisted BRANZ to persuade the Council to recognise and provide for the campus and BRANZ's activities in the Proposed District Plan by way of the "Special Purpose Zone – BRANZ" (SPZ-BRANZ).
- 16 When the Proposed District Plan was notified, BRANZ lodged a submission supporting the SPZ-BRANZ and seeking that the building height standard of 10m under SPZ-S1 be amended to provide for the consented building height of the fire laboratory building of 22.6m, the consented building height of the structures laboratory building of 13.52m, and the existing building height of the shared storage building of 12.2m.
- 17 The submission also sought such other amendments, additions or refinements to the SPZ BRANZ to give effect to the submission.

OFFICERS REPORT

- 18 The officer's report prepared by Torrey McDonnell recommends rejecting BRANZ's submission because "*22m is inappropriate as a permitted height standard*" for the Zone.
- 19 I subsequently contacted Mr McDonnell to confirm to him that BRANZ's submission seeks to increase the building height standard only for the footprints of the fire laboratory, structures laboratory and shared storage buildings and not for the whole of the Zone.
- 20 Notwithstanding this, I concur with Mr McDonnell that it would be inappropriate for increased building heights for the footprints of the buildings to be permitted activity standards. This is mainly because it could have adverse implications for the maintenance of the conditions of the resource consent for the buildings.

AMENDED RELIEF SOUGHT

- 21 In view of the above, I have confirmed with BRANZ that its concern is limited to the building height of just the two important fire laboratory and structures laboratory buildings. Their concern is to avoid a potential repeat of the limited notified application process if for example after a natural disaster the two buildings were damaged and needed to be replaced.
- 22 If either one, or both, of the buildings needed to be replaced, my understanding is that BRANZ would need to rely on existing use rights to replace the buildings. In my experience, this is unsatisfactory for a nationally important facility and is made more uncertain by the RMA

reforms which appear not to carry over an existing use mechanism as presently exists under s 10 RMA 1991.

- 23 Alternatively, BRANZ would again have to apply for resource consent and again be exposed to the risks, costs and opposition associated with a potential repeat of the limited notification process, particularly if the applicable building height standard under SPZ-S1 remains at 10m for the replacement building footprints.
- 24 To address BRANZ's concerns and to enable the Council to be able to reimpose the same or similar conditions of resource consent for any replacement of the two buildings on similar footprints, I consider that a controlled activity provision would be appropriate with controlled activity standards of 22.6m for the fire laboratory footprint and 13.52m for the structures laboratory footprint as per the attached drawing prepared by Warren and Mahoney Architects Ltd, and with preclusion from public and limited notification.
- 25 If this is accepted, it would be useful if a specific policy was added to the SPZ- BRANZ that supports the replacement of the buildings should that need arise. This would help inform existing and potential future adjoining and adjacent landowners that replacement buildings up to the presently consented heights and within the specified footprints can be anticipated. It would also help BRANZ to be confident of its long-term future in Porirua.

Peter Alan Coop