# MUZ — Mixed Use Zone

The Mixed Use Zone covers a large variety of different areas across the urban area of Lower Hutt that call for flexible land use controls. Common scenarios include:

- The fringes of commercial centres, to provide for expansion and contraction of those centres,
- Some areas that have a long history of mixed uses,
- Sites with unique businesses or facilities,
- Areas that form a spatial transition between two other areas,
- Areas that are transitioning in time from one role to another,
- Areas with strong potential to develop into centres, and
- Corridors connecting other centres with good access to public transport that have the potential to serve the surrounding area.

The Mixed Use Zone recognises that market and community demand in these areas is less predictable and may change significantly from place to place and over time. Accordingly, land use control is flexible to a wide range of uses, while providing amenity values consistent with medium or high density mixed use urban development so that the area can adequately provide for residential activity or other sensitive activities.

The Mixed Use Zone provides for commercial activities of a small or specialised nature, or that primarily serve their immediate surroundings, so as not to undermine the role of commercial centres in the City Centre Zone, Metropolitan Centre Zone, or Local Centre Zone. The Mixed Use Zone is not expected to be managed to support the role of the Neighbourhood Centre Zone.

As the Mixed Use Zone covers a wide range of existing land uses, there are provisions to manage an area as it may transition over time.

The planned urban environment for the Mixed Use is for any density and most formats of development. Any development should be designed to anticipate a variety of potential future characters and possible suites of amenity values for its immediate surroundings. However, significant vehicle-oriented businesses are not encouraged in the zone.

Built development is provided for in the Mixed Use Zone through a range of permitted activities and development standards that, with some exceptions, permit up to 100m² or 200m² for non-residential activities, and without a limit for residential and similar activities. Development standards also address:

a. The impacts of built development on adjoining sites and public space, including the street,
b. Amenity and safety in public spaces, and
c. Provision of open space for residents.

If a proposed development does not meet one or more development or performance standards for the zone, resource consent is required in order to:

a. Achieve a high-quality built environment,
b. Manage the effects of development on neighbouring sites and the street,
c. Achieve high quality living environments, and
d. Achieve attractive, safe, and comfortable streets and public spaces.

For developments requiring resource consent, these will be assessed against the policy framework set out by the relevant zone and overlay chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is of the greatest importance in commercial centres like the Local Centre Zone. Council provides design guidance for developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the Local Centre Zone, other chapters of the District Plan, including those that impose overlays across specified areas, may modify the type and form of development permitted in some areas of the zone. As such, this chapter should be read alongside the district-wide chapters of the District Plan.

## Objectives

| MUZ-O1 | Purpose of the zone |
|---|---|
| The Mixed Use Zone contributes to a well-functioning urban environment through the provision of areas that can flexibly adapt to a range of mixed urban uses over time, in locations that are appropriate for medium or high density residential and commercial development. | |

| MUZ-O2 | Activities in the zone |
|---|---|

The Mixed Use Zone:

1. Does not have a single predominant use that it provides for,
2. Is expected to provide flexibility for any combination of commercial, community, light manufacturing and servicing, recreational, residential, and other compatible activities, while reflecting the Mixed Use Zone's role and function in relation to the hierarchy of centres,
3. Provides for other activities that:
    a. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone,
    b. Are compatible with the types of amenity associated with a medium or high density mixed use environment anticipated by the zone, and
    c. Support the health and wellbeing of people and communities in the surrounding area, and
4. Is not intended to provide for:
    a. Large-scale vehicle oriented activities, or
    b. Activities that would be a significant city-wide or regional destination, and
5. Otherwise avoids other activities that are likely to be incompatible.

| MUZ-O3 | Provision of commercial and community spaces and housing |
|---|---|

The Mixed Use Zone provides for a variety of types and sizes of housing types and sizes, and non-residential tenancies, that respond to:

1. Housing needs and demand, and
2. Business needs and demand.

| MUZ-O4 | Planned character and planned urban built environment of the zone |
|---|---|

Built development or open spaces are consistent with a mixed-use residential, commercial, and community area within a well-functioning urban environment that:

1. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone,
2. Has an urban built environment that is characterised by flexibility of building densities and forms,
3. Takes advantage of and contributes positively to the opportunities of pedestrian spaces and adjoining parks and reserves,
4. Is healthy, safe, attractive, and accessible,
5. Provides useful on-site outdoor living areas for residents, or is located in close proximity to useful public open space in the neighbourhood,
6. Has good access to and from surrounding neighbourhoods, and to and from commercial centres, through active and public transport modes, providing for well-connected and low emission communities,
7. Is integrated with existing and planned infrastructure, and
8. Provides for activities with co-location benefits in the area.

| MUZ-O5 | Adverse effects |
|---|---|

Adverse effects of activities and development are effectively managed within the zone, and at interfaces with other zones.

## Policies

| MUZ-P1 | Enabled activities |
|---|---|

Enable a broad mix of activities such as commercial, community, light industrial, recreational, and residential activities, and other compatible activities, while recognising the role of the zone in relation to the hierarchy of centres.

| MUZ-P2 | Potentially incompatible activities |
|---|---|

1. Provide for other, potentially incompatible activities if they:
    a. Maintain and enhance the amenity of the mixed use area, as it affects both residential and non-residential uses,
    b. Do not detract from the Mixed Use Zone’s ability to meet the zone’s planned purpose,
    c. Do not result in land being used in a significantly inefficient way,
    d. Are designed and managed to be consistent with the planned character of the Mixed Use Zone,
    e. Avoid significant adverse effects on residential activities, commercial activities, community activities, and recreation activities enabled in the zone,
    f. Avoid creating reverse sensitivity effects,
    g. Do not undermine the role of commercial centres, and
    h. Do not form a significant city-wide or regional destination.
2. Potentially incompatible activities include:
    a. Activities with visitor carparking,
    b. Industrial activities,

c. Integrated retail,
d. Yard-based retail,
e. Drive-through activities,
f. Service stations, and
g. Motor vehicle servicing.

| MUZ-P3 | Incompatible activities |
|---|---|

1. Avoid activities that are incompatible with the planned purpose, character, and amenity of the Mixed Use Zone.
2. Likely incompatible activities include:
   a. Heavy industrial activities,
   b. Primary production activities,
   c. Activities with significant amounts of visitor carparking,
   d. Large standalone offices, and
   e. Large format retail (other than supermarkets).

| MUZ-P4 | Existing activities |
|---|---|

Provide for the ongoing operation of existing activities while managing their development to support the intended purpose and character of the zone.

| MUZ-P5 | Role in network of commercial and industrial areas |
|---|---|

Manage the location and scale of commercial activities which could result in cumulative adverse effects on:
1. The viability, vibrancy, and co-location benefits of the City Centre, Metropolitan Centre, and Local Centre Zones (but not the Neighbourhood Centre Zones), and
2. The function of the transport network, particularly the ability of the public transport and active transport network to efficiently serve destinations.

However, Mixed Use Zones that form a buffer area around the City Centre, Metropolitan Centre, Local Centres, or Neighbourhood Centres can also form appropriate locations for the effective expansion of that centre, and the management of commercial activities should consider this potential role.

| MUZ-P6 | Development capacity — General |
|---|---|

Provide for the flexible use of Mixed Use areas to respond to changing and unpredictable needs.

| MUZ-P7 | Urban design outcomes (by meeting standard or assessment) |
|---|---|

Built development is managed to achieve the outcomes in this policy through either meeting the relevant performance standards, or an alternative approach demonstrated in a resource consent when the relevant performance standards are not met.

Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical.

The outcomes are:
1. Create a safe urban environment by enabling passive surveillance.
2. Non-residential buildings encourage community interaction through a positive relationship of commercial activity, community activity, and residential units with the street, public pathways, and other public space.
3. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to provide for pedestrian safety, comfort, dignity, and amenity.
4. The form and scale of development contributes to visual amenity in public space.
5. The form and scale of development protects access to sunlight and daylight in well-used streets and public spaces.
6. Ensure adequate privacy for residential activities and other activities sensitive to privacy intrusion on the site and on adjacent sites.
7. Ensure adequate access to daylight for residential activities on the site and on adjacent Mixed Use Zone or Residential Zone sites.
8. Ensure adequate access to sunlight for existing outdoor living spaces on:
   a. Adjacent residential zone sites, and
   b. Adjacent Mixed Use Zone sites unless they:
      i. Have a non-residential activity, or
      ii. Do not have any residential units, or
      iii. Have six or more residential units.
9. Ensure residential units have access to outdoor living spaces that:
   a. Ensure on-site landscaping, where it is required by a standard or proposed as a mitigation of other effects:
   b. Retains healthy and mature vegetation, or
   c. Are located and oriented to ensure good access to sunlight, or
   d. Are of a functional size and configuration, or
   e. Provide screening or landscaping to contribute to privacy, or
   f. Alternatively, public open space is located nearby that is accessible and functional for residents.

10. The amenity of surrounding Residential Zones, Rural Zones, and Marae Zones is protected.
11. Balance the provision of privacy for residents of ground-floor residential units on identified Active Frontages, where provided for, with the provision of an attractive streetscape.

**Note:**
The council will publish design guidance with examples of ways these outcomes can be achieved. This guidance does not form part of the District Plan and applicants can also demonstrate how these outcomes have been met in other ways.

| MUZ-P8 | Urban design outcomes (larger developments and potentially incompatible activities) |
|---|---|

Built development for potentially incompatible activities, or for some enabled activities over an identified threshold of scale, is managed to achieve the outcomes in this policy through an approach demonstrated in a resource consent. Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical. The outcomes are:

1. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Enabling passive surveillance over public and communal spaces,
    c. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    d. Avoiding wasted space or space of unclear function, and
    e. Integrating other CPTED measures at a scale appropriate for the site.
2. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to provide for pedestrian safety, comfort, dignity, and amenity.
3. There is quality, legible, safe, and efficient circulation for pedestrians accessing the site and people within the site.
4. Ensure on-site landscaping, where it is required by a standard or proposed as a mitigation of other effects:
    a. Retains healthy and mature vegetation,
    b. Uses planting that is appropriate for the climate and environment within the site,
    c. Improves outlooks from dwellings and softens hard built surfaces, and
    d. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
5. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
6. Larger new non-residential developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.
7. Ensure adequate privacy for residential activities, and other activities sensitive to privacy intrusion, on the site and on adjacent sites.

**Note:**
The council will publish design guidance with examples of ways these outcomes can be achieved. This guidance does not form part of the District Plan and applicants can also demonstrate how these outcomes have been met in other ways.

| MUZ-P9 | Urban design outcomes (exclusions) |
|---|---|

For the avoidance of doubt, when applying the standards and urban design policies of this chapter, the following are not controlled, encouraged, anticipated as mitigation, or otherwise provided for by the plan:

a. The protection of scenic views from private property,
b. The protection of scenic views from any part of a road where pedestrians cannot stop,
c. The protection of the visibility of commercial signage or advertising,
d. The protection of sunlight access to solar panels, where the height standard is met, even if other standards are not met,
e. Limiting the height, scale, or density of developments where the height, setback, site coverage, height in relation to boundary, and density standards are met, and
f. The use of techniques such as modulation of building form or variation of building materials to reduce the perceived scale of buildings, where the height, setback, and height in relation to boundary standards are met.

| MUZ-P10 | Managing adverse effects |
|---|---|

Manage activities to mitigate adverse effects by:

1. Ensuring outdoor work, storage, loading and parking areas are screened from level view from other sites within the zone and in Residential Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours.

## Rules

**Note:**
Resource consent may be required under rules in this chapter as well as other chapters. Unless specifically stated, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

### Buildings and structures

| MUZ-R1 | Repair and maintenance of buildings and structures |
|---|---|
| 1. **Activity status:** Permitted | |

| MUZ-R2 | Demolition or removal of buildings and structures |
|---|---|
| 1. **Activity status:** Permitted | |

| MUZ-R3 | Construction of new buildings and structures and alterations and additions to existing buildings and structures |
|---|---|

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. MUZ-S1: Height,
      ii. MUZ-S2: Height in relation to boundary,
      iii. MUZ-S3: Setbacks — Adjoining zones,
      iv. MUZ-S4: Location and design of carparking,
      v. MUZ-S5: Outdoor living space, and
      vi. MUZ-S6: Outlook space.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with MUZ-R3.1.

   **Matters of discretion are restricted to:**
   1. The matters of discretion any standards not met.

   **Notification:**
   Public notification and limited notification are precluded for applications under this rule where the only non-compliances are MUZ-S5 or MUZ-S6.
   Public notification is precluded for applications under this rule where MUZ-S1 and MUZ-S4 are met.

### Land use activities

| MUZ-R4 | Residential activities |
|---|---|

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. MUZ-S5: Outdoor living space, and
      ii. MUZ-S6: Outlook space.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with MUZ-R4.1.

   **Matters of discretion are restricted to:**
   1. The matters of discretion any standards not met.

   **Notification:**
   Public notification and limited notification are precluded for applications under this rule.

| MUZ-R5 | Retirement villages |
|---|---|

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with MUZ-S6: Outlook space.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MUZ-R5.1.

**Matters of discretion are restricted to:**
1. The matters of discretion any standards not met.

**Notification:**
Public notification and limited notification are precluded for applications under this rule.

| MUZ-R6 | Supported residential care facilities |
|---|---|

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with MUZ-S6: Outlook space.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MUZ-R6.1.

**Matters of discretion are restricted to:**
1. The matters of discretion any standards not met.

**Notification:**
Public notification and limited notification are precluded for applications under this rule.

| MUZ-R7 | Visitor accommodation |
|---|---|

1. **Activity status:** Permitted

Where:
a. The activity has a gross floor area of no more than 500m².

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MUZ-R7.1.

**Matters of discretion are restricted to:**
1. The efficiency of the use of land.
2. Residential amenity for existing residential units in the zone.
3. Residential amenity in adjacent Residential Zones and Marae Zones.
4. The urban design matters in MUZ-P8: Urban design outcomes (larger developments and potentially incompatible activities).
5. The matters in MUZ-P9: Urban design exclusions.

**Notification:**
Public notification is precluded for applications under this rule.

| MUZ-R8 | Health care activities |
|---|---|

1. **Activity status:** Permitted

Where:
a. The activity has a gross floor area of no more than 200m².

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with MUZ-R8.1.

| MUZ-R9 | Marae |
|---|---|

1. **Activity status:** Permitted

Where:
a. The activity has a gross floor area of no more than 200m².

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with MUZ-R9.1.

| MUZ-R10 | Community facility |
|---|---|

1. **Activity status:** Permitted

   Where:
   a. The activity has a gross floor area of no more than 200m².

2. **Activity status:** Discretionary

   Where:
   a. Compliance is not achieved with MUZ-R10.1.

| MUZ-R11 | Educational facilities (including Kohanga Reo) |
|---|---|

1. **Activity status:** Permitted

   Where:
   a. The activity has a gross floor area of no more than 200m².

2. **Activity status:** Discretionary

   Where:
   a. Compliance is not achieved with MUZ-R11.1.

| MUZ-R12 | Food and beverage activities |
|---|---|

1. **Activity status:** Permitted

   Where:
   a. The activity has a gross floor area of no more than 200m².

2. **Activity status:** Discretionary

   Where:
   a. Compliance is not achieved with MUZ-R12.1.

| MUZ-R13 | Grocery stores and supermarkets |
|---|---|

1. **Activity status:** Permitted

   Where:
   a. The activity has a gross floor area of no more than 300m².

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with MUZ-R13.1, but
   b. The activity has a gross floor area of no more than 1500m².

   **Matters of discretion are restricted to:**
   1. The efficiency of the use of land.
   2. Residential amenity for existing residential units in the zone.
   3. Residential amenity in adjacent Residential Zones and Marae Zones.
   4. The urban design matters in MUZ-P8: Urban design outcomes (larger developments and potentially incompatible activities).
   5. The matters in MUZ-P9: Urban design exclusions.

   **Notification:**
   Public notification is precluded for applications under this rule.

3. **Activity status:** Discretionary

   Where:
   a. Compliance is not achieved with MUZ-R13.1 or MUZ-R13.2.

| MUZ-R14 | Light manufacturing and servicing |
|---|---|

1. **Activity status:** Permitted

   Where:
   a. The activity is not within 40 metres of a Residential Zone, Rural Zone, or Marae Zone, and
   b. The activity has a gross floor area of no more than 200m².

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MUZ-R14.1.a, but
b. Compliance is achieved with MUZ-R14.1.b.

**Matters of discretion are restricted to:**
1. The effects on the amenity values, health, safety, and wellbeing of those sites in the Residential Zone, Rural Zone, or Marae Zone that are within 40 metres.
2. The urban design matters in MUZ-P8: Urban design outcomes (larger developments and potentially incompatible activities).
3. The matters in MUZ-P9: Urban design exclusions.

**Notification:**
Public notification is precluded for applications under this rule.

3. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with MUZ-R14.1 or MUZ-R14.2.

| MUZ-R15 | Standalone office activities |
|---|---|

1. **Activity status:** Permitted

Where:
a. The office activity has a gross floor area of no more than 100m².

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with MUZ-R15.1, but
b. The office activity has a gross floor area of no more than 200m², or
c. The office space is rented by the desk or otherwise furnished on a casual basis, and no one tenant occupies more than 100m² of gross floor area.

3. **Activity status:** Non-complying

Where:
a. Compliance is not achieved with MUZ-R15.1 or MUZ-R15.2.

| MUZ-R16 | Commercial activities not otherwise provided for |
|---|---|

1. **Activity status:** Permitted

Where:
a. The commercial activity has a gross floor area of no more than 100m².

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with MUZ-R16.1.

| MUZ-R17 | Other activities not otherwise provided for |
|---|---|

1. **Activity status:** Permitted

Where:
a. The activity has a gross floor area of no more than 200m².

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with MUZ-R17.1.

| MUZ-R18 | Carparking activities |
|---|---|

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with MUZ-S4: Location and design of carparking, and
b. None of the parking spaces are visitor spaces for a non-residential activity.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MUZ-R18.1.

**Matters of discretion are restricted to:**
1. If standard MUZ-S4 is not met, the matters in that standard, and
2. If MUZ-R18.1.b is not met:
   a. The effects of the activity, and any expected vehicle traffic to and from the activity, on the amenity values of residential activities, the amenity values of the street, and the amenity values of commercial and community activities that rely on walk-up custom,
   b. The test for the compatibility of activities with the zone's purpose set out in Policy MUZ-P2.1,
   c. The test of the compatibility of activities and transport facilities set out in Policy TR-P3.2, and
   d. Positive effects within the matters set out in Policy TR-P7: Positive effects.

| MUZ-R19 | Emergency service facilities |
|---|---|

1. **Activity status:** Restricted discretionary

**Matters of discretion are limited to:**
1. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.
2. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on the streetscape, and adjoining public space.
3. Residential amenity for existing residential units in the zone.
4. Residential amenity in adjacent Residential Zones and Marae Zones.
5. The urban design matters in Policies MUZ-P8: Urban design outcomes (larger developments and potentially incompatible activities).
6. The matters in MUZ-P9: Urban design exclusions.

| MUZ-R20 | Yard-based retailing |
|---|---|

1. **Activity status:** Discretionary

| MUZ-R21 | Drive-through activities |
|---|---|

1. **Activity status:** Discretionary

| MUZ-R22 | Service stations |
|---|---|

1. **Activity status:** Discretionary

| MUZ-R23 | Motor vehicle servicing activities |
|---|---|

1. **Activity status:** Discretionary

| MUZ-R24 | Emergency service facilities |
|---|---|

1. **Activity status:** Discretionary

| MUZ-R25 | Industrial activities not otherwise provided for |
|---|---|

1. **Activity status:** Discretionary

| MUZ-R26 | Integrated retail activities |
|---|---|

1. **Activity status:** Discretionary

Where:
a. The gross floor area of the activity is no greater than 500m².

1. **Activity status:** Non-complying

Where:
a. Compliance is not achieved with MUZ-R26.1.

| MUZ-R27 | Heavy industrial activities |
|---|---|

1. **Activity status:** Non-complying

| MUZ-R28 | Primary production other than as an ancillary activity |
|---|---|

1. **Activity status:** Non-complying

**General rules**

| MUZ-R29 | Outdoor storage and work areas |
|---|---|

1. **Activity status:** Permitted

Where:
a. The outdoor storage and work areas are screened from any adjoining site or opposite site in a Rural Zone, Open Space and Recreation Zone, Residential Zone, Marae Zone, or Mixed Use Zone by a building or a solid or close-boarded fully opaque fence of at least 1.8m in height above ground level.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MUZ-R29.1.

**Matters of discretion are restricted to:**
1. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by condition MUZ-R29.1 but are not.
2. The urban design outcomes in MUZ-P8: Urban design outcomes (larger developments and potentially incompatible activities).
3. The matters in MUZ-P9: Urban design exclusions.
4. Any positive effects that can only be achieved through non-compliance with MUZ-R29.1.

| MUZ-R30 | Servicing |
|---|---|

1. **Activity status:** Permitted

Where:
a. The servicing occurs only between 7:00am and 10:00pm.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MUZ-R30.1.

**Matters of discretion are restricted to:**
1. The nighttime amenity of activities sensitive to noise in the surrounding area in the Mixed Use Zone and in Residential Zones, Marae Zones, and Rural Zones.

**Notification:**
Public notification is precluded for applications under this rule.

## Standards

| MUZ-S1 | Height |
|---|---|

Buildings and structures must not exceed a maximum height above ground level of:
1. The height shown in the Specific Height Control Overlay applying to the site, if any, or
2. In any other case, 22m.

**Matters of discretion are restricted to:**
1. Urban design outcomes 2, 4, 5, 6, 7, 8, and 10 in MUZ-P7: Urban design outcomes (by meeting standard or assessment).
2. The matters in MUZ-P9: Urban design exclusions.
3. Any positive effects that can only be achieved through non-compliance with the standard.

| MUZ-S2 | Height in relation to boundary |
|---|---|

Buildings and structures must:
1. Meet a height in relation to boundary limit of 4m + 60° applied from side and rear boundaries within the zone, except for:
   a. Boundaries with a site that does not contain a residential activity,
   b. Boundaries with a site that contains six or more residential units,
   c. The first 21.5m along the side boundary, as measured from the road frontage,
   d. Existing or proposed internal boundaries within a site,
   e. Any part of a boundary with an existing or proposed common wall,
   f. Any part of a boundary where a building or structure on the adjoining site does not meet this standard,
   g. Chimney structures not exceeding 1.1m in width on any elevation, provided these do not exceed the height in relation to boundary by more than 1m, and
   h. Antennas, aerials, satellite dishes (less than 1m in diameter), flues, and architectural features (e.g., finials, spires), provided these do not exceed the height in relation to boundary by more than 3m measured vertically, and.
2. Meet the height in relation to boundary standard of the adjoining zone on any boundary with a site in a Residential Zone, Rural Zone, Marae Zone, or Open Space and Recreation Zone.

**Matters of discretion are restricted to:**
1. Urban design outcomes 2, 4, 5, 6, 7, 8, and 10 in MUZ-P7: Urban design outcomes (by meeting standard or assessment).

2. The matters in MUZ-P9: Urban design exclusions.
3. Any positive effects that can only be achieved through non-compliance with the standard.

| MUZ-S3 | Setbacks - Adjoining zones |
|---|---|

Buildings and structures must:

1. Be set back 1m from any boundary with a site in a Residential Zone, Rural Zone, Marae Zone, or Open Space and Recreation Zone.
2. This standard does not apply to site boundaries where there is an existing common wall between two buildings on adjoining sites with a common wall existing or proposed.
3. This standard does not apply to boundary fences of no more than 2m in height above ground level.
4. Eaves, chimneys, exterior hot water cylinders, and stormwater detention and retention tanks may encroach into any setback by up to 0.6m.

**Matters of discretion are restricted to:**

1. Access for repairs and maintenance to buildings and structures on the site.
2. The privacy of activities sensitive to privacy intrusion on the adjoining site.
3. The matters of discretion in the setback standard of the adjoining zone, where breaching that standard is a restricted discretionary activity.
4. Urban design outcomes 2, 3, 6, 9, and 10 in MUZ-P7: Urban design outcomes (by meeting standard or assessment).
5. The matters in MUZ-P9: Urban design exclusions.
6. Any positive effects that can only be achieved through non-compliance with the standard.

| MUZ-S4 | Location and design of carparking |
|---|---|

1. Parking areas must be screened from any adjoining site in a Residential Zone, Rural Zone, or Marae Zone with a building or a close-boarded fence of at least 1.8m in height above ground level.
2. Parking areas must be screened from any other adjoining site within the zone unless that adjoining site:
    a. Does not contain a residential activity, or
    b. Contains six or more residential units.
3. Parking areas must be designed so they can only be accessed from a formed vehicle crossing.
4. Parking areas must be sealed to prevent dust (this may be permeable).
5. Parking areas must be separated from any site boundary by a landscaped buffer of at least 0.5m (with a kerb or wheel stop) or 1.5m (otherwise).
6. There must be at least 1m² of landscaping for every 10m² of outdoor carparking or vehicle manoeuvring area.

**Matters of discretion are restricted to:**

1. Pedestrian amenity, comfort, and safety.
2. Visual amenity.
3. Urban design outcomes 1, 2, 3, 6, 9, and 10 in MUZ-P7: Urban design outcomes (by meeting standard or assessment).
4. The matters in MUZ-P9: Urban design exclusions.
5. Any positive effects that can only be achieved through non-compliance with the standard.

| MUZ-S5 | Outdoor living space |
|---|---|

Each residential unit must:

1. Have a private outdoor living space at ground level with an area of at least 20m² with a minimum dimension of 3m, or
2. Have a private outdoor living space above ground level in the form of a balcony, patio, or roof terrace with an area of at least 8m² with a minimum dimension of 1.8m, or
3. Have access to a communal outdoor living space on site with an area of at least 40m² plus 8m² for each unit beyond the fifth with a minimum dimension of 3m, or
4. Have the principal entrance within a 300m horizontal straight line distance of public land in the Open Space Zone or Sport and Active Recreation Zone, or
5. Be part of a retirement village.

**Matters of discretion are restricted to:**

1. Urban design outcomes 1, 6, 7, and 9 in MUZ-P7: Urban design outcomes (by meeting standard or assessment).
2. The matters in MUZ-P9: Urban design exclusions.
3. Any positive effects that can only be achieved through non-compliance with the standard.

| MUZ-S6 | Outlook space |
|---|---|

Outlook space must be provided for each residential unit as specified in this standard:

1. An outlook space must be provided from habitable room windows as shown in MUZ-Figure 1.
2. The minimum dimensions for a required outlook space are as follows:
    a. A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width, and
    b. All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1

metre in width.
3. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
4. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
5. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
6. Outlook spaces may be under or over a balcony.
7. Outlook spaces required from different rooms within the same building may overlap.
8. Outlook spaces must:
    a. Be clear and unobstructed by buildings, and
    b. Not extend over an outlook space or outdoor living space required by another dwelling.

**Matters of discretion are restricted to:**

1. Urban design outcomes 1, 2, 6, 7, and 10 in MUZ-P7: Urban design outcomes (by meeting standard or assessment).
2. The matters in MUZ-P9: Urban design exclusions.
3. Any mitigation factors such as view or landscaping that compensate for a reduced outlook.
4. Any positive effects that can only be achieved through non-compliance with the standard.

| MUZ-Figure 1 | Outlook space |
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