ABEFORE A PANEL OF INDEPENDENT HEARINGS COMMISSIONERS IN HAMILTON

I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE KIRKIRIROA

UNDER	the Resource Management Act 1991 ("the Act")
IN THE MATTER	of proposed Plan Change 12 to the Operative Hamilton City Council District Plan

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STATEMENT OF EVIDENCE OF CAMERON WALLACE ON BEHALF OF FOODSTUFFS NORTH ISLAND LIMITED

URBAN DESIGN

24 JULY 2024

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1. INTRODUCTION

1.1 My full name is Cameron Wallace and I am a Partner and Urban Designer at Barker & Associates ("**B&A**").

Experience

1.2 I hold a Master of Urban Design (1st Class Honours) and a Bachelor of Planning (1st Class Honours) from the University of Auckland. I have been a Full Member of the New Zealand Planning Institute since 2014 and am a Member of the Urban Design Forum Aotearoa.

1.3 I have 16 years' professional experience working in urban design and urban planning, gained in both the public and private sector, in the United Kingdom and New Zealand. Since 2018, I have been employed as an urban designer at B&A. In my current role, I regularly assist local authorities and government departments with policy and district plan development in relation to growth management and urban design matters. I also provide up-front urban design input into a wide range of development schemes for private clients and Auckland Council, including commercial and mixed-use buildings.

1.4 I have the following experience that is particularly relevant to this hearing:

(a) Plan Change 9 – Rotorua District Plan, specifically acting as lead urban designer advising Council on implementation of the Medium Density Residential Standards, development of a complimentary High Density Residential Zone, amendments to various commercial zones and development of non-statutory urban design guidelines.

(b) Queenstown Lakes Proposed District Plan Review, specifically ongoing provision of spatial analysis to inform an urban design review of existing provisions (with a focus on height and density of development) across all residential and commercial zones to ensure alignment with Policy 1 and Policy 5 of the National Policy Statement on Urban Development;

(c) Urban design lead on the development of the high-level "SL1" Masterplan that seeks to provide for approximately 12,000 new homes across 440ha of existing rural land located 500m west of the Glenview centre; and

(d) Urban design lead on a number of centre-based commercial and mixed-use development schemes across New Zealand, including for supermarket and large-format retail development.

Code of Conduct

1.5 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of Evidence

1.6 This evidence is in respect of submissions[1] by Foodstuffs North Island Limited ("**Foodstuffs**") on proposed Plan Change 12 ("**PC12**") to the operative Hamilton City District Plan ("**ODP**" or "**District Plan**"). Of relevance to this statement of urban design evidence, Foodstuffs' submissions on PC 12 seeks to amend the Business Height Overlay to include:

(a) The Business 5 (Suburban Centre Core) zoned land at Glenview, which includes the New World Glenview site at Ohaupo Road, Glenview; and

(b) The Business 6 (Neighbourhood Centre) zoned land at Heaphy Terrace, which includes the Four Square Heaphy Terrace site at 1030 Heaphy Terrace, Fairfield.

1.7 I support that relief for the reasons set out below. In my opinion, an essential consequence of the relief is that the Floor Area Ratio (FAR) rules within section

[1] Sub No. 237 (Height) and Sub No. 240 (Financial Contributions)

6.4.4 of the Business Chapter should either be deleted or significantly increased for the relevant centres. This consequential amendment is necessary to ensure that any increase in height standards effectively enables an increase in development capacity, as intended by NPS-UD Policy 3.

1.8 My evidence will address the following:

(a) Site context of the Glenview Suburban Centre and Heaphy Terrace Neighbourhood Centre;

(b) Recommended permitted building heights in the Business 5 zone as it applies to the Glenview Suburban Centre and Business 6 zone as it applies to the Heaphy Terrace Neighbourhood Centre; and

(c) Recommended Floor Area Ratio standards for business zones.

1.9 For completeness I record that I have not discussed those aspects of the Foodstuffs submissions that support PC12 as notified (e.g: the heights applying to the central city Pak'n Save supermarkets) but I confirm my agreement with that relief and with those aspects of PC12).

1.10 I have previously undertaken two site visits to the Glenview Suburban Centre in late 2021 and September 2022. I also have a degree of familiarity with the Melville / Glenview area having used Ohaupo Road / State Highway 3 several times throughout 2023 and 2024 to visit family who live near Ngāhinapōuri. I have also undertaken two site visits to the Heaphy Terrace Neighbourhood Centre, first in September 2022 and most recently in March 2024.

2. SITE CONTEXT

Glenview Centre Context

2.1 The Glenview Suburban Centre ("**Glenview**") is located on Ohaupo Road / State Highway 3 and falls within the Business 5 Zone – Suburban Centre. It is strategically located on a main transportation corridor in close proximity to the wider Peacocke development. It is also located in close proximity to the SL1 site which has previously been identified as an area of future urban development.

2.2 Glenview shares frontages with Ohaupo Road, Lambert Court and MacDonald Road. It is contained within 3 individual parcels, two of which form the BP site. The remaining parcel contains the Glenview Shopping Centre which includes the New World supermarket and a number of other retail and community services.

2.3 The surrounding area is proposed to fall within the General Residential Zone ("**GRZ**") under HCC's revised PC12 provisions. The built character of the area is largely that of a 1960s subdivision with modernist, low-density housing and some mature vegetation. There are also some more recent examples of infill development and intensification immediately adjacent to Glenview. The wide road corridor of Ohaupo Road and surface carpark with three street frontages is also a dominant feature of the existing built character.

2.4 HCC provides a useful description of Glenview within its 2022 Centres Assessment Report (Appendix 3.6, pg 18-19):

> *"The Glenview suburban centre is the smallest centre within the city. Despite this it has a wide range of services provided within and nearby the centre including a supermarket, library, parks, healthcare, kindergartens, frequent bus service and Te Wananga o Aotearoa. Funding had been approved and construction is due to start this year on an upgrade to Ohaupo Road/SH3 for a public transport hub. The upgrade includes recessed bus bays, bus shelters, upgraded cycle and foot paths, a raised signalised pedestrian crossing and amenity upgrades. The upgrades enable the frequency of the bus service to be increased to more efficiently connect the south, central city and north of the city."*

2.5 I note that the transport upgrades to Ohaupo Road are now complete.

Heaphy Terrace Centre Context

2.6 The Heaphy Terrace Neighbourhood Centre ("**Heaphy Terrace**") is located centrally within the predominantly residential suburb of Fairfield and falls within the Business 6 Zone - Neighbourhood Centre. It is located approximately 1.2km from the City Centre Zone via Whitiora Bridge, 300m

from Claudelands Park and 800m from the Five Crossroads Suburban Centre. Heaphy Terrace was surrounded by the General Residential Zone within the notified PC12 provisions, but is now proposed to be largely surrounded by the Medium Density Residential Zone ("**MDRZ**") as per HCC's current evidence.

2.7 Heaphy Terrace was not considered as part of the original 2022 Centres Assessment or the updated 2024 Centres Assessment, both undertaken by HCC in support of PC12. I note that Heaphy Terrace appears to be a relatively well-serviced neighbourhood centre that features a small supermarket, greengrocer, convenience retail (e.g. bakery, takeaways) a medical centre, pharmacy, mechanics, barber, church, laundromat and an accounting firm. The area has also had recent streetscape works undertake with the inclusion of cycle lanes, a raised pedestrian crossing and other street threshold treatments. Heaphy Terrace is also serviced by two bus routes providing regular services between the City Centre, Chartwell and Rototuna.

2.8 The existing built character of the area could be described as predominantly low-rise with an eclectic mix of architectural buildings styles including transitional villa, bungalow, modernist and post-modernist. There is also evidence of contemporary infill residential development. Commercial buildings within Heaphy Terrace also display a variety of architectural styles reflective of different periods of development from the 1920s through to the late 20th century.

3. BUILDING HEIGHT STANDARDS

3.1 As set out in the Corporate Evidence of Mr Goddard, Foodstuffs is increasingly looking at options to help generate additional financial returns from its landholdings as well as options to fund new or refurbished supermarkets. Part of these options include mixed-use developments which look to incorporate residential or commercial development above a supermarket. As a major landowner in both Glenview and Heaphy Terrace, the potential redevelopment of the existing Foodstuffs supermarkets presents a significant opportunity to support centres-based intensification. Without an appropriately enabling planning framework there is the potential for either no redevelopment / refurbishment to occur or any redevelopment simply adopts the more traditional approach to supermarket development of a large, single

storey building and thus foregoing any future intensification on the supermarket site.

3.2 Through PC12, heights enabled in Glenview are proposed to increase from 15m to 16m, while heights for Heaphy Terrace are proposed to increase from 10m to 18m.[2] Neither centre falls within the proposed Business Height Overlay as recommended to be amended by HCC. A number of other centres are included within the Business Height Overlay enabling permitted building heights of 26m.

3.3 In my opinion, the heights proposed by HCC are overly restrictive and are not required to address any potential adverse urban design effects. The Council's proposed height limits have the following implications for a mixed-use development including a supermarket at each centre:

(a) For Glenview, the 16m height limit is likely to facilitate, at best, three-storeys of residential development above a supermarket (assuming typical residential apartment floor-to-floor heights of 3.2m and a minimum ground floor height for the supermarket of 4.5m[3] and assuming that underground carparking was provided). I also note that commercial activities, such as offices, typically adopt floor-to-floor heights of approximately 4m.

(b) For Heaphy Terrace, the 18m height limit could enable, at best four-storeys of residential development above, although this would likely require a reduction in floor-to-floor heights (and lower floor-to-ceiling heights in dwellings) to achieve this to accommodate roof forms, lift overruns etc) and assumes that underground carparking was provided.

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[2] On the basis that the 'corrected' zoning maps to be provided by HCC at the PC12 hearing will identify all directly adjoining sites as MDRZ (due to removal of the Oxford St East HHA through PC9).

[3] Note a 4.5m floor-to-floor is typically less than a standard supermarket. Recent supermarket developments I have been involved in have typically adopted floor heights predominantly in the 6 to 7m range, with greater heights where a mezzanine floor is also provided.

3.4 In contrast, a 26m height limit for both would comfortably facilitate six storeys of residential development (assuming 3.2m floor-to-floor) above a 4.5m ground floor supermarket and provide sufficient flexibility to accommodate a greater ground floor height, roof forms and other items such as lift overruns and plant.[4] As set out in the evidence of Mr Goddard and Mr Heath, this would significantly improve the financial viability of any redevelopment of the Foodstuff sites.

3.5 I note that the primary reason given for the height limits that apply to both Glenview and Heaphy Terrace in the evidence of Dr Junqueira relates to urban design matters. Principally, that the surrounding areas do not have high density residential zoning around them and increased heights in centres would not provide "urban form consistency", would impact on the "visual and environmental character" and "could result in an abrupt visual transition between two areas".[5] I address each of these issues below:

(a) **Urban Form Consistency** – The typically enabling planning frameworks established under the RMA (including PC12) do not establish "urban form consistency" within or between different zones. For example, for sites within the Business 5 zone within the height overlay both a 26m high building and 4m high building would be permitted. Similarly, within an adjacent High Density Residential Zone, an existing single-storey, detached dwelling could be retained while the site next door could be redeveloped to provide for a 26m high apartment building. Considering not all sites will be redeveloped, let along redeveloped to their full potential, PC12 already enables "inconsistency" in urban form as a design outcome. Further, as is common in most urban environments and planning frameworks, greater heights are enabled within centre environments which is reflective of their important role as focal points for their wider communities as well as the higher competition for space in these areas from a range of activities. In my opinion, this is not problematic in the New Zealand and Hamilton context or indeed an adverse effect and

[4] Assuming a basement level is also used to accommodate car-parking.
[5] Statement of Evidence, Dr Juliana Reu Junqueira dated 26 June 2024, Paragraph 27

other proposed standards, such as height-in-relation-to-boundary ("**HiRB**"), already seek to mitigate any potential interface issues with adjoining areas.

(b) **Visual and Environmental Character –** For Glenview, the proposed changes to the GRZ signal that some degree of change in the visual and environmental character of the area is anticipated with residential buildings up to three-storeys now enabled. The existing visual and environmental character of Glenview is also heavily influenced by roading corridors and surface car parking. In my opinion, this does not establish a high-quality visual or environmental character from which to assess future change. In this sense, comprehensive redevelopment in the centre could result in an enhanced visual and environmental character of Glenview. An example of this type of change is provided in Figure 1 overleaf which shows a before and after example of a mixed-use development incorporating a supermarket and apartments along an arterial corridor in Auckland.

For Heaphy Terrace, HCC's proposed amendments to the MDRZ already signal that there will be a significant change in the visual and environmental character of this area. In my opinion, an increase to 26m (coupled with other standards such as HiRB) in an area which could, in theory, accommodate buildings as high as 18m would not appear out of place or give rise to adverse visual effects that aren't addressed by other standards or through a design review as part of a resource consent process.

Figure 1 - Before (top) and after (bottom) showing how development can enhance an urban environment

(c) **Abrupt Visual Transitions –** There is nothing inherently negative or adverse associated with "abrupt visual transitions" in building height within an urban environment. In both the Glenview and Heaphy Terrace contexts any changes remain within the context of a low-to-mid-rise environment. Additionally, building setback and HiRB standards, by their nature, provide for a transition in building scale to lower building forms and push taller building elements away from adjacent or adjoining residential areas where lower building heights apply. Additional design techniques around upper storey setbacks, fenestration, material composition and building forms, which would

be considered as part of the resource consent process, will also have an impact on (reducing) the perceived scale of any new building.

The HiRB standards as they apply to both Glenview and Heaphy Terrace would also have the practical impact of limiting future development immediately adjacent to existing residential sites to approximately three-storeys.[6] The width of streets and presence of street tress or other mature vegetation also assist in creating a buffer / transition in building form in both locations. I also note that taller buildings in close proximity is an entirely normal and mundane urban condition for cities, including Hamilton.[7] Such transitions are a predictable outcome of planning frameworks which typically adopt maximum building heights rather than minimums.

3.6 In addition to the above, I have undertaken some indicative 3D modelling to understand potential shading impacts of the increase in height to 26m at both Glenview and Heaphy Terrrace. I note that the potential shading impacts of increased building heights in business zones has not been considered by HCC in establishing what they consider appropriate (e.g. in their decision to increase heights from 21m to 26m within the Height Overlay). Nevertheless, I consider it appropriate to understand the potential urban design implications of Foodstuffs submission.

3.7 It should be noted that there are a number of limitations with the 3D modelling I have undertaken as it involves a simple theoretical extrapolation of building heights from the parcel boundaries along with the application of HiRB and setback controls. In reality, Glenview is likely to support, at best, a handful of smaller buildings with taller elements due to requirements related to other proposed standards (e.g. outlook) and building code requirements which would enabling more space for light to pass through and over the site. It also excludes shading generated from existing mature vegetation and fences and does not factor in shading generated by theoretical building envelope on

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[6] Adjacent to the GRZ, the HiRB standard would require a setback of 22m from the site boundary to be provided before reaching a height of 26m. Adjacent to the MDRZ, a setback of 12.7m from the site boundary would be required before reaching a height of 26m.

[7] For example, Waikato Hospital and surrounds or Hamilton Police Station and surrounds.

surrounding residential sites. In this regard, the modelling provides an indication of where shadows may fall, not where they will fall following redevelopment. For the BP Site, the application of the HiRB standard results in what I would consider to likely be an unviable floorplate for residential development with just a 7m deep building enabled. For Heaphy Terrace, I have only modelled Foodstuffs' Four Square site and have not considered the invariable impacts which would arise from requirements related to vehicle access, outlook and private open space. In addition, I have not modelled any shading impacts which could arise from 18m high development on adjoining residential sites. Modelling shots provided have used the spring equinox (at 9am and 3pm) as representative of an "average" day throughout the year, noting that shading would invariably increase towards the winter solstice and decrease towards the summer solstice.

3.8 For Glenview, this modelling indicates that the majority of new shadowing that would be generated from an increase in building heights would fall on the surrounding road corridors, with increased shading on adjacent properties largely limited to early morning or later afternoon throughout the year. In many instances this increased shading is limited to small sections of front yards (refer to Figure 2 and 3). For Heaphy Terrace, this modelling indicates a similar pattern where much of the increased shading falls on the surrounding road corridors or existing roof forms (refer to Figure 4 and 5). The minimal increase in shading impacts to surrounding residential land is partially driven by the fairly modest increases in height sought by Foodstuffs in addition to the application of the proposed 45-degree HiRB standard and 5m setback standard along adjoining boundaries with the GRZ (as it relates to Glenview) and the 60-degree HiRB standard (as it relates to Heaphy Terrace).

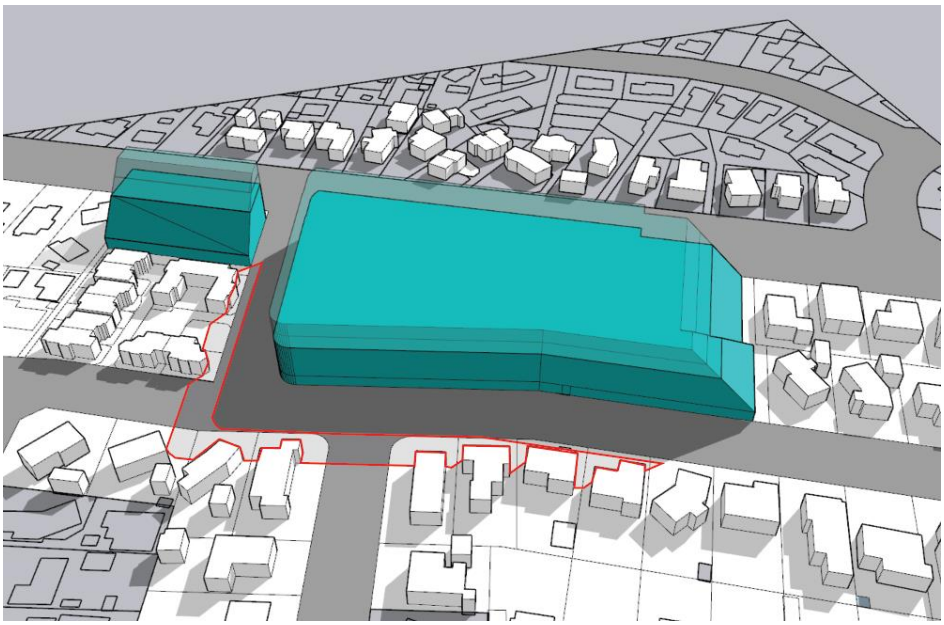

Figure 2 - Additional Shading (outlined red) from an increase in building height from 16m to 26m at Glenview at 9am during the Spring Equinox (image looking north).

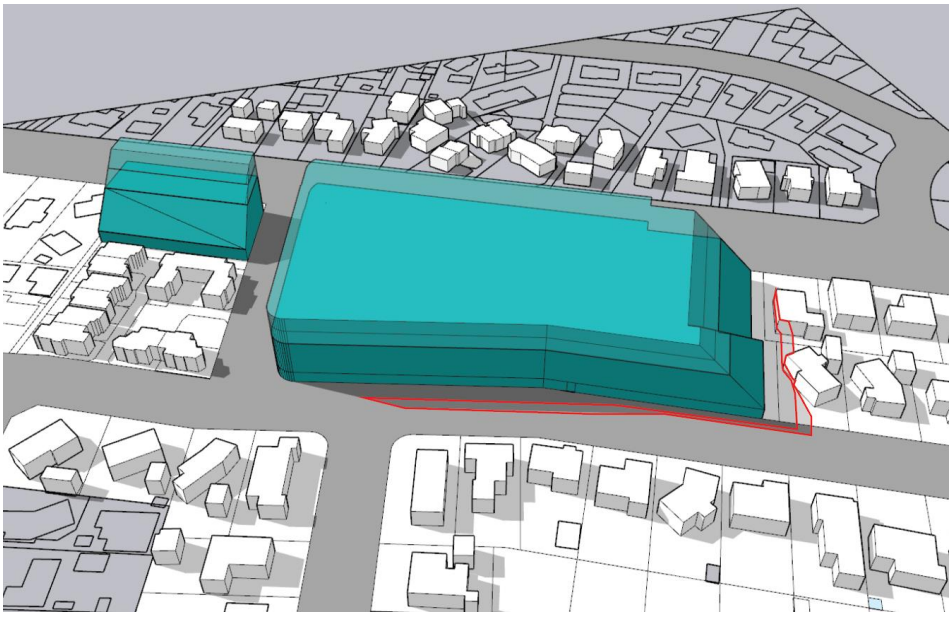

Figure 3 - Additional Shading (outlined red) from an increase in building height from 16m to 26m at Glenview at 3pm during the Spring Equinox (image looking north).

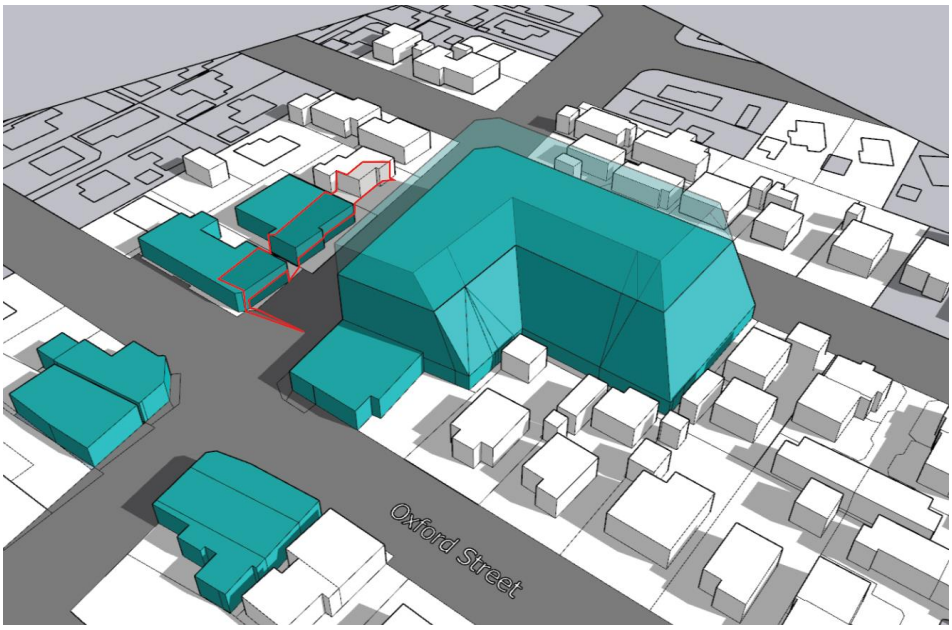

Figure 4 - Additional Shading (outlined red) from an increase in building height from 18m to 26m at the Heaphy Terrace 4Square Site at 9am during the Spring Equinox (image looking north-west).

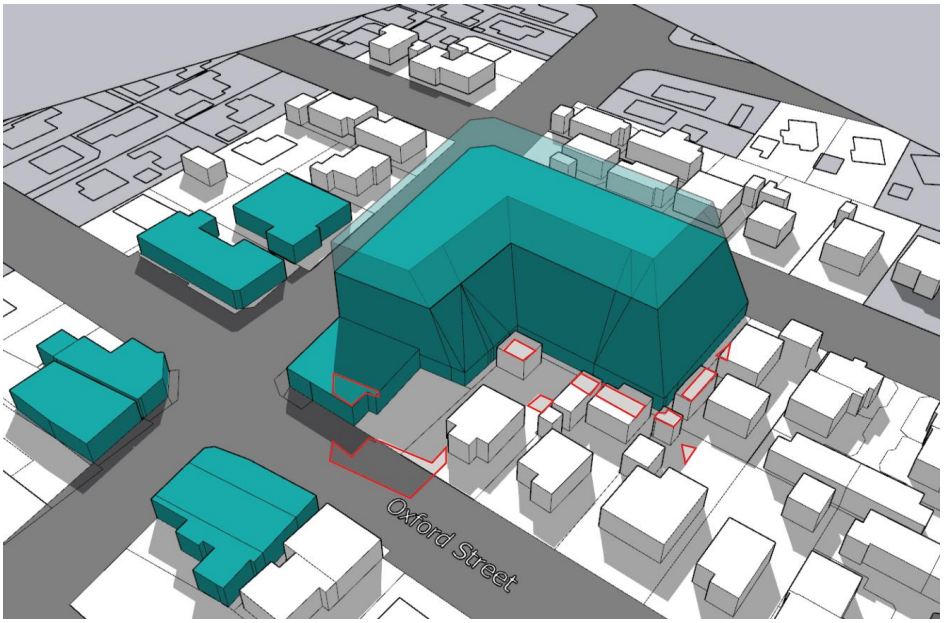

Figure 5 - Additional Shading (outlined red) from an increase in building height from 18m to 26m at the Heaphy Terrace 4Square Site at 3pm during the Spring Equinox (image looking north-west).

3.9 In addition to shading impacts, there is potential for increased adverse visual effects (e.g. visual dominance) associated with increase building height. However, there are already mechanisms within PC12, such as a restricted

discretionary activity status for all new buildings where matters of discretion relate to matters of design and layout.[8]

4. FLOOR AREA RATIOS

4.1 Business Zones currently regulate density on a site through a floor area ratio standard. As noted by Dr Junqueira[9], most of the ratios in the ODP could preclude residential development of upper floors as they effectively limit the number of storeys that could be realised as they have not taken into account heights enabled through PC12. In my opinion there is no clear policy basis or design outcome (or urban design benefit) related to the building intensity standard within either the ODP or the proposed amendments through PC12.

4.2 The recommended retention of the 2:1 FAR for the Business 5 zone is particularly problematic for Foodstuffs site at Glenview and, given the operational requirements of a supermarket, all but prevents any potential for intensification through vertical development.

4.3 I have reviewed the site intensity modelling provided within Appendix B of Dr Junqueira's evidence. I consider that the modelling undertaken has significant methodological flaws which misrepresent theoretical development under a no site intensity standard scenario. By way of explanation:

(a) No details around the floor-to-floor heights used in the model are provided. Based on the imagery, modelled floor-to-floor heights seem to have involved taking the permitted building height and dividing this by a pre-determined number of storeys. This results in varying building heights used throughout the model, including building heights which may not be suitable for the uses permitted within the business zones. For example, retail and office uses typically utilise greater floor-to-floor heights (4.5m for retail and 4m for office) than residential uses to accommodate different servicing requirements.

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[8] For example, Assessment Criteria B5 relates to External Appearance and requires consideration at to whether the external design and architectural detailing incorporates methods to reduce the overall bulk and scale of buildings.

[9] Paragraph 33.

The result of this is that the modelling mispresents the floor area that could be obtainable for commercial developments (e.g. an office building) and giving unreliable FAR that could be obtained.

(b) Further to the above, all modelled scenarios have assumed to have a boundary requiring a building setback standard. I note that this standard only applies adjacent to arterial roads or where a site adjoins a residential zone. In many instances a business zoned site sits next to other business zoned sites where no setback is required. Other models identify a 5m setback adjoining an industrial zone where none is required.

(c) The practical effect of (a) and (b) above is that the modelling manages to underestimate what could be obtained on various business zoned sites. For example, on a theoretical 1000m^2 site in the Business 5 zone outside the height overlay, but not subject to any FAR controls or setback controls, and utilising the same floor heights, the total floor area that could be obtained on the site is 5,000m^2 (5:1) as opposed to the 2,250m^2 (2.25:1) identified in the modelling. This represents an underestimate of 55%. Even introducing a 5m setback to symbolise a frontage with an arterial road could still result in a total floor area of 4,325m^2 (4.32:1) without an FAR control.

(d) I also note that the introductory paragraph to the modelling (on page 20 of Appendix B) states that the modelling incorporates the HiRB standard, while the first paragraph analysis results states that this has been excluded (on page 25 of Appendix B). I have assumed based on the diagrams that the later is likely correct.

4.4 The impact of the modelling issues identified above, coupled with the recommended changes by Dr Junqueira means that the approach to FAR standards has the practical effect of arbitrarily constraining development on unconstrained sites. Based on the planning framework contained within PC12 and the analysis included within Dr Junqueira's evidence, I can only conclude that the purpose of the FAR is to limit the density of development that can be achieved within a centre environment. There is also no clear link between the

FAR modelling provided in Appendix B Dr Junqueira's evidence and the matters set out within Policy 3(d) of the NPS-UD.

4.5 Putting aside the methodological issues used to inform recommend changes to the FAR standard, I note that there are no particular urban design benefits that can be derived from the retention of the FAR control that are not better managed by other (existing) methods. These include:

(a) A restricted discretionary resource consent that allows for an assessment of the design quality of all new buildings within a business zone. In this regard I note that PC12 introduces an exhaustive list of assessment criteria that are to be considered for any new building;

(b) Several standards which manage the height and scale of development including height limits, HiRB, and building setbacks;

(c) Design review by the Hamilton Urban Design Advisory Panel; and

(d) Building Code requirements which place practical limitations on the scale of more intensive residential development in particular matters relating to outlook, ventilation, and natural lighting.

5. CONCLUSION

5.1 In my opinion, the relief sought by Foodstuffs is appropriate in urban design terms, would encourage better urban design outcomes than those proposed as part of Council's amendments to PC12 and will not give rise to any problematic urban design effects. In my opinion, the relief sought including consequential changes to or deletion of the FAR standards within the business zones will also better align the enabled urban design outcomes of PC12 with the intent of the NPS-UD.

Dated 24 July 2024

Cameron Wallace