

MUZ - Mixed Use Zone

Introduction

The purpose of the Mixed Use Zone is to provide for land that was 'red' zoned following the Canterbury Earthquakes 2010/2011. It is located adjacent to the Kaiapoi Town Centre. The Mixed Use Zone is intended to provide for a wide range of business, commercial and residential uses that support the regeneration of the Kaiapoi Town Centre.

The zone contains one remaining residential activity (identified in APP1 - Regeneration Area Remaining Private Residences and Alternate Zone). For this site, the chapter also refers to rules and built form standards in the General Residential Zone.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
MUZ-O1	Kaiapoi regeneration support Development within the Mixed Use Zone supports the regeneration of the area and supports the role, function and continued viability and vitality of the Kaiapoi Town Centre.
MUZ-O2	Existing residential activities Pre-earthquake residential activities on privately-owned sites are able to continue.
Policies	
MUZ-P1	Integration with the town centre Provide for a mixture of commercial, <u>community</u> ¹ and residential activities in the Mixed Use Zone where these: <ol style="list-style-type: none"> 1. support the Kaiapoi Town Centre’s identified function, role, <u>anticipated built form</u> and <u>associated existing and anticipated</u> amenity values;² 2. are of a scale, configuration or duration that do not result in strategic or cumulative effects on the efficient use and continued viability of the Kaiapoi Town Centre; and 3. support the ongoing regeneration of the Kaiapoi township.
MUZ-P2	Amenity values Promote a high standard of amenity within the zone, adjacent to residential and open space and recreation zones, and existing sites in private ownership that are listed in MUZ-APP1 by: <ol style="list-style-type: none"> 1. requiring an urban design assessment for large buildings; 2. requiring development to be in accordance with MUZ-APP1; and 3. setting built form standards to manage adverse boundary effects.

¹ Corrections [52.10]. Commercial and Mixed Use Zones s42A report.

² Kāinga Ora [325.311]. Commercial and Mixed Use Zones s42A report and amended through Reply Report.

Activity Rules

How to interpret and apply the rules

- This chapter includes definitions covered by the Definitions Nesting table included in the Interpretation chapter. The relationship between listed defined terms is set out in that table. Within that table, activities are listed with the more general activity on the left and the more specific activity on the right. For example, 'retail activities' is the more general activity which includes food and beverage, large format retail and bars and taverns as more specific activities. Those more specific components may also include further more specific activities. Where an activity table for an overlay, zone, district wide or precinct lists a general activity in a nesting table, that general activity includes all of the nested specific activities unless otherwise specified in that activity table.
- For example, if a rule covers 'retail activity' and there are no other retail rules in the chapter, then that rule covers all the different types of retail activity included under the definition of 'retail activity'. Conversely, if specific types of retail activity are separately listed, such as 'Food and Beverage' or 'large format retail' or 'supermarkets', then these more specific rules apply to the identified retail activity, rather than the general retail rule.³

MUZ-R1 Construction or alteration of or addition to any building or other structure	
Activity status: PER Where: 1. the activity complies with: a. all built form standards (as applicable); and b. any building or addition is less than 450m ² GFA. <i>Advice note: the building area GFA standard is a threshold for when an urban design assessment is required, rather than a limit on building size.⁴</i>	Activity status when compliance not achieved with MUZ-R1(1)(a): as set out in the relevant built form standards Activity status when compliance not achieved with MUZ-R1(1)(b): RDIS Matters of discretion are restricted to: CMUZ-MD3 - Urban design
MUZ-R2 Large format retail	
Activity status: PER	Activity status when compliance not achieved: N/A
MUZ-R3 Emergency service facility	
Activity status: PER	Activity status when compliance not achieved: N/A
MUZ-R4 Commercial services	
Activity status: PER	Activity status when compliance not achieved: N/A
MUZ-R5 Office	

³ Woolworths [282.132]. Commercial and Mixed Use Zones s42A report.

⁴ Woolworths [282.118]. Commercial and Mixed Use Zones s42A report.

<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. in Kaiapoi East office activities shall occupy a maximum of 3,500m² net GFA across the entire area; 2. in Kaiapoi South office activities shall occupy a maximum of 2,500m² net GFA across the entire area; and 3. in Kaiapoi West office activities shall occupy a maximum of 1,000m² net GFA across the entire area. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD12 - Commercial activity distribution</p>
<p>MUZ-R6 Gymnasium</p>	
<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
<p>MUZ-R7 Recreation activities and recreation facilities</p>	
<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
<p>MUZ-R8 Community facility</p>	
<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
<p>MUZ-R9 Visitor accommodation</p>	
<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
<p>MUZ-R10 Food and beverage outlet</p>	
<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
<p>MUZ-R11 Entertainment activity</p>	
<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
<p>MUZ-R12 Retail activity</p>	
<p><i>This rule does not apply to Large Format Retail provided for by MUZ-R2; or Food and beverage outlets provided for by MUZ-R10.</i></p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. in Kaiapoi East, retail activities shall occupy a maximum of 3,500m² GFA across the entire area; 2. in Kaiapoi South, retail activities shall occupy a maximum of 2,500m² GFA across the entire area; and 3. in Kaiapoi West, retail activities shall occupy a maximum of 1,000m² GFA across the 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD12 - Commercial activity distribution</p>

entire area.	
MUZ-R13 Residential unit	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity shall comprise a maximum of 75% of the GFA of all buildings on the site. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
MUZ-R14 Residential activity	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity shall comprise a maximum of 75% of the GFA of all buildings on the site. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
MUZ-R15 Any activity on a site listed in Appendix-APP1	
<i>That is permitted in the General Residential Zone in GRZ-R1 to GRZ-R10, GRZ-R14 and GRZ-R15.</i>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity shall meet the applicable activity specific standards of the General Residential Zone. 	<p>Activity status when compliance not achieved: As set out in the applicable rules of the General Residential Zone Matters of discretion are restricted to: <ol style="list-style-type: none"> As set out in the applicable matters of discretion of the General Residential Zone </p>
MUZ-R16 Any activity on a site listed in Appendix-APP1	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity shall meet the applicable built form standards and district wide standards applying to the General Residential Zone. 	<p>Activity status when compliance not achieved: As set out in the applicable rules of the General Residential Zone Matters of discretion are restricted to: <ol style="list-style-type: none"> As set out in the applicable matters of discretion applying to the General Residential Zone </p>
MUZ-R17 Drive through restaurants	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity shall not be located within 30m of any Residential Zones. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD2 - Drive through restaurants and service stations</p>
MUZ-R18 Public transport facility	
Activity status: PER	Activity status when compliance not achieved:

	DIS
MUZ-R19 Parking lot and parking building	
Activity status: PER Where: 1. the activity is not to be located adjacent to or across a road from the Natural Open Space Zone; 2. the activity is not to be located adjacent to or across a road from a site identified in Appendix-APP1.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD3 - Urban design
MUZ-R20 Recreation activities	
Activity status: PER Where: 1. the activity is not a motorised recreation activity.	Activity status when compliance not achieved: NC
MUZ-R21 Community Corrections Activities⁵	
Activity status: PER	Activity status when compliance not achieved: N/A
MUZ-R22 Educational facility⁶	
Activity status: PER	Activity status when compliance not achieved: N/A
MUZ-R234 Trade supplier	
Activity status: RDIS Matters of discretion are restricted to: CMUZ-MD1 - Trade suppliers and yard based suppliers	Activity status when compliance not achieved: N/A
MUZ-R242 Yard-based activity	
Activity status: RDIS Matters of discretion are restricted to: CMUZ-MD1 - Trade suppliers and yard based suppliers	Activity status when compliance not achieved: N/A
MUZ-R253 Industrial activity	
Activity status: RDIS Matters of discretion are restricted to: CMUZ-MD3 - Urban design	Activity status when compliance not achieved: N/A
MUZ-R264 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except were expressly specified by a district wide provision.	
Activity status: DIS	Activity status when compliance not achieved: N/A

⁵ Corrections [52.11]. Commercial and Mixed Use Zones s42A report.

⁶ MoE [277.55]. Commercial and Mixed Use Zones s42A report.

MUZ-R275 Heavy industry	
Activity status: NC	Activity status when compliance not achieved: N/A

Built Form Standards

MUZ-BFS1 Height	
1. The maximum height of any building, calculated as per the height calculation, shall be 15m above ground level.	<p>Activity status when compliance not achieved: DIS RDIS</p> <p><u>Matters of discretion are restricted to:</u> <u>CMUZ-MD19 – Height</u> ⁷</p>
MUZ-BFS2 Height in relation to boundary when adjoining Residential Zones, Rural Zones or Open Space and Recreation Zones	
1. Where an internal boundary adjoins any Residential Zones, Rural Zones or Open Space and Recreation Zones, the height in relation to boundary for the adjoining zone shall apply, and where specified structures shall not project beyond a building envelope defined by recession planes measuring 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3.	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD4 - Height in relation to boundary</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
MUZ-BFS3 Internal boundary setback	
1. The minimum building setback from internal boundaries of sites that adjoins any Residential Zones, Rural Zones, or Open Space and Recreation Zones shall be 3m.	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD5 - Internal boundary setback</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
MUZ-BFS4 Internal boundary landscaping	
<p>1. Landscaping shall be provided along the full length of all internal boundaries with Residential Zones or Open Space and Recreation Zones. This landscape strip shall be a minimum of 2m deep.</p> <p>2. Any landscape strip required in (1) shall include a minimum of one tree for every 10m of shared boundary or part thereof, spaced at a maximum distance of 5m, with the trees to be a minimum of 1.5m in height at time of</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD6 - Internal boundary landscaping</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>

⁷ Kāinga Ora [325.319]. Commercial and Mixed Use Zones s42A report.

planting.	
MUZ-BFS5 Road boundary landscaping	
<ol style="list-style-type: none"> 1. Landscaping shall be provided along the full length of the road boundary, except from vehicle crossings or where buildings are built to the road boundary under MUZ-BFS6 (e). 2. The landscape strip required under (1) shall be: <ol style="list-style-type: none"> a. 3m along Hilton Street to the west of Black Street; b. as specified in MUZ-APP1; or c. if not specified under (a) and (b), a minimum of 2m. 3. The landscape strip required in (1) shall include a minimum of one tree for every 10m of road frontage or part thereof, spaced at a maximum distance of 5m with the trees to be a minimum of 1.5m in height at time of planting. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD8 - Road boundary landscaping</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
MUZ-BFS6 Road boundary setback	
<ol style="list-style-type: none"> 1. All buildings shall be set back a minimum of: <ol style="list-style-type: none"> a. 10m from the road boundary with any arterial road or collector road; b. 10m from the road boundary where the road is separating the site from Residential Zones, Rural Zones or Open Space and Recreation Zones; c. 3m from the road boundary of all other roads; or d. the distance specified in MUZ-APP1; e. no building setback is required under (a) to (c) above where the road-facing façade is at least 40% glazed. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD7 - Road boundary setback, glazing and verandah</p>
MUZ-BFS7 Outdoor storage areas	
<ol style="list-style-type: none"> 1. Any outdoor storage or parking areas shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in Residential Zones, Rural Zones, Open Space and Recreation Zones or Commercial and Mixed Use Zones or the road boundary. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD9 - Outdoor storage and waste management</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
MUZ-BFS8 Residential units	
<ol style="list-style-type: none"> 1. The minimum net floor area (excluding garages, balconies, and any communal lobbies stairwells and plant rooms) per residential unit shall be: 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD11 - Residential development</p>

<ol style="list-style-type: none"> a. studio 35m²; b. one bedroom 45m²; c. two bedroom 60m²; d. three or more bedrooms 90m². <ol style="list-style-type: none"> 2. Each residential unit shall be provided with a private outdoor living space with a minimum area of 6m² and a minimum dimension of 1.5m. 3. Where a garage is not provided with the residential unit, each residential unit shall have: <ol style="list-style-type: none"> a. an internal storage space that is a minimum of 4m³ and a minimum dimension of 1m; and b. a waste management area for the storage of rubbish and recycling of 5m² with a minimum dimension of 1.5m; and c. waste management areas shall be screened or located behind buildings when viewed from any road or public open space. 	<p>Notification Any application arising from this rule shall not be limited or publicly notified.</p>
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MUZ-BFS9 Waste management requirements for all commercial activities

<ol style="list-style-type: none"> 1. All commercial activities shall provide: <ol style="list-style-type: none"> a. a waste management area for the storage of rubbish and recycling of at least⁸ 5m² with a minimum dimension of 1.5m. b. waste management areas shall be screened or located behind buildings when viewed from any road or public open space. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD9 - Outdoor storage and waste management</p> <p>Notification Any application arising from this rule shall not be limited or publicly notified.</p>
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MUZ-BFS10 Rail boundary setback⁹

<p><u>1. All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</u></p>	<p><u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>CMUZ-MD13 - Rail boundary setback</u> <u>Notification</u></p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval.</u></p>
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MUZ-BFS110 ODP Kaiapoi regeneration area

<ol style="list-style-type: none"> 1. Development shall be in accordance with the 	<p>Activity status when compliance not achieved:</p>
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⁸ Foodstuffs [267.10]. Commercial and Mixed Use Zones s42A report.

⁹ KiwiRail [373.92]. Commercial and Mixed Use Zones s42A report.

<p>fixed elements of MUZ-APP1.</p>	<p>RDIS Matters of discretion are restricted to: CMUZ-MD15 - Kaiapoi regeneration areas Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
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MUZ-APP1 - Kaiapoi Mixed Use Business ODP

