

**BEFORE THE INDEPENDENT HEARINGS PANEL OF HAMILTON CITY
COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Private Plan Change 17 to the
Hamilton Operative District Plan
("PC17")

STATEMENT OF EXPERT EVIDENCE OF MICHAEL BILSBOROUGH

**ON BEHALF OF HOROTIU FARMS LIMITED AND TE AWA LAKES
UNINCORPORATED JOINT VENTURE LIMITED (COLLECTIVELY
REFERRED TO AS "TAL")**

Partner: Urban Design

30 October 2025

1.0 QUALIFICATIONS AND EXPERTISE

- 1.1 My full name is Michael James Bilsborough.
- 1.2 I am a Principal at Ignite Architects Ltd, a consultancy providing professional services in architecture, master planning, and urban design.
- 1.3 I hold a BSc and a Postgraduate Diploma in Architecture from the Scott Sutherland School of Architecture, Robert Gordon University, Aberdeen, Scotland. I am a registered architect in both New Zealand and the United Kingdom, and a member of the New Zealand Institute of Architects (NZIA) and the Royal Institute of British Architects (RIBA).
- 1.4 I have over 31 years of experience working as an architect and planner, delivering professional services across architectural design, master planning, and urban design.
- 1.5 I have been providing master planning and urban design services for the Te Awa Lakes (TAL) development since November 2020.

2.0 CODE OF CONDUCT

- 2.1 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence 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 material facts known to me that might alter or detract from the opinions I have expressed.

3.0 SCOPE OF EVIDENCE

- 3.1 In this matter, I have been asked by TAL to advise on the interface between the PC17 North Block site and the Te Awa Lakes Development with consideration for the potential effects on the future development on the site south of Hutchinson Road known as Horotiu East South (HES).
- 3.2 In preparing this assessment, I have reviewed and relied on evidence prepared by:
 - Nicholas Colyn Grala (Planning)
 - Peter Noel Kensington (Landscape)
 - Samuel James Coles (Urban Design)

4.0 PC17 CONTEXT

- 4.1 PC17 proposes to rezone portions of the deferred industrial zone, including land owned by Fonterra and others, to the Te Rapa North Industrial Zone.
- 4.2 I support the rezoning and proposed land use of the PC17 North Block. However, I have concerns regarding the proximity and scale of built form enabled along the boundary with the HES site. Specifically, the proposed controls may result in adverse landscape and visual effects, including the potential for visual dominance of future buildings.
- 4.3 The current development controls propose:
 - A 20m building height
 - A 5m landscape buffer along the boundary
- 4.4 There are no controls to limit building length or require modulation of the built form facing the HES boundary.

5.0 HES CONTEXT

- 5.1 The HES site, located to the north of the PC17 North Block, is currently zoned deferred industrial. This zoning allows for future

land uses that may include industrial, commercial, or residential activities, although the final use is yet to be determined.

- 5.2 I am aware that there is a covenant over the HES site that limits certain uses, and this has informed the preparation of the HES masterplan.
- 5.3 The current HES masterplan intends mixed use development incorporating commercial, indoor and outdoor recreational, and hospitality activities. The masterplan has considered the PC17 North Block boundary interface and incorporates a landscaped zone approximately 18m -37 wide. This includes pedestrian and cycle connections from the river ride to the HES site and continues into the TAL village centre and is intended as a key outdoor amenity for the wider TAL development.
- 5.4 The current HES masterplan does not include or allow for any industrial activities. TAL's submission and supporting expert evidence of Mr Apeldoorn seeks that traffic generation and modelling assumptions recognise the full development of the Te Awa Lakes structure plan. In my opinion, the future anticipated use of Te Awa Lakes, consistent with its masterplan, should also be recognised and considered within the PC 17 provisions, in terms of mitigating or avoiding land use conflicts between the full development of the TAL and Fonterra's Land at the boundary adjacent to Te Awa Lakes.

6.0 RESPONSE TO EVIDENCE OF SAMUEL JAMES COLES (URBAN DESIGN) FOR FONTERRA

- 6.1 I have reviewed the evidence prepared by Samuel Coles which concludes that the proposed 20m building height at the interface with Te Awa Lakes is not expected to generate adverse amenity effects. I do not concur with the conclusion that no further development controls are necessary. In my opinion, additional measures are warranted to ensure a high-quality urban outcome and to ensure future compatibility between different land uses anticipated between the two areas.

6.2 Key Points of Concern

a) Future Land Use

The current proposed land use includes commercial, recreational and hospitality activities with supporting car parking and outdoor amenity areas. There are no intended industrial activities. I submit that that a more precautionary approach is appropriate to avoid adverse landscape and visual effects, and visual dominance of future buildings.

b) Visual Impact and Urban Form

A 20m high built edge, even without shading impacts, can still result in significant visual dominance, particularly if buildings are long and unmodulated. The absence of controls on building length, articulation, and façade treatment risks creating a monotonous and imposing edge condition that undermines the amenity of adjacent development.

c) Amenity and Sense of Place

The expert evidence suggests that the presence of roading and large-scale development on the HES site justifies the proposed height. However, this does not account for the qualitative aspects of urban design, such as human scale, visual permeability, and landscape integration. These are critical to achieving a sense of place, especially along a prominent interface like the PC17 North Block boundary interface.

6.3 While the expert evidence provides a technical assessment of shading and view impacts, it does not fully address the broader urban design implications of the proposed interface. We submit that further development controls are necessary to ensure the PC17 North Block integrates successfully with HES and contributes positively to the urban fabric of the area.

7.0 RESPONSE TO EVIDENCE OF PETER NOEL KENSINGTON (LANDSCAPE) FOR FONTERRA

7.1 I have reviewed the evidence prepared by Peter Noel Kensington which responds to the submission by TAL regarding the HES boundary interface. While the expert supports the principle of a stepped building height to manage potential adverse landscape and visual effects, I submit that the conclusion not to amend the provisions is premature and overlooks key urban design and amenity considerations.

7.2 The expert acknowledges that a graduated building height approach could assist in mitigating visual dominance and landscape effects at the northern boundary of the Plan Change 17 Area. This recognition is important and aligns with best practice in managing industrial zone interfaces, particularly where future land use is uncertain or transitioning.

7.3 Concerns with the Expert's Conclusion

- a) Dismissal of the 12m Metric Without Alternative Guidance
While the expert considers the proposed 12m height within 50m of the boundary to be too restrictive, no alternative metric or design-based solution is offered.
- b) Lack of Consideration for Built Form Modulation
The expert response focuses solely on height, without addressing other critical aspects of visual impact such as building length, articulation, and façade treatment. These elements are essential to reducing perceived bulk and enhancing the quality of the interface.
- c) Deferred Zoning and Future Sensitivity
The HES site is currently under a Deferred Industrial Zone overlay, meaning its future use is not yet fixed. This uncertainty warrants a precautionary approach, particularly given the for future intended mixed-use development.

d) Amenity and Landscape Integration

The proposed Natural Open Space Zone near the river edge is a positive inclusion, but it does not fully address the interface condition along the shared boundary. Without additional controls, the risk remains that future industrial buildings will dominate the landscape and compromise amenity.

8.0 REVIEW OF INDUSTRIAL ZONE BOUNDARY CONTROLS

8.1 Comparative analysis of district plans from Hamilton, Auckland, and Christchurch shows that graduated height limits, landscape buffers, and modulation requirements are commonly used to manage industrial zone boundaries. These controls are not only feasible but proven to deliver better urban design outcomes.

8.2 The table below provides a comparative summary of development controls for industrial zone boundaries from three New Zealand district plans: Hamilton City, Auckland Unitary, and Christchurch. It includes key controls such as setbacks, height limits, landscaping requirements, and modulation of built form.

Council	Setbacks	Height Limits	Landscaping	Modulation Requirements
Hamilton City	5m–40m setbacks; 40m from residential zones; Interface Design Control Area	Up to 20m; reduced near sensitive zones	5m planted buffer; screening required	Design controls for long façades; modulation encouraged
Auckland Unitary Plan	Varies by zone; separation from sensitive zones	12m–20m; graduated near residential zones	Landscape screening; bunds and fencing	Modulation of built form; variation in materials and rooflines

	required			
Christchurch	Setbacks vary by zone; specific yard controls	Height limits based on zone; graduated near boundaries	Landscaping and tree planting required;	Matters of discretion include visual impact and modulation

9.0 CONCLUSION

9.1 Given the uncertainty of future land use for the HES site, I recommend a more cautious approach to the interface between the PC17 North Block and Te Awa Lakes to mitigate potential adverse effects.

9.2 To manage the bulk and location of buildings along the PC17– HES interface and to limit adverse landscape and visual effects, I recommend that the following additional development controls be considered for inclusion as part of PC17:

- a) Retain the proposed 5m landscape buffer and include requirements of height and density of planting
- b) Restrict maximum building height to 12m within 40m of the Te Awa Lakes boundary
- c) Introduce a 20m yard control along the Te Awa Lakes boundary to ensure adequate separation between future buildings and the boundary,
- d) Yards shall not be used for Industrial operational activities (other than access and carparking) or storage areas

MICHAEL BILSBOROUGH

30 OCTOBER 2025