

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 ~~residential units 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 ~~Zzone~~.

To ensure a more sustainable urban form and to provide for a variety of housing choices, further consolidation and intensification is enabled within this ~~Zzone~~. It is expected that the ~~Zzone~~ 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 ~~Zzone~~. 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 ~~Zzone~~'s intended character and qualities.

Objectives

MRZ-01	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-02	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. <u>a predominance of medium density housing, in a range of housing typologies; and¹</u> 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	<u>Residential activities and mMedium³ density residential development</u>
	Enable residential activities and <u>within⁴</u> 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 spaces 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 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

¹ Kāinga Ora [229.88]

² Kāinga Ora [229.88]

³ Kāinga Ora [229.89]

⁴ Kāinga Ora [229.89]

- 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 ~~zones~~ or ~~the~~ General ~~Industrial Zones~~ are minimised.

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 values 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 and mixed use 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 retirement village maintains the anticipated⁶ character, qualities and amenity values of the surrounding area, while recognising the functional needs and operational needs of retirement villages⁷; and
- 2. on-site amenity for residents is provided that reflects the nature of and diverse needs of residents in the retirement 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 Zzone; 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 Zzone, 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

PREC~~X~~2-P1 Bidweill Hospital Precinct¹⁶

Provide for the ongoing use and development of ~~hospital and health care facilities services within the~~ PREC~~X~~2 - Bidweill 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 District 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 activities (not otherwise listed in this chapter)	
Medium Density Residential Zone	Activity status: Permitted Where: PER-1 MRZ-S7 and MRZ-S9 are complied with. <i>Note: Any associated building and structure must be constructed in accordance with MRZ-R9.</i>	Activity status when no compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
MRZ-R2	Residential units	
Medium Density Residential Zone	Activity status: Permitted Where:	Activity status when no compliance not achieved with PER-1: Restricted Discretionary

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]

	PER-1 There are no more than three residential units per site; and PER-2 All the Ss standards of this chapter are complied with.	Matters of discretion are restricted to: 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 spaces-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. Notification Status: Any application for this activity is precluded from being limited or publicly notified. Activity status when nre compliance not achieved with PER-2: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
MRZ-R3	Visitor accommodation	
Medium Density Residential Zone	Activity status: Permitted Where: PER-1 The visitor accommodation is undertaken within and is ancillary to an existing residential unit; and PER-2 The maximum occupancy is 10 guests per night; and PER-3 The site does not have a shared access with another site.	Activity status when nre compliance not achieved: Discretionary
MRZ-R4	Home business	
Medium Density Residential	Activity status: Permitted Where:	Activity status when nre compliance not achieved with PER-3: Restricted Discretionary

Zone	PER-1 The maximum floor area occupied by the home business is no more than 30m²; and¹⁷ - PER-2 The home business does not involve an offensive trade; and PER-32 MRZ-S8 is complied with. <i>Note: Any associated building and structure must be constructed in accordance with MRZ-R9.</i>	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 Activity status when nre compliance not achieved with PER-21: Non-complying
MRZ-R5	Educational facilities	
Medium Density Residential Zone	Activity status: Permitted Where: PER-1 The activity is a childcare service; and¹⁸ - PER-2 The educational facility is within an existing residential unit; and PER-32 The maximum number of children in attendance at any one time is 10, excluding any children who <u>reside on site live there</u>.	Activity status when nre compliance is not achieved: <u>Restricted</u> Discretionary Matters of discretion are restricted to: 1. <u>scale, form and design of buildings; and</u> 2. <u>the scale of activity; and</u> 3. <u>site layout; and</u> 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 activitiesiesy	
Medium Density Residential Zone	Activity status: Permitted Where: PER-1 The supported residential care activity is within an existing residential unit; and PER-2	Activity status when nre compliance is not achieved: Discretionary

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

	The maximum occupancy does not exceed 10 residents.	
MRZ-R7	Community gardens	
Medium Density Residential Zone	Activity status: Permitted	Activity status when <u>n</u>re compliance not achieved with PER-2: Restricted Discretionary
	Where:	Matters of <u>D</u>discretion are restricted to: 1. the matters of discretion of any infringed standard.
	PER-1 The maximum area used for selling produce is 5m²; and PER-2 All the <u>Ss</u>standards of this chapter are complied with. <i>Note: Any associated building and structure must be constructed in accordance with MRZ-R9.</i>	Activity status when <u>n</u>re compliance not achieved with: PER-1 Discretionary
MRZ-R8	Use of open space for recreational purposes	
Medium Density Residential Zone	Activity status: Permitted	Activity status when <u>n</u>re compliance not achieved with PER-3: Restricted Discretionary
	Where:	Matters of <u>D</u>discretion are restricted to: 1. the matters of discretion of any infringed standard.
	PER-1 Buildings must only be used for the storage of recreational equipment and have a maximum floor area of 25m²; and PER-2 The activity does not involve motorised sports; and PER-3 All the <u>Ss</u>standards of this chapter are complied with. <i>Note: Any associated building and structure must be constructed in accordance with MRZ-R9.</i>	Activity status when <u>n</u>re compliance not achieved with PER-1: Discretionary
		Activity status where compliance not achieved with PER-2: Non-complying
MRZ-R9	Buildings and structures (excluding fences)	
Medium Density Residential Zone	Activity status: Permitted	Activity status when <u>n</u>re compliance not achieved with PER-1: The same status as the activity the building or structure is associated with or ancillary to.
	Where:	Activity status when <u>n</u>re compliance not achieved with PER-2: Restricted Discretionary
	PER- 1 The building or structure is associated with or ancillary to a permitted activity; and PER-2	Matters of <u>D</u>discretion are restricted to:

	All the Ss standards of this chapter are complied with.	1. the matters of discretion of any infringed standard.
MRZ-R9A10	<u>Full or partial demolition of buildings or structures</u> ²⁰	
Medium Density Residential Zone	<u>Activity status: Permitted</u>	<u>Activity status when compliance not achieved: Not applicable</u>
MRZ-R4011	Fences	
Medium Density Residential Zone	Activity status: Permitted Where: PER-1 Any fence within 2m of a site's road boundary or a boundary shared with a public reserve, walkway or cycleway is: - no higher than 1.2m above ground level;²¹ or - no higher than 1.8m above ground level where at least 450% of the fence is visually permeable; and²² 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. <i>Note: This rule does not apply if the fence is required under the Health and Safety at Work Act 2015.</i>	Activity status when nre compliance not achieved: Discretionary
MRZ-R4112	<u>Convenience stores</u> on corner sites or in buildings previously used for commercial purposes	
Medium Density Residential Zone	Activity Status: Permitted Where: PER-1 The retail area is no greater than 75m ² ; and	Activity status when nre compliance not achieved with PER-3: Restricted Discretionary Matters of Discretion are restricted to: the matters of discretion of any infringed standard.

²⁰ NZHHA [184.2]

²¹ Kāinga Ora [229.101]

²² 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]

	PER-2 The hours of operation for the business are limited to 7.00am to 8.00pm; and PER-3 All the S standards of this chapter are complied with. Note: Any associated building and structure must be constructed in accordance with MRZ-R9.	Activity status when no compliance not achieved with PER-1 or PER-2: Discretionary
MRZ-RXX	Healthcare facilities excluding the construction of any building²³	
PRECX – Bidwell Hospital Precinct	Activity status: Permitted Where: PER-1 The facilities do not include any emergency care facilities; and PER-2 The hours of operation for the business are limited to 7.00am to 8.00pm; and	Activity status where compliance not achieved: Not applicable
MRZ-RXX13	The Constructuon of any new building associated with a Hhealth care facilities²⁴	
PRECX2 - Bidwell Hospital Precinct	Activity status: Permitted Where: PER-1 The health care facility facilities does not include any emergency care facilities; and PER-2 The building or structure is less than 200m²; and PER-3 All the S standards of this chapter are complied with. Activity status: Restricted Discretionary	Activity status when no compliance not achieved with PER-2: Not applicable Controlled Matters of control are limited to: - consistency of the: - roof forms; and - exterior colours; and - building materials; and 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 loss of privacy of neighbours.

²³ Bidwill Trust [225.4]²⁴ Bidwill Trust [225.4]

	<u>Matters of discretion are restricted to:</u> <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>	<u>Activity status when nre compliance not achieved with PER-3: Restricted Discretionary</u> <u>Matters of Ddiscretion are restricted to:</u> <u>1. the matters of discretion of any infringed standard.</u> <u>Activity status when nre compliance not achieved with PER-1: Restricted Discretionary</u> <u>Matters of Ddiscretion are restricted to:</u> <u>1. noise; and</u> <u>2. lighting; and</u> <u>3. traffic and access; and</u> <u>4. hours of operation.</u>
MRZ- R4214	Retirement villages	
Medium Density Residential Zone	Activity status: Restricted Discretionary <u>Where:</u> <u>PER-1</u> <u>All the Sstandards of this chapter are complied with.</u> <u>Matters of discretion are restricted to:</u> <u>1. the scale, form and design of the retirement village, its open space and any associated buildings, structures, parking, or utility areas; and</u> <u>2. any adverse effects on the anticipated²⁵ character, qualities and amenity values of the surrounding area; and</u> <u>3. on-site amenity for residents; and</u> <u>4. the ability of infrastructure to service the development; and</u> <u>5. effects on the safety of, and the quality of the interface with, adjacent roads or public open spaces; and</u> <u>6. the functional needs and operational needs of the retirement village; and</u> <u>7. the benefits of retirement villages.²⁶</u>	Activity status when nre compliance not achieved: Not applicable <u>Restricted Discretionary</u> <u>Matters of Ddiscretion are restricted to:</u> <u>1. the matters of discretion of any infringed standard.</u>

²⁵ Kāinga Ora [229.103]²⁶ RVA [230.11, 230.12, 230.13]

	<u>Note:</u> Any application for this activity is precluded from being limited or publicly notified.²⁷	
MRZ- R415	Community facilities	
Medium Density Residential Zone	Activity status: Restricted Discretionary Where: Matters of discretion are restricted to: 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- R416	Emergency services facilities	
Medium Density Residential Zone	Activity status: Restricted Discretionary Where: Matters of discretion are restricted to: 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	Activity status where compliance not achieved: Not applicable

²⁷ RVA [230.11]

	10. location, size and numbers of signs.	
MRZ-R4517	Any Activities not otherwise listed in this chapter	
Medium Density Residential Zone	Activity status: Discretionary	Activity status when n re compliance not achieved: Not applicable
MRZ-R4618	Industrial activitiesy and rural industry	
Medium Density Residential Zone	Activity status: Non-complying	Activity status when n re compliance not achieved: Not applicable
MRZ-R4719	Large format retail (<u>excluding supermarkets</u>)²⁸	
Medium Density Residential Zone	Activity status: Non-complying	Activity status when n re compliance not achieved: Not applicable
MRZ-R4820	Offensive trades	
Medium Density Residential Zone	Activity status: Non-complying	Activity status when n re 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 112m 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 1m metre, where the entire roof slopes 15° or more.</u> ²⁹	Matters of discretion are restricted to: 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	Matters of discretion are restricted to: 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

²⁸ Woolworths [241.21, 242.22]²⁹ RVA [230.14]

	boundaries that adjoin the General Residential Zone. The method for determining recession planes and any permitted projection is described in APP8 - Recession Planes.	- any adverse effects resulting from the bulk and dominance of built form; and - any benefits, such as the use of architectural features or steps in the building façade; and - any mitigation measures.
MRZ-S3	Outdoor living space	
Medium Density Residential Zone	Each residential unit must have an exclusive outdoor living space: - for <u>residential</u> units with common living space at ground floor level, of at least 20m² with a minimum dimension of 3m; and - for <u>residential</u> units located entirely above the ground floor level, that comprises a balcony of at least: 12m², with a minimum dimension of 1.85m, where the <u>residential unit has two or more bedrooms</u>; or 8m², with a minimum dimension of 1.8m, where the <u>residential unit is a one-bedroom or studio unit</u>;³⁰ - 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. <i>Note: This standard does not apply to residential units in a retirement village.</i>³¹	Matters of discretion are restricted to: - adequacy of the proposed private open outdoor³² living 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	- 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>³³ for multiple <u>residential</u> units.	Matters of discretion are restricted to: - provision of useable service and storage space; and - accessibility and convenience for residents.
MRZ-S5	Building coverage	
Medium Density	The building coverage of the net site area³⁴ of any site must not exceed 50%.	Matters of discretion are restricted to:

³⁰ RVA [230.16]

³¹ Kāinga Ora [229.108]

³² Kāinga Ora [229.108]

³³ Kāinga Ora [229.109]

³⁴ ECan [183.1]

Residential Zone		1. compatibility with the amenity <u>values</u> and character of the area; and 2. visual dominance on adjacent properties; and 3. the scale of buildings.
MRZ-S6	Landscaping	
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: 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>.³⁵
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: 1. noise; and 2. any impact on the visual amenity of the surrounding area.
MRZ-S8	Home business	
Medium Density Residential Zone	1. There must be no more than two full-time equivalent persons engaged in the home business who reside off-site; <u>and</u> 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; <u>and</u> 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; <u>and</u> 4. The maximum number of vehicle trips for a home business per site must not exceed: 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 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.

³⁵ Kāinga Ora [229.111]

MRZ-S9	Outdoor storage	
Medium Density Residential Zone	- Any outdoor storage of motor vehicles, caravans or campervans, trailers, or watercraft must be directly associated with residential activities undertaken on the site; and - The outdoor storage of goods or materials other than provided for in 1 above: - 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: - volume and type of goods and materials; and - type and location of screening; and - any impact on the visual amenity values of the surrounding area.
MRZ-S10	Noise mitigation measures ³⁶	
18a Hobbs Street, Timaru, Lot 1 DP 45192 (and its successor)	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	Matters of discretion are restricted to: 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.

³⁶ Rooney Holdings [174.82], Rooney, GJH [191.82], Rooney Group [249.82], Rooney Farms [250.82], Rooney Earthmoving [251.82], TDL [252.82].

Sound and assessed in accordance with NZS6802:2008 Acoustics —
Environmental Noise:

- 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-SX10	Outlook Sspace for Rresidential Uunits³⁷	
Medium Density Residential Zone	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; and</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; and</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; and</u> 4. <u>These separation distances must be contained within the boundaries of the site on which the residential unit is located.</u>	Matters of discretion are restricted to: 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 Sstandard difficult.</u>
MRZ-SY11	Minimum Rresidential Uunit Ssizes³⁸	
Medium Density Residential Zone	Every residential unit must have a net floor area of at least: 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>	Matters of discretion are restricted to: 1. <u>the design, size and layout of buildings; and</u> 2. <u>whether an appropriate level of privacy and amenity is provided for occupants of the residential unit.</u>
MRZ-SZ12	Setbacks³⁹	
Medium Density Residential Zone	1. <u>Buildings must be set-back a minimum of 1.5m from any road boundary; and</u> 2. <u>Buildings must be setback a minimum of 1m from any internal boundary, except where buildings share a common boundary wall.</u>	Matters of discretion are restricted to: 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 [229.112], RVA [230.19]

³⁸ Kāinga Ora [229.113]

³⁹ RVA [230.18]