

Urban Design Memo

To: Andrew Cumberpatch
From: Colin Hattingh
Subject: Resource Consent for the Establishment of the Waikato Regional Theatre Facility
Date: 9 August 2019 File: 010.2018.00010143.001

The purpose of this memo is to provide comments in relation to urban design for the relevant application. These comments consider the standards, assessment criteria, design guide criteria and objectives and policies relevant to the application.

INTRODUCTION:

1. Resource consent is sought from Hamilton City Council (HCC) by the Waikato Regional Theatre Governance Panel for the establishment of the Waikato Regional Theatre facility at 170-206 and 208-218 Victoria Street, Hamilton Central.
2. The proposal includes a 1,300-seat auditorium and associated theatre facilities, a conference centre, hotel and other retail/hospitality tenancies.
3. Construction of the proposal requires, amongst other activities, the following:
 - a. The partial removal of, and external and internal alterations to, the Hamilton Hotel; a 'A' Ranked Built Heritage Item;
 - b. The removal of three Significant Trees;
 - c. Works within Embassy Park to create a large plaza and level access to the main theatre entrance and access to the riverfront promenade; and
 - d. The installation of 5m wide riverfront promenade which will include works within a 'Group 2' Significant Archaeological Site and the Waikato Riverbank and Gully Hazard Area.

SCOPE:

4. The purpose of this report is to provide a review of the urban design aspects of the proposal. However, in my experience, the term 'urban design' is often misunderstood and incorrectly applied.
5. Where architecture focuses on individual buildings, urban design seeks to address the wider context and is concerned with the relationship between buildings, streets, public spaces and neighbourhoods to ensure that they are both functional and attractive.
6. As discussed under 25.15.1 (Operative District Plan, Volume 1) "*Urban design applies not only to the appearance but also the function and feel of buildings and public spaces including streets*". Importantly, it "*focuses on public frontages and spaces and addresses elements such as streetscape, walkability, sustainable design, mixed-use development, 'active edges' of building frontages, and people's safety and accessibility*".
7. In my opinion, urban design can be defined as "*The art of designing the public environment of a city, including the interface between private properties and the public environment*". The public environment includes any area that is accessible to the public without control or restriction – mainly public spaces, malls, arcades, streets, avenues, parks, waterfronts etc.

8. In relation to this application, therefore, the focus is on the potential impact on the surrounding public environment and on how well the proposal integrates with and complements existing pathways, connections and activities.
9. Urban design is not concerned with the detailed architectural expression of individual buildings as this can be viewed as a subjective matter. I am also not an expert on heritage or landscape architecture matters and do not make any comment on these aspects.

URBAN DESIGN ADVISORY PANEL:

10. The proposal was submitted to the Urban Design Advisory Panel (the Panel) on 27 June 2018.
11. The Panel provides expert, professional and independent advice on key city projects. The process is voluntary, and the recommendations non-statutory.
12. The Panel overwhelmingly supported the proposed project design and noted that *“the Waikato Regional Theatre represents the most significant civic and urban intervention in Hamilton CBD currently”*.
13. Further, the Panel commented that *“The clearly articulated project vision (as well as Momentum’s own transformational vision) accords exceptionally well with the aspirations surrounding Hamilton’s Transformational Plan”* and that *“Careful design development in light of this vision has produced a comprehensive proposal with several urban design attributes and positive project outcomes”* ... and that *“as such, the project will have a meaningful and significant impact on the CBD”*.
14. The Panel made several recommendations. In my opinion, the following are key:
 - a. the site had several historic significances associated with it and so the opportunity for interpretation is one which should be exploited.
 - b. there is an opportunity for tangible integration of mana whenua design principles and cultural referencing in the design.
 - c. the question of legibility and wayfinding is important to address particularly regarding theatre entrances, hotel and gallery entrance(s), and other activities such as the proposed café.
15. The Panel also indicated that they would support the remodelling of Embassy Park to address the corner condition and to provide for direct and legible access to the theatre, but no detail design was shown.
16. While the design has undergone several significant changes since it was seen by the Panel, the applicant has responded to the above points and has initiated two further pieces of work. These are:
 - a. A Heritage Implementation plan and
 - b. A wider Arts and Culture Integration plan.
17. As both these studies have the potential to influence the final design proposal, I would request that they be made available for comment prior to the granting (or otherwise) of the resource consent.

POLICY CONTEXT

18. From an urban design perspective, I consider that the following ODP provisions are particularly relevant to this proposal (my emphasis added in red):

Objectives and Policies

Chapter 2: Strategic Framework
Urban Design Approach

- Objective 2.2.3 Promote safe, compact, sustainable, **good quality urban environments that respond positively to their local context.**
- Policies
- 2.2.3a Development responds to best practice urban design and sustainable development principles, appropriate to its context.
- 2.2.3b Development responds to Low Impact Urban Design and Development and Crime Prevention Through Environmental Design (CPTED) principles.
- 2.2.3c **Development enhances civic, natural heritage, cultural, ecology and surrounding public space networks.**

Central City, Business and Industry

- Objective 2.2.4 Establish and maintain a hierarchy of viable and vibrant business centres that provide a focus for retail, commercial and entertainment activities and serve the **social, cultural**, environmental and economic needs of the community.
- Policies
- 2.2.4a Business activity and development shall locate in the most appropriate centre for its role, according to the following hierarchy: i. The **Central City** is the primary business centre, serving the City and wider region, and **is the preferred location for commercial, civic and social activities.**

Chapter 7: Central City Zone

All Central City

- Objective 7.2.1 The Hamilton Central City is the heart of the Waikato region acting as a **diverse, vibrant** and sustainable metropolitan centre.
- Policies
- 7.2.1a Opportunities are provided within the **Central City to live, work and play** for people of varying ages, cultures, incomes and all levels of mobility.
- 7.2.1b **Activities that assist in generating bustling city streets and distinctive public spaces** (including public open space, esplanades and reserves) are encouraged, in a manner that is consistent with the role and function of each Central City precinct.
- 7.2.1d **Key attractors and areas of interest within and surrounding the Central City are connected** through attractive, efficient and safe passenger transport and pedestrian and cycle links.
- 7.2.1e **Visual and physical connections to the Waikato River are protected and enhanced** to support increased residential and business development.
- Objective 7.2.2 The form, scale and **diversity** of activities support and facilitate the role of the Central City as the Regional Centre.
- Policies
- 7.2.2b **The Central City is promoted as the preferred location for major retail, office, cultural, civic administration and entertainment activities.**
- 7.2.2c The design of public spaces and buildings ensures **high levels of amenity, convenience and safety.**
- 7.2.2d **Heritage resources are recognised and managed to contribute** to local amenity values and anchor investment within the Central City.
- 7.2.2e **The revitalisation of the Central City is promoted** and links facilitated with sporting and entertainment facilities and environmental features close to the central area by establishing precincts of key activities.
- 7.2.2f Building height and the edge treatment of buildings is managed to enhance the relationship to the public realm and improve public safety.

- 7.2.2h Future development will be undertaken in a manner that protects and appropriately integrates heritage values into the Central City to enhance social and cultural values and the overall attractiveness of the city.
- Objective 7.2.5 A pedestrian-oriented Central City.
- Policy 7.2.5a Pedestrian and cycle connections to the Waikato River, Hamilton Transport Centre, Wintec Campus and other destinations are enhanced.
- Downtown Precinct
- Objective 7.2.6 Continued development and growth which enhances the commercial heart of Hamilton as an attractive and vibrant pedestrian orientated City centre that is accessible to all levels of mobility and has a strong relationship with the Waikato River.
- Policies
- 7.2.6a Retail, dining and other pedestrian-oriented activities are encouraged to locate within the Downtown Precinct, particularly at ground level.
- 7.2.6c Local amenities and a quality of environment that attracts workers, residents and visitors to the Downtown area are provided for.
- 7.2.6d A range of activities, including events to reinforce the area's vitality, excitement and interest, that encourage people to visit, live and work in the City are provided for.
- 7.2.6f Developments within the Riverfront Overlay are required to contribute to opening the western riverbank area by providing public open space, plaza areas or the promenade, supported by retail, dining and entertainment activities at ground-floor level.
- 7.2.6g Diversity in building form and height is encouraged, subject to enhancing and protecting public amenity values and minimising adverse effects on adjoining sites and the public realm.

Chapter 25.15.2: Urban Design

- Objective 25.15.2.1 Urban environments that promote the retention and enhancement of urban amenity values, i.e. pleasantness, aesthetics, coherence, cultural and recreational values:
- Policies
- 25.15.2.1a Streetscape quality, public open spaces and pedestrian amenity are improved through appropriate streetscape and built-form which enhances the appearance, functionality, comfort and safety of the pedestrian environment.
- 25.15.2.1b Built form and public amenity features, including public art, are encouraged to enhance public awareness of historic and contemporary heritage and culture.
- Objective 25.15.2.2 Urban environments that promote a positive sense of place and are reflective of the characteristics of the surrounding local environment.
- Policies
- 25.15.2.2a Development within residential, business and City living areas is encouraged to promote a sense of human scale.
- 25.15.2.2b Development will be expected to respond positively to the character of the area, the scale and proportion of buildings and spaces in which it is situated.
- 25.15.2.2d Sympathetic, contemporary design responses to cultural and heritage character within the surrounding local environment is encouraged.

Objective 25.15.2.3	Continued enhancement of public and personal safety throughout the City, by reducing opportunities for crime to occur.
Policies	
25.15.2.3a	The assessment of and appropriate responses to Crime Prevention Through Environmental Design (CPTED) principles is required within subdivision and development proposals, to reduce threats to personal safety and security and to promote the delivery or development of environments where people feel safe.
Objective 25.15.2.5	Urban environments that integrate land use with transport planning to provide permeable, highly connected and sustainable transport network
Policies	
25.15.2.5a	Activities that are well located in respect of travel demand promote an efficient transport hierarchy and compact City around key nodes and circulation networks.
25.15.2.5b	Development promotes connectivity and accessibility with pedestrian routes, cycleways, public reserves and green corridors.

19. The applicant has also provided a comprehensive assessment (see AEE pages 84 – 87) of the proposal against the relevant RD assessment criteria of the District Plan. I support the assessment from an urban design perspective.

Comment – Considering the above direction and the nature of the proposal under consideration, I concur with the opinions expressed by the UD Advisory Panel that currently, the Theatre proposal represents the most significant civic and urban intervention within the CBD and that *“the chosen site offers unique benefits, including the opportunity to combine the theatre with neighbouring uses to form a multi-functional group of activities that complement each other and the arts precinct generally”*.

As described in the ODP (Volume 1, 7.1 a) *“The Central City is the heart of the Waikato region and the primary centre for commercial, civic and social activities”* and in my opinion, the new theatre will help further cement this position and will over time, result in a number of other, complementary redevelopment and regeneration initiatives within the wider precinct.

The stated aim for the precinct (see ODP, Volume 1, pg. 7-2) is to attract and support ongoing growth and the continued development of an attractive, pedestrian-orientated Central City that is characterised by its relationship with the Waikato River and built form and land-use activities that contribute positively to the public realm. In my opinion, the Theatre fits in perfectly with those ambitions and is strongly aligned with the policy framework of the Operative District Plan.

PROPOSAL

20. In considering the proposal, I have read the following documents:
- The Assessment of Environmental Effects (AEE) prepared by Tattico Limited, dated June 2019.
 - Appendix E - The Developed Design Report prepared by Jasmax, Charcoalblue, Holmes and E Cubed, dated December 2018 (Rev A).
 - The Architectural Plans prepared by Jasmax (cover page dated October 2018, Rev D).

- d. The Schedule of Responses to Council's S92 request for further information prepared by Tattico. This includes the concept plans prepared for Embassy Plaza and Victoria Street.

21. In terms of the AEE, I concur with and would like to highlight the following statements (my emphasis added in red):

6.1 Character and Amenity

- a. Page 23 - *"The primary use of the site as the new regional theatre for the Waikato is consistent with the city centre's vision to become a vibrant and attractive city centre. The proposal will provide for a new primary use of the site and utilises existing development and uses of the site in a more efficient manner to support the theatre as well as providing for comprehensive development of the surrounding public space and pedestrian network to ensure that will help position the development as a landmark development within the city centre"*.
- b. Page 24 - *"The proposal will also enable the redevelopment of the Embassy Plaza and will also provide new public spaces within the development that will form a part of the wider public open space network within the City Centre"*.
- c. Page 24 - *"The proposed development takes advantage of the three public frontages (Sapper Moore Jones Place, Victoria Street, and the Embassy plaza frontage) by extending the built form to the street edge where appropriate. Maximum building height is consolidated within the centre of the site with the remainder of the hotel and theatre being built to the street edge and helping to create a continuous street edge that is consistent with the scale of development elsewhere along Victoria Street"*.
- d. Page 26 - *"The ground floor of the Victoria Street frontage has been designed as one large active frontage which not only provides a vibrant and engaging entry space for the theatre building but also attracts people to the hotel, plaza and other surrounding uses"*.
- e. Page 27 - *"The "new hotel" form and theatre form have been set back from the Victoria Street frontage in order to protect the integrity of the original hotel structure and maintain its heritage prominence along Victoria Street. This also helps to provide modulation of the building and break up the prominence of the building along the Victoria Street frontage"*.
- f. Page 29 - *"Embassy plaza will be redeveloped to remove all existing vegetation and structures (such as street furniture) and will have the pedestrian access to the river's edge rearranged to create a more open and legible space. The first floor of the theatre building will appear to be cantilevered above the ground floor entrance. The ground floor of the theatre will be kept clear of any structures and will utilise the same surfacing used in the plaza which will continue onto part of the Victoria Street frontage, creating one large active frontage which will integrate the uses along Victoria Street with the theatre entrance"*.

22. The Developed Design Report (dated December 2018) provides an update on the key design elements including proposals regarding the public/private interface. While the report is supported, I note that the designs for Embassy Park and the upper level riverfront promenade have not been completed (see page 13 of the AEE).

23. Linked to this, clarity on the following notations is requested:

- a. Page 53 (Site Plan) – the heritage building, art gallery and glazed atrium are all referred to as 'Adjacent project' (not in scope).
- b. Page 53 (Site Plan) – the riverfront promenade is referred to as 'Separate Contract' and as 'Not in scope' on page 55.

- c. Page 53 (Site Plan) – Embassy Plaza is referred to as ‘Not in Scope’.
24. The above does not align with the description provided in the AEE or the detail shown in the architectural plans.
25. From my perspective, the above elements cannot be divorced from the Theatre. They are not merely an ‘adjacent development’ and should be delivered at the same time as the main Theatre complex. The success of the Theatre is dependent on and linked to the successful delivery and integration of the elements that surround it.
26. At this stage, the designs submitted for Embassy Park and the upper-level promenade should be regarded as conceptual only and will need to be further developed to ensure they are both functional and appropriate. For example, the Embassy Park concept appears to show the removal of the existing link down to the lower-level promenade, which is an outcome that is not supported.
27. Other notably changes to the proposal include:
- A reduction in the height of the fly-tower.
 - A reduction of length of screen along Sapper-Moore Jones Place.
 - Changes to the design and colour of the moulded precast panels and the screen design.
28. Updates to the design of internal elements (such as the foyer, auditorium, dressing rooms etc.) are not of concern from an urban design perspective.
29. I support the overall project vision that aims to deliver on the following outcomes (see 1.3, page 6)
- Regenerate the City Centre;
 - Establish the ‘Creative Precinct’;
 - Engage the community;
 - Build strong physical linkages.
30. The design report contains several images. The following can be highlighted:



Figure 1 View from across the River



Figure 2 View from Embassy Park

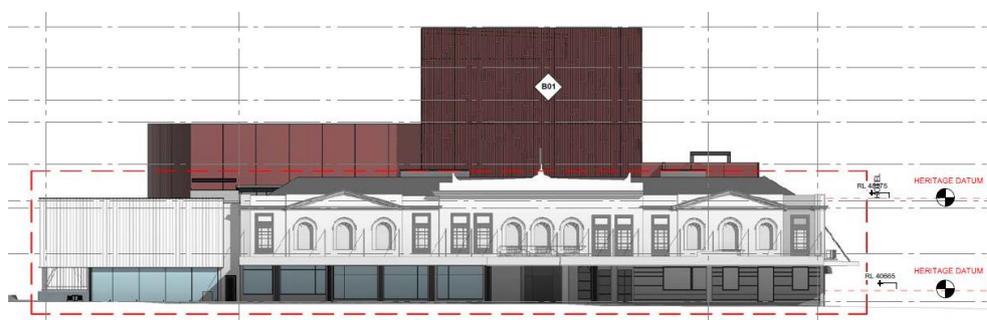


Figure 3 Victoria Street elevation

31. Several urban design matters were raised in Councils S92 Further Information Request and the applicant has responded to these (see pages 18 – 20 of the Schedule of Responses table). In general, the responses are supported, particularly those that relate to the design of the screen referencing aspects of the existing heritage façade, the materiality of the theatre and the updated imagery.
32. It is again noted that two key pieces of work are yet to be completed as mentioned in my paragraph 16 above.
33. The applicant has also clarified (item 65) that the application consists of three key phases which includes the refurbishment to the Hamilton Hotel, the new riverfront promenade and the redevelopment of Embassy Plaza but goes on to state that *“however the delivery of these works have not been determined as of yet”*. As these elements are integral to the success of the project, further clarity on this statement is sought including detail on which parts or elements (for example of the upper-level river promenade) will be delivered by this project.

ASSESSMENT

34. Accepting that two key pieces of work are yet to be completed and that clarification on the redesign and delivery of Embassy Park and the upper-level riverfront promenade are sought, I consider that the proposal will result in several positive urban design outcomes for the city.
35. The approach taken acknowledges the unique character and qualities of the area, where redevelopment is supported, while still ensuring that the eventual outcome is an improvement or enhancement of the qualities that gave the area its uniqueness in the first place.

36. In my opinion, the proposal should be supported on the basis that:
- a. It will make a significant contribution to the ongoing renewal and regeneration of the Central City. The theatre is intended to become “a significant regional asset for arts and cultural events”.
 - b. The intention is to deliver a world class landmark development that will transform an entire city block and the perception that many people have of the downtown area.
 - c. The chosen site is appropriate as it is centrally located making it accessible for the public and visitors providing several opportunities to connect to other parts and key destinations including an extension of the upper level riverfront promenade.
 - d. The proposal complies with many of the ODP standards regarding bulk and scale. On this basis, I consider that the design is appropriate for the context which is subject to ongoing change and renewal.
 - e. The proposal will activate a key part of the central city and will deliver a number of new, vibrant public spaces. This includes activation of all the key frontages particularly along Victoria Street, Embassy Park and the river. In addition, the design provides for improved and upgraded pedestrian links through and around the site. While Sapper Moore Jones will be regraded and used primarily for vehicle access, safe pedestrian access will still be maintained.
 - f. The majority of the bulk and tall elements of the new theatre have been located towards the centre of the site, which will help in maintaining the character and human scale along Victoria Street.
 - g. By incorporating the former Hamilton Hotel as a key element of the overall concept and design, that the development will reflect some of the history of the site and context. As stated, “The refurbishment works to the external façade of the hotel will increase the prominence of the building within the cityscape ensuring the long-term heritage values of the site and the preservation of a key part of the building”.
 - h. In terms of CPTED outcomes, by its very nature, the theatre is an active space both during the day and after hours. This, together with the strengthening of the pedestrian links around the site, will improve opportunities for passive surveillance which is positive in terms of perceived personal safety.
 - i. The proposal provides direct access and entrances from Victoria Street and Embassy Park. The north-western corner of the site including the screen element, have been designed as a feature which will help improve overall legibility and wayfinding around and through the complex. As stated, “The proposal integrates public spaces/gathering spaces within the entrances of the building into Embassy Park and the active uses along Victoria Street to create a larger informal recreation space”.

SUBMISSIONS RECEIVED

37. The following submissions have raised urban design matters: 8, 10, 20, 24 and 25.
38. Submissions **8** and **10** are identical. The submitters have raised concerns regarding the plans shown for the ‘upper river promenade’ that it “*diminishes connectivity and linkage to the river by removing the current direct access through Embassy Park to the river path and the river itself*”. Further that it passes “*at very close proximity (to the apartments at 240 Victoria Street) and is at the same height and level as their lower living and sleeping areas and deck*”. The submitters maintain that this will pose significant and unacceptable safety, privacy and security issues for the residents and is not consistent with the application of CPTED principles. Further, the submitters

believe “*the designs for the site are not consistent with the vision for the area as contained in the District Plan including Appendix 1.4.6 – Riverfront Development Design Guide*”.

39. In response, I agree with the concerns raised regarding the apparent removal of the link from Embassy Park to the lower-level promenade and further clarification of this is sought from the applicant. As far as the impact on the apartments at 240 Victoria Street is concerned and notwithstanding that I am unclear on what parts or sections of the upper-level promenade are within scope or will be delivered by this project, a preliminary design with levels was consented by HCC during October 2017. It is therefore important that this information be taken into account in the further refinement of the promenade design so that the impact on the residents can be understood.
40. In terms of submission **20**, the submitter is opposed to the proposed red oxide or brown colour scheme and is requesting a re-design to ‘bring it into the 21st century’.
41. In response, as discussed in paragraphs 4 – 9, debates regarding the detailed architectural expression of a building are subjective matters and are not (and should not be) the focus of the urban design discipline or Council’s assessment.
42. Submissions **24** and **25** are also practically identical. Similar to submissions 8 and 10, the submitters have raised concerns with the detail design of the upper-level promenade, including the apparent removal of the link from Embassy Park to the lower-level promenade and that the project rather than “strengthening linkages between Victoria Street and the Waikato River” as mentioned by the applicant, will actually “*further dissociate the city from the river, by the apparent removal of two existing linkages directly to the river (through Embassy Park and at the end of Sapper Moore Jones Place)*”. The submitters are also opposing the redevelopment of Embassy Park and that the main entrance to the Theatre opens directly onto this space. The concern is that “*the park would no longer function as a quiet contemplative space where Ruru and Tui roost (as currently)*”. As raised in my paragraph 23, they are also requesting clarification of the notations on the site plan that ‘Embassy Plaza’ is ‘Not in Scope’. Lastly and like submissions 8 and 10, the submitters believe that “*the designs for the site are not consistent with the vision for the area as contained in the District Plan including Appendix 1.4.6 – Riverfront Development Design Guide*”.
43. In response and as discussed in paragraph 39, I do not support the removal of any existing link or connection between Embassy Park, Sapper Moore Jones Place and the River. One outcome of a project of this nature and scale should be a strengthening and improvement of the connections between the Central City and the River promenades (upper and lower level). Regarding the proposed redesign of Embassy Park, I consider that further work and refinement of the concept as shown is needed. Considering the wider context and the proposals for Victoria Street I do, however, support the idea that the main pedestrian entrance to the Theatre can be accessed directly from Embassy Park, as this will help activate the space and provide a vehicle free area where people can mingle both before and after an event.
44. Regarding the assertion that the design is not consistent with the Riverfront Development Design Guide (submissions 8, 10, 24 and 25), it is my opinion that the proposal will, in fact, help achieve the overall purpose of the design guide which is to “*create a premier public open space along the river’s edge, supported by safe and legible connections and attractive and sustainable built form*” (see ODP 1.4.6.1, page 1-212, Vol. 2). It must be borne in mind that the purpose of the design guidance is to assist in the ongoing development of the riverfront and the future vision(s) and interventions that have been shown only demonstrate one particular way in which the design objectives and principles listed under 1.4.6.4 and 1.4.6.5 can be met. I believe the proposal will help ensure that the riverfront will be ‘public’, ‘connected’, ‘active’, ‘sustainable’ and ‘iconic’ as described in the ODP.

level promenade, it remains as a concept only. It is also noted that the proposed RL levels are still significantly higher than the levels of the consented promenade to the north.

52. As previously stated, Embassy Park and the promenade are important elements that will have an impact on and are integral to the eventual success of the Theatre and should not, therefore, be considered or designed in isolation.
53. As these matters remain unresolved, I would suggest the inclusion of a strongly worded consent condition (as suggested by the Parks and Open Spaces Unit) that addresses the further detail design, landscaping and delivery of Embassy Plaza and the upper-level promenade, including demonstrating that existing and future links to other sections of both the upper and lower level promenades can be maintained and potentially enhanced.
54. I also note that the applicant is no longer proposing to complete a Heritage Implementation Plan as this has been superseded by a Conservation Plan as requested by the Heritage Architect acting on Council's behalf. This is supported from an urban design perspective.