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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SUPPLEMENTARY STATEMENT OF MARK HECTOR ROBERTS

(PLANNING)

Dated 12 September 2024

LACHLAN MULDOWNEY
BARRISTER

P +64 7 834 4336 **M** +64 21 471 490
Office Panama Square, 14 Garden Place, Hamilton
Postal PO Box 9169, Waikato Mail Centre, Hamilton 3240
www.lachlanmuldowney.co.nz

INTRODUCTION

1. My full name is Mark Hector Roberts.

2. My qualifications and experience are as set out in my primary statement of evidence dated 26 June 2024 (**primary evidence**).

3. I reconfirm that I have read and am familiar with the Code of Conduct for Expert Witnesses (Environment Court Practice Note 2023) and I agree to comply with it.

PURPOSE AND SCOPE OF EVIDENCE

4. The purpose of this supplementary statement of evidence is to respond to various matters raised during the course of the Plan Change 12 (**PC12**) hearing.

Commercial feasible capacity

5. The Hearing Panel enquired about plan-enabled capacity (**PEC**) and commercial feasible capacity (**CFC**) projections once PC12 is implemented.

6. Hamilton City Council (**HCC**)'s Commercial Feasibility Model (**CFM**) stands as a pivotal instrument in assessing CFC within the framework of the National Policy Statement on Urban Development (**NPS-UD**). Operating across three development scenarios—Infill Subdivision, Infill Redevelopment, and Greenfield—the CFM integrates economic and spatial data and data transformational to process input utilising statistical software for calculation.

7. The CFM allows an evaluation of the potential of a standard profit-driven developers to execute projects under the current planning regulations. It emulates a private developer's journey from the inception to the sale of

completed dwellings, conforming to District Plan provisions, engineering constraints, and factoring in the associated development costs and sales prices. It is important to note, however, that the CFM's scope is limited to the profit-oriented segment of the market, not encompassing non-profit sectors such as public entities and individual homeowners.

8. The outcomes of the model have taken into account the updated PC12 provisions, particularly the implications of the best available flood hazard information on development prospects, as well as scenarios disregarding these effects. The model's projections reveal that, despite a 30-year demand estimate of 36,600 dwellings, the most conservative scenario—factoring in flood hazard data—projects a commercial feasible capacity for 71,700 dwellings for the period of 2024 to 2053. An even more optimistic scenario emerges from the revised PC12 model (without considering flood hazard data), which anticipates up to 76,500 dwellings as commercial feasible for the same time period.

9. The updated CFM indicates a surplus in CFC, exceeding the expected demand for the next three decades. With the inclusion of the latest flood hazard data, the conservative projection shows a potential for 71,700 homes, almost twice the expected need of 36,600. This excess serves as a solid safeguard against various development constraints. On the other hand, a more optimistic forecast, disregarding flood hazard data, predicts up to 76,500 homes. In both cases, the surplus affords Hamilton the flexibility to adapt to unexpected needs or demographic changes, securing its ability to meet future housing requirements efficiently.

10. In my professional opinion, the outputs from the CFM indicate that the revised PC12 will meet the project demand for commercial feasible capacity over the next 30-years. PC12’s approach will support focused densification efforts without compromising the overall housing capacity. Such an approach aligns with strategic urban planning objectives, which

strive to equitably distribute development opportunities while taking into account environmental and infrastructural factors.

Rototuna Town Centre – Building Heights

11. The Operative District Plan permitted building height in the Rototuna Town Centre is set at 15 metres. The proposed PC12 amendment suggested an increase to 16 metres as per Mr Govender's evidence. Kainga Ora's original submission sought an increase in permitted building height for the Rototuna Town Centre.

12. Building Heights for the Rototuna Town Centre are set out in Appendix 1.4 and is managed through a number of precincts. Dr Reu Junqueira rebuttal evidence proposed an amendment to the permitted building height within a number of business zones. Considering the permitted building height in the adjacent residential zone (Medium Density Residential Zone), I believe it is reasonable to support an increase in the building heights as set out below to align with the business zones within the city.

Appendix 1.4 Design Guides

1.4.4.4 a. Building Heights

Precinct	**Notified Height**	**PC12 Height**
Retail 1	16m	18m
Retail 2	16m	18m
Residential Mixed Use	12.5m	18m

[Precincts set out in Appendix 7, Figure 7-1]

Historic Heritage Area

13. The discussion during the hearing highlighted issues concerning Historic Heritage Areas (**HHA**), leading to a proposed minor revision in Chapter 19.

This modification addresses the size constraints of some HHAs, which lack the requisite number of adjacent sites—three on each side within the HHA or six on one side. Consequently, the amendment applies uniformly to two rules, with the changes indicated in red text for clarity (blue is the proposed amendment in Ms Gault's evidence).

> **Rule 19.4.6 a ii. Building Heights**
>
> *The average of existing heights of buildings on adjacent sites also in the HHA, being **up to** ~~the~~ three sites on either side of the subject site or six sites on one side of the subject site.*
>
> **Rule 19.4.8 a. ii. Building Setbacks**
>
> *The average of existing front setback of buildings on adjacent sites also in the HHA, being **up to** ~~the~~ three sites on either side of the subject site or six sites on one side of the subject site.*

Reverse Sensitivity – Fonterra

14. Mr Crisp on behalf of Fonterra seeks amendments to a number of Objective and Policies relating to reverse sensitivity issues. While I do not support any amendments beyond those proposed in HCC's evidence filed to date, if the commissioners are minded to amend the Objectives and Policies as set out in paragraph 14 of Mr Chrisp's Hearing Statement dated 6 September 2024, I have concerns regarding the use of the wording *'existing non-residential activities'* and in my view the use of '*existing regionally significant industry'* would be more appropriate.

Water Supply/Watercourses

15. In the hearing on 11 September 2024, the Panel enquired about the split between gravity vs pressure water supply within the city. Currently approximately 30-35% of the water supply within the city is supplied by gravity supply.

The Panel also sought information on the extent of lined open watercourses within the city. Based on the data from the city's IPS system, the total length of channel/stream recorded is ~127km and ~3.3km of lined channel.

Mark Hector Roberts

12 September 2024