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Recommended changes in response to submissions are shown in ~~strike through~~ and underline.

## MUZ

### Mixed Use Zone - Te Taikiwā Hanumi

#### Overview

The MUZ - Mixed Use Zone is primarily located on the edge of the Greymouth/Māwhera Town Centre but can also be found in a small number of other locations in Westland, Grey and Buller. In Greymouth/Māwhera the zone is being used as a transitional one to aid the redevelopment of the edge of the town centre. More widely however MUZ - Mixed Use Zone is useful as a transitional or buffer zone between industrial/commercial areas and residential areas.

#### MUZ - Mixed Use Zone in Greymouth/Māwhera

The architectural quality of buildings and the quality of the public realm (public spaces and the interaction between individual buildings and the public pedestrian environment) will strongly influence the attractiveness of the TCZ - Town Centre Zone and MUZ - Mixed Use Zone as places to visit, do business and live. The objectives, policies and rules for both zones enable a broad range of activities, to provide the flexibility necessary to accommodate future growth and change. More importantly, they also focus on the quality of buildings and the impact of new buildings on the public realm and on the walkability of the town centres. This focus is important to enhancing the attractiveness of the town centres and encouraging new businesses, visitors and inner city living.

As the largest centre on the West Coast/Te Tai o Poutini, Greymouth/Māwhera is expected to provide for a diverse range of commercial, retail, community and recreation activities and offer a variety of employment and living opportunities. In Greymouth/Māwhera higher density residential developments such as apartments above ground floor are anticipated that will contribute to providing wider housing choices for the community.

The Greymouth/Māwhera Town Centre and Mixed Use Design Guidelines seek to ensure that new building development in the town centres is of a high standard and that it enhances the characteristics and qualities that contribute to each town centre's unique sense of place.

#### Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of Part 2: District-wide Matters chapters also contain provisions that may be relevant for activities, in the Mixed Use Zone including:

- **Transport** - the Transport Chapter contains provisions in relation to transport matters, including traffic generation TRN - R12.
- **Sites and Areas of Significance to Māori, Historic Heritage and Notable Tree Chapters** - there may be sites and areas of significance to Māori, historic heritage or notable trees identified on individual sites within the Mixed Use Zone. Specific information on the provisions that apply to these can be found in the Sites and Areas of Significance to Māori, Historic Heritage, and Notable Trees Chapters.
- **Natural Hazards** - there may be areas of natural hazards that in some locations may affect ~~areas in the Mixed Use Zone. Information on natural hazard overlays and provisions can~~

be found in the Natural Hazards Chapter.

- **Subdivision** - The Subdivision Chapter sets out the requirements for the development of new infrastructure and connections as part of subdivision activities.
- **Financial Contributions** - The Financial Contributions chapter sets out the requirements for contributions of costs for activities which impact on infrastructure.
- **General District Wide Matters** - provisions in relation to Noise, Light, Signs, Temporary Activities and Earthworks in particular may be relevant to activities in the Mixed Use Zone.

### Mixed Use Zone Rules

Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided in General Approach.

### Permitted Activities

MUZ - R1	New Buildings and External Additions or Alterations to Existing Buildings, and External Storage <sup>1</sup>
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. The maximum ground floor area of the building is 500m<sup>2</sup>;</li> <li>2. The maximum height above ground level is 12m except that this standard does not apply to hose drying towers at Emergency Service Facilities;</li> <li>3. Any building on a Facade Control Street must have:               <ol style="list-style-type: none"> <li>i. A cantilevered continuous verandah to cover the full width of the footpath except that this does not apply to Heritage Buildings identified in Schedule One;</li> <li>ii. 20% of the facade devoted to display windows or transparent glazing; and</li> <li>iii. The principal public entrance to the building must be located on the front boundary;</li> </ol> </li> <li>4. Any building or structure is setback a minimum of:               <ol style="list-style-type: none"> <li>i. 3m from any RESZ - Residential Zone, OSRZ - Open Space and Recreation Zone, INZ - Industrial Zone or PORTZ - Port Zone boundary; and</li> <li>i. 1.5m from the railway corridor boundary, excluding accessory buildings and structures<sup>2</sup>.</li> </ol> </li> <li>5. All external storage is screened by a 1.8m fence or landscaping so it is not visible from any adjoining residential zone boundary or any adjoining public space;</li> </ol>	<p><b>Activity status where compliance not achieved:</b> <u>Restricted discretionary where rules standards 1 and 3 to 7 are not complied with.</u> <u>Discretionary where rule standard 2 is not complied with.</u><sup>6</sup></p>

**Commented [B&A1]:** Relocated to MUZ-R2. Consequential to the hearing notes of Ms Inta (S553) in relation to the rule structure of the NCZ, GIZ, and LIZ.

<sup>1</sup> Consequential to Waka Kotahi (S450.213)

<sup>2</sup> Letter from KiwiRail dated 28 May 2024

<sup>6</sup> Ministry of Education (S456.035)

~~6. On sites adjoining a RESZ - Residential Zone a 2m wide landscaping strip shall be provided adjacent to the RESZ - Residential Zone boundary and shall be planted with species, which at maturity, will screen the buildings from the adjoining sites; and<sup>3</sup>~~

5. No building shall protrude beyond a building envelope defined by a recession plane as identified in accordance with Appendix Two to commence 2.5m above any RESZ - Residential Zone boundary ~~except where the neighbouring property owner's written approval is provided to the Council 10 working days to the works commencing<sup>4</sup>~~. This standard does not apply to:
- i. Road boundaries;
  - ii. Buildings on adjoining sites that have a common wall along the boundary;
  - iii. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard;
  - iv. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; and
  - v. Solar panels and solar water heaters, provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically.

**Advice Notes:**

Where boundary rules are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council<sup>5</sup>

<sup>3</sup> Consequential to Buller District Council (S538.396)

<sup>4</sup> Buller District Council (S538.408)

<sup>5</sup> Buller District Council (S538.408)

<b>MUZ - R2</b>	<b>Commercial Activity, Community Facilities, Community Corrections Activity, Educational Facilities and Emergency Service Facilities</b>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. This is not visitor accommodation subject to Rule MUZ - R5;</li> <li>2. <del>Performance standards for Rule MUZ - R1 are complied with; and</del></li> <li>3. <del>All external storage is screened by a 1.8m fence or landscaping so it is not visible from any adjoining residential zone boundary or any adjoining public space.</del></li> </ol>	<p><b>Activity status where compliance not achieved:</b> Refer Rule MUZ - R5 for Visitor Accommodation.</p> <p><u>Restricted discretionary where standard 3 4 is not complied with.</u></p> <p><u>Activities not complying with Standard 2 or 3 are Discretionary where standard 2 is not complied with</u></p>	
<b>MUZ - R3</b>	<b>Carparking and Vehicle Service Access</b>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. Provision for carparking and vehicle service access is made at the side or rear of the building;</li> <li>2. If available all vehicle access should be from service lanes or streets other than those subject to Facade Controls;</li> <li>3. No parking areas are located between the frontage of buildings and the street;</li> <li>4. No carpark is provided on a Facade Control Street; and</li> <li>5. For all sites adjoining a RESZ - Residential Zone all parking areas must be screened so they are not visible from the adjoining residential site.</li> <li>6. <u>Standards 1 to 5 of Rule MUZ-R3 do not apply to Emergency service facilities are excluded from Rules MUZ R3.1 — MUZ R3.5<sup>7</sup></u></li> </ol> <p><b>Advice Note:</b> Carparking and Vehicle Service Access must comply with the standards outlined in the Transport Chapter.</p>	<p><b>Activity status where compliance not achieved:</b> Non-complying</p>	

**Commented [B&A2]:** Relocated from MUZ-R1. Consequential to the hearing notes of Ms Inta (S553) in relation to the rule structure of the NCZ, GIZ, and LIZ.

<sup>7</sup> Fire and Emergency New Zealand (S573.086)

MUZ - R4	Residential Activities and Papakāinga	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>The residential activity or papākāinga is:               <ol style="list-style-type: none"> <li>Located above street level; or</li> <li>Located at street level but with no frontage to public open spaces or streets except for access;</li> </ol> </li> <li>Each residential unit shall be provided with a waste management area of 2m<sup>2</sup> per unit, each with a minimum dimension of 1.5 metres in <del>either a private or communal</del> area <u>or 9m<sup>2</sup> with a minimum dimension of 2.8 metres in a communal area.</u><sup>8</sup></li> <li>Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres;</li> <li>Residential accommodation entrances shall be clearly separated and distinguished from commercial entrances;</li> <li><del>The principal residential Residential</del> accommodation entrances shall be provided directly from <del>a the</del> public street <u>or open space</u><sup>9</sup>.</li> </ol> <p><b>Advice Note:</b> The acoustic insulation requirements for noise sensitive activities as set out in Rule NOISE - R3 also apply.</p>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>	
MUZ - R5	Visitor Accommodation	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>The visitor accommodation is located               <ol style="list-style-type: none"> <li>In a Heritage Building listed in Schedule One; or</li> <li>Above street level; or</li> <li>At street level but with no frontage to public open spaces or streets except for access</li> </ol> </li> <li>Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres;</li> <li>Visitor accommodation entrances shall be clearly separated and distinguished from commercial entrances; and</li> <li><del>The principal residential Residential</del> accommodation entrances shall be provided directly from <del>a the</del> public street <u>or open space</u><sup>10</sup>.</li> </ol> <p><b>Advice Note:</b></p>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>	

<sup>8</sup> Buller District Council (S538.411)

<sup>9</sup> Consequential to Davis Ogilvie & Partners Ltd (S465.034), Buller District Council (S538.411)

<sup>10</sup> Consequential to Davis Ogilvie & Partners Ltd (S465.034), Buller District Council (S538.411)

The acoustic insulation requirements for noise sensitive activities as set out in Rule NOISE - R3 also apply.		
<b>MUZ - R6</b>	<b>Minor Structures</b>	
<b>Activity Status Permitted</b> Where: <del>1. All performance standards for Rule MUZ - R2 are complied with;</del> <sup>11</sup> 2. Masts, poles, aerals and pou whenua must not exceed 7m in height; 3. Any antenna dish must be less than 1m in diameter; 4. Any ornamental or garden structure must not exceed 2.4 m in height; <del>and</del> 5. Any other structure must not exceed 10m <sup>2</sup> and 2m in height; <u>and</u> 6. <u>Any structure is set back:</u> i. <u>3m from any RESZ - Residential Zone, OSRZ - Open Space and Recreation Zone, INZ - Industrial Zone or PORTZ - Port Zone boundary;</u> ii. <u>4.5m from the road boundary; and</u> iii. <u>1m from internal boundaries.</u>		<b>Activity status where compliance not achieved:</b> Discretionary
<b>MUZ - R7</b>	<b>Fences, Walls and Retaining Walls</b>	
<b>Activity Status Permitted</b> Where: 1. Fences, walls and retaining walls are a maximum 2m height above ground level; and 2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.		<b>Activity status where compliance not achieved:</b> Discretionary

<sup>11</sup> Buller District Council (S538.413)

MUZ - R8	Relocated Buildings <sup>12</sup>
<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. All performance standards for Rule MUZ - R1 are complied with;</li> <li>2. Any relocated building intended for use as a dwelling must have been designed, and built, and <del>to be</del> used as a dwelling;</li> <li>3. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within a 12-month period;</li> <li>4. The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site; and</li> <li>5. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. This reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</li> </ol>	<p><b>Activity status where compliance not achieved:</b></p> <p><u>Refer Rule MUZ – R1 for where standard 1 is not complied with.</u></p> <p><u>Discretionary where standards 2 to 5 are not complied with.</u></p>

<sup>12</sup> Chris & Jan Coll (S558.006), Chris J Coll Surveying (S566.006), William McLaughlin (S567.006), Laura Coll McLaughlin (S574.006), Buller District Council (S538.415)

**Restricted Discretionary Activities**

**MUZ – R98A**      **New Buildings and External Additions or Alterations to Existing Buildings not meeting Rule MUZ-R1<sup>13</sup>**

<p><b>Activity Status Restricted Discretionary</b> Where: 1. <u>Rule Performance standard 2</u> for Rule MUZ-R1-<del>2</del> is complied with.</p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li><u>Bulk, location and design of storage, buildings and structures;</u></li> <li><u>Effects on the safety, amenity and attractiveness of the street or public places;</u></li> <li><u>Visual dominance, privacy and shading effects on neighbouring sites; and</u></li> <li><u>Materials being stored and the period of time for storage.</u></li> </ol>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
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**MUZ – R8B**      **Commercial Activity, Community Facilities, Community Corrections Activity, Educational Facilities and Emergency Service Facilities not meeting Rule MUZ-R2**

<p><b>Activity Status Restricted Discretionary</b> Where: 1. <u>Performance standard 2</u> for Rule MUZ-R2 is complied with</p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li><u>Effects on the safety, amenity and attractiveness of the street or public places;</u></li> <li><u>Materials being stored and the period of time for storage.</u></li> </ol>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
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**Commented [B&A3]:** Consequential to hearing notes of Ms Inta (S553) in relation to the rule structure of the NCZ, GIZ, and LIZ. The new rule applies to assessment of non-compliance with MUZ-R2, with the relevant matters duplicated from MUZ-R9A.

<sup>13</sup> Consequential to Ministry of Education (S456.035)



**Discretionary Activities**

<b>MUZ - R9</b>	<del>Commercial Activities, Community Facility, Educational Facility, Community Corrections Activity, Visitor Accommodation, Emergency Service Facilities and</del> <b>Buildings not meeting Permitted Activity Standards</b>
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<b>Activity Status Discretionary</b> Where: 1. The maximum height is 20m.	<b>Activity status where compliance not achieved:</b> Non-complying
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<del><b>MUZ - R10</b></del>	<del><b>Minor Structures, Fences, Walls and Retaining Walls not meeting Permitted Activity Standards</b></del>
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<del><b>Activity Status Discretionary</b></del>	<del><b>Activity status where compliance not achieved:</b></del> N/A
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<del><b>MUZ - R11</b></del>	<del><b>New Buildings and External Additions to Buildings not meeting Rule MUZ - R1</b></del>
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<del><b>Activity Status Discretionary</b></del>	<del><b>Activity status where compliance not achieved:</b></del> N/A
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<del><b>MUZ - R12</b></del>	<del><b>Residential Activities not meeting Permitted Activity standards</b></del>
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<del><b>Activity Status Discretionary</b></del>	<del><b>Activity status where compliance not achieved:</b></del> N/A
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**Non-complying Activities**

<b>MUZ - R13</b>	<b>Industrial Activities</b>
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<b>Activity Status Non-complying</b>	<b>Activity status where compliance not achieved:</b> N/A
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<b>MUZ - R14</b>	<b>Any activity not provided for by another Rule in the zone</b>
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<b>Activity Status Non-complying</b>	<b>Activity status where compliance not achieved:</b> N/A
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**Commented [B&A4]:** On further assessment, MUZ-R9 should be retained as it applies a non-complying activity status to buildings exceeding 20m. This requirement is not duplicated in MUZ-R1.