

BEFORE THE HUTT CITY COUNCIL

Independent Hearing Commissioner(s)

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Lower Hutt District Plan

REPLY STATEMENT OF MIRIAM ADEANE MOORE

Associate Principal Urban Designer

17 July 2026

1.0 INTRODUCTION

- 1.1 My name is Miriam Adeane Moore, and I am an Associate Principal Urban Designer at Boffa Miskell Limited, a national firm of consulting planners, urban designers, ecologists and landscape architects.

2.0 QUALIFICATIONS, EXPERTISE AND CODE OF CONDUCT

- 2.1 My qualifications and experience are set out in Paragraph 1 of my statement of evidence provided as Attachment 4 to Ms Pascall's Section 42A Report dated 21 May 2026. I repeat the confirmation given in that report that I have read and agree to comply with the Environment Court's Code of Conduct for Expert Witnesses 2023.

3.0 RESPONSES TO PANEL QUESTIONS

- 3.1 This section responds to the questions raised by the Hearings Panel in Minute 8 at Paragraphs 14 and 17.

MRZ-S10/HRZ-S10

- 3.2 The Panel requested commentary on Ms Clarke's evidence in relation to MRZ-S10/ HRZ-S10 relating to windows to the street.
- 3.3 Ms Clarke is concerned about the consequences of the standard when renovating existing houses, and risks of heat loss from south and western-facing elevations. Ms Clarke also sought clarification of what constitutes "street facing"
- 3.4 In my opinion, the intent of the *Windows to Street* rule is to contribute to active street frontages and provide opportunity for passive surveillance over the street. This rule carries out the "*healthy, safe, attractive and accessible*" streets objective outlined by MRZ-O4/HRZ-O4 and by enabling passive surveillance over the street sought by MRZ-P12.4.

- 3.5 A 20% glazing provision encourages internal arrangement of living environments to contribute to an active and attractive street environment, which assists in integrating increased densities into existing residential street environments.
- 3.6 I consider the standard is clear as it only refers to units which directly front the public street edge, and note this rule is worded similarly in other district plans, for example Wellington City Council *“Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing”*. However, while not the intent of the Plan, I would encourage future urban design guidance to encourage applicants to consider any new internal laneways or shared driveways to be treated as a public “street” in providing similar activation treatment.
- 3.7 In my experience working with glazing rules, I have compared outcomes of 0%, 20%, 25%, 33% and 50% glazing. This found that 20% of glazing across the façade achieves an appropriate balance between providing sufficient glazing to enable views out of buildings from multiple points on the façade and provide a sense of activation, while not overly constraining design flexibility in relation to internal layout and privacy.
- 3.8 This experience has largely tested new medium density developments, not additions and alterations as raised by Ms Clarke. I consider her example of altering one room demonstrates where the rule might add additional burden if it were the only matter triggering consent. The intent of the rule as discussed in Paragraph 3.5 has most benefit when applied at scale in multi-unit or apartment development contexts. I therefore consider there could be merit in excluding this rule from additions or alterations, applying to only new units.
- 3.9 I understand other potential functional concerns could include thermal and acoustic performance, reduced privacy or security concerns. In my opinion, both performance and privacy impacts could be overcome through other means, including glass specifications, window arrangements and unit configuration. I also

consider that individual unit security needs to be balanced with broader community safety (CPTED) outcomes.

- 3.10 In my experience, the standard is treated as a target, and multi-unit dwelling consent applications which may breach other standards, will fall short of this standard if triggering consent on other matters. Lowering the accepted minimum to 15% may have implications where applications which require consent continue to breach the standard, and the intent of the standard is lost – particularly as its benefits are found at scale with larger multi-unit developments which are more likely to require consent on other matters.
- 3.11 By retaining the glazing standard, I consider this will positively challenge applicants to carefully consider site configurations and residential unit layouts early in the design process to achieve both functional and amenity outcomes. In my experience, many of these can be adequately resolved through creative urban design solutions.
- 3.12 I support retaining the rules as written, but would support an exception of it applying to additions and alterations of existing buildings where no additional units are added.

Sunlight and shading assessments

- 3.13 The Panel requested a summary of the Urban Design Institute's practice notice regarding sunlight access and how this applies to relevant provisions of the PDP. The matter of sunlight was raised during the hearing, following a submitter's proposal to remove reference to daylight, which I supported in my evidence.
- 3.14 I understand that 'daylight' is more appropriately addressed through the Building Code than through district plan provisions, which creates some ambiguity when assessing effects at the resource consent stage, particularly given the technical expertise required to measure it. In this context, daylight is generally understood as the provision of natural light to internal spaces sufficient to support functional use. Consistent with the Building Code concept of natural light, daylight may be achieved through indirect as well as direct

sources of light, including through south-facing windows, light wells, or recessed balconies. The Building Code measures this through illuminance provided by lux levels. As such, daylight should not be equated solely with access to direct sunlight.

- 3.15 The Urban Designers Institute Aotearoa (UDIA) has been established to recognise and support urban design as a profession in Aotearoa New Zealand by recognising urban designers with a combination of tertiary education, skills, and experience. It is a new Institute, being formally established in late 2024.
- 3.16 Late in 2025, the UDIA released its first two practice notes on Systematic Shading Assessment Methodology (S-SAM) to ensure greater consistency of analysis and effects assessment for its members who carry these out regularly. It is a methodology for graphically analysing and communicating changes to the extent of sun received by public and private open spaces and/or building envelopes in a way that is suitably informative, comprehensive and fit-for-purpose. Any professionals who prepare shading diagrams can use Practice Note 1 (publicly available), and registered UDIA Urban Designers are able to complete the effects assessment using Practice Note 2 (available to UDIA Members).
- 3.17 S-SAM is focussed on shading effects, not sunlight access. However, the two are closely interrelated. I assume envelope controls such as height in relation to boundary recession planes and building heights have been configured to consider appropriate sunlight access relative to density expectations. Therefore, any breach of these rules might trigger a shading assessment to understand the effect of loss of sunlight on any public or private open spaces and/or building envelopes.
- 3.18 In conclusion, while S-SAM would not have a direct reference in any district plan, it can be used as a tool to consistently prepare shading analysis and when assessing the significance of effects within district plans to support decision makers. This analysis can be undertaken by a design professional and assessed by a registered urban designer who operates within the resource

consent system. Therefore, I consider 'sunlight' to be the most appropriate wording over 'daylight' within the policy level of the PDP, as there is a clear and consistent assessment methodology for assessing the impact of loss of sunlight.

Outdoor Living Space – examples of circular measurements in other District Plans

3.19 The Panel requested example of other District Plans where a circular outdoor living space standard is utilised. I am aware of the following examples:

District Plan	Standard
Horowhenua District Plan	3.20 GRZ-S6: Private Outdoor Living Area a) All residential dwelling units on sites 330m² or greater shall have a private outdoor living area which is at least 40m² in area and capable of containing a circle 4 metres in diameter that is orientated to the east, west, or north of the unit and directly connects to the main living area. b) All residential dwelling units on sites smaller than 330m² shall have a private outdoor living area which is at least 20m² in area and capable of containing a circle 2.5 metres in diameter that is orientated to the east, west, or north of the unit and directly connects to the main living area.
Invercargill District Plan	3.21 Outdoor Living RES1Z-R9 Residences at or near ground level: A designated area of outdoor living space is to be provided as follows: 1. The space shall be sufficiently large to accommodate a horizontal circle with diameter 5 metres 2. Minimum area 30m² 3. The space shall be free of all buildings except for conservatories.

	Provided that this space shall not form part of areas shown on the site plan as being for vehicle parking or manoeuvring.
Napier District Plan	3.22 LLRZ-S9: Open space a) Each residential unit must have a minimum open space of not less than 50% of the gross floor area, provided that the maximum area of open space required to be provided under this rule is 100 m² per residential unit, provided that: (i) The open space must include at least one area capable of containing a 6 m diameter circle, and (ii) The open space must have a minimum dimension of 3 m measured at right angles to the perimeter of the area. b) Where the open space is partially provided in the form of a balcony, patio, or roof terrace it is at least 5 m² and has a minimum dimension of 1.8 m. c) Open space must be unobstructed by buildings (other than cantilevered decks), parking spaces, or vehicle manoeuvring areas. d) Open space must be directly accessible from the residential unit to which it relates.
Hastings District Plan	7.2.5I Outdoor Living Space a. Each Principal Residential Building shall have an Outdoor Living Space which shall: Have a minimum area of 50m² and include one area capable of containing a 6 metre diameter circle; b. Be directly accessible from the principal residential <u>building</u>; c. May comprise one or more area(s); but each area shall have a minimum width of 2 metres (so the space is useable); and

	d. May take the form of a deck, terrace or veranda, but must be unobstructed by buildings*, car parking areas, <u>vehicle</u> manoeuvring areas or <u>notional garages</u>.																																			
South Taranaki District Plan	4.2.3 Private outdoor living area All dwelling units shall have a private outdoor living area which complies with the Table 1 below: Table 1: Private Outdoor Living Areas <table><tr><th rowspan="2">Type of Dwelling Unit</th><th colspan="3">Intersecting Road Type (distances in metres)</th></tr><tr><th colspan="3">Urban</th></tr><tr><th></th><th>Minimum Area</th><th>Minimum Dimension</th><th>Orientation/Other Matters</th></tr><tr><td colspan="4">Outside Intensification Area Shown on the Planning Maps</td></tr><tr><td>Ground Floor Dwelling Units</td><td>20m²</td><td>2.5m diameter circle</td><td>Directly access from the main living area and kept free of buildings, access (including driveways and manoeuvring areas), parking spaces and dedicated utility spaces.</td></tr><tr><td>Upper Floor Dwelling Units</td><td>15m²</td><td>2.5m diameter circle</td><td>Directly access from the main living area and kept free of access to other dwelling units and dedicated utility spaces.</td></tr><tr><td colspan="4">Outside Intensification Area Shown on the Planning Maps</td></tr><tr><td>Minor Dwelling Units</td><td>10m²</td><td>2.5m diameter circle</td><td>East, West or North</td></tr><tr><td>All Other Dwelling Units</td><td>50m²</td><td>4m diameter circle</td><td>East, West or North</td></tr></table>	Type of Dwelling Unit	Intersecting Road Type (distances in metres)			Urban				Minimum Area	Minimum Dimension	Orientation/Other Matters	Outside Intensification Area Shown on the Planning Maps				Ground Floor Dwelling Units	20m ²	2.5m diameter circle	Directly access from the main living area and kept free of buildings, access (including driveways and manoeuvring areas), parking spaces and dedicated utility spaces.	Upper Floor Dwelling Units	15m ²	2.5m diameter circle	Directly access from the main living area and kept free of access to other dwelling units and dedicated utility spaces.	Outside Intensification Area Shown on the Planning Maps				Minor Dwelling Units	10m ²	2.5m diameter circle	East, West or North	All Other Dwelling Units	50m ²	4m diameter circle	East, West or North
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4.0 CONCLUSION

4.1 In conclusion, I support retaining the glazing standards as written, with the exception of excluding additions and alterations of existing buildings where no additional units are added.

4.2 I further reinforce my support of referring to sunlight within the policies, knowing there is a consistent and comprehensive tool available to assess impacts of shading where sunlight effects may be considered a matter of discretion.

MIRIAM ADEANE MOORE

Associate Principal Urban Designer

Boffa Miskell Limited

17 July 2026