BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 12 to the Operative Hamilton City District Plan

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SUMMARY STATEMENT OF EVIDENCE OF COLIN ANDREW HATTINGH

(URBAN DESIGN)

Dated 4 September 2024

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INTRODUCTION

1. My full name is Colin Andrew Hattingh. I am a Senior Urban Designer in the Urban and Spatial Planning Unit at Hamilton City Council (**HCC**). I have been involved with the preparation and drafting of Plan Change 12 (**PC12**), particularly as it relates to urban design-related matters.

2. I have produced a statement of evidence dated 26 June 2024 (**primary evidence**) and a statement of rebuttal evidence dated 14 August 2024 (**rebuttal evidence**). In response to submissions, I recommended amendments to the PC12 plan provisions which are included in the PC12 provision set dated 26 June 2024. In my rebuttal evidence, I have recommended additional amendments in response to submitter evidence which are included in the PC12 provision set dated 14 August 2024.

SUMMARY OF EVIDENCE

Primary Evidence

3. My primary evidence provides an overview of the urban design (**UD**) components of PC12.

4. UD (which is primarily concerned with the design of the public environment) is a key consideration to help shape a city that is functional and suitable for human habitation.

5. The notified version of PC12 included new provisions and changes related to UD matters. The key changes are:

    a) The inclusion of a definition for UD (largely taken from the Urban Design Protocol, Ministry for the Environment, 2005).

    b) The requirement that an UD assessment is included in each Assessment of Environmental Effects for four or more residential

units. This is to ensure and demonstrate that best practice UD principles have been applied in accordance with the relevant Plan provisions.

c) A redrafting of assessment criteria B2 – B6, describing the key UD elements that should be considered through the design process.

6. Having reviewed the relevant submissions, I have recommended two amendments to the notified provisions:

a) Edits to the information requirements (Appendix 1.2 - 1.2.1 h. iii) regarding the submission of an UD assessment. The changes provide further clarity for applicants, including that the assessment is to be 'commensurate to the scale of the proposal'.

b) A rationalisation of the definitions that relate to 'Net Site Area'. The proposed amendments improve the clarity and applicability of the definitions and improve plan efficiency and effectiveness.

7. Several other changes to the notified provisions have been introduced by other subject matter experts (as they relate to Chapter 25.15 and Appendix 1) and I concur with these.

8. I consider that the recommended provisions are consistent with the stated UD approach within the District Plan and that they represent an efficient and effective method and tool for improving UD outcomes throughout the city.

Summary of Rebuttal Evidence

9. My rebuttal evidence responds to matters raised in submitter evidence in relation to Assessment Criteria (Volume 2, Appendix 1.3).

10. Specifically:

a) Ben Inger for The Adare Company Ltd:

i) Mr Inger considers that some assessment criteria read as rules or design guidance. He also considers that there is some duplication and some inconsistency with the criteria for the Peacocke Precinct. Mr Inger considers that the criteria should be reviewed and redrafted. I disagree with Mr Inger's criticisms. I consider it unnecessary to redraft the criteria.

ii) I do, however, support Mr Inger's suggestion to include a note to clarify how the assessment criteria apply within the Peacocke Precinct. Following recent direct discussions with Mr Inger, I propose that the following text be added to Appendix 1.3 under the heading 1.3.3 Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria (before General Criteria table): "*For development and subdivision in the Peacocke Precinct, where there are criteria that relate to the same matter and where similar wording or descriptions exist, the assessment criteria in P Peacocke take precedence. This only applies to criteria sets B (Design and Layout), C (Character and Amenity) and G (Transportation)*."

b) Mark Chrisp for Fonterra Ltd:

i) I support the inclusion of a new assessment criterion as proposed by Mr Chrisp addressing reverse sensitivity effects on the Te Rapa dairy manufacturing site, but consider it is best placed under C (Reverse Sensitivity). I have proposed a new criteria C2e in the 14 August 2024 provision set.

c) Fraser McNutt for Pragma Holdings Ltd:

i) Mr McNutt considers that the High Density Residential Zone (**HDRZ**) would benefit from having a set of tailored assessment criteria. I consider that the criteria as proposed are appropriate, sufficiently flexible and can be selectively applied to the HDRZ. Therefore, I do not propose any further amendments to the criteria.

CONCLUSION

11. For the reasons stated in my rebuttal evidence, I disagree with Mr Inger that the assessment criteria require redrafting. I also disagree with Mr McNutt that there should be a tailored set of criteria for the HDRZ.

12. In conclusion, I consider the amendments recommended in both my primary evidence and rebuttal statements, are the most appropriate way of achieving the purpose of PC12 in relation to urban design matters and outcomes.

Colin Andrew Hattingh

4 September 2024