

IN THE MATTER of the Resource Management Act 1991
("RMA")

AND

IN THE MATTER of an application for resource consent by
Weston Lea Limited for consent to
develop land at Peacocke, Hamilton

STATEMENT OF EVIDENCE OF PHILIP MICHAEL BROWN

1.0 INTRODUCTION AND QUALIFICATIONS

1.1 My name is Philip Michael Brown. I am a Director of Campbell Brown Planning Limited, a firm of planning consultants. I hold the qualification of Bachelor of Town Planning from the University of Auckland. I am a full member of the New Zealand Planning Institute.

1.2 I have 30 years' experience in planning and resource management. My experience has included work in both the private and public sectors and has encompassed a full range of resource management matters including preparation and assessment of resource consent applications and district plan development and implementation.

1.3 I have appeared as a witness at Council hearings and before the Environment Court on numerous occasions, relating to both resource consent and district plan change matters. I have been appointed to the Auckland Council's pool of independent hearings commissioners and undertake functions in that capacity on a regular basis.

1.4 I have previously held the position of Group Manager: Planning & Community Services with the former Waitakere City Council. In that role I managed a section of the Council that had responsibility for initiating and processing district plan changes, processing complex or significant resource consent applications, processing notices of requirement for designations, developing structure plans, and providing guidance and technical support to the Council's Hearings Committee.

1.5 I have prepared this brief statement of evidence on behalf of Woolworths NZ Limited in respect of a resource consent application by Weston Lea Limited to develop approximately 105 hectares of land adjoining the western bank of the Waikato River in Peacocke, Hamilton, for residential development and associated subdivision. The development would provide for 862 dwellings on individual certificates of title, together with two large lots adjacent to Peacockes Road

intended to be developed in the future for a mixed use residential/commercial centre.

1.6 I am authorised by Woolworths NZ Limited to provide this brief statement of evidence on its behalf.

1.7 I have complied with the Environment Court's Expert Witness Code of Conduct (set out in Clause 7 the Court's 2014 Practice Note) in the preparation of this evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. To the best of my knowledge I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed in this evidence.

2.0 EVIDENCE

2.1 I support the application for resource consent in principle. The land has long been identified for urban development and, in general, the layout and intensity of the development appears to be in accordance with the expectations of the District Plan and the Peacocke Structure Plan. In particular, I consider that Neighbourhood Area 6 is a suitable location for the proposed Suburban Centre within the Peacocke Structure Plan area, given that it surrounds the intersection of two future arterial transport corridors and occupies a central position within a substantial supporting residential neighbourhood.

2.2 However, I am concerned that the proposal is put forward in the absence of a master plan covering the whole of Neighbourhood Area 6, as required by the District Plan. The integrated and cohesive planning of this neighbourhood is of particular importance in my opinion, given that it contains the only proposed Suburban Centre in the Peacocke Structure Plan area.

- 2.3** I consider that careful planning of the entire Suburban Centre is critical in order to ensure that a full range of commercial, retail, community, and residential activities can be accommodated in an integrated way, and with appropriate connections to adjacent land that is proposed to be developed.
- 2.4** In my opinion, the whole of Neighbourhood Area 6 should be included in the Applicant's proposed master plan, or at a minimum it should include the whole of the proposed Suburban Centre. A certain level of enquiry by design is required in order to ensure that the nature and pattern of surrounding development, proposed through the current application, is appropriate.
- 2.5** The importance of comprehensively planned urban development is expressly recognised in the Peacocke Character Zone provisions. The policies for the zone seek to use master planning as a technique to ensure that urban development is not compromised through inappropriate land uses (Policy 5.2.8a), and is undertaken in an efficient and coordinated manner (Policy 5.2.8b).
- 2.6** The intended use of master planning as a method of achieving orderly and efficient development of land within the zone is further reflected in the rules, which include the following requirements:
- Urban development in the Peacocke Character Zone will be subject to the preparation and approval of a Master Plan (rule 5.3.3.1(a));
 - The Peacocke Character Zone has been divided into a number of neighbourhood areas, each of which is required to have a Master Plan prepared prior to urban development occurring (rule 5.3.3.1(b)); and
 - The Master Plan must be prepared for the whole neighbourhood (rule 5.3.3.1(c)).
- 2.7** I note that Council's reporting planner considers that the District Plan's consistent and coherent approach to master planning can be set aside in this instance because

“the scale of the development area is consistent with achieving an integrated planning approach”. While I understand the thinking behind that conclusion, I consider that it misses the point. The Suburban Centre is, in my opinion, the most significant part of the development site and its integration with the surrounding land and transport network is pivotal to the success of the development overall. Careful planning of this key location cannot be offset simply because the application applies to a large area of predominantly residential land.

2.8 I also note that the absence of a master plan will impose an impediment on the timely development of the Suburban Centre. That centre will be needed to serve the proposed residential neighbourhoods that would be enabled if consent is granted. For example, the District Plan provides for retail development as a non-complying activity in the absence of an approved master plan. Such an application for resource consent may be challenging, and the level of uncertainty is not conducive to commercial decisions being made to acquire and develop land. By contrast, retail activities are a permitted activity if in accordance with an approved master plan.

2.9 For these reasons, I consider that any consent granted should include a master plan for all of Neighbourhood Area 6 as required by the District Plan. As a minimum, master planning should be required for the whole of the Suburban Centre.

Philip Brown

23 April 2019