

Appendix 2

**Addendum to Technical Specialist Report –  
Urban Design – Section 42A Reporting**

**PLAN CHANGE 13 – TE RAPA  
RACECOURSE PRIVATE PLAN  
CHANGE**

to

**HAMILTON CITY DISTRICT PLAN**

**Hamilton City Council**

# 1 Introduction

## Purpose of Report

1. This addendum provides commentary on specific Plan Change 13 provisions following a review of applicant and submitter rebuttal evidence.
2. The specific provisions briefly commented on here are building height, setbacks and height in relation to boundary (HIRTB).
3. This is a statement of evidence from Colin Hattingh (Senior Urban Designer, Urban and Spatial Planning Unit)

## Information Considered

4. In preparing this addendum the following documents have been reviewed:
  - Rebuttal evidence of Mr John Blair Olliver including Attachment 1
  - Rebuttal evidence of Mr Stuart Anderson Mackie dated 17 August 2023
  - Submitter Evidence from Mr Murray Vereker-Bindon dated 8 August 2023; Mr Michael Robert Campbell on behalf of Kāinga Ora – Homes and Communities and evidence from Mr Bevan Ronald Houlbrooke for submitters 6 – 8, dated 9 August 2023

## Code of Conduct

5. While I understand that the present hearing is not a matter to which the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note (2023) applies, I confirm that I have approached the preparation of this evidence in the same manner as I would for Environment Court proceedings and have complied with the requirements of the Code. I confirm that the issues addressed in this evidence are within my area of expertise and the opinions I have expressed are my own except where I have stated that I have relied on the evidence of other people. I have not omitted material facts known to me that might alter or detract from my evidence.

# 2 Submitter and Rebuttal Evidence

## Building Heights

6. In relation to building heights, a few issues have been raised by submitters.
7. Mr Vereker-Bindon is concerned that redevelopment of the site will potentially block sunlight to existing villas along the south-western boundary. Several options have been suggested including limiting the height along this section to single storey only.
8. In response, it is acknowledged that should the site be redevelopment for residential purposes, that this would alter the outlook from the villas, and I note that this section of the site is not subject to a 30m setback and in theory the argument could be made that a more bespoke response is required along this specific frontage.
9. However, I understand that through this proposal, the applicant is looking to enable a variety of buildings typologies and heights (which could include single-level units and units up to 5-levels) and that the final detail of this will be managed through future resource consent applications. To help reduce any impact on adjoining properties, therefore, reliance is placed on achieving compliance with all the relevant bulk and location standards within the Plan, including height in relation to boundary, building heights, setbacks and so on.
10. Kāinga Ora are recommending increasing the maximum building height to 16m, as they consider this will be a more appropriate response, enabling residential development at 5 storeys.
11. Justification is on the basis that *"a 16m height limit provides an appropriate level of design flexibility to enable 5 storey apartment buildings (roughly 3.2m per floor/storey) when taking into consideration a range of floor to ceiling heights, the need to accommodate inter-floor services in apartment buildings, as well as lift over runs and/or roof top services"*. The 16m is inclusive of roof form allowance.
12. In rebuttal, I note Mr Mackie supports the above position including that an allowance for floor-to-floor height of 3.2m would be more desirable from an urban design perspective and that a 16m limit would not be adequate for a six-storey building.

13. I concur with the view that the 16m height limit will not *“have a demonstrably adverse effect from a shading and visual perspective (compared to the proposed 15m height)”* and would therefore support this change.

#### **Setbacks**

14. To help alleviate concerns over the impact on existing villas, Mr Vereker-Bindon is proposing the introduction of a setback area, clear of any housing of at least 30 along the existing village boundary to the south of the subject site.
15. Mr Houlbrooke is concerned with the potential for reverse sensitivity issues (particularly in relation to noise) and secondly, in ensuring that adjoining industrial zoned sites are not disadvantaged by the redevelopment and has suggested several potential changes - one of which is an increase of the 30m setback to at least 60m or alternatively the introduction of acoustic fencing (4m or more) at the industrial zone boundary (southern and eastern boundaries).
16. While I acknowledge the importance of the matter, I consider it to be largely a planning matter. However, I note the analysis and option development undertaken by Mr Mackie and the consequential impact that a 60m setback would have on the nature, form and intensity of the development.
17. I concur with the conclusion reached by Mr Mackie that *“the resultant scheme would be more vertical in its organisation and relationship with the site, where more residents would live above the site, rather than directly connecting with gardens or landscape space or the racecourse”* and that the preferred approach is the development of a neighbourhood that is of a finer grain and that is therefore able to respond well to the existing residential neighbours and the racecourse and further that the 30m setback would allow for greater design flexibility and the potential to provide a variety of housing types.
18. On this basis, I would not support any widening or changes to the 30m setback as shown on the precinct plan.

#### **Height in Relation to Boundary**

19. Kāinga Ora were originally proposing an alternative, more-nuanced approach for this standard. However, this position has since been revised by Mr Campbell. I support the proposed standard as included in the Attachment 1 rebuttal evidence of Mr Olliver.

### **3 Conclusion and Recommendation**

20. As reflected in my original memo, I support the overall approach and the elements that underpin the concept plan. In my opinion, the proposal incorporates several best practice urban design principles and I consider that the potential redevelopment of the site for residential uses, as described in the urban design report, will result in a good quality development.
21. In terms of the above specific standards, I support an adjustment of the building height standard to 16m, but do not support any change to the setbacks or height in relation to boundary controls.

Colin Andrew Hattingh

Dated: 25 August 2023

