BEFORE THE HUTT CITY COUNCIL

Proposed District Plan Hearings Panel – Stream 2 – Business

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Lower Hutt District Plan

REPLY STATEMENT OF STEPHEN DAVIS

ON BEHALF OF HUTT CITY COUNCIL

Hearing 2 – Commercial and Mixed Use Zones, Industrial Zones and the Seaview Marina Zone

13 October 2026

1.0 Introduction

1.1 My name is Stephen Davis, and I am a Senior Policy Planner at Hutt City Council.

1.2 This evidence responds to matters arising during Hearing Stream 2 for the Proposed Lower Hutt District Plan (the PDP) and the questions of the Hearing Panel in Minute #6 of 3 June 2026, and Minute #7 of 11 June 2026.

1.3 Except as otherwise identified, all findings and recommendations contained in my Section 42A reports[1] and rebuttal evidence[2] remain unchanged.

1.4 Additional evidence has been lodged by submitters that was not covered in my rebuttal evidence. I have reviewed this additional evidence. However, for brevity I have only addressed this in this report where requested by the panel or where the evidence has affected my conclusions in the Section 42A reports or rebuttal evidence.

1.5 This evidence covers only the matters in Hearing Stream 2 that relate to the matters addressed in the Commercial and Mixed Use Zones Section 42A Report and the Industrial Zones and the Seaview Marina Zone Section 42A Report. Matters relating to the Contaminated Land and Hazardous Substances Section 42A Report will be addressed with separate evidence by the reporting officer for that topic, Hamish Wesney.

1.6 As there are some live questions relating to how some matters sit across topics of the plan, such as whether provisions should be located in a zone chapter or a district-wide chapter, this evidence should be read alongside Mr Wesney's.

[1] Section 42A Report, Commercial and Mixed Use Zones, updated 29 April 2026, Section 42A Report, Industrial Zones and the Seaview Marina Zone, updated 29 April 2026, and Section 42A Errata – Commercial and Industrial, 7 May 2026.
[2] Statement of Rebuttal Evidence, 19 May 2026.

1.7 As directed by Minute #6[3], hazardous substances and planning experts have each conferenced and arrived at some agreed positions. I will not repeat agreed material covered in those joint witness statements:

1.7.1 Joint Witness Statement of Jenny Polich and Rob Van de Munckhof - Hazardous Substances - 28 July 2026

1.7.2 Joint Witness Statement of Alice Blackwell, Georgina McPherson, Stephen Davis, and Hamish Wesney - Planning - 28 September 2026

1.8 The agreed positions in those joint witness statements are reflected in my recommendations in Appendix 1. Where issues were not agreed in the joint witness statement, I will briefly set that out in this reply.

1.9 Appendix 1 sets out my revised and updated recommended amendments in response to submitter evidence. Within this evidence including Appendix 1, my recommended amendments are shown in different colours with insertions underlined and deletions ~~struck through~~. The colours indicate:

- Red for amendments recommended in the Section 42A Reports,
- Blue for amendments recommended in the rebuttal evidence,
- Orange for amendments recommended by all witnesses in the joint witness statement,
- Green for amendments I recommend in the joint witness statement without the support of all other witnesses, and amendments I recommend in this right of reply evidence, and

[3] Minute #6, paras 3 and 4.

- Uncoloured where the change is something I am discussing but not necessarily recommending, such as a change sought by submitters, or one of several options being evaluated.

1.10 In some cases the same provision may have had different alterations in different iterations – the changes will be coloured with the latest iteration in which there are recommendations.

2.0 Qualifications, experience, and Code of Conduct

2.1 My qualifications and experience are set out in section 2.2 of my Section 42A Report. 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 Supporting evidence

3.1 I attach as Appendix 6 a memorandum from urban designer Miriam Moore providing further comment on application of the active frontage standards.

4.0 Reponses to panel questions – Commercial and Mixed Use Zones

4.1 This section responds to the questions raised by the Panel in Minute #6 and Minute #7, and some additional matters arising from the hearing.

Minute 6: Remaining disagreements in the Joint Witness Statement

4.2 There are two remaining disagreements for the Seaview Marina Zone not resolved in the Joint Witness Statement:

- The status of the Seaview Marina as "infrastructure" within the meaning of the RMA definition[4], and

- Whether to delete the statement in the Seaview Marina Zone introduction about the zone forming a "buffer" around the industrial areas[5].

4.3 My view as set out in the Joint Witness Statement remains that the Seaview Marina is not "infrastructure" within the meaning of the RMA definition. Ms Blackwell for the Marina does not agree.

4.4 However, even if it does, this does not result in any need for changes to the Seaview Marina Zone chapter. The PDP has a dedicated infrastructure chapter and has objectives and policies for infrastructure as well as rules governing the operation of infrastructure that override zone chapters. If the Marina fit under the definition of infrastructure, the catch-all infrastructure rules would govern it and the Seaview Marina Zone rules would not be relevant. Seaview Marina Ltd has no submission points on the Infrastructure chapter, and there are to my knowledge no other submissions that would meaningfully affect this situation.

4.5 My view as set out in the Joint Witness Statement remains that the introduction should continue to refer to the Seaview Marina Zone as part of a buffer around the industrial areas. Ms Blackwell for the Marina does not agree. The panel will need to make a decision on the basis of the evidence before it from the submitters and reporting officers at the hearing and in the Joint Witness Statement. My recommendation is that the introduction remain as set out in Appendix 1.

[4] Joint Witness Statement of Alice Blackwell, Georgina McPherson, Stephen Davis, and Hamish Wesney - Planning - 28 September 2026, at pp24-26
[5] Joint Witness Statement of Alice Blackwell, Georgina McPherson, Stephen Davis, and Hamish Wesney - Planning - 28 September 2026, at pp30-31

Minute 7, para 6: Application of urban design policies and standards that apply to service stations

4.6 The panel sought that I "consult directly with Ms McPherson on behalf of the Fuel Companies/Z Energy in respect of the urban design (active frontage and car park configuration) policies and detailed standards that apply to existing service stations".

4.7 I conferred with Ms McPherson on 18 June and 28 August.

4.8 While we explored some alternative options for the application of the policies and standards, we did not find any that we agreed would resolve the issue. Ms McPherson remains of the opinion that there should be a carveout for service stations, as set out in her evidence[6], and I remain of the opinion that there should not, as set out in the Section 42A Report[7] and my rebuttal evidence[8].

4.9 Given the clear policy direction in the zone in CCZ-P3 and CCZ-P5 that service stations are potentially incompatible and should only be provided for where they meet the goals in CCZ-P3 around amenity, the efficient use of land, and the planned character of the zone (etc), I think it would be inconsistent to exempt them from the standards intending to achieve this policy goal.

4.10 If the panel is nonetheless of a mind to recommend that Z Energy's submission point seeking a carveout for service stations should be accepted, while the submission points are expressed in general terms rather than seeking specific textual changes, I think it would be straightforward for reporting officers to prepare relevant changes to the plan provisions if requested.

Minute 7, paras 8-9: Integration of the ODP provisions remaining after Plan Stop into the PDP

4.11 The panel sought more details about how cross-references could be provided between the Proposed District Plan (PDP) provisions

[6] Evidence of Georgina McPherson, 8 May 2026, paras 10.12-10.37.
[7] Section 42A Report, Commercial and Mixed Use Zones, paras 231-232.
[8] Statement of Rebuttal Evidence of Stephen Davis – 19 May 2026, paras 6.1-6.2.

for this stream and the remaining Operative District Plan (ODP) provisions.

4.12 In my view this is a significant issue only in how the City Centre Zone and Metropolitan Centre Zone relate to ODP provisions currently in Chapter 5B Petone Commercial Activity Area and Chapter 14F Heritage Building and Structures. While Council has not yet made such a decision, I am assuming it will update the ODP provisions to fit the format of the National Planning Standards using the powers under s58I of the Act. The remaining ODP provisions from both chapters would, under the Planning Standards, all sit within a Historical Heritage chapter in Part 2 – District-Wide Matters, under the Historical and Cultural Values heading[9].

4.13 The zone chapters were written assuming such a chapter would exist, being the Historical Heritage chapter that was notified in the PDP and has since been withdrawn. Given that the structure is the same as expected and the policy approach comparable to the ODP, I do not think any further update to the existing cross-references is necessary.

4.14 If the Council opts for a different approach, I think it can reasonably straightforwardly use its powers under clause 16(2) of Schedule 1 of the Act to correct cross-references.

Minute 7, para 11: Consistency of approach to drafting Objectives and Policies

4.15 The Panel sought a review of how objectives and policies are expressed to align with the principle that "*[o]bjectives are the outcome statement and the related policies are methods of achieving the said objective*". I have reviewed the specific examples given of UDSD-O12 and UDSD-O13 and accordingly recommend some wording changes in Appendix 1. I have only done so where I think the rewording would not meaningfully change the provision's effect. I have also reviewed the other objectives and policies in the

[9] National Planning Standards, std 7.15, page 33.

topic and am satisfied that they are already worded as appropriately as objectives and policies as they can be within the scope to make minor changes.

Minute 7, para 12: Urban Design and "Significant Developments"

4.16 The panel, in relation to the submission of Urban Edge Planning (163), sought clarification of the meaning of a "significant" development as referred to in the titles of CCZ-P9 and MCZ-P9.

4.17 I discuss this issue briefly in the Section 42A Report[10]. I will expand on that here.

4.18 The first paragraph of each policy states:

> *All built development is managed to achieve the outcomes in this policy through an approach demonstrated in a resource consent. Some minor development and alterations will not need resource consent.*

4.19 The main rules for new and altered buildings and structures are CCZ/MCZ-R4, R5, and R6, each of which includes a matter of discretion of:

> *The urban design outcomes in [CCZ/MCZ-P9]: Urban design outcomes (all significant developments).*

4.20 Similar matters of discretion are found in some of the land use rules (e.g. CCZ/MCZ-R14 – Integrated Retail Activities). Other non-permitted land use rules are fully discretionary or non-complying and so the policy would always be relevant to a built development for those land uses.

4.21 The policy therefore applies to built development that needs resource consent either with a buildings and structures rule or land use rule, and (if discretion is restricted) for which CCZ/MCZ-P9 is

[10] Section 42A Report, Commercial and Mixed Use Zones, paras 161-163.

within the matters of discretion. The title, which must by its nature be brief, summarises this as being a "significant" development.

Minute 7, para 13: Urban Design outcomes syntax

4.22 The panel in the minute questioned whether there were consistency issues with the phrasing of the urban design outcomes in terms of the use of active voice. In addition, Commissioner Jones questioned in the hearing how the language of the outcomes sat in a policy rather than the language expected for an objective.

4.23 The policies are inconsistent in how they are phrased. For example, in MCZ-P9 as proposed, outcomes 3, 7, 11, 12, and 14 are phrased as directions to the plan user, outcomes 1, 2, 5, 6, 9, 10, and 13 are phrased as descriptions of the performance of the built development, and outcomes 4 and 8 are mixed.

4.24 Ultimately, all of the outcomes in the policies sit within the (passive) verb in the description in the first sentence of the policy, each of which has some variation on "built development is managed to achieve the outcomes in this policy…". This meets the basic requirement that a policy be a method of achieving the outcomes in an objective[11], with the method being to manage built development via the resource consent process. While some of the outcomes listed in the urban design policy are describing the hoped-for end state, they are more specific descriptions of the broader and more monitorable outcomes in the objective, set at a level where a plan user can apply these to their application.

4.25 More consistent wording within the outcomes list could nonetheless enhance plan usability in a small way. However, I think this is outweighed by the downsides of the clunkiness and length of some such rewording, particularly where there are multiple passive verbs and the subject of that verb could be in different contexts the Council, the applicant, or the built development itself. This would cut

[11] The objective in question being CCZ-O4, MCZ-O4, LCZ-O4, NCZ-O4, MUZ-O4, LIZ-O4, GIZ-O4, HIZ-O4, or SMZ-O4.

against what seems to be the Panel's view[12] that the policies should be shortened. I thus recommend keeping to an approach of wording each outcome in the way that keeps it simplest without attempting to be consistent. I believe the current language does so.

Minute 7, para 14: Should the urban design policies be further consolidated?

4.26 The panel sought comment on "why there should not be any consolidation of the applicable urban design policies and reducing the number of factors that needs to be looked at".

4.27 I interpret the panel's question around consolidating the policies as applying to both the separation of the urban design policies into three (e.g. CCZ-P8, CCZ-P9, and CCZ-P10), and the potential to consolidate outcomes within those policies.

4.28 The urban design policies were discussed in the s42A report[13] in relation to the submissions of:

- Oyster Management (272) – supported as notified
- Heritage NZ (248) – supported as notified and supports development of design guides outside the plan
- Urban Edge Planning (449) – sought specific changes to the policies
- Pandion Ltd (259) – sought in general terms to simplify the policies, for Local Centre Zone only. Raised concerns around wording in some specific outcomes but (other than to delete the outcome) did not request specific alternatives.
- Z Energy (468) – sought changes around functional needs/operational needs rather than changes to individual design outcomes.

[12] Minute 7, para 14.
[13] Section 42A Report, Commercial and Mixed Use Zones, paras 31-36 and 155-194, and the evidence of Miriam Moore in Appendix 3.

4.29 I recommended changes to the urban design policies in the s42A report[14] to address matters raised in those submissions and discussed why I did not support the other changes sought by submitters.

4.30 Of the submitters, only Z Energy appeared at the hearing and lodged further evidence beyond what was provided in the original submission. That evidence addressed matters relating to the rules and standards in the zone, but not the policy, and stated that Fuel Companies supported the recommendations on their submission points where not otherwise discussed. I interpret that to include the submission points of Z Energy on the urban design policies.

4.31 For the question of whether to have the policies be split into three or a single policy, I discuss this in the s42A report[15]. I reiterate my view that separating the policies makes them more readable, aids cross-referencing from the relevant rules and standards, and by allowing the re-use of language across zones will allow the design guides, once produced, to be shorter.

4.32 For the separate issue of whether there are too many outcomes or they are too broad, I discuss this in the section 42A report in relation to the individual outcomes on which the submitters sought changes[16]. Urban Edge did not generally think there were too many matters, but wanted existing matters to be clarified or additional matters included. Between the two submitters, there were three specific matters they wanted excluded. Pandion and Urban Edge sought consideration of “pedestrian dignity” be removed, which I recommended accepting. Urban Edge wanted exclusion of considering daylight, which I also recommended accepting. Pandion agreed with consideration of pedestrian safety, but sought it be moved to the Transport chapter. On the latter, my view is that for the sake of reducing plan complexity, given the rule triggers are in

[14] Section 42A Report, Commercial and Mixed Use Zones, paras 155-194.
[15] Section 42A Report, Commercial and Mixed Use Zones, para 34.
[16] Section 42A Report, Commercial and Mixed Use Zones, paras 155-194 but see particularly paras 164-167 for Urban Edge (and the evidence of Miriam Moore in Appendix 3).

the zone and the high degree of connection with other urban design issues, it should remain in the zone chapter.

4.33 Both submitters also sought additional relief that would increase rather than reduce the number of things to consider, particularly the relief sought by both submitters to CCZ/MCZ/LCZ/NCZ-P10 (Urban design outcomes (exclusions)), all of which would reduce the number of excluded matters and so increase the number of things to be considered. As discussed in the s42A report[17], I do recommend removing or reducing some of the exclusions.

4.34 The panel potentially has scope to recommend further changes to the policies, if it considers it warranted, in relation to the submissions of Pandion and Urban Edge Ltd, particularly the general submission of Pandion to simplify the policies and outcomes (259.9, 259.10, 259.17). However, the panel (and I) have not heard any further evidence on this in the hearing beyond what was in the original submissions and so my view remains as set out in the s42A report and shown in Appendix 1 to this document.

4.35 The urban design policies are structurally the same as used in the Residential Zones, on which there was also a range of submissions and evidence presented in the hearing. There are also urban design policies in some special purpose zones which were structurally somewhat different as notified. The panel (for this stream) thus may wish to consider the results of its deliberations for those other streams as to whether it is desirable to be consistent between zones.

Minute 7, para 14: Testing of urban design outcomes against potential development

4.36 The panel sought to know to what extent the urban design outcomes and active frontage standards were “road tested” against plausible development scenarios during development of the plan.

[17] Section 42A Report, Commercial and Mixed Use Zones, paras 183-194.

4.37 The urban design outcomes draw from a number of existing sources including many that were in the ODP and other council strategies. Individual outcomes can be seen in the report to the District Plan Review Committee of 18 July 2023[18]. These outcomes were carried over into the PDP as the Council's review of the ODP determined that they were still desirable and practical goals.

4.38 Outcomes that are carried over from the PDP have been tested through the experience of applying that plan over decades. Provisions that had not been seen to add value were not carried over.

4.39 For the new outcomes that do not appear in the ODP, "road testing" was done with Council's resource consents planners, by applying them to recent resource consent applications and determining if the standards had been met, and what information would be required to assess whether the outcomes had been met.

Minute 7, para 15: Urban design outcomes for existing service stations and drive through activities

4.40 The panel asks whether the urban design policies consider how their outcomes would apply to an existing service station or drive through as opposed to a new activity on a vacant site.

4.41 Note also my comments on the panel's related direction discussed above from paragraph 4.6.

4.42 In my view this weighting is primarily a question to be judged in individual resource consent applications. There is some policy guidance in the plan, such as the paragraph in each policy around "specific existing site constraints … or other unusual factors". There are also policies on existing activities, such as MCZ-P5 and LCZ-P5, which set out one of two policy approaches in each zone for existing possibly incompatible activities, being either encouraging their replacement (CCZ, MCZ, HIZ) or providing for their ongoing

[18] huttcity.infocouncil.biz/Open/2023/08/DPRC_10082023_AGN_3151_AT.PDF, pp14-35

operation while managing their development to support the zone's intended character (LCZ, NCZ, LIZ, GIZ, SMZ).

4.43 I think it is quite likely that the question of to what standard to hold existing activities seeking a consent to expand or change would be considerably informed by the other adverse positive and negative effects of that application, and the level to which the urban design outcomes would be achieved in the post-development state by contrast with how they would be achieved were the existing environment to continue.

Minute 7, paras 16-17: Retention of healthy and mature vegetation "where appropriate"

4.44 The panel sought comment on the use of the qualifier "where appropriate" in the urban design outcomes in relation to the retention of healthy and mature vegetation, which I recommended inserting as sought in the submission of Urban Edge Planning (449). This was also discussed by Miriam Moore in her urban design evidence[19].

4.45 From the discussion in the hearing, I now think this phrasing may be wider in scope than intended and should be clarified. I recommend incorporating some of Ms Moore's wording clarifying that the purpose of the retention is to integrate the vegetation with the development, and moving the word "appropriate" to be clear that it is about the appropriateness of the vegetation, not the appropriateness of the retention. This would make the outcome:

> *Ensure that on-site landscaping, if any is proposed, or required by standard [CCZ-S8 etc]: Location and design of carparking:*
>
> *a. Retains and integrates appropriate, healthy and mature vegetation~~, where appropriate~~.*

[19] Section 42A Report, Commercial and Mixed Use Zones, Appendix 3, para 4.71.

4.46 Detailed changes for each chapter are shown in Appendix 1.

4.47 The panel further sought comment on whether there is a convention within the plan for the use of “appropriate” as a qualifier.

4.48 Council did not set a general standard for the wording of qualifiers when drafting the plan. The word “appropriate” is used as a qualifier in over a dozen objectives and policies in the PDP as notified. I do not think there is a consistent pattern to its use – sometimes it is used to refer to a performance standard or rule trigger, in others it is setting out that some judgement will be required.

Minute 7, para 18: Active Frontage Standards

4.49 The panel sought an assessment of CCZ/MCZ/LCZ-S4, CCZ/MCZ/LCZ-S5, and CCZ/MCZ/LCZ-S6 as to whether they could be made shorter and “more user friendly”.

4.50 As the standards are the same in the Neighbourhood Centre Zone, I have also included assessment of NCZ-S4, NCZ-S5, and NCZ-S6. These are identical to their Local Centre Zone counterparts. There are no direct submissions on these standards in the NCZ, but where changes would be of minor effect, rather than a substantial change, the panel will have the power to consequentially amend them to match those in the LCZ.

4.51 The panel was concerned that this issue may connect with the issue around the application of the standards to service stations, discussed from paragraph 4.6 above. In my view there is no connection, and an exemption for service stations would need to be placed in the rules rather than the standards.

4.52 It is worth drawing a distinction between how enabling a standard is and how simple it is. Each of the standards has a few basic requirements but a significant part of the length of each standard is exceptions to those base requirements. Thus, for some parts, shortening the standard would make it stricter. However, for the City Centre Zone, Metropolitan Centre Zone, and Neighbourhood Centre Zone no submitter sought such an outcome, and so there is no

scope to remove the exemptions without removing the requirement itself.

4.53 One could argue that the submission of Pandion Ltd (259.20, 259.21, 259.22) provides scope to make the standards in the Local Centre Zone more restrictive through simplification but I think this cuts against the general thrust of that submission, and it would result in inconsistency with the other zones.

4.54 As an example, the City Centre Zone standards (as of the s42A report) are shown below (sans matters of discretion). Orange highlights show requirements, while blue highlights show exemptions from those requirements:

CCZ-S4	Active frontages — Buildings and structures
On any site subject to an Active Street Frontage Overlay, or in the Riverbank Precinct and with a riverbank frontage: 1. There must be a building or abutting group of buildings built to the front boundary, to the full width of the Active Street Frontage Overlay, and to any riverbank frontages, to a minimum height of 4m above: a. Ground level at the boundary, for an Active Street Frontage Overlay, or b. The height of the stopbank, for a riverbank frontage. 2. Alternatively, the buildings or parts of buildings may be set back from the front boundary or riverbank frontage by up to 2m where: a. The intervening space is paved pedestrian space continuous with the footpath and open to the public, or b. The intervening space is a seating or dining area, or c. The intervening space is an entrance porch, or d. The intervening space is visitor cycle or micromobility parking, or e. The intervening space is used for entrance stairs or pedestrian ramps. 3. The requirement in 1. above does not apply at all on sections of the front boundary or riverbank frontage: a. Where compliance would encroach within the dripline of a notable tree, or b. Where necessary to comply with CCZ-S3: Setbacks — adjoining zones, or c. On the Active Street Frontage Overlay C, to the degree necessary to provide for a vehicle crossing, manoeuvring area, ~~and~~ visibility splays, landscaping, and parking spaces provided for by CCZ-S8 (but not ~~parking spaces or~~ loading spaces): i. Where no other frontage not in an Active Street Frontage Overlay is available,	

ii. With a traffic lane width of no more than 6m, and that complies with:
iii. TR-S5: Vehicle crossings — Number, location and width,
iv. TR-S6: Vehicle crossings — Separation distances and design,
v. TR-S7: Driveways,
vi. TR-S8: Design requirements for motor vehicle parking, circulation, and manoeuvring,
vii. TR-S9: Loading and unloading - Non-residential, and
viii. TR-S10: Loading and unloading — Residential, and

d. Within the Riverbank Precinct only, for a width of up to 6m where a public access is provided between a road boundary and the riverbank frontage.

4. The buildings must not have a featureless façade on the front boundary or riverbank frontage of more than 3 metres in width at any part of the building between 0.5m and 2.5m in height above footpath level.
5. On an Active Street Frontage Overlay A or B frontage, or on a riverbank frontage, the buildings must provide a minimum of 60% of continuous display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath level.
6. On an Active Street Frontage Overlay C frontage, the buildings must provide a minimum of 30% of continuous display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath level.
7. The building must have the principal public entrance on:
   a. An Active Street Frontage Overlay A frontage, if any,
   b. Otherwise, an Active Street Frontage Overlay B frontage, if any,
   c. Otherwise, an Active Street Frontage Overlay C frontage.
8. However, where a building in the Riverbank Precinct abuts a riverbank frontage it:
   a. May instead have the principal public entrance on the riverbank frontage, and
   b. Must have a public entrance, whether principal or not, on both the front boundary and the riverbank frontage.
9. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.

CCZ-S5	Active frontages — Required verandahs

1. Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that:
   a. Extends for the full width of the site frontage covered by the Active Street Frontage Overlay, or
   b. Extends outwards from the front of the building to the front boundary and then into the road for at least 3 metres, or to

	the far side of the kerbing less 500mm, whichever is the lesser, and c. Provides continuous shelter with any adjoining verandah or pedestrian shelter. 2. But no verandah or canopy shall be required: a. From any site containing a listed heritage item, except where there was a verandah or canopy on 6 February 2025, or b. On any portion of a frontage where the required verandah or canopy, as seen in plan, would encroach on the dripline of a notable tree or street tree, or c. On any portion of a frontage with an existing vehicle crossing.
CCZ-S6	**Active frontages — Existing vehicle crossings**
Where there are any existing vehicle crossings across an Active Street Frontage Overlay A or B that serve the site: 1. That vehicle crossing may not be used to serve any additional parking or loading spaces, 2. There may not be any new building on site, 3. There may not be any addition to any building that increases the gross floor area, and 4. Other existing vehicle crossings that are not on the Active Street Frontage Overlay A or B may not be removed, Unless all vehicle crossings across the Active Street Frontage Overlay A and B on the site are removed.	

4.55 However, the panel may be minded to simplify the standards through removing requirements in the standards (i.e. the orange highlights above). The merits of doing so, where submitters have sought this, are discussed in the s42A report[20], and there is no more recent evidence that would affect my discussion in that report. I also think that only very limited simplification could be made given the changes sought by submitters as only a few of those requirements have direct submission points.

4.56 To assist the panel in that decision, I attach evidence from urban designer Miriam Moore as Appendix 6, who provides an example of applying the standards, which I adopt. I concur with her recommendations and provide some minor changes (shown in

[20] Section 42A Report, Commercial and Mixed Use Zones, paras 324-240, and see also the evidence of Miriam Moore in Appendix 3 of that report.

Appendix 1) to implement the tweaks to standards she recommends, around:

- The wording of "appropriate" in relation to retaining vegetations, and
- The requirement of "continuous" glazing

4.57 Accordingly, I recommend the standards be amended as shown in Appendix 1.

Minute 7, paras 19-20: Minor Buildings – height limit

4.58 The panel sought to know if there was a conflict between the 5m height limit in the definition of "minor buildings" and the requirement in MCZ-R5 that compliance be achieved with MCZ-S1 (Height), as the height limit in the standard is in all circumstances greater than 5m.

4.59 There is no conflict between these rules, in the sense of an ambiguous or self-contradictory outcome. However, it is redundant, as it would be impossible for a minor building to fail to meet MCZ-S1. Accordingly, the panel would be able to remove reference to MCZ-S1 without changing the meaning of the plan, e.g.:

MCZ-R5 (Construction of new minor buildings and structures)

*1. **Activity status**: Permitted*

Where:

a. Compliance is achieved with:

~~i. MCZ-S1: Height,~~

…

*2. **Activity status**: Restricted Discretionary*

…

Matters of discretion are restricted to:

…

3. The matters of discretion in any of the following standards if they are not met:

~~i. MCZ-S1: Height,~~

…

4.60 For plan users this redundancy has the potential to cause some temporary confusion, although I think likewise there is the potential for some temporary confusion about why this rule, as opposed to all others, does not require compliance with all the standards of the chapter.

4.61 Although I do not see a connection between the issues, I raised this issue with Georgina McPherson during the discussions I mention from paragraph 4.6. Ms McPherson did not express an interest in the issue in itself but had no objection to deleting reference to the standard as shown above.

4.62 I think this is a purely stylistic issue and so leave it to the panel to decide if they have a preference either way. If not, and if this calls for a recommendation, my default is to leaving the provision as-is, as shown in Appendix 1.

Minute 7, paras 21-22: Mixed Use Zone – Cuba Street, Britannia Street, Hutt Road southeast of Riddlers Crescent

4.63 I have reviewed the evidence of:

- Laura Skilton (314) – submitter statement, 15 May, oral evidence, 27 May, and speaking notes, 27 May.
- Merran Bakker (F01) – oral evidence, 27 May, and speaking notes, 27 May.
- Sylvia Allan for the Petone Historical Society (496) – evidence of 20 May, and oral evidence, 27 May.

4.64 The panel sought[21] comment on:

- The evidence of the above submitters, and
- The appropriateness of applying the Mixed Use Zone to the proposed areas along Cuba Street, Britannia Street, and Hutt Road in Petone.

Trade competition and retail distribution

4.65 Before continuing with this discussion, and as noted from paragraph 6.1 onwards, the Planning Act will shortly broaden the exclusion of trade competition effects. At the time of notification (and the hearing), the RMA excluded "trade competition or the effects of trade competition". From 30 October, it will also exclude consideration of:

- "negative effects of development on trade competition, including on competing providers of input goods and services", and
- "effects on retail distribution"

4.66 The meaning of these exclusions is still not completely clear, and I expect there is a significant chance that there will be litigation somewhere in the country over the meaning which could well result in court decisions interpreting these further. In the meantime, I would advise the panel to take a very cautious approach to making decisions that could be seen as having trade competition or retail distribution grounds. Particularly I think there is a case to be made that "competing providers of input goods and services" includes the service provided by a commercial landlord to a retail business in renting them the premises, and so it would not be in scope of the planning system to consider adverse effects on a landlord from a prospective tenant choosing to rent their premises from a different landlord.

[21] Minute 7, paras 21-22.

Out-of-centre commercial activities

4.67 Ms Skilton's evidence[22] largely opposed the use of the Mixed Use Zone with particular concerns that the commercial development capacity provided was unnecessary, that allowing commercial development outside of centres would lead to a decline in commercial activity within centres, and that this is inconsistent with the PDP's goals around supporting centres, reducing vehicle travel, and mode shift towards active and public transport. She considers this would potentially be exacerbated if centres have paid or time-limited parking while Mixed Use areas do not; and that commercial activity on arterial roads would also potentially have adverse local impacts on the safe and efficient function of the transport network.

4.68 This is in support of Ms Skilton's relief seeking that most of the proposed Mixed Use Zone instead fall within a residential zone. I discuss this relief in the Section 42A Report[23]. The panel has sought specific comment on certain areas in Petone. Ms Skilton's relief in full would affect a wider area, however, I think the issues in Petone represent the overall picture for the city.

4.69 Ms Allen's and Ms Bakker's evidence is in support of a more limited range of rezoning requests, covering the areas in Petone the panel has requested specific comment on. Their reasons include general residential amenity issues; the potential for more "side friction" on arterial roads and interference with those roads' transport function; the potential for more traffic on Britannia Street which is not an arterial; that there is more demand for residential land than business land in the area; and that the zone while intended to provide for small-scale businesses with a local catchment will in fact not do so.

4.70 There is significant overlap between the witnesses' evidence and reasoning so I will largely discuss it together.

[22] Statement of Laura Skilton, 15 May, paras 7-15.
[23] Section 42A Report, Commercial and Mixed Use Zones, paras. 598-621. This discussion covers both Ms Skilton's sought rezonings and those of other submitters with different reasons, as the affected areas have significant overlap.

4.71 The overall approach of the PDP (which I consider appropriate) is a hierarchy of commercial centres, with the ideal aim that commercial activity that serves a local catchment is spread around the district to ensure close access, while commercial activity serving a city-wide or region-wide customer base is preferably located in major commercial centres, particularly where these are large activities drawing significant numbers of visitors. The plan's main direct controls are over the type and scale of land uses, which vary by zone.

4.72 The Mixed Use Zone is intended to provide for the most local aspect of this, and so provides for small-scale, non-vehicle oriented retail and services integrated within a wider residential area. It should provide for a potentially large number of businesses, but each one will be small-scale and most should aim at a local clientele. I also expect, given the current level of demand for retail as compared to residential development, that the Mixed Use Zone areas will remain predominantly residential for a long time yet. There is no policy goal that they should become predominantly commercial, but that the zone provides for a greater flexibility of land uses in appropriate locations.

4.73 This approach exists within a context that the plan (and regional direction and national direction) is attempting to ensure ample development capacity for business, including providing for increased demand for commercial service in areas likely to see residential intensification. Regardless of whether it would even work (something I also do not agree with), the plan is not able to take an approach of "supporting" one centre by limiting other opportunities for business development so tightly that business has no option other than to locate in that centre.

4.74 The Mixed Use Zone also exists within the context of the NPS-UD Policy 6 direction that decision-makers have particular regard to the need for significant changes to urban areas, and that this may mean detracting from amenity values enjoyed by some people but improve other amenity values enjoyed by other people.

4.75 The Mixed Use Zone is very much a new concept for the city (and New Zealand generally) and so is somewhat inherently experimental. The RMA does not discourage such an approach. If experience shows it does not work the Council can always reconsider its approach in a future plan review.

4.76 In my view the zone is well-designed to achieve the type of small-scale, local catchment business it is intended for. Tweaks were made to the zone following the draft district plan to support this. The low limit on gross floor area, restrictive activity statuses for breaches, and specific limits on vehicle-oriented businesses help support this.

Assessment of proposed Mixed Use areas

4.77 Taking into account the criteria for the Mixed Use Zone set out in the zone's introduction I have assessed the three areas requested by the panel. Given the length of the Cuba Street corridor and the differing situation along its length I have split this in two, for a total of four assessments. This assessment is provided in Appendix 3. The maps in the Appendix show areas colour coded by:

- Whether the area has a Residential Activity Area type in the ODP, and
- Whether each site has an existing mixed or non-residential use, as recorded in Quotable Value land use data[24].

4.78 Considering those assessments, I think each of the four areas has at least one strong reason for inclusion in the zone:

- The Hutt Road corridor forms a significant spatial transition between an industrial zone, centre zone, and residential zone, and so the types of inter-site amenity issues that may present an issue in the Mixed Use Zone would be present regardless.

[24] This is a major input into the Housing and Business Development Capacity Assessment and provides consistency with other territorial authorities in the region. The alternative would be to use council's rating database, although this is not intended to capture quite the same information.

- Britannia Street is already predominantly in non-residential or mixed use.

- Both parts of Cuba Street are on a key public transport corridor with the potential to serve intensification in the surrounding area, with this value being higher in the northern end due to better rail access and more intensification potential as the natural hazard risks are more limited.

4.79 I accordingly recommend the Mixed Use zoning for each of the areas be retained as notified.

Minute 7, para 22: Mixed Use Zone – Comparison of zone provisions

4.80 In relation to the application of the Mixed Use Zone, the panel sought:

- A comparison of the built form enabled in the residential zones and Mixed Use Zone, and

- A comparison of the land use activities enabled in the residential and Mixed Use Zones.

4.81 This is presented in Appendix 2.

Minute 7, para 22: Mixed Use Zone – consultation

4.82 The panel asked for a description of consultation and communication that occurred with owners and occupiers of sites proposed for the Mixed Use Zone.

4.83 This is summarised briefly in the Section 32 report[25]. I will expand on that here.

4.84 The Council's main consultation on the areas to apply the Mixed Use Zone to was during the non-statutory Draft District Plan consultation process. Council published a draft of the plan, maps

[25] Section 32 Report, Commercial and Mixed Use Zones, paras 59-61.

showing the affected areas, and a factsheet (attached as Appendix 5).

4.85 The Council conducted a mailout to owners and occupiers of sites where the Draft District Plan would have had particular impacts, including sites proposed to be included in the Mixed Use Zone. These letters may have included other matters, e.g. the mailout also covered sites covered by natural hazard overlays or Sites and Areas of Significance to Māori.

4.86 Letters for sites affected by the Mixed Use Zone included the following text:

> *The Draft District Plan proposes to introduce a **Mixed Use Zone**. This new zone would provide flexibility to the types of activities that could take place. This includes residential activities, community facilities, commercial activities and light manufacturing.*
>
> *The proposed Mixed Use Zone includes some areas that are currently in a residential zone, including your property. These areas have primarily been chosen as they are either near existing commercial centres, are located along key transport corridors (including Cuba Street, Victoria Street and parts of High Street) or have a history of a mix of uses.*
>
> *The implication of being within the Mixed Use Zone is that people within the area will be able to undertake a wider range of activities and developments, including non-residential activities.*

4.87 Letters also included general information (common to all potential issues) around what a district plan is, the consultation process itself, and so forth, and invited people to visit the website with the draft plan, maps, and factsheets.

4.88 Council received written feedback from some letter recipients and other members of the general public. Council also conducted a self-

selecting online survey for short-answer questions, including two on the Mixed Use Zone in particular:

- "I agree with a new Mixed Use Zone to allow a mix of housing and small-scale commercial, community, health and education facilities" (Definitely disagree/somewhat disagree/neutral/somewhat agree/definitely agree)
- "The Mixed Use zones are in the correct areas" (Definitely disagree/somewhat disagree/neutral/somewhat agree/definitely agree)

4.89 A summary of this feedback was presented to the District Plan Review Committee on 29 February 2024[26].

4.90 At a high level, the feedback was a mix of support (especially in general, but also for some specific sites), supporting the zone and seeking additional sites be included within it, and opposition for specific sites (usually to the submitter's property and immediately surrounding area).

4.91 In response to the feedback, Council made changes[27] to the zone before notification to:

- Move some areas that were more akin to commercial centres to a new Neighbourhood Centre Zone,
- Reduce the scale of commercial activities provided for as a permitted activity,
- Discourage vehicle-oriented activities, and

[26] huttcity.infocouncil.biz/Open/2024/02/DPRC_29022024_AGN_3228_AT.PDF, see main report and Attachment 1. The summary of feedback for Commercial and Mixed Use Zones is on p32-33 and the survey question answers are on p54-55.
[27] See agenda of the District Plan Review Committee, 2 May 2024 at https://huttcity.infocouncil.biz/Open/2024/05/DPRC_02052024_AGN_3247_AT.PDF and minutes at https://huttcity.infocouncil.biz/Open/2024/05/DPRC_02052024_MIN_3247_AT.PDF.

- Extend the Mixed Use corridor along High Street from the Hospital to the Avalon Local Centre.

Minute 7, para 23: Mixed Use Zone – Facing western side of Waterloo Station

4.92 The panel sought comment on the evidence of Joanne Gallen and Kevin Doyle in relation to the proposed Mixed Use Zone applying to 45-47 Oxford Terrace, Hutt Central, and seek the High Density Residential Zone apply instead.

4.93 This relief is addressed in paragraphs 617-621 of the Section 42A report.

4.94 In my view the sites in question are a very strong candidate for use of the Mixed Use Zone due to being a logical location for expansion of the Waterloo Local Centre, being located directly adjacent to the existing centre and across the road from the railway station.

4.95 Regardless of the zone used, all of the sites in question and the broader area need to comply with Policy 3(c) of the National Policy Statement on Urban Development, which requires that the PDP enable "building heights of at least 6 storeys within at least a walkable catchment of … rapid transit stops". The sites in question are directly over the road from Waterloo Railway Station, which is second only to Petone in terms of the number of rapid transit services of any station in Lower Hutt. Regardless of whether or not the sites in question are within the Mixed Use Zone or a Residential Zone, they also need to comply with Policy 3(d) of the NPS, which requires the PDP to enable "within and adjacent to … local centre zones … building heights and densities of urban form commensurate with the level of commercial activity and community services."

4.96 The application of these policies was considered in the recent Intensification Planning Instrument, Plan Change 56 (operative 2023), which confirmed that the sites in question were subject to Policy 3(c).

4.97 Ms Gallen and Mr Doyle refer to the Jacobs NZ Urban Development Plan commissioned by Council in the preparation of Plan Change 43. I think this is of limited to no relevance to the current plan change as it predates the quantum shift in development intensity arising from implementation of the National Policy Statement on Urban Development (NPS-UD).

4.98 The evidence of Ms Gallen and Mr Doyle presented at the hearing further sets out their view that the Mixed Use Zone is inappropriate as there should not be a zone change mid-block where this would result in a change in "intensification type". They call attention to a number of policies and standards which differ between the Mixed Use Zone and High Density Residential Zone.

4.99 As discussed from paragraph 6.1 below, the changes brought in by the Planning Act will mean that differences in outdoor living space and landscaped area standards will no longer exist, as neither zone would be able to have one.

4.100 The permeable surface standard manages stormwater runoff and not amenity issues.

4.101 For the setback, recession plane, and site coverage standards, I agree there is a difference in the permitted activity standards. However, this is partly due to a difference in philosophy between the High Density Residential Zone and Mixed Use Zone about whether the anticipated level of development is primarily provided for through permitted activities, or through resource consents with enabling policies. In my view, implementing the High Density Residential Zone and providing for six-storey buildings will involve significant non-compliances, particularly with the recession plane standards.

4.102 There is still probably some difference resulting from the difference in standards between the zones. However, I do not think this in itself is a sufficient reason to not have the zones applied on adjoining sites. Both have frameworks for managing inter-zone development control issues, and the Mixed Use Zone is applied

next to a Residential Zone in a large number of situations across the city, including the Hardy Street, Birch Street, and Knights Road Mixed Use Zone areas around the Waterloo Local Centre.

4.103 Overall, the Mixed Use Zone provides for a significant level of high density, mid-rise residential development, as does the Mixed Use Zone. However, this is the policy intent for the area.

4.104 Ms Gallen and Mr Doyle refer to the outcomes of Plan Change 43. Although this is covered in the s42A report it is worth noting that, despite the similarity in title, the zoning proposed (and not proceeded with) in that plan change is very different from the PDP. The Suburban Mixed Use Activity Area was far more akin to the Local Centre Zone in the PDP, with typical commercial centre zone standards around residential activities at ground level and active frontages. The Mixed Use Zone of the PDP has no equivalent in the ODP, and is intended to provide a truly flexible zone that still provides for purely residential development at any density up to the requirements of NPS-UD Policy 3(c).

4.105 I do agree with the general point that there should be a "logical" boundary for zones. However, I do not think that this needs to be, or should be preferred as, an intervening road. The boundary as notified, between nos. 47 and 48 is a logical boundary due to:

- The change in direction of the road,
- The transition on the opposite side of the road, from the bus stop and short stay carparking associated with the railway station, to the park and ride carpark,
- The proximity to the roundabout and end of the provision of on-street parking,
- The access lane bypassing the roundabout and the change in pedestrian environment at this point, and
- The end of the active frontage controls on the opposite side of the road.

4.106 Accordingly, I recommend the zoning remain as notified.

Minute 7, para 24: Other evidence of Sylvia Allan and Laura Skilton

4.107 The panel sought comment on remaining issues in the evidence lodged by Sylvia Allan for the Petone Historical Society (496) and Laura Skilton for her own submission (314), beyond those discussed from paragraph 4.64 above.

4.108 Both witnesses repeat material from their original submission or that is otherwise covered in the s42A report, and so I will not repeat that discussion here and focus on the submitters' new material.

4.109 While I note Ms Skilton's profession and her references to her experience made at the start of her oral presentation, she has not claimed to be giving expert evidence, has not filed evidence using the processes for expert evidence set out by the panel in its Minute #2, and has not agreed to abide by the Code of Conduct for Expert Witnesses. She is of course not obliged to do any of these things in order to present evidence on her own submission, and the panel must consider her evidence in the manner it was given, but for the avoidance of any doubt I have not assessed her evidence as though it were presented as expert transport engineering evidence.

Interface between the Jackson Street Character Transition Precinct and Jackson Street Heritage Precinct

4.110 As Ms Allan notes in her evidence[28], and as I had speculated in the s42A report[29], the submission points opposing parts of the Character Transition Precinct were intended to only apply because the Society wanted the area included in the Heritage Precinct instead. As this is now out of scope of the Plan Stop exemption Ms Allan considers it better to retain the Character Transition Precinct, with which I agree, so that there is no spatial gap between the two. This would mean retaining the Character Transition Precinct

[28] Evidence of Sylvia Allan, 20 May, at para 32.
[29] Section 42A Report, Commercial and Mixed Use Zones, para 376.

boundaries as notified, and so I do not think there is any remaining issue in contention here.

Arterial function of Cuba Street

4.111 Ms Skilton in her evidence raises concerns around "side friction" interfering with the function of arterial roads[30].

4.112 The Mixed Use Zone does not provide for on-site non-residential visitor carparking as a permitted activity, as part of the policy goal to provide for primarily a walk-up customer base. While I agree that commercial activity may result in increased demand for short-stay on-street parking by contrast with the presumably longer-duration parking of residential activities, and thus "side friction", I think this is primarily an issue to be managed through Council's powers as a road controlling authority, where it can directly control the location, design, price, and usage restrictions for on-street parking rather than influence parking behaviour in an extremely indirect manner through controlling land use.

4.113 Whether or not the plan should have a policy that vehicle-oriented businesses should be located only on arterials, or whether there should be a vehicle-oriented commercial zone as suggested by Ms Skilton, I do not think there is any good transportation planning reason that *only* vehicle-oriented businesses should be located on arterials. Regardless of the transport function of the carriageway, Cuba Street like almost every street in the city is also intended to function as a destination.

4.114 I thus do not think that these are reasons not to apply the Mixed Use Zone on Cuba Street, or other arterials.

Number of commercial zones

4.115 Ms Skilton's evidence reiterates her submission point seeking to consolidate the various commercial zones into one[31]. While I agree that there are a large number of similarities between zones, there is

[30] Statement of Laura Skilton, 15 May, at para 21.
[31] Statement of Laura Skilton, 15 May, para 38.

no reason for zones not to have identical content where they manage issues in the same way, and doing so can enhance plan usability. There are still considerable differences between the zones.

4.116 Ms Skilton also requests that the zones be divided into commercial zones for vehicle-oriented businesses and other businesses[32]. This is not necessarily within scope of her submission, but for completeness I do not support this approach. The PDP approach, appropriately in my view, seeks a hierarchy of centres where each, ideally, should be accessible to the intended catchment by driving, public transport, cycling, and walking. I do not think it appropriate to designate areas to give preference to driving and I do not think that is consistent with the strategic directions to "[e]nable people to access opportunities, including employment and education, by a range of transport modes"[33] and that "Urban development supports the creation of liveable, well-functioning urban environments that are … [w]alkable and connected by public transport and sustainable travel choices, including micro-mobility modes"[34]. Even if a business intends that its customers should arrive primarily or entirely by car, there is a role for the planning system in controlling its location and design to ensure that it is practical for customers to reach by other modes.

Scale of activities in western Petone

4.117 Ms Allen's evidence reiterates the Society's view that the PDP should restrict smaller-scale commercial activity in the western end of the Metropolitan Centre Zone to support retailers along the heritage area section of Jackson Street.

[32] Oral presentation of Laura Skilton, documented in speaking notes 27 May 2026, paras 26-34, and written statement of Laura Skilton, 15 May, paras 38-48.
[33] INFSD-O5
[34] UDSD-O2

4.118 For the most part Ms Allen's evidence repeats reasoning already found in the original submission and so discussed in the s42A report[35]. I will address the one additional matter.

4.119 Ms Allen notes that the NPS-UD provides for historic heritage as a qualifying matter that allows a departure from the intensification requirements of Policy 3(b). However, a qualifying matter only permits a Council to "modify … building height or density requirements under Policy 3 only to the extent necessary … to accommodate a qualifying matter in that area". The PDP does so, by modifying building height requirements within the Jackson Street Heritage Area. However, this ability is limited to the area in which the qualifying matter is relevant and only to the extent necessary.

Relationship of the Metropolitan Centre Zone with historic heritage

4.120 Ms Allen's evidence seeks changes to the recognition of the historic heritage values found within the Jackson Street Heritage Area to the introduction to the MCZ. I do not think the proposed wording would assist plan users and one of the changes would make the wording inaccurate (the "traditional retail centre" is not exactly the same thing as the heritage area). In addition, making a statement that the area is the "most highly-valued heritage area in the Hutt Valley" could be interpreted as affecting the meaning of the plan by providing an implicit hierarchy of heritage areas that does not match that in the ODP heritage chapter.

4.121 Ms Allen's other points around recognition of historic heritage in the zone provisions themselves are out of scope of the plan stop exemption.

Other issues raised in evidence

4.122 Ms Allen inaccurately claims that the Society's submission point (496.14) on UDSD-O14 was not addressed in the section 42A

[35] Section 42A Report, Commercial and Mixed Use Zones, paras 50-70.

report. However, it is[36], and I believe the discussion in that report still stands.

4.123 Ms Skilton notes that drive-through activities are a discretionary activity in most zones but non-complying in the Neighbourhood Centre Zone. She suggests this may be an error. It is not – this implements the direction in NCZ-P4.2.a, and reflects the very small size of neighbourhood centres.

Minute 7, para 25: Definition of "co-location benefits" – trip chaining

4.124 The panel sought comment on alternative terms to "trip chaining", which is found in the definition of *co-location benefits*.

4.125 I think it is important that, regardless of how it is referred to, trip-chaining specifically be included in the definition, as reduced travel distance via trip-chaining is a notable benefit of a commercial centres strategy.

4.126 Enviro NZ sought the language "trip length and coordination" instead, which I do not think has the same meaning as I discussed in the Section 42A report[37].

4.127 In reviewing various definitions and explanations of "trip chaining", there is no alternative term that is as widely used or as brief. Given this, I think the term is comprehensible on its own to the likely audience, or one that people can look up. This is a term inside a definition, which is referred to in policies and matters of discretion, and so relevant to people already needing a resource consent. This is a similar situation to other jargon terms in the definition, such as "economies of density", "labour pooling and matching" and "knowledge spillovers".

4.128 I have also reviewed the additional evidence of Kaaren Rosser of 5 June 2026, who suggests that "easier trip-chaining" be replaced

[36] Section 42A Report, Industrial Zones and the Seaview Marina Zone, paras 55-60.
[37] Section 42A Report, Commercial and Mixed Use Zones, paras 632-638.

with “the ability to complete multiple tasks in a single trip”. While this is a reasonable explanation of trip-chaining, for the sake of what the definition is attempting to cover it is not whether it is possible to do multiple tasks in a single trip that is the issue, but rather, the benefits from how much more efficient the travel is from doing multiple tasks in a single trip. However, I still don’t think a longer explanation is warranted, particularly as the term is only going to be of particular importance in resource consents as a framing for applicants looking to set out the positive effects of their proposal.

4.129 Accordingly, I recommend the definition remain as notified.

4.130 If the panel is nonetheless of a mind to provide a longer explanation of the term in the plan one option could be to add it to the definition itself:

> *…*
>
> *3. Easier trip-chaining (the efficiency of doing multiple tasks in a multiple-stop journey, reducing overall travel distance. For example, dropping off children at school on the way to work then doing shopping on the way home)*
>
> *…*

4.131 For the sake of plan usability this is best done as an explanation in the body of the definition, rather than as an additional definition, as the pop-up definitions in the e-plan software used by HCC cannot themselves contain pop-up definitions.

Minute 7, para 26: Moera Community House

4.132 The panel sought further comment on the appropriateness of the application of the Mixed Use Zone to Moera Community House, including the potential of using a precinct for the site.

4.133 I have reviewed the evidence[38] and additional evidence[39] of James Beban for Moera Community House, Inc.

4.134 I agree with Mr Beban insofar as I think that there are no particular site-specific resource management issues of such magnitude as to require a precinct. The plan as notified contains only six precincts (one of them divided into sub-precincts).

4.135 The site containing Moera Community House also contains other facilities not run by the incorporated society. The outdoor facilities (e.g. playground) are recreational and so well suited by the provisions of the Sport and Active Recreation Zone. However, the Community Hall and Moera Neighbourhood Hub (both run by the Council) are significant built development beyond the scale provided for in the Sport and Active Recreation Zone.

4.136 I also note that the carpark, while technically within the Mixed Use Zone (as it applies out to the road centreline), is not within the site but is instead in the road corridor, and so is not covered by zone rules around carparking.

4.137 In preparing the PDP, Council had (and I agree with) a number of rules of thumb for the application of zones, based on the experience of the Operative District Plan:

- Avoid complex site-specific provisions where there is little or no resource management advantage
- Avoid split-zoning sites except where there is a strong reason to do so and a clear and logical non-site boundary to use
- Avoid duplicating non-RMA management restrictions in district plan rules, that is, do not impose rules where equivalent restrictions already apply from other instruments

4.138 In applying these principles, I think that the Mixed Use Zone remains the most suitable for the site as:

[38] 8 May 2026
[39] 4 June 2026

- There are no particularly unique issues warranting site-specific provisions
- The site does not contain a logical boundary for split-zoning
- The restrictions on the use of the site under the Reserves Act 1977 are self-executing and do not need to be duplicated through the district plan
- For the balance of activities that occur on the site as a whole, the Mixed Use Zone is more enabling, while still having reasonable provisions for managing effects on the surrounding environment in the context of a high density residential area in close proximity to a commercial centre.
- The Mixed Use Zone is more consistent with similar situations elsewhere in the district.

5.0 Responses to panel questions – Industrial Zones and the Seaview Marina Zone

Minute 7, para 27: Definition of reverse sensitivity

5.1 The panel sought further comment on the definition of reverse sensitivity.

5.2 I have already discussed this definition at length in the s42A report[40] and my rebuttal evidence[41], and so I will try to minimise the repetition of that discussion.

5.3 Given the large number of submissions and changes through the hearing process, I will set out my understanding of the latest positions of submitters and experts:

Submitter	Last evidence	Position
Telecommunication Companies (311)	Tabled statement of Graeme	Accept definition in s42A report

[40] Section 42A Report, Industrial Zones and the Seaview Marina Zone, paras 744-768 / pp158-172.
[41] Rebuttal Evidence of Stephen Davis, paras 7.94-7.120 / pp 41-48.

	McCarrison, 4 May	
Enviro NZ (323)	Evidence of Kaaren Rosser, 8 May	Satisfied with definition in s42A report
NZ Pork Industry Board (341)	Original submission	Another definition sought in original submission (source not given, if not original)
NZTA (385)	Original submission	Another definition sought in original submission (source not given, if not original)
NZDF (404)	Original submission	Another definition sought in original submission (source not given, if not original)
KiwiRail (442)	Original submission	Another definition sought in original submission (source not given, if not original)
Wellington Regional Council (F38)	Tabled statement of Erica Wheatley, 22 May	Accepts definition in s42A report
Z Energy (468)	Evidence of Georgina McPherson, 8 May	Prefers RPS definition
Fuel Companies (471)	Evidence of Georgina McPherson, 8 May	Prefers RPS definition
Clarus (474)	Original submission	Prefers Queenstown Lakes District Plan definition
Transpower (504)	Evidence of Pauline Whitney, 8 May	Prefers RPS definition
Kāinga Ora (F26)	Further submission	No specific definition requested but opposes aspects of Telecommunications Companies, Pork Industry Board, Enviro NZ, and NZTA definitions

Seaview Marina Ltd[42] (343)	Additional evidence of Alice Blackwell, 20 May	Supports Fuel Companies view – prefers RPS definition

5.4 While distinct, the other definitions (other than that of KiwiRail[43]) are fairly similar to the RPS definition. I do think the RPS definition remains the most suitable comparison to the notified and s42A definitions, out of these options, as it is the only one that provides a potential benefit with consistency with higher-order documents.

5.5 In the s42A report, I discuss the extent to which consistency with the RPS definition could be of use[44]. In terms of the value of consistency with the RPS in itself, I think it is worth noting that the regional council itself is a further submitter on the definition and accepts the s42A report definition.

5.6 The major gaps in the RPS definition that I identify in the s42A report and rebuttal evidence are:

- That it places no limits on the scope of reverse sensitivity in terms of how significant or unreasonable it is. (This could alternatively be done in the body of provisions, discussed below).
- That it does not clarify that reverse sensitivity arises because of the actions of regulatory agencies and is not directly caused by the actions of the person carrying out the sensitive activity.
- Reverse sensitivity is not limited to where it arises from the management of effects under the Resource Management Act and can also arise from nuisances managed under other

[42] Note that Seaview Marina Ltd does not have a submission point or further submission point on the definition, but for completeness I will include them as the planning evidence on the Marina's behalf covered this issue and the definition affects provisions on which the Marina has submitted.
[43] KiwiRail's preferred definition also encompasses growth in operation of the existing/nuisance activity, which is in that sense more aligned with the notified definition than the s42A report definition or RPS definition.
[44] Section 42A Report, Industrial Zones and the Seaview Marina Zone, para 754.

regulatory systems, such as the Health and Safety at Work Act.

- The fact that reverse sensitivity arises from actual environmental effects and not complaints about those effects. That reverse sensitivity is managed by a plan does not mean that a plan can, or should, limit complaints or submissions made by neighbours around adverse effects caused by an existing activity, or that doing so would amount to managing reverse sensitivity. I think this is a particularly common source of confusion, including among practitioners.

5.7 The s42A report definition is intended to ensure that these matters are set out clearly.

5.8 The panel also specifically sought further consideration of the evidence of Pauline Whitney for Transpower[45]. I discussed Ms Whitney's principal evidence in the Rebuttal Evidence[46]. Ms Whitney followed up on that orally at the hearing. This did not address the gaps I describe above. Ms Whitney's additional reasons for supporting the RPS definition were:

- That consistency with other plans should be seen as valuable to those definitions being tested and having relevant case law, rather than one of convenience for plan users, and

- That she prefers that the limits on when "reverse sensitivity" is applied should be in the policies and objectives that use the term rather than in the definition.

5.9 For the former, the panel has not heard any relevant legal evidence. The cases Ms Whitney references are all settlements through mediation rather than rulings of the court, and so are not precedents. Finally, the New Plymouth District Plan definition

[45] Evidence of Pauline Whitney, 8 May 2026, and oral presentation and speaking notes, 28 May 2026.
[46] See especially paras 7.96 and 7.99-7.115.

mentioned is substantially different from the (themselves identical) Wellington City and RPS definitions.

5.10 For the latter issue I agree in principle that all else being equal having policy tests in the body of policies and objectives themselves is more desirable than in the definition. However, and having attempted this for some of the Industrial Zones policies, I think drafting up changes would in many cases add considerable complexity to the relevant objectives and policies, and no submitter seeking changes to the definition has otherwise shown what these consequential changes would look like. On balance, I think retaining these tests in the definition will be simpler overall.

5.11 Accordingly, I recommend retaining the definition I recommended in the s42A report.

5.12 If the panel is nonetheless of a mind to accept the relief sought by Transpower (etc) and adopt the RPS definition or a similar definition, it will need to be satisfied that either:

- It has not notably changed the meaning of provisions that use the term, or
- That if the meaning does change, a s32AA evaluation demonstrates that the change is the most appropriate way to achieve the purpose of the Act.

5.13 The latter is a particular issue to be aware of in that the RPS definition does not include the limits on the scope of the definition found in the s42A report version, which only applies where there are “significant unreasonable constraints” on the established activity. The various provisions in the PDP were written with the notified version of the definition in mind, which included the same qualifiers (significant, reasonable), although expressed in different terms in different places.

5.14 Therefore, the panel, if adopting a definition such as the RPS that does not have these qualifiers, will need to review the provisions that use the term “reverse sensitivity” and satisfy itself that either

the meaning is unchanged (e.g. if the provision already includes a suitable qualifier), or that effectively removing the qualifiers and so expanding the consideration of reverse sensitivity is justified in its s32AA evaluation. This may of course involve considering the evidence directly on those provisions themselves, some of which are in other hearing streams.

5.15 As a starting point should the panel take this approach, I have listed provisions that use the phrase in Appendix 4 (as recommended in this right of reply for topics in this hearing stream, and the notified versions for other hearing streams), including existing qualifiers in the provision similar to "unreasonable" or "significant" in those few cases they are already present in the body of the provision as well.

5.16 For the provisions in the Commercial and Mixed Use Zones, Industrial Zones, and Seaview Marina Zone that use the term "reverse sensitivity", it is my view that they should continue to apply only to reverse sensitivity (in the RPS definition) where the constraints arising from the reverse sensitivity are significant and unreasonable.

Minute 7, para 28: Caretaker residences as example of ancillary residential activity

5.17 As the panel notes, in the s42A report[47] in relation to GIZ-P2, I imply recommending accepting the relief of Enviro NZ to list "caretaker residences" as an example of an ancillary residential activity, but do not go on to recommend a relevant change to the policy. As I state in the s42A report I do agree with the submitter that the example would help with interpretation of the policy. I recommend such a change now in Appendix 1.

Minute 7, para 29: Rules LIZ-R17, GIZ-R17, HIZ-R16, SMZ-R20

5.18 The panel sought a review of GIZ-R17 to see if the rule is sufficiently clear, whether it was unintentionally circular, and

[47] Section 42A Report, Industrial Zones and the Seaview Marina Zone, para 216.

whether reference to “ancillary” should be referring to the defined term “ancillary activity”, and then further to review this across the PDP.

5.19 This issue also applies to the similar rules LIZ-R17, HIZ-R16, and SMZ-R20.

5.20 I agree there is a risk of the rule being interpreted as circular and recommend this be corrected by changing “ancillary to a permitted activity” to “ancillary to an activity permitted by rules GIZ-R4 through GIZ-R16”, and analogously for the other three zones.

5.21 For whether the term should be “ancillary” or “ancillary activity”, this would affect large parts of the plan as these terms are used in many chapters in other hearing streams, and so will be addressed in the s42A report for the wrap-up hearing stream 10.

Minute 7, paras 30-31: Waste Management

5.22 The panel sought further comment from Angela Goodwin on behalf of Waste Management NZ, around the recommended 200 metre zone boundary setback for waste management facilities. She has provided this to the panel in her additional evidence of 8 October 2026.

5.23 Having reviewed her evidence I remain of the view that, as a trigger for resource consent, a 200 metre separation is a reasonable value.

6.0 Other matters

Effects soon to be outside the scope of the Resource Management Act

6.1 The Planning Act came partially into force on 1 October, and includes amendments to the Resource Management Act that will

come into force on 30 October to remove consideration of some effects and issues that are currently in scope of the RMA[48]:

> *(a) any of the following where they relate to residential activities (except in relation to the protection of historic heritage):*
>
> *(i) the area of glazing:*
>
> *(ii) the presence or absence of balconies:*
>
> *(iii) the outdoor living space:*
>
> *(iv) the internal layout:*
>
> *(v) the size of a residential unit:*
>
> *(vi) the size of landscaped areas (except in relation to permeability):*
>
> *(b) negative effects of development on trade competition, including on competing providers of input goods and services:*
>
> *(c) effects on retail distribution:*
>
> *(d) in relation to a project,—*
>
> *(i) any lack of demand for the project; or*
>
> *(ii) the fact that the project is not financially viable:*
>
> *(e) the type of residents to be housed in a new development:*
>
> *(f) views from private property.*

6.2 This is discussed in a preliminary way by the reporting officer for Residential Zones in her reply to Minute 13[49].

6.3 The Act's requirements include disregarding those listed effects in substantive resource consent decisions and notification decisions, as well as giving councils the power to waive resource consent requirements for specific cases where only those effects would be in issue, and to remove relevant provisions from the plan without using the process in Schedule 1 of the Act.

6.4 Accordingly, for the sake of plan efficiency, I recommend removing provisions that trigger a resource consent but now would result in

[48] Resource Management Act 1991, s104 (amendments from Planning Act not yet in force).
[49] Residential Zone - Officer's Supplementary Reply Statement to Minute #13, Kate Pascall, 2 October 2026

no relevant matters being able to be considered in that consent. However, this is limited to only the provisions that clearly are completely out of consideration. For the Commercial and Mixed Use Zone the only provisions that qualify, in my view, are the objectives, policies, and standards around outdoor living space:

- Objectives around outdoor living space: MCZ-O4.i, LCZ-O4.g, NCZ-O4.g, MUZ-O4.5
- Policies around outdoor living space: MCZ-P8.5, LCZ-P8.11, NCZ-P8.11, MUZ-P7.9
- Standards for outdoor living space: MCZ-S9, LCZ-S9, NCZ-S9, MUZ-S5

6.5 Changes to remove these provisions or parts of provisions, and updates to cross-references, are shown in Appendix 1.

6.6 These are all changes of minor effect within the meaning of Schedule 1, clause 16 of the Act, and so can be made regardless of the scope of submissions.

6.7 I do think that a conservative approach to making changes is warranted. The rationale to these as having minor effect only applies to provisions completely out of scope of the new system. In my view it would be advisable to leave any provisions that may partially still have some impact, and rely on detailed interpretation at the resource consent stage (which is the primary intention of the section).

6.8 The other major situation to consider is where changes to the PDP were sought in a submission. In this case the marginal or arguable nature of the effects may be a reason to err on one side or the other. This is particularly the case for the discussion around submissions seeking greater restrictions on small-scale retail in western Petone (see from paragraph 4.117), and the application of the Mixed Use Zone on grounds of impacts on commercial centres (see from paragraph 4.67), which arguably, but not clearly, relate to

effects on retail distribution (to be disregarded under s104(1A)(c) of the Act).

6.9 Finally, I note that the "outlook space" standard will be deleted from the Medium Density Residential Standards. This standard was also used for Commercial and Mixed Use Zones. However, the standard is *not* excluded from consideration in the changes to s104 of the Act. As Commercial and Mixed Use Zones do not have an obligation to implement the Medium Density Residential Standards in the first place, this provision remains relevant and, as there are no relevant submissions, must be retained.

6.10 Council officers intend to provide further advice to the Panel on the implications of the Planning Act and amendments to the RMA through Hearing Stream #10 (the *Wrap-up* hearing).

7.0 Section 32AA Evaluation

7.1 The changes addressed in the Joint Witness Statement have been evaluated in a report attached to the Joint Witness Statement (Attachment B to that Statement).

7.2 The other changes recommended in this evidence are minor changes and in my view the original Section 32 Report and Section 32AA Evaluation in the Section 42A Report still apply.

Stephen Davis

[insert job/position title]

For Hutt City Council

13 October 2026

APPENDIX 1: RECOMMENDED AMENDMENTS TO PROVISIONS

Definitions

Term	Definition
activity sensitive to industry	means a: 1. residential activity, or 2. retirement village, or 3. supported residential care facility, or 4. marae, or 5. healthcare activity, or ~~6. community facility, or~~ 7. custodial corrections facility, or 8. visitor accommodation activity, or 9. ~~place of assembly~~ child care service.
light manufacturing and servicing	means an industrial activity where articles, goods or produce are made, prepared ~~and/or~~ repaired and/or repurposed for sale or rent and the light manufacturing and servicing activity is contained entirely within a building, does not require the use, storage or handling of hazardous substances requiring separate resource consent and does not require any regional air, water, or land discharge consent. Excludes any heavy industrial activity, service station, motor vehicle servicing or any activity which has servicing by heavy motor vehicles.
Marina activities	Means ~~activities associated with:~~ a. The navigation, anchoring, mooring, berthing, manoeuvring, refuelling, storage, servicing, maintenance, and repair of vessels; b. Boat trailer parking; c. ~~Supply of marina related goods and services;~~ d. Embarking and disembarking of passengers; e. Loading, unloading, and storage of ancillary cargo and containers on primarily passenger and recreational vessels; f. Operation, maintenance, repair, cleaning, and refuelling of associated plant and equipment; g. ~~Educational activities associated with these activities; and~~ h. Ancillary offices; and. i. Events, markets, and community or cultural activities associated with the marina environment. It includes any ancillary activity to the marina activity.
minor building / minor structure	~~means, in a rule referring to a minor building or minor structure, a building or structure meeting the relevant conditions for that rule.~~ Means, in relation to a rule for buildings and structures in a Commercial Zone, a building or structure that: a. Is ancillary to an established activity on the site, b. Has a gross floor area of no more than 30m2, c. Has a height no greater than 5m above ground level, d. Is not located within 10 metres of an Active Frontage, and e. Is screened and is not visible from public spaces.
Outdoor storage and work areas	Means any outdoor area used for the storage or working of goods, waste, or other materials, and does not include carparking or areas intended to be open to the public
residual risk	means, in relation to the Hazardous Substances chapter and Industrial Zones

Commented [SD1]: 468.11 - Z Energy, 471.60 - Fuel Companies

Commented [SD2]: 323.2 - Enviro NZ

Commented [SD3]: 323.12 - Enviro NZ

Commented [SD4]: 343.3 - Seaview Marina and 471.83 - Fuel Companies (see Industrial report)

Commented [SD5]: Per HS2 planning Joint Witness Statement

Commented [SD6]: Z Energy - 468.20 (see Industrial report)

	chapter *[body of definition discussed in evidence of Hamish Wesney for the Hazardous Substances topic]*
reverse sensitivity	~~Activity A causes reverse sensitivity to Activity B when:~~ ~~1. Activity A is a sensitive activity, or a potential activity that would be a sensitive activity, in relation to the effects of Activity B, and~~ ~~2. Activity B is:~~ ~~a. An existing activity provided for by a designation, and the effects are the same or similar in character, intensity, and scale to those that existed on 6 February 2025, or~~ ~~b. An activity provided for by a designation whose notice of requirement was lodged on or after 6 February 2025, or~~ ~~c. An activity or potential activity that the zone in which it is located provides for as a predominant activity, or~~ ~~d. An activity with a functional need or operational need to locate where it is located, and~~ ~~3. Activity A is not provided for by a designation, and~~ ~~4. Activity A:~~ ~~a. Is not an activity that the zone in which it is located provides for as a predominant activity, or~~ ~~b. Was or would be established after Activity B, or~~ ~~c. Was not or would not be lawfully established, and~~ ~~5. The establishing, upgrading, operating, or maintaining of Activity B would have more than minor adverse effects on Activity A (including effects of a type not managed under the Resource Management Act), and~~ ~~6. The person carrying out Activity B takes the best practicable option to avoid, remedy, or mitigate those effects on Activity A, and~~ ~~7. The person carrying out Activity B has not contributed to either the establishment or the sensitivity of Activity A (for example through selling the person conducting Activity A the land on which that activity occurs), and~~ ~~8. The person carrying out Activity B has used all other lawful and reasonable powers available to them to manage or avoid the reverse sensitivity issue, and~~ ~~9. Despite (6), (7) and (8), Activity B has a significant potential to be constrained in its establishment, upgrading, operation, or maintenance because of regulation under the Resource Management Act 1991, the Health and Safety at Work Act 2015, the Hazardous Substances and New Organisms Act 1996, or other comparable legislation or bylaws that relate to management of the effects of Activity B on Activity A, and~~ ~~10. That constraint could be avoided, remedied, or mitigated through preventing the establishment of Activity A in that location, or placing conditions on Activity A, and~~ 11. ~~Considering the factors above, and all other relevant matters, it is reasonable to do so.~~ A sensitive activity causes reverse sensitivity to another, established activity when: 1. The established activity generates adverse environmental effects, which may be effects of a type not managed under the Resource Management Act, and 2. The sensitive activity is sensitive in relation to those adverse environmental effects, and 3. Managing those adverse environmental effects in accordance with the Resource Management Act, Health and Safety at Work Act, Hazardous Substances and New Organisms Act, or other comparable regulations and bylaws would lead to significant unreasonable constraints on the established activity, and

Commented [SD7]: 311.11 - Telecommunication Companies, 323.16 - Enviro NZ, 341.3 - Pork Industry Board, 385.17 - NZTA, 404.7 - NZDF, 442.18 - KiwiRail, 468.19 - Z Energy, 471.77 - Fuel Companies, 474.7 - Clarus, 504.10 - Transpower

	4. Those constraints could be avoided by avoiding the establishment of that sensitive activity, or managing the operation or design of the sensitive activity so that it is less sensitive to the adverse environmental effects. For the avoidance of doubt, nothing in this plan requires or authorises any rule or condition that would in the guise of managing reverse sensitivity limit any person's right to freedom of expression and association as protected by the New Zealand Bill of Rights Act 1990, including their right to submit on any matter to which they would otherwise be entitled to submit.
urban environment	means any area within the following zones: a. Residential Zones, b. Commercial and Mixed Use Zones, c. Industrial Zones, d. Open Space Zone, e. Sport and Active Recreation Zone, f. Hospital Zone, g. Marae Zone, ~~or~~ x. Seaview Marina Zone, or h. Tertiary Education Zone.
yard-based retailing	means any commercial activity which supplies or receives goods or services primarily from an open or semi-covered yard, and where the area of the yard is greater than all indoor gross floor area used for the activity, but does not include a service station. Examples include: 1. Garden centres 2. Automotive and marine supplies 3. Agricultural supplies 4. Motor vehicle sales However, the area of the yard does not include visitor or employee carparking, cycle parking, or micromobility parking, or manoeuvring areas for that parking.

Commented [SD8]: Fuel Companies - 471.82 (see Industrial report)

SD — Strategic Direction

This chapter provides the overarching direction for the District Plan, including for developing the other chapters in the District Plan, and for its subsequent implementation and interpretation.

…

UDSD-O12	Centres as Community Focal Points
The city's ~~Maintain and enhance the~~ ~~central city and neighbourhood centres~~ commercial centres are maintained and enhanced as community focal points with a wide diversity and concentration of activities.	
UDSD-O13	**Centres Hierarchy**
~~Establish and maintain~~ The city has a hierarchy of viable and vibrant ~~business~~ commercial centres that provide a focus for retail, commercial, entertainment, education and employment activities and serve the social, cultural, environmental and economic needs of the community.	
UDSD-O14	**Industrial and Business Activities**
Industrial and business activities contribute to the economic, cultural, social and environmental wellbeing and prosperity of the community.	

Commented [SD1]: 496.12a - Petone Historical Society, and minor correction/minor effect

Commented [SD2]: Minor change (reword as outcome)

Commented [SD3]: Minor change (reword as outcome)

Commented [SD4]: 496.13 - Petone Historical Society

CCZ — City Centre Zone

The City Centre Zone covers the city's main civic, community, and commercial centre. It provides for a wide range of types of development at any scale but encourages high density. It anticipates activities that draw people from across the city and region, as well as providing for more local needs and providing for a local population.

The zone generally anticipates amenity values associated with a thriving and vibrant city centre. The details vary within the zone, as there are several distinct areas within the zone with different character:

- The traditional fine-grained retail core bounded by Queens Drive and Te Awa Kairangi / The Hutt River, where Council expects to prioritise pedestrian and streetscape improvements,
- The northern and eastern parts, which have traditionally had larger sites and still contain some legacy light industry,
- The enclosed Queensgate shopping centre,
- The civic facilities around the Council buildings and Dowse Square, and
- A varied commercial area on Market Grove.

These separate areas do not have significantly different management approaches in this plan but may have very different contexts provided by the streets and open spaces within those areas. The main difference in policy approach to different areas in this plan is through application of the Active Frontage overlays and the two precincts, the Riverbank Precinct and Civic Precinct.

The City Centre Zone anticipates a wide range of activities consistent with this purpose but manages activities that might not be consistent with the amenity values sought for the zone. The City Centre Zone recognises that market and community demand in the area may change from place to place and over time and that centres may need to expand and contract over time. The plan will need to be reviewed regularly to respond to this.

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

Built development is provided for in the City Centre Zone generally requires resource consent to ensure it meets the urban design outcomes expected for the zone. In addition, development standards also address:

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

Where the development standards are met, resource consent applications are precluded from notification. If a proposed development does not meet one or more development or performance standards for the zone, resource consent is required in order to:

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

This resource consent may be notified in some situations.

The City Centre Zone is frequently subject to the Active Street Frontage Overlay, which intends to protect frontages on identified streets as attractive, pedestrian-focussed environments through land use and design controls.

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

While this chapter includes the core objectives, policies, and rules that apply to the City Centre Zone, other chapters of the District Plan, including those that apply 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.

CCZ-PREC1 — Riverbank Precinct

Riverbank Precinct covers sites adjacent to the riverfront reserve and the stopbank. Council intends these sites to have a strong orientation towards the river and frontages with direct access to the stopbank to benefit from the river amenity and views, and to activate public space. Council intends over time to develop a pedestrian promenade along the top of the stopbank, and new development fronting onto this to connect directly to that promenade. Development in this area is controlled to ensure that it takes advantage of opportunities to create these frontages and that these opportunities are not lost.

CCZ-PREC2 — Civic Precinct

The Civic Precinct covers a long-standing area of civic buildings such as the Hutt City Council Administration Building, Town Hall, Events Centre, Dowse Art Museum, the Hutt Valley District Court, and the Pavilion, which are integrated within open space. Everywhere in the precinct is also contained in either the Lower Hutt Civic Centre Heritage Area (see the ~~Historic~~ Historical Heritage chapter) or within designations for Hutt City Council or the Minister for Courts.

Commented [SD1]: 440.68 - Policy Planning Team

Development in this area recognises this integration and ensures any open space areas provided in the Precinct contribute to an attractive, useful public space.

The Civic Precinct has three sub-areas, shown on the District Plan maps:
1. Hutt Valley District Court,
2. Dowse and Pavilion, and
3. Administration Building and Town Hall.

Objectives

CCZ-O1	Purpose of the zone
The City Centre is the primary commercial, community, and civic centre for Lower Hutt, and the primary location of choice for activities with a city-wide or regional catchment, that attract significant numbers of people, and use land intensively. The City Centre is supported by residential activities and a diverse range of other activities compatible with this purpose and the intended character of the zone, including activities that serve a more local community.	
CCZ-O2	**Activities in the zone**
The City Centre Zone: a. Primarily provides for commercial activities and community activities, b. Is supported by residential activities that:	

i. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone, and
ii. Are compatible with the types of amenity associated with a high density commercial centre anticipated by the zone, and

c. Provides for other activities that:
i. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone, and
ii. Are compatible with the types of amenity associated with a high density commercial centre anticipated by the zone.

CCZ-O3	Provision of commercial and community spaces and housing

The City Centre Zone provides for a variety of types and sizes of tenancies that respond to:
a. Business needs and demand,
b. The planned urban built environment of the neighbourhood, including intensive use of sites and high-rise buildings, and
c. The opportunity to support the city centre with housing and other supporting activities.

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

Built development and open spaces positively contribute to a commercial and community hub of activity within a well-functioning urban environment that:
a. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone,
b. Has an urban built environment that is characterised by a high concentration of building densities and forms, including buildings that provide an active frontage on identified frontages and providing for high rise buildings,
c. Recognises the significance and opportunity of Te Awa Kairangi / the Hutt River, the historic modern buildings of the City Centre, and the setting of buildings within functional open space in the Civic Precinct,
d. Takes advantage of and contributes positively to the opportunities of pedestrian spaces and adjoining parks and reserves,
e. Makes efficient use of the scarce resource of space at ground level,
f. Is easily legible to visitors,
g. Is healthy, safe, attractive, and accessible,
h. Provides useful on-site outdoor living areas for residents, or is located in close proximity to useful public open space in the neighbourhood,
i. Has good access within the City Centre, to and from surrounding neighbourhoods, and to and from other commercial centres, through active and public transport modes, providing for well-connected and low emission communities,
j. Is integrated with existing and planned infrastructure,
k. Includes opportunities for housing and other activities that positively contribute to the function and amenity of the City Centre, and
l. Enhances co-location benefits.

CCZ-O5	Adverse effects

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

Objectives — Riverbank Precinct

CCZ-PREC1-O1	Purpose and character
This objective is additional within the Riverbank Precinct	

Built development addresses the river and creates a vibrant riverbank environment.

Objectives — Civic Precinct

CCZ-PREC2-O1	Purpose and character
This objective is additional within the Civic Precinct	
Built development is integrated with useful and attractive public open space.	

Policies

CCZ-P1	Enabled activities
Enable a wide range of activities to support the purpose and ongoing viability and vitality of the City Centre, while recognising the key importance of commercial, community and civic activities, and the regional function of the centre.	

CCZ-P2	Residential activities and other activities sensitive to privacy intrusion

1. Provide for residential activities, visitor accommodation, and other activities sensitive to privacy intrusion in the City Centre Zone.
2. Require residential activities, visitor accommodation, and other activities sensitive to privacy intrusion to be located above ground level or at the rear, where located on an identified active frontage.

CCZ-P3	Potentially incompatible activities

1. Provide for other, potentially incompatible activities if they:
   a. Maintain and enhance the amenity and vitality of the City Centre, particularly the Centre's attractiveness to visitors,
   b. Do not detract from the City Centre's ability to meet the zone's planned purpose,
   c. Promote the efficient use of land,
   d. Are of at least a scale and intensity that is consistent with the planned density of the City Centre Zone,
   e. Are designed and managed to be consistent with the planned character of the City Centre Zone,
   f. Are focused on serving customers or other visitors,
   g. Avoid significant adverse effects on commercial activities and community activities enabled in the zone, and
   h. If the activity is not a commercial activity, community activity, or civic activity, avoids significant adverse effects on residential activities enabled in the zone, and avoids creating reverse sensitivity effects.
2. Potentially incompatible activities include:
   a. Industrial activities,
   b. Yard-based retail,
   c. Drive-through activities,
   d. Service stations,
   e. Motor vehicle servicing,
   f. Carparking at ground level on sites subject to the Active Street Frontage Overlay, and
   g. The demolition of buildings that results in vacant land.

CCZ-P4	Likely incompatible activities

1. Avoid activities that are incompatible with the planned purpose, character, and amenity of the City Centre Zone.
2. Likely incompatible activities include:
   a. Heavy industrial activities,
   b. Primary production activities, and

c. Vehicle crossings on street frontages subject to the Active Street Frontage Overlay A and B.	
CCZ-P5	**Existing activities**
Encourage the replacement of existing activities that are incompatible with the purpose and character of the zone.	
CCZ-P6	**Role in network of commercial and industrial areas**
Recognise the City Centre as the primary location in Lower Hutt for activities that serve the whole city and wider region, including larger scale but intensive commercial activities.	
CCZ-P7	**Development capacity — General**
Encourage the efficient use of land in the City Centre to provide a diverse range of spaces for housing, business, community, and civic activities, particularly in denser forms.	
CCZ-P8	**Urban design outcomes (by meeting standard or assessment)**
Built development is managed to achieve the outcomes in this policy through either meeting the relevant performance standards, or an alternative approach demonstrated in a resource consent when the relevant performance standards are not met. Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical. The outcomes are: 1. Identified street frontages in the Active Street Frontage Overlay A and B provide a comfortable and sheltered pedestrian environment. 2. The form and scale of development protects access to sunlight ~~and daylight~~ in well-used streets and public spaces. 3. Residential units have adequate outlook from habitable rooms. ~~4. Ensure adequate access to daylight for residential activities on adjacent residential zone sites.~~ 5. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites. 6. The amenity of surrounding Residential Zones, Rural Zones, and Marae Zones is protected. **Note:** The council will publish design guidance with examples of ways these outcomes can be achieved. This guidance does not form part of the District Plan and applicants can also demonstrate how these outcomes have been met in other ways.	
CCZ-P9	**Urban design outcomes (all significant developments)**
All built development is managed to achieve the outcomes in this policy through an approach demonstrated in a resource consent. Some minor development and alterations will not need resource consent. Where specific existing site constraints or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical. The outcomes are: 1. Identified street frontages in the Active Street Frontage Overlay are continuous and promote visual connections with the street and public realm. 2. Buildings encourage community interaction through a positive relationship of commercial activity, community activity, and residential units with the street, public pathways, and other public space.	

Commented [NG2]: Urban Edge Planning (449.21)

Commented [NG3]: Urban Edge Planning (449.21)

3. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Ensuring that building design enables ~~Enabling~~ passive surveillance over public and communal spaces,
    c. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    d. Avoiding wasted space or space of unclear function, and
    e. Integrating other CPTED measures at a scale appropriate for the site.
4. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to support and promote the pedestrian circulation provided for in clause (6) ~~provide for pedestrian safety, comfort, dignity, and amenity~~.
5. Buildings provide pedestrian entrances on new and existing city laneways that enhance pedestrian safety, comfort, and connectivity.
6. There is quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site.
7. Ensure that on-site landscaping, if any is proposed, or required by standard CCZ-S8: Location and design of carparking:
    a. Retains healthy and mature vegetation, where appropriate,
    b. Uses planting that is appropriate for the climate and environment within the site,
    c. Improves outlooks from dwellings and softens hard built surfaces, and
    d. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
8. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
9. New developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.
10. Large format retail is integrated with its surroundings to contribute to the vibrancy, diversity, and interest of commercial centres.
11. Ensure adequate privacy for residential activities, and other activities sensitive to privacy intrusion, on the site and on adjacent sites.
12. ~~Ensure access to daylight for residential units on the site, and for those on neighbouring sites that is adequate in the context of the anticipated urban form of the zone.~~
13. Buildings designed for residential use at ground floor are adaptable and flexible to potential future uses such as commercial use.
14. Balance the provision of privacy for residents of ground-floor residential units, where provided for, with the provision of an attractive streetscape.

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

CCZ-P10	Urban design outcomes (exclusions)

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

a. The protection of scenic views from private property,
b. The protection of scenic views from any part of a road where pedestrians cannot stop,
c. The protection of the visibility of commercial signage or advertising,
d. The protection of sunlight access to solar panels, where the height standard is met, even if other standards are not met,
e. Limiting the actual or perceived height, scale, or density of developments where the height,

Commented [NG4]: Urban Edge Planning (449.21)

Commented [NG5]: Urban Edge Planning (449.20)

Commented [NG6]: Urban Edge Planning (449.20)

Commented [NG7]: Urban Edge Planning (449), consequential

Commented [NG8]: Urban Edge Planning (449.21)

Commented [NG9]: Urban Edge Planning (449.31)

setback, site coverage, height in relation to boundary, and density standards are met, and

f. ~~The use of techniques such as modulation of building form or variation of building materials to reduce the perceived scale of buildings, where the height, setback, and height in relation to boundary standards are met.~~

Commented [NG10]: Urban Edge Planning (449.31)

CCZ-P11	Managing adverse effects at zone interfaces

Manage activities to mitigate adverse effects on other zones by:

1. Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

Policies — Riverbank Precinct

CCZ-PREC1-P1	Urban design outcomes (all significant developments)
This policy is additional within the Riverbank Precinct	

In applying CCZ-P9: Urban design outcomes (all significant developments), the following outcome also applies within the Riverbank Precinct:

1. Buildings in the Riverbank Precinct should be well-engaged with Te Awa Kairangi / The Hutt River, facilitate connection with the rest of the city centre, and make the best use of the planned future stop bank promenade.

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

Policies — Civic Precinct

CCZ-PREC2-P1	Urban design outcomes (all significant developments)
This policy is additional within the Civic Precinct	

In applying CCZ-P9 the following outcome also applies within the Civic Precinct:

1. Buildings in the Civic Precinct are integrated with useful and attractive public open space.

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

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

CCZ-R1	Repair and maintenance of buildings and structures

1. **Activity status:** Permitted

CCZ-R2	Demolition or removal of structures other than buildings

1. **Activity status:** Permitted

CCZ-R3	Demolition or removal of buildings

1. **Activity status:** Permitted

   Where:
   a. The demolition is required to avoid an imminent threat to life or property, or
   b. In relation to each of the standards CCZ-S4: Active frontages — Buildings and structures, CCZ-S5: Active frontages — Required verandahs, CCZ-S6: Active frontages — Existing vehicle crossings, CCZ-S7: Active frontages — Land uses, CCZ-S8: Location and design of carparking, {Link,9913,CCZ-S9: Outlook space, and (within the Riverbank Precinct):
      i. Where compliance was achieved before the building was demolished, compliance is still achieved, or
      ii. Where there is an existing non-compliance, it is not increased, or
      iii. Building consent has been issued for building work that is permitted by CCZ-R4.1 or CCZ-R5.1, which when complete will ensure compliance is achieved to at least the degree it was achieved before the demolition.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with CCZ-R3.1, but
   b. The application is in conjunction with an application under CCZ-R6.1 to construct a replacement building or buildings on the site, or an application under CCZ-R4.2 or CCZ-R5.2 to make alterations or additions to other buildings on site.

   Matters of discretion are restricted to:
   1. Where there is any non-compliance with any of CCZ-S4: Active frontages — buildings and structures, CCZ-S5: Active frontages — required verandahs, CCZ-S6: Active frontages — Existing vehicle crossings, CCZ-S7: Active frontages — Land uses, CCZ-S8: Location and design of carparking, CCZ-S9: Outlook space, and (within the Riverbank Precinct) CCZ-PREC1-S1: Building coverage: the matters of discretion in the standards not met.
   2. Methods to assure a replacement building or buildings are constructed in a timely fashion.
   3. The safety and amenity values of the site while vacant.

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

   Note:
   As applications under this rule must be in conjugation with an application under CCZ-R4.2, CCZ-R5.2, or CCZ-R6.1, the notification preclusions of that rule must also be met for notification to be precluded. For more information on the treatment of notification for applications under more than one rule, see the General Approach chapter.

3. **Activity status:** Discretionary

   Where:
   a. compliance is not achieved with CCZ-R3.1 or CCZ-R3.2.

CCZ-R4	Alterations and additions to existing buildings and structures

1. **Activity status:** Permitted

Where:

a. For additions, ~~C~~compliance is achieved with, and for alterations, compliance is either achieved with or existing non-compliances are not worsened for:
   i. CCZ-S1: Sunlight access to specified public spaces,
   ii. CCZ-S2: Height in relation to boundary — Adjoining zones,
   iii. CCZ-S3: Setbacks — Adjoining zones,
   iv. CCZ-S4: Active frontages — Buildings and structures,
   v. CCZ-S5: Active frontages — Required verandahs,
   vi. CCZ-S6: Active frontages — Existing vehicle crossings,
   vii. CCZ-S7: Active frontages — Land uses,
   viii. CCZ-S8: Location and design of carparking,
   ix. CCZ-S9: Outlook space,
   x. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages,
   xi. Within the Civic Precinct, CCZ-PREC2-S1: Building coverage,
   xii. Within the Civic Precinct, CCZ-PREC2-S2: Building height, and
   xiii. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage.
b. For buildings, the external building form of the existing building remains unchanged, and
c. ~~The alterations or~~ aAdditions are not visible from public spaces~~, or are purely internal alterations~~.

Commented [SD11]: 271.4 - Woolworths

Commented [SD12]: 331.28 - Go Architecture

2. **Activity status:** Restricted discretionary

Where:

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

Matters of discretion are restricted to:

1. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
2. The matters in CCZ-P10: Urban design outcomes (exclusions).
3. The matters of discretion in any of the following standards if they are not met:
   i. CCZ-S1: Sunlight access to specified public spaces,
   ii. CCZ-S2: Height in relation to boundary — Adjoining zones,
   iii. CCZ-S3: Setbacks — Adjoining zones,
   iv. CCZ-S4: Active frontages — Buildings and structures,
   v. CCZ-S5: Active frontages — Required verandahs,
   vi. CCZ-S6: Active frontages — Existing vehicle crossings,
   vii. CCZ-S7: Active frontages — Land uses,
   viii. CCZ-S8: Location and design of carparking,
   ix. CCZ-S9: Outlook space,
   x. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages,
   xi. Within the Civic Precinct, CCZ-PREC2-S1: Building coverage,
   xii. Within the Civic Precinct, CCZ-PREC2-S2: Building height, and
   xiii. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage.

Notification:
Public notification is precluded for applications under this rule where the only non-compliances are CCZ-S2, CCZ-S3, or CCZ-S9.

Limited notification is precluded for applications under this rule where the only non-compliance is CCZ-S9.

CCZ-R5	Construction of ~~N~~new minor buildings and minor structures

Commented [CN13]: New Zealand Heay Haulage Association (429.03 and 429.08)

1. **Activity status:** Permitted

Where:

a. Compliance is achieved with:

i. CCZ-S1: Sunlight access to specified public spaces,
ii. CCZ-S2: Height in relation to boundary — Adjoining zones,
iii. CCZ-S3: Setbacks — Adjoining zones,
iv. CCZ-S4: Active frontages — Buildings and structures,
v. CCZ-S5: Active frontages — Required verandahs,
vi. CCZ-S6: Active frontages — Existing vehicle crossings,
vii. CCZ-S7: Active frontages — Land uses,
viii. CCZ-S8: Location and design of carparking,
ix. CCZ-S9: Outlook space,
x. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages,
xi. Within the Civic Precinct, CCZ-PREC2-S1: Building coverage,
xii. Within the Civic Precinct, CCZ-PREC2-S2: Building height, and
~~xiii. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage, and~~

~~b. The minor building or minor structure:~~
~~i. Is ancillary to an established activity on the site,~~
~~ii. Has a gross floor area of no more than 30m^2,~~
~~iii. Has a height no greater than 5m above ground level,~~
~~iv. Is not located within 10 metres of an Active Frontage, and~~
~~v. Is screened and is not visible from public spaces.~~

2. **Activity status:** Restricted discretionary

Where:
~~a.~~ Compliance is not achieved with CCZ-R5.1~~a, but~~
b. ~~Compliance is achieved with CCZ-R5.1b~~.

Matters of discretion are restricted to:
1. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments)
2. The matters in CCZ-P10: Urban design outcomes (exclusions), and
3. The matters of discretion in any of the following standards if they are not met:
   i. CCZ-S1: Sunlight access to specified public spaces,
   ii. CCZ-S2: Height in relation to boundary — Adjoining zones,
   iii. CCZ-S3: Setbacks — Adjoining zones,
   iv. CCZ-S4: Active frontages — Buildings and structures,
   v. CCZ-S5: Active frontages — Required verandahs,
   vi. CCZ-S6: Active frontages — Existing vehicle crossings,
   vii. CCZ-S7: Active frontages — Land uses,
   viii. CCZ-S8: Location and design of carparking,
   ix. CCZ-S9: Outlook space,
   x. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages,
   xi. Within the Civic Precinct, CCZ-PREC2-S1: Building coverage,
   xii. Within the Civic Precinct, CCZ-PREC2-S2: Building height, and
   xiii. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage.

Notification:
Public notification is precluded for applications under this rule where the only non-compliances are CCZ-S2, CCZ-S3, or CCZ-S9.

Limited notification is precluded for applications under this rule where the only non-compliance is CCZ-S9.

Note:
Where condition CCZ-R5.1b is not met, this rule does not apply, and rule CCZ-R6 applies.

CCZ-R6	**Construction of ~~N~~new buildings and structures (except minor buildings and minor structures)**

Commented [CN14]: New Zealand Heay Haulage Association (429.03 and 429.08)

1. **Activity status:** Restricted discretionary
   Matters of discretion are restricted to:
   1. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
   2. The matters in CCZ-P10: Urban design outcomes (exclusions).
   3. The matters of discretion in any of the following standards if they are not met:
      i. CCZ-S1: Sunlight access to specified public spaces,
      ii. CCZ-S2: Height in relation to boundary — Adjoining zones,
      iii. CCZ-S3: Setbacks — Adjoining zones,
      iv. CCZ-S4: Active frontages — Buildings and structures,
      v. CCZ-S5: Active frontages — Required verandahs,
      vi. CCZ-S6: Active frontages — Existing vehicle crossings,
      vii. CCZ-S7: Active frontages — Land uses,
      viii. CCZ-S8: Location and design of carparking,
      ix. CCZ-S9: Outlook space,
      x. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages,
      xi. Within the Civic Precinct, CCZ-PREC2-S1: Building coverage,
      xii. Within the Civic Precinct, CCZ-PREC2-S2: Building height, and
      xiii. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage.

   Notification:
   Public notification is precluded for applications under this rule where the only non-compliances are CCZ-S2, CCZ-S3, or CCZ-S9.

   Limited notification is precluded for applications under this rule where the only non-compliance is CCZ-S9.

Land use activities

CCZ-R7	Residential activities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. CCZ-S7: Active frontages — Land uses, and
      ii. CCZ-S10 (Outlook space).

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with CCZ-R7.1.
   Matters of discretion are restricted to:
   1. The matters of discretion in the standards not met.

   Notification:
   Public notification is precluded for applications under this rule where CCZ-S7 is met.

CCZ-R8	Retirement villages

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. CCZ-S7: Active frontages — Land uses, and
      ii. CCZ-S10 (Outlook space).

2. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:
   1. The matters of discretion in the standards not met.

   Notification:
   Public notification is precluded for applications under this rule where CCZ-S7 is met.

CCZ-R9	Supported residential care facilities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. CCZ-S7: Active frontages — Land uses, and
      ii. CCZ-S10 (Outlook space).

2. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:
   1. The matters of discretion in the standards not met.

   Notification:
   Public notification is precluded for applications under this rule where CCZ-S7 is met.

CCZ-R10	Health care activities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. CCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:
   1. The matters of discretion in the standards not met.

CCZ-R11	Visitor accommodation

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. CCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:
   1. The matters of discretion in the standards not met.

CCZ-R12	Food and beverage activities
1. **Activity status:** Permitted	
CCZ-R13	**Grocery stores and supermarkets**
1. **Activity status:** Permitted	
CCZ-R14	**Integrated retail activities**
1. **Activity status:** Permitted Where: a. The integrated retail activity has a gross floor area of no more than 4,000m².	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with CCZ-R14.1. **Matters of discretion are restricted to:** 1. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments). 2. The matters in CCZ-P10: Urban design outcomes (exclusions). 3. The ability of the city centre to continue to provide for a mix of commercial and community activities.	
CCZ-R15	**Retail activities not otherwise provided for**
1. **Activity status:** Permitted Where: a. The retail activity has a gross floor area of no more than 4,000m².	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with CCZ-R15.1. **Matters of discretion are restricted to:** 1. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments). 2. The matters in CCZ-P10: Urban design outcomes (exclusions). 3. The ability of the city centre to continue to provide for a mix of commercial and community activities.	
CCZ-R16	**Commercial activities not otherwise provided for**
1. **Activity status:** Permitted Where: a. Compliance is achieved with: i. CCZ-S7: Active frontages — Land uses.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with CCZ-R16.1. **Matters of discretion are restricted to:** 1. The matters of discretion in CCZ-S7.	
CCZ-R17	**Other activities not otherwise provided for**

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. CCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:
   1. The matters of discretion in CCZ-S7.

CCZ-R18	Carparking activities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. CCZ-S6: Active frontages — Existing vehicle crossings,
      ii. CCZ-S8: Location and design of carparking,
      iii. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages, and
      iv. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage,
   b. The carparking is not accessed with a vehicle crossing over an Active Street Frontage Overlay B, and
   c. The carparking is not accessed with a vehicle crossing over an Active Street Frontage Overlay A.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with CCZ-R18.1a, but
   b. Compliance is achieved with CCZ-R18.1b and CCZ-R18.1c.

   Matters of discretion are restricted to:
   1. The matters of discretion in the standards not met.

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

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

4. **Activity status:** Prohibited

   Where:
   a. compliance is not achieved with CCZ-R18.1c.

CCZ-R19	Light manufacturing and servicing

1. **Activity status:** Restricted discretionary

   Matters of discretion are restricted to:
   1. The matters of discretion in CCZ-S7: Active frontages — Land uses, if it is not met.
   2. The ability of the city centre to continue to provide for a mix of activities.
   3. The vibrancy and attractiveness of the city centre.
   4. The efficiency of the use of land.
   5. Pedestrian amenity, comfort, and safety.
   6. Residential amenity for existing residential units in the city centre.
   7. Residential amenity in adjacent Residential Zones and Marae Zones.

Notification: Public notification is precluded for applications under this rule where CCZ-S7 is met.	
CCZ-R20	**Yard-based retailing**
1. **Activity status:** Discretionary	
CCZ-R21	**Drive-through activities**
1. **Activity status:** Discretionary	
CCZ-R22	**Service stations**
1. **Activity status:** Discretionary	
CCZ-R23	**Motor vehicle servicing activities**
1. **Activity status:** Discretionary	
CCZ-R24	**Industrial activities not otherwise provided for**
1. **Activity status:** Discretionary	
CCZ-R25	**Heavy industrial activities**
1. **Activity status:** Non-complying **Notification:** Public notification is required for applications under this rule.	
CCZ-R26	**Primary production other than as an ancillary activity**
1. **Activity status:** Non-complying	

General rules

CCZ-R27	**Outdoor storage and work areas**
1. **Activity status:** Permitted Where: a. The outdoor storage and work areas are screened from level view of 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, and b. The outdoor storage and work areas are screened from any street within the Active Street Frontage Overlay by a building on the site.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with CCZ-R27.1. **Matters of discretion are restricted to:** 1. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by Rule CCZ-R27.1 but are not. 2. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments). 3. The matters in CCZ-P10: Urban design outcomes (exclusions). 4. Any positive effects that can only be achieved through non-compliance with CCZ-R27.1.	
CCZ-R28	**Servicing**

Commented [SD15]: 468.132 - Z Energy

1. **Activity status:** Permitted

   Where:
   ~~b. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, and is not within 40 metres of the notional boundary of an activity sensitive to noise in a Rural Zone, or~~
   ~~c. The servicing occurs only between 7:00am and 10:00pm.~~
   a. The servicing is not undertaken between 10:00pm and 7:00am within 40 metres of:
      i. A site in a Residential Zone, Mixed Use Zone, or Marae Zone, or
      ii. The notional boundary of an activity sensitive to noise in a Rural Zone.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with CCZ-R28.1

   Matters of discretion are restricted to:
   1. The night-time amenity of ~~sensitive activities~~ residential activities and other activities sensitive to noise in the surrounding area in the ~~Mixed Use Zone and in Residential Zones, and Marae Zones~~ Residential Zones, Mixed Use Zone, Marae Zone, and Rural Zones.
   2. The functional needs and operational needs of the activity.

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

Commented [SD16]: 468.133 - Z Energy

Standards

CCZ-S1	Sunlight access to specified public spaces

On any site subject to an Active Street Frontage Overlay A:
1. Buildings and structures must be designed to maintain sunlight access to at least 70% of the relevant part of the street section subject to the overlay. The relevant part of the street section is shown in figure CCZ-Figure 1.
   This protection means not reducing the length of time that at least 70% of the street section area has direct sunlight within two hours either side of solar noon on the day of the equinox, assuming the equinox occurs at the instant of solar noon.
   Any shade cast by verandahs may be disregarded.

Matters of discretion if the standard is breached:
1. The existing and potential future layout of public space and utility of sunlight in different areas.
2. Urban design outcomes (2) and (6) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
3. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
4. The matters in CCZ-P10: Urban design outcomes (exclusions).
5. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-S2	Height in relation to boundary - Adjoining zones

1. Buildings and structures must meet the height in relation to boundary standard of the adjoining zone on any boundary with a site in a Residential Zone, Rural Zone, or Marae Zone.

Matters of discretion if the standard is breached:
1. Urban design outcomes (4), (5), and (6) CCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in CCZ-P10: Urban design outcomes (exclusions).
3. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-S3	Setbacks - Adjoining zones

1. Buildings and structures must be set back at least 1m from any boundary with a site in a

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

Matters of discretion if the standard is breached:

1. Access for repairs and maintenance to buildings and structures on the site.
2. Urban design outcomes (4), (5), and (6) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
3. The matters in CCZ-P10: Urban design outcomes (exclusions).
4. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-S4	Active frontages — Buildings and structures

On any site subject to an Active Street Frontage Overlay, or in the Riverbank Precinct and with a riverbank frontage:

1. There must be a building or abutting group of buildings built to the front boundary, to the full width of the Active Street Frontage Overlay, and to any riverbank frontages, to a minimum height of 4m above:
    a. Ground level at the boundary, for an Active Street Frontage Overlay, or
    b. The height of the stopbank, for a riverbank frontage.
2. Alternatively, the buildings or parts of buildings may be set back from the front boundary or riverbank frontage by up to 2m where:
    a. The intervening space is paved pedestrian space continuous with the footpath and open to the public, or
    b. The intervening space is a seating or dining area, or
    c. The intervening space is an entrance porch, or
    d. The intervening space is visitor cycle or micromobility parking, or
    e. The intervening space is used for entrance stairs or pedestrian ramps.
3. The requirement in 1. above does not apply at all on sections of the front boundary or riverbank frontage:
    a. Where compliance would encroach within the dripline of a notable tree, or
    b. Where necessary to comply with CCZ-S3: Setbacks — adjoining zones, or
    c. On the Active Street Frontage Overlay C, to the degree necessary to provide for a vehicle crossing, manoeuvring area, ~~and~~ visibility splays, landscaping, and parking spaces provided for by CCZ-S8 (but not ~~parking spaces or~~ loading spaces):
        i. Where no other frontage not in an Active Street Frontage Overlay is available,
        ii. With a traffic lane width of no more than 6m, and that complies with:
        iii. TR-S5: Vehicle crossings — Number, location and width,
        iv. TR-S6: Vehicle crossings — Separation distances and design,
        v. TR-S7: Driveways,
        vi. TR-S8: Design requirements for motor vehicle parking, circulation, and manoeuvring,
        vii. TR-S9: Loading and unloading - Non-residential, and
        viii. TR-S10: Loading and unloading — Residential, and
    d. Within the Riverbank Precinct only, for a width of up to 6m where a public access is provided between a road boundary and the riverbank frontage.
4. The buildings must not have a featureless façade on the front boundary or riverbank frontage of more than 3 metres in width at any part of the building between 0.5m and 2.5m in height above footpath level.
5. On an Active Street Frontage Overlay A or B frontage, or on a riverbank frontage, the buildings must provide a minimum of 60% of the width as ~~continuous~~ display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath

Commented [SD17]: Foodstuffs (239.17)

Commented [SD18]: Pandion Ltd (259.20, 259.21, 259.22) - consequential

level.

6. On an Active Street Frontage Overlay C frontage, the buildings must provide a minimum of 30% of the width as ~~continuous~~ display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath level.
7. The building must have the principal public entrance on:
    a. An Active Street Frontage Overlay A frontage, if any,
    b. Otherwise, an Active Street Frontage Overlay B frontage, if any,
    c. Otherwise, an Active Street Frontage Overlay C frontage.
8. However, where a building in the Riverbank Precinct abuts a riverbank frontage it:
    a. May instead have the principal public entrance on the riverbank frontage, and
    b. Must have a public entrance, whether principal or not, on both the front boundary and the riverbank frontage.
9. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.

Matters of discretion if the standard is breached:

1. Urban design outcome (1) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
3. The matters in CCZ-P10: Urban design outcomes (exclusions).
4. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply~~, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site~~.
5. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-S5	Active frontages — Required verandahs

1. Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that:
    a. Extends for the full width of the site frontage covered by the Active Street Frontage Overlay, or
    b. Extends outwards from the front of the building to the front boundary and then into the road for at least 3 metres, or to the far side of the kerbing less 500mm, whichever is the lesser, and
    c. Provides continuous shelter with any adjoining verandah or pedestrian shelter.
2. But no verandah or canopy shall be required:
    a. From any site containing a listed heritage item, except where there was a verandah or canopy on 6 February 2025, or
    b. On any portion of a frontage where the required verandah or canopy, as seen in plan, would encroach on the dripline of a notable tree or street tree, or
    c. On any portion of a frontage with an existing vehicle crossing.

Matters of discretion if the standard is breached:

1. Urban design outcome (1) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
3. The matters in CCZ-P10: Urban design outcomes (exclusions).
4. Safety and efficiency of the transport network in relation to the presence, absence, or design of the verandah.
5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, ~~and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site~~.
6. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-S6	Active frontages — Existing vehicle crossings

Where there are any existing vehicle crossings across an Active Street Frontage Overlay A or B that serve the site:

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1. That vehicle crossing may not be used to serve any additional parking or loading spaces,
2. There may not be any new building on site,
3. There may not be any addition to any building that increases the gross floor area, and
4. Other existing vehicle crossings that are not on the Active Street Frontage Overlay A or B may not be removed,

Unless all vehicle crossings across the Active Street Frontage Overlay A and B on the site are removed.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Safety and efficiency of the transport network.
3. The impact of the activity or change in the activity on the feasibility and likelihood of the future removal of the relevant vehicle crossings.
4. Effects on the current or potential future use of the road for events.
5. Effects on the current or potential future ability of the road to be closed to general motor vehicle traffic.
6. Visual amenity.
7. Urban design outcome (1) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
9. The matters in CCZ-P10: Urban design outcomes (exclusions).
10. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-S7	Active frontages — land uses

On any site subject to the Active Street Frontage Overlay:

1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located at ground level within 10 metres from a front boundary.

On any site within the Riverbank Precinct:

1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located on site unless the finished floor level of the activity is at least 4 metres above the top of the stopbank.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Reverse sensitivity ~~effects~~ on other activities in the zone.
3. Effects, including reverse sensitivity effects, on the current or potential future use of the road for temporary activities.
4. Effects, including reverse sensitivity effects, on the current or potential future use of the road for public transport or active transport infrastructure.
5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply with the standard, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
6. The short-term, medium-term, and long-term development capacity and demand needs for commercial and residential activities in the commercial centre.
7. Urban design outcomes (1), (3), and (4) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
9. The matters in CCZ-P10: Urban design outcomes (exclusions).
10. Any positive effects that can only be achieved through non-compliance with the standard.

Commented [CN22]: HS1 minor correction
Policy Planning team of Hutt City Council (440.3)

CCZ-S8	Location and design of carparking

On any site subject to an Active Street Frontage Overlay A or B:

1. Carparking must only be located:
    a. within or underneath a building, or
    b. on top of a building at least 3 metres above ground level, or
    c. shielded from the Active Street Frontage Overlay A or B by a building.

2. Carparking may not be served by a vehicle crossing across an Active Street Frontage Overlay A or B.

On any site subject to an Active Street Frontage Overlay C:

3. Carparking must only be located within or underneath a building, on top of a building at least 3 metres above ground level, beside a building accounting for no more than 50% of the width of the site, or behind a building.

On any site:

4. Parking areas must be screened from any adjoining site in a Residential Zone, Rural Zone, or Marae Zone with a building or a close-boarded fence of at least 1.8m in height.
5. Parking areas must be designed so they can only be accessed from a formed vehicle crossing.
6. Parking areas must be sealed to prevent dust (this may be permeable).
7. Parking areas at ground level other than manoeuvring space must be separated from any boundary by landscaped buffer of at least 0.5m (with a kerb or wheel stop) or 1.5m (otherwise).
8. There must be at least 1m² of landscaping for every 20m² of outdoor carparking or vehicle manoeuvring area at ground level. The landscaping referred to in CCZ-S8.7 may be included.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. If CCZ-S8.2, CCZ-S8.5, CCZ-S8.6, or CCZ-S8.7 are not met: Safety and efficiency of the transport network.
3. If CCZ-S8.2, CCZ-S8.5, or CCZ-S8.7 are not met: Effects on the current or potential future use of the road for events.
4. If CCZ-S8.2, CCZ-S8.5, or CCZ-S8.7 are not met: Effects on the current or potential future ability of the road to be closed to general motor vehicle traffic.
5. Visual amenity.
6. Urban design outcome (1) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
7. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
8. The matters in CCZ-P10: Urban design outcomes (exclusions).
9. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-S9	**Outlook space**

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

1. An outlook space must be provided from habitable room windows as shown in CCZ-Figure 2.
2. The minimum dimensions for a required outlook space are as follows:
    a. A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width, and
    b. All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
3. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
4. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
5. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
6. Outlook spaces may be under or over a balcony.
7. Outlook spaces required from different rooms within the same building may overlap.
8. Outlook spaces must:
    a. Be clear and unobstructed by buildings, and
    b. Not extend over an outlook space or outdoor living space required by another dwelling.

Matters of discretion if the standard is breached:

1. Urban design outcome (3) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in CCZ-P10: Urban design outcomes (exclusions).
3. Any mitigation factors such as view or landscaping that compensate for a reduced outlook.
4. Any positive effects that can only be achieved through non-compliance with the standard.

Standards — Riverbank Precinct

CCZ-PREC1-S1	Riverbank frontages

Buildings in the Riverbank Precinct must be designed to:

1. Have a public entrance from the existing or planned stopbank promenade, that is accessible from the stopbank promenade with a maximum gradient of no more than 1:12,
2. Provide for the stopbank ground level to be filled in between the existing stopbank top and the building at a gradient of no more than 1:12, to the level of the public entrance, and
3. Wherever the building is not built up to the riverbank frontage (e.g. because of an exception permitted under CCZ-S4), build up the ground level between the building and the riverbank frontage to be level with the public entrance.

Note:
The works to extend the stopbank ground level and promenade between the riverbank frontage and the stopbank (i.e. in public land) will be carried out by Hutt City Council and the Council may (but is not required to) use development contributions from the project to fund part or all of that work.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Visual amenity.
3. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
4. The activation of the riverbank.
5. The ability of the standard to be met at a later date.
6. The effects of non-compliance on the ability of other sites to meet the standard.
7. The effects of non-compliance on other sites already making use of the riverbank promenade.
8. Personal safety and security within the site and the riverbank.
9. The urban design outcome in CCZ-PREC1-P1: Urban design outcomes (all significant developments).
10. The matters in CCZ-P10: Urban design outcomes (exclusions).

11. Any positive effects that can only be achieved through non-compliance with the standard.

Standards — Civic Precinct

CCZ-PREC2-S1	Building coverage

Buildings in the Civic Precinct must have a building coverage of no more than:
1. 70% for the Hutt Valley District Court sub-area,
2. 60% for the Dowse and Pavilion sub-area, and
3. 50% for the Town Hall and Administration Building sub-area.

This coverage is assessed across the entire sub-area, not site by site.

Matters of discretion if the standard is breached:
1. The ability of the Precinct to provide useable public open space.
2. The effects on the ability of other sites within the sub-area to meet the standard.
3. Personal safety and security.
4. The urban design outcome in CCZ-PREC2-P1: Urban design outcomes (all significant developments).
5. The matters in CCZ-P10: Urban design outcomes (exclusions)
6. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-PREC2-S2	Building height

Buildings in the Dowse and Pavilion sub-area and Town Hall and Administration Building sub-area must have a height of no more than 15 metres.

This does not apply to flagpoles, chimneys, antennae, aerials, satellite dishes (less than 1m in diameter), flues, or architectural features (e.g. finials and spires) provided these do not exceed the height limit by more than 3 metres.

There are no requirements of this standard in the Hutt Valley District Court sub-area.

Matters of discretion if the standard is breached:
1. Visual amenity.
2. Shading and visual dominance of public open space.
3. The intended character of the Precinct.
4. The ability of the Precinct to provide useable public open space.
5. Urban design outcomes (2) and (6) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
6. The urban design outcome in CCZ-PREC2-P1: Urban design outcomes (all significant developments).
7. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
8. The matters in CCZ-P10: Urban design outcomes (exclusions).
9. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-PREC2-S3	Carparking coverage

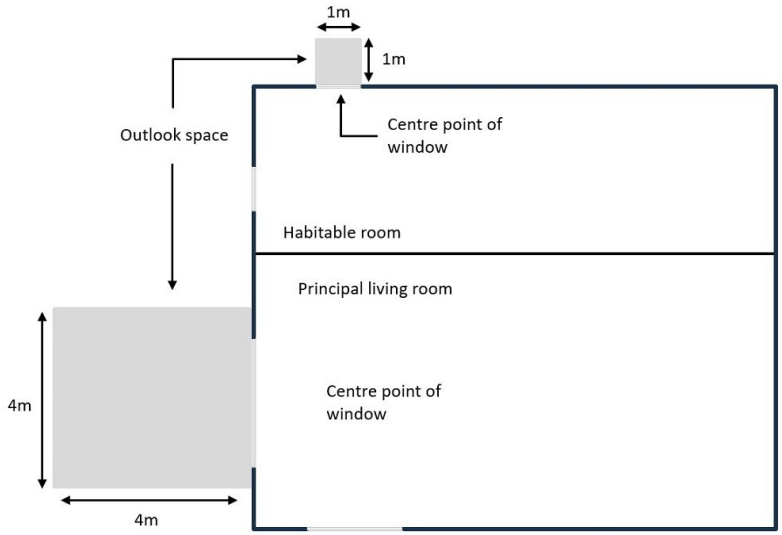
Carparking, including manoeuvring areas, must cover no more than:
1. 30% of the Hutt Valley District Court sub-area,
2. 5% of the Dowse and Pavilion sub-area, and
3. 10% of the Administration Building and Town Hall sub-area.

This coverage is assessed across the entire sub-area, not site by site, and does not include legal road.

Matters of discretion if the standard is breached:
1. Visual amenity.
2. The ability of the Precinct to provide useable public open space.

3. The effects on the ability of other sites within the sub-area to meet the standard.
4. Personal safety and security.
5. Pedestrian safety and amenity.
6. Any operational needs for loading for activities within the Civic Precinct.
7. Any operational needs for parking reserved for people with disabilities.
8. The urban design outcome in CCZ-PREC2-P1: Urban design outcomes (by meeting standard or assessment).
9. The matters in CCZ-P10: Urban design outcomes (exclusions).
10. Any positive effects that can only be achieved through non-compliance with the standard.

CCZ-Figure 1	**Street area where sunlight protected**
CCZ-Figure 2	**Outlook space**



MCZ — Metropolitan Centre Zone

The Metropolitan Centre Zone covers the city's secondary commercial centre in Pito One. It provides for a significantly larger scale and wider range of development than other suburban centres in the Local Centre Zone and anticipates activities that draw people from across the city and much of the region.

The zone generally anticipates amenity values associated with a thriving and vibrant commercial centre. The details vary within the zone, as there are several distinct areas within the zone with different character:

- The traditional retail centre along Jackson Street, with significant historic heritage values,
- The remainder of Jackson Street, which has a diverse mix of activities and is managed to produce an emerging character that supports the heritage area, and
- The western end of Pito One, which typically has larger sites and some legacy industrial activities.

The traditional retail centre along Jackson Street is mostly within an identified heritage area, and managing its heritage values is important to the social and cultural outcomes sought for the zone. ~~However, for consistency, t~~ These provisions are located in the ~~Historic~~ Historical Heritage chapter.

Commented [NG1]: HS2 Correction for integration with ODP.

The Metropolitan Centre Zone anticipates a wide range of activities consistent with its purpose but manages activities that might not be consistent with planned amenity values. The Metropolitan Centre Zone recognises that market and community demand in these areas may change from place to place and over time and that centres may need to expand and contract over time, and centres may emerge in new locations. The plan will need to be reviewed regularly to respond to this.

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

Built development is provided for in the Metropolitan Centre Zone generally requires resource consent to ensure it meets the urban design outcomes expected for the zone. In addition, development standards also address:

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

Where the development standards are met, resource consent applications are precluded from notification. If a proposed development does not meet one or more development or performance standards for the zone, resource consent is required in order to:

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

This resource consent may be notified in some situations.

The Metropolitan Centre Zone is frequently subject to the Active Street Frontage Overlay, which intends to protect frontages on identified streets as attractive, pedestrian-focussed environments through land use and design controls.

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

guidance for developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the Metropolitan Centre Zone, other chapters of the District Plan, including those that apply 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.

MCZ-PREC1 — Jackson Street Character Transition Precinct

The Jackson Street Character Transition Precinct applies at either end of Jackson Street outside the Jackson Street Heritage Area (see the Historical Heritage chapter). While this area does not have significant historic heritage values itself, it has significant redevelopment potential and is experienced by visitors as continuous with the heritage area. The precinct has extra provisions to promote a distinct and sympathetic built form and style that provides character reflecting the industrial history of the area and the traditional character of the Jackson Street Heritage Area.

Objectives

MCZ-O1	Purpose of the zone
The Metropolitan Centre is a key commercial, community, and civic centre for Lower Hutt, and is a location of choice for such activities with a city-wide or sub-regional catchment. The Metropolitan Centre is supported by residential activities and a diverse range of other activities compatible with this purpose and the intended character of the zone, including activities that serve a more local community.	
MCZ-O2	**Activities in the zone**
The Metropolitan Centre Zone: a. Primarily provides for commercial activities and community activities, b. Is supported by residential activities that: i. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone, and ii. Are compatible with the types of amenity associated with a high density commercial centre anticipated by the zone, and c. Provides for other activities that: i. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone, and ii. Are compatible with the types of amenity associated with a high density commercial centre anticipated by the zone.	
MCZ-O3	**Provision of commercial and community spaces and housing**
The Metropolitan Centre Zone provides for a variety of types and sizes of tenancies that respond to: a. Business needs and demand, b. The planned urban built environment of the neighbourhood, including intensive use of sites and high rise buildings, and c. The opportunity to support the city centre with housing and other supporting activities.	
MCZ-O4	**Planned character and planned urban built environment of the zone**
Built development and open spaces positively contribute to a commercial and community hub of activity within a well-functioning urban environment that: a. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone, b. Has an urban built environment that is characterised by a high concentration of building densities and forms, including buildings that provide an active frontage on identified frontages	

and providing for high rise buildings,
c. Recognises the significance and opportunity of the Pito One foreshore,
d. Provides a high amenity experience walking between Jackson Street and the Pito One Railway station,
e. Takes advantage of and contributes positively to the opportunities of pedestrian spaces and adjoining parks and reserves,
f. Makes efficient use of the scarce resource of space at ground level,
g. Is easily legible to visitors,
h. Is healthy, safe, attractive, and accessible,
i. Provides useful on-site outdoor living areas for residents, or is located in close proximity to useful public open space in the neighbourhood,
j. Has good access within the Metropolitan Centre, to and from surrounding neighbourhoods, and to and from other commercial centres, through active and public transport modes, providing for well-connected and low emission communities,
k. Is integrated with existing and planned infrastructure,
l. Includes opportunities for housing and other activities that positively contribute to the function and amenity of the Metropolitan Centre, and
m. Enhances co-location benefits.

MCZ-O5	Adverse effects

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

Objectives — Jackson Street Character Transition Precinct

MCZ-PREC1-O1	Purpose and character

This objective is additional within the Jackson Street Character Transition Precinct

The character, style, and built form of the Jackson Street Character Transition Precinct evolves, as sites are redeveloped, to recognise the significance and opportunity of the heritage values of the Jackson Street Heritage Area and the industrial history of the western end of Pito One.

Policies

MCZ-P1	Enabled activities

Enable a wide range of activities to support the purpose and ongoing viability and vitality of the Metropolitan Centre, while recognising the key importance of commercial, community and civic activities, and the regional function of the centre.

MCZ-P2	Residential activities and activities sensitive to privacy intrusion

1. Provide for residential activities, visitor accommodation, and other activities sensitive to privacy intrusion in the Metropolitan Centre Zone.
2. Require residential activities, visitor accommodation, and other activities sensitive to privacy intrusion to be located above ground level, where located on an identified active frontage.

MCZ-P3	Potentially incompatible activities

1. Provide for other, potentially incompatible activities if they:
    a. Maintain and enhance the amenity and vitality of the Metropolitan Centre, particularly the Centre's attractiveness to visitors,
    b. Do not detract from the Metropolitan Centre's ability to meet the zone's planned purpose,
    c. Promote the efficient use of land,

d. Are of at least a scale and intensity that is consistent with the planned density of the Metropolitan Centre Zone,
e. Are designed and managed to be consistent with the planned character of the Metropolitan Centre Zone,
f. Are focused on serving customers or other visitors,
g. Avoid significant adverse effects on commercial activities and community activities enabled in the zone, and
h. If the activity is not a commercial activity or community activity, avoids significant adverse effects on residential activities enabled in the zone, and avoids creating reverse sensitivity effects.

2. Potentially incompatible activities include:
   a. Industrial activities,
   b. Yard-based retail,
   c. Drive-through activities,
   d. Service stations,
   e. Motor vehicle servicing,
   f. Carparking at ground level on sites subject to the Active Street Frontage Overlay, and
   g. The demolition of buildings that results in vacant land.

MCZ-P4	Likely incompatible activities

1. Avoid activities that are incompatible with the planned purpose, character and amenity of the Metropolitan Centre Zone.
2. Likely incompatible activities include:
   a. Heavy industrial activities,
   b. Primary production activities, and
   c. Vehicle crossings on street frontages subject to the Active Street Frontage Overlay A and B.

MCZ-P5	Existing activities

Encourage the replacement of existing activities that are incompatible with the purpose and character of the zone.

MCZ-P6	Role in network of commercial and industrial areas

Recognise the Metropolitan Centre as second only to the City Centre as a location for activities that serve the whole city or wider region while also serving the local area, and thus provide for activities at any scale.

MCZ-P7	Development capacity — General

1. Encourage the efficient use of land in the Metropolitan Centre to provide a diverse range of spaces for housing, business, community, and civic activities, particularly in denser forms, except in the Jackson Street Heritage Area.
2. Encourage the efficient use of existing buildings and new buildings at a compatible scale in the Jackson Street Heritage Area to provide a diverse range of spaces for housing, business, community, and civic activities.

MCZ-P8	Urban design outcomes (by meeting standard or assessment)

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

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

The outcomes are:

1. Identified street frontages in the Active Street Frontage Overlay A and B provide a comfortable and sheltered pedestrian environment.
2. The form and scale of development protects access to sunlight ~~and daylight~~ in well-used streets and public spaces.
3. Manage the form and scale of development near the Jackson Street Heritage Area to protect the significant historic heritage values of that area.
4. Residential units have adequate outlook from habitable rooms.
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. ~~Ensure adequate access to daylight for residential activities on adjacent residential zone sites.~~
7. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites.
8. The amenity of surrounding Residential Zones, Rural Zones, and Marae Zones is protected.

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

MCZ-P9	Urban design outcomes (all significant developments)

All built development is managed to achieve the outcomes in this policy through an approach demonstrated in a resource consent. Some minor development and alterations will not need resource consent.
Where specific existing site constraints or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical.
The outcomes are:

1. Identified street frontages in the Active Street Frontage Overlay are continuous and promote visual connections with the street and public realm.
2. Buildings encourage community interaction through a positive relationship of commercial activity, community activity, and residential units with the street, public pathways, and other public space.
3. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Ensuring that building design enables ~~Enabling~~ passive surveillance over public and communal spaces,
    c. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    d. Avoiding wasted space or space of unclear function, and
    e. Integrating other CPTED measures at a scale appropriate for the site.
4. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to support and promote the pedestrian circulation provided for in clause (6) ~~provide for pedestrian safety, comfort, dignity, and amenity~~.
5. Buildings provide pedestrian entrances on new and existing city laneways that enhance pedestrian safety, comfort, and connectivity.
6. There is quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site.
7. Ensure that on-site landscaping, if any is proposed, or required by standard MCZ-S8: Location and design of carparking:

Commented [NG2]: Urban Edge Planning (449.22)

Commented [NG3]: Urban Edge Planning (449.22)

Commented [NG4]: Urban Edge Planning (449.22)

Commented [NG5]: Urban Edge Planning (449.20)

Commented [NG6]: Urban Edge Planning (449.20)

a. Retains healthy and mature vegetation, where appropriate,
b. Uses planting that is appropriate for the climate and environment within the site,
c. Improves outlooks from dwellings and softens hard built surfaces, and
d. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.

8. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
9. New developments display aesthetic value by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.
10. Large format retail is integrated with its surroundings to contribute to the vibrancy, diversity, and interest of commercial centres.
11. Ensure adequate privacy for residential activities, and other activities sensitive to privacy intrusion, on the site and on adjacent sites.
12. ~~Ensure access to daylight for residential units on the site, and for those on neighbouring sites that is adequate in the context of the anticipated urban form of the zone.~~
13. Buildings designed for residential use at ground floor are adaptable and flexible to potential future uses such as commercial use.
14. Balance the provision of privacy for residents of ground-floor residential units, where provided for, with the provision of an attractive streetscape.

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

MCZ-P10	Urban design outcomes (exclusions)

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

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

MCZ-P11	Managing adverse effects at zone interfaces

Manage activities to mitigate adverse effects on other zones by:

1. Managing the form and scale of development near Te Puni Urupā to protect the cultural values of the urupā, and privacy, visual dominance, and noise impacts on the tikanga, cultural safety, and dignity of activities that occur at the urupā.
2. Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
3. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

Policies — Jackson Street Character Transition Precinct

MCZ-PREC1-	Character values

Commented [NG7]: Urban Edge Planning (449), consequential

Commented [NG8]: Urban Edge Planning (449.22)

Commented [NG9]: Urban Edge Planning (449.32)

Commented [NG10]: Urban Edge Planning (449.32)

P1	
This policy is additional within the Jackson Street Character Transition Precinct	
Manage the appearance, layout, and form of buildings and structures to promote an evolving new character and identity in the Precinct that will sympathetically reflect the heritage values of the Jackson Street Heritage Area and the industrial history of the western end of Pito One, by promoting: 1. Buildings sympathetic to the architectural themes and materials of at least one of: a. The Jackson Street Heritage Area, or b. The 20th century industrial buildings of western Pito One, with preference to the themes and materials expressed in existing adjoining buildings, 2. A compatible and continuous building frontage along Jackson Street, 3. Consistent floor to floor heights where these are strongly expressed in the exteriors of adjacent buildings, 4. The use of chamfered or rounded corners and additional vertical elements for buildings on street corners, 5. The expression of horizontal elements in preference to vertical elements, 6. The use of discrete windows rather than continuous glazed frontages, 7. The use of parapets and cornices, 8. The use of decoration and colour, 9. The use of verandahs as integral parts of buildings, and 10. The use of signage scaled to a pedestrian audience. For the avoidance of doubt, this policy does not affect the anticipated height, scale, or density of developments, except where above the level anticipated by the relevant bulk and location standards.	

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

MCZ-R1	Repair and maintenance of buildings and structures
1. **Activity status:** Permitted	
MCZ-R2	**Demolition or removal of structures other than buildings**
2. **Activity status:** Permitted	
MCZ-R3	**Demolition or removal of buildings**
1. **Activity status:** Permitted Where: a. The demolition is required to avoid an imminent threat to life or property, or b. In relation to each of the standards MCZ-S4 (Active frontages — buildings and structures), MCZ-S5 (Active frontages — required verandahs), MCZ-S6 (Active frontages — existing vehicle crossings), MCZ-S7 (Active frontages — land uses), MCZ-S8 (Location and design of carparking), MCZ-S9 (Outdoor living space), and MCZ-S10 (Outlook space): i. Where compliance was achieved before the building was demolished, compliance is still achieved, or ii. Where there is an existing non-compliance, it is not increased, or iii. Building consent has been issued for building work that is permitted by MCZ-R4.1 or MCZ-R5.1, which when complete will ensure compliance is achieved	

	to at least the degree it was achieved before the demolition.
	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with MCZ-R3.1, but b. The application is in conjunction with an application under MCZ-R6.1 to construct a replacement building or buildings on the site, or an application under MCZ-R4.2 or MCZ-R5.2 to make alterations or additions to other buildings on site. **Matters of discretion are restricted to:** 1. Where there is any non-compliance with any of MCZ-S4 (Active frontages — buildings and structures), MCZ-S5 (Active frontages — required verandahs), MCZ-S6 (Active frontages — existing vehicle crossings), MCZ-S7 (Active frontages — land uses), MCZ-S8 (Location and design of carparking), MCZ-S9 (Outdoor living space), and MCZ-S10 (Outlook space): the matters of discretion in the standards not met. 2. Within the Jackson Street Character Transition Precinct, the matters in policy MCZ-PREC1-P1: Character values. 3. Methods to assure a replacement building or buildings are constructed in a timely fashion. 4. The safety and amenity values of the site while vacant. **Notification:** Public notification and limited notification are precluded for applications under this rule. **Note:** As applications under this rule must be in conjugation with an application under MCZ-R4.2, MCZ-R5.2, or MCZ-R6.1, the notification preclusions of that rule must also be met for notification to be precluded. For more information on the treatment of notification for applications under more than one rule, see the General Approach chapter.
	3. **Activity status:** Discretionary Where: a. Compliance is not achieved with MCZ-R3.1 or MCZ-R3.2.
MCZ-R4	**Alterations and additions to existing buildings and structures**
	1. **Activity status:** Permitted Where: a. For additions, c~~C~~ompliance is achieved with, and for alterations, compliance is either achieved with or existing non-compliances are not worsened for: i. MCZ-S1: Height, ii. MCZ-S2: Height in relation to boundary - adjoining zones, iii. MCZ-S3: Setbacks - adjoining zones, iv. MCZ-S4: Active frontages — buildings and structures, v. MCZ-S5: Active frontages — required verandahs, vi. MCZ-S6: Active frontages — existing vehicle crossings, vii. MCZ-S7: Active frontages — land uses, viii. MCZ-S8: Location and design of carparking, ix. MCZ-S9: Outdoor living space, x. MCZ-S10: Outlook space, and xi. MCZ-S11: Height in relation to boundary and setbacks — Te Puni Urupā, b. For buildings, the external building form of the existing building remains unchanged, and c. ~~The alterations or a~~Additions are not visible from public spaces~~, or are purely internal alterations~~.

Commented [SD11]: Woolworths (271.10), Go Architecture (331.28)

2. **Activity status:** Restricted discretionary

Where:

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

Matters of discretion are restricted to:

1. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
2. The matters in MCZ-P10: Urban design outcomes (exclusions).
3. The matters of discretion in any of the following standards if they are not met:
   i. MCZ-S1: Height,
   ii. MCZ-S2: Height in relation to boundary - adjoining zones,
   iii. MCZ-S3: Setbacks - adjoining zones,
   iv. MCZ-S4: Active frontages — buildings and structures,
   v. MCZ-S5: Active frontages — required verandahs,
   vi. MCZ-S6: Active frontages — existing vehicle crossings,
   vii. MCZ-S7: Active frontages — land uses,
   viii. MCZ-S8: Location and design of carparking,
   ix. MCZ-S9: Outdoor living space,
   x. MCZ-S10: Outlook space, and
   xi. MCZ-S11: Height in relation to boundary and setbacks — Te Puni Urupā.
4. Within the Jackson Street Character Transition Precinct, the matters in policy MCZ-PREC1-P1: Character values.

Notification:
Public notification is precluded for applications under this rule where the only non-compliances are MCZ-S2, MCZ-S3, MCZ-S9, or MCZ-S10, or MCZ-S11.
Limited notification is precluded for applications under this rule where the only non-compliances are MCZ-S9 or MCZ-S10.

MCZ-R5	Construction of ~~N~~new minor buildings and minor structures

1. **Activity status:** Permitted

Where:

a. Compliance is achieved with:
   i. MCZ-S1: Height,
   ii. MCZ-S2: Height in relation to boundary - adjoining zones,
   iii. MCZ-S3: Setbacks - adjoining zones,
   iv. MCZ-S4: Active frontages — buildings and structures,
   v. MCZ-S5: Active frontages — required verandahs,
   vi. MCZ-S6: Active frontages — existing vehicle crossings,
   vii. MCZ-S7: Active frontages — land uses,
   viii. MCZ-S8: Location and design of carparking,
   ix. MCZ-S9: Outdoor living space,
   x. MCZ-S10: Outlook space, and
   ~~xi.~~ MCZ-S11: Height in relation to boundary and setbacks — Te Puni Urupā~~, and~~

~~b. The minor building or minor structure:~~
   ~~i. Is ancillary to an established activity on the site,~~
   ~~ii. Has a gross floor area of no more than 30m^2;~~
   ~~iii. Has a height no greater than 5m above ground level,~~
   ~~iv. Is not located within 10 metres of an Active Frontage, and~~
   v. ~~Is screened and is not visible from public spaces.~~

2. **Activity status:** Restricted discretionary

Where:

~~a.~~ Compliance is not achieved with MCZ-R5.1~~a, but~~

Commented [CN12]: New Zealand Heay Haulage Association (429.03 and 429.08)

b. ~~Compliance is achieved with MCZ-R5.1b~~.

Matters of discretion are restricted to:

1. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
2. The matters in MCZ-P10: Urban design outcomes (exclusions).
3. The matters of discretion in any of the following standards if they are not met:
   i. MCZ-S1: Height,
   ii. MCZ-S2: Height in relation to boundary - adjoining zones,
   iii. MCZ-S3: Setbacks - adjoining zones,
   iv. MCZ-S4: Active frontages — buildings and structures,
   v. MCZ-S5: Active frontages — required verandahs,
   vi. MCZ-S6: Active frontages — existing vehicle crossings,
   vii. MCZ-S7: Active frontages — land uses,
   viii. MCZ-S8: Location and design of carparking,
   ix. MCZ-S9: Outdoor living space,
   x. MCZ-S10: Outlook space, and
   xi. MCZ-S11: Height in relation to boundary and setbacks — Te Puni Urupā.
4. Within the Jackson Street Character Transition Precinct, the matters in policy MCZ-PREC1-P1: Character values.

Notification:
Public notification is precluded for applications under this rule where the only non-compliances are MCZ-S2, MCZ-S3, MCZ-S9, MCZ-S10, or MCZ-S11.
Limited notification is precluded for applications under this rule where the only non-compliances are MCZ-S9 or MCZ-S10.

Note:
Where condition MCZ-R5.1b is not met, this rule does not apply, and rule MCZ-R6 applies.

MCZ-R6	**Construction of ~~N~~new buildings and structures (except minor buildings and minor structures)**

Commented [CN13]: New Zealand Heay Haulage Association (429.03 and 429.08)

1. **Activity status:** Restricted discretionary
   Matters of discretion are restricted to:
   1. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
   2. The matters in MCZ-P10: Urban design outcomes (exclusions).
   3. The matters of discretion in any of the following standards if they are not met:
      i. MCZ-S1: Height,
      ii. MCZ-S2: Height in relation to boundary - adjoining zones,
      iii. MCZ-S3: Setbacks - adjoining zones,
      iv. MCZ-S4: Active frontages — buildings and structures,
      v. MCZ-S5: Active frontages — required verandahs,
      vi. MCZ-S6: Active frontages — existing vehicle crossings,
      vii. MCZ-S7: Active frontages — land uses,
      viii. MCZ-S8: Location and design of carparking,
      ix. MCZ-S9: Outdoor living space,
      x. MCZ-S10: Outlook space, and
      xi. MCZ-S11: Height in relation to boundary and setbacks — Te Puni Urupā.
   4. Within the Jackson Street Character Transition Precinct, the matters in policy MCZ-PREC1-P1: Character values.

   Notification:
   Public notification is precluded for applications under this rule where the only non-compliances are MCZ-S2, MCZ-S3, MCZ-S9, MCZ-S10, or MCZ-S11.
   Limited notification is precluded for applications under this rule where the only non-compliances are MCZ-S9 or MCZ-S10.

Land use activities

MCZ-R7	Residential activities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. MCZ-S7: Active frontages — Land uses,
      ii. MCZ-S9: Outdoor living space, and
      iii. MCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:
1. The matters of discretion in the standards not met.

Notification:
Public notification is precluded for applications under this rule where MCZ-S7 is met.

MCZ-R8	Retirement villages

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. MCZ-S7: Active frontages — Land uses,
      ii. MCZ-S9: Outdoor living space, and
      iii. MCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:
1. The matters of discretion in the standards not met.

Notification:
Public notification is precluded for applications under this rule where MCZ-S7 is met.

MCZ-R9	Supported residential care facilities

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with:
   i. MCZ-S7: Active frontages — Land uses, and
   ii. MCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MCZ-9.1.

Matters of discretion are restricted to:
1. The matters of discretion in the standards not met.

Notification:
Public notification is precluded for applications under this rule where MCZ-S7 is met.

MCZ-R10	Health care activities

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with MCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:
1. The matters of discretion in the standards not met.

MCZ-R11	Visitor accommodation

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with:
   i. MCZ-S7: Active frontages — Land uses, and
   ii. MCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:
1. The matters of discretion in the standards not met.

MCZ-R12	Food and beverage activities

1. **Activity status:** Permitted

MCZ-R13	Grocery stores and supermarkets

1. **Activity status:** Permitted

MCZ-R14	Integrated retail activities

1. **Activity status:** Permitted

   Where:
   a. The integrated retail activity has a gross floor area of no more than 1,000m².

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with MCZ-R14.1.

   Matters of discretion are restricted to:

   1. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
   2. The matters in MCZ-P10: Urban design outcomes (exclusions).
   3. The ability of the Metropolitan Centre to continue to provide for a mix of commercial and community activities.

MCZ-R15	Retail activities not otherwise provided for

1. **Activity status:** Permitted

   Where:
   a. The retail activity has a gross floor area of no more than 1,000m².

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with MCZ-R15.1.

   Matters of discretion are restricted to:
   1. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
   2. The matters in MCZ-P10: Urban design outcomes (exclusions).
   3. The ability of the metropolitan centre to continue to provide for a mix of commercial and community activities.

MCZ-R16	Commercial activities not otherwise provided for

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with MCZ-S7 (Active frontages — land uses), and
   b. The commercial activity has a gross floor area of no more than 2,000m².

2. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:

   1. The matters of discretion in MCZ-S7 if it is not met.
   2. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant

developments).
3. The matters in MCZ-P10: Urban design outcomes (exclusions).

Notification:
Public notification is precluded for applications under this rule where MCZ-S7 is met.

MCZ-R17	Other activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with MCZ-S7 (Active frontages — land uses), and
b. The activity has a gross floor area of no more than 2,000m².

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:

1. The matters of discretion in MCZ-S7 if it is not met.
2. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
3. The matters in MCZ-P10: Urban design outcomes (exclusions).

Notification:
Public notification is precluded for applications under this rule where MCZ-S7 is met.

MCZ-R18	Carparking activities

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with:
   i. MCZ-S6: Active frontages — Existing vehicle crossings, and
   ii. MCZ-S8: Location and design of carparking,
b. The carparking is not accessed with a vehicle crossing over an Active Street Frontage B Overlay, and
c. The carparking is not accessed with a vehicle crossing over an Active Street Frontage A Overlay.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MCZ-R18.1a, but
b. Compliance is achieved with MCZ-R18.1b and MCZ-R18.1c.

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

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

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

4. **Activity status:** Prohibited

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

MCZ-R19	Light manufacturing and servicing
1. **Activity status:** Restricted discretionary **Matters of discretion are restricted to:** 1. The matters of discretion in MCZ-S7: Active frontages — Land uses, if it is not met. 2. The ability of the local centre to continue to provide for a mix of activities. 3. The vibrancy and attractiveness of the local centre. 4. The efficiency of the use of land. 5. Pedestrian amenity, comfort, and safety. 6. Residential amenity for existing residential units in the local centre. 7. Residential amenity in adjacent Residential Zones and the Marae Zone. **Notification:** Public notification is precluded for applications under this rule where MCZ-S7 is met.	
MCZ-R20	**Yard-based retailing**
1. **Activity status:** Discretionary	
MCZ-R21	**Drive-through activities**
1. **Activity status:** Discretionary	
MCZ-R22	**Service stations**
1. **Activity status:** Discretionary	
MCZ-R23	**Motor vehicle servicing activities**
1. **Activity status:** Discretionary	
MCZ-R24	**Industrial activities not otherwise provided for**
1. **Activity status:** Discretionary	
MCZ-R25	**Heavy industrial activities**
1. **Activity status:** Non-complying **Notification:** Public notification is required for applications under this rule.	
MCZ-R26	**Primary production other than as an ancillary activity**
1. **Activity status:** Non-complying	

General rules

MCZ-R27	Outdoor storage and work areas
1. **Activity status:** Permitted Where: a. The outdoor storage and work areas are screened from level view of any adjoining site or opposite site in an Open Space and Recreation Zone, Residential Zone, Marae Zone, or Mixed Use Zone, or the Te Puni Urupā by a building or a solid or close-boarded fully opaque fence of at least 1.8m in height above ground level, and b. The outdoor storage and work areas are screened from any street within the Active Street Frontage Overlay by a building on the site.	
2. **Activity status:** Restricted discretionary	

Commented [SD14]: Z Energy (468.96)

Where:
a. Compliance is not achieved with MCZ-R27.1.

Matters of discretion are restricted to:
1. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by Rule MCZ-R27.1 but are not.
2. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
3. The matters in MCZ-P10: Urban design outcomes (exclusions).
4. Any positive effects that can only be achieved through non-compliance with MCZ-R27.1.

MCZ-R28	Servicing

1. **Activity status:** Permitted

Where:
~~a. The servicing is not within 40m of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, or~~
~~b. The servicing occurs only between 7:00am and 10:00pm.~~
c. The servicing is not undertaken between 10:00pm and 7:00am within 40 metres of:
   i. A site in a Residential Zone, Mixed Use Zone, or Marae Zone, or
   ii. The notional boundary of an activity sensitive to noise in a Rural Zone.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with MCZ-R28.1.

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

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

Standards

MCZ-S1	Height

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

If there is no Specific Height Control Overlay, there are no requirements of this standard.

Matters of discretion if the standard is breached:
1. Urban design outcomes 2, 3, 5, 7, and 8 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in MCZ-P10: Urban design outcomes (exclusions).
3. The matters in MCZ-P11.1.
4. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S2	Height in relation to boundary - Adjoining zones

1. Buildings and structures must meet the height in relation to boundary standard of the adjoining zone on any boundary with a site in a Residential Zone, Rural Zone, or Marae Zone.

Matters of discretion if the standard is breached:
1. Urban design outcomes 6, 7, and 8 in MCZ-P8: Urban design outcomes (by meeting standard

or assessment).
2. The matters in MCZ-P10: Urban design outcomes (exclusions).
3. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S3	Setbacks - Adjoining zones

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

Matters of discretion if the standard is breached:

1. Access for repairs and maintenance to buildings and structures on the site.
2. Urban design outcomes 6, 7, and 8 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
3. The matters in MCZ-P10: Urban design outcomes (exclusions).
4. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S4	Active frontages — Buildings and structures

On any site subject to an Active Street Frontage Overlay:

1. There must be a building or abutting group of buildings built to the front boundary, to the full width of the Active Street Frontage Overlay, and to a minimum height of 4m above ground level. Alternatively, the buildings or parts of buildings may be set back from the front boundary by up to 2m where:
    a. The intervening space is paved pedestrian space continuous with the footpath and open to the public, or
    b. The intervening space is a seating or dining area, or
    c. The intervening space is an entrance porch, or
    d. The intervening space is visitor cycle or micromobility parking, or
    e. The intervening space is used for entrance stairs or pedestrian ramps.
2. The requirement in MCZ-S4.1 does not apply at all on sections of the front boundary:
    a. Where compliance would encroach within the dripline of a notable tree, or
    b. Where necessary to comply with MCZ-S3: Setbacks — Adjoining zones, or
    a. On the Active Street Frontage Overlay C, to the degree necessary to provide for a vehicle crossing, manoeuvring area, ~~and~~ visibility splays, landscaping, and parking spaces provided for by CCZ-S8 (but not ~~parking spaces or~~ loading spaces):
        i. Where no other frontage not in an Active Street Frontage Overlay is available.
        ii. With a traffic lane width of no more than 6m, and that complies with:
        iii. TR-S5: Vehicle crossings — Number, location and width,
        iv. TR-S6: Vehicle crossings — Separation distances and design,
        v. TR-S7: Driveways,
        vi. TR-S8: Design requirements for motor vehicle parking, circulation, and manoeuvring,
        vii. TR-S9: Loading and unloading - Non-residential, and
        viii. TR-S10: Loading and unloading — Residential.
3. The buildings must not have a featureless façade on the front boundary of more than 3 metres in width at any part of the building between 0.5m and 2.5m in height above footpath level.
4. On an Active Street Frontage Overlay A or B frontage, the buildings must provide a minimum of 60% of the width as ~~continuous~~ display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath level.
5. On an Active Street Frontage Overlay C frontage, the buildings must provide a minimum of 30% of the width as ~~continuous~~ display windows or transparent glazing along the width of the

Commented [SD15]: Foodstuffs (239.19)

Commented [SD16]: Pandion Ltd (259.20, 259.21, 259.22) - consequential

Commented [SD17]: Pandion Ltd (259.20, 259.21, 259.22) - consequential

ground floor at between 0.5m and 2m in height above footpath level.
5. The building must have the principal public entrance on:
    a. An Active Street Frontage Overlay A frontage, if any.
    b. Otherwise, an Active Street Frontage Overlay B frontage, if any.
    c. Otherwise, an Active Street Frontage Overlay C frontage.
6. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.

Matters of discretion if the standard is breached:

1. Urban design outcome 1. in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
3. The matters in MCZ-P10: Urban design outcomes (exclusions).
4. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
5. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S5	Active frontages — Required verandahs

Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that:

1. Extends for the full width of the site frontage covered by the Active Street Frontage Overlay,
2. Extends outwards from the front of the building to the front boundary and then into the road for at least 3 metres, or to the far side of the kerbing less 500mm, whichever is the lesser, and
3. Provides continuous shelter with any adjoining verandah or pedestrian shelter.

But no verandah or canopy shall be required:

4. From any site containing a listed heritage item, except where there was a verandah or canopy on 6 February 2025,
5. On any portion of a frontage where the required verandah or canopy, as seen in plan, would encroach on the dripline of a notable tree or street tree, or
6. On any portion of a frontage with an existing vehicle crossing.

Matters of discretion if the standard is breached:

1. Urban design outcome 1 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
3. The matters in MCZ-P10: Urban design outcomes (exclusions).
4. Safety and efficiency of the transport network in relation to the presence, absence, or design of the verandah.
5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
6. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S6	Active frontages — Existing vehicle crossings

Where there are any existing vehicle crossings across an Active Street Frontage Overlay A or B that serve the site:

1. That vehicle crossing may not be used to serve any additional parking or loading spaces,
2. There may not be any new building on site,
3. There may not be any addition to any building that increases the gross floor area, and
4. Other existing vehicle crossings that are not on the Active Street Frontage Overlay A or B may not be removed,

Unless all vehicle crossings across the Active Street Frontage Overlay A and B on the site are removed.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Safety and efficiency of the transport network.
3. The impact of the activity or change in the activity on the feasibility and likelihood of the future removal of the relevant vehicle crossings.
4. Effects on the current or potential future use of the road for events.
5. ~~Effects on the current or potential future ability of the road to be closed to general motor vehicle traffic.~~
6. Visual amenity.
7. Urban design outcome 1 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
9. The matters in MCZ-P10: Urban design outcomes (exclusions).
10. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S7	Active frontages — Land uses

On any site subject to an Active Street Frontage Overlay:

1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located at ground level within 10 metres of an active frontage boundary.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Reverse sensitivity ~~effects~~ on other activities in the zone.
3. Effects, including reverse sensitivity effects, on the current or potential future use of the road for temporary activities.
4. Effects, including reverse sensitivity ~~effects~~ on the current or potential future use of the road for public transport or active transport infrastructure.
5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply with the standard, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
6. The short-term, medium-term, and long-term development capacity and demand needs for commercial and residential activities in the commercial centre.
7. Urban design outcomes 1, 4, and 5 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
9. The matters in MCZ-P10: Urban design outcomes (exclusions).
10. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S8	Location and design of carparking

On any site subject to an Active Street Frontage Overlay A or B:

1. Carparking must only be located:
    a. within or underneath a building, or
    b. on top of a building at least 3m above ground level, or
    c. shielded from the Active Street Frontage Overlay A or B by a building.
2. Carparking may not be served by a vehicle crossing across an Active Street Frontage Overlay A or B.

On any site subject to an Active Street Frontage Overlay C:

3. Carparking must only be located within or underneath a building, on top of a building at least 3 metres above ground level, beside a building accounting for no more than 50% of the width of the site, or behind a building.

On any site:

4. Parking areas must be screened from any adjoining site in a Residential Zone or Marae Zone with a building or a close-boarded fence of at least 1.8m in height,

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5. Parking areas must be designed so they can only be accessed from a formed vehicle crossing,
6. Parking areas must be sealed to prevent dust (this may be permeable),
7. Parking areas at ground level other than manoeuvring space must be separated from any boundary by landscaped buffer of at least 0.5m (with a kerb or wheel stop) or 1.5m (otherwise), and
8. There must be at least 1m² of landscaping for every 20m² of outdoor carparking or vehicle manoeuvring area at ground level. The landscaping referred to in MCZ-S8.7 may be included.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. If MCZ-S8.2, MCZ-S8.5, MCZ-S8.6, or MCZ-S8.7 are not met: Safety and efficiency of the transport network.
3. If MCZ-S8.2, MCZ-S8.5, or MCZ-S8.7 are not met: Effects on the current or potential future use of the road for events.
4. If MCZ-S8.2, MCZ-S8.5, or MCZ-S8.7 are not met: Effects on the current or potential future ability of the road to be closed to general motor vehicle traffic.
5. Visual amenity.
6. Urban design outcome 1 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
7. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
8. The matters in MCZ-P10: Urban design outcomes (exclusions).
9. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S9	Outdoor living space

Each residential unit must:

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

This standard does not apply to units in a retirement village.

Matters of discretion if the standard is breached:

1. Urban design outcomes 4 and 5 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in MCZ-P10: Urban design outcomes (exclusions).
3. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-S10	Outlook space

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

1. An outlook space must be provided from habitable room windows as shown in MCZ-Figure 1.
2. The minimum dimensions for a required outlook space are as follows:
    a. A principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width, and
    b. All other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
3. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
4. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
5. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.

6. Outlook spaces may be under or over a balcony.
7. Outlook spaces required from different rooms within the same building may overlap.
8. Outlook spaces must:
    a. Be clear and unobstructed by buildings, and
    b. Not extend over an outlook space or outdoor living space required by another dwelling.

Matters of discretion if the standard is breached:

1. Urban design outcome 4 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in MCZ-P10: Urban design outcomes (exclusions).
3. Any mitigation factors such as view or landscaping that compensate for a reduced outlook.
4. Any positive effects that can only be achieved through non-compliance with the standard.

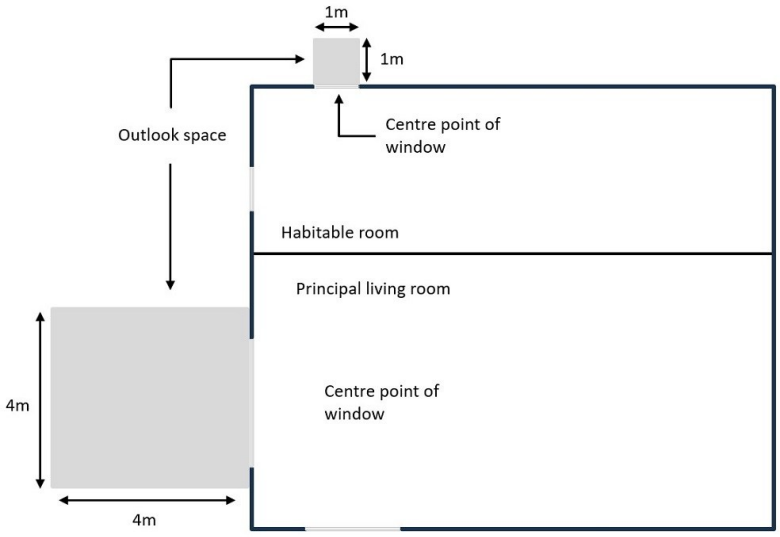
MCZ-S11	Height in relation to boundary and setbacks — Te Puni Urupā

1. Buildings and structures must not exceed a 2.5m + 45° recession plane applied from the boundaries of the site containing Te Puni Urupā. For buildings opposite Te Puni Urupā this plane applies from the front boundary of the Urupā site.
2. Buildings and structures must be set back from the boundary of the Urupā by 3m, other than a boundary fence of no more than 2m in height.
3. Carparking areas must be screened from the urupā by a building, or solid or close-boarded fence.

Matters of discretion if the standard is breached:

1. Privacy, visual dominance, and noise impacts on the dignity, tikanga and cultural safety of activities that occur at the Urupā.
2. Whether there are alternative methods, locations or designs that would avoid or reduce impacts on dignity, tikanga and cultural safety.
3. The outcomes of any engagement undertaken with tangata whenua responsible for the urupā, relevant to the effects of the standard not met.
4. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ-Figure 1	Outlook space



LCZ — Local Centre Zone

The Local Centre Zone covers medium and large suburban focuses of commercial and community activity and forms the third layer of the commercial centres hierarchy. The Local Centre Zone provides for larger scale activities than the Neighbourhood Centre Zone, Mixed Use Zone, and non-commercial zones, provides for activities that attract larger numbers of people than the Industrial Zones, and generally anticipates amenity values aligned with a thriving and vibrant commercial centre. However, the largest scale activities are managed to support the co-location benefits of promoting Petone Metropolitan Centre and City Centre as the key locations for large city-wide and regional destinations.

The Local Centre Zone anticipates a wide range of activities consistent with this purpose but manages activities that might not be consistent with those amenity values. The Local Centre Zone recognises that market and community demand in these areas may change from place to place and over time and that commercial centres may need to expand and contract over time, and commercial centres may emerge in new locations. The plan will need to be reviewed regularly to respond to this.

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

The planned urban built environment for the Local Centre Zone is medium or high density commercial buildings and intensively used public open spaces, while recognising there is a likely need for some space to be dedicated to parking and servicing. Residential development is expected but would be expected to be in the form of apartments above ground level.

Commented [SD1]: Pandion Ltd (259.4)

Built development is provided for in the Local Centre Zone through a range of permitted activities and development standards that, with some exceptions, permit up to 500m² of gross floor area per activity. Development standards also address:

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

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

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

Local Centre Zones are frequently subject to the Active Street Frontage Overlay, which intends to protect frontages on identified streets as attractive pedestrian-focussed environments through land use and design controls.

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

While this chapter includes the core objectives, policies, and rules that apply to the Local Centre Zone, other chapters of the District Plan, including those that apply 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

LCZ-O1	Purpose of the zone
Local Centres are the heart of commercial activity in their neighbourhood and may also be a significant location for community and civic activity. The Local Centres are locations of choice for activities that serve the surrounding neighbourhoods or other small-scale activities. The Local Centres are supported by residential activities and a diverse range of other compatible activities, including small-scale commercial activities that may serve more than just the surrounding area, while reflecting the Local Centres' role and function within the hierarchy of commercial centres.	

LCZ-O2	Activities in the zone

The Local Centre Zone:

a. Primarily provides for commercial activities and community activities that are small scale or serve a surrounding residential catchment,
b. Is supported by residential activities that:
    i. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone, and
    ii. Are compatible with the types of amenity associated with a high density commercial centre anticipated by the zone, and
c. Provides for other activities that:
    i. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone,
    ii. Are compatible with the types of amenity associated with a high density commercial centre anticipated by the zone, and
    iii. Support the health and wellbeing of people and communities in the surrounding area.

LCZ-O3	Provision of commercial and community spaces and housing

The Local Centre Zone provides for a variety of types and sizes of tenancies that respond to:

a. Business needs and demand,
b. The planned urban built environment of the neighbourhood, including intensive use of sites and six-storey buildings, and
c. The opportunity to support commercial centres with housing and other supporting activities.

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

Built development and open spaces positively contribute to a commercial and community hub of activity within a well-functioning urban environment that:

a. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone,
b. Has an urban built environment that is characterised by a high concentration of building densities and forms, including buildings that provide an active frontage on identified frontages and providing for building heights up to at least six storeys,
c. Takes advantage of and contributes positively to the opportunities of pedestrian spaces and adjoining parks and reserves,
d. Makes efficient use of the scarce resource of space at ground level,
e. Is easily legible to visitors,
f. Is healthy, safe, attractive, and accessible,
~~g. Provides useful on-site outdoor living areas for residents, or is located in close proximity to useful public open space in the neighbourhood,~~
h. Has good access within the Local Centre, to and from surrounding neighbourhoods, and to and from other commercial centres, through active and public transport modes, providing for well-connected and low emission communities,

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i. Is integrated with existing and planned infrastructure,
j. Includes opportunities for housing and other activities that positively contribute to the function and amenity of the Local Centre, and
k. Enhances co-location benefits.

LCZ-O5	Adverse effects

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

Policies

LCZ-P1	Enabled activities

Enable activities that support the purpose, planned urban built environment, and ongoing viability and vitality of the Local Centres, recognising the key importance of commercial activities and community activities, and the role of the zone in relation to the hierarchy of commercial centres.

LCZ-P2	Residential activities and other activities sensitive to privacy intrusion

1. Provide for residential activities, visitor accommodation, and other activities sensitive to privacy intrusion in the Local Centre Zone.
2. Require residential activities, visitor accommodation, and other activities sensitive to privacy intrusion to be located above ground level or at the rear, where located on an identified active frontage.

LCZ-P3	Potentially incompatible activities

1. Provide for other, potentially incompatible activities if they:
    a. Maintain and enhance the amenity and vitality of the Local Centre, particularly the Centre's attractiveness to visitors,
    b. Do not detract from the Local Centre's ability to meet the zone's planned purpose,
    c. Promote the efficient use of land,
    d. Are of at least a scale and intensity that is consistent with the planned density of the Local Centre Zone,
    e. Are designed and managed to be consistent with the planned character of the Local Centre Zone,
    f. Are focused on serving customers or other visitors,
    g. Avoid significant adverse effects on commercial activities and community activities enabled in the zone, and
    h. If the activity is not a commercial activity or community activity, avoids significant adverse effects on residential activities enabled in the zone, and avoids creating reverse sensitivity effects.
2. Potentially incompatible activities include:
    a. Industrial activities,
    b. Yard-based retail,
    c. Drive-through activities,
    d. Service stations,
    e. Motor vehicle servicing,
    f. Carparking at ground level on sites subject to the Active Street Frontage Overlay, and
    g. The demolition of buildings that results in vacant land.

LCZ-P4	Incompatible activities

1. Avoid activities that are incompatible with the planned purpose, character, and amenity of the Local Centre Zone.
2. Likely incompatible activities include:
    a. Heavy industrial activities,

b. Primary production activities, and
c. Vehicle crossings on street frontages subject to the Active Street Frontage Overlay A and B.

LCZ-P5	Existing activities

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

LCZ-P6	Role in network of commercial and industrial areas

Manage the location and scale of commercial activities which could result in cumulative adverse effects on:
1. The viability, vibrancy, and co-location benefits of the City Centre and Metropolitan Centre,
2. The establishment and retention of a mix of activities within the Local Centre Zone, and
3. The function of the transport network, particularly the ability of the public transport and active transport network to efficiently serve destinations.

LCZ-P7	Development capacity — General

Encourage the efficient use of land in the Local Centre Zone to provide a diverse range of spaces for housing, business, and community activities, particularly in denser forms.

LCZ-P8	Urban design outcomes (by meeting standard or assessment)

Built development is managed to achieve the outcomes in this policy through either meeting the relevant performance standards, or an alternative approach demonstrated in a resource consent when the relevant performance standards are not met.
Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical.
The outcomes are:
1. Identified street frontages in the Active Street Frontage Overlay are continuous and promote visual connections with the street and public realm.
2. Create a safe urban environment by ensuring that building design enables ~~enabling~~ passive surveillance.
3. Identified street frontages in the Active Street Frontage Overlay A and B provide a comfortable and sheltered pedestrian environment.
4. Buildings encourage community interaction through a positive relationship of commercial activity, community activity, and residential units with the street, public pathways, and other public space.
5. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to support and promote quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site ~~provide for pedestrian safety, comfort, dignity, and amenity~~.
6. The form and scale of development contributes to visual amenity in public space.
7. The form and scale of development protects access to sunlight and daylight in well-used streets and public spaces.
8. Ensure adequate privacy for residential activities, and other activities sensitive to privacy intrusion, on the site and on adjacent sites.
9. ~~Ensure adequate access to daylight for residential activities on the site and on adjacent residential zone sites.~~
10. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites, and public open space.
11. ~~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,~~

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Commented [NG4]: Urban Edge Planning (449.20)

Commented [NG5]: Urban Edge Planning (449.23)

~~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.~~

12. The amenity of surrounding Residential Zones, Rural Zones, and Marae Zones is protected.
13. Buildings designed for residential use at ground floor are adaptable and flexible to potential future uses such as commercial use.
14. Balance the provision of privacy for residents of ground-floor residential units, where provided for, with the provision of an attractive streetscape.

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

LCZ-P9	Urban design outcomes (larger developments and potentially incompatible activities)

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

1. Identified street frontages in the Active Street Frontage Overlay are continuous and promote visual connections with the street and public realm.
2. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Enabling passive surveillance over public and communal spaces,
    c. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    d. Avoiding wasted space or space of unclear function, and
    e. Integrating other CPTED measures at a scale appropriate for the site.
3. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to support and promote the pedestrian circulation provided for in clause (4) ~~provide for pedestrian safety, comfort, dignity, and amenity~~.
4. There is quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site.
5. Ensure that on-site landscaping, if any is proposed, or required by standard LCZ-S8: Location and design of carparking:
    a. Retains and integrates appropriate, healthy and mature vegetation, ~~where appropriate~~,
    b. Uses planting that is appropriate for the climate and environment within the site,
    c. Improves outlooks from dwellings and softens hard built surfaces, and
    d. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
6. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
7. New developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.
8. Large format retail is integrated with its surroundings to contribute to the vibrancy, diversity, and interest of commercial centres.
9. Ensure adequate privacy for residential activities, and other activities sensitive to privacy intrusion, on the site and on adjacent sites.

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

LCZ-P10	Urban design outcomes (exclusions)

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

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

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Commented [NG11]: Urban Edge Planning (449.28)

LCZ-P11	Managing adverse effects at zone interfaces

Manage activities to mitigate adverse effects on other zones by:

1. Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

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

LCZ-R1	Repair and maintenance of buildings and structures

1. **Activity status:** Permitted

LCZ-R2	Demolition or removal of buildings and structures

1. **Activity status:** Permitted

Where:

~~1.~~ a. The demolition or removal does not leave the site vacant, and ~~2. In~~ in relation to each of the standards LCZ-S4: Active frontages — Buildings and structures, LCZ-S5: Active frontages — Required verandahs, LCZ-S6: Active frontages — Existing vehicle crossings, LCZ-S7: Active frontages — Land uses, and LCZ-S8: Location and design of carparking:
   i. Compliance is still achieved, or
   ii. Where there is an existing non-compliance, it is not increased, or
b. The site is not subject to the Active Frontage Overlay A, B, or C, or
c. The demolition or removal is required for the purposes of constructing a new building

or structure, or adding to or altering an existing building or structure, that is a permitted activity under LCZ-R3, or has an approved resource consent, or

d. The demolition or removal involves a structure that is not a building, or

e. The demolition or removal is required to avoid a threat to life and/or property.

~~2. **Activity status:** Controlled~~

~~Where:~~

~~a. Compliance is not achieved with LCZ-R2.1, but~~

~~b. The application includes the construction of one or more replacement buildings that comply with standards LCZ-S4: Active frontages — Buildings and structures, LCZ-S5: Active frontages — Required verandahs, LCZ-S6: Active frontages — Existing vehicle crossings, LCZ-S7: Active frontages — Land uses, and LCZ-S8: Location and design of carparking, which would in itself be a permitted activity under LCZ-R3.1~~

~~**Matters of control are limited to:**~~

~~1. Methods to assure the replacement building or buildings are constructed in a timely fashion.~~

~~2. Methods to protect the safety and amenity values of the site while vacant.~~

~~**Notification:**~~

~~Public notification and limited notification are precluded for applications under this rule.~~

~~3. **Activity status:** Restricted discretionary~~

~~Where:~~

~~a. Compliance is not achieved with LCZ-R2.1 or LCZ-R2.2, but~~

~~b. The application is in conjunction with an application under LCZ-R3.2 to construct a replacement building or buildings.~~

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

~~1. The matters of discretion in the standards not met.~~

~~2. Methods to assure a replacement building or buildings are constructed in a timely fashion.~~

~~3. The safety and amenity values of the site while vacant.~~

~~**Notification:**~~

~~Public notification is precluded for applications under this rule.~~

4. **Activity status:** Discretionary

Where:

a. Compliance is not achieved with LCZ-R2.1~~, LCZ-R2.2, and LCZ-R2.3.~~

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LCZ-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. LCZ-S1: Height,

ii. LCZ-S2: Height in relation to boundary — Adjoining zones,

iii. LCZ-S3: Setbacks — Adjoining zones,

iv. LCZ-S4: Active frontages — Buildings and structures,

v. LCZ-S5: Active frontages — Required verandahs,

vi. LCZ-S6: Active frontages — Existing vehicle crossings,

vii. LCZ-S7: Active frontages — Land uses,

viii. LCZ-S8: Location and design of carparking,

~~ix. LCZ-S9: Outdoor living space, and~~

x. LCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

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

   Notification:
   Public notification is precluded for applications under this rule if the only non-compliances are with LCZ-S2: Height in relation to boundary — Adjoining zones~~, LCZ-S9: Outdoor living space,~~ or LCZ-S10: Outlook space.

Land use activities

LCZ-R4	Residential activities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. LCZ-S7: Active frontages — Land uses,
      ii. ~~LCZ-S9: Outdoor living space,~~ and
      iii. LCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

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

   Notification:
   Public notification and limited notification are precluded for applications under this rule where LCZ-S7: Active frontages — Land uses is met.

LCZ-R5	Retirement villages

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. LCZ-S7: Active frontages — Land uses, and
      ii. LCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

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

   Notification:
   Public notification and limited notification are precluded for applications under this rule where LCZ-S7: Active frontages — Land uses is met.

LCZ-R6	Supported residential care facilities

1. **Activity status:** Permitted

   Where:

a. Compliance is achieved with:
   i. LCZ-S7: Active frontages — Land uses, and
   ii. LCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

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

Notification:
Public notification and limited notification are precluded for applications under this rule where LCZ-S7: Active frontages — Land uses is met.

LCZ-R7	Health care activities

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with LCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

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

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

LCZ-R8	Visitor accommodation

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with LCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

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

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

LCZ-R9	Food and beverage activities

1. **Activity status:** Permitted

LCZ-R10	Grocery stores and supermarkets

1. **Activity status:** Permitted

Where:
a. The activity has a gross floor area of no more than 1500m².

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:
1. The ability of the local centre to continue to provide for a mix of activities.

2. The urban design matters in LCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities.
3. The matters in LCZ-P10: Urban design exclusions.
4. The efficiency of the use of land.

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

LCZ-R11	Commercial activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. The commercial activity has a gross floor area of no more than 500m², and
b. Compliance is achieved with LCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is achieved with LCZ-R11.1.a, but
b. Compliance is not achieved with LCZ-R11.1.b.

Matters of discretion are restricted to:
1. The matters of discretion in any standards not met.
2. The vibrancy and attractiveness of the local centre.
3. The efficiency of the use of land.

3. **Activity status:** Discretionary

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

LCZ-R12	Activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. The activity has a gross floor area of no more than 500m², and
b. Compliance is achieved with LCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is achieved with LCZ-R12.1.a, but
b. Compliance is not achieved with LCZ-R12.1.b.

Matters of discretion are restricted to:
1. The matters of discretion in any standards not met.
2. The vibrancy and attractiveness of the local centre.
3. The efficiency of the use of land.

3. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with LCZ-R12.1 or LCZ-R12.2.

LCZ-R13	Carparking activities

1. **Activity status:** Permitted

Where:

	1. Compliance is achieved with: i. LCZ-S6: Active frontages — Existing vehicle crossings, ii. LCZ-S7: Active frontages — Land uses, and iii. LCZ-S8: Location and design of carparking, 2. The carparking is not accessed with a vehicle crossing over an Active Street Frontage Overlay B, and 3. The carparking is not accessed with a vehicle crossing over an Active Street Frontage Overlay A.
	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with LCZ-R1~~3~~5.1.a, but b. Compliance is achieved with LCZ-R1~~3~~5.1.b and LCZ-R1~~3~~5.1.c. **Matters of discretion are restricted to:** 1. The matters of discretion any standards not met. 2. The vibrancy and attractiveness of the local centre. 3. The efficiency of the use of land.
	3. **Activity status:** Non-complying Where: a. Compliance is not achieved with LCZ-R15.1.b.
	4. **Activity status:** Prohibited Where: a. Compliance is not achieved with LCZ-R15.1.c.
LCZ-R14	**Light manufacturing and servicing**
	1. **Activity status:** Restricted discretionary Where: a. The activity has a gross floor area of no more than 500m². **Matters of discretion are restricted to:** 1. The matters of discretion in LCZ-S7: Active frontages — Land uses, if it is not met. 2. The ability of the local centre to continue to provide for a mix of activities. 3. The vibrancy and attractiveness of the local centre. 4. The efficiency of the use of land. 5. Residential amenity for existing residential units in the local centre. 6. Residential amenity in adjacent Residential Zones and Marae Zones. 7. The urban design matters in LCZ-P9: Urban design outcomes for larger developments and potentially incompatible activities. 8. The matters in LCZ-P10: Urban design outcome exclusions.
	2. **Activity status:** Discretionary Where: a. Compliance is not achieved with LCZ-R14.1.
LCZ-R15	**Yard-based retailing**
	1. **Activity status:** Discretionary
LCZ-R16	**Drive-through activities**
	1. **Activity status:** Discretionary

Commented [SD13]: Pandion (259), minor correction

LCZ-R17	Service stations
1. **Activity status:** Discretionary	
LCZ-R18	**Motor vehicle servicing activities**
1. **Activity status:** Discretionary	
LCZ-R19	**Industrial activities not otherwise provided for**
1. **Activity status:** Discretionary	
LCZ-R20	**Heavy industrial activities**
1. **Activity status:** Non-complying	
LCZ-R21	**Primary production other than as an ancillary activity**
1. **Activity status:** Non-complying	

General rules

LCZ-R22	Outdoor storage and work areas
1. **Activity status:** Permitted Where: a. The outdoor storage and work areas are screened from level view of 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 above ground level.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with LCZ-R22.1. **Matters of discretion are restricted to:** 1. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by LCZ-R22.1 but are not. 2. The urban design matters in LCZ-P9: Urban design outcomes for larger developments and potentially incompatible activities. 3. The matters in LCZ-P10: Urban design exclusions. 4. Any positive effects that can only be achieved through non-compliance with LCZ-R22.1.	
LCZ-R23	**Servicing**
1. **Activity status:** Permitted Where: ~~a. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, or~~ b. ~~The servicing occurs only between 7:00am and 10:00pm.~~ a. The servicing is not undertaken between 10:00pm and 7:00am within 40 metres of: i. A site in a Residential Zone, Mixed Use Zone, or Marae Zone, or ii. The notional boundary of an activity sensitive to noise in a Rural Zone.	
2. **Activity status:** Restricted discretionary	

Commented [SD14]: Z Energy (468.114)

Where:
a. Compliance is not achieved with LCZ-R25.1.

Matter of discretion is restricted to:
1. The nighttime amenity of residential activities and other activities sensitive to noise in the surrounding area in the ~~Mixed Use Zone and in Residential Zones, Marae Zones, and Rural Zones~~ Residential Zones, Mixed Use Zone, Marae Zone, and Rural Zones.
2. The functional needs and operational needs of the activity.

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

Commented [SD15]: Z Energy (468.97)

Standards

LCZ-S1	Height

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

Matters of discretion if the standard is breached:
1. Urban design outcomes 6, 7, 8, 9, 10, ~~11,~~ and 12 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in LCZ-P10: Urban design exclusions.
3. Any positive effects that can only be achieved through non-compliance with the standard.

LCZ-S2	Height in relation to boundary - Adjoining zones

Buildings and structures must:
1. Meet the height in relation to boundary standard of the adjoining zone on any boundary with a site in a Residential Zone, Rural Zone, or Marae Zone.

Matters of discretion if the standard is breached:
1. Urban design outcomes 2, 8, 9, 10, ~~11,~~ and 12 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in LCZ-P10: Urban design exclusions.
3. Any positive effects that can only be achieved through non-compliance with the standard.

LCZ-S3	Setbacks - Adjoining zones

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

Matters of discretion if the standard is breached:
1. Access for repairs and maintenance to buildings and structures on the site.
2. Urban design outcomes 2, 6, 7, 8, 9, 10, ~~11,~~ and 12 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
3. The matters in LCZ-P10: Urban design exclusions.
4. Any positive effects that can only be achieved through non-compliance with the standard.

LCZ-S4	Active frontages — Buildings and structures

On any site subject to an Active Street Frontage Overlay:
1. There must be a building or abutting group of buildings built to the front boundary, to the full

width of the Active Street Frontage Overlay, and to a minimum height of four metres above ground level. Alternatively, the buildings or parts of buildings may be set back from the front boundary by up to 2m where:

a. The intervening space is paved pedestrian space continuous with the footpath and open to the public, or
b. The intervening space is a seating or dining area, or
c. The intervening space is an entrance porch, or
d. The intervening space is visitor cycle or micromobility parking, or
e. The intervening space is used for entrance stairs or pedestrian ramps.

2. The requirement in LCZ-S4.1 does not apply at all on sections of the front boundary:
   a. Where compliance would encroach within the dripline of a notable tree, or
   b. Where necessary to comply with LCZ-S3: Setbacks — Adjoining zones, or
   c. On the Active Street Frontage Overlay C, to the degree necessary to provide for a vehicle crossing, manoeuvring area, ~~and~~ visibility splays, landscaping, and parking spaces provided for by CCZ-S8 (but not ~~parking spaces or~~ loading spaces):
      i. Where no other frontage not in an Active Street Frontage Overlay is available,
      ii. With a traffic lane width of no more than 6m,
      and that complies with:
      iii. TR-S5: Vehicle crossings — Number, location and width,
      iv. TR-S6: Vehicle crossings — Separation distances and design,
      v. TR-S7: Driveways,
      vi. TR-S8: Design requirements for motor vehicle parking, circulation, and manoeuvring,
      vii. TR-S9: Loading and unloading - Non-residential, and
      viii. TR-S10: Loading and unloading — Residential, and
3. The buildings must not have a featureless façade on the front boundary of more than 3m in width at any part of the building between 0.5m and 2.5m in height above footpath level,
4. On an Active Street Frontage Overlay A or B frontage, the buildings must provide a minimum of 60% of the width as ~~continuous~~ display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath level,
5. On an Active Street Frontage Overlay C frontage, the buildings must provide a minimum of 30% of the width as ~~continuous~~ display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath level,
6. The building must have the principal public entrance on:
   a. An Active Street Frontage Overlay A frontage, if any,
   b. Otherwise, an Active Street Frontage Overlay B frontage, if any,
   c. Otherwise, an Active Street Frontage Overlay C frontage.
7. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.

Matters of discretion if the standard is breached:

8. Access for repairs and maintenance to buildings and structures on the site.
9. Urban design outcomes 1, 2, 3, 4, 5, and 6 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
10. The matters in LCZ-P10: Urban design exclusions.
11. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
12. Any positive effects that can only be achieved through non-compliance with the standard.

LCZ-S5	Active frontages — Required verandahs

Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that:

2. Extends for the full width of the site frontage covered by the Active Street Frontage Overlay,
3. Extends outwards from the front of the building to the front boundary and then into the road for

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at least 3 metres, or to the far side of the kerbing less 500mm, whichever is the lesser,
4. Provides continuous shelter with any adjoining verandah or pedestrian shelter.

But no verandah or canopy shall be required:

4. From any site containing a listed heritage item, except where there was a verandah or canopy on 6 February 2025,
5. On any portion of a frontage where the required verandah or canopy, as seen in plan, would encroach on the dripline of a notable tree or street tree, or
6. On any portion of a frontage with an existing vehicle crossing.

Matters of discretion if the standard is breached:

1. Safety and efficiency of the transport network.
2. Urban design outcomes 1, 3, 4, and 5 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
3. The matters in LCZ-P10: Urban design exclusions.
4. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
5. Any positive effects that can only be achieved through non-compliance with the standard.

LCZ-S6	Active frontages — Existing vehicle crossings

Where there are any existing vehicle crossings across an Active Street Frontage Overlay A or B that serve the site:

1. That vehicle crossing may not be used to serve any additional parking or loading spaces,
2. There may not be any new building on the site,
3. There may not be any addition to any building that increases the gross floor area, and
4. Other existing vehicle crossings that are not on the Active Street Frontage Overlay A or B may not be removed,

unless all vehicle crossings across the Active Street Frontage Overlay A and B on the site are removed.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Safety and efficiency of the transport network.
3. The impact of the activity or change in the activity on the feasibility and likelihood of the future removal of the relevant vehicle crossings.
4. Effects on the current or potential future use of the road for events.
5. Effects on the current or potential future ability of the road to be closed to general motor vehicle traffic.
6. Visual amenity.
7. Urban design outcomes 1, 3, 4, 5, 6, and 12 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in LCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities).
9. The matters in LCZ-P10: Urban design exclusions.
10. Any positive effects that can only be achieved through non-compliance with the standard.

LCZ-S7	Active frontages — Land uses

On any site subject to an Active Street Frontage Overlay:

1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located at ground level within 10m of an active frontage boundary.

On any site within the Riverbank Precinct:

1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located on site unless the finished floor level of the activity is at least 4m above the top of the stopbank.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Reverse sensitivity ~~effects~~ on other activities in the zone.
3. Effects, including reverse sensitivity ~~effects~~, on the current or potential future use of the road for temporary activities.
4. Effects, including reverse sensitivity ~~effects~~, on the current or potential future use of the road for public transport or active transport infrastructure.
5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply with the standard, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
6. The short-term, medium-term, and long-term development capacity and demand needs for commercial and residential activities in the commercial centre.
7. Urban design outcomes 1, 2, 3, 4, 9, 10, 13, and 14 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in LCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities).
9. The matters in LCZ-P10: Urban design exclusions.
10. Any positive effects that can only be achieved through non-compliance with the standard.

LCZ-S8	Location and design of carparking

On any site subject to an Active Street Frontage Overlay A or B:

1. Carparking must only be located:
    a. Within or underneath a building, or
    b. On top of a building at least 3 metres above ground level, or
    c. Shielded from the Active Street Frontage Overlay A or B by a building.
2. Carparking may not be served by a vehicle crossing across an Active Street Frontage Overlay A or B.

On any site subject to an Active Street Frontage Overlay C:

3. Carparking must only be located within or underneath a building, on top of a building at least 3m above ground level, beside a building accounting for no more than 50% of the width of the site, or behind a building.

On any site:

4. Parking areas must be screened from any adjoining site in a Residential Zone, Rural Zone, or Marae Zone with a building or a close-boarded fence of at least 1.8m in height above ground level.
5. Parking areas must be designed so they can only be accessed from a formed vehicle crossing.
6. Parking areas must be sealed to prevent dust (this may be permeable).
7. Parking areas other than manoeuvring space must be separated from any boundary by landscaped buffer of at least 0.5m (with a kerb or wheel stop) or 1.5m (otherwise), or a building or fence.
8. There must be at least 1m² of landscaping for every 20m² of outdoor carparking or vehicle manoeuvring area. The landscaping referred to in LCZ-S8.7 may be included.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Visual amenity.
3. Urban design outcomes 1, 2, 3, 4, 5, 6, and 8 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
4. The matters in LCZ-P10: Urban design exclusions.
5. Any positive effects that can only be achieved through non-compliance with the standard.

~~LCZ-S9~~	~~Outdoor living space~~

~~Each residential unit must:~~

~~1. Have a private outdoor living space at ground level with an area of at least 20m² with a minimum dimension of 3m, or~~
~~2. Have a private outdoor living space above ground level in the form of a balcony, patio, or roof~~

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Commented [CN21]: HS1 minor correction Policy Planning team of Hutt City Council (440.3)

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~~terrace with an area of at least 8m² with a minimum dimension of 1.8m, or~~
~~3. Have access to a communal outdoor living space on site with an area of at least 40m² plus 8m² for each unit beyond the fifth with a minimum dimension of 3m, or~~
~~4. The site is within a 300m straight line distance of public land in the Open Space Zone or Sport and Active Recreation Zone.~~

~~This standard does not apply to units in a retirement village.~~

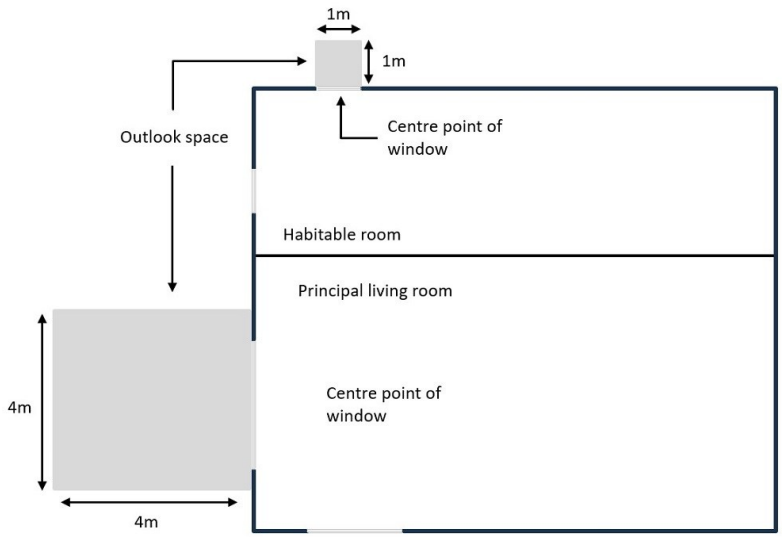
~~**Matters of discretion if the standard is breached:**~~
~~1. Urban design outcomes 2, 4, 8, 9, 10, and 11 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).~~
~~2. The matters in LCZ-P10: Urban design exclusions.~~
~~3. Any positive effects that can only be achieved through non-compliance with the standard.~~

LCZ-S10	Outlook space

An outlook space must be provided for each residential unit as specified in this standard:
1. An outlook space must be provided from habitable room windows as shown in LCZ-Figure 1.
2. The minimum dimensions for a required outlook space are as follows:
    a. A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width, and
    b. All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
3. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
4. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
5. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
6. Outlook spaces may be under or over a balcony.
7. Outlook spaces required from different rooms within the same building may overlap.
8. Outlook spaces must:
    a. Be clear and unobstructed by buildings, and
    b. Not extend over an outlook space or outdoor living space required by another dwelling.

Matters of discretion if the standard is breached:
1. Urban design outcomes 2, 4, 8, and 9 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in LCZ-P10: Urban design exclusions.
3. Any mitigation factors such as view or landscaping that compensate for a reduced outlook.
4. Any positive effects that can only be achieved through non-compliance with the standard.

LCZ-Figure 1	Outlook space


1m
1m
Outlook space
Centre point of window
Habitable room
Principal living room
Centre point of window
4m
4m

NCZ — Neighbourhood Centre Zone

The Neighbourhood Centre Zone covers small suburban focuses of commercial and community activity and forms the fourth layer of the commercial centres hierarchy. The Neighbourhood Centre Zone provides for larger scale activities than non-commercial zones, provides for activities that attract larger numbers of people than the Industrial Zones, and generally anticipates amenity values aligned with a thriving and vibrant commercial centre. However, the largest scale activities are managed to support the co-location benefits of promoting Petone Metropolitan Centre and City Centre as the key locations for large city-wide and regional destinations, and the Local Centre Zone as a more important location for medium and large destinations with a catchment beyond the immediate neighbourhood.

The Neighbourhood Centre Zone anticipates a wide range of activities consistent with this purpose but manages activities that might not be consistent with those amenity values. The Neighbourhood Centre Zone recognises that market and community demand in these areas may change from place to place and over time and that commercial centres may need to expand and contract over time, and commercial centres may emerge in new locations. The plan will need to be reviewed regularly to respond to this.

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

The planned urban built environment for the Neighbourhood Centre is medium or high density commercial buildings and intensive public open spaces, while recognising there is a likely need for some space to be dedicated to parking and servicing. Residential development is expected but would be expected to be in the form of apartments above ground level.

Built development is provided for in the Neighbourhood Centre Zone through a range of permitted activities and development standards that, with some exceptions, permit up to 300m² of gross floor area per activity. Development standards also address:

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

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

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

Neighbourhood Centre Zones are frequently subject to the Active Street Frontage Overlay, which intends to protect frontages on identified streets as attractive pedestrian-focussed environments through land use and design controls.

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

While this chapter includes the core objectives, policies, and rules that apply to the Neighbourhood Centre Zone, other chapters of the District Plan, including those that impose overlays across

specified areas, may modify the type and form of development permitted in some areas of the zone. As such, this chapter should be read alongside the district-wide chapters of the District Plan.

Objectives

NCZ-O1	Purpose of the zone
Neighbourhood Centres are an important focus of commercial activity in their neighbourhood and may also be a significant location for community and civic activity. The Neighbourhood Centres are locations of choice for activities that serve the surrounding neighbourhoods or other small-scale activities. The Neighbourhood Centres are supported by residential activities and a diverse range of other compatible activities, including small-scale commercial activities that may serve more than just the surrounding area, while reflecting the Neighbourhood Centres' role and function within the hierarchy of commercial centres.	

NCZ-O2	Activities in the zone
The Neighbourhood Centre Zone: a. Primarily provides for commercial activities and community activities that are small scale or serve a surrounding residential catchment, b. Is supported by residential activities that: i. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone, and ii. Are compatible with the types of amenity associated with a high density commercial centre anticipated by the zone, and c. Provides for other activities that: i. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone, ii. Are compatible with the types of amenity associated with a high density commercial centre anticipated by the zone, iii. Are compatible with the types of amenity planned for surrounding zones, and iv. Support the health and wellbeing of people and communities in the surrounding area.	

NCZ-O3	Provision of commercial and community spaces and housing
The Neighbourhood Centre Zone provides for a variety of types and sizes of tenancies that respond to: a. Business needs and demand, b. The planned urban built environment of the neighbourhood, including intensive use of sites, and c. The opportunity to support commercial centres with housing and other supporting activities.	

NCZ-O4	Planned character and planned urban built environment of the zone
Built development or open spaces positively contribute to a commercial and community hub of activity within a well-functioning urban environment that: a. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone, b. Has an urban built environment that is characterised by a high concentration of building densities and forms, including buildings that provide an active frontage on identified frontages, c. Takes advantage of and contributes positively to the opportunities of pedestrian spaces and adjoining parks and reserves, d. Makes efficient use of the scarce resource of space at ground level, e. Is easily legible to visitors, f. Is healthy, safe, attractive, and accessible, ~~g. Provides useful on-site outdoor living areas for residents, or is located in close proximity to useful public open space in the neighbourhood.~~	

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h. Has good access within the Neighbourhood Centre, to and from surrounding neighbourhoods, and to and from other commercial centres, through active and public transport modes, providing for well-connected and low emission communities,
i. Is integrated with existing and planned infrastructure,
j. Includes opportunities for housing and other activities that positively contribute to the function and amenity of the Neighbourhood Centre, and
k. Provides for co-location benefits.

NCZ-O5	Adverse effects

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

Policies

NCZ-P1	Enabled activities

Enable activities that support the purpose, planned urban built environment, and ongoing viability and vitality of the Neighbourhood Centres, recognising the key importance of commercial activities and community activities, and the role of the zone in relation to the hierarchy of commercial centres.

NCZ-P2	Residential activities and other activities sensitive to privacy intrusion

1. Provide for residential activities, visitor accommodation, and other activities sensitive to privacy intrusion in the Neighbourhood Centre Zone.
2. Require residential activities, visitor accommodation, and other activities sensitive to privacy intrusion to be located above ground level, where located on an identified active frontage.

NCZ-P3	Potentially incompatible activities

1. Provide for other, potentially incompatible activities if they:
    a. Maintain and enhance the amenity and vitality of the Neighbourhood Centre, particularly the Centre's attractiveness to visitors,
    b. Do not detract from the Neighbourhood Centre's ability to meet the zone's planned purpose,
    c. Promote the efficient use of land,
    d. Are of at least a scale and intensity that is consistent with the planned density of the Neighbourhood Centre Zone,
    e. Are designed and managed to be consistent with the planned character of the Neighbourhood Centre Zone,
    f. Are focused on serving customers or other visitors,
    g. Avoid significant adverse effects on commercial activities and community activities enabled in the zone, and
    h. If the activity is not a commercial activity or community activity, avoids significant adverse effects on residential activities enabled in the zone, and avoids creating reverse sensitivity effects.
2. Potentially incompatible activities include:
    a. Industrial activities,
    b. Yard-based retail,
    c. Service stations,
    d. Motor vehicle servicing, and
    e. Carparking at ground level on sites subject to the Active Street Frontage Overlay.

NCZ-P4	Incompatible activities

1. Avoid activities that are incompatible with the planned purpose, character, and amenity of the Neighbourhood Centre Zone.
2. Likely incompatible activities include:

a. Drive-through activities,
b. Heavy industrial activities,
c. Primary production activities, and
d. Vehicle crossings on street frontages subject to the Active Street Frontage Overlay A and B.

NCZ-P5	Existing activities

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

NCZ-P6	Role in network of commercial and industrial areas

Manage the location and scale of commercial activities which could result in cumulative adverse effects on:

1. The viability, vibrancy, and co-location benefits of the City Centre and Metropolitan Centre (but not the Mixed Use Zones or Local Centre Zones), and
2. The function of the transport network, particularly the ability of the public transport and active transport network to efficiently serve destinations.

NCZ-P7	Development capacity — General

Encourage the efficient use of land in the Neighbourhood Centre Zone to provide a diverse range of spaces for housing, business, and community activities, particularly in denser forms.

NCZ-P8	Urban design outcomes (by meeting standard or assessment)

Built development is managed to achieve the outcomes in this policy through either meeting the relevant performance standards, or an alternative approach demonstrated in a resource consent when the relevant performance standards are not met.
Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical.
The outcomes are:

1. Identified street frontages in the Active Street Frontage Overlay are continuous and promote visual connections with the street and public realm.
2. Create a safe urban environment by ensuring that building design enables ~~enabling~~ passive surveillance.
3. Identified street frontages in the Active Street Frontage Overlay A and B provide a comfortable and sheltered pedestrian environment.
4. Buildings encourage community interaction through a positive relationship of commercial activity, community activity, and residential units with the street, public pathways, and other public space.
5. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to support and promote quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site ~~provide for pedestrian safety, comfort, dignity, and amenity~~.
6. The form and scale of development contributes to visual amenity in public space.
7. The form and scale of development protects access to sunlight and daylight in well-used streets and public spaces.
8. Ensure adequate privacy for residential activities, and other activities sensitive to privacy intrusion, on the site and on adjacent sites.
9. ~~Ensure adequate access to daylight for residential activities on the site and on adjacent residential zone sites.~~
10. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites, and public open space.
11. ~~Ensure residential units have access to outdoor living spaces that:~~
    a. ~~Are located and oriented to ensure good access to sunlight, or~~

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Commented [NG3]: Urban Edge Planning (449.20)

Commented [NG4]: Urban Edge Planning (449.24)

~~b. Are of a functional size and configuration, or~~
~~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.~~

12. The amenity of surrounding Residential Zones, Rural Zones, and Marae Zones is protected.
13. Buildings designed for residential use at ground floor are adaptable and flexible to potential future uses such as commercial use.
14. Balance the provision of privacy for residents of ground-floor residential units, where provided for, with the provision of an attractive streetscape.

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

NCZ-P9	Urban design outcomes (larger developments and potentially incompatible activities)

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

1. Identified street frontages in the Active Street Frontage Overlay are continuous and promote visual connections with the street and public realm.
2. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Enabling passive surveillance over public and communal spaces,
    c. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    d. Avoiding wasted space or space of unclear function, and
    e. Integrating other CPTED measures at a scale appropriate for the site.
3. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to support and promote the pedestrian circulation provided for in clause (4) ~~provide for pedestrian safety, comfort, dignity, and amenity~~.
4. There is quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site.
5. Ensure that on-site landscaping, if any is proposed, or required by standard NCZ-S8: Location and design of carparking:
    a. Retains and integrates appropriate, healthy and mature vegetation, ~~where appropriate~~,
    b. Uses planting that is appropriate for the climate and environment within the site,
    c. Improves outlooks from dwellings and softens hard built surfaces, and
    d. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
6. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
7. New developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.
8. Large format retail is integrated with its surroundings to contribute to the vibrancy, diversity, and interest of commercial centres.

Commented [SD5]: Minor change - consequential on Planning Act

Commented [NG6]: Urban Edge Planning (449.20)

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Commented [SD8]: Urban Edge Planning (449.20), consequential

9. Ensure adequate privacy for residential activities, and other activities sensitive to privacy intrusion, on the site and on adjacent sites.

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

NCZ-P10	Urban design outcomes (exclusions)

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

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

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NCZ-P11	Managing adverse effects at zone interfaces

Manage activities to mitigate adverse effects on other zones by:

1. Ensuring outdoor work, storage, loading and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

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

NCZ-R1	Repair and maintenance of buildings and structures

1. **Activity status:** Permitted

NCZ-R2	Demolition or removal of buildings and structures

1. **Activity status:** Permitted

NCZ-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. NCZ-S1: Height,
      ii. NCZ-S2: Height in relation to boundary — Adjoining zones,

iii. NCZ-S3: Setbacks — Adjoining zones,
iv. NCZ-S4: Active frontages — Buildings and structures,
v. NCZ-S5: Active frontages — Required verandahs,
vi. NCZ-S6: Active frontages — Existing vehicle crossings,
vii. NCZ-S7: Active frontages — Land uses,
viii. NCZ-S8: Location and design of carparking,
~~ix. NCZ-S9: Outdoor living space, and~~
x. NCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

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

Notification:
Public notification is precluded for applications under this rule if the only non-compliances are with NCZ-S2: Height in relation to boundary — Adjoining zones, ~~NCZ-S9: Outdoor living space,~~ or NCZ-S10: Outlook space.

Land use activities

NCZ-R4	Residential activities

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with:
i. NCZ-S7: Active frontages — land uses,
ii. ~~NCZ-S9: Outdoor living space~~, and
iii. NCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

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

Notification:
Public notification and limited notification are precluded for applications under this rule where NCZ-S7: Active frontages — Land uses is met.

NCZ-R5	Retirement villages

1. **Activity status:** Permitted

Where:
a. Compliance is achieved with:
i. NCZ-S7: Active frontages — Land uses, and
ii. NCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

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

Notification:

Public notification and limited notification are precluded for applications under this rule where NCZ-S7 is met.

NCZ-R6	Supported residential care facilities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. NCZ-S7: Active frontages — Land uses, and
      ii. NCZ-S10: Outlook space.

2. **Activity status:** Restricted discretionary

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

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

   Notification:
   Public notification and limited notification are precluded for applications under this rule where NCZ-S7: Active frontages — Land uses is met.

NCZ-R7	Health care activities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with NCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

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

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

NCZ-R8	Visitor accommodation

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with NCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

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

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

NCZ-R9	Food and beverage activities

1. **Activity status:** Permitted

NCZ-R10	Grocery stores and supermarkets

1. **Activity status:** Permitted

   Where:
   a. The activity has a gross floor area of no more than 1500m².

2. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:
   1. The ability of the neighbourhood centre to continue to provide for a mix of activities.
   2. The urban design matters in NCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities).
   3. The matters in NCZ-P10: Urban design outcomes (exclusions).
   4. The efficiency of the use of land.

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

NCZ-R11	Commercial activities not otherwise provided for

1. **Activity status:** Permitted

   Where:
   a. The commercial activity has a gross floor area of no more than 300m², and
   b. Compliance is achieved with NCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is achieved with NCZ-R11.1.a, but
   b. Compliance is not achieved with NCZ-R11.1.b.

   Matters of discretion are restricted to:
   1. The matters of discretion in any standards not met.
   2. The vibrancy and attractiveness of the neighbourhood centre.
   3. The efficiency of the use of land.

3. **Activity status:** Discretionary

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

NCZ-R12	Activities not otherwise provided for

1. **Activity status:** Permitted

   Where:
   a. The activity has a gross floor area of no more than 300m², and
   b. Compliance is achieved with NCZ-S7: Active frontages — Land uses.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is achieved with NCZ-R12.1.a, but
   b. Compliance is not achieved with NCZ-R12.1.b.

   Matters of discretion are restricted to:
   1. The matters of discretion in any standards not met.
   2. The vibrancy and attractiveness of the neighbourhood centre.
   3. The efficiency of the use of land.

3. **Activity status:** Discretionary

   Where:
   a. Compliance is not achieved with NCZ-R12.1 or NCZ-R12.2.

NCZ-R13	Carparking activities

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. NCZ-S6: Active frontages — Existing vehicle crossings,
      ii. NCZ-S7: Active frontages — Land uses, and
      iii. NCZ-S8: Location and design of carparking,
   b. The carparking is not accessed with a vehicle crossing over an Active Street Frontage Overlay B, and
   c. The carparking is not accessed with a vehicle crossing over an Active Street Frontage Overlay A.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NCZ-R15.1.a, but
   b. Compliance is achieved with NCZ-R15.1.b and NCZ-R15.1c.

   Matters of discretion are restricted to:
   1. The matters of discretion any standards not met.
   2. The vibrancy and attractiveness of the neighbourhood centre.
   3. The efficiency of the use of land.

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

   Where:
   a. Compliance is not achieved with NCZ-R15.1.b.

4. **Activity status:** Prohibited

   Where:
   a. Compliance is not achieved with NCZ-R15.1.c.

NCZ-R14	Light manufacturing and servicing

1. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:
   1. The matters of discretion in NCZ-S7: Active frontages — Land uses, if it is not met.
   2. The ability of the neighbourhood centre to continue to provide for a mix of activities.
   3. The vibrancy and attractiveness of the neighbourhood centre.
   4. The efficiency of the use of land.
   5. Residential amenity for existing residential units in the neighbourhood centre.
   6. Residential amenity in adjacent Residential Zones and Marae Zones.
   7. The urban design matters in LCZ-P9: Urban design outcomes for larger developments and potentially incompatible activities.
   8. The matters in NCZ-P10: Urban design outcomes (exclusions).

2. **Activity status:** Discretionary

   Where:
   a. Compliance is not achieved with NCZ-R14.1

NCZ-R15	Yard-based retailing

1. **Activity status:** Discretionary

NCZ-R16	Service stations
1. **Activity status:** Discretionary	
NCZ-R17	**Motor vehicle servicing activities**
1. **Activity status:** Discretionary	
NCZ-R18	**Industrial activities not otherwise provided for**
1. **Activity status:** Discretionary	
NCZ-R19	**Drive-through activities**
1. **Activity status:** Non-complying	
NCZ-R20	**Heavy industrial activities**
1. **Activity status:** Non-complying	
NCZ-R21	**Primary production other than as an ancillary activity**
1. **Activity status:** Non-complying	

General rules

NCZ-R22	Outdoor storage and work areas
1. **Activity status:** Permitted Where: a. The outdoor storage and work areas are screened from level view of any adjoining 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 above ground level.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with NCZ-R22.1. **Matters of discretion are restricted to:** 1. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by condition NCZ-R22.1 but are not. 2. The urban design matters in NCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities). 3. The matters in NCZ-P10: Urban design outcomes (exclusions). 4. Any positive effects that can only be achieved through non-compliance with NCZ-R22.1.	
NCZ-R23	**Servicing**
1. **Activity status:** Permitted Where: ~~a. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, or~~ b. ~~The servicing occurs only between 7:00am and 10:00pm.~~ a. The servicing is not undertaken between 10:00pm and 7:00am within 40 metres of: i. A site in a Residential Zone, Mixed Use Zone, or Marae Zone, or ii. The notional boundary of an activity sensitive to noise in a Rural Zone.	

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2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with NCZ-R25.1.

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

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

Standards

NCZ-S1	Height
Buildings and structures must not exceed a maximum height above ground level of: 1. The height shown in the Specific Height Control Overlay applying to the site, if any, or 2. In any other case, 22 metres. **Matters of discretion if the standard is breached:** 1. Urban design outcomes 6, 7, 8, 9, 10, ~~11,~~ and 12 in NCZ-P8: Urban design outcomes (by meeting standard or assessment). 2. The matters in NCZ-P10: Urban design outcomes (exclusions). 3. Any positive effects that can only be achieved through non-compliance with the standard.	

NCZ-S2	Height in relation to boundary - Adjoining zones
Buildings and structures must: 1. Meet the height in relation to boundary standard of the adjoining zone on any boundary with a site in a Residential Zone, Rural Zone, or Marae Zone. **Matters of discretion if the standard is breached:** 1. Urban design outcomes 2, 8, 9, 10, ~~11,~~ and 12 in NCZ-P8: Urban design outcomes (by meeting standard or assessment). 2. The matters in NCZ-P10: Urban design outcomes (exclusions). 3. Any positive effects that can only be achieved through non-compliance with the standard.	

NCZ-S3	Setbacks - Adjoining zones
Buildings and structures must: 1. Be set back 1 metre from any boundary with a site in a Residential Zone, Rural Zone, Marae Zone, or Open Space and Recreation Zone. 2. This standard does not apply to site boundaries where there is an existing common wall between two buildings on adjoining sites with a common wall existing or proposed. 3. This standard does not apply to boundary fences of no more than 2m in height above ground level. 4. Eaves, chimneys, exterior hot water cylinders, and stormwater detention and retention tanks may encroach into any setback by up to 0.6m. **Matters of discretion if the standard is breached:** 1. Access for repairs and maintenance to buildings and structures on the site. 2. Urban design outcomes 2, 6, 7, 8, 9, 10, ~~11,~~ and 12 in NCZ-P8: Urban design outcomes (by meeting standard or assessment). 3. The matters in NCZ-P10: Urban design outcomes (exclusions). 4. Any positive effects that can only be achieved through non-compliance with the standard.	

NCZ-S4	Active frontages — Buildings and structures
On any site subject to an Active Street Frontage Overlay:	

1. There must be a building or abutting group of buildings built to the front boundary, to the full width of the Active Street Frontage Overlay, and to a minimum height above ground level of 4m. Alternatively, the buildings or parts of buildings may be set back from the front boundary by up to 2m where:
    a. The intervening space is paved pedestrian space continuous with the footpath and open to the public, or
    b. The intervening space is a seating or dining area, or
    c. The intervening space is an entrance porch, or
    d. The intervening space is visitor cycle or micromobility parking, or
    e. The intervening space is used for entrance stairs or pedestrian ramps.
2. The requirement in LCZ-S4.1 does not apply at all on sections of the front boundary:
    a. Where compliance would encroach within the dripline of a notable tree, or
    b. Where necessary to comply with standard NCZ-S3: Setbacks — Adjoining zones, or
    c. On the Active Street Frontage Overlay C, to the degree necessary to provide for a vehicle crossing, manoeuvring area, and visibility splays (but not parking spaces or loading spaces):
        i. Where no other frontage not in an Active Street Frontage Overlay is available,
        ii. With a traffic lane width of no more than 6 metres,
        and that complies with:
        iii. TR-S5: Vehicle crossings — Number, location and width,
        iv. TR-S6: Vehicle crossings — Separation distances and design,
        v. TR-S7: Driveways,
        vi. TR-S8: Design requirements for motor vehicle parking, circulation, and manoeuvring,
        vii. TR-S9: Loading and unloading - Non-residential, and
        viii. TR-S10: Loading and unloading — Residential.
3. The buildings must not have a featureless façade on the front boundary of more than 3m in width at any part of the building between 0.5m and 2.5m in height above footpath level.
4. On an Active Street Frontage Overlay A or B frontage, the buildings must provide a minimum of 60% of the width as ~~continuous~~ display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath level.
5. On an Active Street Frontage Overlay C frontage, the buildings must provide a minimum of 30% of the width as ~~continuous~~ display windows or transparent glazing along the width of the ground floor at between 0.5m and 2m in height above footpath level.
6. The building must have the principal public entrance on:
    a. An Active Street Frontage Overlay A frontage, if any,
    b. Otherwise, an Active Street Frontage Overlay B frontage, if any,
    c. Otherwise, an Active Street Frontage Overlay C frontage.
7. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.

Matters of discretion if the standard is breached:

1. Access for repairs and maintenance to buildings and structures on the site.
2. Urban design outcomes 1, 2, 3, 4, 5, and 6 in NCZ-P8: Urban design outcomes (by meeting standard or assessment).
3. The matters in NCZ-P10: Urban design outcomes (exclusions).
4. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
5. Any positive effects that can only be achieved through non-compliance with the standard.

NCZ-S5	Active frontages — Required verandahs

Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that:

1. Extends for the full width of the site frontage covered by the Active Street Frontage Overlay,

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Commented [SD13]: Pandion Ltd (259.20, 259.21, 259.22) - consequential

2. Extends outwards from the front of the building to the front boundary and then into the road for at least 3 metres, or to the far side of the kerbing less 500mm, whichever is the lesser, and
3. Provides continuous shelter with any adjoining verandah or pedestrian shelter.

But no verandah or canopy shall be required:

4. From any site containing a listed heritage item, except where there was a verandah or canopy on 6 February 2025,
5. On any portion of a frontage where the required verandah or canopy, as seen in plan, would encroach on the dripline of a notable tree or street tree, or
6. On any portion of a frontage with an existing vehicle crossing.

Matters of discretion if the standard is breached:

1. Safety and efficiency of the transport network.
2. Urban design outcomes 1, 3, 4, and 5 in NCZ-P8: Urban design outcomes (by meeting standard or assessment).
3. The matters in NCZ-P10: Urban design outcomes (exclusions).
4. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
5. Any positive effects that can only be achieved through non-compliance with the standard.

NCZ-S6	Active frontages — Existing vehicle crossings

Where there are any existing vehicle crossings across an Active Street Frontage Overlay A or B that serve the site:

1. That vehicle crossing may not be used to serve any additional parking or loading spaces,
2. There may not be any new building on the site,
3. There may not be any addition to any building that increases the gross floor area, and
4. Other existing vehicle crossings that are not on the Active Street Frontage Overlay A or B may not be removed unless all vehicle crossings across the Active Street Frontage Overlay A and B on the site are removed.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Safety and efficiency of the transport network.
3. The impact of the activity or change in the activity on the feasibility and likelihood of the future removal of the relevant vehicle crossings.
4. Effects on the current or potential future use of the road for events.
5. Effects on the current or potential future ability of the road to be closed to general motor vehicle traffic.
6. Visual amenity.
7. Urban design outcomes 1, 3, 4, 5, 6, and 12 in NCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in Policy NCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities.
9. The matters in NCZ-P10: Urban design outcomes (exclusions).
10. Any positive effects that can only be achieved through non-compliance with the standard.

NCZ-S7	Active frontages — Land uses

On any site subject to an Active Street Frontage Overlay:

1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located at ground level within 10 metres of an active frontage boundary.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Reverse sensitivity ~~effects~~ on other activities in the zone.
3. Effects including reverse sensitivity ~~effects~~ on the current or potential future use of the road for temporary activities.
4. Effects including reverse sensitivity ~~effects~~ on the current or potential future use of the road for public transport or active transport infrastructure.

Commented [CN14]: HS1 minor correction
Policy Planning team of Hutt City Council (440.3)

Commented [CN15]: HS1 minor correction
Policy Planning team of Hutt City Council (440.3)

Commented [CN16]: HS1 minor correction
Policy Planning team of Hutt City Council (440.3)

5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
6. The short-term, medium-term, and long-term development capacity and demand needs for commercial and residential activities in the commercial centre.
7. Urban design outcomes 1, 2, 3, 4, 9, 10, 13, and 14 in NCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in NCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities).
9. The matters in NCZ-P10: Urban design outcomes (exclusions).
10. Any positive effects that can only be achieved through non-compliance with the standard.

NCZ-S8	Location and design of carparking

On any site subject to an Active Street Frontage Overlay A or B:

1. Carparking must only be located:
   a. Within or underneath a building, or
   b. On top of a building at least 3 metres above ground level, or
   c. Shielded from the Active Street Frontage Overlay A or B by a building.
2. Carparking may not be served by a vehicle crossing across an Active Street Frontage Overlay A or B.

On any site subject to an Active Street Frontage Overlay C:

3. Carparking must only be located within or underneath a building, on top of a building at least 3 metres above ground level, beside a building accounting for no more than 50% of the width of the site, or behind a building.

On any site:

4. Parking areas must be screened from any adjoining site in a Residential Zone, Rural Zone, or Marae Zone with a building or a close-boarded fence of at least 1.8m in height.
5. Parking areas must be designed so they can only be accessed from a formed vehicle crossing.
6. Parking areas must be sealed to prevent dust (this may be permeable).
7. Parking areas other than manoeuvring space must be separated from any boundary by landscaped buffer of at least 0.5m (with a kerb or wheel stop) or 1.5m (otherwise), or a building or fence.
8. There must be at least 1m² of landscaping for every 20m² of outdoor carparking or vehicle manoeuvring area. The landscaping referred to in NCZ-S8.7 may be included.

Matters of discretion if the standard is breached:

1. Pedestrian amenity, comfort, and safety.
2. Visual amenity.
3. Urban design outcomes 1, 2, 3, 4, 5, 6, and 8 in NCZ-P8: Urban design outcomes (by meeting standard or assessment.
4. The matters in NCZ-P10: Urban design outcomes (exclusions).
5. Any positive effects that can only be achieved through non-compliance with the standard.

~~NCZ-S9~~	~~Outdoor living space~~

~~Each residential unit must:~~

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

~~This standard does not apply to units in a retirement village.~~

Commented [SD17]: Minor change - consequential on Planning Act

~~**Matters of discretion if the standard is breached:**~~
~~1. Urban design outcomes 2, 4, 8, 9, 10, and 11 in NCZ-P8: Urban design outcomes (by meeting standard or assessment.~~
~~2. The matters in NCZ-P10: Urban design outcomes (exclusions).~~
~~3. Any positive effects that can only be achieved through non-compliance with the standard.~~

NCZ-S10	Outlook space

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

1. An outlook space must be provided from habitable room windows as shown in NCZ-Figure 1.
2. The minimum dimensions for a required outlook space are as follows:
    a. A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width, and
    b. All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
3. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
4. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
5. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
6. Outlook spaces may be under or over a balcony.
7. Outlook spaces required from different rooms within the same building may overlap.
8. Outlook spaces must:
    a. Be clear and unobstructed by buildings, and
    b. Not extend over an outlook space or outdoor living space required by another dwelling.

Matters of discretion if the standard is breached:

1. Urban design outcomes 2, 4, 8, and 9 in NCZ-P8: Urban design outcomes (by meeting standard or assessment).
2. The matters in NCZ-P10: Urban design outcomes (exclusions).
3. Any mitigation factors such as view or landscaping that compensate for a reduced outlook.
4. Any positive effects that can only be achieved through non-compliance with the standard.

NCZ-Figure 1	Outlook space

MUZ — Mixed Use Zone

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

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

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

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

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

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

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

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

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

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

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

Commented [SD1]: Urban Plus (322.4)

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

Commented [SD2]: Urban Plus (322.4)

Objectives

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

MUZ-O2	Activities in the zone
The Mixed Use Zone: 1. Does not have a single predominant use that it provides for, 2. Is expected to provide flexibility for any combination of commercial, community, light manufacturing and servicing, recreational, residential, and other compatible activities, while reflecting the Mixed Use Zone's role and function in relation to the hierarchy of centres, 3. Provides for other activities that: a. Are compatible with the purpose, the planned character, and the planned urban built environment of the zone, b. Are compatible with the types of amenity associated with a medium or high density mixed use environment anticipated by the zone, and c. Support the health and wellbeing of people and communities in the surrounding area, and 4. Is not intended to provide for: a. Large-scale vehicle oriented activities, or b. Activities that would be a significant city-wide or regional destination, and 5. Otherwise avoids other activities that are likely to be incompatible.	

MUZ-O3	Provision of commercial and community spaces and housing
The Mixed Use Zone provides for a variety of types and sizes of housing types and sizes, and non-residential tenancies, that respond to: 1. Housing needs and demand, and 2. Business needs and demand.	

MUZ-O4	Planned character and planned urban built environment of the zone
Built development or open spaces are consistent with a mixed-use residential, commercial, and community area within a well-functioning urban environment that: 1. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone, 2. Has an urban built environment that is characterised by flexibility of building densities and forms, 3. Takes advantage of and contributes positively to the opportunities of pedestrian spaces and adjoining parks and reserves, 4. Is healthy, safe, attractive, and accessible, 5. ~~Provides useful on-site outdoor living areas for residents, or is located in close proximity to useful public open space in the neighbourhood.~~ 6. Has good access to and from surrounding neighbourhoods, and to and from commercial centres, through active and public transport modes, providing for well-connected and low emission communities, 7. Is integrated with existing and planned infrastructure, and 8. Provides for activities with co-location benefits in the area.	

Commented [SD3]: Minor change - consequential on Planning Act

MUZ-O5	Adverse effects
Adverse effects of activities and development are effectively managed within the zone, and at interfaces with other zones.	

Policies

MUZ-P1	Enabled activities
Enable a broad mix of activities such as commercial, community, light industrial, recreational, and residential activities, and other compatible activities, while recognising the role of the zone in relation to the hierarchy of centres.	

MUZ-P2	Potentially incompatible activities

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

MUZ-P3	Incompatible activities

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

MUZ-P4	Existing activities
Provide for the ongoing operation of existing activities while managing their development to support the intended purpose and character of the zone.	

MUZ-P5	Role in network of commercial and industrial areas

Manage the location and scale of commercial activities which could result in cumulative adverse effects on:

1. The viability, vibrancy, and co-location benefits of the City Centre, Metropolitan Centre, and Local Centre Zones (but not the Neighbourhood Centre Zones), and

Commented [CN4]: HS1 minor correction
Policy Planning team of Hutt City Council (440.3)

Commented [SD5]: Urban Plus (322.11), Kāinga Ora (386.53)

2. The function of the transport network, particularly the ability of the public transport and active transport network to efficiently serve destinations.

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

MUZ-P6	Development capacity — General
Provide for the flexible use of Mixed Use areas to respond to changing and unpredictable needs.	

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

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

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

The outcomes are:

1. Create a safe urban environment by ensuring that building design enables ~~enabling~~ passive surveillance.
2. Non-residential buildings encourage community interaction through a positive relationship of commercial activity, community activity, and residential units with the street, public pathways, and other public space.
3. Vehicle parking and loading areas, accessways, and garages do not visually or physically dominate public and communal spaces or access to buildings and are designed to support and promote quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site ~~provide for pedestrian safety, comfort, dignity, and amenity~~.
4. The form and scale of development contributes to visual amenity in public space.
5. The form and scale of development protects access to sunlight ~~and daylight~~ in well-used streets and public spaces.
6. Ensure adequate privacy for residential activities and other activities sensitive to privacy intrusion on the site and on adjacent sites.

~~7. Ensure adequate access to daylight for residential activities on the site and on adjacent Mixed Use Zone or Residential Zone sites.~~

8. Ensure adequate access to sunlight for existing outdoor living spaces on:
    a. Adjacent residential zone sites, and
    b. Adjacent Mixed Use Zone sites unless they:
        i. Have a non-residential activity, or
        ii. Do not have any residential units, or
        iii. Have six or more residential units.

~~9. Ensure residential units have access to outdoor living spaces that:~~

~~10. Ensure on-site landscaping, where it is required by a standard or proposed as a mitigation of other effects:~~

    a. ~~Retains~~ retains ~~healthy and mature vegetation, where appropriate,~~ ~~or~~ and
    b. ~~Are located and oriented to ensure good access to sunlight,~~ ~~and~~ ~~or~~
    c. ~~Are of a functional size and configuration,~~ ~~and~~ ~~or~~
    d. ~~Provide screening or landscaping to contribute to privacy, or~~
    e. ~~Alternatively, public open space is located nearby that is accessible and functional for residents.~~

10. The amenity of surrounding Residential Zones, Rural Zones, and Marae Zones is protected.

~~11. Balance the provision of privacy for residents of ground floor residential units on identified Active Frontages, where provided for, with the provision of an attractive streetscape.~~

Note:

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

Commented [NG6]: Urban Edge Planning (449.25)

Commented [NG7]: Urban Edge Planning (449.20), Kāinga Ora (386.56)

Commented [NG8]: Urban Edge Planning (449.25)

Commented [NG9]: Urban Edge Planning (449.25)

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Commented [NG11]: Urban Edge Planning (449), consequential

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

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

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

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

MUZ-P9	Urban design outcomes (exclusions)

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

a. The protection of scenic views from private property,
b. The protection of scenic views from any part of a road where pedestrians cannot stop,
c. The protection of the visibility of commercial signage or advertising,
d. The protection of sunlight access to solar panels, where the height standard is met, even if other standards are not met,
e. Limiting the actual or perceived height, scale, or density of developments where the height,

Commented [NG14]: Urban Edge Planning (449.25)

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setback, site coverage, height in relation to boundary, and density standards are met~~, and~~

f. ~~The use of techniques such as modulation of building form or variation of building materials to reduce the perceived scale of buildings, where the height, setback, and height in relation to boundary standards are met~~.

Commented [NG18]: Urbaan Edge Planning (449.30)

MUZ-P10	Managing adverse effects

Manage activities to mitigate adverse effects by:

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

Rules

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

Buildings and structures

MUZ-R1	Repair and maintenance of buildings and structures

1. **Activity status:** Permitted

MUZ-R2	Demolition or removal of buildings and structures

1. **Activity status:** Permitted

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

1. **Activity status:** Permitted

Where:

a. For additions, c~~C~~ompliance is achieved with, and for alterations, compliance is either achieved with or existing non-compliances are not worsened for:

Commented [SD19]: Urban Plus (322.18b)

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

2. **Activity status:** Restricted discretionary

Where:

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

Matters of discretion are restricted to:

1. The matters of discretion any standards not met.

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

Land use activities

MUZ-R4	Residential activities
1. **Activity status:** Permitted Where: a. Compliance is achieved with: ~~i. MUZ-S5: Outdoor living space, and~~ ii. MUZ-S6: Outlook space.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with MUZ-R4.1. **Matters of discretion are restricted to:** 1. The matters of discretion any standards not met. **Notification:** Public notification and limited notification are precluded for applications under this rule.	
MUZ-R5	**Retirement villages**
1. **Activity status:** Permitted Where: a. Compliance is achieved with MUZ-S6: Outlook space.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with MUZ-R5.1. **Matters of discretion are restricted to:** 1. The matters of discretion any standards not met. **Notification:** Public notification and limited notification are precluded for applications under this rule.	
MUZ-R6	**Supported residential care facilities**
1. **Activity status:** Permitted Where: a. Compliance is achieved with MUZ-S6: Outlook space.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with MUZ-R6.1. **Matters of discretion are restricted to:** 1. The matters of discretion any standards not met. **Notification:** Public notification and limited notification are precluded for applications under this rule.	
MUZ-R7	**Visitor accommodation**
1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 500m².	
2. **Activity status:** Restricted discretionary	

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

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

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

MUZ-R8	Health care activities

1. **Activity status:** Permitted

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

2. **Activity status:** Discretionary

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

MUZ-R9	Marae

1. **Activity status:** Permitted

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

2. **Activity status:** Discretionary

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

MUZ-R10	Community facility

1. **Activity status:** Permitted

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

2. **Activity status:** Discretionary

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

MUZ-R11	Educational facilities (including Kohanga Reo)

1. **Activity status:** Permitted

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

2. **Activity status:** Discretionary

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

MUZ-R12	Food and beverage activities

1. **Activity status:** Permitted

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

2. **Activity status:** Discretionary

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

MUZ-R13	Grocery stores and supermarkets

1. **Activity status:** Permitted

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

2. **Activity status:** Restricted discretionary

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

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

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

3. **Activity status:** Discretionary

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

MUZ-R14	Light manufacturing and servicing

1. **Activity status:** Permitted

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

2. **Activity status:** Restricted discretionary

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

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

Commented [NG20]: Urban Plus (322.24)

	Notification: Public notification is precluded for applications under this rule.
	3. **Activity status:** Discretionary Where: a. Compliance is not achieved with MUZ-R14.1 or MUZ-R14.2.
MUZ-R15	**Standalone office activities**
	1. **Activity status:** Permitted Where: a. The office activity has a gross floor area of no more than 100m².
	2. **Activity status:** Discretionary Where: a. Compliance is not achieved with MUZ-R15.1, but b. The office activity has a gross floor area of no more than 200m², or c. The office space is rented by the desk or otherwise furnished on a casual basis, and no one tenant occupies more than 100m² of gross floor area.
	3. **Activity status:** Non-complying Where: a. Compliance is not achieved with MUZ-R15.1 or MUZ-R15.2.
MUZ-R16	**Commercial activities not otherwise provided for**
	1. **Activity status:** Permitted Where: a. The commercial activity has a gross floor area of no more than 100m².
	2. **Activity status:** Discretionary Where: a. Compliance is not achieved with MUZ-R16.1.
MUZ-R17	**Other activities not otherwise provided for**
	1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 200m².
	2. **Activity status:** Discretionary Where: a. Compliance is not achieved with MUZ-R17.1.
MUZ-R18	**Carparking activities**
	1. **Activity status:** Permitted Where: a. Compliance is achieved with MUZ-S4: Location and design of carparking, and b. None of the parking spaces are visitor spaces for a non-residential activity.

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:

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

MUZ-R19	Emergency service facilities

1. **Activity status:** Restricted discretionary

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

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

MUZ-R20	Yard-based retailing

1. **Activity status:** Discretionary

MUZ-R21	Drive-through activities

1. **Activity status:** Discretionary

MUZ-R22	Service stations

1. **Activity status:** Discretionary

MUZ-R23	Motor vehicle servicing activities

1. **Activity status:** Discretionary

~~MUZ-R24~~	~~Emergency service facilities~~

~~1. **Activity status:** Discretionary~~

MUZ-R25	Industrial activities not otherwise provided for

1. **Activity status:** Discretionary

MUZ-R26	Integrated retail activities

1. **Activity status:** Discretionary

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

Commented [CN21]: Policy Planning team of Hutt City Council (440.5)

Commented [SD22]: Urban Plus (322.28)

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

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

MUZ-R27	Heavy industrial activities

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

MUZ-R28	Primary production other than as an ancillary activity

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

General rules

MUZ-R29	Outdoor storage and work areas

1. **Activity status:** Permitted

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

2. **Activity status:** Restricted discretionary

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

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

MUZ-R30	Servicing

1. **Activity status:** Permitted

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

2. **Activity status:** Restricted discretionary

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

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

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

Standards

MUZ-S1	Height

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

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

MUZ-S2	Height in relation to boundary

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

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

Commented [SD23]: Urban Plus (322.30)

MUZ-S3	Setbacks - Adjoining zones

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

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

Commented [SD24]: Urban Plus (322.31)

MUZ-S4	Location and design of carparking

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

Matters of discretion are restricted to:

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

Commented [NG25]: Urban Plus (322.32a)

~~MUZ-S5~~	~~Outdoor living space~~

~~Each residential unit must:~~

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

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

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

Commented [SD26]: Minor change - consequential on Planning Act

MUZ-S6	Outlook space

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

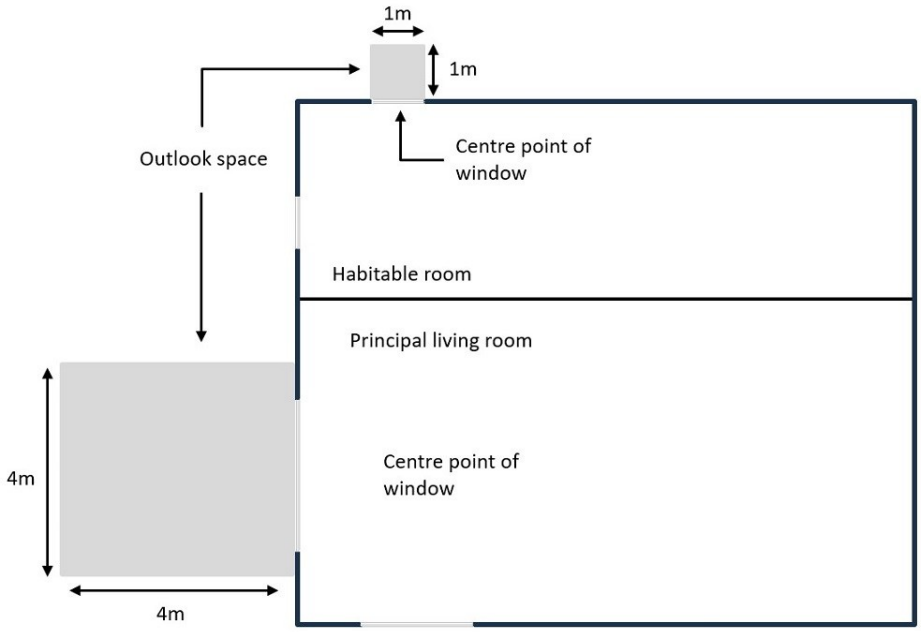
1. An outlook space must be provided from habitable room windows as shown in MUZ-Figure 1.
2. The minimum dimensions for a required outlook space are as follows:
    a. A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width, and
    b. All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
3. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
4. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
5. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.

6. Outlook spaces may be under or over a balcony.
7. Outlook spaces required from different rooms within the same building may overlap.
8. Outlook spaces must:
    a. Be clear and unobstructed by buildings, and
    b. Not extend over an outlook space or outdoor living space required by another dwelling.

Matters of discretion are restricted to:

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

MUZ-Figure 1	Outlook space



LIZ — Light Industrial Zone

The Light Industrial Zone covers smaller and more fragmented industrial areas than the General Industrial Zone and Heavy Industrial Zone. These areas often have smaller lot sizes than the General Industrial Zone or Heavy Industrial Zone. The zone recognises the need for industrial areas throughout the urban area of Lower Hutt while acknowledging that these areas are usually located close to residential areas or commercial centres and the management of amenity values is more important.

The Light Industrial Zone also provides for commercial activities that are not suitable for commercial centres due to incompatibility with the amenity values of centres, less efficient use of land, or co-location benefits with industrial and research activities.

The demand for industrial activities is likely to fluctuate over time. However, retaining industrial land capacity is a long-term interest of the city. Accordingly, while other land uses may be suitable in the zone, this is managed to avoid significant permanent losses of industrial land capacity to uses that do not have co-location benefits in the zone, or creating substantial sunk investments in buildings and facilities not suitable for industrial and research activities. Accordingly, the Light Industrial Zone can provide for sensitive activities where this has co-location benefits, but in general purely residential developments should be avoided to preserve development capacity for industrial activities in the long term.

The planned urban environment for the Light Industrial Zone is one that meets the operational needs of industrial activities and research activities while still providing a safe, functional, and attractive environment for workers and visitors. It is also managed to protect amenity values in nearby residential, commercial, and other areas, which are likely to be close to most Light Industrial Zone sites.

Built development is provided for in the Light Industrial Zone through a range of permitted activities and development standards that, with some exceptions, permit buildings designed for permitted land uses. Development standards also address:

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

If a proposed development does not meet one or more development or performance standards for the zone, or is for a land use that is not part of the core purpose of the zone, resource consent is required in order to:

a. Achieve a high-quality built environment,
b. Manage the effects of development on neighbouring sites and the street,
c. Avoid significant adverse impacts on long-term industrial land capacity,
d. Avoid reverse sensitivity ~~effects~~, and
e. Achieve attractive, safe, and comfortable streets and public spaces.

Commented [NG1]: Policy Planning team of the Hutt City Council (440.3)

Developments that require resource consent will be assessed against the policy framework set out by the relevant zone and district-wide chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is necessary to meet the purpose of the zone. Council provides design guidance for developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the Light Industrial Zone, other chapters of the District Plan, including those that apply 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

LIZ-O1	Purpose of the zone
The Light Industrial Zone is used primarily to meet the needs of industrial and research activities, and compatible activities such as commercial, community, or government activities that are not appropriately located in commercial centres. The Light Industrial Zone is usually located next to or near residential, commercial, and other zones that provide for activities sensitive to industry, and activities in the zone are managed to be compatible with this.	

LIZ-O2	Activities in the zone
The Light Industrial Zone: 1. Primarily provides for industrial activities and research activities, 2. Provides for emergency service facilities and trade and industrial training activities, 3. Is supported by other activities that: a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone, b. Do not undermine the role of commercial centres, and c. Support the industrial activities and research activities in the zone, including the needs of workers at those activities. 4. Provides for other activities that: a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone, b. Do not undermine the role of commercial centres, and c. One or more of the following: i. Have a functional need or operational need to locate in an Industrial Zone, or ii. Have significant co-location benefits when located in the area, or iii. Are a commercial activity that is not suited to being in a commercial centre, or iv. Due to the size, layout, or operation of the activity, would have difficulty finding a suitable site in any other zone, or v. Are otherwise better located in an Industrial Zone than in any other type of zone, or vi. Are an interim use and do not create obstacles to re-using their sites for industrial activities or research activities in future. 5. Is not intended to provide for: a. Standalone residential activities that do not support an industrial activity, research activity, or emergency facility, or b. Activities that would be a city-wide or regional destination for significant numbers of visitors.	

Commented [NG2]: FENZ (374.122)

LIZ-O3	Provision of industrial spaces
The Light Industrial Zone provides for a variety of types and sizes of tenancies that respond to industrial business needs and demand.	

LIZ-O4	Planned character and planned urban built environment of the zone
The built character of the Light Industrial Zone balances the functional and operational needs of the primary activities in the zone, and the needs of visitors and employees, by contributing to a light-industrial part of the urban environment that: 1. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone, 2. Has an urban built environment that is characterised by flexibility of building densities and forms, 3. Is healthy, safe, attractive, and accessible,	

4. Has good access within the Light Industrial Zone, to and from surrounding neighbourhoods, and to and from other industrial and commercial areas, through active and public transport modes, providing for well-connected and low emission communities,
5. Is integrated with existing and planned infrastructure, and
6. Enhances co-location benefits.

LIZ-O5	Character — main through routes
Identified main through routes that pass through the Light Industrial Zone are attractive and assist the city's sense of place and identity.	

LIZ-O6	Adverse effects
Adverse effects of activities and development are effectively managed within the zone, and at interfaces with other zones.	

Policies

LIZ-P1	Enabled activities
Enable industrial activities, research activities, emergency service facilities, and trade and industrial training activities.	

LIZ-P2	Residential activities and other activities sensitive to industry

1. Provide for new residential activities where they are:
    a. Ancillary to or associated with an industrial activity, research activity, or emergency facility, or
    b. Create a more efficient use of an existing residential activity, and
2. Provide for other new activities sensitive to industry where they:
    a. Primarily serve the immediate area within the zone, or
    b. Have similar adverse effects and requirements to industrial activities that mean they are better located in a Light Industrial Zone than in a commercial centre, or
    c. Have appreciable co-location benefits in the Light Industrial Zone in particular.
3. Recognise that residential activities and other activities sensitive to industry are not primary uses in the zone and that amenity values in the zone are governed primarily by industrial needs.
4. Manage residential activities and other activities sensitive to industry to mitigate reverse sensitivity ~~effects~~ for industry.

LIZ-P3	Heavy industrial activities

Avoid heavy industrial activities unless they:

1. Have an operational need or functional need to operate at the specific site proposed, or
2. Are managed to have no significant adverse effects different in scale or character to those from activities primarily provided for in the zone.

LIZ-P4	Other potentially incompatible activities

Avoid commercial and community activities unless they:

1. Are ancillary to a permitted activity and support the purpose of the zone, or
2. Primarily serve the immediate area within the zone, or
3. Have similar adverse effects and requirements to industrial activities that mean they are better located in a Light Industrial Zone than in a commercial centre (for example, vehicle-oriented businesses, trade supply retail activities and yard-based retail activities), or
4. Primarily serve surrounding suburbs but a suitable available site is unlikely to be available for the activity in a commercial centre (for example, supermarkets), or
5. Have appreciable co-location benefits with existing industrial activities or research activities in an Industrial Zone.

Commented [NG3]: FENZ (374.123)

Commented [NG4]: Policy Planning team of the Hutt City Council (440.3)

Commented [NG5]: Policy Planning team of the Hutt City Council (440.4)

When these activities are not avoided, they are managed to avoid significant reverse sensitivity issues for industry.	
LIZ-P5	**Existing activities**
Provide for the ongoing operation and maintenance of existing activities while managing their development to support the intended purpose and character of the zone.	
LIZ-P6	**Role in network of commercial and industrial areas**
Recognise Light Industrial areas as providing for commercial activities that are not well suited in commercial centres because of their adverse effects, co-location benefits with industrial or research activities, or inherent less efficient use of land.	
LIZ-P7	**Support of centres hierarchy**
Manage the scale and location of commercial activities to avoid negative impacts on the intended purpose, viability, vibrancy, and co-location benefits of commercial centres in the City Centre Zone, Metropolitan Centre Zone, and Local Centre Zone.	
LIZ-P8	**Development capacity**
Protect the long-term capability of the Light Industrial Zone to serve the needs of the city for industrial development, provide for a diversity of industrial and research activities, and provide for commercial activities not well located in centres, by managing other activities to ensure significant development capacity is not permanently lost to other land uses.	
LIZ-P9	**Urban design outcomes (by meeting standard or assessment)**
Built development is managed to achieve the outcomes in this policy through either meeting the relevant performance standards, or an alternative approach demonstrated in a resource consent when the relevant performance standards are not met. Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical. The outcomes are: 1. Vehicle parking and loading areas, accessways, and garages are designed to provide for pedestrian safety~~, comfort, dignity, and amenity~~. 2. The form and scale of development contributes to visual amenity in public space. 3. The form and scale of development protects access to sunlight ~~and daylight~~ in well-used streets and public spaces. 4. Ensure adequate privacy for activities sensitive to privacy intrusion, on the site and on adjacent sites. 5. ~~Ensure adequate access to daylight for residential activities on adjacent residential zone sites~~. 6. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites, and public open space. **Note:** The council will publish design guidance with examples of ways these outcomes can be achieved. This guidance does not form part of the District Plan and applicants can also demonstrate how these outcomes have been met in other ways.	
LIZ-P10	**Urban design outcomes (other than industrial activities and research activities)**
Built development for activities other than industrial activities and research activities, over an identified threshold of scale, is managed to achieve the outcomes in this policy through an approach demonstrated in a resource consent. Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical.	

Commented [NG6]: Z Energy (468.34), The Fuel Companies (471.238)

Commented [NG7]: Urban Edge Planning (449.36)

Commented [NG8]: Urban Edge Planning (449.39)

Commented [NG9]: Urban Edge Planning (449.39)

The outcomes are:

1. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    c. Avoiding wasted space or space of unclear function, and
    d. Integrating other CPTED measures at a scale appropriate for the site.
2. Vehicle parking and loading areas, accessways, and garages are designed to ~~provide for pedestrian safety, comfort, dignity, and amenity~~ support and promote the pedestrian circulation provided for in clause (3).
3. There is quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site.
4. Ensure that on-site landscaping, if any is proposed, or required by LIZ-S5: Landscaping:
    a. Retains and integrates appropriate, healthy and mature vegetation, ~~where appropriate~~,
    b. Uses planting that is appropriate for the climate and environment within the site, and
    c. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
5. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
6. New developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.
7. Ensure adequate privacy ~~and access to daylight~~ for residential activities on the site.
8. Ensure residential units have access to outdoor living spaces that:
    a. Ensure on-site landscaping, where it is required by a standard or proposed as a mitigation of other effects,
    b. Retains healthy and mature vegetation, where appropriate,
    c. Are located and oriented to ensure good access to sunlight,
    d. Are of a functional size and configuration,
    e. Provide screening or landscaping to contribute to privacy, or
    f. Alternatively, public open space is located nearby that is accessible and functional for residents.
9. Ensure residential units have access to adequate outlook.

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

LIZ-P11	Urban design outcomes (exclusions)

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

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

LIZ-P12	Managing adverse effects at zone interfaces

Commented [SD10]: Urban Edge Planning (449.36), consequential

Commented [SD11]: Urban Edge Planning (449.46)

Commented [SD12]: Urban Edge Planning (449.43)

Commented [SD13]: Urban Edge Planning (449.46)

Commented [SD14]: Urban Edge Planning (449.50)

Manage activities to mitigate adverse effects on other zones by:
1. Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

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.

The rules in the "Land use activities" section are structured so that all activities will fall under at least one rule, but an activity may be covered by multiple rules.

Buildings and structures

LIZ-R1	**Repair and maintenance of buildings and structures**
1. **Activity status:** Permitted	
LIZ-R2	**Demolition or removal of buildings and structures**
1. **Activity status:** Permitted	
LIZ-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. LIZ-S1: Height, ii. LIZ-S2: Height in relation to boundary — Adjoining zones, iii. LIZ-S3: Setbacks — Adjoining zones, iv. LIZ-S4: Overlooking — Adjoining zones, and v. LIZ-S5: Landscaping and screening, and b. The new buildings, new structures, ~~the alterations~~, or the additions, are for the purpose of an activity permitted by one or more of rules LIZ-R4 through LIZ-R17. This condition does not apply to alterations.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with LIZ-R3.1. **Matters of discretion are restricted to:** 1. The matters of discretion in any standards not met. 2. If LIZ-R3.1.b is not met: the urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions). 3. If LIZ-R3.1.b is not met: the impact of the design of the building and any associated subdivision on the long-term development capacity of the zone for industrial purposes, including the expected lifespan of the building and the ability of the building to be converted to industrial use. 4. If the site adjoins a site in a Residential Zone, Marae Zone, Mixed Use Zone, Open Space	

Commented [NG15]: Z Energy (468.42), The Fuel Companies (471.246)

and Recreation Zone, or Rural Zone: privacy and visual amenity on the relevant adjoining site.

Notification:
Public notification ~~and limited notification are~~ is precluded for applications under this rule where the only non-compliances are LIZ-S2, LIZ-S3, and LIZ-S4.

Commented [NG16]: Policy Planning team of the Hutt City Council (440.69)

Land use activities

LIZ-R4	**Industrial activities, other than heavy industrial activities**
1. **Activity status:** Permitted	
LIZ-R5	**Research activities**
1. **Activity status:** Permitted	
LIZ-R6	**Trade and industrial training facilities**
1. **Activity status:** Permitted	
LIZ-R7	**Emergency service facilities**
1. **Activity status:** Permitted	
LIZ-R8	**Motor vehicle servicing activities**
1. **Activity status:** Permitted	
LIZ-R9	**Carparking activities**
1. **Activity status:** Permitted	
LIZ-R10	**Grocery stores and supermarkets**
1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 1500m².	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with LIZ-R10.1. **Matters of discretion are restricted to:** 1. The matters in: a. LIZ-P4: Other potentially incompatible activities, b. LIZ-P5: Existing activities, c. LIZ-P6: Role in network of commercial and industrial areas, d. LIZ-P7: Support of centres hierarchy, and e. LIZ-P8: Development capacity. 2. The urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions). 3. Co-location benefits from locating in the Light Industrial Zone. 4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone. 5. Development capacity for business uses across Commercial and Mixed Use Zones and Industrial Zones. 6. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future. **Notification:** Public notification and limited notification are precluded for applications under this rule.	

Commented [NG17]: FENZ (374.124)

LIZ-R11	Food and beverage activities

1. **Activity status:** Permitted

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

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:

1. The matters in:
   a. LIZ-P4: Other potentially incompatible activities,
   b. LIZ-P5: Existing activities,
   c. LIZ-P6: Role in network of commercial and industrial areas,
   d. LIZ-P7: Support of centres hierarchy, and
   e. LIZ-P8: Development capacity.
2. The urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions).
3. Co-location benefits from locating in the Light Industrial Zone.
4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone.
5. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

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

LIZ-R12	Service stations, including ancillary retail activities

1. **Activity status:** Permitted

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

1. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:

1. The matters in:
   a. LIZ-P4: Other potentially incompatible activities,
   b. LIZ-P5: Existing activities,
   c. LIZ-P6: Role in network of commercial and industrial areas,
   d. LIZ-P7: Support of centres hierarchy, and
   e. LIZ-P8: Development capacity.
2. The urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions).
3. Co-location benefits from locating in the Light Industrial Zone, but only as they relate to ancillary retail activities.
4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone, but only as they relate to ancillary retail activities.
5. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

LIZ-R13	Recreation activities (including c~~C~~ommercial recreation activities)

1. **Activity status:** Permitted

Commented [NG18]: Policy Planning team of the Hutt City Council (440.70)

Where:
a. The activity has a gross floor area of no more than 200m², or
b. The activity takes place outside, or within an existing building, or a combination of both.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with LIZ-R13.1.

Matters of discretion are restricted to:
1. The matters in:
   a. LIZ-P4: Other potentially incompatible activities,
   b. LIZ-P5: Existing activities,
   c. LIZ-P6: Role in network of commercial and industrial areas,
   d. LIZ-P7: Support of centres hierarchy, and
   e. LIZ-P8: Development capacity.
2. The urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions).
3. The compatibility of the activity with the purpose and character of the Light Industrial Zone as compared to with the purpose and character of Commercial and Mixed Use Zones.
4. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

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

LIZ-R14	Yard-based retailing

1. **Activity status:** Permitted

Where:
a. The activity is ancillary to an industrial activity, or
b. The indoor part of the activity has a gross floor area of no more than 200m², or
c. The indoor part of the activity takes place in an existing building.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with GIZ-R14.1.

Matters of discretion are restricted to:
1. The matters in:
   a. LIZ-P4: Other potentially incompatible activities,
   b. LIZ-P5: Existing activities,
   c. LIZ-P6: Role in network of commercial and industrial areas,
   d. LIZ-P7: Support of centres hierarchy, and
   e. LIZ-P8: Development capacity.
2. The urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions).
3. The compatibility of the activity with the purpose and character of the Light Industrial Zone as compared to with the purpose and character of Commercial and Mixed Use Zones.
4. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

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

LIZ-R15	Trade supply retail activities

1. **Activity status:** Permitted

Where:
a. The activity is ancillary to an industrial activity, or
b. The indoor part of the activity has a gross floor area of no more than 200m², or
c. The indoor part of the activity takes place in an existing building.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with LIZ-R15.1.

Matters of discretion are restricted to:
1. The matters in:
   a. LIZ-P4: Other potentially incompatible activities,
   b. LIZ-P5: Existing activities,
   c. LIZ-P6: Role in network of commercial and industrial areas,
   d. LIZ-P7: Support of centres hierarchy, and
   e. LIZ-P8: Development capacity.
2. The urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions).
3. The compatibility of the activity with the purpose and character of the Light Industrial Zone as compared to with the purpose and character of Commercial and Mixed Use Zones.
4. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

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

LIZ-R16	Commercial activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. The commercial activity is ancillary to an industrial activity or research activity and no more than 20% of the gross floor area of buildings on the site are used for retailing or otherwise open to customers, or
b. The commercial activity has a gross floor area of no more than 200m².

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with LIZ-R16.1, but
b. The commercial activity has a gross floor area of no more than 1,000m².

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

Where:
a. Compliance is not achieved with LIZ-R16.1 or LIZ-R16.2 is not achieved.

LIZ-R17	Other activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. The activity is ancillary to ~~a permitted activity~~ an activity permitted by rules LIZ-R4 through LIZ-R16.

Commented [SD19]: Minor correction

2. **Activity status:** Discretionary

Where

a. Compliance is not achieved with LIZ-R17.1.	
LIZ-R18	**Residential activities**
1. **Activity status:** Restricted discretionary Where: a. The residential activity is ancillary to an industrial activity, research activity, or emergency facility, and b. Residential activities and other sensitive activities account for no more than 50% of the gross floor area of all buildings on site. **Matters of discretion are restricted to:** 1. The matters in: a. LIZ-P2: Residential activities and other activities sensitive to industry, b. LIZ-P5: Existing activities, and c. LIZ-P8: Development capacity. 2. The urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions). 3. The co-location benefits of the residential activity with the industrial activity, research activity, or emergency facility which the residential activity is ancillary to. 4. The co-location benefits of the residential activity with other activities on the site or elsewhere in the Light Industrial Zone.	
2. **Activity status:** Discretionary Where: a. Compliance is not achieved with LIZ-R18.1.	
LIZ-R19	**Activities sensitive to industry, other than residential activities**
1. **Activity status:** Restricted discretionary Where: a. The ~~residential~~ activity is ancillary to an industrial activity, research activity, or emergency facility, and b. Residential activities and other activities sensitive to industry account for no more than 50% of the gross floor area of all buildings on site. **Matters of discretion are restricted to:** 1. The matters in: a. LIZ-P2: Residential activities and other activities sensitive to industry, b. LIZ-P5: Existing activities, c. LIZ-P6: Role in network of commercial and industrial areas, d. LIZ-P7: Support of centres hierarchy, and e. LIZ-P8: Development capacity. 2. The urban design matters in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11: Urban design outcomes (exclusions). 3. The co-location benefits of the residential activity with the industrial activity, research activity, or emergency facility which the residential activity is ancillary to. 4. The co-location benefits of the residential activity with other activities on the site or elsewhere in the Light Industrial Zone.	
2. **Activity status:** Discretionary Where: a. Compliance is not achieved with LIZ-R19.1.	

Commented [SD20]: Minor error

LIZ-R20	Heavy industrial activities
1. **Activity status:** Discretionary	

LIZ-R21	Standalone office activities
1. **Activity status:** Non-complying	

LIZ-R22	Integrated retail activities
1. **Activity status:** Non-complying Notification: Public notification is required for any application under this rule.	

General rules

LIZ-R23	Outdoor storage and work areas
1. **Activity status:** Permitted Where: a. The outdoor storage and work areas are screened from level view of 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, and b. Compliance is achieved with LIZ-S5: Landscaping and screening.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with LIZ-R23.1. **Matters of discretion are restricted to:** 1. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by condition LIZ-R23.1 or LIZ-S5: Landscaping and screening but are not. 2. The urban design outcomes in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11. 3. Any positive effects that can only be achieved through non-compliance with LIZ-R23.1 or LIZ-S5: Landscaping and screening. 4. Special constraints on achieving LIZ-R23.1, for example topography or traffic safety	

LIZ-R24	Servicing
1. **Activity status:** Permitted Where: ~~a. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, and is not within 40 metres of the notional boundary of an activity sensitive to noise in a Rural Zone, or~~ ~~b. The servicing occurs only between 7:00am and 10:00pm.~~ a. The servicing is not undertaken between 10:00pm and 7:00am within 40 metres of: i. A site in a Residential Zone, Mixed Use Zone, or Marae Zone, or ii. The notional boundary of an activity sensitive to noise in a Rural Zone.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with LIZ-R24.1.	

Commented [NG21]: Z Energy (468.46), The Fuel Companies (471.250)

Commented [NG22]: The Fuel Companies (471.250)

Matters of discretion are restricted to:

1. The nighttime amenity of residential activities and other activities sensitive to noise in the surrounding area in Residential Zones, Mixed Use Zone, ~~and~~ Marae Zone, and Rural Zones.
2. The functional needs and operational needs of the activity.

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

Commented [NG23]: Z Energy (468.47), The Fuel Companies (471.251)

Standards

LIZ-S1	Height

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

Matters of discretion if the standard is breached:

1. Urban design outcomes 2, 3, 4, 5, and 6 in LIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in LIZ-P11.
2. Any positive effects that can only be achieved through non-compliance with the standard.

LIZ-S2	Height in relation to boundary - Adjoining zones

1. Buildings and structures must meet the height in relation to boundary standard of the adjoining zone on any boundary with a site in a Residential Zone, Rural Zone, Mixed Use Zone, or Marae Zone.

Matters of discretion if the standard is breached:

1. Urban design outcomes 4, 5, and 6 in LIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in LIZ-P11.
2. Any positive effects that can only be achieved through non-compliance with the standard.

LIZ-S3	Setbacks - Adjoining zones

1. Buildings and structures must be set back 5 metres from any boundary with an adjoining site in a Residential Zone, Rural Zone, Mixed Use Zone, Marae Zone, or Open Space and Recreation Zone.
2. This standard does not apply to boundary fences of no more than 2m in height above ground level.

Matters of discretion if the standard is breached:

1. Access for repairs and maintenance to buildings and structures on the site.
2. Urban design outcomes 4, 5, and 6 in LIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in LIZ-P11.
3. Any positive effects that can only be achieved through non-compliance with the standard.

LIZ-S4	Overlooking - Adjoining zones

1. Windows in buildings that overlook an adjoining site in a Residential Zone, ~~Rural Zone,~~ Mixed Use Zone, or Marae Zone~~, or Open Space and Recreation Zone~~, where the top of the window is more than 2 metres above ground level and the window is within 10 metres of the boundary, must use opaque privacy glazing.

Matters of discretion if the standard is breached:

1. Urban design outcome 4 in LIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in LIZ-P11.
2. Any positive effects that can only be achieved through non-compliance with the standard.

Commented [SD24]: 393.95 (consequential)

LIZ-S5	Landscaping and screening

1. For new buildings only, Landscaping is required on the front 3 metres of any site fronting on to

Commented [NG25]: Z Energy (468.42), The Fuel Companies (471.246)

a street with the Industrial Main Through Route Frontage Overlay.
2. Landscaping is required on a 3 metre buffer on any boundary with an adjoining site in the Residential Zone, Rural Zone, Mixed Use Zone, Marae Zone, or Open Space and Recreation Zone, unless the site is screened with a solid or close-boarded fully opaque fence on the boundary of at least 1.8m in height above ground level.
3. Landscaping required by this standard must:
    a. Extend across the full width, except for vehicle accesses connecting to a legal vehicle crossing, and pedestrian walkways,
    b. Include at least one tree per 15 metres of frontage or boundary (as relevant), and
    c. Those trees must have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height of at least 5 metres at maturity.

Matters of discretion if the standard is breached:

1. Visual amenity from the road subject to the Industrial Main Through Route Frontage Overlay or the adjoining site, as relevant.
2. Urban design outcomes 1, 2, and 6 in LIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in LIZ-P11.
3. Any positive effects that can only be achieved through non-compliance with the standard.

GIZ — General Industrial Zone

The General Industrial Zone is the city's main zone for its large contiguous industrial areas, in Gracefield, Moera, Korokoro, Manor Park, Naenae, Petone East, Petone North, Taitā, and Wainuiomata. It also provides a buffer around the core of the Seaview industrial area (which is in the Heavy Industrial Zone) from residential areas in Moera, Petone and Waiwhetū. This zone protects the scarce land dedicated to those industries that need to be separated from sensitive activities.

The General Industrial Zone also provides for a range of other activities that may not be appropriate in non-industrial zones due to their incompatibility with the amenity values of other zones, their less efficient use of land than expected in commercial centres, or co-location benefits with industrial and research activities.

The demand for industrial activities is likely to fluctuate over time. However, retaining industrial land capacity is a long-term interest of the city. Accordingly, while other land uses may be suitable in the zone, this is managed to avoid permanent losses of industrial land capacity, or creating substantial sunk investments in buildings and facilities not suitable for industrial and research activities.

The planned urban environment for the General Industrial Zone is one that meets the operational needs of industrial activities and research activities while still providing a safe, functional, and attractive environment for workers and visitors.

Built development is provided for in the General Industrial Zone through a range of permitted activities and development standards that, with some exceptions, permit buildings designed for permitted land uses. Development standards also address:

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

If a proposed development does not meet one or more development or performance standards for the zone, or is for a land use that is not part of the core purpose of the zone, resource consent is required in order to:

a. Achieve a high-quality built environment,
b. Manage the effects of development on neighbouring sites and the street,
c. Avoid adverse impacts on long-term industrial land capacity,
d. Avoid reverse sensitivity ~~effects~~, and
e. Achieve attractive, safe, and comfortable streets and public spaces.

Commented [SD1]: 440.3

Developments that require resource consent will be assessed against the policy framework set out by the relevant zone and district-wide chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is necessary to meet the purpose of the zone. Council provides design guidance for developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the General Industrial Zone, other chapters of the District Plan, including those that apply 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

GIZ-O1	Purpose of the zone

The General Industrial Zone is used primarily to meet the needs of industrial and research activities and their supporting activities, particularly those activities that due to their adverse effects should be separated from residential activities and other activities sensitive to industry.
The Zone also provides for other compatible activities that support this role or do not interfere with the primary purpose, including commercial activities that are not appropriately located outside industrial areas because of their effects on amenity values or co-location benefits with industrial and research activities.

GIZ-O2	Activities in the zone

The General Industrial Zone:

1. Primarily provides for industrial activities and research activities,
2. Provides for emergency service facilities and trade and industrial training activities,
3. Is supported by other activities that:
    a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone,
    b. Do not create unreasonable reverse sensitivity ~~effects~~ that constrains the use of the General Industrial Zone for industrial activities and research activities,
    c. Do not create unreasonable reverse sensitivity ~~effects~~ that constrains the use of the Heavy Industrial Zone for heavy industrial activities,
    d. Do not undermine the role of commercial centres, and
    e. Support the industrial activities and research activities in the zone, including the needs of workers at those activities.
4. Provides for other activities that:
    a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone,
    b. Do not create unreasonable reverse sensitivity ~~effects~~ that constrains the use of the General Industrial Zone for industrial activities and research activities,
    c. Do not create unreasonable reverse sensitivity ~~effects~~ that constrains the use of the Heavy Industrial Zone for heavy industrial activities,
    d. Do not undermine the role of commercial centres, and
    e. One or more of the following:
        i. Have a functional need or operational need to locate in the General Industrial Zone, or
        ii. Have significant co-location benefits when located in the area, or
        iii. Are better located in an Industrial Zone than in any other zone, or
        iv. Due to the size, layout, or operation of the activity, would have difficulty finding a suitable site in any other zone, or
        v. Are an interim use and do not create obstacles to re-using their site for industrial activities or research activities in future.
5. Is not intended to provide for:
    a. Residential activities,
    b. Other activities sensitive to industry, and
    c. Activities that would be a city-wide or regional destination for significant numbers of visitors.

GIZ-O3	Provision of industrial spaces

The General Industrial Zone provides for a variety of types and sizes of tenancies that respond to industrial business needs and demand.

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

The built character of the General Industrial Zone balances the functional and operational needs of the primary activities in the zone, and the needs of visitors and employees, by contributing to an industrial part of the 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,

Commented [SD2]: 374.126

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Commented [SD4]: 440.3

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Commented [SD6]: 440.3

2. Is healthy, safe, attractive, and accessible,
3. Has good access within the General Industrial Zone, to and from surrounding neighbourhoods, and to and from other industrial and commercial areas, through active and public transport modes, providing for well-connected and low emission communities,
4. Is integrated with existing and planned infrastructure, and
5. Enhances co-location benefits.

GIZ-O5	Character — main through routes
Identified main through routes that pass through the General Industrial Zone are attractive and assist the city's sense of place and identity.	

GIZ-O6	Adverse effects
Adverse effects of activities and development are effectively managed within the zone, and at interfaces with other zones.	

Policies

GIZ-P1	Enabled activities
Enable industrial activities, research activities, emergency service facilities, and trade and industrial training activities.	

GIZ-P2	Residential activities and other activities sensitive to industry

Avoid new residential activities and other activities sensitive to industry unless they are:

1. Ancillary to and support an industrial activity, research activity, or emergency service facility (for example, a caretaker residence),
2. Managed so that they do not adversely impact the long-term development capacity of the zone for industrial development, including through managing the design of new buildings, and
3. Managed to minimise reverse sensitivity ~~effects~~ for ~~industry~~ industrial activities~~, including existing heavy industry~~.

GIZ-P3	Heavy industrial activities

Avoid heavy industrial activities unless they:

1. Have an operational need or functional need to operate at the specific site proposed, or
2. Are managed to have no significant adverse effects different in scale or character to those from activities primarily provided for in the zone.

GIZ-P4	Other potentially incompatible activities

Avoid commercial and community activities unless they:

1. Are ancillary to ~~a permitted activity~~ an industrial activity, research activity, or emergency service facility and support the purpose of the zone, or
2. Primarily serve the immediate area within the zone, or
3. Have similar adverse effects and requirements to industrial activities that mean they are better located in an Industrial Zone than anywhere else (for example, trade supply retail activities and yard-based retail activities), or
4. Primarily serve surrounding suburbs but a suitable available site is unlikely to be available for the activity in a commercial centre (for example, supermarkets), or
5. Have significant co-location benefits with existing industrial activities or research activities in an Industrial Zone.

When these activities are not avoided, they are managed to avoid significant reverse sensitivity issues for ~~industry~~ industrial activities~~, including heavy industry that is an existing activity~~.

GIZ-P5	Existing activities
Encourage the redevelopment of existing activities that are incompatible with the purpose of the zone.	

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Commented [SD8]: 374.128

Commented [SD9]: Enviro NZ (323.76)

Commented [SD10]: 440.3

Commented [SD11]: Minor correction

Commented [SD12]: 311.11 - Telecommunication Companies, 323.16 - Enviro NZ, 341.3 - Pork Industry Board, 385.17 - NZTA, 404.7 - NZDF, 442.18 - KiwiRail, 468.19 - Z Energy, 471.77 - Fuel Companies, 474.7 - Clarus, 504.10 - Transpower

Commented [CN13]: Policy Planning team of Hutt City Council (440.4)

Commented [SD14]: 323.78

Commented [SD15]: Minor correction

Commented [SD16]: 311.11 - Telecommunication Companies, 323.16 - Enviro NZ, 341.3 - Pork Industry Board, 385.17 - NZTA, 404.7 - NZDF, 442.18 - KiwiRail, 468.19 - Z Energy, 471.77 - Fuel Companies, 474.7 - Clarus, 504.10 - Transpower

GIZ-P6	Role in network of commercial and industrial areas
Recognise General Industrial areas as providing for commercial activities that can only effectively locate in Industrial areas because of their adverse effects, or co-location benefits with industrial and research activities.	
GIZ-P7	**Support of centres hierarchy**
Manage the scale and location of commercial activities to avoid negative impacts on the intended purpose, viability, vibrancy, and co-location benefits of commercial centres in the City Centre Zone, Metropolitan Centre Zone, and Local Centre Zone.	
GIZ-P8	**Development capacity**
Protect the long-term capability of the General Industrial Zone to serve the needs of the city for industrial development, and provide for a diversity of industrial and research activities, by managing activities other than industrial activities and research activities to ensure significant development capacity is not permanently lost to other land uses.	
GIZ-P9	**Urban design outcomes (by meeting standard or assessment)**

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

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

The outcomes are:

1. Vehicle parking and loading areas, accessways, and garages are designed to provide for pedestrian safety~~, comfort, dignity, and amenity~~.
2. The form and scale of development contributes to visual amenity in public space.
3. The form and scale of development protects access to sunlight ~~and daylight~~ in well-used streets and public spaces.
4. Ensure adequate privacy for activities sensitive to privacy intrusion, on the site and on adjacent sites.
5. ~~Ensure adequate access to daylight for residential activities on adjacent residential zone sites~~.
6. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites, and public open space.

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

GIZ-P10	Urban design outcomes (other than industrial activities and research activities)

Built development for activities other than industrial activities and research activities, over an identified threshold of scale, is managed to achieve the outcomes in this policy through an approach demonstrated in a resource consent.

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

The outcomes are:

1. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),

Commented [SD17]: 449.37, 323.82

Commented [SD18]: 449.40

Commented [SD19]: 449.40

b. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
c. Avoiding wasted space or space of unclear function, and
d. Integrating other CPTED measures at a scale appropriate for the site.

2. Vehicle parking and loading areas, accessways, and garages are designed to support and promote the pedestrian circulation provided for in clause (3) ~~provide for pedestrian safety, comfort, dignity, and amenity~~.
3. There is quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site.
4. Ensure that on-site landscaping, if any is proposed, or required by GIZ-S5: Landscaping:
   a. Retains and integrates appropriate, healthy and mature vegetation, ~~where appropriate~~,
   b. Uses planting that is appropriate for the climate and environment within the site, and
   c. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
5. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
6. New developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.
7. Ensure adequate privacy for activities sensitive to privacy intrusion, on the site and on adjacent sites.

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

GIZ-P11	Urban design outcomes (exclusions)

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

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

GIZ-P12	Managing adverse effects at zone interfaces

Manage activities to mitigate adverse effects on other zones by:

1. Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

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

Commented [SD20]: Urban Edge Planning (449.37), consequential

Commented [SD21]: Urban Edge Planning (449.47)

Commented [SD22]: Urban Edge Planning (449.51)

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

The rules in the "Land use activities" section are structured so that all activities will fall under at least one rule, but an activity may be covered by multiple rules.

Buildings and structures

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

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

GIZ-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. GIZ-S1: Height,
      ii. GIZ-S2: Height in relation to boundary — Adjoining zones,
      iii. GIZ-S3: Setbacks — Adjoining zones,
      iv. GIZ-S4: Overlooking — Adjoining zones, and
      v. GIZ-S5: Landscaping and screening, and
   b. The new buildings, the new structures, ~~the alterations~~, or the additions, are for the purpose of an activity permitted by one or more of rules GIZ-R4 through GIZ-R17, or a heavy industrial activity. This condition does not apply to alterations.

2. **Activity status:** Restricted discretionary

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

   Matters of discretion are restricted to:
   1. The matters of discretion in any standards not met.
   2. If GIZ-R3.1b is not met, the urban design matters in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11: Urban design outcomes (exclusions).
   3. If GIZ-R3.1b is not met, the impact of the design of the building and any associated subdivision on the long-term development capacity of the zone for industrial purposes, including the expected lifespan of the building and the ability of the building to be converted to industrial use.
   4. If the site adjoins a site in a Residential Zone, Marae Zone, Mixed Use Zone, Open Space and Recreation Zone, or Rural Zone: privacy and visual amenity on the relevant adjoining site.

   Notification:
   Public notification ~~and limited notification are~~ is precluded for applications under this rule where the only non-compliances are GIZ-S2, GIZ-S3, and GIZ-S4.

Land use activities

GIZ-R4	Industrial activities, other than heavy industrial activities
1. **Activity status:** Permitted	

GIZ-R5	Research activities

Commented [SD23]: 239.15, 468.63, 471.268

Commented [SD24]: 440.71

1. **Activity status:** Permitted	
GIZ-R6	**Trade and industrial training facilities**
1. **Activity status:** Permitted	
GIZ-R7	**Emergency service facilities**
1. **Activity status:** Permitted	
GIZ-R8	**Motor vehicle servicing activities**
1. **Activity status:** Permitted	
GIZ-R9	**Carparking activities**
1. **Activity status:** Permitted	
GIZ-R10	**Grocery stores and supermarkets**
1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 200m².	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with GIZ-R10.1. **Matters of discretion are restricted to:** 1. The matters in: a. GIZ-P4: Other potentially incompatible activities, b. GIZ-P6: Role in network of commercial and industrial areas, c. GIZ-P7: Support of centres hierarchy, and d. GIZ-P8: Development capacity. 2. The urban design matters in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11: Urban design outcomes (exclusions). 3. Co-location benefits from locating in the General Industrial Zone. 4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone. 5. Development capacity for business uses across Commercial and Mixed Use Zones and Industrial Zones. 6. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future. **Notification:** Public notification is precluded for applications under this rule. Limited notification is precluded for applications under this rule except for owners and occupiers of land in the Industrial Zones.	
GIZ-R11	**Food and beverage activities**
1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 200m².	
2. **Activity status:** Restricted discretionary	

Commented [SD25]: 374.128

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

Matters of discretion are restricted to:

1. The matters in:
   a. GIZ-P4: Other potentially incompatible activities,
   b. GIZ-P6: Role in network of commercial and industrial areas,
   c. GIZ-P7: Support of centres hierarchy, and
   d. GIZ-P8: Development capacity.
2. The urban design matters in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11: Urban design outcomes (exclusions).
3. Co-location benefits from locating in the General Industrial Zone.
4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone.
5. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

Notification:
Public notification is precluded for applications under this rule.
Limited notification is precluded for applications under this rule except for owners and occupiers of land in the Industrial Zones.

GIZ-R12	**Service stations, including ancillary retail activities**

1. **Activity status:** Permitted

Where:
a. The ancillary retail activities have a gross floor area of no more than 200m².

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:

1. The matters in:
   a. GIZ-P4: Other potentially incompatible activities,
   b. GIZ-P6: Role in network of commercial and industrial areas,
   c. GIZ-P7: Support of centres hierarchy, and
   d. GIZ-P8: Development capacity.
2. The urban design matters in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11: Urban design outcomes (exclusions).
3. Co-location benefits from locating in the General Industrial Zone, but only as they relate to ancillary retail activities.
4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone, but only as they relate to ancillary retail activities.
5. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

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

GIZ-R13	**Recreation activities (including c~~C~~ommercial recreation activities)**

1. **Activity status:** Permitted

Where:
a. The activity has a gross floor area of no more than 200m², or
b. The activity takes place outside, or within an existing building, or a combination of

Commented [SD26]: Policy Planning team of the Hutt City Council (440.72)

both.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with GIZ-R13.1.

Matters of discretion are restricted to:
1. The matters in:
   a. GIZ-P4: Other potentially incompatible activities,
   b. GIZ-P6: Role in network of commercial and industrial areas,
   c. GIZ-P7: Support of centres hierarchy, and
   d. GIZ-P8: Development capacity.
2. The urban design matters in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11: Urban design outcomes (exclusions).
3. The compatibility of the activity with the purpose and character of the General Industrial Zone as compared to with the purpose and character of Commercial and Mixed Use Zones.
4. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

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

GIZ-R14	Yard-based retailing

1. **Activity status:** Permitted

Where:
a. The activity is ancillary to an industrial activity, or
b. The indoor part of the activity has a gross floor area of no more than 200m², or
c. The indoor part of the activity takes place in an existing building.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with GIZ-R14.1.

Matters of discretion are restricted to:
1. The matters in:
   a. GIZ-P4: Other potentially incompatible activities,
   b. GIZ-P6: Role in network of commercial and industrial areas,
   c. GIZ-P7: Support of centres hierarchy, and
   d. GIZ-P8: Development capacity.
2. The urban design matters in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11: Urban design outcomes (exclusions).
3. The compatibility of the activity with the purpose and character of the General Industrial Zone as compared to with the purpose and character of Commercial and Mixed Use Zones.
4. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

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

GIZ-R15	Trade supply retail activities

1. **Activity status:** Permitted

Where:

a. The activity is ancillary to an industrial activity, or
b. The indoor part of the activity has a gross floor area of no more than 200m², or
c. The indoor part of the activity takes place in an existing building.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with GIZ-R15.1.

Matters of discretion are restricted to:
1. The matters in:
   a. GIZ-P4: Other potentially incompatible activities,
   b. GIZ-P6: Role in network of commercial and industrial areas,
   c. GIZ-P7: Support of centres hierarchy, and
   d. GIZ-P8: Development capacity.
2. The urban design matters in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11: Urban design outcomes (exclusions).
3. The compatibility of the activity with the purpose and character of the General Industrial Zone as compared to with the purpose and character of Commercial and Mixed Use Zones.
4. Any legal, economic, and physical obstacles to repurposing the site for industrial activity in the future.

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

GIZ-R16	Commercial activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. The commercial activity is ancillary to an industrial activity or research activity and no more than 20% of the gross floor area of buildings on the site are used for retailing or otherwise open to customers, or
b. The commercial activity:
   i. Has a gross floor area of no more than 100m², and
   ii. Is not a drive-through activity.

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with GIZ-R16.1, but
b. The commercial activity has a gross floor area of no more than 500m².

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

Where:
a. Compliance is not achieved with GIZ-R16.1 or GIZ-R16.2.

GIZ-R17	Other activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. The activity is ancillary to ~~a permitted activity~~ an activity permitted by rules GIZ-R4 through GIZ-R16 and has a gross floor area of no more than 200m².

Commented [SD27]: Minor correction

Commented [SD28]: Enviro NZ (323.91)

2. **Activity status:** Discretionary

Where: a. Compliance is not achieved with GIZ-R17.1.	
GIZ-R18	**Heavy industrial activities**
1. **Activity status:** Discretionary	
GIZ-R19	**Residential activities**
1. **Activity status:** Discretionary Where: a. There is no more than 1 residential unit on the site, and b. The residential unit is ancillary to an industrial activity, research activity, or emergency facility.	
2. **Activity status:** Non-complying Where: a. Compliance is not achieved with GIZ-R19.1. **Notification:** Public notification is required for any application under this rule.	
GIZ-R20	**Activities sensitive to industry, other than residential activities**
1. **Activity status:** Discretionary Where: a. The activity is ancillary to an industrial activity, research activity, or emergency facility.	
2. **Activity status:** Non-complying Where: a. Compliance is not achieved with GIZ-R20.1. **Notification:** Public notification is required for any application under this rule.	
GIZ-R21	**Standalone office activities**
1. **Activity status:** Non-complying	
GIZ-R22	**Integrated retail activities**
1. **Activity status:** Non-complying Notification: Public notification is required for any application under this rule.	

General rules

GIZ-R23	**Outdoor storage and work areas**
1. **Activity status:** Permitted Where: a. The outdoor storage and work areas are screened from level view of 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, and	

Commented [SD29]: 468.65, 471.270

b. Compliance is achieved with GIZ-S5: Landscaping.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with GIZ-R23.1.

Matters of discretion are restricted to:
1. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by condition GIZ-R23.1 or GIZ-S5: Landscaping but are not.
2. The urban design outcomes in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11.
3. Any positive effects that can only be achieved through non-compliance with GIZ-R23.1 or GIZ-S5: Landscaping.
4. Special constraints on achieving GIZ-R23.1, for example topography or traffic safety.

Commented [SD30]: 471.270

GIZ-R24	Servicing

1. **Activity status:** Permitted

Where:
~~1. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, and is not within 40 metres of the notional boundary of an activity sensitive to noise in a Rural Zone, or~~
~~2. The servicing occurs only between 7:00am and 10:00pm.~~
a. The servicing is not undertaken between 10:00pm and 7:00am within 40 metres of:
   i. A site in a Residential Zone, Mixed Use Zone, or Marae Zone, or
   ii. The notional boundary of an activity sensitive to noise in a Rural Zone.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with GIZ-R24.1.

Matters of discretion are restricted to:
1. The night-time amenity of residential activities and other activities sensitive to noise in the surrounding area in Residential Zones, Mixed Use Zone, ~~and~~ Marae Zone, and Rural Zones..

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

Standards

GIZ-S1	Height

1. Buildings and structures must not exceed a maximum height above ground level of 22m.

Matters of discretion if the standard is breached:
1. Urban design outcomes 2, 3, 4, 5, and 6 in GIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in GIZ-P11.
2. Any positive effects that can only be achieved through non-compliance with the standard.

GIZ-S2	Height in relation to boundary - Adjoining zones

1. Buildings and structures must meet the height in relation to boundary standard of the adjoining zone on any boundary with a site in a Residential Zone, Rural Zone, Mixed Use Zone, or Marae Zone.

Matters of discretion if the standard is breached:
1. Urban design outcomes 4, 5, and 6 in GIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in GIZ-P11.

2. Any positive effects that can only be achieved through non-compliance with the standard.

GIZ-S3	Setbacks - Adjoining zones

1. Buildings and structures must be set back 5 metres from any boundary with an adjoining site in a Residential Zone, Rural Zone, Mixed Use Zone, Marae Zone, or Open Space and Recreation Zone.
2. This standard does not apply to boundary fences of no more than 2m in height above ground level.

Matters of discretion if the standard is breached:

1. Access for repairs and maintenance to buildings and structures on the site.
2. Urban design outcomes 4, 5, and 6 in GIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in GIZ-P11.
3. Any positive effects that can only be achieved through non-compliance with the standard.

GIZ-S4	Overlooking - Adjoining zones

1. Windows in buildings that overlook an adjoining site in a Residential Zone, ~~Rural Zone,~~ Mixed Use Zone, or Marae Zone~~, or Open Space and Recreation Zone~~, where the top of the window is more than 2 metres above ground level and the window is within 10 metres of the boundary, must use opaque privacy glazing.

Matters of discretion if the standard is breached:

1. Urban design outcome 4 in GIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in GIZ-P11.
2. Any positive effects that can only be achieved through non-compliance with the standard.

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GIZ-S5	Landscaping and screening

1. For new buildings only, Llandscaping is required on the front 3 metres of any site fronting on to a street with the Industrial Main Through Route Frontage Overlay.
2. Landscaping is required on a 3 metre buffer on any boundary with an adjoining site in the Residential Zone, Rural Zone, Mixed Use Zone, Marae Zone, or Open Space and Recreation Zone, unless the site is screened with a solid or close-boarded fully opaque fence on the boundary of at least 1.8m in height above ground level.
3. Landscaping required by this standard must:
    a. Extend across the full width, except for vehicle accesses connecting to a legal vehicle crossing, and pedestrian walkways,
    b. Include at least one tree per 15 metres of frontage or boundary (as relevant), and
    c. Those trees must have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height of at least 5 metres at maturity.

Matters of discretion if the standard is breached:

1. Visual amenity from the road subject to the Industrial Main Through Route Frontage Overlay or the adjoining site, as relevant.
2. Urban design outcomes 1, 2, and 6 in GIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in GIZ-P11.
3. Any positive effects that can only be achieved through non-compliance with the standard.

Commented [SD32]: 468.63, 471.268, 173.11, 239.14

HIZ — Heavy Industrial Zone

The Heavy Industrial Zone covers the core of the long-established industrial area in Seaview, and provides an environment dedicated to industrial activities and other compatible activities. This includes being a dedicated area that allows for industrial activities with potentially significant adverse effects on sensitive activities, such as noise, light spill, odour, visual impacts, and elevated risks to health and safety. Dedicating this area means these industrial activities can locate in an environment where they will minimise the number of people exposed to those effects.

The Heavy Industrial Zone is also largely surrounded by the coastal marine area and the General Industrial Zone, which provides a further buffer from most sensitive activities. However, Owhiti Urupā (in the Open Space Zone) and Kokiri Marae (in the Marae Zone), and an area in the residential zones in Point Howard are next to the Heavy Industrial Zone. Managing effects on these non-industrial areas is an important consideration when planning and undertaking land use and development in the zone.

The demand for industrial activities is likely to fluctuate over time. However, retaining industrial land capacity is a long-term interest of the city. Accordingly, while other land uses may be suitable in the zone, this is managed to avoid permanent losses of industrial land capacity, or creating substantial sunk investments in buildings and facilities not suitable for industrial and research activities.

The planned urban environment for the Heavy Industrial Zone is one that meets the operational needs of industrial activities and research activities while still providing a safe, functional, and attractive environment for workers and visitors.

Built development is provided for in the Heavy Industrial Zone through a range of permitted activities and development standards that, with some exceptions, permit buildings designed for permitted land uses. Development standards also address:

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

If a proposed development does not meet one or more development or performance standards for the zone, or is for a land use that is not part of the core purpose of the zone, resource consent is required in order to:

a. Achieve a high-quality built environment,
b. Manage the effects of development on neighbouring sites and the street,
c. Avoid adverse impacts on long-term industrial land capacity,
d. Avoid reverse sensitivity ~~effects~~, and
e. Achieve attractive, safe, and comfortable streets and public spaces.

Commented [SD1]: 440.3

Developments that require resource consent will be assessed against the policy framework set out by the relevant zone and overlay chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is necessary to meet the purpose of the zone. Council provides design guidance for developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the Heavy Industrial Zone, other chapters of the District Plan, including those that apply 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

HIZ-O1	Purpose of the zone
The Heavy Industrial Zone is dedicated to meeting the needs of industrial and research activities and their supporting activities, particularly those activities that due to their adverse effects need to be separated from residential activities and other activities sensitive to industry. The Heavy Industrial Zone is recognised for its regionally significant role in providing for heavy industry.	

HIZ-O2	Activities in the zone
The Heavy Industrial Zone: 1. Primarily provides for industrial activities and research activities, 2. Is supported by other activities that: a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone, b. Support the industrial activities and research activities in the zone, including the needs of workers at those activities, and c. Do not create unreasonable reverse sensitivity ~~effects~~ that constrains the use of the Heavy Industrial Zone for heavy industrial activities, and 3. Provides for other activities that: a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone, b. Have a functional or operational need to locate in the Heavy Industrial Zone, and c. Do not create unreasonable reverse sensitivity ~~effects~~ that constrains the use of the Heavy Industrial Zone for heavy industrial activities.	

Commented [SD2]: 440.3

Commented [SD3]: 440.3

HIZ-O3	Provision of industrial spaces
The Heavy Industrial Zone provides for a variety of types and sizes of tenancies that respond to industrial business needs and demand.	

HIZ-O4	Planned character and planned urban built environment of the zone
The built character of the Heavy Industrial Zone balances the functional and operational needs of the primary activities in the zone, and the needs of visitors and employees, by contributing to an industrial part of the 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. Is healthy, safe, attractive, and accessible, 3. Has good access within the Heavy Industrial Zone, to and from surrounding neighbourhoods, and to and other industrial and commercial areas, through active and public transport modes, providing for well-connected and low emission communities, 4. Is integrated with existing and planned infrastructure, and 5. Enhances co-location benefits.	

HIZ-O5	Planned character — main through routes
Identified main through routes that pass through the Heavy Industrial Zone are attractive and assist the city's sense of place and identity.	

HIZ-O6	Adverse effects
Adverse effects of activities and development are effectively managed within the zone, and at interfaces with other zones.	

Policies

HIZ-P1	Enabled activities

Enable industrial activities and research activities.	
HIZ-P2	**Residential activities and other activities sensitive to industry**
Do not allow residential activities and other activities sensitive to industry unless: 1. They are ancillary to and critical to the functioning of an industrial activity, research activity, or emergency facility, which itself is an existing activity or has a functional or operational need to be located in the Heavy Industrial Zone, and 2. They are managed to avoid significant reverse sensitivity issues for industry, including heavy industry.	
HIZ-P3	**Other incompatible or potentially incompatible activities**
Avoid activities other than industrial activities or research activities unless they: 1. Are ancillary to an industrial or research activity and support the purpose of the zone, or 2. Primarily serve the immediate area within the zone and support industrial activities or research activities (including by providing services useful for workers and visitors), or 3. Have similar effects and requirements to industrial activities, or 4. Have significant co-location benefits with existing industrial activities or research activities in the Heavy Industrial Zone, or 5. Have a functional need or operational need to locate in the Heavy Industrial Zone. When these activities are not avoided, they are managed to avoid significant reverse sensitivity issues for industry, including heavy industry.	
HIZ-P4	**Existing activities**
Encourage the redevelopment of existing activities that are incompatible with the purpose of the zone.	
~~**HIZ-P5**~~	~~**Role in network of commercial and industrial areas**~~
~~Recognise special circumstances where land uses may not be suitable in any other zone but are compatible with the intended purpose and character of the Heavy Industrial Zone.~~	
HIZ-P6	**Support of centres hierarchy**
Manage the scale and location of commercial activities to avoid negative impacts on the intended purpose, viability, vibrancy, and co-location benefits of centres in the City Centre Zone, Metropolitan Centre Zone, and Local Centre Zone.	
HIZ-P7	**Development capacity**
Protect the long-term capability of the Heavy Industrial Zone to serve the needs of the region for industrial activities with potentially significant adverse effects, and the needs of the city for industrial development, by managing activities other than industrial and research activities to ensure significant development capacity is not permanently lost to other land uses.	
HIZ-P8	**Urban design outcomes (by meeting standard or assessment)**
Built development is managed to achieve the outcomes in this policy through either meeting the relevant performance standards, or an alternative approach demonstrated in a resource consent when the relevant performance standards are not met. Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical. The outcomes are: 1. Vehicle parking and loading areas, accessways, and garages are designed to provide for pedestrian safety~~, comfort, dignity, and amenity~~. 2. The form and scale of development contributes to visual amenity in public space. 3. The form and scale of development protects access to sunlight ~~and daylight~~ in well-used streets and public spaces.	

Commented [SD4]: 323.104, 468.72, 471.279

Commented [SD5]: Consequential

Commented [SD6]: 449.44

4. Ensure adequate privacy for activities sensitive to privacy intrusion, on the site and on adjacent sites.
5. ~~Ensure adequate access to daylight for residential activities on adjacent residential zone sites~~.
6. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites, and public open space.

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

HIZ-P9	Urban design outcomes (other than industrial activities and research activities)

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

1. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    c. Avoiding wasted space or space of unclear function, and
    d. Integrating other CPTED measures at a scale appropriate for the site.
2. Vehicle parking and loading areas, accessways, and garages are designed to ~~provide for pedestrian safety, comfort, dignity, and amenity~~ support and promote the pedestrian circulation provided for in clause (3).
3. There is quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site.
4. Ensure that on-site landscaping, if any is proposed, or required by HIZ-S7: Landscaping:
    a. Retains and integrates appropriate, healthy and mature vegetation, ~~where appropriate~~,
    b. Uses planting that is appropriate for the climate and environment within the site, and
    c. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
5. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
6. New developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.
7. Ensure adequate privacy for activities sensitive to privacy intrusion, on the site and on adjacent sites.

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

HIZ-P10	Urban design outcomes (exclusions)

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

a. The protection of scenic views from private property,
b. The protection of scenic views from any part of a road where pedestrians cannot stop,
c. The protection of the visibility of commercial signage or advertising,

Commented [SD7]: 449.44

Commented [SD8]: Urban Edge Planning (449.38), consequential

Commented [SD9]: Urban Edge Planning (449.48)

d. The protection of sunlight access to solar panels, where the height standard is met, even if other standards are not met,
e. Limiting the actual or perceived height, scale, or density of developments where the height, setback, site coverage, height in relation to boundary, and density standards are met, and
f. ~~The use of techniques such as modulation of building form or variation of building materials to reduce the perceived scale of buildings, where the height, setback, and height in relation to boundary standards are met.~~

Commented [SD10]: Urban Edge Planning (449.51)

HIZ-P11	Managing adverse effects at zone interfaces

Manage activities to mitigate adverse effects on other zones by:
1. Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

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.

The rules in the "Land use activities" section are structured so that all activities will fall under at least one rule, but an activity may be covered by multiple rules.

Buildings and structures

HIZ-R1	Repair and maintenance of buildings and structures

1. **Activity status:** Permitted

HIZ-R2	Demolition or removal of buildings and structures

1. **Activity status:** Permitted

HIZ-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. HIZ-S1: Height,
      ii. HIZ-S2: Height in relation to boundary - Adjoining zones,
      iii. HIZ-S3: Height in relation to boundary - Owhiti Urupā,
      iv. HIZ-S4: Setbacks - Adjoining zones,
      v. HIZ-S5: Setbacks - Owhiti Urupā,
      vi. HIZ-S6: Overlooking - Adjoining zones, and
      vii. HIZ-S7: Landscaping - Main through routes,
   b. The new building, the alterations, or the additions, are for the purpose of an activity permitted by one or more of rules HIZ-R4 through HIZ-R16, or a heavy industrial activity, and
   c. ~~Either~~If the site is adjacent to a site in the Marae Zone, Mixed Use Zone, an Open Space and Recreation Zone, a Residential Zone, or a Rural Zone, then the new buildings, additions, and alterations are all screened from that adjacent site by existing buildings and structures

i. ~~The site is not adjacent to a site in the Marae Zone, Mixed Use Zone, Open Space and Recreation Zone, Residential Zone, or Rural Zone, or~~
ii. ~~The new buildings, additions, and alterations are all screened from that adjacent site by existing buildings and structures.~~

Commented [SD11]: 471.285

2. **Activity status:** Restricted discretionary

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

Matters of discretion are restricted to:
1. The matters of discretion in any standards not met.
2. If HIZ-R3.1.b is not met, the urban design matters in HIZ-P9: Urban design outcomes (other than industrial activities and research activities).
3. If HIZ-R3.1.b is not met, the impact of the design of the building and any associated subdivision on the long-term development capacity of the zone for industrial purposes, including the expected lifespan of the building and the ability of the building to be converted to industrial use.
4. If HIZ-R3.1.c is not met, privacy and visual amenity on the relevant adjoining site.

Notification:

Public notification is precluded for applications under this rule where HIZ-R3.1.a is met.

Limited notification is precluded for applications under this rule where HIZ-R3.1.a and HIZ-R3.1.c are met.

Land use activities

HIZ-R4	**Industrial activities, other than heavy industrial activities**

1. **Activity status:** Permitted

HIZ-Rxxx	**Resource recovery parks and solid waste transfer stations**

1. **Activity status:** Permitted

Where:

a. The activity is not within 200 metres of a site in a Residential Zone, Open Space and Recreation Zone, or Marae Zone,
b. The activity does not generate dust or odour effects beyond site boundaries,
c. The activity does not have residual risk for health and safety beyond site boundaries,
d. Waste is not stored or handled outdoors, and
e. Waste containing hazardous substances is not accepted at the facility.

2. Activity status: Restricted discretionary

Where:

a. Compliance is not achieved with HIZ-Rxxx.1.

Matters of discretion are restricted to:

1. Amenity values outside the Industrial Zones,
2. Residual risk for health and safety beyond the site,
3. The management of dust, odour, and litter.

HIZ-R5	**Research activities**
1. **Activity status:** Permitted	
HIZ-R6	**Trade and industrial training facilities**
3. **Activity status:** Permitted	
HIZ-R7	**Emergency service facilities**
1. **Activity status:** Permitted	
HIZ-R8	**Motor vehicle servicing activities**
1. **Activity status:** Permitted	
HIZ-R9	**Carparking activities**
1. **Activity status:** Permitted	
HIZ-R10	**Grocery stores and supermarkets**
1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 100m².	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with HIZ-R10.1, but b. The activity has a gross floor area of no more than 200m², and c. The activity is not a drive through activity. **Matters of discretion are restricted to:** 1. The test for activities in HIZ-P3. **Notification:** Public notification is precluded for applications under this rule.	
3. **Activity status:** Discretionary Where: a. Compliance is not achieved with HIZ-R10.1 or HIZ-R10.2.	
HIZ-R11	**Food and beverage activities**
1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 100m², and b. The activity is not a drive-through activity.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with HIZ-R11.1.a, but b. The commercial activity has a gross floor area of no more than 200m², and c. The commercial activity is not a drive through activity. **Matters of discretion are restricted to:**	

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1. The test for activities in HIZ-P3.

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

3. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with HIZ-R11.1 or HIZ-R11.2.

HIZ-R12	Service stations, including ancillary retail

1. **Activity status:** Permitted

Where:
a. The ancillary retail has a gross floor area of no more than 100m².

2. **Activity status:** Discretionary

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

HIZ-R13	Yard-based retailing activities

1. **Activity status:** Permitted

Where:
a. The activity is ancillary to an industrial activity.

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with HIZ-R13.1.

HIZ-R14	Trade supply retail activities

1. **Activity status:** Permitted

Where:
a. The activity is ancillary to an industrial activity.

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with HIZ-R14.1.

HIZ-R15	Commercial activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. The commercial activity is ancillary to an industrial activity or research activity and no more than 10% of the gross floor area of buildings on the site are used for retailing or otherwise open to customers, and
b. The commercial activity has a gross floor area of no more than 100m².

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with HIZ-R15.1, but

b. The commercial activity has a gross floor area of no more than 200m², and c. The commercial activity is not a drive through activity. **Matters of discretion are restricted to:** 1. The matters in HIZ-P3. **Notification:** Public notification is precluded for applications under this rule.	
3. **Activity status:** Non-complying Where: a. Compliance is not achieved with HIZ-R15.1.	
HIZ-R16	**Other activities not otherwise provided for**
1. **Activity status:** Permitted Where: a. The activity is ancillary to ~~a permitted activity~~ an activity permitted by rules HIZ-R4 through HIZ-R15.	
2. **Activity status:** Discretionary Where: a. Compliance is not achieved with HIZ-R16.1.	
HIZ-R17	**Heavy industrial activities not otherwise provided for**
1. **Activity status:** Restricted discretionary **Matters of discretion are restricted to:** a. Amenity values outside the Industrial Zones. b. Health and safety beyond the site. c. The management of dust and odour.	
HIZ-R18	**Commercial recreation activities**
1. **Activity status:** Discretionary	
HIZ-R19	**Early childhood education activities**
1. **Activity status**: Non-complying Where: a. The early childhood education activity is ancillary to an industrial activity, research activity, or emergency facility.	
2. **Activity status**: Prohibited Where: a. Compliance is not achieved with HIZ-R19.1.	
HIZ-R20	**Residential activities**
1. **Activity status:** Non-complying Where: a. There is no more than 1 residential unit on the site, and b. The residential activity is ancillary to an industrial activity, research activity, or emergency facility.	
1. **Activity status:** Prohibited	

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Where:
a. Compliance is not achieved with HIZ-R20.1.

HIZ-R21	Activities sensitive to industry, other than residential activities

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

Where:
a. The sensitive activity is ancillary to an industrial activity, research activity, or emergency facility.

2. **Activity status:** Prohibited

Where:
a. Compliance is not achieved with HIZ-R21.1.

General rules

HIZ-R22	Outdoor storage and work areas

1. **Activity status:** Permitted

Where:
a. The outdoor storage and work areas are screened from level view of 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, and
b. Compliance is achieved with HIZ-S7: Landscaping.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with HIZ-R22.1.

Matters of discretion are restricted to:
1. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by condition HIZ-R22.1 or HIZ-S7: Landscaping but are not.
2. The urban design outcomes in HIZ-P9: Urban design outcomes (other than industrial activities and research activities).
3. Any positive effects that can only be achieved through non-compliance with HIZ-R21.1 or HIZ-S7: Landscaping.
4. Special constraints on achieving HIZ-R22.1, for example topography or traffic safety.

HIZ-R23	Servicing

1. **Activity status:** Permitted

Where:
~~a. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, and is not within 40 metres of the notional boundary of an activity sensitive to noise in a Rural Zone, or~~
~~b. The servicing occurs only between 7:00am and 10:00pm.~~
a. The servicing is not undertaken between 10:00pm and 7:00am within 40 metres of:
i. A site in a Residential Zone, Mixed Use Zone, or Marae Zone, or
ii. The notional boundary of an activity sensitive to noise in a Rural Zone.

2. **Activity status:** Restricted discretionary

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Where:
a. Compliance is not achieved with HIZ-R23.1.

Matters of discretion are restricted to:
1. The night-time amenity of ~~sensitive activities~~ residential activities and other activities sensitive to noise in the surrounding area in Residential Zones, Mixed Use Zone, ~~and~~ Marae Zone, and Rural Zones.

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

Standards

HIZ-S1	Height

2. Buildings and structures must not exceed a maximum height above ground level of 22m.

Matters of discretion if the standard is breached:
1. Urban design outcomes 2, 3, 4, 5, and 6 in HIZ-P8: Urban design outcomes (by meeting standard or assessment).
2. Any positive effects that can only be achieved through non-compliance with the standard.

HIZ-S2	Height in relation to boundary - Adjoining zones

1. Buildings and structures must meet the height in relation to boundary standard of the adjoining zone on any boundary with a site in a Residential Zone, Rural Zone, Mixed Use Zone, or Marae Zone.

Matters of discretion if the standard is breached:
1. Urban design outcomes 4, 5, and 6 in HIZ-P8: Urban design outcomes (by meeting standard or assessment).
2. Any positive effects that can only be achieved through non-compliance with the standard.

HIZ-S3	Height in relation to boundary - Owhiti Urupā

1. Buildings and structures must not project above a 45° recession plane measured from a point 2.5 metres vertically above ground level along any boundary with the Owhiti Urupā.

Matters of discretion if the standard is breached:
1. Urban design outcomes 2, 3, 4, and 6 in HIZ-P8: Urban design outcomes (by meeting standard or assessment).
2. Visual amenity from the Owhiti Urupā.
3. Privacy, visual dominance, and noise impacts on the tikanga, cultural safety, and dignity of activities that occur at the urupā.
4. The outcomes of any engagement undertaken with tangata whenua responsible for the urupā, relevant to the effects of the standard not met.
5. Any positive effects that can only be achieved through non-compliance with the standard.

HIZ-S4	Setbacks - Adjoining zones

1. Buildings and structures must be set back 5 metres from any boundary with an adjoining site in a Residential Zone, Rural Zone, Mixed Use Zone, Marae Zone, or Open Space and Recreation Zone.
2. This standard does not apply to boundary fences of no more than 2 metres in height.

Matters of discretion if the standard is breached:
1. Access for repairs and maintenance to buildings and structures on the site,
2. Urban design outcomes 4, 5, and 6 in HIZ-P8: Urban design outcomes (by meeting standard or assessment).
3. Any positive effects that can only be achieved through non-compliance with the standard.

HIZ-S5	Setbacks - Owhiti Urupā

1. Buildings and structures must be set back 10m from any boundary with the Owhiti Urupā.
2. This standard does not apply to boundary fences of no more than 2m in height above ground level.

Matters of discretion if the standard is breached:

1. Urban design outcomes 2, 3, 4, and 6 in HIZ-P8: Urban design outcomes (by meeting standard or assessment).
2. Visual amenity from the Owhiti Urupā.
3. Privacy, visual dominance, and noise impacts on the tikanga, cultural safety, and dignity of activities that occur at the urupā.
4. The outcomes of any engagement undertaken with tangata whenua responsible for the urupā, relevant to the effects of the standard not met.
5. Any positive effects that can only be achieved through non-compliance with the standard.

HIZ-S6	Overlooking - Adjoining zones

1. Windows in buildings that overlook an adjoining site in a Residential Zone, ~~Rural Zone,~~ Mixed Use Zone, or Marae Zone, ~~or Open Space and Recreation Zone,~~ where the top of the window is more than 2 metres above ground level and the window is within 10 metres of the boundary, must use opaque privacy glazing.

Matters of discretion if the standard is breached:

1. Urban design outcome 4 in HIZ-P8: Urban design outcomes (by meeting standard or assessment).
2. Any positive effects that can only be achieved through non-compliance with the standard.

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HIZ-S7	Landscaping

1. For new buildings only, L~~l~~andscaping is required on:
    a. The front 3 metres of any site fronting on to a street with the Industrial Main Through Route Frontage Overlay, and
    b. A 3 metre buffer on any boundary with an adjoining site in the Residential Zone, Rural Zone, Mixed Use Zone, Marae Zone, or Open Space and Recreation Zone.
2. This required landscaping must:
    a. Extend across the full width, except for vehicle accesses connecting to a legal vehicle crossing, and pedestrian walkways,
    b. Include at least one tree per 15 metres of frontage or boundary (as relevant), and
    c. Those trees must have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height of at least 5 metres at maturity.

Matters of discretion if the standard is breached:

1. Visual amenity from the road subject to the Industrial Main Through Route Frontage Overlay or the adjoining site, as relevant.
2. Urban design outcomes 1, 2, and 6 in HIZ-P8: Urban design outcomes (by meeting standard or assessment).
3. Any positive effects that can only be achieved through non-compliance with the standard.

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SMZ — Seaview Marina Zone

The purpose of the Seaview Marina Zone is to enable the continued operation of the Marina, and a compatible range of other activities and development subject to adequate management of reverse sensitivity risks, natural hazard risks, hazardous substances risks, and supporting the purpose of the commercial centres hierarchy. The Seaview Marina Zone, like the General Industrial Zone, also forms part of a buffer around the core of the Seaview industrial area (part of the Heavy Industrial Zone) from residential areas, to separate incompatible activities.

The planned urban environment for the Seaview Marina Zone is one that meets the operational needs of the marina while still providing a safe, functional, and attractive environment for workers and visitors. It is managed to protect amenity values in nearby residential areas and avoid or mitigate unreasonable reverse sensitivity ~~effects~~ issues on the Heavy Industrial Zone.

Built development is provided for in the Seaview Marina Zone through a range of permitted activities and development standards that, with some exceptions, permit buildings designed for permitted land uses. Development standards also address:

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

If a proposed development does not meet one or more development or performance standard for the zone, or is for a land use that is not part of the core purpose of the zone, resource consent is required in order to:

a. Achieve a high-quality built environment,
b. Manage the effects of development on neighbouring sites and the street,
c. Avoid or mitigate unreasonable reverse sensitivity ~~effects~~, and
d. Achieve attractive, safe, and comfortable streets and public spaces.

Developments that require resource consent will be assessed against the policy framework set out by the relevant zone and district-wide chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is necessary to meet the purpose of the zone. Council provides design guidance for developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the Seaview Marina Zone, other chapters of the District Plan, including those that apply 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

SMZ-O1	Purpose of the zone
The Seaview Marina area is used primarily to provide for the needs of marina activities. The area also provides for other compatible activities that support this role, or do not interfere with the primary purpose, including industrial activities, commercial activities, or community activities, that: 1. Do not undermine the purpose of the Local Centre Zone, Metropolitan Centre Zone, or City Centre Zone, and 2. Do not present significant reverse sensitivity ~~effects~~ issues on industrial activities, including heavy industrial activities, in the Heavy Industrial Zone and General Industrial Zone.	
SMZ-O2	**Activities in the zone**

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The Seaview Marina Zone:

1. Primarily provides for marina activities,
2. Provides for other activities provided for in industrial zones, such as industrial activities, research activities, emergency service facilities and trade and industrial training activities,
3. Is supported by other activities that:
    a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone,
    b. Do not undermine the role of commercial centres, and
    c. Do not create unreasonable or excessive reverse sensitivity issues for ~~industry~~ industrial activities in the Heavy Industrial Zone, and
4. Is not intended to provide for:
    a. Standalone residential activities that do not support an industrial activity, research activity, or emergency service facility, or
    b. Activities (other than marina activities) that would be a city-wide or regional destination for significant numbers of visitors, or
    c. Heavy industrial activities.

SMZ-O3	Provision of activity spaces

The Seaview Marina Zone provides for a variety of types and sizes of spaces that respond to the needs of activities provided for in the zone.

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

The built character of the Seaview Marina Zone balances the functional needs and operational needs of the primary activities in the zone, and the needs of visitors and employees, by contributing to a part of the urban environment that:

1. Appropriately balances its industrial, open space, and coastal marine area surroundings,
2. Positively contributes to the Seaview Marina, which is a public place and destination in its own right,
3. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone,
4. Has an urban built environment that is characterised by flexibility of building densities and forms,
5. Is healthy, safe, attractive, and accessible,
6. Has good access within the Seaview Marina Zone, to and from surrounding neighbourhoods, and to and from other industrial and commercial areas, through active and public transport modes, providing for well-connected and low emission communities,
7. Is integrated with existing and planned infrastructure, and
8. Enhances co-location benefits.

~~SMZ-O5~~	~~Character — Main through routes~~

~~Identified main through routes that pass through the Seaview Marina Zone are attractive and assist the city's sense of place and identity.~~

SMZ-O6	Adverse effects

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

Policies

SMZ-P1	Enabled activities

Enable:

1. Marina activities,
2. Activities that support marina activities,

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3. Industrial activities,
4. Research activities,
5. Emergency facilities,
6. Trade and industrial training facilities, and
7. Commercial activities that do not undermine the purpose, vitality, vibrancy, and co-location benefits of the City Centre, Metropolitan Centre, and Local Centre Zones,

while managing the reverse sensitivity ~~effects~~ issues of those on existing and potential activities in the General Industrial Zone and Heavy Industrial Zone.

~~SMZ-P2~~	~~Residential activities and sensitive activities not related to the Seaview Marina~~

~~Avoid residential activities and other new sensitive activities not associated with the Seaview Marina unless they are:~~

1. ~~Ancillary to and support an industrial activity, research activity, or emergency facility,~~
2. ~~Managed so that they do not adversely impact the long-term development capacity of the zone for marina development, including through managing the design of new buildings, and~~
3. ~~Managed to minimise reverse sensitivity effects for industry, including existing and enabled heavy industry.~~

~~SMZ-P3~~	~~Residential activities and sensitive activities related to the Seaview Marina~~

~~Avoid:~~

1. ~~Residential activities and other new sensitive activities associated with the Seaview Marina, and~~
2. ~~Activities that primarily support or are ancillary to residential activities or other sensitive activities in the coastal marine area,~~

~~unless they are:~~

3. ~~Managed so that they do not adversely impact the long-term development capacity of the zone for marina development, including through managing the design of new buildings, and~~
4. ~~Managed to avoid significant reverse sensitivity effects for industry, including existing and enabled heavy industry.~~

SMZ-P2	Residential activities and sensitive activities

Only allow for residential activities and other sensitive activities, and activities that primarily support or are ancillary to residential activities or other sensitive activities in the coastal marine area, where:

1. They are ancillary to and support a marina activity, an industrial activity, a research activity, or an emergency service facility,

2. They do not adversely impact the long-term development capacity of the Seaview Marina Zone for marina development, including through managing the design of new buildings, and

3. They are managed to minimise reverse sensitivity issues for industry, including existing and enabled heavy industrial activities.

SMZ-P4	Role in network of commercial and industrial areas

Manage the location and scale of commercial activities which could result in cumulative adverse effects on:

1. The viability, vibrancy, and co-location benefits of the City Centre, Metropolitan Centre, and Local Centre Zones, and
2. The function of the transport network, particularly the ability of the public transport and active transport network to efficiently serve destinations.

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SMZ-P5	Reverse sensitivity
Avoid any other activities that present significant and inadequately managed reverse sensitivity issues for industry, including existing and enabled heavy ~~industry~~ industrial activities.	
SMZ-P6	**Existing activities**
Provide for the ongoing operation of existing activities while managing their development to support the intended purpose and character of the zone.	
SMZ-P7	**Development capacity**
Provide for the flexible use of the Seaview Marina area to respond to changing and unpredictable needs, and provide for activities that support the viability of the Seaview Marina.	
SMZ-P8	**Urban design outcomes (by meeting standard or assessment)**

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

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

The outcomes are:

1. ~~Vehicle parking and loading areas, accessways, and garages are designed to provide for pedestrian safety, comfort, dignity, and amenity~~.
2. The form and scale of development contributes to visual amenity in public space.
3. The form and scale of development protects access to sunlight ~~and daylight~~ in well-used streets and public spaces.
4. Ensure adequate privacy for activities sensitive to privacy intrusion, on the site and on adjacent sites.
5. ~~Ensure adequate access to daylight for residential activities on adjacent residential zone sites~~.
6. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites, and public open space.

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

SMZ-P9	Urban design outcomes (other than small-scale primary activities in the zone)

Built development for activities other than marina activities, industrial activities, and research activities, or over an identified threshold of scale, is managed to achieve the outcomes in this policy through an approach demonstrated in a resource consent.

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

The outcomes are:

1. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    c. Avoiding wasted space or space of unclear function, and
    d. Integrating other CPTED measures at a scale appropriate for the site.
2. Vehicle parking and loading areas, accessways, and garages are designed to provide for

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pedestrian safety, comfort, dignity, and amenity support and promote the pedestrian circulation provided for in clause (3).

3. There is quality, legible, safe, convenient, and efficient circulation for pedestrians accessing the site and people within the site.
4. Ensure that on-site landscaping, if any is proposed, or required by SMZ-S5: Landscaping and screening:
    a. Retains and integrates appropriate, healthy and mature vegetation, ~~where appropriate~~,
    b. Uses planting that is appropriate for the climate and environment within the site, and
    c. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
5. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
6. Ensure adequate privacy ~~and access to daylight~~ for residential activities on the site.
7. Ensure residential units have access to adequate outlook.

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

SMZ-P10	Urban design outcomes (exclusions)

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

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

SMZ-P11	Managing adverse effects at zone interfaces

Manage activities to mitigate adverse effects on other zones by:

1. Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

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

SMZ-R1	Repair and maintenance of buildings and structures
1. **Activity status:** Permitted	
SMZ-R2	**Demolition or removal of buildings and structures**

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1. **Activity status:** Permitted	
SMZ-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. SMZ-S1: Height, ii. SMZ-S2: Height in relation to boundary — Seaview Beach Reserve, iii. SMZ-S3: Setbacks — Seaview Beach Reserve, and iv. SMZ-S4: Landscaping and screening, b. The new buildings, new structures, the alterations, or the additions, are for the purpose of an activity permitted by one or more of rules SMZ-R4 through SMZ-R22, and c. The new building, or resulting building after additions and alterations, has a gross floor area of no more than 500m², or the gross floor area is not increased.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SMZ-R3.1. **Matters of discretion are restricted to:** 1. The matters of discretion in any standards not met. 2. If SMZ-R3.1b or c are not met: the urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions). 3. If SMZ-R3.1b is not met: the impact of the design of the building and any associated subdivision on the long-term development capacity of the zone for marina, industrial, research, and supporting purposes, including the expected lifespan of the building and the ability of the building to be converted to marina or industrial use. 4. The matters in HS-Pccc.2. **Notification**: Public notification and limited notification are precluded where the only non-compliance is SMZ-R3c.	

Land use activities

SMZ-R4	**Marina activities**
1. **Activity status:** Permitted	
SMZ-R5	**Industrial activities, other than heavy industrial activities**
1. **Activity status:** Permitted	
SMZ-R6	**Research activities**
1. **Activity status:** Permitted	
SMZ-Rxxx	**Trade and industrial training facilities**
1. **Activity status:** Permitted	
SMZ-R7	**Emergency service facilities**
1. **Activity status:** Permitted	

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SMZ-R8	Motor vehicle servicing activities
1. **Activity status:** Permitted	
~~SMZ-R9~~	~~Marine servicing activities~~
~~1. Activity status: Permitted~~	
SMZ-R10	Carparking activities
1. **Activity status:** Permitted	
SMZ-R11	Grocery stores and supermarkets
1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 500m^2.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SMZ-R13.1. **Matters of discretion are restricted to:** 1. The matters in: a. SMZ-P4: Role in network of commercial and industrial areas, b. SMZ-P5: Reverse sensitivity, c. SMZ-P6: Existing activities, and d. SMZ-P7: Development capacity. 2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions). 3. Co-location benefits from locating in the Seaview Marina Zone. 4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone. 5. Development capacity for business uses across Commercial and Mixed Use Zones and Industrial Zones. 6. ~~Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future~~. **Notification**: Public notification is precluded for applications under this rule.	
SMZ-R12	Food and beverage activities
1. **Activity status:** Permitted	
SMZ-R13	Service stations, including ancillary retail activities
1. **Activity status:** Permitted Where: a. The ancillary retail activities have a gross floor area of no more than 200m^2.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SMZ-R13.1.	

Commented [SD22]: 343.31a - Seaview Marina Ltd, change of minor effect

Commented [SD23]: 343.33 - Seaview Marina Ltd

Matters of discretion are restricted to:

1. The matters in:
    a. SMZ-P4: Role in network of commercial and industrial areas,
    b. SMZ-P5: Reverse sensitivity,
    c. SMZ-P6: Existing activities, and
    d. SMZ-P7: Development capacity.
2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).
3. Co-location benefits from locating in the Seaview Marina Zone.
4. ~~Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone.~~
5. ~~Development capacity for business uses across Commercial and Mixed Use Zones and Industrial Zones.~~
6. ~~Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.~~

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

Commented [SD24]: 343.35 - Seaview Marina Ltd

SMZ-R14	Recreation activities

1. **Activity status:** Permitted

SMZ-R15	Yard-based retailing

1. **Activity status:** Permitted

SMZ-R16	Trade supply retail activities

1. **Activity status:** Permitted

~~SMZ-R17~~	~~Marine supply commercial activities~~

1. ~~**Activity status:** Permitted~~

Commented [SD25]: Per planning Joint Witness Statement

SMZ-R18	Community facilities

1. **Activity status:** Permitted

SMZ-Rxxx	Office activities

1. **Activity status:** Permitted

Where:

a. The office activity has a gross floor area of no more than 200m^2, or
b. The office activity has a gross floor area of no more than 500m² and is ancillary to marina activities.

2. **Activity status:** Discretionary

Where:

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

Commented [SD26]: Per planning Joint Witness Statement

SMZ-R19	Commercial activities not otherwise provided for

2. **Activity status:** Permitted

Where:

	a. The commercial activity has a gross floor area of no more than 200~~100~~m^2, or b. The commercial activity has a gross floor area of no more than 500m² and is ancillary to marina activities.
	3. **Activity status:** Discretionary Where: ~~a.~~ Compliance is not achieved with SMZ-R21.1 ~~but~~ ~~b. The commercial activity has a gross floor area of no more than 500m^2, or~~ c. ~~The commercial activity is ancillary to marina activities.~~
	~~3. **Activity status:** Non-complying~~ ~~Where:~~ a. ~~Compliance with SMZ-R21.1 or SMZ-R21.2 is not achieved.~~
SMZ-R20	**Other activities not otherwise provided for**
	1. **Activity status:** Permitted Where: a. The activity is ancillary to ~~a permitted activity~~ an activity permitted by rules SMZ-R4 through SMZ-R19, or b. The activity has a gross floor area of no more than 200~~100~~m^2.
	2. **Activity status:** Discretionary Where: a. Compliance is not achieved with SMZ-R22.1.
SMZ-R21	**Heavy industrial activities**
	1. **Activity status:** Non-complying
SMZ-R22	**Residential activities**
	1. **Activity status:** Discretionary Where: a. There is no more than 1 residential unit on the site, and **b.** The residential unit is ancillary to a marina activity, industrial activity, research activity, or emergency service facility.
	2. **Activity status:** Non-complying Where: a. Compliance is not achieved with SMZ-R22.1 **Notification:** Public notification is required for any application under this rule.
SMZ-R23	**Activities sensitive to industry, other than ~~community facilities and~~ residential activities**
	1. **Activity status:** Discretionary Where: **a.** The residential unit is ancillary to a marina activity, industrial activity, research activity, or emergency service facility.

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Commented [SD29]: 343.42 - Seaview Marina Ltd

Commented [SD30]: 343.44 - Seaview Marina Ltd

Commented [SD31]: 468.11 - Z Energy, 471.60 - Fuel Companies

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

Where:

a. Compliance is not achieved with SMZ-R23.1

Notification:
Public notification is required for any application under this rule.

Commented [SD32]: 343.45 - Seaview Marina Ltd

General rules

SMZ-R24	Outdoor storage and work areas

1. **Activity status:** Permitted

Where:

a. The outdoor storage and work areas are screened from the Seaview Beach Reserve (excluding the groyne) by a building or a solid or close-boarded fully opaque fence of at least 1.8 metres in height above ground level, and
b. Standard SMZ-S4 is met.

2. **Activity status:** Restricted discretionary

Where:

a. Compliance is not achieved with SMZ-R246.1.

Matters of discretion are restricted to:

1. Visual amenity from the Seaview Beach Reserve (excluding the groyne), and
2. Any positive effects that can only be achieved through non-compliance with SMZ-R246.1 or SMZ-S4.

Commented [SD33]: Minor correction

SMZ-R25	Servicing

1. **Activity status:** Permitted

Where:

~~a. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, or within 40 metres of the notional boundary of a sensitive activity in a Rural Zone, or~~

~~b. The servicing occurs only between 7:00am and 10:00pm.~~

a. The servicing is not undertaken between 10:00pm and 7:00am within 40 metres of:
   i. A site in a Residential Zone, Mixed Use Zone, or Marae Zone, or
   ii. The notional boundary of an activity sensitive to noise in a Rural Zone.

In applying condition a, any part of a site in a Residential Zone, Mixed Use Zone, Marae Zone, or Rural Zone, that is within a risk management overlay (see Hazardous Substances chapter) may be disregarded.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with SMZ-R27.1.

   Matters of discretion are restricted to:
   1. The night-time amenity of ~~sensitive activities~~ residential activities and other activities sensitive to noise in the surrounding area in Residential Zones, the Mixed Use Zone, the Marae Zone, and Rural Zones.

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

Standards

SMZ-S1	Height

1. Buildings and structures must not exceed a maximum height above ground level of 22m.

Matters of discretion if the standard is breached:
1. Urban design outcomes 2, 3, 5, and 6 in SMZ-P8: Urban design outcomes (by meeting standard or assessment), and the exclusions in SMZ-P10.
2. Any positive effects that can only be achieved through non-compliance with the standard.

SMZ-S2	Height in relation to boundary - Seaview Beach Reserve

1. Buildings and structures must meet a height in relation to boundary limit of 4m + 60° on any boundary with the Seaview Beach Reserve ~~(excluding the groyne).~~

Matters of discretion if the standard is breached:
1. Urban design outcomes 2, 3, 4, and 6 in SMZ-P8: Urban design outcomes (by meeting standard or assessment), and the exclusions in SMZ-P10.
2. Any positive effects that can only be achieved through non-compliance with the standard.

SMZ-S3	Setback - Seaview Beach Reserve

1. Buildings and structures must be set back 3 metres from any boundary with the Seaview Beach Reserve ~~(excluding the groyne).~~

This standard does not apply to boundary fences of no more than 2 metres in height above ground level.

Matters of discretion if the standard is breached:
1. Access for repairs and maintenance to buildings and structures on the site.
2. Urban design outcomes 2, 3, 4, and 6 in SMZ-P8: Urban design outcomes (by meeting standard or assessment), and the exclusions in SMZ-P10.
3. Any positive effects that can only be achieved through non-compliance with the standard.

SMZ-S4	Landscaping and screening

1. ~~Landscaping is required on the front 3 metres of any site fronting on to a street with the Industrial Main Through Route Frontage overlay.~~
2. Landscaping is required on a 3 metre buffer on any boundary with the Seaview Beach Reserve ~~(excluding the groyne)~~, except on portions of the boundary that provide pedestrian access across the boundary or are screened with a solid or close-boarded fully opaque fence on the boundary of at least 1.8 metres in height above ground level.
3. Landscaping required by this standard must:
   a. Extend across the full width, except for vehicle accesses connecting to a legal vehicle crossing, and pedestrian walkways,

Commented [SD34]: 343.1a - Seaview Marina Ltd

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Commented [SD36]: 343.11, 343.52 - Seaview Marina Ltd

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b. Include at least one tree per 15 metres of frontage or boundary (as relevant), and
c. Those trees must have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height of at least 5 metres at maturity.

Matters of discretion if the standard is breached:

1. Visual amenity from ~~the road subject to the Industrial Main Through Route Frontage Overlay or~~ the Seaview Beach Reserve ~~(excluding the groyne), as relevant~~.
2. Urban design outcome~~s 1 and~~ 2 in SMZ-P8: Urban design outcomes (by meeting standard or assessment), and the exclusions in SMZ-P10.
3. Any positive effects that can only be achieved through non-compliance with the standard.

Commented [SD38]: 343.11, 343.52 - Seaview Marina Ltd

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APPENDIX 2: COMPARISON OF MIXED USE ZONE AND HIGH DENSITY RESIDENTIAL ZONE

2.0 Comparison of the Mixed Use Zone and High Density Residential Zone

2.1 The Mixed Use Zone is normally used in environments where the surrounding residential area is in the High Density Residential Zone, so I will use that as a comparison. Both zones can have their height limits raised or lowered using the Specific Height Control Overlay – I will consider the standard height, which applies most of the time.

2.2 For consistency, I will compare the zones as notified, other than the correction of minor errors[50]. Some standards are likely to change as a result of the outcome of the hearings or may need to be changed due to the changes to the RMA made by the Planning Act.

2.3 The built form standards likely to affect the overall bulk and layout of structures are compared in Table 1. This applies to ordinary situations within the zone, or when the two zones border each other. Some exceptions to standards that are common across the two zones are not shown for clarity. Where standards differ between land use types, this comparison will consider a residential activity.

Table 1 - Comparison of built form standards for Mixed Use Zone and High Density Residential Zone

Built form control	Mixed Use Zone	High Density Residential Zone
Building coverage	No requirements.	Max 50% coverage.

[50] Such as the duplication of the rule for emergency services in the Mixed Use Zone, as discussed in the Section 42A Report at paras 556-557.

Built form control	Mixed Use Zone	High Density Residential Zone
Permeable surface / water sensitive design[51]	Hydraulic neutrality required for 4 or more units. Water sensitive design required for 4 or more units (consent required).	Hydraulic neutrality required for 4 or more units. Water sensitive design required for 4 or more units (consent required). Minimum 30% of site area must be permeable.
Landscaped area[52]	Minimum 1m² landscaping for every 20m² of outdoor carparking and manoeuvring area.	Minimum 20% of site area.
Building height[53]	22 metres. Qualitative wind assessment needed for over 12 metres.	22 metres. Qualitative wind assessment needed for over 12 metres.
Height in relation to boundary (side - first 21.5m from front boundary)	No requirements.	4m+60° (up to 3 units) 8m+60° (4 or more units) No requirements where bordering Mixed Use Zone.
Height in relation to boundary (other boundaries)	4m + 60°, except where neighbouring zone is Mixed Use and has a commercial activity or multi-unit residential with 6 or more units.	4m + 60°, except where neighbouring zone is Mixed Use.

[51] Some of these requirements are in the Three Waters chapter but would likely affect building design.
[52] While landscaping requirements for residential activities will soon be out of scope of the RMA, as discussed in section 6.0, the requirements in the Mixed Use Zone apply to carparking as a standalone or ancillary activity, rather than to a residential activity.
[53] Wind requirements are in the wind chapter. It is difficult to predict the impact on building design in a general way as wind effects are highly location specific.

Built form control	Mixed Use Zone	High Density Residential Zone
Building setbacks	1m on side and rear where bordering a residential zone.	Front 1.5m Side and rear 1.5m
Carparking setbacks	Must be set back and landscaped by 0.5m (with wheel stop) or 1.5m (without).	No requirements.
Outdoor living space[54]	As per Medium Density Residential Standards	As per Medium Density Residential Standards
Outlook space	As per Medium Density Residential Standards	As per Medium Density Residential Standards
Windows to street[55]	No requirements.	As per Medium Density Residential Standards

2.4 The land use activities are compared in Table 2. This generally covers permitted activities except where the plan takes a clear approach of enabling an activity through a consenting pathway, as with multi-unit residential. Consent may be required under other chapters, particularly Three Waters, for which I have detailed the rules for residential activities in the table. For non-residential activities, a consent under the Three Waters chapter is required for any building over 200m².

Table 2 - Comparison of land use activities in the Mixed Use Zone and High Density Residential Zone

Land use	Mixed Use Zone	High Density Residential Zone
Residential	Permitted up to 3 units subject to conditions.	Permitted up to 3 units subject to conditions.

[54] Although note that this will soon be out of scope of the RMA, as discussed in section 6.0.
[55] Although note that this will soon be out of scope of the RMA, as discussed in section 6.0.

Land use	Mixed Use Zone	High Density Residential Zone
	Non-notified[56] restricted discretionary consent for more than 3 units, provided standards are met, covering three waters infrastructure issues.	Non-notified[56] restricted discretionary consent for more than 3 units, provided standards are met, covering three waters and other infrastructure issues, planned character and built environment, housing bottom lines, and urban design outcomes.
Papakāinga	*As notified, the MUZ has no specific Papakāinga rule and the HRZ has a detailed Papakāinga rule. Both will be overridden by the NES for Papakāinga. The implications of this will be addressed in Hearing Stream 7 in the Papakāinga topic.*	
Home businesses	Same treatment as a business not run from home.	Most services and some limited retail, permitted up to 4 employees subject to hours of operation and other conditions, otherwise restricted discretionary
Visitor accommodation	Permitted up to 500m² GFA otherwise discretionary.	Permitted for no more than 10 staff + visitors, otherwise restricted discretionary
Child care services	Permitted up to 200m² otherwise discretionary.	Permitted for no more than 5 children, otherwise restricted discretionary
Educational facilities	Permitted up to 200m² otherwise discretionary.	Restricted discretionary consent required

[56] As notified, rule THW-R2 would apply to this situation, which precludes public notification but not limited notification. As written this does not comply with the Medium Density Residential Standards. For the purpose of this table I have assumed this will be fixed in the course of the hearing for the Three Waters chapter, in Hearing Stream 6, and these consents will also preclude limited notification.

Land use	Mixed Use Zone	High Density Residential Zone
Supported residential care facility	Permitted subject to standards.	Permitted for no more than 10 staff + residents, otherwise restricted discretionary
Health care activities	Permitted up to 200m² otherwise discretionary.	Restricted discretionary consent required.
Retirement villages	Permitted subject to standards.	Restricted discretionary consent required.
Marae	Permitted up to 200m² otherwise discretionary.	Restricted discretionary consent required.
Community facilities	Permitted up to 200m² otherwise discretionary.	Restricted discretionary consent required.
Emergency service facilities	Restricted discretionary consent required.	Restricted discretionary consent required.
Food and beverage activities	Permitted up to 200m² otherwise discretionary.	Restricted discretionary up to 200m², subject to hours and some other conditions, otherwise discretionary.
Grocery stores/supermarkets	Permitted up to 300m², restricted discretionary to 1500m², then discretionary.	Restricted discretionary up to 200m², subject to hours and some other conditions, otherwise discretionary.
Standalone office activities	Permitted up to 100m² otherwise discretionary/non-complying subject to conditions.	Restricted discretionary up to 200m², subject to hours and some other conditions, otherwise discretionary.
Carparking	Permitted, except for non-residential visitor spaces which are restricted discretionary.	Considered an ancillary activity.
Yard-based retailing, drive through	Discretionary	Discretionary

Land use	Mixed Use Zone	High Density Residential Zone
activities, service stations, motor vehicle servicing		
Integrated retail activities	Discretionary/non-complying	Discretionary
Other commercial activities	Permitted up to 100m² otherwise discretionary.	Restricted discretionary up to 200m², subject to hours and some other conditions, otherwise discretionary.
Light manufacturing and servicing	Permitted up to 200m² subject to conditions, otherwise restricted discretionary/ discretionary	Non-complying
Other industrial activities	Discretionary/non-complying	Non-complying
Rural and primary production activities (etc)	Non-complying	Non-complying
Catch-all	Permitted up to 200m² otherwise discretionary.	Discretionary

2.5 At a high level, the Mixed Use Zone provides for the same maximum height as the High Density Residential Zone, with more flexible height in relation to boundary and site coverage constraints. Both are intended for a high-density urban context and have similar policies for urban design outcomes for residential activities.

2.6 Both zones are accepting of a fully residential environment but anticipate a potential mix of residential and small-scale commercial and community activities. The Mixed Use Zone is more enabling for small scale activities. For larger scale activities, both have significant consenting requirements.

APPENDIX 3: ASSESSMENT OF PROPOSED MIXED USE ZONE ALONG HUTT ROAD, BRITANNIA STREET, AND CUBA STREET

3.0 Assessment of proposed Mixed Use Zone along Hutt Road, Britannia Street, and Cuba Street

Introduction

3.1 This appendix assesses the Mixed Use Zone along Hutt Road, Britannia Street, and Cuba Street, in terms of the applicability of the situations mentioned in the introduction to the chapter about the suitability of the zone.

3.2 The situations are intended to be alternative options – there is no reason for a zone to meet multiple criteria, although an area weakly meeting multiple criteria might be a good candidate for the Mixed Use Zone even without a single strong match.

3.3 In my view, each of the four areas has at least one strong reason to be included in the Mixed Use Zone.

3.4 The maps show existing land uses where the sites are in a residential zone in the Operative District Plan as recorded in the Quotable Value property information database used by Council. This does not capture non-residential land uses that are not subject to non-residential rates, e.g. home occupations, although these will often be provided for in the Residential Zones of the PDP as well.

Section 32 report, HBA, and NPS-UD

3.5 The panel sought particular connection to the requirements of s32 of the Act, the Housing and Business Development Capacity Assessment (HBA), and the principles around evidence-based decision-making in Objective 7 and Subpart 3 of Part 3 of the NPS-UD.

3.6 The Council prepared a section 32 report for the Commercial and Mixed Use Zones[57], which gives the Council's general reasons for using the Mixed Use Zone.

3.7 The HBA is currently being updated and the next edition should be available before the panel's recommendations are due, but is not yet complete at time of writing. This edition will include modelling based on the PDP as notified. The most recent HBA for now remains the 2023 edition used at time of notification of the plan[58].

3.8 In considering a submission seeking to reduce business development capacity, the panel needs to be mindful that:

- The figures in the HBA are not a target, but a bottom line. Providing development capacity in excess of the bottom line requirements is a good thing and Council should strive to do so wherever possible (while managing relevant effects).
- There are substantial sources of uncertainty in the HBA, particularly around the proportion of theoretical development capacity that is in fact realisable, the extent to which capacity can be provided through intensification, the uptake rate in the Mixed Use Zone, and the future trends for business growth and floorspace requirements.

3.9 In part due to those sources of uncertainty, the most recent HBA does a partially qualitative, rather than quantitative, final assessment of the sufficiency of realisable business capacity, even though there are figures for theoretical development capacity. While this shows sufficiency of that capacity, it relies on infill and intensification of existing business areas. This may not be practical for industrial activities (the bulk of the demand), or retail activities (where there is a significant demand to locate at ground level).

57 https://hccpublicdocs.azurewebsites.net/api/download/d764466f20cf454ba1010adf695ed15f/_dplanreview/9e901b31702c906486aa48ccb1c1ea6885f

58 https://wrlc.org.nz/our-projects/regional-housing-and-business-development-capacity-assessment/

3.10 The panel should thus take a conservative approach to any requests for more restriction on commercial activities to reduce the risk of failing to meet the bottom lines.

3.11 The NPS-UD also does not take a solely numeric approach to business development capacity. Councils have a more holistic duty to provide for "well-functioning urban environments", which includes duties to:

- "… enable a variety of sites that are suitable for different business sectors in terms of location and site size …"
- "have good accessibility for all people between housing, jobs, community services … including by way of public or active transport …"
- "support … the competitive operation of land and development markets …"

3.12 One of the Council's reasons for applying the Mixed Use Zone to public transport corridors such as Cuba Street is to improve walk-up access to very local community and commercial services in higher density environments. Another reason for the Mixed Use Zone in general is to provide more flexibility for businesses to grow and develop from very limited home occupations into a larger business without needing to make a single jump to a new solely commercial-zoned site.

3.13 Unfortunately, the Council's evidence on this issue is limited. That said, the NPS-UD envisages a significant and ongoing qualitative change in how urban areas function and provide for higher density and mixed uses. I think there is probably limited ability to gather site-specific evidence until the country has had some more experience in getting used to the changes the NPS-UD envisages.

Hutt Road


Not in a residential zone in the ODP
Previously residential zone, in solely residential use
Previously residential zone, in non-residential or mixed use
Western Hutt Rd (S.
Riddlers Cres
Udy St
89
85
81
81A
79
77
81B
73
73A
71
Community services - Educational
1
2
3
Nicholls Ave(PVT)
69
4
5
6
67A
9
8
7
Regent St
Fitzherbert St
67
Victoria St
65A
65
63
61
59
57
55
53
51
Hutt Rd
49
47
45
N
Scale: 1:1,800

Zone criteria	Fit	Explanation
Fringes of commercial centres, to provide for expansion and contraction of those centres OR Areas with strong potential to develop into centres	Low-Moderate	Pros: Adjacent to existing commercial centre with strong demand and growth potential. Around 400m-700m from main railway station which is reasonable if not great for a Metropolitan Centre. Significant land value differential between residential and commercial zoning suggests unmet demand (~$1000-$1200/sqm vs $1400-$2000 on Gear Street). Less at risk from natural hazards than much of the area. Cons: Small site sizes, no direct bus routes, disconnected from the core of the Petone centre along Jackson Street.
Areas that have a long history of mixed uses	Moderate	Quite a few reasonably established businesses (motels, childcare centre, hairdresser, Dementia charity, security system installer) although some are home businesses and these are generally of the scale and type that could be consented in the High Density Residential Zone as well.
Sites with unique businesses or facilities	None	No businesses or facilities with unique issues.
Areas that form a spatial transition between two other areas	Very High	Forms the junction between zones likely to have tensions and transitional issues were the area to be residential, being between a residential zone, General Industrial Zone, and Metropolitan Centre Zone.
Areas that are transitioning in time from one role to another	Low-Moderate	No evidence of long-term change although this is likely limited by existing zoning.
Corridors connecting other centres with good access to public transport that have the potential to serve the surrounding area	Low	Hutt Road corridor connects Petone Metropolitan Centre with Alicetown Local Centre and Lower Hutt City Centre, but is not a public transport corridor

Britannia Street



Zone criteria	Fit	Explanation
Fringes of commercial centres, to provide for expansion and contraction of those centres OR Areas with strong potential to develop into centres	Low-Moderate	Pros: Adjacent to existing commercial centre with strong demand and growth potential. Significant land value differential between residential and commercial zoning suggests unmet demand (~$700-$1000/sqm vs $1300-$1700 for existing commercial zoned land on nearby side streets off Jackson Street). Good bus access on Jackson Street. Neutral: reasonable site sizes but most are unlikely to be available for intensification[59]. Cons: Over 1km from railway stations. Street is narrower and constrained, and this may limit its ability to be upgraded to a commercial centre scale of amenity.
Areas that have a long history of mixed uses	Very High	The large majority of the affected area already has mixed or non-residential uses, primarily educational and religious services but also commercial offices.
Sites with unique businesses or facilities	None	Zoned area includes two schools although these have designations.
Areas that form a spatial transition between two other areas	Low-Moderate	Forms the junction between a residential zone and Metropolitan Centre, although as a linear corridor this is only significant for a fraction of the area.
Areas that are transitioning in time from one role to another	Moderate-High.	This area is already most of the way to transitioning into a mixed use area.
Corridors connecting other centres with good access to public transport that have the potential to serve the surrounding area	Low	One Network Framework classification is Activity Street, but does not connect centres.

[59] While this assumption potentially lacks some nuance, the Housing and Business Development Capacity Assessment methodology assumes existing schools and places of worship will not be redeveloped under any circumstances.

Cuba Street (north)



Zone criteria	Fit	Explanation
Fringes of commercial centres, to provide for expansion and contraction of those centres OR Areas with strong potential to develop into centres	Low	Pros: Good bus access on Cuba Street and close to railway station. Cons: Not directly connected to an existing commercial centre (separated by at least two blocks of residential and railway line from Alicetown) and due to proximity to other centres, no strategic value or likely demand in a new centre. No land value differential with Alicetown commercial centre or commercial areas further south on Cuba Street suggesting more limited demand for expansion.
Areas that have a long history of mixed uses	Low	Limited existing mixed use development
Sites with unique businesses or facilities	None	No businesses or facilities with unique issues.
Areas that form a spatial transition between two other areas	Low	Very limited transitional value as the surrounding context is mostly residential.
Areas that are transitioning in time from one role to another	Very Low	No evidence of long-term change although this is likely limited by existing zoning.
Corridors connecting other centres with good access to public transport that have the potential to serve the surrounding area	High-Very High	At the highest quality of local public transport services, with nearby rail access and a high-frequency bus corridor directly between the city's two premier centres (Petone and Hutt Central). Surrounding area is generally in demand for residential intensification and highly accessible. This is the closest area to the Petone Metropolitan Centre without high coastal hazard issues, although does have high non-coastal flooding overlay (this may be manageable with mitigation measures).

Cuba Street (south)



Zone criteria	Fit	Explanation
Fringes of commercial centres, to provide for expansion and contraction of those centres OR Areas with strong potential to develop into centres	Low-Moderate	Pros: Good bus access on Cuba Street. Connects the existing Petone Metropolitan Centre with a Neighbourhood Centre and special purpose tertiary education zones. Cons: No land value differential with existing commercial areas on Cuba Street suggesting more limited demand for expansion. Expansion of Petone Metropolitan Centre would exacerbate the centre's existing strung-out layout. Poor rail access.
Areas that have a long history of mixed uses	Low	Limited existing mixed use development
Sites with unique businesses or facilities	None	No businesses or facilities with unique issues.
Areas that form a spatial transition between two other areas	Low-Moderate	Provides a transition with the Neighbourhood Centre, industrial and tertiary education zoned areas from the other side of Cuba Street, although these probably are in less tension than other zone boundaries.
Areas that are transitioning in time from one role to another	Very Low	No evidence of long-term change although this is likely limited by existing zoning.
Corridors connecting other centres with good access to public transport that have the potential to serve the surrounding area	High	High quality local public transport services, with a high-frequency bus corridor directly between the city's two premier centres (Petone and Hutt Central). Surrounding area is generally in demand for residential intensification and highly accessible. However, intensification potential in the surrounding area may be limited by natural hazards issues (including coastal hazards).

APPENDIX 4: PROVISIONS USING THE DEFINED TERM "REVERSE SENSITIVITY"

HS#	Chapter	Provision[60]	Qualifiers
6	Protection of Infrastructure	Introduction	n/a
6	Protection of Infrastructure	PINF-P3	None
6	Protection of Infrastructure	PINF-R1.2	None
6	Protection of Infrastructure	PINF-R2	None
2	Hazardous Substances	HS-O2	None
2	Hazardous Substances	HS-P3	None
2	Hazardous Substances	HS-Paaa	None
2	Hazardous Substances	HS-Pbbb	None
2	Hazardous Substances	HS-R3	None
2	Hazardous Substances	HS-Raaa	None
2	Hazardous Substances	HS-Rbbb	None
2	Hazardous Substances	HS-Rccc	None
7	Subdivision	SUB-P11	None
7	Subdivision	SUB-P25	None
7	Noise	NOISE-O2	“unreasonably”, “inappropriate”
7	Noise	NOISE-P3	None (term used in title only)
7	Papakāinga	PK-P3	None
7	Temporary Activities	TEMP-S2	None
3	General Rural Zone	Introduction – Quarry Zone Protection Overlay	None
3	General Rural Zone	GRUZ-R7	None
3	General Rural Zone	GRUZ-QZPO-R1	None
3	General Rural Zone	GRUZ-QZPO-R2	None
3	General Rural Zone	GRUZ-QZPO-R3	None
2	City Centre Zone	CCZ-P3	None
2	City Centre Zone	CCZ-S7	None
2	Metropolitan Centre Zone	MCZ-P3	None
2	Metropolitan Centre Zone	MCZ-S7	None
2	Local Centre Zone	LCZ-P3	None
2	Local Centre Zone	LCZ-S7	None
2	Neighbourhood Centre Zone	NCZ-P3	None
2	Neighbourhood Centre Zone	NCZ-S7	None
2	Mixed Use Zone	MUZ-P2	None

[60] As recommended in the right of reply statements for Hearing Stream 2, as notified for other hearing streams.

HS#	Chapter	Provision[60]	Qualifiers
2	Light Industrial Zone	Introduction	None
2	Light Industrial Zone	LIZ-P2	None
2	Light Industrial Zone	LIZ-P4	None
2	General Industrial Zone	Introduction	None
2	General Industrial Zone	GIZ-O2	None
2	General Industrial Zone	GIZ-P2	None
2	General Industrial Zone	GIZ-P4	None
2	Heavy Industrial Zone	Introduction	None
2	Heavy Industrial Zone	HIZ-O2	None
2	Heavy Industrial Zone	HIZ-P2	None
2	Heavy Industrial Zone	HIZ-P3	None
4	Natural Open Space Zone	NOSZ-P3	None
4	Hospital Zone	HOSZ-P2	“significant”
4	Marae Zone	MAZ-P3	None
2	Seaview Marina Zone	Introduction	“unreasonable”
2	Seaview Marina Zone	SMZ-O1	“significant”
2	Seaview Marina Zone	SMZ-O2	“unreasonable”, “excessive”
2	Seaview Marina Zone	SMZ-P1	None
2	Seaview Marina Zone	SMZ-P2	None
2	Seaview Marina Zone	SMZ-P5	“significant”, “inadequately”
4	Tertiary Education Zone	TEDZ-P2	“significant”

APPENDIX 5: DRAFT DISTRICT PLAN FACTSHEET – COMMERCIAL AND MIXED USE ZONES

Understanding our District Plan review

Commercial and Mixed Use Zones

Our vision for Lower Hutt is to create a city where everyone thrives.

To do this, we need to protect and improve our natural environment and grow our city in a way that is sustainable and meets the needs of all of us who call Lower Hutt home. One of the ways we do this is through the District Plan, which sets the rules for how we use land and develop our city.

The District Plan is going through a top-to-bottom review. How do we protect what we love and provide what we need as a city? That's where you come in – feedback on the draft plan is open until 15 December 2023. Following that, we'll have a statutory submission process on a proposed plan in 2024.

From protecting the environment to managing natural hazards and preserving our built heritage, there's a lot to consider. The District Plan is an important document that influences the future of our city, so find out more and have your say!

Find out more at hutt.city/dpreview



How much is changing?

Little — A lot

Our existing commercial areas drive our city's economy and are home to many community and civic facilities.

These are places Council invests the most in public projects to revitalise areas and attract visitors, such as Te Wai Takamori o Te Awa Kairangi (Riverlink). Denser centres also provide an opportunity for conveniently located apartment living right by shops and services. The draft District Plan aims to support these Commercial Zones and encourage a variety of commercial and residential options.

There are also areas on the fringe of centres and some key corridors that could help provide more local services as our city grows and intensifies. We are proposing that these be included in a new Mixed Use Zone. We're keen to hear about areas where we can encourage more local shops and services.

This chapter includes rules about light, noise, dust, odour and servicing hours to protect nearby residents.



What are we proposing?

- Four zones – City Centre, Metropolitan Centre (for Petone West and Jackson Street), Local Centre (for 19 suburban centres) and Mixed Use (for a range of other locations).
- Active Frontage rules to create a more attractive street front for pedestrians on certain streets.
- Refreshed urban design principles for commercial centres to ensure that our buildings, spaces, and physical networks are designed around aesthetics, convenience, personal safety and security, orientation, privacy and public health.
- New Character Precinct on Jackson Street to cover the parts of the street not already in a heritage area, to encourage new buildings to visually fit in with the semi-industrial and heritage surroundings.
- New Mixed Use Zone to cover small suburban centres and provide a flexible option for some (currently residential) public transport corridors and fringe areas around other centres.
- Diversify large format retail in Petone West to include other commercial activities.

FAQs

What sort of things can I give feedback on?

- Our proposed Character Area on Jackson Street.
- The different areas we've proposed for commercial zones.
- The centres we've identified and whether any should be added or removed.
- How we provide for centres to get established, grow or shrink.
- Where - if at all - to introduce Mixed Use zones.
- How we design new buildings to enhance our public spaces and attract people to visit our centres.
- Providing for competition and making it easier to start and expand businesses.
- How we protect neighbours from nuisance caused by commercial activities.

Do the rules in Commercial Zones cover what type of businesses can open?

Yes. Some larger businesses or types of businesses require resource consent in some zones to manage their impacts or ensure they're in a good location.

What other chapters protect people from nuisances caused by businesses?

- Noise, Light, Signs, and Temporary Activities chapters
- Businesses in industrial areas are addressed in the Industrial Zones chapter.

Does a Mixed Use Zone mean I need to have a business on my property?

No, property owners in Mixed Use zones can choose whether to have businesses, homes or both.

We're keen to hear from you

Go to **hutt.city/DPsurvey** or drop off your submission at any Hutt City Council neighbourhood hub.

HUTT CITY
TE AWA KAIRANGI

APPENDIX 6: MEMO OF MIRIAM MOORE – CENTRES ZONES URBAN DESIGN MATTERS

Boffa Miskell

Memorandum

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Attention:	Stephen Davis
Company:	Hutt City Council
Date:	24/07/2026
From:	Miriam Moore
Message Ref:	Centres Zones Urban Design Matters
Project No:	BM260933

Introduction

This memorandum provides commentary on two urban design matters that were raised in Hearing Stream 2, Commercial and Mixed Use Zones on the Hutt City Proposed District Plan. The Council's Reporting Officer, Mr Davis, has been asked to consider potential consolidation of the urban design policies in these zones, and similarly consolidation of standards *CCZ-S4, MCZ-S4, LCZ-S4 (Active frontages – buildings and structures), CCZS5, MCZ-S5, LCZ-S5 (Active frontages – required verandahs), CCZ-S6, MCZ-S6, LCZ-S6 (Active frontages – existing vehicle crossings).* I consider the wording of these policies and standards to be largely planning matters, however, I have further considered the policies and standards below, to provide advice to Mr Davis on the intended outcomes of these provisions, and whether they are fit for purpose.

1. Urban Design policies

The Hutt City Proposed District Plan (PDP) takes an approach where it excludes Urban Design Guides from being a statutory matter. In my experience, these guides are often included as a statutory document, providing point by point advice on how to achieve the outcomes sought by a District Plan's policies. While there may be opportunity for some consolidation or grouping within the policies, I support the approach of the PDP to have a robust list of urban design outcomes, to help facilitate good urban design outcomes in place of statutory guidance.

2. Active Frontage and Verandahs Standards

While the Urban Design policies provide a starting point for the urban design outcomes to be achieved, the Active Frontage Overlays standards provide more detail about specific outcomes, which have a measured application to the site. To test the outcomes of these standards, applying CCZ-S5, I have created a model of a theoretical development (the Building) on the site on the corner of Daly and High Street in Lower Hutt (the Site), which has an Active Frontage C Overlay across the Site (see Figure 3). For the purposes of the exercise, I have applied the Active Frontage B Overlay to the High Street frontage. For clarity, this is not a real development, it is a Council-owned site that may be redeveloped in the future and has been selected as a large site with multiple frontages.

Under this model, the Building is a three-story building that occupies the entire Site coverage, with no on-site carparking. The design focuses on complying with the Active Frontage Overlay standards and may have other non-complying elements that are not the subject of this assessment.



Figure 1: Site for testing

High Street Frontage (Active Frontage B)

The Building is 3 storeys high, complying with the 4m height at street frontage minimum (CCZ-S4.1) and occupies the entire Site, creating a 73.5m long façade at High Street. This requires 60% continuous glazing which results in a long 44.1m window (CCZ-S4.5). There are multiple breaks in fenestration outside of the 60% continuous glazing which complies with the 3m featureless façade standard (CCZ-S4.4). The Building provides a 2m setback at the primary entrance to allow for café seating and bike parking (CCZ-S4.2).
The High Street frontage (Active Frontage B) requires a verandah along the length of the building (CCZ-S5.1). See Figure 2.

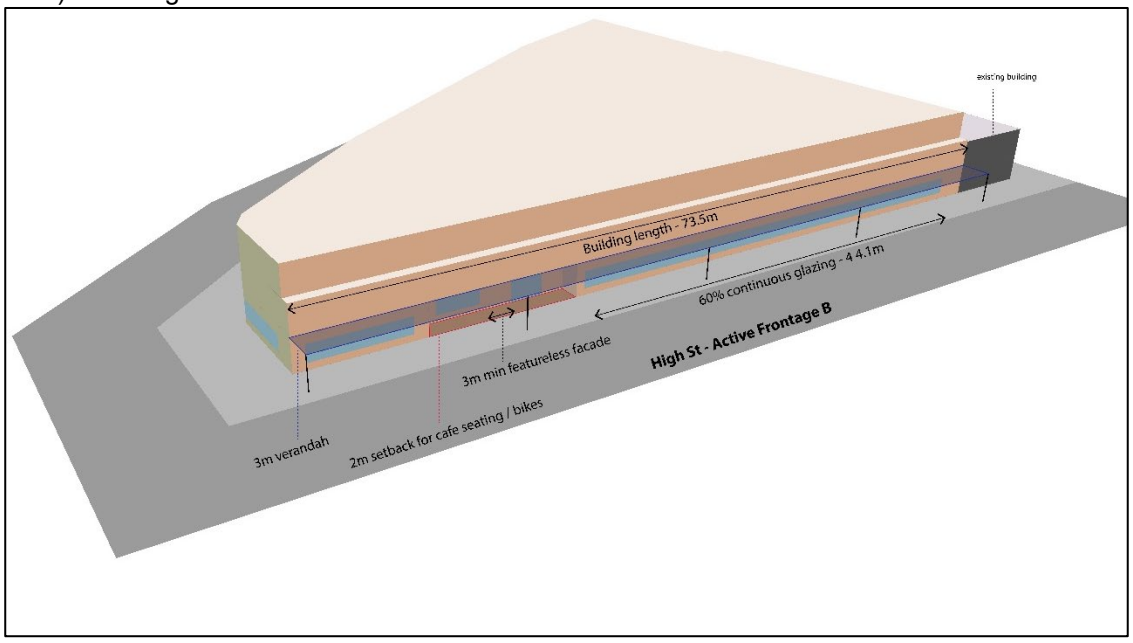


Figure 2: Site modelling, High Street Frontage

Daly Street Frontage (Active Frontage C)
The Building occupies the entire Site, creating a 90.32m long façade along this street frontage. This requires 30% continuous glazing which results in a long 27m window (CCZ-S4.6). There are multiple breaks in fenestration outside of the 30% continuous glazing which complies with the 3m featureless façade standard CCZ-S4.4. The Building provides a 2m setback at the secondary entrance to allow for café seating and bike parking to maximise the northern-facing aspect. See Figure 3.

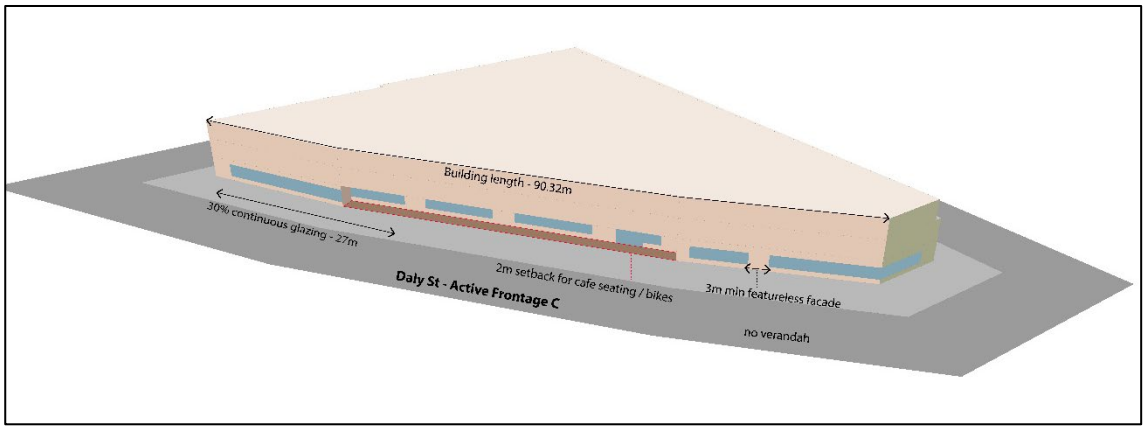


Figure 3: Site modelling, Daly Street Frontage

Discussion

The intention of an Active Frontage Overlay outlined in the CCZ introduction is "*to protect frontages on identified streets as attractive, pedestrian-focussed environments through land use and design controls*". This supports the urban design principle of contributing to urban vitality through ground floor activation. I consider the requirement for buildings to directly address the street edge and provide adequate glazing are important measures through which to achieve this, particularly where a statutory design guide is absent from the PDP. Further, the addition of verandahs helps to connect buildings along the footpath, allowing for a more comfortable and human-scale pedestrian experience.

These requirements are less flexible for some land-uses which can be found in City Centre zones, such as supermarkets or petrol stations. However, these activities can locate in other parts of the CCZ which are not subject to Active Frontage Overlays. These other locations are not targeted for a transitional change to uplift the urban form and provide a more connected, fine grain and positive pedestrian experience.

On the matter of the complexity of the Active Frontage Overlays, I agree that the standard is long with multiple considerations required, due to the specificity of the standards and the lists of exclusions. I support the intent of the Active Frontage Overlays, in supporting a lift in the quality of the built form and enhancing the pedestrian experience. However, I consider there could be opportunities to consolidate the wording.
As written in my Evidence Statement (Appendix 3 to Mr Davis' s42A report), I consider the 60% continuous glazing rule places risk of creating long, monotonous building frontages. A focus instead on rhythmic glazing and an overall percentage of glazing allows for more creativity in building design, and placement of windows which allows for modulation and/or articulation breaks which will help to visually break up large lengths of façade. Hutt City has many large sites, and there is a risk of unintended outcomes that undermine the intent of creating a finer-grain urban form. A consolidation of the standards could focus on the rhythm of glazing patterns and an overall percentage of glazing to be achieved, rather than a continuous glazing of a certain percentage.

Second, I consider the requirement for building bulk to address the street, with the 2m setback exception (CCZ-S4.2), could restrict the ability for the space down the sides of buildings to be utilised where it meets the street frontage, such as an outdoor garden area for a café or restaurant which might be best placed there for sun access. Such use can be positive street activation, which is achieved without a physical building. Two metres is unlikely to fit adequate seating for a café area, therefore there may be some flexibility within the provisions to consider other ways to activate the street aside from fenestration and building facades directly adjacent to the street. However, I understand there may be bylaws on footpath use which may create other opportunities for street-fronting dining, if these are removed due to the CCZ-S4.2, and Council may prefer to control street-front dining through these mechanisms.
Lastly, I maintain support for the inclusion of verandahs for the reasons as written in my Evidence Statement and any consolidation should ensure the outcome of contributing to a more cohesive and consistent built form over time remains.