

Before the Porirua District Council

In the Matter of the Resource Management Act 1991

And

In the Matter Proposed Porirua District Plan and
Variation 1 to the Proposed Porirua District Plan

Submitter Silverwood Corporation Limited

**Evidence of James Hook
Dated 10 March 2023**

INTRODUCTION

1. My full name is James Ronald Hook.
2. My tertiary qualifications comprise a Bachelor of Surveying (BSurv) and a Master of Regional and Resource Planning (MRRP). I have worked as a Planning Consultant for 28 years. I am full member of the New Zealand Planning Institute. I have previously obtained certification as a Planning Commissioner and fulfilled that role for Wellington City Council (in 2011-2012).
3. My professional experience has included a wide range of land use and subdivision consent applications, professional advice, and expert evidence services to a broad range of Clients, including local authorities, community and special interest groups (as detailed in my Curriculum Vitae – refer to **Attachment 1**).
4. Through the course of my work, I have made regular appearances at Council hearings and have regular and on-going experience in matters before the Environment Court. While not a hearing before the Court, this evidence has been prepared in accordance with the Code of Conduct for Expert witnesses, contained in section 5 of the Environment Court Consolidated Practice Note 2014. This evidence is within my area of expertise, and I confirm that I have considered all material facts known to me that are relevant to the proposal.
5. This statement relates to the following submissions of Silverwood Corporation Limited that relate to “subject land”:
 - a) Sections 7, 9, and 10 SO475749 (52.6ha) – Silverwood Corporation Limited
 - b) Lot 2 DP 389024 and Lot 34 DP 29428 (62.19ha) – Kimihia Number 2 Limited

Subject of Submission	Submission reference	Date
Proposed Porirua District Plan	Submission 172	20 November 2020
Proposed Porirua District Plan	Further Submission 34	11 May 2021
Variation 1 to the Proposed Porirua District Plan	Submission OS71	12 September 2022

6. I particular I note that Submission OS71.3 requests the following relief for the subject land:

Amend PV1 to include the Silverwood/Landcorp Site identified in submission 172 and further submission 34 (“the Site”) so that:

(i) A Structure Plan is incorporated in the District Plan

for the Site; and/or

(ii) The site is live-zoned to Medium Density Residential

Zone or any other appropriate zone/s informed by the structure plan; and/or

(iii) A Silverwood/Landcorp Development Area chapter is incorporated into the District Plan that includes site-specific provisions that seek to manage subdivision, use and development of the site in line with identified opportunities and constraints of the Site for residential purposes; and/or

(iv) RETAIN existing overlay controls that seek to manage activities in specific areas of the Site (including any landscape protection areas, SNA's, national grid and natural hazard overlay areas;

or AMEND with any specific modifications that are most appropriate to address the particular circumstances of the Site; and

(v) Make any other such modifications that are necessary to implement points (i) – (iv)

7. The subject land is located between 400m and 1500m to the east of the Waitangirua town centre, which incorporates a retail centre and a range of educational facilities including the Natone Park (Primary) School, Waitangirua Kindergarten and the Te Toka Ahuru Kohanga Reo. Whitby shopping centre is approximately 4km (by road), and Porirua Railway station is approximately 6km away by road. Central Wellington is approximately 24km (20mins) away, with access via SH1 (Transmission Gully).
8. In preparing this evidence I have reviewed site photos, aerial photography, street view images and the technical reports listed below. Due to the time constraints applied to this brief it is has not been possible to visit the site in person. However, that is not uncommon and is consistent with the manner in which I have completed many planning projects across the Country over the last 5-years (in particular during the period of Covid-19 lockdowns 2020-2022).
9. I have reviewed the following technical reports (the “reports”) as part of the preparation of this evidence:
 - Porirua District Council’s – s42A Report (Part B – FUZ, HOSZ and OSZ; Part B Northern Growth Development Area)
 - Urban Design Assessment – Whitby South Porirua, Urban Acumen (September 2020)
 - Ecological Assessment for Rezoning, RMA Ecology (October 2020)
 - Transport Summary Report, Stantec (October 2020)
 - Landscape Evaluation, Hudson Associates (November 2020)

- Infrastructure Report – Silverwood Rezoning, Envelope Engineering (November 2020)
 - Silverwood Rezoning – Draft Proposed Structure Plan, Urban Acumen (20 November 2020)
 - Silverwood – Draft Structure Plan, Egmont Dixon, Envelope Engineering, Urban Acumen, RMA Ecology, Hudson Associates, ENGEO, Stantec (November 2020)
 - Geotechnical Suitability Report – Silverwood Whitby Porirua, ENGEO (November 2020)
 - Record of correspondence with Ngati Toa - Te Runanga o Toa Rangatira (November 2020)
10. I note that the “reports” include consideration of the suitability of the land for urban development in respect of the landform, landscape values, ecological and cultural values, access and transportation. I note that the future extension of the urban boundary eastwards from Waitangirua/Cannons Creek to the Transmission Gully motorway is specifically identified as a future growth area in the Porirua Growth Strategy 2048.
11. From the “reports” I have noted the presence of a range of potential site/development constraints, including:
- Special Amenity Landscape - Cannons Creek Ridge (Cannons Creek SAL)
 - National Grid Corridor (110kV overhead transmission line)
 - Gas Transmission Pipeline
 - A permanent stream (Duck Creek)
 - Proposed Flood Hazard Area (watercourses originating below Cannons Creek Ridge)
 - Fault Rupture Zone (applies to SE corner of subject land only)
 - Motorway Noise Corridor (adjacent to Transmission Gully)
 - Significant Natural Areas (SNA083 0.9ha and SNA084 2.77ha), and other qualifying vegetation including the riparian areas adjacent to Duck Creek and kanuka forest below the transmission lines.
 - Steep land (geotechnically unsuitable for development)
12. I have also reviewed the following statements of evidence and related documents presented as part of “hearing stream 5” by experts representing SCL and by Council’s Reporting officers:
- Economics Evidence – Adam Thompson (20 June 2022)
 - Landscape Evidence – John Hudson (18 May 2022)
 - Planning Evidence – Stephanie Blick (20 June 2022)
 - Copy of Submission on Porirua Growth Strategy – SCL (8 Feb 2019)
 - Clarification from Adam Thompson (7 July 2022)
 - Speaking Notes – Stephanie Blick (6 July 2022)
 - Summary Statement – Adam Thompson (4 July 2022)
 - Speaking Notes – Gina Sweetman (5 July 2022)

- Supplementary Economic Evidence – Philip Osbourne (5 July 2022)
- Supplementary Landscape Evidence – Rose Armstrong (27 June 2022)
- Council Reply – Gina Sweetman (28 July 2022)
- Council Reply – Philip Osborne (28 July 2022)
- Council Reply – Rose Armstrong (27 July 2022)

The Scope of Evidence

13. I have been asked to provide a review of the “reports” prepared and submitted with the submissions in respect of Appendix 11 of the PDP, which Mr Dawson addressed in paragraph 40 of his opening submissions as follows:

...the requirements of the Structure Plan process set out in Appendix 11 of the PDP are thorough and comprehensive. They require a careful and deliberate consideration of the site attributes, including constraints, such as SNA’s, natural features and landscape values as well as the identification of potential development areas and landscape protection areas. Restrictions on development and outcomes are all required.

14. In particular, I have been asked to assess whether the “documentation” addresses the requirement of Appendix 11 sufficiently to enable a live residential zoning to be applied to the subject land. In respect of that matter I note that SCL’s further submissions (prepared by its Planner: Ms Blick) summarises the site investigation and structure planning exercise as follows:

...through the PDP process sufficient information has been provided that confirms that Silverwood and Landcorp sites are suitable for residential development. Therefore, any future development of this site should be achievable via a consent process as opposed to a plan change.

15. I have not been asked to undertake a broader planning evaluation as required by s.32 of the Act of the SCL submissions in relation to the zoning of additional land for urban development in Porirua District, on which you have already received evidence and legal submissions. Due to the limitations in scope of this brief, I make no comment on those matters.

Appendix 11 – Future Urban Structure Plan Guidance

16. I have undertaken a detailed review of the extent to which the reports and evidence provided by SGL address the requirements of Appendix 11 of the Proposed District Plan, which sets out a comprehensive set of matters that a Structure Plan is required to address in order to rezone land from Future Urban to an operative “live” zoning. In undertaking that review, I have considered whether there are any deficiencies or gaps in the investigations, analysis and reporting undertaken by SCL’s experts that would prevent application of a “live” residential

zoning and the adoption of a Structure Plan for the Silverwood and Landcorp land into the (proposed) Porirua District Plan.

17. My analysis of the Appendix 11 matters is provided in **Attachment 2**.

Conclusion

18. In summary, I conclude:

- a) The team of specialists engaged by SCL in respect of geotechnical, ecological, landscape, traffic and transportation, urban design and planning have comprehensively analysed the subject land, including its existing natural and cultural values and development constraints and have prepared a draft Structure Plan with sufficient detail that it could be assimilated into the Proposed District Plan along with the application of a live residential zoning to the subject land (as opposed to a Future Urban zone).
- b) The draft Structure Plan (and supporting documents) appropriately address the relevant matters specified in Appendix 11 (Future Urban Zone Structure Plan Guidance), with the exception of a detailed soil contamination assessment (DSI). That single omission is not considered significant given the current and historic land use of the site for forestry and pastoral farming, and can readily be addressed as part of the detailed site investigation required for any future subdivision consent application(s) (under both the District Plan and the NES:SC).
- c) Additionally, from reviewing the reports and evidence it is my view that the site constraints identified above have been given due consideration in the preparation of the draft Structure Plan by the expert team engaged by SCL and that they can be appropriately accommodated as part of any future subdivision and development of the subject land.

19. If a live residential zoning is applied to the site, I consider that the existing provisions of the Proposed District Plan (district-wide matters, residential zones, planning maps, and overlays to the planning maps) provide a comprehensive basis under which future subdivision consent applications for the subject land would be assessed and evaluated.

20. In particular, I note that any future subdivision consent application(s) would be made and assessed under the following rules of the District Plan (along with any relevant provisions of the Greater Wellington Regional Plan, and any relevant National Policy Statements and/or National Environmental Standards):

Rule	Activity Status	Matter for control/ discretion
SUB-R3 Subdivision that creates any vacant allotments	Controlled	The matters in SUB-P1, SUB-P4; and UB-P5.
SUB-R7 Subdivision within a Special Amenity Landscape	Controlled	The matters in SUB-P1; SUB-P4; SUB-P5 and NFL-P5
SUB-R12 Subdivision of a lot containing a Significant Natural Area	Restricted Discretionary	The matters in ECO-P2; and ECO-P4.
SUB-R15 Subdivision of land to create new allotment(s) within the National Grid Corridor	Restricted Discretionary	The matters in INF-P5
SUB-R15 Subdivision of land to create new allotment(s) within the Gas Transmission Pipeline Corridor	Restricted Discretionary	The matters in INF-P5
EW-R1 Earthworks (exceeding permitted area threshold in EW-S1)	Restricted Discretionary	Refer to matters of discretion EW-S1

James Hook
Planning Consultant
10 March 2023

Attachments:

- 1. Curriculum Vitae**
- 2. Appendix 11 – Review of SCL Structure Plan and Reports**

Attachment 1 - Curriculum Vitae of James Ronald Hook (Urban Planner)

Qualifications: 1991 – Bachelor of Surveying (with Credit)
1994 – Master of Regional and Resource Planning (with Distinction)
Member of New Zealand Planning Institute

Company Director of Envivo Limited
28 years' experience as a Planning Consultant
21 years' experience as a Company Director

Continuing Professional Development: on-going participation in NZPI, MfE, RMLA and related courses – RMA Amendments, Expert Witness, Alternative Dispute Resolution, Financial/Development Contributions. Presented to Select Committee on RMA Amendments November 2021.

Experience: Wide-ranging professional experience with all stages of development projects, from pre-development planning, due diligence, and project formulation advice through to obtaining all necessary resource consents, including appearances at Council, Environment Court and High Court hearings as an Expert Witness.

Specialist areas include commercial, intensive residential, mixed-use, industrial and retail development, plan changes, expert evidence, subdivision and coastal consents.

Recent experience includes preparing applications and providing planning advice on a number of commercial, retail, residential (including medium and high density) developments, complex subdivision, coastal and mixed-use development projects and private plan changes. This has involved Urban Design Panel presentations, and appearances at numerous Council hearings and hearings of Independent Hearing Panels.

Has appeared as an Expert Witness more than twenty-five times at the Environment Court and has attended mediation in relation to those and a range of other appeals. He has also appeared at the High Court and prepared affidavits for the Court in relation to various civil proceedings.

Specialist Skills:

- Strategic Planning advice
- Resource Consent applications
- Expert Evidence
- Urban Design Panel presentations
- Subdivision and Coastal Consents
- Plan Changes
- Appeals and mediations
- Due diligence investigations
- Development feasibility assessments
- Project formulation and strategy
- Assessment of environmental effects
- Policy analysis and submissions