

Chapter MUZM: Mixed Use Zone – Matangi



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MUZM Mixed Use Zone - Matangi

Introduction

Matangi is a small satellite settlement located south east of Hamilton City at the crossroads of Tauwhare Road and Matangi Road. The site identified as Matangi Factory has a long association with the village and is primarily now occupied by a number of small business on the site. The site includes a HNZPT registered building, no 4935 which is also registered under the Waikato District Plan. The intent of the Mixed Use Zone-Matangi is to provide provisions specific to the site which will allow this to develop as a commercial hub whilst providing for community activities and some residential development.

Objectives and Policies

Objective MUZM- O1 Mixed Use Environment

Development that provides for commercial, residential, business and light industrial activities.

MUZM-PI Range of activities

- a. Enable mixed uses, a diverse range of activities, services and trading formats that provide employment opportunities.
- b. Provide for multi unit residential activities above ground floor level with high amenity.
- c. Maintain and enhance residential amenity by managing non-residential activities which generate high levels of noise, motor vehicle traffic and activities operating outside normal business hours.
- d. Discourage activities, which have noxious, offensive, or undesirable qualities.
- e. The area is promoted as a focal point for local community activities and events through built form, size, scale, and diversity of activity in a manner that serves the local community.
- f. Maintain heritage through the repurposing and reusing of existing buildings where possible.

Objective MUZM-O2 Commercial Area

New commercial and office activities primarily operate from within the commercial area.

MUZM-P2 Provide for a mixture of Commercial Activities

- a. Commercial activity in the identified Commercial Areas, provides for small scale convenience retail and community activities.
- b. Detached residential units are discouraged from establishing in the commercial area.
- c. Maintain the commercial viability in the Commercial Area while
 - (i) Providing for mixed use developments, ensuring residential activities are located above ground floor; and
 - (ii) Avoiding residential activity located at ground level.

MUZM-O3 Commercial Centres

Development does not undermine the primacy, function, vitality of local Commercial Centres.

MUZM-P3 Range of Commercial Activities

- a. Provide for a range of commercial activities that meets the needs of the local community
- b. Development of commercial activity is at a scale that will not compromise the function, role and amenity of regional commercial and business zones.
- c. Commercial activities enhance the vitality and amenity while providing for a range of commercial and community activities and facilities at a scale for the local community.

MUZM-O4 Amenity of Matangi Light Industry Activities

The adverse amenity impacts of Matangi Light Industry Activities on living and rural areas are to be minimised.

MUZM-P4 Matangi Light Industry Activities

- a. Manage new building scale and design to limit shading and building dominance on neighbouring Residential and Rural zones.
- b. The adverse effects of Matangi Light Industry Activities are managed within the Matangi Mixed Use Zone boundary to minimise the effects on amenity within other zones, particularly the Residential, Rural and public interface on Tauwhare Road.

MUZM-O5 Urban Form

Development achieves a flexible and high quality urban form.

MUZM-P5 High Quality Urban Form

- a. Ensure development enhances the Tauwhare Road frontage.
- b. Require buildings with street frontages to promote street activation, provide building continuity along the frontage, pedestrian amenity and safety and visual quality.
- c. Utilise urban design and Crime Prevention through Environmental Design principles in the design of development.
- d. Development addresses, responds and is sympathetic to the heritage values of the site.
- e. On-site parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- f. Landscaping is used for buffering and boundary softening.

MUZM-O6 Development Scale

Development is of an appropriate scale to manage its adverse effects.

MUZM-P6 Managing development scale

- a. Development is of a scale and size that will minimise the potential adverse effects on surrounding residential, rural, roading and public infrastructure.
- b. The scale and form of new development in the Mixed Use Zone-Matangi is to:
 - i. provide for a safe, accessible, attractive environment;
 - ii. facilitate the integration of retail shopping, administration and commercial services, residential, community activities and light industrial activities;
 - iii. maintain small scale focussed retail activities appropriate for the Matangi community; and
 - iv. manage adverse effects on the surrounding environment, particularly at the interface with residential areas.
- c. Maintain amenity of adjoining Residential and Rural properties by:
 - i. requiring buildings within the Mixed Use Zone-Matangi to be setback from boundaries and
 - ii. ensuring buildings adjacent to boundaries adjoining Residential or Rural Zoned land will be of a form and scale that will enable effects of activities within the building to be managed.

MUZM-O7 Adverse effects of land use and development

The health and well-being of people and the environment are protected from the adverse effects of land use and development within the Mixed Use Zone-Matangi.

MUZM-P7 Managing Adverse Effects

- a. The adverse effects from development within the Mixed Use Zone-Matangi on residential and rural amenity are minimised by:
 - i. ensuring that the maximum sound levels are compatible with the surrounding residential environment;
 - ii. limiting the timing and duration of noise-generating activities, including construction and demolition activities;

- iii. maintaining appropriate setback distances between high noise environments and sensitive land uses;
- iv. managing the location of sensitive land uses, particularly in relation to lawfully established noise generating activities;
- v. requiring acoustic insulation where sensitive activities are located within high noise environments;
- vi. managing the adverse effects of glare and lighting to adjacent sites;
- vii. managing the location, colour, content, and appearance of signs directed at traffic to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users;
- viii. discourage signs that generate adverse effects from illumination, light spill, flashing or reflection
- ix. provide for signage that is compatible with the character and sensitivity of the surrounding environment;
- x. managing adverse visual effects of outdoor storage through screening or landscaping;
- xi. ensuring that development does not compromise the safety and efficiency of the local road and rail networks.

MUZZM-O8 Subdivision and Development

Subdivision, layout and design maximises efficient use of the land in the Mixed Use Zone-Matangi and minimises any adverse effects.

MUZZM-P8 Subdivision development and design

- a. Subdivision that does not connect to public reticulation is avoided.
- b. Maintains and provides for safe interaction of pedestrian and vehicular users.
- b. Ensure subdivision and development provides integrated Three Waters infrastructure and services.
- c. Adverse effects of subdivision, use and development activities on the transport network are minimised with particular regard to:
 - i. Reverse sensitivity effects of land uses sensitive to adverse transport effects (e.g. noise)
 - ii. Protection of strategic and arterial transport networks, rail crossings and associated intersections.
 - iii. Maintain the safety of pedestrians and cyclists

Rules

- (1) The activity status tables and standards in the following chapters also apply to activities in the Mixed-Use Zone - Matangi:
- 14 Infrastructure and Energy as specified in Rule 27.2;
 - 15 Natural Hazards and Climate Change
 - 29 Appendix 1 Acoustic Insulation
- (2) The following symbols are used in the tables:
- (a) PER- Permitted activity
 - (b) CON- Controlled
 - (c) RDIS- Restricted discretionary activity
 - (d) DIS- Discretionary activity
 - (e) NC- Non-complying activity
- (3) The Mixed-Use Zone - Matangi rules apply in association with the Commercial Area as shown on the Planning Maps.

Land Use – Activities

MUZZM-RI Permitted Activities

- (1) The following activities are permitted activities if they comply with all of the:
- (a) Land Use – Effects rules in MUZZM
 - (b) Land Use – Building rules in MUZZM (unless the activity-specific rule and/or conditions identifies a condition(s) that does not apply); and
 - (c) Activity-specific conditions.

Activity		Activity-specific conditions
PER1	Commercial activity	(a) Located within the Commercial Area as shown on the planning maps. (b) Maximum floor area total of 1600m ² GFA within the MUZZM. (c) Commercial activities that are ancillary to Matangi Light industry are excluded from cumulative site area constraints by PER1 (b) rule.
PER2	Office	(a) Located within the Commercial Area as shown on the planning maps. (b) Maximum floor area per tenancy 300m ² up to a total of 1600m ² GFA within the MUZZM.
PER3	Community facility	Nil
PER4	Matangi Light industry	(a) The activity is not located in the Commercial Area as shown on the planning maps (b) Ancillary retail associated with Matangi Light Industry is limited to the greater of 150m ² per tenancy or 20% of the total gross floor area per tenancy.
PER5	Child care facility	(a) Maximum gross floor area is 300m ² .
PER6	Educational Facility	(a) Maximum of 9 students

PER7	Home occupation	<ul style="list-style-type: none"> (a) It is wholly contained within a residential unit (b) No more than 2 people who are not permanent residents of the site are employed at any one time (c) Unloading or loading of vehicles and receiving of customers or deliveries only occur between 7.30am and 7.00pm on any day. (d) Machinery may be operated between 7.30am and 9pm on any day. 									
PER8	Public amenity	Nil									
PER9	Health facility	Nil									
PER10	Temporary event	<ul style="list-style-type: none"> (a) The event occurs no more than 4 times per consecutive 12 month period. (b) It may operate between 7.30am and 8:30pm Monday to Sunday. (c) Temporary structures are: <ul style="list-style-type: none"> (i) erected no more than 2 days before the event occurs; and (ii) removed no more than 3 days after the end of the event. (d) The site is returned to its previous condition no more than 3 days after the end of the event. 									
PER11	Visitor Accommodation	<ul style="list-style-type: none"> (a) Buildings are not located in the Commercial Area as shown on the planning maps. (b) There are no more than 4 buildings in total. (c) Maximum occupancy per building shall be 6 guests. 									
PER12	Multi unit development	<ul style="list-style-type: none"> (a) Located outside of the Commercial Area as shown on the planning maps. (b) Every residential unit provides a net floor area of at least <ul style="list-style-type: none"> i. For studio or 1 bedroom- 45m² ii. For 2 bedrooms- 55m² iii. For 3 bedrooms- 70m² iv. For more than 3 bedrooms- 70m² plus 12m² additional for each additional bedroom (c) Living court areas are provided to meet the following minimum requirements for each residential unit: <table border="1" data-bbox="836 1422 1444 1706"> <thead> <tr> <th>Residential Unit</th> <th>Minimum Area</th> <th>Minimum Dimension</th> </tr> </thead> <tbody> <tr> <td>Studio unit and 1-2 bedroom</td> <td>8m²</td> <td>2m</td> </tr> <tr> <td>3 or more bedroom</td> <td>5m² for every additional room over 2</td> <td>2.4m</td> </tr> </tbody> </table> <p>The living court shall be readily accessible from a living area inside the residential unit</p> <ul style="list-style-type: none"> (d) Every unit is provided with a minimum service area of 10m² with a minimum dimension of 1.5m (e) The unit is designed and constructed to comply with Table 14-Internal Sound Levels in Appendix I (Acoustic Insulation) (f) Where a garage or carport is to be located between any residential unit and a transport corridor, it must be located behind the front building line of the residential unit 	Residential Unit	Minimum Area	Minimum Dimension	Studio unit and 1-2 bedroom	8m ²	2m	3 or more bedroom	5m ² for every additional room over 2	2.4m
Residential Unit	Minimum Area	Minimum Dimension									
Studio unit and 1-2 bedroom	8m ²	2m									
3 or more bedroom	5m ² for every additional room over 2	2.4m									

		(g) Residential activities in a multi-unit development must be located above ground floor.
PER13	Detached residential unit	(a) Located outside of the commercial area as shown on the planning maps. (b) Up to 7 detached residential units in total within Records of Title: Lot 1 DPS 61203 and SEC 2 SOP 465505; Lot 2 DPS 72565 and SEC. 1 SOP 465505; Lot 2 DPS 319280
PER15	Construction, demolition, relocation, addition or alteration of buildings.	Nil

MUZM-R2 Restricted Discretionary Activities

(I) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity		Matters of Discretion
RDIS1	(a) Any activity that does not comply with one or more activity-specific conditions for a permitted activity MUZM-R1.	(a) Council’s discretion is limited to the following matters: (i) The extent to which the effects resulting from an activity not complying with any relevant standard(s) in this District Plan (ii) The extent to which any adverse effects would be offset by benefits to the community or the natural environment. (iii) The extent to which the activity is able to avoid, remedy or mitigate adverse effects on the existing and foreseeable future amenity of the area, particularly in relation to noise, traffic generation, material deposited on roads, dust, odour and lighting. (iv) The extent to which the proposal, development, excavation or subdivision of a historic heritage site or place is consistent with the identified heritage values, including scale, design, form, style, bulk, height, materials and colour, and retains, protects or enhances the historic context.
RDIS2	(a) A multi-unit development within the commercial area as shown on the planning maps, or is unable to meet any of the following standards: (i) Land Use – Effects rules in MUZ-M-R2 ; (ii) Land Use – Building rules in MUZ-M-R3 (iii) Every unit must provide a net floor area of at least: v. For studio and 1 bedrooms- 45m ²	(a) Council's discretion is limited to the following matters: (i) The extent to which the development is consistent with CPTED principals. (ii) The extent to which the development contributes to and engages with adjacent streets and public open space; (iii) The extent to which the development creates visual quality and interest

	<p>vi. For 2 bedrooms- 55m² vii. For 3 bedrooms- 70m² viii. For more than 3 bedrooms- 70m² plus 12m² for each additional bedroom</p> <table border="1" data-bbox="411 398 928 752"> <thead> <tr> <th>Residential Unit</th> <th>Minimum Area</th> <th>Minimum Dimension</th> </tr> </thead> <tbody> <tr> <td>Studio unit and 1-2 bedroom</td> <td>8m²</td> <td>2m</td> </tr> <tr> <td>3 or more bedroom</td> <td>5m² for every additional room over 2 bedrooms</td> <td>2.4m</td> </tr> </tbody> </table> <p>(iv) Living court areas are provided to meet the following minimum requirements for each residential unit: The living court shall be readily accessible from a living area inside the residential unit</p> <p>(v) Every unit is provided with a minimum service area of 10m² with a minimum dimension of 1.5m</p> <p>(vi) Multi-Unit development or apartment development must be located above ground floor.</p>	Residential Unit	Minimum Area	Minimum Dimension	Studio unit and 1-2 bedroom	8m ²	2m	3 or more bedroom	5m ² for every additional room over 2 bedrooms	2.4m	<p>through the separation of buildings, variety in built form and architectural detailing, glazing, and materials;</p> <p>(iv) The extent to which the design of the development incorporates energy efficiency measures such as passive solar principles;</p> <p>(v) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, site design and layout.</p> <p>(vi) (For multi-unit developments only) Consistency with the matters contained, and outcomes sought, in Chapter 29 Appendix 3.4 (Multi-unit development guideline) where relevant;</p>
Residential Unit	Minimum Area	Minimum Dimension									
Studio unit and 1-2 bedroom	8m ²	2m									
3 or more bedroom	5m ² for every additional room over 2 bedrooms	2.4m									
<p>RDIS3</p>	<p>Commercial activity unable to comply with MUZM-R1- PER1 or outside of the Commercial Area.</p>	<p>(a) Council's discretion is limited to the following matters:</p> <p>(i) The extent to which the proposed commercial activity (having regard to its size, composition and characteristics), in conjunction with other established or consented retail or office activity:</p> <ol style="list-style-type: none"> a. Avoids adverse effects on the vitality, function and amenity of sub-regional centres that go beyond those effects ordinarily associated with competition on trade competitors. b. Minimises conflicts between users both within the site and any adjoining transport corridor. <p>(ii) The extent to which the activity and the traffic (including nature and type of the traffic, volume and peak flows, travel routes) generated by the proposal:</p> <ol style="list-style-type: none"> a. Requires improvements, modifications or alterations to the transport network and infrastructure to mitigate its effects 									

		<p>b. Adversely affects the streetscape amenity, particularly in relation to Tauwhare road frontage.</p>
RDIS4	<p>Offices unable to comply with MUZ-M-R1-1 PER2.</p>	<p>(a) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (i) The extent to which the proposed offices (having regard to its size, composition and characteristics), in conjunction with other established or consented retail or office activity: <ul style="list-style-type: none"> a. Avoids adverse effects on the vitality, function and amenity of sub-regional centres that go beyond those effects ordinarily associated with competition on trade competitors. b. Minimises conflicts between users both within the site and any adjoining transport corridor. (ii) The extent to which the proposal and the traffic (including nature and type of the traffic, volume and peak flows, travel routes) generated by the proposal: <ul style="list-style-type: none"> a. Requires improvements, modifications or alterations to the transport network and infrastructure to mitigate its effects b. Adversely affects the streetscape amenity, particularly in relation to Tauwhare road frontage.
RDIS5	<p>A Residential Unit that is detached and that does not comply with MUZ-M-R1-1 PER13 OR is on a lot other than those listed in PER13.</p> <p style="text-align: center;">o</p>	<p>(a) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (i) The extent to which the development contributes to and engages with adjacent streets and public open space; (ii) The extent to which the development creates visual quality and interest through the separation of buildings, variety in built form and architectural detailing, glazing, and materials; (iii) The extent to which the design of the development incorporates energy efficiency measures such as passive solar principles; (iv) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, site design and layout; (v) Extent to which connection to public reticulated infrastructure is provided

MUZM-R3 Discretionary Activities

DIS1	Any activity that is not provided for in MUZM-R1 or MUZM-R2
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Land Use – Effects

MUZM-S1 Noise

PER1	Noise generated by emergency generators and emergency sirens.
PER2	(a) Noise measured within any new building must not exceed: A. 75dB (LAeq), (7am to 10pm); B. 55dB (LAeq), and 85Db (L _{Amax}) 10pm to 7am the following day. (b) Rule PER2(a) does not apply to existing and new buildings within 20m of the Rail Corridor Boundary Designation (L2)
PER3	(a) Any new or altered habitable room associated with a noise-sensitive activity shall be protected by noise arising from outside of the building by ensuring the building is designed and constructed to meet an indoor design sound level of 35dB LA _{eq} (24hr). (b) Where the internal noise levels can only be achieved in a habitable room with windows and doors closed, an alternative ventilation system shall be installed that complies with the requirements of Section G4 – Ventilation of the New Zealand Building Code 2011. (c) Compliance shall be demonstrated by way of acoustic design certificate prior to the issuing of any building consent.
PER4	Construction noise must be measured, assessed, managed and controlled in accordance with the requirements of NZS 6803:1999 Acoustics – Construction Noise.
PER5	All Noise levels must be assessed and measured in accordance with the requirements of NZS 6801:2008 'Acoustics-Measurement of Environmental Sound'.
RDIS1	(a) Noise that does not comply with MMUZ-S1-PER2 or PER3. (b) Council's discretion is restricted to the following matters: (i) Effects on amenity values; (ii) Noise levels; and (iii) Timing and duration.

MUZM-S2 Servicing and hours of operation

PER1	The loading and unloading of vehicles and the receiving of customers and deliveries associated with any Matangi light industry or commercial activity may occur between 6.00am and 10.30pm.
RDIS1	(a) Servicing and operation of any Matangi light industry or commercial activity that does not comply with MUZM-S2-PER1. (b) Council's discretion is limited to the following matters: (i) Effects on residential amenity values; (ii) Timing, duration and frequency of adverse effects; (iii) The means to avoid, remedy or mitigate adverse effects on adjoining sites.

MUZM-S3 Onsite parking areas - Landscaping

PER1	Onsite car parking area for 5 or more parking spaces located within 6m of a road boundary, must comply with the following standards: (i) The car parking area must be separated from the road by a 1.5m wide planting strip, with the exception of vehicle access points;
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	<ul style="list-style-type: none"> (ii) The landscaping must comprise of a mix of trees, shrubs and ground cover plants; and (iii) Landscaping shall be selected, located and maintained in a manner so as not to create adverse traffic safety effects.
RDISI	<ul style="list-style-type: none"> (a) Onsite parking areas that do not comply with MUZM-S3-PER I. (b) Council's discretion is limited to the effects on amenity values and safety

MUZM-S4 Glare and artificial light spill

PERI	Glare and artificial light spill shall not exceed 10 lux measured horizontally and vertically at any point within any other site.
RDISI	<ul style="list-style-type: none"> (a) Glare and artificial light spill that does not comply with MUZM-S4-PER I. (b) Council's discretion is limited to the following matters: <ul style="list-style-type: none"> (i) Effects on amenity values; (ii) Light spill levels on other sites; (iii) Road safety; (iv) Duration and frequency; (v) Location and orientation of the light source; (vi) Mitigation measures.

MUZM-S5 Earthworks

PERI	<ul style="list-style-type: none"> (a) Earthworks within a site must meet the following conditions: <ul style="list-style-type: none"> (i) Not exceed a volume of more than 2,500m³ ; (ii) Not exceed an area of more than 10,000m² within a 12 month period; (iii) Earthworks associated with any activity requiring building consent (including associated site works shall not exceed 500m³; (iv) any excavation or filling does not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (v) Not be located within 1.5m of the KiwiRail designated corridor; (vi) areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface; (vii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and (viii) Do not divert or change the nature of natural water flows, water bodies.
PER2	<ul style="list-style-type: none"> (a) Earthworks for the purpose of creating a building platform within a site, using imported fill material (excluding cleanfill) must meet the following conditions: <ul style="list-style-type: none"> (i) Must not exceed a total volume of 500m³; (ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iii) Areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface; (iv) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; (v) Do not divert or change the nature of natural water flows, water bodies or established drainage paths
RDISI	<ul style="list-style-type: none"> (a) Earthworks that do not comply with MUZM – S5-PER I or PER2 (b) Council's discretion is limited to the following matters: <ul style="list-style-type: none"> (i) Amenity values and landscape effects;

	<ul style="list-style-type: none"> (ii) Volume, extent and depth of earthworks; (iii) Nature of fill material; (iv) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (v) Compaction of the fill material; (vi) Volume and depth of fill material; (vii) Geotechnical stability; (viii) Flood risk, including natural water flows and established drainage paths; (ix) Land instability, erosion and sedimentation; and (x) Proximity to underground services and service connections.
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MUZM-S6 Signs – General

PER1	A public information sign erected by a government agency.
PER2	<p>(a) A sign must comply with all of the following conditions (excluding where not visible from outside of the site on which they are located):</p> <ul style="list-style-type: none"> (i) The sign is wholly contained on the site; (ii) The sign height must not exceed 10m; (iii) Where the sign is illuminated it must: <ul style="list-style-type: none"> A. Not have a light source that flashes or moves; B. Not contain moving parts or reflective materials; and C. Be focused to ensure that it does not spill light beyond the site; (iv) Where the sign is attached to a building, it must: <ul style="list-style-type: none"> A. Not extend more than 400mm from the building wall; and B. Not exceed the height of the building; (v) Where the sign is a freestanding sign and can be viewed from a public space, it must: <ul style="list-style-type: none"> A. Not exceed an area of 3m² for one sign per site, and 1m² for one additional freestanding sign on the site; and B. Be set back at least 5m from the boundary of any adjoining Living Zone; (vi) The sign is not attached to a heritage item listed in Schedule 30.1 (Heritage Items) except for the purpose of identification and interpretation; and (vii) The sign relates to: <ul style="list-style-type: none"> A. goods or services available on the site; or B. a property name sign (which includes tenants of the site).
PER3	<p>(a) A real estate sign must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) It relates to the sale of the site on which it is located; (ii) There is no more than 3 signs per site; (iii) The sign is not illuminated; (iv) The sign does not contain any moving parts, florescent, flashing or revolving lights or reflective materials.
PER4	<p>(a) Any sign directed at road users must meet the following conditions:</p> <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a railway level crossing; (iv) Contain no more than 40 characters and no more than 6 symbols; and (v) Have lettering that is at least 150mm high.
RDIS1	(a) A sign that does not comply with MUZM-S6-PER2, PER3 or PER4.

	<p>(b) Council’s discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> (i) Amenity values; (ii) Effects on traffic safety; (iii) Effects of glare and artificial light spill; (iv) Content, colour and location of the sign; (v) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; and (vi) Effects on notable architectural features of the building.
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MUZZM-S7 Traffic

PERI	<p>(a) Any permitted, controlled or restricted discretionary activity within the MUZZM-M creating:</p> <ul style="list-style-type: none"> (i) a maximum of 250 vehicle movements (vpd) per day; and (ii) a cumulative maximum of 2200 vpd for all activities within the MUZZM-M; and (iii) a cumulative maximum of 330 vehicle movements per hour (vph) for all activities within the MMUZ. <p>(b) No more than 1% of the volume limits set out in (a) above to provide for Heavy Commercial Vehicles (HCV) per activity.</p>
RDIS1	<p>(a) Any activity unable to comply with PERI above</p> <p>(b) Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (i) the effects of the activity on the safety, efficiency and effectiveness of the local and wider transport network, including consideration of cumulative effects with other activities (including those consented but not yet constructed or operational) in the vicinity, proposed infrastructure, and construction work associated with the activity. (ii) Whether the use is of an appropriate intensity and scale. (iii) Any alternative locations and methods considered to avoid, remedy and mitigate any adverse effects, while recognising practical constraints and any benefits generated by the activity. (iv) Outcomes and recommendations in the Integrated Transport Assessment provided with the application. (v) The duration, staging and scheduling of construction activity and resultant vehicle movements. (vi) The extent to which the number, pattern and/or timing of construction traffic movements is likely to adversely affect the amenity values of the immediate and surrounding area. (vii) The temporary nature of construction traffic movements and any positive effects enabled by the activity
RDIS2	<p>(a) Any new vehicle crossing within 30 m of the railway level crossing</p> <p>(b) Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (i) The potential for adverse effects on the safety and efficiency of the railway resulting from the nature, use, location and design of the vehicle access point to a subdivision or land use activity. (ii) Whether alternative accesses are feasible. (iii) The outcome of any consultation with KiwiRail.
	<p>Note: Land use activities unable to comply with MUZZM-S7 PERI or RDIS1 shall be accompanied by an Integrated Traffic Assessment (ITA)</p>

Land Use – Building

(I) Buildings are permitted if they comply with all of the Land Use – Building rules MUZ-M-R3.

MUZM-R3-S7 Tauwhare Road Interface

PERI	<p>(a) New buildings within 10m of Tauwhare Road,</p> <ul style="list-style-type: none"> (i) At least 50% of the building front facade at ground floor shall be clear glazing; (ii) At least 25% of the building front facade above ground floor is clear glazing; (iii) There are no roller doors (except security grills which allow views from the street into the premises) along the site frontage. <p>(b) Rule PERI (a) does not apply to multi-unit developments</p>
RDISI	<p>(a) Buildings that do not comply with MUZM-S7- PER1</p> <p>(b) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (i) The extent to which the development creates visual quality and interest through the separation of buildings, variety in built form and architectural detailing, glazing, and materials; (ii) The extent to which the development contributes to and engages with adjacent streets and public open space; (iii) The extent to which new development provides for Crime prevention through environmental design principles.

MUZM-S8 Site Coverage

PERI	Site coverage for all buildings must not exceed 60% across the entire zone
RDISI	<p>(a) Buildings that are unable to comply with MUZM-S8- PER1</p> <p>(b) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (i) Extent to which development promotes quality design and layout; (ii) Extent to which development provides for adequate servicing provision; (iii) Extent to which development adversely impacts the built heritage.

MUZM-S9 Building Height

PERI	<p>(a) Maximum building Height – 15m</p> <p>(b) Maximum building height within 20m of Tauwhare Road Boundary – 12m</p>
RDISI	<p>(a) Buildings that do not comply with MUZM-S9- PER1.</p> <p>(b) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (i) Extent to which development provides for quality design and layout; (ii) Extent to which development adversely impacts on traffic safety and efficiency; (iii) Extent to which the effects of building dominance both cumulatively and individually are mitigated.

MUZM-S10 Permeable Surfaces

PERI	The minimum permeability for the entire zone must be at least 20%.
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RDISI	<p>(a) Development that does not comply with MUZM-S10- PER1.</p> <p>(b) Council’s discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (i) Extent to which development provides for quality design and layout. (ii) Extent to which development can provide for adequate stormwater attenuation and disposal.
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MUZM-S11 Gross Floor Area

PERI	The combined maximum gross floor area for buildings used for office and commercial activities in the Mixed Use Zone-Matangangi shall not exceed 3200m ² .
DISI	Any landuse that does not comply with MUZM-S11-PER1

MUZM-S12 Daylight admission

PERI	Any building shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3m above ground level at every point of the site boundary where it adjoins a Residential Zone.
RDISI	<p>(a) Any building that does not comply with MUZM-S12- PER1.</p> <p>(b) Council’s discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> (i) Height of building; (ii) Design and location of the building; (iii) Level of shading on an adjoining site; (iv) Privacy on other site; (v) Amenity values of the locality.

MUZM-S13 Building setbacks

PERI	<p>(a) Buildings shall be setback a minimum of 3m from side or rear boundaries adjoining a Residential or Rural Zone.</p> <p>(b) Buildings shall be setback a minimum of 5m from the rail corridor boundary.</p> <p>(c) Buildings shall not require a setback from Tauwhare Road.</p> <p>(d) Side and rear setbacks of the MUZ-M used for new non-residential activities where adjoining the Residential Zone shall be planted with an average of 1 tree per 10 metres or planted with a hedge maintained at a minimum height of 2m for the length of the boundary.</p>
RDISI	<p>(a) Any building that does not comply with MUZM-S13-PER1</p> <p>(b) Council’s discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> (i) Visual amenity (ii) Design and location of the building; (iii) Character and amenity (iv) Privacy

MUZM-S14 Outdoor storage

PERI	<p>(a) Outdoor storage of goods or materials must:</p> <ul style="list-style-type: none"> (i) Be associated with the activity operating from the site; (i) Not encroach on required parking or loading areas; and (ii) Not be located between the building and the front boundary.
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	<p>(iii) Be fully screened from view by a close boarded fence or solid fence or wall to a height of 1.8m fencing or landscaping from any:</p> <p>A. Public road;</p> <p>B. Public reserve; and</p> <p>C. Adjoining site in another zone.</p>
RDISI	<p>(a) Outdoor storage of materials that does not comply w with MUZM-S14- PERI .</p> <p>(b) Council’s discretion shall be limited to the following matters:</p> <p>(i) Visual amenity;</p> <p>(ii) Effects on loading and parking areas;</p> <p>(iii) Size and location of storage area; and</p> <p>(iv) Measures to mitigate adverse effects.</p>

MUZM-S15 Servicing

PERI	<p>(a) New buildings must provide for onsite wastewater disposal and treatment.</p> <p>(b) New buildings must provide for onsite stormwater disposal via soakage</p>
RDISI	<p>(a) New Buildings unable to comply with MUZM-S15- PER1.</p> <p>(b) Council’s discretion shall be limited to the following matters:</p> <p>(i) Extent of Network Capacity for WW;</p> <p>(ii) Design and location of the building; and</p> <p>(iii) Extent of Network Capacity for SW.</p>

Heritage

MUZM-S16 Group A Heritage item - Demolition, removal or relocation

NCI	Demolition, removal or relocation of any Group A heritage item listed in Schedule 30.1 (Heritage Items)
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MUZM-S17 Group B Heritage item – Demolition, removal or relocation

DISI	Demolition, removal or relocation of any Group B heritage item listed in Schedule 30.1 (Heritage Items)
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MUZM-S18 All Heritage items – alteration or addition

PERI	<p>(a) Alteration of, or addition to a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions:</p> <p>(i) No significant feature of interest is removed, destroyed or damaged; and</p> <p>(ii) Alterations or additions are not visible from a public place.</p>
RDISI	<p>(a) Any activity that does not comply with MUZM-S18-PER I</p> <p>(b) Council’s discretion shall be limited to the following matters:</p> <p>(i) Form, style, materials and appearance;</p> <p>(ii) Effects on heritage values</p>

MUZM-S19 All Heritage items – maintenance and repair

PERI	<p>(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions:</p> <p>(i) No significant feature of interest is destroyed or damaged; and</p>
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	(ii) Replacement materials are the same as, or similar to, the originals in terms of form, style and appearance.
RDISI	(a) Maintenance or repair of a heritage item that does not comply with a condition of MUZM-S19-PER1 (b) Council's discretion shall be limited to the following matters: (i) Form, style, materials and appearance; (ii) Effects on heritage values

MUZM-S20 All Heritage items – All site development

PERI	(a) Development containing a heritage item listed in Schedule 30.1 (Heritage Items) shall: (i) Be set back at least 10m from the heritage item; and (ii) Not locate a new building within 30m forward of the furthest building line of the heritage item fronting Tauwhare Road.
RDISI	(a) Any activity that does not comply with MUZM-S20- PERI. (b) Council's discretion shall be limited to the following matters: (i) Effects on the values, context and setting of the heritage item; (ii) Location, design, size, materials and finish; (iii) Landscaping; (iv) The relationship of the heritage item with the setting including the area between the heritage item and the road.

Subdivision

MUZM-R4 Subdivision – Fee Simple

RDISI	(a) Subdivision must comply with all of the following conditions: (i) Proposed lots must have a minimum net site area of 1,000m ² , except where the proposed lot is an access allotment or utility allotment or reserve to vest; or where the site area aligns with the notional boundaries of an approved land use consent. (ii) Proposed lots must have an average area of at least 2,000m ² ; and (iii) Proposed lots must be connected to public-reticulated water supply and wastewater; (iv) Proposed lots must provide for onsite SW disposal via soakage within the MUZ-M. (b) Council's discretion shall be restricted to the following matters: (i) Subdivision layout; (ii) Shape of lots and variation in lot sizes; (iii) Likely location of future buildings and their potential effects on the environment; (iv) Vehicle and pedestrian networks; (v) Provision of infrastructure; and (vi) The extent to which the subdivision design impacts on the operation, maintenance, upgrade and development of existing infrastructure.
NCI	Subdivision that does not comply with MUZM-R4-RDIS1

MUZM-R5 Subdivision – Unit Title

RDISI	(a) Subdivision of land must comply with all of the following conditions: (i) Subdivision for multi-unit developments must include an application for land use consent or been granted resource consent by Council; and (ii) Be connected to public wastewater and water reticulation. (b) Council's discretion shall be limited to the following matters:
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	<ul style="list-style-type: none"> (i) Subdivision layout including notional boundaries for the multi-unit developments or apartment developments; (ii) Provision of common areas for shared spaces, access and services; (iii) Amenity values and streetscape; (iv) The extent to which a range of future business and residential activities can be accommodated. (v) For Multi-Unit Developments, consistency with the matters contained, and outcomes sought, in Chapter 29 Appendix 3.4 (Multi-unit development guideline) where relevant; (vi) Vehicle, pedestrian and cycle networks; (vii) Safety, function and efficiency of road network and any internal roads or accessways.
NCI	Subdivision that does not comply with MUZM-R5- RDIS1

MUZM-R6 Boundary Adjustments

RDIS1	<ul style="list-style-type: none"> (a) Boundary adjustments must comply with the following: <ul style="list-style-type: none"> (i) the conditions specified in: <ul style="list-style-type: none"> A. MUZM-R4-RDIS1 (Subdivision –Fee Simple); or B. MUZM-R4- RDIS1 (Subdivision- Unit Title). (ii) Relocating a common boundary or boundaries between two existing Records of Title; (iii) Proposed lot must not generate any additional building infringements to those which legally existed prior to the boundary adjustment; and (iv) Must not result in any additional lot. (b) Council’s control shall be limited to the following matters: <ul style="list-style-type: none"> (i) Subdivision layout; (ii) Shape of title and variation in title size.
NCI	Boundary adjustment that does not comply with MUZM-R6-CON1

MUZM-S21 Subdivision – land containing heritage items

RDIS1	<ul style="list-style-type: none"> (a) Subdivision of land containing a heritage item listed in Schedule 30.I (Heritage Items) where the heritage item is wholly contained within one lot. (b) Council’s discretion shall be limited to the following matters: <ul style="list-style-type: none"> (i) Effects on heritage values; (ii) Context and setting of the heritage item; (iii) The extent to which the relationship of the heritage item with its setting is maintained.
NCI	Subdivision that does not comply with MUZM-S21-RDIS1.

MUZM-S22 Subdivision – Road Frontage

RDIS1	<ul style="list-style-type: none"> (a) Subdivision of land with a road frontage must provide a width along the road boundary of at least 15m. (b) Rule RDIS1 (a) does not apply to a proposed access allotment or utility allotment. (c) Council’s discretion shall be limited to the following matters: <ul style="list-style-type: none"> (i) Traffic effects; and (ii) Amenity and streetscape.
DIS1	Subdivision that does not comply with MUZM-S22- RDIS1.

