

**BEFORE THE INDEPENDENT HEARINGS PANEL FOR HUTT CITY
COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Hutt City Council Proposed
District Plan

**SUPPLEMENTARY REPLY STATEMENT OF KATE PASCALL
ON BEHALF OF HUTT CITY COUNCIL**

Hearing 3 – Residential and Rural

2 October 2026

1.0 INTRODUCTION

- 1.1 My name is Kate Louise Pascall, and I am a Principal Planner at Boffa Miskell Limited.
- 1.2 This Supplementary Reply Statement responds to the further information sought by the Hearings Panel through Minute 13, dated 18 August 2026, specifically paragraph 7a of that Minute relating to the 'windows to street' standards MRZ-S10/HRZ-S10 and concerns raised by Ms Clarke about the vagueness of the standard¹.
- 1.3 Except as expressly identified in this statement, all findings and recommendations contained in my original section 42A report, rebuttal evidence, and my three previous reply statements (dated 17 July 2026, 27 July 2026, and 24 August 2026) remain unchanged.

2.0 QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 2.1 My qualifications and experience are set out in paragraphs 12 and 13 of my Section 42A Report for Hearing 1. I repeat the confirmation given in that report that I have read and agree to comply with the Code of Conduct for Expert Witnesses.

3.0 SCOPE OF THIS STATEMENT OF EVIDENCE

- 3.1 At the time of my reply statement of 24 August 2026, I was unable to respond to Matter 7a of Minute 13 because Ms Moore was overseas on extended leave and therefore, I did not have the opportunity to confer with her on those matters. As Ms Moore has now returned from leave, I can now respond.
- 3.2 In addition, since Hearing 3, the Planning Act 2026 (PA) has passed into law, receiving Royal Assent on 30 September 2026. The resource management system is now in a transition period from the Resource Management Act (RMA) to the new legislation. In relation to the matters addressed in this reply statement, clauses 15 to 18 of Schedule 3A of the RMA relating to the medium density

1

<https://hccpublicdocs.azurewebsites.net/api/download/d8937615b4d04c4eabe99da68ac79ed3/dplanreview/1d36a723139670324f7187bf9743649d1db0>

residential standards (MDRS) are to be repealed². Clauses 15 to 18 are the outdoor living space, outlook space, windows to street, and landscaped area standards.

- 3.3 The Council is still working through the implications of these changes for both the ODP and the PDP and will provide a more comprehensive analysis of the consequential amendments required to the PDP in response to the repeal of parts of the MDRS in Hearing 10.
- 3.4 Accordingly, this reply statement relates to the windows to street standard only and any advice regarding the implications of the Planning Act 2026 and repeal of the windows to street standard of the MDRS is preliminary.
- 3.5 For completeness, and to assist the Panel, this statement sets out a response to the matters raised by Ms Clarke and the Panel via Minute 13 and a preliminary view on the implications of the transitional provisions of the Planning Act in relation not the windows to street standard.

4.0 RESPONSE TO EVIDENCE ON BEHALF OF GO ARCHITECTURE

- 4.1 In my reply statement dated 17 July, at paragraphs 3.30 to 3.32, I recommended an amendment to Standards MRZ-S10 and HRZ-S10 so that the standard only applies to new residential units and additions to existing residential units. The drafting I recommended is as follows:

New ~~R~~esidential units and additions to existing residential units facing the street must have a minimum of 20% of the street-facing façade in glazing.
This can be in the form of windows or doors.

- 4.2 This amendment was recommended to address one of Ms Clarke's concerns that the standard would be applied to the whole dwelling unit in situations where only a small extension is proposed.
- 4.3 Ms Clarke raised other concerns about how the standard could be applied in practice in situations where there is not an obvious 'street frontage', for example where the house is below street level, or for rear units. In her reply statement of 17 July 2026, Ms Moore considered the wording of the standard was sufficiently clear and I agreed with Ms Moore's position. Accordingly, I did not recommend any further amendments.

² Part 2 of Schedule 11 of the Planning Bill 2026.

- 4.4 Following the Panel's questions in Minute 13 and in collaboration with Ms Moore, I have reflected on my position and consider further amendments to the standard would be beneficial to make it clearer. Ms Moore has provided a further statement of evidence dated 2 October 2026 which sets out the urban design intent of the provision and the implications for different site contexts in her reply statement.
- 4.5 I agree with Ms Moore that a suitable amendment to the windows to street standard is as follows:

New ~~R~~esidential units and additions to existing residential units facing the street must have a minimum of 20% of the street-facing façade in glazing, where the residential unit has a boundary with the street and the street-facing façade is visible from the adjoining street. This can be in the form of windows or doors.

- 4.6 I have provided an updated tracked change version of the MRZ and HRZ zone chapters as Appendix 1 to this reply statement.

Section 32AA Assessment

- 4.7 This amendment will provide greater clarity for plan users about how the standard is intended to apply, that is to provide passive surveillance of the street and active street frontages. It will also reduce costs associated with compliance with the standard where doing so is unnecessary or does not provide the benefit of passive surveillance or an active street frontage.

Implications of the Planning Act 2026 transitional provisions

- 4.8 As stated at paragraph 3.4, the advice and recommendations provided in the paragraphs that follow are preliminary.
- 4.9 The Planning Act 2026 received Royal Assent on 30 September 2026. In addition, the following amendments to the RMA take effect 1 month after Royal Assent (being 30 October 2026):
- clauses 15 to 18 of Schedule 3A of the RMA (being the outdoor living space, outlook space, windows to street, and landscaped area standards of the MDRS) are repealed.

- New section 104(1)A³ of the RMA specifies that during the transition period, councils can no longer consider effects related to (amongst other matters), the area of glazing in assessing a resource consent application where this standard is not met.

- 4.10 Given the repeal of the windows to street standard of the MDRS, and the direction of new s104(1A), it is my view that a consequential amendment will be required to the PDP to delete standards MRZ-S10 and HRZ-S10. I considered the option of retaining the standard but amending it to remove the percentage of glazing metric (which would align with the wording of new RMA s104(1A), such that the standard would only require a residential unit to have windows facing the street, however I concluded that this approach would have limited value without a quantifiable measure of glazing. Such an approach could result in more ambiguity and potentially perverse design outcomes.
- 4.11 I also understand that with the repeal of this standard from the MDRS, such a standard, regardless of whether a percentage of glazing is included, could only be applied where a qualifying matter applies as it would be deemed to be less enabling of development. I do not consider there is such a qualifying matter that would support retaining a standard relating to windows to street.

5.0 CONCLUSION

- 5.1 This statement of evidence has set out recommended amendments to the windows to street standard of the PDP (MRZ-S10/HRZ-S10) in response to concerns raised by Go Architecture and questions of the Panel in Minute 13. It also sets out the status of the windows to street standard following the repeal of parts of the MDRS in the RMA and the PA passing into law. In my opinion, it is likely that the windows to street standards will need to be deleted from the PDP, however the Council is still in the process of determining the implications of the new legislation for the PDP (and ODP). A more definitive response on this matter will be provided in Hearing 10.

KATE LOUISE PASCALL

Hearing 3 – Residential and Rural

Boffa Miskell Limited (on behalf of Hutt City Council)

2 October 2026

³ As set out in Schedule 11, Part 2 of the Planning Bill.

APPENDIX 1 – RECOMMENDED AMENDMENTS TO PROVISIONS

HRZ — High Density Residential Zone

The High Density Residential Zone covers residential areas with a higher level of access to commercial activities and community facilities. This includes areas surrounding train stations, the Lower Hutt city centre, the Petone metropolitan centre, and some suburban centres.

The zone plays an important role in ensuring that the District Plan provides for sufficient residential development capacity to meet expected demand for housing over the short-term, medium-term, and long-term. The zone provides opportunities for a variety of medium-density and high-density residential development, such as detached dwellings, terraced housing, and apartments. The High Density Residential Zone anticipates a built urban environment of at least six storeys, with greater intensification enabled in areas surrounding the Lower Hutt city centre.

While areas in the High Density Residential Zone are predominantly residential in nature, non-residential activities are provided for within the Zone where they are compatible with residential activities.

It is anticipated that the appearance of neighbourhoods in the High Density Residential Zone will change over time, including through increased opportunities for terraced housing and apartments.

Built development is provided for in the High Density Residential Zone through a range of permitted activities and development standards. These activities and standards permit three residential units per site and buildings of up to six storeys in most of the zone. Some areas have been identified as being suited to a more intensive built form through increased building heights than the standard zone height. These are the residential areas surrounding the City Centre. They are identified on the planning maps by the Specific Height Control Overlay. Development standards also address:

- 1. The effects of built development on adjoining sites and the streetscape,
- 2. Stormwater management, and
- 3. 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:

- 1. Achieve a high-quality built environment,
- 2. Manage the effects of development on neighbouring sites,
- 3. Achieve high quality living environments, and
- 4. Achieve attractive and safe streets and public spaces.

For developments requiring resource consent, these will be assessed against the policy framework set out by the relevant residential and overlay chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is increasingly important as the scale and density of development increases. Council provides design guidance for residential developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the High Density Residential Zone, other chapters of the District Plan 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

HRZ-01	Purpose of the High Density Residential Zone
--------	--

The High Density Residential Zone contributes to a well-functioning urban environment through the provision of predominantly residential activities and housing in locations that are appropriate for high density development.

HRZ-O2	Activities in the High Density Residential Zone
---------------	--

The High Density Residential Zone:

1. Predominantly provides for residential activities and housing, including housing types that support high density residential development, and
2. Provides for non-residential activities that:
 - a. Are compatible with the purpose and the planned character and planned urban built environment of the zone,
 - b. Are compatible with the amenity associated with high density residential development anticipated by the zone, and
 - c. Support the health and wellbeing of people and communities in the surrounding area.

HRZ-O3	Provision of housing
---------------	-----------------------------

The High Density Residential Zone provides for a variety of housing types and sizes that respond to:

1. Housing needs and demand, and
2. The neighbourhood's planned urban built environment, including six-storey buildings.

HRZ-O4	Planned character and planned urban built environment of the High Density Residential Zone
---------------	---

Built development in the High Density Residential Zone will positively contribute to a predominantly residential 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 a high concentration of building densities and forms, including:
 - a. Building heights up to six storeys, or
 - b. Buildings of up to 36m in identified areas adjacent to the City Centre Zone.
3. Is healthy, safe, attractive, and accessible,
4. Provides on-site outdoor living area and greenspace for residents, which contributes to visual residential amenity for adjoining properties and the street,
5. Includes opportunities for affordable housing, including through the provision of a variety of housing types and sizes,
6. Has a high level of access to commercial activities and community services through active and public transport, providing for well-connected and low emission communities,
7. Is integrated with existing and planned infrastructure, and
8. Is connected to open space and the natural environment.

Policies

HRZ-P1	Compatible activities
---------------	------------------------------

Provide for residential activities and non-residential activities that are compatible with the purpose, planned character and planned urban built environment of the zone, support the community's social, economic, and cultural wellbeing, and manage adverse effects on residential amenity.

HRZ-P2	Non-residential activities
---------------	-----------------------------------

Only allow non-residential activities where:

1. They support the social, economic and cultural well-being of the local community,
2. They are compatible with the purpose of the zone,
3. They are of an intensity, scale and design that is consistent with the planned character and planned urban built environment for the zone,

4. They have a functional need or operational need to locate in the zone, 5. The hours of operation are compatible with residential amenity anticipated by the zone, and 6. Adverse effects on adjoining sites and the safety and functionality of the transport network (including effects on pedestrians, cyclists, vehicles, and public transport) can be adequately mitigated.	
HRZ-P3	Other activities
Avoid activities that are incompatible with the purpose and planned urban environment of the High Density Residential Zone unless they: 1. Are ancillary to or associated with a residential activity, 2. Have a functional need or operational need to locate in the zone, and 3. Are managed to minimise effects on residential amenity.	
HRZ-P4	Provision of housing
Enable a variety of housing types with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.	
HRZ-P5	Benefits of sufficient housing capacity and variety
Recognise the benefits of high-density housing in providing sufficient housing capacity for the community of Lower Hutt, improving housing affordability, and enabling the efficient use of land, by providing for a variety of housing types at a mix of densities, including housing at high densities.	
HRZ-P6	Streets and open spaces
Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.	
HRZ-P7	Housing needs
Enable housing to be designed to meet the day-to-day needs of residents.	
HRZ-P8	High quality development
Provide for developments not meeting permitted activity status, while encouraging high-quality developments.	
HRZ-P9	Specific Height Control Overlay
Enable buildings of at least six storeys, with greater heights of up to 36m above ground level enabled in areas around the Lower Hutt City Centre, which are well-served by existing or planned commercial activities and community services.	
HRZ-P10	Retirement villages
Enable retirement villages in the Medium Density Residential Zone to where they to: 1. Provide for a greater density than other forms of residential developments in the zone and 2. Provide enable shared spaces, services, amenities and facilities, and 3. Provide affordability and the efficient provision of assisted living and care services 4. while in While: 5. Managing the effects of non-residential activities on within retirement villages on the surrounding environment, including a. the effects of non-residential activities within the retirement villages on the surrounding environment; b. effects on pedestrian safety and the safe and efficient movement of vehicles and other road users	

6. Provide good quality on-site amenity, recognising the day-to-day needs of residents as they age, and
7. Encourage the scale and design of the retirement village to:
a. Be Are of a high quality and align with the planned character and planned urban built environment, and
b. Achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

Commented [CN1]: Summerset [326.13b]

HRZ-P11	Changing urban environment
----------------	-----------------------------------

Recognise that development that achieves the planned character and planned urban built environment for the zone may result in changes to the type of residential amenity provided for in the surrounding area.

HRZ-P12	Urban design outcomes by meeting standard or assessment
----------------	--

Built development is managed to achieve the following outcomes 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.

1. Ensure adequate privacy for residential activities and other sensitive activities on the site and on adjacent sites.
2. ~~Ensure adequate access to daylight for residential activities on the site and on adjacent sites~~
~~Minimise adverse shading effects on adjoining sites~~
3. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent sites, and public open space.
4. Create a safe residential environment by enabling passive surveillance.
5. Ensure residential units have access to outdoor living spaces that:
 - a. Are located and oriented to ensure good access to sunlight,
 - b. Are of a functional size and configuration,
 - c. Provide screening or landscaping to contribute to privacy, or
 - d. Alternatively, public open space is located nearby that is accessible and functional for residents.
6. Provide a specified amount of landscaping on a site, or a lesser amount that is well-integrated with the development and provides a significant benefit to one or more of:
 - a. Aesthetics for the site, neighbouring sites, and the streetscape,
 - b. The management of stormwater, or
 - c. Ecological values.
7. ~~Supports the achievement of the planned character and planned urban built environment for the zone~~

Commented [KP2]: Urban Edge Planning Ltd [449.14]

Note:

The Council publishes 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.

HRZ-P13	Urban design outcomes for non-residential activities and developments of more than 3 units, and retirement villages
----------------	---

Commented [KP3]: Summerset Holdings [326.19a]

Built development for non-residential activities, or for more than 3 residential units per site, is managed to achieve the following outcomes.

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.

1. Create a safe and legible residential 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~~ Locating buildings so that spaces between them are purposeful and contribute positively to the site layout, ~~and~~
 - e. Integrating other CPTED measures at a scale appropriate for the site, ~~and~~
 - f. Ensuring visually prominent buildings contribute positively to the streetscape and public realm.
2. Avoid having carparking areas, loading areas, manoeuvring areas, and garages visually or physically dominate public and communal spaces or the streetscape.
 3. 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 aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
 - e. Contributes positively to streetscape amenity
 4. Ensure that activities have storage and servicing areas that:
 - a. Are of a functional size,
 - b. Are integrated into the site design to ensure they are conveniently located, accessible, secure, and minimise visual intrusion, and
 - c. Do not create health and safety hazards or nuisance (such as odour) for on-site residents or adjacent sites, ~~and~~
 - d. in the case of refuse storage and servicing areas, are adequately sized and located on site for the management, storage and collection of all waste and recycling materials expected to be generated by the development.
 5. Supports the achievement of the planned character and planned urban built environment for the zone

Note:

The council publishes 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.

HRZ-P14	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:~~

- ~~1. The protection of scenic views from private property;~~
- ~~2. The protection of scenic views from any part of a road where pedestrians cannot stop;~~
- ~~3. The protection of the visibility of commercial signage or advertising;~~
- ~~4. The protection of sunlight access to solar panels, where the height, setback, and height in relation to boundary standards are met or given written approval;~~
- ~~5. Limiting the height, scale, or density of developments where the height, setback, site coverage, height in relation to boundary, and density standards are met or waived;~~
- ~~6. The aesthetics or visual interest of residential buildings, including the use of techniques such as modulation of building form or variation of building materials, where the height, setback, and height in relation to boundary standards are met or given written approval.~~

HRZ-P15	Manage effects on the Marae Zone
----------------	---

Commented [KP4]: Kāinga Ora [386.44]

Commented [KP5]: Urban Edge Planning Ltd [449.14]

Commented [KP6]: Urban Edge Planning [449.6]

Commented [KP7]: Enviro NZ [323.051]

Commented [KP8]: Urban Edge Planning Ltd [449.14]

Commented [CN9]: Urban Edge Planning Ltd [449.10]

Manage development on sites neighbouring marae in the Marae Zone to ensure that risks to cultural safety and tikanga from overlooking, visual dominance, and noise are appropriately addressed in consultation with tangata whenua.

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 relevant rules and activity status of an activity are set out in the General Approach chapter.

Buildings and structures

HRZ-R1	Repair and maintenance of buildings and structures
	1. Activity status: Permitted
HRZ-R2	Demolition or removal of buildings and structures
	1. Activity status: Permitted.
HRZ-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. HRZ-S2: Building coverage, ii. HRZ-S3: Building height, iii. HRZ-S4: Height in relation to boundary, iv. HRZ-S5: Setbacks, v. HRZ-S6: Height in relation to boundary and setbacks for site boundaries adjoining the Marae Zone, vi. HRZ-S7: Permeable surface, vii. HRZ-S8: Outdoor living space, viii. HRZ-S9: Outlook space, ix. HRZ-S10: Windows to street and x. HRZ-S11: Landscaped area.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with HRZ-R3.1. Matters of discretion are restricted to: 1. The matters of discretion for any infringed standard. Public notification is precluded for applications under this rule.

Land use activities

HRZ-R4	Residential activities
	1. Activity status: Permitted. Where: a. Compliance is achieved with:

- i. HRZ-S1: Number of residential units,
- ii. HRZ-S8: Outdoor living space,
- iii. HRZ-S9: Outlook space,
- iv. HRZ-S10: Windows to street, and
- v. HRZ-S11: Landscaped area.

2. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with HRZ-R4.1.

Matters of discretion are restricted to:

- 1. The matters of discretion for any infringed standard.

Notification:

Public notification is precluded for applications under this rule.

Limited notification is precluded for applications under this rule where compliance is not achieved with HRZ-S1 (limited notification is not precluded where there compliance is also not achieved with any of the other standards of HRZ-R4.1).

HRZ-R5

Papakāinga

1. Activity status: Permitted

Where:

- a. Non-residential activities associated with the papakāinga do not include:
 - i. The repair, alteration, restoration, or maintenance of motor vehicles, or
 - ii. The use of heavy vehicles, or
 - iii. Any drive-through activity.
- b. The hours of operation for visitors, customers, clients, deliveries, and pickups for non-residential purposes are not outside the hours of:
 - i. 8.00am to 7.00pm Monday to Friday, and
 - ii. 9.00am to 6.00pm Saturday, Sunday, and public holidays.
- c. All materials and goods stored, repaired, or manufactured in association with non-residential activities and all storage of refuse from non-residential activities must be within a building or screened from view at ground level.
- d. Retail activities are limited to:
 - i. Goods produced on the site, or
 - ii. Goods retailed online and not resulting in customer visits to the site, or
 - iii. Goods ancillary to a service provided by the papakāinga.
- e. The total gross floor area of non-residential activities is no more than 200m².
- f. There are no more than 5 residential units within the papakāinga, and
- g. Compliance is achieved with:
 - i. HRZ-S8: Outdoor living space, and
 - ii. HRZ-S9: Outlook space.

2. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with the standards listed in HRZ-R5.1.

Matters of discretion are restricted to:

- 1. The effects on the amenity of the surrounding residential area and residents.
- 2. Where HRZ-R5.1 (b), (d) or (f) are not met: the effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.

3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.
4. Where HRZ-R5.1(f) is not met: the capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the development.
5. Where HRZ-R5.1(g) is not met: the matters of discretion for any infringed standard.
6. The matters in policies:
 - a. HRZ-P1: Compatible activities,
 - b. HRZ-P2: Non-residential activities, and
 - c. HRZ-P3: Other activities
7. The urban design matters in HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units and HRZ-P14: Urban design outcomes (exclusions).
8. The matters in the policies of the Papakāinga chapter.

HRZ-R6**Home businesses****1. Activity status:** Permitted

Where:

- a. At least one person employed by the home business lives permanently at the residential unit associated with the home business.
- b. No more than four people may work onsite at the home business at any one time.
- c. Retail activities are limited to:
 - i. Goods produced on the site, or
 - ii. Goods retailed online and not resulting in customer visits to the site, or
 - iii. Goods ancillary to a service provided by the home business.
- d. The home business does not include the repair, alteration, restoration, or maintenance of motor vehicles.
- e. The home business does not involve the use of trucks or other heavy vehicles.
- f. The hours of operation for visitors, customers, clients, deliveries, and pickups to the home business are not outside the hours of:
 - i. 8.00am to 7.00pm Monday to Friday, and
 - ii. 9.00am to 6.00pm Saturday, Sunday, and public holidays.
- g. All materials and goods stored, repaired, or manufactured in association with the home business and all storage of refuse from the home business must be within buildings or screened from view at ground level.

2. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with HRZ-R6.1.

Matters of discretion are restricted to:

1. The effects on the residential amenity of the surrounding area.
2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.
3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.
4. The matters in policies:
 - a. HRZ-P2: Non-residential activities,
 - b. HRZ-P3: Other activities,
 - c. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and
 - d. HRZ-P14: Urban design outcomes (exclusions).

HRZ-R7	Visitor accommodation
	1. Activity status: Permitted Where: a. The maximum occupancy, including staff and visitors, is limited to 10 persons at any one time.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with HRZ-R7.1. Matters of discretion are restricted to: 1. The effects on the residential amenity of the surrounding area. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters in policies: a. HRZ-P2: Non-residential activities, b. HRZ-P3: Other activities, c. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and d. HRZ-P14: Urban design outcomes (exclusions).
HRZ-R8	Child care services
	1. Activity status: Permitted Where: a. The maximum number of children being cared for does not exceed five at any one time, excluding any children who are normally a resident at a residential unit associated with the child care service.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with HRZ-R8.1. Matters of discretion are restricted to: 1. The effects on the residential amenity of the surrounding area. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters in policies: a. HRZ-P2: Non-residential activities, b. HRZ-P3: Other activities, c. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and d. HRZ-P14: Urban design outcomes (exclusions).
HRZ-R9	Supported residential care facility

Commented [KP10]: Consequential change

Commented [KP11]: Consequential change

	1. Activity status: Permitted Where: The maximum number of people accommodated at the supported residential care facility, including staff and residents, does not exceed 10.
	2. Activity status: Restricted discretionary Where: - Compliance is not achieved with HRZ-R9.1. Matters of discretion are restricted to: - The effects on the residential amenity of the surrounding area. - The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. - The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. - The matters in policies: - HRZ-P2: Non-residential activities, - HRZ-P3: Other activities, - HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and HRZ-P14: Urban design outcomes (exclusions).
HRZ-R10	Commercial activities not otherwise provided for
	1. Activity status: Restricted discretionary Where: - The total gross floor area of the commercial activities does not exceed 200m² per site. - The commercial activity is entirely indoors. - The commercial activity is not paid carparking, a motor vehicle servicing activity, a service station, a drive-through activity, or a yard-based retail activity. - The hours of operation are not outside: 7.00am to 9.00pm Monday to Friday, and 8.00am to 7.00pm Saturday, Sunday, and public holidays. Matters of discretion are limitedrestricted to: - The extent to which the intensity and scale of the activity may adversely affect the residential amenity of the surrounding area. - Whether the business is compatible with the character of the surrounding neighbourhood, or whether the activity would be better located in a commercial or mixed-use centre. - The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. - Whether the activity positively contributes to the urban environment including active frontage, and achieves attractive and safe streets. - Cumulative effects. - The matters in policies: - HRZ-P2: Non-residential activities, - HRZ-P3: Other activities, - HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and HRZ-P14: Urban design outcomes (exclusions).

Commented [KP12]: Consequential change

Commented [CN13]: Policy Planning team of Hutt City Council (440.5)

Commented [KP14]: Consequential change

2. Activity status: Discretionary	
Where:	
a. Compliance is not achieved with HRZ-R10.1.	
HRZ-R11	Health care activities
1. Activity status: Restricted discretionary	
Where:	
a. No more than four staff may work on the health care activity premises at any one time.	
Matters of discretion are limitedrestricted to:	
1. The effects on the residential amenity of the surrounding area.	
2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.	
3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.	
4. The matters in policies:	
a. HRZ-P2: Non-residential activities,	
b. HRZ-P3: Other activities,	
c. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and	
d. HRZ-P14: Urban design outcomes (exclusions).	
2. Activity status: Discretionary	
Where:	
a. Compliance is not achieved with HRZ-R11.1.	
HRZ-R12	Educational facilities (excluding child care services)
1. Activity status: Restricted discretionary	
Matters of discretion are restricted to:	
1. The effects on the residential amenity of the surrounding area.	
2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.	
3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.	
4. The matters in policies:	
a. HRZ-P2: Non-residential activities,	
b. HRZ-P3: Other activities,	
c. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and	
d. HRZ-P14: Urban design outcomes (exclusions)	
HRZ-R13	Retirement villages
1. Activity status: Restricted discretionary	
Matters of discretion are limitedrestricted to:	
1. The effects on the residential amenity of the surrounding area.	
2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.	

Commented [CN15]: Policy Planning team of Hutt City Council (440.5)

Commented [KP16]: Consequential change

Commented [CN17]: Policy Planning team of Hutt City Council (440.5)

	3. The extent to which the site layout and any proposed landscaping helps to avoid or minimise the effects of the retirement village on surrounding residential areas, the streetscape, and adjoining public space. 4. The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the development. 5. The matters in policies: a. HRZ-P2: Non-residential activities, b. HRZ-P3: Other activities, c. HRZ-P9: Retirement villages, d. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and e. HRZ-P14: Urban design outcomes (exclusions).
HRZ-R14	Marae
	1. Activity status: Restricted discretionary Matters of discretion are limitedrestricted to: 1. The effects on the residential amenity of the surrounding area. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters in policies: a. HRZ-P2: Non-residential activities, b. HRZ-P3: Other activities, c. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and d. HRZ-P14: Urban design outcomes (exclusions).
HRZ-R15	Community facilities
	1. Activity status: Restricted discretionary Matters of discretion are limitedrestricted to: 1. The effects on the amenity of the surrounding residential area and residents. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters set out in policies: a. HRZ-P2: Non-residential activities, b. HRZ-P3: Other activities, c. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and d. HRZ-P14: Urban design outcomes (exclusions).
HRZ-R16	Emergency service facilities
	1. Activity status: Restricted discretionary Matters of discretion are limitedrestricted to: 1. The effects on the residential amenity of the surrounding area. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters set out in policies:

Commented [CN18]: Summerset [326.19b]

Commented [KP19]: Consequential change

Commented [CN20]: Policy Planning team of Hutt City Council (440.5)

Commented [KP21]: Consequential change

Commented [CN22]: Policy Planning team of Hutt City Council (440.5)

Commented [KP23]: Consequential change

Commented [CN24]: Policy Planning team of Hutt City Council (440.5)

	a. HRZ-P2: Non-residential activities, b. HRZ-P3: Other activities, c. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and d. HRZ-P14: Urban design outcomes (exclusions);
HRZ-R17	Activities not otherwise provided for
	1. Activity status: Discretionary
HRZ-R18	Industrial activities
	1. Activity status: Non-complying
HRZ-R19	Rural activities, Intensive indoor primary production, Rural industry, Top soil stripping and Turf farming
	1. Activity status: Non-complying
HRZ-R20	Quarrying activities and Mining activities
	1. Activity status: Non-complying

Commented [KP25]: Consequential change

General Rules

HRZ-R21	Outdoor storage and work areas
	1. Activity status: Permitted Where: a. The storage/work area is associated with a residential activity, or b. If the storage/work area are associated with a non-residential activity (including a home occupation) storage/work area is 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 1.8 metres in height.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with HRZ-R21.1. Matters of discretion are restricted to: 1. The effects on the amenity values of the surrounding area, including the streetscape and public spaces. 2. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on the surrounding residential area, including the streetscape and public spaces. 3. Any positive effects that can only be achieved through non-compliance with HRZ-R20.1.
HRZ-R22	Servicing
	1. Activity status: Permitted Where: a. Servicing occurs only between: i. 8:00am to 7:00pm Monday to Friday, and ii. 9:00am to 6:00pm Saturday, Sunday, and public holidays.

Commented [CN26]: Enviro NZ (323.054)

2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with HRZ-R22.1. Matter of discretion is restricted to: 1. The nighttime amenity of activities sensitive to noise in the surrounding area. Notification: Public notification is precluded for applications under this rule.

Standards

HRZ-S1	Number of residential units per site
1. There shall be no more than 3 residential units per site. Matters of discretion if the standard is breached: 1. The planned character and the planned urban built environment for the zone. 2. The capacity of network infrastructure for water supply, wastewater, stormwater, and land transport to service the development. 3. The matters in policies: a. HRZ-P4: Provision of housing, b. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and c. HRZ-P14: Urban design outcomes (exclusions). 4. Any positive effects, including positive effects of increasing housing capacity and variety.	
HRZ-S2	Building coverage
1. Building and structure coverage shall need not exceed 50%. 2. 1 does not apply to: a. Decks less than 5001mm in height, b. All structures less than 1.2 metres in height, and c. Any scaffolding or falsework erected temporarily for construction or maintenance purposes. d. <u>Eaves up to 600mm in width.</u> Matters of discretion if the standard is breached: 1. The planned character and the planned urban built environment for the zone. 2. Urban design outcomes 1, 2 and 3 in HRZ-P12: Urban design outcomes by meeting standard or assessment. 3. The matters in policy HRZ-P14: Urban design outcomes (exclusions). 4. Whether topographical or other site constraints make compliance with the standard impractical. 5. Any positive effects that cannot be achieved while meeting the standard.	
HRZ-S3	Building height
1. Buildings and structures must not exceed a maximum height above ground level of: a. For buildings a structure within the Specific Height Control Overlay: The maximum height shown in that overlay, b. In any other case: 22m, c. except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more as shown in HRZ-Figure 1. Matters of discretion if the standard is breached: 1. The planned character and the planned urban built environment for the zone.	

Commented [KP27]: Consequential change

Commented [KP28]: Go Architecture [331.21]

Commented [KP29]: Consequential change

2. Urban design outcomes 1, 2 and 3 in HRZ-P12: Urban design outcomes by meeting standard or assessment.
- ~~3. The matters in policy HRZ-P14: Urban design outcomes (exclusions).~~
4. Whether topographical or other site constraints make compliance with the standard impractical.
5. Any positive effects that cannot be achieved while meeting the standard.

This standard does not apply to:

- ~~1. The erection or installation of an emergency service tower or communication pole, up to a height of 15 metres, associated with an emergency services facility on the same site.~~

Commented [KP30]: Consequential change

Commented [KP31]: FENZ [374.70c]

HRZ-S4	Height in relation to boundary
--------	--------------------------------

1. Where up to 3 residential units occupy the site:
 - a. All buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level for all side and rear boundaries (as shown in the diagram HRZ-Figure 2).
2. Where 4 or more residential units occupy the site:
 - a. For the first 21.5m of a side boundary, as measured from the road frontage, buildings and structures must not project beyond a 60° recession plane measured from a point 8 metres vertically above ground level (as shown in the diagram HRZ-Figure 2), and
 - b. For all other boundaries and the remainder of the side boundary, buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level (as shown in the diagram HRZ-Figure 2).
3. Despite 2 above, for any boundary with a site in any other residential zone, a site containing a scheduled historic building or structure or a site in a heritage area, all buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level (as shown in the diagram HRZ-Figure 2) for that boundary.
4. 1, 2 and 3 do not apply to:
 - a. A boundary with a road,
 - b. Existing or proposed internal boundaries within a site,
 - c. Site boundaries where there is an existing common wall between 2 buildings on adjoining sites or where a common wall is proposed,
 - d. Boundaries adjoining a Commercial and Mixed Use Zone or an Industrial Zone,
 - e. Chimney structures not exceeding 1.1m in ~~width~~ on any elevation, provided these do not exceed the height in relation to boundary plane by more than 1m, and
 - f. Antennas, aerials, satellite dishes (less than 1m in diameter), flues, architectural features (e.g. finials, spires), provided these do not exceed the height in relation to boundary plane by more than 3m measured vertically.

Commented [CN32]: The Policy Planning Team HCC [440.66c]

- ~~g. The erection or installation of an emergency service tower or communication pole, up to a height of 15 metres, associated with an emergency services facility on the same site.~~

Commented [KP33]: FENZ [374.70c]

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. Urban design outcomes 1, 2 and 3 in HRZ-P12: Urban design outcomes by meeting standard or assessment.
- ~~3. The matters in policy HRZ-P14: Urban design outcomes (exclusions).~~
4. Whether topographical or other site constraints make compliance with the standard impractical.
5. Any positive effects that cannot be achieved while meeting the standard

Commented [KP34]: Consequential change

HRZ-S5	Setbacks
--------	----------

1. Buildings and structures shall be setback from the relevant boundary by the minimum depth listed below:
 - a. Front yard: 1.5m
 - b. Side yard: 1m
 - c. Rear yard: 1m
2. One accessory building may be located in a side and/or rear setback provided that the building does not extend more than 6m along the length of any boundary and is not located in a setback that adjoins the rail corridor.
3. 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.
4. This standard does not apply to:
 - a. boundary fences or walls of no more than 2m in height above ground level,
 - b. decks less than 5600mm in height,
 - c. all structures less than 1.2m in height, and
 - d. any scaffolding or falsework erected temporarily for construction or maintenance purposes.
 - e. ~~The erection or installation of an emergency service tower or communication pole, up to a height of 15 metres, associated with an emergency services facility on the same site~~
5. Eaves, chimneys, exterior hot water cylinders, and stormwater detention and retention tanks may encroach into any setback by up to 0.6m.

Commented [KP35]: Go Architecture [331.22]

Commented [KP36]: FENZ [374.70c]

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. Urban design outcomes 1, 2 and 3 in HRZ-P12: Urban design outcomes by meeting standard or assessment.
3. ~~The matters in policy HRZ P14: Urban design outcomes (exclusions);~~
4. Whether topographical or other site constraints make compliance with the standard impractical.
5. Any positive effects that cannot be achieved while meeting the standard.

Commented [KP37]: Consequential change

HRZ-S6

Height in relation to boundary and setbacks for site boundaries adjoining the Marae Zone

1. Buildings and structures on a site with a boundary adjoining the Marae Zone must not project beyond a 45° recession plane measured from a point 2.5 metres vertically above level on the boundary adjoining the Marae Zone.
2. For 1, where the boundary forms part of part of a legal right of way, entrance strip, access site, or pedestrian accessway the height in relation to boundary applies from the farthest boundary of the legal right of way, entrance strip, access site, or pedestrian accessway.
3. All buildings and structures on a site adjoining the Marae Zone must be setback by 1m from the boundary adjoining the marae, except that:
 - a. One accessory building may encroach into the boundary setback provided the building does not extend more than 6m along the length of the boundary adjoining the Marae Zone, and
 - b. Eaves may encroach into the boundary setback by up to 0.6m.

Matters of discretion if the standard is breached:

1. Privacy, visual dominance, shading, and noise effects on the tikanga and cultural safety of activities that occur at the marae.
2. Whether there are alternative methods, locations, or designs that would avoid or reduce the effects on tikanga and cultural safety.
3. The outcomes of any engagement with tangata whenua responsible for the marae, relevant to the effects of the standard not met.
4. Whether topographical or other site constraints make compliance with the standard impractical.
5. Any positive effects that cannot be achieved while meeting the standard.

HRZ-S7	Permeable surface
1. The minimum permeable surface area of a site is 30%. Matters of discretion if the standard is breached: - The effects on the stormwater system. - The potential for increased surface ponding and flooding. - The mitigation of additional stormwater runoff through means such as onsite stormwater disposal or retention. - Any positive effects that cannot be achieved while meeting the standard.	
HRZ-S8	Outdoor living space
1. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that: - Where located at ground level, has no dimension less than 3 metres, can contain a circle with a diameter of at least 3 metres - Where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres, - Is accessible from the residential unit, - May be: - Grouped cumulatively by area in 1 communally accessible location, or - Located directly adjacent to the unit. - Is free of buildings, parking spaces, and servicing and manoeuvring areas. 2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that: - Is at least 8 square metres and has a minimum dimension of 1.8 metres, - Is accessible from the residential unit, - May be: - Grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level, or - Located directly adjacent to the unit. Matters of discretion if the standard is breached: - The planned character and the planned urban built environment for the zone. - Urban design outcome 5 in HRZ-P12: Urban design outcomes by meeting standard or assessment. The matters in policy HRZ-P14: Urban design outcomes (exclusions). - Whether topographical or other site constraints make compliance with the standard impractical. - Any positive effects that cannot be achieved while meeting the standard. <u>This standard does not apply to:</u> <u>1. Retirement villages</u>	
HRZ-S9	Outlook space
- Outlook space for each residential unit must be provided from habitable room windows as shown in the diagram HRZ-Figure 3. - The minimum dimensions for a required outlook space are: - A principal living room must have an outlook space with a minimum dimension of 4m deep and 4m wide. - All other habitable rooms must have an outlook space with a minimum dimension of 1m deep and 1m wide. - The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies. - Outlook spaces may be over driveways and footpaths within the site, over a public street, or other public open space.	

Commented [KP38]: Go Architecture [331.23]

Commented [KP39]: Consequential change

Commented [CN40]: Summerset [326.21b]

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 if the standard is breached:

1. The planned character and the planned urban built environment for the zone.
2. Urban design outcomes 1 and 2 in HRZ-P12: Urban design outcomes by meeting standard or assessment.
3. The matters in policy HRZ-P14: Urban design outcomes (exclusions).
4. Any mitigation factors such as view or landscaping that compensates for a reduced outlook.
5. Whether topographical or other site constraints make compliance with the standard impractical.
6. Any positive effects that cannot be achieved while meeting the standard.

This standard does not apply to:

1. Retirement villages

Commented [CN41]: Summerset [326.22b]

HRZ-S10**Windows to street**

1. New Residential units and additions to existing residential units facing the street must have a minimum of 20% of the street-facing façade in glazing, where the residential unit has a boundary with the street and the street-facing façade is visible from the adjoining street. This can be in the form of windows or doors.

Matters of discretion if the standard is breached:

1. The planned character and the planned urban built environment for the zone.
2. Urban design outcome 4 in HRZ-P12: Urban design outcomes by meeting standard or assessment.
3. The matters in policy HRZ-P14: Urban design outcomes (exclusions).
4. Whether topographical or other site constraints make compliance with the standard impractical.
5. Any positive effects that cannot be achieved while meeting the standard.

This standard does not apply to:

1. Retirement villages

Commented [CN42]: Summerset [326.23b]

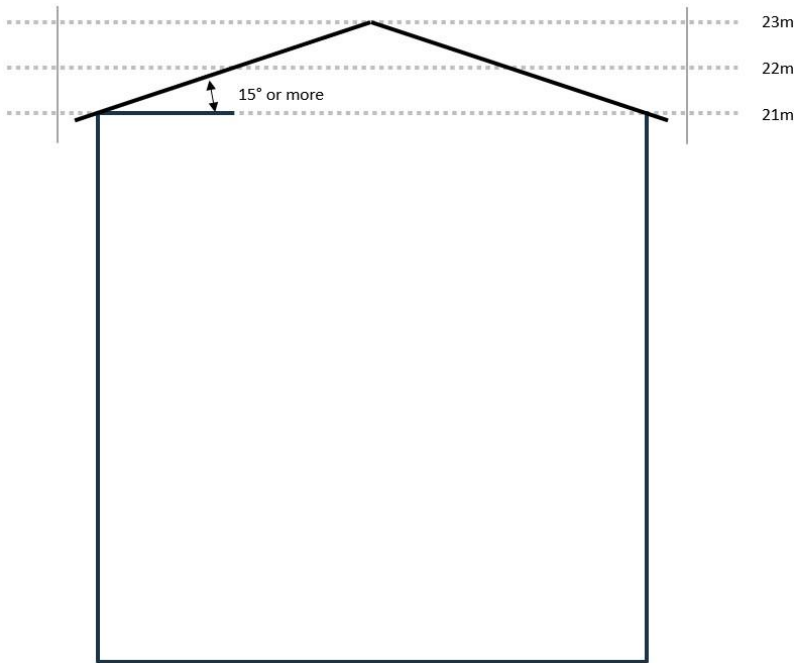
HRZ-S11**Landscaped area**

1. A minimum of 20% of a developed site shall be landscaped with grass or plants. The landscaped area can include tree canopies regardless of the ground treatment below them.
2. The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit.

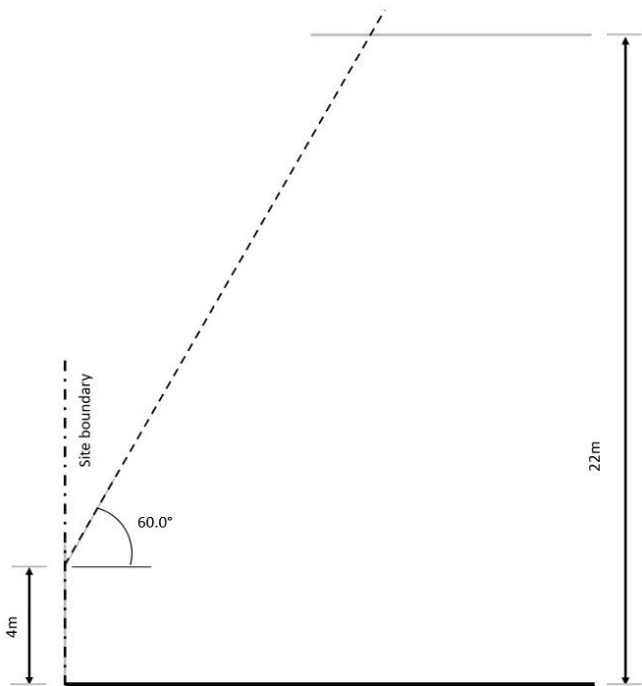
Matters of discretion if the standard is breached:

1. The planned character and the planned urban built environment for the zone.
2. Urban design outcome 6 HRZ-P12: Urban design outcomes by meeting standard or assessment.
3. The matters in policy HRZ-P14: Urban design outcomes (exclusions).
4. Whether topographical or other site constraints make compliance with the standard impractical.
5. Any positive effects that cannot be achieved while meeting the standard.

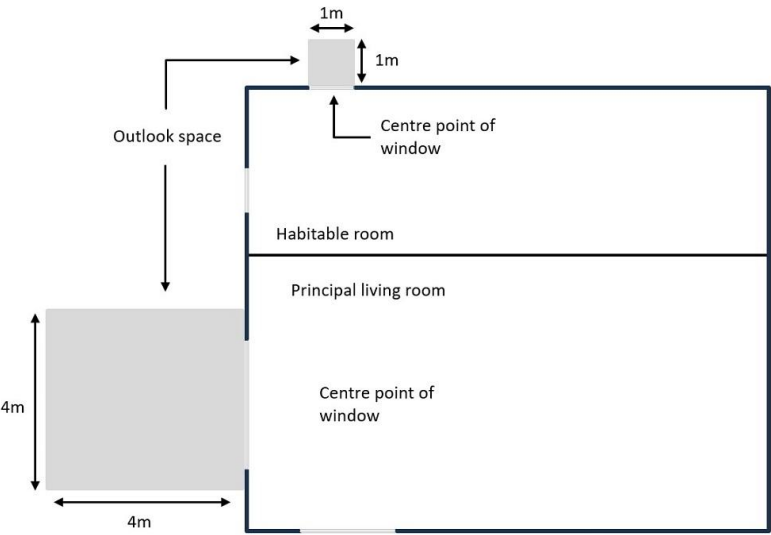
HRZ-Figure 1**Maximum height**



HRZ-Figure 2	Height in relation to boundary plane
--------------	--------------------------------------



HRZ-Figure 3 Outlook space per residential unit



MRZ — Medium Density Residential Zone

The Medium Density Residential Zone covers a significant portion of Lower Hutt's residential areas, including areas in the Hutt Valley floor, Western Hills, Stokes Valley, Wainuiomata and Eastern Bays. The Medium Density Residential Zone typically covers areas that have a lower level of access to commercial centres, community facilities and rapid transit services than the High Density Residential Zone.

While areas in the Medium Density Residential Zone are predominantly residential in nature, non-residential activities are provided for where they are compatible with the residential character of the area and serve the local community.

The planned urban built character for the Medium Density Residential Zone is a mix of low to medium density development, including detached dwellings, terraced housing, and low-rise apartments. The urban built character of an area will arise from the flexibility provided for by the Plan for individual development to take any low to medium density form. This supports increasing the capacity and choice of housing within neighbourhoods. It is anticipated that the heights, densities, and appearance of neighbourhoods in the zone will change over time. A mix of low to medium density residential development is permitted in the Medium Density Residential Zone. This includes stand-alone, semi-detached, terrace housing, and low-rise apartments of three storeys. Some areas in the Medium Density Residential Zone adjacent to the centres at Wainuiomata, Eastbourne, and Stokes Valley have been identified as being suitable to accommodate a more intensive form of residential development, subject to scale and design.

Built development is provided for in the Medium Density Residential Zone through a range of permitted activities and development standards that permit three residential units per site and buildings of up to three storeys. Development standards also address:

- The impacts of built development on adjoining sites and the streetscape,
- Stormwater management, and
- 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:

1. Achieve a high-quality built environment,
2. Manage the effects of development on neighbouring sites,
3. Achieve high quality living environments, and
4. Achieve attractive and safe streets and public spaces.

For developments requiring resource consent, these will be assessed against the policy framework set out by this chapter and the district-wide chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is increasingly important as the scale and density of development increases. Council provides design guidance for residential developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the Medium Density Residential Zone, other chapters of the District Plan 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.

MRZ-PREC: Shaftesbury Grove Development Precinct

The Shaftesbury Grove Development Precinct provides bespoke management of subdivision for an area in Shaftesbury Grove, Stokes Valley to enable urban development while protecting the land's

significant ecological values. The relevant policies and rules for this precinct are found in the Subdivision chapter

Commented [CN1]: The Policy Planning Team HCC [440.117]

Objectives

MRZ-O1	Purpose of the Medium Density Residential Zone
The Medium Density Residential Zone contributes to a well-functioning urban environment through the provision of predominately residential activities and housing in locations that are appropriate for medium density development.	
MRZ-O2	Activities in the Medium Density Residential Zone
The Medium Density Residential Zone: 1. Predominantly provides for residential activities and housing, including housing types that support a moderate density of residential development, and 2. Provides for non-residential activities that: a. Are compatible with the purpose and the planned character and planned urban built environment of the zone, b. Are compatible with the amenity associated with medium density residential development anticipated by the zone, and c. Support the health and wellbeing of people and communities in the surrounding area.	
MRZ-O3	Provision of housing
The Medium Density Residential Zone provides for a variety of housing types and sizes that respond to: 1. Housing needs and demand, and 2. The neighbourhood's planned urban built environment, including three-storey buildings.	
MRZ-O4	Planned character and planned urban built environment of the Medium Density Residential Zone
Built development in the Medium Density Residential Zone will positively contribute to a predominantly residential 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 a moderate concentration of building densities and forms, including: a. Building heights up to three storeys, or b. Building heights up to five storeys in identified areas adjacent to specified centre zones, 3. Is healthy, safe, attractive, and accessible, 4. Provides on-site outdoor living area and greenspace for residents, which contributes to visual residential amenity for adjoining properties and the street, 5. Includes opportunities for affordable housing, including through the provision of a variety of housing types and sizes, 6. Has good access to commercial activities and community services through active and public transport modes, providing for well-connected and low emission communities, 7. Is integrated with existing and planned infrastructure, and 8. Is connected to open space and the natural environment.	

Policies

MRZ-P1	Compatible activities
--------	-----------------------

Provide for residential activities and non-residential activities that are compatible with the purpose and the planned character and planned urban built environment of the zone, support the community's social, economic, and cultural wellbeing, and manage adverse effects on residential amenity.

MRZ-P2	Non-residential activities
---------------	-----------------------------------

Only allow non-residential activities where:

1. They support the social, economic and cultural well-being of the local community,
2. They are compatible with the purpose of the zone,
3. They are of an intensity, scale and design that is consistent with the planned character and planned urban environment for the zone,
4. They have a functional need or operational need to locate in the zone,
5. The hours of operation are compatible with residential amenity anticipated by the zone, and
6. Adverse effects on adjoining sites and the safety and functionality of the transport network (including effects on pedestrians, cyclists, vehicles, and public transport) can be adequately mitigated.

MRZ-P3	Other activities
---------------	-------------------------

Avoid activities that are incompatible with the purpose, planned character and planned urban built environment of the Medium Density Residential Zone unless they:

1. Are ancillary to or associated with a residential activity,
2. Have a functional need or operational need to locate in the zone, and
3. Are managed to minimise effects on residential amenity.

MRZ-P4	Provision of housing
---------------	-----------------------------

Enable a variety of housing types with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.

MRZ-P5	Benefits of medium-density housing
---------------	---

Recognise the benefits of medium-density housing, including:

1. Contributing to providing sufficient housing capacity for the community of Lower Hutt,
2. Improving housing affordability, and
3. The efficient use of land and infrastructure.

MRZ-P6	Streets and open spaces
---------------	--------------------------------

Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

MRZ-P7	Housing needs
---------------	----------------------

Enable housing to be designed to meet the day-to-day needs of residents.

MRZ-P8	High-quality development
---------------	---------------------------------

Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

MRZ-P9	Specific Height Control Overlay
---------------	--

Provide for additional building height in areas that are adjacent to the centres of Wainuiomata, Eastbourne, and Stokes Valley, which are well-served by existing or planned commercial activities and community services.

MRZ-P10	Retirement villages
----------------	----------------------------

Enable retirement villages in the Medium Density Residential Zone ~~to where they to:~~

1. Provide for a greater density than other forms of residential developments in the zone ~~and~~

2. ~~Provide enable~~ shared spaces, services, amenities and facilities, ~~and~~
3. ~~Provide~~ affordability and ~~the~~ efficient provision of assisted living and care services
4. ~~while m~~

While:

5. ~~Managing the effects of non-residential activities on~~ retirement villages on the surrounding environment, including
 - a. ~~the effects of non-residential activities within the retirement villages on the surrounding environment;~~
 - b. ~~effects on pedestrian safety and the safe and efficient movement of vehicles and other road users~~
6. Provide good quality on-site amenity, recognising the day-to-day needs of residents as they age, ~~and~~
7. ~~Encourage the scale and design of the retirement village to:~~
 - a. ~~Be Are~~ of a high quality and align with the planned character and planned urban built environment, and
 - b. ~~Achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.~~

MRZ-P11 Changing urban environment

Recognise that development that achieves the planned character and planned urban built environment for the zone may result in changes to the type of residential amenity provided for in the surrounding area.

MRZ-P12 Urban design outcomes by meeting standard or assessment

Built development is managed to achieve the following outcomes 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.

1. Ensure adequate privacy for residential activities and other sensitive activities on the site and on adjacent sites.
2. ~~Ensure adequate access to daylight for residential activities on the site and on adjacent sites.~~ Minimise adverse shading effects on adjoining sites
3. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent sites, and public open space.
4. Create a safe residential environment by enabling passive surveillance.
5. Ensure residential units have access to outdoor living spaces that:
 - a. Are located and oriented to ensure good access to sunlight,
 - b. Are of a functional size and configuration,
 - c. Provide screening or landscaping to contribute to privacy, or
 - d. Alternatively, public open space is located nearby that is accessible and functional for residents.
6. Provide a specified amount of landscaping on a site, or a lesser amount that is well-integrated with the development and provides a significant benefit to one or more of:
 - a. Aesthetics for the site, neighbouring sites, and the streetscape,
 - b. The management of stormwater, or
 - c. Ecological values.
7. ~~Supports the achievement of the planned character and planned urban built environment for the zone~~

Note:

The Council publishes 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.

Commented [CN2]: Urban Edge Planning Ltd [449.1]

Commented [KP3]: Urban Edge Planning Ltd [449.13]

MRZ-P13	Urban design outcomes for non-residential activities and developments of more than 3 residential units and retirement villages
Built development for non-residential activities, or for more than 3 residential units per site, is managed to achieve the following outcomes. 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. - Create a safe and legible residential environment by: - providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings), - enabling passive surveillance over public and communal spaces, - appropriately designing, demarcating, and lighting public, communal, and private spaces, avoiding wasted space or space of unclear function. <u>Locating buildings so that spaces between them are purposeful and contribute positively to the site layout and</u> - integrating other CPTED measures at a scale appropriate for the site and <u>Ensuring visually prominent buildings contribute positively to the streetscape and public realm.</u> - Avoid having carparking areas, loading areas, manoeuvring areas, and garages visually or physically dominate public and communal spaces or the streetscape. - Ensure on-site landscaping, where it is required by a standard or proposed as a mitigation of other effects: - Retains healthy and mature vegetation, - Uses planting that is appropriate for the climate and environment within the site, - Improves outlooks from dwellings and softens hard built surfaces, and - Provides one or more of aesthetic, stormwater management, ecological, or urban heat mitigation benefits. <u>Contributes positively to streetscape amenity</u> - Ensure that activities have storage and servicing areas that: - Are of a functional size, - Are integrated into the site design to ensure they are conveniently located, accessible, secure, and minimise visual intrusion and - Do not create health and safety hazards or nuisance (such as odour) for on-site residents or adjacent sites and <u>in the case of refuse storage and servicing areas, are adequately sized and located on site for the management, storage and collection of all waste and recycling materials expected to be generated by the development.</u> Note: The Council publishes 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.	
MRZ-P14	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: The protection of scenic views from private property, The protection of scenic views from any part of a road where pedestrians cannot stop, The protection of the visibility of commercial signage or advertising, The protection of sunlight access to solar panels, where the height, setback, and height in relation to boundary standards are met or given written approval, Limiting the height, scale, or density of developments where the height, setback, site coverage, height in relation to boundary, and density standards are met or waived, and	

Commented [KP4]: Summerset Holdings [326.19b]

Commented [KP5]: Kāinga Ora [386.30]

Commented [KP6]: Urban Edge Planning Ltd [449.14]

Commented [KP7]: Urban Edge Planning [449.13]

Commented [KP8]: Enviro NZ [323.044]

Commented [CN9]: Urban Edge Planning Ltd [449.9]

~~6. The aesthetics or visual interest of residential buildings, including the use of techniques such as modulation of building form or variation of building materials, where the height, setback, and height in relation to boundary standards are met or given written approval.~~

MRZ-P15	Manage effects on the Marae Zone
----------------	---

Manage development on sites neighbouring marae in the Marae Zone to ensure that risks to cultural safety and tikanga from overlooking, visual dominance, and noise are appropriately addressed in consultation with tangata whenua.

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 relevant rules and activity status for an activity are set out in the General Approach chapter.

Buildings and structures

MRZ-R1	Repair and maintenance of buildings and structures
---------------	---

1. **Activity status:** Permitted

MRZ-R2	Demolition or removal of buildings and structures
---------------	--

1. **Activity status:** Permitted

MRZ-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. MRZ-S2: Building coverage,
- ii. MRZ-S3: Building height,
- iii. MRZ-S4: Height in relation to boundary,
- iv. MRZ-S5: Setbacks,
- v. MRZ-S6: Height in relation to boundary and setbacks for site boundaries adjoining the Marae Zone,
- vi. MRZ-S7: Permeable surface,
- vii. MRZ-S8: Outdoor living space,
- viii. MRZ-S9: Outlook space,
- ix. MRZ-S10 Windows to street, and
- x. MRZ-S11: Landscaped area.

2. **Activity status:** Restricted discretionary

Where:

1. Compliance is not achieved with MRZ-R3.1.

Matters of discretion are restricted to:

1. The matters of discretion for any infringed standard.

Notification:

Public notification is precluded for applications under this rule.

Land use activities

MRZ-R4	Residential activities
	1. Activity status: Permitted Where: a. Compliance is achieved with: i. MRZ-S1: Number of residential units, ii. MRZ-S8: Outdoor living space, iii. MRZ-S9: Outlook space, iv. MRZ-S10 Windows to street, and v. MRZ-S11: Landscaped area.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with MRZ-R4.1. Matters of discretion are restricted to: 1. The matters of discretion for any infringed standard. Notification: Public notification is precluded for applications under this rule. Limited notification is precluded for applications under this rule where compliance is not achieved with MRZ-S1.
MRZ-R5	Papakāinga
	1. Activity status: Permitted Where: a. Non-residential activities associated with the papakāinga do not include: i. The repair, alteration, restoration, or maintenance of motor vehicles, or ii. The use of heavy vehicles, or iii. Any drive-through activity. b. The hours of operation for visitors, customers, clients, deliveries, and pickups for non-residential purposes are not outside the hours of: i. 8.00am to 7.00pm Monday to Friday, and ii. 9.00am to 6.00pm Saturday, Sunday, and public holidays. c. All materials and goods stored, repaired, or manufactured in association with non-residential activities and all storage of refuse from non-residential activities must be within a building or screened from view at ground level. d. Retail activities are limited to: i. Goods produced on the site, or ii. Goods retailed online and not resulting in customer visits to the site, or iii. Goods ancillary to a service provided by the papakāinga. e. The total gross floor area of non-residential activities is no more than 200m². f. There are no more than 5 residential units within the papakāinga, and g. Compliance is achieved with: i. MRZ-S8: Outdoor living space, and ii. MRZ-S9: Outlook space.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with the standards listed in MRZ-R5.1. Matters of discretion are restricted to: 1. The effects on the amenity of the surrounding residential area and residents.

2. Where MRZ-R5.1(b), (d) or (f) are not met: the effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.
3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.
4. Where MRZ-R5.1(f) is not met: the capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the development.
5. Where MRZ-R5.1(g) is not met: the matters of discretion for any infringed standard.
6. The matters in policies:
 - a. MRZ-P1: Compatible activities,
 - b. MRZ-P2: Non-residential activities, and
 - c. MRZ-P3: Other activities.
7. The urban design matters in policies:
 - a. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and
 - ~~b. MRZ-P14: Urban design outcomes (exclusions);~~
8. The matters in the policies of the Papakāinga chapter.

Commented [KP10]: Consequential amendment

MRZ-R6**Home businesses****1. Activity status:** Permitted

Where:

- a. At least one person employed by the home business lives permanently at the residential unit associated with the home business.
- b. No more than four people work onsite at the home business at any one time.
- c. Retail activities are limited to:
 - i. Goods produced on the site, or
 - ii. Goods retailed online and not resulting in customer visits to the home business, or
 - iii. Goods ancillary to a service provided by the home business.
- d. The home business does not include the repair, alteration, restoration, or maintenance of motor vehicles.
- e. The home business does not involve the use of heavy vehicles.
- f. The hours of operation for visitors, customers, clients, deliveries, and pickups to the home business are not outside the hours of:
 - i. 8.00am to 7.00pm Monday to Friday, and
 - ii. 9.00am to 6.00pm Saturday, Sunday, and public holidays.
- g. All materials and goods stored, repaired, or manufactured in association with the home business and all storage of refuse from the home business must be within or screened from view at ground level.

2. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with MRZ-R6.1.

Matters of discretion are restricted to:

1. The effects on the residential amenity of the surrounding area.
2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.
3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.
4. The matters in policies:
 - a. MRZ-P2: Non-residential activities,
 - b. MRZ-P3: Other activities,

	c. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and d. MRZ-P14: Urban design outcomes (exclusions);
MRZ-R7	Visitor accommodation
	1. Activity status: Permitted Where: a. The maximum occupancy, including staff and residents, is limited to 10 persons at any one time.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with MRZ-R7.1. Matters of discretion are restricted to: 1. The effects on the residential amenity of the surrounding area. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters in policies: a. MRZ-P2: Non-residential activities, b. MRZ-P3: Other activities, c. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and d. MRZ-P14: Urban design outcomes (exclusions);
MRZ-R8	Child care services
	1. Activity status: Permitted Where: a. The maximum number of children being cared for does not exceed five at any one time, excluding any children who are normally a resident at a residential unit associated with the child care service.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with MRZ-R8.1. Matters of discretion are restricted to: 1. The effects on the residential amenity of the surrounding area. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters in policies: a. MRZ-P2: Non-residential activities, b. MRZ-P3: Other activities, c. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and d. MRZ-P14: Urban design outcomes (exclusions);

Commented [KP11]: Consequential amendment

Commented [KP12]: Consequential amendment

Commented [KP13]: Consequential amendment

MRZ-R9	Supported residential care facility
1. Activity status: Permitted	
Where:	
a. The maximum number of people accommodated at the supported residential care facility, including staff and residents, does not exceed 10.	
2. Activity status: Restricted discretionary	
Where:	
a. Compliance is not achieved with MRZ-R9.1.	
Matters of discretion are restricted to:	
1. The effects on the residential amenity of the surrounding area.	
2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.	
3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.	
4. The matters in policies:	
a. MRZ-P2: Non-residential activities,	
b. MRZ-P3: Other activities,	
c. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and	
d. MRZ-P14: Urban design outcomes (exclusions);	
MRZ-R10	Health care activities
1. Activity status: Restricted discretionary	
Where:	
a. No more than four staff may work on the health care activity premises at any one time.	
Matters of discretion are limitedrestricted to:	
1. The effects on the residential amenity of the surrounding area.	
2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.	
3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.	
4. The matters in policies:	
a. MRZ-P2: Non-residential activities,	
b. MRZ-P3: Other activities,	
c. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and	
d. MRZ-P14: Urban design outcomes (exclusions);	
2. Activity status: Discretionary	
Where:	
a. Compliance is not achieved with RZ-R10.1.	
MRZ-R11	Educational facilities (excluding child care services)
1. Activity status: Restricted discretionary	
Matters of discretion are limitedrestricted to:	
1. The effects on the residential amenity of the surrounding area.	

Commented [KP14]: Consequential amendment

Commented [CN15]: Policy Planning team of Hutt City Council (440.5)

Commented [KP16]: Consequential amendment

Commented [CN17]: Policy Planning team of Hutt City Council (440.5)

	- The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. - The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. - The matters in policies: - MRZ-P2: Non-residential activities, - MRZ-P3: Other activities, - MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and MRZ-P14: Urban design outcomes (exclusions);
MRZ-R12	Retirement villages
	Activity status: Restricted discretionary Matters of discretion are limitedrestricted to: The effects on the residential amenity of the surrounding area. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. The extent to which the site layout and any proposed landscaping helps to avoid or minimise the effects of the retirement village on surrounding residential areas, the streetscape, and adjoining public space. - The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the development. - The matters in policies: MRZ-P2: Non-residential activities; MRZ-P3: Other activities; - MRZ-P10: Retirement villages; - MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and MRZ-P14: Urban design outcomes (exclusions);
MRZ-R13	Marae
	Activity status: Restricted discretionary Matters of discretion are limitedrestricted to: - The effects on the residential amenity of the surrounding area. - The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. - The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. - The matters in policies: - MRZ-P2: Non-residential activities, - MRZ-P3: Other activities, - MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and MRZ-P14: Urban design outcomes (exclusions);
MRZ-R14	Community facilities
	Activity status: Restricted discretionary Matters of discretion are limitedrestricted to: - The effects on the residential amenity of the surrounding area. - The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.

Commented [KP18]: Consequential amendment

Commented [CN19]: Policy Planning team of Hutt City Council (440.5)

Commented [CN20]: Summerset [326.19a]

Commented [KP21]: Consequential amendment

Commented [CN22]: Policy Planning team of Hutt City Council (440.5)

Commented [KP23]: Consequential amendment

Commented [CN24]: Policy Planning team of Hutt City Council (440.5)

	3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters in policies: - MRZ-P2: Non-residential activities, - MRZ-P3: Other activities, - MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and MRZ-P14: Urban design outcomes (exclusions);
MRZ-R15	Emergency service facilities
	1. Activity status: Restricted discretionary Matters of discretion are limitedrestricted to: - The effects on the residential amenity of the surrounding area. - The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. - The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. - The matters in policies: - MRZ-P2: Non-residential activities, - MRZ-P3: Other activities, - MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and MRZ-P14: Urban design outcomes (exclusions);
MRZ-R16	Activities not otherwise provided for
	1. Activity status: Discretionary
MRZ-R17	Industrial activities
	1. Activity status: Non-complying
MRZ-R18	Rural activities, Intensive indoor primary production, Rural industry, Top soil stripping and Turf farming
	1. Activity status: Non-complying
MRZ-R19	Quarrying activities and Mining activities
	1. Activity status: Non-complying

General Rules

MRZ-R20	Outdoor storage and work areas
	1. Activity status: Permitted Where: - The storage/work area is associated with a residential activity, or - If the storage/work area are associated with a non-residential activity (including a home occupation) storage/work area is 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 1.8 metres in height.

Commented [KP25]: Consequential amendment

Commented [CN26]: Policy Planning team of Hutt City Council (440.5)

Commented [KP27]: Consequential amendment

2. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with MRZ-R20.1.

Matters of discretion are restricted to:

1. The effects on the amenity values of the surrounding area, including the streetscape and public spaces.
2. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on the surrounding residential area, including the streetscape and public spaces.
3. Any positive effects that can only be achieved through non-compliance with MRZ-R20.1.

MRZ-R21**Servicing****1. Activity status:** Permitted

Where:

- a. Servicing occurs only between:
 - i. 9:00am to 7:00pm Monday to Friday, and
 - ii. 9:00am to 6:00pm Saturday, Sunday, and public holidays.

Commented [CN28]: Enviro NZ (323.047)

2. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with RZ-R21.1.

Matters of discretion are restricted to:

1. The night-time amenity of activities sensitive to noise in the surrounding area.

Notification:

Public notification is precluded for applications under this rule.

Standards**MRZ-S1****Number of residential units per site**

1. There must be no more than 3 residential units per site.

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. The capacity of network infrastructure for water supply, wastewater, stormwater, and land transport to service the development.
3. The matters in policies:
 - a. MRZ-P4: Provision of housing,
 - b. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and
 - c. ~~MRZ-P14: Urban design outcomes (exclusions).~~
4. Any positive effects, including positive effects of increasing housing capacity and variety.

Commented [KP29]: Consequential amendment

MRZ-S2**Building coverage**

1. Building and structure coverage must not exceed 50%.
2. 1 does not apply to:
 - a. Decks less than ~~500mm~~ 1m in height,
 - b. All structures less than 1.2 metres in height, and
 - c. Any scaffolding or falsework erected temporarily for construction or maintenance purposes.
 - d. Eaves up to 600mm in width.

Commented [KP30]: Go Architecture [331.17]

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. The matters in policies:
 - a. Urban design outcomes 1, 2 and 3 in MRZ-P12: Urban design outcomes by meeting standard or assessment, and
 - b. ~~MRZ-P14: Urban design outcomes (exclusions).~~
3. Whether topographical or other site constraints make compliance with the standard impractical.
4. Any positive effects that cannot be achieved while meeting the standard.

Commented [KP31]: Consequential amendment

MRZ-S3**Building height**

1. Buildings and structures must not exceed a maximum height above ground level of:
 - a. For buildings a structure within the Specific Height Control Overlay: The maximum height shown in that overlay,
 - b. In any other case: 11m,
 Except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more as shown in MRZ-Figure 1.

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. The matters in policies:
 - a. Urban design outcomes 1, 2 and 3 in MRZ-P12: Urban design outcomes by meeting standard or assessment, and
 - b. ~~MRZ-P14: Urban design outcomes (exclusions).~~
3. Whether topographical or other site constraints make compliance with the standard impractical.
4. Any positive effects that cannot be achieved while meeting the standard.

Commented [KP32]: Consequential amendment

This standard does not apply to:

1. The erection or installation of an emergency service tower or communication pole, up to a height of 15 metres, associated with an emergency services facility on the same site.

Commented [KP33]: FENZ [374.70b]

MRZ-S4**Height in relation to boundary**

1. With the exceptions of 2 and 3 below, buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown in MRZ-Figure 2.
2. For buildings and structures within the Specific Height Control Overlay, for the first 21.5m of a side boundary, as measured from the road frontage, buildings and structures must not project beyond a 60° recession plane measured from a point 6 metres vertically above ground level.
3. For 1 and 2, where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian accessway, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian accessway.
4. 1 and 2 do not apply to:
 - a. A boundary with a road,
 - b. Existing or proposed internal boundaries within a site,
 - c. Site boundaries where there is an existing common wall between 2 buildings on adjoining sites or where a common wall is proposed,
 - d. Boundaries adjoining a Commercial and Mixed Use Zone or an Industrial Zone,
 - e. Chimney structures not exceeding 1.1m in with on any elevation, provided these do not exceed the height in relation to boundary plane by more than 1m, and
 - f. Antennas, aerials, satellite dishes (less than 1m in diameter), flues, architectural features (e.g. finials, spires), provided these do not exceed the height in relation to boundary plane by more than 3m measured vertically.

~~g. The erection or installation of an emergency service tower or communication pole, up to a height of 15 metres, associated with an emergency services facility on the same site~~

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. The matters in policies:
 - a. Urban design outcomes 1, 2 and 3 in MRZ-P12: Urban design outcomes by meeting standard or assessment, and
 - ~~b. MRZ P14: Urban design outcomes (exclusions).~~
3. Whether topographical or other site constraints make compliance with the standard impractical.
4. Any positive effects that cannot be achieved while meeting the standard.

Commented [KP34]: FENZ [374.70b]

Commented [KP35]: Consequential amendment

MRZ-S5**Setbacks**

1. Buildings and structures must be setback from the relevant boundary by the minimum depth listed below:
 - a. Front yard: 1.5m.
 - b. Side yard: 1m.
 - c. Rear yard: 1m.
2. One accessory building may be located in a side and/or rear setback provided that the building does not extend more than 6m along the length of any boundary and is not located in a setback that adjoins the rail corridor.
3. 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.
4. This standard does not apply to:
 - a. boundary fences or walls of no more than 2m in height above ground level,
 - b. decks less than ~~5600mm~~ in height,
 - c. all structures less than 1.2m in height, and
 - d. any scaffolding or falsework erected temporarily for construction or maintenance purposes.
- ~~e. The erection or installation of an emergency service tower or communication pole, up to a height of 15 metres, associated with an emergency services facility on the same site~~
5. Eaves, chimneys, exterior hot water cylinders, and stormwater detention and retention tanks may encroach into any setback by up to 0.6m.

Commented [KP36]: Go Architecture [331.18]

Commented [KP37]: FENZ [374.70b]

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. The matters in policies:
 - a. Urban design outcomes 1, 2 and 3 in MRZ-P12: Urban design outcomes by meeting standard or assessment, and
 - ~~b. MRZ P14: Urban design outcomes (exclusions).~~
3. Whether topographical or other site constraints make compliance with the standard impractical.
4. Any positive effects that cannot be achieved while meeting the standard.

Commented [KP38]: Consequential amendment

MRZ-S6**Height in relation to boundary and setbacks for site boundaries adjoining the Marae Zone**

1. Buildings and structures on a site with a boundary adjoining the Marae Zone must not project beyond a 45° recession plane measured from a point 2.5 metres vertically above ground level on the boundary adjoining the Marae Zone.
2. For 1, where the boundary forms part of part of a legal right of way, entrance strip, access site, or pedestrian accessway, the height in relation to boundary applies from the farthest boundary of the legal right of way, entrance strip, access site, or pedestrian accessway.

3. All buildings and structures on a site adjoining the Marae Zone must be setback by 1m from the boundary adjoining the marae, except that:
 - a. One accessory building may encroach into the boundary setback provided the building does not extend more than 6m along the length of the boundary adjoining the Marae Zone, and
 - b. Eaves may encroach into the boundary setback by up to 0.6m.

Matters of discretion if the standard is breached:

1. Privacy, visual dominance, shading, and noise effects on the tikanga and cultural safety of activities that occur at the marae.
2. Whether there are alternative methods, locations, or designs that would avoid or reduce the effects on tikanga and cultural safety.
3. The outcomes of any engagement with tangata whenua responsible for the marae, relevant to the effects of the standard not met.
4. Whether topographical or other site constraints make compliance with the standard impractical.
5. Any positive effects that cannot be achieved while meeting the standard.

MRZ-S7**Permeable surface**

1. The minimum permeable surface area of a site is 30%.

Matters of discretion if the standard is breached:

1. The effects on the stormwater system.
2. The potential for increased surface ponding and flooding.
3. The mitigation of additional stormwater runoff through means such as onsite stormwater disposal or retention.
4. Any positive effects that cannot be achieved while meeting the standard.

MRZ-S8**Outdoor living space**

1. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:
 - a. Where located at ground level, has no dimension less than 3 metres,
 - b. Where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres,
 - c. Is accessible from the residential unit,
 - d. May be:
 - i. Grouped cumulatively by area in 1 communally accessible location, or
 - ii. Located directly adjacent to the unit.
 - e. Is free of buildings, parking spaces, and servicing and manoeuvring areas.
2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
 - a. Is at least 8 square metres and has a minimum dimension of 1.8 metres,
 - b. Is accessible from the residential unit,
 - c. May be:
 - i. Grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level, or
 - ii. Located directly adjacent to the unit.

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. The matters in policies:
 - a. Urban design outcome 5 in MRZ-P12: Urban design outcomes by meeting standard or assessment, and
 - ~~b. MRZ-P14: Urban design outcomes (exclusions).~~
3. Whether topographical or other site constraints make compliance with the standard impractical.
4. Any positive effects that cannot be achieved while meeting the standard.

Commented [KP39]: Consequential amendment

This standard does not apply to:
1. Retirement villages

Commented [CN40]: Summerset [326.21a]

MRZ-S9

Outlook space

1. Outlook space for each residential unit must be provided from habitable room windows as shown in the diagram MRZ-Figure 3.
2. The minimum dimensions for a required outlook space are:
 - a. A principal living room must have an outlook space with a minimum dimension of 4m deep and 4m wide.
 - b. All other habitable rooms must have an outlook space with a minimum dimension of 1m deep and 1m wide.
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, 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 if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. The matters in policies:
 - a. Urban design outcomes 1 and 2 in MRZ-P12: Urban design outcomes by meeting standard or assessment, and
 - b. ~~MRZ P14: Urban design outcomes (exclusions).~~
3. Any mitigation factors such as view or landscaping that compensates for a reduced outlook.
4. Whether topographical or other site constraints make compliance with the standard impractical.
5. Any positive effects that cannot be achieved while meeting the standard.

Commented [KP41]: Consequential amendment

This standard does not apply to:
1. Retirement villages

Commented [CN42]: Summerset [326.22a]

MRZ-S10

Windows to street

1. ~~New~~ Residential units and additions to existing residential units facing the street must have a minimum of 20% of the street-facing façade in glazing, where the residential unit has a boundary with the street and the street-facing façade is visible from the adjoining street. This can be in the form of windows or doors.

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. The matters in policies:
 - a. Urban design outcome 4 in MRZ-P12: Urban design outcomes by meeting standard or assessment, and
 - b. ~~MRZ P14: Urban design outcomes (exclusions).~~
3. Whether topographical or other site constraints make compliance with the standard impractical.
4. Any positive effects that cannot be achieved while meeting the standard.

Commented [KP43]: Consequential amendment

This standard does not apply to:
1. Retirement villages

Commented [CN44]: Summerset [326.23a]

MRZ-S11	Landscaped area
1. A minimum of 20% of a developed site shall be landscaped with grass or plants. The landscaped area can include tree canopies regardless of the ground treatment below them. 2. The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit. Matters of discretion if the standard is breached: 1. The planned character and planned urban built environment for the zone. 2. The matters in policies: a. Urban design outcome 6 MRZ-P12: Urban design outcomes by meeting standard or assessment, and b. MRZ-P14: Urban design outcomes (exclusions). 3. Whether topographical or other site constraints make compliance with the standard impractical. 4. Any positive effects that cannot be achieved while meeting the standard.	
MRZ-Figure 1	Maximum height
MRZ-Figure 2	Height in relation to boundary plane
MRZ-Figure 3	Outlook space per residential unit

