

BEFORE THE INVERCARGILL CITY COUNCIL HEARINGS COMMISSIONER

IN THE MATTER OF the Resource Management Act 1991 (“the Act”)

AND

IN THE MATTER OF RMA/2018/174, being an application for resource consent to demolish a Category II Heritage New Zealand Pouhere Taonga listed building known as the Bluff Club Hotel at 100 - 116 Gore Street, Bluff.

BETWEEN **Bluff Oyster and Food Festival Charitable Trust**
Applicant

AND **Invercargill City Council**
Local Authority

**SECTION 42A REPORT OF GARETH CLARKE, CONSULTANT PLANNER, ON
BEHALF OF INVERCARGILL CITY COUNCIL**

FOR THE HEARING ON 17 APRIL 2019

Applicant	Bluff Oyster and Food Festival Charitable Trust
Application	Land use consent to demolish a Category II Heritage New Zealand Pouhere Taonga listed building known as the Bluff Club Hotel.
Site	100 - 116 Gore Street, Bluff.
Legal Description	Sections 2, 3, 9 - 11 Block I Town of Campbelltown
Classification	Business 2 Zone of the Proposed District Plan.
Activity Status	Non-complying.
Process	The application was publicly notified under Section 95A of the Resource Management Act 1991.
Background	The application was received on 16 November 2018. On 11 December 2018 the Director of Environmental and Planning Services considered the matter of notification and decided that the application required public notification under Section 95A of the Act due to the special circumstances that exist in terms of the potential for significant adverse effects on heritage values of the only formally identified heritage building in Bluff. The application was notified on 13 December 2018 and three submissions in opposition to the application were received within the submission timeframe.
Issues	The key issue for this application is the potential effects on heritage values, and the streetscape, amenity and character of the Bluff town centre (i.e. the Business 2 Zone)

1. INTRODUCTION

My name is Gareth Clarke and I am currently employed as a Senior Planning Consultant at WM Compliance Solutions Limited. I hold a Bachelor of Arts majoring in Geography from the University of Otago. I have 12 years' experience in district and regional planning working in New Zealand and the United Kingdom, with much of my work experience relating to the processing of resource consent applications.

I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses and, while this is not an Environment Court hearing, I agree to comply with the code. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

This report has been prepared to assist the Commissioner. It contains a recommendation that is in no way binding. It should not be assumed that the Commissioner will reach the same conclusion.

2. BACKGROUND TO THE APPLICANT AND THE SITE

The Bluff Oyster and Food Festival Trust (the Trust) are a volunteer-based organisation that has run the popular Bluff Oyster and Food Festival that has been held annually in Bluff for over 20 years. The event had been held in a number of different locations in Bluff over the years before a permanent festival site was developed in 2015.

The Festival site comprises 6072m² of land across three titles at 100 - 116 Gore Street and 71 Barrow Street, Bluff. Council records show that the site was purchased in 2014 and it is acknowledged that the Invercargill City Council provided funding of \$100,000 to the Trust towards the cost of the land purchase and redevelopment of the site. The initial redevelopment involved the demolition and removal of a number of outbuildings (including the old staff quarters, a billiard room and laundry, a building on the corner of Lee Street and Barrow Street, and a single storey block attached to the rear of the hotel building). Once the buildings had been removed the site was cleared and resurfaced and several large, open sheds constructed.

Currently, the Festival site accommodates up to 5000 patrons, but it is understood that the demand for tickets to the event is considerably higher. According to the statement from the Trust included with the application the Festival contributes over \$4 Million to the regional economy every year, with the Trust receiving around \$70,000 in annual profit, though it is noted that no evidence has been included in the application to confirm these figures.

3. APPLICATION DETAILS

The application is to demolish four buildings at 100 - 116 Gore Street, Bluff, that together make up the Club Hotel, a Category II heritage building under Heritage New Zealand Pouhere Taonga's (HNZPT) list. The site is also recorded as a site of heritage value in Appendix II - Heritage Record, of the Proposed District Plan.

Following the removal of the buildings the application proposes that the vacant land be incorporated into the site at the rear of the existing buildings which is currently used as the venue for the annual Bluff Oyster and Seafood Festival. The land will be built up to match the ground level of the festival site using cleanfill material from the demolition. The frontage of the site along Gore Street will be developed with terraced gardens and public access to

information panels attached to a 2.4 metre high wall placed along the frontage of the festival venue that will also incorporate a level of protection from the weather.

4. SITE DESCRIPTION

The site is located on the southern side of Gore Street between Lee Street and Palmer Street. The front part of the site, which contains the heritage structures that are the subject of this application, falls within the Business 2 Zone. This zone covers the main commercial areas in the Bluff town centre along Gore Street.

The site contains four individual buildings that are collectively known as the Club Hotel. Based on the information provided in the Heritage Impact Assessment (HIA) included in the application, the details of these buildings are as follows:

Site Address	Building Name	Construction/Alteration Dates
100 Gore Street	Colonial Bank of New Zealand	Constructed 1887/1888.
106 Gore Street	Huddart Parker building	Constructed 1891.
108 - 114 Gore Street	Club Hotel	Constructed 1884/85, façade replaced 1903, internal structure replaced 1914.
116 Gore Street	Scott's Private Hotel	Constructed 1891, façade replaced and incorporated into Club Hotel 1903.

The applicant has provided a detailed description of the proposal and the site and locality in sections 1, 2 and 3 of the application. These descriptions are generally considered accurate and are substantially adopted for the purpose of this report, although it should be noted that where the application refers to Gore Road, this should, in fact, be Gore Street.

It should also be noted that according to Council staff, not all of the demolition that has already been undertaken at the rear of the hotel related to structures that were deemed by the Council to be dangerous under the Building Act 2004, as is stated in section 2 of the application.

5. PROCESS

The application, plans and supporting information were received on 16 November 2018.

On 11 December 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 required notification under Section 95A.

The reason for the decision was:

1. Due to the Bluff Club Hotel being the only recorded heritage building in Bluff, the proposed activity has the potential to have environmental effects on the community that extend beyond the property boundary. It was therefore considered that special circumstances under Section 95A(9) apply in relation to this application.

Three submissions in opposition to the application were received by the time the statutory submission period ended.

6. PLANNING FRAMEWORK

The Proposed Invercargill City District Plan

Decisions on the Proposed Invercargill City District Plan 2016 (Proposed District Plan) were notified in October 2016. The appeals version of the Proposed District Plan was released in January 2017, and it 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 2** to this report. It should be noted that the relevant rules of the Proposed District Plan relating to the demolition of listed heritage buildings, noise and earthworks are now beyond challenge and therefore can be treated as operative.

That part of the application site occupied by the buildings that are proposed to be demolished is located within the Business 2 (Suburban Shopping and Business) Zone. Section 2.23 of the Plan states that *“these zones provide for the City’s suburban business, commercial, cultural and social activities serving suburban communities centred at Waikiwi, Windsor, Glengarry and South City, and also for the town centre at Bluff”*.

The balance of the site is occupied by the existing Bluff Oyster and Seafood Festival grounds and is located within the Industrial 1 Zone.

The application site can be found on Map 30 of the District Planning Maps and the corresponding Hazard Information Maps. As well as being identified as containing heritage values that are included in Appendix II.2 - Heritage Record, the site is identified as being within the Coastal Environment.

Section 4.3 of the Assessment of Environmental Effects (AEE) submitted with the application identifies those provisions of the Proposed District Plan that the proposal does not comply with and considers the proposal requires resource consent for a non-complying activity under Rule 3.8.9. This rule states:

3.8.9 The relocation or demolition of any building or structure listed in Appendix II.2 Sites Registered by Heritage New Zealand Pouhere Taonga is a non-complying activity.

The AEE also indicates that the construction noise limits set out under Rule 3.13.4 will be exceeded, and so resource consent is also required for a discretionary activity under Rule 3.13.18.

The assessment of the District Plan provisions in the applicant’s AEE appears incomplete. While it is accepted that the two rule breaches identified by the applicant are indeed relevant triggers for resource consent, the proposal may also breach the limits on earthworks set out under Rule 3.17.2.

Rule 3.17.7 requires resource consent as a discretionary activity for any earthworks activities in the Business 2 Zone that exceed 50m³ per site up to 1,000m², plus 50m³ for each 1,000m² thereafter. In this case, the overall application site measures 5,060m², meaning earthworks of up to 500m³ can occur on the site as a permitted activity. The application has not provided any details with regard to the level of earthworks and fill required, but has indicated the ground level of the land currently occupied by the buildings to be demolished (a footprint of approximately 1,000m²) will be raised by 1.4 metres to match the height of the existing Festival grounds. This will result in approximately 1,400m³ of earthworks, approximately 900m³ more than is permitted under Rule 3.17.2.

Overall the proposal is assessed as being a non-complying activity.

7. SUBMISSIONS

A copy of the three submissions received are attached as **Appendix 1**.

Each of the submissions are summarised below. It should be noted that one of the submitters, Stuart Niven, has been contracted by Venture Southland (the economic development agency for Southland, of which Invercargill City Council is a stakeholder) to undertake project work, and since the time of his submission, has also been contracted to complete some project work for Invercargill City Council.

One of the submitters, Lina Niha, indicated she did not wish to be heard in support of her application, and one, Cherie Chapman, indicated she did wish to be heard. Mr Niven did not indicate he wished to be heard but did explain that he was available if need be.

Submitter	Summary of Submission and Relief Sought
Cherie Chapman	<p>The submitter identified herself as a business owner, tourist operator and resident of Bluff.</p> <p>The submitter considers the Club Hotel to be Bluff's key historical building that is important to the future of the town and around which a potential urban rejuvenation project (of which she has provided some detail) could be based.</p> <p>The submitter believes that the façade of the building should be retained, but if it does need to come down, then the redevelopment proposal should incorporate some of the architectural elements of the hotel. A sketch is provided illustrating a proposal that incorporates some of the architectural features of the hotel and heritage street lighting etc.</p> <p>The submitter has also raised concerns that community consultation was insufficient, that providing for the expansion of a 1-day annual festival is not sufficient justification for the demolition; that the removal of the buildings may create a wind tunnel; and uncertainty around how the gardens are to be maintained.</p> <p>Relief: The submitter opposes the current application and seeks that the demolition be put on hold for a year while alternatives are further explored. If the demolition does go ahead, the submitter would like the redevelopment to be amended to incorporate features of the hotel.</p>
Stuart Niven	<p>The submitter identifies himself as an experienced urban designer, currently based in Wellington, with an extensive background in urban renewal and heritage buildings.</p> <p>The submitter acknowledges the difficulties heritage building owners face in restoring and strengthening earthquake prone buildings, and finding economic uses for these buildings.</p> <p>The submitter does not consider the depleted state of the buildings is a legitimate reasoning for their demolition, citing this as a failure of the custodianship implicit in the responsibilities of owning a listed heritage building.</p>

	<p>The submitter is also concerned at the impact the demolition will have on the identity and character of Bluff and its town centre, and believes that the redevelopment proposal being promoted in the application would serve to emphasise the gap left post-demolition.</p> <p>The submitter questions the applicant's commitment to retaining and restoring the hotel but acknowledges the significant costs in retaining and restoring a heritage building. The submitter does not consider that all that should be done to retain the hotel has been done.</p> <p>Relief: The submitter opposes the application but does not indicate any specific relief sought. The submitter suggests that a retention and development strategy be developed by a suitably experienced and qualified project team.</p>
Lina Niha	<p>The submitter identifies as a resident of 87 Burrow Street in Bluff.</p> <p>The submitter suggests a range of alternative options for the repair and retention of the buildings, suggesting a trust be set up to explore these options on behalf of the community.</p> <p>The submitter is also concerned that the proposed garden space could become a source of dumped and windblown rubbish, referring to the potential for wind effects created by the removal of the building.</p> <p>Relief: The submitter opposes the application but does not indicate any relief sought.</p>

8. ENVIRONMENTAL EFFECTS

The following consideration of effects on the environment has been carried out in accordance with Section 104(1) of the Resource Management Act 1991. As a non-complying activity, the Council's assessment is unrestricted and all actual and potential effects of the proposal must be considered, with particular consideration to the guidance contained in the list of assessment matters detailed in the relevant rules of the Proposed District Plan. The main issues relevant to this application relate to heritage values, streetscape and the character of the town centre, demolition effects and positive effects associated with the development. Each of these matters are considered in further detail below.

Permitted Baseline

Under section 104(2) of the RMA, an adverse effect of the activity on the environment may be disregarded if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful.

In this situation, the demolition of a listed heritage building is not provided for by the Proposed District Plan and does not form part of the baseline.

It is noted that, were the site already a vacant site, redevelopment in the manner proposed by the applicant could be done as a permitted activity with the only real restrictions being a limit of 10 metres on the height of the proposed wall and the amount of earthworks that could be undertaken. However, the redevelopment as proposed is being promoted by the application as a mitigative measure for the adverse effects on heritage values that will result from the demolition activity. The proposed redevelopment could not occur without first demolishing the existing heritage buildings, and so it is in consideration of the effects of that

demolition activity that the merits of the proposed redevelopment should be assessed. Therefore, it is considered that the permitted baseline is of limited relevance to this application.

Heritage Values

The Club Hotel is both a listed Category II building on the Heritage List administered by HNZPT, and the Heritage Record contained in Appendix II of the Proposed District Plan. The HNZPT registration describes the hotel as having “*architectural significance in recalling typical hotel architecture of the early twentieth century*”. The Hotel is described as “*a significant example of a relatively grand hotel building for a small Southland town...*”. The listing also describes the Club Hotel as having significant social value in illustrating the importance of hotels as busy hubs for travellers and as gathering places for social functions, evidenced by the fact that the Club Hotel is the fourth incarnation of a hotel on the site since the 1860s. The site is also considered significant for its association with the Ward family, a prominent family not only within the Bluff community but also within the context of national politics. Joseph Ward, the son of Hannah Barron Ward, the businesswoman who established the hotel, grew up in the hotel and went on to become a prominent political figure with a long and distinguished career as a Member of Parliament. This included two terms as Prime Minister in addition to two terms as Mayor of Bluff.

The Heritage Impact Assessment undertaken by New Zealand Heritage Properties Ltd (NZHP) as part of the application has built on the understanding of the heritage values associated with the site, including determining the Club Hotel complex actually consists of four separate buildings, each with unique histories. The HIA describes the hotel complex as a rare example of Renaissance Revival architecture in Bluff, of which there is only one other similar building remaining.

The HIA recognises that Rule 3.8.10 provides a list of matters which will be among those taken into account by the Council when considering applications for the demolition of listed heritage structures under Rule 3.8.9. The HIA notes that there must be significant justification for the demolition of the building, and the merits of the redevelopment alone are not enough to warrant the demolition of listed buildings. It is agreed that the matters listed in Rule 3.8.10 provide a useful basis for assessing the effects of the proposed demolition of the Club Hotel, though not all are relevant in this case. The most relevant of the matters are addressed in further detail below:

(Note: for the sake of a more logical reporting structure, the matters addressed below are set out slightly different to how they appear in Rule 3.8.10)

- *The extent to which heritage values are likely to be retained, protected and/or enhanced*

The HIA under taken by NZHP has assessed the heritage values associated with the Club Hotel buildings as being medium. Given the level of value ascribed to the buildings, its complete demolition is assessed by NZHP as having a major adverse effect that will remove all heritage value. The overall level of significance of effects on heritage values is therefore determined to be moderate to large, and very little heritage value associated with the site is likely to be retained.

- *Cumulative effects*

As the Club Hotel is the only HNZPT listed building in Bluff, and there does not appear to be any other demolition of any other buildings of significant heritage value on the main street in recent times, the proposed demolition is not considered to contribute to any notable cumulative effects.

- *Re-use, recycling and recording of heritage features*

The NZHP recommendation is inclusive of a range of potential mitigation measures. One of the mitigation measures recommended is that the building be recorded to a Level II standard, including post-1900 fabric of heritage value. The recommended mitigation also includes the salvaging of heritage building material and linings that could then be used in interpretive displays. Of these mitigative measures recommended by the HIA, the application promotes the use of images and information panels that could tell the story of the site displayed on the wall that is to be erected along the frontage of the site. It is noted that the option of using interpretive panels along the footpath boundary (as has been used elsewhere in Invercargill) has also been suggested as a potential option, though it does not appear to be the option the application is promoting. In either case, it is the information gathered as a result of the heritage assessment incorporated in this application that would be used on the information panels.

The applicant has also detailed a longer-term vision involving the use of shipping containers adapted to look similar to “old style shops” with display windows to showcase Bluff’s history, including, potentially, any salvaged materials from the Club Hotel. However, as the feasibility of the concept is currently uncertain, at this stage it is merely for noting what could be achieved and does form part of the mitigation measures promoted as part of the current application.

It is also noted that the HIA included a recommendation for interpretive panels to be installed on the reserve land on the north side of Gore Street directly opposite the hotel site. It appears that this recommendation has not been included in the potential mitigations measures that are being promoted by the applicant.

- *The results of consultation*

While no written advice or feedback from HNZPT or their consultant engineer was provided with the application, it is clear that the applicant has had meaningful contact with HNZPT regarding the demolition proposal. In fact, it is noted that HNZPT worked with the applicant for a time as they tried to find a buyer for the buildings in the hope that this may result in their retention. While the application notes that HNZPT had indicated that they would not be opposed to the demolition of the buildings, and indeed they did not lodge a submission in opposition to the proposal, having been given formal notice of the application, this does not mean that they support the proposal either, as evidenced by the lack of written approval or a submission in support.

The application also included advice from NZHP as suitably qualified and experienced archaeologists to ensure that any archaeological matters associated with the site under the Heritage New Zealand Pouhere Taonga Act 2014 are appropriately addressed, including through obtaining an archaeological authority.

- *The reasons for the proposed activity and discounting of alternatives*

In their response to the submissions received on the application, the applicant makes it quite clear that the main reason for the decision to pursue demolition of the buildings is the unwillingness to continue to accept or manage onsite, the risk that the building’s compromised state has posed to patrons of the festival in the years that the festival has been occurring on the site. This position is reinforced by the fact that rather than proceed straight to demolition, the applicant has described the process they undertook to seek out interested parties that were better able to restore and make use of the buildings than they were. The ability to then expand the festival appears to be merely a positive spin-off of removing the risk posed by the buildings, rather than being a driver behind the decision.

It seems that concerns regarding the safety of the buildings are largely based on the findings of the engineering assessments that have been undertaken. It is worth noting that despite the statement made in the letter of commentary from GM Designs (discussed below), the Council has not yet found the buildings to be dangerous buildings as defined by the Building Act.

The efforts that have been undertaken to find buyers for the buildings is outlined in the both the application and the applicant's responses to the points raised by submitters. While it is quite clear that the applicant, and indeed HNZPT, have gone to some lengths to market the property without success, it is not clear how actively and thoroughly any other avenues to source the funding necessary to retain the buildings have been explored. The GM Designs letter of commentary is quite adamant that the buildings are beyond any possibility of repair. If that were indeed the case, it would make the need to source funding for the retention of the buildings essentially redundant. However, it is noted that the application discusses the fact that HNZPT's consultant engineer, Win Clark, has informally indicated, contrary to the GM Designs opinion, that at least part of the structure may be able to be saved. The application indicates that discussions have been held between the applicant, their heritage consultants and HNZPT regarding the retention of two of the buildings but this appears to have been ruled on the basis of cost. It is not clear though, whether any potential uses for a smaller building and alternative funding options have been actively explored to allow that to happen.

- *Strengthening proposals and expert advice*

In addition to the thorough HIA undertaken by NZHP that is discussed above, the applicant has also provided with their application a Structural Engineering Report by Coles Consulting Ltd dated October 2013, and a letter of commentary from GM Designs Ltd dated 26 February 2018 that considers the potential to strengthen the buildings.

The Coles report included an inspection and thorough analysis of the structure of the building, and an Initial Evaluation Procedure (IEP) which found that the building was around 13% of New Building Standard (NBS) and therefore potentially earthquake-prone, as defined by the Building Act. The building is also considered a High Risk building under the New Zealand Society for Earthquake Engineering's grading scheme.

The GM Designs letter provided a commentary that reaffirmed the structural issues that exist within the building and considered the prospects for addressing these issues and bringing the building up to an acceptable standard. The report concludes that strengthening is not plausible due to the rather invasive nature of the work required, given that full demolition and rebuilding would be required in order to retain the structure in its current form. The report goes on to further suggest that such a solution would in effect result in the loss of any historic significance and the money spent rebuilding would be better directed to restore other historic buildings in the area where strengthening may still be a possibility. The report does not detail what the cost to rebuild the structure would likely be, other than to say it would be "*very significant*".

The statement from the Festival's trustees that was included with the application also indicated that informal verbal advice had been received from HNZPT's consultant engineer stating that a portion of the property could be saved for a cost of around \$600,000 to bring the buildings up to a minimum earthquake standard, and around \$2M to bring them up to 66% of NBS. According to the applicant, it was not feasible to engage neither Mr Clark nor any other engineers or quantity surveyors to provide a more formal assessment of the costs, and so the figures above have to be regarded cautiously. Nevertheless, there seems to be some consensus among the expert advice that the costs involved would be significant.

To summarise the expert advice the applicant has received to date, the Club Hotel has been found to have significant heritage values at both a national and local scale, and its demolition will have major adverse effects on these heritage values, and the streetscape of Bluff's main street. However, the structures of the four buildings that make up the hotel complex appear to be significantly compromised to the point of possibly being beyond repair, although there is a suggestion that it may be possible to strengthen two of the buildings to bring them up to an acceptable level of NBS. The costs of such strengthening work, or the cost of rebuilding the entire structure, are uncertain and the applicant considers it unfeasible to commission the work necessary to obtain more certainty around the issue of costs. However, it is fair to say that whatever figure is arrived at, it is likely to be significant. Nevertheless, without further investigation to better establish the technical and economic feasibility of the suggestion to retain two of the buildings, and without a more comprehensive assessment of alternatives that includes any potential community or public agency driven uses and funding sources, it is difficult fully assess the long-term future of the buildings and their ability to continue to make a contribution to the social and cultural wellbeing of the community, and therefore the merits of completely demolishing them.

Streetscape & character of the town centre

The non-complying activity status of the proposed demolition activity means that the Consent Authority is able to also consider other matters in addition to the loss of heritage values, including wider urban design and amenity implications of the proposal. The application does not provide any specific assessment of the impact the proposed demolition will have on the streetscape of the main thoroughfare of Bluff, or the character of the main town centre. It is noted though that the HIA prepared by NZHP does include some recognition that the demolition will have a significant and irreversible impact in this regard. The application does state a belief that it would be difficult for anyone to truly mitigate the effect of removing a two-storey building from the streetscape, and the Trust's only option is to provide a clean, well-maintained and attractive frontage.

I agree that, given the scale of the building being demolished and the prominence it has (with a street frontage of some 40 metres), the impact on the streetscape of Gore Street, and the character of the town centre of Bluff, is likely to be significant. The Club Hotel is particularly important to the streetscape of Bluff as its scale and prominence helps to articulate the town's history as an important port of entry, and the role hotels played in serving travellers and the community in these areas.

I also agree that the only way these effects are likely to be mitigated is through a comprehensive redevelopment of the site, probably involving the construction of new buildings designed to fit in with the existing form of development on adjacent sites, and to provide a comfortable and pleasant pedestrian environment along Gore Street. It is acknowledged that the Trust considers that such a development is probably beyond their capability, but again there is no evidence as to whether any potential alternative partnerships or development options have been actively explored.

Demolition & Construction Effects

Rule 3.4.2 of the Proposed District Plan provides a list of matters that the Council shall exercise control over when considering applications for the demolition or removal of structures under that rule. While the demolition proposed in this application does not trigger consideration under Rule 3.4.2 on account of its Heritage value, the matters listed under that rule are considered to provide a useful basis for assessing the physical effects of demolishing the buildings. Each of these matters are considered below, as well as an assessment of the potential noise effects:

(A) Screening

Being located on the main thoroughfare through Bluff and the main commercial area of the township, the area is a relatively high traffic area in terms of both vehicles and pedestrians. The application does not provide details of any screening mechanisms to be employed on the site, though it does state that the footpath and the road width will be reduced to one lane for three to four days prior to the demolition work commencing, with the full width of the road being closed for seven days during the demolition, before then reverting to the reduced width for a further seven to ten days. It is anticipated that these closures are likely to involve the use of some sort of fencing to keep the public a safe distance from the site. Such mechanisms can be a requirement of conditions imposed on the consent, and provided they are installed, there is not likely to be any risk to the general public.

(B) Mitigation of the effects of any earthworks

The application does not provide any detail on how the filling and earthworks activities associated with the redevelopment of the site will be undertaken and what the associated effects might be. Based on the plans submitted with the application it is estimated that as much as 1400m³ of earthworks might be required, not an insignificant amount for a site located in a busy town centre. The nature of the proposal is such that it is likely a significant proportion of the fill material required will come from the buildings themselves, meaning the effects of the earthworks activity can essentially be seen as an extension of the demolition activity.

It is accepted that the adverse effects of the earthworks can be managed by way of conditions of consent. In addition to a requirement for a demolition and site management plan to be prepared, this could also involve the requirement for dust suppression, washdown of any vehicles prior to leaving the site, protection for stormwater drains and ensuring there is no overland flow on to surrounding properties during the work, the covering of any fill material that may be stockpiled on the site, recording of details of any fill material brought on to the site from elsewhere, and timeframes within which the earthworks activity must be completed (two months from the end of the demolition activity would be inline with similar consents that have been granted in the Invercargill district in the recent past).

(C) Site Rehabilitation and the imposition of a bond

The application has clearly stated the intention of the Trust is to redevelop the site and utilise the space currently occupied by the hotel to accommodate extra patrons at the Festival. As such, the risk of the site being left in an unkempt and disorderly state is considered low. Nevertheless, given the proximity of the building to the footpath and the risk to public infrastructure (i.e. the footpath and roadway) it is considered appropriate to require a bond of \$2,000.00 to be lodged with Council prior to the demolition work commencing. This is in keeping with the bonds charged for similar demolitions of a commercial nature elsewhere in the district.

(D) Recycling of materials

The application states that the Trust will look to salvage building materials wherever possible, in part to mitigate the loss of heritage values as a result of the demolition. Where materials cannot be salvaged, they will be used onsite to provide a foundation for the redevelopment. This is considered to have positive effects in that it allows the materials to be safely reused in a way that diverts them away from otherwise being disposed of in landfill. A condition of consent can be imposed to ensure that any materials that cannot be salvaged and are not appropriate for reuse on the site will be disposed of at a facility authorised to take such material.

(E) The time needed to complete the demolition

The application has not provided any indication of timeframes for the demolition and redevelopment work. However, given the festival is an annual event, it is considered likely

that the Trust would be seeking to have the work completed before the next event, which, depending on if and when consent is granted, will be no more than twelve months away. Twelve months is the standard lapse time put on demolition consents in the Invercargill City district, and in the absence of any information from the applicant to indicate a longer timeframe maybe necessary, twelve months is considered an appropriate timeframe in this case also.

While the application indicates the demolition work will take around three weeks to complete, it would be appropriate to impose a condition that ensures that the demolition is completed in a timely fashion once the work has commenced. The standard timeframe imposed on similar demolition consents has been six weeks. It is considered that this timeframe should provide enough flexibility to be able to account for any delays in the work.

(F) Disconnection of services

The application does not provide any detail as to how the existing service connections to the site will be managed. Given the site is to be incorporated into the wider festival site, it is unlikely there will be any need to reuse the existing connections as part of the redevelopment of the site. Consequently, a condition would be likely to be needed on the consent to ensure that any redundant service connections are disconnected and capped at the applicant's expense.

(G) Method of demolition and disposal

The application does not include a detailed methodology of how the demolitions will be undertaken and the site managed, but it does explain the disruption that is likely to occur to the roading network, and the proposal to use cleanfill from the site as a base for the terraced garden and festival site extension. Despite the lack of detail it is accepted that it is accepted that appropriate measures, such as demolition and site management plans, can be incorporated into conditions of consent to ensure that the activity will avoid, remedy or mitigate adverse environmental effects. With Gore Street forming part of the State Highway network, the impacts on this part of the roading network can largely be managed by the New Zealand Transport Agency (NZTA) as the relevant roading authority through the Corridor Access Request process. While NZTA have not provided written approval to the application, there is clear evidence that they have been consulted by the applicant, and the letter included within the application indicates that not significant concerns have been raised. Furthermore, notice of the application was served on NZTA and no submissions from them have been received.

(H) Noise

The application does not provide any detail regarding the level or the nature of the noise that is to be expected from the demolition and redevelopment activity, other than to say that it will exceed the limits set out in the Plan. The location of the site adjacent to an industrial area and a state highway, as well as its close proximity to the seaport area, means that the ambient noise level in this part of Bluff is probably higher than it would be in any of the other town centres around the district. Given these ambient noise levels and the temporary nature of the activity (the application indicates demolition will take about three weeks), the noise effects generated by the activity are likely to be minor at worst. Conditions of consent could be used to manage the activity to help mitigate these effects and ensure they don't have a significant impact on the environment. This could include a requirement for a demolition and site management plan that shows how the work will be undertake in the least aurally offensive manner and in consideration of the more sensitive surrounding land uses, and controls of the hours of operation of the activity, for example, ensuring that work does not occur on the site between the hours of 6:00 pm and 7:30 am.

Overall, the effects arising from the demolition and redevelopment of the site will be temporary in nature, and conditions can be imposed on the consent to ensure that any affects are no more than minor.

(l) Positive Effects

The statement provided by the Festival's trustees as part of their application indicates that there is a clear economic benefit to the region in demolishing the buildings to provide space for an extra 1000 patrons. The trustees quote a figure from many years ago of the event having provided over \$4M to the region. The source of this figure, what it relates to and how it was derived is unclear and may be something the applicant can expand on at the hearing, but assuming it relates to a single event with up to 5000 patrons, this would equate to an earning for the region of around \$800 per patron. Extrapolating this out to cover the additional 1000 patrons that would be accommodated on the site as a result of the demolition of the hotel building, the proposal could potentially bring in an extra \$800K to the region. How much of this would go to the Festival as profit is not clear. It is difficult, however, to imagine any significant changes to the existing overheads of the festival as a result of accommodating the extra patronage, meaning the economies of scale achieved may lead to a substantial improvement in the festivals existing \$70K annual profit. Again, this may be a point the applicant wishes to clarify or expand on at the hearing.

Aside from the removal of a potential public safety and liability risk for the Festival and its patrons, no other positive effects were specifically identified by the applicant.

Precedent and Plan Integrity

Section 104(1)(c) of the Act requires the Consent Authority to have regard to any other matters considered relevant and reasonably necessary to determine the application. Typically, in cases of applications relating to historic heritage, the circumstances relating to each particular application are likely to be sufficiently distinct to require them to be assessed on their own merits rather than with direct comparison to previous applications. Whether a proposal to demolish a heritage building is an inappropriate use or not will vary from case to case depending the circumstances particular to the site and the activity proposed, and the level of information provided.

In this case, the prominent location of the subject site, the significance of the heritage values associated with it, the technical and economic feasibility of retaining these particular buildings, and the proposal to incorporate the site within the existing Festival grounds means that the proposal is unlikely to be one that is replicated elsewhere. Therefore, there is little risk of this application setting a precedent for subsequent applications to follow.

9. STATUTORY CONSIDERATION

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.

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.*

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.

In Section 6 the only matter of national importance that I consider to be relevant to this application is:

- (f) *the protection of historic heritage from inappropriate subdivision, use and development*

Demolition can generally be considered an 'inappropriate use' of heritage buildings due to the almost complete loss of historic heritage values which results. However, by providing for demolition of listed heritage buildings as a non-complying activity rather than prohibiting it, the Proposed District Plan in giving effect to Part 2 does at least recognise that there may be occasions where demolition is appropriate. As has been discussed above, based on the level of information provided in the application, I do not consider that it has been clearly established that this is one of those occasions.

The applicant has provided evidence to suggest that the condition of the buildings and the technical feasibility and cost of restoring and strengthening them may be such that the retention and reuse of all the buildings is implausible. It seems, therefore, that some degree of demolition is likely to be unavoidable.

It is acknowledged also, that the applicant, in conjunction with HNZPT, has acted commendably and in good faith in seeking out other interested parties who may have been better able to purchase and retain the buildings, but this has been to no avail. The fact that the property has been marketed without success and has remained vacant for a significant period of time suggests that any solutions regarding the retention of the buildings is not likely to come from the private sector.

However, the submissions received do indicate that there is still some interest in the buildings, and they may still have some value to the community. That suggests that, while perhaps unlikely, there may still be a future for the buildings, albeit one that is likely to rely on significant community, Council or philanthropic funding.

I do not consider that the application in its current form has demonstrated that a comprehensive assessment of all the alternatives in terms of retention and reuse, and potential mitigation, has been undertaken in line with what the level of significance of the buildings should require. No real evidence of any community-based and philanthropic solutions and funding having been meaningfully explored has been provided, and until the plausibility of such alternatives giving the buildings some type of future can be ruled out, the proposed demolition cannot, in my opinion, be definitively ruled out as being an inappropriate use.

The matters in Section 7 of the Act that I consider to be relevant to this application are:

- (a) *the ethic of stewardship*
- (b) *the efficient use and development of natural and physical resources*
- (c) *the maintenance and enhancement of amenity values*
- (f) *maintenance and enhancement of the quality of the environment*

The effects of the proposal on historic heritage, amenity values and the quality of the environment are discussed in the sections above. In terms of Section 7(a), the principle of stewardship is not considered to impose an obligation to necessarily maintain heritage items for community benefit in any or all circumstances, but nor does it imply that decisions on activities that have significant adverse effects can be made on the basis of economic considerations alone. What it does suggest is that before such development pathways are chosen, meaningful efforts are made to investigate all options for the protection of those heritage values.

While the applicant can be commended for exploring some of the options for retention of the buildings, the potentially inconsistent advice around the need to demolish the whole building, the lack of clarity around costs and the lack of evidence of active exploration of alternative uses, funding and mitigation options are problematic. Added together they suggest that there is still more information required before considering whether complete demolition and the redevelopment proposed is the most efficient use of the physical resource.

No cultural matters under Section 8 arise in the consideration of this proposal and local Iwi have not lodged a submission on the application.

Overall it is considered that the application in its current form does not meet the purpose and principles of the Act for the following reasons:

1. The Club Hotel complex of buildings have been found to have a medium level of heritage values, and the demolition of these buildings will have moderate to large adverse effects on these heritage values, as well as a significant adverse effect on the streetscape and townscape of Bluff.
2. It has not been clearly established that alternative uses, including the partial retention of the complex, and alternative funding options are implausible.
3. The redevelopment proposed does not offer an appropriate level of mitigation of these adverse effects.
4. While the continued retention of the existing buildings without these options being further explored and a solution developed will inevitably lead to their continued

degradation and vacancy; to allow their demolition without being able to fully consider the feasibility and economics of all options is not considered sustainable management in the sense of providing for the cultural, social and economic well-being of the community.

Based on the application as it currently stands, at its most basic level the outcome of the application appears to come down to a choice between demolition and associated redevelopment with landscaping and fencing along the frontage, versus the status quo of a vacancy and dilapidation. Faced with that choice alone, it may well be that the demolition is the outcome that best serves the sustainable management purpose and principles of the Act, and the social and cultural wellbeing of the community. However, there doesn't currently appear to be sufficient detail in the application to be able to definitively rule out the potential for alternative outcomes that might involve only partial demolition, and/or community or public agency driven and funded restoration and retention, and/or redevelopment of the site.

National Environmental Standards, National Policy Statements and other Regulations

Regard has been given to all existing national environmental standards, national policy statements and other regulations. It is considered that there are no standards, policy statements or other regulations relevant to this application.

New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement (NZCPS) sets out the objectives and policies for achieving the purpose of the RMA in relation to the coastal environments. While the application site is identified on the District Planning Maps as being located within the Coastal Environment, it is located in the middle of a highly modified urban environment and does not directly interface with the coastal margins, nor is it directly influenced by the coastal environment. Therefore, the provisions of the NZCPS are considered to be of limited relevance to this particular proposal.

Southland Regional Policy Statement 2017

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

Objective HH.1 - Protection of historic heritage

Historic heritage values are identified and protected from inappropriate subdivision, use and development.

Objective HH.2 - Built heritage

The built heritage of Southland is appropriately recognised and where possible utilised in a sustainable manner.

Objective HH.3 - Historic heritage values

Historic heritage values are appropriately managed to avoid or mitigate the potential adverse effects of natural processes and climate change

Policy HH.1 - Public awareness and appreciation

Promote public awareness and appreciation of Southland's historic heritage

Policy HH.2 - Protection of historic heritage

Avoid, mitigate and, where appropriate, remedy adverse effects on historic heritage values from inappropriate subdivision, use and development. On a case-by-case basis take in to

account factors such as the significance of heritage values, financial cost and technical feasibility when making decisions relating to the protection of historic heritage.

Policy HH.3 - Integration with new use

Encourage the integration of historic heritage with new subdivision, use and development in both rural and urban areas.

Policy HH.4 - Natural processes and climate change

Encourage and make provisions for the use of appropriate techniques to manage historic heritage at risk of the adverse effects of natural processes and climate change.

Policy HH.6 - Adaptive reuse

Encourage the adaptive reuse and maintenance of built historic heritage.

Comment: The application concludes that the financial cost and technical feasibility mean that it is not viable to protect the historic heritage. It is accepted that, due to the state of the buildings, some loss of heritage values appears inevitable. The demolition of at least part of the buildings may be necessary as a means of managing the risk of adverse effects of natural processes, in this case being earthquakes. However, the application has not clearly established that the level of demolition and redevelopment proposed are appropriate techniques in this particular case. Given the significance of the values associated with this site, it is considered that the potential for alternative opportunities for retention and restoration of at least part of the site to be realised, have not been adequately addressed.

While the RPS provisions do not appear to require the absolute protection of heritage buildings at all costs, it is considered that the application has not established that this particular proposal is an appropriate form development in terms of its impacts on the heritage values. Furthermore, the loss of the building does not accord with the policy to promote the awareness and appreciation of the region's heritage. While the interpretation panels that the application proposes as mitigation will aid in the awareness of the heritage values lost, the ability for these values to be appreciated will be negated.

It is also noted that the letter of commentary from GM Designs takes the position that the money required to restore and strengthen the buildings would be better directed at restoring other historic buildings in the area where strengthening is a worthwhile and practical option. However, it is understood that this is not a mitigation measure that is being promoted by the applicant.

Overall, the proposal is considered contrary to the objectives and policies of the RPS relating to historic heritage.

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.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.

Comment: In this case I do not consider that the redevelopment proposed is of a quality that will appropriately mitigate the adverse effects the loss of a prominent heritage building will have on the streetscape, nor will it enhance the urban amenity of the Bluff town centre. As such the application is considered to be contrary to Objective URB.1 and Policy URB.4

Proposed Invercargill City District Plan 2016

Decisions on the Proposed Invercargill City District Plan 2016 (Proposed District Plan) were released in October 2016. The appeals version of the Plan 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 applicable objectives and policies from the Proposed District Plan discussed below are included in full in Appendix 2 to this report. The following provisions relating to the Business 2 Zone and Heritage are considered the most relevant:

Heritage

Objective 1: *Heritage values are identified and protected from inappropriate subdivision, use and development.*

Objective 2: *The built heritage of Invercargill is appropriately recognised and utilised.*

Policy 3 **Effects on heritage:** *To avoid, remedy or mitigate the potential adverse effects of subdivision, use and development on heritage.*

Policy 4 **Integration:** *To encourage the integration of new subdivision, use and development with heritage.*

Policy 5 **Active management:** *To promote the active management, in particular the adaptive reuse, of heritage buildings to:*
(A) *Avoid serious risk to human safety*
(B) *Investigate and evaluate all reasonable means of restoration, adaption, reuse and relocation as alternatives to demolition.*

Policy 8 **Collaboration:** *To collaborate with key stakeholders in the management of heritage.*

Comment: The application has clearly identified the heritage values associated with the Club Hotel buildings as being of medium significance. The values identified by the applicant more or less concur with those identified by HNZPT in the information supporting the listing of the building, and in fact the applicant's assessment has improved the understanding of the

overall heritage value of the site. Having established a good understanding of the heritage values of the site, Objective 1 requires these values to be protected from inappropriate subdivision, use and development. Based on the findings of the engineering reports provided with the application, it seems the structures may well be beyond repair and some level of demolition is inevitable. However, given the significance of the heritage values and the impact on the streetscape, I am cautious as to whether the application has demonstrated sufficiently that the full demolition of all four structures and subsequent redevelopment proposed constitutes an appropriate development in this case.

The inevitability of at least some demolition means that it would be impossible to completely avoid all adverse effects on heritage values, and the nature of heritage values is that once they are gone it is their loss is not easily remedied. The only option then is to ensure the effects of the loss of heritage values are appropriately mitigated. In this case the application has concluded that the adverse effects on heritage values are moderate to large. In my opinion, the level of mitigation promoted by the application does not go far enough in addressing the significance of impacts the proposal will have on heritage values and, equally importantly, the streetscape of Gore Street.

The application has detailed the discussions and collaboration undertaken with HNZPT in trying to find a solution that would see the buildings retained. The application indicates that the option of retaining two of the four buildings that make up the complex was considered, and the Trust would be willing to support their retention, but the cost of doing so is out of their reach. No evidence has been provided by the application to indicate whether any alternative funding options to enable the two buildings to be retained have been activity explored, or whether there any potential uses for the buildings as part of the festival site (other than for storage) and/or by any other external parties.

Overall, the application as it currently stands is considered to be in part contrary to the objectives and policies of the Proposed District Plan relating to heritage.

Natural Features, Landscapes and Townscapes

Objective 2: *Invercargill's locally distinctive and values natural features and landscapes are identified and appropriately managed.*

Policy 5 ***Identification of Invercargill's townscapes of value:*** *To identify and promote the following as townscapes of value to the City District:*

(D) *The rich variety of the Bluff built heritage of several styles.*

Policy 6 ***Protection for locally distinctive and valued landscapes and townscapes and culturally significant landscapes and townscapes:***

(B) *To encourage new development to complement and build on existing character and heritage*

Soils, Minerals and Earthworks

Objective 3: *Earthworks in Invercargill are carried out in such a way as to avoid, remedy or mitigate adverse environmental effects.*

Policy 6 **Filling and re-contouring:** *To control land use activities and development which propose to fill or re-contour land, or move or remove significant quantities of soil.*

While the applicant has not provided a great deal of detail with regard to the demolition methodology and reinstatement of the site, it is accepted that appropriate measures, such as demolitions and site management plans, can be incorporated into conditions of consent to ensure that any earthworks undertaken as part of the proposal would avoid, remedy or mitigate adverse environmental effects. The proposal is therefore not considered to be in conflict to the objectives and policies of the Proposed District Plan that relate to earthworks.

Business 2 Zone

Objective 1: *Maintenance and enhancement of suburban centres that provide for a range of retail, commercial, cultural, educational and social activities serving communities within the catchments of the Waikiwi, Windsor, Glengarry, and South City suburban centres, and Bluff town centre.*

Policy 2 **Urban Design:** *To encourage the incorporation of the following urban design principles into the design of buildings and open space:*

- (A) *Buildings and land uses respect to their context*
- (B) *Buildings and land uses reflect and enhance the character of Invercargill.*
- (C) *Buildings and land uses offer diversity and choice for people*
- (D) *Buildings and land uses are clearly linked by appropriate connections*
- (E) *Buildings and land uses demonstrate creativity, encourage innovative and imaginative solutions*
- (F) *Custodianship - buildings and land uses are environmental sustainable, safe and healthy*
- (G) *Collaboration - stakeholders collaborate to achieve good urban design outcomes.*

Policy 3 **Noise:** *To provide in the Business 2 Zone for a level of ambient noise consistent with mixed land uses include residential and also not incompatible with the amenities required by immediately adjoining residential neighbours.*

Policy 8 **Protection from the weather:** *To encourage the provision of shelter from adverse weather, in particular rain and wind*

Policy 12 **Dilapidated structures and ill-maintained lands:** *To require that buildings will be sound, well maintained and tidy in appearance.*

Policy 13 Demolition or removal activities:

- (A) To encourage owners to consider the restoration, and adaptive re-use of buildings in preference to demolition.*
- (B) To manage the adverse effects of demolition or removal on amenity values by ensuring the clean-up, screening and maintenance of sites*
- (C) To encourage active utilisation of sites post-demolition by encouraging their prompt redevelopment and in the meantime encourage use of the site for such activities as car parking or public open space.*

Policy 17 Pedestrian-friendly frontages: *To promote the creation of an environment along the retail frontages that will offer safety, comfort and a stimulating and enjoyable pedestrian experience*

Policy 20 Freedom from litter: *To promote the provision of litter containers appropriate to the nature of the business.*

Comment: The application does not assess any of the Objectives and Policies of the Proposed District Plan in relation to townscapes and the Business 2 Zone. As such it is not clear how the demolition of a prominent building that holds significance not only for its heritage value but also for the contribution it makes to the streetscape of Gore Street, will maintain the character, amenity and vitality of the Bluff town centre.

Of particular note is Policy 13(C), which encourages the active utilisation of sites following demolition or removal of buildings by encouraging their prompt redevelopment. The explanation that accompanies this policy explains that a vacant site can be detrimental to the anticipated character, vibrancy, amenity and function of the Business 2 Zone, and adaptive ways to reutilise the site are encouraged. The applicant's proposal for the development of a terraced garden space and wall across the frontage of the site will go some way to ensuring the site contributes positively to the streetscape and the character of the town centre. However, even with the planned landscaping, the scale of the demolition proposed will effectively result in a significant gap (some 40 metres) in what is identified in the Plan as an important streetscape.

Similarly, while the proposed fencing and landscaping will help to create a more stimulating environment than a completely vacant site otherwise would, the redevelopment will still result in a frontage that provides no interaction between the Festival site and the street, and at the scale proposed, may be detrimental the pedestrian experience of this part of Gore Street. It is accepted that the unfortunate decay of the existing Club Hotel structure has led to it becoming somewhat dilapidated and unsightly, contrary to Policy 12 above, and given the long-term vacancy of the building, the level of interaction between the site and the street has been limited for quite some time. Even so, the existing structure does offer some pedestrian friendly elements that the new proposal will not, including weather protection by way of a footpath-wide veranda.

Furthermore, it is not clear how the fencing and landscaping, as mitigation for the loss of the hotel building, will be maintained to ensure they remain tidy in appearance and do not themselves become dilapidated and unattractive. It is also unclear whether, being essentially a public space, litter containers will be provided in accordance with Policy 20 above, and if they are, how they will be managed.

Overall, the application has not clearly demonstrated that the application is in accordance with the objectives and policies of the Proposed District Plan that relate to the Natural Features, Landscapes and Townscapes, and the Business 2 Zone, and in fact elements of the proposal are considered contrary to these objectives and policies.

Section 104D of the Resource Management Act 1991

Under Section 104 of the Resource Management Act 1991, before making a decision whether or not to grant a resource consent application for a non-complying activity, 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.

It is accepted that in this case, unless an alternative solution can be found that will enable the buildings to be retained, the buildings are likely to remain surplus to the requirements of the Trust, and beyond their means to maintain and restore to an acceptable standard. A building that does not serve any particularly useful function and remains vacant is likely to continue to decay and become increasingly dilapidated and dishevelled. In such circumstances, the retention of the building can in itself give rise to significant adverse environmental effects. Consequently, in that case the demolition of the buildings (subject to implementation of appropriate mitigation mechanisms) is likely to be a more appropriate option in meeting the objectives and policies of the District Plan, and the sustainable management principles and purpose of the Act.

However, given the significance of the heritage values of the application site, and its importance to the streetscape of the Bluff town centre, the Consent Authority needs to be satisfied that the technical and economic feasibility of all potential alternatives and their associated costs have been fully explored and considered before assessing the appropriateness of the demolition option. Based on the information provided with the application, I do not believe this requirement has been satisfied.

10. SUMMARY AND CONCLUSION

Having considered the scale of both the potential adverse effects and positive effects of the proposal and evaluated their significance against the objectives and policies of the Proposed District Plan I do not consider the application in its current form sufficiently meets the intended outcomes of the Plan and Part 2 of the RMA. A more comprehensive evaluation of all the potential options may eventually lead to the conclusion being drawn that the buildings (or some of the buildings) clearly have no long-term future and demolition is the only realistic option. Such demolition will have significant and irreversible adverse effects in terms of both heritage values and the streetscape of Gore Street and the character of the Bluff town centre. The redevelopment proposed post-demolition will not, in my opinion, provide sufficient mitigation of these effects.

Overall, it is acknowledged that there are potential structural issues with the buildings, and there are both economic and public safety/liability drivers associated with the proposed demolition, but in determining whether the demolition and redevelopment of the site is inappropriate or not, these factors need to be weighed against significant adverse effects the

proposal will have on heritage and streetscape values. In my opinion, at this stage there is insufficient evidence to support the applications position that the proposal is an appropriate approach to dealing with the competing tensions of heritage and streetscape values, and the safety and economic drivers behind the demolition. As such, I consider the proposal does not adequately mitigate the significant adverse effects on the environment and is contrary to the objectives and policies of the Proposed District Plan, the Regional Policy State, and the purpose and principles of the Act. The application is therefore considered to fail both arms of the gateway test under Section 104D and it is recommended that it be declined.

11. RECOMMENDATION

It is recommended that on the basis of the information provided with the application to date and for the reasons outlined above, the application is declined under Sections 104, 104B and 104D of the Act.

Submission regarding the Club Hotel in Bluff

Submitter: Cherie Chapman, business owner, tourism operator, resident

I am opposing the demolition of the Club Hotel. It is Bluff's key historical building, and in the light of current economic development proposals for tourism in Bluff I believe this is a premature and short-sighted decision made without regard to the future of Bluff.

Once the Club Hotel is gone, much of the potential for a CBD design based around the history of Bluff will be compromised. I think we should:

- 1. Put the demolition of the Club Hotel on hold for a year** with a view to finding an investor to restore it. This is in the context of the significant shift in thinking around Bluff becoming a tourist destination beyond the signpost and gateway to Stewart Island.

The reasons:

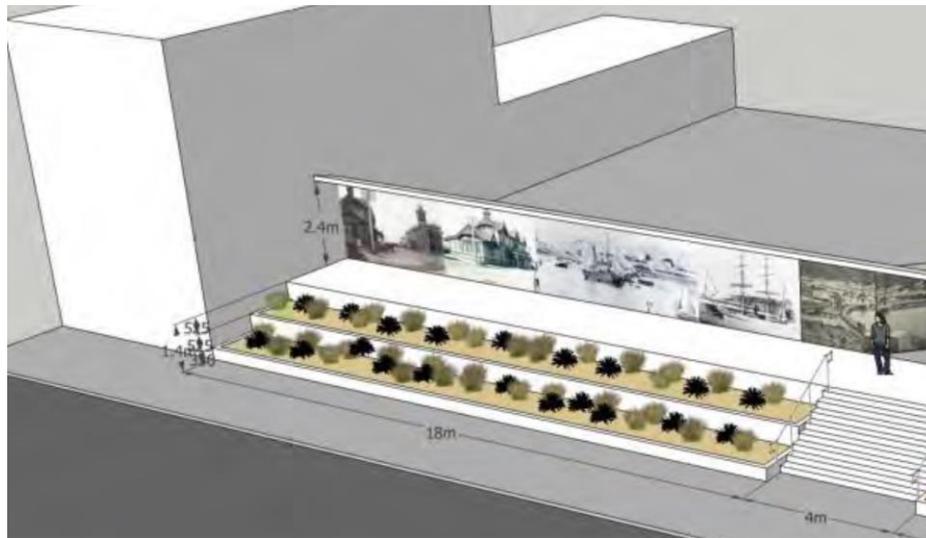
Venture Southland is currently funding an urban rejuvenation architectural proposal for Bluff (Stafford Strategy) with the knowledge that tourism is on the increase in the south, and will continue to rise. The current thinking includes – restoring the historic wharf or part thereof, creating an historical hub in the centre of town in line with its establishment in 1824, medium sized cruise ships who will experience “old” and new Bluff; incorporating the proposed Oysterworld (SRRDS), possibly moving the Maritime Museum to the centre of town, more infrastructure such as toilets/showers, signage, roads, rail.

Notes:

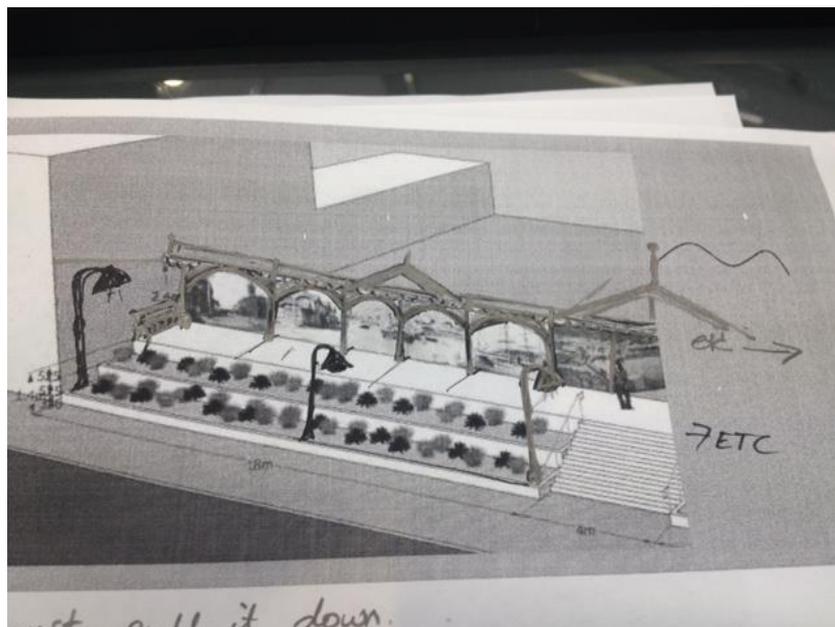
- Ocean Beach has been sold, an Auckland company is allegedly going to make it a tourist destination looking at primary seafood production, a seafood restaurant, and other ventures.
 - Oysterworld proposed site (rumour has it) is right next to the Bluff Service Centre and will be a huge tourist attraction
 - The Bluff Lodge (the old post office) has been sold to the buyers of Ocean Beach for worker accommodation
 - The Foveaux Hotel has been sold.
 - Southport is currently developing its community engagement strategy and will possibly look at part wharf restoration for community and public use.
 - This also includes ICC/VS looking at med-small cruise ships
- 2. Find a way to keep some or all of the facade.** This would keep the historically important visual intact, but also allow for someone to build behind. It is a good compromise, and would achieve both the Oyster Festival Committee's “need” for space for more attendees at the festival, and keep the history of Bluff intact for the future.
 - 3. If the Club Hotel MUST be pulled down then it is important the current design incorporates some of the architectural elements of the hotel.**

This includes: finials, iron cresting, roof lattice, Victorian arched windows and peaks.

It goes from this minimalist (and characterless) design proposed by McCulloch Architects (BELOW)



To this (below): Club Hotel – based installation (rough sketch) including Victorian architectural elements



Visitors would be able to look through the Club Hotel “windows” into the “past.” Include old school lights and park benches, and back light or down light the images.

Another design element that needs to be included is when the centre doors are opened to the low budget industrial farm-shedderly of the oyster festival site, it is screened off with something clever and aesthetic. Or a brick wall aka Club Hotel bricks.

Materials: it could be done with paint, or a 3d printer, or polystyrene, or timber, or even aluminium donated by the smelter. It doesn't need to be expensive.

My concerns:

1. Lack of time for community consultation/submissions. The holiday period allocated for submissions is not appropriate as many people are away.
2. The Oyster Festival Committee is a community trust and as such "owns" the premises on behalf of the community. They are also accountable to the Bluff community whether they like it or not, and need to consult accordingly. I have seen no serious evidence of consultation apart from the Bluff Community Board. I do not agree one month notified consent is enough.
3. RISK: It is questionable that a one day festival requirement to increase sales has the mandate or the justification to make this decision. The site is rarely used at the moment.

The Seafood festival in Kairoura was stopped after 21 years because it became a drinking/food festival rather than a week of festivities with full community engagement. The Oyster Festival currently is at risk from this happening. While the community is involved – key cultural activities such as the wearable arts have stopped.

4. Will the current demolition/design create a wind tunnel (I have one at 74 Gore St) and what is planned to mitigate against it if so.
5. Who is responsible for the gardens in this design?

Thanks for considering my submission.
Cherie Chapman

The Proposed Demolition of the Club Hotel, Bluff

An Alternative Approach

Stuart Niven B.Arch MA Urb Des
stuartniven@gmail.com

I write as an experienced urban designer with an extensive background in urban renewal and development processes and with heritage buildings and their role within urban fabric - whether a city, a town or a much smaller built community.

To give some idea of this experience over the last 30 plus years, and to give some weight to my comments that follow:

- I was the first urban designer appointed to a New Zealand Local Government Council in 1991.
- I was Wellington City Council's urban designer for almost 10 years up to 1999, which included the establishment and conceptual design of the now completed Wellington Public Waterfront.
- In 1999 I took up the position of Manager Urban Design at Melbourne City Council, responsible for what was then Australia's leading Local Government urban design studio.
- In 2002 I began 10 years of employment with the Victorian State Government as a senior urban design practitioner and advisor – with seven years of this period as the State Government's Director of Urban Design.
- In 2009 I was appointed as one of 7 independent specialist directors of *Sea+City Ltd* – a small public company established by the former Auckland City and Regional Councils to initiate the now well established Auckland Public Waterfront. Subsequently, I have had a seven year involvement as a senior urban design advisor to the new Auckland Council's Waterfront Development Agency and, more recently, to *Panuku Development Ltd* - its Urban Renewal Agency.
- I set up my own Urban Design practice in 2012 and have worked extensively in South East Asia, the Pacific, Australia and New Zealand on urban design and tourism-related projects.
- I returned from Australia to live in Wellington in mid 2018 and currently work again for Wellington City Council, on contract, as a senior urban design advisor while continuing in active private practice.

My comments are based on a site visit to Bluff in early January this year and my reading of the documents submitted by the applicant in support of the demolition application. I am familiar with the difficulties posed by the current condition of the four buildings that comprise the hotel and the estimated cost of its recovery as a building.

The information provided by the applicant captures the central dilemma of all listed heritage buildings of varying degrees of significance throughout New Zealand where the cost of retention and recovery in an earthquake-prone country is often an impossibly heavy financial burden on the building owner, with very little additional funding assistance available. This is quite aside from the equally challenging task of finding a viable economic use for the retained building.

It is in the full knowledge of these difficulties that confront an owner, that I offer the following four observations:

Heritage Custodianship and its Consequences

If heritage listing is to mean anything in New Zealand, it has to be given at least as much importance, in the weighing up of a listing (especially where real significance is involved) against the inevitable list of various collective impediments put forward by an owner seeking the demolition of a listed building. It is a fact that various past owners of the Club Hotel have to wear the collective responsibility for the building falling into its current sad state. Put in heritage terms, this is about a collective failure of custodianship implicit in the ownership responsibilities that attend a gazetted heritage building. This fact should have at least as much weight as any long list of difficulties faced by the current owner and where there is little acknowledgement of the responsibilities that are inherent in the ownership of a heritage building. Consequently, any claims about the building's depleted state are difficult to accept as part of any legitimate argument for its demolition. The cultural values associated with heritage are acknowledged in this country as important matters. This is why we have a well-established legislative tradition in New Zealand to identify and protect buildings of heritage value from exactly the kind of long term, benign neglect posed here by the issue of the Club Hotel. The fact that the current owners have purchased the Hotel to create a larger event space simply adds another shading to this poor understanding of heritage and the commitment to custodianship that comes with the ownership of heritage buildings.

Given this situation, it is difficult to understand the position of support for demolition given by the New Zealand Historic Places Trust who, I am led to understand, have the primary remit to protect New Zealand's listed heritage buildings.

The Urban Design Consequences of a Gap

Most towns and cities have what can be referred to as a "centre of gravity" – a place that, amongst all others that make up a town or an urban area, embodies an idea of centre. This may express itself through a mix of cultural, social and physical circumstances that mark a place as a defining physical location. Sometimes, however, that location and circumstance is purely physical – so if one were to remove the physical place the result would be an unraveling of a town's strong sense of individual identity. Bluff (and the physical circumstances of the Club Hotel block) provides an instructive example of a purely physical "centre of gravity". Its significance is clearly demonstrated by seeing the block and its frontage as it is today (and as it has

been in the long history of Bluff) and imagining what this crucial piece of town frontage would feel like if the hotel were to disappear, and be replaced by an open space (or close to an open space) – something that would be perceived as a large gap - in the intact integrity of the town's urban frontage to the port. A landscape-and-screen strategy, no matter how carefully crafted, will not replace this removal. It will simply emphasise the gap.

This is not so much a heritage issue as an issue of urban design – expressed in the town centre's makeup and composition. This town block is the only one with a continuous, tall, two-storey frontage of consistent architectural integrity to the port edge of the 5 town centre blocks that front the sea. Without the presence of this existing built frontage to approximately 75% of this important block, the urban feel and the visual identity of the town's frontage to the port will be forever undermined. It will be replaced by an open event space; not a building. The gap will remain. Even the event space will not be a continuous presence - it's purpose being to site a popular, but short-lasting, annual event. The paradox is that the annual event – the *Bluff Oyster and Food Festival* - is as important to the town as the built physical integrity of this crucial town block is to Bluff's identity as a distinctive physical place. This is not just an esoteric issue of town composition. It has significance for how a town like Bluff positions itself and its identity as a site for potential tourism growth and the economic benefits that attend this increase in visitation. There is a long, sad history of gap-toothed frontages within town centres – particularly for a town with a one-sided main street and an open frontage to a port. This history is marked by the subtle undermining a large gap in street frontage brings to the food, retail and general economic life of the remaining town centre blocks. Gaps in town centre frontages infect far more than just their immediate surroundings – especially where there is no strategy to fill the gap with activity for more than two weeks a year.

I note and understand the strategy to fill the gap proposed by the current owner and can confidently state that that this changes none of the comments made above.

The Economic Dilemma

Nothing can change the fundamental dilemma behind this application to demolish the Hotel building. Assuming a commitment by the owner to explore the retention and restoration of the building and to seek a viable, long-term use, the costs of this process are formidable. The fact that the owners appear to have purchased the Hotel to create an enlarged event space that does not require the retention of the building is an added dilemma in evaluating the estimated costs and the commitment to retain and restore the Hotel. Whatever the judgement, the question remains where are the funds to be found to retain and restore this collection of unsecured brick buildings, including the requirement to bring them up to an acceptable level of earthquake strengthening? Putting aside the issues raised above, it would not be surprising if this dilemma of cost becomes the determining factor in any decision to demolish. It's happened before.

Given the dilemma it is important to design a retention strategy that meets this dilemma head on. In other words, what would be the best approach if one was seriously committed to pursuing the restoration of the hotel and its use?

The applicant has presented a weight of evidence that appears to address this issue. A question, however, must remain as to the commitment to heritage ownership and its obligations, given the Trust's declared reason for their purchase of the Hotel – and, consequently, to the evidence and attendant prohibitive costs put forward as their approach to this issue.

A Possible Way Forward

The basis for any serious approach to the retention and restoration of a building such as this requires the application of a sophisticated, entrepreneurially led, development strategy. This means the selection of a project leader with a successful, entrepreneurial caste of thinking and a commitment to retention, a group of aligned technical experts with a genuine reputation for engineering and architectural innovation, similarly innovative marketing expertise allied with a pragmatic, but skillful, fund raising ability. An additional, but important stricture of this approach would be that it would not be necessary to pursue the retention of all four buildings that, collectively, make up the Hotel. It would be an objective of the approach to maintain at least 75% of the Hotel's block frontage (including the equivalent of at least one occupied room depth behind the street front) while considering the addition of new structure and facilities to achieve a successful level of hotel development and presentation. The purpose of the marketing and fund raising expertise (allied with property and tourism expertise) to search out the possible interested parties in taking on a project of this kind within the context of new approach to Southland's tourism offer.

While there is no getting away for the significant investment this project would require, the experience of the cost saving aspects of true engineering innovation and the international history of crowd funding suggest that all that should have been done to save an important heritage building and preserve the urban design integrity of Bluff has not been done.

While an assumption on my part, reading between the lines of the professional advice submitted by the applicant and relying on 25 years experience as a professional urban designer involved frequently with heritage retention matters in Australia and New Zealand, it does not stretch a point to conclude that the approach taken by the applicant to the retention of this important heritage building leaves something to be desired. That observation extends to the surprising position taken by New Zealand Historic Places Trust in their apparent acquiescence to the applicant's application to demolish the Hotel.

The conclusion this leads to is that all that should have been done has not been done to seriously undertake a focused approach to the retention of the Hotel (and to Bluff as a whole) – a consideration that those now responsible for maintaining the integrity of the public process need to seriously consider.

If this would be helpful, I would be open to appearing to reiterate these points at a Hearing. I would, however, prefer, if possible, for this to be arranged via a Skype connection.

A stylized handwritten signature in black ink, appearing to read 'Stuart Nnen'. The signature features a large, sweeping initial 'S' and a vertical line that extends upwards and downwards, intersecting the main body of the signature.

STUART NNEW.

1.2.19.

Submission On An Application for Resource Consent Publicly Notified
Under Section 95(A) or Notice Which Is Served Under Section 95(B)



SECTIONS 41D, 95(A), 95B, 95C, 96, 127(3) AND 234(4) RESOURCE MANAGEMENT ACT 1991

Submitter Details

Full name and address *Laina Niha*
87 Burrows St
Email Address* *BLUFF*
Contact Phone Number *03.212.8962*
Postal Address *as above*

* All Council correspondence will be sent to the email address provided.

Application Details

This is a submission on an application from

Full Name of Applicant

Details of application (Briefly describe the proposed activity)

Location of the application *Club Hotel*
Gore St
BLUFF

Submission

My submission is to include

- I support the application
- I am neutral regarding the application or specific parts of it
- I oppose the application or specific parts of it



The reasons for my submission are (continue on separate page if required)

① I feel it is a pity the Club Hotel had not been gifted to people of Bluff to form a trust and turn back into a viable business as accommodation and eatery. Repairs, although many could have been carried out by volunteers ^{through donations + fundraising,} and used as a training venture maybe by SIT, and in conjunction with upgrading OLD WHARF could have been turned into a tourism opportunity. It is a shame to see a historic building being listed to be demolished, New Zealand seems to not worry about 'saving' old buildings often - ^{additional page}

My submission would be met by the Council making the following decision; (give precise details, including the general nature of any conditions sought. Continue on separate page if required).

I feel that this is a wasted exercise because the decision is already made.

I do do not (tick one) wish to be heard in support of my submission.
(A hearing of the application may not occur if all affected parties state that they do not wish to be heard).

If others make a similar submission, I will will not (tick one) consider presenting a joint case with them at a hearing.

I am am not (tick one) a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (refer to note to submitter)

② replacing rather than repairing. A garden area if looked after is great but often a source of dumped rubbish and especially if blown there by wind which will happen when the gap is between to tall buildings. Many years ago when I was working in the Bluff Post office the top half was condemned and it is now a backpackers, so old buildings can be brought back to life.

Note to Submitter

- The closing date for serving a submission on the Council is the 20th working day after public or limited notification is given.
- You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the Council.
- If you are a trade competitor your right to make submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
- If you make a request under section 100 of the Act for a Hearing Commissioner to hear this application, you must do so in writing to the Council no later than 5 days after the close of submissions. You may be liable to meet or contribute to the costs of the Hearings Commissioner.

Your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following matters apply to the submission or part of the submission.

- it is frivolous or vexatious.
- it discloses no reasonable or relevant case.
- it would be an abuse of the hearing process to allow the submission (or the part of the submission) to be taken further.
- it contains offensive language.
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Signature of Submitter



1.2.19

Signature of person making submission or person authorised to sign on behalf of person making submission.
(Signature is not required if the submission is made by electronic means).

(Date Submitted)

Send the completed submission or hand in to us at:

Environmental and Planning Services
Invercargill City Council
Private Bag 90104
Invercargill
Email: ResourceConsents@icc.govt.nz

Objectives and Policies

The most relevant objectives and policies from the Proposed Invercargill City District Plan 2016 include:

2.4 COASTAL ENVIRONMENT

2.4.2 Objectives

Objective 1: The natural character of the coastal environment is preserved and protected from inappropriate subdivision, use, and development.

Objective 2: Provision is made for those activities that have a functional need of locating within the coastal environment.

Objective 3: Provide for existing infrastructure and development within the coastal environment, including the Port of Bluff and Tiwai Smelter and recognise the functional need for some activities to locate within the coastal environment.

Objective 4: Residential development within the coastal environment is provided for at Bluff and Ōmaui.

Objective 5: Infrastructure, renewable energy projects and associated development are provided for in the coastal environment, recognising that such developments may have specific locational and technical constraints, while maintaining and enhancing public access and preserving natural character as far as practicable.

Objective 6: Manage adverse effects of land use and development on coastal water quality and ecosystems.

2.4.3 Policies

Policy 1 Identification: To identify the coastal environment, recognising that the landward extent of the coastal environment varies as a result of the dynamic coastal processes and values present.

***Explanation:** The NZCPS 2010 clearly outlines the characteristics to be considered when identifying areas of coastal environment. The coastal environment is shaped by dynamic coastal processes. The District Planning Maps identify the general extent of the coastal environment within the Invercargill City District to assist with clarity as to when District Plan provisions apply.*

Policy 2 Locations for use and development: To identify the Bluff township, and the hamlet of Ōmaui as the appropriate locations for subdivision, use and development in the coastal environment and, subject to providing for activities with a functional need to locate in the coastal environment, to give priority to preservation of the natural character of the coastal environment elsewhere.

***Explanation:** This approach will encourage development to locate in areas that are already modified and help avoid cumulative effects, protect natural character, outstanding natural features and landscapes, and other values of the coastal environment. The areas within the Bluff township and Ōmaui that are considered appropriate are identified through zoning.*

Policy 3 To seek the maintenance and enhancement of public access within the coastal environment through regulatory and non-regulatory means where it:

- (a) Is practical to do so;
- (b) Will not give rise to health and safety issues; and
- (c) Will not interfere with the reasonable use of the land by the occupier.

Explanation: *The Objectives and Policies of the NZCPS and Regional Policy Statement for Southland require provision of public access along the margins of the coast in certain circumstances and the Council will seek to implement that by a range of regulatory and non-regulatory techniques while recognising potential effects and impacts of such access.*

Policy 4 Ensure that subdivision, use and development activities within the coastal environment:

- (A) Avoid adverse effects on areas of outstanding natural features and landscapes and/or outstanding natural character and/or areas of significant indigenous biodiversity.
- (B) Avoid significant adverse effects and avoid remedy or mitigate other adverse effects on other natural features and landscapes and/or natural character, and indigenous biodiversity.
- (C) Avoid, remedy or mitigate adverse effects on amenity, social, intrinsic, ecological, cultural and heritage values.

Explanation: *The coastal environment contains a multitude of values and it is appropriate to manage activities to avoid, remedy or mitigate any adverse effects of activities on those values. Such action is consistent with the NZCPS and Regional Policy Statement for Southland.*

Natural character may include matters such as:

- (a) *Natural elements, processes and patterns*
- (b) *Biophysical, ecological, geological and geomorphic aspects*
- (c) *Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks*
- (d) *The natural movement of water and sediment*
- (e) *The natural darkness of the night sky*
- (f) *Places or areas that are wild or scenic*
- (g) *A range of natural character from pristine to modified, and*
- (h) *Experiential attributes, including the sounds and smell of the sea, and their context or setting.*

When assessing natural character the extent to which natural character has already been modified by existing subdivision, use and development will be part of the evaluation.

Policy 5 National Grid: New development of the National Grid should seek to avoid adverse effects on outstanding natural features and landscapes and/or areas of outstanding natural character located within the coastal environment.

Explanation: *While all efforts should be made to avoid adverse effects on these environments this policy recognises that new development of the National Grid may not be able to avoid all adverse effects.*

Policy 6 Functional, technical or operational requirements:

- (A) To protect and provide for existing infrastructure, port and renewable energy projects that have a functional, technical or operational requirement to locate in the coastal environment.
- (B) To recognise and make provision for the functional, technical or operational requirements of infrastructure, port and renewable energy projects in determining appropriate locations and/or management in the coastal environment, and make appropriate provision for other facilities and activities that have located in the coastal environment for historical reasons.

Explanation: *The Port of Bluff and wharf facilities at Tiwai Point straddle the coastal marine area and the landward edges of the coastal environment and they have a functional need for such a location, as do mineral extraction activities. Infrastructure including roads, railways, and communication and power lines can also have a need to be located within the coastal environment in order to provide essential services.*

Other activities, such as the Aluminium Smelter at Tiwai Point and the associated National Grid transmission lines, are located in the coastal environment for historic reasons and have invested heavily in their buildings, plant and equipment. Much of the District's sport and recreation activities require large areas of land located within the coastal environment. All these activities are important in enabling development and diversification to occur to meet the changing needs of the Invercargill City District and the Southland region. Many have a technical and/or operational requirement to be located within a coastal space. For others, it is not practicable to consider relocation.

Where new activities are being established, notwithstanding this policy, regard must be given to the suitability of any site and, together with any expansion of existing activities, the extent to which adverse effects can be avoided, remedied or mitigated, having regard to the provisions of the Resource Management Act 1991.

2.8 HERITAGE

2.8.2 Objectives

Objective 1: Heritage values are identified and protected from inappropriate subdivision, use and development.

Objective 2: The built heritage of Invercargill is appropriately recognised and utilised.

Objective 3: Heritage values are appropriately managed to avoid or mitigate the potential adverse effects of natural processes and climate change.

2.8.3 Policies

Policy 1 Promotion: To promote public awareness and appreciation of Invercargill's heritage.

Explanation: *Raising public awareness and increasing the understanding of heritage will help protect the resource for future generations. The Council*

believes that the protection of heritage values is best promoted through a range of regulatory and non-regulatory methods. Non-regulatory methods such as providing information, education and financial incentives for protection are important because much of Invercargill's heritage is on privately owned land.

Policy 2 Identification: To identify and prioritise sites, structures, places and areas of heritage value.

Explanation: *The District Planning Maps and Appendix II identify the location of sites, structures, places and areas of known heritage value within Invercargill. Many of these sites have been derived from the New Zealand Heritage List/Rārangī Kōrero which lists heritage of both national and local significance, in accordance with criteria that are based on national statute. It is important that the District Plan has regard to the Heritage List. Other items in the District Plan Heritage Record (Appendix II) have been identified as being key examples of local architecture developed over time that are worthy of some form of protection. For example, many have been identified for their facades which ideally would be retained and incorporated, along with other heritage features, into new development.*

Archaeological sites recorded under the New Zealand Archaeological Association Recording Scheme, as at the date of notification of this Plan, are listed in Appendix II and shown on the District Planning Maps for information purposes. Historically, archaeological sites were not identified precisely in order to discourage wilful damage. The location of archaeological sites will be recorded on the District Planning Maps and within the District Plan where information is available to the Council.

Where any additional sites, structures, places, and areas with heritage value are discovered or brought to the Council's attention, these can be assessed on a case by case basis to determine whether it is appropriate for them to be afforded protection through the District Plan.

Policy 3 Effects on heritage: To avoid, remedy or mitigate the potential adverse effects of subdivision, use and development on heritage.

Explanation: *The maintenance and enhancement of heritage resources is important to the social and cultural well-being of communities through providing a sense of belonging and continuity. It is also important to recognise and provide for the relationship of tangata whenua, their culture and traditions, with their ancestral sites and wāhi tapu. Heritage resources are also becoming an important part of the economic development strategy of communities such as Invercargill because of their importance in enhancing the visual image and identity of the town and for attracting visitors.*

Where a subdivision or land use activity is proposed that will affect heritage, a heritage assessment of how that subdivision or land use activity will avoid, remedy or mitigate the potential adverse effects will be required as part of the resource consent application.

Where a new building is erected close to a listed building then regard should be given to the extent to which the new building respects the historical surroundings of the scheduled building. Respect for surroundings may be achieved by, for example, appropriately locating that building so as not to detract from the appearance or prominence of the listed building and by adopting compatible design, proportions, scale and materials for the new building.

Policy 4 Integration: To encourage the integration of new subdivision, use and development with heritage.

Explanation: *Integrating heritage with new subdivision, use and development can help retain heritage values as well as enhance contemporary developments. Provided that the values and integrity of the heritage site are not compromised redevelopment should be able to sympathetically extend the life and enhance appreciation of heritage. For example, upgrading an historic house may involve the restoration of the original design, material and fabric of the building, or restoring the surrounding gardens.*

Policy 5 Active management: To promote the active management, in particular the adaptive reuse, of heritage buildings to:

(A) Avoid serious risk to human safety.

(B) Investigate and evaluate all reasonable means of restoration, adaption, reuse and relocation as alternatives to demolition.

Explanation: *Heritage should be actively managed to ensure that potential restoration, adaption, reuse or relocation is identified and pursued at the earliest opportunity.*

The Invercargill community has much to gain from adaptively reusing historic buildings. Environmental benefits and the social advantage of recycling a valued heritage place make adaptive re-use of historic buildings an important component of sustainable development.

The abandonment or neglect of heritage buildings can result in risks to human safety. The condition of some heritage may limit restoration, adaption, re-use or relocation and may pose a health and safety risk, in which case demolition may be the best option.

In considering proposals for adaptive re-use of heritage buildings or structures the Council shall have regard to the principles of the ICOMOS NZ Charter.

Policy 6 Conservation and adaptive re-use: To promote the conservation and adaptive re-use of heritage buildings, groups of heritage buildings, heritage facades and heritage street furniture in the Central Business District of Invercargill.

Explanation: *Invercargill can be seen as a heritage precinct within the context of New Zealand. The city accommodates a valuable heritage resource of which much is visible in the street frontages and streetscapes in the Central Business District. This heritage is the basis of the City's qualities of authenticity and uniqueness which are valued by residents and visitors.*

The conservation and adaptive re-use of these features is important to retain the heritage value and character of the Central Business District.

Policy 7 Cultural sites: To protect cultural sites from the adverse effects of land disturbance and/or modification.

Explanation: *A range of methods is required to maintain, enhance, and where appropriate protect, cultural sites. For buildings of heritage value this will include the use of Rules. For other cultural sites, including those of archaeological value, regard will be given to them in considering any land use or subdivision*

consent. The Council will also provide information to land owners, including advice when LIMs are requested.

Policy 8 Collaboration: To collaborate with key stakeholders in the management of heritage.

Explanation: *A number of agencies including Environment Southland, Territorial Authorities, Te Ao Mārama Incorporated, the Department of Conservation, Heritage New Zealand Pouhere Taonga and the New Zealand Archaeological Association have roles and responsibilities regarding the management of heritage in Invercargill. Land owners, occupiers and community heritage groups also have vital roles in the management of heritage. To ensure resources are employed to greatest effect and the best outcome is achieved, open communication and the free flow of information between all parties is important.*

To recognise the sensitivity associated with some heritage resources this policy affirms the need to involve tangata whenua as kaitiaki, when managing Invercargill's heritage resources.

Policy 9 Natural processes: To manage the adverse effects of natural processes and climate change on heritage values.

Explanation: *Many of Invercargill's heritage sites are located along the coastline, so they are particularly vulnerable to coastal erosion. Natural processes such as flooding and changing weather patterns and alterations associated with climate change, such as sea level rise, can erode and break down the physical structure of heritage sites and modify the surrounding landscape. In many situations the heritage site may not be able to be protected from these natural processes and climate change. A number of methods are available to manage heritage values at risk from natural processes and climate change, and to obtain information from the site for records. The Council may consider a range of methods including involvement in projects that identify and keep records of sites within areas susceptible to natural processes.*

Policy 10 Tangata whenua: To recognise the role of tangata whenua as kaitiaki, and provide for:

- (A) Tangata whenua values and interests to be incorporated into the management of cultural heritage sites.
- (B) Consultation with tangata whenua regarding the means of maintaining and restoring sites, areas and landscapes that have particular significance to tangata whenua.
- (C) Active involvement of tangata whenua in the protection of cultural heritage values.
- (D) Customary use of cultural heritage sites of significance to the tangata whenua.

Explanation: *Tangata whenua have an important role in the management and protection of heritage values, particularly in the protection of cultural heritage values.*

2.10 NATURAL FEATURES, LANDSCAPES AND TOWNSCAPES

2.10.2 Objectives

Objective 1: Invercargill's outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.

Objective 2: Invercargill's locally distinctive and valued natural features and landscapes are identified and appropriately managed.

Objective 3: The special outstanding natural features and landscapes of the Otatara area are protected from inappropriate subdivision, use and development.

2.10.3 Policies

Policy 1 Criteria for identification: To identify and assess Invercargill's outstanding landscapes and natural features, and locally distinctive and valued natural features and landscapes, using the following criteria:

- (A) Natural science factors.
- (B) Aesthetic values.
- (C) Expressiveness.
- (D) Transient values.
- (E) The extent to which the values are shared or recognised.
- (F) Value to the tangata whenua.
- (G) Historical associations.
- (H) The presence of water including in seas, lakes, rivers, and streams.
- (I) Vegetation (indigenous and exotic).
- (J) Wild or scenic values.
- (K) The extent to which landscape values have already been modified by subdivision, use and/or development.

Explanation:

- (A) *"Natural science factors" include the geological, topographical, ecological and dynamic components of the landscape.*
- (B) *"Aesthetic values" includes memorability and naturalness.*
- (C) *"Expressiveness" refers to how obviously the landscape demonstrates the formative processes which helped to create it.*
- (D) *"Transient values" includes such features as the occasional presence of wildlife, or its values, at certain times of the day or of the year.*

- (E) *“The extent to which the values are shared or recognised” refers to the relationship between people and “place” and acknowledges the strong affinity people sometimes have with places that have special significance to them.*
- (F) *“Value to tangata whenua” refers to the special relationship that the Māori people have with places, often featured in legend.*
- (G) *“Historical associations” refers to anything of historic significance to any cultural group.*
- (H) *“The presence of water including in seas, lakes, rivers, and streams” recognises the contribution of water bodies to the amenity of an area, and the interrelationship between activities that take place on land and the adjoining water areas.*
- (I) *“Vegetation (indigenous and exotic)” includes natural bush areas, plantation forestry and landscaped area.*
- (J) *“Wild or scenic values” include those in their natural state and also those which have been modified by human activity.*
- (K) *“The extent to which landscape values have already been modified” recognises that high values can still be maintained, or even created, as a consequence of human activity.*

Policy 2 Identification and characterisation of outstanding natural features and landscapes: To identify the following as Invercargill’s outstanding features and landscapes, as delineated on the District Planning Maps:

- (A) Areas of Significant Indigenous Biodiversity Within The Otatara Zone.
- (B) Bluff Hill (Motupohue).
- (C) The Three Sisters/Ōmaui area.
- (D) Bluff Dune System.
- (E) The Awarua Wetlands.
- (F) The New River Estuary.
- (G) Bluff Harbour/Awarua Bay.
- (H) Sandy Point.
- (I) Oreti Beach.
- (J) Lake Murihiku.

Explanation: *These areas have been identified to be outstanding natural features and landscapes on the basis of an analysis using the criteria set out in Policy 1.*

Policy 3 Protection for outstanding natural features and landscapes: To provide for the protection of Invercargill’s outstanding landscapes and natural features, from

those activities that could adversely affect their intrinsic value and identity, which includes their associated vegetation and habitats.

Explanation: *The values and character of these areas which include their associated vegetation and habitats are also important in defining the character of the Invercargill City District.*

Policy 4 Locally distinctive and valued natural features and landscapes: To avoid, remedy or mitigate any adverse effects that activities may have on the following locally distinctive and valued natural features and landscapes:

- (A) Anderson Park.
- (B) Donovan Park.
- (C) Thomsons Bush and the Waihopai River.
- (D) Queens Park.
- (E) The Town Belt.
- (F) The Otepunu Creek and associated reserves and playing fields.
- (G) Kew Bush.
- (H) The Murihiku Marae and its landscape context.
- (I) Elizabeth Park.
- (J) The lagoon west of Kew/Appleby and its associated walkways/cycleways.
- (K) The Otatara Peninsula.

Explanation: *These areas have been assessed as locally distinctive and valued natural features and landscapes on the basis of an analysis using the criteria set out in Policy 1. Some but not all of these areas are reserves and have reserve management plans under the Reserves Act 1977.*

Policy 5 Identification of Invercargill's townscapes of value: To identify and promote the following as townscapes of value to the City District:

- (A) The rich variety of built heritage in the Central Business District (CBD).
- (B) The suburban "nodes" of Waikiwi, Windsor, Glengarry and South City.
- (C) Residential neighbourhood "character" types based on presence of the following housing typologies:
 - (a) Art Deco.
 - (b) Workers cottages circa 1880.
 - (c) The Bay Villa.
 - (d) Bungalows 1920s - 1930s.
 - (e) State Housing.
 - (f) 1960s housing.

(D) The rich variety of the Bluff built heritage of several styles.

Explanation: *These neighbourhoods and building character types contribute to the character and heritage of Invercargill and the Council will adopt non-regulatory methods to promote their attributes.*

Policy 6 Protection for locally distinctive and valued landscapes and townscapes and culturally significant landscapes and townscapes:

(A) To recognise the visual importance of the CBD, the established neighbourhoods and the parks in defining the character of Invercargill, and

(B) To encourage new development to complement and build on existing character and heritage.

Explanation: *Invercargill has those increasingly rare attributes of character and authenticity in its built environment. Its grid street pattern and layout of parks within that grid contribute significantly to defining the character of the city in spatial terms. The city will be a better place to live if future development complements and builds on existing character.*

Policy 7 Assessing effects on natural features and landscapes:

In considering any application for resource consent, assess the adverse effects on any natural feature or landscape, and avoid, remedy or mitigate such effects to an extent commensurate with the significance of that natural feature and landscape.

Explanation: *The District Plan identifies outstanding natural features and landscapes and Policy 3 provides for their protection. Policy 4 lists locally distinctive natural features and landscapes and any adverse effects on those features are to be assessed as part of any resource consent lodged. In addition regard is also required to be given to the impact on any other natural feature or landscape from subdivision and development. In determining the significance of natural features and landscapes not identified in the District Plan particular regard should be had to:*

- *The NZ Coastal Policy Statement*
- *The Regional Policy Statement for Southland*
- *The Southland Regional Coastal Plan*
- *Invercargill Coastal Landscape Study – Boffa Miskell, 2013*
- *Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 – The Cry of the People – Te Tangi a Taurira*

2.13 SOILS, MINERALS AND EARTHWORKS

2.13.2 Objectives

Objective 1: Invercargill's soils are managed sustainably.

Objective 2: The extraction of Invercargill's mineral resources is managed in such a way as to avoid, remedy or mitigate adverse environmental effects.

Objective 3: Earthworks in Invercargill are carried out in such a way as to avoid, remedy or mitigate adverse environmental effects.

Objective 4: On-site waste water disposal systems are designed, sited, operated and maintained in such a way as to avoid adverse environmental and public health effects.

2.13.3 Policies

Policy 1 Soil: Promote sustainable soil and land use development and management practices, particularly those that:

- (A) Maintain or improve soil properties.
- (B) Minimise soil loss from erosion or earthworks.
- (C) Minimise soil compaction and nutrient loss.
- (D) Reduce soil disturbance.
- (E) Maintain or improve water quality.
- (F) Maintain or improve indigenous biodiversity.

Explanation: *The soil resource is the basis of much of the region's economic activity and wealth and for day to day production of food. Promotion of the sustainable use of Invercargill's soils will help ensure the soil resource is working to its full potential and provide the desirable range of productive uses.*

Policy 2 High value soils: To identify the high value soils of the District and to delineate these on the District Planning Maps.

Explanation: *The District's high value soils are particularly important because they comprise such a small proportion of the soil resource of the District.*

Policy 3 Protection for high value soils: To protect the District's high value soils from the expansion of urban development.

Explanation: *The District's high value soils are an important resource that should be kept available for the production of food. Urban expansion typically reduces high value soil stocks either by reducing the total area or impairing the remaining soils. Such changes are effectively irreversible, because top soils can take thousands of years to develop.*

Policy 4 Mineral extraction: To require that mineral extraction and processing activities are undertaken in a manner that avoids, remedies or mitigates any potential adverse effects.

Explanation: *Land-based mineral extraction (including gravel extraction) is an appropriate rural land use activity, so long as adverse environmental effects including cumulative effects are avoided, remedied or mitigated. The potential adverse effects of mineral extraction activity include, but are not limited to, effects on rural amenity, landscapes and natural features, biodiversity, water quality, soil resources and the roading network.*

Policy 5 On-site waste water disposal: To require that on-site waste water disposal systems are designed for the specific conditions of the subject site and to encourage the ongoing maintenance of these systems.

***Explanation:** Appropriate design, siting and operation can minimise the risks to people and the environment of malfunctioning or poorly maintained on-site waste water systems.*

Policy 6 Filling and re-contouring: To control land use activities and development which propose to fill or re-contour land, or move or remove significant quantities of soil.

***Explanation:** Some modification of the landscape is inevitable in order to provide safe and stable building platforms and roads with a suitable gradient. Earthworks can therefore be necessary for land and economic development within the District. These activities can, however, give rise to adverse environmental effects and, therefore, the effects of land fill operations and significant alterations to the soil profile need to be addressed through controls in order to avoid adverse effects on the environment and public health.*

Policy 7 Record of filled land: To keep a record of land within the Invercargill City District that is known to have been filled.

***Explanation:** A public record of this information will assist land owners and developers.*

2.23 BUSINESS 2 (SUBURBAN SHOPPING AND BUSINESS) ZONE

These Zones provide for the City's suburban business, commercial, cultural and social activities serving suburban communities centred at Waikiwi, Windsor, Glengarry and South City, and also for the town centre at Bluff.

Most parts of the urban area are within 10 minutes' walk or easy driving distance of these centres. They are seen as the foci for businesses such as supermarkets and cafes which have a local clientele and which also draw mutual benefit from being near to each other.

2.23.1 Issues

The significant resource management issues for the Business 2 (Suburban Centre) Zone:

1. The role of the Zones as the City's suburban business, commercial, cultural and social centres is under threat if further dispersal of commercial activity occurs.
2. The quality of the environment and the standard of design and amenity can encourage or limit the ongoing viability of the Zones.
3. Land use can have effects on neighbouring residential areas.

2.23.2 Objectives

Objective 1: Maintenance and enhancement of suburban centres that provide for a range of retail, commercial, cultural, educational and social activities serving communities within the catchments of the Waikiwi, Windsor, Glengarry, and South City suburban centres, and Bluff town centre.

Objective 2: Residential activity is part of the land use mix within the Business 2 Zones.

2.23.3 Policies

Policy 1 Business 2 (Suburban Shopping and Business) Zone: To establish and implement Business 2 Zoning at Waikiwi, Windsor, Glengarry, and South City suburban centres, and Bluff town centre.

Explanation: *“The Big Picture - Invercargill District’s Spatial Plan 2012” emphasises the importance of the principal suburban shopping and business areas. Most parts of the City are within 10 minutes’ walk of these centres, which are seen as the foci for businesses such as supermarkets and cafes which have a local clientele and which benefit from locating near to each other. They provide a focus for people to gather, do business and socialise. Bluff is a distinct community, previously a Territorial Authority in its own right and geographically separated from Invercargill, which needs its own town centre.*

Policy 2 Urban design: To encourage the incorporation of the following urban design principles into the design of buildings and open space:

- (A) Buildings and land uses respect their context.
- (B) Buildings and land uses reflect and enhance the character of Invercargill.
- (C) Buildings and land uses offer diversity and choice for people.
- (D) Buildings and land uses are clearly linked by appropriate connections.
- (E) Buildings and land uses demonstrate creativity, encouraging innovative and imaginative solutions.
- (F) Custodianship - Buildings and land uses are environmentally sustainable, safe and healthy.
- (G) Collaboration - Stakeholders collaborate to achieve good urban design outcomes.

Explanation: *Promoting good urban design in the suburban shopping and business centres, and in Bluff town centre, is an important part of reinforcing their functions as foci for people to gather, do business, and socialise. The above principles have been derived from the New Zealand Urban Design Protocol 2005 to help explain what is meant by good urban design.*

Policy 3 Noise: To provide in the Business 2 Zone for a level of ambient noise consistent with mixed land uses including residential and also not incompatible with the amenities required by immediately adjoining residential neighbours.

Explanation: *The Council wishes to promote a mixture of land uses in the Business 2 Zone to help promote their viability and vibrancy. Noise is an inevitable by-product of activity and therefore contributes to vibrancy. However, excessive noise by any one group of activities detracts from the attractiveness of the location for other users. This means noise emissions must be regulated.*

Policy 4 Odour: To accept low levels of odour emissions whilst ensuring the absence of nuisance from objectionable odour.

Explanation: A variety of odours is an inevitable by-product of activity in a vibrant and busy centre. Some odours can be attractive and evocative (e.g. the smell of fresh bread, coffee). However, odours can be excessive or unpleasant and the Council needs the ability to take enforcement action when necessary.

Policy 5 Glare: To accept low levels of glare whilst ensuring freedom from nuisance from glare.

Explanation: A minor and transient inconvenience from glare is part of normal urban life. Glare can become a major nuisance or even a hazard if not considered in the design of buildings or moving signage, and the Council needs the ability to take enforcement action when necessary.

Policy 6 Electrical interference: To avoid nuisance from electrical interference.

Explanation: The possibility of electrical interference is an environmental effect that needs to be considered in the placement and maintenance of electrical equipment and machinery, including transmitting aerials.

Policy 7 Lighting: To encourage the provision of lighting associated with businesses, and also amenity and security lighting, as ancillary to a vibrant and attractive Business 2 Zone while recognising the inevitability of moderate amounts of lightspill.

Explanation: Lighting can be necessary for security and can also be a legitimate way of promoting a premises or enterprise. However, lightspill causing nuisance to neighbouring properties can be an adverse environmental effect from business lighting. Lightspill can also cause a hazard to transportation networks, including to aircraft, vehicles, trains, cyclists and pedestrians. It is necessary that District Plans establish limits around the amount of lightspill that can occur as ancillary to a vibrant and attractive area.

Policy 8 Protection from the weather: To encourage the provision of shelter from adverse weather, in particular rain and wind.

Explanation: Verandahs over public footpaths are a traditional feature of shopping areas in New Zealand towns and cities to provide pedestrians with shelter from rain. In southern New Zealand the prevalence of very strong winds also requires a response incorporated into building design. Ideally, weather protection will be built into the design of buildings and structures but it is not a requirement because of the smaller scale of suburban and Bluff shopping centres compared with the City Centre. Design responses to the need for weather protection other than verandahs may be appropriate.

Policy 9 Signage:

To recognise and provide for signage that contributes to a vibrant and attractive centre while avoiding signage that:

(A) Is not related to activities on the site on which the sign is situated.

(B) Has the potential to create a nuisance.

(C) Detracts from the amenities of the area, either because of its size, character or content.

Explanation:

- (A) *Signage is a necessary part of a business and retail centre, to assist people to identify premises or businesses they may be looking for and also to help give those businesses “presence” in the public realm.*
- (B) *Signage loses its point when it does not relate to the activities carried on in the premises on which the sign is attached or displayed. Signage of a purely advertising nature can detract from the effectiveness of directional signage or signage which identifies an establishment.*
- (C) *If signage is too large or intrusive it detracts from the effectiveness of other signage in the vicinity. Flashing illuminated signage can be annoying, especially to people who must work or live nearby.*

Policy 11 Hazardous substances: To provide for the storage and use of substances classed as hazardous whilst having regard to the safety needs of the general public.

Explanation: *Hazardous substances are part of the normal operation of many businesses e.g. use of gas for cooking, use of fuel for heating. Storage of excessive amounts of hazardous substances may pose a risk constituting an adverse environmental effect.*

Policy 12 Dilapidated structures and ill-maintained lands: To require that buildings will be sound, well maintained and tidy in appearance.

Explanation: *While there are remedies available to the Council under the Building Act with respect to dangerous or earthquake-prone buildings, it also needs to be able to take action under the RMA with respect to buildings that are dilapidated and untidy.*

Policy 13 Demolition or removal activities:

- (A) To encourage owners to consider the restoration, and adaptive re-use of buildings in preference to demolition.
- (B) To manage the adverse effects of demolition or removal on amenity values by ensuring the clean-up, screening and maintenance of sites.
- (C) To encourage active utilisation of sites post-demolition by encouraging their prompt redevelopment and in the meantime encouraging use of the site for such activities as car parking or public open space.

Explanation: *It is good practice to consider the restoration and adaptive re-use of any building or structure as part of the redevelopment process, in order to identify opportunities to reduce waste entering the waste stream and to ensure best use of existing resources and infrastructure.*

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.

Vacant, derelict sites would be detrimental to the anticipated character, vibrancy, amenity and function of this Zone. Where a site is to be left empty

post-demolition, adaptive ways to use the space and opportunities for active reutilisation of the sites in the interim are to be encouraged.

Policy 14 Height of structures: To control the height of structures in order to maintain scale and aesthetic coherence within the Business 2 Zone and in order to avoid, mitigate or remedy adverse effects on residential neighbours.

Explanation: *Any building higher than two storeys in the Business 2 Zone would need to be assessed to ensure it is compatible with the neighbourhood.*

Policy 15 Public Open space: To promote the provision of opportunities for the public to use and enjoy the Business 2 Zone.

Explanation: *Open spaces can provide focal points for these areas, offering opportunities for people including young people to meet and socialise in safe places. In Bluff, open space could be used to re-establish the connection between the shopping centre and the harbour, adding to the attractiveness of the town for both locals and visitors.*

Policy 16 Crime Prevention Through Environmental Design (CPTED): To encourage the incorporation of the following CPTED principles into the design of buildings and public spaces:

- (A) Awareness of the environment - refers to the layout of a place being legible and understandable, including the ability to see and to understand the significance of what is around and what is ahead.
- (B) Visibility by others - refers to a person not being isolated when using a building or space because the design facilitates them being seen by others.
- (C) Finding help - refers to the provision of clearly marked avenues to assistance such as emergency exits, alarms and phones.

Explanation: *An environment which is safe in both fact and in appearance is a primary requirement for a viable and vibrant centre. People need to feel safe in the area if they are to go there. There is much that can be done through environmental design to enhance public safety.*

Policy 17 Pedestrian-friendly frontages: To promote the creation of an environment along the retail frontages that will offer safety, comfort and a stimulating and enjoyable pedestrian experience.

Explanation: *The importance of a safe and interesting pedestrian environment to the viability of a centre is stressed in modern urban design theory. Building frontages that are designed to relate to the pedestrian scale are important in attracting people to an area and ensuring they feel safe within it. Design of building frontages should address the following six criteria: They should:*

- (A) *Be visually interesting to people at pedestrian speeds (approximately five kph).*
- (B) *Be transparent, enabling people to see goods on display or what is going on inside the building.*
- (C) *Appeal to many senses e.g. sight, smell, physical comfort.*

- (D) *By virtue of their texture and detailing, be attractive to people walking past.*
- (E) *Provide many points of exchange between the inside and outside realms (narrow frontages with many doors supplemented by a mixture of uses).*
- (F) *Incorporate vertical façade rhythms.*

Policy 18 Connectivity and circulation:

- (A) To promote connectivity and legibility of access to and within the Business 2 Zone to enable people to find their way around easily and conveniently.
- (B) To promote pedestrian-friendly routes to, and within, the Business 2 Zone.

Explanation:

- (A) *Invercargill's grid street pattern already delivers a high standard of connectivity. People appreciate an environment with clear landmarks and signposts, which is easy for them to find their way around. The reason for the location of the town centre at Bluff is historical and still makes sense in terms of the current structure of the town.*
- (B) *Business 2 Zones will work best if the routes to, from and within them are clear, logical, safe and attractive. The retail and business frontages need to be safe and attractive places for pedestrians.*

Policy 19 Parking:

- (A) To require the provision of adequate off-street car parking.
- (B) To encourage the provision of secure on-site cycle storage.

Explanation:

- (A) *Adequate provision of car parking is essential to maintaining and enhancing the viability and vibrancy of the Business 2 Zone. Car parks should be available for clients as first priority, service vehicles associated with on-site land uses, and some staff.*
- (B) *Invercargill is suited to bicycle travel because it is flat and travel distances are short. The Council is investing in cycleways to encourage more use of cycles, both within the City and as a recreational and visitor attraction in the rural parts of the District. Proper facilities for safe storage of cycles will further encourage their use.*

Policy 20 Freedom from litter: To promote the provision of litter containers appropriate to the nature of the business.

Explanation: *Generation of litter is often an undesirable effect of businesses in suburban areas. The provision and servicing of litter bins is encouraged.*