BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 12 to the Operative Hamilton City District Plan

---

SUMMARY STATEMENT OF EVIDENCE OF JULIANA REU JUNQUEIRA

(BUSINESS ZONES)

Dated 4 September 2024

LACHLAN MULDOWNEY
BARRISTER

P +64 7 834 4336 **M** +64 21 471 490
Office Panama Square, 14 Garden Place, Hamilton
Postal PO Box 9169, Waikato Mail Centre, Hamilton 3240
www.lachlanmuldowney.co.nz

INTRODUCTION

1. My full name is Dr Juliana Reu Junqueira. I hold the position of Team Lead within the Urban and Spatial Planning Unit of Hamilton City Council (**HCC**). I am responsible for the components of Plan Change 12 (**PC12**) relating to the Business Zones.

2. I have produced a statement of evidence dated 26 June 2024 (**primary evidence**) and a statement of rebuttal evidence dated 14 August 2024 (**rebuttal evidence**). In response to submissions, I recommended amendments to the PC12 plan provisions which are included in the PC12 provision set dated 26 June 2024. In response to the evidence of submitters, I recommended amendments to the PC12 plan provisions which are included in the PC12 provision set dated 14 August 2024.

SUMMARY OF EVIDENCE

Primary evidence

3. The proposed amendments to the Business Zones chapter primarily involve minor adjustments, such as allowing residential units above the ground floor, to promote intensification and a mix of uses.

4. The discussion on PC12's proposed alterations to Business Zones encompasses several pivotal issues:

    a) Ground floor apartments are currently a non-complying activity in all Business Zones whilst single and duplex units are discretionary in Business Zone 6 (Neighbourhood Centre). The primary focus of Business Zones is to support commercial activities and economic expansion. Nonetheless, I propose to reclassify ground floor residential units as discretionary in Neighbourhood Centres, potentially enabling more mixed-use developments and amend the text to use residential units

rather than apartments, single dwellings or duplex dwellings (**Slide 1**).

b) The proposed increase in permitted height for some Business Zones within the height overlay and around higher density residential zones will allow for further residential capacity in existing Business Zones. This is consistent with adjacent Residential Zones (**Slide 2**).

c) The building intensity (floor area ratio) was reviewed in order to accommodate the greater building height proposed (**Slides 3 and 4**).

d) It is proposed that some amendments be made to the Height in Relation to Boundary regulations to ensure alignment with the adjoining residential zones (**Slide 5**).

e) An error was identified in the notified version concerning the external outlook area. A minor amendment is proposed to reconcile the text with the corresponding diagram.

f) Another correction is necessary in section 6.4.1.d, where there is a reference to a missing diagram. The appropriate diagram should be added, akin to the one presented in Figure 4.3.4.4.a, illustrating Building Height.

Rebuttal evidence

5. I have reviewed the evidence of submitters relating to the Business Zones and respond as follows:

a) After reviewing the evidence provided by Foodstuffs North Island Limited, I concur that a higher building limit could enhance flexibility within certain Business Zones. Consequently, I propose increasing the maximum building

height to 26 meters in Business Zone 5 (Suburban Centres).

b) Floor Area Ratios are important regulatory tools, particularly in Business Zones where maximum site coverage is not specified. These ratios are essential for controlling land use intensity and ensuring development is commensurate with the site's scale. In light of the proposed new maximum permitted height and to allow greater flexibility to developments, I propose amendments to the proposed building intensity (floor area ratio) which are set out in paragraph 26 of my rebuttal evidence.

c) I have also reviewed the evidence provided by WEL Networks Limited seeking acknowledgment of NZECP34 compliance in the construction of buildings and structures. Although no amendments to the setback provisions within the Business Zones were sought, I would support the amendments to the setback provisions within the Business Zones to reflect the proposed changes in the Residential Chapter.

d) I also propose the deletion of provisions relating to minimum unit sizes that were recommend based on the expectation of upcoming legislative changes related to MDRS.

CONCLUSION

6. In conclusion, the evidence presented supports strategic amendments to the Business Zones, aligning with the overarching goals of PC12.

7. The proposed changes are designed to promote flexible urban development, while maintaining suitable land use intensity. Collectively, these recommendations are set to advance the housing supply by means of strategic intensification, offering mixed-use

development opportunities, and addressing the pressing need for housing in a sustainable manner.

Dr Juliana Reu Junqueira
4 September 2024