

**BEFORE INDEPENDENT HEARING COMMISSIONERS  
APPOINTED BY THE HAMILTON CITY COUNCIL**

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

**IN THE MATTER** of an application for subdivision and land use  
consent for the Amberfield development  
pursuant to the Act.

**APPLICANT** Weston Lea Limited

**CONSENT AUTHORITY** Hamilton City Council

---

**EVIDENCE-IN-CHIEF OF JACOBUS (KOBUS) MARTHINUS MENTZ  
FOR WESTON LEA LIMITED**

**Dated: 12 April 2019**

---

---

Solicitors on Record

**WYNN WILLIAMS LAWYERS**  
*SOLICITOR — LUCY DE LATOUR*

PO Box 4341, Christchurch 8140  
P 03 379 7622 F 03 379 2467 E lucy.delatour@wynnwilliams.co.nz

Counsel

**R A MAKGILL**  
*BARRISTER*

PO Box 77-037, Mt Albert, Auckland 1350  
P 09 815 6750 E robert@robertmakgill.com

## SUMMARY OF EVIDENCE

1. My name is Jacobus Marthinus Mentz and I am an urban designer. I summarise my evidence regarding the Amberfield development as follows:

### ***The site, its context, and the planning framework*** (Page 6)

- (a) Hamilton's projected growth from 160,000 to 225,000 will require significant housing provision, the effective use of infrastructure, and new planned communities like Amberfield to counter the effects of sprawl.
- (b) The urban design components align with Peacocke Growth Strategy requirements and other relevant policy and planning requirements, with minor exceptions, including 13 lots that do not meet the 15m circle requirement.

### ***Consultative approach*** (Page 7)

- (c) Several rounds of public, Iwi, and local authority consultation were undertaken, which has shaped the design in a number of ways, including the addition of a 1.59ha Archaeological Reserve.

### ***Design process*** (Page 8)

- (d) Vision and principles that promote responsiveness to the Amberfield site (**Site**), a legible and connected environment, diverse living choices and public spaces all serve to celebrate the unique Maori and Peacocke history of the land.

### ***The Amberfield Masterplan*** (Page 11)

- (e) The 105ha Site will have four distinctive neighbourhoods that promote the special features of the site, such as the river, island, gully, knoll, and the terraces. A future neighbourhood centre will offer shops, employment and community activities. There are 833 lots ranging from 400m<sup>2</sup> to over 700m<sup>2</sup> which will serve a wide demographic range.

***Redesign of northern terraces***

*(Page 20)*

- (f) A redesign of the northern terraces, to further reduce the impact of the proposal on bat habitat, resulted in 17 rear lots being created and an overall loss of 27 lots.

***Issues raised in submissions and s42A report***

*(Page 22)*

- (g) Submissions or those issues raised in the Council Officer's report have not given me cause to change my overall opinion of the application.

***Conclusion***

*(Page 27)*

- (h) I conclude that the application will result in a neighbourhood with a strong sense of community and identity. It achieves a high standard of urban design that balances many complex technical requirements and responds to the Site sensitively.

## INTRODUCTION

2. My full name is Jacobus Marthinus Mentz. I am commonly referred to as Kobus Mentz.

### ***Qualifications and experience***

3. I am the Director of Urbanismplus Ltd, an Urban Design company based in Auckland. I hold the qualification of a Bachelor of Architecture from Pretoria University and a Postgraduate Diploma in Urban Design from the Joint Centre in Urban Design, Oxford. I have over 30 years of international urban design experience, including 15 years as Director of Urbanismplus Ltd.
4. I am an Associate Member of the New Zealand Planning Institute.
5. My professional areas of technical expertise include the conceptual design of complex buildings, new town centres, new neighbourhoods, intensive mixed-use and housing projects, urban regeneration projects, and growth strategies.
6. I have delivered numerous town centre regeneration strategies, urban design guidelines, new neighbourhood plans and growth strategies throughout New Zealand and Australia. These include the Melbourne 2030 Growth Strategy and the design for a new town centre at University Hill outside Melbourne, a recipient of the “Best Masterplanned Community in Australia” award in 2011.
7. Since 2013, my practice has regularly provided urban design input into the assessment of resource consent applications on behalf of Auckland Council for the Auckland Design Office (ADO).
8. I co-authored New Zealand’s first urban design guide for the Ministry for the Environment; People + Places + Spaces (June 2001) and prepared the National Urban Design Curriculum for the Urban Design Protocol.
9. I am an adjunct professor on the Master of Urban Design Course at the University of Auckland and my work has attracted 16 national awards, in New Zealand and Australia.
10. I have an extensive history of professional involvement with projects in the Hamilton City Council area, including:

- (a) Hamilton City Centre Strategy; and
- (b) Hamilton Growth Strategy, which covers the Peacocke area.

***My involvement with the proposed development***

- 11. I have been retained by Weston Lea Limited to prepare a statement of evidence on its application for land use and subdivision consent from the Hamilton City Council for the proposed Amberfield development (**proposed development**).
- 12. My role in the proposed development has been to lead the urban design and masterplanning work that supports the subdivision and land use application. This evidence draws strongly on the Urban Design Report (**Report**) and the addendum to the Report (**Addendum**) produced by Urbanismplus which form part of the application documentation available to the Commissioners. In this evidence, I refer to numerous figures included in the Report and Addendum. For ease of reference, I have included as **Annexure A** all the figures I refer to from the Report and Addendum.
- 13. I am familiar with the Site and its surrounding environment. I visited the Site a number of times during the design stages of Amberfield in 2017 and 2018. Through my involvement with the Hamilton Growth Strategy in 2008 I also have a good understanding of the surrounding context of Amberfield.
- 14. In preparing this evidence I have read the evidence of Rachel de Lambert and Dave Serjeant.

**CODE OF CONDUCT**

- 15. I have read the Environment Court Code of Conduct for expert witnesses and agree to comply with it.
- 16. I confirm that the topics and opinions addressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

## THE SITE AND ITS CONTEXT

17. Since the 1880's members of the Peacocke family have worked the Site, transforming it into a highly productive dairy farm using new agricultural methods and pioneering flood irrigation methods in the Waikato. Several generations on they wish to develop a legacy for future generations. In pre-European times the land was cultivated extensively by Māori as part of the gardens of Kirikiriroa, "the long stretch of gravel."
18. The opportunity is to create a highly liveable new residential community that embraces the river, nurtures the environment, and celebrates the stories of those who have gone before.

### ***Hamilton City***

19. Hamilton is destined to grow from 160,000 to 225,000 people by 2041. This provides demand for higher end as well as affordable housing.
20. The Hamilton Urban Growth Strategy identifies four areas for greenfield growth; Rotokauri, Rototuna, Ruakura, and Peacocke.
21. While the other three growth areas have their own special attributes, Peacocke is distinguished by its setting on the Waikato River, proximity to Hamilton's central business district (**CBD**), Hamilton Airport, Hamilton Gardens, and connection to the future Southern Links state highway and urban arterial routes network.
22. Peacocke is also distinguished by being the only growth area to the south of the CBD, with strong links to employment areas such as the CBD, Waikato Hospital, Ruakura innovation precinct, the University of Waikato, and Hamilton Airport.

### ***The Peacocke Structure Plan area***

23. The Peacocke Structure Plan area (**PSPA**) is approximately 720ha in area. It is located at the southern boundary of Hamilton City, adjoining the Waipa District and is bound to the north and east by the Waikato River. The Mangakotukutuku gully system forms a central feature of the PSPA.

24. Within the PSPA three distinct landform-based character areas have been identified. These are known as the 'Gullies', 'Terraces', and 'Hills'. The Site lies predominantly in the Terraces character area, while a small part of the Site is located within the Hills character area.
25. The conceptual diagram of the Peacocke Growth Area (refer to Figure 2-3 in the Report) broadly identifies the environmentally sensitive areas, movement links, and nodes. These have guided the urban design response to the Site.

### ***The statutory framework***

26. The proposed development meets the obligations of the Hamilton City Operative District Plan 2017 (**District Plan**), including the Special Character Zone provisions in Chapter 5, as well as the Peacocke Structure Plan requirements:
  - (a) Section 14.1 of the Report indicates where in the report or in the application the *Relevant Information Requirement Provisions* as outlined in Appendix 1.2 of the District Plan are met.
  - (b) Section 14.2 of the Report details how the *Subdivision Design Guide* criteria as outlined in Appendix 1.4.1 of the District Plan are met.

### **CONSULTATIVE APPROACH**

27. A consultative approach was adopted to 'take people along' with the process. In addition to public exhibitions and social media engagement, local and regional authorities, and Iwi groups were consulted in several rounds of conversation. The project was also presented to the Urban Design Panel, and their feedback incorporated.
28. Following this, the values of the Applicant, the Council, and those identified during consultation were reconciled with technical constraints and the creative aspirations of the design team, forming the departure point for the balance of the design process.

## DESIGN PROCESS

### *The Site as the basis for the masterplan*

29. The land subject to the subdivision application comprises a total of approximately 135ha. However, excluding the indicated balance lots west of Peacockes Road and south of Stubbs Road, the Site comprises of approximately 105ha of land, and can accommodate over 2,000 people.
30. The 105ha Site is bound by the Waikato River to the north and east, Peacockes Road to the west, and extends slightly south of Stubbs Road. Adjacent farmland, also zoned for urban growth under the District Plan, forms the southern boundary.
31. The Site forms the basis for the masterplan. Conceptual layouts have been prepared for the balance lots, in line with statutory requirements (refer to Section 12 of the Report).
32. The Site is undulating and falls from Peacockes Road toward the Waikato River. There are several pronounced terraces, and a large gully that defines a separately defined area of the Site, termed 'The Island'. In general, the river is set down in an incised, vegetated gully with limited visibility from within the Site. There are however a small number of vantage points with views of the river, one of which is a knoll located centrally towards the middle north of the Site.
33. Areas of ecological value are mainly associated with the river and, to a lesser degree, the gullies and the east-west shelterbelt adjacent to the knoll.
34. The Site has a history of Māori cultivation, with some remnants of modification still evident.

### *From vision to project*

35. The vision for this proposal adopts two overarching imperatives:
  - (a) The first is that, for city-wide sustainability reasons, land within the PSPA should be developed efficiently. This will help the city maximise its returns on its infrastructure investment, minimise pressure on the



environment in the other peripheral areas, and support a compact urban form.

- (b) The second is that high levels of urban amenity should be established through the layout of streets and public open spaces as well as the lot layout.

- 36. This vision accords with the District Plan provisions for the Peacocke area. Chapter 3.4 of the District Plan refers to a “*high quality urban environment*”, delivering “*urban design best practice*”, and producing “*connected neighbourhoods*” that respect and restore “*the area’s natural environment*”.

### ***The conceptual framework***

- 37. The conceptual urban design framework for Amberfield seeks to combine two fundamental dynamics (refer to Figure 3-1 in the Report). The first dynamic is that of nature, the river, and the landform, represented on Figure 3-1 by the green street alignments. They are sinuous and flow with the contours, echoing the flow of the river. Their design allows for the earth to be touched lightly, major natural water flows to be maintained, and the movement of soil to be limited. The second dynamic is that of human intervention and urbanism, represented on Figure 3-1 by the red alignments. These are direct and straight, purposefully connecting across the Site toward the river.
- 38. Combined these alignments form a network which structures the new community. Well-connected street networks are important. They offer freedom of choice and efficiency of movement. They stimulate more pedestrian and cycle use, which in turn stimulates more community interaction, safety benefits, and enrichment of social conditions.
- 39. The movement networks are unequivocally public, enabling all to engage with the salient features of the Site, such as the river, the gully, the proposed reserves including the elevated knoll landform which is retained as part of a neighbourhood reserve.
- 40. The conceptual framework is robust and can evolve over time, as all cities do. It can absorb a range of uses and development densities that over time respond to user preferences and locational attributes.

### ***Urban design principles***

41. In addition to addressing these two dynamics, the Amberfield masterplan responds to the following principles (refer to Figure 3-2 in the Report):
- (a) **Responsive:** It will be a responsive environment in relation to the landform. North-south street alignments will generally follow the contours. The proposed landform will work in with the terraces, keeping earthworks to a minimum, and allowing overland flow paths to follow natural alignments. Public access to and along the river corridor will be maximised. Areas of biodiversity will be respected and celebrated.
  - (b) **Legible:** It will be a legible environment which is easily navigated. Key natural features such as the 'Knoll' and its adjacent established trees, the main gully, the 'Island', and the vegetated Waikato River corridor will all be highly visible and accessible from the public realm. Legibility is further assisted by the deformed grid pattern which offers many choices of movement direction.
  - (c) **Connected:** It will be a highly connected environment made possible by a street network which offers safe walking and cycling options. Additional dedicated walkways and cycle paths will link all key destinations within the Site, including the future village centre, the river edge, parks, and the archaeological reserve. In addition, the proposed street network, walkways and cycleways will provide for excellent external connections, making the most of the Site's connectivity with the wider Hamilton area. Provision for buses will be made along Peacockes Road and onto the 'Island'. These physical connections and places to meet will contribute to a more connected community, enhanced by the social interaction within the public realm.
  - (d) **Diverse:** It will be a diverse environment supporting a cross-section of society. There will be a wide range of housing choices with lots which vary from over 700m<sup>2</sup> for families down to lots of around 400m<sup>2</sup> for smaller households, first-time buyers, or the elderly. The plan allows for future medium density development in specific areas earmarked to be further subdivided from parent lots.

- (e) **Unique:** It will be an environment that displays the uniqueness of its history, geography, and desirable location. A strong sense of place will be engendered through the open space design, and a sense of identity will be reinforced by making visible something of the Māori and more recent European history through elements such as the more detailed design of reserves, street furniture, public artworks, and the proposed archaeological reserve.
42. These principles are strongly aligned with those articulated by the Council in the District Plan, Section 3.4 'Peacocke' under the headings Contextual Design, Concentration, Accessibility and Connectivity, Legibility and Identity, and Innovation.

## **THE AMBERFIELD MASTERPLAN**

### ***Natural features, networks and neighbourhoods***

43. The key elements of the Masterplan (refer to Figure 3-3 in the Report) are:
- (a) Peacockes Road which will form a backbone, provide access at key points, and accommodate the main vehicular through route;
  - (b) A cycle and pedestrian-friendly internal movement network with contiguous access along the river corridor; and
  - (c) A series of connected neighbourhoods which celebrate their own distinctive natural features (refer to Figure 3-4 in the Report).

### ***The four neighbourhoods***

44. The *northern* neighbourhood will establish the quality and identity of Amberfield, offering a diverse range of housing choices from the initial stage of development. It includes a strategically located pocket park which will retain established trees at the entry to the Site, and curved street alignments that will introduce the public to the river (refer to Figure 3-5 in the Report).
45. The *central* neighbourhood acts as a hub which connects all neighbourhoods; it relates to the river and easterly outlook. At its core will be the Neighbourhood Centre (see below) which will form the heart of the community (refer to Figure 3-6 in the Report).

46. The *southern* neighbourhood, late in the development staging, offers an opportunity to respond to future market changes and the possible inclusion of a sports park (refer to Figure 3-7 in the Report).
47. The *Island* stands out for its geographic singularity and also gives recognition to the cultural and archaeological uniqueness of the Site (refer to Figure 3-8 in the Report).

### ***Neighbourhood centre***

48. A neighbourhood centre will be located in alignment with the Structure Plan. It will form a vital part of Amberfield life in the future. It will become the focus of the community, give occasion to social exchange, the convenience of local shopping, and for some the opportunity to work locally (refer to Figure 4-1 in the Report).
49. The subdivision application does not include a specific design for the neighbourhood centre, but includes two 'superlots', located on either side of the north-south road (refer to Figure 4-2 in the Report).
50. Three conceptual options for the neighbourhood centre (refer to Figure 4-3 in the Report) illustrate a range of possibilities, with the following attributes:
  - (a) A mix of retail, commercial, community and residential uses;
  - (b) A walkable environment easily accessed on foot, by bicycle and private vehicle;
  - (c) Public spaces which support community activation and can accommodate markets, events, outdoor dining, passive recreation and play;
  - (d) 3,000 to 6,600m<sup>2</sup> GFA of retail uses;
  - (e) 2,100 to 3,300m<sup>2</sup> GFA of commercial uses; and
  - (f) 50 to 78 medium density dwellings and apartments above commercial buildings where viable.

### ***Technical integration***

51. The cohesive qualities of the Masterplan (refer to Figure 3-3 in the Report) were achieved through many rounds of collaborative revision and integration.

52. To find the best balance between the 'competing' inputs to the Masterplan, a collaborative design process was adopted, options tested, and the necessary environmental and technical outcomes prioritised. A key driver included the ecological requirements which have corresponded to open space provision and the emphasis given to the river corridor and existing vegetation. The issues of an appropriate roading hierarchy, multimodal access, public transport, and development standards have informed the street network. Stormwater management has also influenced the street cross sections and open space.
53. I am satisfied that the rigour of the process has delivered an optimal outcome with a high level of urban amenity.

### ***The residential environment***

54. The proposed residential environment, wherever possible, achieves:
  - (a) A rich mix of lot sizes and types;
  - (b) Good interaction between the private property and the public realm (streets, parks, and non-residential facilities); and
  - (c) Lot layouts with good solar orientation and aspect / views.
55. The majority of the Site will be used for residential activity, mostly in the form of residential lots that will accommodate free-standing dwellings. However, a portion of more intensive housing, such as duplex and terraced dwellings will be accommodated in suitable locations. Lot sizes and dimensions are such that live-work dwellings can easily be accommodated.

### ***Block design***

56. The Masterplan is based on a perimeter block principle that ensures most lots have street frontage. The river corridor and gully edges, and most park edges, will be lined with public streets.
57. Although rear lots are minimised, a small number (17) have been included in the redesign of the northern terraces in response to submissions on the bat habitat (refer to the Northern Terrace Redesign sections below).

58. Block lengths are kept to a practical minimum, generally between 80 and 200m, to assist walking. Some block lengths are longer at 300 to 400m where cross streets are unachievable due to steep gradients. In four instances pedestrian-only cross links are provided to shorten walking distances. Block widths are mostly between approximately 60 and 80m, with some at approximately 100m where the geometry and steep topography necessitate.
59. Blocks are mostly oriented north-south in order to create east-west lots which have good solar access. This avoids lots with their private outdoor spaces toward the street as these tend to require high fences for privacy. High fences onto streets or parks make for poor public realm outcomes.
60. Wherever possible the level differences between streets are accommodated with a slope at the rear boundary in order to avoid large retaining structures on, or near, the interface with the public realm.

#### ***Lot layout***

61. Lots in the Masterplan are mostly rectangular to enable efficient development and useable private open spaces. Street boundaries are at least 10m wide and lots are able to accommodate a 15m diameter circle, in line with District Plan requirements. Most lots will have afternoon sun into the backyards and south facing backyards are minimised. There are thirteen corner lots where the 15m circle encroaches into the required 3m setback along the long street boundary. This is further discussed in paragraph [86], under District Plan compliance.
62. Peacockes Road has lots fronting onto it to provide an attractive interface, and to ensure back fences along the road are avoided.

#### ***Lot mix approach and lot count***

63. Lots of different sizes are distributed as follows:
  - (a) Larger lots are generally located on steeper land, in larger blocks, and in locations along the river and gully edges;
  - (b) Mid-size and smaller lots are generally located on flatter land;
  - (c) Smaller lots are generally located near the neighbourhood centre and near public open spaces; and

- (d) Smaller lots fronting onto Peacockes Road have been avoided in order to provide an appropriate spacing between driveways.

64. The subdivision application includes a total of 833 residential lots (reduced from 862 due to the Northern Terrace Redesign and retention of the east-west shelterbelt to accommodate increased provision for bat habitat) with a mix as tabulated on page 5 of the Addendum (with the notion that lots 167 and 168 will be used for the east-west shelterbelt rather than for residential purposes not accounted for in that table).

***Provision for future medium density***

65. The subdivision application includes 41 parent lots that comply with the minimum lot size of 400m<sup>2</sup> stipulated in the District Plan's density requirements in Section 5.4.1.
66. The Masterplan anticipates these parent lots may be used for medium density housing (duplex or terraced dwellings) on smaller lots, which will be applied for in a future application, should there be sufficient demand.
67. These lots could provide for 88 medium density dwellings. This would generate a total dwelling yield of 880 (833 minus 41, plus 88). In this scenario the 880 dwellings (outside the neighbourhood centre) will consist of the following mix:

<b>Lot area</b>	<b>Proposed number of lots</b>	<b>Percentage of total lots</b>
Larger than 700m <sup>2</sup>	113	13%
Between 600 and 699m <sup>2</sup>	125	14%
Between 500 and 599m <sup>2</sup>	270	31%
Between 400 and 499m <sup>2</sup>	284	32%
Smaller than 400m <sup>2</sup>	88	10%
<b>Total</b>	<b>880</b>	<b>100%</b>

***Future dwelling design***

68. The Masterplan, and particularly the lot layout, has been designed to allow for future dwelling layouts according to the following principles:
- (a) High quality street frontages with living rooms and front doors facing the street, and garages set back so as not to dominate;

- (b) Effective vehicle crossings with minimum disruption of the footpath and disturbance of indoor living spaces and bedrooms;
- (c) Appropriate parking standards and provision which minimise the visual impact while satisfying market needs; and
- (d) Setback and building coverage standards that address shading impacts and permeability needs.

69. The range of lot sizes will result in a range of dwelling typologies, at different price levels, that respond to the opportunities presented by the Site, its zoning, and demographics. While there is flexibility to respond to specific site conditions, the various lot size categories are expected to accommodate the following dwelling types:

Typical dwelling type	Lot area	Typical width
<b>Dwelling:</b> Single-storey, standalone <b>Garage:</b> Double	Larger than 700m <sup>2</sup>	20m
<b>Dwelling:</b> Single-storey, standalone <b>Garage:</b> Double	Between 600 and 699m <sup>2</sup>	17.5-20m
<b>Dwelling:</b> Single- or double-storey, standalone <b>Garage:</b> Double or single	Between 500 and 599m <sup>2</sup>	15-17m
<b>Dwelling:</b> Double- or single-storey, standalone or semi-detached <b>Garage:</b> Single or double	Between 400 and 499m <sup>2</sup>	15m
<b>Dwelling:</b> Double-storey, semi-detached or terraced <b>Garage:</b> Single accessed off the street, or double accessed off a rear lane	Smaller than 400m <sup>2</sup> (future subdivision of 'parent lots')	9-10m

### ***Residential urban design guidance***

70. The subdivision is designed to enable compliance with Hamilton City Council's guidance and rules in the District Plan, referred to in Section 14 of the Report. In several instances more restrictive standards are advised. Further detail is to be provided in the development management process, post-subdivision, including building materials, landscape elements, and architectural standards. A detailed list of existing and suggested guideline topics is provided in the Report (pages 39-41).



### ***Cultural and archaeological***

71. Iwi consultation has informed the design of the Masterplan and reinforced the ecological outcomes of the protection and enhancement of indigenous biodiversity (refer to Figure 6-1 in the Report).
72. A 1.59ha archaeological reserve has been identified and set aside to preserve a series of archaeological features and recognise the Māori cultural heritage and former agricultural use of the Site. This area is located adjacent to the esplanade reserve on the 'Island' within visibility of the Nukuhau Pa (refer to Figure 6-2 in the Report) located down river to the south.

### ***Ecology***

73. Ecological requirements, particularly related to long tailed bats, have been a primary driver in the development of the Amberfield Masterplan. The vegetated corridor along the western riverbank, the main southern gully and the east / west shelterbelt have been accommodated within the Masterplan. These areas will be enhanced through native species revegetation with the only modification related to the construction of walk / cycleways. Two points of vehicular access are proposed to access the Island: one a bridge over the southern gully; and the second a causeway where the contours already grade down on a farm track access.
74. Additional measures have been taken, and the Masterplan modified, since the lodgement of the application to further protect and enhance the long-tailed bat habitat. (Refer to paragraphs [87] to [95] below where I discuss the Northern Terrace redesign).
75. Thirteen small watercourses have been identified, but these have low ecological value. The watercourses with permanent flows have been retained (refer to Figure 7-1 in the Report).

### ***Public open space***

76. A comprehensive network of public open spaces (refer to Figure 8-2 in the Report) offers a range of functions such as that of neighbourhood park, movement corridor, passive recreational areas, and future town centre activity spaces.

77. The Masterplan includes the following public open spaces, which are described in detail by Rachel de Lambert in her evidence-in-chief:

- (a) *Entry space* - which offers a welcoming gateway setting, retaining established trees.
- (b) *Pocket park* - which sets the tone for the earliest development stage and serves as the foreground for the dwellings behind.
- (c) *Knoll park* - this neighbourhood reserve retains a significant grouping of mixed species exotic trees within the Site and provides play areas and opportunities for social interaction. The knoll will offer expansive views to the east. An allotment is retained surrounded on three sides by this park providing for a future café and the sales suite to complement the amenity of the reserve
- (d) *Southwestern neighbourhood park* - this neighbourhood reserve is associated strongly with the southern gully and will accommodate kick-a-ball and children's play on the flat upper terrace land.
- (e) *Northern Island headland amenity reserve* - this reserve will celebrate the connection to the river with this vantage point offering views along the river.
- (f) *Southern Island headland amenity reserve* - this parkland will also provide for river views as well as open space for passive recreation.
- (g) *Archaeological reserve* - this 1.59 ha reserve will provide protection for a representative grouping of archaeological features associated with the former Maori agriculture on the Site. It is associated with the nearby Nukuhau Pa, upriver to the south.
- (h) *Neighbourhood centre open space* - will serve the future neighbourhood centre as a village green and plaza offering opportunities for events, markets, outdoor dining and play.

### **Sportsfields**

78. The Masterplan has been designed to accommodate a 7ha provision for sportsfields if this is required (refer to Figure 8-2 in the Report). The need for the sports park is addressed in the evidence of Dr Doug Fairgray, Dr John Small and Dave Serjeant.

### ***Stormwater management***

79. The stormwater design comprises bio retention / raingardens within the streetscape (refer to Figure 9-1 of the Report) as well as stormwater management basins (introduced following Council input) integrated into reserve areas.

### ***Movement***

80. The movement network integrates all modes to create an efficient network that is legible, integrated with land uses, and has a high degree of connectivity.
81. The layout offers good wider connections, an efficient bus route and several access points off Peacockes Road (refer to Figure 11-1 of the Report).
82. The network consists of local and minor roads (refer to Figures 11-4 and 11-8 in the Report). All streets have footpaths on either side, street trees and parking bays alternate (refer to Figures 11-2, 11-3, 11-5, 11-6, 11-7 of the Report).
83. There are dedicated cycle and pedestrian shared paths, along Peacockes Road, the river esplanade, and the southern gully, linked by several dedicated cycle lanes (refer Figure 11-9 of the Report). The balance of the streets will offer a cycle friendly low speed environment.

### ***Balance lots***

84. Balance lots have been tested through preliminary design in order to ensure that these areas will provide flexibility for future development. The final subdivision layouts for these areas will be developed at a later stage and will be subject to separate resource consents.

### ***Staging***

85. The development of the Site will be staged, generally from the north to the south. All stages will contain a mixture of lot sizes. Construction access from Peacockes Road will be via routes not yet developed, in order to avoid construction vehicle access through new residential neighbourhoods.

### ***District Plan compliance***

86. The Masterplan has been designed to achieve a high degree of compliance the relevant District Plan requirements. One of the exceptions is that 13 corner lots do not fully achieve the requirement to fit a 15m diameter circle, as referred to above. The circle on these lots encroaches into the 3m front setback along the long boundary. Care has however been taken to ensure these lots provide appropriate on-site amenity. These lots are at least 16.5m wide so that a 12m wide dwelling can fit within the setback and yard requirements (3m from the side street and 1.5m from the side boundary). This is similar to a complying 15m wide 'middle lot' for which a 1.5m side yard applies to both side boundaries.

### **REDESIGN OF THE NORTHERN TERRACES**

87. Changes have been made to the design of the northern terraces area (Figure 1-1 in The Addendum) in response to submissions received, particularly in regard to the avoidance of impacts on the river corridor used by long-tail bats. These changes affect the lot configuration and mix, the movement network, and the streetscape.
88. The primary change is the addition of a wider open space and vegetated corridor along the Waikato River at the north-eastern end of the site (refer to Figures 2-1 and 2-2 in The Addendum). To achieve this, Road 7 and the block of lots along the river have been deleted, and the block between Road 9 (west of this block) and Road 2 (the street along the river east of this block) widened. The new block includes three rows of lots, of which the middle row consists of 17 rear lots.
89. Access to the rear lots is via paired Jointly Owned Access Lots (**JOALs**) off Road 2. This reduces the potential impact of driveways on the streetscape and allows for a more efficient solution for stormwater and other infrastructure with these lots naturally being located above street level. While the location of driveways for the front lots has not been fixed, their width has been limited to 3m. This will protect pedestrian amenity and limit the size of the 'breaks' through the planted street edge buffer, designed to reduce the potential impact of light from these houses toward the river corridor.

90. The row of lots to the east of the proposed Knoll Park has also been modified as a result of the wider vegetated river corridor and associated profile of the roadway. The westward shift of Road 2 makes these lots shallower as the edge of the Knoll Park is fixed by the landform. These lots have been widened to ensure that each lot contains a sufficiently large, relatively flat, building platform.
91. Two lots have been removed from the area east of the Knoll Park as a consequence of the changes, which means that the reserve will have a wider frontage to the street (Road 2) (refer to Figure 2-6 in The Addendum). The Knoll Park reserve increases in area slightly as a result.
92. The proposal now includes a continuous 'park edge' road along the northern bend in the river, without the original T-intersections (refer to Figure 2-3 in The Addendum). The park edge road typology for this area now includes berm planting on the western edge to assist in buffering light spill from the residential properties toward the well separated river corridor. On-street parking will be on one side, changing to two sides along the part of the block that accommodates rear lots (refer to Figures 2-4 and 2-5 in The Addendum).
93. A system of shared paths and footpaths is retained through the river corridor reserve to supplement on-street cycling and street-based footpaths. The through-block pedestrian connections between Road 9 and Road 2 have been retained, providing direct pedestrian linkage to the river corridor, and a choice of walking circuits through the neighbourhood.
94. The revised layout ensures that, similar to the original Masterplan, streets and public open spaces will be fronted by future dwellings, and no backs of properties will be turned towards the public realm.
95. The revised design meets the urban design objectives of the original Masterplan, and achieves an excellent balance between providing for the ecological requirements while retaining the high-quality urban design outcomes of the original layout. The outcome is still closely aligned with the urban design guidance contained in Appendix 1.4 of the District Plan.

## **ISSUES RAISED IN SUBMISSIONS**

### ***Road near the river, opposite Hammond Park***

96. Submissions 21, 28, 44 and 64 oppose the location of a road that bounds the Esplanade Reserve adjacent to the river, opposite Hammond Park, for visual and privacy reasons. The Submitters also note that the location of the road may be detrimental to the protection of the bat population.
97. In response to submissions, the location of this road has been moved further away from the edge of the river, as outlined above, which widens the Esplanade Reserve. A vegetated buffer is also included to manage light spill from the dwellings. I note that this will also have the effect of reducing any visual and privacy impacts on the properties on the opposite side of the river.
98. I refer to Rachel de Lambert's evidence-in-chief which addresses any visual effects on residential properties across the river from the proposed development.
99. In terms of the urban design considerations of the location of this road, vehicular access is required to all properties. This is achieved by a street along the front of the lots and bounding the Esplanade Reserve. Where the land form and engineering conditions allow, I consider this the best way in which to achieve:
- (a) Good public access to, and visual engagement with, the Esplanade Reserve.
  - (b) The avoidance of properties directly adjoining the reserve, with potential for privatisation, and interface with rear fences to the reserve and issues of weed and other rubbish disposal into the reserve that frequently occur when properties directly adjoin reserves.
  - (c) Desirable overlooking and passive surveillance, recognising the proposed vegetated nature of this reserve.

### ***Road and bus route along the Esplanade Reserve and open space configuration***

100. The submission of Frankie and Phil Letford (submission 9) requests confirmation of the location of a road adjacent to the River Esplanade, the

location of a bus route on this road, and had a number of suggestions regarding open space size and distribution, including the location of the café in Knoll Park.

101. The evidence-in-chief of Rachel de Lambert addresses the open space issues raised in the submission with the exception of the café location.
102. I confirm that there will be a road / street (with vehicle access) along the river esplanade wherever possible. It is not possible to have a bus route along this street due to the preferred narrow road width and its occasional steeper gradients. Allowance for future bus routes has been provided in more central locations within the Masterplan.
103. The proposed location of the café adjacent to Knoll Park is located where it is to activate the open space and benefit from being set within mature trees.

#### ***Provision for cyclists***

104. Several submissions,<sup>1</sup> including submissions from the Ministry of Education and Cycle Action Waikato, refer to a need for more separate off-road paths for cyclists including to provide access to schools and open spaces.
105. In response, I note that the Masterplan provides for a well-balanced network of walking, cycling and vehicular movements with long-distance dedicated cycle routes and access to low speed cycle friendly streets.
106. Cyclists will have access to dedicated shared paths for the full length of the Site on both the western and eastern sides. In the west, Peacockes Road will accommodate a shared pedestrian and cycle route on its eastern side, passing along the frontage of the Site. This route is designed to facilitate long-distance north-south movement. In the east, the development will accommodate a recreational walking and cycling route along the river. The edges of the southern gully will also accommodate walking and cycling routes.
107. In order to facilitate more convenient and safe connections between the shared path along Peacockes Road and the recreational routes along the river

---

<sup>1</sup> See submissions 9, 18 and 58.

and the gully, on-street dedicated cycle lanes are proposed on five key east-west streets.

108. These dedicated cycle routes connect to the lower speed local streets. The street network has been designed to facilitate cycling on all streets. Due to the connected nature of the street network vehicular traffic will be dispersed over the network, making them compatible with on-street cycling.

***Location of cycle lanes within the street***

109. For the following reasons on-street cycle lanes instead of cycle lanes on the side of the footpath are opted for:
  - (a) The subject streets will have relatively short lengths and therefore a relatively high frequency of intersections. Footpath-based cycle lanes become more convoluted where there are multiple close intersections, hence slow speed on-street cycling is preferred.
  - (b) Cycling will take place on the side of the parked cars where drivers expect traffic.
  - (c) Conflicts between parked cars and cycling on the footpath are avoided. The street network has been designed to facilitate cycling on all streets. Due to the connected nature of the street network, vehicular traffic will be dispersed over the network.

***Walking and cycling along the Park Edge Road***

110. The submission of Frankie and Phil Letford (submission 9) requests that the Park Edge Road incorporates a shared path on the park side of the road to allow complete access to open space.
111. I note that there is complete access as footpaths are provided on the edges of all open spaces. Access for cyclists is provided through cycleways located through open spaces or on shared pathways alongside the open spaces.



***Ecological buffer / conservation zone in northern riverside section***

112. A number of submitters<sup>2</sup> support an increase in the width of the Esplanade Reserve opposite Hammond Park, from Malcolm Street to the Mangaonua Stream in order to provide a greater buffer for the bat population in this area. The Masterplan has been adjusted in response to these submissions, as described above. This now achieves an excellent balance between meeting ecological requirements and retaining the high-quality outcomes of the original layout.

***Covenants to ensure quality building***

113. Several submitters<sup>3</sup> raised the need for controls to ensure buildings within the development, particularly higher density dwellings, are of high quality.
114. I consider that these concerns have been adequately addressed in Section 5.9 on pages 39 - 41 of the Report. The subdivision has been designed to enable compliance with Hamilton City Council's range of guidance and rules in the District Plan at the resource consent stage. In several instances more restrictive standards have been advised in Section 5.9 of the Report.
115. Overall, guidance is aligned with the design expectations of the high-level guidance provided in Vista: Hamilton City Design Guide which, whilst not a statutory document, is a key high-level design guide outlining the City's expectation for better design environments. More detailed guidance will be provided in the development management process, post-subdivision, including building materials, landscape elements, and architectural standards.

***Amberfield development in isolation from Peacocke***

116. The submission of Neil and Carolyn Edwards (submission 26) raises concerns that the Amberfield development will have negative impacts on the amenity of the wider Peacocke area, as it is undertaken in isolation from the wider development.

---

<sup>2</sup> See submissions 11, 20, 21, 27, 28, 31, 33, 34, 36, 38, 40, 43, 48, 47, 50, 53, 56, 57, 61, 64, 66, 67, 71, 72, 73, 74, 76, 77, 81.

<sup>3</sup> See submissions 2, 35, 37 and 77.

117. I note that the location and extent of the proposed development aligns with the PSPA. The Masterplan design for Amberfield has considered integration with the wider PSPA by providing for street connections into adjacent land and ensuring the edge of the proposed development provides a good condition for future neighbouring growth areas.
118. The Masterplan locates the future village centre in the general area defined in the Structure Plan, and growth of the centre west onto adjacent land in the future is not precluded. This also aligns with the east-west road connection into the centre which is set out in the Structure Plan.

### ***Neighbourhood centre extent and planning***

119. Submissions from Woolworths New Zealand Limited and the Johnson Family Trust<sup>4</sup> are concerned that the Neighbourhood Centre (indicatively shown in Figure 3.1 of the Assessment of Environmental Effects and Figure 3.6 of the Urban Design Report) is inconsistent with the Peacockes Structure Plan (Neighbourhood 6). The submitters request the Masterplan includes the whole of the proposed Centre.
120. The subdivision application establishes two superblocks to accommodate the Neighbourhood Centre within the Site. However, the Masterplan does not preclude the Neighbourhood Centre from including land on the western side of Peacockes Road or the northern area of 'retail and traffic orientated activities' as shown in Figure 3.4.3a of the District Plan.
121. The Masterplan shows an indicative Neighbourhood Centre to the west of Peacockes Road along with a road structure to ensure the combined node is integrated. The Neighbourhood Centre within the Site will be dealt with through a future application where the detailed design can be addressed.

### **ISSUES RAISED IN SECTION 42A REPORT**

122. The Urban Design Memo by Colin Hattingh raises the need for ongoing urban design guidance in a number of instances, including on page 10 where he states; "In my view, the implementation and dependence on District Plan Standards alone will only partly achieve the outcomes sought and I would

---

4

Submissions 75 and 45 respectively.

recommend that additional design guidance and peer review be considered (especially relevant to the future medium density housing)".

123. In my view it would be inappropriate to provide detailed urban design guidelines at this early stage, as these will have to be coordinated with the architectural theming, palette of colours and materials, which will only be completed after more market research has been undertaken. It would therefore be appropriate to provide urban design guidelines at a later stage, but before sales agreements are formulated.
124. While these will be managed by the Applicant, the Applicant is willing to liaise and consult with the Council to ensure alignment with the guidance outlined in the Urban Design Report (pages 39-41).

### **CONCLUSION**

125. In summary, I conclude that the application constitutes best practice urban design. The layout changes to the northern terraces, made in response to submissions, achieve an excellent balance between accommodating ecological requirements and retaining the high quality urban design outcomes of the original layout. Other submissions or those issues raised in the Council Officer's report have not given me cause to change my overall opinion of the application.

**Dated this 12th day of April 2019**

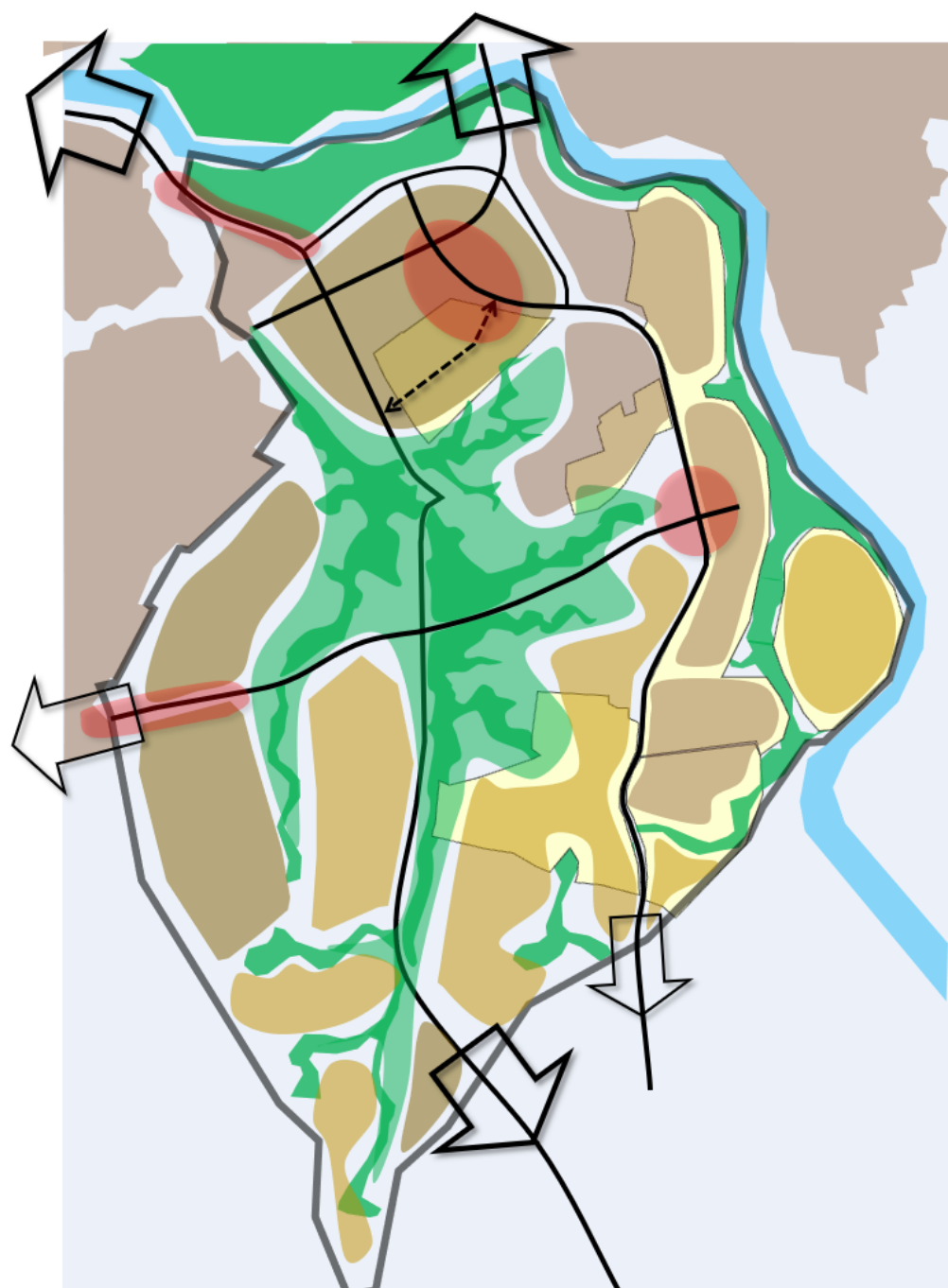


---

**Kobus Mentz**

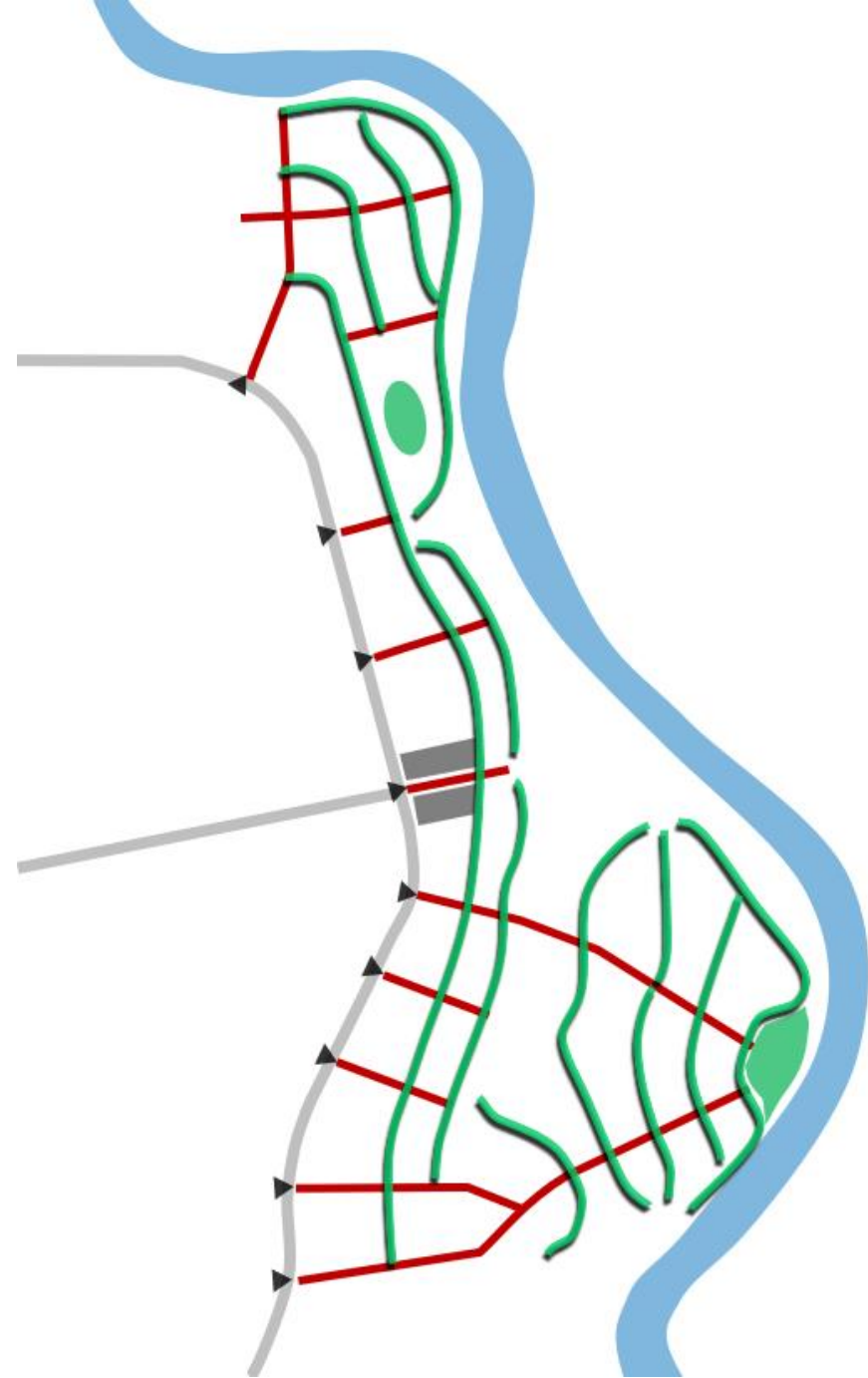
**ANNEXURE A – FIGURES FROM REPORT AND ADDENDUM**

**Figure 2-3**  
Page 6 urban design report



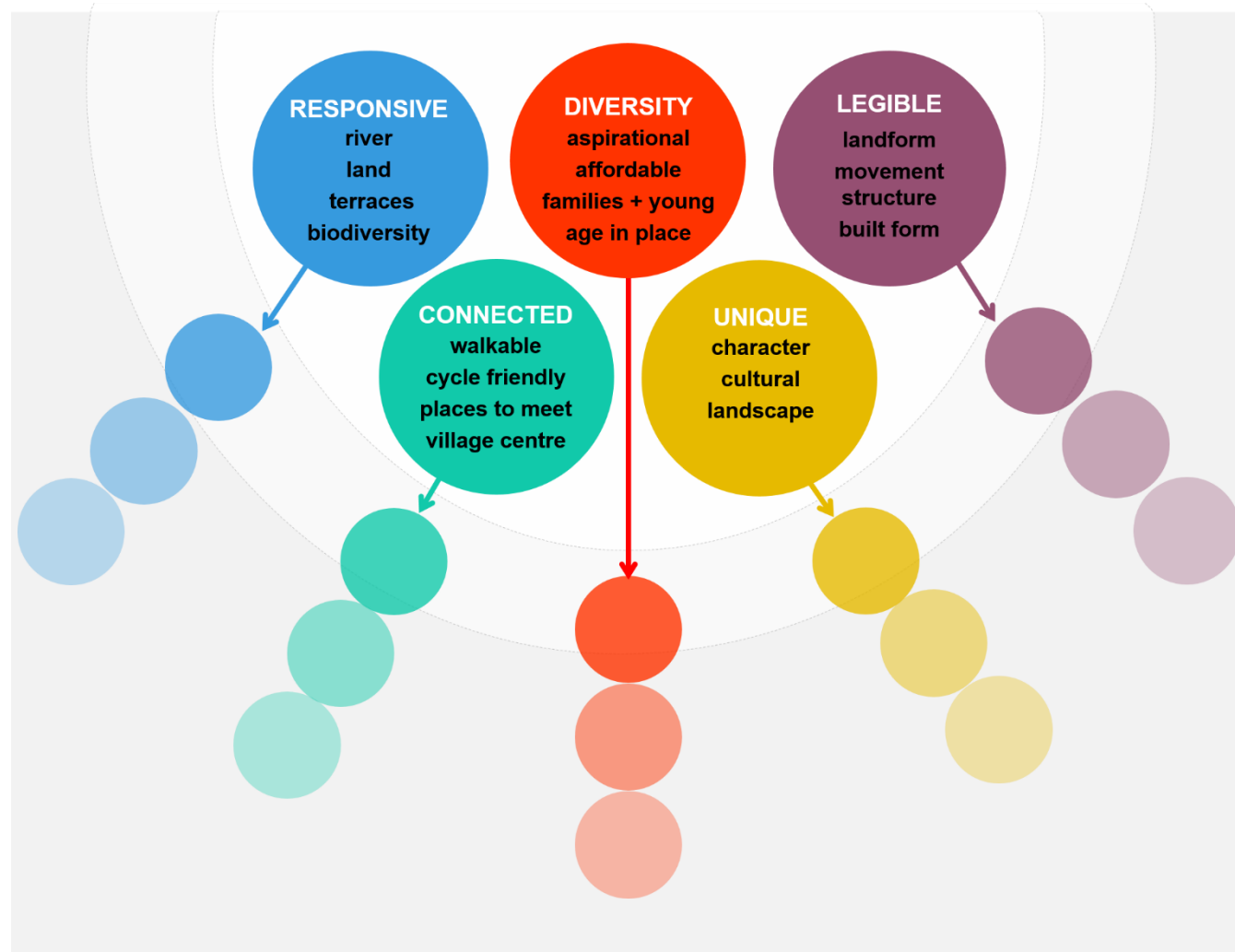
## Figure 3-1

Page 14 urban design report



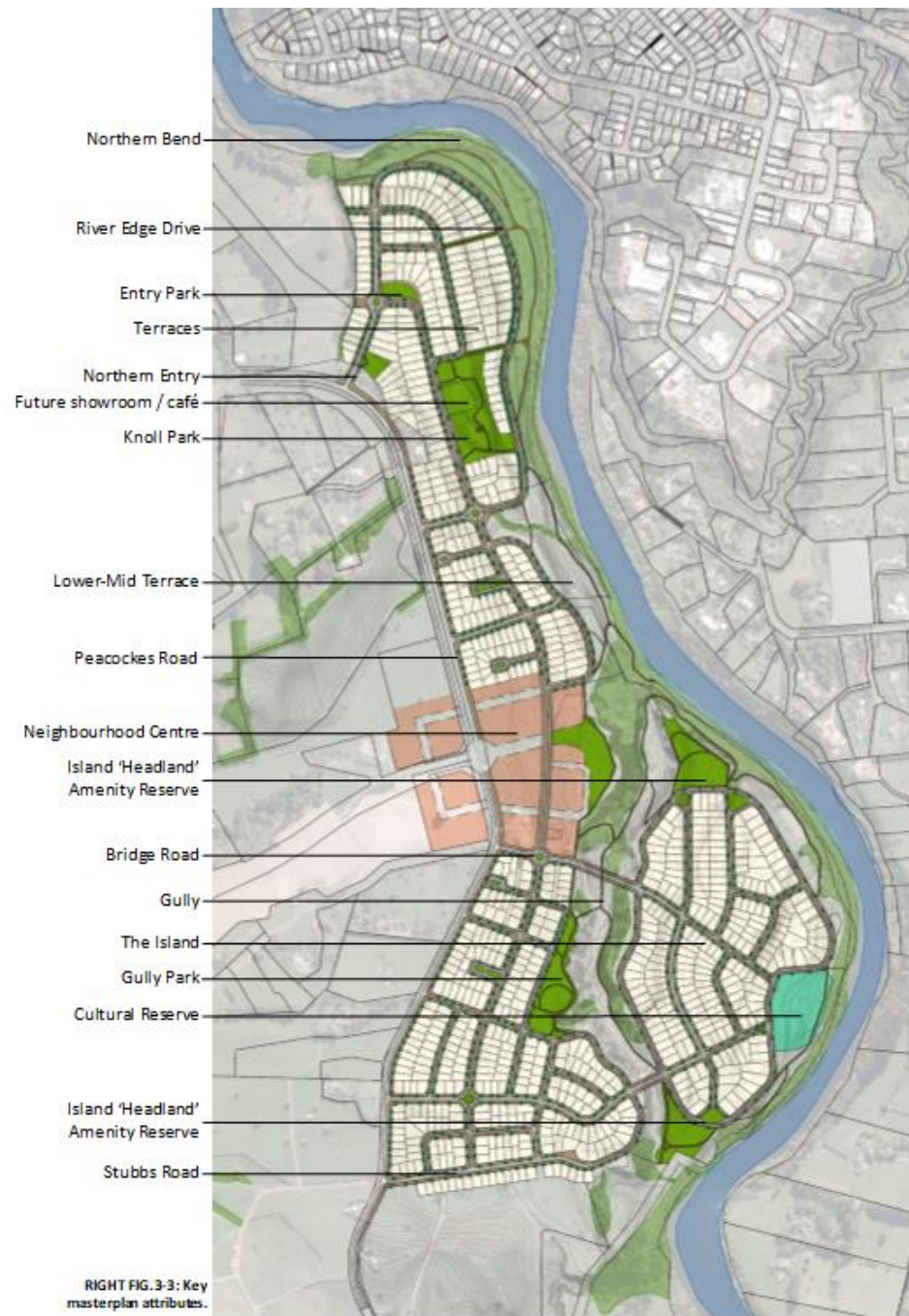
## Figure 3-2

### Page 16 urban design report



# Figure 3-3 (updated for design revision)

Page 18 urban design report





## Figure 3-4 (updated for design revision)

Page 19/20 urban design report



# Figure 3-5 (updated for design revision)

Page 22 urban design report

## LEGEND

- a** Northern bend
- b** River edge
- c** Low speed lane
- d** Pedestrian links
- e** Entry park
- f** Terraces
- g** Northern entry
- h** Knoll Park
- i** The Knoll
- j** Dwellings front onto Peacockes Road
- k** Mid entry
- l** Walking / cycling shared path
- m** Cul-de-sacs





## Figure 3-6

### Page 24 urban design report

#### NOTE:

The design of the Village Centre and its open spaces are illustrative only, this area is defined by two superblocks in the subdivision application, and will be dealt with through a future application.

Tree locations are indicative only.

#### LEGEND

- a** Village Centre
- b** Gully
- c** Future east-west arterial
- d** Village park
- e** Walking / cycling shared path



## Figure 3-7

### Page 26 urban design report

NOTE:  
Tree locations are  
indicative only.

#### LEGEND

- a** Village Centre
- b** Bridge Road
- c** Stubbs Road
- d** Low speed lane
- e** Walking / cycling shared path
- f** Gully
- g** The Island
- h** Gully park
- i** Smaller lots
- j** Possible sports park (darker area)
- k** Dwellings front onto Peacocks Road
- l** Cul-de-sacs



RIGHT FIG. 3-7: The South.



## Figure 3-8

### Page 28 urban design report

**NOTE:**  
Tree locations are  
indicative only.

#### LEGEND

- a** Waikato River
- b** Gully
- c** Road connections
- d** Bridge
- e** Archaeological reserve
- f** Low speed lane
- g** Walking / cycling shared path
- h** Island 'headland' amenity reserve
- i** Culvert bridge

RIGHT FIG. 3-8: The Island.



## Figure 4-1

### Page 29 urban design report





## Figure 4-2

Page 30 urban design report



# Figure 4-3

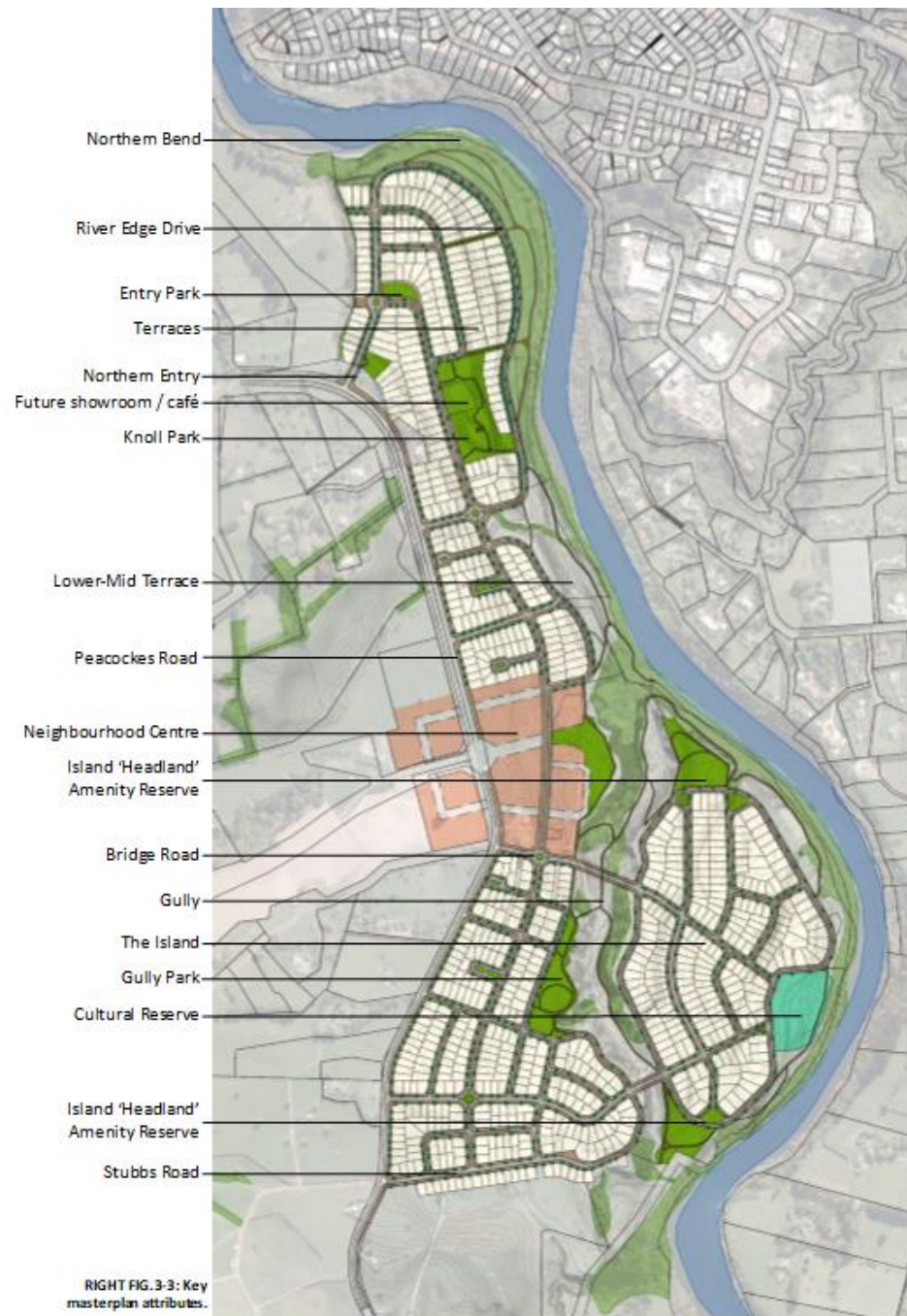
## Page 30 urban design report





# Figure 3-3 (updated for design revision)

Page 18 urban design report



## Figure 6-1 (updated)

Page 43 urban design report





# Figure 6-2 (updated for design revision)

Page 44 urban design report

Public open space  
celebrating historic  
cultural significance

Archaeological reserve  
with representative area  
of Māori horticulture

Public open space  
celebrating historic  
cultural significance

Nukuhau Pa



# Figure 7-1 (updated for design revision)

Page 48 urban design report

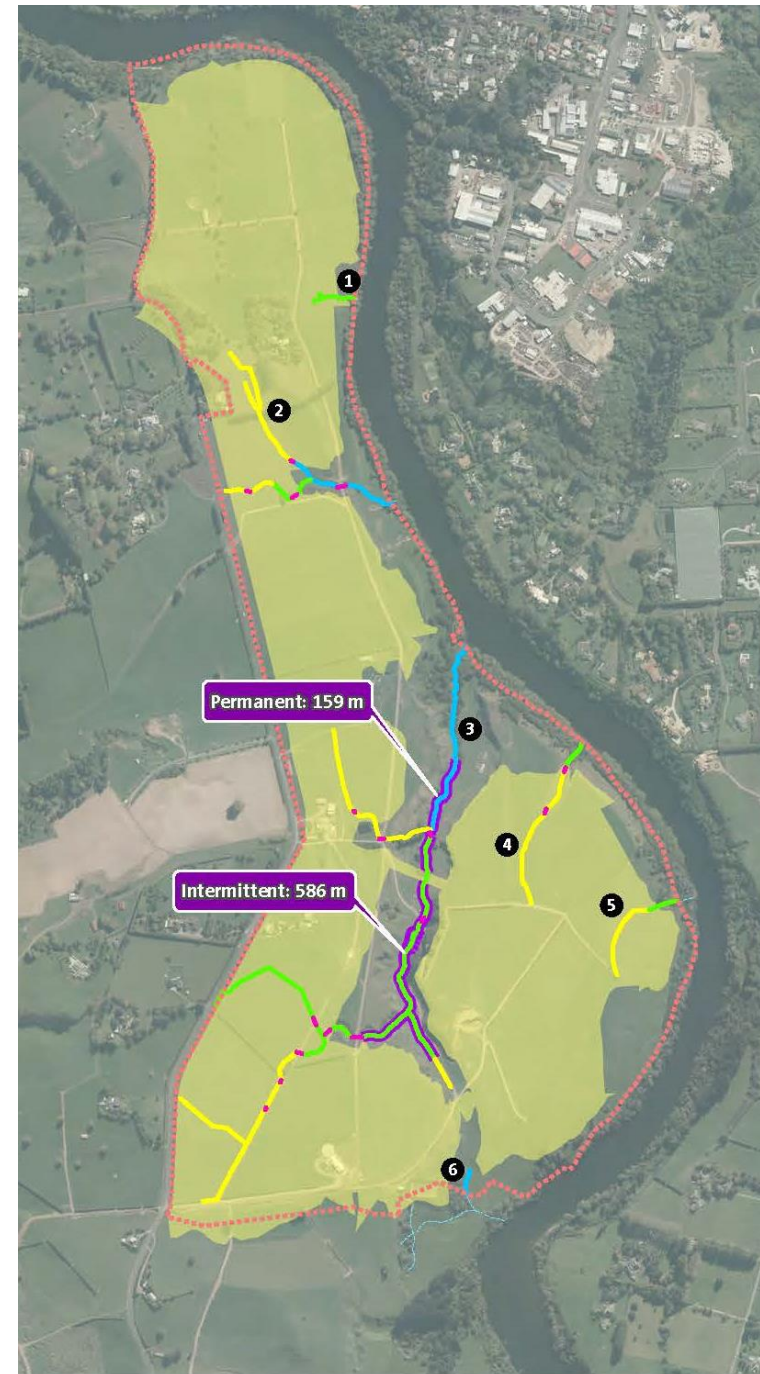
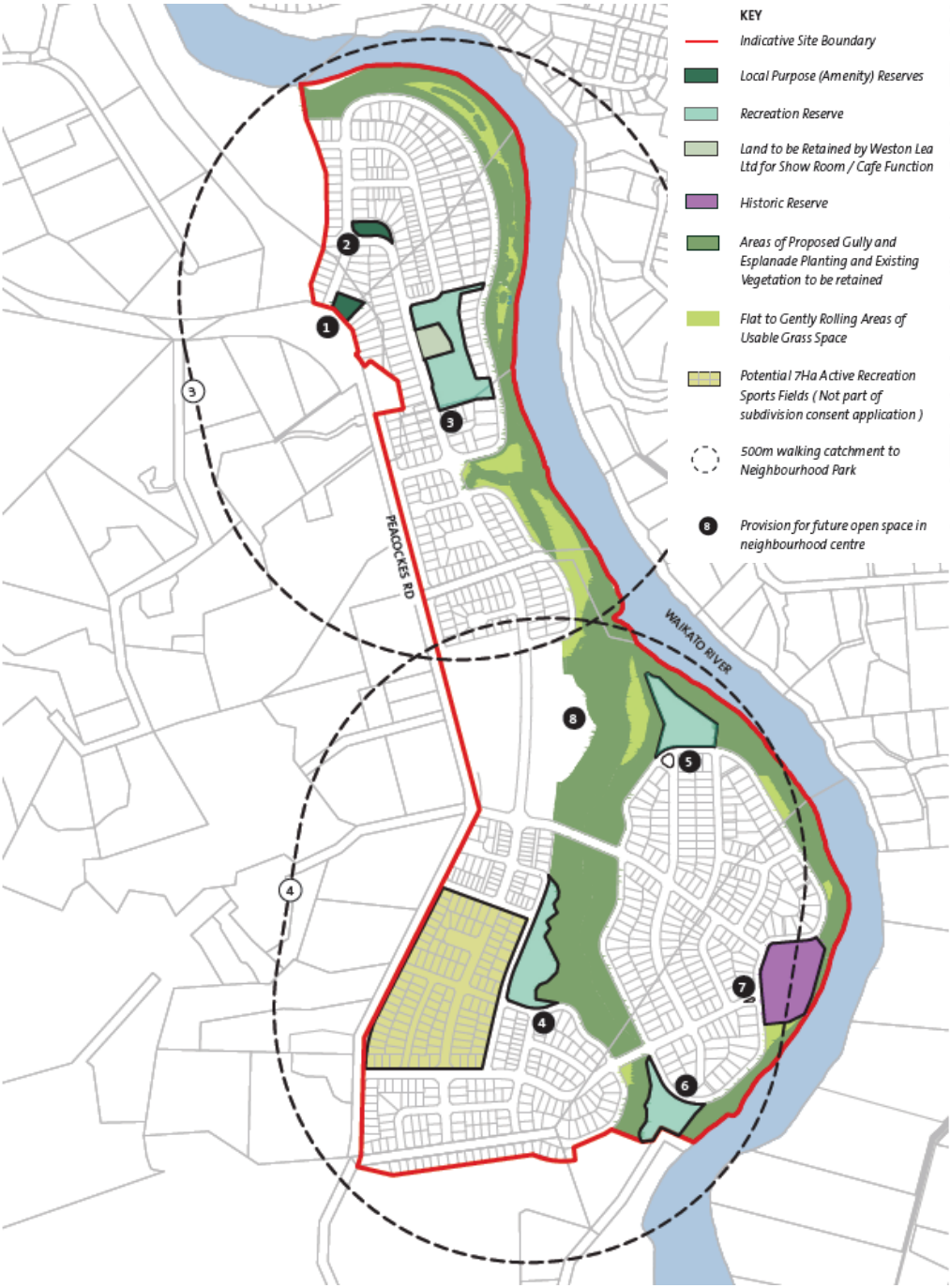


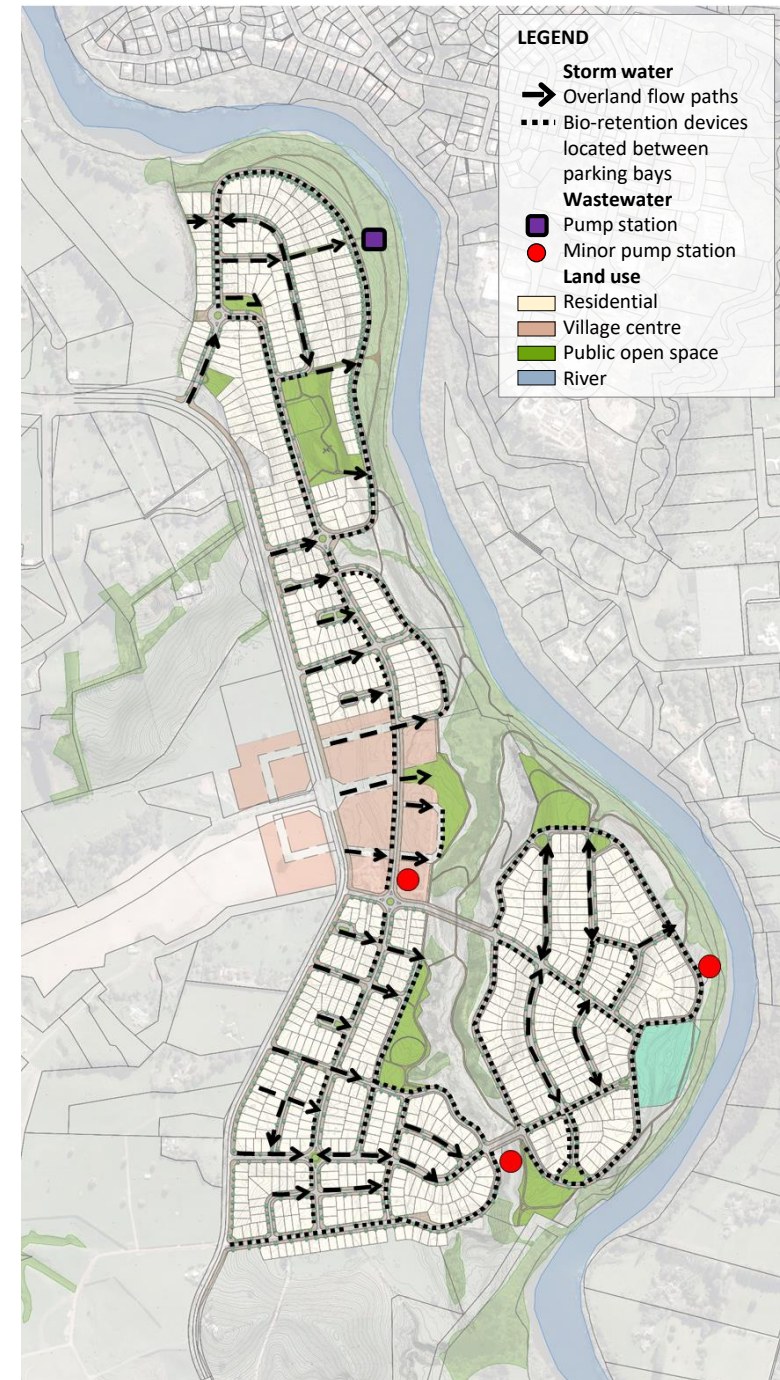
Figure 8-2 (updated for design revision)  
Page 50 urban design report





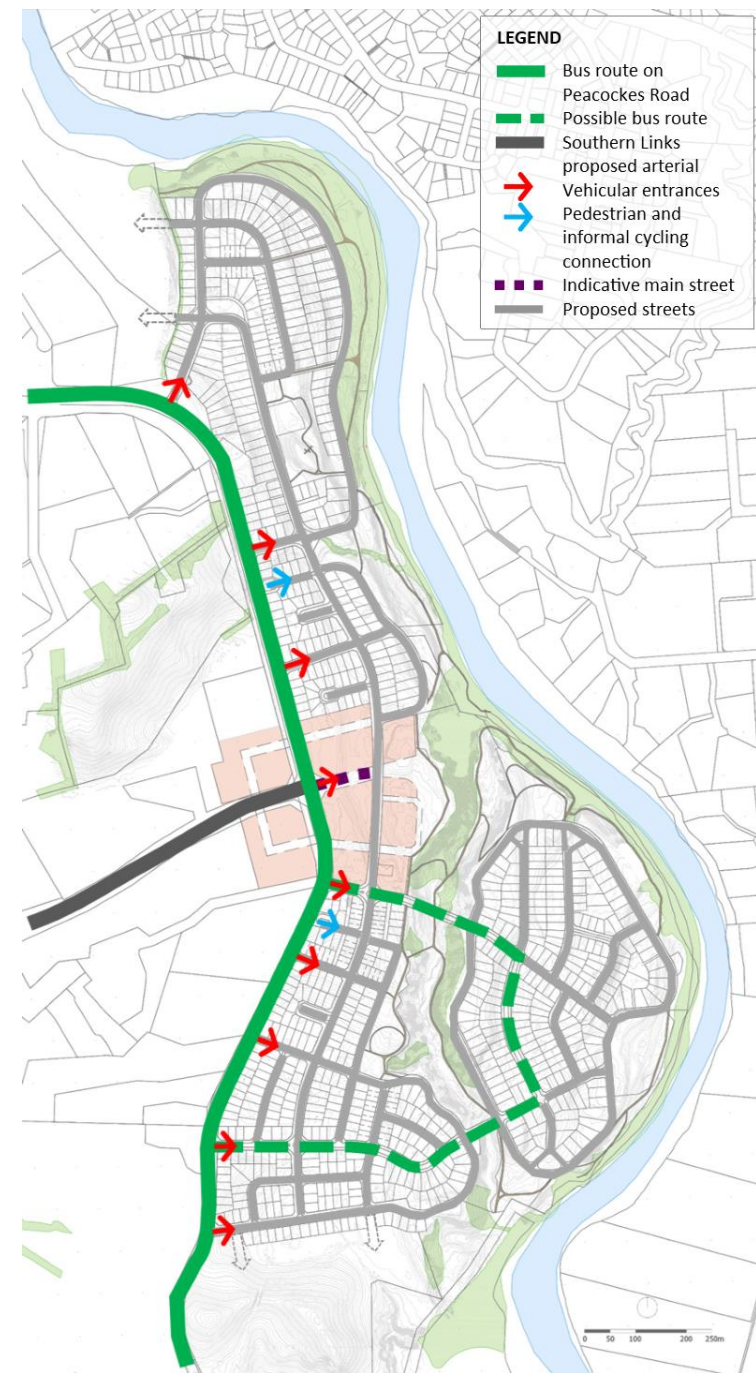
# Figure 9-1 (updated for design revision)

Page 58 urban design report



# Figure 11-1 (updated for design revision)

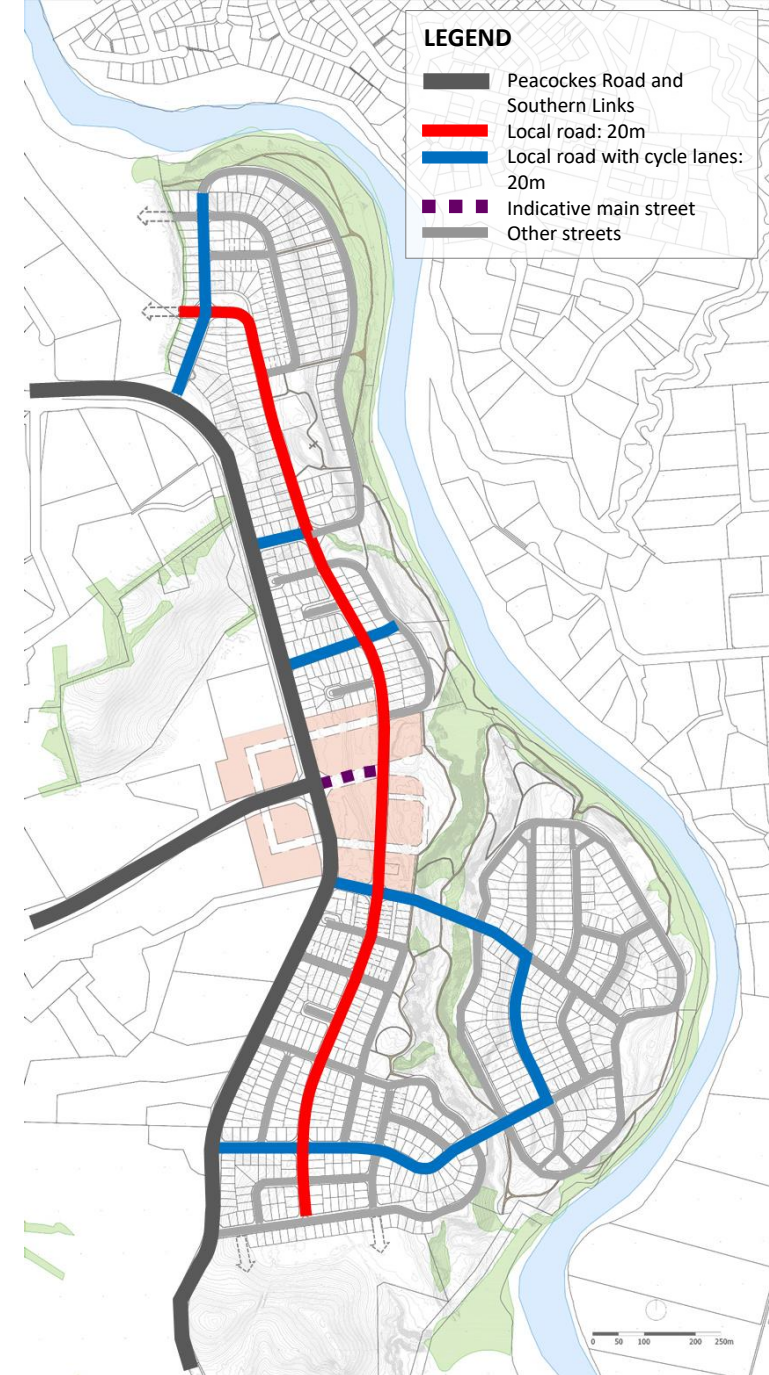
Page 62 urban design report





# Figure 11-4 (updated for design revision)

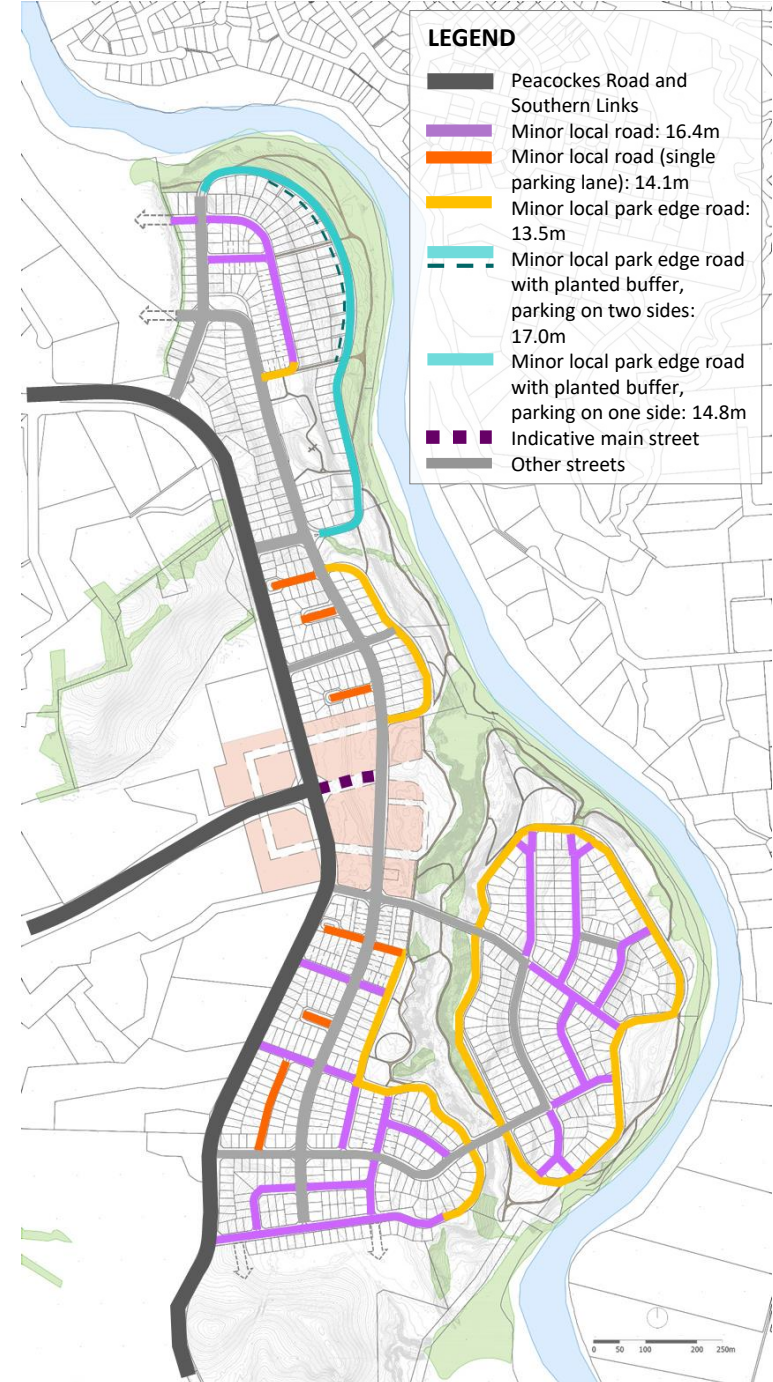
Page 64 urban design report





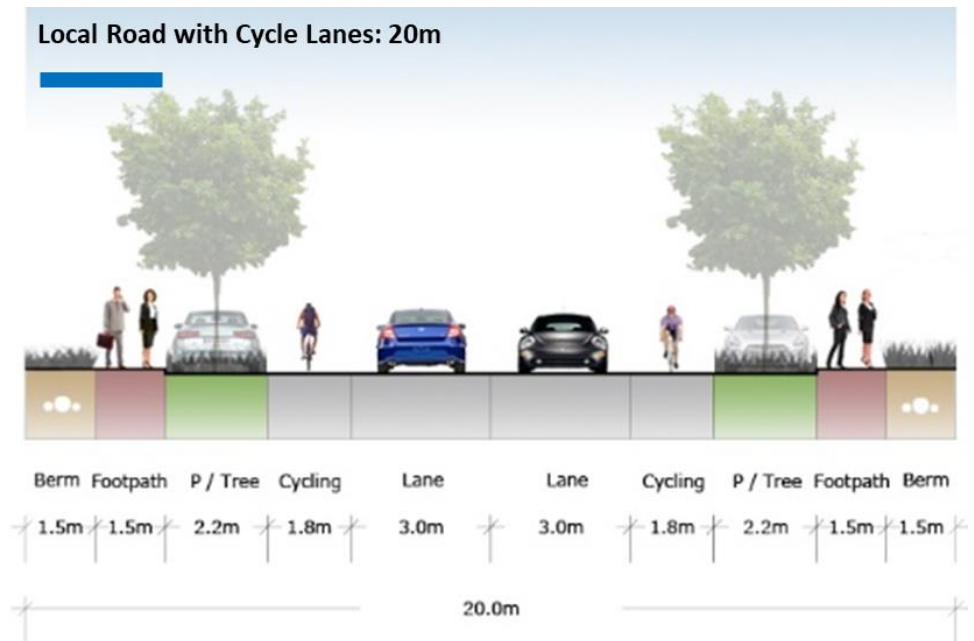
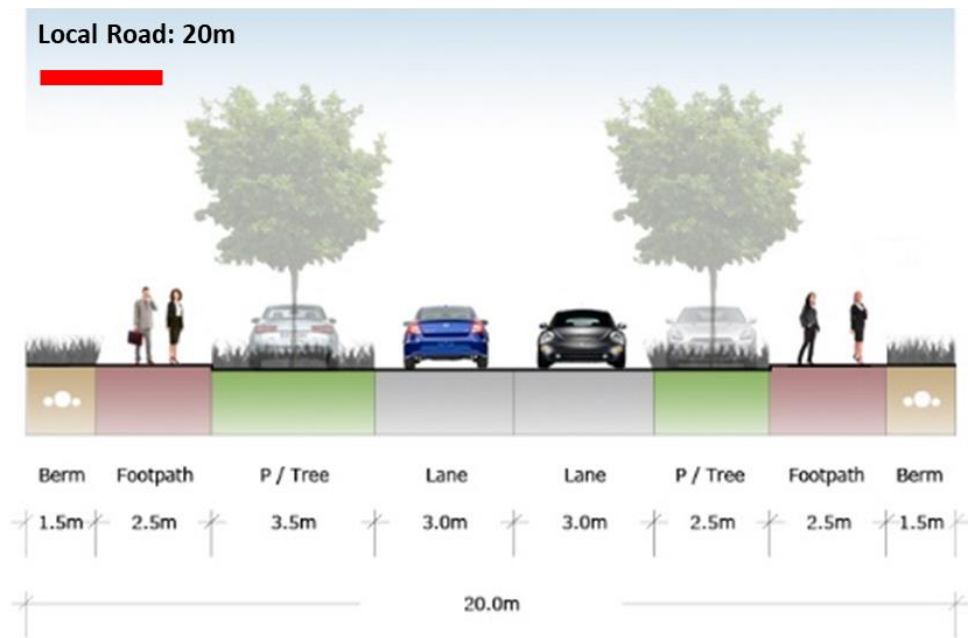
# Figure 11-8 (updated for design revision)

Page 66 urban design report



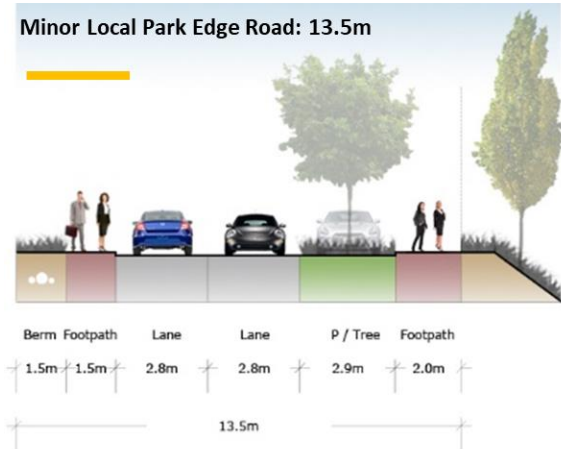
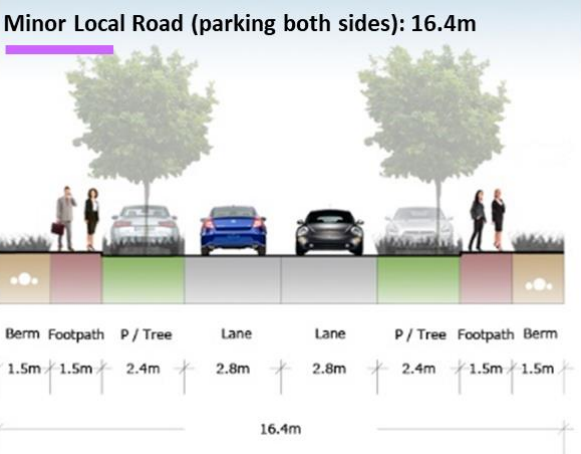
# Figures 11-2, 11-3

## Page 63 urban design report



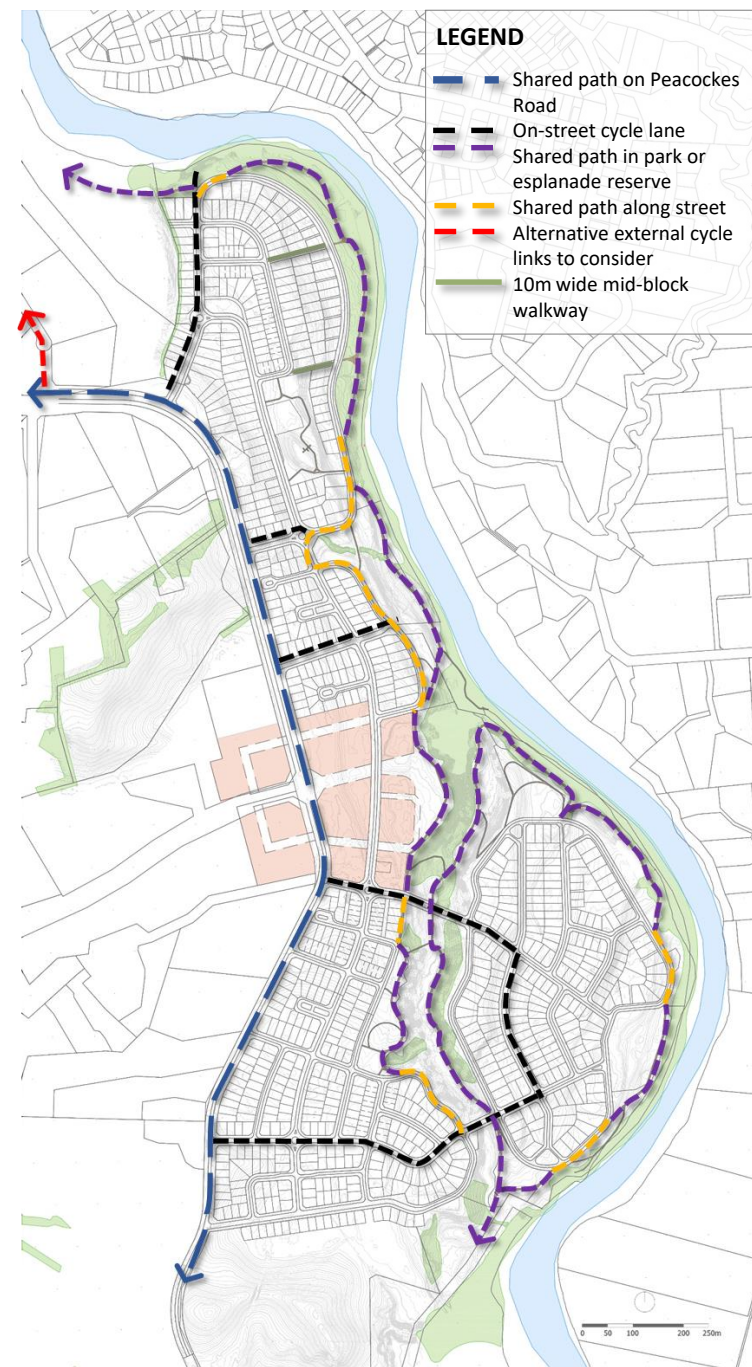
# Figures 11-5, 11-6, 11-7

## Page 65 urban design report



# Figure 11-9 (updated for design revision)

Page 68 urban design report





# Figure 1-1

Page 1/2 addendum





# Figure 2-1

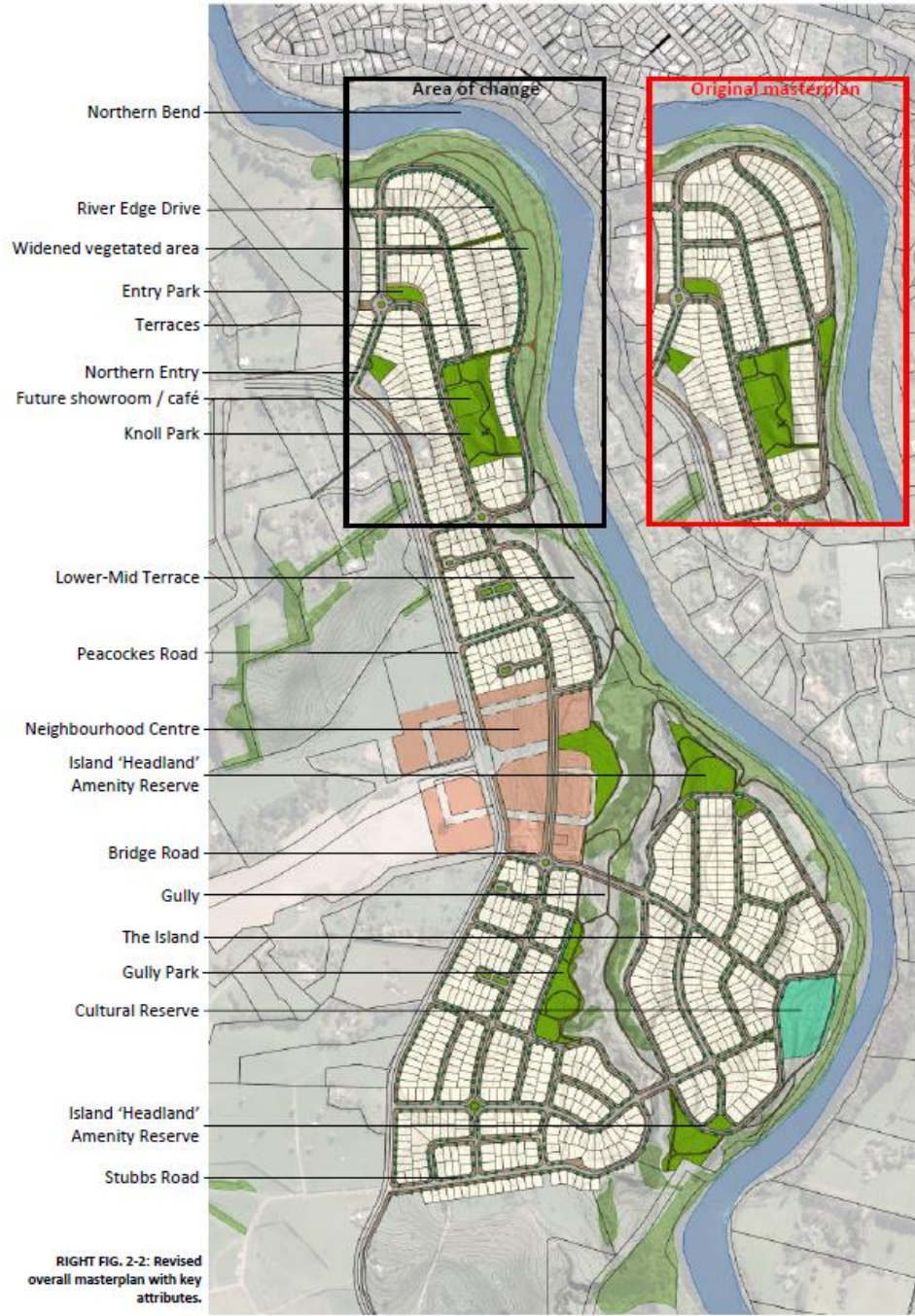
## Page 3 addendum





Figure 2-2

Page 4 addendum





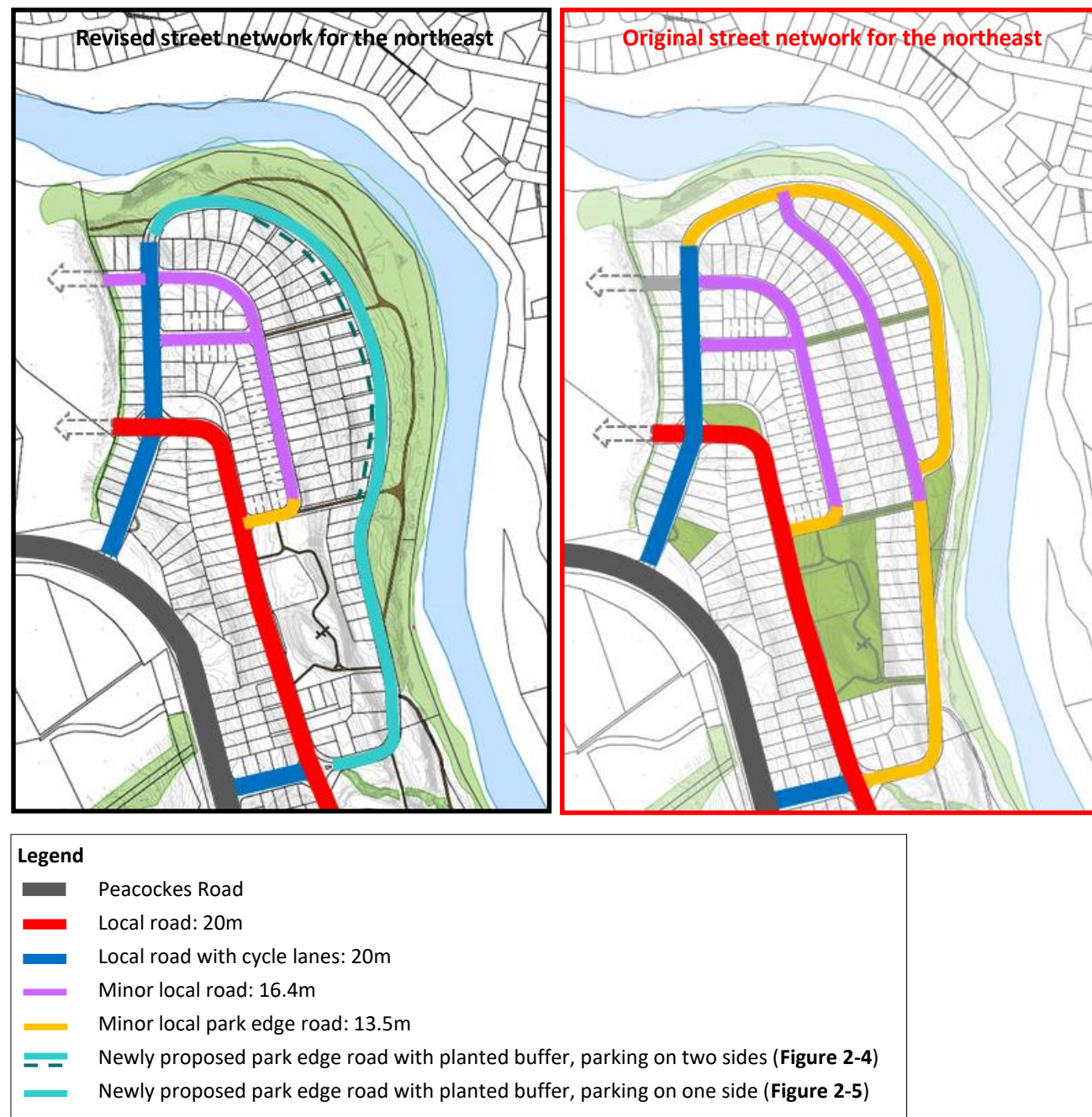
# Figure 2-6

## Page 8 addendum



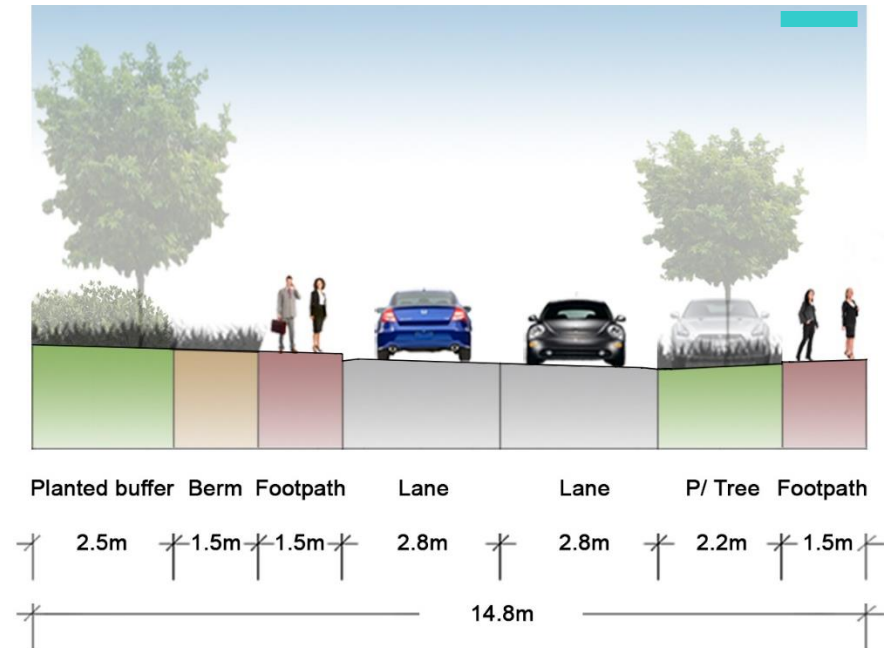
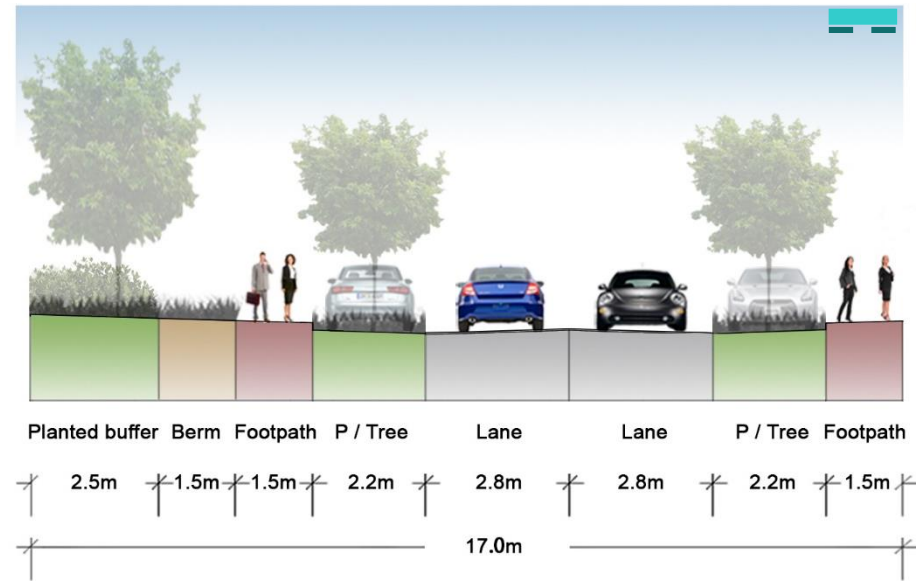


**Figure 2-3**  
Page 6 addendum



# Figures 2-4, 2-5

## Page 6 addendum



## Figure 3-6

### Page 24 urban design report

#### NOTE:

The design of the Village Centre and its open spaces are illustrative only, this area is defined by two superblocks in the subdivision application, and will be dealt with through a future application.

Tree locations are indicative only.

#### LEGEND

- a** Village Centre
- b** Gully
- c** Future east-west arterial
- d** Village park
- e** Walking / cycling shared path

