Living Streets Kirikiriroa submission to Hamilton City Council Plan Change 12
September 2022 - By Peter H Bos and Judy McDonald on behalf of Living Streets Kirikiriroa, the local branch of Living Streets Aotearoa, which promotes walking-friendly communities.
https://www.livingstreets.org.nz/

4 Residential Zones – Living Streets Kirikiriroa comments as follows. In summary, we suggest the broadening of permitted activity within residential zones, and a much more controlled approach to high-density, high-rise development.

(i) Firstly, a cautionary tale from the Netherlands: This story is designed to illustrate the problems that can arise when there are not 'eyes on the street' on a regular basis throughout the day. It is not a criticism of homeless individuals. One of the Netherlands' most professionally planned 1980s cities, Spijkenisse, was built to provide housing for Rotterdam's industry. In the morning people would leave Spijkenisse to go to work, and at the same time the central Rotterdam businesses would move on vagrants and beggars, who would take the metro to cities like Spijkenisse, where they could walk the streets and hang out at the parks without being moved on. In the afternoon they would return to central Rotterdam and the residents would return to their homes in evening to Spijkenisse, where some would find they seemed to have had intruders in their properties. No-one saw anything because there were few local people in the area during the day. More variety of land use, encouraging more people to live and work in their local area, improves safety for everyone.

Living Streets Kirikiriroa (LS) therefore supports more activity during the day in residential zones, which can be improved by including the presence of small businesses.
(a) LS supports - (p29) 4.2.6.4 Home-based businesses having up to 'three employees that do not normally reside on the property'
(b) LS asks for **Dairy** {(p12) 4.2.3.1 Activity status table g.} to a be a **'Permitted Activity' (P)** not a 'Restricted Discretionary Activity' (RD), as permitted activity it has been possible to have a dairy on average every 0.5km sq, 500 dwellings per dairy, 1,240 people per dairy (Link – Hamilton Urban blog: Hamilton – Independent Local Dairy-Grocery as a Permitted Activity)
(c) LS asks for removal {(p29) 4.2.6.3 Dairies} of references to dairies being required to be '**Located on a corner or through site'.** The reference to corner dairy is branding: many of the 77+ independent dairies in Hamilton are not on corners.

(ii) Living Streets Kirikiriroa recognises there is a need for more housing, but caution is needed in planning and construction
Living Streets Kirikiriroa shares the concern of many people in relation to shading of properties and loss of privacy, and loss of the essential character of older areas of the city.
One aspect is addressed in '4.2.5.5 Height in Relation to Boundary' -
'Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically

above ground level along all boundaries'.
(d) Living Streets asks Hamilton City Council to do an annual report of risk to the public and to the mental health of people living next to and in new buildings with recession planes greater than 45°, 3 metres above ground level.

As a more general comment, with the prospect of three-storey construction being allowed almost anywhere in Hamilton, and five-storey apartments being permitted within 400m of commercial centres such as Chartwell Square, the Rototuna shopping centre, and possibly even smaller centres such as Five Cross Rds, many residents in established single-storey or two-storey family homes are facing the prospect of massive developments on **three** sides of them, which will not only shade their properties but also remove all privacy, and probably render their homes unsellable or reduce the value significantly. This creates a great deal of insecurity, often for people whose options are very limited. The danger with the new legislation is the scattergun approach to development. High-density housing has been achieved very successfully in many other countries, often over centuries. However, good high density development often takes the form of row houses with **front door, back door and yard**, usually three to four storey, such as those seen in cities like Amsterdam or Bath, with green spaces of some kind close by to provide access to open ground. Another alternative is the hollow block construction that can be seen in aerial views of Barcelona, with multi-storey construction on all four sides of a central space, each covering a city block.

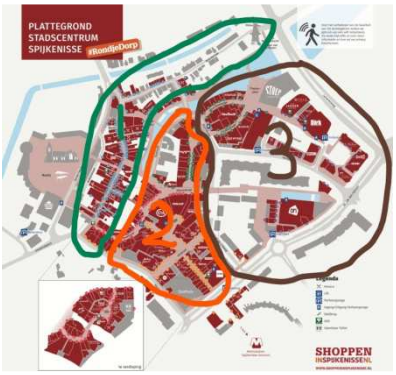
Living Streets Kirikiriroa requests that housing intensification in Hamilton be much more carefully controlled, and that developers be required to work on a larger scale, so that current property owners are adequately compensated if they need to move, or offered ownership of a unit in the new development if they wish to stay in the same location. Random development can risk the creation of very poor living conditions for the future, with dilapidated older properties trapped between cramped multi-storey developments on relatively small sites.

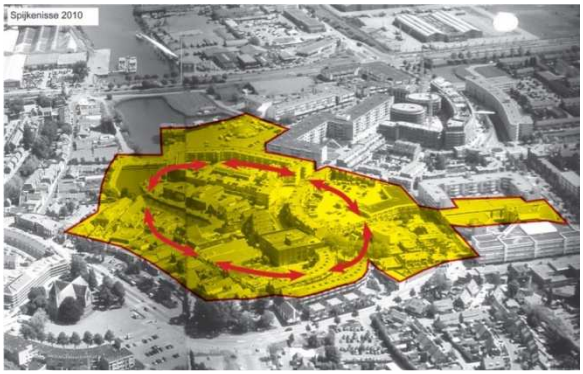
The issues of transport must also be considered very seriously in designing multi-storey, multi-unit dwellings on what were single dwelling sites. At present Hamilton has inadequate public transport, and unsafe cycling and walking routes. These will take time to fix, and in the meanwhile, most people cannot get to work or to educational institutions reliably without using a private car. As can be seen from the developments in Peachgrove Rd and Fifth Ave, along with the chaos in areas close to the university such as Scotland Place, this results in cars being parked all over the streets and on the berms, which are often converted to torn-up mud wallows during wet weather. This will become completely unworkable if further uncontrolled development is allowed. The street crowding is such that service vehicles, such as rubbish trucks, and emergency vehicles such as ambulances and fire engines, would have difficulty accessing the more suburban areas (such as Scotland Place and May St near the university, and many other smaller suburban streets near the CBD), because the roads have become one-way due to all-day parking of cars on both sides.

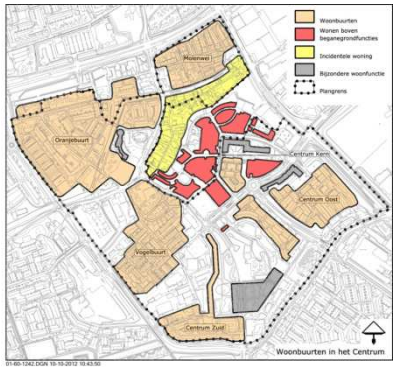
6 Business 1 to 7 Zones– Living Streets Kirikiriroa comments as follows:

Again, as a cautionary tale, we refer to the example of Spijkenisse, one of the Netherlands' most professionally planned 1980s cities. Spijkenisse city centre can be viewed as three precincts. The first is the original village street, which has the highest number of cafe and restaurants. The village street has mixed-use retail, residential and retail at ground-floor level, and almost no vacant buildings, as the market determines building use. The second area is a planner's utopia of ground-floor commercial with branded retail and cafés and residential space above – there are fewer cafés than in the village street. As retail declines, the number of vacant shop fronts increases. The third area is a local political utopia, including a theatre, supermarket, casino, multi-story level car parking buildings, tall apartment buildings with many vacant shop fronts, and a single cafe. Politicians have now campaigned for free car parking to revitalise the area.

The point to be taken from this is that retail is always changing, and limiting the market for properties zoned business '5' Suburban and '6' Neighbourhood Centres limits the number of entry-level business growing out of home business locations. Over-supplying the market and allowing village centres to expand and contract to meet demand is how century-old town centres have survived change, and are still worth visiting today.







(e) Living Streets asks that ground floor apartments (living) {(p19) 6.3 Rules – Activity Status Table yy.} be a **'Permitted Activity' (P)** for Suburban (5) and Neighbourhood Centre (6) - Not a 'Non-complying Activity' (NC). As a permitted activity, this would allow village centres to expand and contract to meet market demand, without the need for the extra cost of rezoning. This approach also reduces the risk of monopoly landlords exploiting their tenants.

Example: Knowing the planning zones, and aware that changing zones has a cost, a landlord within a neighbourhood centre increased the lease by 300 percent. The tenants had the choice of economic exploitation by the landlord or losing their businesses. Both businesses have closed.

7 Central City Zone – Living Streets Kirikiriroa comments:

Firstly a remark on 'fairytale towns': Hannoversch Münden is an old walled town. Its town centre has been through the 19th century abandonment of residential to commercial, with the wealthy building large, stand-alone houses outside the city wall. It has also experienced a change back to mixed residential as central retail declined. Retail outlets are now on the streets, as and where it is right and convenient for them

to be. You can still have a coffee, a meal and people-watch in the centre, but people live there too, and you can also lose yourself in the streets of Hannoversch Münden and stumble across independent shops and cafés to enjoy, rather like getting lost in the streets of Montmartre in Paris or a neighbourhood in Amsterdam, or a side alley in Venice. Town centres need to be more than commercial main streets, with a quarter of the shop fronts empty when an economic contraction hits.

City Living Precinct 2

(f) Living Streets asks that ground floor apartments {(p11) 7.3 Rules – Activity Status ff. & gg.} be a **'Permitted Activity' (P)** not a 'Non-complying Activity' (NC). Let the Downtown Precinct have the traditional commercial Primary Active Frontage, but allow the primary and secondary active frontages of the Living Precinct to include ground floor living as a **permitted activity** in all areas of the City Living Precinct, creating activity 24 hours a day at ground level. A Living Precinct should be about drawing people in to explore the inner streets, not present them with a predictable edge.

There is also support for diversification in this report from Oregon in the US: '...landlords are having no problems filling apartments. But filling ground-floor retail space underneath apartment buildings is a different matter ... Some landlords are looking to change their line-up, converting storefronts to walk-out apartments ... **Ground-floor retail** has traditionally been seen by planners, developers and neighbours as key promoting street-level activity and vibrant urban neighbourhoods. But more developers are starting to see potential **downsides**, too, which are pushing them to look at alternatives. "Retail is a fine idea, but as a planning tool, I think it's been **applied too liberally**," said Spencer Welton.'
https://www.oregonlive.com/front-porch/2013/12/apartment_buildings_drop_vacan.html

There are also questions about the safety benefits of ground-floor living:

Jane Jacobs, in chapter 2 of *The Death and Life of Great American Cities* (The Uses of Sidewalks – Safety), describes New York in the 1960s: 'The incident that attracted my attention ... the scene was also being surveyed from a number of windows beside ours [and everyone that had front door at street level] ... no eyes appeared in the windows of the high-rent small-apartment building' (p49).

From an economic perspective, and the need to create good, functional public spaces, the more recent Delft publication, *The City at Eye Level, Lessons for Streets,* states:
"Look at new upcoming functions in areas with vacancy, such as co-working spaces, temporary "meanwhile spaces", restaurants and cafés, social functions such as elementary schools, and **most of all residential living on the ground floor**. Due to online shopping, it is clear that we cannot solely rely on shops to create a good public realm."
https://thecityateyelevel.com/app/uploads/2018/06/eBook_The.City_.at_.Eye_.Level_English.pdf
https://www.hamiltonurbanblog.co.nz/2019/01/ground-floor-living-%e2%80%93-delft-example/