

**BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL**

**IN THE MATTER**

of the Resource Management  
Act 1991 and the Local  
Government (Auckland  
Transitional Provisions) Act  
2010

**AND**

**IN THE MATTER**

of Topic 081d Rezoning and  
Precincts (Geographical Areas)

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**REBUTTAL STATEMENT OF EVIDENCE OF DEREK RICHARD FOY ON  
BEHALF OF AUCKLAND COUNCIL**

**REDHILLS PRECINCT (ECONOMICS)**

**12 April 2016**

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## EXECUTIVE SUMMARY

- A. I have been asked by Auckland Council (**Council**) to respond to the request from Westgate Partnership that provision be made in the Proposed Auckland Unitary Plan (**PAUP**) for a limited amount of retail and office space in the Terrace Housing and Apartment Building (**THAB**) zone within Sub-Precinct A of the Redhills Structure Plan Area. This is discussed in the evidence of Mr Adam Thompson on behalf of Westgate Partnership (4373), Redhills, Massey North.
- B. The only commercial activities that are envisaged in the THAB zone are restaurants and dairies of up to 100m<sup>2</sup>, and service stations on arterial roads. All other retail and commercial activities are non-complying activities. This indicates a very strong non-commercial focus for the THAB zone. The provision of 7,500m<sup>2</sup> (5,000m<sup>2</sup> of retail and 2,500m<sup>2</sup> of offices) of commercial GFA in Sub-Precinct A's THAB zone is not, in my opinion, appropriate in the THAB zone in Precinct A because it is contrary to the intent of the PAUP.
- C. The 5,000m<sup>2</sup> of retail floorspace Mr Thompson proposes be provided for in the THAB zone would service at least 20% of the demand for local centre-type retail that will be resident in Redhills. Allowing that much local demand to be provided for outside Business zones would dilute the degree to which nearby centres are the focus for commercial activity in the area, which is contrary to PAUP objectives. Retail development in the THAB zone would also potentially adversely affect the amenity the Local Centre would offer.
- D. According to Mr Thompson, the main benefits of providing for commercial activity in Sub-Precinct A's THAB zone are that it would be convenient, due to the location on a busy road (Fred Taylor Drive) and in a high density residential area. Convenient access to commercial businesses is beneficial for higher density housing, however the PAUP already makes provision for significant provision of these services, including the large Westgate Metropolitan Centre, (which is within 400m of the THAB zone) and the Mixed Use zone, (which is opposite the THAB zone on Fred Taylor Drive).
- E. Both of those zones will have significant potential to provide the type of retail and service businesses that Mr Thompson has assessed should be provided for in the THAB zone, and in both zones convenience retail is anticipated by the PAUP rules. Because there is capacity to provide suitably convenient retail space in the Business zones, in my opinion no provision should be made for commercial activity in the Redhills THAB zone (or elsewhere in Sub-Precinct A).

- F. Mr Thompson supports the development of commercial space in Sub-Precinct A's THAB zone because of the superior convenience he says that location would offer compared to within the Westgate Metropolitan Centre. In my opinion the examples he provides do not support his position that such space is appropriate outside a centre zoning, and instead indicate support for limiting retail to centre and Mixed Use zones, rather than providing for it residential areas.
- G. In my opinion Mr Thompson's assessment does not establish that Sub-Precinct A is an appropriate location in which to enable commercial activities, especially given the extant existence of convenience retail in the area, and the potential for additional activities in the future.
- H. Based on my assessment, I disagree with Mr Thompson's proposal that provision be made for up to 5,000m<sup>2</sup> of retail and 2,500m<sup>2</sup> of office GFA in the Sub-Precinct A THAB zone. In my opinion demand for commercial space will be able to be accommodated within Business zones in the area, and these zones are appropriate places for commercial activity to establish.
- I. Even if existing Business areas were not large enough, or space in them was not suitable to provide for convenience retail, in my opinion the THAB zone would not be an appropriate location for that convenience retail to locate.

## **1. QUALIFICATIONS AND EXPERIENCE**

- 1.1 My name is Derek Richard Foy. I hold the qualifications of a BSc in Geography and an LLB from the University of Auckland. I have 15 years consulting and project experience, working for commercial and public sector clients. I specialise in retail analysis, assessment of demand and markets, the form and function of urban economies, the preparation of forecasts, and evaluation of outcomes and effects.
- 1.2 I have applied these specialties in studies throughout New Zealand including many in Auckland, across most sectors of the economy, notably assessments of retail, urban form, land demand, commercial and service demand, housing, tourism and local government.

### **Background**

- 1.3 I have been asked by the Council to provide evidence on the economic and urban form issues relating to the submission by Westgate Partnership (4373) to make provision for some commercial activities within the Redhills THAB zone.
- 1.4 I have previously undertaken retail assessments in the area, including:

- (a) “Redhills Retail Assessment”, for Hugh Green Limited, August 2015;
- (b) Impact assessments for retailers wishing to establish in the Massey North Employment Special Area (Mitre 10 Mega, Palmers and Resene Paint);
- (c) Peer reviews of applications for retail developments on Hobsonville Road in the Hobsonville Village Centre Special Area Precinct.

1.5 I will present an independent assessment of the merits of the submission, taking into account activities envisaged in the THAB zone, the provision of retail and commercial activities in the area near the THAB zone, and demand for retail and commercial activities in the area.

## **2. CODE OF CONDUCT**

2.1 I confirm that I have read the Expert Witnesses Code of Conduct set out in the Environment Court’s Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the Hearing Panel. 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.

2.2 I have been asked by the Council to address matters relevant to Topic 081 Rezoning and Precincts (Geographical Areas), and I confirm that these matters are within my areas of expertise.

## **3. SCOPE OF EVIDENCE**

3.1 There are four key matters to assess when determining whether provision should be made for retail and office space in Sub-Precinct A’s THAB zone.

- (a) Whether the PAUP provides for commercial activity in the THAB zone.
- (b) Whether demand for commercial activity is such that it cannot be accommodated in existing (or proposed) business zones.
- (c) Whether space should be provided for outside business zones for accessibility reasons.
- (d) If there is the need to provide for retail and commercial space outside those centres, then is Sub-Precinct A an appropriate location for that extra space, whether in THAB zone or some other type of zone.

3.2 To answer those questions my evidence covers the following:

- (a) The types of activities envisaged in the THAB zone by the PAUP (section 5);
- (b) The quantum of demand for retail and office floorspace in the Westgate/Redhills area (section 6);
- (c) The attributes of business zones in the Westgate/Redhills area (section 7); and
- (d) Suitability of the Redhills THAB zone for retail and office activity (section 8).

#### **4. INTRODUCTION**

4.1 Mr Thompson presented economic evidence on the commercial provisions of the proposed Sub-Precinct A THAB zoning that forms part of the Redhills development.

4.2 Redhills is a large area of future-urban zones land (approximately 600 ha) that is predominantly zoned Future Urban in the PAUP. The Redhills Structure Plan would change that zoning to predominantly residential, including four urban residential zones. Under the Structure Plan zoning, the residential capacity of the area would be over 8,000 households. The Structure Plan also includes a Local Centre Zone (the “Redhills Local Centre”).

4.3 My company has previously assessed the appropriate size of that Local Centre<sup>1</sup>. That assessment took into account the dwelling capacity of the Structure Plan area, market growth over time and the share of locally resident spend that would be expected to be retained and directed to a local centre, as opposed to other retail centres (such as Westgate). The conclusion of that assessment was that the appropriate size of the Redhills local centre would be 5,100m<sup>2</sup> GFA by 2031, and 10,400m<sup>2</sup> by 2041. That is the total amount of floorspace that would be sustainable in the local centre, including for all retail, services and office-based activities.

4.4 Westgate Partnership’s submission relates to Sub-Precinct A, which is one part of the Redhills Structure Plan area (Figure 4.1), and is that there be provision for commercial activities within the THAB Zone.

4.5 Mr Thompson has assessed the potential effects of that proposal from an economic perspective, and concluded that the proposal would result in positive economic effects, and would not have any adverse economic effects. Those conclusions are

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<sup>1</sup> “Redhills Retail Assessment”, for Hugh Green Limited, August 2015

subject to his recommendation that commercial space be limited to 5,000m<sup>2</sup> for retail GFA, and 2,500m<sup>2</sup> for office GFA.

- 4.6 Mr Thompson suggests that the location of the THAB zone on a main road (Fred Taylor Drive) makes it a suitable location in which to allow the development of retail and business service firms because of the good accessibility and convenient access the site would offer.
- 4.7 I have reviewed Mr Thompson's statement of evidence and respond to the issues he raises about commercial activities in Sub-Precinct A below.

**Legend**

- 200m from Metropolitan Centre Zone
- 400m from MU and Local Centre Zone
- Precinct A

**Structure Plan Boundary**

**COA Boundary**

**Precinct Boundary**

**Local Centre Zone**

**Terraced Housing and Apartment**

**Residential Zone**

**Mixed Housing Urban Zone**

**Mixed Housing Suburban Zone**

**Single House Zone**

**Artificial Road Restricted Access, Cycling Route and Potential Bus Route**

**Collector Road**

**Bus and Possible Cycle Route**

**Redcliffe Central Collector Road**

**Redcliffe Green Road**

**Key Cycling Route, Limited Access**

**Key Pedestrian Cycling Collector**

**Key Retail Footprints**

**Permanent Watercourses**

**10m Riparian Margin Applies**

**Road or Cycle Path Required Along Both Edges**

**Intermittent Watercourses**

**10m Riparian Margin Applies, Cycle Path Required**

**Green Infrastructure Corridor**

**Stormwater Management**

**Indicative Wetland**

**Electricity Transmission Pylons and Corridor**

**Local Park (Approx 4,000m<sup>2</sup> each)**

**Suburb Park (Approx 25,000m<sup>2</sup> each)**

**Chc. Space (Approx 7,000m<sup>2</sup>)**

**Note:** Location and scale of all features shown is indicative. Detailed plans are to be provided for final alignment.

**Scale:** 1:15,000 at A4

**Project:** 1020-133945-02

**Date:** 24 February 2016

**Status:** Draft

**Scale:** 1:15,000 at A4

**CIVILPLAN CONSULTANTS**

**HARRISON GRIERSON**

**REDCLIFFE SHS**

**HUGH GREEN LIMITED LANDOWNER GROUP**

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5.1 The first of the four key issues is whether commercial activities are envisaged in the THAB zone.

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commercial activities in the THAB zone are non-complying activities in the PAUP. This indicates a very strong non-commercial focus for the THAB zone.

- 5.3 In my opinion, Mr Thompson's recommendation that up to 7,500m<sup>2</sup> (5,000m<sup>2</sup> of retail and 2,500m<sup>2</sup> of offices) of commercial GFA be provided for in Sub-Precinct A's THAB zone conflicts with the intended non-commercial focus for the THAB zone. For that reason the proposed commercial space is not, in my opinion, appropriate in the THAB zone in Sub-Precinct A because it is contrary to the intent of the PAUP.
- 5.4 If it is shown that some retail or office space is required in Sub-Precinct A, in my opinion it would be better provided in a Business zone rather than a Residential zone. A more appropriate response would therefore be to zone some land within Sub-Precinct A as, for example, Mixed Use, rather than introducing some special exception that will make allowance for non-complying retail and office space in the THAB zone. I address the appropriateness of rezoning part of Sub-Precinct A as Mixed Use (or similar) below in section 8.
- 5.5 The advantage of my preferred approach is the avoidance of any precedent effect. In my opinion the rules relating to the types of activities anticipated in residential zones are clear and allowing for exceptions in some places could have the effect of confusing expectations about what the THAB zone should look like and how it should function. Jarette Wickham discusses the planning rationale for not varying the THAB zone to this degree in her evidence on this topic.

## **6. RETAIL AND OFFICE SPACE DEMAND**

- 6.1 The second of the four key issues is whether there is sufficient capacity in the surrounding Business zones to accommodate projected local demand for commercial space.

### **Demand for Retail Space**

- 6.2 Mr Thompson has assessed total local convenience retail demand as 12,100m<sup>2</sup> GFA (presumably in 2041, although no year is stated). That is more than the 10,400m<sup>2</sup> my company assessed for the Redhills Local Centre assessment, mostly because Mr Thompson has assumed a larger number of households will establish in the area.
- 6.3 He states that the drive by market "is likely to account for around 50% of all sales"<sup>2</sup>, (i.e. presumably equivalent to half of the 5,000m<sup>2</sup> of convenience retail space he

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<sup>2</sup> Paragraph 8.5, page 13

recommends, or 2,500m<sup>2</sup> of retail space) but does not provide any basis for this assumption.

- 6.4 I take it then that Mr Thompson expects that the other 50% of sales (2,500m<sup>2</sup> of retail space) would be supported by demand from local residents. That 2,500m<sup>2</sup> equates to 20-24%<sup>3</sup> of all local<sup>4</sup> demand for convenience retail. Although Mr Thompson does not state so, his assessment indicates that he would expect the balance of that local spend to be directed to the Redhills Local Centre.
- 6.5 In my opinion 20-24% is a significant share of local demand to be directed to the residential zone compared to the Local Centre, especially when the large Westgate centre is also so close and will provide options for retail spending.
- 6.6 One potential outcome of allowing some of the local demand to be provided for outside Business zones is that the area's centres become less of a focus for commercial activity in the area, which is contrary to PAUP regional and district objectives<sup>5</sup>. However Mr Thompson dismisses the potential for impacts on the Redhills Local Centre saying that because the THAB retail and Local Centre "would establish concurrently"<sup>6</sup>, they would develop without trade competition effects on each other.
- 6.7 I do not agree with Mr Thompson's assessment of the potential for impacts and consider that these effects, and the Local Centre would inevitably grow to be smaller and less of a focus for the community if retail develops in the THAB zone than if it does not. This would adversely affect the amenity the Local Centre would offer, and is a matter that would need to be assessed before providing for out of centre retail in the area.
- 6.8 Mr Thompson also states that a "small portion of this demand... will be able to be met by convenience retail... within the proposed THAB zone" (emphasis added). This does not indicate any *need* for this amount of demand to be catered for in the THAB zone, rather that it is one option for accommodating demand. In my opinion it is not an appropriate option, or one that is envisaged by the PAUP.
- 6.9 In my opinion Mr Thompson's retail demand assessment does not support a conclusion that 5,000m<sup>2</sup> of retail space should be provided for in Precinct A's THAB zone.

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<sup>3</sup> 20% of his 12,100m<sup>2</sup> total local demand, and 24% of the 10,400m<sup>2</sup> my company assessed

<sup>4</sup> The amount of retail spend spent in Redhills, so excluding spend directed to all other places (including Westgate)

<sup>5</sup> Including B3.1 Objective 2 and D3 Objective 1, which identifies a strong network of centres of various roles, and in a hierarchy

<sup>6</sup> Paragraph 8.6, page 14

## **Demand for Office Space**

- 6.10 Mr Thompson states that “there is estimated demand for 8,000m<sup>2</sup> of office and other commercial floorspace” arising from the Redhills development<sup>7</sup>. He provides no description of how he has assessed this, or the basis on which he then recommends that 2,500m<sup>2</sup> of that space should be located in Precinct A’s THAB zone.
- 6.11 Given the non-complying status of office and other commercial activity in the THAB zone, I would have expected some assessment to support his proposal, both as to the amount of space and the location in the THAB zone.
- 6.12 Office activities are typically concentrated in centres, usually larger centres such as Westgate, and in my opinion business zones would be a more appropriate location for that amount of office space to locate than in a residential zone.
- 6.13 The 2,500m<sup>2</sup> of office space Mr Thompson proposes be provided for in the THAB zone is not, in my opinion, envisaged by the PAUP, and would not be consistent with achieving the PAUP’s objectives.

## **7. OPTIONS FOR ACCOMMODATING DEMAND IN WESTGATE/REDHILLS**

- 7.1 The third of the four key issues is assessing the capacity to accommodate demand for retail and office activities in Westgate/Redhills.
- 7.2 According to Mr Thompson, the main benefits of providing for commercial activity in Sub-Precinct A’s THAB zone are that it would be convenient, due to the location on a busy road and in an area of high density residential.
- 7.3 I agree that convenient access to commercial businesses is beneficial to the functioning and attractiveness of higher density housing. This has been recognised in the PAUP, where the THAB zone is generally intended to be the closest residential area to centres, and to be within about 250m of centres<sup>8</sup>, a distance which is considered to give effect to the RPS requirement for accessibility to centres (or other features). That 250m is considered to be a “moderate walking distance”.
- 7.4 This is consistent with Mr Thompson’s view about access to retail, although he suggests a slightly broader (400m radius) catchment<sup>9</sup>. I agree with Mr Thompson that it is reasonable to apply a 400m catchment to represent a walkable distance to access convenience retail products.

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<sup>7</sup> Paragraph 8.3, page 13

<sup>8</sup> or rapid transit networks, community facilities or open space

<sup>9</sup> Paragraph 6.3, p12

- 7.5 The Sub-Precinct A THAB zone is the closest part of Redhills to the Westgate Metropolitan Centre, and most parts of that THAB zone (including all of those within Precinct A) are within 400m of the edge of the Metropolitan Centre zone (Figure 4.1). Given that proximity, and to the Mixed Use zone, in my opinion there will be more than adequate capacity there to provide for easily accessible retail supply for Precinct A residents.
- 7.6 There is a large amount of commercial capacity (both extant and provided for through zoning but as yet undeveloped) in the Westgate/Redhills area that will together provide for the needs of consumers living in different parts of the area:
- (a) Westgate Metropolitan Centre: this will be a very large centre in terms of both retail and commercial supply. The centre is still in development, but plans (as provided in Mr Thompson's Figure 4) indicate that the town centre will be 117,000m<sup>2</sup> (including an integrated mall), with a further 55,000m<sup>2</sup> of large format retail and 78,000m<sup>2</sup> of commerce space. There is also a Trade precinct (where there is a Mitre 10 Mega and Palmers Planet already open), and a Business precinct. The centre occupies a large area, and will therefore have a large periphery, some of which could support access to the type of convenience retail than Mr Thompson discusses.
  - (b) Westgate Mixed Use zone. This zone includes a Pak'n Save supermarket near the intersection of Fred Taylor Drive and Don Buck Road, and an additional 13.06 ha of yet to be developed land. I discuss the capacity of this zone separately below.
  - (c) Some additional retail activity between Don Buck Road and Westgate, on Light Industry zoned land. This includes several fast food businesses (Hell Pizza, Burger Fuel, Subway, KFC, McDonalds, a bakery, fish and chips) a service station and a number of trade retailers. This area already provides a significant amount of the type of convenience retail Mr Thompson has referred to in his case study examples, however he apparently does not take this into account in his assessment of the amount of space that he recommends in the THAB zone.
  - (d) Redhills Local Centre: which in my assessment is likely to grow to up to 10,000m<sup>2</sup> GFA by 2041, once Redhills develops to its residential capacity. Mr Thompson recognises that most of the convenience retail needs of residents in the area will be supported in this centre.

- (e) Don Buck Road Local Centre: This is around 7,000m<sup>2</sup> GFA (consented and developed), and is located on the south-eastern fringe of the Structure Plan area, about 1.2km straight-line distance from the Redhills Local Centre. The centre has a wide range of convenience retail stores, including a consented but not operating expansion.
- 7.7 The Mixed Use zone has capacity to accommodate a significant amount of convenience retail (and office) activity. In the Mixed Use zone, Permitted activities include: commercial services, drive through restaurants, food and beverage, retail of up to 200m<sup>2</sup> and supermarkets of up to 450m<sup>2</sup>. There are restrictions as to how much space can locate on each site<sup>10</sup>, however these activities encompass most of the retail and service activities that would generally be classified as 'convenience'.
- 7.8 The Mixed Use zone is 13.06 ha (excluding the Pak'n Save block). The total ground floor building footprint in that area would be over 52,000m<sup>2</sup> GFA at a 40% site coverage. If even 20% of that ground floor space were to accommodate retail activities, the yield would be over 10,000m<sup>2</sup> of retail and services GFA, which represents significant capacity to accommodate convenience retail.
- 7.9 The Mixed Use zone is opposite the Sub-Precinct A THAB zone (on Fred Taylor Drive), so would be very easy for THAB residents to access on foot, notwithstanding having to cross what will become an increasingly busy road. The Mixed Use zone will be equally as convenient for pass-by traffic to access as retail in Sub-Precinct A's THAB zone would be.
- 7.10 For these reasons, in my opinion the Mixed Use zone along Fred Taylor Drive would be an appropriate place to provide the type of retail and service businesses that Mr Thompson has assessed should be provided for on the edge of the Westgate centre. The periphery of the Metropolitan Centre could also support these activities, and in both places convenience retail is anticipated by the PAUP rules.
- 7.11 Because there is capacity to provide suitably convenience retail space in the Business zones, in my opinion no provision should be made for commercial in the THAB zone (or elsewhere in Sub-Precinct A, including by changing part of Sub-Precinct A to for example Mixed Use), or through changing part of the THAB zone to a zone in which retail is envisaged.

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<sup>10</sup> e.g. in parts of the Mixed Use zone that are more than 200m walk from the Metropolitan Centre zone, or where there are more than five retail activities, or where total GFA is more than 1,000m<sup>2</sup>, these activities become Restricted Discretionary. Discretion is restricted to avoiding adverse effects on centres, including cumulative effects.

## **8. CONVENIENCE RETAIL AND OFFICES IN CENTRE FRINGE LOCATIONS**

- 8.1 I have stated above that in my opinion there is no need to provide for commercial activity in Sub-Precinct A given either the quantum of demand projected in the area or the lack of capacity to accommodate that demand in Business zones. I now address the final of the four key issues: establishing whether Sub-Precinct A is an appropriate location for any additional commercial space that is required in the area.
- 8.2 Mr Thompson supports the development of commercial space in Sub-Precinct A's THAB zone because of the superior convenience he says that location would offer compared to within the Westgate Metropolitan Centre. His assessment is focussed on the convenience nature of retail space, and provides no support for the proposed location of offices in the THAB zone on any convenience grounds.
- 8.3 To support his position, Mr Thompson states that a number of large Auckland retail centres have a "dual function" with part of the centre operating as a convenience-type retail area on the periphery of the centre, due to the need to provide consumers with ready access to 'convenience retail-type' goods (e.g. milk or bread). He then provides examples of four large centres which he says are evidence of this role.
- 8.4 In my opinion Mr Thompson's examples should be interpreted with caution given:
- (a) In my opinion his categorisation of centres having a "dual function" is misleading: all of the centres he refers to have many more examples of these 'convenience' businesses away from the periphery than they do in the periphery. This is because businesses will establish in any location where there is sufficient customer base for them to be profitable. This may be near a large workforce or shopper base in the very core of a large centre, or near pass-by traffic on the edge of a centre.
  - (b) He refers to Sylvia Park, and the "adjacent" convenience retail. That adjacent retail is actual a non-contiguous, separate centre (zoned Local Centre) 500m to the north. Sylvia Park itself is an integrated mall, with few outward facing premises and little of the convenience role Mr Thompson refers to.
  - (c) Glenfield originally existed as a 'main street'-type local centre (the part Mr Thompson labelled "convenience centre") before the adjacent mall established in the early 1970s. The local centre role of the main street area

therefore pre-dates the establishment of the larger, more recent mall, although it does still play more of a convenience role than the mall.

- (d) In the other two examples there is a strong dominance of fast food restaurants in the periphery areas. The Botany examples includes 11 fast food outlets and three banks (all of the 14 tenancies) and the Albany example includes 10 fast food outlets (from 14 tenancies). The only convenience retail/services businesses are a liquor store, a hairdresser and beauty salon (all in Albany).
  - (e) With the exception of Sylvia Park, the examples all refer to the location of retail *within* each centre. The THAB zone is not located in a centre, and Mr Thompson's assessment ignores the fact that the examples actually show that retail tends to be confined to inside centres. The examples therefore support a position in favour of keeping retail within a centre rather than letting it spill over into surrounding residential areas.
  - (f) The examples do not show the location of convenience retail in other parts of the centres, when there are examples of those same activities throughout the centres.
  - (g) The examples make no reference to the presence of or need for office space in these "periphery" areas.
- 8.5 In my opinion Mr Thompson does not show that the THAB zone is a centre-fringe location like those in his examples, and his examples do not indicate a need to provide convenience-type retail space in Sub-Precinct A.
- 8.6 I accept that there is merit in some convenience retail being provided in centres' peripheries (but not outside centres on surrounding residential land). In my opinion this provision is usually properly left to the location decisions of individual retailers who can choose to establish anywhere within a centre.
- 8.7 Mr Thompson's examples indicate to me that there is likely to be some presence of these convenience-type retail businesses (especially fast food) around the edge of the Westgate Metropolitan Centre zone.
- 8.8 In my opinion Mr Thompson's assessment does not establish that Sub-Precinct A is an appropriate location in which to enable commercial activities to overcome difficulties accessing convenience retail in the area.

## **9. CONCLUSIONS**

- 9.1 I have reviewed Westgate Partnership's submission and Mr Thompson's evidence, and disagree with his recommendation that provision be made for up to 5,000m<sup>2</sup> of retail and 2,5000m<sup>2</sup> of office GFA in the Sub-Precinct A THAB zone.
- 9.2 In my opinion the amount of demand for retail and commercial services will be able to be accommodated within Business zones in the area, and these zones are appropriate places for commercial activity to establish.
- 9.3 Even if existing Business areas were not large enough, or space in them was not suitable to provide for convenience retail, in my opinion the THAB zone would not be an appropriate location for that convenience retail to locate.
- 9.4 In my view no provision should be made for commercial activities including retail or office space in Redhills Precinct A's THAB zone.

**D R Foy**  
**12 April 2016**