

**BEFORE AN INDEPENDENT HEARINGS PANEL
OF THE UPPER HUTT CITY COUNCIL**

IN THE MATTER OF The Resource
Management Act 1991

IN THE MATTER OF Upper Hutt City
Council's Proposed
Intensification Planning
Instrument

**EVIDENCE OF MACIEJ WIKTOR LEWANDOWSKI
ON BEHALF OF SILVERSTREAM LAND HOLDINGS LTD (SUBMITTER 62)**

(Planning)

14 April 2023

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1. INTRODUCTION

- 1.1 My name is Maciej (Mitch) Wiktor Lewandowski. I am a resource management consultant and director of Building Block Planning Ltd, a Wellington-based planning and resource management consultancy.
- 1.2 I hold a Bachelor of Resource Studies from Lincoln University, a Master of Resource and Environmental Planning from Massey University, and a Post Graduate Diploma in Management from Massey University. I am a Full Member of the New Zealand Planning Institute and accredited resource management commissioner.
- 1.3 I have 21 years' professional experience. From 2014 to 2019, I was employed by Wellington City Council in the position of Principal Advisor Planning within the Council's District Plan Team. In that role I was responsible for the preparation of the Council's Housing and Business Capacity Assessment under the National Policy Statement on Urban Development Capacity (**NPS-UDC**). In addition, I was the lead author of the first regional capacity assessment prepared under the NPS-UDC. I subsequently worked as a Resource Management Consultant with Urban Perspectives Ltd, a Wellington based planning and resource management consultancy. I was employed in this role for 3 years prior.
- 1.4 Prior to my time at Urban Perspectives and Wellington City Council, I was employed by Upper Hutt City Council for a period of 5 years in a number of positions, including District Plan Manager.
- 1.5 I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Practice Note 2023 and confirm that I have complied with it in preparing my evidence. I confirm that the issues I address are within my area of expertise, except where I state that I rely upon the evidence of other expert witnesses. I also confirm that I have not omitted to consider material facts known to me that might alter or detract from my opinions.
- 1.6 I have been engaged by Silverstream Land Holdings Ltd (**SLHL**) to provide planning advice in relation to the St Patrick's College Silverstream site (**Site**). I prepared SLHL's submission on the Intensification Planning Instrument (**IPI**) for the Upper Hutt City District Plan (**District Plan**).

1.7 I confirm that, in preparing this evidence, I have read the relevant provisions of the IPI as notified (**IPI(N)**), the Upper Hutt City Council's (**Council**) section 32 report, the IPI recommendations in the section 42A Report version (**IPI(R1)**), and the other evidence prepared for SLHL.

2. SCOPE OF EVIDENCE

2.1 This statement of evidence will address:

- (a) The existing zoning and provisions of the Operative District Plan (**ODP**) that apply to the Site;
- (b) The proposed provisions contained in the IPI(N);
- (c) A brief summary of the IPI(N) section 32 evaluation;
- (d) A summary of the changes sought by SLHL in its submission;
- (e) An evaluation of the changes sought by SLHL; and
- (f) The Council's s42A report and associated provisions in the IPI(R1).

3. SUMMARY OF EVIDENCE

3.1 The purpose of this evidence is to provide a summary of the existing planning provisions applicable to the Site, contrast these with the provisions of the IPI(N), and comment on why the changes sought by SLHL (as amended by this evidence) are more appropriate for the Site and will ensure there are appropriate mechanisms for controlling adverse effects.

3.2 The zoning and provisions that apply under the ODP provide for a range of activities on the Site. In my view, the provisions proposed under the IPI(N) would place a significant constraint on the Site by overly focusing on residential outcomes and limiting the flexibility for the Site to respond to market demand and adapt to community needs. In my view the IPI(N) has a net disabling effect for the Site, in a manner that is inconsistent with Policy 3 of the National Policy Statement of Urban Development (**NPS-UD**), which is not specific to the type of land use that should be enabled. I do not believe that the level of departure from the existing provisions has been justified by the section 32 evaluation in respect of the Site.

3.3 As sought in SLHL's submissions, I consider the provisions of the Mixed Use Zone (**MUZ**) are more appropriate. While the Council's reporting officer has stopped short of recommending a change in zoning, the section 42A report has

indicated a broad level of support for aspects of the SLHL submission. This is particularly so in better recognising a wider range of activities on the Site. The section 42A report has invited further evidence in support of the SLHL submission which my evidence, and the evidence of others, provides. This constructive approach is acknowledged and appreciated.

- 3.4** I consider that any potential adverse effects arising from the application of the MUZ, as identified in the Council's section 42A assessment, can be overcome through the mechanisms I propose in this evidence. These include a threshold resource consent trigger based on vehicle movements, and providing for retail activities of any scale as a restricted discretionary activity. I therefore consider the Site should be zoned MUZ, with a range of other minor and consequential changes to appropriately implement the provisions of the MUZ in the context of the Site.

4. OPERATIVE DISTRICT PLAN

- 4.1** The overall Site presently carries a Special Activity zoning and is divided into two parts:

- (a) St Patrick's Estate Area – College Area; and
- (b) St Patrick's Estate Area – Managed Development Area.

- 4.2** The Site is subject to a flooding overlay in respect of the Hutt River. A map of the existing District Plan zoning and overlays is provided at **Appendix 1**.

- 4.3** Within the Managed Development Area, the following activities are provided for as controlled activities:

- (a) Car parks (excluding buildings);
- (b) Commercial development (excluding retail);
- (c) Business and professional offices;
- (d) Active recreation and places of entertainment;
- (e) Places of assembly (including community facilities) and conference centres;
- (f) Garden centres;
- (g) Education and early childhood centres;
- (h) Residential units and visitor accommodation; and
- (i) Medical facilities.

4.4 This provides for a wide range of development opportunities for the Managed Development Area, including opportunities for a mixture of activities to occur, such as residential development and commercial development. The ODP allows flexibility for development on the Site to respond to market demand and adapt to community needs.

4.5 Any activities not specifically provided for would require resource consent as a non-complying activity.

4.6 The objectives and policies of the existing Special Activity Zone that are relevant to the Site are:

SAZ-O1 The promotion of integrated and efficient management of natural and physical resources within the Special Activity Zone.

SAZ-O2 Recognition of the characteristics of activities in the Special Activity Zone and their effects on amenity within the Zone and in nearby areas.

SAZ-O3 Provision for a range of activities on the St Patrick's Estate Area which avoids, remedies or mitigates any adverse effects on its visual amenity, on the neighbouring community, services and roading infrastructure, and takes into account the flooding hazards.

4.7 Objective SAZ-O3 is particularly relevant, identifying the intention for a range of activities to be provided for in the development of the Site. This is further emphasised in the explanatory text to SAZ-O3, which states:

St Patrick's Estate is an area of land with potential for a wide range of development options. This area is dealt with under a specific policy framework within the Special Activity Zone. The St Patricks's Estate contains two distinct areas for future development, which are identified on the Planning Maps:

- 1. The St Patrick's College Area for future education expansion.*
- 2. The Managed Development Area for a range of other uses.*

4.8 The following zone policies are relevant, with policy SAZ-P4 being particular to the Site and again emphasising the intention of a “range of activities” to be provided for:

SAZ-P2 To ensure that the effects of activities within the Special Activity Zone on nearby properties are avoided, remedied or mitigated.

SAZ-P3 To control the adverse effects of the scale, location and appearance of development and buildings.

SAZ-P4 To provide for a range of activities within the St Patrick’s Estate Area which best suit the characteristics and constraints of the existing environment.

SAZ-P5 To promote the visual quality of the land by encouraging development which enhances amenity values.

SAZ-P6 To identify and maintain amenity values that the community wishes to protect.

4.9 The explanation to policy SAZ-P4 relevantly states:

Two distinct areas provide for a range of commercial, open space and educational activities appropriate to the environmental character and constraints of the land and surrounding area. These have been based on previous policies for the land and negotiation with the landowners and other parties. Linkages to the Hutt River walkway and the Silverstream Railway Station may be important components of future development.

4.10 What becomes evident from a reading of the applicable policy framework, coupled with a controlled activity status for a range of activities, is that the ODP contemplates a range of activities occurring on the Site. This recognises the community benefit in flexibility being retained for the Site. As discussed in the evidence of Mr McGuinness, the ODP framework has also formed the basis of the landowner’s assessment of and planning for development options for the land.

4.11 For completeness I note that a large portion of the Site is subject to a flooding overlay given its proximity to the Hutt River. The planning implication of that overlay is a resource consent requirement, as a discretionary activity¹, for any development within the flood area. SLHL has sought and obtained resource consents from both Upper Hutt City Council and Greater Wellington Regional Council to lift a portion of the Site to a level above the flood hazard level of the Hutt River. As discussed in the evidence of Mr McGuinness, these works are underway and will take a number of years to complete.

4.12 Upon completion of those works, this long standing site constraint will be overcome and the development potential of the Site will be unlocked from a hazard perspective. SLHL are actively considering development options and opportunities for the Site following the completion of these works. The IPI(N) is therefore important in ensuring that an appropriate range of activities continue to be provided for on the Site, in order to realise the long-standing development potential of this strategically important area for both Upper Hutt and the wider region.

5. PROPOSED PROVISIONS – IPI(N)

5.1 The IPI(N) zones the Site as High Density Residential Zone (**HRZ**) and creates a St Patrick's Estate Precinct, which is then denoted in two parts on planning maps as:

- (a) St Patrick's College Precinct; and
- (b) St Patrick's Urban Precinct.

5.2 The Urban Precinct is the equivalent notation of the existing Managed Development Area. **Appendix 2** contains a map depicting the IPI(N) zoning and notations.

¹ Rule NH-R12.

St Patrick's Estate Precinct

5.3 The Precinct description states:

The St Patrick's Estate Precinct comprises approximately 45 hectares of undeveloped land bordering the Hutt River, and forms part of the flood plain. The St Patrick's Estate Precinct is within the walkable catchment of Silverstream Railway Station, and as such high density residential development is provided for within the Precinct. The Precinct sits near the Southern gateway to the City and therefore subdivision and development of the Precinct provides an opportunity to enhance the entrance to the City via landscaping along Fergusson Drive.

The following objectives, policies and rules apply within the St Patrick's Estate Precinct in addition to the provisions of the underlying High Density Residential Zone. Where there is any conflict between the provisions the St Patrick's Estate Precinct provisions shall prevail.

5.4 There are no specific objectives relating to the Precinct. Rather, the objectives of the HRZ apply.

5.5 There is one policy² specific to the Precinct that applies in addition to those of the HRZ:

HRZ-PREC2-P1 Provide for medium and high density residential subdivision, use and development within the St Patrick's Estate Precinct that:

- (i) avoids significant adverse effects arising from potential inundation from the Hutt River and the Mawaihakona Stream;*
- (ii) provides pedestrian linkages to the Hutt River walkway and Silverstream Railway Station; and*

² Noting that the IPI(N) incorrectly suggests that there are two applicable policies.

- (iii) *enhances the southern entrance to the City via landscaping along the frontage of the site with Fergusson Drive.*

5.6 There are no specific rules relating to the Precinct, instead these crossreference to the HRZ. There are also no specific standards that apply to the Precinct.

5.7 The Precinct provisions therefore serve a very narrow purpose, having the net effect of including a site specific policy and Precinct description. That purpose, as contrasted to the existing policy framework, is solely focussed on residential development of the Site. That is a significant departure from the outcomes and flexibility provided for in the provisions of the ODP, and in my view would need significant justification in section 32 terms. I have not located such a justification and I remain of the view that maintaining the outcomes and flexibility inherent in the ODP is the most appropriate approach.

High Density Residential Zone

5.8 The background statement to the HRZ notes that the zone is predominantly used for residential activities with a high density and bulk of buildings such as apartments. The HRZ is utilised within and adjacent to walkable catchments of the Upper Hutt railway stations and centre zones. The HRZ gives effect to policy 3(c) and (d) of the NPS-UD.

5.9 There are four objectives:

HRZ-O1 Well-functioning Urban Environments

A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

HRZ-O2 Housing Variety

A relevant residential zone provides for a variety of housing types and sizes that respond to—

- a. housing needs and demand; and*
- b. the neighbourhood's planned urban built character, including 3-storey buildings.*

HRZ-O3 Hydraulic neutrality

There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.

HRZ-O4 High Density Residential Zone

The planned built urban form of the High Density Residential Zone includes high density residential development of heights and densities of urban form greater than that provided for in the General Residential Zone.

- 5.10** There is no specific objective relating to the St Patrick's Estate Precinct in the IPI(N).
- 5.11** There are eight policies that apply to the HRZ. I do not repeat them here, but note that they are designed to facilitate the HRZ objectives and span topics including design outcomes and ensuring development is compatible with the planned neighbourhood character.
- 5.12** Importantly, there are no policy provisions in the IPI(N) that would support any other activity aside from residential activity in the HRZ. While the HRZ cross-references to the General Residential Zone (**GRZ**) on a number of matters, it does not do so in respect of objectives and policies.
- 5.13** In respect of rules, HRZ-R1 provides that all permitted activities, standards, matters and information requirements that apply to the GRZ also apply to the HRZ. Where there is any conflict between the two, the HRZ provisions are to prevail.
- 5.14** HRZ-R2 provides for buildings as a permitted activity, subject to compliance with bulk and location standards, and the number of residential units per site. Non-compliance results in a resource consent requirement as a restricted discretionary activity.
- 5.15** Rules HRZ-R3 to HRZ-R7 then cross reference to the GRZ for all controlled, restricted discretionary, discretionary, non-complying and prohibited activities.
- 5.16** There are five standards. The first cross references to the standards of the GRZ, except as modified by standards particular to the HRZ. There are then standards

relating to building height, height in relation to boundary, building coverage, and the number of residential units which is limited to six as a permitted activity.

- 5.17** There is no policy provision within the HRZ for any other non-residential activities. Because the HRZ does not cross-reference to the GRZ in respect of objectives and policies, in my reading of the IPI(N), no guidance can be taken from the GRZ on these matters.

General Residential Zone

- 5.18** I do not repeat the zone description, objectives and policies of the GRZ as the HRZ does not cross-reference to these. Rather, it cross references to the rules and standards of the GRZ.

- 5.19** The GRZ permits:

- (a) Residential activities (up to three residential units);
- (b) Buildings (subject to standards);
- (c) Rest homes and community care housing;
- (d) Home business ancillary to residential activities; and
- (e) Passive recreation.

- 5.20** The following are controlled activities:

- (a) Marae.

- 5.21** The following are restricted discretionary activities:

- (a) Early childhood centres.

- 5.22** The following are discretionary activities:

- (a) Veterinary, medical and health clinics;
- (b) Places of assembly (including places of worship and educational facilities);
- (c) Visitor accommodation including hotels and motels; and
- (d) Any other activity that is not specifically listed.

5.23 These activities and associated rules will apply within the HRZ by virtue of the cross-reference created to the GRZ.

Subdivision

5.24 For completeness, I note that there is one bespoke policy (SUB-HRZ-P9) that applies to the St Patrick's Estate Precinct. This seeks that subdivision, use and development must provide for pedestrian linkages to the Hutt River walkway and Silverstream Railway Station, and enhance the southern entrance to the city. Beyond this aspect, subdivision standards applicable to the Site are those for the HRZ.

Summary of IPI(N)

5.25 The principal changes brought about by the IPI(N) is a rezoning of the Site to HRZ, and the creation of the St Patrick's Estate Precinct, which is also geared towards residential activity.

5.26 The effect of this change is a significant curtailing of the possible development options for the Site from those that are currently available both in terms of scope and associated activity status. Where currently the ODP provides for a wide range of activities as a controlled activity, the IPI(N) would limit the range of activities to residential, rest homes and community care housing, ancillary home businesses, and passive recreation as a permitted activity. Marae would be provided for as a controlled activity, and early childhood centres as a restricted discretionary activity. All other activities would be a discretionary activity.

5.27 As discussed in this evidence, this approach:

- (a) ignores long-standing development ambitions for the Site;
- (b) ignores the existing and long-standing ODP response;
- (c) has not been adequately considered through the section 32 evaluation prepared in support of the IPI(N);
- (d) ignores the significant strategic potential for the Site; and
- (e) undermines the NPS-UD, in particular Objectives 1, 2, 3, 4 and 6, and Policies 1, 2, 3 and 6, by prioritising residential development at the expense of other development outcomes, where residential development could still be accommodated through an alternative zoning approach.

6. SILVERSTREAM LAND HOLDINGS LIMITED SUBMISSION

Principal Relief Sought (62.1 and 62.2)

- 6.1 The principal relief sought by SLHL's submission is to change the proposed zoning of the Site to a Mixed Use Zone. A MUZ is sought as it provides the greatest level of similarity between what is currently provided for by the ODP and the zones available through the IPI(N). It also provides for equivalent residential outcomes as the HRZ. I set out a summary of the provisions of the MUZ in the following section.

Mixed Use Zone

- 6.2 The MUZ is a new zone introduced through the IPI(N). The zone introduction describes the MUZ as follows:

The Mixed Use Zone provides for a wide range of activities ranging from residential over commercial to light industrial. It enables retail, large format retail, commercial, recreational and entertainment activities, while also providing for drive-through activities and light industrial activities.

While anticipated and provided for in the Mixed Use Zone, light industrial activities are proposed to be assessed on a case by case basis through a resource consent process. This allows for an assessment of their suitability for the zone and provides the opportunity to manage potential adverse effects on existing or anticipated activities in the Mixed Use Zone.

The mixture of residential and non-residential activities in the zone and the medium scale built form establish a safe, vibrant and attractive environment for workers, residents and customers.

It needs to be noted that, due to the wide range of non-residential activities provided for and the potential for light industrial activities to establish, this zone may have fewer day-to-day conveniences and different amenity levels for residents than other Commercial or Residential Zones.

6.3 There are four objectives, of which MUZ-O1 is of particular relevance:

MUZ-O1 Purpose of the Mixed Use Zone

The Mixed Use Zone accommodates a wide range of activities, including commercial, recreational, entertainment, large format retail and car focused activities as well as compatible light industrial activities and residential activities. The non-residential activities service the needs of business and surrounding residential catchments.

MUZ-O2 Character and Amenity Values of the Mixed Use Zone

Mixed Use Zones are vibrant, attractive and safe urban environments. The built environment is well-designed, reflects the wide mix of activities and is generally of a medium to high scale and density.

MUZ-O3 Managing Effects at the Zone Interface

Use and development within the Mixed Use Zone are of an appropriate scale and manage potential adverse effects on the amenity values of adjoining sites in Residential or Open Space and Recreation Zones.

MUZ-O4 Hydraulic neutrality

There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.

6.4 There are then eight policies, which I set out in full at **Appendix 3**³:

MUZ-P1 Appropriate Activities

MUZ-P2 Residential Activities

MUZ-P3 Other Activities

MUZ-P4 Inappropriate Activities

³ Being the provisions of the MUZ as per the IPI(R1).

MUZ-P5 Built Development

MUZ-P6 Public Space Interface

*MUZ-P7 Interface with Residential and Open Space and Recreation
Zones*

MUZ-P8 Hydraulic Neutrality

6.5 The MUZ provides for the following as a permitted activity:

- (a) Buildings and structures (subject to standards);
- (b) Retail Activity and Large Format Retailing (subject to a landscaping and screening standard);
- (c) Commercial Service Activity, subject to:
 - (i) A gross floor area per tenancy of 500m²; and
 - (ii) A landscaping and screening standard.
- (d) Food and Beverage Activity, subject to:
 - (i) A gross floor area per tenancy of 500m²; and
 - (ii) A landscaping and screening standard.
- (e) Community Facility, subject to:
 - (i) A gross floor area per tenancy of 500m²; and
 - (ii) A landscaping and screening standard.
- (f) Healthcare Activity, subject to:
 - (i) A gross floor area per tenancy of 500m²; and
 - (ii) A landscaping and screening standard.
- (g) Educational Facility, subject to:
 - (i) A gross floor area per tenancy of 500m²; and
 - (ii) A landscaping and screening standard.
- (h) Entertainment Facility, subject to:
 - (i) A gross floor area per tenancy of 500m²; and
 - (ii) A landscaping and screening standard.
- (i) Sport and Active Recreation, subject to:
 - (i) A gross floor area per tenancy of 500m²; and
 - (ii) A landscaping and screening standard.
- (j) Office Activity, subject to:
 - (i) A gross floor area per tenancy of 250m²; and
 - (ii) A landscaping and screening standard.

- (k) Drive-through Activity, subject to:
 - (i) A gross floor area of the activity including parking and manoeuvring areas not exceeding 1500m²; and
 - (ii) A landscaping and screening standard.
- (l) Visitor Accommodation, subject to:
 - (i) A gross floor area per tenancy of 500m²;
 - (ii) All habitable rooms complying with a noise and ventilation standard; and
 - (iii) A landscaping and screening standard.
- (m) Residential Activity, subject to:
 - (i) No more than six residential units; and
 - (ii) Compliance being achieved with a noise and ventilation standard, and an outdoor living space standard.

6.6 Retirement villages, light industrial activities and emergency services facilities are provided for as a restricted discretionary activity.

6.7 Warehouses, yard based/trade supplier activities, motorised recreation and any other activity not otherwise provided for are discretionary activities.

6.8 Primary production, rural industry and industrial activities are non-complying activities.

6.9 I have set out the standards applying to the MUZ at **Appendix 3**. I note their similarity, in bulk and location terms, to those for the HRZ.

Comparison of Special Activity, High Density Residential and Mixed Use Zones

6.10 Given the changes proposed by the IPI(N) through an HRZ zoning and the impact of those changes on the nature of development opportunities available on the Site, it is useful to contrast these changes with what could be provided for through the MUZ. This is set out in Table 1 below.

6.11 In preparing this table I have:

- (a) Outlined permitted and controlled activities in **green**;
- (b) Outlined restricted discretionary activities in **orange**; and
- (c) Outlined discretionary and non-complying activities in **red**.

6.12 There is some duplication between various activities where they are slightly differently defined in the ODP and the IPI(N). I have attempted to reflect these variations as clearly as possible.

Table 1

Activity	Special Activity Zone (Operative District Plan)	High Density Residential Zone (IPI(N))	Mixed Use Zone (Submission)
Car parks	Controlled Activity	Discretionary Activity	Discretionary Activity
Commercial Development	Controlled Activity	Discretionary Activity	Permitted Activity (Commercial Service Activity)
Business and Professional Offices	Controlled Activity	Discretionary Activity	Permitted Activity
Active Recreation	Controlled Activity	Discretionary Activity	Permitted Activity (Sport and Active Recreation)
Places of Entertainment	Controlled Activity	Discretionary Activity	Permitted Activity (Entertainment Facility)
Places of Assembly	Controlled Activity	Discretionary Activity	Permitted Activity (to the extent this overlaps with a Community Facility).
Community Facilities	Controlled Activity	Discretionary Activity	Permitted Activity
Conference Centres	Controlled Activity	Discretionary Activity	Permitted Activity (Entertainment Facility)
Garden Centres	Controlled Activity	Discretionary Activity	Permitted (Retail Activity)
Education Activity	Controlled Activity	Discretionary Activity	Permitted Activity
Early Childhood Centres	Controlled Activity	Restricted Discretionary	Permitted (by the definition of Educational Facility)
Residential Activities	Controlled Activity	Permitted	Permitted Activity
Visitor Accommodation	Controlled Activity	Discretionary Activity	Permitted Activity
Medical Facilities	Controlled Activity	Discretionary Activity	Permitted Activity (Healthcare Activity)

Activity	Special Activity Zone (Operative District Plan)	High Density Residential Zone (IPI(N))	Mixed Use Zone (Submission)
Retail Activity	Non-Complying Activity	Discretionary Activity	Permitted Activity
Large Format Retail	Non-Complying Activity	Discretionary Activity	Permitted Activity
Commercial Service Activity	Controlled Activity (Commercial Development excluding retail)	Discretionary Activity	Permitted Activity
Food and Beverage Activity	Controlled Activity (as restaurants are exempt from definition of retail)	Discretionary Activity	Permitted Activity
Drive-through Activity	Non-Complying Activity (due to retail component)	Discretionary Activity	Permitted Activity
Rest Homes	Non-Complying Activity	Permitted Activity	Restricted Discretionary Activity
Community Care Housing	Non-Complying Activity	Permitted Activity	Discretionary Activity
Home Business Ancillary to Residential	Non-Complying Activity	Permitted Activity	Discretionary Activity
Passive Recreation	Permitted Activity	Permitted Activity	Discretionary Activity
Marae	Non-Complying Activity	Controlled Activity	Discretionary Activity
Veterinary Clinics	Controlled Activity (Medical Facilities)	Discretionary Activity	Discretionary Activity

- 6.13** The comparison demonstrates that there is a strong level of alignment between the provisions of the ODP Special Activity zone and those of the MUZ. The key distinction, in my assessment, is that the MUZ provides for retail and large format retail activity as a permitted activity, whereas the ODP provides for retail activity as a non-complying activity.
- 6.14** The comparison also serves to demonstrate the significant constraining of anticipated development (i.e. permitted and controlled activity) between the ODP and the HRZ as proposed in the IPI(N).

Other matters

- 6.15** Aside from the primary relief sought in the form of an alternative zoning, the SLHL submission also addressed a range of other matters:
- (a) Retaining the Precinct approach to the St Patrick's Estate Area and transferring this to the MUZ;
 - (b) Amending the Precinct description;
 - (c) Correcting inconsistent use of 'St Patrick's Estate Precinct' and the mapping notation;
 - (d) Inserting a new objective in the MUZ to recognise the particular qualities of the St Patrick's Estate site and the range of activities enabled on the site;
 - (e) Amendments to the existing Precinct policy to move it to the MUZ and to recognise that a range of activities are appropriate on the site;
 - (f) Amendments to the introductory section of the MUZ;
 - (g) Amendments to an existing objective and policy of the MUZ;
 - (h) The introduction of three new rules to the MUZ either specific to the St Patrick's Estate site, or across the MUZ;
 - (i) Amendments to the subdivision chapter to reflect the proposed zoning change; and
 - (j) A range of consequential changes to existing rules relating to the precinct as a result of moving those provisions to the MUZ.
- 6.16** I discuss these secondary submission points below. I provide at **Appendix 4** a track changed versions of the relevant chapters that incorporate the relief sought by SLHL, taking into account some of the matters addressed by the section 42A report (**IPI(R1)**).

Support for MUZ in NPS-UD

- 6.17** I consider that the MUZ zoning sought by SLHL is supported by the intent of Policy 3 of the NPS-UD, which is not specific to the type of land use that should be enabled. In particular, Policy 3(d) seeks to enable building heights and density of urban form commensurate with the level of commercial activity and community services.
- 6.18** In my view, it would undermine that policy to apply a narrow focus on residential subdivision and development, without considering the potential demand for commercial use (or other non-residential uses). This view is supported by Objective 3 and Policy 2 of the NPS-UD. The demand for other commercial uses of the site is discussed in Mr McGuinness's evidence. However, I note here that a MUZ zoning supports Policies 1 to 3 by enabling density of urban form in a way that will better provide for the full range of activities contemplated by those policies and anticipated for the site.
- 6.19** UHCC's implementation of Policy 3 in the IPI should be integrated with the other outcomes sought to be achieved by the NPS-UD, and in particular, the need to provide for development to meet expected demand for business land. Section 77N of the Resource Management Act 1991 enables UHCC to amend existing urban non-residential zones in giving effect to Policy 3 using an IPI. This includes enablement of an amendment to the St Patrick's site to MUZ zoning introduced by the IPI (including confirmation that the Special Activity Zoning activities are transferred to the new zoning, whether directly to the zone or to the Precinct provisions).
- 6.20** In addition to better achieving Policy 3 of the NPS-UD, implementing a MUZ would in my view:
- (a) support Objective 1 of the NPS-UD in achieving a well-functioning urban environment (defined by Policy 1);
 - (b) support Objective 3 in providing for both residential and non-residential activities in areas that are well serviced by public transport and in an area of high demand for housing and business land;
 - (c) respond to Objective 4 in recognising change and development in urban environments;

- (d) be consistent with Objective 6 by taking a strategic view of development outcomes on the Site and being responsive to landowner intentions;
- (e) achieve a well-functioning urban environment as defined by Policy 1;
- (f) support the Council's function in ensuring the provision of sufficient development capacity as required by Policy 2 across both residential and non-residential activities, thereby providing for increased flexibility to respond to market demands; and
- (g) be consistent with Policy 6 in recognising changes in development form and the benefits of urban development that is consistent with a well-functioning urban environment.

7. SECTION 32 EVALUATION

7.1 I have considered the section 32 evaluation prepared in support of the IPI(N). As highlighted in the SLHL submission, the section 32 evaluation considered the option of the proposed HRZ zoning, against the option of retaining the existing zoning. A MUZ was not considered as an alternative option.

7.2 The section 32 evaluation noted that the rezoning of the Site was not compulsory under the NPS-UD, but applied the HRZ zoning consistent with the Council's use of HRZ in respect of walkable catchments throughout Upper Hutt.

7.3 The section 32 evaluation highlighted the following potential benefits arising from an HRZ zoning:

The rezoning of the St Patrick's Estate area will generate a significant opportunity for increased residential subdivision and development. Development of the site following the proposed rezoning will result in opportunities for economic growth and employment associated with residential subdivision and development.

7.4 The evidence of Mr Heath suggests that HRZ zoning of the Site is not required given long term residential demand in Upper Hutt can be met and that a more diverse range of activities, including residential, would better located on the Site.

7.5 In my view, the section 32 evaluation should have considered the use of the MUZ (or potentially other zones) as a means of providing for a wider range of development opportunities, as well as providing for the residential outcomes

enabled by the HRZ. This is particularly the case as the following risks were identified in the section 32 report for the rezoning of the Site:

It is unknown what the impact of implementing the MDRS and giving effect to the NPS-UD is on district plan-enabled housing capacity and how this addresses the City's anticipated housing needs. It could be that the implementation of the MDRS and the NPS-UD results in there being no shortfall in plan enabled housing capacity. This situation would reduce the policy support and justification for rezoning part of the St Patrick's Estate area in particular.

With regard to the proposed rezoning of part of the St Patrick's Estate site to High Density Residential Zone, it is acknowledged that the resulting subdivision and development will result in a significant change from the existing undeveloped character of the site. However, as the Council has previously consulted the community on the proposed rezoning of part of the site to enable residential subdivision and development, the resulting effects and change in existing character is not unanticipated by the community. This fact reduces the levels of risks and uncertainty significantly.

On this basis, and notwithstanding the unknown impact of incorporating the MDRS and giving effect to Policy 3 of the NPS-UD on plan-enabled housing capacity with respect to anticipated housing needs, it is considered there is sufficient information and low levels of risk associated with this option.

7.6 In my view, these risks identified in the section 32 report support MUZ as the more appropriate zoning. Application of the MUZ would have allowed for market considerations to weigh the various development opportunities available for the Site and determine the most appropriate mix of land use activities for the Site.

7.7 I also note the rationale for the commercial and mixed use zoning in Volume 3 of the section 32 report:

The identified zones and precinct have been selected as they adequately cover the range and scale of commercial activities and development currently present and anticipated throughout the city. They continue to provide for a range of activities in a way that offers flexibility to the market while recognising that some activities are better focused in certain areas (e.g. some areas are more sensitive to a change in scale and land use activities than others).

7.8 I consider that the rationale for the commercial and mixed use zoning in Volume 3 of the section 32 report applies to the St Patrick's site.

8. SECTION 42A REPORT

Zoning change (62.1 and 62.2)

8.1 Mr Muspratt considers the zoning change sought by SLHL at section 33 of the section 42A report, in particular at paragraphs 1128 – 1141.

8.2 Mr Muspratt notes at paragraph 1129:

When I take into account the existing uses that are enabled and provided for within the site under the existing Special Activity zoning, I consider that the proposed Mixed Use Zone is the closest comparable zone that reflects many, but not all, of the activities provided for and encouraged within the St Patrick's Estate site.

8.3 Mr Muspratt at Appendix 5 to the section 42A report has undertaken an exercise similar to what I have undertaken in Table 1 above, in comparing the operative zoning against the provisions of the MUZ. He has not included a comparison against the HRZ.

8.4 In my view, the zone comparison I have carried out above highlights the degree of change proposed by the IPI(N) and the limitations that the proposed HRZ imposes as compared to the status quo.

8.5 Mr Muspratt's section 42A report supports the proposed HRZ zoning on the basis of the potential adverse effects of the MUZ zoning, rather than the comparative benefits of the HRZ zoning. On this basis, I have focused on these potential adverse effects and how they can be appropriately mitigated.

8.6 I agree that there are some differences between the existing zoning and what would be provided for by the MUZ as highlighted by Mr Muspratt at paragraph 1133 of the section 42A report. The principal difference relates to retail and large format retail activities⁴. I also note that I reach a different conclusion on 'food and beverage activity'⁵ under the operative zoning. I consider this is excluded from the definition of retail, being caught by the definition of commercial activity,

⁴ Paragraph 1133(a) of the section 42A report.

⁵ Paragraph 1133(b) of the section 42A report.

and is therefore a controlled activity. However, I do not consider that this difference of opinion is material to the overall outcome.

- 8.7** Mr Muspratt identifies other differences between the operative zoning and the MUZ at paragraph 1133(c) – (i). Here he highlights other activities that are a non-complying activity in the ODP as they are picked up by a catch-all rule, and activities that would otherwise require a resource consent under the MUZ (albeit for a lesser activity status). In my view, the key aspect here is that the MUZ still requires a resource consent for such activities. Whether the resource consent requirement is for a discretionary vs. non-complying activity is not in my view significant, and is more reflective of the differing drafting approaches of the ODP and IPI(N).
- 8.8** I do not agree with Mr Muspratt where he states at paragraph 1134 that “many of the activities that are non-complying activities under the existing SAZ provisions for the St Patrick’s Estate site, would be permitted activities should the zoning of the site be changed to MUZ” (emphasis added). In my assessment at Table 1, there are three activities that are non-complying activities under the ODP that would be permitted under the MUZ as notified. The remainder would be discretionary, restricted discretionary or non-complying.
- 8.9** Mr Muspratt considers that a number of these activities would be high traffic generators, and highlights retail activities, supermarkets and drive-through activities as examples, drawing on the traffic evidence of Mr Wignall for the Council. Mr Wignall considers that such activities would warrant assessment through an Integrated Transport Assessment.
- 8.10** At paragraph 1135, Mr Muspratt considers that the size of the Precinct and its relatively undeveloped state “means a substantial amount of new development and a mix of activities are provided for under the existing zoning.” I agree as this relates to the operative zoning and highlight that clearly a large degree of development is envisaged for the Site under the ODP.
- 8.11** I also note that a large amount of residential development is envisaged under the IPI(N), and that residential development of the Site would itself lead to transportation effects that would be assessed through a resource consent process (due to a 6 dwelling limitation)⁶.

⁶ Noting that the HRZ permits up to 6 dwellings, and more than 6 requires resource consent as a restricted discretionary activity.

8.12 Further, at paragraph 1135, Mr Muspratt then considers that in the absence of a structure plan providing for a “general layout and location of future activities within the site, a more cautious approach to that enabled within the MUZ is necessary.”

8.13 Mr Muspratt goes on to comment at paragraph 1135 that he has:

been unable to identify a reasonably practicable technical approach that would deliver a rational pattern of development and a mix of uses within the Precinct that would not potentially result in unanticipated adverse effects – such as an increased potential for reverse sensitivity effects resulting from high density residential subdivision and development as provided for by the HRZ provision in proximity to other non-residential activities enabled by the requested MUZ provisions.

8.14 At paragraph 1136, Mr Muspratt notes that he has come to the conclusion that due to the large size of the Site, the most appropriate method to achieve SLHL’s desired outcomes would be to prepare a structure plan for the site to identify areas appropriate for high density residential development and areas where other mixed use activities could occur. He considers that this would require a non-IPI plan change process.

8.15 In the absence of this approach, Mr Muspratt suggests the retention of the notified HRZ zoning, but proposes a number of amendments to the policy framework applicable to the St Patrick’s Estate Precinct in order to provide greater policy support for non-residential activities. These changes relate to a new objective HRZ-PREC2-O1, an amendment to policy HRZ-PREC2-P1 and an amendment to the introductory text to the St Patrick’s Estate Precinct.

8.16 While these amendments provide some relief at a policy level, they are still predicated on a discretionary activity basis for non-residential activities. I do not consider that this results in non-residential activities being sufficiently enabled. I consider that the approach proposed in my evidence, as detailed in the following section, provides a more appropriate and certain approach.

8.17 Finally, at paragraph 1140, Mr Muspratt invites SLHL to proffer an alternative solution to the issues he has identified through the hearing process. This appears to indicate a general acceptance of the suitability of the MUZ zoning,

subject to a suitable technical solution being proposed that mitigates the potential adverse effects he has identified.

An alternative approach

8.18 I agree with Mr Muspratt that some of the activities that would be permitted by the MUZ (notably retail activities) have the potential to cause adverse effects that should be appropriately managed through a resource consent process. My suggested approach is to amend the activity status for retail activities as they apply to the St Patrick's Estate Precinct.

8.19 I consider that a restricted discretionary activity status is appropriate and that appropriately framed matters of discretion can cover the relevant bases of potential effects. This would include traffic matters and the need for an Integrated Transport Assessment to inform such a resource consent process. Economic considerations, as evidenced by Mr Heath, would also be relevant to ensure potential adverse effects on other centres are appropriately considered.

8.20 Other activities that are permitted by the MUZ, as outlined in paragraph 6.5 above, are already limited in their gross floor area (per tenancy), or number of residential units, and require a resource consent as a restricted discretionary activity where this permitted activity condition is not met. In my view this is an appropriate approach that would address the concerns raised by Mr Muspratt and Mr Wignall. I note that the matters of discretion include the following:

The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.

8.21 Mr Muspratt also expresses some concerns around the potential mix of activities that could be accommodated on the Site. I note that the MUZ anticipates exactly such an outcome by providing for residential activities and a range of other development options. In bulk and location terms, the standards for the MUZ and HRZ are similar with some variation in the maximum height and height in relation to boundary standard. The HRZ also has a site coverage standard where the MUZ does not.

8.22 In terms of subdivision, the MUZ provisions are permissive while the HRZ provisions are residentially focussed and favour a higher density development outcome. Mr Muspratt notes at paragraph 1135 that the SLHL submission

sought to apply the HRZ subdivision provisions to the St Patrick's site. I note that the HRZ subdivision chapter contains a specific policy (SUB-HRZ-P9) relevant to the St Patrick's site and that the intent of the submission was to carry this policy over to the MUZ and ensure that the subdivision provisions of the MUZ were fit for purpose if they were to apply to the St Patrick's site. I do not read the subdivision provisions for the HRZ as being any more enabling than those for the MUZ.

- 8.23** I note that in respect of a different site (the Trentham Racecourse Precinct), Mr Muspratt has recommended the following new rule be added to the Mixed Use Zone:

MUZ-R19A Any activity or combination of activities within
Precinct 3 – Trentham Racecourse Precinct

1. Activity status: **Restricted Discretionary**

Where:

- a. The activity or activities will generate more than 100 vehicles per hour measured by passenger car units (PCU).

Matters of discretion are restricted to:

Methods to avoid, remedy or mitigate adverse effects on the transportation network as identified by an integrated transport assessment.

- 8.24** It is unclear why Mr Muspratt has not considered a similar response to the St Patrick's Estate Precinct. I consider that an equivalent approach would overcome the traffic related concerns expressed by Messrs Muspratt and Wignall.

- 8.25** Mr Georgeson has considered the 100 vehicle per hour threshold applied in respect of the Racecourse above. He considers that it would be an appropriate threshold to apply to the St Patrick's Estate site.

- 8.26** Based on this approach, and the evidence of Mr Georgeson, I propose a similar approach be adopted for the St Patrick's Estate Precinct. In my suggestion, the

restricted discretionary rule should exclude residential activities, in order to continue the existing approach in the IPI(N) under the HRZ.

8.27 I note that Mr Muspratt favours a structure plan approach to support the rezoning of the Site. While I understand the rationale in supporting such an approach, I do not consider that it is necessary. As highlighted in the evidence of Mr McGuinness, development options and opportunities for the Site are still being considered. To that end, flexibility in response to changing needs as identified by Objective 4 of the NPS-UD, rather than the higher degree of certainty that a structure plan would provide, is favoured and necessary. While Mr McGuinness also provides an indicative concept of potential site development, it is merely indicative (as the name suggests), highlighting one potential development scenario.

8.28 In my view, the potential effects of development can be appropriately managed through a resource consent process once development outcomes for the Site are more firmly understood. Given that the purpose of the MUZ is to provide for a range of activities, the Hearing Panel should take comfort that the provisions of the MUZ can appropriately provide for a mixture of activities. Further, the amendments that I propose to the MUZ provisions address the concerns raised by Mr Muspratt in respect of transportation effects.

Other changes

8.29 In addition to the principal zoning change sought by SLHL, a range of other changes were sought as set out at paragraph 6.15 above. I discuss Mr Muspratt's response to these matters below, referencing each submission point number.

62.3 – Precinct Mapping

8.30 This point identified an error in the way the Site was mapped in the IPI(N) and how it was referenced in the text. The text referred to the site collectively as the St Patricks Estate Precinct, whereas the mapping split the Precinct in two.

8.31 Mr Muspratt has adopted one of the options identified in the SLHL by merging the two 'sub-areas' into one precinct. I support this approach – subject to my comment below around how the ongoing operation of St Patrick's College is provided for.

62.4 – Precinct Description

- 8.32** Mr Muspratt has made a number of changes to the precinct description, which I support. I proposed a further amendment to the precinct description by adding the words 'medium and' before high density residential development to ensure consistency with existing policy HRZ-PREC2-P1. I acknowledge that the Site is not described in any relevant regional planning document as having regional significance and on this basis accept Mr Muspratt's framing of the site as being significant in an Upper Hutt context.
- 8.33** Mr Muspratt, in respect of this submission point, also proposes the addition of a new objective and amendments to an existing policy to address, in part, the relief sought by SLHL regarding the zoning of the Site. Notwithstanding my view that the site zoning should be changed to MUZ, should the Hearing Panel not support that relief, then I support the changes proposed by Mr Muspratt subject to some minor amendments as outlined in Appendix 4.

62.5 – Precinct Objective

- 8.34** This was a consequential change resulting from the proposed relocation of the St Patrick's Estate Precinct to the MUZ chapter. Mr Muspratt has not supported this change given that he has not supported the zoning change. In the event that the Hearing Panel agrees with the change to MUZ, then I consider this change to remain relevant.

62.6 – Precinct Objective

- 8.35** The submission sought a new specific objective in the absence of one in the IPI(N). Mr Muspratt has agreed with this in part as mentioned at 8.15 but within the existing HRZ framework.

62.7 – Precinct Policy

- 8.36** This is a consequential change resulting from the proposed relocation of this policy to the MUZ, and a minor amendment that reflects that range of activities enabled for the Site.

62.8 – 62.15 – Consequential Amendments

- 8.37** These submission points relate to a range of consequential amendments resulting from the proposed zoning change. They remain relevant in the event the Hearing Panel supports the zoning change sought.

62.16 – Objective MUZ-O1

- 8.38** This amendment related to a minor change relating to the word ‘surrounding’ in the objective. Mr Muspratt has supported the change suggested by SLHL to remove the word, and I support this change.

62.17 – MUZ-P1

- 8.39** This is an equivalent change to that sought under 62.16 above. However, in this instance, Mr Muspratt has not recommended accepting the relief sought. I was unable to find any discussion of this point in the section 42A report. Given the change is equivalent to that sought for 62.16, I consider an equivalent change should be made.

62.18 – 62.21 – Support for specific MUZ provisions

- 8.40** SLHL supported a number of MUZ provisions as notified. Mr Muspratt has maintained those provisions, which I agree with.

62.22 – New MUZ rule for garden centres

- 8.41** As a belt and braces approach, the SLHL submission sought that garden centres are provided for as a permitted activity within the Precinct or the MUZ as a whole. It was unclear whether the definition of large format retail, or retail, spanned garden centres given that garden centres were individually defined. The matter could also be appropriately addressed by clarifying the definition.
- 8.42** Given my earlier discussion around providing for retail activity as a restricted discretionary activity, the same change would apply to garden centres.

62.23 – New MUZ rule for supermarkets

- 8.43** As for garden centres above, it was unclear whether a supermarket is captured by the definition of retail and large format retail as it is separately defined. The submission sought to provide for supermarkets specifically given their individual definition, or to clarify the relationship with the definitions of retail and/or large format retail.
- 8.44** Again, this change would be subject to the change I now recommend that would make retail activity a restricted discretionary activity on the Site. Nevertheless, the underlying issue of whether a supermarket is caught by the broader definition of retail activity (or large format retail) remains live.

62.24 – New MUZ rule for existing College activities

- 8.45** The ODP provides for educational facilities as a permitted activity at the St Patrick's College Area. The IPI(N) would make that a discretionary activity under the HRZ, and under the MUZ educational facilities would be permitted up to an area of 500m² gross floor area per facility.
- 8.46** SLHL's submission has sought to maintain the permitted activity status for the College. Mr Muspratt has not supported that change on the basis that the College can continue to operate based on existing use rights, and that it is appropriate to consider any expansion through a resource consent process with reference to transportation effects.
- 8.47** I disagree. I have not found any basis in the IPI(N) material that supports the shift from the current permitted activity status, to a discretionary activity status. Any change in built development would now carry a resource consent requirement under either the HRZ or MUZ option that brings with it regulatory costs and uncertainty. I support the long-standing District Plan approach of permitting educational activities for the College.

62.25 – Subdivision chapter amendments

- 8.48** The SLHL submission sought to amend the subdivision provisions applicable to the MUZ by moving relevant subdivision provisions applying to the St Patricks site under the HRZ to the MUZ. Policy SUB-HRZ-P9 is the relevant policy that should be moved in the event the Hearing Panel supports the rezoning sought

by SLHL. The submission also identified the potential for other necessary consequential changes.

Consequential change

- 8.49** In preparing the comparison Table 1, I note that passive recreation in the MUZ is a discretionary activity. I consider that passive recreation would be more appropriately provided for as a permitted activity. While not an essential matter, I consider that a consequential change could be made here to make passive recreation a permitted activity in the MUZ.

Summary of changes sought

- 8.50** I have provided in **Appendix 4** a track changed version of all changes sought by SLHL based on the IPI(R1) provisions recommended by Mr Muspratt and the matters I have discussed above.

Section 32AA evaluation

- 8.51** For the reasons outlined in my evidence and drawing on the cost benefit analysis undertaken by Mr Heath, I consider that the MUZ zoning proposed by SLHL will more appropriately achieve the relevant District Plan objectives and ultimately the purpose of the Act. The MUZ provisions, as amended in my evidence, appropriately provide for the residential development of the Site, while also allowing for a range of other appropriate activities, with mechanisms in place to control and mitigate potential adverse effects. This approach is consistent with long-standing planning provisions applicable to the Site.
- 8.52** An HRZ zoning is not required by the NPS-UD and the requirements of the Act. Rather, the most appropriate urban zone should be applied (within the scope of the IPI process). I consider that, when informed by the context of the Site, the appropriate zoning is the MUZ.
- 8.53** An HRZ zoning is too focussed on residential outcomes, and despite the changes proposed by the IPI(R1), a discretionary activity status for the majority of non-residential activities is not in my view sufficiently enabling of the range of activities that would be appropriate for the Site.

9. CONCLUSION

9.1 The changes proposed by the IPI(N) significantly limit the existing development potential of the Site. By rezoning the Site to HRZ, the IPI(N) has overly focussed on residential outcomes, not appropriately considered the existing activities enabled on the Site, and not considered zoning options that would provide for residential outcomes alongside a wider range of activities that are appropriate for the Site. In my view, the proposed changes limit the flexibility for the Site to respond to market demand and adapt to community needs.

9.2 The strategic significance and potential of the Site would, in my opinion, be most appropriately reflected through a Mixed Use Zone that would enable the landowner to better plan, with confidence, for a range of suitable activities to occur in order to unlock the potential of the Site. In response to the matters raised in the section 42A report, I have proposed changes to the specific relief sought in SLHL's submission that provide appropriate mechanisms for controlling adverse effects, while retaining the benefit of the flexibility protected under the ODP.

DATED 14 April 2023

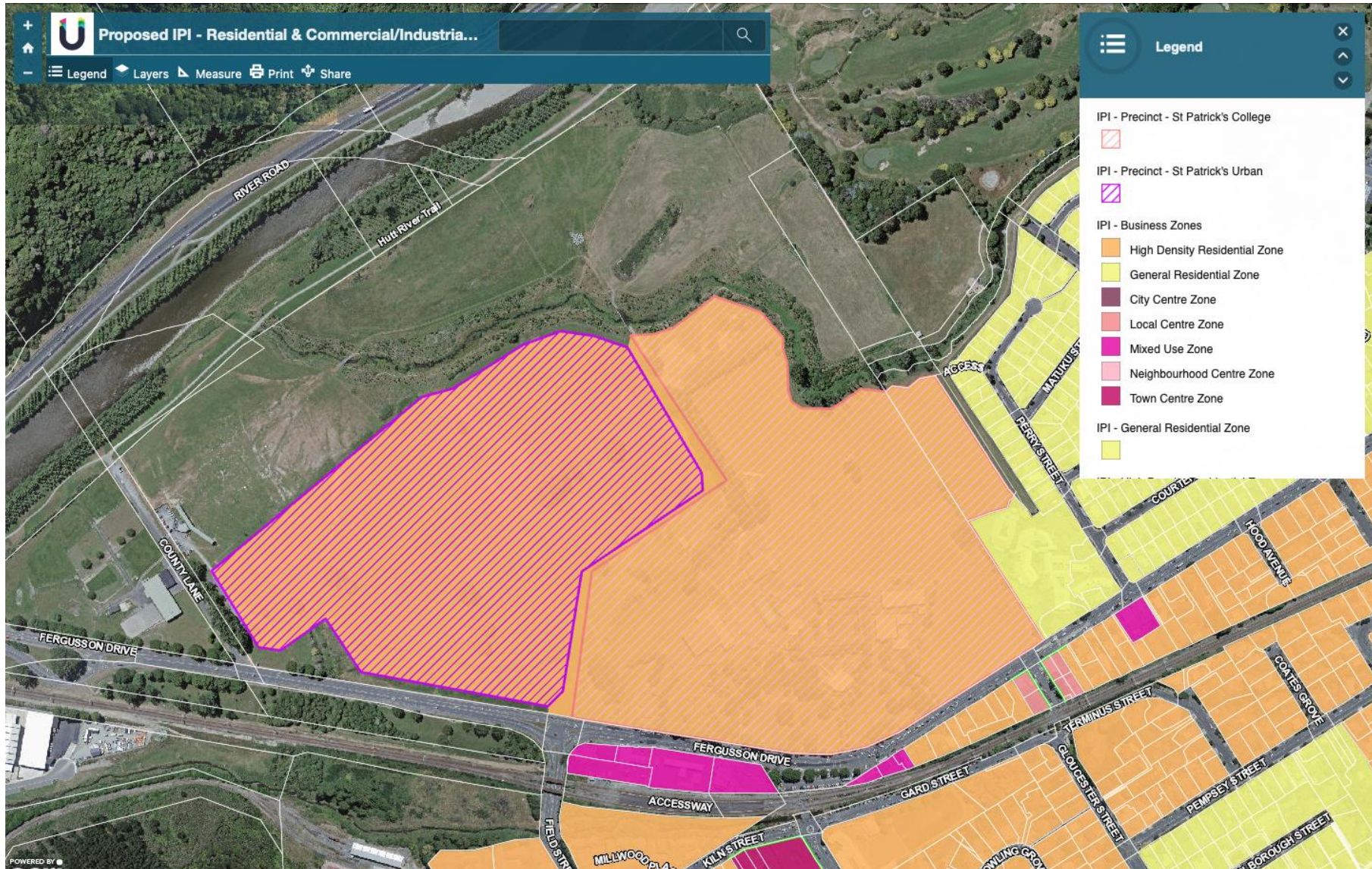


MACIEJ WIKTOR LEWANDOWSKI

APPENDIX 1 – OPERATIVE DISTRICT PLAN ZONING AND NOTATIONS



APPENDIX 2 – IPI(N) ZONING AND NOTATIONS



Appendix 3

IPI - PROPOSED AMENDMENTS									
#	Chapter	Change	Track Change						
	New LCZ - Local Centre Zone	Introduce new Standard LCZ-S10	<table border="1"> <tr> <td>LCZ-S10</td> <td>Hydraulic neutrality</td> </tr> <tr> <td colspan="2"> <p>New buildings and development must be designed to achieve hydraulic neutrality, ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation for the 10% and 1% rainfall Annual Exceedance Probability event.</p> </td> </tr> <tr> <td colspan="2"> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Methods to avoid, remedy or mitigate any adverse effects</u> resulting from any increase in pre-development <u>peak stormwater runoff.</u> 2. <u>Cumulative effects.</u> </td> </tr> </table>	LCZ-S10	Hydraulic neutrality	<p>New buildings and development must be designed to achieve hydraulic neutrality, ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation for the 10% and 1% rainfall Annual Exceedance Probability event.</p>		<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Methods to avoid, remedy or mitigate any adverse effects</u> resulting from any increase in pre-development <u>peak stormwater runoff.</u> 2. <u>Cumulative effects.</u> 	
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MUZ – Mixed Use Zone									
	New MUZ - Mixed Use Zone	Introduce new Chapter Heading and Introduction	<p>Mixed Use Zone</p> <p>The Mixed Use Zone provides for a wide range of activities ranging from residential over commercial to light industrial. It enables retail, large format retail, commercial, recreational and entertainment activities, while also providing for drive-through activities and light industrial activities.</p> <p>While anticipated and provided for in the Mixed Use Zone, light industrial activities are proposed to be assessed on a case by case basis through a resource consent process. This allows for an assessment of their suitability for the zone and provides the opportunity to manage potential adverse effects on existing or anticipated activities in the Mixed Use Zone.</p> <p>The mixture of residential and non-residential activities in the zone and the medium scale built form establish a safe, vibrant and attractive environment for workers, residents and customers.</p> <p>It needs to be noted that, due to the wide range of non-residential activities provided for and the potential for light industrial activities to establish, this zone may have fewer day-to-day conveniences and different amenity levels for residents than other Commercial or Residential Zones.</p>						
	New MUZ - Mixed Use Zone	Introduce new Objective MUZ-01	<table border="1"> <tr> <td colspan="2">Objectives</td> </tr> <tr> <td>MUZ-01</td> <td>Purpose of the Mixed Use Zone</td> </tr> <tr> <td colspan="2"> <p>The Mixed Use Zone accommodates a wide range of activities, including commercial, recreational, entertainment, large format retail and car focused activities as well as compatible light industrial activities and residential activities. The non-residential activities service the needs of business and surrounding residential catchments.</p> </td> </tr> </table>	Objectives		MUZ-01	Purpose of the Mixed Use Zone	<p>The Mixed Use Zone accommodates a wide range of activities, including commercial, recreational, entertainment, large format retail and car focused activities as well as compatible light industrial activities and residential activities. The non-residential activities service the needs of business and surrounding residential catchments.</p>	
Objectives									
MUZ-01	Purpose of the Mixed Use Zone								
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Commented [MM177]: S58.273 - Kianga Ora: Home and Communities.

Commented [MM178]: S62.16 - Silverstream Land Holdings Limited

IPI - PROPOSED AMENDMENTS											
#	Chapter	Change	Track Change								
	New MUZ - Mixed Use Zone	Introduce new Objective MUZ-O2	<table border="1"> <tr> <td>MUZ-O2</td> <td>Character and Amenity Values of the Mixed Use Zone</td> </tr> <tr> <td colspan="2">Mixed Use Zones are vibrant, attractive and safe urban environments. The built environment is well-designed, reflects the wide mix of compatible activities and is generally of a medium to high scale and density.</td> </tr> </table>	MUZ-O2	Character and Amenity Values of the Mixed Use Zone	Mixed Use Zones are vibrant, attractive and safe urban environments. The built environment is well-designed, reflects the wide mix of compatible activities and is generally of a medium to high scale and density.					
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	New MUZ - Mixed Use Zone	Introduce new Objective MUZ-O4	<table border="1"> <tr> <td>MUZ-O4</td> <td>Hydraulic neutrality</td> </tr> <tr> <td colspan="2">There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.</td> </tr> </table>	MUZ-O4	Hydraulic neutrality	There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.					
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	New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P1	<table border="1"> <tr> <td colspan="2">Policies</td> </tr> <tr> <td>MUZ-P1</td> <td>Appropriate Activities</td> </tr> <tr> <td colspan="2">Enable appropriate activities that</td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> Are consistent with the anticipated role, function and character of the Mixed Use Zone; Provide employment and services to businesses and surrounding residential catchments; and Minimise any adverse effects on the amenity of adjoining residential, recreational and open space sites. </td> </tr> </table>	Policies		MUZ-P1	Appropriate Activities	Enable appropriate activities that		<ol style="list-style-type: none"> Are consistent with the anticipated role, function and character of the Mixed Use Zone; Provide employment and services to businesses and surrounding residential catchments; and Minimise any adverse effects on the amenity of adjoining residential, recreational and open space sites. 	
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	New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P2	<table border="1"> <tr> <td>MUZ-P2</td> <td>Residential Activities</td> </tr> <tr> <td colspan="2">Provide for residential activity where any residential units are designed to:</td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> Achieve adequate indoor noise and ventilation levels for occupants; Provide a high level of amenity for occupants; and Minimise reverse sensitivity effects on non-residential activities. </td> </tr> </table>	MUZ-P2	Residential Activities	Provide for residential activity where any residential units are designed to:		<ol style="list-style-type: none"> Achieve adequate indoor noise and ventilation levels for occupants; Provide a high level of amenity for occupants; and Minimise reverse sensitivity effects on non-residential activities. 			
MUZ-P2	Residential Activities										
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<ol style="list-style-type: none"> Achieve adequate indoor noise and ventilation levels for occupants; Provide a high level of amenity for occupants; and Minimise reverse sensitivity effects on non-residential activities. 											
	New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P3	<table border="1"> <tr> <td>MUZ-P3</td> <td>Other Activities</td> </tr> </table>	MUZ-P3	Other Activities						
MUZ-P3	Other Activities										

Commented [MM179]: S33.20 - Fuel Companies.

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#	Chapter	Change	Track Change						
			<p>Provide for other activities where:</p> <ol style="list-style-type: none"> Any significant adverse effects, including reverse sensitivity effects, can be managed; The design and location of parking areas, vehicle access and servicing arrangements: <ol style="list-style-type: none"> maintain streetscape amenity; and ensure that pedestrian safety is not compromised; The size, intensity and scale of the activity: <ol style="list-style-type: none"> Is consistent with the anticipated character and amenity values of the Mixed Use Zone; and Does not compromise other activities that are anticipated within the Mixed Use Zone; and The location of the activity in the Mixed Use Zone does not undermine the role and function of the City Centre Zone or the General Industrial Zone. 						
	New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P4	<table border="1"> <tr> <td>MUZ-P4</td> <td>Inappropriate Activities</td> </tr> <tr> <td colspan="2">Avoid activities that area incompatible with the anticipated scale and character of the Mixed Use Zone and the surrounding environment.</td> </tr> </table>	MUZ-P4	Inappropriate Activities	Avoid activities that area incompatible with the anticipated scale and character of the Mixed Use Zone and the surrounding environment.			
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	New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P5	<table border="1"> <tr> <td>MUZ-P5</td> <td>Built Development</td> </tr> <tr> <td colspan="2">Provide for built development that:</td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> Is consistent with the anticipated role, character, planned urban built form and density of the Mixed Use Zone; Is commensurate with the anticipated level of commercial activities and community services in the Mixed Use Zone; Is well designed; and Contributes to an attractive and safe well-functioning urban environment. </td> </tr> </table>	MUZ-P5	Built Development	Provide for built development that:		<ol style="list-style-type: none"> Is consistent with the anticipated role, character, planned urban built form and density of the Mixed Use Zone; Is commensurate with the anticipated level of commercial activities and community services in the Mixed Use Zone; Is well designed; and Contributes to an attractive and safe well-functioning urban environment. 	
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	New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P6	<table border="1"> <tr> <td>MUZ-P6</td> <td>Public Space Interface</td> </tr> <tr> <td colspan="2">Provide for new development that creates an attractive interface with the public space and minimises adverse effects on the amenity and quality of the streetscape through:</td> </tr> </table>	MUZ-P6	Public Space Interface	Provide for new development that creates an attractive interface with the public space and minimises adverse effects on the amenity and quality of the streetscape through:			
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Commented [MM180]: S58.285 - Kianga Ora: Homes and Communities.

Commented [MM181]: S64.97 - Retirement Villages Association of New Zealand.

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#	Chapter	Change	Track Change		
			<ol style="list-style-type: none"> 1. <u>High quality building design;</u> 2. <u>Visually unobtrusive parking, storage and servicing areas;</u> 3. <u>The use of landscaping to minimise the effects of larger parking, service and storage areas.</u> <p><u>Encourage new buildings to be oriented towards the front boundary of the site and create a positive interface with the public space.</u></p>		
	New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P7	<table border="1"> <tr> <td>MUZ-P7</td> <td>Interface with Residential and Open Space and Recreation Zones</td> </tr> </table> <p><u>Minimise the adverse effects from non-residential use and development on sites directly adjoining the Residential or Open Space and Recreation Zones through:</u></p> <ol style="list-style-type: none"> 1. <u>Requiring new buildings and activities to be located and designed to manage any shading and privacy effects on neighbouring sites zoned Residential or Open Space and Recreation;</u> 2. <u>Limiting the height, bulk and form of new buildings along boundaries with sites zoned Residential or Open Space and Recreation to minimise dominance effects; and</u> 3. <u>Requiring the use of screening and landscaping to minimise adverse visual effects on adjoining sites zoned Residential or Open Space and Recreation.</u> 	MUZ-P7	Interface with Residential and Open Space and Recreation Zones
MUZ-P7	Interface with Residential and Open Space and Recreation Zones				
	New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P8	<table border="1"> <tr> <td>MUZ-P8</td> <td>Hydraulic neutrality</td> </tr> </table> <p><u><i>New buildings and development will be designed to achieve hydraulic neutrality.</i></u></p>	MUZ-P8	Hydraulic neutrality
MUZ-P8	Hydraulic neutrality				
	New MUZ - Mixed Use Zone	Introduce new Rules Advice Note	<table border="1"> <tr> <td>Rules</td> </tr> </table>	Rules	
Rules					

Note: There may be a number of provisions that apply to an **activity, building, structure** or **site**. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an **activity** are set out in Chapter 2 How the Plan Works.

Rules relating to **subdivision** are found in the SUB-GEN (General **Subdivision** Provisions that Apply in All Zones) and the SUB-CMU (**Subdivision in Commercial and Mixed Use Zones**) chapters.

Each **activity** in the Mixed Use Zone shall comply with the relevant **qualifying matter areas**, and permitted activity standards in the district-wide matters of the Plan as listed below.

District-wide matters
<u>NU – Network Utilities</u>
<u>REG - Renewable Energy Generation</u>
<u>TP – Transport and Parking</u>
<u>CL – Contaminated Land</u>
<u>HS - Hazardous Substances</u>
<u>NH - Natural Hazards</u>
<u>WM – Waste Management</u>
<u>HH - Historical Heritage</u>
<u>TREE - Notable Trees</u>
<u>UTG - Urban Tree Groups</u>
<u>ECO - Ecosystems and Indigenous Biodiversity</u>
<u>NATC – Natural Character</u>
<u>NFL - Natural Features and Landscapes</u>
<u>PA – Public Access</u>
<u>SUB - Subdivision</u>
<u>DC – Development Contributions</u>
<u>AIR - Air</u>
<u>PK – Papakāinga</u>

IPI - PROPOSED AMENDMENTS									
#	Chapter	Change	Track Change						
			<table border="1"> <tr><td><u>ASW - Activities on the Surface of Water</u></td></tr> <tr><td><u>EW - Earthworks</u></td></tr> <tr><td><u>LIGHT - Light</u></td></tr> <tr><td><u>NOISE - Noise</u></td></tr> <tr><td><u>SIGN - Signs</u></td></tr> <tr><td><u>TEMP - Temporary Activities</u></td></tr> </table>	<u>ASW - Activities on the Surface of Water</u>	<u>EW - Earthworks</u>	<u>LIGHT - Light</u>	<u>NOISE - Noise</u>	<u>SIGN - Signs</u>	<u>TEMP - Temporary Activities</u>
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R1	<table border="1"> <tr> <td>MUZ-R1</td> <td><u>Buildings and structures, including additions and alterations</u></td> </tr> <tr> <td colspan="2"> <p>1. Activity status: <u>Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is achieved with</u></p> <p>i. <u>MUZ-S1 (Height);</u></p> <p>ii. <u>MUZ-S2 (Height in Relation to Boundary);</u></p> <p>iii. <u>MUZ-S3 (Setbacks);</u></p> <p>iv. <u>MUZ-S4 (Noise and Ventilation);</u></p> <p>v. <u>MUZ-S5 (Outdoor Living Space);</u></p> <p>vi. <u>MUZ-S6 (Landscaping and Screening);</u></p> <p>vii. <u>MUZ-S7 (Water Supply, Stormwater and Wastewater); and</u></p> <p>viii. <u>MUZ-S8 (Hydraulic neutrality).</u></p> </td> </tr> <tr> <td colspan="2"> <p>2. Activity status: <u>Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with one or more of the standards under MUZ-R1-1.a</u></p> </td> </tr> </table>	MUZ-R1	<u>Buildings and structures, including additions and alterations</u>	<p>1. Activity status: <u>Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is achieved with</u></p> <p>i. <u>MUZ-S1 (Height);</u></p> <p>ii. <u>MUZ-S2 (Height in Relation to Boundary);</u></p> <p>iii. <u>MUZ-S3 (Setbacks);</u></p> <p>iv. <u>MUZ-S4 (Noise and Ventilation);</u></p> <p>v. <u>MUZ-S5 (Outdoor Living Space);</u></p> <p>vi. <u>MUZ-S6 (Landscaping and Screening);</u></p> <p>vii. <u>MUZ-S7 (Water Supply, Stormwater and Wastewater); and</u></p> <p>viii. <u>MUZ-S8 (Hydraulic neutrality).</u></p>		<p>2. Activity status: <u>Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with one or more of the standards under MUZ-R1-1.a</u></p>	
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			<p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters of discretion of any infringed standard.</u></p> <p>Notification: <u>An application under this rule where compliance is not achieved with MUZ-S2, MU-S3, MUZ-S4 or MUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</u> <u>An application under this rule where compliance is not achieved with MUZ-S5 is precluded from being publicly or limited notified in accordance with section 95A of the RMA.</u></p>																				
	New MUZ - Local Centre Zone	Introduce new Rule MUZ-R2	<table border="1"> <tr> <td>MUZ-R2</td> <td>Minor structures</td> </tr> <tr> <td colspan="2">1. Activity status: Permitted</td> </tr> </table>	MUZ-R2	Minor structures	1. Activity status: Permitted																	
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	New MUZ - Local Centre Zone	Introduce new Rule MUZ-R3	<table border="1"> <tr> <td>MUZ-R3</td> <td>Demolition</td> </tr> <tr> <td colspan="2">1. Activity status: Permitted</td> </tr> <tr> <td colspan="2">Note: <u>Prior to demolition commencing, confirm whether rules in chapter HH-Historic Heritage apply.</u></td> </tr> </table>	MUZ-R3	Demolition	1. Activity status: Permitted		Note: <u>Prior to demolition commencing, confirm whether rules in chapter HH-Historic Heritage apply.</u>															
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R4	<table border="1"> <tr> <td>MUZ-R4</td> <td>Retail Activity and Large Format Retailing</td> </tr> <tr> <td colspan="2">1. Activity status: Permitted</td> </tr> <tr> <td colspan="2"><u>Where:</u></td> </tr> <tr> <td colspan="2">a. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></td> </tr> <tr> <td colspan="2">2. Activity status: Restricted discretionary</td> </tr> <tr> <td colspan="2"><u>Where:</u></td> </tr> <tr> <td colspan="2">a. <u>Compliance is not achieved with MUZ-R4-1.a</u></td> </tr> <tr> <td colspan="2"><u>Matters of discretion are restricted to:</u></td> </tr> <tr> <td colspan="2">1. <u>The matters of discretion of the infringed standard.</u></td> </tr> <tr> <td colspan="2">Notification:</td> </tr> </table>	MUZ-R4	Retail Activity and Large Format Retailing	1. Activity status: Permitted		<u>Where:</u>		a. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u>		2. Activity status: Restricted discretionary		<u>Where:</u>		a. <u>Compliance is not achieved with MUZ-R4-1.a</u>		<u>Matters of discretion are restricted to:</u>		1. <u>The matters of discretion of the infringed standard.</u>		Notification:	
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Commented [MM182]: S72.12 - Te Rūnanga o Toa Rangatira Inc

IPI - PROPOSED AMENDMENTS									
#	Chapter	Change	Track Change						
			<ul style="list-style-type: none"> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA 						
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R5	<table border="1"> <thead> <tr> <th>MUZ-R5</th> <th>Commercial Service Activity</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td> <p>Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. The gross floor area per tenancy does not exceed 500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> </td> </tr> <tr> <td>2.</td> <td> <p>Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. Compliance is not achieved with MUZ-R5-1.a</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone. The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone. The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone. The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated. <p>b. Compliance is not achieved with MUZ-R5-1.b</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The matters of discretion of the infringed standard. <p>Notification:</p> </td> </tr> </tbody> </table>	MUZ-R5	Commercial Service Activity	1.	<p>Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. The gross floor area per tenancy does not exceed 500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p>	2.	<p>Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. Compliance is not achieved with MUZ-R5-1.a</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone. The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone. The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone. The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated. <p>b. Compliance is not achieved with MUZ-R5-1.b</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The matters of discretion of the infringed standard. <p>Notification:</p>
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R6	<table border="1"> <thead> <tr> <th>MUZ-R6</th> <th>Food and Beverage Activity</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td> <p>Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. The gross floor area per tenancy does not exceed 500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> </td> </tr> <tr> <td>2.</td> <td> <p>Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. Compliance is not achieved with MUZ-R6-1.a</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone. The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone. The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone. The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated. <p>b. Compliance is not achieved with MUZ-R6-1.b</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The matters of discretion of the infringed standard. <p>Notification:</p> </td> </tr> </tbody> </table>	MUZ-R6	Food and Beverage Activity	1.	<p>Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. The gross floor area per tenancy does not exceed 500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p>	2.	<p>Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. Compliance is not achieved with MUZ-R6-1.a</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone. The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone. The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone. The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated. <p>b. Compliance is not achieved with MUZ-R6-1.b</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The matters of discretion of the infringed standard. <p>Notification:</p>
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R14	<table border="1"> <thead> <tr> <th>MUZ-R14</th> <th>Drive-through Activity</th> </tr> </thead> <tbody> <tr> <td colspan="2"> <p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. <u>The gross floor area of the activity including parking and manoeuvring areas does not exceed 1500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p> </td> </tr> <tr> <td colspan="2"> <p>2. Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R14-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <p>b. <u>Compliance is not achieved with MUZ-R14-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The matters of discretion of the infringed standard.</u> <p>Notification:</p> <ul style="list-style-type: none"> <u>An application under MUZ-R14-2.b is precluded from being publicly notified in accordance with section 95A of the RMA</u> </td> </tr> </tbody> </table>	MUZ-R14	Drive-through Activity	<p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. <u>The gross floor area of the activity including parking and manoeuvring areas does not exceed 1500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p>		<p>2. Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R14-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <p>b. <u>Compliance is not achieved with MUZ-R14-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The matters of discretion of the infringed standard.</u> <p>Notification:</p> <ul style="list-style-type: none"> <u>An application under MUZ-R14-2.b is precluded from being publicly notified in accordance with section 95A of the RMA</u> 	
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R15	<table border="1"> <thead> <tr> <th>MUZ-R15</th> <th>Visitor Accommodation</th> </tr> </thead> <tbody> <tr> <td colspan="2"></td> </tr> </tbody> </table>	MUZ-R15	Visitor Accommodation				
MUZ-R15	Visitor Accommodation								

IPI - PROPOSED AMENDMENTS			
#	Chapter	Change	Track Change
			<p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. <u>The gross floor area per tenancy does not exceed 500m²;</u></p> <p>b. <u>All habitable rooms comply with MUZ-S4 (Noise and Ventilation); and</u></p> <p>c. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p> <hr/> <p>2. Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R15-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> <u>The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone.</u> <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <p>b. <u>Compliance is not achieved with MUZ-R15-1.b or MUZ-R15-1.c</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The matters of discretion of the infringed standard.</u> <p><u>Notification:</u></p> <ul style="list-style-type: none"> <u>An application under MUZ-R15-2.b is precluded from being publicly notified in accordance with section 95A of the RMA</u>

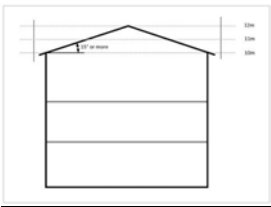
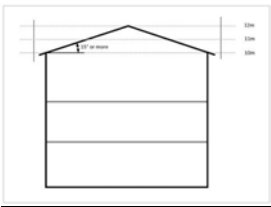
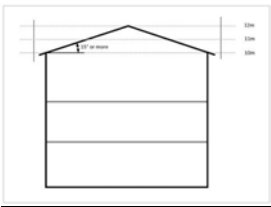
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#	Chapter	Change	Track Change						
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MUZ-R16	Residential Activity								
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R17	<table border="1"> <tr> <td>MUZ-R17</td> <td>Retirement Village</td> </tr> <tr> <td colspan="2"> <p>1. Activity status: Restricted discretionary</p> </td> </tr> </table>	MUZ-R17	Retirement Village	<p>1. Activity status: Restricted discretionary</p>			
MUZ-R17	Retirement Village								
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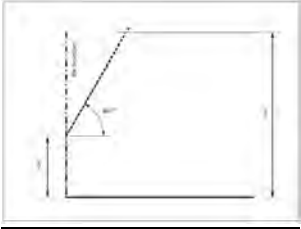
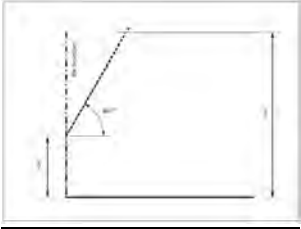
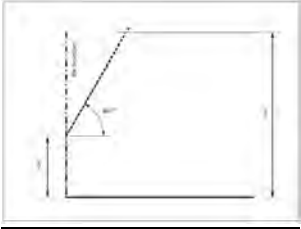
IPI - PROPOSED AMENDMENTS							
#	Chapter	Change	Track Change				
			<p><u>Where:</u></p> <p>a. All habitable rooms comply with MUZ-S4 (Noise and Ventilation); and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the of the activity on the existing and anticipated function and role of the Mixed Use Zone. The potential of the activity to compromise activities that are enabled in the Mixed Use Zone. The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated. Any potential reverse sensitivity effects on the continued operation of non- residential activities. The amenity for the occupiers of residential units or habitable rooms. <hr/> <p>2. Activity status: Discretionary</p> <p><u>Where:</u></p> <p>a. Compliance is not achieved with MUZ-R17-1.a or MUZ-R17-1.b</p>				
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R18	<table border="1"> <thead> <tr> <th>MUZ-R18</th> <th>Light Industrial Activities</th> </tr> </thead> <tbody> <tr> <td colspan="2"> <p>1. Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. The gross floor area does not exceed 3500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the of the activity on the existing and anticipated function and role of the Mixed Use Zone. </td> </tr> </tbody> </table>	MUZ-R18	Light Industrial Activities	<p>1. Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. The gross floor area does not exceed 3500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the of the activity on the existing and anticipated function and role of the Mixed Use Zone. 	
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#	Chapter	Change	Track Change						
			<p>3. <u>The potential of the activity to compromise activities that are enabled in the Mixed Use Zone.</u></p> <p>4. <u>The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u></p> <p>2. <u>Activity status: Discretionary</u> <u>Where:</u> a. <u>Compliance is not achieved with MUZ-R18-1.a or MUZ-R18-1.b</u></p>						
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R19	<table border="1"> <thead> <tr> <th>MUZ-R19</th> <th>Emergency Service Facility</th> </tr> </thead> <tbody> <tr> <td colspan="2"> <p>1. <u>Activity status: Restricted discretionary</u> <u>Where:</u> a. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> <u>Matters of discretion are restricted to:</u></p> <p>1. <u>The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u></p> <p>2. <u>The effects of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u></p> <p>3. <u>The potential of the activity to compromise activities that are enabled in the Mixed Use Zone.</u></p> <p>4. <u>The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u></p> <p>5. <u>The functional need or operational need for the Emergency Service Facility to be located in the Mixed Use Zone.</u></p> <p><u>Notification:</u></p> <ul style="list-style-type: none"> • <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA</u> </td> </tr> <tr> <td colspan="2"> <p>2. <u>Activity status: Discretionary</u> <u>Where:</u> a. <u>Compliance is not achieved with MUZ-R19-1.a</u></p> </td> </tr> </tbody> </table>	MUZ-R19	Emergency Service Facility	<p>1. <u>Activity status: Restricted discretionary</u> <u>Where:</u> a. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> <u>Matters of discretion are restricted to:</u></p> <p>1. <u>The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u></p> <p>2. <u>The effects of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u></p> <p>3. <u>The potential of the activity to compromise activities that are enabled in the Mixed Use Zone.</u></p> <p>4. <u>The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u></p> <p>5. <u>The functional need or operational need for the Emergency Service Facility to be located in the Mixed Use Zone.</u></p> <p><u>Notification:</u></p> <ul style="list-style-type: none"> • <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA</u> 		<p>2. <u>Activity status: Discretionary</u> <u>Where:</u> a. <u>Compliance is not achieved with MUZ-R19-1.a</u></p>	
MUZ-R19	Emergency Service Facility								
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R19A	<p>MUZ-R19A Any activity or combination of activities within Precinct 3 – Trentham Racecourse Precinct</p> <p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. <u>the activity or activities will generate more than 100 vehicles per hour measured by passenger car units (PCU).</u></p> <p>Matters of discretion are restricted to:</p> <p>Methods to avoid, remedy or mitigate adverse effects on the transportation network as identified by an integrated transport assessment.</p>
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R20	<p>MUZ-R20 Warehouses</p> <p>1. Activity status: Discretionary</p>
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R21	<p>MUZ-R21 Yard Based Activity / Trade Supplier</p> <p>1. Activity status: Discretionary</p>
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R22	<p>MUZ-R22 Motorised Recreation</p> <p>1. Activity status: Discretionary</p>
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R23	<p>MUZ-R23 Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying</p> <p>1. Activity status: Discretionary</p>
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R24	<p>MUZ-R24 Industrial Activity, excluding Light Industrial Activities and Warehouses</p> <p>1. Activity status: Non-complying</p>
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R25	<p>MUZ-R25 Rural Industry</p> <p>1. Activity status: Non-complying</p>
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R26	<p>MUZ-R26 Primary Production</p>

Commented [MM184]: S69.1 - RACE Inc.

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#	Chapter	Change	Track Change						
			1. Activity status: Non-complying						
	New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S1	<table border="1"> <thead> <tr> <th colspan="2">Standards</th> </tr> <tr> <th>MUZ-S1</th> <th>Height</th> </tr> </thead> <tbody> <tr> <td> <p>1. Buildings must not exceed 26 metres in height, except that <u>50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:</u></p>  <p>2. <u>Any fence or standalone wall along a side or rear boundary which adjoins a site zoned Residential or Open Space and Recreation must not exceed 2m in height.</u></p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> <u>Solar water heating components provided these do not exceed the height by more than 1m.</u> <u>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m.</u> <u>Antennas, aerials, and flues provided these do not exceed the height by more than 1m.</u> </td> <td> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The location, design and appearance of the building or structure. <u>Any adverse effects on the streetscape.</u> <u>Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites.</u> <u>Compatibility with the planned built urban form of buildings, structures and activities in the surrounding area.</u> <u>Whether the building height is commensurate with the anticipated level of commercial activities and community services in the Mixed Use Zone</u> <u>Whether an increase in building height results from a response to natural hazard mitigation.</u> <u>Whether topographical or other site constraints make compliance with the standard impractical.</u> </td> </tr> </tbody> </table>	Standards		MUZ-S1	Height	<p>1. Buildings must not exceed 26 metres in height, except that <u>50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:</u></p>  <p>2. <u>Any fence or standalone wall along a side or rear boundary which adjoins a site zoned Residential or Open Space and Recreation must not exceed 2m in height.</u></p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> <u>Solar water heating components provided these do not exceed the height by more than 1m.</u> <u>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m.</u> <u>Antennas, aerials, and flues provided these do not exceed the height by more than 1m.</u> 	<p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> The location, design and appearance of the building or structure. <u>Any adverse effects on the streetscape.</u> <u>Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites.</u> <u>Compatibility with the planned built urban form of buildings, structures and activities in the surrounding area.</u> <u>Whether the building height is commensurate with the anticipated level of commercial activities and community services in the Mixed Use Zone</u> <u>Whether an increase in building height results from a response to natural hazard mitigation.</u> <u>Whether topographical or other site constraints make compliance with the standard impractical.</u>
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IPI - PROPOSED AMENDMENTS							
#	Chapter	Change	Track Change				
			<p>d. <u>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</u></p> <p>e. <u>Lift overruns provided these do not exceed the height by more than 1m.</u></p>				
	New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S2	<table border="1"> <thead> <tr> <th>MUZ-S2</th> <th>Height in Relation to Boundary</th> </tr> </thead> <tbody> <tr> <td> <p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone, <u>or where a boundary within Precinct 3 – Trentham Racecourse Precinct adjoins Lot 1 DP 569820</u>, the following Height in Relation to Boundary standard applies:</p> <p>1. Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p>  <p>This standard does not apply to:</p> </td> <td> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites, or Precinct 3 – Trentham Racecourse Precinct.</u> 2. <u>The location, design and appearance of the building or structure.</u> 3. <u>Whether an increase in height in relation to boundary results from a response to natural hazard mitigation.</u> 4. <u>Whether any architectural features or steps are proposed in the building façade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation zoned sites, or Precinct 3 – Trentham Racecourse Precinct.</u> </td> </tr> </tbody> </table>	MUZ-S2	Height in Relation to Boundary	<p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone, <u>or where a boundary within Precinct 3 – Trentham Racecourse Precinct adjoins Lot 1 DP 569820</u>, the following Height in Relation to Boundary standard applies:</p> <p>1. Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p>  <p>This standard does not apply to:</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites, or Precinct 3 – Trentham Racecourse Precinct.</u> 2. <u>The location, design and appearance of the building or structure.</u> 3. <u>Whether an increase in height in relation to boundary results from a response to natural hazard mitigation.</u> 4. <u>Whether any architectural features or steps are proposed in the building façade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation zoned sites, or Precinct 3 – Trentham Racecourse Precinct.</u>
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#	Chapter	Change	Track Change										
			<ul style="list-style-type: none"> a. A boundary with a road. b. Existing or proposed internal boundaries within a site. c. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed. d. Solar water heating components provided these do not exceed the height in relation to boundary by more than 1m. e. Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height in relation to boundary by more than 1m. f. 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. 										
	New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S3	<table border="1"> <thead> <tr> <th>MUZ-S3</th> <th>Setback</th> </tr> </thead> <tbody> <tr> <td> <p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone, <u>or where a boundary within Precinct 3 – Trentham Racecourse Precinct adjoins Lot 1 DP 569820</u>, the following Setback standard applies:</p> <p>1. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Side</td> <td>1 metre</td> </tr> <tr> <td>Rear</td> <td>1 metre</td> </tr> </tbody> </table> </td> <td> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The visual amenity of adjoining Residential and Open Space and Recreation sites, <u>or Precinct 3 – Trentham Racecourse Precinct</u>. The location, design and appearance of the building or structure. Whether any architectural features or steps are proposed in the building facade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation sites, <u>or Precinct 3 – Trentham Racecourse Precinct</u>. </td> </tr> </tbody> </table>	MUZ-S3	Setback	<p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone, <u>or where a boundary within Precinct 3 – Trentham Racecourse Precinct adjoins Lot 1 DP 569820</u>, the following Setback standard applies:</p> <p>1. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Side</td> <td>1 metre</td> </tr> <tr> <td>Rear</td> <td>1 metre</td> </tr> </tbody> </table>	Yard	Minimum depth	Side	1 metre	Rear	1 metre	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The visual amenity of adjoining Residential and Open Space and Recreation sites, <u>or Precinct 3 – Trentham Racecourse Precinct</u>. The location, design and appearance of the building or structure. Whether any architectural features or steps are proposed in the building facade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation sites, <u>or Precinct 3 – Trentham Racecourse Precinct</u>.
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IPI - PROPOSED AMENDMENTS							
#	Chapter	Change	Track Change				
			<p>2. This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p> <p>3. This standard does not apply to:</p> <ol style="list-style-type: none"> Accessory buildings less than 2m in height. Fences and standalone walls. <p>4. Any benefits, including the extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site.</p>				
	New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S4	<table border="1"> <thead> <tr> <th>MUZ-S4</th> <th>Noise and Ventilation</th> </tr> </thead> <tbody> <tr> <td> <p>1. All residential units must meet all of the following standards:</p> <ol style="list-style-type: none"> All habitable rooms must be designed and constructed to meet internal sound insulation levels achieving DnT,w+Ctr >30dB with an acoustic design certificate signed by a qualified acoustic engineer stating compliance will be achieved; and All habitable rooms must have a positive supplementary source of fresh air ducted from outside. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person. </td> <td> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Any potential reverse sensitivity effects on the continued operation of non- residential activities. The amenity for the occupiers of the residential units. </td> </tr> </tbody> </table>	MUZ-S4	Noise and Ventilation	<p>1. All residential units must meet all of the following standards:</p> <ol style="list-style-type: none"> All habitable rooms must be designed and constructed to meet internal sound insulation levels achieving DnT,w+Ctr >30dB with an acoustic design certificate signed by a qualified acoustic engineer stating compliance will be achieved; and All habitable rooms must have a positive supplementary source of fresh air ducted from outside. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Any potential reverse sensitivity effects on the continued operation of non- residential activities. The amenity for the occupiers of the residential units.
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IPI - PROPOSED AMENDMENTS			
#	Chapter	Change	Track Change
			<p>b. where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and</p> <p>c. is accessible from the residential unit; and</p> <p>d. may be—</p> <p style="padding-left: 20px;">i. grouped cumulatively by area in 1 communally accessible location; or</p> <p style="padding-left: 20px;">ii. located directly adjacent to the unit; and</p> <p>e. is free of buildings, parking spaces, and servicing and manoeuvring areas.</p> <p>2. Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—</p> <p style="padding-left: 20px;">a. is at least 8 square metres and has a minimum dimension of 1.8 metres; and</p> <p style="padding-left: 20px;">b. is accessible from the residential unit; and</p> <p style="padding-left: 20px;">c. may be—</p> <p style="padding-left: 40px;">i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or</p> <p style="padding-left: 40px;">ii. located directly adjacent to the unit.</p> <p>3. For multi-unit housing, the outdoor living space can be provided as private space and shared space where:</p> <p style="padding-left: 20px;">a. Each residential unit is provided with a private outdoor living space that has a minimum area of 8m² with a minimum dimension of 1.8m, that is directly accessible from the residential unit to which it relates;</p> <p>3. <u>The proximity of the residential unit to accessible public open space.</u></p>

IPI - PROPOSED AMENDMENTS															
#	Chapter	Change	Track Change												
			<p>b. The shared outdoor living space has a minimum area of 20m² with a minimum dimension of 3m; and</p> <p>c. Any ground floor outdoor living space is free of buildings, parking spaces and manoeuvring areas.</p> <p><u>1. Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;</u></p> <p><u>2. Where private outdoor living space is provided it must be:</u></p> <ul style="list-style-type: none"> <u>i For the exclusive use of residents;</u> <u>ii Directly accessible from a habitable room;</u> <u>iii A single contiguous space; and</u> <u>iv Of the minimum area and dimension specified in the table below;</u> <p><u>3. Where communal outdoor living space is provided it does not need to be in a single continuous space, but it must be:</u></p> <ul style="list-style-type: none"> <u>i Accessible from the residential units it serves;</u> <u>ii Of the minimum area and dimension specified in the table below; and</u> <u>iii Free of buildings, parking spaces, and servicing and manoeuvring areas.</u> <table border="1"> <thead> <tr> <th><u>Living Space Type</u></th> <th><u>Minimum area</u></th> <th><u>Minimum dimension</u></th> </tr> </thead> <tbody> <tr> <td><u>1. Private</u></td> <td></td> <td></td> </tr> <tr> <td><u>i Studio unit & 1 bedroom unit</u></td> <td><u>5m²</u></td> <td><u>1.8m</u></td> </tr> <tr> <td><u>ii 2+ bedroom unit</u></td> <td></td> <td></td> </tr> </tbody> </table>	<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>	<u>1. Private</u>			<u>i Studio unit & 1 bedroom unit</u>	<u>5m²</u>	<u>1.8m</u>	<u>ii 2+ bedroom unit</u>		
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Commented [MM191]: S58.319 - Kianga Ora: Homes and Communities.

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	8m ²	1.8m ²										
2. <u>Communal</u>												
<u>For every 5 units</u>	10m ² (per residential unit)	8m										
New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S6	<p>MUZ-S6 Screening and Landscaping of Service Areas, Outdoor Storage Areas and Parking Areas</p> <p>1. Any on-site service areas, including rubbish collection areas, and areas for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be adequately screened by a fence or landscaping where they are visible from any:</p> <ol style="list-style-type: none"> Public road; Other public space; or The ground level of any directly adjoining site zoned Residential or Open Space and Recreation. <p>2. Any on-site parking area must</p> <ol style="list-style-type: none"> Be fully screened by a fence or landscaping from the ground level of any directly adjoining site zoned Residential or Open Space and Recreation. Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site. This does not apply to individual parking spaces for residential development, if provided. <p>3. At least 5% of any ground level parking area not contained within a building must be landscaped.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Any adverse effects on the streetscape. The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading. The service, storage and parking needs of the activity. The size and location of service, storage and any parking areas. 									

Commented [MM192]: S58.319 - Kianga Ora: Home and Communities.

Commented [MM193]: S32.9 - Z Energy Limited.

Commented [MM194]: S32.9 - Z Energy Limited.

Commented [MM195]: S32.9 - Z Energy Limited.

IPI - PROPOSED AMENDMENTS							
#	Chapter	Change	Track Change				
	New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S7	<table border="1"> <thead> <tr> <th>MUZ-S7</th> <th>Water Supply, Stormwater and Wastewater</th> </tr> </thead> <tbody> <tr> <td> <p>1. <u>All activities shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</u></p> </td> <td> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Whether the Water Supply, Stormwater and Wastewater infrastructure has sufficient capacity to accommodate the activity.</u> 2. <u>Any alternative measures proposed to mitigate adverse effects on the Water Supply, Stormwater and Wastewater infrastructure network.</u> 3. <u>Whether the additional demand generated will necessitate additional unplanned public investment in, or expansion of, the Water Supply, Stormwater and Wastewater infrastructure network or compromise its ability to service other activities permitted within the zone.</u> 4. <u>Whether the development can achieve hydraulic neutrality.</u> 5. <u>The extent to which the development incorporates stormwater management techniques or controls to mitigate any increase in pre-development peak stormwater runoff.</u> </td> </tr> </tbody> </table>	MUZ-S7	Water Supply, Stormwater and Wastewater	<p>1. <u>All activities shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</u></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Whether the Water Supply, Stormwater and Wastewater infrastructure has sufficient capacity to accommodate the activity.</u> 2. <u>Any alternative measures proposed to mitigate adverse effects on the Water Supply, Stormwater and Wastewater infrastructure network.</u> 3. <u>Whether the additional demand generated will necessitate additional unplanned public investment in, or expansion of, the Water Supply, Stormwater and Wastewater infrastructure network or compromise its ability to service other activities permitted within the zone.</u> 4. <u>Whether the development can achieve hydraulic neutrality.</u> 5. <u>The extent to which the development incorporates stormwater management techniques or controls to mitigate any increase in pre-development peak stormwater runoff.</u>
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	New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S8	<table border="1"> <thead> <tr> <th>MUZ-S8</th> <th>Hydraulic neutrality</th> </tr> </thead> <tbody> <tr> <td> <p>New buildings and development must be designed to achieve hydraulic neutrality ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation for the 10% and 1% rainfall Annual Exceedance Probability event.</p> </td> <td> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Methods to avoid, remedy or mitigate any adverse effects resulting from any increase in pre-development peak stormwater runoff.</u> 2. <u>Cumulative effects.</u> </td> </tr> </tbody> </table>	MUZ-S8	Hydraulic neutrality	<p>New buildings and development must be designed to achieve hydraulic neutrality ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation for the 10% and 1% rainfall Annual Exceedance Probability event.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Methods to avoid, remedy or mitigate any adverse effects resulting from any increase in pre-development peak stormwater runoff.</u> 2. <u>Cumulative effects.</u>
MUZ-S8	Hydraulic neutrality						
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Commented [MM196]: For consistency as a consequential amendment re. S58.273 - Kianga Ora: Home and Communities. Clause 99, part 6, Schedule 1 RMA recommendation.

APPENDIX 4 – SLHL AMENDMENTS TO IPI(R1)

HOW TO READ THIS DOCUMENT

The following formatting conventions are used to identify proposed changes to the District Plan:

1. Text that is black and struck through (~~example~~) was notified in the IPI as text proposed to be deleted from the District Plan.
2. Text that is black and underlined (example) was notified in the IPI as text proposed to be inserted into the District Plan.
3. Text that is shown in red underlined or struck through (example1, ~~example2~~) identifies recommended amendments to the IPI in response to decisions requested by submitters.
4. Text that is shown in green underlined or struck through (example1, ~~example2~~) identifies amendments to the IPI sought by Silverstream Land Holdings Limited.

This document does not replicate the entirety of the IPI provisions. Rather, it is limited to the sections that relate to the Silverstream Land Holdings Limited submission.

PROPOSED AMENDMENTS TO THE DISTRICT PLAN

SUB-HRZ – Subdivision in the High Density Residential Zone		
New SUB-HRZ - Subdivision in the High Density Residential Zone	Add new Heading and Background	<p><u>SUB-HRZ – Subdivision within the High Density Residential Zone</u> (<u>including Precinct 2 – St Patrick’s Estate Precinct</u>)</p> <p><u>Background</u></p> <p><u>The High Density Residential Zone is to be used predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities.</u></p> <p><u>The High Density Residential Zone is located adjacent to and within a walkable catchment of the following train stations and centre zones:</u></p> <ul style="list-style-type: none"> <u>(i) Silverstream Station</u> <u>(ii) Heretaunga Station</u> <u>(iii) Trentham Station</u>

			<p>(iv) <u>Wallaceville Station</u></p> <p>(v) <u>Upper Hutt Station</u></p> <p>(vi) <u>City Centre Zone</u></p> <p>(vii) <u>Town Centre Zone</u></p> <p>(viii) <u>Local Centre Zone</u></p> <p>The High Density Residential Zone provides for heights and densities of residential units and buildings greater than those provided for by the Medium Density Residential Standards that apply in the General Residential Zone. The High Density Residential Zone gives effect to policy 3(c) and (d) of the National Policy Statement on Urban Development (2020). The High Density Residential Zone subdivision rules cross-reference to relevant rules and standards in the General Residential Zone where applicable.</p> <p>Within the High Density Residential Zone, the St Patrick's Estate Precinct sits at the southern entrance to the City and adjoins the Hutt River and Mawaihakona Stream. Opportunities to enhance the Southern gateway to the City via landscaping the frontage to Fergusson Drive, and providing linkages to the Hutt River walkway and Silverstream Railway Station are required.</p>
	New SUB-HRZ – Subdivision in the High Density Residential Zone	Add policy	<p>SUB-HRZ-P9 Medium and high density residential subdivision, use and development within the St Patrick's Estate Precinct must:</p> <p>(i) <u>provide pedestrian linkages to the Hutt River walkway and Silverstream Railway Station.</u></p> <p>(ii) <u>Enhance the southern entrance to the City via landscaping along the frontage of the site with Fergusson Drive.</u></p>
<p>SUB-CMU – Subdivision in Commercial and Mixed Use Zones <u>(including Precinct 2 – St Patrick's Estate Precinct)</u></p>			
	New SUB-CMU – Subdivision in Commercial and Mixed Use Zones	Introduce new Policy SUB-CMU-P1	<p>Policies</p> <p>SUB-CMU-P1 Subdivision in the Commercial and Mixed Use Zones</p> <p>Provide for subdivision in the Commercial and Mixed Use zones where it:</p> <p>(i) <u>is consistent with the anticipated purpose, character and role of the zone; and</u></p> <p>(ii) <u>is consistent with the anticipated level of development and density in the zone.</u></p>
	New SUB-CMU – Subdivision in	Introduce new Policy SUB-CMU-P2	<p>SUB-CMU-P2 Medium and high density residential subdivision, Use and development within the St Patrick's Estate Precinct, including medium and high density residential subdivision, must:</p>

	Commercial and Mixed Use Zones		<p>(i) provide pedestrian linkages to the Hutt River walkway and Silverstream Railway Station.</p> <p>(ii) Enhance the southern entrance to the City via landscaping along the frontage of the site with Fergusson Drive.</p>																			
	New SUB-RES - Subdivision in the Commercial and Mixed Use Zones	Add District Wide Matters table	<p>Rules</p> <p>District-wide matters</p> <p>Subdivision within the Commercial and Mixed Use Zones must comply with all relevant rules and standards in the District-wide matters and qualifying matter areas of the Plan as listed below:</p> <table border="1" data-bbox="674 480 1335 1422"> <tr> <td>District-wide matters</td> </tr> <tr> <td><u>TEMP - Temporary Activities</u></td> </tr> <tr> <td><u>SIGN - Signs</u></td> </tr> <tr> <td><u>EW - Earthworks</u></td> </tr> <tr> <td><u>NATC – Natural Character</u></td> </tr> <tr> <td><u>DC – Development Contributions</u></td> </tr> <tr> <td><u>HH - Historical Heritage</u></td> </tr> <tr> <td><u>TREE - Notable Trees</u></td> </tr> <tr> <td><u>UTG - Urban Tree Groups</u></td> </tr> <tr> <td><u>ECO - Ecosystems and Indigenous Biodiversity</u></td> </tr> <tr> <td><u>NFL - Natural Features and Landscapes</u></td> </tr> <tr> <td><u>PA – Public Access</u></td> </tr> <tr> <td><u>PK - Papakāinga</u></td> </tr> <tr> <td><u>ASW - Activities on the Surface of Water</u></td> </tr> <tr> <td><u>NU – Network Utilities</u></td> </tr> <tr> <td><u>REG - Renewable Energy Generation</u></td> </tr> <tr> <td><u>TP – Transport and Parking</u></td> </tr> <tr> <td><u>NOISE - Noise</u></td> </tr> <tr> <td><u>NH - Natural Hazards</u></td> </tr> </table>	District-wide matters	<u>TEMP - Temporary Activities</u>	<u>SIGN - Signs</u>	<u>EW - Earthworks</u>	<u>NATC – Natural Character</u>	<u>DC – Development Contributions</u>	<u>HH - Historical Heritage</u>	<u>TREE - Notable Trees</u>	<u>UTG - Urban Tree Groups</u>	<u>ECO - Ecosystems and Indigenous Biodiversity</u>	<u>NFL - Natural Features and Landscapes</u>	<u>PA – Public Access</u>	<u>PK - Papakāinga</u>	<u>ASW - Activities on the Surface of Water</u>	<u>NU – Network Utilities</u>	<u>REG - Renewable Energy Generation</u>	<u>TP – Transport and Parking</u>	<u>NOISE - Noise</u>	<u>NH - Natural Hazards</u>
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	<p>New SUB-CMU – Subdivision in Commercial and Mixed Use Zones</p>	<p>Introduce new Rule SUB-CMU-R1</p>	<table border="1"> <tr> <th colspan="2" data-bbox="658 485 2085 544">Rules</th> </tr> <tr> <td data-bbox="658 544 853 624">SUB-CMU-R1</td> <td data-bbox="853 544 2085 624">Subdivision around any existing lawfully established building which does not result in the creation of any new undeveloped allotment</td> </tr> <tr> <td colspan="2" data-bbox="658 624 2085 1417"> <p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. Compliance is achieved with</p> <ul style="list-style-type: none"> i. SUB-CMU-S2; and ii. SUB-CMU-S3; and iii. SUB-CMU-S1. <p>Matters of control are limited to:</p> <ul style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and esplanade strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of consented or existing renewable electricity </td> </tr> </table>	Rules		SUB-CMU-R1	Subdivision around any existing lawfully established building which does not result in the creation of any new undeveloped allotment	<p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. Compliance is achieved with</p> <ul style="list-style-type: none"> i. SUB-CMU-S2; and ii. SUB-CMU-S3; and iii. SUB-CMU-S1. <p>Matters of control are limited to:</p> <ul style="list-style-type: none"> (1) Design, appearance and layout of the subdivision. (2) Landscaping. (3) Provision of and effects on network utilities and/or services. (4) Standard, construction and layout of vehicular access. (5) Earthworks. (6) Provision of esplanade reserves and esplanade strips. (7) Protection of any special amenity feature. (8) Financial contributions. (9) The outcome of consultation with the owner or operator of consented or existing renewable electricity 	
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	<p>New SUB-CMU – Subdivision in Commercial and Mixed Use Zones</p>	<p>Introduce new Rule SUB-CMU-R2</p>	<table border="1"> <tr> <td data-bbox="658 703 853 762">SUB-CMU-R2</td> <td data-bbox="853 703 2085 762">Subdivision that creates one or more vacant allotments</td> </tr> <tr> <td colspan="2" data-bbox="658 762 2085 1426"> <p>1. Activity status: <u>Controlled</u></p> <p><u>Where:</u></p> <p>a. Compliance is achieved with</p> <p>i. <u>SUB-CMU-S1;</u></p> <p>ii. <u>SUB-CMU-S2; and</u></p> <p>iii. <u>SUB-CMU-S3.</u></p> <p><u>Matters of control are limited to:</u></p> <p>(1) <u>Design, appearance and layout of the subdivision.</u></p> <p>(2) Landscaping.</p> <p>(32) <u>Provision of and effects on network utilities and/or services.</u></p> <p>(43) <u>Standard, construction and layout of vehicular access.</u></p> <p>(54) <u>Earthworks.</u></p> <p>(65) <u>Provision of esplanade reserves and esplanade strips.</u></p> </td> </tr> </table>	SUB-CMU-R2	Subdivision that creates one or more vacant allotments	<p>1. Activity status: <u>Controlled</u></p> <p><u>Where:</u></p> <p>a. Compliance is achieved with</p> <p>i. <u>SUB-CMU-S1;</u></p> <p>ii. <u>SUB-CMU-S2; and</u></p> <p>iii. <u>SUB-CMU-S3.</u></p> <p><u>Matters of control are limited to:</u></p> <p>(1) <u>Design, appearance and layout of the subdivision.</u></p> <p>(2) Landscaping.</p> <p>(32) <u>Provision of and effects on network utilities and/or services.</u></p> <p>(43) <u>Standard, construction and layout of vehicular access.</u></p> <p>(54) <u>Earthworks.</u></p> <p>(65) <u>Provision of esplanade reserves and esplanade strips.</u></p>	
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	New SUB-CMU – Subdivision in Commercial and Mixed Use Zones	Introduce new Rule SUB-CMU-R3	<table border="1" data-bbox="660 1013 2085 1061"> <tr> <td data-bbox="660 1013 853 1061">SUB-CMU-R3</td> <td data-bbox="853 1013 2085 1061">Subdivision of Land for Utilities, Reserves or Conservation Purposes.</td> </tr> </table> <p>1. Activity status: Controlled</p> <p>Matters of control are limited to:</p> <p>(1) Design, appearance and layout of the subdivision.</p> <p>(2) Landscaping.</p> <p>(32) Provision of and effects on network utilities and/or services.</p> <p>(43) Standard, construction and layout of vehicular access.</p> <p>(54) Earthworks.</p>	SUB-CMU-R3	Subdivision of Land for Utilities, Reserves or Conservation Purposes.
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	<p>New SUB-CMU – Subdivision in Commercial and Mixed Use Zones</p>	<p>Introduce new Rule SUB-CMU-R4</p>	<table border="1" data-bbox="658 496 2085 587"> <tr> <td data-bbox="658 496 853 587">SUB-CMU-R4</td> <td data-bbox="853 496 2085 587">Subdivision within the Ponding Area of the Pinehaven Flood Hazard Extent and the Erosion Hazard Area of the Mangaroa Flood Hazard Extent that creates one or more vacant allotments.</td> </tr> </table> <p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is achieved with</p> <ul style="list-style-type: none"> i. SUB-CMU-S1; ii. SUB-CMU-S2; iii. SUB-CMU-S3; and iv. SUB-CMU-S4. <p>Matters of discretion are restricted to:</p> <p>(1) Design, appearance and layout of the subdivision.</p> <p>(2) Landscaping.</p> <p>(23) Provision of and effects on network utilities and/or services.</p> <p>(34) Standard, construction and layout of vehicular access.</p> <p>(45) Earthworks.</p> <p>(56) Provision of esplanade reserves and esplanade strips.</p> <p>(67) Protection of any special amenity feature.</p> <p>(78) Financial contributions.</p> <p>(89) The outcome of consultation with the owner or operator of consented or existing renewable electricity</p>	SUB-CMU-R4	Subdivision within the Ponding Area of the Pinehaven Flood Hazard Extent and the Erosion Hazard Area of the Mangaroa Flood Hazard Extent that creates one or more vacant allotments.
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			<p>generation activities located on or in proximity to the site.</p> <p><u>(919)</u> The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site. Note: Rule SUB-CMU-R7 covers subdivision within the Electricity Transmission Corridor.</p> <p><u>(101)</u> The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard.</p> <p><u>(112)</u> Ability for a future building to be constructed above the 1 in 25- year flood level.</p> <p><u>(123)</u> The effect of the future development of the building platform on the function of the floodplain.</p> <p><u>(134)</u> Consent notice restricting the future development to the identified platform.</p> <p><u>(145)</u> The extent to which the activity will adversely affect traffic and pedestrian safety.</p> <p><u>(156)</u> The extent to which the activity will adversely affect the efficient functioning of the roading network.</p> <hr/> <p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. <u>Compliance is not achieved with SUB-CMU-S2 or SUB-CMU-S3</u></p> <hr/> <p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. <u>Compliance is not achieved with SUB-CMU-S1 or SUB-CMU-S4</u></p>		
	<p>New SUB-CMU – Subdivision in Commercial and Mixed Use Zones</p>	<p>Introduce new Rule SUB-CMU-R5</p>	<table border="1"> <tr> <td data-bbox="660 1002 853 1093">SUB-CMU-R5</td> <td data-bbox="853 1002 2085 1093">Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps.</td> </tr> </table> <hr/> <p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. <u>Compliance is achieved with</u></p> <p>i. <u>SUB-CMU-S1;</u></p> <p>ii. <u>SUB-CMU-S2; and</u></p> <p>iii. <u>SUB-CMU-S3.</u></p>	SUB-CMU-R5	Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps.
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Matters of discretion are restricted to:

(1) Design, appearance and layout of the **subdivision**.

~~(2) Landscaping.~~

~~(32)~~ Provision of and **effects** on network utilities and/or services.

~~(43)~~ Standard, construction and layout of vehicular access.

~~(54)~~ **Earthworks**.

~~(65)~~ Provision of **esplanade reserves** and **esplanade strips**.

~~(76)~~ Protection of any special amenity feature.

~~(87)~~ Financial contributions.

~~(98)~~ The outcome of consultation with the owner or operator of consented or existing **renewable electricity generation activities** located on or in proximity to the **site**.

~~(109)~~ The outcome of consultation with the owner or operator of **regionally significant network utilities** (excluding the National Grid) located on or in proximity to the **site**. Note: Rule SUB-CMU-R7 covers **subdivision** within the Electricity Transmission Corridor.

~~(104)~~ The extent to which the **subdivision** design manages potential conflicts with existing **lines** by locating **roads** and reserves under the route of the **line**.

~~(112)~~ The extent to which **maintenance** and inspections of **transmission lines** are affected including access.

~~(123)~~ The extent to which potential adverse **effects** including risk or injury, **property** damage and visual impact are mitigated through the location of **building** platforms and **landscaping**.

~~(134)~~ The outcome of any consultation with the affected utility operator.

~~(145)~~ Separation distances between trees and conductors and the location and mature size of trees planted near the **transmission lines**.

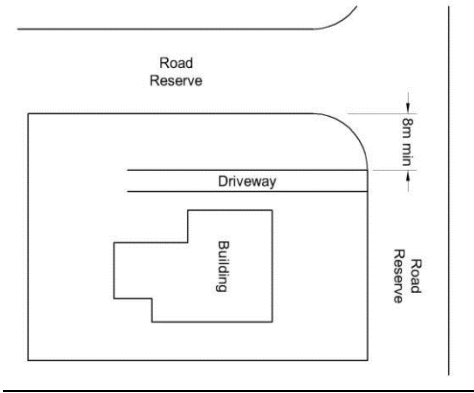
~~(156)~~ Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).

~~(167)~~ Measures necessary to avoid, remedy or mitigate the potential adverse **effects** of **earthworks**, **dust** generation and **construction activities**, including provision of appropriate separation distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery.

Restriction on notification

A resource consent application under this rule will be precluded from public notification under section 95A, and limited

			notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.																
			<p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-CMU-S1, SUB-CMU-S2 or SUB-CMU-S3</p>																
	New SUB-CMU – Subdivision in Commercial and Mixed Use Zones	Introduce new Rule SUB-CMU-R6	<table border="1"> <tr> <td>SUB-CMU-R6</td> <td>Subdivision of sites that contain Historic Heritage or Notable Trees and are identified in HH-SCHED1 or TREE-SCHED1.</td> </tr> <tr> <td colspan="2">1. Activity status: Discretionary</td> </tr> </table>	SUB-CMU-R6	Subdivision of sites that contain Historic Heritage or Notable Trees and are identified in HH-SCHED1 or TREE-SCHED1.	1. Activity status: Discretionary													
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			 <p>(4) <u>Where a corner allotment lot is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.</u></p> <p>(5) <u>At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram 1A in the Transport and Parking (TP) Chapter.</u></p> <p>(6) <u>Subdivision with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.</u></p>				
New SUB-CMU – Subdivision in Commercial and Mixed Use Zones	Introduce new Standard SUB-CMU-S2		<table border="1" data-bbox="667 879 2076 1007"> <tr> <td data-bbox="667 879 853 922">SUB-CMU-S2</td> <td data-bbox="853 879 2076 922">Water supply, stormwater and wastewater</td> </tr> <tr> <td colspan="2" data-bbox="667 922 2076 1007">All subdivisions shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</td> </tr> </table>	SUB-CMU-S2	Water supply, stormwater and wastewater	All subdivisions shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works .	
SUB-CMU-S2	Water supply, stormwater and wastewater						
All subdivisions shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works .							
New SUB-CMU – Subdivision in Commercial and Mixed Use Zones	Introduce new Standard SUB-CMU-S3		<table border="1" data-bbox="667 1034 2076 1305"> <tr> <td data-bbox="667 1034 853 1077">SUB-CMU-S3</td> <td data-bbox="853 1034 2076 1077">Subdivision in the Erosion Hazard Area of the Mangaroa Flood Hazard Extent</td> </tr> <tr> <td colspan="2" data-bbox="667 1077 2076 1305"> <p>All subdivision within the Erosion Hazard Area of the Mangaroa Flood Hazard Extent shall comply with the following:</p> <ol style="list-style-type: none"> 1. <u>A suitable future building platform area must be identified and must not be located within the River Corridor.</u> 2. <u>Where the proposed building platform is located within the Erosion Hazard Area, provision of a report by a suitability qualified and experienced person to determine the erosion risk to the proposed building platform is required in accordance with Section 2.4.10 of Part 1 of this Plan.</u> </td> </tr> </table>	SUB-CMU-S3	Subdivision in the Erosion Hazard Area of the Mangaroa Flood Hazard Extent	<p>All subdivision within the Erosion Hazard Area of the Mangaroa Flood Hazard Extent shall comply with the following:</p> <ol style="list-style-type: none"> 1. <u>A suitable future building platform area must be identified and must not be located within the River Corridor.</u> 2. <u>Where the proposed building platform is located within the Erosion Hazard Area, provision of a report by a suitability qualified and experienced person to determine the erosion risk to the proposed building platform is required in accordance with Section 2.4.10 of Part 1 of this Plan.</u> 	
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PART 3 – AREA SPECIFIC MATTERS

RESIDENTIAL ZONES

HRZ – High Density Residential Zone

	HRZ – High Density Residential Zone	New Background	<p><u>HRZ – High Density Residential Zone</u></p> <p><u>Background</u></p> <p>The High Density Residential Zone is to be used predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities.</p> <p>The High Density Residential Zone is located adjacent to and within a walkable catchment of the following train stations and centre zones:</p> <ul style="list-style-type: none"> (i) <u>Silverstream Station</u> (ii) <u>Heretaunga Station</u> (iii) <u>Trentham Station</u> (iv) <u>Wallaceville Station</u> (v) <u>Upper Hutt Station</u> (vi) <u>City Centre Zone</u> (vii) <u>Town Centre Zone</u> (viii) <u>Local Centre Zone</u> <p>The High Density Residential Zone provides for heights and densities of residential units and buildings greater than those provided for by the Medium Density Residential Standards that apply in the General Residential Zone. The High Density Residential Zone gives effect to policy 3(c) and (d) of the National Policy Statement on Urban Development (2020).</p> <p>Within the High Density Residential Zone, development within the St Patrick’s Estate Precinct will maintain and enhance linkages to the Hutt River walkway and Silverstream Railway Station.</p> <p>Should there be any conflict between the High Density Residential Zone and the General Residential Zone provisions, the provisions of the High Density Residential Zone prevail.</p>				
	HRZ – High Density Residential Zone	New Objective	<table border="1"> <tr> <th colspan="2" data-bbox="667 1311 2083 1362">Objectives</th> </tr> <tr> <td data-bbox="667 1362 846 1410">HRZ-O1</td> <td data-bbox="846 1362 2083 1410">Well-functioning Urban Environments</td> </tr> </table>	Objectives		HRZ-O1	Well-functioning Urban Environments
Objectives							
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			<p>A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</p> <p>[s80H(1)(a)(ii) note: this provision incorporates the objectives in clause 6 of Schedule 3A.]</p>	
HRZ – High Density Residential Zone	New Objective	HRZ-O2	Housing Variety	<p>A relevant residential zone provides for a variety of housing types and sizes that respond to—</p> <p>a. <u>housing needs and demand; and</u></p> <p>b. <u>the neighbourhood’s planned urban built character, including 3-storey buildings.</u></p> <p>[s80H(1)(a)(ii) note: this provision incorporates the objectives in clause 6 of Schedule 3A.]</p>
HRZ – High Density Residential Zone	New Objective	HRZ-O3	Hydraulic neutrality	<p>There is no increase in the <u>peak demand on stormwater management systems and increase in flooding from subdivision and development.</u></p>
HRZ-High Density Residential Zone	New Objective	HRZ-O4	High Density Residential Zone	<p>The planned built urban form of the High Density Residential Zone includes high density residential development of heights and densities of urban form greater than that provided for in the <u>General Residential Zone</u>.</p>
HRZ – High Density Residential Zone	New Policy	Policies		
		HRZ-P1	<p>Apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</p> <p>[s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A.]</p>	
HRZ – High Density Residential Zone	New Policy	HRZ-P2	<p>Encourage development to achieve attractive and safe streets and public open spaces, including by providing <u>for passive surveillance.</u></p> <p>[s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A.]</p>	

HRZ – High Density Residential Zone	New Policy	HRZ-P3	Enable housing to be designed to meet the day-to-day needs of residents. [s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A.]							
HRZ – High Density Residential Zone	New Policy	HRZ-P4	Provide for developments not meeting permitted activity status, while encouraging high-quality developments. [s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A.]							
HRZ – High Density Residential Zone	New Policy	HRZ-P5	To provide for a range of building densities within the residential areas that are compatible in form and scale with the neighbourhood’s planned urban built character form .							
HRZ – High Density Residential Zone	New Policy	HRZ-P6	Provide for and encourage medium and high density residential development that is consistent with the Council’s Medium and High Density Design Guide in Appendix 1.							
HRZ – High Density Residential Zone	New Policy	HRZ-P7	Enable more people to live in the High Density Residential Zone by enabling residential building heights up to 206 metres.							
HRZ – High Density Residential Zone	New Policy	HRZ-P8	New buildings and development will be designed to achieve hydraulic neutrality .							
HRZ – High Density Residential Zone	New Rules	<p>Rules</p> <p>District-wide matters</p> <p>Each activity in the High Density Residential Zone must comply with the relevant qualifying matter area rules and standards, and permitted activity the relevant rules and standards in the District-wide matters of the Plan, and qualifying matter areas as listed below:</p> <table border="1"> <tr> <td>District-wide matters</td> </tr> <tr> <td>TEMP - Temporary Activities</td> </tr> <tr> <td>SIGN - Signs</td> </tr> <tr> <td>EW - Earthworks</td> </tr> <tr> <td>NATC – Natural Character</td> </tr> <tr> <td>DC – Development Contributions</td> </tr> <tr> <td>HH - Historical Heritage</td> </tr> </table>		District-wide matters	TEMP - Temporary Activities	SIGN - Signs	EW - Earthworks	NATC – Natural Character	DC – Development Contributions	HH - Historical Heritage
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HRZ – High Density Residential Zone	New Rule	<table border="1"> <thead> <tr> <th data-bbox="658 496 846 555">HRZ-R2</th> <th data-bbox="846 496 2085 555">Buildings</th> </tr> </thead> <tbody> <tr> <td data-bbox="658 555 846 911"> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. HRZ-S2 – Building height.</p> <p>ii. HRZ-S3 – Height in relation to boundary.</p> <p>iii. HRZ-S4 – Building coverage.</p> <p>iv. HRZ-S5 – Number of Residential units per site.</p> </td> <td data-bbox="846 555 2085 911"></td> </tr> <tr> <td data-bbox="658 911 846 1345"> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with one or more of the standards under HRZ-R2.1.a</p> <p>Council will restrict its discretion to, and may impose conditions on the matters of discretion of any infringed standard.</p> <p>Restriction on notification:</p> <p>1. Public notification of an application is precluded for an application that only fails to comply with standard 1.a.ii – Height in relation to boundary.</p> <p>2. Public notification of an application is precluded for an application that only fails to comply with standard 1.a.iv. – Number of residential units per site.</p> </td> <td data-bbox="846 911 2085 1345"></td> </tr> </tbody> </table>	HRZ-R2	Buildings	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. HRZ-S2 – Building height.</p> <p>ii. HRZ-S3 – Height in relation to boundary.</p> <p>iii. HRZ-S4 – Building coverage.</p> <p>iv. HRZ-S5 – Number of Residential units per site.</p>		<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with one or more of the standards under HRZ-R2.1.a</p> <p>Council will restrict its discretion to, and may impose conditions on the matters of discretion of any infringed standard.</p> <p>Restriction on notification:</p> <p>1. Public notification of an application is precluded for an application that only fails to comply with standard 1.a.ii – Height in relation to boundary.</p> <p>2. Public notification of an application is precluded for an application that only fails to comply with standard 1.a.iv. – Number of residential units per site.</p>		<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. HRZ-S2 – Building height.</p> <p>ii. HRZ-S3 – Height in relation to boundary.</p> <p>iii. HRZ-S4 – Building coverage.</p> <p>iv. HRZ-S5 – Number of Residential units per site.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with one or more of the standards under HRZ-R2.1.a</p> <p>Council will restrict its discretion to, and may impose conditions on the matters of discretion of any infringed standard.</p> <p>Restriction on notification:</p> <p>1. Public notification of an application is precluded for an application that only fails to comply with standard 1.a.ii – Height in relation to boundary.</p> <p>2. Public notification of an application is precluded for an application that only fails to comply with standard 1.a.iv. – Number of residential units per site.</p>
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HRZ – High Density Residential Zone	New Rule	HRZ-R3	All controlled activity rules, standards, matters, and information requirements in the General Residential Zone apply unless specifically stated in this table.
HRZ – High Density Residential Zone	New Rule	HRZ-R4	All restricted discretionary activity rules, standards, matters, and information requirements in the General Residential Zone apply unless specifically stated in this table.
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HRZ – High Density Residential Zone	New Rule	HRZ-R6	All non-complying rules in the General Residential Zone apply unless specifically stated in this table.
HRZ – High Density Residential Zone	New Rule	HRZ-R7	All prohibited activity rules in the General Residential Zone apply unless specifically stated in this table.
HRZ – High Density Residential Zone	New Standard	Standards for Permitted Activities	
		Matters of Discretion where Permitted Activity Standard(s) are not met	
		HRZ-S1	The standards for permitted activities within the General Residential Zone apply except as specifically provided for in this table.
			The matters of discretion within the General Residential Zone apply except as specifically provided for in this table.
HRZ – High Density Residential Zone	New Standard	HRZ-S2	Building height
		Matters of Discretion where Permitted Activity Standard(s) are not met	
		1. Buildings within the High Density Residential Zone must not exceed 20 metres in height .	Matters of discretion are restricted to: <ul style="list-style-type: none"> (1) Height and sunlight access. (2) Effects on public spaces (3) Setbacks and coverage. (4) Landscaping and screening. (5) Privacy effects. (6) The matters contained in the Medium and High Density Design Guide in Appendix 1. (7) Whether the building location, design, appearance, and scale is compatible in form and

				scale with the neighbourhood's planned built character. (8) Reverse sensitivity effects.
HRZ – High Density Residential Zone	New Standard	HRZ-S3	Height in relation to boundary	Matters of Discretion where Permitted Activity Standard(s) are not met
		<p>1. Buildings must not project beyond a 60° recession plane measured from a point 5 metres vertically above ground level along all boundaries. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p> <p>(2) This standard does not apply to—</p> <p>(a) a boundary with a road:</p> <p>(b) existing or proposed internal boundaries within a site:</p> <p>(c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p>		<p>Matters of discretion are restricted to:</p> <p>(1) Height and sunlight access.</p> <p>(2) Setbacks.</p> <p>(3) Landscaping and screening.</p> <p>(4) Privacy effects.</p> <p>(5) The matters contained in the Medium and High Density Design Guide in Appendix 1.</p> <p>(6) Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character.</p> <p>(7) Reverse sensitivity effects.</p>
HRZ – High Density Residential Zone	New Standard	HRZ-S4	Building coverage	Matters of Discretion where Permitted Activity Standard(s) are not met
		<p>1. The maximum building coverage on an allotment must not exceed 70% of the net site area.</p>		<p>Matters of discretion are restricted to:</p> <p>(1) Height and sunlight access.</p> <p>(2) Setbacks and coverage.</p> <p>(3) Landscaping and screening.</p> <p>(4) Privacy effects.</p> <p>(5) The matters contained in the Medium and High Density Design Guide in Appendix 1.</p>

				<p>(6) <u>Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character.</u></p> <p>(7) <u>Reverse sensitivity effects.</u></p>
HRZ- High Density Residential Zone	New Standard	HRZ-S5	Number of Residential units per site.	Matters of Discretion where Permitted Activity Standard(s) are not met
		1. There must be no more than 6 residential units per site.		<p>Matters of discretion are restricted to:</p> <p>(1) <u>Height and sunlight access.</u></p> <p>(2) <u>Setbacks and coverage.</u></p> <p>(3) <u>Landscaping and screening.</u></p> <p>(4) <u>Privacy effects.</u></p> <p>(5) <u>The matters contained in the Medium and High Density Design Guide in Appendix 1.</u></p> <p>(6) <u>Whether the building location, design, appearance, and scale is compatible in form and scale with the neighbourhood's planned built character.</u></p> <p>(7) <u>Reverse sensitivity effects.</u></p> <p>(8) <u>Provision of and effects on utilities and services.</u></p>
HRZ – High Density Residential Zone	Insert New Restricted Discretionary Rule	HRZ-R8	<u>Buildings within the High Density Residential Zone that exceed 20 metres in height.</u>	<p>Matters of discretion are restricted to:</p> <p>(1) <u>Height and sunlight access.</u></p> <p>(2) <u>Effects on public spaces.</u></p> <p>(3) <u>Setbacks and coverage.</u></p> <p>(4) <u>Landscaping and screening.</u></p> <p>(5) <u>Privacy effects.</u></p>

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Precinct 2— St Patrick’s Estate Precinct

	<u>HRZ — High Density Residential Zone</u>	<u>Insert Precinct description</u>	<p><u>Precinct 2— St Patrick’s Estate Precinct</u></p> <p>The St Patrick’s Estate Precinct comprises approximately 45 hectares of undeveloped land bordering the Hutt River, and forms part of the flood plain. The St Patrick’s Estate Precinct is within the walkable catchment of Silverstream Railway Station, and is located in proximity to State Highway 2. The Precinct provides a significant development opportunity within Upper Hutt, and therefore high density residential development and compatible non-residential activities are anticipated, as such high density residential development is provided for within the Precinct.</p> <p>Development within the Precinct needs to address potential transportation safety effects on the road network including the state highway.</p> <p>The Precinct sits near the Southern gateway to the City and therefore subdivision and development of the Precinct provides an opportunity for to enhance the entrance to the City via landscaping along Fergusson Drive, and to ensure key active transport connections between the Hutt River and Silverstream Town Centre and rail station are provided.</p> <p>The following objectives, policies and rules apply within the St Patrick’s Estate Precinct in addition to the provisions of the underlying High Density Residential Zone. Where there is any conflict between the provisions the St Patrick’s Estate Precinct provisions shall prevail.</p>
	<u>HRZ — High Density Residential Zone</u>	<u>Insert Precinct Objective</u>	<p><u>Objectives</u></p> <p>All objectives of the High Density Residential Zone apply.</p> <p><u>HRZ-PREC2-O1</u></p> <p>Development of the St Patrick’s Estate Precinct will provide a mix of high density residential and compatible non-residential activities which avoids, or remedies reverse sensitivity effects, and adverse effects on services and the transportation network.</p>
	<u>HRZ — High Density Residential Zone</u>	<u>Insert Precinct Policy</u>	<p><u>Policies</u></p> <p>In addition to HRZ-PREC2-P1 and P2 below, all policies of the High Density Residential Zone apply.</p>

			<p>HRZ-PREC2-P1 Provide for medium and high density residential subdivision, use and development, and a mix of compatible non-residential activities within the St Patrick's Estate Precinct that:</p> <ul style="list-style-type: none"> (i) avoids significant adverse effects arising from potential inundation from the Hutt River and the Mawaihakona Stream; and; (ii) provides pedestrian linkages to the Hutt River walkway and Silverstream Railway Station. (iii) enhances the southern entrance to the City via landscaping along the frontage of the site with Fergusson Drive (iv) Avoids or remedies adverse effects on the transportation network. (iv) Avoids potential reverse sensitivity effects.
	<u>HRZ – High Density Residential Zone</u>	<u>Insert Precinct Rule</u>	<p>Rules</p> <p>HRZ-PREC2-R1 All permitted activity rules and standards in the High Density Residential Zone apply unless specifically provided for in this table.</p>
	<u>HRZ – High Density Residential Zone</u>	<u>Insert Precinct Rule</u>	<p>HRZ-PREC2-R2 All controlled activity rules, standards, and matters of control in the High Density Residential Zone apply unless specifically provided for in this table.</p>
	<u>HRZ – High Density Residential Zone</u>	<u>Insert Precinct Rule</u>	<p>HRZ-PREC2-R3 All restricted activity rules, standards, matters of discretion, and information requirements in the High Density Residential Zone apply unless specifically provided for in this table.</p>
	<u>HRZ – High Density Residential Zone</u>	<u>Insert Precinct Rule</u>	<p>HRZ-PREC2-R5 All discretionary activity rules in the High Density Residential Zone apply unless specifically stated in this table.</p>
	<u>HRZ – High Density Residential Zone</u>	<u>Insert Precinct Rule</u>	<p>HRZ-PREC2-R6 All non-complying rules in the High Density Residential Zone apply unless specifically stated in this table.</p>
	<u>HRZ – High Density Residential Zone</u>	<u>Insert Precinct Rule</u>	<p>HRZ-PREC2-R7 All prohibited activity rules in the High Density Residential Zone apply unless specifically stated in this table.</p>

COMMERCIAL AND MIXED USE ZONES

MUZ – Mixed Use Zone

	New MUZ - Mixed Use Zone	Introduce new Chapter Heading and Introduction	<p>Mixed Use Zone</p> <p>The Mixed Use Zone provides for a wide range of activities ranging from residential, over commercial to light industrial. It enables retail, large format retail, commercial, recreational and entertainment activities, while also providing for drive-through activities and light industrial activities.</p>
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			<p><u>While anticipated and provided for in the Mixed Use Zone, light industrial activities are proposed to be assessed on a case by case basis through a resource consent process. This allows for an assessment of their suitability for the zone and provides the opportunity to manage potential adverse effects on existing or anticipated activities in the Mixed Use Zone.</u></p> <p><u>The mixture of residential and non-residential activities in the zone and the medium scale built form establish a safe, vibrant and attractive environment for workers, residents and customers.</u></p> <p><u>Within the High Density Residential Zone, development within the St Patrick’s Estate Precinct will maintain and enhance linkages to the Hutt River walkway and Silverstream Railway Station.</u></p> <p><u>It needs to be noted that, due to the wide range of non-residential activities provided for and the potential for light industrial activities to establish, this zone may have fewer day-to-day conveniences and different amenity levels for residents than other Commercial or Residential Zones.</u></p>
New MUZ - Mixed Use Zone	Introduce new Objective MUZ-O1	<p>Objectives</p> <p>MUZ-O1 Purpose of the Mixed Use Zone</p> <p>The Mixed Use Zone accommodates a wide range of activities, including commercial, recreational, entertainment, large format retail and car focused activities as well as compatible light industrial activities and residential activities. The non-residential activities service the needs of business and surrounding residential catchments.</p>	
New MUZ - Mixed Use Zone	Introduce new Objective MUZ-O2	<p>MUZ-O2 Character and Amenity Values of the Mixed Use Zone</p> <p>Mixed Use Zones are vibrant, attractive and safe urban environments. The built environment is well-designed, reflects the wide mix of compatible activities and is generally of a medium to high scale and density.</p>	
New MUZ - Mixed Use Zone	Introduce new Objective MUZ-O3	<p>MUZ-O3 Managing Effects at the Zone Interface</p> <p>Use and development within the Mixed Use Zone are of an appropriate scale and manage potential adverse effects on the amenity values of adjoining sites in Residential or Open Space and Recreation Zones.</p>	
New MUZ - Mixed Use Zone	Introduce new Objective MUZ-O4	<p>MUZ-O4 Hydraulic neutrality</p> <p>There is no increase in the peak demand on stormwater management systems and increase in flooding from subdivision and development.</p>	
New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P1	<p>Policies</p> <p>MUZ-P1 Appropriate Activities</p> <p>Enable appropriate activities that</p>	

			<ol style="list-style-type: none"> 1. <u>Are consistent with the anticipated role, function and character of the Mixed Use Zone;</u> 2. <u>Provide employment and services to businesses and surrounding residential catchments; and</u> 3. <u>Minimise any adverse effects on the amenity of adjoining residential, recreational and open space sites.</u> 	
New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P2	<table border="1"> <tr> <td>MUZ-P2</td> <td>Residential Activities</td> </tr> </table> <p>Provide for residential activity where any residential units are designed to:</p> <ol style="list-style-type: none"> 1. <u>Achieve adequate indoor noise and ventilation levels for occupants;</u> 2. <u>Provide a high level of amenity for occupants; and</u> 3. <u>Minimise reverse sensitivity effects on non-residential activities.</u> 	MUZ-P2	Residential Activities
MUZ-P2	Residential Activities			
New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P3	<table border="1"> <tr> <td>MUZ-P3</td> <td>Other Activities</td> </tr> </table> <p>Provide for other activities where:</p> <ol style="list-style-type: none"> 1. <u>Any significant adverse effects, including reverse sensitivity effects, can be managed;</u> 2. <u>The design and location of parking areas, vehicle access and servicing arrangements:</u> <ol style="list-style-type: none"> a. <u>maintain streetscape amenity; and</u> b. <u>ensure that pedestrian safety is not compromised;</u> 3. <u>The size, intensity and scale of the activity:</u> <ol style="list-style-type: none"> a. <u>Is consistent with the anticipated character and amenity values of the Mixed Use Zone; and</u> b. <u>Does not compromise other activities that are anticipated within the Mixed Use Zone; and</u> 4. <u>The location of the activity in the Mixed Use Zone does not undermine the role and function of the City Centre Zone or the General Industrial Zone.</u> 	MUZ-P3	Other Activities
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New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P4	<table border="1"> <tr> <td>MUZ-P4</td> <td>Inappropriate Activities</td> </tr> </table> <p>Avoid activities that area incompatible with the anticipated scale and character of the Mixed Use Zone and the surrounding environment.</p>	MUZ-P4	Inappropriate Activities
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New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P5	<table border="1"> <tr> <td>MUZ-P5</td> <td>Built Development</td> </tr> </table>	MUZ-P5	Built Development
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			<p><u>Provide for built development that:</u></p> <ol style="list-style-type: none"> <u>Is consistent with the anticipated role, character, planned urban built form and density of the Mixed Use Zone;</u> <u>Is commensurate with the anticipated level of commercial activities and community services in the Mixed Use Zone;</u> <u>Is well designed; and</u> <u>Contributes to an attractive and safe well-functioning urban environment.</u>
New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P6	<p>MUZ-P6 Public Space Interface</p> <p><u>Provide for new development that creates an attractive interface with the public space and minimises adverse effects on the amenity and quality of the streetscape through:</u></p> <ol style="list-style-type: none"> <u>High quality building design;</u> <u>Visually unobtrusive parking, storage and servicing areas;</u> <u>The use of landscaping to minimise the effects of larger parking, service and storage areas.</u> <p><u>Encourage new buildings to be oriented towards the front boundary of the site and create a positive interface with the public space.</u></p>	
New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P7	<p>MUZ-P7 Interface with Residential and Open Space and Recreation Zones</p> <p><u>Minimise the adverse effects from non-residential use and development on sites directly adjoining the Residential or Open Space and Recreation Zones through:</u></p> <ol style="list-style-type: none"> <u>Requiring new buildings and activities to be located and designed to manage any shading and privacy effects on neighbouring sites zoned Residential or Open Space and Recreation;</u> <u>Limiting the height, bulk and form of new buildings along boundaries with sites zoned Residential or Open Space and Recreation to minimise dominance effects; and</u> <u>Requiring the use of screening and landscaping to minimise adverse visual effects on adjoining sites zoned Residential or Open Space and Recreation.</u> 	
New MUZ - Mixed Use Zone	Introduce new Policy MUZ-P8	<p>MUZ-P8 Hydraulic neutrality</p> <p><u><i>New buildings and development will be designed to achieve hydraulic neutrality.</i></u></p>	

	New MUZ - Mixed Use Zone	Introduce new Rules Advice Note	<p>Rules</p> <p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in Chapter 2 How the Plan Works.</p> <p>Rules relating to subdivision are found in the SUB-GEN (General Subdivision Provisions that Apply in All Zones) and the SUB-CMU (Subdivision in Commercial and Mixed Use Zones) chapters.</p> <p>Each activity in the Mixed Use Zone shall comply with the relevant qualifying matter areas, and permitted activity standards in the district-wide matters of the Plan as listed below.</p> <table border="1" data-bbox="674 496 1335 1385"> <tr> <td>District-wide matters</td> </tr> <tr> <td><u>NU – Network Utilities</u></td> </tr> <tr> <td><u>REG - Renewable Energy Generation</u></td> </tr> <tr> <td><u>TP – Transport and Parking</u></td> </tr> <tr> <td><u>CL – Contaminated Land</u></td> </tr> <tr> <td><u>HS - Hazardous Substances</u></td> </tr> <tr> <td><u>NH - Natural Hazards</u></td> </tr> <tr> <td><u>WM – Waste Management</u></td> </tr> <tr> <td><u>HH - Historical Heritage</u></td> </tr> <tr> <td><u>TREE - Notable Trees</u></td> </tr> <tr> <td><u>UTG - Urban Tree Groups</u></td> </tr> <tr> <td><u>ECO - Ecosystems and Indigenous Biodiversity</u></td> </tr> <tr> <td><u>NATC – Natural Character</u></td> </tr> <tr> <td><u>NFL - Natural Features and Landscapes</u></td> </tr> <tr> <td><u>PA – Public Access</u></td> </tr> <tr> <td><u>SUB - Subdivision</u></td> </tr> <tr> <td><u>DC – Development Contributions</u></td> </tr> <tr> <td><u>AIR - Air</u></td> </tr> </table>	District-wide matters	<u>NU – Network Utilities</u>	<u>REG - Renewable Energy Generation</u>	<u>TP – Transport and Parking</u>	<u>CL – Contaminated Land</u>	<u>HS - Hazardous Substances</u>	<u>NH - Natural Hazards</u>	<u>WM – Waste Management</u>	<u>HH - Historical Heritage</u>	<u>TREE - Notable Trees</u>	<u>UTG - Urban Tree Groups</u>	<u>ECO - Ecosystems and Indigenous Biodiversity</u>	<u>NATC – Natural Character</u>	<u>NFL - Natural Features and Landscapes</u>	<u>PA – Public Access</u>	<u>SUB - Subdivision</u>	<u>DC – Development Contributions</u>	<u>AIR - Air</u>
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			<p>1. <u>The matters of discretion of any infringed standard.</u></p> <p>Notification:</p> <p><u>An application under this rule where compliance is not achieved with MUZ-S2, MU-S3, MUZ-S4 or MUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p> <p><u>An application under this rule where compliance is not achieved with MUZ-S5 is precluded from being publicly or limited notified in accordance with section 95A of the RMA.</u></p>																					
New MUZ - Local Centre Zone	Introduce new Rule MUZ-R2	<table border="1"> <tr> <td>MUZ-R2</td> <td>Minor structures</td> </tr> <tr> <td colspan="2">1. Activity status: Permitted</td> </tr> </table>	MUZ-R2	Minor structures	1. Activity status: Permitted																			
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New MUZ - Local Centre Zone	Introduce new Rule MUZ-R3	<table border="1"> <tr> <td>MUZ-R3</td> <td>Demolition</td> </tr> <tr> <td colspan="2">1. Activity status: Permitted</td> </tr> <tr> <td colspan="2">Note: <u>Prior to demolition commencing, confirm whether rules in chapter HH-Historic Heritage apply.</u></td> </tr> </table>	MUZ-R3	Demolition	1. Activity status: Permitted		Note: <u>Prior to demolition commencing, confirm whether rules in chapter HH-Historic Heritage apply.</u>																	
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			<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The gross floor area per tenancy does not exceed 500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <hr/> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-R5-1.a</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone. The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone. The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone. The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated. <p>b. Compliance is not achieved with MUZ-R5-1.b</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters of discretion of the infringed standard. <p>Notification:</p> <ul style="list-style-type: none"> An application under MUZ-R5-2.b is precluded from being publicly notified in accordance with section 95A of the RMA 	
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R6	<p>MUZ-R6</p>	<p>Food and Beverage Activity</p> <hr/> <p>1. Activity status: Permitted</p> <p>Where:</p>

			<p>a. <u>The gross floor area per tenancy does not exceed 500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p> <hr/> <p>2. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R6-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> 2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> 3. <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> 4. <u>The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone.</u> 5. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <p>b. <u>Compliance is not achieved with MUZ-R6-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The matters of discretion of the infringed standard.</u> <p>Notification:</p> <ul style="list-style-type: none"> • <u>An application under MUZ-R6-2.b is precluded from being publicly notified in accordance with section 95A of the RMA</u> 		
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R7	<table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">MUZ-R7</td> <td>Community Facility</td> </tr> </table> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The gross floor area per facility does not exceed 500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p>	MUZ-R7	Community Facility
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R8	<table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">MUZ-R8</td> <td>Healthcare Activity</td> </tr> <tr> <td colspan="2"> <p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. <u>The gross floor area per tenancy does not exceed 500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p> </td> </tr> <tr> <td colspan="2"> <p>2. Activity status: Restricted discretionary</p> <p><u>Where:</u></p> </td> </tr> </table>	MUZ-R8	Healthcare Activity	<p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. <u>The gross floor area per tenancy does not exceed 500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p>		<p>2. Activity status: Restricted discretionary</p> <p><u>Where:</u></p>	
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R9	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">MUZ-R9</td> <td>Educational Facility, and Community Corrections Activity</td> </tr> <tr> <td colspan="2"> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The gross floor area per facility does not exceed 500m²; and</u> b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> </td> </tr> <tr> <td colspan="2"> <p>2. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with MUZ-R9-1.a</u> <p><u>Matters of discretion are restricted to:</u></p> </td> </tr> </table>	MUZ-R9	Educational Facility, and Community Corrections Activity	<p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The gross floor area per facility does not exceed 500m²; and</u> b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> 		<p>2. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with MUZ-R9-1.a</u> <p><u>Matters of discretion are restricted to:</u></p>	
MUZ-R9	Educational Facility, and Community Corrections Activity								
<p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The gross floor area per facility does not exceed 500m²; and</u> b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> 									
<p>2. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with MUZ-R9-1.a</u> <p><u>Matters of discretion are restricted to:</u></p>									

			<ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> 2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> 3. <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> 4. <u>The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone.</u> 5. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <p>b. <u>Compliance is not achieved with MUZ-R9-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The matters of discretion of the infringed standard.</u> <p><u>Notification:</u></p> <ul style="list-style-type: none"> • <u>An application under MUZ-R9-2.b is precluded from being publicly notified in accordance with section 95A of the RMA</u> 						
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R10	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"><u>MUZ-R10</u></td> <td><u>Entertainment Facility</u></td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> 1. <u>Activity status: Permitted</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The gross floor area per tenancy does not exceed 500m²; and</u> b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> </td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> 2. <u>Activity status: Restricted discretionary</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with MUZ-R10-1.a</u> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> </td> </tr> </table>	<u>MUZ-R10</u>	<u>Entertainment Facility</u>	<ol style="list-style-type: none"> 1. <u>Activity status: Permitted</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The gross floor area per tenancy does not exceed 500m²; and</u> b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> 		<ol style="list-style-type: none"> 2. <u>Activity status: Restricted discretionary</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with MUZ-R10-1.a</u> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> 	
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	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R11	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">MUZ-R11</td> <td>Sport and Active Recreation</td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> 1. <u>Activity status: Permitted</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The gross floor area per tenancy including outdoor areas does not exceed 500m²; and</u> b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> </td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> 2. <u>Activity status: Restricted discretionary</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with MUZ-R11-1.a</u> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> 2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> </td> </tr> </table>	MUZ-R11	Sport and Active Recreation	<ol style="list-style-type: none"> 1. <u>Activity status: Permitted</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>The gross floor area per tenancy including outdoor areas does not exceed 500m²; and</u> b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> 		<ol style="list-style-type: none"> 2. <u>Activity status: Restricted discretionary</u> <p><u>Where:</u></p> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with MUZ-R11-1.a</u> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> 2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> 	
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			<p>5. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u></p> <p>b. <u>Compliance is not achieved with MUZ-R12-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters of discretion of the infringed standard.</u></p> <p>Notification:</p> <ul style="list-style-type: none"> • <u>An application under MUZ-R12-2.b is precluded from being publicly notified in accordance with section 95A of the RMA</u> 						
	<p>New MUZ - Mixed Use Zone</p>	<p>Introduce new Rule MUZ-R14</p>	<table border="1"> <thead> <tr> <th data-bbox="658 512 846 571">MUZ-R14</th> <th data-bbox="846 512 2085 571">Drive-through Activity</th> </tr> </thead> <tbody> <tr> <td data-bbox="658 571 846 783"></td> <td data-bbox="846 571 2085 783"> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The gross floor area of the activity including parking and manoeuvring areas does not exceed 1500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p> </td> </tr> <tr> <td data-bbox="658 783 846 1428"></td> <td data-bbox="846 783 2085 1428"> <p>2. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R14-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> 2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> 3. <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> 4. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <p>b. <u>Compliance is not achieved with MUZ-R14-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> </td> </tr> </tbody> </table>	MUZ-R14	Drive-through Activity		<p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The gross floor area of the activity including parking and manoeuvring areas does not exceed 1500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p>		<p>2. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R14-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> 2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> 3. <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> 4. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <p>b. <u>Compliance is not achieved with MUZ-R14-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p>
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	<p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The gross floor area of the activity including parking and manoeuvring areas does not exceed 1500m²; and</u></p> <p>b. <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u></p>								
	<p>2. <u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R14-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> 2. <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> 3. <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> 4. <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <p>b. <u>Compliance is not achieved with MUZ-R14-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p>								

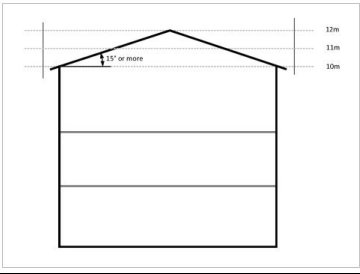
			<p>1. <u>The matters of discretion of the infringed standard.</u></p> <p>Notification:</p> <ul style="list-style-type: none"> • <u>An application under MUZ-R14-2.b is precluded from being publicly notified in accordance with section 95A of the RMA</u> 		
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R15		<table border="1" data-bbox="660 336 2085 395"> <tr> <td data-bbox="660 336 846 395">MUZ-R15</td> <td data-bbox="846 336 2085 395">Visitor Accommodation</td> </tr> </table> <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <u>The gross floor area per tenancy does not exceed 500m²;</u> <u>All habitable rooms comply with MUZ-S4 (Noise and Ventilation); and</u> <u>Compliance is achieved with MUZ-S6 (Landscaping and Screening).</u> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> <u>Compliance is not achieved with MUZ-R15-1.a</u> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The extent to which the intensity, size and scale of the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> <u>The effects of the intensity, size and scale of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> <u>The potential of the intensity, size and scale of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> <u>The potential of the location of the activity in the Mixed Use Zone to undermine the role and function of the City Centre Zone.</u> <u>The extent to which the adverse effects of the intensity, size and scale of the activity can be avoided, or appropriately remedied or mitigated.</u> <ol style="list-style-type: none"> <u>Compliance is not achieved with MUZ-R15-1.b or MUZ-R15-1.c</u> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The matters of discretion of the infringed standard.</u> 	MUZ-R15	Visitor Accommodation
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New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R16	<table border="1"> <tr> <td>MUZ-R16</td> <td>Residential Activity</td> </tr> <tr> <td colspan="2"> <p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. <u>No more than six residential units occupy the site; and</u></p> <p>b. <u>Compliance is achieved with</u></p> <p>i. <u>MUZ-S4 (Noise and Ventilation); and</u></p> <p>ii. <u>MUZ-S5 (Outdoor Living Space).</u></p> </td> </tr> <tr> <td colspan="2"> <p>2. Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R16-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The effects of the residential activity on the existing and anticipated function and role of the Mixed Use Zone.</u></p> <p>2. <u>The potential of the residential activity to compromise activities that are enabled in the zone.</u></p> <p>3. <u>The amenity for the occupiers of the residential units.</u></p> <p>b. <u>Compliance is not achieved with MUZ-R16-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters of discretion of the infringed standard.</u></p> <p>Notification:</p> <ul style="list-style-type: none"> An application under MUZ-R16-2.b is precluded from being publicly notified in accordance with section 95A of the RMA. </td> </tr> </table>	MUZ-R16	Residential Activity	<p>1. Activity status: Permitted</p> <p><u>Where:</u></p> <p>a. <u>No more than six residential units occupy the site; and</u></p> <p>b. <u>Compliance is achieved with</u></p> <p>i. <u>MUZ-S4 (Noise and Ventilation); and</u></p> <p>ii. <u>MUZ-S5 (Outdoor Living Space).</u></p>		<p>2. Activity status: Restricted discretionary</p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with MUZ-R16-1.a</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The effects of the residential activity on the existing and anticipated function and role of the Mixed Use Zone.</u></p> <p>2. <u>The potential of the residential activity to compromise activities that are enabled in the zone.</u></p> <p>3. <u>The amenity for the occupiers of the residential units.</u></p> <p>b. <u>Compliance is not achieved with MUZ-R16-1.b</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters of discretion of the infringed standard.</u></p> <p>Notification:</p> <ul style="list-style-type: none"> An application under MUZ-R16-2.b is precluded from being publicly notified in accordance with section 95A of the RMA. 	
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New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R17	<table border="1"> <tr> <td>MUZ-R17</td> <td>Retirement Village</td> </tr> <tr> <td colspan="2"> <p>1. Activity status: Restricted discretionary</p> </td> </tr> </table>	MUZ-R17	Retirement Village	<p>1. Activity status: Restricted discretionary</p>			
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<p>1. Activity status: Restricted discretionary</p>								

			<p><u>Where:</u></p> <p>a. All habitable rooms comply with MUZ-S4 (Noise and Ventilation); and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> <u>The effects of the of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> <u>The potential of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> <u>The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u> <u>Any potential reverse sensitivity effects on the continued operation of non- residential activities.</u> <u>The amenity for the occupiers of residential units or habitable rooms.</u> <hr/> <p>2. Activity status: Discretionary</p> <p><u>Where:</u></p> <p>a. Compliance is not achieved with MUZ-R17-1.a or MUZ-R17-1.b</p>				
	New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R18	<table border="1"> <tr> <td data-bbox="660 869 846 927">MUZ-R18</td> <td data-bbox="846 869 2085 927">Light Industrial Activities</td> </tr> <tr> <td colspan="2" data-bbox="660 927 2085 1428"> <ol style="list-style-type: none"> Activity status: Restricted discretionary <p><u>Where:</u></p> <p>a. The gross floor area does not exceed 3500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> <u>The effects of the of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> <u>The potential of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> <u>The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u> </td> </tr> </table>	MUZ-R18	Light Industrial Activities	<ol style="list-style-type: none"> Activity status: Restricted discretionary <p><u>Where:</u></p> <p>a. The gross floor area does not exceed 3500m²; and</p> <p>b. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties.</u> <u>The effects of the of the activity on the existing and anticipated function and role of the Mixed Use Zone.</u> <u>The potential of the activity to compromise activities that are enabled in the Mixed Use Zone.</u> <u>The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated.</u> 	
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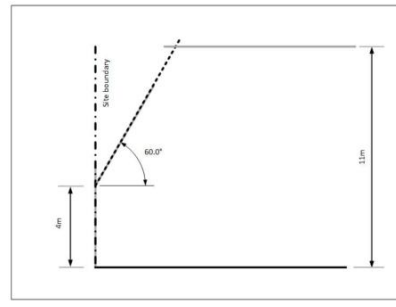
			<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-R18-1.a or MUZ-R18-1.b</p>					
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R19	<table border="1"> <tr> <td>MUZ-R19</td> <td>Emergency Service Facility</td> </tr> <tr> <td colspan="2"> <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the of the activity on the existing and anticipated function and role of the Mixed Use Zone. The potential of the activity to compromise activities that are enabled in the Mixed Use Zone. The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated. The functional need or operational need for the Emergency Service Facility to be located in the Mixed Use Zone. <p>Notification:</p> <ul style="list-style-type: none"> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA </td> </tr> <tr> <td colspan="2"> <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-R19-1.a</p> </td> </tr> </table>	MUZ-R19	Emergency Service Facility	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is achieved with MUZ-S6 (Landscaping and Screening).</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The extent to which the activity may adversely impact on the amenity of the Mixed Use Zone or adjacent properties. The effects of the of the activity on the existing and anticipated function and role of the Mixed Use Zone. The potential of the activity to compromise activities that are enabled in the Mixed Use Zone. The extent to which the adverse effects of the activity can be avoided, or appropriately remedied or mitigated. The functional need or operational need for the Emergency Service Facility to be located in the Mixed Use Zone. <p>Notification:</p> <ul style="list-style-type: none"> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA 		<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-R19-1.a</p>	
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New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R19A	<table border="1"> <tr> <td>MUZ-R19A</td> <td>Any activity or combination of activities within Precinct 3 – Trentham Racecourse Precinct</td> </tr> <tr> <td colspan="2"> <p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. the activity or activities will generate more than 100 vehicles per hour measured by passenger car units (PCU).</p> </td> </tr> </table>	MUZ-R19A	Any activity or combination of activities within Precinct 3 – Trentham Racecourse Precinct	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. the activity or activities will generate more than 100 vehicles per hour measured by passenger car units (PCU).</p>			
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			<p><u>Matters of discretion are restricted to:</u></p> <p><u>Methods to avoid, remedy or mitigate adverse effects on the transportation network as identified by an integrated transport assessment.</u></p>	
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R20	MUZ-R20	Warehouses	1. Activity status: Discretionary
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R21	MUZ-R21	Yard Based Activity / Trade Supplier	1. Activity status: Discretionary
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R22	MUZ-R22	Motorised Recreation	1. Activity status: Discretionary
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R23	MUZ-R23	Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying	1. Activity status: Discretionary
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R24	MUZ-R24	Industrial Activity, excluding Light Industrial Activities and Warehouses	1. Activity status: Non-complying
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R25	MUZ-R25	Rural Industry	1. Activity status: Non-complying
New MUZ - Mixed Use Zone	Introduce new Rule MUZ-R26	MUZ-R26	Primary Production	1. Activity status: Non-complying
New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S1	Standards		<p>Matters of discretion are restricted to:</p> <p>1. <u>The location, design and appearance of the building or structure.</u></p>
		MUZ-S1	Height	
		<p>1. Buildings must not exceed 26 metres in height, except that <u>50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this</u></p>		

			<p>height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:</p>  <p>2. Any fence or standalone wall along a side or rear boundary which adjoins a site zoned Residential or Open Space and Recreation must not exceed 2m in height.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Solar water heating components provided these do not exceed the height by more than 1m. Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m. Antennas, aerials, and flues provided these do not exceed the height by more than 1m. Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m. Lift overruns provided these do not exceed the height by more than 1m. 	<ol style="list-style-type: none"> Any adverse effects on the streetscape. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites. Compatibility with the planned built urban form of buildings, structures and activities in the surrounding area. Whether the building height is commensurate with the anticipated level of commercial activities and community services in the Mixed Use Zone Whether an increase in building height results from a response to natural hazard mitigation. Whether topographical or other site constraints make compliance with the standard impractical. 			
New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S2	<table border="1"> <thead> <tr> <th data-bbox="658 1197 853 1257">MUZ-S2</th> <th data-bbox="853 1197 1373 1257">Height in Relation to Boundary</th> </tr> </thead> <tbody> <tr> <td data-bbox="658 1257 853 1398">Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone, <u>or where a boundary within Precinct 3 – Trentham Racecourse Precinct adjoins Lot 1</u></td> <td data-bbox="853 1257 1373 1398">Matters of discretion are restricted to: <ol style="list-style-type: none"> Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation </td> </tr> </tbody> </table>	MUZ-S2	Height in Relation to Boundary	Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone, <u>or where a boundary within Precinct 3 – Trentham Racecourse Precinct adjoins Lot 1</u>	Matters of discretion are restricted to: <ol style="list-style-type: none"> Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation 	
MUZ-S2	Height in Relation to Boundary						
Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone, <u>or where a boundary within Precinct 3 – Trentham Racecourse Precinct adjoins Lot 1</u>	Matters of discretion are restricted to: <ol style="list-style-type: none"> Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation 						

DP 569820, the following **Height in Relation to Boundary** standard applies:

1. **Buildings** must not project beyond a 60° recession plane measured from a point 4 metres vertically above **ground level** along all **boundaries**, as shown on the following diagram. Where the **boundary** forms part of a legal right of way, **entrance strip**, access **site**, or pedestrian access way, the **height in relation to boundary** applies from the farthest **boundary** of that legal right of way, **entrance strip**, access **site**, or pedestrian access way.



This standard does not apply to:

- a. **A boundary with a road.**
- b. Existing or proposed internal **boundaries** within a **site**.
- c. **Site boundaries** where there is an existing common wall between 2 **buildings** on adjacent **sites** or where a common wall is proposed.
- d. Solar water heating components provided these do not exceed the **height in relation to boundary** by more than 1m.
- e. Chimney **structures** not exceeding 1.1m in width on any elevation and provided these do not exceed the **height in relation to boundary** by more than 1m.
- f. **Antennas**, aerials, satellite dishes (less than 1m in diameter), flues, and architectural features (e.g. finials,

zoned sites, or Precinct 3 – Trentham Racecourse Precinct.

2. The location, design and appearance of the **building** or **structure**.
3. Whether an increase in **height in relation to boundary** results from a response to **natural hazard** mitigation.
4. Whether any architectural features or steps are proposed in the **building** façade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation zoned **sites**, or Precinct 3 – Trentham Racecourse Precinct.

			<p>spires) provided these do not exceed the height in relation to boundary by more than 3m measured vertically.</p>							
New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S3	<p>MUZ-S3</p> <p>Setback</p> <p>Where the side or rear boundary of a site adjoins a Residential Zone or Open Space and Recreation Zone, <u>or where a boundary within Precinct 3 – Trentham Racecourse Precinct adjoins Lot 1 DP 569820</u>, the following Setback standard applies:</p> <p>1. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Side</td> <td>1 metre</td> </tr> <tr> <td>Rear</td> <td>1 metre</td> </tr> </tbody> </table> <p>2. This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</p> <p>3. This standard does not apply to:</p> <ol style="list-style-type: none"> Accessory buildings less than 2m in height. Fences and standalone walls. 	Yard	Minimum depth	Side	1 metre	Rear	1 metre	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The visual amenity of adjoining Residential and Open Space and Recreation sites, <u>or Precinct 3 – Trentham Racecourse Precinct</u>. The location, design and appearance of the building or structure. Whether any architectural features or steps are proposed in the building façade to provide an attractive appearance when viewed from adjoining Residential or Open Space and Recreation sites, <u>or Precinct 3 – Trentham Racecourse Precinct</u>. Any benefits, including the extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site. 	
Yard	Minimum depth									
Side	1 metre									
Rear	1 metre									
New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S4	<p>MUZ-S4</p> <p>Noise and Ventilation</p> <p>1. All residential units must meet all of the following standards:</p> <ol style="list-style-type: none"> All habitable rooms must be designed and constructed to meet internal sound insulation levels achieving $D_{nT,w} + C_{tr} > 30\text{dB}$ with an acoustic design certificate signed by a qualified acoustic engineer stating compliance will be achieved; and All habitable rooms must have a positive supplementary source of fresh air ducted from 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Any potential reverse sensitivity effects on the continued operation of non- residential activities. The amenity for the occupiers of the residential units. 							

			<p>outside. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.</p>					
	<p>New MUZ - Mixed Use Zone</p>	<p>Introduce new Standard MUZ-S5</p>	<table border="1"> <thead> <tr> <th data-bbox="660 279 851 327">MUZ-S5</th> <th data-bbox="851 279 1377 327">Outdoor Living Space</th> </tr> </thead> <tbody> <tr> <td data-bbox="660 327 851 1412"></td> <td data-bbox="851 327 1377 1412"> <p>1.— Each residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that,—</p> <p>a.— where located at ground level, has no dimension less than 3 metres; and</p> <p>b.— where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and</p> <p>c.— is accessible from the residential unit; and</p> <p>d.— may be—</p> <p>i.— grouped cumulatively by area in 1 communally accessible location; or</p> <p>ii.— located directly adjacent to the unit; and</p> <p>e.— is free of buildings, parking spaces, and servicing and manoeuvring areas.</p> <p>2.— Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—</p> <p>a.— is at least 8 square metres and has a minimum dimension of 1.8 metres; and</p> <p>b.— is accessible from the residential unit; and</p> <p>c.— may be—</p> <p>i.— grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or</p> </td> </tr> </tbody> </table>	MUZ-S5	Outdoor Living Space		<p>1.— Each residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that,—</p> <p>a.— where located at ground level, has no dimension less than 3 metres; and</p> <p>b.— where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and</p> <p>c.— is accessible from the residential unit; and</p> <p>d.— may be—</p> <p>i.— grouped cumulatively by area in 1 communally accessible location; or</p> <p>ii.— located directly adjacent to the unit; and</p> <p>e.— is free of buildings, parking spaces, and servicing and manoeuvring areas.</p> <p>2.— Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—</p> <p>a.— is at least 8 square metres and has a minimum dimension of 1.8 metres; and</p> <p>b.— is accessible from the residential unit; and</p> <p>c.— may be—</p> <p>i.— grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or</p>	<p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>Whether adequate useable space is provided to accommodate outdoor activities.</u> 2. <u>Whether there are topographical or other site constraints that make compliance with the standard impractical.</u> 3. <u>The proximity of the residential unit to accessible public open space.</u>
MUZ-S5	Outdoor Living Space							
	<p>1.— Each residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that,—</p> <p>a.— where located at ground level, has no dimension less than 3 metres; and</p> <p>b.— where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and</p> <p>c.— is accessible from the residential unit; and</p> <p>d.— may be—</p> <p>i.— grouped cumulatively by area in 1 communally accessible location; or</p> <p>ii.— located directly adjacent to the unit; and</p> <p>e.— is free of buildings, parking spaces, and servicing and manoeuvring areas.</p> <p>2.— Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—</p> <p>a.— is at least 8 square metres and has a minimum dimension of 1.8 metres; and</p> <p>b.— is accessible from the residential unit; and</p> <p>c.— may be—</p> <p>i.— grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or</p>							

ii. — located directly adjacent to the unit.

3. — For multi unit housing, the **outdoor living space** can be provided as private space and shared space where:

a. — Each **residential unit** is provided with a private **outdoor living space** that has a minimum area of 8m² with a minimum dimension of 1.8m, that is directly accessible from the **residential unit** to which it relates;

b. — The shared **outdoor living space** has a minimum area of 20m² with a minimum dimension of 3m; and

c. — Any ground floor **outdoor living space** is free of **buildings**, parking spaces and manoeuvring areas.

1. Each residential unit, including any dual key unit, must be provided with either a private outdoor living space or access to a communal outdoor living space;

2. Where private outdoor living space is provided it must be:

i For the exclusive use of residents;

ii Directly accessible from a habitable room;

iii A single contiguous space; and

iv Of the minimum area and dimension specified in the table below;

3. Where communal outdoor living space is provided it does not need to be in a single continuous space, but it must be:

i Accessible from the residential units it serves;

ii Of the minimum area and dimension specified in the table below; and

iii Free of buildings, parking spaces, and servicing and manoeuvring areas.

<u>Living Space Type</u>	<u>Minimum area</u>	<u>Minimum dimension</u>
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			<table border="1"> <tr> <td><u>1. Private</u></td> <td></td> <td></td> </tr> <tr> <td>i <u>Studio unit & 1 bedroom unit</u></td> <td><u>5m²</u></td> <td><u>1.8m</u></td> </tr> <tr> <td>ii <u>2+ bedroom unit</u></td> <td><u>8m²</u></td> <td><u>1.8m²</u></td> </tr> <tr> <td><u>2. Communal</u></td> <td></td> <td></td> </tr> <tr> <td><u>For every 5 units</u></td> <td><u>10m² (per residential unit)</u></td> <td><u>8m</u></td> </tr> </table>	<u>1. Private</u>			i <u>Studio unit & 1 bedroom unit</u>	<u>5m²</u>	<u>1.8m</u>	ii <u>2+ bedroom unit</u>	<u>8m²</u>	<u>1.8m²</u>	<u>2. Communal</u>			<u>For every 5 units</u>	<u>10m² (per residential unit)</u>	<u>8m</u>
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	New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S6	<table border="1"> <tr> <td data-bbox="660 555 851 614">MUZ-S6</td> <td data-bbox="851 555 2085 614">Screening and Landscaping of Service Areas, Outdoor Storage Areas and Parking Areas</td> </tr> <tr> <td colspan="2" data-bbox="660 614 2085 1407"> <p>1. Any on-site service areas, including rubbish collection areas, and areas for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <u>adequately</u> screened by a fence or landscaping where they are visible from any:</p> <ul style="list-style-type: none"> a. <u>Public road</u>; b. <u>Other public space</u>; or c. <u>The ground level of any</u> D<u>directly adjoining site</u> zoned Residential or Open Space and Recreation. <p>2. Any on-site parking area must</p> <ul style="list-style-type: none"> a. <u>Be fully screened by a fence or landscaping from the ground level of any directly adjoining site</u> zoned Residential or Open Space and Recreation. b. <u>Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site. This does not apply to individual parking spaces for residential development, if provided.</u> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. <u>Any adverse effects on the streetscape.</u> 2. <u>The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading.</u> 3. <u>The service, storage and parking needs of the activity.</u> 4. <u>The size and location of service, storage and any parking areas.</u> </td> </tr> </table>	MUZ-S6	Screening and Landscaping of Service Areas, Outdoor Storage Areas and Parking Areas	<p>1. Any on-site service areas, including rubbish collection areas, and areas for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be <u>adequately</u> screened by a fence or landscaping where they are visible from any:</p> <ul style="list-style-type: none"> a. <u>Public road</u>; b. <u>Other public space</u>; or c. <u>The ground level of any</u> D<u>directly adjoining site</u> zoned Residential or Open Space and Recreation. <p>2. Any on-site parking area must</p> <ul style="list-style-type: none"> a. <u>Be fully screened by a fence or landscaping from the ground level of any directly adjoining site</u> zoned Residential or Open Space and Recreation. b. <u>Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site. This does not apply to individual parking spaces for residential development, if provided.</u> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. <u>Any adverse effects on the streetscape.</u> 2. <u>The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading.</u> 3. <u>The service, storage and parking needs of the activity.</u> 4. <u>The size and location of service, storage and any parking areas.</u> 	
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			3. At least 5% of any ground level parking area not contained within a building must be landscaped .	
New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S7	MUZ-S7	Water Supply, Stormwater and Wastewater	<p>1. All activities shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Whether the Water Supply, Stormwater and Wastewater infrastructure has sufficient capacity to accommodate the activity. Any alternative measures proposed to mitigate adverse effects on the Water Supply, Stormwater and Wastewater infrastructure network. Whether the additional demand generated will necessitate additional unplanned public investment in, or expansion of, the Water Supply, Stormwater and Wastewater infrastructure network or compromise its ability to service other activities permitted within the zone. Whether the development can achieve hydraulic neutrality. The extent to which the development incorporates stormwater management techniques or controls to mitigate any increase in pre-development peak stormwater runoff.
New MUZ - Mixed Use Zone	Introduce new Standard MUZ-S8	MUZ-S8	Hydraulic neutrality	<p>New buildings and development must be designed to achieve hydraulic neutrality ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation for the 10% and 1% rainfall Annual Exceedance Probability event.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Methods to avoid, remedy or mitigate any adverse effects resulting from any increase in pre-development peak stormwater runoff. Cumulative effects.

Precinct 2 - St Patrick's Estate Precinct

	<p><u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u></p>	<p><u>Insert Precinct description</u></p>	<p><u>Precinct 2 - St Patrick's Estate Precinct</u></p> <p>The St Patrick's Estate Precinct comprises approximately 45 hectares of undeveloped land bordering the Hutt River, and forms part of the flood plain. The St Patrick's Estate Precinct is within the walkable catchment of Silverstream Railway Station, and is located in proximity to State Highway 2. The Precinct provides a significant development opportunity within Upper Hutt, and therefore medium and high density residential development and a range of compatible non-residential activities are anticipated, as such high density residential development is provided for within the Precinct.</p> <p>Development within the Precinct needs to address potential transportation safety effects on the road network including the state highway.</p> <p>The Precinct sits near the Southern gateway to the City and therefore subdivision and development of the Precinct provides an opportunity for to enhance the entrance to the City via landscaping along Fergusson Drive, and to ensure key active transport connections between the Hutt River and Silverstream Town Centre and railway station are provided.</p> <p>The following objectives, policies and rules apply within the St Patrick's Estate Precinct in addition to the provisions of the underlying High Density Residential Mixed Use Zone. Where there is any conflict between the provisions the St Patrick's Estate Precinct provisions shall prevail.</p>		
	<p><u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u></p>	<p><u>Insert Precinct Objective</u></p>	<p><u>Objectives</u></p> <p>All objectives of the High Density Residential Mixed Use Zone apply.</p> <p><u>HRZMUZ-PREC2-O1</u></p> <p>Development of the St Patrick's Estate Precinct will provide a mix of medium and high density residential and compatible non-residential activities which avoids, or remedies or mitigates reverse sensitivity effects, and adverse effects on services and the transportation network.</p>		
	<p><u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u></p>	<p><u>Insert Precinct Policy</u></p>	<p><u>Policies</u></p> <p>In addition to HRZMUZ-PREC2-P1 and P2 below, all policies of the High Density Residential Mixed Use Zone apply.</p> <table border="1" data-bbox="667 1189 2069 1433"> <tr> <td data-bbox="667 1189 869 1433"> <p><u>HRZMUZ-PREC2-P1</u></p> </td> <td data-bbox="869 1189 2069 1433"> <p>Provide for medium and high density residential subdivision, use and development, and a mix of compatible non-residential activities within the St Patrick's Estate Precinct that:</p> <ul style="list-style-type: none"> (i) <u>avoids significant adverse effects arising from potential inundation from the Hutt River and the Mawaihakona Stream; and.</u> (ii) <u>provides pedestrian linkages to the Hutt River walkway and Silverstream Railway Station.</u> (iii) <u>enhances the southern entrance to the City via landscaping along the frontage of the site with Fergusson Drive</u> </td> </tr> </table>	<p><u>HRZMUZ-PREC2-P1</u></p>	<p>Provide for medium and high density residential subdivision, use and development, and a mix of compatible non-residential activities within the St Patrick's Estate Precinct that:</p> <ul style="list-style-type: none"> (i) <u>avoids significant adverse effects arising from potential inundation from the Hutt River and the Mawaihakona Stream; and.</u> (ii) <u>provides pedestrian linkages to the Hutt River walkway and Silverstream Railway Station.</u> (iii) <u>enhances the southern entrance to the City via landscaping along the frontage of the site with Fergusson Drive</u>
<p><u>HRZMUZ-PREC2-P1</u></p>	<p>Provide for medium and high density residential subdivision, use and development, and a mix of compatible non-residential activities within the St Patrick's Estate Precinct that:</p> <ul style="list-style-type: none"> (i) <u>avoids significant adverse effects arising from potential inundation from the Hutt River and the Mawaihakona Stream; and.</u> (ii) <u>provides pedestrian linkages to the Hutt River walkway and Silverstream Railway Station.</u> (iii) <u>enhances the southern entrance to the City via landscaping along the frontage of the site with Fergusson Drive</u> 				

			<p>(iv) Avoids, or remedies or mitigates adverse effects on the transportation network.</p> <p>(#v) Avoids, remedies or mitigates potential reverse sensitivity effects.</p>
<p><u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u></p>	<p><u>Insert Precinct Rule</u></p>	<p>Rules</p>	
		<p><u>HRZMUZ-PREC2-R1</u></p>	<p>All permitted activity rules and standards in the <u>High-Density Residential Mixed Use Zone</u> apply unless specifically provided for in this table.</p>
		<p><u>MUZ-PREC2-R2</u></p>	<p><u>Educational activities related to St Patrick’s College Silverstream.</u></p>
		<p>1. Activity status: <u>Permitted</u></p> <p>Where:</p> <p>Compliance is achieved with MUZ-S6 (<u>Landscaping and Screening</u>).</p>	
		<p>2. Activity status: <u>Restricted discretionary</u></p> <p>Where:</p> <p>a. <u>Compliance is not achieved with MUZ-R4-1.a</u></p> <p>Matters of discretion are restricted to:</p> <p>1. <u>The matters of discretion of the infringed standard.</u></p> <p><u>Notification:</u></p> <p><u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA</u></p>	
<p><u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u></p>	<p><u>Insert Precinct Rule</u></p>	<p><u>HRZMUZ - PREC2-R23</u></p>	<p>All controlled activity rules, standards, and matters of control in the <u>High-Density Residential Mixed Use Zone</u> apply unless specifically provided for in this table.</p>
<p><u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u></p>	<p><u>Insert Precinct Rule</u></p>	<p><u>HRZMUZ - PREC2-R34</u></p>	<p>All restricted activity rules, standards, matters of discretion, and information requirements in the <u>High-Density Residential Mixed Use Zone</u> apply unless specifically provided for in this table.</p>
		<p><u>MUZ-PREC2 -R5</u></p>	<p><u>Any non-residential activity or combination of non-residential activities within Precinct 2 – St Patrick’s Estate Precinct</u></p>
		<p>1. Activity status: <u>Restricted Discretionary</u></p>	

Where:

- b. the non-residential activity or activities will generate more than 100 vehicles per hour measured by **passenger car units (PCU)**.

Matters of discretion are restricted to:

Methods to avoid, remedy or mitigate adverse effects on the transportation network as identified by an integrated transport assessment.

MUZ-PREC2-R6

Retail Activity and Large Format Retailing

1. Activity status: **Restricted discretionary**

Where:

- a. Compliance is achieved with MUZ-S6 (**Landscaping** and Screening).

Matters of discretion are restricted to:

1. The extent to which the intensity, size and scale of the **activity** may adversely impact on the amenity of the Mixed Use Zone or adjacent **properties**.
2. The **effects** of the intensity, size and scale of the **activity** on the existing and anticipated function and role of the Mixed Use Zone and other centres.
3. The potential of the intensity, size and scale of the **activity** to compromise **activities** that are enabled in the Mixed Use Zone and other centres.
4. The potential of the location of the **activity** in the Mixed Use Zone to undermine the role and function of the City Centre Zone.
5. The extent to which the adverse **effects** of the intensity, size and scale of the **activity** can be avoided, or appropriately remedied or mitigated.

2. Activity status: **Discretionary**

Where:

- a. Compliance is not achieved with MUZ-PREC2-R6-1.a

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA

<u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u>	<u>Insert Precinct Rule</u>	<u>HRZMUZ - PREC2-R57</u>	All discretionary activity rules in the <u>High Density Residential Mixed Use Zone</u> apply unless specifically stated in this table.
<u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u>	<u>Insert Precinct Rule</u>	<u>HRZ-PREC2-R68</u>	All non-complying rules in the <u>High Density Residential Mixed Use Zone</u> apply unless specifically stated in this table.
<u>HRZ MUZ – High Density Residential Zone Mixed Use Zone</u>	<u>Insert Precinct Rule</u>	<u>HRZ-PREC2-R79</u>	All prohibited activity rules in the <u>High Density Residential Mixed Use Zone</u> apply unless specifically stated in this table.

MAPPING AMENDMENT

Silverstream Land Holdings Limited seeks that the area identified below as St Patrick’s College and St Patrick’s Urban Precinct be amended to Mixed Use Zone from the current High Density Residential Zone.

