



NOTICE OF MEETING

**Notice is hereby given that a Meeting
of the Hearings Panel
will be held in the Council Chambers
First Floor, Civic Administration Building,
101 Esk Street, Invercargill
On Tuesday 30 October 2018 at 1.00 pm**

Hearing by a Commissioner

EIRWEN HARRIS MITCHELL
MANAGER, SECRETARIAL SERVICES

Council's Values:

- | | |
|------------------|--|
| Responsibility | Take ownership of decisions and outcomes, both collectively and individually. <ul style="list-style-type: none">• We willingly share our knowledge.• We acknowledge our mistakes, work to resolve them and learn from them.• We give and receive feedback in a constructive manner to resolve issues.• We do our job with total commitment. |
| Respect | Everyone is important, as are their views. <ul style="list-style-type: none">• We support and care for each other.• We stop to listen, learn and understand.• We communicate in an honest, up-front and considerate manner.• We maintain confidences and avoid hurtful gossip. |
| Positivity | Always look on the bright side of life. <ul style="list-style-type: none">• We are approachable, interested and friendly.• We are open and receptive to change.• We acknowledge and praise the efforts of others.• We work together as a team to get the job done. |
| Above and Beyond | Take opportunities to go the extra mile. <ul style="list-style-type: none">• We take the initiative to improve our work practices to get the best results.• We challenge ourselves and each other to make it better.• We take pride in providing the best possible outcomes.• We are ambassadors for our Council at all times. |

Council's Vision for the City:

Enhance our City and preserve its character, while embracing innovation and change.

Council's Vision:

We are an energised, fun and innovative team that makes it better for each other and our community.

Council's Mission:

Making it better by making it happen.

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**Report to the Commissioner
30 October 2018
Hearing 2 – 1.00 pm**

Doc Ref: A2412703

The Hearing will be presided over by Hearing Commissioner Bob Nixon.

1. **HEARING 2 – 66 MAITLAND STREET, INVERCARGILL**

A copy of the report, including a recommendation, is attached.

Report compiled by: Tayla Carson
Resource Management Officer

Report endorsed by: Terence Boylan
Manager - Planning

HEARING 1

Applicant	Steven Douglas Flint
Application	Land use consent to erect three dwellings on an 810m ² vacant section in the Residential 1A Zone, and to exceed the 40% maximum site coverage of buildings. The proposed dwellings will not comply with the maximum density permitted in the Residential 1A Zone of one residence per 400m ² , as the density will be one unit per 270m ² .
Site	66 Maitland Street, Invercargill.
Legal Description	Lot 17 DP 224.
Classification	Residential 1A Zone of the Proposed District Plan.
Activity Status	Non-complying.
Process	The application was processed in a non-notified manner under Section 95 of the Resource Management Act 1991.
Background	On 16 July 2018 the Director of Environmental and Planning Services considered the matter of notification and decided that the application did not require notification. On the matter of whether consent be granted or declined, she decided that the application be heard, and decided, by the Hearings Panel owing to the extent of non-compliance with the density rule. On 9 October 2018, the applicant confirmed that he would like to proceed to a Hearing.
Issues	The key issue for this application is density and residential amenity within the Residential 1 Zone of the Proposed District Plan.

PROCESS

The application and plans were received on 19 March 2018 and are attached as **Appendix 1**.

Further information was received on 29 May 2018, attached as **Appendix 2**.

On 16 July 2018 the Director of Environmental and Planning Services, acting under delegated authority, decided under the provisions of Section 95 of the Resource Management Act 1991 (the Act) that the application need not be notified.

The reasons for the decision were:

1. The written approval of all affected parties had been obtained, as follows:

Helen Clark	61 Maitland St (Owner and occupier)
Wynnis Leask	62 Maitland St (Owner and occupier)
Lee Davies	64 Maitland St (Owner and occupier)
Mary Thomson	65 Maitland St (Owner and occupier)
Stanley Fox	69 Maitland St (Owner and occupier)
Kyle Harland	70 Maitland St (Owner and occupier)
Robyn Clutterbuck	36 Jenkin St (Owner. property is unoccupied)
Tracy Hammonds	1/245 Princes St (Owner and occupier)
Helmuth Rohloff	249 Princes St (Owner and occupier)
Brenda Mareangareu	2/245 Princes St (Owner and occupier)

2. No special circumstances exist in relation to the application that require it to be notified.

PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

Part 2 of the Act sets out its purpose and principles. The purpose of the Act is described in Section 5 as *to promote the sustainable management of natural and physical resources*. Sustainable management is defined in the same section as *managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being while:*

- (a) *Sustaining the potential of natural and physical resources to meet the foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Part 2 of the Act sets a baseline for all resource consent applications. Section 6 lists the matters of national importance that need to be recognised and provided for when making decisions under the Act, while Section 7 lists other matters that particular regard is to be given to, and Section 8 requires the principles of the Treaty of Waitangi to be taken into account. The matters to be taken into account under Sections 6, 7 and 8 are not relevant to this application, with the exceptions of Section 7(c) which requires particular regard to be had to the maintenance and enhancement of amenity values and Section 7(f) which requires particular regard to be had to the maintenance and enhancement of the quality of the environment. Amenity values and quality of the environment are discussed below under District Plan provisions.

It is considered that the application meets the purpose and principles of the Act for the following reasons:

1. The residential units will offer the wider community a modern alternative accommodation option that provides for their social, cultural and economic well-being.
2. Residential amenity and quality of the environment are maintained.

SECTION 104 RESOURCE MANAGEMENT ACT 1991

Section 104(1) sets out the matters which the Council must have regard to when considering an application for a resource consent:

When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to-

- (a) any actual and potential effects on the environment of allowing the activity; and
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- (b) any relevant provisions of-
 - (i) a national environmental standard;
 - (ii) other regulations;
 - (iii) a national policy statement;
 - (iv) a New Zealand coastal policy statement;
 - (v) a regional policy statement or proposed regional policy statement;
 - (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Regard has been given to national environmental standards. It is considered that there are no standards relevant to this application.

Regard has also been given to the Southland Regional Policy Statement 2017 (Regional Policy Statement). The provisions below are considered to be the most relevant to the application.

Objective URB.1 - Urban development

Urban (including industrial) development occurs in an integrated, sustainable and well-planned manner which provides for positive environmental, social, economic and cultural outcomes.

Policy URB.1 - Adverse environmental effects

The adverse effects of urban development on the environment should be avoided, remedied or mitigated.

Policy URB.2 - Urban development

Manage urban growth and development in ways that:

- (a) support existing urban areas;
- (b) promote development and/or redevelopment of existing urban areas ahead of greenfield development;
- (c) promote urban growth and development within areas that have existing infrastructure capacity;

- (d) promote the progressive upgrading of infrastructure and improvement of the quality of sewage and stormwater discharges;
- (e) provide potable water supply;
- (f) plan ahead for the expansion of urban areas;
- (g) promote compact urban form; and
- (h) promote appropriate site and building orientation that supports the principles of optimum energy efficiency and solar energy gain.

Policy URB.3 - Urban intensification

Encourage opportunities for urban intensification and redevelopment within Southland's existing urban areas.

Policy URB.4 - High quality urban design

Encourage high quality urban design.

Explanation/Principal reasons

Promotion of high quality urban design can enhance urban amenity and the quality of the environment, have positive effects on public health and reduce adverse environmental effects. Well designed urban development can also provide for the cultural wellbeing of people and communities.

Policy URB.6 - Provide for housing choice

Provide for housing choice, both in terms of type and lot sizes, within urban areas.

It is considered that the proposal is consistent with the objectives and policies set out in the Regional Policy Statement.

DISTRICT PLAN PROVISIONS

The Proposed Invercargill City District Plan 2016 (Proposed District Plan) decisions were released in October 2016. The appeals version was released in January 2017 and has been updated to incorporate changes made through Consent Orders issued by the Environment Court as appeals have been resolved. A copy of the relevant objectives and policies from the Proposed District Plan discussed below are included in full in **Appendix 3** to this report. The following provisions relating to the Residential 1 Zone, the Residential 1A Zone and Energy are considered relevant:

Residential 1 Zone

Note: All Objectives and Policies that apply to the Residential 1 Zone also apply to the Residential 1A Zone.

Objective 1: *The maintenance and ongoing development of the zoned areas as residential neighbourhoods offering a high degree of amenity to their inhabitants is provided for and encouraged.*

Objective 2: *Adverse effects of urban development on the environment are avoided, remedied or mitigated.*

Objective 3: *Opportunities of urban intensification and redevelopment are encouraged within Invercargill's existing urban areas.*

Objective 4: *Provision is made for good accessibility to service and retail activities, educational establishments and to places of employment.*

Objective 5: *High quality urban design is incorporated into new development and redevelopment.*

Objective 6: *Housing choice, both in the terms of type and lot sizes, is provided for in urban areas.*

Objective 7: *Urban growth and development is managed, to support and promote development in existing urban areas with existing infrastructure, planning ahead for expansion and promote compact urban form.*

Objective 8: *The amenity values of the Residential 1 Zone are maintained and enhanced.*

Policy 1 Residential 1 Zone: *To provide for suburban residential development by zoning within the existing urban area for dwellings on lots 400 square metres in size or larger.*

Policy 2 Connectivity: *To require that provision is made for safe, logical and direct access by the variety of transportation modes in common use (pedestrian, cycle, mobility scooter, motor vehicle, public transport) from dwellings to service and retail activities, educational establishments and places of employment.*

Policy 3 Urban design: *To encourage good urban design in terms of: Context, Character, Choice, Connections, Creativity, Custodianship, and Collaboration.*

Policy 4 Stormwater runoff: *To require site and building development to incorporate methods to;*
A) *minimise loadings on stormwater runoff networks and reticulation systems caused by rainfall events; and*
B) *improve the water quality of stormwater flows.*

Policy 5 Choice: *To enable the development of a range of housing types.*

The explanation to this policy suggests that when sites are smaller than 400 square metres, amenity (for both the subject property and its neighbours) tend to suffer and development of residential units on smaller sites needs to be comprehensively designed.

Policy 6 Outdoor living: *To require the provision of practical outdoor private open space as an important dimension of amenity.*

Policy 7 Space around buildings: *To maintain the residential scale and amenity of space around and between buildings.*

Energy

Objective 6: *Building design and development takes into consideration energy efficiency and conservation.*

Policy 1: Efficiency and conservation: *To promote energy efficiency and conservation through subdivision and building design and development.*

The application does not assess the Objectives and Policies of the Residential 1A Zone. The Proposed District Plan only anticipates residential activity on this scale and with this amenity where it is carried out more comprehensively on sites over 2,000 m². The proposal is considered to be in general accordance with the rules managing development in the Residential 1A Zone with two exceptions. There is a density of one residence per 270m² rather than one residence per 400 m², and the units exceed the maximum site coverage. Despite this, the proposed scale and density of the development is congruent and proportional to the development pattern within the immediate surroundings, and should not give rise to any unanticipated effects on the surrounding residential environment.

With regard to the Energy objectives and policies, the proposal supports energy efficiency and conservation through building design, as all of the units will have northern outdoor living, and partial northern indoor living. It is considered that the proposal is generally in accordance with the objectives and policies of the Proposed District Plan relating to Energy.

ENVIRONMENTAL EFFECTS

When dealing with a non-complying activity under Section 104 of the Resource Management Act 1991, before granting an application a consent authority must be satisfied that either the adverse effects of the activity on the environment will be minor (s104 (1)(a)), or the proposed activity will not be contrary to the objectives and policies of a proposed plan and/or plan (s104 (1)(b)).

This consideration for non-complying activities is commonly known as the 'threshold test' or the 'gateway test'. If either of the limbs of the test can be passed, then the application is eligible for approval, but the proposed activity must still be considered under Section 104.

The following consideration of effects on the environment has been carried out in accordance with Section 104(1) of the Resource Management Act 1991.

Affected parties

The applicant has provided written approval from the following parties:

Helen Clark	61 Maitland St (Owner and occupier)
Wynnis Leask	62 Maitland St (Owner and occupier)
Lee Davies	64 Maitland St (Owner and occupier)
Mary Thomson	65 Maitland St (Owner and occupier)
Stanley Fox	69 Maitland St (Owner and occupier)
Kyle Harland	70 Maitland St (Owner and occupier)
Robyn Clutterbuck	36 Jenkin St (Owner. property is unoccupied)
Tracy Hammonds	1/245 Princes St (Owner and occupier)
Helmuth Rohloff	249 Princes St (Owner and occupier)
Brenda Mareangareu	2/245 Princes St (Owner and occupier)

The impact on these properties can therefore not be considered.

Receiving Environment

The Maitland Street/Jenkin Street area is characterised by a mix of residential densities and housing types, ranging from six smaller units on a 1492m² site nearby on Jenkin St (i.e. a density of one residence per 248m²), small stand-alone townhouse type developments on sites as small as 336m², and larger residential properties ranging from 540m² up to 1021m². The site itself is adjoined by two townhouses to the north on sites comprising of 336m² and 474m² respectively. The site is also located within a block of the South City Shopping Centre and within 100 m of a public transport route.

Rules 3.34.7 and 3.34.19 provide a list of matters that will be among those taken into account when considering applications for a higher density of residential activity and site coverage over 40% of the net site area. These matters, which are addressed further below, are:

Rule 3.34.7

- (A) *Provision of private open space.*
- (B) *Incidence of daylight and sunlight.*
- (C) *Provision of on-site parking.*
- (D) *Effects of the proposal on the incidence of daylight and sunlight on adjoining properties.*
- (E) *Effects of the proposal on stormwater flows.*
- (F) *The extent to which the development achieves good urban design.*

Rule 3.34.19

- (A) *The extent of impermeable surfaces which must be drained via the city's stormwater collection system.*
- (B) *The extent to which solar gain to the living areas is achieved.*
- (C) *The extent to which practicable outdoor living is achieved.*
- (D) *The extent to which the development achieves good urban design.*

The application included a copy of the plans for each of the three units. These plans indicate that each of the units will provide two metre yards along the two northernmost boundaries, and the minimum 30m² outdoor living spaces able to accommodate a 5 m circle. The plans also indicate that at least 40% of the site will be in permeable surfaces, although it is noted that no pathways are shown along the side and northern yards of the units. Even allowing for the potential for extra pathways to be installed, the site overall is likely to achieve the minimum requirement of 30% permeable surfaces.

The proposed units will also comply with the height recession planes along all external boundaries of the site, as well as along the fence lines internal to the site that will separate the units from each other.

The vehicle manoeuvring space shown on the plans appears to be somewhat limited with respect to a 99 percentile car, as provided for in the Proposed District Plan, and it is noted that the 5.16 m length of the vehicle parking space provided within the garage is less than the length of a 99 percentile car, which is 5.2 m (about the size of a large SUV or van). However, there is likely to be enough space to ensure that smaller vehicles could leave and enter the site in a forward gear, and it is accepted that in this instance the smaller section sizes and the proximity to the South City shopping centre and public transport routes means that the development is likely to be more attractive to older occupants, who traditionally have a smaller or no vehicles. Nevertheless, it is still considered feasible for vehicles accessing both of the rear units to be able to manoeuvre on site so that they enter and exit the site in a forward gear. A condition requiring the width of the driveway to be extended to the 3 m width set out in the transport standards of the Proposed District Plan will further improve the ability to manoeuvre on site without unduly adding to the level of impermeable surfaces on the site. The Rounding Manager has considered the application and has raised no concerns.

It is accepted that overall the proposed design and layout of the allotments will provide an acceptable level of residential amenity for their occupants. It is noted that should the applicant decide to subdivide the property into three Freehold Titles at a later date, it is likely that one or more of the lots will fail to meet the Proposed District Plan's environmental standards as they pertain to a single residential unit on its own Certificate of Title.

These failures are likely to present themselves in the same areas that are being assessed here, namely density, minor site coverage and transport standards breaches. The subdivision would be a non-complying activity, the same activity status as the current application is being assessed under. The matters taken in to consideration as part of the assessment of the subdivision would also be likely to be the same or similar.

Irrespective of that, this application is not proposing to create Freehold Titles. Keeping the three units under one Title does perhaps mean that unless the units are sold off in a cross-lease arrangement, they might be more likely to be rented out to non-elderly tenants who may in turn be more likely to have larger vehicles and desire greater outdoor living space. However, as discussed above it is considered that there is sufficient space to enable vehicles to be able enter and exit the site in a forward gear, and the level of outdoor living space is consistent with the requirements of the Proposed District Plan.

With respect to the extent to which the development achieves good urban design, the applicant has commented that the development is:

“A solid design, appropriate for the area given that the area is part of the socio-economic spectrum and the major part of the area is an older age group with limited resources wishing to live in the area requiring the proximity of the services available at South City i.e. doctors, banking, supermarkets etc.”

Solar gain is enhanced through building layout and design with the outdoor living orientated to the north, as well as the living room with outdoor access facing north. The main bedroom will also be facing north.

The density of residential activity proposed is greater than anything that already exists in the area (with the exception of an historic cross-lease subdivision at 19 Jenkin Street). There are, however, numerous examples of infill and cross-lease residential developments in the vicinity, including the property directly adjoining the application site to the north. Consequently, while it cannot be said that the development clearly reflects or enhances the existing character of low density residential activity in the area, viewed in a wider environmental context that includes a town centre in close proximity offering a range of services to the surrounding community, and with evidence in the area of a shift towards smaller dwellings on smaller residential sections, the proposal is not incompatible with the area.

To build the same size dwellings as a permitted activity would mean that only two could be built on the property, giving site coverage over the whole site that would be relatively low at 27%. There would be approximately 225m² of outdoor space per unit to maintain (excluding driveways and manoeuvring space). This would be significantly more outdoor space than what has been provided for in other infill and multi-unit developments in the area, which generally have provided between 115m² and 200m² outdoor space per unit. The proposal therefore contributes positively to improving the amount of choice in housing type and density than would otherwise be permitted, in an area where such housing is perhaps more likely to be anticipated, and therefore accepted, by the community.

Overall the development is considered to have taken into account the higher density of residential activity on the site by limiting the dwellings to two bedrooms with single car garaging, and maximising the northern aspect. As such, it is considered that the proposal can be seen to be achieving good urban design outcomes.

SUMMARY AND CONCLUSION

The Proposed District Plan's objectives and policies for the Residential 1 and 1A Zones seek to ensure that the amenity values of the zones are maintained and enhanced while providing for the development of a range of housing types that incorporate high quality urban design within the city's existing urban areas. The overview for the Residential 1 Zone states that *redevelopment of existing residential properties, and infill development, is likely to constitute the majority of new residential building in Invercargill over the planning period. In such cases, section size, building coverage, incidence of sun and daylight, and provision for outdoor living space and car parking are the main components of residential amenity.* The application is considered to be in general accordance with all of the above, with the exception of the individual section size for each of the units.

The proposed residential development of the site will provide an acceptable level of amenity for its inhabitants, and is not considered incompatible with the surrounding area and the existing pattern of development. Overall the proposal is not considered contrary to the objectives and policies of the Proposed District Plan. A condition of consent will ensure that site coverage will not extend beyond what is approved by this resource consent, and that the amount of permeable surfaces provided will not be less than 30%. Any potential future owners of the units will be made aware of this by way of an encumbrance placed on the property's Certificate of Title.

RECOMMENDATION

It is recommended that on the basis of the information provided with the application to date, the application is granted under Sections 104, 104B, 104D and 108 of the Act, subject to conditions.

RECOMMENDED CONDITIONS

1. The proposed activity is to be undertaken in accordance with the plans and supporting information submitted with the application RMA/2018/34 received by the Council on 19 March 2018 and additional information submitted on 29 May 2018, except where modified by conditions of consent.
2. The existing vehicle crossing is to be removed and reinstated to full curb and channel.
3. A new 3.6 m vehicle crossing is to be constructed to Council standards by a Council approved contractor.
4. The movement lane of the driveway along the southern boundary of the site shall be no less than 3 m in width, sealed for 5 m inside the property boundary.
5. Interceptor drainage and a sump are to be installed, if the area of fall to the street exceeds 40m².
6. An encumbrance is to be placed on the title of the property stating that "the maximum coverage of all buildings and structures associated with the development of the three units authorised by resource consent RMA/2018/34 shall not exceed 41.1% of the net site area, and the minimum area of permeable surfaces shall not be less than 30% of the gross site area".
7. The encumbrance is to be entered into before the building consent for a third proposed dwelling on the property is issued. All costs regarding the arrangement and entering of the encumbrance will be borne by the consent holder.

The conditions were imposed to ensure consistency with the application, compliance with the Code of Practice for Land Development and the Transportation standards and to mitigate any future or unforeseen effects on residential amenity values.



LANDUSE CONSENT APPLICATION 19 MAR 2018

SECTIONS 88 RESOURCE MANAGEMENT ACT 1991

TO: Environmental and Planning Services
Invercargill City Council
Private Bag 90104
Invercargill

Telephone: 03 211 1777
Email: ResourceConsents@icc.govt.nz

APPLICANT DETAILS

Full name of applicant STEVEN DOUGLAS FLINT
Address of Applicant 66 MAITLAND ST
INGILL,
Address for Service:
Contact Telephone Number 0279221767 Fax
Email

LOCALITY OF ACTIVITY

Address of Site to which this application applies: 66 Maitland Street
Invercargill

OWNERSHIP / OCCUPANCY OF SITE

I am the [checked] Owner [] Occupier

Names and addresses of owner and occupier (other than applicant) of the site to which application relates.

ADDITIONAL CONSENTS

The following additional resource consents have been applied for:

[] Water Permit [] Coastal Permit [] Discharge Permit [] Subdivision Consent
Have you applied for a building consent for this project? [] Yes [checked] No

1 Documents will be sent to this address. If you specify an email address, a hard copy of documents will not be posted.

Ve 2/2/18

19 MAR 2018

DESCRIPTION OF ACTIVITY TO WHICH THE APPLICATION RELATES

Describe the activity proposed to be carried out on the site (use additional pages if necessary):

to build 3 identical 2 bedroom 1 garage units on a 809 m² site. the site coverage will be 41.1% only 1.1% over site coverage requirements for residential 1A. the permeable area will be 40.9% allowing room for planting & grass areas.

ENVIRONMENTAL EFFECTS ASSESSMENT (FOURTH SCHEDULE RMA 1991)

Assessment of any effects on the environment this section must be completed (use additional pages if necessary):

As the site coverage is only 1.1% over the permitted and the permeable area is within the limit the actual buildings will not effect the environment. the buildings comply with the height recession planes so will not effect the light over any of the neighbours

Declaration

I certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

I accept that I have a legal obligation to comply with any conditions imposed on the Resource Consent should this application be approved.

Subject to my/our rights under Section 357B and 358 of the RMA to object to any costs, I agree to pay all the fees and charges levied by the Invercargill City Council for processing this application, including a further account if the cost of processing the application exceeds the deposit paid

SIGNATURE OF APPLICANT OR AGENT

[Handwritten Signature]

(Signature of applicant or person authorised to sign on behalf of applicant)

(Date Submitted)

APPLICANT CHECKLIST

- Completed and signed this Resource Consent Application form?
- Full description of the activity proposed and assessment of effects?
- Included processing fee?
- Included the Affected Persons Written Approval form?
- Included a set of plans?

Description of Activity - Continued =

Flint

All neighbours (10) bar one have consented to this project. The eleventh neighbour was in a fit state to answer the door (mental health issues?) despite trying to contact them many times - this was at 40 Jenkin St.

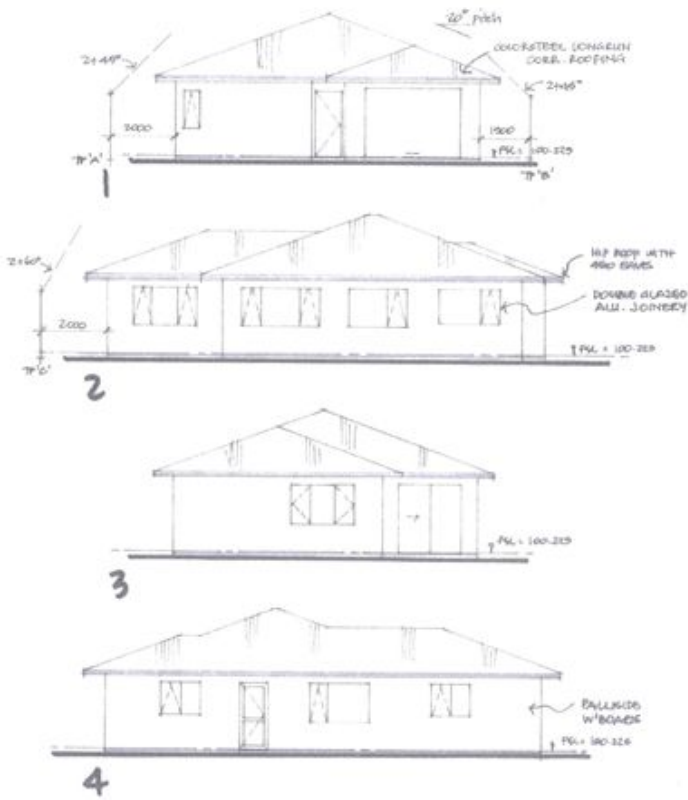
Environmental Effects Assessment - Continued =

Each unit has a single garage / parking space as required for dwellings of the floor area required in the district plan. Any additional vehicles for each unit will need to park on Maitland Street, as will any visitors. Maitland Street is a very quiet street, with no main street vehicle volumes so parking will have a minimal effect to the street. Many other units / dwellings with one parking space around do the same as proposed here.

As older people are likely to buy these properties, due to its proximity to South City and its amenities, one car, if any, is likely per unit.

Due to the probable owners the noise volume is likely to be low. If any young couple buy into this proposed property development there is not a lot of large space for additional guests staying or parties so they are likely to go elsewhere. A few friends over for a BBQ is quite acceptable for volume levels, as they are elsewhere in Invercargill.

The developer will grass, plant and provide paving to the outdoor patio area so water can be absorbed by the site and any water on the driveway will be drained to the adjacent stormwater line.



ELEVATIONS 1=100

PROPOSED 3 UNITS AT 66 MATTLAND ST, INVERCARGILL



FLOOR PLAN 1=100

AREA = 110 m²





AFFECTED PERSONS WRITTEN APPROVAL
RESOURCE MANAGEMENT ACT 1991

ENVIRONMENTAL
COUNCIL
19 MAR 2018
BUILDING SERVICES

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: *Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431*

I, *b morgan* being the owner occupier
(Name/s)
of the property at *Unit 2, 245 Princes Street*
(Your address)

Wish to give my approval for (describe proposed activity):
Build 3 units on 809m² site, zoned Res 1A
where it is legal to build 2.

Which will be carried out at: *66 Maitland Street*
(Address of activity)

I/We understand the proposal and have **seen** and **signed** a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: *b morgan* Date: *18 . 1 . 2018*

Day time telephone number: _____

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.

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AFFECTED PERSONS WRITTEN APPROVAL

RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431

I, Helen Clark being the owner occupier
(Name/s)

of the property at 61 Maitland Street
(Your address)

Wish to give my approval for (describe proposed activity):

Build 3 houses on 809m² site, zoned Res 1A, where it is legal to build 2.

Which will be carried out at: 66 Maitland Street

(Address of activity)

I/We understand the proposal and have seen and signed a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: H. Clark Date: 3/2/18

Day time telephone number: _____

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.

T9



AFFECTED PERSONS WRITTEN APPROVAL
RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431

I, Wynnis Leask (Name/s) being the owner occupier
of the property at 62 Maitland Street - Unit 1 (Your address)

Wish to give my approval for (describe proposed activity):
Build 3 houses on 809m² site, zoned Res
1A, where it is legal to build 2

Which will be carried out at: 66 Maitland Street
(Address of activity)

I/We understand the proposal and have **seen** and **signed** a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: W A Leask Date: 29/12/17
Day time telephone number: _____

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.
T9



AFFECTED PERSONS WRITTEN APPROVAL
RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431

I, Lee Davies being the owner occupier

of the property at Unit 2, 62⁶⁴ Maitland Street

Wish to give my approval for (describe proposed activity):
Build 3 houses on 809m² site, zoned Res 1A, where it is legal to build 2.

Which will be carried out at: 66 Maitland Street

I/We understand the proposal and have seen and signed a copy of the plans and/or the supporting information.
I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: LAD Davies Date: 29-12-17
Day time telephone number: 027 6322932

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.



AFFECTED PERSONS WRITTEN APPROVAL

RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: *Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431*

I, MARY ISABEL THOMSON being the owner occupier

(Name/s)

of the property at 65 Maitland Street

(Your address)

Wish to give my approval for (describe proposed activity):

Build 3 houses on 809m² site, zoned Res1A, where it is legal to build 2

Which will be carried out at: 66 Maitland Street

(Address of activity)

I/We understand the proposal and have seen and signed a copy of the plans and/or the supporting information.

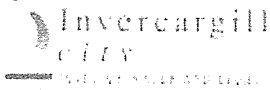
I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: M. Thomson Date: 19-2-18

Day time telephone number: 03-218-8986

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.

T9



AFFECTED PERSONS WRITTEN APPROVAL

RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: *Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431*

I, Robyn Ann Chutterbuck being the owner occupier
(Name/s)

of the property at Unit 1, 36 Jenkin Street
(Your address)

Wish to give my approval for (describe proposed activity): _____

Build 3 houses on 809 m² site, zoned Res 1A,
where it is legal to build 2

Which will be carried out at: 66 Maitland Street

(Address of activity)

I/We understand the proposal and have seen and signed a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: RA Chutterbuck Date: 7-2-18

Day time telephone number: 027-4617994

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.

T9



AFFECTED PERSONS WRITTEN APPROVAL
RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431

I, Stanley Burns Fox being the owner occupier
(Name/s)
of the property at 69 Maitland Street
(Your address)

Wish to give my approval for (describe proposed activity):

Build 3 houses on 809m² site, zoned
Res 1A, where it is legal to build 2

Which will be carried out at: 66 Maitland Street
(Address of activity)

I/We understand the proposal and have seen and signed a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: [Signature] Date: 3-2-20
Day time telephone number: _____

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.
T9



AFFECTED PERSONS WRITTEN APPROVAL
RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431

I, Kyle Harland being the owner occupier

(Name/s)

of the property at 70 Maitland Street

(Your address)

Wish to give my approval for (describe proposed activity):

Build 3 houses on 809m² site, zoned
Res 1A, where it is legal to build 2

Which will be carried out at: 66 Maitland Street

(Address of activity)

I/We understand the proposal and have seen and signed a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: [Signature] Date: 30-12-17

Day time telephone number: _____

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.

T9



AFFECTED PERSONS WRITTEN APPROVAL
RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: *Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431*

I, TRACY HAMMONDS being the owner occupier
(Name/s)

of the property at Unit 1, 245 Princes Street
(Your address)

Wish to give my approval for (describe proposed activity):

Build 3 houses on 809m² site, zoned Res 1A, where it is legal to build 2.

Which will be carried out at: 66 Maitland Street

(Address of activity)

I/We understand the proposal and have **seen** and **signed** a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: *Tracy Hammonds* Date: 29-12-17

Day time telephone number: _____

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.

T9



AFFECTED PERSONS WRITTEN APPROVAL
RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: *Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431*

I, *Herewith Rohloff* being the owner occupier
(Name/s)

of the property at *249 Princes Street*
(Your address)

Wish to give my approval for (describe proposed activity):

build 3 houses on 809m² site, zoned Res 1A,
where it is legal to build 2.

Which will be carried out at: *66 Maitland Street*
(Address of activity)

I/We understand the proposal and have **seen** and **signed** a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: *H. Rohloff* Date: *3.1.18*

Day time telephone number: _____

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.

T9

APPENDIX 2

2mk 2018/34

DOCUMENT RECEIVED

29 MAY 2018

BUILDING DIVISION

Mrs C Edgley
Resource Manager
ICC



Mr S D Flint
66 Maitland Street
Invercargill 9812

16 May 2018

Dear Mrs Edgley,

In reference to your letter 29 March 2018 (ref 02282674),

1. The detriment of the district plan and the environmental impact.

I don't believe it has any significant impact as the plan I have submitted is compliant with site plan requirements for sections over 2000 m² and I assume for sections under 400 m², and as the section is designated 1AQ under the previous district plan which I thought covered me as I owned the section prior to Act 2016.

The type of unit as you are aware of are a standard two bedroom construction with heat pump and hot water cylinder under Rule 3.34.6. The units meet all the site requirements :

- a. Open space 50 m²
- b. Day light, sun light as per council regulations
- c. Parking, attached garage
- d. Day light, sun light on adjoining properties, no effect as the distance from the boundary and the height of buildings meet the council requirements
- e. Storm water requirements are met by way of a storm water system with one sump in the 40m driveway, as per council requirements.
- f. Good urban outcomes. A solid design, appropriate for the area given that the area is part of the socio-economic spectrum and the major part of the area is an older age group with limited resources wishing to live in the area requiring the proximity of the services available at South City i.e. doctors, banking, supermarkets, etc.

I believe the 3 units maximise the use of the site with best use of infrastructure with no adverse effect on the environment where a 2 unit build is not what the local require.

When I was seeking approval from my neighbours, they were telling me it was a good idea as they would have less area to maintain. Some not wanting lawns to mow or gardens to maintain, some living in existing units wanting to down size. This was evident by some of the neglect of some of the lawns and gardens in the area.

2. The question of precedent.

Given the history of units built in the city where there are similar to the ones I am proposing, and one still being built at present and within the last two years. Post Oct 2016 :

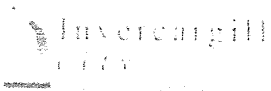
- Lowe Street 18-22 3 units
- George Street 157-159 2 units
- Ethel Street 39A-B 2 units
- Nelson Street 216A-D 4 units
- Duncan Street 3 units

Within three blocks of Mallard Street, Biggar Street 21 1-11, 11 units. A 600 m2 section on Tyne Street with building consent for two 2 semi-detached units with 16 bedrooms with no room for parking. All level builds.

3. The owner of 65 Mallard Street.

Mary Isabel Thomas is residing at Rose Lodge Unit 9. I have signed a copy of the signed approval form.

yours sincerely
AJ Grant



AFFECTED PERSONS WRITTEN APPROVAL
RESOURCE MANAGEMENT ACT 1991

PLEASE READ THE INFORMATION ON THE BACK OF THE PAGE BEFORE SIGNING

TO: *Environmental and Planning Services, Telephone 03-211 1777 Facsimile 03-211 1431*

I, MARY ISABEL THOMSON being the owner occupier
(Name/s)

of the property at 65 Maitland Street
(Your address)

Wish to give my approval for (describe proposed activity):

Build 3 houses on 809m² site, zoned Res1A,
where it is legal to build 2

Which will be carried out at: 66 Maitland Street

(Address of activity)

I/We understand the proposal and have seen and signed a copy of the plans and/or the supporting information.

I/We understand that if I give my approval, the Council cannot take into account any effect that the activity may have on me, when it considers the application.

Signed: M. Thomson Date: 19-2-18

Day time telephone number: 03-218-8986

If you are in any doubt, do not hesitate to ring a member of the Council's Resource Management Staff on telephone 03-211 1777.

T9

APPENDIX 3

2.6 ENERGY

As the main urban area of the Southland region, Invercargill is a major consumer of energy.

Historically, readily available and relatively affordable energy has driven economic growth. It is therefore important to ensure that Invercargill has a secure supply of energy in order to be able to maintain economic growth and provide greater resilience to energy supply and price shocks.

Changes in behaviour as a result of fluctuations in availability and price of energy needed to be anticipated and planned for.

In particular, use of energy associated with urban development needs to be considered. If cities are spread out with inefficient roading patterns, transport energy is wasted. Use of energy within buildings can be substantially reduced by design that makes best possible use of naturally available energy sources, such as the sun.

There is potential for renewable energy development within the Invercargill District, particularly a wind resource in the Bluff and Greenhills areas, and options such as solar, tidal and wave energy. The Council recognises the benefits of renewable electricity generation are a matter of national significance.

Activities that harness the energy potential of the District's energy resources may generate adverse environmental effects, however, energy must be sourced from its location and any adverse effects considered alongside positive effects at a local, regional and national level. This gives rise to competing values between the energy resource and amenity, landscape and biodiversity values.

The presence of land suitable for development in close proximity to the Port of Bluff provides an opportunity to locate facilities and plants to service and develop energy resources located elsewhere in the Southland region.

Note: Issues, Objectives and Policies relating to the transmission and distribution of energy resources are covered in the Infrastructure and Transportation Sections of the Plan.

2.6.1 Issues

The significant resource management issues for energy:

1. Energy can be lost through inefficiency in building design and urban design resulting in adverse effects on people, communities and the environment.
2. Development and use of Invercargill's energy resources gives rise to competing values, with adverse environmental impacts arising at the same time as benefits at a local, regional and national level.
3. There are energy resources available for use in Invercargill that are under utilised and capable of being developed at a small scale for individual use, and at a large scale for transmission or transportation throughout the City and beyond.

4. Land use and development has the potential to adversely impact on the existing and future utilisation of energy resources and associated infrastructure, including the National Grid.

2.6.2 Objectives

Objective 1: Energy resources are used efficiently.

Objective 2: An integrated planning approach is taken wherever practicable to the management of adverse effects resulting from the use and development of local and regional energy resources, recognising and balancing the significance of those effects with the benefits that arise at a local, regional and national level.

Objective 3: Generation and use of renewable energy resources is increased.

Objective 4: The national significance of renewable electricity generation activities is recognised.

Objective 5: Maintenance and, where possible, strengthening of the security of electricity supply is enabled.

Objective 6: Building design and development takes into consideration energy efficiency and conservation.

2.6.3 Policies

Policy 1 Efficiency and conservation: To promote energy efficiency and conservation through subdivision and building design and development.

***Explanation:** Energy, in all its different forms, is a core part of everything we do, so it is extremely important that we continue to have a secure supply in the future. Improving energy efficiency can reduce pressure on existing energy production and infrastructure. The active promotion of the conservation and efficient use of energy is important when considering subdivision design, building design, and site layout. Energy conservation and efficiency also needs to be promoted in domestic, residential, commercial, transport and industrial planning.*

Policy 2 Renewable energy: To recognise the local, regional and national benefits of renewable energy, and provide for the use and development of renewable energy resources while recognising the need to avoid, remedy or mitigate adverse effects on the environment and public health, where this is practicable.

***Explanation:** Providing for the development and use of renewable energy resources when forming policy and making decisions on resource consents will provide for future generations by not reducing the resources or impacting on the climate. Recognition needs to be given to the fact that there is a limited/finite number of sites that are suitable for renewable energy generation.*

The National Policy Statement for Renewable Electricity Generation 2011 acknowledges that practical constraints associated with renewable electricity

generation activities can limit the ability to avoid, remedy or mitigate adverse effects.

Policy 3 Small and community-scale renewable electricity: To provide for investigation into and development and operation of renewable electricity resources for use by individuals, businesses and local communities.

***Explanation:** Small scale renewable distributed generation has the benefit of increasing reliability of energy supply and reducing risk of energy supply failure for individuals and communities. There are real opportunities for individuals, businesses and community groups to provide for their own needs through small scale distributed generation. Council encourages the use of small scale energy production for individual domestic use where proven to be suitable, i.e. solar hot water systems for homes. However, there are adverse effects created by these systems, such as glare and noise generation. These effects on the expected amenities of the area should also be considered, avoided, remedied or mitigated.*

Policy 4 Non-renewable energy: To provide for investigation into and development and operation of mineral and non-renewable energy resources where adverse effects can be avoided, remedied or mitigated.

***Explanation:** Because energy has such an important role in our society, consideration needs to be given to all energy sources to ensure the best outcome for people living in Invercargill. It is important to make provision for the development of those mineral resources that are regionally and nationally significant by taking into account the potential benefits to the community and the region and nation as a whole. It is also important that nationally significant resources are protected against future reverse sensitivity issues by managing development and land use to avoid conflict.*

Policy 5 Priority: To promote the use and development of renewable energy resources ahead of non-renewable energy resources.

***Explanation:** While the use of renewable energy resources can impact on the environment, preferring the development and use of renewable energy resources over non-renewable energy resources when forming policy and making decisions on resource consents will provide for future generations by not reducing the resource or impacting on the climate.*

Policy 6 Reverse sensitivity: To avoid reverse sensitivity effects on consented and existing energy facilities and associated infrastructure, and on undeveloped energy resources.

***Explanation:** Energy facilities which have already been consented are entitled to freedom from complaints from adjacent land uses which have established subsequently.*

Policy 7 Management of effects: To ensure adverse effects of energy facilities, any associated traffic movements and any associated earthworks are appropriately managed.

***Explanation:** Energy facilities, like any other land use, need to manage their effects on the environment.*

Policy 8 Maintenance and upgrading: To provide for the maintenance and upgrading of existing renewable electricity generation activities.

***Explanation:** Once established, the maintenance and upgrading of infrastructure for existing renewable electricity generation will enable the efficient use of existing resources.*

2.6.4 Methods of Implementation

Method 1 Zoning to delineate areas for urban expansion to promote energy efficient urban form.

Method 2 Rules providing for the investigation and development of renewable energy resources as priority over non-renewable energy resources.

Method 3 Rules to maximise passive solar gain in new subdivision and land use design.

Method 4 Consider energy efficiency as part of subdivision consents.

Method 5 Recognise innovative and energy efficient design through environmental awards.

Method 6 Promoting energy efficiency and conservation through education – guidelines, brochures and leaflets, consultation, and facilitation.

2.7 HAZARDOUS SUBSTANCES

The manufacture, storage, use, disposal and transportation of hazardous substances is an accepted and essential part of many everyday activities in our District. However, the composition of these substances is such that they can be “hazardous” to the environment and pose threats to human health and well-being.

Hazardous substances need to be managed to ensure that the District is able to continue to produce high quality output without compromising the health and safety of the public and the District’s sensitive environments, including our rivers, streams and wetlands that are sensitive to contamination from hazardous substance spillage within their catchment.

If not managed effectively, the manufacture, storage, use, disposal and transportation of hazardous substances may pose significant threats to the environment and the health and well-being of the community. This can be caused by the accidental, unintentional or uncontrolled release of hazardous substances resulting in contamination of water, soil and air, or risk of fire and explosive events. Indirect effects also need to be managed to avoid the accumulation of substances or sediment within sensitive environments.

To manage these risks, facilities and/or sites involved in such activities are subject to controls under a variety of legislation. The Hazardous Substances and New Organisms Act 1996 (HSNO) is the main legislation that controls the lifecycle of hazardous substances.

HSNO and the RMA complement each other. The HSNO Act provides the framework for developing technical standards for the use, storage, transportation,

possibly declining population with costs of maintaining expanded service networks if this expansion can be avoided.

Policy 6 Non-residential activities: To enable non-residential activities when it can be demonstrated that they:

- (a) Are in keeping with the character anticipated in a residential area; and
- (b) Will not compromise the health, safety and amenity values enjoyed by residents; and
- (c) Cannot be practically located in other zones where such activities are anticipated.

***Explanation:** Whilst the primary purpose of Residential Zones revolves around residential activities, it is recognised that there will be some non-residential activities that need to be located within parts of the Residential Zones. Examples may include education activities and visitor accommodation. In instances where it is accepted that a location in a Residential Zone is appropriate for a non-residential land use, the activity will need to be designed in a manner which minimises adverse effects and where possible contributes to residential amenity. Some activities, such as new industrial activities, are very unlikely to be appropriate in any part of the Residential Zone. The Council intends to support the vitality of the Business Zones, including the Central Business District. Commercial activities are therefore not anticipated to locate within the Residential Zones.*

Policy 7 Residential Amenity: To advocate for and encourage the site layout and design of residential buildings so as to provide as far as practical sunlight access and opportunity for solar gain.

***Explanation:** Maximising sunlight access/solar gain is a practical way to achieve warmer and healthier homes while minimising heating costs. Sunlight also enhances internal illumination of buildings.*

2.36 RESIDENTIAL 1 ZONE

The Invercargill urban area has a strong urban character based on its flat terrain, its grid street pattern and its compact urban form. These characteristics, together with the tradition of one or two storey single family housing on generous sized sections, offer a high level of residential amenity together with convenience, accessibility and short travel times.

Invercargill's geographic position and climate mean that incidence of sun to residential dwellings, for outdoor living and for indoor solar gain, is a very important dimension to residential amenity.

Overall residential amenity is best maintained by controlling or excluding non-residential activities, by limiting the scale of home occupations and by requiring compliance with the environmental standards.

Redevelopment of existing residential properties, and infill development, is likely to constitute the majority of new residential building in Invercargill over the planning period. In such cases, section size, building coverage, incidence of sun and daylight, and provision for outdoor living space and car parking are the main components of residential amenity.

[Invercargill Airport Ltd appealed seeking the introduction of provisions relating to NZS6805]²⁹

2.36.1 Issues

The significant resource management issues for the Residential 1 Zone:

1. The quality of the City's housing stock depends on an ongoing process of maintenance, development and redevelopment.
2. Poor urban design can affect the advantages of Invercargill in terms of convenience, accessibility and short travel times.
3. Increasing residential densities can have adverse effects on residential amenity. This "amenity" includes in particular adequate provision for density and coverage, for outdoor living, for incidence of sun, and for car parking.
4. Residential amenity can be affected by non-residential activities within or adjoining the Residential Zone.

2.36.2 Objectives

Objective 1: The maintenance and ongoing development of the zoned areas as residential neighbourhoods offering a high degree of amenity to their inhabitants is provided for and encouraged.

Objective 2: Adverse effects of urban development on the environment are avoided, remedied or mitigated.

Objective 3: Opportunities for urban intensification and redevelopment are encouraged within Invercargill's existing urban areas.

Objective 4: Provision is made for good accessibility to service and retail activities, educational establishments, and to places of employment.

Objective 5: High quality urban design is incorporated into new development and redevelopment.

Objective 6: Housing choice, both in terms of type and lot sizes, is provided for within urban areas.

Objective 7: Urban growth and development is managed in ways that:

- (A) Support existing urban areas.
- (B) Promote development of existing urban areas ahead of greenfield development.
- (C) Promote urban growth and development within areas that have existing infrastructure capacity.
- (D) Plan ahead for the expansion of urban areas.
- (E) Promote compact urban form.

²⁹ Appeal - Invercargill Airport Ltd

Objective 8: The amenity values of the Residential 1 Zone are maintained and enhanced.

2.36.3 Policies

Policy 1 Residential 1 Zone: To provide for suburban residential development by zoning within the existing urban area for dwellings on lots 400 square metres in size or larger.

Explanation: *The following considerations favour minimising peripheral expansion of the built-up area:*

- (A) *As a compact City originally planned on a grid street system, Invercargill enjoys the advantages of convenience, accessibility and short travel times. This could be compromised by sporadic peripheral expansion.*
- (B) *The current housing stock contains a significant proportion of dwellings built prior to 1930, particularly south of Tay Street. Many are obsolete in terms of current health standards and expectations and the best option in many cases is renewal and infill development. Renewal may be delayed or not occur if there are more convenient development opportunities elsewhere.*
- (C) *To the north of the current built up area are highly versatile soils which in the long term should not be alienated from their potential to grow food. The ability to grow food locally may well be an important dimension to long term sustainability.*
- (D) *Population projections indicate that the rate of growth will at best be slow, and at worst population decline is a possibility. The age distribution inevitably will become older. Keeping the infrastructure of the City affordable is an issue. Unnecessary extensions to services that are expensive long term to maintain should be avoided.*
- (E) *Lots 400 square metres and larger can offer the desired level of amenity for residential living in Invercargill. Housing on smaller lots needs to be designed comprehensively to achieve satisfactory levels of amenity.*

Policy 2 Connectivity: To require that provision is made for safe, logical, and direct access by the variety of transportation modes in common use (pedestrian, cycle, mobility scooter, motor vehicle, public transport) from dwellings to service and retail activities, educational establishments, and places of employment.

Explanation: *The historical grid pattern of Invercargill has resulted in a City form that is logical, easily accessible and convenient. This is a valued amenity of the City today and is likely to be increasingly important if "peak oil" or other factors change transport fuel economics and availability. Some recent subdivisions have not complemented the City's historical grid street system, resulting in developments that are difficult and inconvenient to access and that generate undesirable levels of traffic down some residential streets. Long cul-de-sacs with single points of access can create social isolation and also constitute a threat to personal safety, in that people can be more easily trapped than if there are multiple connections.*

Policy 3 Urban design: To encourage good urban design in terms of:

- (A) Context.
- (B) Character.
- (C) Choice.
- (D) Connections.
- (E) Creativity.
- (F) Custodianship.
- (G) Collaboration.

Explanation: *Promoting good urban design in the suburban areas of the City is an important part of reinforcing their function as the City's day to day living spaces.*

There are seven essential design qualities:

- (A) **Context:** *Seeing that buildings, places and spaces are part of the whole town or City.*
- (B) **Character:** *Reflecting and enhancing the distinctive character, heritage and identity of our urban environment.*
- (C) **Choice:** *Ensuring diversity and choice for people.*
- (D) **Connections:** *Enhancing how different networks link together for people.*
- (E) **Creativity:** *Encouraging innovative and imaginative solutions.*
- (F) **Custodianship:** *Ensuring design is environmentally sustainable, safe and healthy.*
- (G) **Collaboration:** *Communicating and sharing knowledge across sectors, professions and with communities.*

Policy 4 Stormwater runoff: To require site and building development to incorporate methods to:

- (A) Minimise loadings on stormwater runoff networks and reticulation systems caused by rainfall events; and
- (B) Improve the water quality of stormwater flows.

Explanation: *Climate change is likely to mean that rainfall in Invercargill may become higher on average but, more significantly, there is likely to be increased incidence of extreme climatic events. Currently, Invercargill's stormwater systems are designed for immediate runoff to the stormwater system of 55% of design rainfall, with the remaining 45% being retained within permeable surfaces such as lawns and gardens. Increasing areas of impermeable surfaces can*

compromise stormwater capacity. Lessening the immediate effect of peak stormwater flows on stormwater systems will reduce the risk of localised surface flooding.

There is also increasing concern about the condition of Southland's waterways. Urban stormwater can contain pollutants and organic matter.

Design to mitigate stormwater effects needs to encompass the whole of the area under development, including roads and open spaces as well as housing lots. Best practical means are necessary to minimise pollution of waterways by urban stormwater.

Policy 5 Choice: To enable the development of a range of housing types by:

- (A) Allowing, as of right, development on sections exceeding 400 square metres.
- (B) Allowing development on sections between 350m² and 400m² when buildings are well designed to give effect to other relevant Objectives and Policies of the Residential 1 Zone.
- (C) Encouraging comprehensively designed medium density development by way of resource consent within specified parts of the Residential 1 Zone, being the Residential 1A Zone.

***Explanation:** Invercargill's ageing population, decreasing average household size and the evolving settlement pattern of the District and region all mean that provision needs to be made for a variety of housing types. Single-family housing in Invercargill is typically on sites 650 - 1,000 square metres in size. Market-driven redevelopment in Invercargill often takes the form of subdivision of existing, larger sites and erection of new residential units on the newly subdivided sites. Single unit residential development can be designed to provide good levels of amenity on sites down to 400 square metres. When sites are smaller than 400 square metres amenity, for both the subject property and its neighbours, tends to suffer and development of residential units on smaller sites needs to be comprehensively designed.*

Policy 6 Outdoor living: To require the provision of practical outdoor private open spaces as an important dimension of amenity.

***Explanation:** Private open space is desirable on residential lots to provide:*

- (A) Outlook – a pleasant outlook from inside the living areas of the dwelling.
- (B) Ventilation of indoor spaces on to a sheltered outdoor space.
- (C) Outdoor living (e.g. sitting in the sun with a cup of coffee).
- (D) Outdoor household activities (such as barbecues).
- (E) Children to play outdoors.
- (F) Provision of biodiversity (gardens), and a beneficial microclimate (shelter and sun).

To be capable of being used for these purposes, the open space needs to have a minimum dimension. Several lines of reasoning draw to a conclusion that this minimum dimension should be at least five metres.

Where the living areas of a dwelling are mostly at first floor level or above, a balcony is an appropriate design response to the need for outdoor living space.

Policy 8 Space around buildings: To maintain the residential scale and amenity of space around and between buildings.

***Explanation:** The proportion of the site covered by buildings is an important determinant of residential amenity. This can reduce significantly on the property and on adjoining properties if more than around 40% of the site is covered in buildings. Excessive building coverage has other undesirable effects, such as overloading the City's stormwater reticulation system.*

Policy 9 Noise: To maintain low daytime ambient noise levels and lower night time ambient noise levels consistent with residential use of the area.

***Explanation:** The residential areas of the City have the lowest tolerance to noise of any of the City environments. "Peace and tranquillity" are important dimensions to residential amenity for most people. Excess noise, especially if it occurs repeatedly, can engender a reaction of increased intolerance. Noise is the most common issue in neighbourhood disputes in which the Council has to become involved.*

Policy 10 Noise: To recognise that some parts of the Zone are subject to higher levels of noise generated by the transportation network and to avoid, or mitigate reverse sensitivity effects associated with those activities.

***Explanation:** Residential "peace and tranquillity" can be affected by major transportation infrastructure, in particular the State Highways, the Railway and the Airport. However, it is important that the functioning of this infrastructure is not compromised by reverse sensitivity issues involving noise, and provisions in the District Plan are necessary to achieve this. The location, design and operation of noise sensitive activities should involve the consideration of these existing noise sources.*

Policy 11 Odour: To ensure absence of nuisance from objectionable odour.

***Explanation:** People expect not to be bothered by objectionable odour in residential areas.*

Policy 12 Glare: To ensure freedom of nuisance from glare.

***Explanation:** People expect not to be bothered by glare from the built environment in residential areas.*

Policy 13 Electrical interference: To avoid nuisance from electrical interference.

***Explanation:** Electrical interference can be a source of irritation to residents within the residential Zones. This is an environmental effect that needs to be considered in the placement and maintenance of electrical equipment and machinery, including transmitting aerials.*

Policy 14 Lightspill: To avoid, remedy or mitigate the adverse effects of lightspill.

Explanation: Lightspill (e.g. from security lighting) can be a source of annoyance to residents. The character of the night sky, with its starscapes, cloud effects and occasional glimpses of the Aurora Australis, is also an amenity of the residential areas of Invercargill and can be masked by light "pollution". Lightspill can also cause a hazard to transportation networks, including to aircraft, vehicles, trains, cyclists and pedestrians.

Policy 15 Wind: To encourage the provision of shelter from wind as an important dimension of residential amenity.

Explanation: At times Invercargill is subject to very strong winds for extended periods, particularly from the westerly quarter. At times these winds make it difficult for people – particularly those on cycles, the elderly and the very young – to move around the City. These winds also bring a significant chill factor. Any development which provides shelter is likely to have a benefit, and any development which exacerbates wind effects is likely to have a significant adverse effect on the amenities of adjoining properties.

Policy 16 Signage: To protect residential amenity by controlling the size and nature of signage.

Explanation: In residential areas there is an expectation that the use of buildings and property will be predominantly residential. Signage of sufficient size and clarity to enable people to find someone offering a professional service from home is appropriate. Signage which hints at a residential property being used for predominantly non-residential purposes is likely to be seen as a visual intrusion. Advertising signage which does not relate to the activity on the site is not appropriate in a residential area.

Policy 17 Dilapidated structures and ill-maintained lands: To require that buildings and sections in the Residential Zone shall be sound, well-maintained and tidy in appearance, avoiding adverse effects of dilapidated structures and ill-maintained lands on the wider neighbourhood.

Explanation: Derelict properties and poorly maintained sections significantly detract from the amenities of neighbour properties.

Policy 18 Demolition or removal activities: To manage the adverse effects of demolition or removal activities on amenity values by ensuring the clean-up, screening and maintenance of sites.

Explanation: Although normally temporary and localised, demolition activities can create a significant nuisance. There is an obligation to ensure that demolition materials are disposed of responsibly. There is also a need to ensure that the site is made safe, clean and tidy in a timely manner.

Policy 19 Relocation activities: To manage the adverse effects of relocation activities on amenity values by ensuring that any relocated building is placed on permanent foundations and reinstated to a reasonable state of repair within a limited timeframe.

Explanation: There are many instances of dwellings which have been relocated on to sections in Invercargill and which offer a high standard of amenity to their

occupiers and which contribute to the appearance of the neighbourhood. However, the process of relocation, and in particular adherence to a reasonable timeframe, needs to be carefully managed in order to minimise adverse effects on neighbours.

Policy 20 Hazardous substances: To protect the public from the effects of storage and use of hazardous substances.

Explanation: Some substances used in normal domestic living are potentially hazardous. Neighbours are entitled to protection from hazard from more than domestic quantities of hazardous material or bad practice in the use of such material.

Policy 21 Height and location of structures: To maintain a 1-2 storey scale for development.

Explanation: The great majority of housing in Invercargill is single storey stand-alone dwellings and set back from front, side and rear boundaries. A minority of houses are two storeys. While redevelopment and "infill" development can achieve high levels of amenity, the overall characteristic of Invercargill is of structures of modest height placed with space around them on individual sections. This characteristic is an important dimension of amenity.

Policy 22 Car parking and vehicle manoeuvring: To maintain road safety by providing for residents to park their vehicle(s) on-site and to manoeuvre them safely on and off the formed road.

Explanation: Provision for off street car parking and manoeuvring minimises the adverse effects on the safety and efficiency of the road. It also enables the retention of on-street parking for short term visitors and improves the visual amenity of the streets by reducing the level of long term on-street parking.

2.36.4 Methods of Implementation

Method 1 Delineate the Residential 1 Zone on the District Planning Maps.

Method 2 Include Rules identifying activities that are appropriate within the Residential 1 Zone.

Method 3 Identify the anticipated amenity values for the Residential 1 Zone, include environmental standards to protect and enhance them, and implement through enforcement under the RMA, education, advocacy and collaboration with other Territorial Authorities.

Method 4 Include rules in the Plan:

- (A) Setting limits for the bulk and location of structures.
- (B) Setting maxima on the proportion of the site that may be covered by buildings.
- (C) Setting limits on the size of any signage and require that signage relate to the activities being carried out on-site.

Method 5 Include Rules addressing District Wide issues.

Method 6 Require applications for resource consent to include an analysis of the proposal on the defined amenity values of the Residential 1 Zone, as well as any relevant principles of good urban design.

Method 7 Initiate environmental advocacy for:

- (A) Promotion of the principles of qualities of good urban design.
- (B) Promotion of the principles of Crime Prevention Through Environmental Design (CPTED).
- (C) Protection of landscape values.
- (D) Mitigation or avoidance of nuisance arising from glare and accentuation of windflow effects.
- (E) Promotion of site and building design that recognises energy efficiency and its benefits, such as passive solar gain.

2.37 RESIDENTIAL 1A (MEDIUM DENSITY) ZONE

The Residential 1A Zone provides for medium density housing to be developed comprehensively on appropriately sized sites. The nature of medium density housing means that housing units may be built on very small individual lots, and in this situation amenity can best be provided by planning the development comprehensively.

By making provision for medium density housing in this way, there will be an increase in the range of housing type choices available in Invercargill, and encourage the redevelopment of an area of the City with older housing.

2.37.1 Issues

In addition to the issues detailed in Residential 1, the significant resource management issues for the Residential 1A (Medium Density) Zone:

1. The issues identified above for the Residential 1 Zone.
2. Medium density housing can lead to decrease in amenity unless it is planned and developed comprehensively.
3. Residential amenity can be compromised by separation of medium density housing from commercial areas and public reserves.

2.37.2 Objectives

Note: All Objectives and Policies that apply to the Residential 1 Zone also apply to the Residential 1A Zone.

The following are additional Objectives and Policies that apply within the Residential 1A Zone.

Objective 1: The opportunity for medium density housing as a residential redevelopment option is provided for within the zoned areas.

Objective 2: Opportunities for urban intensification and redevelopment within Invercargill's existing urban areas are encouraged, in a manner which adds critical mass to support the Central Business District and the South City Business 2 Zone, by making specific provision for medium density housing.

Objective 2: Comprehensive redevelopment of older, obsolete residential properties is encouraged.

Objective 3: Medium density housing developments are well designed, offering a high level of amenity to the residents in the new units and maximising beneficial effects, and minimising adverse effects, on the surrounding neighbourhood.

2.37.3 Policies

Policy 1 Residential 1A (Medium Density Housing) Zone: To provide for well-designed medium density housing as a Discretionary Activity in the Residential 1A Zone in locations on areas identified on the District Planning Maps as hazard free and not subject to Airport-related noise, and

- (A) As a comprehensively planned development comprising multiple units.
- (B) Within approximately 450 metres (approximately five minutes' walk) of the nearest Zone boundary of the Business 2 Zone at South City.
- (C) Within approximately one kilometre (just over 10 minutes' walk) of the City Centre Priority Redevelopment Precinct.

Explanation: *Medium density housing (housing on lots smaller than 350 square metres) is an option for housing renewal that is particularly appropriate in inner City areas where there are established facilities close by. It needs to be planned comprehensively in order to provide a satisfactory level of amenity.*

Policy 2 Urban design: To require that the following urban design issues be addressed in the design and planning of medium density housing:

- (A) Neighbourhood character - the relationship of the development with the surrounding neighbourhood and how well the development integrates with its neighbourhood.
- (B) Connectivity - how the development links to the neighbourhood and the wider community.
- (C) Site layout - provision, orientation, access, layout and function of outdoor spaces.
- (D) Building location - optimising amenity while making best use of the site, and also being a good neighbour.
- (E) Relationship to neighbouring buildings.

- (F) Visual and acoustic privacy - design to mitigate overlooking and unwanted noise.
- (G) Car parking and vehicle access - convenient, adequate, safe, but not dominant.
- (H) On-site outdoor space - relationship of outdoor spaces to houses with respect to privacy, outlook, sunlight and landscape treatment.
- (I) Entries to buildings - visibility, shelter and security.
- (J) Site facilities - provision for services and utilities.
- (K) Landscape treatment - design for quality living environment

***Explanation:** Achieving good development will require designers to consider the design issues (above) and reach informed conclusions. Comprehensive design is needed to achieve the best outcomes on the small sites that characterise the completed development.*

2.37.4 Methods of Implementation

Note: All methods of implementation that apply to the Residential 1 Zone also apply to the Residential 1A Zone.

The following are additional methods of implementation that apply within the Residential 1A Zone:

- Method 1** Delineate the Residential 1A Zone on the District Planning Maps.
- Method 2** Identify the anticipated amenity values for the Residential 1A Zone including environmental standards to protect and enhance them, and implement through enforcement under the RMA, education, and advocacy.
- Method 3** Promoting references to publications for good examples of medium density housing.

2.38 RESIDENTIAL 2 (BLUFF AND ŌMAUI) ZONE

The Residential 2 Zone makes provision for development and redevelopment in the residential area of Bluff. Much of the housing in Bluff is older and in need of renovation or renewal. However, Bluff also offers a high level of suburban residential amenity including the opportunity for coastal views from many lots.

Residential development and redevelopment at Bluff would increase the critical mass needed to support community services, organisations and facilities.

The Zone also enables residential development on existing sections in Ōmaui. Residential development is considered appropriate at Ōmaui, having regard to the history of the area, the elevation of the site which reduces its exposure to hazards associated with the coastal environment, the present role and character of the settlement, the benefits of increased critical mass that new housing may bring, and the fact that it has its own sewerage treatment facility.

