

Before the Independent Hearing Panel
Appointed by the Timaru District Council

Under	Schedule 1 of the Resource Management Act 1991 (RMA)
In the matter of	Submissions on the Proposed Timaru District Plan
Between	Various
	Submitters
And	Timaru District Council
	Respondent

Elizabeth (Liz) Jane White – Hearing B - Interim reply

Residential and Commercial and Mixed Use Zones

19 September 2024

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lloyd.**

Introduction

- 1 My name is Liz White. I am a self-employed independent planning consultant (Liz White Planning). I prepared the s42A report on the Residential and Commercial and Mixed Use Zones. I confirm that I have read all the submissions, further submissions, submitter evidence and relevant technical documents and higher order objectives relevant to my s42A report. I have the qualifications and experience as set out in my s42A report.
- 2 The purpose of this statement is to:
 - (a) respond to direction contained in Hearing Panel Minute 14; and
 - (b) provide an interim reply to the matters raised in evidence before the Proposed District Plan (PDP) Hearings Panel on the Residential and Commercial and Mixed Used Zones.
- 3 A final reply responding to the unresolved matters will be provided to the Hearing Panel at the conclusion of the hearing process.
- 4 The table attached at **Appendix A** contains my updated recommendations, including reasons, having regard to all of the evidence given by submitters before, during and after Hearing B. That table also includes a section 32AA assessment for all amendments recommended since my section 42A report was published.
- 5 Marked up versions of the GRZ, MRZ, LFRZ and TCZ chapters containing my updated recommendations are **attached** at **Appendix B**. For other zone chapters, my recommendations remain as included in the s42A Report.

Panel directions – Minute 14

- 6 The Panel made the following directions or asked me to address the following specific questions:
 - (a) Redwood Group Limited – Economic evidence of Ms Hampson to be peer reviewed by an economist engaged by the Council, followed by discussions between myself and Ms Hoogeveen to ascertain whether our differences in opinion could be resolved.
 - (b) Aitken Johnston and RSM Trust Limited – Ms Clay and myself to confer on zoning and report back to the Panel in interim reply.

- (c) Bidwill Trust – Mr Geddes and myself to confer on any alternative drafting options for permitted, controlled or restricted discretionary rule to the residential zone adjacent to the existing Bidwill Hospital.
 - (d) Port Bryson site – confer with Ms Hollier regarding the appropriate zoning for the Port Bryson site, including consideration of MUZ or GIZ and reasons for rejecting the MUZ.
- 7 In relation to Redwood Group Limited, a joint statement between Ms Hoogeveen and myself containing agreed provisions was filed by way of memorandum of counsel dated 23 August 2024.
- 8 In relation to Bidwill Trust, a joint statement between Mr Geddes and myself is attached at **Appendix C**.
- 9 The remainder of the Panel's directions and questions are addressed in the updated issues table **attached at Appendix A**.

Liz White

19 September 2024

APPENDIX A
Issues Raised in Evidence / Submitter Presentations
Residential and Commercial and Mixed Use Zones – Hearing B

Notes:

- 1 *Status: The status of the issue reflects my understanding of the status of resolution as between those submitters who pre-circulated evidence for Hearing B. It does not attempt to reflect whether the issue is agreed between submitters who did not pre-circulate evidence for Hearing B.*
- 2 *Status: An asterisk (*) against the status denotes where I have made an assumption based on the amendments I have recommended. However, I am not certain as to that status because the amendments I have recommended are different to that sought by the submitter.*
- 3 *Relevant submitters: Relevant submitters are those who pre-circulated evidence for Hearing B. Other submitters who did not pre-circulate evidence may be interested in the issue (as submitters in their own right, or as further submitters) but they have not been listed here.*

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
<p>Exclude existing service stations from the verandah requirement as they have a functional requirement to be designed in the manner they are, and it is unreasonable for existing service stations to provide a veranda with development on the sites.</p> <p>Either exclude vehicle access and manoeuvring areas from the verandah requirements and exclude those activities that cannot provide a verandah due to functional or operational needs OR</p> <p>Amend TCZ-P4 and TCZ-S5 so that the Council can</p>	TCZ-P4	<p>Outstanding</p> <p>(But additional recommendation may resolve issue)</p>	<p>Z Energy [116.23] – Hearing Statement, paras 6-8</p>	<p>My view in relation to expressly excluding verandahs remains as set out in the s42A report (para 6.24.14).</p> <p>However, I agree with the submitter that it would be appropriate to allow for consideration of operational and functional requirements of activities, and therefore recommend addition of this to TCZ-P4, as follows:</p> <p><i>Maintain streetscape character and pedestrian amenity in the principal shopping areas by requiring in:</i></p> <ol style="list-style-type: none"> 1. <i>Temuka and Geraldine, the provision of a verandah along main street frontages and ensuring that the design of any verandah maintains or enhances the character of the street taking into account operational and functional requirements; and</i> 2. ... <p>And amending the matters of discretion in TCZ-S5 as follows:</p> <p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> 1. <i>pedestrian amenity, including shelter;</i>

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consider the functional or operational needs of activities that cannot comply.				<p>2. <i>maintenance of character of the building and street;</i></p> <p>3. <i>whether the provision of a complying verandah would detract from heritage values; and</i></p> <p>4. <i>any functional or operational requirements of the activity.</i></p> <p>In terms of s32AA, I consider that the additions to the policy and standard provide a better balance between the achievement of the outcomes sought in TCZ-O3, with the achievement of the TCZ-O1, in terms of acknowledging the requirements associated with some activities that are anticipated in the zone.</p>
Clarify why Appendix 2 of the section 42A report recommends submission 116.20 be accepted in part when para [6.2.2] of the report recommends it be accepted.	Zoning of 46 King Street, Temuka	Resolved – error in Appendix 2- should read “Accept” – not “Accept in part” as no change zoning is recommended.	Z Energy [116.20] – Hearing Statement, para 9.a.	
Clarify why Ms White mentions an amendment to TCZ-R6 in para [6.25.18] of the section 42A report when no amendments are shown in Appendix 1. Seeks clarification from Ms White as to her recommended amendment.	TCZ-R6	Resolved – as noted in Summary Statement, para 6.25.18 should not refer to changes to TCZ-R6 as none are recommended.	Z Energy [116.25] – Hearing Statement, para 9.b.	
Zoning of Z Energy properties and other TCZ provisions.	Zoning of 44 Waihi Terrace and 62	Resolved	Z Energy [116.14, 116.16, 116.17, 116.18, 116.19, 116.21, 116.22, 116.24,	

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	<p>Theodosia Street</p> <p>TCZ-O1, TCZ-R1, TCZ-R6, TCZ-S5</p> <p>MUZ-O1, MUZ-P2, MUZ-R1, MUZ-S4</p>		<p>116.26] – Hearing Statement, para 9.a.</p>	
<p>Provision of a policy pathway (in 'other activities' policies) for the development and upgrading of the National Grid in the various zones.</p> <p>Does not agree that the Energy and Infrastructure policies 'apply instead' or 'take precedence' over the area-specific policies that relate to various zones. While the PDP includes specific direction that the Energy and Infrastructure rules take precedence over the area-specific rules, there is no explicit direction given in the PDP in respect of policies. In the absence of such direction, the area-specific policies apply to regionally significant infrastructure, including the</p>	<p>GRZ-P4</p> <p>MRZ-P6</p>	Resolved*	<p>Transpower [159.92, 159.93, 159.94, 159.95] – Evidence of Ainsley McLeod, paras 32-42.</p>	<p>As indicated in my summary statement, Mr MacLennan, Ms Hollier and I agree that there is a lack of direction in the PDP regarding the way that infrastructure is addressed at a policy level in the area-wide chapters, and agree that there is a need to address potential tension or conflict between the policies in the Energy and Infrastructure and area-wide chapters. We consider that providing a policy pathway is justified for infrastructure, in order to assist in the achievement of EI-O1, and reflects that EI-P2 already provides policy direction for managing adverse effects of infrastructure. This includes controlling the height, bulk and location of other infrastructure, consistent with the role, function, character and identified qualities of the underlying zone; minimising adverse visual effects on the environment through landscaping and/or the use of recessive colours and finishes; and requiring other infrastructure to adopt sensitive design to integrate within the site, existing built form and/or landform and to maintain the character and qualities of the surrounding area.</p> <p>As such we consider it appropriate for the policies in the Energy and Infrastructure Chapter to prevail over the zone chapters. We consider that it is best to address this within the Energy and Infrastructure Chapter, rather than via amending the policies across multiple zone chapters, so that the policy pathway is limited to infrastructure.</p>

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<p>National Grid, and the Energy and Infrastructure policies and area-specific policies are to be read together. As presently drafted, the development or upgrade of the National Grid would be assessed as inconsistent with Policies GRZ-P4 and MRZ-P6.</p> <p>Seek to address this through:</p> <ul style="list-style-type: none"> - specifically providing for the National Grid or regionally significant infrastructure in the 'other activities' policies in the area-specific chapters of the PDP (as per submission) OR - including an explicit direction in the Energy and Infrastructure Chapter to make it clear that the Energy and Infrastructure objectives and policies 'apply instead', 'take precedence' or 'prevail over' the area-specific provisions OR - including the 'other activities' policies in a 'carve out' provision 				<p>Consistent with Ms McLeod's second option, we recommend that the following is added to the Introduction of the Energy and Infrastructure Chapter. For completeness we note that we have discussed and agreed this with Mr Willis, who is the s42A report author for that chapter:</p> <p><i>...In the case of conflict with any other provision in the District Plan, the NESETA and NESTF prevail.</i></p> <p><u>The policies in this chapter take precedence over policies in any Zone Chapter of Part 3 – Area Specific Matters - Zone Chapters.</u></p> <p>In terms of s32AA, I consider that clarifying the relationship between the Energy and Infrastructure chapter and the zone chapter policies will result in a more efficient administration of the PDP, and that applying precedence to the Energy and Infrastructure chapter will be more effective at achieving EI-O1.</p>

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similar to that described in Ms McLeod's supplementary evidence for Hearing A (include a clause in the relevant Energy and Infrastructure policy or policies states that " <i>in the event of conflict between Policy X and Policies GRZ-P4, MRZ-P6, RUZ-P7, RLZ-P9 and SETZ-P4, Policy X prevails</i> ")				
If the relevant clause in Policies GRZ-P5 and MRZ-P7 are retained (noting recommendation is to delete these clauses), the policies should be amended to refer to 'consistency with' the relevant 'other activities' policy, as opposed to 'compliance with'.	GRZ-P5 MRZ-P7	Resolved	Transpower [159.93, 159.95] – Evidence of Ainsley McLeod, para 31.	
Large Format Retail Zone provisions	LFRZ-P6 LFRZ-R13	Resolved	Alliance [173.127, 173.128] – Hearing Statement.	

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Large Format Retail Zone provisions	LFRZ-O2	Resolved	ECan [183.158] – Hearing Statement.	
Setback from rail corridor – Add new standard to all zones which are adjacent to the rail corridor requiring new buildings and structures to be setback 5m from the rail corridor boundary	GRZ-S3, MRZ-SZ, LFRZ-S3, MUZ-S3, TCZ-S3, new standard in CCZ.	Outstanding	KiwiRail [187.85] – Evidence of Alexander Gifford, paras 6.1 – 6.15 and 7.1 - 7.3.	<p>My view remains largely as set out in the s42A report (para 6.36.3). I accept that the intent of the standard is to help achieve TRAN-O1 and to help implement TRAN-P6. However, the proposed standard must still be assessed as to whether it is the most appropriate way to implement the policy and achieve the objective, taking into account efficiency and effectiveness. I still do not consider this to be the case because:</p> <ul style="list-style-type: none"> - The diagrams included by Ms Grinlinton-Hancock to support the width of the setback requested, and the advice attached to the memorandum¹ relate to buildings which are two or more storeys. As the issue the rule seeks to respond to appears to only arise in relation to buildings which are two or more storeys then applying this setback to any building is highly inefficient. - The memorandum from counsel² responds to a question from the Panel as to whether there were any particular areas of issue in the rail corridor. It states that the local track engineer identified areas that currently experience issues, but does not provide any details of what or where these issues have arisen, in order to ascertain if they relate to matters that would be resolved through the setback requested. - The s32 report provided notes that higher density development has been enabled through the National Policy Statement for Urban Development (with specific mention made of Policy 3) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, resulting in an expectation of

¹ Attachment 2: Galvin Consulting Ltd – Advice for KiwiRail on the safety implications of construction and maintenance-related activities adjacent to rail, 24 July 2024

² Hearing Stream B: Memorandum of Counsel on Behalf of KiwiRail Holdings Ltd, 23 August 2024.

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				<p>increased intensification occurring adjacent to the rail corridor. However, the Amendment Act is not relevant to Timaru District, and Policy 3 of the NPS-UD similarly does not apply to Timaru as it is not a Tier 1 urban environment. In addition, as there is no commuter rail service in Timaru, intensification along the rail corridor is not required by the NPS-UD. I am therefore concerned that what is sought is a blanket approach more appropriate for other parts of New Zealand, rather than addressing the specific context of Timaru.</p> <ul style="list-style-type: none"> - The economic assessment is focused on the percentage of properties affected by the rule (out of all total land parcels in the district), and only on those which are vacant. It is also only concerned with the effects of the rule on development capacity. It therefore does not consider the economic impact on those affected properties, nor does it consider how the rule will affect redevelopment of non-vacant sites, nor the effects of the restriction that are unrelated to development capacity. - It is not clear from the submission and evidence, if there is a need to apply the blanket setback where the rail line is at the bottom of cliff, and adjoining properties are at the top of the cliff. - The standard sought would apply to any structure, including garden sheds and washing lines. These structures do not appear to relate to the issue identified (in terms of maintenance of such structures; or from objects falling from open windows or dropped from scaffolding / platforms). Applying the standard to any structure is not consistent with the approach taken in other District Plans.³ - Similarly, as the standard sought would apply to any structure, it would include fences and therefore would restrict people from

³ For example, the rule in the Christchurch District Plan (for example, 14.5.2.7.a.vi.) applies only to buildings, balconies and decks; in the proposed Dunedin City District Plan (Rule 6.7.4) the setback does not apply to buildings or structures that are less than 10m² in area and under 2m in height, fences, or decks less than 1m above ground level, in the partially Operative Selwyn District a 5m setback applies to residential units or principal buildings (LRZ-REQ5 and SETZ-REQ5); but only a 2m setback applies to accessory buildings (LRZ-REQ7 and SETZ-REQ7).

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				<p>fencing their boundary with the rail corridor. However, fencing is an effective method of restricting people from entering the rail corridor.</p> <ul style="list-style-type: none"> - I continue to consider that the setback (as currently sought by the submitter) would unfairly restrict development of private land, given it would essentially only allow for landscaping of such areas. <p>If the Hearing Panel consider that applying a setback from the railway corridor is necessary, then I consider that in order to be efficient, the rule should:</p> <ul style="list-style-type: none"> - Be targeted to buildings only; and - Apply a tiered approach depending on the height/number of storeys of any building, i.e. 4m should only apply to buildings of two storeys or more, with a lesser setback of 2m applied to single storey buildings. - Apply the setback to the boundary of a site which adjoins the designated rail corridor (KRH-1), for the reasons set out by Mr MacLennan.
Rezoning of eastern part of 226 Evans Road to LFRZ and realignment of boundary between LFRZ and GRZ	Zoning of 226 Evans Road	Resolved	Harvey Norman [192.1, 192.2, 192.10, 192.16-192.38] – Evidence of Natasha Rivai, paras 3.1, 3.3, 3.11, 3.12 and 4.1.	

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15m setback recommended for buildings in the LFRZ from boundaries adjoining GRZ.	LFRZ-S3.3	Resolved – based on change recommended in Summary Statement.	Harvey Norman [192.1] – Evidence of Natasha Rivai, para 3.2.	In my Summary Statement I recommended reducing the size of the recommended setback applying in the LFRZ, where adjoining a GRZ zone boundary, from 15m to 10m. In terms of s32AA, I consider that the reduced setback will still provide a sufficient buffer to minimise conflict between any potentially incompatible activities, in accordance with UFD-O1.x. I agree with Ms Rivai that 10m setback would be more reasonable (and therefore more efficient) given the activities that are anticipated under the LFRZ.
Design guidelines applying to LFRZ - The option of a timber and concrete finish for development in this LFRZ should not be excluded - The proposed extent of window elements is simply not practical for some LFR activities given the size of these buildings, and the amount of glazing required should reflect the scale and nature of LFR buildings.	Appendix 9	Outstanding	Harvey Norman [192.39] – Evidence of Natasha Rivai, paras 3.4 – 3.10.	My view in relation to the guidelines in Appendix 9 remains as set out in the s42A report (para 6.20.16). I reiterate that these are from the operative plan, and note that they were introduced as part of the plan change establishing the framework for the Commercial 2A Zone.
Zoning of Foodstuffs sites	Zoning of 11 Chalmers Street Zoning of 10m-wide strip of land (1155m ² , Lot 1 DP	Resolved	Foodstuffs [193.2, 193.3] – Evidence of Mark Allan, paras 10-74.	

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	578393) between Hobbs Street and Ranui Avenue adjacent to PAK'nSAVE.			
Policy framework for residential activities	NCZ-P2 TCZ-P2 MUZ-P4	Resolved	Fuel Companies [196.84, 196.85, 196.86] – Hearing Statement, paras 6-16.	
Zoning of submitters site and height limits in CCZ	Zoning of 22 The Terrace, Timaru CCZ-S1	Resolved	22 The Terrace [202.1, 202.2] – Hearing Statement	
Application of MUZ to Ara's Timaru Campus, and a Tertiary Education Precinct, with precinct specific provisions.	Zoning of Ara's Timaru Campus Recommended policy PRECX-P1 relating to the Tertiary Education Precinct Recommended changes to	Resolved	Te Pūkenga [215.1-215.3, 215.5-215.13] – Evidence of Ryan Brosnahan, paras 7-11.	

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	MUZ-R8 and MUZ-R10 relating to the Tertiary Education Precinct			
<p>The framework applying in the MRZ in relation to Bidwill Hospital.</p> <p>Do not support application of a precinct but support (with amendment) the related policy recommended for the precinct.</p> <p>Seek a permitted activity for any health facilities and activities operated by the Bidwill Trust Hospital as first preference; or as second preference, a permitted status for health facilities and activities; with a controlled status applying for new buildings greater than 300m² in gross floor area.</p>	<p>Recommended Bidwill Hospital Precinct</p> <p>Recommended Policy PRECX-P1</p> <p>New rules sought in MRZ relating to Health facilities and activities</p>	<p>Outstanding</p> <p>(But issues narrowed through planner conferencing)</p>	<p>Bidwill [225.1, 225.4, 225.5, 225.6, 225.7] – Evidence of Mark Geddes, paras 12-36.</p>	<p>In Minute 14, the Panel asked me to confer with Mr Geddes on alternative drafting options for a permitted, controlled or restricted discretionary rule to limit the application of the rule to the residential zone that is adjacent to the existing Bidwill Hospital. The outcomes of this conferencing are set out in our joint statement which is attached. This includes an assessment under s32AA.</p> <p>If the Panel determines that there is no scope to expand the recommended precinct beyond the current hospital site, then I consider that the revised policy and rule framework set out in the joint statement are still appropriate to apply to the current hospital site, for the reasons set out in the statement. In particular I consider that the more permissive pathway now recommended will provide a more efficient approach to managing future development of the site, while still appropriately managing effects to achieve the objectives of the MRZ.</p>
<p>Changes recommended to better align Operative provisions applying to Commercial 2A Zone to the former showgrounds site (recommended "PRECX –</p>	<p>Application of a "Former Showgrounds Precinct" to the site</p>	<p>Resolved</p>	<p>Redwood [228.1 - 228.6] – Evidence of Hannah</p>	

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Former Showgrounds Precinct")	LFRZ-R1, LFRZ-R2, LFRZ-R5.1, LFRZ-R6.1, LFRZ-R8 and MFRZ-S5		Hoogeveen, para 21.	
<p>Inclusion of rules applying to PREC X – Former Showgrounds Precinct to better align PDP provisions with the current Commercial 2A Zone:</p> <ul style="list-style-type: none"> - Permitting gymnasiums and recreation activities, subject to an overall 6000m² limit, to reflect that under Commercial 2A zone these would have been captured as "places of assembly" - Allowing for a 6% exceedance of the gross floor area standards as a discretionary activity. 	LFRZ-S5	Resolved – based on recommended change above.	Redwood [228.1, 228.3] – Evidence of Hannah Hoogeveen, paras 25-44.	In my Summary Statement I recommended amending LFRZ-S5 (in terms of PREC X – Former Showgrounds Precinct) to permit gymnasiums and recreation activities, subject to an overall 6000m ² limit, on the basis that under the Commercial 2A Zone these would have been captured as "places of assembly"; and to allow for a 6% exceedance of the gross floor area standards as a discretionary activity. In terms of s32AA, I consider that these changes align with my previous recommendations to align the PDP provisions with the operative provisions and what is authorised under the resource consent. I consider that the additional changes, which are supported by the submitter's economic evidence will still be effective at achieving LFRZ-O1 but will result in a more efficient approach.
Application of a Precinct within PREC X – Former Showgrounds Precinct, within	New rule and sub-precinct in LFRZ	Resolved	Redwood [228.1] – Evidence of Hannah	In Minute 14, the Panel requested that further discussion occur between the relevant s42A Report Author and submitters' expert witnesses or representatives to see if further common ground can be reached, and recorded in the interim replies. The outcome of the economic peer review

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which residential activity would be restricted discretionary.			Hoogeveen, paras 45-58.	undertaken in relation to this submission, and the subsequent discussion between myself and Ms Hoogeveen is recorded in our joint statement. This includes an assessment under s32AA.
Inclusion of healthcare facilities and community facilities as a restricted discretionary activity within the PRECX – Former Showgrounds Precinct.	New Rule in LFRZ within Former Showgrounds Precinct	Resolved	Redwood [228.1] – Evidence of Hannah Hoogeveen, paras 59-77.	
Inclusion of one visitor accommodation as a restricted discretionary activity within the PRECX – Former Showgrounds Precinct.	New Rule in LFRZ within Former Showgrounds Precinct	Resolved	Redwood [228.1] – Evidence of Hannah Hoogeveen, paras 78-80.	
Inclusion of a standard requiring minimum outlook space within the General Residential Zone, if the minimum site sizes are removed.	New standard in GRZ	Outstanding <i>(note this is dependent on request which pertains to Subdivision Chapter).</i>	Kāinga Ora [229] – Evidence of Joshua Neville, paras 4.2-4.4.	I agree with this change, if the submitter's request relating to the subdivision chapter is accepted. This submission point will therefore need to be reconsidered once submissions on the Subdivision topic have been considered.
Concern that clause 4 of GRZ-P1 seeks to 'maintain' existing character or amenity, resulting in built form being required to reflect the existing character and amenity of a zone, rather than the amenity or character which the plan anticipates. This creates a higher barrier	GRZ-P1	Resolved – based on recommended change in summary statement.	Kāinga Ora [229.64] – Evidence of Joshua Neville, paras 5.2-5.5.	In my Summary Statement I recommended amending GRZ-P1 to refer to the character and qualities 'anticipated' in the zone, rather than to maintaining existing character and qualities. In terms of s32AA, I consider this better aligns the policy with the outcomes sought in GRZ-O2, and makes it clear that it is the character and qualities that are set out and anticipated through the GRZ framework, rather than those which may currently exist. It is also consistent with wording used elsewhere in the PDP (e.g. MRZ-P4).

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for consenting, and favours the status quo.				
	MRZ-O2	Outstanding – noting that evidence states that recommendation (para 5.1) is not agreed but evidence does not traverse the matter further.	Kāinga Ora [229.88] – Evidence of Joshua Neville, para 5.1	Resolved* (<i>my understanding of the response given by the witness to a question of the Hearings Panel was that this point was not being pursued</i>)
<p>Outdoor living space should also reflect the unit size, and that if a unit was only one to two bedrooms, outdoor living space of 50m², with a minimum dimension of 5m would restrict opportunities onsite for housing choice and variety.</p> <p>As an alternate to reducing minimum outdoor living space, amend the matter of discretion to refer to “<i>provision of sufficient outdoor living space, which reflects the anticipated occupancy of the associated dwelling.</i>”</p>	GRZ-S8	Resolved* – based on recommended change in summary statement.	Kāinga Ora [229.82] – Evidence of Joshua Neville, paras 5.6-5.9	In my Summary Statement I recommended extending matter of discretion 1 in GRZ-S8 to add: “ <i>which reflects the anticipated occupancy of the associated dwelling</i> ”. In terms of s32AA, I consider that this is a minor change, but allowing for this consideration is a more efficient way of implementing GRZ-P1.2.b.

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Provide for an option for the outdoor living space for residential units above the ground floor to be made up of both private and communal space.	MUZ-S5	Outstanding	Kāinga Ora [229.135, 229.161] – Evidence of Joshua Neville, paras 5.10-5.13	<p>I accept that the intent of the submission has been clarified as being to provide an option for the outdoor living space for residential units above the ground floor to be made up of both private and communal space. However, taking this approach in the Mixed Use Zone would be different to that applied in other zones (e.g. MRZ, CCZ and TCZ) where a balcony is required where units are above the ground floor level. In my view, if communal living space is proposed at a ground floor level, this is best considered through a resource consent process, noting the matters of discretion include:</p> <ol style="list-style-type: none"> <i>1. provision of useable outdoor space; and</i> <i>2. accessibility and convenience for residents; and</i> <i>3. alternative provision of public outdoor space, in close proximity to meet resident's needs.</i>
Various other matters raised in Kāinga Ora submission	Zoning of the site at Grey Ave; outlook space and minimum unit size standards.	Resolved	Kāinga Ora [229.85, 229.86, 229.112, 229.113, 229.122, 229.123, 229.137, 229.138, 229.150, 229.151, 229.164, 229.165] – Evidence of Joshua Neville, paras 2.6 – 2.8 and 6.1-6.3.	

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Retirement villages framework	GRZ-P3, MRZ-P5, GRZ-R11 and MRZ-R12 in terms of the express recognition of the functional and operational needs of retirement villages; the focus on anticipated character, qualities and amenity values; and activity status. MRZ-O2	Resolved*	RVA [230.3, 230.4, 230.7, 230.12, 230.13] – Hearing Statement, paras 3-5	
Application of a specific framework for retirement villages as being a more efficient and effective means of enabling retirement villages and therefore managing the housing supply crisis.	Suite of new provisions in all zones that provides for residential activities.	Outstanding	RVA [230.1 – 230.13, 230.22] – Hearing Statement, para 6.	My view in relation to the submitter's suite of provisions remains as set out in the s42A report (paras 6.5.12-6.5.22). In summary, I consider that the submitter's alternate objective is not a more appropriate way to achieve the purpose of the RMA and the alternate policies are neither necessary, nor more appropriate to achieve the outcomes sought in this Plan. Similarly, I do not consider that it is appropriate to replace the proposed rule framework, noting that the drafting is inconsistent with how the PDP manages activities separately from built form. However, I note that I have recommended changes to the policy and rule framework that take into account some aspects of the alternate drafting that I consider improve the suite of provisions.

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
<p>Notification provisions applying to retirement villages.</p> <p>The Council Officer incorrectly assumed the RVA sought notification preclusions where there has been a breach of standards. The RVA sought limited notification to be applied to retirement villages for breaches of standards.</p>	GRZ-R11 MRZ-R12	Outstanding – noting that recommended change in summary statement may resolve issue.	RVA [230.12, 230.13] – Hearing Statement, paras 8-14.	I consider the change recommended in the Summary Statement appropriately address this, by precluding notification of retirement villages where they meet built form standards (noting, with respect to MRZ-R12, a consequential change is recommended to apply the built form standards to MRZ-R12). In terms of s32AA, I consider that this is a more efficient way to achieve GRZ-O1 and MRZ-O1, while still being effective at achieving GRZ-O2 and MRZ-O2.
The recommended amendment to the stem of GRZ-P3 and MRZ-P5 is out of scope and narrows the field of benefits available for consideration.	GRZ-P3 MRZ-P5	Resolved – based on recommended change above.	RVA [230.3, 230.4] – Hearing Statement, paras 15-17.	
Matters of discretion should explicitly allow for consideration of the benefits of retirement villages.	GRZ-R11 MRZ-R12	Resolved – based on recommended change above.	RVA [230.12, 230.13] – Hearing Statement, para 18.	
The site should be rezoned LCZ and LCZ-O1 amended to include reference to “ <i>the convenience needs of people passing through the area</i> ” and LCZ-R4 amended to provide for 500m ² total gross floor area	Zoning 192, 194, 196, 204, 206 and 208 Evans Street, and 4 Grants Road, Timaru.	Outstanding	Willowridge [235.1] – Evidence of Mark Geddes, paras 11-36.	<p>With respect to amending the zoning to LCZ, my view remains as set out in the s42A report (para 6.39.4).</p> <p>I am comfortable with rezoning 192 and 194 Evans Street to NCZ. This is because:</p> <ul style="list-style-type: none"> - The properties are in the same ownership as the other adjoining NCZ-zoned properties and therefore allows the wider landholding to be managed under the same framework.

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
<p>per site rather than 450m² total gross floor area OR</p> <p>The NCZ provisions be amended so that NCZ-P1.1 includes reference to "<i>the convenience needs of people passing through the area</i>" and NCZ-R1 applies to any single/separate commercial premise up to 300m² in GFA and the limit changes to 500m² per site.</p>				<ul style="list-style-type: none"> - There are controls in the PDP to manage the 'new' NCZ/GRZ interface. - The rezoning would be a relatively small extension of the current zone and in my view is therefore not of a scale that would undermine other centres, or be inconsistent with the urban form in this area. As such I consider it would align with NCZ-O1. - This would allow the specific activity sought by the submitter for this site to be considered as either a permitted or discretionary activity (under NCZ-R1), depending on its scale. I accept that there will be additional traffic effects arising from this but note that the PDP includes thresholds for high traffic generating activities which I consider are able to address effects arising from any activities that have higher traffic effects. <p>I do not agree that the changes sought to the NCZ framework in Mr Geddes' evidence are minor and inconsequential. In my view, they would change the intended focus of the zone and I note that this would therefore change the focus of the zone across the entire district, not just in relation to this particular site. I also do not consider that there is anything about this site that warrants a different rule framework applying.</p> <p>Overall, I recommend that 192 and 194 Evans Street are rezoned to NCZ, but no changes are made to the NCZ framework.</p> <p>Under s32AA, I consider that application of the NCZ to these two land parcels is consistent with NCZ-O1 and allows for a more efficient approach to management of the submitter's landholdings. I consider that the rezoning will assist in achieving UFD-O.i by providing additional capacity for commercial activities which is consolidated with the existing settlement pattern.</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
The site should be rezoned TCZ	Zoning of 27 Hally Terrace, Temuka	Outstanding	Aitken et al [237.5] – Evidence of Mary Clay, paras 9-23.	<p>As directed in Minute 14, Ms Clay and I have conferred on the zoning of 27 Hally Terrace (and adjoining properties).</p> <p>We agree that from a merits perspective, it would be appropriate to zone 27 Hally Terrace and those properties to the south of it TCZ. However, we understand that Counsel are agreed there is no scope to rezone the properties to the south of 27 Hally Terrace to TCZ. Rezoning of these properties would therefore need to be undertaken via a separate future process, e.g. a variation or plan change.</p> <p>While I have previously noted that there is no shortfall of commercially zoned land and therefore the rezoning is not “needed”, I do however accept that there is demand for redevelopment of this property and also note that 25 Hally Terrace is a vacant lot, rather than having an established residential use.</p> <p>My view with respect to rezoning 27 Hally Terrace remains as set out in the s42A report (para 6.39.21), which is that the rezoning of 27 Hally Terrace is not appropriate unless the southern properties are also rezoned. Ms Clay's view remains as set out in her evidence, which is that rezoning of 27 Hally Terrace to TCZ is appropriate.</p>
The site should be rezoned TCZ as recommended.	Zoning of 168 King Street, Temuka	Resolved	Aitken et al [237.9] – Evidence of Mary Clay, para 24.	
Speirs – Landscaping – shouldn't be required to be in grass or shrubs, for example, plant pots on stones should be OK.	GRZ-S9 MRZ-S6		Speirs, B [66.33, 66.35] - <i>Verbal presentation</i>	My view remains as set out in the s42A report (para 6.10.19). Landscaping standards are commonly applied in district plans and the standard is necessary to assist in the implementation of MRZ-P1.3 and achievement of MRZ-O2.

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
Practicalities of fences alongside reserves – need to protect privacy and security of residents.			Speirs, B [66.31, 66.34] - <i>Verbal presentation</i>	My view remains as set out in the s42A report (paras 6.11.6 – 6.11.14). I consider that the standard provides an appropriate balance between privacy/security of residents and the benefits of passive surveillance of reserve areas.
Opposes recommendation to rezone 2, 4, 6, 12 Shaw Street and 6 & 6A Hislop Street to GRZ. Site is bordered by Pekaka Reserve and across the road from Talbot Forest.	Zoning of 2, 4, 6, 12 Shaw Street and 6 & 6A Hislop Street	Outstanding	Mercer, S	My view remains as set out in the s42A report (para 6.39.33) in relation to 2, 4, 6 Shaw Street and 6 & 6A Hislop Street. I continue to consider that the GRZ better reflects the existing density of these sites, which range from 760m ² – 1050m ² . I do not consider it efficient to apply RLZ, but then provide exemptions to the RLZ standards for these sections. While I would also support GRZ applying to 12 Shaw Street, I am also comfortable with RLZ being retained for this site (which I understand is owned by this further submitter) as this section is separated from the other sections; is larger (1850m ²); and adjoins open space zoning long two sides. I therefore recommend that RLZ is retained for 12 Shaw Street, and that this zoning would be consistent with RLZ-O2.
The site should be rezoned Mixed Use Zone	Zoning for 16A, 16D and 16E Hilton Highway	Outstanding	Port Bryson [104.3] – <i>Verbal presentation</i>	In minute #14, the Panel also requested, in relation to this submission: <i>Please confer with Ms Hollier regarding the appropriate zoning for the Port Bryson site, including consideration of MUZ or GIZ zoning and reasons for rejecting the MUZ and address this in the interim reply. The Panel is not clear on why the MUZ was not considered to be appropriate in this location.</i> By way of background, I confirm that Ms Hollier and I conferred on this as part of the preparation of the s42A Report, and Ms Hollier's analysis and recommendations (paras 7.2.8 – 7.2.14) in relation to the zoning were informed by my input. As she notes, following initial discussion with the submitter, a Mixed Use zoning was considered. However, in considering the framework that would apply under a MUZ or GIZ, the existing activities on the site, as well as those referred to by the submitter, we were both of the view that MUZ would not be the most

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
				<p>appropriate zoning for this site and that GIZ was more appropriate. This is because:</p> <ul style="list-style-type: none"> - Some of the established activities on the site (storage facilities) fall within the definition of industrial activities. The MUZ framework provides only for limited expansion of existing industrial activities, (under MUZ-R7 PER-2) and new industrial activities are non-complying. In my view, applying the MUZ would therefore not be a good “fit” considering the industrial activities on this site. - Residential activities are also provided for in the MUZ, through a restricted discretionary consenting pathway (MUZ-R10) which is designed to ensure that potential reverse sensitivity effects on commercial or existing industrial activities is minimised (MUZ-P4). In essence, it is anticipated that over time, the MUZ (where it is currently proposed to apply) will transition to provide more residential living opportunities. However, I consider that providing for residential activities on this site, which contains industrial and trade supply activities, is likely to lead to conflicts with the established activities. - A key focus of the MUZ is on commercial activities, with these being permitted. This reflects that the areas of MUZ proposed in the PDP are located around the CCZ, with the framework aimed at consolidating commercial activities so as to support the overall function of the CCZ as the district's key commercial and civic centre. In my view, this is different to the Hilton Highway site, which is located away from the CCZ and would instead allow for commercial development on this site which is unconnected to the functioning of the CCZ (and could detract from it). In other commercial zones, such as NCZ and LFRZ there are controls on the scale and nature of commercial activities to ensure that they do not undermine the purpose, function and amenity values of the City Centre Zone. In my view, application of MUZ to this site would therefore not assist in achieving MUZ-O1, which is explicit about activities being provided for in the zone in a manner that reinforces the City Centre is a

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
				<p>key commercial and civic centre. I agree with Ms Hollier's comments that it is appropriate for additional commercial activities (such as offices) on this site to be carefully considered, and not just permitted through application of a MUZ zoning.</p> <p>For completeness I also note that while addressing the Hearing Panel, Mr Pipe compared the zoning he desired (being MUZ) to that of the Showgrounds development (implying the zoning of that site was also MUZ). To clarify the zoning of the Showgrounds development is LFRZ, and as such the policy and rule framework applying to the Showgrounds Hill development differs to the MUZ zoning applied to properties surrounding the CCZ. In particular, commercial activities are tightly controlled in the LFRZ to manage potential effects on the functioning of the CCZ.</p> <p>Mr Pipe also discussed similar sites within Washdyke that reflected his desired form of development, being a business park style development, with a mix of offices, small size retail and self-storage. I understand from Ms Hollier that the sites referred to were office complexes, located alongside Robert Harris (including ASB, FMG and Spark), and another near Subway (underneath a motel). I note that these sites are also zoned GIZ under the PDP, and similar to the office established on 16E Hilton Highway, these other offices were established prior to the notification of the PDP.</p> <p>Based on all of the above I continue to support Ms Hollier's recommendation that 16A, 16D, 16E and 18 Hilton Highway, Washdyke be rezoned from GRZ to GIZ.</p>

APPENDIX B
Updated Recommendations
Residential and Commercial and Mixed Use Zones – Hearing B

GENERAL RESIDENTIAL ZONE

Introduction

The General Residential Zone is applied to suburban housing in the urban areas of Timaru, Temuka, Pleasant Point and Geraldine. It is intended that these areas will have residential units of one to two storeys, with ample space around buildings for plantings and outdoor living areas, and good access to sunlight. Compatible and complimentary activities are enabled, while other activities require resource consent to ensure they do not detract from the character and qualities of the zone.

Objectives

GRZ-O1 The purpose of the General Residential Zone

The General Residential Zone primarily provides for residential activities, via¹ a mix of housing types, along with other complimentary activities that support the wellbeing of residents.

GRZ-O2 Character and qualities of the General Residential Zone

The character and qualities of the General Residential Zone comprise:

1. a low to moderate building site coverage; and
2. a built form of single and two-storey attached or detached buildings; and
- ~~3. ample space around buildings; and²~~
4. ~~provision for a sufficient level of on-site outdoor living~~ space areas³; and
5. sites that incorporate plantings; and
6. a good level of sunlight access; and
7. a good level of privacy between properties.

Policies

GRZ-P1 Residential activities

Enable residential activities and within⁴ a wide range of residential unit types and sizes where:

1. they are compatible with the character and qualities of the General Residential Zone; and
2. outdoor living areas:
 - a. are directly ~~assessable~~ accessible⁵ from the residential unit and have access to sunlight; and
 - b. provide ample opportunity for outdoor living, ~~tree and garden planting~~⁶; and
3. residential units and accessory buildings are located to:
 - a. take advantage of sunlight; and
 - b. ensure the shading and privacy of adjoining sites is not unreasonably compromised; and
4. ample open space and landscaping is provided around buildings ~~that~~ to which reflect maintains the character and qualities ~~of anticipated within~~⁷ the zone.⁸

GRZ-P2 Appropriate non-residential activities

Enable home business, small-scale non-residential activities where:

¹ Kāinga Ora [229.62]

² Kāinga Ora [229.63]

³ Kāinga Ora [229.63]

⁴ Kāinga Ora [229.89]

⁵ Broughs Gully [167.20]

⁶ Clause 10(2)(b) relating to Kāinga Ora [229.64]

⁷ Kāinga Ora [229.64]

⁸ Kāinga Ora [229.64]

1. they are compatible with the character and qualities of the surrounding area; and
2. any home-based business is ancillary to a residential activity; and
3. ~~they do not result in adverse effects on the amenity values of adjoining sites~~ arising from the movement of people and vehicles associated with the activity are that cannot be mitigated⁹; and
4. the hours of operation are compatible with residential amenity.

GRZ-P3 Retirement villages

Recognise the benefits of, ~~and provide for~~ retirement villages in providing a diverse range of housing and care options for older persons, and provide for them¹⁰, where:

1. the scale, form and design of the village maintains the anticipated¹¹ character, qualities and amenity values of the surrounding area, while recognising the functional and operational needs of villages¹²; and
2. on-site amenity for residents is provided that reflects the nature of and diverse needs of residents in the village; and
3. suitable and safe internal access is provided for emergency services.

GRZ-P4 Other non-residential activities and buildings

Only allow other non-residential activities and buildings where:

1. they support the health, safety and¹³ wellbeing of residents in the area, or have a functional need or operational need¹⁴ to locate in the zone; and
2. any adverse effects on the residential amenity values are avoided or minimised; and
3. they maintain the anticipated character, qualities and purpose of the General Residential Zone.

GRZ-P5 Incompatible activities

Avoid activities that are likely to be incompatible or inconsistent with the character, qualities and purpose of the General Residential Zone, ~~unless:~~

1. ~~the activity is such a small scale that it will not have any adverse effects on residential amenity; or~~
2. ~~the site adjoins a zone that permits that activity and the activity will not have any adverse effects on residential amenity; or~~
3. ~~GRZ-P4 is complied with.~~¹⁵

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

GRZ-R1	Residential activity (not including buildings and not otherwise listed in this chapter)	
General Residential Zone	Activity status: Permitted	Activity status where compliance not achieved: Restricted Discretionary
	Where:	
	PER-1	Matters of discretion are restricted to:

⁹ Waka Kotahi [143.133]

¹⁰ RVA [230.10]

¹¹ Kāinga Ora [229.66]

¹² RVA [230.10]

¹³ FENZ [131.17]

¹⁴ Transpower [159.92]

¹⁵ Kāinga Ora [229.68]

	<p>GRZ-S8, GRZ-S9 and GRZ-S10 are complied with.</p> <p>Note: Any associated building and structure must be constructed in accordance with GRZ-R9.</p>	<p>1. The matters of discretion of any infringed standard</p>
GRZ-R2	Residential unit	
General Residential Zone excluding the Old North Road General Residential Precinct	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There are no more than two residential units per site; and</p> <p>PER-2 All the Standards of this chapter are complied with.</p> <p>Note: for residential a unit(s) within the Old North General Residential Precinct, see PREC1-R1.</p>	<p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the bulk, location, design and density of buildings including articulation in the form of each residential unit; and 2. balance of open space and buildings; and 3. the extent, quality and design of outdoor living areas; and 4. compatibility with the character of the area; and 5. amenity effects on neighbouring properties; and 6. provision for privacy between residential units and between sites; and 7. landscaping; 8. outdoor storage, including rubbish collection areas; and 9. design of the access, car parking and service areas; and 10. fencing. <p>Note: Any application for this activity is precluded from being limited or publicly notified.</p> <p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
GRZ-R3	Visitor accommodation	
General Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The visitor accommodation is undertaken within an existing residential unit; and</p>	<p>Activity status where compliance not achieved: Discretionary</p>

	<p>PER-2 The maximum occupancy is six guests per night; and</p> <p>PER-3 The site does not have a shared access with another site.</p>	
GRZ-R4	Home business	
General Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The home business does not involve an offensive trade; and</p> <p>PER-2 GRZ-S11 is complied with.</p> <p><i>Note: Any associated building and structure must be constructed in accordance with GRZ-R9.</i></p>	<p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
		Activity status where compliance not achieved with PER-1: Non-complying
GRZ-R5	Educational facilities	
General Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The educational facility is within an existing residential unit; and</p> <p>PER-2 The maximum number of children attending at any one time is six, excluding any children who live there.</p>	Activity status where compliance not achieved: Discretionary
GRZ-R6	Supported residential care activity	
General Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The supported residential care activity is within an existing residential unit; and</p> <p>PER-2 The maximum occupancy does not exceed six residents.</p>	Activity status where compliance not achieved: Discretionary

GRZ-R7	Community gardens	
General Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The maximum area used for the sale of produce is 5m²; and</p> <p><i>Note: Any associated building and structure must be constructed in accordance with GRZ-R9.</i></p>	<p>Activity status where compliance not achieved: Discretionary</p>
GRZ-R8	Open space used for recreational purposes	
General Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Buildings must only be used for storage of recreational equipment and have a maximum floor area of 25m² ; and</p> <p>PER-2 The activity does not involve motorised vehicles, except lawn mowers and garden equipment; and</p> <p>PER-3 All the Standards of this chapter are complied with.¹⁶</p> <p><i>Note: Any associated building and structure must be constructed in accordance with GRZ-R9.</i></p>	<p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. the matters of discretion of any infringed standard.¹⁷</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p> <p>Activity status where compliance not achieved with PER-2: Non-complying</p>
GRZ-R9	Buildings and structures (excluding fences)	
General Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure is associated with or ancillary to a permitted activity; and</p> <p>PER-2 All the Standards of this chapter are complied with.</p>	<p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-1: The same status as the activity the building or structure is associated with or ancillary to.</p>

¹⁶ Clause 16(2).

¹⁷ Clause 16(2).

GRZ-R10	Fences	
General Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any fence within 2m of a site's road boundary or a boundary shared with a public reserve, walkway or cycleway is:</p> <ol style="list-style-type: none"> 1. no higher than 1.2m above ground level; or 2. no higher than 1.8m above ground level where at least 45% of the fence is visually permeable; and¹⁸ <p>PER-2 Any fence within 2m of a site's boundary, other than road boundary or a boundary shared with a public reserve, walkway or cycleway, is no higher than 2m above ground level.</p> <p>Note: This rule does not apply if the fence is required under the Health and Safety at Work Act 2015.</p>	<p>Activity status where compliance not achieved: Discretionary</p>
GRZ-R11	Retirement village	
General Residential Zone	<p>Activity status: Controlled <u>Restricted Discretionary</u>¹⁹</p> <p>Where:</p> <p>PER-1 GRZ-S1, GRZ-S2, GRZ-S3, GRZ-S4, 25584,²⁰ GRZ-S5 and GRZ-S9 are complied with.</p> <p>Matters of control <u>discretion</u> are limited <u>restricted</u>²¹ to:</p> <ol style="list-style-type: none"> 1. the scale, form and design of the village, its open space and any associated buildings, structures, parking, or utility areas; and 2. any adverse effects on the <u>anticipated</u>²² character, qualities and 	<p>Activity status where compliance not achieved: Discretionary</p>

¹⁸ Karton and Hollamby Group [31.2], Dale, S and A [54.5], MFL [60.34], Speirs, B [66.31], Rooney Holdings [174.77], Rooney, GJH [191.77], Rooney Group [249.77], Rooney Farms [250.77], Rooney Earthmoving [251.77], TDL [252.77]

¹⁹ Kāinga Ora [229.74]

²⁰ Clause 16(2)

²¹ Kāinga Ora [229.74]

²² Kāinga Ora [229.74]

	<p>amenity values of the surrounding area; and</p> <p>3. on-site amenity for residents; and</p> <p>4. the ability of infrastructure to service the development; and</p> <p>5. effects on the safety of, and the quality of the interface with, adjacent roads or public open spaces; and</p> <p>6. the functional needs and operational needs of the retirement village; and</p> <p>7. the benefits of retirement villages.²³</p> <p><u><i>Note: Any application for this activity is precluded from being limited or publicly notified.</i></u>²⁴</p>	
GRZ-R12	Emergency services facility	
General Residential Zone	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>PER-1 GRZ-S1, GRZ-S2, GRZ-S4, GRZ-S5, and GRZ-S6, GRZ-S9²⁵ are complied with.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the location and design of any proposed parking and loading areas and access; and 2. design and layout of on-site pedestrian connections; and 3. hours of operation; and 4. noise, disturbance and loss of privacy of neighbours; and 5. location, size and numbers of signs; and 6. traffic generation and impact on the transport network; and 7. landscaping and open space; and 8. site layout; and 9. the scale of activity; and 10. scale, form and design of buildings; and 11. the benefits of providing emergency service facilities. 	Activity status where compliance not achieved: Discretionary
GRZ-R13	Community facilities	

²³ RVA [230.11, 230.12, 230.13]

²⁴ RVA [230.11]

²⁵ FENZ [131.23]

General Residential Zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
GRZ-R14	Activities not otherwise listed in this chapter	
General Residential Zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
GRZ-R15	Industrial activities	
General Residential Zone	Activity status: Non-Complying	Activity status where compliance not achieved: Not applicable
GRZ-R16	Primary production and rural industry	
General Residential Zone	Activity status: Non-Complying	Activity status where compliance not achieved: Not applicable
GRZ-R17	Mining	
General Residential Zone	Activity status: Non-Complying	Activity status where compliance not achieved: Not applicable
GRZ-R18	Large format retailing (<u>excluding supermarkets</u>) ²⁶	
General Residential Zone	Activity status: Non-Complying	Activity status where compliance not achieved: Not applicable
GRZ-R19	Dismantling or repair of motor vehicles owned by people not living on-site including storage of those vehicles²⁷	
General Residential Zone	Activity status: Non-Complying	Activity status where compliance not achieved: Not applicable -
GRZ-R20	Offensive trades	
General Residential Zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards

GRZ-S1	Height of buildings and structures	
General Residential Zone	The maximum height of buildings and structures must not exceed 9m measured from ground level to the highest part, <u>or for towers and poles associated with emergency service facilities, must not exceed 15m.</u> ²⁸	Matters of discretion are restricted to: 1. dominance in relation to the street and adjoining residential sites; and

²⁶ Woolworths [242.18, 242.19]

²⁷ MFL [60.35]

²⁸ FENZ [131.21]

		<ol style="list-style-type: none"> 2. overlooking and loss of privacy in relation to adjoining residential sites; and 3. solar access to adjoining residential sites; and 4. mitigation measures.
GRZ-S2	Height in relation to boundary	
General Residential Zone	Buildings and structures must be contained within a building envelope defined by recession planes from points 2.5m above ground level at the boundaries of the site. The method for determining recession planes and any permitted projection is described in APP8 - Recession Planes.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on privacy and the ability to use and enjoy outdoor living space; and 2. any impact on solar access; and 3. any adverse effects resulting from the bulk and dominance of built form; and 4. any benefits, such as the use of architectural features or steps in the building façade; and 5. mitigation measures.
GRZ-S3	Road-side Setbacks	
General Residential Zone	<ol style="list-style-type: none"> 1. Buildings other than: <ol style="list-style-type: none"> 1. a garage; or 2. a carport for a single car parking space must be set back a minimum of 2m from any road boundary. 2. Buildings must be setback a minimum of 1m from any internal boundary, except where buildings share a common boundary wall.²⁹ 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. landscaping; and 2. openness, dominance and attractiveness when viewed from the street; and 3. mitigation measures; and 4. dominance, loss of privacy and shading in relation to neighbouring residential activities.³⁰
GRZ-S4	Façade length	
General Residential Zone	Where a façade of a building is located within 6m of the boundary with an adjoining site, the façade must not exceed an overall dimension of 30m measured parallel to any site boundary, excluding a 600 millimetre projection of eaves.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the visual effect of continuous walls; and 2. landscaping; and 3. building setback; and 4. mitigation measures.
GRZ-S5	Coverage	
General Residential Zone	<ol style="list-style-type: none"> 1. The building coverage of the net area³¹ of any site must not exceed 40%; and 2. For retirement villages, the percentage coverage must be calculated over the net site area of the entire complex or group of buildings. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. compatibility with the character of the area; and 2. ability to detain stormwater on-site; and 3. visual dominance on adjacent properties; and 4. the scale of buildings; and

²⁹ Kāinga Ora [229.79]

³⁰ Kāinga Ora [229.79]

³¹ ECan [183.1]

		5. open space and landscaping; and 6. Mitigation measures.
GRZ-S6	Gross floor area	
General Residential Zone	The maximum gross floor area of any single building must be <u>not exceed</u> ³² 550m ² .	Matters of discretion are restricted to: 1. compatibility with the character of the area; and 2. scale, intensity and character of land use; and 3. scale and bulk of buildings; and 4. visual dominance on adjacent properties; and 5. building setbacks; and 6. building design; and 7. landscaping.
GRZ-S7	Density of residential units	
Gleniti Low Density Residential Specific Control Area	Residential units must not exceed a density of one per 700m ² of net site area.	Matters of discretion are restricted to: 1. Balance of open space and buildings; and 2. Compatibility with the character of area; and 3. Visual dominance on adjacent properties; and 4. Loss of privacy to adjacent properties; and 5. Overlooking and loss of privacy; and 6. Landscaping; 7. Stormwater treatment and discharge; and 8. The cumulative effects of an increase in density on the provision of infrastructure; 9. Whether it will establish a precedent or authority to approve similar proposals.
GRZ-S8	Outdoor living space	
General Residential Zone	<p>1. <u>Except where 2. below applies, each residential unit must have an exclusive outdoor living space:</u></p> <ol style="list-style-type: none"> of at least 50m² at ground level with a minimum dimension of 5m; and that is directly accessible from the residential unit; and is located to the north, west or east of the residential unit. <p>2. <u>Each residential unit located entirely above ground floor level must have an</u></p>	Matters of discretion are restricted to: 1. provision of sufficient outdoor living space <u>which reflects the anticipated occupancy of the associated dwelling</u> ³⁴ ; and 2. accessibility and convenience for residents; 3. alternative provision of outdoor living space, which is in close enough proximity to meet residents' needs; and 4. the need to retain mature on-site vegetation.

³² Dale, S and A [54.7] and Speirs, B [66.32]

³⁴ [Kāinga Ora \[229.82\]](#)

	<p><u>exclusive outdoor living space in the form of a balcony, patio or terrace:</u></p> <p><u>a. of at least 12m², with a minimum dimension of 1.8m, where the unit has two or more bedrooms; or</u></p> <p><u>b. 8m², with a minimum dimension of 1.8m, where the unit is a one-bedroom or studio unit;</u></p> <p><u>c. that is directly accessible from the residential unit; and</u></p> <p><u>d. is located to the north, west or east of the residential unit.</u>³³</p>	
GRZ-S9	Landscaping	
General Residential Zone	At least 30% of the site shall be planted in grass, trees, shrubs or other vegetation.	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> 1. compatibility with the character of the area; and 2. balance between built form and open space; <u>and</u> 3. <u>streetscape amenity.</u>³⁵
GRZ-S10	Heavy vehicle storage	
General Residential Zone	There must be no more than one heavy vehicle stored on a site in association with a permitted activity.	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. noise; and 2. any impact on the visual amenity of the surrounding area.
GRZ-S11	Home business	
General Residential Zone	<ol style="list-style-type: none"> 1. There must be no more than one full-time equivalent person engaged in the home business who resides off-site; and 2. All manufacturing, altering, repairing, dismantling or processing of any materials or articles associated with an activity must be carried out within a building; and 3. Any retail sales, other than internet-based sales where no customer visits occur, must be limited to the sale of produce grown on the site and handcrafts manufactured on the site. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. scale, intensity and character of business; and 2. hours of operation; and 3. traffic generation; and 4. the design of any parking proposed; and 5. noise, odour, dust, disturbance and loss of privacy for neighbours; 6. mitigation measures.

PREC1 - Old North Road General Residential Precinct

The Old North Road General Residential Precinct is located in the north of Timaru township and encompasses a greenfield area to the west of Old North Road and a semi-developed area north of Mahoneys Road. Significant parts of the area are located close to industrial activity and there is therefore the potential for reverse sensitivity effects to occur. In addition, the north-west section of the site is traversed by the National Grid.

³³ Kāinga Ora [229.82]

³⁵ Kāinga Ora [229.83]

Objectives

PREC1-O1 The purpose of the Old North Road General Residential Precinct

Low-density residential development is provided in the Old north general residential precinct in a way that minimises reverse sensitivity effects on the adjacent General industrial zone.

Policies

PREC1-P1 Reverse sensitivity

Require a low density of development and separation distances from industrial development.

Rules

Note: All rules for underlying zone applies to activities in the precinct, unless modified by the below rules. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

PREC1-R1	Residential units	
Old North Road General Residential Precinct	Activity status: Permitted	Activity status when compliance not achieved: Restricted Discretionary
	Where: PER-1 GRZ-S1, GRZ-S2, GRZ-S4, GRZ-S6, GRZ-S9, GRZ-S10, PREC1-S1, PREC1-S2 and PREC1-S3 are complied with.	Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.

Standards

PREC1-S1	Density of residential units	
Old North Road General Residential Precinct	Residential units must not exceed a density of one per 1,500m ² of net site area.	Matters of discretion restricted to: 1. reverse sensitivity effects on the General Industrial Zone; and 2. balance of open space and buildings; and 3. compatibility with the character of the area; and 4. visual dominance on adjacent properties; and 5. loss of privacy to adjacent properties; and 6. overlooking and loss of privacy; and 7. landscaping.
PREC1-S2	Road and boundary setbacks	

Old North Road General Residential Precinct	<ol style="list-style-type: none"> 1. Buildings other than a garage or carport must be set back a minimum of 10m from Old North Road or Blair Street. 2. Buildings other than a garage or carport must be set back a minimum of 20m from any boundary adjoining the General industrial zone. 	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. potential reverse sensitivity effects on the General Industrial Zone; and 2. landscaping; and 3. setback of buildings; 4. mitigation measures.
PREC1-S3	Site coverage	
Old North Road General Residential Precinct	The maximum combined building and impervious surface coverage of the net site area of any site must not exceed 35%.	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. potential reverse sensitivity effects on the General Industrial Zone; and 2. compatibility with the character of the area; and 3. visual dominance on adjacent properties; and 3. the scale of buildings.

MEDIUM DENSITY RESIDENTIAL ZONE

Introduction

The Medium Density Residential Zone is applied to existing residential areas located near commercial centres. Many of these areas are already well developed, and are characterised by detached houses, flats and some non-residential activities, all of which have been slowly consolidating over time. It is anticipated that these areas will continue to predominantly accommodate residential activities, but that over time they will also comprise home businesses and small-scale non-residential activities that are compatible with and complementary to the character and amenity of the zone.

To ensure a more sustainable urban form and to provide for a variety of housing choices, further consolidation and intensification is enabled within this zone. It is expected that the zone will continue to be developed over time to contain a moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing and low-rise apartments. Buildings are expected to be well articulated with good streetscape appeal and provide residents with a good level of amenity. The approach taken in this chapter is to enable up to three residential units to be developed as a permitted activity, subject to compliance with various standards that seek to ensure compatibility with the character and qualities expected within the zone. Comprehensively designed multi-unit developments are encouraged and enabled through a consenting process which seeks to enable development at higher densities, where it is well-designed and aligns with the zone's intended character and qualities.

Objectives

MRZ-O1 Purpose of the Medium Density Residential Zone

The Medium Density Residential Zone primarily provides for residential activities with a range of housing types and other compatible activities that support the wellbeing of residents.

MRZ-O2 Character and qualities of the Medium Density Residential Zone

The character and qualities of the Medium Density Residential Zone comprise:

1. a moderate building site coverage; and
- 1A. a predominance of medium density housing, in a range of housing typologies; and¹
2. two to three-storey well-articulated buildings that make a positive contribution to neighbouring properties and the streetscape; and
3. good quality on-site residential amenity; and
4. good quality amenity for adjacent sites; and
5. ~~upgraded~~ and² attractive streetscapes.

Policies

MRZ-P1 Residential activities and mMedium³ density residential development

Enable residential activities and within⁴ a diverse range of residential unit types and sizes where:

1. they are compatible with the anticipated character and qualities of the Medium Density Residential Zone; and
2. outdoor living areas:
 - a. are of a size and dimension that provides for the needs of residents; and
 - b. have an appropriate relationship between open space and buildings; and

¹ Kāinga Ora [229.88]

² Kāinga Ora [229.88]

³ Kāinga Ora [229.89]

⁴ Kāinga Ora [229.89]

- c. are functional and directly accessible from main living areas with access to sunlight; and
- 3. residential units and accessory buildings are designed and located to:
 - a. provide passive surveillance of the street; and
 - b. mitigate adverse effects of building height, bulk and location including by adopting a design that provides visual interest; and
 - c. provide for a reasonable level of on-site privacy, and access to sunlight and daylight; and
 - d. maintain or incorporate, where possible, landscaping along the street frontage and site boundaries, and parking areas; and
 - e. provide adequate outdoor storage space; and
- 4. potential reverse sensitivity effects on any adjacent Commercial and mixed-use or General industrial zones are minimalised.

MRZ-P2 Streetscapes

Encourage the upgrading of key streetscapes within the road reserve through Council funding, including improvements to public open space and traffic calming.

MRZ-P3 Innovative approaches

Encourage innovative approaches to comprehensively designed, medium density residential development, which is attractive to residents, responsive to housing demands and provides a positive contribution to its environment through:

- 1. consultative planning approaches with developers to achieve quality outcomes; and
- 2. recognising that compliance with standards may not always support good design and layout for medium density development.

MRZ-P4 Home business activities

Enable small-scale home business activities where:

- 1. they are ancillary to a residential activity; and
- 2. they are compatible with and complimentary to the anticipated character, qualities and purpose of the Medium Density Residential Zone; and
- 3. they contribute to or do not compromise the wellbeing of the surrounding community; and
- 4. any parking and vehicle manoeuvring does not compromise the amenity of adjoining sites; and
- 5. they do not result in adverse effects on the amenity values of adjoining sites; and
- 6. the hours of operation are compatible with residential amenity; and
- 7. the scale of any visitor accommodation does not detract from the purpose and function of commercial zones.

MRZ-P5 Retirement villages

Recognise the benefits of, ~~and provide for~~ retirement villages in providing a diverse range of housing and care options for older persons, and provide for them⁵, where:

- 1. the scale, form and design of the village maintains the anticipated⁶ character, qualities and amenity values of the surrounding area, while recognising the functional and operational needs of villages⁷; and
- 2. on-site amenity for residents is provided that reflects the nature of and diverse needs of residents in the village; and
- 3. suitable and safe internal access is provided for emergency services.

MRZ-P6 Other non-residential activities

Only allow other non-residential activities and buildings where:

⁵ RVA [230.10]

⁶ Kāinga Ora [229.93]

⁷ RVA [230.10]

1. they support the health, safety and⁸ wellbeing of residents in the area, or have a functional need or operational need⁹ to locate in the zone; and
2. any adverse effects on the residential amenity values are avoided or minimised; and
3. they maintain the anticipated character, qualities and purpose of the General Medium Density¹⁰ Residential Zone; and
4. they do not compromise the safety of pedestrians or cyclists, or the transport network¹¹.

MRZ-P7 Industrial and large format retail Incompatible¹² activities

Avoid activities that are likely to be incompatible or inconsistent with the anticipated¹³ character, qualities and purpose of the General Medium density¹⁴ residential zone, unless:

1. the activity is such a small scale that it will not have any adverse effects on residential amenity; or
2. the site adjoins a zone that permits that activity and the activity will not have any adverse effects on residential amenity; or
3. MRZ-P6 is complied with.¹⁵

PRECX-P1 Bidwill Hospital Precinct¹⁶

Provide for the ongoing use and development of hospital and health care facilities services within the Bidwill Hospital Precinct, where the nature, scale and design of activities and buildings are consistent with the purpose, character and qualities of the surrounding residential area.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

MRZ-R1	Residential activity (not otherwise listed in this chapter)	
Medium Density Residential Zone	Activity status: Permitted	Activity status where compliance not achieved: Restricted Discretionary
	Where: PER-1 MRZ-S7 and MRZ-S9 are complied with. Note: Any associated building and structure must be constructed in accordance with MRZ-R9.	Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
MRZ-R2	Residential units	

⁸ FENZ [131.26]

⁹ Transpower [159.94]

¹⁰ MOE [106.19], FENZ [131.26], Transpower [159.94] and Broughs Gully [167.37]

¹¹ Waka Kotahi [143.140]

¹² Clause 16(2)

¹³ Kāinga Ora [229.95]

¹⁴ Waka Kotahi [143.141], Broughs Gully [167.38] and Kāinga Ora [229.95]

¹⁵ Kāinga Ora [229.95]

¹⁶ Bidwill Trust [225.5, 225.6]

Medium Density Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There are no more than three residential units per site; and</p> <p>PER-2 All the Standards of this chapter are complied with.</p>	<p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the bulk, location, design and density of buildings including articulation in the form of each residential unit; and 2. the extent and design of outdoor living areas; and 3. landscaping; and 4. outdoor storage, including rubbish collection areas; and 5. the design of any access, car parking and service areas; and 6. fencing; and 7. amenity effects on neighbouring properties and streetscape; and 8. provision for privacy between residential units and between sites; and 9. how the design provides housing choice. <p>Notification Status: Any application for this activity is precluded from being limited or publicly notified.</p> <p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
MRZ-R3	Visitor accommodation	
Medium Density Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The visitor accommodation is undertaken within and is ancillary to an existing residential unit; and</p> <p>PER-2 The maximum occupancy is 10 guests per night; and</p> <p>PER-3 The site does not have a shared access with another site.</p>	<p>Activity status where compliance not achieved: Discretionary</p>

MRZ-R4	Home business	
Medium Density Residential Zone	Activity status: Permitted	Activity status where compliance not achieved with PER-3: Restricted Discretionary
	Where:	Matters of Discretion are restricted to:
	PER-1 The maximum floor area occupied by the home business is no more than 30m ² ; and ¹⁷	1. the matters of discretion of any infringed standard.
	-	
	PER-2 The home business does not involve an offensive trade; and	Activity status where compliance not achieved with PER-1: Discretionary
	PER-32 MRZ-S8 is complied with.	Activity status where compliance not achieved with PER-21: Non-complying
	Note: Any associated building and structure must be constructed in accordance with MRZ-R9.	
MRZ-R5	Educational facilities	
Medium Density Residential Zone	Activity status: Permitted	Activity status where compliance is not achieved: <u>Restricted Discretionary</u>
	Where:	Matters of discretion are restricted to:
	PER-1 The activity is a childcare service; and ¹⁸	1. <u>scale, form and design of buildings; and</u>
	-	2. <u>the scale of activity; and</u>
	PER-2 The educational facility is within an existing residential unit; and	3. <u>site layout; and</u>
	PER-32 The maximum number of children in attendance at any one time is 10, excluding any children who live there.	4. <u>landscaping; and</u>
		5. <u>traffic generation and impact on the transport network; and</u>
		6. <u>the location and design of any proposed car parking and loading areas and access; and</u>
		7. <u>design and layout of on-site pedestrian connections; and</u>
		8. <u>noise, disturbance and loss of privacy of neighbours; and</u>
		9. <u>hours of operation; and</u>
		10. <u>location, size and numbers of signs.</u> ¹⁹
MRZ-R6	Supported residential care activity	
Medium Density Residential Zone	Activity status: Permitted	Activity status where compliance is not achieved: Discretionary
	Where:	
	PER-1	

¹⁷ Kāinga Ora [229.98]¹⁸ MoE [106.20]¹⁹ MoE [106.20]

	<p>The supported residential care activity is within an existing residential unit; and</p> <p>PER-2 The maximum occupancy does not exceed 10 residents.</p>	
MRZ-R7	Community gardens	
Medium Density Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The maximum area used for selling produce is 5m²; and</p> <p>PER-2 All the Standards of this chapter are complied with.</p> <p><i>Note: Any associated building and structure must be constructed in accordance with MRZ-R9.</i></p>	<p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of Discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
		<p>Activity status where compliance not achieved with: PER-1 Discretionary</p>
MRZ-R8	Use of open space for recreational purposes	
Medium Density Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Buildings must only be used for the storage of recreational equipment and have a maximum floor area of 25m²; and</p> <p>PER-2 The activity does not involve motorised sports; and</p> <p>PER-3 All the Standards of this chapter are complied with.</p> <p><i>Note: Any associated building and structure must be constructed in accordance with MRZ-R9.</i></p>	<p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of Discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
		<p>Activity status where compliance not achieved with PER-1: Discretionary</p>
		<p>Activity status where compliance not achieved with PER-2: Non-complying</p>
MRZ-R9	Buildings and structures (excluding fences)	
Medium Density Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p>	<p>Activity status where compliance not achieved with PER-1: The same status as the activity the building or structure is associated with or ancillary to.</p>

	<p>PER- 1 The building or structure is associated with or ancillary to a permitted activity; and</p> <p>PER-2 All the Standards of this chapter are complied with.</p>	<p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of Discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
MRZ-R10	Fences	
Medium Density Residential Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any fence within 2m of a site's road boundary or a boundary shared with a public reserve, walkway or cycleway is:</p> <ol style="list-style-type: none"> 1. no higher than 1.2m above ground level;²⁰ or 2. no higher than 1.8m above ground level where at least 450% of the fence is visually permeable; and²¹ <p>PER-2 Any fence within 2m of a site's boundary, other than road boundary or a boundary shared with a public reserve, walkway or cycleway, is no higher than 2m above ground level.</p> <p>Note: This rule does not apply if the fence is required under the Health and Safety at Work Act 2015.</p>	<p>Activity status where compliance not achieved: Discretionary</p>
MRZ-R11	Convenience store on corner sites or in buildings previously used for commercial purposes	
Medium Density Residential Zone	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1 The retail area is no greater than 75m²; and</p> <p>PER-2 The hours of operation for the business are limited to 7.00am to 8.00pm; and</p>	<p>Activity status where compliance not achieved with PER-3 : Restricted Discretionary</p> <p>Matters of Discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>

²⁰ Kāinga Ora [229.101]

²¹ Karton and Hollamby Group [31.5], Dale, S and A [54.9], MFL [60.38], Speirs, B [66.34], Rooney Holdings [174.80], Rooney, GJH [191.80], Rooney Group [249.80], Rooney Farms [250.80], Rooney Earthmoving [251.80], TDL [252.80]

	<p>PER-3 All the Standards of this chapter are complied with.</p> <p>Note: Any associated building and structure must be constructed in accordance with MRZ-R9.</p>	
MRZ-RXX	Healthcare facilities excluding the construction of any new building²²	
<u>PRECX – Bidwell Hospital Precinct</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The facilities do not include any emergency care facilities.; and</u></p> <p><u>PER-2</u> <u>The hours of operation for the business are limited to 7.00am to 8.00pm; and</u></p>	<u>Activity status where compliance not achieved: Not applicable</u>
MRZ-RXX	<u>The Construction of any new building associated with a Hhealthcare facilities²³</u>	
<u>PRECX - Bidwell Hospital Precinct</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The facilities do not include any emergency care facilities.</u></p> <p><u>PER-2</u> <u>The building or structure is less than 200m²; and</u></p> <p><u>PER-3</u> <u>All the Standards of this chapter are complied with.</u></p> <p><u>Activity status: Restricted Discretionary</u></p>	<p><u>Activity status where compliance not achieved with PER-2: Not applicable</u></p> <p><u>Controlled</u></p> <p><u>Matters of control are limited to:</u></p> <ol style="list-style-type: none"> <u>consistency of the:</u> <ol style="list-style-type: none"> <u>roof forms;</u> <u>exterior colours; and</u> <u>building materials</u> <u>with the anticipated residential character, taking into account the existing development on the site; and</u> <u>site layout in relation to adverse amenity effects on adjoining neighbours; and</u> <u>landscaping; and</u> <u>effects on the loss of privacy of neighbours.</u>

²² Bidwill Trust [225.4]

²³ Bidwill Trust [225.4]

	<p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. scale, form and design of buildings; and</u> <u>2. the scale of activity; and</u> <u>3. site layout; and</u> <u>4. landscaping; and</u> <u>5. traffic generation and impact on the transport network; and</u> <u>6. the location and design of any proposed car parking and loading areas and access; and</u> <u>7. design and layout of on-site pedestrian connections; and</u> <u>8. noise, disturbance and loss of privacy of neighbours; and</u> <u>9. hours of operation; and</u> <u>10. location, size and numbers of signs.</u> 	<p><u>Activity status where compliance not achieved with PER-3: Restricted Discretionary</u></p> <p><u>Matters of Discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. the matters of discretion of any infringed standard.</u> <p><u>Activity status where compliance not achieved with PER-1: Restricted Discretionary</u></p> <p><u>Matters of Discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. noise;</u> <u>2. lighting;</u> <u>3. traffic and access; and</u> <u>4. hours of operation.</u>
MRZ-R12	Retirement villages	
Medium Density Residential Zone	<p>Activity status: Restricted Discretionary</p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>All the Standards of this chapter are complied with.</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the scale, form and design of the village, its open space and any associated buildings, structures, parking, or utility areas; and 2. any adverse effects on the <u>anticipated</u>²⁴ character, qualities and amenity values of the surrounding area; and 3. on-site amenity for residents; and 4. the ability of infrastructure to service the development; <u>and</u> 5. <u>effects on the safety of, and the quality of the interface with, adjacent roads or public open spaces; and</u> 6. <u>the functional needs and operational needs of the retirement village; and</u> 7. <u>the benefits of retirement villages.</u>²⁵ 	<p>Activity status where compliance not achieved: Not applicable <u>Restricted Discretionary</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 any infringed standard.</u>

²⁴ Kāinga Ora [229.103]

²⁵ RVA [230.11, 230.12, 230.13]

	<u>Note: Any application for this activity is precluded from being limited or publicly notified.</u> ²⁶	
MRZ-R13	Community facilities	
Medium Density Residential Zone	Activity status: Restricted Discretionary Where: Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. scale, form and design of buildings; and 2. the scale of activity; and 3. site layout; and 4. landscaping; and 5. traffic generation and impact on the transport network; and 6. the location and design of any proposed car parking and loading areas and access; and 7. design and layout of on-site pedestrian connections; and 8. noise, disturbance and loss of privacy of neighbours; and 9. hours of operation; and 10. location, size and numbers of signs. 	Activity status where compliance not achieved: Not applicable
MRZ-R14	Emergency services facilities	
Medium Density Residential Zone	Activity status: Restricted Discretionary Where: Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. scale, form and design of buildings; and 2. the scale of activity; and 3. site layout; and 4. landscaping; and 5. traffic generation and impact on the transport network; and 6. the location and design of any proposed car parking and loading areas and access; and 7. design and layout of on-site pedestrian connections; and 8. noise, disturbance and loss of privacy of neighbours; and 9. hours of operation; and 10. location, size and numbers of signs. 	Activity status where compliance not achieved: Not applicable
MRZ-R15	Activities not otherwise listed in this chapter	

²⁶ [RVA \[230.11\]](#)

Medium Density Residential Zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
MRZ-R16	Industrial activity and rural industry	
Medium Density Residential Zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
MRZ-R17	Large format retail <u>(excluding supermarkets)</u> ²⁷	
Medium Density Residential Zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
MRZ-R18	Offensive trades	
Medium Density Residential Zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards

MRZ-S1	Height of buildings and structures	
Medium Density Residential Zone	The maximum height of buildings and structures must not exceed 11.2m measured from ground level to the highest part of the building or structure, <u>except that 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.</u> ²⁸	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. dominance; and 2. overlooking and loss of privacy; and 3. impacts on sunlight access for neighbouring properties; and 4. any mitigation measures.
MRZ-S2	Height in relation to boundary	
Medium Density Residential Zone	Buildings and structures must be contained within a building envelope defined by recession planes from points 3.5m above ground level at the boundaries of the site; except that a recession plane applies from points 2.5m above ground level along boundaries that adjoin the General residential zone. The method for determining recession planes and any permitted projection is described in APP8 - Recession Planes.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on privacy and the ability to use and enjoy outdoor living space; and 2. any impact on solar access to living rooms; and 3. any adverse effects resulting from the bulk and dominance of built form; and 4. any benefits, such as the use of architectural features or steps in the building façade; and 5. any mitigation measures.
MRZ-S3	Outdoor living space	

²⁷ Woolworths [241.21, 242.22]

²⁸ RVA [230.14]

Medium Density Residential Zone	<p>Each residential unit must have an exclusive outdoor living space:</p> <ol style="list-style-type: none"> for units with common living space at ground floor level, of at least 20m² with a minimum dimension of 3m; and for units located entirely above the ground floor level, that comprises a balcony of at least: <ol style="list-style-type: none"> 12m², with a minimum dimension of 1.85m, where the unit has two or more bedrooms; or 8m², with a minimum dimension of 1.8m, where the unit is a one-bedroom or studio unit;²⁹ and which is located on the north, west or east side of the residential unit; and which is readily accessible from the common living space of the residential unit. <p><i>Note: This standard does not apply to residential units in a retirement village.³⁰</i></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> adequacy of the proposed private open <u>outdoor</u>³¹ space; and design and provision of useable outdoor space; and accessibility and convenience for residents; and alternative provision of public outdoor space, in close proximity to meet resident's needs; and the need to retain mature on-site vegetation.
MRZ-S4	Service and storage spaces	
Medium Density Residential Zone	<ol style="list-style-type: none"> Each residential unit must have an outdoor or indoor service space of at least 3m² with a minimum dimension of 1.5m available for use for the storage of waste and recycling bins. The required spaces can be provided either individually or within a communal space <u>at ground floor level</u>³² for multiple units. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> provision of useable service and storage space; and accessibility and convenience for residents.
MRZ-S5	Building coverage	
Medium Density Residential Zone	<p>The building coverage of the net site area³³ of any site must not exceed 50%.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> compatibility with the amenity and character of the area; and visual dominance on adjacent properties; and the scale of buildings.
MRZ-S6	Landscaping	

²⁹ RVA [230.16]

³⁰ Kāinga Ora [229.108]

³¹ Kāinga Ora [229.108]

³² Kāinga Ora [229.109]

³³ ECan [183.1]

Medium Density Residential Zone	At least 25% of the site shall be planted in grass, trees, shrubs or other vegetation.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. compatibility with the character of the area; and 2. balance between built form and open space; and 3. location and design of landscaped areas; <u>and</u> 4. <u>streetscape amenity</u>.³⁴
MRZ-S7	Heavy vehicle storage	
Medium Density Residential Zone	There must be no more than one heavy vehicle stored on a site in association with a permitted activity.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. noise; and 2. any impact on the visual amenity of the surrounding area.
MRZ-S8	Home business	
Medium Density Residential Zone	<ol style="list-style-type: none"> 1. There must be no more than two full-time equivalent persons engaged in the home business who reside off-site. 2. All manufacturing, altering, repairing, dismantling or processing of any materials or articles associated with an activity must be carried out within a building on the site. 3. Any retail sales, other than internet-based sales where no customer visits occur, must be limited to the sale of produce grown on the site or handcrafts manufactured on the site. 4. The maximum number of vehicle trips for a home business per site must not exceed: <ol style="list-style-type: none"> a. 16 per day for sites where access is shared with at least one other site; or b. 32 per day for all other sites. 	Matters of discretion are restricted to <ol style="list-style-type: none"> 1. scale, intensity and character of business; and 2. hours of operation; and 3. traffic generation; and 4. design of any car parking area; and 5. noise, odour, dust, disturbance and loss of privacy for neighbours.
MRZ-S9	Outdoor storage	

³⁴ Kāinga Ora [229.111]

Medium Density Residential Zone	<ol style="list-style-type: none"> Any outdoor storage of motor vehicles, caravans or campervans, trailers, or watercraft must be directly associated with residential activities undertaken on the site. The outdoor storage of goods or materials other than provided for in 1 above: <ol style="list-style-type: none"> must be screened from any road boundary by a fence, wall or vegetation; and must be screened from any internal boundary by a fence, wall or vegetation of 1.8m in height. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> volume and type of goods and materials; type and location of screening; any impact on the visual amenity of the surrounding area.
MRZ-S10	Noise mitigation measures³⁵	
18a Hobbs Street, Timaru, Lot 1 DP 45192 (and its successor)	<ol style="list-style-type: none"> A 4-metre high acoustic fence shall be installed for the full length of the site's eastern boundary with Lot 1 DP 40292 and Lot 1 DP 19845; and the primary outdoor space and outdoor living areas of any household unit shall be located within the northern and / or western areas of each site; and an acoustic design report, prepared by suitably qualified expert must be submitted to the District Planning Manager at Timaru District Council with any building consent or resource application for the development of any residential units on the site; and the report must certify that any habitable spaces of dwellings and outdoor living areas associated with any proposed residential unit have been oriented, designed and/or acoustically screened or insulated so that cumulative noise from the supermarket site at 1 Ranui Avenue, Waimataitai (including noise from the operation of any fixed plant or the use of vehicles including forklifts on that site) will not exceed the following limits within the outdoor living areas when measured in accordance with NZS6801:2008 Acoustics — Measurement of Environmental Sound and assessed in accordance with NZS6802:2008 Acoustics — Environmental Noise: 	Matters of discretion are restricted to: <ol style="list-style-type: none"> effects on the ability of the supermarket to operate without undue constraint; and any legal instrument proposed; and any mitigation of noise proposed; and the amenity of present and future residents of the site.

³⁵ Rooney Holdings [174.82], Rooney, GJH [191.82], Rooney Group [249.82], Rooney Farms [250.82], Rooney Earthmoving [251.82], TDL [252.82].

- a. ~~35 dBA LAeq (15 min) in the interior of habitable rooms from 2200 to 0700 hours;~~
- b. ~~40 dBA LAeq (15 min) in the interior of habitable rooms from 0700 to 2200 hours;~~
- c. ~~55dB dBA LAeq (15 min) in outdoor living areas at all times.~~
- d. ~~If windows are required to be closed to achieve the indoor design sound levels in a. and b. above, then an alternative means of ventilation shall be required to service all habitable rooms, and those ventilation systems shall not generate sound levels (when measured 1 metre from the vent) that exceed:~~
 - i. ~~35 dBA LAeq (30s) in bedrooms;~~
 - ii. ~~40 dBA LAeq (30s) in the interior of other habitable rooms; and~~
- 5. ~~upon completion and application for a Code of Compliance for a residential unit, certification from a suitably qualified and experienced person shall be provided to the Council to confirm that the specified noise levels have been met with the acoustic design and construction of the residential unit and the ventilation system(s) (if any); and~~
- 6. ~~where the specified noise levels have not been achieved, additional measures shall be adopted and implemented in accordance with recommendations from a qualified acoustic engineer until certification under 5 can be provided.~~

MRZ-SX**Outlook Space for Residential Units³⁶**

³⁶ Kāinga Ora [229.112], RVA [230.19]

<u>Medium Density Residential Zone</u>	<ol style="list-style-type: none"> 1. <u>A separation distance of at least 6m shall be provided from any window of a principal living room, to a window of another habitable room in a separate residential unit, where there is a direct line of sight between the windows.</u> 2. <u>A separation distance of at least 3m shall be provided from any window of a principal bedroom, to a window of another habitable room in a separate residential unit, where there is a direct line of sight between the windows.</u> 3. <u>A separation distance of at least 1m shall be provided from any window in any other bedroom, to a window of another habitable room in a separate residential unit, where there is a direct line of sight between the windows.</u> 4. <u>These separation distances must be contained within the boundaries of the site on which the residential unit is located.</u> 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>privacy, overlooking and dominance effects; and</u> 2. <u>residential amenity; and</u> 3. <u>any mitigation measures; and</u> 4. <u>any unusual characteristics of the site or development which make compliance with this Standard difficult.</u>
<u>MRZ-SY</u>	<u>Minimum Residential Unit Sizes³⁷</u>	
<u>Medium Density Residential Zone</u>	<p>Every residential unit must have a net floor area of at least:</p> <ol style="list-style-type: none"> 1. <u>35m² for a residential unit only containing one habitable room; or</u> 2. <u>45m² for a residential unit containing more than one habitable room.</u> 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>the design, size and layout of buildings.</u> 2. <u>whether an appropriate level of privacy and amenity is provided for occupants of the unit.</u>
<u>MRZ-SZ</u>	<u>Setbacks³⁸</u>	
<u>Medium Density Residential Zone</u>	<ol style="list-style-type: none"> 1. <u>Buildings must be set back a minimum of 1.5m from any road boundary.</u> 2. <u>Buildings must be setback a minimum of 1m from any internal boundary, except where buildings share a common boundary wall.</u> 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>landscaping; and</u> 2. <u>openness, dominance and attractiveness when viewed from the street; and</u> 3. <u>mitigation measures; and</u> 4. <u>dominance, loss of privacy and shading in relation to neighbouring residential activities.</u>

³⁷ Kāinga Ora [229.113]

³⁸ RVA [230.18]

LARGE FORMAT RETAIL ZONE

Introduction

The Large Format Retail Zone is applied to the former A & P Showgrounds site, located in the north-east of Timaru township. This zone provides for retail activities that require larger floor or yard areas. This recognises the difficulties associated with locating this type of development in other commercial centres within the District, which primarily focus on smaller-scale retail and convenience activities. While the zone is intended to support and complement the overall retail offering of the District, the nature and timing of development within the zone, and within PRECX- Former Showgrounds Precinct, the timing of development, needs to be managed carefully to avoid undermining the purpose, function and amenity values of the City Centre Zone.¹

Objectives

LFRZ-O1 Purpose of the Large Format Retail Zone

The Large Format Retail Zone primarily provides for large format retail, trade suppliers and other ancillary activities that support these large scale retail activities, which are developed in a way that:

1. are of a [nature](#), size and scale that do not undermine the purpose, function and amenity values of the City Centre Zone; and
2. is undertaken in a comprehensive manner and avoids significant adverse effects on infrastructure; [and](#)
3. [in PRECX- Former Showgrounds Precinct, maximises the efficient use of the Precinct by providing for a limited range of other activities where these do not undermine the primary purpose of the Zone².](#)

LFRZ-O2 Character and qualities of the Large Format Retail Zone

The Large Format Retail Zone:

1. accommodates large numbers of people, high traffic movements and requires large car-parking areas; and
2. is well integrated with public transport, walking and cycling connections; and
3. [predominantly³](#) contains buildings that have large gross floor areas [and activities that require larger yard areas⁴](#); and
4. is developed in accordance with good urban design principles, while recognising the functional needs of activities; and
5. enhances the amenity, biodiversity and cultural values within and adjacent to Taitarakihi Creek as well as its flood-carrying capacity.

Policies

LFRZ-P1 Large format retail and trade suppliers

Enable large format retail, trade suppliers and ancillary activities that ensure that Timaru remains the district's key retail and commercial centre, while avoiding the establishment of retail activities that, due to their timing, nature or scale, could undermine the purpose, function or amenity values of the City Centre Zone.

¹ Harvey Norman [192.16]

² [Redwood Group \[228.1\]](#)

³ [Clause 10\(2\)\(b\) relating to Redwood Group \[228.1\]](#)

⁴ Z Energy [116.33]

LFRZ-P2 Scale and location of built form

Maintain the amenity values of the surrounding area and adjoining sites, by requiring:

1. buildings to be setback from road boundaries, to reduce the visual effects of the bulk of buildings within the zone; and
2. buildings to be setback from the boundary of PREC5 - Te Aitarakihi precinct, to:
 - a. minimise any dominance effects arising from the location and bulk of buildings; and
 - b. minimise any adverse privacy effects on the adjacent sites.
3. buildings to be suitably separated from the boundary of the General Residential Zone; and⁵
- 3- 4. Development to be consistent with the APP9 – Large format retail design guidelines.

LFRZ-P3 Effects on values of Taitarakihi Creek

Maintain and enhance the amenity, biodiversity and cultural values associated with Taitarakihi Creek, and its capacity as a floodway.

LFRZ-P4 PREC5-P1 Pre-development conditions — Roading and fencing

Avoid land-use activities being open for business and available to the public within PREC5- Former Showgrounds Precinct the Large Format Retail Zone⁶, prior to:

1. the construction and operation of a signalized intersection at Grants Road and State Highway 1; and
2. the zone precinct being fenced along the rail corridor in a manner that deters trespassers.

LFRZ-P5 Other retail activities and staging of large format retail

Avoid the development of:

1. ~~restaurants; and~~⁷
- 2- any commercial activity (excluding large format retail) that is not ancillary to the primary large format retail activity; and
- 3- 2. within PREC5- Former Showgrounds Precinct, retail activities that do not comply with the staging thresholds,⁸

unless the activity, either individually or cumulatively, will not undermine the purpose, function and amenity values of the City Centre Zone.

LFRZ-P6 Other activities

Only allow other activities to establish and operate within the Large Format Retail Zone where they:

1. are compatible with the purpose, character and qualities of the zone; and
2. are of a scale or nature that would not undermine the purpose, function and amenity values of the City Centre Zone; and
3. ensure that the Timaru City Centre remains the focal point for commercial activities; and
4. appropriately avoid or mitigate potential reverse sensitivity effects⁹.

Rules

⁵ Clause 10(2)(b) relating to Harvey Norman [192.1]

⁶ Harvey Norman [192.22]

⁷ Redwood Group [228.1]

⁸ Harvey Norman [192.23]

⁹ Alliance Group [173.127]

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

LFRZ-R1	Large format retail	
Large Format Retail Zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Restricted Discretionary
	Where:	Matters of discretion are restricted to:
	<p>PER-1 LFRZ-S4 is complied with; and</p> <p>PER-2 LFRZ- S5 and LFRZ-S6 is complied with.</p> <p>Note: any associated building and structure must be constructed in accordance with LFRZ-R9 .</p>	<p>1. the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-2: Non-complying</p>
LFRZ-R2	Trade supplier	
Large Format Retail Zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Restricted Discretionary
	Where:	Matters of discretion are restricted to:
	<p>PER-1 LFRZ-S4 is complied with; and</p> <p>PER-2 LFRZ- S5 and LFRZ-S6 is complied with.</p> <p>Note: any associated building and structure must be constructed in accordance with LFRZ-R9 .</p>	<p>1. the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-2: Non-complying</p>
LFRZ-R3	Public toilets	
Large Format Retail Zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Restricted Discretionary
	Where:	Matters of discretion are restricted to:
	<p>PER-1 LFRZ-S4 is complied with.</p> <p>PER-2 LFRZ- S5 and LFRZ-S6 is complied with.</p> <p>Note: any associated building and structure must be constructed in accordance with LFRZ-R9 .</p>	<p>1. the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-2: Non-complying</p>

LFRZ-R4	Car parking facility	
Large Format Retail Zone	Activity status: Permitted Where: PER-1 LFRZ-S4 is complied with; and PER-2 LFRZ- S5 and LFRZ-S6 is complied with. <i>Note: any associated building and structure must be constructed in accordance with LFRZ-R9.</i>	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the matters of discretion of any infringed standard.
		Activity status where compliance not achieved with PER-2: Non-complying
LFRZ-R5	Offices and Personal Services	
1. Large Format Retail Zone within PRECX – Former Showgrounds Precinct ¹⁰	Activity status: Permitted Where: PER-1 Any ancillary office must: <ol style="list-style-type: none"> occupy no more than 15% of the combined gross floor area of buildings on the site, or for yard-based activities be no larger than 250m²; and PER-2 The <u>Except where an office is ancillary to a permitted activity the gross floor area of all offices and personal services shall not exceed 2% of the aggregated developed gross floor area of all retail activities within PRECX - Former Showgrounds Precinct ¹¹; and</u> PER-3 LFRZ-S4 is complied with; and PER-4 LFRZ- S5 and LFRZ-S6 is complied with. <i>Note: any associated building and structure must be constructed in accordance with LFRZ-R9.</i>	Activity status where compliance not achieved with PER-3: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the matters of discretion of any infringed standard.
		Activity status where compliance not achieved with PER-4: Discretionary
		Activity status where compliance not achieved with PER-3¹² or PER-4: Non-complying

¹⁰ Harvey Norman [192.27]

¹¹ Redwood Group [228.1]

¹² Harvey Norman [192.27]

<p>2. <u>Large Format Retail Zone outside PRECX – Former Showgrounds Precinct</u>¹³</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity is not a personal service</p> <p>PER-2 Any office is ancillary to a permitted activity and must:</p> <ol style="list-style-type: none"> 1. <u>occupy no more than 15% of the combined gross floor area of buildings on the site, or</u> 2. <u>for yard-based activities be no larger than 250m²; and</u> <p>PER-3 LFRZ-S4 is complied with</p> <p><i>Note: any associated building and structure must be constructed in accordance with LFRZ-R9.</i></p>	<p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to: the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
<p>LFRZ-R6</p> <p>1. <u>Large Format Retail Zone within PRECX – Former Showgrounds Precinct</u>¹⁵</p>	<p>Cafes Food and Beverage¹⁴</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any café does not exceed 150m² in gross floor area; and <u>The gross floor area of all food and beverage activities must not exceed 4% of the aggregated developed gross floor area of all retail activities within PRECX- Former Showgrounds Precinct; and</u></p> <p>PER-2 There are not more than two cafes located within the zone; and¹⁶</p> <p>PER-3 LFRZ-S4 is complied with; and</p> <p>PER-4 LFRZ- S5 and LFRZ-S6 is complied with.</p>	<p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status where compliance not achieved with PER-1, PER-2 or PER-4: Non-complying</p>

¹³ Harvey Norman [192.27]

¹⁴ Redwood Group [228.1]

¹⁵ Harvey Norman [192.28]

¹⁶ Redwood Group [228.1]

	Note: any associated building and structure must be constructed in accordance with LFRZ-R9.	
2. Large Format Retail Zone outside PRECX – Former Showgrounds Precinct¹⁷	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any food and beverage activity does not exceed 200m² in gross floor area; and</p> <p>PER-2 LFRZ-S4 is complied with</p> <p>Note: any associated building and structure must be constructed in accordance with LFRZ-R9.</p>	<p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to: the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-1: Non-complying</p>
LFRZ- R7	Automated teller machines	
Large Format Retail Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There are no more than two automated teller machines located within the zone.</p> <p>Note: any associated building and structure must be constructed in accordance with LFRZ-R9.</p>	Activity status where compliance not achieved: Non-complying
LFRZ-R8	Supermarkets	
Large Format Retail Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no more than one supermarket located within the zone; and</p> <p>PER-2 LFRZ-S4 is complied with; and</p> <p>PER-3 LFRZ- S5 and LFRZ-S6 is complied with.</p>	<p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-1 or PER-3: Non-complying</p>

¹⁷ Harvey Norman [192.28]

	Note: any associated building and structure must be constructed in accordance with LFRZ-R9.	
<u>LFRZ-RZ</u>	<u>Gymnasiums¹⁸</u>	
<u>Large Format Retail Zone within PRECX – Former Showgrounds Precinct</u>	<u>Activity status: Permitted</u> <u>Where:</u> <u>PER-1</u> LFRZ-S5 is complied with. <u>Note:</u> any associated building and structure must be constructed in accordance with LFRZ-R9.	<u>Activity status where compliance not achieved with PER-1: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> 1. <u>the matters of discretion of any infringed standard.</u>
<u>LFRZ-RY</u>	<u>Recreation Activities¹⁹</u>	
<u>Large Format Retail Zone within PRECX – Former Showgrounds Precinct</u>	<u>Activity status: Permitted</u> <u>Where:</u> <u>PER-1</u> LFRZ-S5 is complied with; and <u>PER-2</u> The hours of operation do not extend beyond 9.00am – 6.00pm. <u>Note:</u> any associated building and structure must be constructed in accordance with LFRZ-R9.	<u>Activity status where compliance not achieved with PER-1: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> 1. <u>the matters of discretion of any infringed standard.</u>
<u>LFRZ-R9</u>	<u>Buildings and structures</u>	
<u>Large Format Retail Zone</u>	<u>Activity status: Restricted Discretionary</u> <u>Where:</u> <u>RDIS-1</u> The building or structure is associated with or ancillary to a permitted activity; and <u>RDIS-2</u> LFRZ-S1, LFRZ-S2 and LFRZ-S4 are complied with; and	<u>Activity status where compliance not achieved with RDIS-1: The same status as the activity the building or structure is associated with or ancillary to.</u> <u>Activity status where compliance not achieved with RDIS-2: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> 1. the matters of discretion in LFRZ-R10 for RDIS-1 and RDIS-2; and

¹⁸ Redwood Group [228.1]¹⁹ Redwood Group [228.1]

	<p>RDIS-3 LFRZ-S3 and LFRZ-S5 are complied with.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. building location and design, including with reference to the APP9 - Large format retail design guidelines.; and 2. landscaping; and 3. fencing and walls, including for screening; and 4. storage areas; and 5. security and safety; and 6. signage; and 7. public transport; and 8. vehicle and pedestrian access; and 9. <u>functional needs</u>.²⁰ 	<p>2. the relevant matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with RDIS-3: Non-complying</p>
<u>LFRZ-RX</u>	<u>Health Care Facility²¹</u>	
<p><u>Large Format Retail Zone within PRECX – Former Showgrounds Precinct</u></p>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>LFRZ-S1, LFRZ-S2 and LFRZ-S4 are complied with; and</u></p> <p><u>RDIS-2</u> <u>LFRZ-S3 is complied with.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>effects, including cumulative effects on the economic viability.</u> 	<p><u>Activity status where compliance not achieved with RDIS-1: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>the matters of discretion in LFRZ-RX for RDIS-1 and RDIS-2; and</u> 2. <u>the relevant matters of discretion of any infringed standard.</u>

²⁰ Woolworths [242.31]

²¹ Redwood Group [228.1]

	<p><u>and purpose, function and amenity values of the City Centre Zone</u></p> <ol style="list-style-type: none"> <u>building location and design including with reference to the APP9 - Large format retail design guidelines; and</u> <u>landscaping; and</u> <u>fencing and walls, including for screening; and</u> <u>storage areas; and</u> <u>security and safety; and</u> <u>signage; and</u> <u>public transport; and</u> <u>vehicle and pedestrian access; and</u> <u>functional needs.</u> 	<p><u>Activity status where compliance not achieved with RDIS-2: Non-complying</u></p>
<u>LFRZ-RW</u>	<u>Child Care Services²²</u>	
<p><u>Large Format Retail Zone within PRECX – Former Showgrounds Precinct</u></p>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>LFRZ-S1, LFRZ-S2 and LFRZ-S4 are complied with; and</u></p> <p><u>RDIS-2</u> <u>LFRZ-S3 is complied with.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>effects, including cumulative effects on the economic viability, and purpose, function and amenity values of the City Centre Zone</u> <u>building location and design including with reference to the APP9 - Large format retail design guidelines; and</u> <u>landscaping; and</u> <u>fencing and walls, including for screening; and</u> <u>storage areas; and</u> <u>security and safety; and</u> <u>signage; and</u> <u>public transport; and</u> 	<p><u>Activity status where compliance not achieved with RDIS-1: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>the matters of discretion in LFRZ-RX for RDIS-1 and RDIS-2; and</u> <u>the relevant matters of discretion of any infringed standard.</u> <p><u>Activity status where compliance not achieved with RDIS-2: Non-complying</u></p>

²² [Redwood Group \[228.1\]](#)

	<p>9. <u>vehicle and pedestrian access; and</u></p> <p>10. <u>functional needs.</u></p>	
<u>LFRZ-RV</u>	<u>Visitor Accommodation²³</u>	
<p><u>Large Format Retail Zone within PRECX – Former Showgrounds Precinct</u></p>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>There is no more than one visitor accommodation facility within the Precinct.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>effects on the economic viability, and purpose, function and amenity values of the City Centre Zone;</u> 2. <u>the nature and scale of the visitor accommodation;</u> 3. <u>management of potential reverse sensitivity effects;</u> 4. <u>building location and design; and</u> 5. <u>landscaping; and</u> 6. <u>fencing and walls, including for screening; and</u> 7. <u>storage areas; and</u> 8. <u>security and safety; and</u> 9. <u>signage; and</u> 10. <u>public transport; and</u> 11. <u>vehicle and pedestrian access; and</u> 12. <u>functional needs.</u> 	<p><u>Activity status where compliance not achieved with RDIS-1: Non-complying</u></p>
<u>LFRZ-RU</u>	<u>Residential units and Residential Activities²⁴</u>	

²³ Redwood Group [228.1]

²⁴ Redwood Group [228.1]

<u>Large Format Retail Zone, in the Residential Sub-Precinct within PRECX – Former Showgrounds Precinct</u>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>LFRZ-S1, LFRZ-S2, MRZ-S3, MRZ-S4, MRZ-S6, MRZ-S9, MRZ-SX, and MRZ-SY, MRZ-SZ are complied with.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. management of potential reverse sensitivity effects;</u> <u>2. the location and design of buildings, including articulation in the form of each residential unit; and</u> <u>3. the design of outdoor living areas; and</u> <u>4. the design of any access, car parking and service areas; and</u> <u>5. fencing; and</u> <u>6. amenity effects on streetscape; and</u> <u>7. provision for privacy between residential units; and</u> <u>8. how the design provides housing choice.</u> 	<p><u>Activity status where compliance not achieved with RDIS-1: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. the matters of discretion of any infringed standard.</u>
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LFRZ-R10	Any non-commercial activities not otherwise listed in this chapter	
Large Format Retail Zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
<u>LFRZ-R10A</u>	<u>Service Stations²⁵</u>	
<u>Large Format Retail Zone</u>	<u>Activity status: Discretionary</u>	<u>Activity status where compliance not achieved: Not applicable</u>
LFRZ-R11	Any new vehicle crossing onto Evans Street or Bridge Street	
Large Format Retail Zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable

²⁵ Harvey Norman [192.30], Redwood Group [228.1]

LFRZ-R12	Commercial activities not otherwise specified in this chapter	
Large Format Retail Zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
LFRZ-R13	Community facilities	
Large Format Retail Zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
LFRZ-R14	Restaurants²⁶	
Large Format Retail Zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards

LFRZ-S1	Height of buildings and structures	
Large Format Retail Zone	Buildings and structures including additions and alterations to buildings and structures must not exceed a maximum height of 10m measured from existing ground level.	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. dominance over the surrounding environment; and 2. overlooking and loss of privacy; and 3. solar access to living rooms and private open space; and 4. any functional needs of the activity; and 5. the design and location of the building or structure; and 6. landscaping; 7. mitigation measures.
LFRZ-S2	Height in relation to boundary	
Large Format Retail Zone	Buildings and structures must be contained within a building envelope defined by recession planes from points 2.5m above ground level at the boundaries of the site when the site boundary adjoins an Open space and Recreation Zone or a Residential Zone. The method for determining recession planes and any permitted projection is described in APP8 — Recession Planes.	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. any impact on privacy and the ability to use outdoor living space; and 2. any impact on solar access to living rooms; and 3. any adverse effects resulting from the bulk and dominance of built form; and 4. any benefits, such as the use of architectural features or steps in the building facade; 5. mitigation measures.
LFRZ-S3	Setbacks	

²⁶ Redwood Group [228.1, 228.6]

Large Format Retail Zone	<ol style="list-style-type: none"> Any building must be setback a minimum of 5m from the road boundary, or from the boundary of any designation that is for the purpose of road widening. Any building must be setback a minimum of 10m from PREC5 - Te Aitarakihi Precinct. <u>Any building must be setback a minimum of 4510m from the boundary of any site zoned General Residential Zone.</u>²⁷ 	Activity status where compliance not achieved: Non-complying
LFRZ-S4	Goods storage	
Large Format Retail Zone	Any outdoor storage areas, except for the display of goods for retail sale, must be fully screened by a fence of not less than 2m in height so that it is not visible from adjoining sites and roads <u>at ground level</u> . ²⁸	Matters of discretion restricted to: <ol style="list-style-type: none"> visual effects; and landscaping and screening.
LFRZ-S5	Development staging thresholds	

²⁷ Clause 10(2)(b) relating to Harvey Norman [192.1]

²⁸ Clause 10(2)(b) relating to Z Energy [116.19]

Large Format Retail Zone within PRECX – Former Showgrounds Precinct²⁹	<ol style="list-style-type: none"> 1. Development open to the public prior to 1 July 2028 must not in aggregate exceed 10,000m² of gross floor area for all retail activities, excluding trade suppliers; and 2. Development open to the public prior to 1 July 2033 must not in aggregate exceed 15,000m² of gross floor area for all retail activities, excluding trade suppliers; and 3. Development open to the public prior to 1 July 2038 must not in aggregate exceed 20,000m² of gross floor area for all retail activities, excluding trade suppliers; and 4. Development open to the public after 1 July 2038 must not in aggregate exceed 34,000m² of gross floor area for all retail activities, excluding trade suppliers 1. The maximum gross floor area of retail activities, offices, personal services <u>and food and beverage must not exceed 34,000m².</u> 2. <u>The combined maximum gross floor area of gymnasiums and recreation activities must not exceed 6,000m².</u>³⁰ 3. Development open to the public prior to 1 July 2025 must not in aggregate exceed: <ol style="list-style-type: none"> a. 29,000m² of gross floor area for all retail activities (excluding department stores); and b. 30,000m² of gross floor area for all retail activities including department stores. 4. Development open to the public prior to 1 July 2027 must not in aggregate exceed 34,000m² of gross floor area for all retail activities including department stores. 5. The maximum gross floor area of offices, personal services and food and beverage must not in aggregate exceed 5% of gross floor area for all retail activities.³¹ 	<p>Activity status where compliance not achieved <u>with 1, 2 or 3 by up to 6%: Discretionary</u></p> <p><u>Activity status where compliance not achieved with 1, 2 or 3 by more than 6%, or compliance not achieved with 4 or 5.</u>³² Non-complying</p>
LFRZ-S6	Opening of business	

²⁹ Harvey Norman [192.37]

³⁰ Redwood Group [228.1]

³¹ Redwood Group [228.1]

³² Redwood Group [228.1]

Large Format Retail Zone within PREC X – Former Showgrounds Precinct³³	Land use activity must not open for business prior to: <ol style="list-style-type: none">1. the Grants Road/State Highway 1 signalised intersection to the site being constructed and operational; or2. a fence of not less than 1.8m in height being building along the boundary of the site where it abuts the rail corridor.	Activity status where compliance not achieved: Non-complying
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³³ Harvey Norman [192.37]

TOWN CENTRE ZONE

Introduction

The Town Centre Zone is applied to the commercial centres of Geraldine, Pleasant Point and Temuka. These centres are a focal point for these townships, and comprise a diverse range of commercial and community activities that support residents and wider rural catchments. The Zone also makes provision for visitor and tourist activities and facilities.

Within Temuka, the Town Centre Zone also contains a range of scheduled heritage items identified in the Historical Heritage chapter, which gives this Zone a distinctive identity and sense of place that reflects late 19th century and early 20th century typologies and embodies the formative history of a South Canterbury town. The provisions within this chapter seek to manage development within this area to ensure it is sympathetic to the character of the area, while also ensuring that development provides a high-quality streetscape that is pedestrian-focused and attractive to visitors, workers and residents.

Objectives

TCZ-O1 The purpose of the Town Centre Zone

The Town Centre Zone is a focal point for the local community, and provides for a diverse range of activities that support the residents of the township and surrounding rural areas and passers-by¹.

TCZ-O2 Character and qualities of the Town Centre Zone

The Town Centre Zone:

1. provides a pleasant, pedestrian-focused environment that visually integrates with public spaces; and
2. is of a scale that is commensurate with the population that it serves; and
3. contains buildings of a moderate scale and density, with associated car parking and storage areas that do not detract from pedestrian-focused street environments; and
4. contains activities or buildings that are compatible with the use and amenity values of adjoining Residential Zones and Open Space and Recreation Zones; and
5. are is of a size and scale that does not undermine the purpose, function and amenity values of the City Centre Zone.²

TCZ-O3 Main street character and streetscape

The Geraldine and Temuka main street areas maintain their pedestrian-orientated nature and attractive streetscape, and in Temuka, contain built form that contributes to a high-quality streetscape that maintains the character associated with scheduled heritage items.

Policies

TCZ-P1 Commercial activities and community facilities

Enable a range of commercial activities, community facilities and other activities that:

1. are consistent with the purpose, character and qualities of the Town Centre Zone; and
2. are of a scale and nature that minimises any adverse effects on the use and amenity values of adjoining sites in the Residential Zones or Open Space and Recreation Zones; and
3. due to limits on their scale, do not undermine the purpose, function and amenity values of the City Centre Zone.

TCZ-P2 Residential activities

¹ Woolworths [242.34]

² Kāinga Ora [229.140]

Enable new residential activities where they are located above ground floor level and maintain an appropriate level of on-site amenity for occupants.³

TCZ-P3 Scale and location of built form

1. Buildings to be a height that is consistent with the character and qualities of the Zone; and
2. Maintain the amenity values of the surrounding area and adjoining Residential Zones and Open Space and Recreation Zones by requiring:
 - a. buildings and structures to be of a height that ensures adjoining Residential Zones and Open Space and Recreation Zones sites:
 - i. have a reasonable standard of sunlight access;
 - ii. retain privacy; and
 - iii. are not unreasonably dominated by built form; and
 - b. buildings to be setback from the boundaries of sites within Residential Zones and Open Space and Recreation Zones, to:
 - i. minimise any dominance effects arising from the location and bulk of buildings; and
 - ii. minimise any adverse privacy effects on adjacent sites; and
 - c. the screening of storage areas from adjoining sites and roads; and
 - d. car parking activities to be designed so that they are:
 - i. compatible with the character and qualities of the Zone and surrounding area; and
 - ii. consistent with
 - iii. APP3 - National Guidelines for Crime Prevention through Environmental Design in New Zealand (CPED).

TCZ-P4 Streetscape character and amenity

Maintain streetscape character and pedestrian amenity in the principal shopping areas by requiring in:

1. Temuka and Geraldine, the provision of a verandah along main street frontages and ensuring that the design of any verandah maintains or enhances the character of the street taking into account operational and functional requirements⁴; and
2. Temuka, that demolition of existing buildings minimises the creation of gaps in the streetscape; and
3. Temuka, that the design of new buildings and changes to road-facing facades are compatible with the historic character values of the area and contribute towards a high-quality streetscape by buildings:
 - a. being built up to the street (except on Vine Street); and
 - b. minimising gaps in the streetscape (except on Vine Street); and
 - c. being of a height that encloses the street; and
 - d. having modulation along their frontages; and
 - e. providing active frontage; and
 - f. along Vine Street:
 - i. providing adequate room for vehicle access and manoeuvring from Vine Street to parking areas at the rear of buildings; and
 - ii. providing a pedestrian connection to King Street where practicable, or otherwise being located within adequate proximity of and legibly connecting to an existing pedestrian connection to King Street.

TCZ-P5 Other activities

Only allow other activities to establish and operate within the Town Centre Zone where:

1. they are consistent with the purpose, character and qualities of the Zone; and
2. it can be demonstrated that the effects of the activity are of a degree that is comparable with those of a permitted activity; and

³ Clause 10(2)(b) relating to Kāinga Ora [229.150, 229.151]

⁴ Z Energy [116.23]

3. the intensity and scale of the activity does not compromise activities that are enabled within the zone.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

TCZ-R1	Commercial activity	
Town Centre Zone	Activity status: Permitted Where: PER-1 The commercial activity is not a service station; and PER-2 Any retail activity shall not exceed 300m ² in gross floor area, except there is no maximum gross floor area if it is a trade supplier, supermarket, restaurant or cafe; and PER-3 Any office does not exceed 200m ² in gross floor area; and PER-4 TCZ-S4 is complied with. <i>Note: Any associated building and structure must be constructed in accordance with TCZ-R6.</i>	Activity status where compliance not achieved with PER-4: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
		Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary
TCZ-R2	Community facility (excluding emergency services facilities) <u>and community corrections activity</u>⁵	
Town Centre Zone	Activity status: Permitted Where: PER-1 TCZ-S4 is complied with. <i>Note: Any associated building and structure must be constructed in accordance with TCZ-R6.</i>	Activity status where compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
TCZ-R3	Visitor accommodation	

⁵ Dept. Corrections [239.29]

Town Centre Zone	Activity status: Permitted Where: PER-1 TCZ-S4 is complied with. <i>Note: Any associated building and structure must be constructed in accordance with TCZ-R6.</i>	Activity status where compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
TCZ-R4	Public toilets	
Town Centre Zone	Activity status: Permitted Where: PER-1 TCZ-S4 is complied with. <i>Note:</i> 1. Any associated building and structure must be constructed in accordance with TCZ-R6.	Activity status where compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
TCZ-R5	Residential activity (not otherwise listed in this chapter)	
Town Centre Zone	Activity status: Permitted Where: PER-1 The residential activity is undertaken within a residential unit that is: <ol style="list-style-type: none"> located above the ground floor level of a building; or is located at ground floor level and the residential unit was existing as at 22 September 2022; and PER-2 TCZ-S6, and TCZ-S7, TCZ-SX ⁶ and TCZ-SY ⁷ are is complied with. <i>Note: Any associated building and structure must be constructed in accordance with TCZ-R6.</i>	Activity status where compliance not achieved with PER-2: Restricted Discretionary Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard Activity status where compliance not achieved with PER-1: Discretionary
TCZ-R6	Buildings and structures including fences	
1. Town Centre	Activity status: Permitted Where:	Activity status where compliance not achieved with PER-2: Restricted Discretionary

⁶ Clause 10(2)(b) relating to Kāinga Ora [229.150]

⁷ Clause 10(2)(b) relating to Kāinga Ora [229.151]

Zone excluding Temuka	<p>PER-1 The building or structure is associated with or ancillary to a permitted activity; and</p> <p>PER-2 TCZ-S1, TCZ-S2, TCZ-S3, TCZ-S4 and TCZ-S5 are complied with.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status where compliance not achieved with PER-1: The same status as the activity the building or structure is associated with or ancillary to.</p>
2. Town Centre Zone - Temuka	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1 The building or structure is associated with or ancillary to a permitted activity; and</p> <p>CON-2 TCZ-S1, TCZ-S2, TCZ-S3, TCZ-S4 and TCZ-S5 are complied with.</p> <p>Matters of discretion <u>control</u>⁸ are restricted to:</p> <ol style="list-style-type: none"> 1. compatibility of the form, scale and architectural design of the building with the streetscape values identified in TCZ-P4 and any adjoining scheduled heritage item(s); and 2. building and site layout, including interface with public areas; and 3. the extent to which the development addresses the street frontage(s) (excluding Vine Street) and provides a pedestrian-focused environment; and 4. for Vine Street, the design and layout of car parking provided to the rear of buildings and the adequacy of access and manoeuvring to parking areas; and 5. for Vine Street, the practicality and adequacy of existing or proposed connections to King Street. 	<p>Activity status where compliance not achieved with CON-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard; and 2. the matters of control in TCZ-R6.2 and TCZ-R7. <p>Activity status where compliance not achieved with CON-1: The same status as the activity the building or structure is associated with or ancillary to.</p>
TCZ-R7	Demolition of any building in Temuka	
Town Centre Zone - Temuka	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1 The resource consent application is lodged concurrently with the application under TCZ-R6 for a new building.</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the extent to which the demolition will result in gaps in the streetscape that detract from its character; and 2. the matters of control in TCZ-R7.

⁸ Clause 16(2)

	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the duration between the demolition of the building and construction of a new building; and 2. measures to ensure the new building will be constructed; and 3. any mitigation measures proposed to minimise the impact on the streetscape during construction of the new building. 	
TCZ-RX	Educational Facility⁹	
Town Centre Zone	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent to which it is necessary to locate the activity within the Town Centre Zone. 2. The effects on, and consistency with, the purpose, character and qualities of the Town Centre Zone. 3. The extent to which the activity may limit or constrain the establishment and use of land for activities that are permitted in this zone. 4. Traffic effects. <p>Note: Any associated building and structure must be constructed in accordance with TCZ-R6.</p>	<p>Activity status where compliance not achieved: Not applicable</p>
TCZ-R8	Emergency Services Facilities	
Town Centre Zone	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1 TCZ-S4 is complied with.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. the location and design of car parking and loading areas and access; and 2. design and layout of on-site pedestrian connections; and 3. hours of operation; and 4. noise, disturbance and loss of privacy of neighbours; and 5. location, size and numbers of signs; and 	<p>Activity status where compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard.

⁹ MOE [106.42]

	6. traffic generation and impact on the transport network; and 7. landscaping; and 8. site layout; and 9. the scale of activity; and 10. scale, form and design of buildings; and 11. for Temuka, the matters of control listed in TCZ-R6.2 <i>Note: Any associated building and structure must be constructed in accordance with TCZ-R6.</i>	
TCZ-R9	Car parking facility	
Town Centre Zone	Activity status: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the extent to which the scale, location and design of the car parking activity area is visually integrated with the surrounding area; and 2. whether the car park activity is designed to incorporate National Guidelines for Crime Prevention through Environmental Design in New Zealand (CPTED), including encouraging surveillance, effective lighting, management of public areas and boundary demarcation; and 3. the extent to which the car parking area includes landscaping or other features designed to provide amenity and visual relief; and 4. traffic safety. 	Activity status where compliance not achieved: Not applicable
TCZ-R10	Any activity not otherwise listed in this chapter	
Town Centre Zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable

Standards

TCZ-S1	Height of buildings and structures	
Town Centre Zone	Buildings and structures including additions and alterations to buildings and structures must not exceed: <ol style="list-style-type: none"> 1. Maximum height of 120m measured from ground level;¹⁰ or 2. For church towers or spires, <u>or towers or poles for emergency services facilities</u>,¹¹ 	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. dominance over the surrounding environment; and 2. overlooking and loss of privacy of adjoining sites in the Residential Zones; and

¹⁰ Kāinga Ora [229.145]

¹¹ FENZ [131.95]

	a maximum height of 30m measured from ground level.	<ol style="list-style-type: none"> 3. solar access to living rooms and outdoor living space of adjoining sites in the Residential Zones; and 4. any functional needs of the activity; and 5. the design and location of the building or structure; and 6. landscaping.
TCZ-S2	Height in relation to boundary	
Town Centre Zone	Buildings and structures must be contained within a building envelope defined by recession planes from points 2.5m above ground level at the boundaries of the site when the site boundary adjoins an open space and recreation zone or a <u>General residential zone, or 3.5m above ground level at the boundaries of the site when the site boundary adjoins a medium density residential zone.</u> ¹² The method for determining recession planes and any permitted projection is described in APP8 - Recession Planes.	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. any impact on privacy and the ability of adjoining sites in the Residential Zones to use outdoor living space; and 2. any impact on solar access to living rooms of adjoining sites in the Residential Zones; and 3. any adverse effects resulting from the bulk and dominance of built form; and 4. any benefits, such as the use of architectural features or steps in the building façade.
TCZ-S3	Setbacks	
Town Centre Zone	<ol style="list-style-type: none"> 1. Any building must be setback a minimum of 3m from the <u>any internal boundary of any a site zoned residential or open space and recreation.</u>¹³ 	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. dominance, shading and loss of privacy in relation to adjoining sites in the Residential Zones ; and 2. landscaping; and 3. effects on amenity and character.
Town Centre Zone, on sites fronting Vine Street	<ol style="list-style-type: none"> 2. Any building must be setback a minimum of 5m from the boundary of Vine Street. 	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. building dominance along the Vine Street road frontage; and 2. the potential for the positioning of buildings along Vine Street to detract from the focus on King Street as the main pedestrian-focused area.
TCZ-S4	Goods storage	
Town Centre Zone	Any outdoor storage areas, except for the display of goods for retail sale, must be fully screened by a fence of not less than 2m in height so that it is not visible from adjoining sites and roads <u>at ground level.</u> ¹⁴	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. visual effects; and 2. landscaping.
TCZ-S5	Verandahs	

¹² Kāinga Ora [229.146]

¹³ Clause 10(2)(b) relating to Te Pūkenga [215.11]

¹⁴ Clause 10(2)(b) relating to Z Energy [116.19]

Town Centre Zone, on sites fronting Talbot Street (in Geraldine) or King Street (in Temuka)	<p>Where any building is erected, reconstructed or altered in any way that physically alters the structure of the facade of the building that fronts the road, a verandah must be provided along the full frontage of the building which complies with the following:</p> <ol style="list-style-type: none"> 1. The height of the external edges of any verandah must be a minimum of 2.7m and a maximum of 3m above the footpath. 2. The verandah must extend from the supporting building to a distance of: <ol style="list-style-type: none"> a. 600mm from the vertical line of the face of the kerb, where there is a kerb line; or b. 3m where the verandah is over a public space and there is no kerb line. 3. If a fascia is provided, it must have a maximum vertical dimension of 450mm. 4. The verandah must directly adjoin any adjacent verandah so there is no horizontal gap between verandahs. <p>This standard does not apply if the building is set back from the road boundary a distance equal to or greater than the width of a verandah that could comply with 2. (a) above.</p>	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> 1. pedestrian amenity, including shelter; 2. maintenance of character of the building and street; 3. whether the provision of a complying verandah would detract from heritage values; <u>and</u> 4. <u>any functional or operational requirements of the activity</u>.¹⁵
TCZ-S6	Outdoor Living Space	
Town Centre Zone	<p>Each residential unit must have an exclusive outdoor living space:</p> <ol style="list-style-type: none"> 1. that comprises a balcony of at least 12m², with a minimum dimension of 1.5m; and 2. which is located on the north, west or east side of the residential unit; and 3. which is readily accessible from the common living space of the residential unit. 	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> 1. provision of useable outdoor space; and 2. accessibility and convenience for residents; and 3. alternative provision of public outdoor space, in close proximity to meet resident's needs.
TCZ-S7	Service and storage spaces	
Town Centre Zone	<p>Each residential unit must have an outdoor or indoor service space of at least 2.5m² with a minimum dimension of 1.5m available for use for the storage of waste and recycling bins. The required spaces can be provided either individually or within a communal space <u>at ground floor level</u>¹⁶ for multiple units.</p>	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> 1. provision of useable service and storage space; and 2. accessibility and convenience for residents.

¹⁵ Z Energy [116.23]

¹⁶ Kāinga Ora [229.149]

TCZ-SX	Outlook Space for Residential Units ¹⁷	
<u>Town Centre Zone</u>	<ol style="list-style-type: none"> 1. <u>A separation distance of at least 6m shall be provided from any window of a principal living room, to a window of another habitable room in a separate residential unit, where there is a direct line of sight between the windows.</u> 2. <u>A separation distance of at least 3m shall be provided from any window of a principal bedroom, to a window of another habitable room in a separate residential unit, where there is a direct line of sight between the windows.</u> 3. <u>A separation distance of at least 1m shall be provided from any window in any other bedroom, to a window of another habitable room in a separate residential unit, where there is a direct line of sight between the windows.</u> 4. <u>These separation distances must be contained within the boundaries of the site on which the residential unit is located.</u> 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>privacy, overlooking and dominance effects; and</u> 2. <u>residential amenity; and</u> 3. <u>any mitigation measures; and</u> 4. <u>any unusual characteristics of the site or development which make compliance with this Standard difficult.</u>
TCZ-SY	Minimum Residential Unit Sizes ¹⁸	
<u>Town Centre Zone</u>	<p><u>Every residential unit must have a net floor area of at least:</u></p> <ol style="list-style-type: none"> 1. <u>35m² for a residential unit only containing one habitable room; or</u> 2. <u>45m² for a residential unit containing more than one habitable room.</u> 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>the design, size and layout of buildings.</u> 2. <u>whether an appropriate level of privacy and amenity is provided for occupants of the unit.</u>

¹⁷ Kāinga Ora [229.150]

¹⁸ Kāinga Ora [229.151]

APPENDIX C
Joint Statement
Bidwill Hospital

JOINT STATEMENT

TO	Proposed Timaru District Plan Hearings Panel (the Panel)
FROM	Liz White (Section 42A Officer for the Council) Mark Geddes (Planner for the Submitter)
DATE	16 September 2024
SUBJECT	Joint Statement to Panel on MRZ Drafting

Introduction

In Minute 14, the Panel requested that we confer (on a without prejudice basis, if necessary) on whether there are any alternative drafting options for a permitted, controlled or restricted discretionary rule to limit the application of the rule to the residential zone that is adjacent to the existing Bidwill Hospital (i.e. not applying to another location remote from the current site). This is to be undertaken in order to provide drafting options, if the Panel determines that there is scope to apply a rule beyond the existing hospital site.

We met to discuss this matter on the 16th August and 13th September 2025.

In undertaking this exercise, we considered the different drafting options provided by Ms White in the s42A report as well as the alternate drafting by Mr Geddes in his evidence.

Locational Consideration

We have considered how a rule could be drafted applying to sites adjacent to or adjoining the existing hospital site. We agree that to provide the most certainty about where the rule applies, it would be best to apply a precinct, with the precinct applying to the current hospital site as well as additional sites around it. This also reflects that it is hard to craft a rule that provides sufficient flexibility for possible future expansion, for example, including only immediately adjoining sites would not allow for expansion across two lots in one direction. This approach does not alter the MRZ framework otherwise applying to these sites, except insofar as the additional policy and rules applying within the precinct could be utilised in future if required for the expansion of the hospital.

The sites to which the precinct would apply are shown in the map below:



The area that the precinct would cover would essentially apply one “row” deep to lots adjacent to the existing hospital site to the north and south, across Bidwill and Elizabeth Streets (a “row” in some areas being two or three lots deep because of subdivisions or property orientation). To the west the precinct would apply two rows deep to provide slightly greater flexibility, and to the east – the most practical direction for development - the precinct would extend further to future proof the possibility of further expansion.

Policy

We agree that the following policy wording is appropriate for this area:

Provide for the ongoing use and development of health care facilities within the Bidwill Hospital Precinct, where the nature, scale and design of activities and buildings are consistent with the purpose, character and qualities of the surrounding residential area.

Rule Framework

We agree with:

- Removing any restriction relating to the hours of operation, to reflect that patients often stay overnight for recover post operation. We are satisfied that the effects of this are similar in nature to a residential activity and that the key potential conflict with amenity values relates to emergency care services, which we agree should be restricted.
- Not including a permitted standard relating to a specific operator/ organisation as this is not needed if the precinct is expanded to allow further expansion of the existing operation.
- Providing a permitted pathway for new buildings associated with a healthcare facility up to a specified size of 200m², on the basis that this would allow for built form of a scale similar to a medium-large size dwelling, and would be subject to meeting the built form standards applying to dwellings. This recognises that buildings of this scale are unlikely to have adverse effects on residential character and amenity.

- Adopting a controlled activity status for facilities over 200m² (where they meet the built form standards). This reflects that:
 - o The rule framework is essentially providing for an expansion of an existing activity (rather than a new facility anywhere within the MRZ), and therefore, taking into account the significance of the existing hospital, and the existing development, a controlled activity is sufficient in these circumstances to manage effects on surrounding residential environment.
 - o For larger buildings (i.e. those which are bigger than a medium-large size dwelling) the built form standards alone may not be sufficient to ensure that the nature of a new or expanded healthcare activity (including the scale and design of built form) is compatible with the surrounding residential environment.
 - o Matters of control allow for the Council to impose conditions on the nature of built form to mitigate adverse effects on the surrounding residential.
- Including matters of control that are focussed on those matters where additional control is considered appropriate over and above matters addressed through the built form standards, including:
 - o Ensuring that the design of any larger building is consistent with the anticipated residential character, taking into account the existing development on the site.
 - o Managing potential adverse effects on the amenity of adjoining sites which may differ from those of residential activities.
 - o Mitigation measures such as landscaping which can assist in addressing the above.

Section 32AA Assessment

In considering the above framework, we have concluded that application of a precinct to the existing hospital and surrounding sites, along with our agreed policy and rule framework, is the most appropriate way to achieve the objectives of the MRZ, taking into account their efficiency and effectiveness and the costs of benefits of the agreed approach. In particular, we consider that:

- A permitted activity status for smaller building expansions (where they meet built form standards) is consistent with achieving MRZ-O2.
- A controlled activity framework for larger building expansions (where they meet built form standards) is an effective and efficient method of providing for an activity that is compatible with residential activities and supports the wellbeing of residents, consistent with MRZ-O1, with matters of discretion ensuring that such buildings make a positive contribution to the neighbouring properties and the streetscape and maintaining good quality amenity for adjacent sites, as sought in MRZ-O2.



Liz White



Mark Geddes

Appendix 1 - Rule Drafting

The rule framework we agree with is set out below. The first version is provided is a 'clean' version. The second version shows the changes from Ms White's s42A report recommendations version which we have agreed, using [blue tracking](#).

Clean Version

MRZ-RXX	Healthcare facilities	
<p>PRECX - Bidwill Hospital Precinct</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The facilities do not include any emergency care facilities.</p> <p>PER-2 Any new building or structure, or expansion to any existing building or structure, is no more than 200m²; and</p> <p>PER-3 All the Standards of this chapter are complied with.</p>	<p>Activity status where compliance not achieved with PER-2: Controlled</p> <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> consistency of the: <ol style="list-style-type: none"> roof forms; exterior colours; and building materials with the anticipated residential character, taking into account the existing development on the site; and site layout in relation to adverse amenity effects on adjoining neighbours; and landscaping; and effects on the privacy of neighbours. <p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of Discretion are restricted to: the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of Discretion are restricted to:</p> <ol style="list-style-type: none"> noise; lighting; traffic and access; and hours of operation.

<u>MRZ-RXX</u>	<u>Healthcare facilities excluding the construction of any new building</u>	
<u>PRECX – Bidwill Hospital Precinct</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The facilities do not include any emergency care facilities.; and</u></p> <p><u>PER-2</u> <u>The hours of operation for the business are limited to 7.00am to 8.00pm; and</u></p>	<u>Activity status where compliance not achieved: Not applicable</u>
<u>MRZ-RXX</u>	<u>The Construction of any new building associated with a Healthcare facilities¹</u>	
<u>PRECX - Bidwill Hospital Precinct</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The facilities do not include any emergency care facilities.</u></p> <p><u>PER-2</u> <u>Any new building or structure, or expansion to any existing building or structure, is no more than 200m²; and</u></p> <p><u>PER-3</u> <u>All the Standards of this chapter are complied with.</u></p> <p><u>Activity status: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. scale, form and design of buildings; and</u> <u>2. the scale of activity; and</u> <u>3. site layout; and</u> <u>4. landscaping; and</u> <u>5. traffic generation and impact on the transport network; and</u> <u>6. the location and design of any proposed car parking and loading areas and access; and</u> 	<p><u>Activity status where compliance not achieved with PER-2: Not applicable-Controlled</u></p> <p><u>Matters of control are limited to:</u></p> <ol style="list-style-type: none"> <u>1. scale, form and design of buildings consistency of the:</u> <ol style="list-style-type: none"> <u>a. roof forms;</u> <u>b. exterior colours; and</u> <u>c. building materials</u> <u>with the anticipated residential character, taking into account the existing development on the site; and</u> <u>2. the scale of activity; and</u> <u>3. site layout in relation to adverse amenity effects on adjoining neighbours; and</u> <u>4. landscaping; and</u> <u>5. traffic generation and impact on the transport network; and</u> <u>6. the location and design of any proposed car parking and loading areas and access; and</u> <u>7. design and layout of on-site pedestrian connections; and</u> <u>8. noise, disturbance and loss of effects on the privacy of neighbours; and</u> <u>9. hours of operation; and</u> <u>10. location, size and numbers of signs.</u>

¹ Bidwill Trust [225.4]

7. design and layout of on-site pedestrian connections; and
8. noise, disturbance and loss of privacy of neighbours; and
9. hours of operation; and
10. location, size and numbers of signs.

Activity status where compliance not achieved with PER-3: Restricted Discretionary

Matters of Discretion are restricted to:

the matters of discretion of any infringed standard.

Activity status where compliance not achieved with PER-1: Restricted Discretionary

Matters of Discretion are restricted to:

1. noise;
2. lighting;
3. traffic and access; and
4. hours of operation.