

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

AND

IN THE MATTER of **Plan Change 5** to the Hamilton City Council District Plan

JOINT WITNESS STATEMENT (JWS) IN RELATION TO:

Planning, Retail Economics and Urban Design (Local Centre)

25 August 2022

Expert Conferencing Held on: 25 August 2022

Venue: Online

Independent Facilitator: Marlene Oliver

Admin Support: Tania Bryant

1 Attendance:

- 1.1 The list of participants is included in the schedule at the end of this Statement.
- 1.2 Note from the facilitator: Ben Inger attended this session as an observer.

2 Basis of Attendance and Environment Court Practice Note 2014

- 2.1 All participants agree to the following:
 - (a) The Environment Court Practice Note 2014 provides relevant guidance and protocols for the expert conferencing session;
 - (b) They will comply with the relevant provisions of the Environment Court Practice Note 2014;
 - (c) They will make themselves available to appear before the Hearing Panel;
 - (d) This statement is to be filed with the Hearing Panel and posted on the Council's website.

3 Matters considered at Conferencing – Agenda and Outcomes

3.1 Scale and extent of commercial activities within the Local Centre

Susannah Tait confirms that Kaainga Ora are withdrawing their submission on this matter as the notified status of the Local Centre is considered appropriate.

Andrew Collins confirmed that subject to the outcome of a separate submission point relating to the activity status of residential activities (submission point 53-48 and 53-51) Adare will not be pursuing submission point 53-101 which had sought a small reduction of the size of the Local Centre.

3.2 The location and spatial extent of the Local Centre east of Peacockes Road

PC5 as notified shows the Local Centre Zone on the eastern side of Peacockes Road only. The submission from Woolworths seeks to extend the zoning by adding an extra area (approx. 1ha) of local centre zoning on the western side of Peacockes Road.

Retail Economists comments:

Susan Fairgray, Greg Akehurst and Tim Heath consider that from an economic perspective of sufficient demand to sustain supermarket floor space locally, up to two small (up to approx 1500m² GFA) to medium (up to approx 4000m² GFA) supermarkets could be sustained within that centre. The key issue from an economic perspective is the location of the supermarkets within the centre.

Susan Fairgray, Greg Akehurst and Richard Bowker consider it is important that all of the supermarkets occur on the eastern side of Peacockes Road.

Richard Bowker considers that the eastern side of Peacockes Road has sufficient capacity for grocery spend and that the predominant supermarket plays a key role in anchoring the viability of the Local Centre. He considers that one strong supermarket is sufficient.

Tim Heath considers the inclusion of the additional area on the western side of Peacockes Road would result in a more economically efficient centre and that the opportunity Richard Bowker identifies in the para above is not undermined by the extension westward of the Local Centre Zone. He does not consider that Peacockes Road will be a barrier.

Susan Fairgray, Greg Akehurst and Richard Bowker consider that it is not economically efficient to add an additional 1ha of local centre zoned land when there is an ample sufficiency on the eastern side of Peacockes Road to cater for projected growth and significantly more.

Urban Design comments:

Wayne Bredemeijer considers there is ample capacity to accommodate the projected commercial uses on the eastern side of Peacockes Road in a coherent way and associated with the open space amenity of the river corridor.

Ian Munro agrees with Wayne Bredemeijer and considers that from a social focal point and built form amenity point of view, containing the centre on only one side of Peacockes Road is desirable. One unique attribute of the proposed “eastern centre” is its opportunity to connect to the river, which is considered relevant. A matter that he has not resolved yet is the extent to which, if the centre were to be stretched westwards, whether that would degrade the ability of the centre to successfully connect to the river at the far east.

Design of minor arterial roads and the intersection adjoining the local centre as notified

Ian Munro and Wayne Bredemeijer acknowledge that their concern regarding extending or fragmenting the local centre westwards includes the design of at least Peacockes Road and the intersection between the two minor arterials. Ian Munro and Wayne Bredemeijer understand that the design of these elements is largely set and is not, in their opinion, suitable for extending the zone.

Planners comments:

Philip Brown considers that the proposed local centre should be extended to include the site on the western side of Peacockes Road. If that occurs, the design of Peacockes Road should provide appropriately for integration of the centre.

Andrew Collins, drawing upon the advice of the urban designers and retail economists and specifically on the Peacocke Local Centre conceptual plan submitted by Wayne Bredemeijer (and attached as **Attachment 1**) notes that the plan shows GFA of 15,400m² as compared with Market Economics market projection of 12,700m² in 2048. In addition, the plan in Attachment 1 shows the potential for significantly more GFA, potentially up to 30,000m² GFA or more if all land was utilised. Andrew notes that this would be significantly more than in other Hamilton equivalent centres and is not suggesting that much GFA however, notes this to make the point that there is no need for additional zoned land. Andrew considers that it would be detrimental to the development and success of the local centre for the zoning to be extended westwards.

Summary

At this point this matter remains unresolved.

3.3 **Local Centre Design Guide**

Sam Foster and Andrew Collins confirmed that they are having discussions with a view to streamlining the material contained in the Local Centre Design Guide (Appendix 1.4 to the plan). Sam advised that the Council intend to do consequential editing of Chapter 3A.

Susannah Tait's position is that the design guide should be outside the district plan and incorporated by way of reference. Secondly, that Chapter 3A should be significantly edited. Given the review exercise currently being undertaken by Sam and Andrew as referred to in the above paragraph, then Susannah reserves her position until she has an opportunity to consider the revised material.

Andrew Collins understands Susannah's perspective but notes that the Hamilton City District Plan contains 9 other design guides that are outside the scope of PC5, and on balance considers that a simplified local centre design guide should remain in Appendix 1.4 for consistency reasons.

Ian Munro and Wayne Bredemeijer consider that design assessment material is most effective when it is in-Plan. Whether that material is framed as "assessment criteria" or a design guideline is not of itself of particular significance to them (in the specific context of PC5 and the local centre guide proposed). In this instance a design guideline is proposed. Ian and Wayne agree that there is scope to simplify it but that fundamentally it contains sufficient relevant material for its purpose.

3.4 **Scale of commercial activities within Neighbourhood Centres**

Andrew Collins outlined the rationale for the relief sought by submission point 53-41 as set out below:

Add a new rule in NCZ – PREC1-PSP: Rules – Activity Status as follows:

“Activity status: Permitted Maximum 800m²

gross floor area total for each Neighbourhood Centre comprising activities in Rules R4- R11, R13, R15-R17, R23, R25, R28-R38 and R40.

Activity status where compliance not achieved: Non- Complying.”

In response Susan Fairgray, Greg Akehurst advised they agree with an 800m² cap for commercial activities, but that the centre should also be able to develop with some associated activities above the 800m² cap that are unlikely to undermine the core commercial role of the local centre.

Susan Fairgray, Greg Akehurst and Richard Bowker will review the activity rules to express a view which should come within the cap, and which should be enabled above the cap. The planning experts will also review the rules and the assessment criteria having regard to the suggestion in Adares submission point 53-89(4) and the centre’s hierarchy.

3.5 **Residential provisions for Local and Neighbourhood Centres**

Andrew Collins, Susannah Tait and Sam Foster are in general agreement that it would be appropriate to provide for multi-unit residential development (including at ground-floor level outside the core) within the neighbourhood centres with appropriate assessment criteria in place. This requires further consideration in terms of scope and detailed drafting of provisions. The Council experts will consider this matter further.

Andrew Collins, Susannah Tait and Sam Foster are in general agreement that Rules NCZ – PREC1-PSP: R50 Residential Development Clause 4) Density (Minimum Number of Residential Units Required per Site) and LCZ – PREC1-PSP: R46 Residential Development (4) Density (Minimum Number of Residential Units Required per Site) can be deleted and replaced with appropriate assessment criteria regarding density and typology. This requires further consideration in terms of scope and detailed drafting of provisions. The Council experts will consider this matter further.

4 **PARTICIPANTS TO JOINT WITNESS STATEMENT**

4.1 The participants to this Joint Witness Statement, as listed below, confirm that:

- (a) They agree that the outcome(s) of the expert conferencing are as recorded in this statement; and
- (b) They agree to the introduction of the attached information – Refer to para 3.2 above; and
- (c) They have read Appendix 3 of the Environment Court’s Practice Note 2014 and agree to comply with it; and
- (d) The matters addressed in this statement are within their area of expertise; and
- (e) As this session was held online, in the interests of efficiency, it was agreed that each expert would verbally confirm their position to the Facilitator and this is recorded in the schedule below.

Confirmed online 25 August 2022

EXPERT'S NAME	PARTY	EXPERT'S CONFIRMATION REFER PARA 4.1
Andrew Collins (P)	The Adare Company	Yes
Ben Inger (P), observer	The Adare Company	Yes, subject to para 1.2
Ian Munro (UD)	Hamilton City Council	Yes, attended for items 3.1-3.3 only
Mark Roberts (P)	Hamilton City Council, s42A joint author	Yes
Greg Akehurst (Economist)	Hamilton City Council	Yes, attended for items 3.1-3.3 only
Susan Fairgray (Economist)	Hamilton City Council	Yes
Philip Brown (P)	Woolworths	Yes, attended for items 3.1 and 3.2 only
Renee Fraser-Smith (P)	Jones Lands Ltd Northview Ltd Peacocke South	Yes
Richard Bowker (Retail Economist)	The Adare Company	Yes
Sam Foster (P)	Hamilton City Council	Yes
Susannah Tait (P)	Kaainga ora	Yes
Tim Heath (Economist)	Woolworths	Yes, attended for items 3.1 and 3.2 only
Wayne Bredemeijer (UD)	The Adare Company	Yes

Peacocke Local Centre Concept – August 2022

Urbanismplus

Principles and Criteria	Score	Comments
1 A well-located centre	Green	Critical mass close to the river
2 A connected centre	Green	Retail all on one side of Peacockes Road; some commercial across
3 A cohesive centre	Yellow	Large majority of retail along main street, but some along spine
4 A viable centre (anchor)	Green	Connected to main street; easy parking; can grow
5 A viable centre (specialty retail)	Green	Retail around anchor and along main street
6 A legible centre	Yellow	Good activation; supermarket servicing along Peacockes Road

Areas	GF provided	1 st floor provided	Total provided	HCC 2048 projected
Supermarket	4,800m ²	-	4,800m ²	4,800m ²
Specialty retail, including grocery	5,300m ²	-	5,300m ²	5,300m ²
Specific hospitality	1,200m ²	-	1,200m ²	-
Commercial	1,300m ²	1,300m ²	2,600m ²	2,600m ²
Potential community facility	1,500m ²	-	1,500m ²	-
Total GFA	14,100m²	1,300m²	15,400m²	12,700m²

Spare capacity in Local Centre Zone	Areas
Above specialty retail	5,300m ² per floor
Above specific hospitality	1,200m ² per floor
Above commercial	1,300m ² per floor
Above potential community facility	1,500m ² per floor
Total (GFA)	9,300m² per floor
Total additional land	13,100m²

Legend	
	Local Centre Zone boundary (as notified)
	Supermarket
	Specific hospitality
	Specialty retail (shops approx. 9m x 15m)
	Commercial (buildings max. 20m deep)
	Potential community facility
	Additional capacity (potential residential, including apartments or terraced housing)
	Residential (medium density housing)
	Potential education facility
	Parking (4 parking bays)

