

**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

REPLY STATEMENT OF KATE PASCALL

ON BEHALF OF HUTT CITY COUNCIL

Hearing 3 – Residential and Rural

17 July 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 Reply Statement responds to the questions raised by the Hearings Panel through Minute 8, dated 2 July 2026, and other questions that arose through the hearing that I consider require a further response.
- 1.3 Except as expressly identified in this statement, all findings and recommendations contained in my original section 42A report and rebuttal evidence 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 RESPONSE TO MINUTE 8

- 3.1 This section responds to the questions raised by the Hearings Panel in Minute 8. Appendix 1 sets out my revised and updated recommended amendments in response to submitter evidence. Within Appendix 1, my Section 42A report recommended amendments are shown in red underlined or ~~strike through~~, further amendments recommended in my rebuttal evidence are shown in blue underline or ~~strike through~~, and amendments I am recommending in this Reply Statement are shown in green underlined or ~~strike through~~.

Urban design guidance¹

- 3.2 The Panel requested information about the process for the development of urban design guidance to support the implementation of the PDP, including:
- The timeline for preparation
 - Who will have input to its preparation
 - How it will be prepared
 - How they will be applied when a resource consent is required where MRZ-P12/P13 and HRZ-P12/P13 are matters of discretion.
- 3.3 I understand from Council officers that the intention is to commence the drafting of the urban design guidance prior to decisions on the PDP being notified. This will enable the guidance to be in place soon after decisions on submissions on the PDP are publicly notified and the PDP starts to be implemented. This also allows scope for the guides to reflect the final recommendations of the Panel and Council decisions, which would not be possible if the guidance was to be published prior to decisions. The Council are also awaiting the outcomes of resource management reform which may influence the form of the guidance material.
- 3.4 The Council will develop the guidance based on advice from a suitably qualified urban design expert(s) with experience in residential and commercial development. The Council's resource consents and urban design teams will also provide input (and any other teams who use the guidance or work with those that do e.g. Urban Plus, the Council's urban development company).
- 3.5 It is anticipated that engagement with the development community, including planners and other experts involved in preparing resource

¹ Paragraph 7 of Minute 8

consent applications, will occur. How this engagement will proceed has not yet been determined.

- 3.6 In terms of how the guidance will be applied where Policy MRZ-P12/HRZ-P12 and MRZ-P13/HRZ-P13 are matters of discretion, in the first instance, an applicant will need to assess their proposed activity against the policies with design guidance providing the supporting detail to guide and inform that assessment. The resource consents planner processing the application will then undertake an assessment of the application against the policies and determine whether further advice from an urban design expert is required.

Building coverage standard for the Large Lot Residential Zone²

- 3.7 The Panel have requested an explanation of the rationale for the 35% maximum building coverage standard that applies to the Large Lot Residential Zone (LLRZ).
- 3.8 Standard LLRZ-S2 specifies that no more than 35% of a site may be covered by buildings and structures. This standard has been carried over from the Operative District Plan (ODP) Hill Residential Activity Area. I note that the ODP applies a maximum site coverage standard of 15% in the Landscape Protection Residential Activity Area. Sites within the Landscape Protection Residential Activity Area are also included in the LLRZ in the PDP and the 15% maximum site coverage standard for these sites has not been carried over.
- 3.9 The 35% maximum building coverage standard reflects the intended lower density for the zone and aligns with the planned built character and amenity for the zone. In the ODP, the standard was set at this level to control building density and ensure that the amenity values and character of hillside areas is maintained. The standard also reflects the constraints on more intensive forms of development in this zone, such as infrastructure connections,

² Paragraph 8 of Minute 8

access and other factors, which necessitate a lower density of development.

Emergency service towers³

- 3.10 The Panel have sought clarification about why emergency service towers are exempt from setback and height in relation to boundary standards in residential zones but not in rural zones, and whether there should be a consistent approach.
- 3.11 I note that I originally recommended an exemption for emergency communication poles and service towers from the height, height in relation to boundary, and setback standards where they are on the same site as an emergency service facility for the residential zones in response to a submission from Fire and Emergency New Zealand (FENZ). However, in my rebuttal evidence I amended my recommendation so the exemption would only apply to the height standard. The PDP does not currently include any such exemptions.
- 3.12 Mr Horrell will address this matter in his Reply statement, and has advised that he intends to recommend aligning the approach in the Rural zones with the approach I have recommended in relation to Residential Zones.

Retirement Villages – Policy MRZ-P10/HRZ-P10⁴

- 3.13 The Panel asked if I consider the use of the word ‘affordable’ in Policy MRZ-P10/HRZ-P10 to be appropriate, and whether there is scope in the submission from Summerset to make any amendment.
- 3.14 In a RMA context, the NPS-UD does seek to improve housing affordability (Objective 2) which recognises this as a resource management issue needing to be addressed in some way through planning decisions. However, the NPS-UD does not go as far as directing that plans require individual developments to be affordable, rather the objective and the supporting provisions are

³ Paragraph 9 of Minute 8

⁴ Paragraph 10 of Minute 8

focussed on increasing housing capacity and supply which influences housing affordability in a broad sense.

- 3.15 Therefore, I consider it is appropriate to refer to affordability where a policy is seeking to **enable** an activity that contributes to housing affordability as part of a wider range of outcomes, rather than **requiring** housing affordability as an outcome. In the context of Policy MRZ-P10/HRZ-P10, the notified version of the policy is enabling and does not require affordability as an outcome. This is by virtue of the chapeau and how it relates to the subsequent clauses, as follows (my emphasis):

'Enable retirement villages in the Medium Density Residential Zone to:

- 1. Provide for a greater density than other forms of residential developments in the zone and enable shared spaces, services, amenities and facilities, **and affordability** and the efficient provision of assisted living and care services while managing the effects of non-residential activities in retirement villages on the surrounding environment,*
- 2. Provide good quality on-site amenity, recognising the day-to-day needs of residents as they age, and*
- 3. Encourage the scale and design of the retirement village to:*
 - a. Be 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.*

- 3.16 My interpretation of this direction is that the intention is to provide a supportive framework for retirement villages so that the outcomes listed in clauses 1 to 3 can be achieved, including affordability. It does not require retirement villages to deliver affordable housing.

- 3.17 However, in recommending amendments to the policy, I have shifted the policy direction so that retirement villages are only

provided for where they meet the clauses. This is a subtle but material difference in relation to the issue of affordability, and makes the policy more directive and restrictive.

3.18 In relation to the question of scope to amend the reference to affordability, Summerset have not raised this as an issue of concern in their submission, nor have they provided hearing evidence in response to my recommended amendments. There are no other submissions on the policy. On this basis, I do not consider there is scope to delete the reference to affordability. However, I have reconsidered my original recommended amendments and now recommend further amendments so that the policy would not require retirement villages to provide affordable housing but are enabled to do so.

3.19 I have also identified a drafting error in my original recommended amendments in clause 5, including duplication of ‘the effects of non-residential activities within retirement villages on the surrounding environment’ which I have corrected.

3.20 These amendments are shown in Appendix 1.

Update to Attachment 3 of the Section 42A Report⁵

3.21 The Panel has requested an update to the table in Attachment 3 of my Section 42A report, which sets out my assessment of rezoning requests. An updated table is provided in Appendix 2 of this Reply Statement. Note that this table now includes all rezoning requests relating to the LLRZ and MRZ. It does not include requests where the requested zone is the same as the zoning in the notified PDP (i.e where a MRZ zoning was requested for a site that is already proposed as MRZ in the PDP), rezoning from MRZ to HRZ, or from MUZ to MRZ.

⁵ Paragraph 11 of Minute 8

12 Shaftesbury Grove⁶

- 3.22 The Panel has requested confirmation of the extent to which the Private Plan Change approved under the ODP for 12 Shaftesbury Grove is more restrictive than MRZ provisions in the PDP.
- 3.23 The site at 12 Shaftesbury Grove has a Medium Density Residential Activity Area (MDRAA) zoning under the ODP, following Private Plan Change 58 which became operative in 2025. The Plan Change approval and subsequent updates to the ODP occurred after the PDP was notified as such the site has a zoning of LLRZ in the PDP.
- 3.24 Rezoning the site to MRZ, as requested by submitters, would mean the provisions for the site are the same as those in the ODP and approved through PC58. There are also site-specific provisions in the ODP Subdivision chapter (Chapter 11) that apply to the site, and the submitters' are seeking those provisions are carried over to the PDP unchanged. The relief sought in relation to those site-specific provisions will be addressed in a later hearing stream, however I have included the full suite of ODP subdivision provisions applying to 12 Shaftesbury Grove in Appendix 3 of this Reply statement. These site-specific provisions were put forward by the Requestor for Plan Change 58 to address a range of issues including ecology and infrastructure servicing. In brief:
- Under Rule 11.2.3.1, any subdivision of the site is a restricted discretionary activity with the first subdivision application required to provide a stormwater management plan, geotechnical assessment, an ecological assessment, landscape management plan, and an integrated transport assessment where the high trip generator thresholds are exceeded.
 - Council's discretion is restricted to a number of matters set out in Rule 11.2.3.1, including amenity values, existing natural features and topography, construction effects,

⁶ Paragraph 12 of Minute 8

design and layout, infrastructure servicing, transport, geotechnical and ecology matters (amongst others). All subsequent subdivision applications must then adhere to these assessments and management plans.

- All earthworks, building platforms, roads, private accesses, and utility structures are required to be identified and located within the Development Area (standard 11.2.3.2).

3.25 This more restrictive approach was a matter raised by the PC58 Independent Hearings Panel, particularly whether or not there were qualifying matters that justified such an approach given the Medium Density Residential Standards which sets a more permissive framework for subdivision. The subsequent response in evidence from the applicant was that the approach is justified given site-specific characteristics relating to ecology, infrastructure capacity, stormwater management, geotechnical, and landscape and visual. On this basis, the applicant's planner considered there are relevant qualifying matters that apply under s77I of the Act being⁷:

- S77I(a) matters of national importance under s6 of the RMA: s6(a) protection of rivers and their margins, s6(c) requiring the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and s6(h) relating to the management of significant risks from natural hazards.
- S77I(b) matters required in order to give effect to a national policy statement: the National Policy Statement for Indigenous Biodiversity (NPS-IB) and the National Policy Statement for Freshwater Management (NPS-FM)
- S77I(j) other matters: natural landscape values of the site and the provision of sufficient infrastructure.

3.26 The restricted discretionary activity status was considered necessary and appropriate as a starting point for subdivision to

⁷ Plan Change 58 Panel's Recommendation Report, page 20-23, <https://hccpublicdocs.azurewebsites.net/api/download/7210cb015bf3423eb849e753bed7dbae/districtplann/72165f2829535637f40c78021483f0c3fca70>

address site specific characteristics and qualifying matters. It was also noted that the rezoning of the site to Medium Density Residential Activity Area (MDRAA) with site specific restricted discretionary activity status for subdivision would still allow a greater density of development than the existing zoning of the site at the time, being Hill Residential Activity Area. Ultimately, it was considered that the controlled activity status was insufficient to manage the site-specific issues and characteristics.

- 3.27 The Independent Hearings Panel accepted the justification for a qualifying matter in relation to indigenous biodiversity. While they did not consider there was sufficient justification and supporting evidence for the other qualifying matters (s77I(b) and s77(j)), the Panel did accept that those matters require explicit consideration in a subdivision process.
- 3.28 In summary, the land use activity rules applying to the site under the ODP are no more restrictive than the MRZ in the PDP, however for subdivision the activity status is at least a restricted discretionary activity which is more restrictive than the MRZ generally where subdivision is provided for as a controlled activity, subject to standards.

Submission of Sanna and Mark McGavin⁸

- 3.29 The Panel requested confirmation that Sanna and Mark McGavin were aware that their submission relating to 35-39 Major Drive, Kelson, would be considered within Hearing Stream 3 rather than Hearing Stream 2. I have been advised by Council officers that the submitter was advised of this change.

Evidence from Paula Clarke (Go Architecture) – Standards MRZ-S10 and HRZ-S10⁹

- 3.30 I have considered the evidence presented by Ms Clarke in relation to MRZ-S10 and HRZ-S10 (Windows to Street) and Ms Moore has

⁸ Paragraph 13 of Minute 8

⁹ Paragraph 14 of Minute 8

provided comments in a separate reply statement in relation to this matter from an urban design perspective.

- 3.31 I note that the Windows to Street standard (MRS-S10/HRZ-S10) is a density standard within the Medium Density Residential Standards (MDRS). Any amendments to the standard can only be made to the extent that those amendments make the standard more enabling. I consider the amendments sought by Ms Clarke are generally more enabling.
- 3.32 Having considered Ms Clarke's evidence at the hearing, and the Reply evidence of Ms Moore, I consider it is reasonable to exclude existing residential units from the 20% glazing requirement and only apply the standard to additions/extensions that have a street-facing façade. I agree that it is unreasonable to apply this standard to the existing parts of the dwelling where glazing may already be non-compliant with this requirement. Accordingly, I recommend the following amendment to the standard:

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. This can be in the form of windows or doors.

Highly constrained roads overlay¹⁰

- 3.33 The Panel has requested an explanation of the intentions of the Highly Constrained Roads Overlay, whether there are other approaches to achieve the same outcome, and whether other district plans take this approach.
- 3.34 The Highly Constrained Roads Overlay has been introduced in the PDP Transport Chapter to manage effects on the capacity and safe functioning of roads identified within the overlay. The Council undertook an analysis of roads within the district that may require specific management, with this assessment focusing on the characteristics of the road such as formation width, crash history,

¹⁰ Paragraph 15, of Minute 8

road classification and zoning. Sites which have vehicle access only to these roads are included within the overlay. Ultimately, roads within the overlay are those where:

- The existing safe operation of the road is highly constrained
- There is potential for it to be worsened by additional traffic loading onto the road
- The potential for improving the road is constrained.

3.35 The Section 32 report for the Transport Chapter sets out in more detail the methodology for identifying the roads to be included (see Attachment 1 of the Section 32 report). In summary, an initial desktop assessment identified 9 roads, either the full length or part of the road, requiring further evaluation. The further evaluation included a site visit, analysis of the land development potential of land accessed from the shortlisted roads, and a workshop to confirm final selections. Following this, a final list of five roads were included in the overlay:

- Natusch Road, Belmont – full length
- Liverton Road, Kelson – full length
- Westhill Road, Point Howard – full length
- Waitohu Road, York Bay – where formed over the drainage reserve
- Mackenzie Road, Eastbourne – full length

3.36 These roads all contain one-way sections with limited opportunities for safe manoeuvring around vehicles travelling in the opposite direction and there is limited opportunity for those constraints to be improved.

3.37 For the roads that were not included, the Council determined that:

- The roads are generally wide enough to enable safe two-way movement at slow speeds

- Increases in vehicle traffic and subsequent worsening of operating conditions is not anticipated due to the existing land use and proposed zoning on the sites with access to these roads.
- Other methods could be used to manage safety issues that may arise over time such as speed or parking control, such that the Highly Constrained Roads provisions are unnecessary for these roads (which are not options available for the roads that are included in the overlay, or would be insufficient to manage the constraints).

3.38 The relevant provisions for the overlay are Policy TR-P6 and Rule TR-R4. Activities within the overlay are permitted provided the activity is a residential activity with no more than one residential unit on the site or a non-residential activity ancillary to an existing on-site activity. Where these permitted standards are not met, resource consent is required as a non-complying activity.

3.39 An alternative approach to the overlay would be to include a matter of discretion within zone chapters for land use activities relating to effects on the existing road network on the identified roads and/or a more restrictive activity status for subdivision. This approach was assessed in the section 32 report, however it was discounted on the basis it would not sufficiently manage the effects on the road network due to the activities that are permitted in the zones which would not be captured by such a mechanism.

3.40 I have also reviewed other district plans in the Wellington Region (Wellington City, Porirua City, Upper Hutt City, Kāpiti Coast District). None of those district plans use the approach taken in the Hutt City PDP. I am also unaware of other district plans outside the Region that use a similar approach.

Evidence from Laura Skilton¹¹

- 3.41 I acknowledge the comprehensive evidence statement from Ms Skilton, which I have now reviewed in full.
- 3.42 Ms Skilton has sought a number of amendments to objectives, policies, rules and standards for the Residential Zones as set out in Appendix B and Appendix C of her evidence. Upon reviewing these proposed amendments, I note that many of the provisions to which changes are sought were not included in Ms Skilton's original submission. I have assessed all the additional amendments sought in terms of scope, including in relation to other submissions that may provide sufficient scope. This assessment is set out in Appendix 4 of this Reply evidence.
- 3.43 I have identified four instances where there is scope in other submissions for the additional amendments sought by Ms Skilton. I address each of these in turn.

Objectives HRZ-O4/MRZ-O4

- 3.44 Ms Skilton seeks amendments to Objectives HRZ-O4/MRZ-O4 as follows:

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,

¹¹ Paragraph 16 of Minute 8

~~4. Provides on-site outdoor living area and greenspace for residents, which contributes to visual residential amenity for adjoining properties and the street minimum on-site outdoor living area for residents,~~

~~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.~~

3.45 As set out in Appendix 4, I consider there is scope to consider these changes insofar as they relate to MRZ-O4 through the submission from Malcolm Ross [477.3b] who sought the deletion of the objective.

3.46 Ms Skilton seeks these amendments on the basis that:

- The rules do not provide “spaces surrounding buildings” with the levels of development provided (both zones)
- The increased shade is not healthy, alleyways between buildings are not safe and large buildings in existing low-lying residential areas is not attractive. Not all areas are accessible
- The outdoor living space is significantly less than expectations of the average New Zealander. Large buildings in existing low-lying residential areas does not have any visual amenity.
- The rules do not allow open space and the only connection to the natural environment is via existing reserves that are not always adjacent to a site.

3.47 In my opinion, the proposed amendments would be detrimental to achieving good amenity outcomes in the context of higher density residential development. My understanding of Ms Skilton’s position

is that the rules do not require sufficient amenity in her opinion, so the objectives cannot be met. However, the MRZ and HRZ provisions, and particularly the objectives and policies which are not tied to the MDRS, have been developed to manage the effects of a more intensive urban form and to achieve a level of amenity in higher density areas while still providing sufficient housing capacity. The rules reflect that urban areas are expected to change over time in terms of their character and amenity to meet changing needs, and this is supported by Objective 4 and Policy 6 of the NPS-UD. However, by amending Objective HRZ-O4/MRZ-O4 in the way Ms Skilton seeks, I consider there will be insufficient statutory direction in the PDP to developers about what outcomes are being sought thereby creating uncertainty or resulting in poorer amenity outcomes than would otherwise be the case.

Policy HRZ-P2/MRZ-P2 (Non-residential activities)

- 3.48 Ms Skilton seeks amendments to Policy HRZ-P2/MRZ-P2, as follows:

Only allow non-residential activities where:

- 1. They support the social, economic and cultural well-being of the local community,*
- 2. They ~~are compatible~~ fit 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~~ of a residential 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*

- 3.49 I consider there is scope to consider these amendments insofar as they relate to Policy MRZ-P2 through the submission of Malcolm Ross [477.1] which sought the deletion of Policy MRZ-P2.
- 3.50 I understand Ms Skilton seeks these amendments on the basis that non-residential activities with 4 employees is incompatible with residential activities, and that the emphasis should be on the character of the residential area, rather than the planner character and planned urban built form of the area.
- 3.51 I disagree with the amendments put forward by Ms Skilton. I consider it is appropriate for the PDP to consider not only the existing character but the anticipated outcomes for the area where intensification is expected when considering the appropriateness of non-residential activities in the area. This approach supports the creation of a well-functioning urban environment by providing for activities that support the surrounding residential neighbourhood which may evolve over time and require non-residential activities that are proportionate to the density and scale of residential activity. The PDP includes suitable rules and standards to manage the scale and effects of these non-residential activities in a predominately residential environment. Accordingly, I do not recommend amending Policy MRZ-P2 as sought by Ms Skilton.

Policy HRZ-P13/MRZ-P13

- 3.52 Ms Skilton seeks amendments to Policy HRZ-P13/MRZ-P13, as follows:

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 ...

- 3.1 While these amendments go further than Ms Skilton's original submission, I consider there is sufficient scope to consider these amendments insofar as they relate to Policy MRZ-P13 in the submission of Kāinga Ora [386.30], who sought the deletion of this policy (but not Policy HRZ-P13).

- 3.2 I understand from Ms Skilton's evidence that she agrees with the PDP approach of requiring resource consent for 4 or more units, and that in her opinion 3 residential units on a single site is already high density. Policy MRZ-P13 applies where four or more units are proposed on a site and to non-residential activities. It also applies to non-residential activities. By deleting the reference to 'more than 3 residential units' the policy would then only apply to non-residential activities and there would be no urban design policy direction for proposals of four or more residential units. This is at odds with Ms Skilton's broader concerns about loss of amenity in these higher density environments.
- 3.3 On this basis, I disagree with the relief sought and do not recommend any further amendments to Policy MRZ-P13.

Rule HRZ-R11/MRZ-R10 Health care activities

- 3.4 Ms Skilton seeks amendments to Rule HRZ-R11/MRZ-R10 (Health care activities), as follows:

Rule HRZ-R11/ 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.*
- b. No more than two clinical rooms*

Matters of discretion are limited 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).*

3.5 These amendments are within scope because Ms Skilton sought the deletion of the rule in its entirety in her original submission. I consider this to be alternative relief sought by Ms Skilton, rather than replacement, although this is not clear in the evidence

3.6 In my opinion, the addition of a requirement limiting health care activities to two clinical rooms is unnecessary because clause (a) already limits the scale of these activities to four staff members on site at any one time. The number of staff available to meet with patients is likely to be a more limiting factor for scale and trip generation as health care services will determine an appropriate staff to patient ratio. In my opinion, this is an appropriate and sufficient trigger for determining when consent is required to manage environmental effects. I also note that the building and structures rules and standards will also place limits on the scale of buildings within the residential environment, such that a limit on the number of clinical rooms is unnecessary. On this basis, I do not agree with the relief sought by Ms Skilton in relation to Rule HRZ-R11/MRZ-R10.

3.7 All other amendments sought by Ms Skilton in her hearing evidence are either outside the scope of the original submission or align with the relief sought in the original submission. In my opinion, considering these proposed amendments at this stage of the PDP process would create natural justice issues because other parties have not had the opportunity to comment and provide a further submission in response.

RESPONSE TO OTHER QUESTIONS RAISED DURING THE HEARING

Shading effects

- 3.8 The Panel questioned how Policy MRZ-P12/HRZ-P12 would manage shading effects, particularly with my recommendation to delete clause 2 relating to daylight access.
- 3.9 As notified, Policy MRZ-P12/HRZ-P12 manages shading effects through clause 2, relating to access to daylight for residential activities on the site and on adjacent sites, and clause 3, relating to sunlight access to outdoor living spaces on the site, adjacent sites and public open space. This policy direction then relates to the associated standards, in particular the building height, setbacks, and height in relation to boundary.
- 3.10 In my section 42A report, I recommended deleting clause 2 of the policies on the basis that daylight is difficult to measure and compliance would be hard to achieve. This was following advice from Ms Moore in her Statement of Evidence (Attachment 4 of the Section 42A report). Ms Moore advised that sunlight is more readily able to be measured by urban designers, and that industry guidance is available to support such an assessment. However, Ms Moore also noted that daylight access could be added as a matter of discretion where the relevant standards were infringed, such as a side yard setback. I had overlooked this recommendation in Ms Moore's evidence.
- 3.11 I consider that with the deletion of clause 2, as recommended in my Section 42A report, there may be insufficient consideration for shading effects beyond outdoor living space (clause 3 of Policy MRZ-P12/HRZ-P12) where the building height, setback, or height in relation to boundary standards are breached and agree that this is an appropriate mechanism to manage shading effects. As it stands, there is no reference to shading effects in Policy MRZ-P12/HRZ-P12. I consider there should be reference to managing adverse shading effects on adjoining sites in MRZ-P12/HRZ-P12, and I recommend the following new clause:

2. Mitigate adverse shading effects on adjoining sites

3.12 I note the Panel asked if consequential amendments are required to other provisions as a result of my recommendation to delete clause 2 of MRZ-P12/HRZ-P12. This clause is referenced in matters of discretion in the following standards:

- MRZ-S3/HRZ-S3 Building height
- MRZ-S4/HRZ-S4 Height in relation to boundary
- MRZ-S5/HRZ-S5 Setbacks
- MRZ-S9/HRZ-S9 Outlook space

3.13 As I am now recommending a revised clause relating to shading (see paragraph 3.63), I consider the cross-reference in these matters of discretion in these standards remains relevant and should be retained.

Maximum gross floor area for minor residential dwelling units

3.14 The Panel sought clarification about the different gross floor area thresholds applied in the residential zones compared to the rural zones in relation to minor residential dwelling units. In my section 42A report I recommended aligning the maximum gross floor area standard for minor residential units (LLRZ-S1) with the National Environmental Standards for Detached Minor Residential Units (NES-DMRU). This resulted in a change from 60m² to 70m². By contrast, the equivalent rural zone standards have a maximum gross floor area of 80m².

3.15 Mr Horrell and Mr Bellamy intend to address this matter in their Reply Statement and recommend aligning the rural zone standard with the NES-DMRU. They also recommend applying the standard in relation to the internal floor area of the dwelling, rather than gross floor area with a supporting definition of 'internal floor area'. I agree with this approach for the reasons stated by Mr Horrell and Mr Bellamy, and I recommend amending LLRZ-S1(3) to align with the rural zone standards.

Silverstream Retreat Precinct

- 3.16 In relation to the precinct provisions for the Silverstream Retreat property, I was asked to advise whether the precinct is necessary and whether it imposes additional restrictions over and above the underlying zone provisions.
- 3.17 I note that the necessity of the Precinct and the nature of the provisions applying to it has not been raised as an issue in submissions.
- 3.18 The Precinct provides for the following as permitted activities with no limits on the scale of these activities:
- Conference facilities and places of assembly (LLRZ-PREC-R1)
 - Visitor accommodation (LLRZ-PREC-R1)
- 3.19 Outside of the Precinct, the LLRZ does not specifically provide for conference facilities and places of assembly and these activities default to a discretionary activity as non-residential activities not otherwise provided for under Rule LLRZ-R17.
- 3.20 Visitor accommodation is provided for in the LLRZ under Rule LLRZ-R7 as a permitted activity where the maximum occupancy, including staff and residents, is limited to 10 people at any one time.
- 3.21 All other activities on the site are subject to the underlying LLRZ rules including the building and structures rules LLRZ-R1, LLRZ-R2, and LLRZ-R3.
- 3.22 I have also considered this question in relation to the MRZ, given my recommendation in my rebuttal evidence to rezone part of the site (where the existing retreat activities are located) to MRZ from LLRZ. The MRZ rules are the same as the LLRZ in terms of visitor accommodation (permitted for up to 10 people) and conference facilities (not otherwise provided for – discretionary activity).

- 3.23 Under all zoning scenarios discussed in evidence and at the hearing, the Precinct is therefore more permissive in relation to the activities that align with the purpose of the Precinct, which is to provide for conference and visitor accommodation activities on the site, including future expansion of those activities.
- 3.24 I consider the Precinct is necessary to recognise this existing activity and the somewhat unique nature of the activities within the LLRZ given the underlying zone rules would not readily provide for this activity.

KATE LOUISE PASCALL

Hearing 3 – Residential and Rural

Boffa Miskell Limited (on behalf of Hutt City Council)

17 July 2026

APPENDIX 1: RECOMMENDED AMENDMENTS TO PROVISIONS

LLRZ — Large Lot Residential Zone

The Large Lot Residential Zone primarily provides for a mix of larger residential lots with detached housing types, including standalone houses, minor dwellings, and semi-detached houses.

The zone applies to areas where medium to high density development is generally inappropriate due to a lack of reticulated water, wastewater, or stormwater services, or access constraints. These factors have contributed to a low density residential environment with a high level of natural environment features. Medium to high density housing types, such as terrace housing and low-rise apartments, are only enabled where it can be demonstrated that the location is appropriate for more intensive development, including that the development can appropriately respond to existing constraints.

Development enabled within the zone contributes to 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.

While this chapter includes the core objectives, policies, and rules that apply to the Large Lot Density Residential Zone, other chapters of the District Plan play a role in the type and form of development within the Large Lot Density Residential Zone, including through overlays that may limit the level of development in some areas. As such, this chapter should be read alongside the district-wide chapters of the District Plan.

LLRZ-PREC1 — Silverstream Retreat Precinct

~~The Silverstream Retreat Precinct identifies the location of the Silverstream Retreat at 320 Eastern Hutt Road. This precinct enables activities associated with the operation of the Retreat, including visitor accommodation, conference facilities, and places of assembly.~~

~~This chapter sets a specific objective, policy, and rules for this precinct. Where an activity is not addressed by a specific provision for this precinct, the general provisions for the Large Lot Residential Zone apply.~~

Objectives

LLRZ-O1	Purpose of the Large Lot Residential Zone
The Large Lot Residential Zone contributes to a well-functioning urban environment through managing development in residential areas with constraints that mean they are less suited to the level of density and development found in other residential areas, particularly relatively steep slopes, high levels of vegetation cover, constraints in infrastructure, and lower levels of access to commercial services and community facilities.	
LLRZ-O2	Activities in the Large Lot Residential Zone
The Large Lot Residential Zone: a. Predominantly provides for residential activities and housing, including housing types that support low density, large lot residential development, with higher density and associated built form in locations where development constraints can be resolved, b. Provides for non-residential activities that are compatible with the purpose and the planned residential environment of the zone, the types of amenity values associated with low density, large lot residential development anticipated by the zone, and support the health and wellbeing of people and communities in the surrounding area, and	

c. Is characterised by spacious residential and natural amenity values.	
LLRZ-O3	Planned character and planned urban built environment of the Large Lot Residential Zone
Built development in the Large Lot Residential Zone will positively contribute to a predominately residential urban environment that: a. Primarily comprises buildings and generous spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to complement and enhance the spacious residential and natural amenity that characterise the zone, b. Has an urban built character that is characterised primarily by a low concentration of building densities and forms, including a maximum building height of 8m above ground level, c. Provides a healthy and safe environment for communities, d. Provides on-site amenity for residents, as well as residential amenity for adjoining properties and the street, e. Is integrated with existing and planned infrastructure, and f. Is well-connected to open space and the natural environment.	

Objectives – Silverstream Retreat Precinct

LLRZ- PREC1-O1	Activities and Built Development
<i>This objective is additional within the Silverstream Retreat Precinct.</i>	
<i>The Silverstream Retreat Precinct provides for activities and built development associated with the conference centre within the precinct.</i>	

Policies

LLRZ-P1	Compatible activities
Provide for residential activities that are: a. Compatible with the purpose, planned character and planned urban built environment of the zone, b. Support the community's social, economic, and cultural wellbeing, c. Respond to the servicing and access constraints in the zone, and d. Manage adverse effects on the spacious residential and natural amenity values of the zone.	
LLRZ-P2	Non-residential activities
Only allow non-residential activities where: a. The activity: i. Is ancillary to a residential activity on the site, or ii. Supports the social, economic, and cultural well-being of the local community, b. The activity is compatible with the purpose of the zone, c. The activity is of an intensity, scale and design that is consistent with the planned character and planned urban built environment for the zone, d. There is a functional need or operational need to locate in the zone, having regard to whether the activity has an operational need to locate in the zone given the community served by the activity, e. The hours of operation are compatible with residential amenity values, and f. 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.	
LLRZ-P3	Other activities

Avoid activities that are incompatible with the purpose and planned residential environment of the Large Lot Residential Zone unless they:

- a. Have a functional need or operational need to in that zone, and
- b. Are managed to minimise effects on residential amenity and character of the surrounding area.

LLRZ-P4	Residential character and amenity
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Require development to:

- a. Have predominately large net site areas to ensure low building density is achieved, and spacious residential and natural amenity values are retained, protected, and enhanced,
- b. Provide residents with outdoor living spaces via usable and accessible on-site private outdoor living space and through access to nearby public open space,
- c. Provide outlook areas from habitable rooms,
- d. Provide for privacy and sunlight access for adjoining sites,
- e. Achieve safe and attractive streets and public open spaces,
- f. Provide on-site services where reticulated services are not available,
- g. Recognise and respond to access constraints where they exist,
- h. Minimise adverse effects of driveways, manoeuvring, and vehicle parking areas on the quality and safety of the site and street, and
- i. Minimise vegetation clearance associated with development to protect regenerating bush cover and avoid, remedy, or mitigate adverse effects on:
 - a. The natural visual amenity values of the city fringe residential environment,
 - b. Slope stability, and
 - c. The intrinsic values of ecosystems.

LLRZ-P5	Higher density residential development
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Only allow higher density residential development where:

- a. The site is either:
 - i. Sufficiently supported by existing or planned three waters infrastructure and the development would not compromise the capacity and level of service of the infrastructure, or
 - ii. An alternative method to service the development with three waters infrastructure is proposed to resolve any constraints,
- b. The transport network can safely and efficiently provide access to and from the site without compromising the safety and efficiency of the transport network, including for pedestrians, having regard to the level of access to commercial services and community facilities,
- c. The development results in attractive and safe streets and public open spaces, including by providing for passive surveillance,
- d. The development achieves the same urban design outcomes sought for higher density developments in the Medium Density Residential Zone,
- e. Housing is designed to meet the day-to-day needs of residents, and
- f. The scale, design and siting of the buildings, and proposed retains spacious residential and natural amenity values of the zone when viewed from surrounding sites.

Policies — Silverstream Retreat Precinct

LLRZ- PREC1-P1	Precinct Activities
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This policy is additional within the Silverstream Retreat Precinct.

Enable conference facilities within the Silverstream Precinct as well as activities ancillary to the operation of conference facilities, including visitor accommodation.

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

Buildings and structures

LLRZ-R1	Repair and maintenance of buildings and structures
	1. Activity status: Permitted
LLRZ-R2	Demolition or removal of buildings and structures
	1. Activity status: Permitted
LLRZ-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. LLRZ-S2: Building coverage, ii. LLRZ-S3: Building height, iii. LLRZ-S4: Height in relation to boundary, iv. LLRZ-S5: Setbacks, v. LLRZ-S6: Permeable surface, and vi. LLRZ-S7: Landscaped area.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with LLRZ-R3.1. Matters of discretion are restricted to: 1. The matters of discretion in 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 LLRZ-R3.1.a.iv with regard to a front yard setback.

Land use activities

LLRZ-R4	Residential activities
	1. Activity status: Permitted Where: a. Compliance is achieved with LLRZ-S1: Number of residential units per site.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with LLRZ-R4.1. Matters of discretion are restricted to: 1. The matters of discretion for the infringed standard.

Notification:

Public notification is precluded for applications under this rule.

LLRZ-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 3 residential units within the papakāinga.

2. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with LLRZ-R5.1.

Matters of discretion are restricted to:

1. The effects on the amenity of the surrounding residential area and residents.
2. Where LLRZ-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 LLRZ-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. The matters in policies:
 - a. LLRZ-P1: Compatible activities,
 - b. LLRZ-P2: Non-residential activities,
 - c. LLRZ-P3: Other activities,
 - d. LLRZ-P4: Residential character and amenity, and
 - e. LLRZ-P5: Higher density residential development.
6. The matters in the policies of the Papakāinga chapter.

LLRZ-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, and deliveries, and pickups to the home business are not outside the hours of:
 - i. 8:00am to 7:00pm Monday to Friday,
 - ii. 9:00am to 6:00pm Saturday, Sunday, and public holidays, and
- 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 LLRZ-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. LLRZ-P2: Non-residential activities,
 - b. LLRZ-P3: Other activities, and
 - c. LLRZ-P4: Residential character and amenity.

LLRZ-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 LLRZ-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 of discretion for any infringed standard.
- 5. The matters in policies:
 - a. LLRZ-P2: Non-residential activities,
 - b. LLRZ-P3: Other activities, and
 - c. LLRZ-P4: Residential character and amenity.

LLRZ-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 LLRZ-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. LLRZ-P2: Non-residential activities,
 - b. LLRZ-P3: Other activities, and
 - c. LLRZ-P4: Residential character and amenity.

LLRZ-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 LLRZ-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. LLRZ-P2: Non-residential activities,
 - b. LLRZ-P3: Other activities, and
 - c. LLRZ-P4: Residential character and amenity.

LLRZ-R10**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. LLRZ-P2: Non-residential activities, b. LLRZ-P3: Other activities, and c. LLRZ-P4: Residential character and amenity.
LLRZ-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 <u>limited</u>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. LLRZ-P2: Non-residential activities, b. LLRZ-P3: Other activities, and c. LLRZ-P4: Residential character and amenity.
	2. Activity status: Discretionary Where: a. Compliance is not achieved with LLRZ-R11.1.
LLRZ-R12	Community facilities
	1. Activity status: Restricted discretionary. Matters of discretion are <u>limited</u>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. LLRZ-P2: Non-residential activities, b. LLRZ-P3: Other activities, and c. LLRZ-P4: Residential character and amenity.
LLRZ-R13	Marae
	1. Activity status: Restricted discretionary. Matters of discretion are <u>limited</u>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. LLRZ-P2: Non-residential activities, b. LLRZ-P3: Other activities, and

	c. LLRZ-P4: Residential character and amenity.
LLRZ-R14	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 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. LLRZ-P2: Non-residential activities, b. LLRZ-P3: Other activities, and c. LLRZ-P4: Residential character and amenity.
LLRZ-R15	Retirement villages
	1. Activity status: Discretionary
LLRZ-R16	Rural activities
	1. Activity status: Discretionary
LLRZ-R17	Non-residential activities not otherwise provided for
	1. Activity status: Discretionary
LLRZ-R18	Industrial activities
	1. Activity status: Non-complying

General Rules

LLRZ-R19	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 1.8m in height above ground level.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with LLRZ-R19.1. 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 LLRZ-R19.1.

LLRZ-R20	Servicing
	1. Activity status: Permitted Where: a. Servicing occurs only between: i. 87:00am to 7:00pm Monday to Friday, ii. 9:00am to 6:00pm Saturday, Sunday, and public holidays.
	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with LLRZ-R20.1. 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.

Rules — Silverstream Retreat Precinct

LLRZ-PREC1-R1	Conference facilities and places of assembly
<i>This rule is additional within the Silverstream Retreat Precinct.</i>	
-	1. Activity status: Permitted.
LLRZ-PREC1-R2	Visitor accommodation
<i>This rule replaces LLRZ-R7: Visitor accommodation within the Silverstream Retreat Precinct.</i>	
-	1. Activity status: Permitted

Standards

LLRZ-S1	Number of residential units per site
1. For allotments smaller than 1,000m²: There shall be no more than 1 residential unit and 1 minor residential unit per site. 2. For allotments larger than 1,000m²: There shall be no more than 1 residential unit and 1 minor residential unit per 1,000m² of net site area. 3. For the purpose of this standard, a minor residential unit is a residential unit with <u>an gross internal</u> floor area of 670m² or less. 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 effects on the safety and efficiency of the transport network (including for pedestrians and cyclists). 4. Any positive effects that cannot be achieved while meeting the standard, including positive effects of increasing housing capacity and variety. 5. The matters set out in the following policies: a. LLRZ-P4: Residential character and amenity, and b. LLRZ-P5: Higher density residential development.	
LLRZ-S2	Building coverage

1. Building and structure coverage shall not exceed 35%.
2. 1 does not apply to:
 - a. Decks less than ~~500m~~ 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.

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. Streetscape and residential amenity effects.
3. Dominance effects on adjoining sites and any measures to mitigate these effects, such as design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.
4. Any positive effects that cannot be achieved while meeting the standard.
5. The matters set out in the following policies:
 - a. LLRZ-P4: Residential character and amenity, and
 - b. LLRZ-P5: Higher density residential development.

LLRZ-S3

Building height

1. Buildings and structures shall not exceed a maximum height of 8m above ground level, 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 LLRZ-Figure 1.

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. Streetscape and residential amenity effects.
3. Dominance effects on adjoining sites and any measures to mitigate these effects, such as design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.
4. The effects of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.
5. Any positive effects that cannot be achieved while meeting the standard.
6. The matters set out in the following policies:
 - a. LLRZ-P4: Residential character and amenity, and
 - b. LLRZ-P5: Higher density residential development.

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.

LLRZ-S4

Height in relation to boundary

1. All buildings and structures shall be contained within a 2.5m + 45° height in relation to boundary plane from all side and rear boundaries as shown in the diagram LLRZ-Figure 2.
2. 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 nearest boundary of the legal right of way, entrance strip, access site, or pedestrian accessway.
3. Standard LLRZ-S4 does 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 two buildings on adjacent 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, or
 - 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. Streetscape and residential amenity effects.
3. Dominance effects on adjoining sites and any measures to mitigate these effects, such as design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.
4. The effects of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.
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.
7. The matters set out in the following policies:
 - a. LLRZ-P4: Residential character and amenity, and
 - b. LLRZ-P5: Higher density residential development.

LLRZ-S5

Setbacks

1. Buildings and structures shall be setback from the relevant boundary by the minimum distance listed below:
 - a. Front yard: 3m
 - b. Side yard: 1m
 - c. Rear yard: 1m
2. Garages or carports with access parallel to the street must be setback 5m from the road boundary.
3. Where a garage or carport has access parallel to the street but has the ability to turn on the site and drive off the site in a forward direction, the normal front yard setback shall apply.
4. Where a site has more than one boundary with a road frontage, all such boundaries shall be subject to the front yard setback.
5. 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.
6. 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.
7. 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 500mm 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~~
8. Eaves, chimneys, exterior hot water cylinders, and stormwater detention and retention tanks may encroach into any setback by up to 0.6m.

Matters of discretion if the standard is breached:

1. The planned character and planned urban built environment for the zone.
2. Streetscape and residential amenity effects.
3. Dominance effects on adjoining sites and any measures to mitigate these effects, such as design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.
4. The effects of shading and additional building bulk on any public open space or recreational

grounds and their ability to provide outdoor amenity to users. - Whether topographical or other site constraints make compliance with the standard impractical. - Any positive effects that cannot be achieved while meeting the standard. - The matters set out in the following policies: - LLRZ-P4: Residential character and amenity, and - LLRZ-P5: Higher density residential development.	
LLRZ-S6	Permeable surface
- 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.	
LLRZ-S7	Landscaped area
- 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. - 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: - The planned character and planned urban built environment for the zone. - The accommodation of any visually prominent or established vegetation on the site into the landscaping design. - Measures to ensure vegetation in the landscaped area will survive in the long-term. - Whether topographical or other site constraints make compliance with the standard impractical. - Any positive effects that cannot be achieved while meeting the standard. - The matters set out in the following policies: - LLRZ-P4: Residential character and amenity, and - LLRZ-P5: Higher density residential development. Notification: Public and limited notification is precluded for resource consent applications for breach of standard HRZ-S13.	
LLRZ-Figure 1	Maximum height
LLRZ-Figure 2	Height in relation to boundary plane

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

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

MRZ-P7	Housing needs
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Enable housing to be designed to meet the day-to-day needs of residents.

MRZ-P8	High-quality development
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Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

MRZ-P9	Specific Height Control Overlay
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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
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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~~ affordab~~le~~ility and ~~the~~ efficient provision of assisted living and care services
4. ~~while m~~

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.~~

MRZ-P11	Changing urban environment
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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
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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.

MRZ-P13	Urban design outcomes for non-residential activities and developments of more than 3 residential units <u>and retirement villages</u>
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	

~~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
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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.

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).

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.

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-R12**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.~~
 - ~~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. MRZ-P2: Non-residential activities,~~
 - ~~b. MRZ-P3: Other activities,~~
 - c. MRZ-P10: Retirement villages,
 - d. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and
 - ~~e. MRZ-P14: Urban design outcomes (exclusions).~~

MRZ-R13**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. 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-R14**Community 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 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-R15	Emergency service facilities
	Activity status: Restricted discretionary Matters of discretion are <u>limited</u> <u>restricted</u> 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
	Activity status: Discretionary
MRZ-R17	Industrial activities
	Activity status: Non-complying
MRZ-R18	Rural activities, Intensive indoor primary production, Rural industry, Top soil stripping and Turf farming
	Activity status: Non-complying
MRZ-R19	Quarrying activities and Mining activities
	Activity status: Non-complying

General Rules

MRZ-R20	Outdoor storage and work areas
	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.

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. ~~8~~7:00am to 7:00pm Monday to Friday, and
 - ii. 9:00am to 6:00pm Saturday, Sunday, and public holidays.

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.

MRZ-S2**Building coverage**

- 1. Building and structure coverage must not exceed 50%.
- 2. 1 does not apply to:
 - a. Decks less than ~~500m~~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.

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.

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.

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.

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.

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 500mm 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.

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.

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.

This standard does not apply to:

1. Retirement villages

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.

This standard does not apply to:

1. Retirement villages

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. 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.

This standard does not apply to:

1. Retirement villages

MRZ-S11

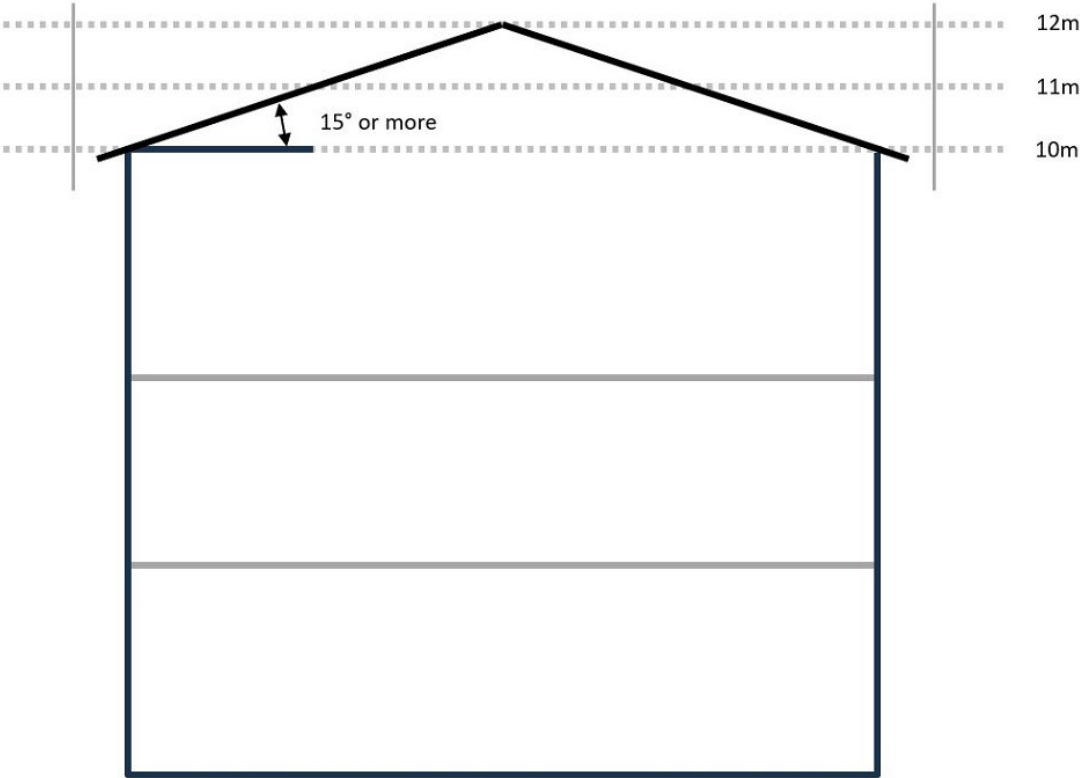
Landscaped area

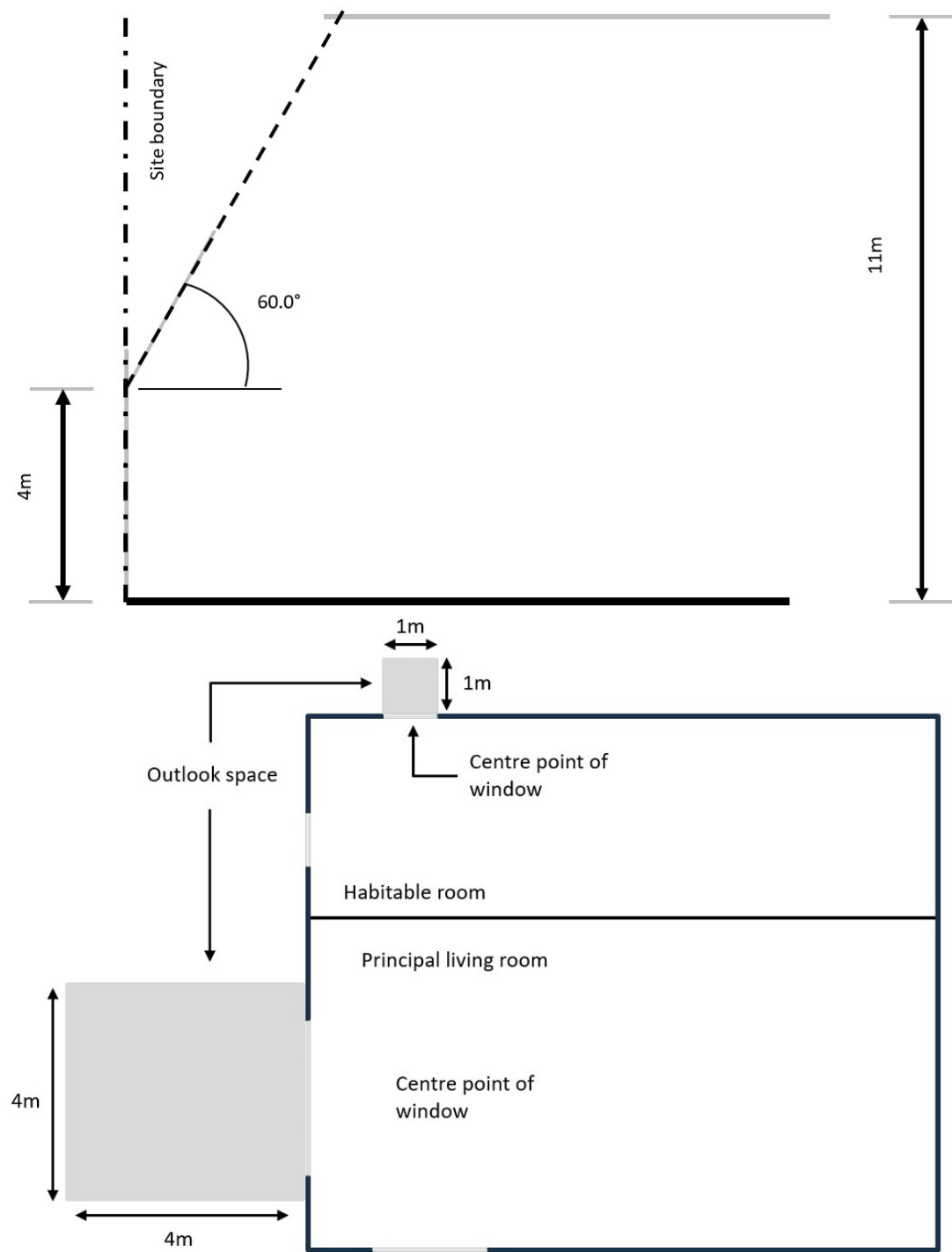
1. A minimum of 20% of a developed site shall be landscaped with grass or plants. The landscaped area can include tree canopies regardless of the ground treatment below them.
2. The landscaped area may be located on any part of the development site and does not need to be associated with each residential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





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-O1	Purpose of the High Density Residential Zone
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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
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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
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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
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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
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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
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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
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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
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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
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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
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Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

HRZ-P7	Housing needs
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Enable housing to be designed to meet the day-to-day needs of residents.

HRZ-P8	High quality development
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Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

HRZ-P9	Specific Height Control Overlay
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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
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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 ~~leility~~ 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.~~

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

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**

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)
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~~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
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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

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 HRZ-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. 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-R10**Commercial activities not otherwise provided for****1. Activity status:** Restricted discretionary

Where:

- a. The total gross floor area of the commercial activities does not exceed 200m² per site.
- b. The commercial activity is entirely indoors.
- c. 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.
- d. The hours of operation are not outside:
 - i. 7.00am to 9.00pm Monday to Friday, and
 - ii. 8.00am to 7.00pm Saturday, Sunday, and public holidays.

Matters of discretion are ~~limited~~restricted to:

- 1. The extent to which the intensity and scale of the activity may adversely affect the residential amenity of the surrounding area.
- 2. 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.
- 3. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.
- 4. Whether the activity positively contributes to the urban environment including active frontage, and achieves attractive and safe streets.
- 5. Cumulative effects.
- 6. 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-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 ~~limited~~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).~~

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 ~~limited~~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 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 ~~limited~~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-R15**Community facilities**

1. **Activity status:** Restricted discretionary
Matters of discretion are ~~limited~~restricted 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 ~~limited~~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.
 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-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

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: - The effects on the amenity values of the surrounding area, including the streetscape and public spaces. - 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. - 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: 8:00am to 7:00pm Monday to Friday, and 9:00am to 6:00pm Saturday, Sunday, and public holidays.

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. 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. 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.

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.
 - 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. 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-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.

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.

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: 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.	
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: a. Where located at ground level, has no dimension less than 3 metres, <u>can contain a circle with a diameter of at least 3 metres</u> 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 the planned urban built environment for the zone. 2. Urban design outcome 5 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. <u>This standard does not apply to:</u> <u>1. Retirement villages</u>	
HRZ-S9	Outlook space
1. Outlook space for each residential unit must be provided from habitable room windows as shown in the diagram HRZ-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 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

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. 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

HRZ-S11

Landscaped area

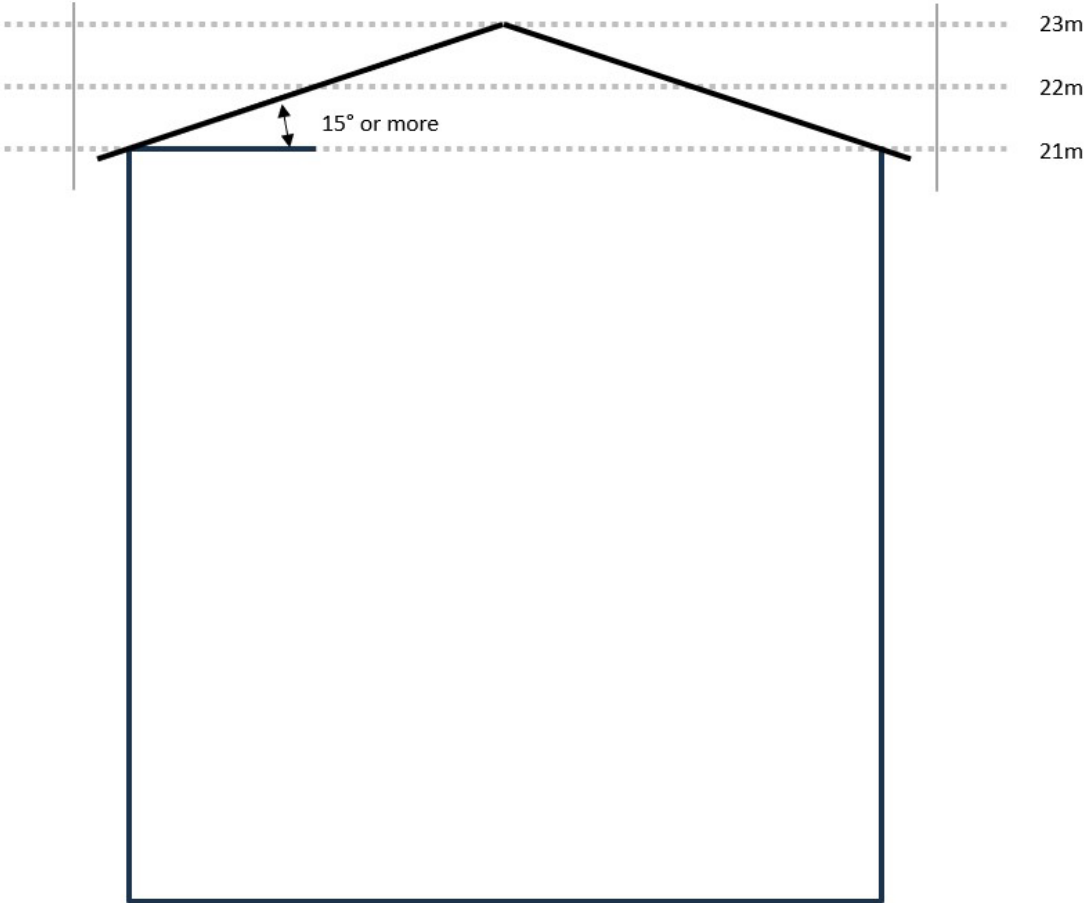
1. A minimum of 20% of a developed site shall be landscaped with grass or plants. The landscaped area can include tree canopies regardless of the ground treatment below them.
2. The landscaped area may be located on any part of the development site and does not need to be associated with each residential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

Matters of discretion if the standard is breached:

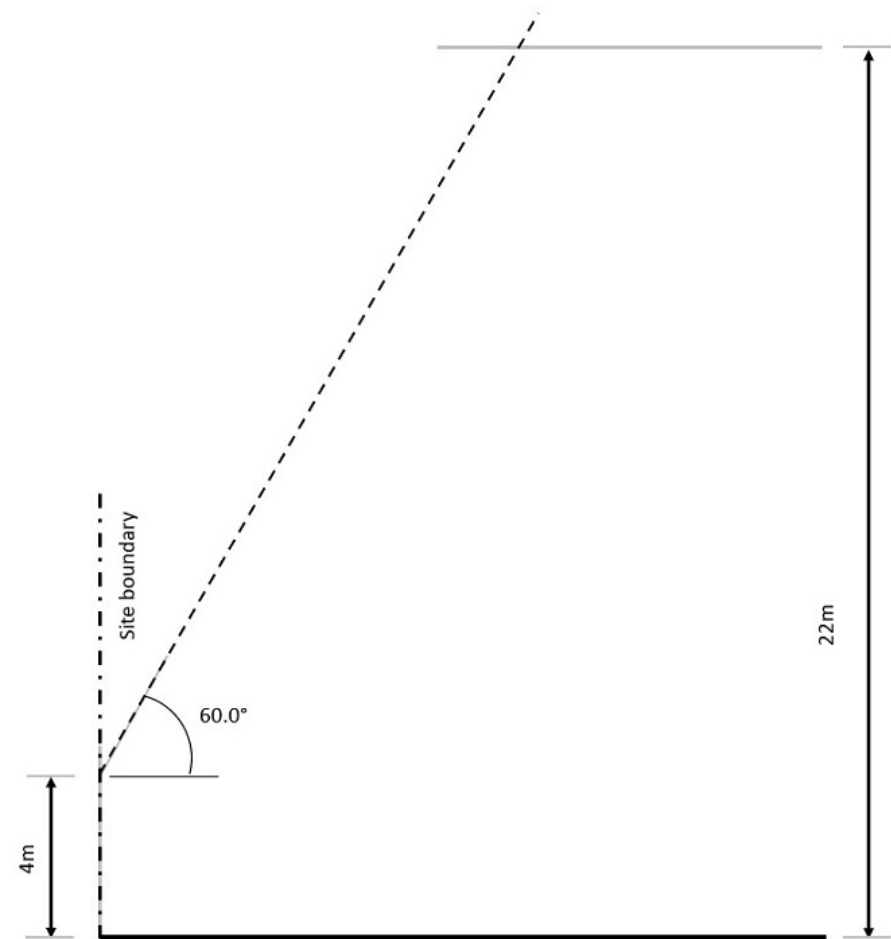
1. The planned character and the planned urban built environment for the zone.
2. Urban design outcome 6 HRZ-P12: Urban design outcomes by meeting standard or assessment.
3. The matters in policy HRZ-P14: Urban design outcomes (exclusions).
4. Whether topographical or other site constraints make compliance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

HRZ-Figure 1

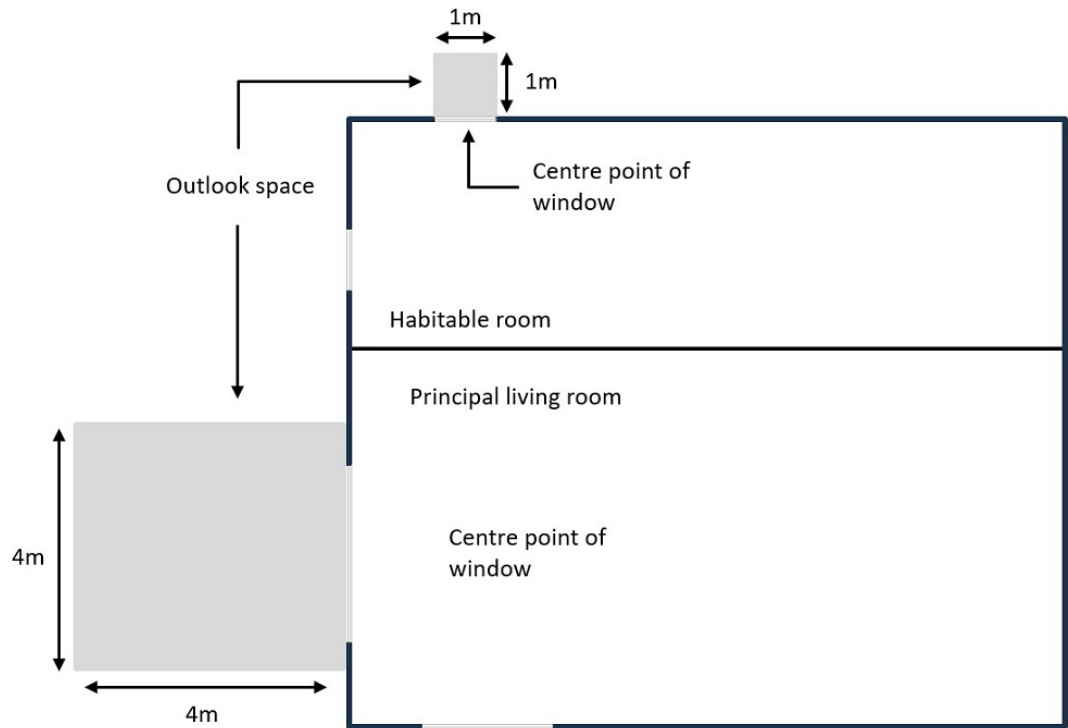
Maximum height



HRZ-Figure 2	Height in relation to boundary plane
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HRZ-Figure 3	Outlook space per residential unit
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PREC1 — Silverstream Retreat Precinct

The Silverstream Retreat Precinct identifies the location of the Silverstream Retreat at 320 Eastern Hutt Road. This precinct enables activities associated with the operation of the Retreat, including visitor accommodation, conference facilities, and places of assembly. The site has a split zoning of Medium Density Residential Zone and Large Lot Residential Zone.

This chapter sets a specific objective, policy, and rules for this precinct. Where an activity is not addressed by a specific provision for this precinct, the general provisions for the Medium Density Residential Zone and Large Lot Residential Zone apply.

Objectives

LLRZ- PREC1-O1	Activities and Built Development
The Silverstream Retreat Precinct provides for activities and built development associated with the conference centre within the precinct.	

Policies

LLRZ- PREC1-P1	Precinct Activities
Enable conference facilities within the Silverstream Precinct as well as activities ancillary to the operation of conference facilities, including visitor accommodation.	

Rules

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

Land use activities

LLRZ-PREC1-R1	Conference facilities and places of assembly
	1. Activity status: Permitted.
LLRZ-PREC1-R2	Visitor accommodation
	1. Activity status: Permitted

APPENDIX 2: UPDATED REZONING TABLE (ATTACHMENT 3 OF THE SECTION 42A REPORT)

Appendix 2 - Updated Assessment of rezoning requests from MRZ to LLRZ and LLRZ to MRZ (update to Attachment 3 of Section 42A report)

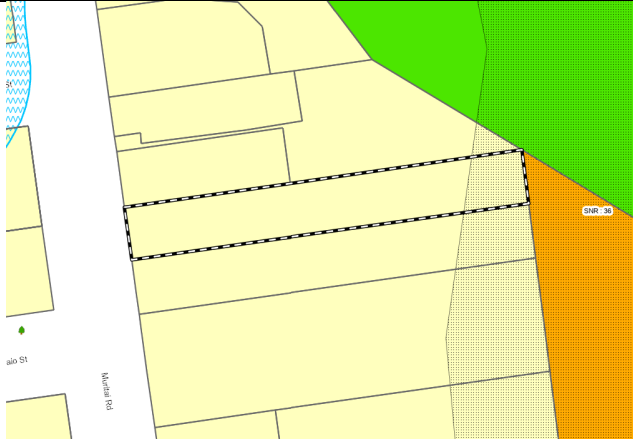
Zone Abbreviations:

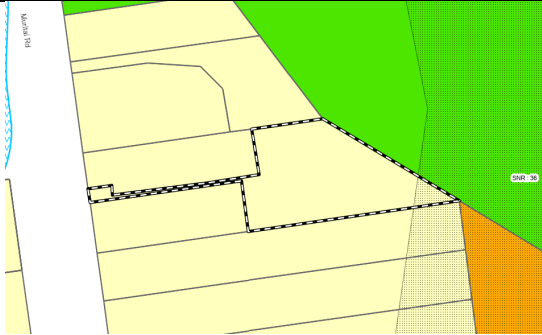
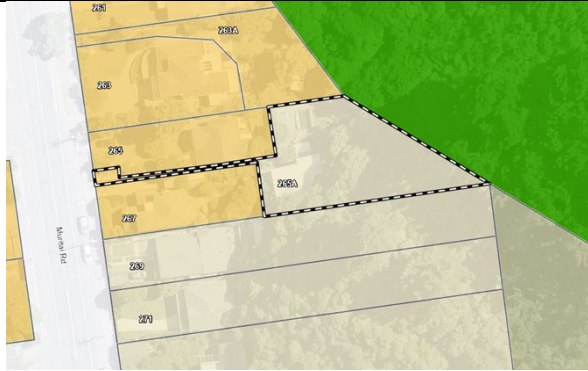
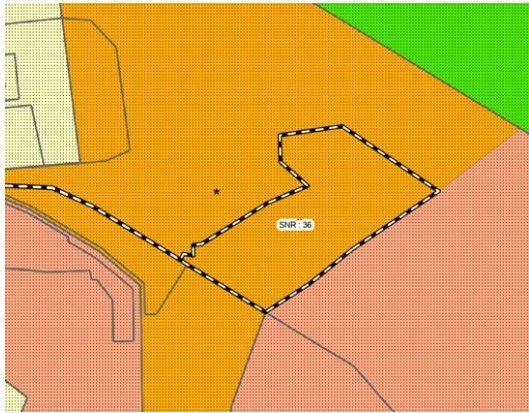
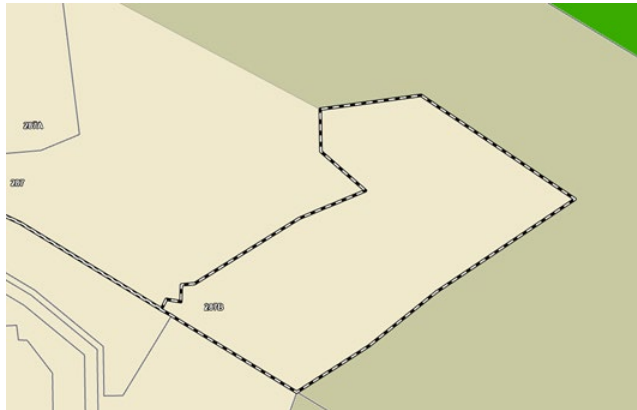
Operative District Plan: MDRAA – Medium Density Residential Activity Area; HRAA – Hill Residential Activity Area;

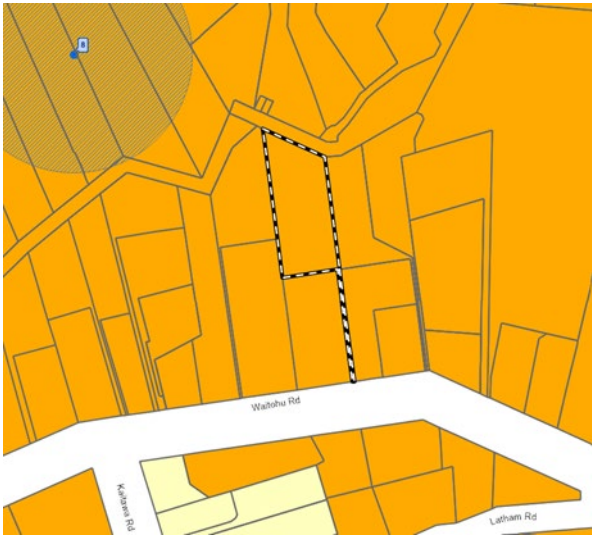
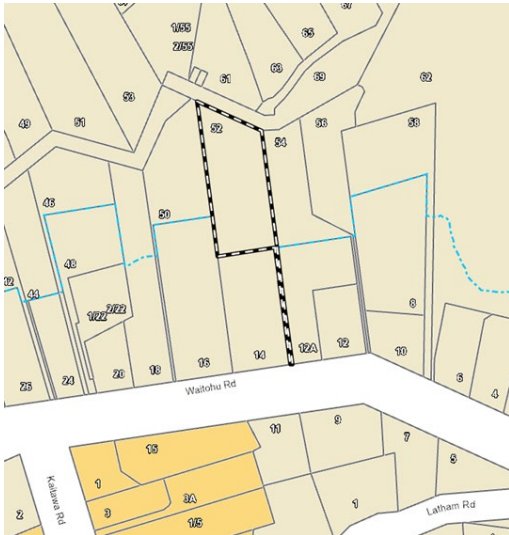
Proposed District Plan: LLRZ – Large Lot Residential Zone; MRZ – Medium Density Residential Zone; GRUZ – General Rural Zone

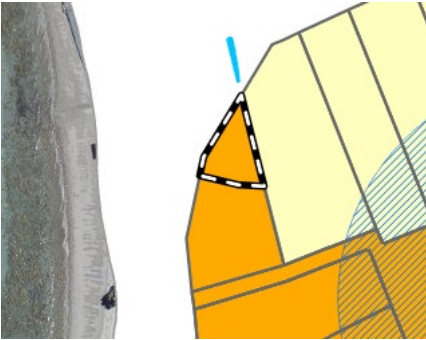
Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
273 Muritai Road	MDRAA SNR: 36 (Mt Hawtrey Bush) across small rear portion of the property. 	LLRZ 	2,593m ²	• Muritai Road is a key bus route for Eastbourne connecting to central Hutt and Wellington CBD. These properties are all within a 1 min walk of the closest bus stop on Muritai Road. • Muritai Road has good pedestrian facilities with footpaths on both sides of the road and these properties are approximately 11 mins walk to the Eastbourne shops. • There are no known three waters constraints.	Rezone to MRZ
269 Muritai Road	MDRAA Adjacent properties are all MDRA. SNR: 36 (Mt Hawtrey Bush) across small rear portion of the property.	LLRZ. Adjacent properties to the north are predominantly MRZ as are those on the opposite side of Muritai Road.	1266m ²		Rezone to MRZ

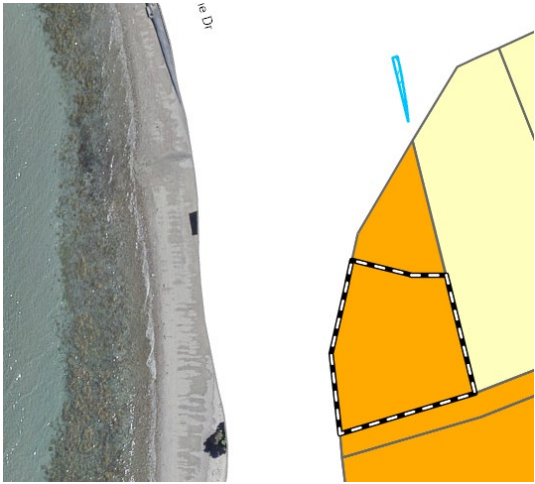
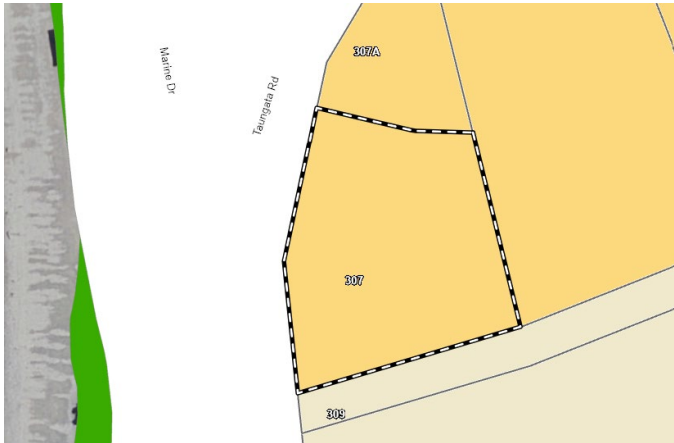
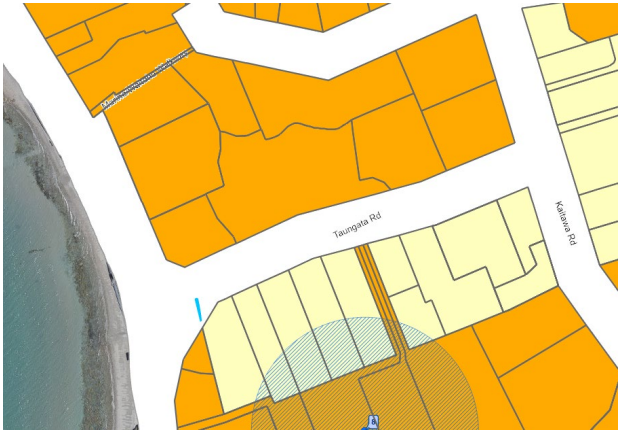
¹ Site size stated in this table is an approximate measurement based on the ePlan measurement tool.

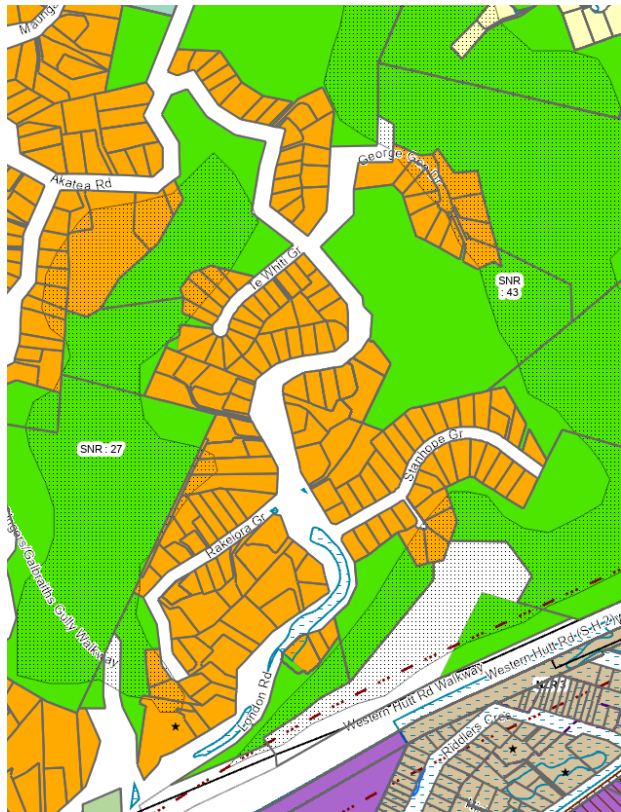
Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
					
271 Muritai Road	MDRAA with SNR: 36 (Mt Hawtrey Bush) across rear portion of the property. Adjacent properties are all MDRA.	LLRZ. The two adjacent properties are also LLRZ but are within a block of predominantly MRZ sites.	1237 m ²		Rezone to MRZ
265A Muritai Road	MDRA. The rear southern corner is within SNR: 36 (Mt Hawtrey Bush)	LLRZ	983 m ²		Rezone to MRZ

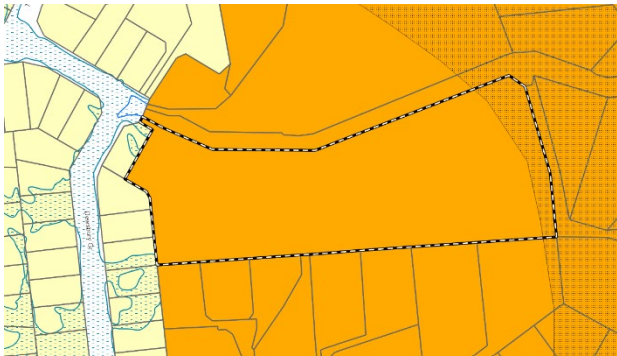
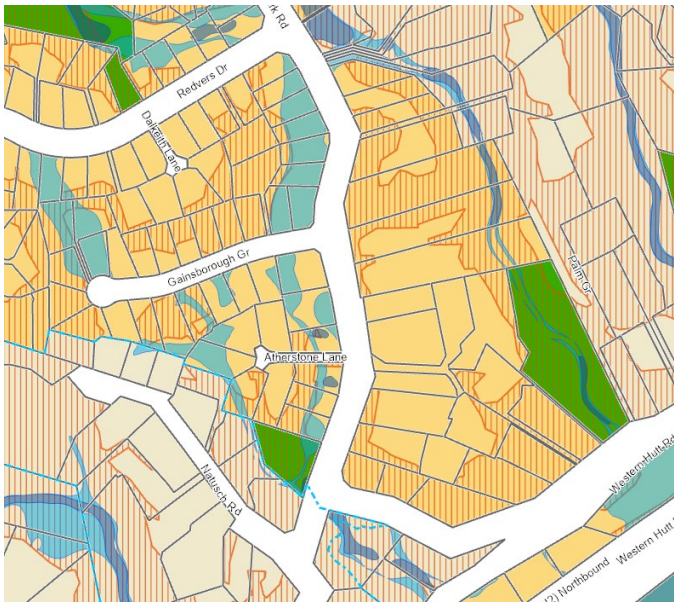
Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
					
297 Muritai Road	MDRA, part of the site is within SNR: 36 (Mt Hawtrey Bush) 	LLRZ 	1262m ²	- Muritai Road is a key bus route for Eastbourne connecting to central Hutt and Wellington CBD. This property is are all within a 5-minute walk of the closest bus stop on Muritai Road. - Muritai Road has good pedestrian facilities with footpaths on both sides of the road and this property is approximately 13 minutes' walk to the Eastbourne shops. - There are connections to the three waters network.	Rezone to MRZ
287B Muritai Road	Hill Residential Fully within SNR: 36 (Mt Hawtrey Bush) 	LLRZ 	3339m ² (excluding access)	- While the site is located on Muritai Road and is close to the Eastbourne shops and public transport on Muritai Road, access to the property itself is via a narrow shared right of way of approx. 137 metres in length from Muritai Road. - The site is large by comparison to other sites being recommended for rezoning and is setback into the hillside with many of the amenity values that are expected for the LLRZ. - Rezoning to MRZ would provide significant increase in potential yield necessitating extensive vegetation removal which forms part of the planned character for the zone and is in contrast to properties that have a	Retain as LLRZ

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
				frontage to Muritai Road and are currently zoned MDRA.	
277 Muritai Road	MDRA, and partially within SNR: 36 (Mt Hawtrey Bush) 	LLRZ 	1535 m ² (excluding access)	- This property is within a 1-minute walk of the nearest bus stop on Muritai Road. - Muritai Road has good pedestrian facilities, and the property is approximately 12 minutes' walk from the Eastbourne shops. - There are connections to the three waters network available.	Rezone to MRZ
52 Waitohu Road, York Bay	Hill Residential 	LLRZ 	1396m ² (excluding access)	- Waitohu Road is a narrow, windy, and relatively steep road. - This part of Waitohu Road is within the Highly Constrained Roads overlay 10 minute walk to nearest bus stop on Marine Drive - There are no pedestrian footpaths for the length of Waitohu Road and there is very limited on-street car parking in the vicinity of this property. - There are connections to the three waters network available.	Retain LLRZ
2/517 Marine Drive	Hill Residential 	LLRZ 	1493m ²	- While the site is located along a main bus route and a bus stop is located directly in front of the property, there is limited safe pedestrian facilities in this location. - Approx 30 min walk to Eastbourne Shops - On-street parking is limited in this location.	Retain LLRZ

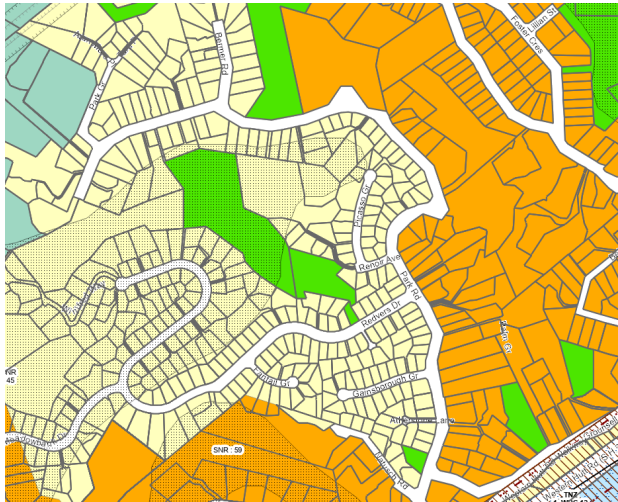
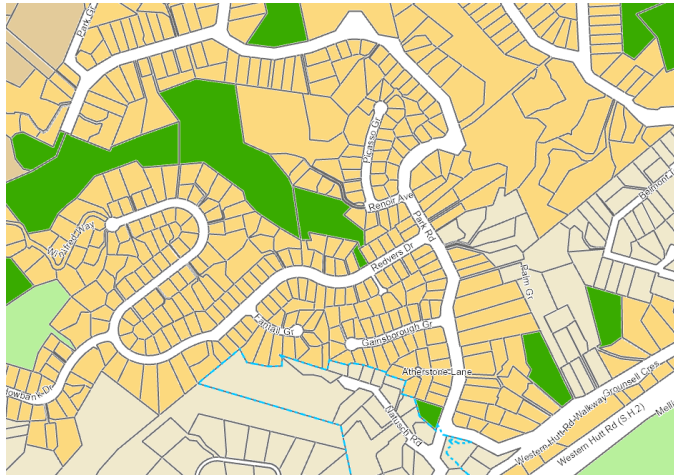
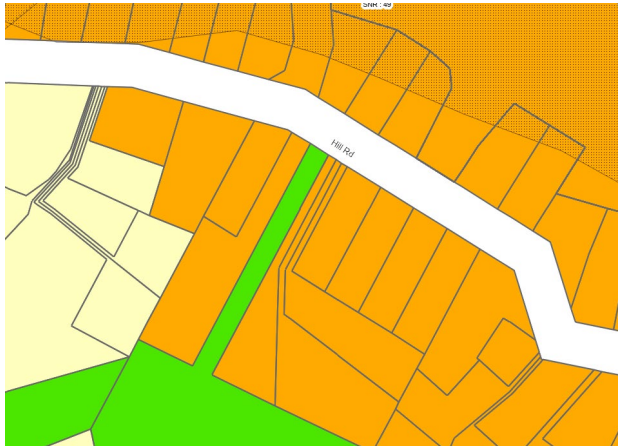
Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
303 Marine Drive	Hill Residential 	MRZ 	821m ²	- These sites are within walking distance of public transport, with the closest bus stop being within a 1 minute walk from these properties. - There is a formed footpath on the eastern side of Marine Drive in this section, starting approximately outside 303 Marine Drive and extending south - Approx. 50 min walk to the Eastbourne shops - Area is serviced by three waters infrastructure.	Retain MRZ
305 Marine Drive	Hill Residential 	MRZ 	1429m ²		Retain MRZ
307A Marine Drive	Hill Residential 	MRZ 	155m ²		Retain MRZ

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
307 Marine Drive	Hill Residential 	MRZ 	402m ²		Retain MRZ
1, 2, 3, 4, 5, 6, and 8 Taungata Road	Hill Residential/MRZ 	MRZ 	1 Taungata – 709m ² 2 Taungata – 861m ² 3 Taungata – 2501m ² 4 Taungata – 620m ² 5 Taungata – 1,164m ² 6 Taungata – 788m ² 8 Taungata – 797m ²	- These properties are up to 2 minutes walk from the nearest bus stop on Marine Drive - There is no formed footpath on Taungata Road, and the road corridor is narrow with limited on-street parking. - Properties on the southern side are of a size consistent with the MRZ. - The sites on the northern side of Taungata Road are generally of a scale consistent with the LLRZ.	Retain MRZ

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
5A, 7, 11, 13, and 15 Kaitawa Road	MRZ 	MRZ 	5A Kaitawa – 1077m ² 7 Kaitawa – 634m ² 11 Kaitawa – 569m ² 13 Kaitawa – 559m ²	5A and 13 Kaitawa have multiple properties as part of the address i.e 2 or more dwellings - These sites are all of a size that is consistent with the MRZ - There is no formed footpath on Kaitawa Road - These properties are approximately a 3 minute walk to the nearest bus stop	Retain MRZ
Korokoro, Rakeiورا Grove and Stanhope Grove	Hill Residential Area Zoning, with SNR 27 overlays and one heritage building at 38 Rakeiورا Grove: 	MRZ with Slope Assessment Overlay 	Area contains many properties	<u>Eastern Korokoro in general</u> - This area of Korokoro is accessed via London Road, which has formed pedestrian access and is serviced by public transport, including connection to Petone Station and Jackson Street - Area is serviced by three waters infrastructure largely in road reserve <u>Rakeiورا Grove</u> - Well connected to public transport, with bus stops on London Road providing a connection to Petone Station and Jackson Street - Two-way street, however narrows to one way in places and contains no parking yellow lines also in places - Formed pedestrian path on one side of the street, for the entire length. - It is noted that for areas which are identified as Significant Natural Resources under the ODP, any relevant provisions relating to this will continue to apply under the ODP. - Serviced by existing three waters connections located largely in road reserve <u>Stanhope Grove</u> - Two-way street with formed footpath on both sides of road.	Retain MRZ for London Road properties from the intersection with Korokoro Road to to George Dee Drive, including Rakeiورا Gr, Stanhope Gr, Te Whiti Gr & George Gee Dr. Rezone properties fronting Akatea Road from the intersection of London Road and Akatea Road to the intersection with Maungaraki Road from MRZ to LLRZ.

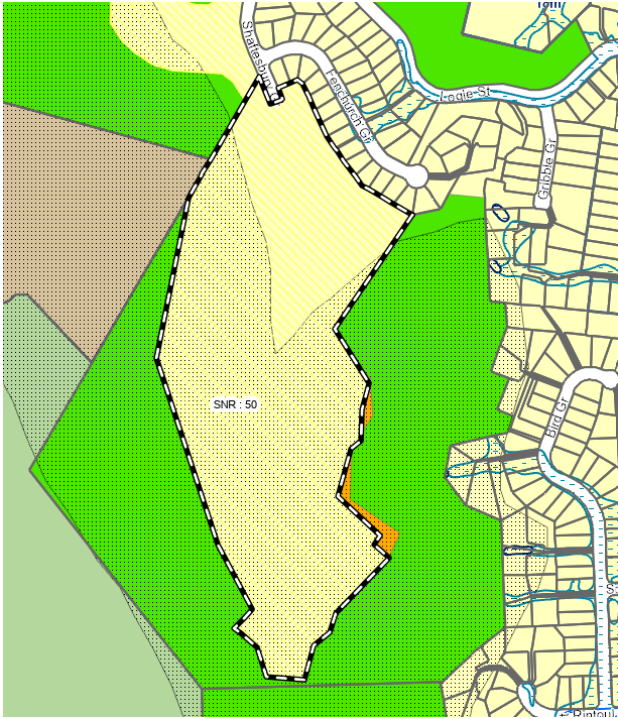
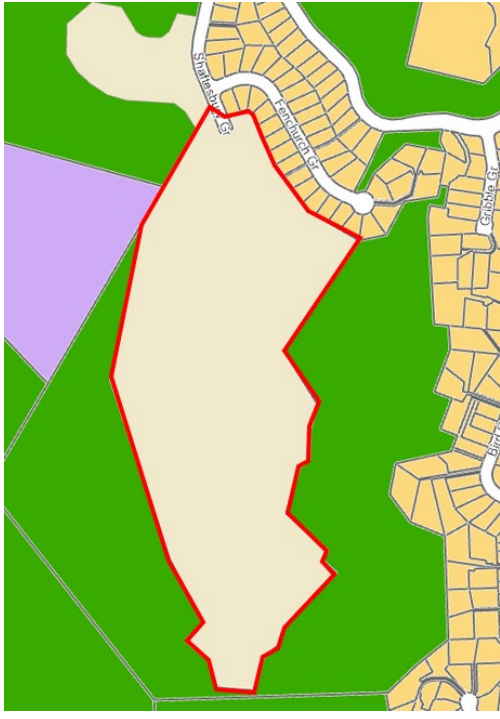
Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
				- Well connected to public transport, with bus stops on London Road providing a connection to Petone Station and Jackson Street - Submitter notes cars parked on each side of road only allow one way traffic - Road is serviced by three waters infrastructure in road reserve	
30 Pencarrow Crescent	Hill Residential Area, partially within SNR site 34 	MRZ, partially within Slope Assessment Overlay, High Flood and Low Flood Hazard Overlays 		- Site has frontage with Pencarrow Crescent, which is two way, and has formed pedestrian access on both sides of the road. - The site is serviced by public transport, with a bus stop located approximately 300m from the site boundary, which provides connections to Waterloo Station, the Hutt CBD and the Wainuiomata town centre. - Pencarrow Crescent has connections to three waters located in road reserve.	Retain MRZ
Park Road, Belmont ²	Hill Residential Area 	MRZ with Slope Assessment Overlay and Flood Hazard Overlays 	46, 40,38,36,30, 26,24, 20,18,14,14 A,12,12A, 10,8,6 and 4 Park Rd, Belmont	- In terms of roading and transport, this is discussed in detail in the evidence of Mr Benner in Attachment 5 to the Section 42A report. In summary, there are limitations to access for these properties, with no way for these accesses to be upgraded to comply. This includes an inability to meet the sight distance requirements which will have traffic safety effects. - In terms of connections to three waters, these are located in road reserve and the Three Waters Chapter of the plan would need to be complied with for any further development	Rezone to LLRZ

² Bunny Willing [247.1], Victoria and Martin Jaenecke [249.1], Doreen Marilyn Brown [257.1], Ian Roderick Brown, Doreen Marilyn Brown [258.1], Elizabeth Cole [260.1], Michael and Sandra Fackney [262.1], Russel Hudson and Linda Husdon [270.1]

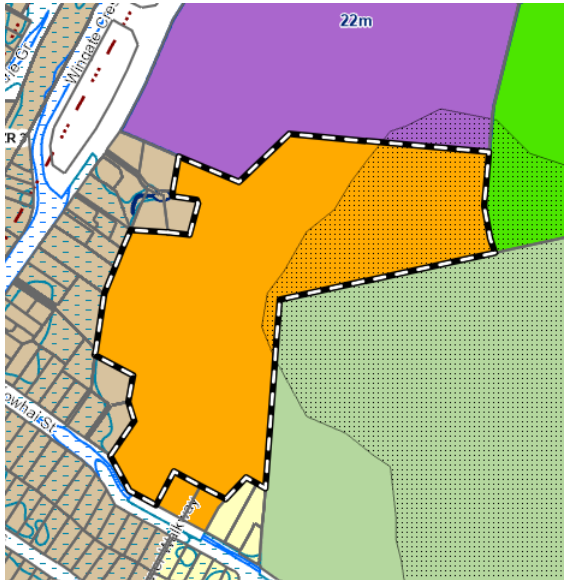
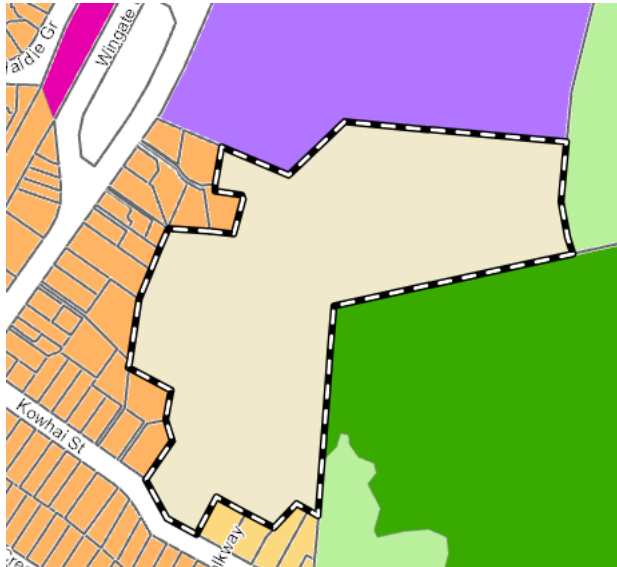
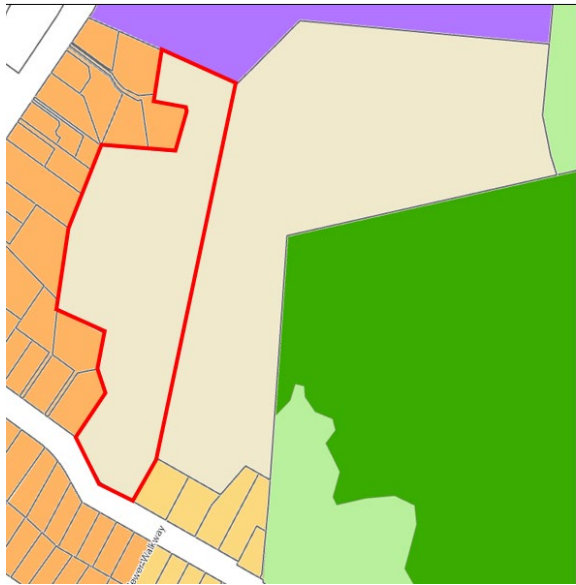
Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
All properties accessed from Park Road, including its tributaries ³	MDRAA and HRAA 	MRZ and some LLRZ 	Multiple	<u>Lower Park Road (Natusch Road to Redvers Drive)</u> - Zoning pattern is largely reflective of the ODP, with western side of Park Road and tributaries zoned Medium Density Residential and eastern side of Park Road zoned Large Lot, largely due to traffic constraints - It is noted that some roads, e.g. Atherstone Lane are narrow, however all tributaries have formed footpaths, as well as access to public transport on Park Road - Three waters connections are located in road reserve for this area <u>Upper Park Road (Renoir Ave to Tara Place)</u> - As with Lower Park Road, zoning on the western side of Park Road reflects ODP pattern of zoning - In terms of roading, - Bermer Road does not have a formed footpath.	Retain MRZ
Hill Road, Belmont 127 Hill Road and 1/149 to 155 Hill Road ⁴	Hill Residential 	MRZ 	127 Hill Road – 991m² 1/149 Hill Road – 874m² 2/149 Hill Road – 824m² 155 Hill Road – 2445m²	- Hill Road is two-way with formed pedestrian access. - Hill Road is also serviced by the 145 Bus Route which provides connection to Waterloo Train Station and the Lower Hutt CBD. - Three waters infrastructure is located in road reserve.	Retain MRZ

³ Danielle Falconer and Scott Falconer [313.1 and 313.2]

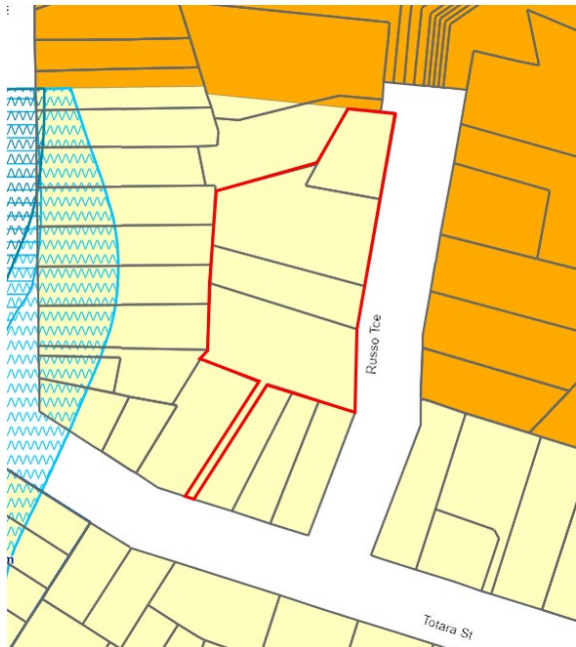
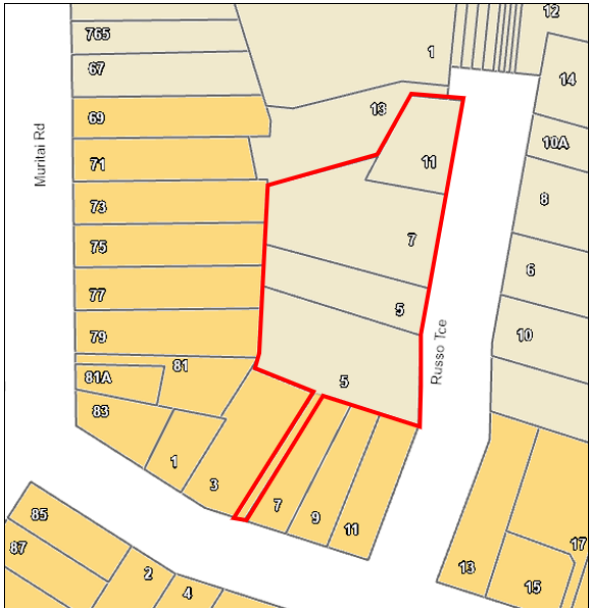
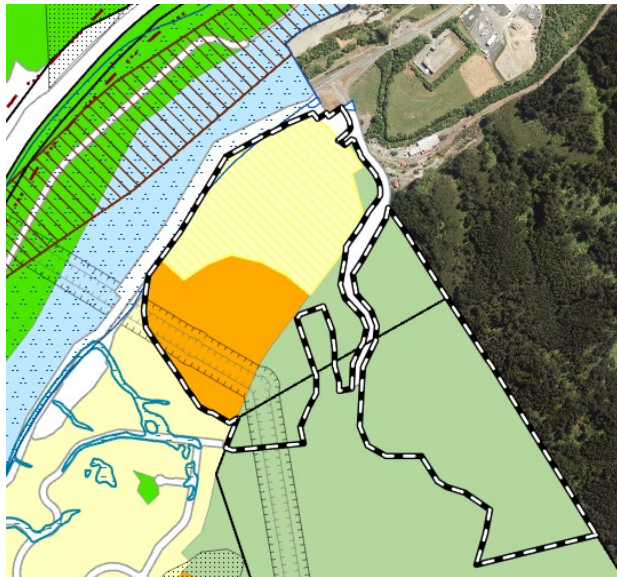
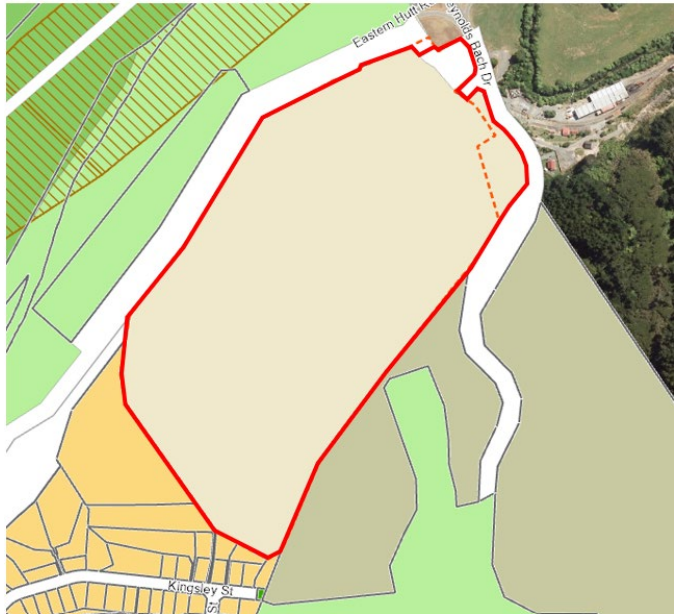
⁴ Jacky Cox [225.1] and Dwayne McDonald [512.1]

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
			151 Hill Road - 5077m ² 2/151 Hill Road – 1,158m ² 153 Hill Road – 7036m ² 155 Hill Road – 2,445m ²		
12 Shaftesbury Grove ⁵	MDRAA 	LLRZ 	125,601m ²	<i>The site has been the subject of a recent Private Plan Change (Plan Change 58) which was made operative in June 2025. That plan change comprehensively assessed a range of site-specific matters and the appropriateness of the rezoning, resulting in site-specific provisions in the ODP. Accordingly, this rezoning request for the PDP reflects the approved rezoning in Plan Change 58. No further assessment is considered necessary.</i>	Rezone to MRZ

⁵ M & J Walsh Partnership [256.1] and Policy Planning Team of Hutt City Council [440.118]

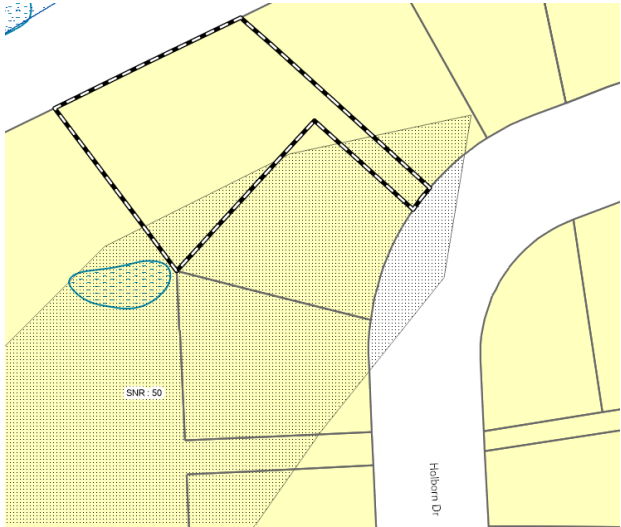
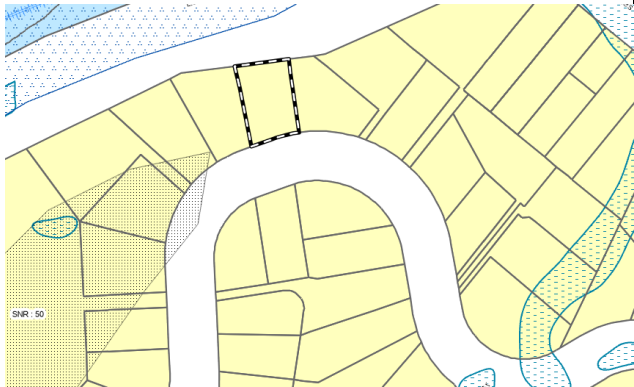
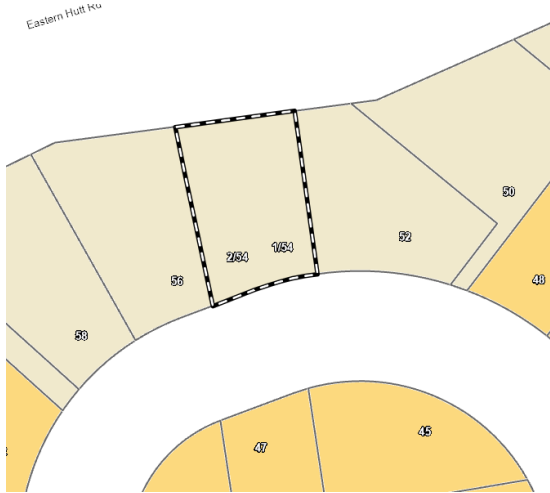
Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
443 and 452 Cambridge Terrace ⁶	HRAA 	LLRZ  Note the submitter is now only seeking the rezoning of part of the site from LLRZ to MRZ, as shown below: 	73,895m ² (full site)	- The site is in close proximity to public transport including the Wingate train station (approximately 10-minute walk) and Kowhai Street is on the number 121 bus route, with a bus stop located a short walking distance (less than 10 minutes) from the site. - Three waters infrastructure is located in road reserve - Access is expected to be via Kowhai Street which is an existing formed road with formed footpaths on both sides of the street at this location.	Rezone to a split zoning of MRZ and LLRZ, as sought by the submitters' revised rezoning plan.

⁶ Lucas Land Surveys Limited [325.1b], Design Network Architecture [349.1], and John Havler [350.1]

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
5, 7, and 11 Russo Terrace and 5 Totara Street ⁷	MDRAA 	LLRZ (note access to 5 Totara St is MRZ) 	5 Russo Terrace – 588m ² 7 Russo Terrace – 1,220m ² 11 Russo Terrace – 497m ² 5 Totara St – 1,253m ²	- There is formed pedestrian footpath on Totara Street and the street has suitable vehicle access to support medium density development. - Russo Terrace is narrow with no formed footpaths or on-street carparking - The sites are all within walking distance of bus services along Muritai Road.	Rezone 5 Totara Street from LLRZ to MRZ. Retain LLRZ for 5, 7 and 11 Russo Terrace.
320 Eastern Hutt Road/1 and 3 Reynolds Bach Drive ⁸	Medium Density Residential Area, Hill Residential Area, Passive Recreation Area 	LLRZ and GRUZ 	368,494 m ²	- Feasible access to the site is available via a Right of Way over Council land at 95 Kingsley Street. - Kingsley Street has formed footpaths and is located on a bus route - Infrastructure servicing in relation to water supply is a constraining factor with a feasible water solution not yet demonstrated alongside constraints in the existing public water supply and storage.	Rezone to a split zoning of MRZ and LLRZ to align with the ODP zoning.

⁷ Loren Brown [500.2]

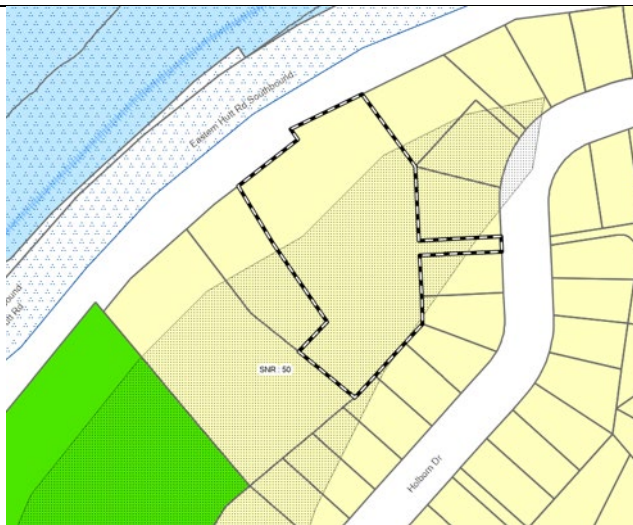
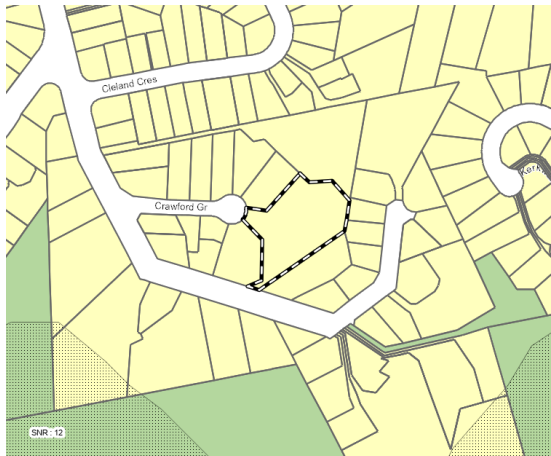
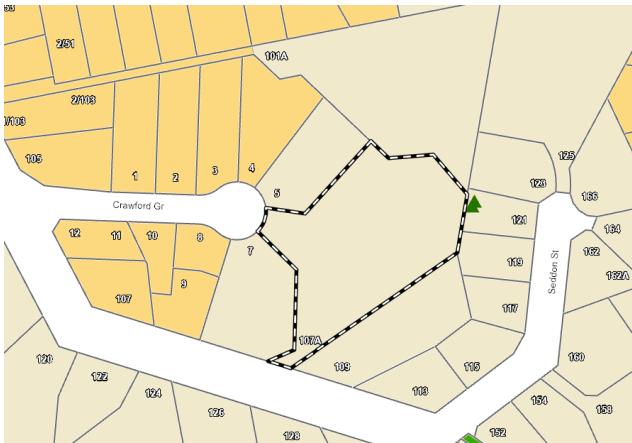
⁸ Silverstream Park Christian Centre [32.1, 32.2, and 32.5]

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
60 Holborn Drive ⁹	MDRAA 	LLRZ 	1,248m ²	- Three waters connections are available in road reserve. - Holborn Drive is on a bus route and there is a formed footpath on one side of the street. - Adjoining properties are all zoned LLRZ.	Retain LLRZ
1/54 Holborn Drive ¹⁰	Medium Density Residential Area 	LLRZ 	649m ²		
66 Holborn Drive ¹¹	Medium Density Residential Activity Area	LLRZ	5,784m ²		

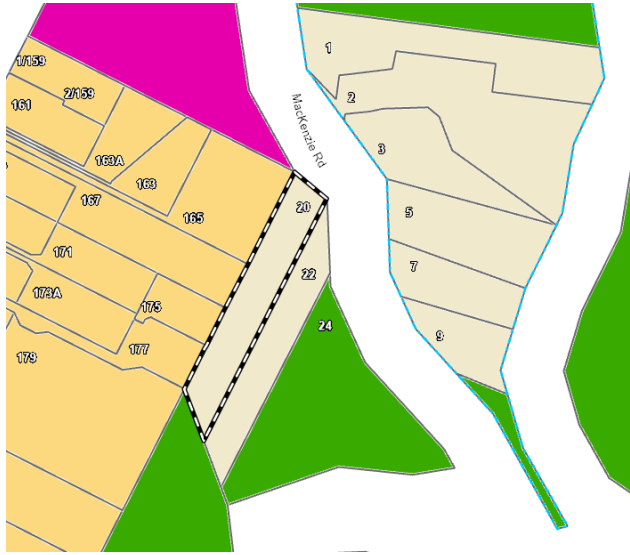
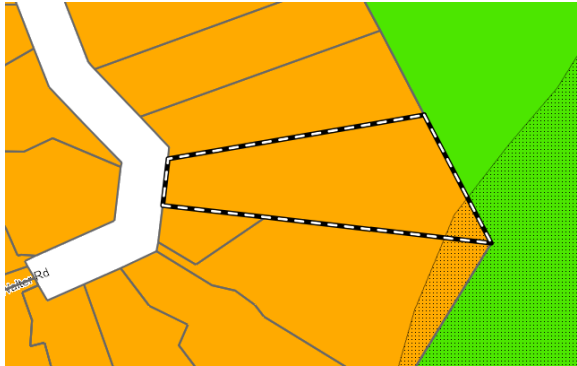
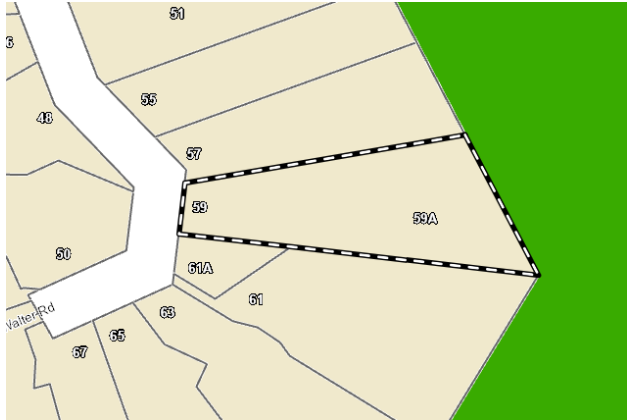
⁹ Tim Philips [64.1]

¹⁰ Carleen Richards [117.1]

¹¹ Rachel and James Prier [300.1]

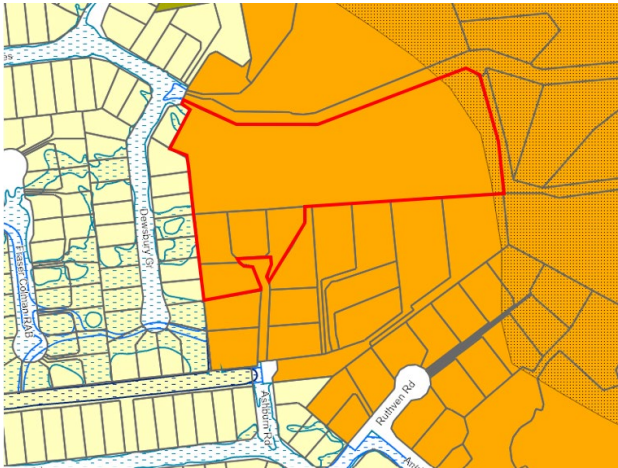
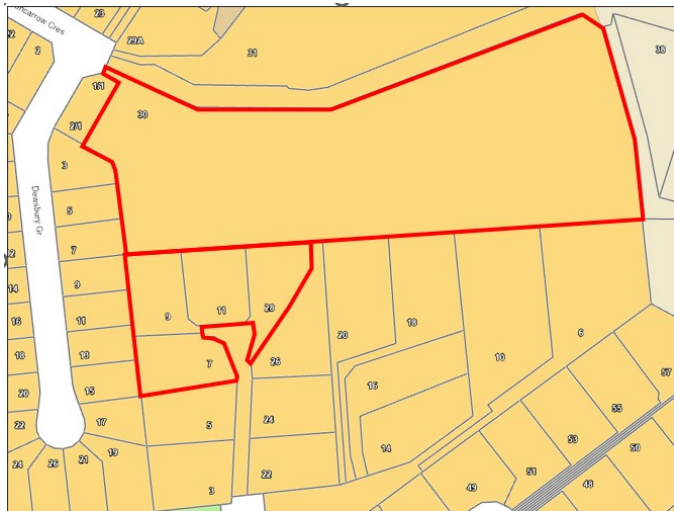
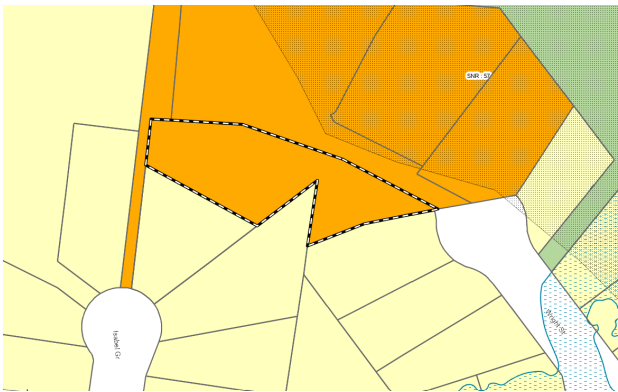
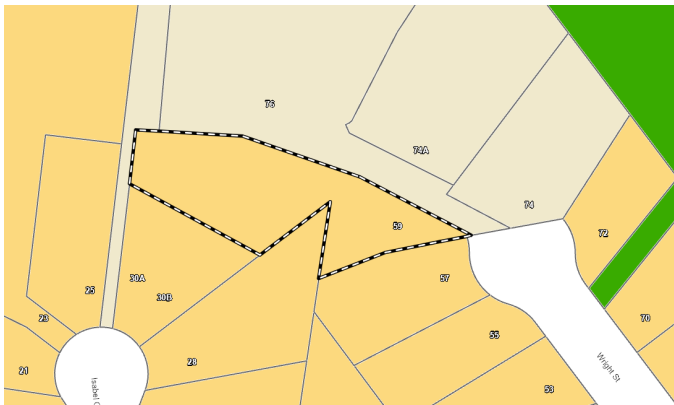
Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
					
6 Crawford Grove /107A Seddon Street and adjoining properties 5 and 7 Crawford Grove ¹²	MDRAA 	LLRZ 	5 Crawford Grove – 1,186m ² 6 Crawford Grove/107A Seddon St – 4,349m ² 7 Crawford Grove – 1,568m ²	- Crawford Grove has a formed footpath and suitable vehicle access - There are three waters connections in the road reserve - These sites are located less than 10 minutes walk to the closest bus stop on Waddington Drive	Rezone to MRZ

¹² Jeremy and Lynne Speight [235.1]

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
20 Mackenzie Road, Eastbourne ¹³	HRAA 	LLRZ 	1,185m ²	- Close proximity to Eastbourne shops (approx. 5 minute walk) and bus services on Muritai Road (the nearest bus stop is less than a 5 minute walk from the site) - Three waters connections are available in road reserve - Mackenzie Road is a narrow corridor with no footpaths. There is also no off-street parking in this section of the road.	Retain LLRZ
59a Walter Road ¹⁴	HRAA 	LLRZ 	2,297m ²	<i>This submission sought clarity about the zoning of the property compared to the ODP zoning, and whether the LLRZ zoning, along with the proposed slope assessment overlay, would require additional planning considerations compared to the ODP. As this submission did not seek a rezoning of the property, and the PDP zoning is materially the same as the ODP zoning, it has not been assessed against the LLRZ criteria.</i>	Retain LLRZ

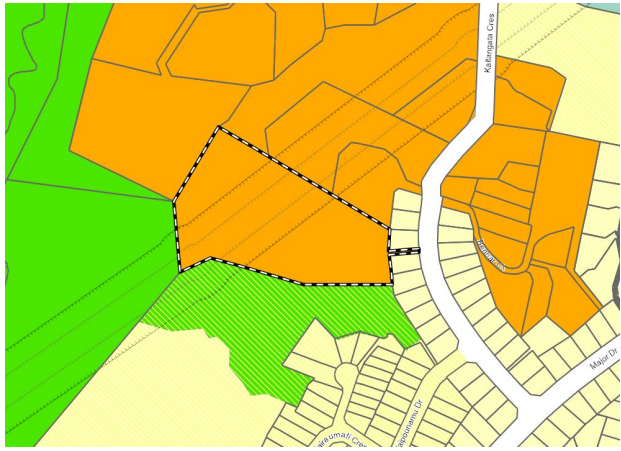
¹³ Ian Binnie [513.1]

¹⁴ John and Elisa Mendzela [287.2a]

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
7, 9, 11, and 28 Ashburn Road and neighbouring properties, particularly 30 Pencarrow Road ¹⁵	HRAA 	MRZ 	7 Ashburn Road – 1,048m ² 9 Ashburn Road – 1,729m ² (including Right of Way) 11 Ashburn Road – 1,025m ² 28 Ashburn Road – 1,005m ² 30 Pencarrow Crescent – 18,050m ²	- Sites on Ashburn Road are located within a 10-minute walk of the closest bus stop on Wise Street. 30 Pencarrow Crescent is within a 5 minute walk of the nearest bus stop on Wise Street. - Ashburn Road and Pencarrow Crescent both have formed footpaths and sufficiently wide corridors to support more intensive residential development. - Three waters connections are available in the road reserve.	Retain MRZ
59 Wright Street ¹⁶	HRAA 	MRZ 	1,401m ²	- Road corridor is narrow but sufficiently wide for denser development. - Three waters connections are available in the road reserve - Wright Street has formed footpaths - The property is accessed via a private right of way at the end of Wright Street which includes three other properties which are all zoned LLRZ. The zoning of this property as MRZ creates an irregular zoning pattern for this group of properties.	Rezone to LLRZ

¹⁵ Tania Pitama [304.1], Harry and Joyce Wild [362.1], Melissa Yaxley [320.1], Charles Hannaford [333.1]

¹⁶ Jaimie-Leigh and Nathaniel Cann [266.1]

Property	ODP Zone	PDP Zone	Site size ¹	Summary of assessment against LLRZ criteria	Officer recommendation on zoning
21 Kaitangata Crescent ¹⁷	HRAA 	MRZ 	20,000m ²	<i>This submission did not specifically seek a rezoning to LLRZ but instead sought a rezoning that is less enabling of development and raised concerns about the presence of National Grid transmission lines across the site. As such, the submission was not specifically assessed against the LLRZ criteria. The assessment instead focused on the appropriateness of the MRZ, given the zoning pattern in the immediate surrounding environment and the PDP's approach to managing development on sites where there are constraints such as National Grid infrastructure.</i>	Retain MRZ

¹⁷ RJ & CA Young [244.1]

APPENDIX 3: SITE SPECIFIC PROVISIONS APPLYING TO 12 SHAFTESBURY GROVE (OPERATIVE DISTRICT PLAN)

Appendix 3 – Site-specific subdivision provisions of the Operative Hutt City District Plan applying to 12 Shaftesbury Grove

Chapter 11 Subdivision

11.1.4 Special Areas

Issue

Subdivision of land in the coastal environment and in areas of ecological and historic heritage value can have adverse effects that need to be controlled.

Objective 1

To ensure that land in the coastal environment, areas adjoining lakes and rivers and other environmentally sensitive areas are protected from inappropriate subdivision.

Objective 2

Historic heritage values of identified heritage precincts and heritage items are protected from inappropriate subdivision.

Policy

- a. To ensure that land in the coastal environment, areas adjoining rivers and lakes and other environmentally sensitive areas are not subdivided to an extent or manner where amenity values, ecological, social, cultural and recreational conditions are adversely affected.
- b. Protect the historic heritage values of heritage items and in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts by managing density of development enabled by subdivision of land.
- c. To enable urban development through the subdivision of land identified in Appendix Subdivision 10 in a manner that protects the land's significant ecological values by:
 - i. Providing for the subdivision of land within the identified Development Area;
 - ii. Only allow for the subdivision of land outside the identified Development Area where the subdivision is required to support or enable development within the Development Area, and the land's significant ecological values are maintained or enhanced.

11.2 Rules

11.2.3(h) Restricted discretionary activities

Any subdivision of land identified in Appendix Subdivision 10.

In addition to the standard information requirements of s88(3) of the RMA the following information requirements shall also apply.

The following information requirements must be provided by the first application for

subdivision under this rule to achieve an integrated design response. They are applicable to any future stages and subsequent subdivision applications.

Where subsequent subdivision applications deviate from the management plans and information previously provided, the appropriate revisions, addendums or further information to the initial management plans and information must be provided.

A. Stormwater

A Stormwater Management Plan prepared by a suitably qualified person covering the following:

1. Existing site evaluation
 - Topography
 - Geotechnical and soil conditions
 - Existing stormwater network
 - Existing hydrological features
 - Stream and river locations
 - Flooding and Flowpaths locations
 - Ecological and environmental areas
2. Development summary and planning context
3. Proposed development including:
 - Location and area
 - Site layout and urban form
 - Location and extent of earthworks
4. Stormwater management, including:
 - Principles of stormwater management
 - Proposed site-specific stormwater management and treatment
 - Hydraulic connectivity and downstream impacts
 - Asset ownership
 - Ongoing maintenance requirements
 - Implementation of stormwater network

B. Geotechnical

A Geotechnical Assessment prepared by a suitably qualified person confirming that:

- The resulting allotments are able to accommodate the intended use and development.
- The risk from any geohazards can be avoided, remedied or mitigated.
- The subdivision will not increase or accelerate the risk from geohazards on the site or adjoining properties.

C. Ecology

A full ecological assessment of the site that:

1. Identifies indigenous biodiversity values on the site.
2. Identifies the appropriate level of management or avoidance depending on the significance of the indigenous biodiversity.
3. Provides the required management plans addressing at least the following:

i.Orchid Management

- Identify the location of threatened orchids within the Development Area.
- Set out requirements for the management of threatened orchids identified on the site.

ii.Lizard Management

- Identify areas that require a pre-vegetation clearance monitoring survey of lizards.
- Document any pre-vegetation clearance monitoring of lizards.
- Identify suitable lizard relocation areas.
- Set out requirements for any lizard relocation.

iii.Mānuka Management

- Review the significance and threat status of Mānuka Forest on the site;
- Identify areas of significant Mānuka Forest on the site.

iv.Vegetation Management

- Identify vegetation protection measures outside the Development Area identified in Appendix Subdivision 10.
- Provide details for weed and pest management on the site.
- Identify ongoing monitoring and maintenance requirements.

v.Falcon Survey

- The requirements for an on-site survey for nesting NZ falcons prior to the start of works if any vegetation clearance or earthworks are scheduled to be undertaken during the falcon nesting season.

D. Landscape and Visual

A Landscape Management Plan prepared by a suitably qualified person taking into consideration the findings and recommendations of the ecological assessment and management plans required under C. Ecology and providing the following landscaping details:

- Street trees and amenity planting.
- Fencing and planting treatments at the boundary with Fenchurch Grove properties.
- Planting to mitigate earthworks and retaining structures.
- Reserve and open space design including recreation tracks.
- Roads, pedestrian, and cycle linkages within the site and to the wider access network.
- Stormwater design and associated planting.

E. Transport

For any subdivision that exceeds the high trip generator thresholds specified in Appendix Transport 2 an Integrated Transport Assessment prepared by a suitably qualified person.

11.2.3.1 Matters in which the Council has restricted its discretion

g. Any subdivision of the land identified in Appendix Subdivision 10.

h. Amenity Values

The extent to which any earthworks proposal will affect adversely the visual amenity values of the area, and the extent to which replanting, rehabilitation works or retaining structures are included as part of the proposal to mitigate adverse effects. Earthworks should not result in the permanent exposure of excavated areas or visually dominant retaining structures when viewed from adjoining properties or public areas, including roads.

Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

i. Existing Natural Features and Topography

The extent to which the proposed earthworks reflect natural landforms and are sympathetic to the natural topography.

Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

j. Historical or Cultural Significance

The extent to which the proposed earthworks will affect adversely land and features which have historical and cultural significance.

k. Construction Effects

The management of construction effects, including traffic movements and hours of operation.

The extent to which proposed earthworks have adverse short term and temporary effects on the local environment.

l. Engineering Requirements

The extent of compliance with NZS 4431:2022 (Engineered Fill Construction for Lightweight Structures).

The extent of compliance with NZS 4404:2010 (Land Development and Subdivision Infrastructure).

m. Erosion and Sediment Management

The extent of compliance with the "Erosion and Sediment Control Guidelines for

the Wellington Region 2002” and “Small Earthworks – Erosion and Sediment Control for small sites” by Greater Wellington Regional Council.

n. Design and Layout

The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and manoeuvring standards, and any necessary easements.

Any measures proposed to mitigate potential adverse effects of subdivision, earthworks and development upon the steeper hillsides, gullies, and streams outside the identified Development Area.

o. Utilities Servicing

The provision of utilities servicing, including street lighting, telecommunications, gas and electricity.

p. Transport

The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses.

In addition, for subdivisions that exceeds the high trip generator thresholds specified in Appendix Transport 2 the effects of the activity on the transport network including impacts on on-street parking.

q. Stormwater Management

The provision of stormwater control and disposal and any measures proposed to manage and treat stormwater in accordance with the Stormwater Management Plan for the site.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

r. Wastewater

The provision of wastewater systems and any measures proposed to utilise off-peak network capacity through on-site storage and timed wastewater release.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

s. Water Supply

The provision of a reticulated water supply network and any measures proposed to achieve an adequate domestic and fire-fighting water supply.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

t. Natural Hazards

The avoidance or mitigation of natural hazard risks

u. Regionally Significant Network Utilities

The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

The outcome of consultation with the owner and operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

v. Geotechnical

Any measures proposed to provide appropriate foundations for future buildings within the subdivision and to manage the risk from geohazards on the site and on adjoining properties from any earthworks or site development works, in accordance with the Geotechnical Assessment for the site.

w. Ecology

Any measures proposed to avoid or manage adverse effects on indigenous biodiversity on the site.

x. Other Matters

Those matters described in S108 and 220 of the Resource Management Act 1991.

11.2.3.2 Standards and terms

b. Any subdivision of land identified in Appendix Subdivision 10

i. Development Areas All earthworks, building platforms, roads, private accesses, and utility structures must be identified and located within the Development Area identified in Appendix Subdivision 10.

11.2.4 Discretionary activities

... (o) Any subdivision of land identified in Appendix Subdivision 10 that does not comply with the Standards and Terms in 11.2.3.2 (b)(i)(1).

Appendix 10 – Development Area



APPENDIX 4: ASSESSMENT OF SCOPE OF AMENDMENTS SOUGHT BY LAURA SKILTON IN HEARING EVIDENCE

Appendix 4: Assessment of scope of amendments sought in the hearing evidence of Laura Skilton

Provision	Amendment(s) sought in original submission	Amendment(s) sought in hearing evidence	S42A Officer Comment
Objectives and policies			
HRZ-O1/MRZ-O1	No amendments sought	The (High) 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/high density development <u>that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</u>	Amendments are outside the scope of the original submission. However, the wording of the revised objective is already included in the PDP Strategic Objectives, specifically UD-SD-O1.
HRZ-O2/MRZ-O2	No amendments sought	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. Allow small scale activities that fit the <u>Are compatible with the purpose and the planned</u> character and urban built environment of a residential zone, b. Are compatible with the amenity associated with residential development anticipated by the zone, and	Amendments are outside the scope of the original submission.

		c. Support the health and wellbeing of people and communities in the surrounding area.	
HRZ-O4/MRZ-O4	No amendments sought	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 - minimum on-site outdoor living area for residents, 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	Amendments are outside the scope of the original submission. However, there is scope within the submission of (Malcolm Ross [477.3b], which sought the deletion of Objective MRZ-O4.

		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.	
HRZ-P1/MRZ-P1	No amendments sought	Provide for residential activities and non residential activities that are compatible <u>that fits</u> with the purpose, planned character and planned urban built environment of <u>a residential</u> the zone, <u>and</u> supports the community's social, economic, and cultural wellbeing, and manage adverse effects on residential amenity.	Amendments are outside the scope of the original submission. These policies did not receive any submissions in opposition and therefore there is no scope provided by other submissions to consider this change.
HRZ-P2/MRZ-P2	No amendments sought	Only allow non-residential activities where: 1. They support the social, economic and cultural well-being of the local community, 2. They are compatible <u>fit</u> 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 of <u>a residential</u> 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,	Amendments are outside the scope of the original submission. There is scope to consider the amendments to Policy MRZ-P2 within the submission of Malcolm Ross [477.1] who sought the deletion of Policy MRZ-P2 or amendments to the policy so that non-residential activities are not provided for in the MRZ.

		cyclists, vehicles, and public transport) can be adequately mitigated.	
HRZ-P4	No amendments sought	Enable a variety of housing types with a mix of densities within the zone, including three six-storey attached and detached dwellings, and low-rise apartments	Amendments are outside the scope of the original submission. While there were submissions seeking drafting amendments to this policy, there is no scope for this specific change within any other submission.
HRZ-P5/MRZ-P5	No amendments sought	Recognise the benefits of Enabling (high)-density housing in to provide 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.	Amendments are outside the scope of the original submission. There were no submissions in opposition or seeking amendments to these policies and therefore there is no scope within other submissions to consider these amendments.
HRZ-P12/MRZ-P12	Amendments sought to clauses 2 and 3. Additional clause sought: 2. Ensure adequate Provide <u>minimum</u> access to daylight for residential activities on the site and on adjacent sites. 3. Ensure adequate Provide <u>minimum</u> access to sunlight for existing outdoor living spaces on adjacent sites, and public open space.	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	The amendments to clauses 2 and 3 as shown in the hearing evidence are more restrictive than what was sought in the original submission. These amendments are outside the scope of the original submission, while there are other submissions on this policy they do not provide sufficient scope to consider the additional amendments sought by Ms Skilton.

	<u>7. Ensure the outlook requirements at existing adjacent dwellings are not impeded.</u>	adequate <u>privacy is not compromised above existing standards</u> for residential activities and other sensitive activities on the site and on adjacent sites, <u>especially on the southern side.</u> 2. Ensure adequate access to <u>daylight hours are not compromised above existing standards</u> for residential activities on the site and on adjacent sites, <u>especially on the southern side.</u> 3. Ensure adequate access to <u>sunlight hours are not compromised above existing standards</u> for existing outdoor living spaces on adjacent sites, and public open space <u>especially on the southern side.</u> 4. Create a safe residential environment by enabling passive surveillance <u>Ensure Crime Prevention Through Environmental Design requirements are met.</u> 5. Ensure residential units have access to outdoor living spaces that: a. Are located and oriented to ensure good access to sunlight <u>minimum 3 hours access to sunlight per day,</u> 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	It is unclear if new clause 7 is still being sought by the submitter, as this is not shown in the marked-up amendments in the hearing evidence.
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		that is well integrated with the development and provides a <u>Ensure sufficient landscaping is provided on a site to provide</u> 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.	
HRZ-P13/MRZ-P13	No amendments sought	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 ...	Amendments are outside the scope of the original submission. However, there is scope to consider the amendments to MRZ-P13 in the submission from Kāinga Ora [386.30] who sought the deletion of MRZ-P13.
HRZ-P14/MRZ-P14	Delete policy in its entirety	Delete policy in its entirety	While the original submission did not seek the deletion of this policy, the same relief was sought by Kāinga Ora [386.31 and 386.45]. I have recommended the deletion of this policy in response to other submissions seeking the same relief (see paragraphs 195-201 of the section 42A report).
HRZ-P15/MRZ-P15	No amendments sought	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	Amendments are outside the scope of the original submission. No other submissions were received on these policies.

		<u>whenua, matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga are appropriately addressed</u>	
Rules and standards			
HRZ-R2/MRZ-R2	No amendments sought	Demolition or removal of heritage buildings should not be a permitted activity	Amendment is outside the scope of the original submission. No submissions were received on these rules.
HRZ-R3/MRZ-R3/LLRZ-R3	Permitted <u>1.b. Outlook space of an existing adjacent dwelling is not in accordance with HRZ-S9 for the adjacent site</u> 2. Activity status: Restricted discretionary Prohibited Where: Compliance is not achieved with HRZ-R3.1.	Include HRZ-S1 Add: <u>3. Activity Status: Non Complying</u> Where <u>a. The permeable surface area of a site is less than 25%.</u>	Amendments are outside the scope of the original submission. While submissions were received on these standards from other submitters, they do not provide scope for the additional changes sought by Ms Skilton in hearing evidence.
HRZ-R4/MRZ-R4	2. Activity status: Restricted discretionary Prohibited	Where: Compliance is achieved with: HRZ S1: Number of residential units, HRZ S8: Outdoor living space, HRZ S9: Outlook space, HRZ S10: Windows to street, and HRZ S11: Landscaped area.	Amendments are outside the scope of the original submission. While other submissions were received seeking amendments to these rules, they do not provide sufficient scope for the deletion of the matters of discretion.
HRZ-R5/MRZ-R5	HRZ-R5 Papakāinga (housing and ancillary activities for tangata whenua on their ancestral land).	Papakāinga (communities built on ancestral land)	Submissions on the papakāinga provisions are to be heard in Hearing Stream 4. However, the amendments sought in the

	g. Compliance is achieved with: i. HRZ-S8: Outdoor living space, and ii. <u>HRZ-S7: Permeable surface, and</u> iii. HRZ-S9: Outlook space. 2. Activity status: Restricted Discretionary	1.e. The total gross floor area of non-residential activities is no more than 200m² <u>50m²</u>. ... g. Compliance is achieved with: i. <u>HRZ-S7: Permeable surface</u> i. HRZ-S8: Outdoor living space, and ii. HRZ-S9: Outlook space.	hearing evidence are likely outside the scope of the original submission.
HRZ-R6/MRZ-R6	b. No more than <u>two</u> four people may work onsite at the home business at any one time. c. Retail activities are <u>not undertaken on site, including online retail limited to:</u> 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. 2. Activity status: Restricted Discretionary	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 <u>two</u> people may work onsite at the home business at any one time. c. Retail activities are <u>not undertaken on site, including online retail.</u> i. Goods produced on the site, or ii. Goods retailed online and not resulting in customer visits to the site and limited to one courier a day, 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	The amendments sought in the hearing evidence to clauses f and g are outside the scope of the original submission. As Ms Skilton was the only submitter on these provisions, there is no scope within other submissions for these additional amendments. All other amendments shown in the hearing evidence are the same as those sought in the original submission, and are assessed at paragraphs 370-376 of the section 42A report.

		to the home business are not outside <u>between</u> the hours of: i. 8.00 <u>9.00</u> am to 7.00 <u>6.00</u> pm Monday to Friday, and ii. 9.00am to 6.00 <u>4.00</u> pm 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. <u>By a solid or close boarded fully opaque fence of at least 1.8 metres in height.</u>	
HRZ-R7/MRZ-R7	Where: The maximum occupancy, including staff and visitors, is limited to <u>five</u> 40 persons at any one time. 2. Activity status: Restricted Discretionary	Where: The maximum occupancy, including staff and visitors, is limited to <u>five</u> 40 persons at any one time.	The amendments outlined in the hearing evidence are within the scope of the original submission. This matter is addressed at paragraphs 370-376 of the section 42A report.
HRZ-R8/MRZ-R8	2. Activity status: Restricted Discretionary	Where: 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.	The amendments are outside the scope of the original submission. While there is one other submission on these rules (MOE [399.63 and 399.68]) the amendments sought in that submission relate to the number of children threshold, and does not provide scope for the additional change sought by Ms Skilton.

HRZ-R9/MRZ-R9	Where: a. The maximum number of people accommodated at the supported residential care facility, including staff and residents, does not exceed <u>five</u> 40. 2. Activity status: Restricted Discretionary	Where: a. The maximum number of people accommodated at the supported residential care facility, including staff and residents, does not exceed <u>five</u> 40. 2. Activity status: Restricted Discretionary	The amendments sought in the hearing evidence the same as the amendments sought in the original submission. Amendments sought are within scope.
HRZ-R10	2. Activity status: Restricted Discretionary a. The total gross floor area of the commercial activities does not exceed <u>100</u> 200m² per site. d. The hours of operation are not outside: i. 7.00am to 9.00pm <u>8.00am to 7.00pm</u> Monday to Friday, and ii. 8.00am to 7.00pm <u>9.00am to 6.00pm</u> Saturday, Sunday, and public holidays. iii. <u>Closed public holidays</u> e. <u>No more than four staff may work on the premises at any one time.</u>	Where: a. The total gross floor area of the commercial activities does not exceed 200m² <u>50m²</u>. per site. b. The commercial activity is entirely indoors. c. 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. d. The hours of operation are not outside <u>between:</u> i. 7.00 <u>9.00</u> am to 9.00 <u>6.00</u> pm Monday to Friday, and ii. 8.00 <u>9.00</u> am to 7.00 <u>4.00</u> pm Saturday, <u>Sunday, and public holidays.</u> e. <u>No more than four staff may work on the premises at any one time.</u>	The amendments sought in the hearing evidence to clauses a, d.i, d.ii. are outside the scope of the original submission. No other submissions were received on this rule. The additional clause sought in the original submission (clause e) is assessed at paragraphs 374-376 of the section 42A report.
HRZ-R11/MRZ-R10 ¹	Delete entire rule	Where:	As the relief sought in the original submission sought the

¹ It is noted that in Ms Skilton's evidence this rule is referenced as MRZ-R11/HRZ-R11 however this appears to be an error as the evidence refers to the rule title as 'Health care activities' which has slightly different rule numbers between the MRZ and HRZ – being MRZ-R10 and HRZ-R11.

		a. No more than four staff may work on the health care activity premises at any one time <u>b. No more than two clinical rooms</u>	deletion of the rule, the amendments sought to the rule (to add clause b) are within the scope of the original submission.
HRZ-R21/MRZ-R20	<u>c. storage/work does not require truck movements</u> 2. Activity status: Restricted Discretionary	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. <u>c. storage/work does not involve the use of trucks or other heavy vehicles.</u>	The wording of the new clause c. in the hearing evidence differs to that of the original submission. Both versions have the same effect with regard to the use of trucks (i.e. they are not permitted). However, the hearing evidence adds 'other heavy vehicles' to this rule which broadens the scope and makes the rule more restrictive. Therefore, the amendment sought in the hearing evidence is outside the scope of the original submission. No other submissions were received on this rule.
HRZ-R22/MRZ-R21	No amendments sought	Where: a. <u>The hours of servicing occurs only are</u> between: i. 8:00 <u>9:00</u> am to 7:00 <u>6:00</u> pm Monday to Friday, and ii. 9:00 am to 6:00 <u>4:00</u> pm Saturday, Sunday, and public holidays.	As no amendments were sought to this rule in the original submission, the amendments sought through hearing evidence are out of scope. While one other submission was received on these provisions (Enviro NZ [323.054] and [323.047]) the submission does not provide sufficient

			scope for these changes. Note also the section 42A report recommends amendments to the servicing hours in response to Enviro NZ's relief sought at paragraphs 389-390.
HRZ-S2/MRZ-S2	2. Does not apply to: a. Decks less than 500mm 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.	1. Building and structure coverage shall need not exceed 50%. 2. 1 does not apply to: a. Decks less than 500mm 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. 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	The hearing evidence seeks the deletion of matters of discretion 3-5 which was not included in the original submission. However, matter of discretion 3 is recommended to be deleted as a consequence of my recommendation to delete policy HRZ-P14/MRZ-P14. Overall, these amendments are out of scope of the original submission. While there are other submissions on these standards they do not provide sufficient scope for the additional amendments sought by Ms Skilton.
HRZ-S3/MRZ-S3	No amendments sought	1. Buildings and structures must not exceed a maximum height above ground level of:	As no amendments were sought to this standard in the original submission, the

		a. For buildings a structure within the Specific Height Control Overlay: The maximum height shown in that overlay, b. In any other case: (22/11)m, 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. 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.	amendments sought through hearing evidence are outside the scope of the original submission. While there are other submissions on these standards they do not provide sufficient scope for the additional amendments sought by Ms Skilton. However, matter of discretion 3 is recommended to be deleted as a consequence of my recommendation to delete policy HRZ-P14/MRZ-P14.
HRZ-S4/MRZ-S4	1. Where up to 3 residential units occupy the site: <u>1. a.</u> 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	1. Where up to 3 residential units occupy the site: <u>1. a.</u> All buildings and structures must not project beyond a 60o 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).	The amendments to clause 4 differ slightly to the amendments sought in the original submission however the intent and effect are the same. The relief sought to delete matters of discretion 3, 4, and 5

	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). 4. 1, 2 and 3 do not apply to: a. A boundary with a road <u>if the road reserve is more than 12m wide.</u>	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). 4. 1, 2 and 3 <u>do</u> not apply to: a. A boundary with a road, <u>where the road reserve is wider than 12m,</u> 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	were not sought in the original submission, and therefore these amendments are out of scope. While there are other submissions on these standards they do not provide sufficient scope for the additional amendments sought by Ms Skilton. However, matter of discretion 3 is recommended to be deleted as a consequence of my recommendation to delete policy HRZ-P14/MRZ-P14.
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		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. 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	
HRZ-S5/MRZ-S5	No amendments sought	Add to end: <u>Any building or structure (excluding fences) on a boundary must have a fire wall and meet the building code requirements</u>	The amendments are outside the scope of the original submission. While other submissions were received on these standards, they do not provide sufficient scope for the additional amendment sought by Ms Skilton.
HRZ-S6/MRZ-S6	No amendments sought	Delete in full.	The relief sought is outside the scope of the original submission. No other

			submissions were received on these standards.
HRZ-S7, MRZ-S7, LLRZ-S6	<i>Changes apply to HRZ-S7 and MRZ-S7 only.</i> <u>There are no matters for discretion. If the Standard is breached, the activity is prohibited.</u> 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.	<i>Changes apply to LLRZ-S6 in addition to HRZ-S7 and MRZ-S7.</i> 1. The minimum permeable surface area of a site is 30%. <u>Side yards less than 1.5m between two adjacent buildings, including on an adjacent property, are excluded from this calculation</u> Matters of discretion if the standard is breached: 1. The effects on the stormwater system, <u>including private drains that run into existing kerb and channel.</u> 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. <u>4. Compliance with the Wellington Water Regional Standard for Water Services, December 2021, Version 3.0.</u> 4. Any positive effects that cannot be achieved while meeting the standard.	The amendments sought through the hearing evidence are outside the scope of the original submission. It is also noted that the hearing evidence applies this change to standard LLRZ-S6 which was not included in the amendments in the original submission. While other submissions were received on these standards, they do not provide sufficient scope for the additional amendments sought by Ms Skilton.
HRZ-S8/MRZ-S8	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, <u>and/or</u> roof terrace space that 	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, <u>and/or</u> roof terrace space that 2. A residential unit located above ground floor level must have an outdoor living	The amendments shown in the hearing evidence are the same as those in the original submission and therefore remain in scope.

	2.A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, <u>and/or</u> 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.	space in the form of a balcony, patio, <u>and/or</u> 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.	
HRZ-S9/MRZ-S9	2.a. All other habitable rooms must have an outlook space with a minimum dimension of 4m <u>2m</u> deep and 1m wide. New clause <u>2. Outlook space for residential units on adjacent sites must be maintained to a provide the minimum depth as shown in the diagram HRZ-Figure 3 for all windows on the adjacent site.</u>	No further amendments sought/not included in hearing evidence.	It is assumed that this additional clause is still sought by the submitter and therefore remains in scope.

HRZ-S11/MRZ-S11	No amendments sought.	1. A minimum of 30 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	The amendments sought in the hearing evidence are outside the scope of the original submission. No other submissions were received on these standards to provide sufficient scope for the additional amendments sought by Ms Skilton. However, matter of discretion 3 is recommended to be deleted as a consequence of my recommendation to delete policy HRZ-P14/MRZ-P14.
Note – other standards	No amendments sought.	Other standards that refer to HRZ-P14 or MRZ-P14 will need this to be removed if the Commissioners agree that this is an advice note, not a policy.	This is a consequential amendment relating to the submitter's relief sought in relation to HRZ-P14/MRZ-P14. While outside the scope of the original submission, I have made a recommendation to delete Policy MRZ/HRZ P14 and consequential amendments

			are required, as shown in Appendix 1 of the Reply Statement.
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