



## **PROPOSED INVERCARGILL CITY DISTRICT PLAN**

### **Recommendation 28H**

### **Southland District Council Designations**

#### **Hearings Committee**

Councillor Darren Ludlow (Chair)

Councillor Neil Boniface

Councillor Graham Sycamore

Keith Hovell

11 October 2016

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## INTRODUCTION

The Hearing to consider the matters set out in this recommendation was held in the Council Chambers of the Invercargill City Council on 2 and 3 March 2015.

In this recommendation, the following meanings apply:

"Hearings Committee" means the District Plan Hearings Committee established by the Council under the Local Government Act.

"Operative District Plan" means the Invercargill City District Plan 2005.

"Proposed Plan" or "Proposed District Plan" means the Proposed Invercargill City District Plan 2013.

"RMA" means the Resource Management Act 1991.

At the commencement of the hearings, Crs Boniface and Ludlow declared an interest as Directors of PowerNet Limited, Cr Sycamore declared an interest as a Director of Invercargill City Holdings Limited and Commissioner Hovell declared a conflict of interest in relation to submissions lodged by Cunningham Properties Limited. The Councillors and Commissioner took no part in deliberations in relation to the submissions of the submitters referred to.

The Council is required by Section 171 to make a recommendation to the requiring authority where a designation is modified. The Invercargill City Council may recommend the modification be confirmed, with or without further modification, or withdrawn.

The Committee received a Section 42A report on Designations from Liz Devery, Senior Policy Planner with the Invercargill City Council.

The Southland District Council did not attend the hearing.

## ROLLOVER OF EXISTING DESIGNATIONS

The Southland District Council has three designated sites within the Invercargill City District. It lodged a notice to rollover all of its designations, one with no modification (Waikiwi Yard) and two subject to minor modifications (Green Hills Quarry and the Southland District Offices).

As no modifications were sought for the designation for Southland District Council at 30 Hunt Street, Invercargill, referred to as the Waikiwi Yard, no formal recommendation is required for this designation. The designation will be listed in the Proposed District Plan as follows:

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
Southland District Council	Southland District Council Waikiwi Yard	30 Hunt Street Waikiwi, Invercargill	Lot 1 DP 14888	6	77

## MODIFICATION OF EXISTING DESIGNATIONS

### Greenhills Quarry

Southland District Council sought to modify the notice of requirement for the Green Hills Quarry. This modification is a correction to the legal description to change Lot 1 DP 2163 to Lot 1 DP 2136. No submissions were received in respect of this designation. This is a minor alteration that involves no more than minor changes to the effects on the environment and can be made under the provisions of Section 181(3)(a) of the RMA.

No formal recommendation is required for this designation. The designation will be listed in the Proposed District Plan as follows:

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
Southland District Council	Greenhills Quarry	67 Omaui Road Greenhills	Lot 1, DP 1409 and Lot 1 DP DP 2136 Block IV Campbelltown Hundred	21	76

### Southland District Council Offices

The second modification is in relation to the designation for the Southland District Council Offices. The modification sought, is to include the area of land at 1 Forth Street, Lot 3 DP 13412. This land is owned by the Southland District Council and, while not being adjacent to the land designated for the Southland District Council offices, is owned by the Southland District Council and is used as a carpark in conjunction with the Council offices at 15 Forth Street.

No submissions were received in relation to this notice of requirement.

### **Section 42A Report**

Mrs Devery in her report considered that adding the site at 1 Forth Street to the existing designation could have potential effects extending beyond the boundary of the site. She noted that the site is located within the Industrial 2 Zone of the Proposed District Plan, where office activities would not otherwise be permitted. Designating 1 Forth Street for District Council offices would, in Mrs Devery's opinion, enable the designating authority to expand their office onto this site. Mrs Devery noted that this would not be an appropriate outcome. Not only would this activity be contrary to the District Plan but it would potentially reduce the number of off-street car parks provided for staff and visitors of Southland District Council. In consideration of the potential environmental effects of such a designation, her recommendation was that the designation be modified as requested, but with a condition imposed to ensure that 1 Forth Street is only used as a car park in conjunction with the offices at 15 Forth Street. Such a condition would reflect the existing use of the land.

### **Consideration of issues**

The only matter for consideration in respect of this notice of requirement relates to the condition limiting the use of 1 Forth Street to car parking associated with the Southland District Council offices. The requiring authority did not attend the hearing or table a statement.

While car parking activities are not provided for as permitted activities in the Industrial 2 Zone, the site is currently used for carparking associated with the Southland District Council

offices, and such a condition would reflect the historic and current use of the land. In the Committee's view, enabling office activity on this site without full consideration of its effects would be contrary to the centres-based approach adopted in the Proposed District Plan. The requiring authority has not provided details on any proposed office activity or any assessment of the effects of such a use.

**Recommendation**

Pursuant to Section 171(2) of the RMA, it is recommended that the requirement for the site at 1 and 15 Forth Street, Invercargill, be confirmed subject to the conditions set out below.

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
Southland District Council	Southland District Council Offices and car park	1 and 15 Forth Street Invercargill	Lot 3 DP 13412 and Lot 1 DP 9588	9	78
<p><b>Condition</b>            1 Forth Street, Lot 3 DP 13412, shall only be used for car parking associated with the Southland District Council Office at 15 Forth Street, Lot 1, DP 9588.</p>					

Dated at Invercargill this 11<sup>th</sup> day of October 2016



Councillor Darren Ludlow (Chair)



Councillor Neil Boniface



Councillor Graham Sycamore



Keith Hovell