



THE

Hawthorndale

CARE VILLAGE

Resource Consent Application

The Hawthorndale Care Village Charitable Trust

15 May 2020

wsp


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Disclaimers and Limitations

This report (**Report**) has been prepared by WSP exclusively for **The Hawthorndale Care Village Charitable Trust** (**Client**) in relation to a resource consent application for a new aged care development (**Purpose**) and in accordance with the Short form Agreement with the Client dated 29 November 2019. WSP accepts no liability whatsoever for any reliance on or use of this Report, in whole or in part, for any use or purpose other than the Purpose or any use or reliance on the Report by any third party.

**APPLICATION FOR RESOURCE CONSENT
PURSUANT TO SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991**

To: Invercargill City District Council
101 Esk Street,
INVERCARGILL 9840

From: The Hawthorndale Care Village Charitable Trust
215 Centre St
INVERCARGILL 9812

The Hawthorndale Care Village Charitable Trust applies for the following resource consent:

1. The type of Resource Consent sought is:

| RMA Section | Resource Consent Sought |
|-------------|--|
| Section 9 | Construction and operation of an aged care facility (The Hawthorndale Care Village). |

2. The application proposes the development and operation of an aged care facility. A site plan, landscape master plan and drawings of the proposed care village are included as Appendix A.

3. The property details for the application site are as follows:

| | |
|---|--|
| 40 Fairview Avenue, Hawthorndale, Invercargill | Lot 41 DP 4928 and Part Lot 7 DP 4928 and Part Lot 2 DP 3809 and Part Section 12 Block I Invercargill Hundred held in record of title 39554. |
| 32 Stuart Street, Hawthorndale, Invercargill | Lot 8 Deposited Plan Blk I 48 held in record of title SL157/212. |

4. The properties the application relates to are owned by HWR Property Rest Home Limited (40 Fairview Avenue) and HWR Property Limited (32 Stuart Street).
5. A copy of the Record of Title for each property is included as Appendix B.
6. No other resource consents are required.
7. Attached in accordance with the Fourth Schedule of the Resource Management Act 1991 is a description of the proposed activity and an assessment of the environmental effects the proposed activity may have on the environment.
8. Included is an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.
9. Attached is an assessment of the proposed activity against any relevant provisions of a document referred to in Section 104(1)(b) of the Resource Management Act 1991, including the information required by Clause 2(2) of Schedule 4 of that Act.
10. Nothing in this application is affected by section 165ZH(1)(c) of the Resource Management Act 1991 (which relates to marine and coastal occupation).

11. The proposed activity is NOT within an area covered by a customary marine title group planning document under Section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011.
12. The application is NOT for any form of subdivision under the Act.
13. Information, as required by the relevant District Plan is contained in the attached document.
14. Attached is all other information required to be included in the application by the relevant District Plan, the Resource Management Act 1991 or any regulations made under that Act.
15. All information provided in this application is true and correct to the best of the applicant's and report writer's knowledge and understanding.
16. The applicant will pay all actual and reasonable application processing costs incurred by the Council.
17. A pre-application meeting was held with Invercargill City Council staff prior to lodgement of the application.
18. We request that all correspondence on this application be directed towards our Agent.

The Hawthorndale Care Village Charitable Trust

15th May 2020

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1 Introduction

This report supports, and forms part of a resource consent application made by The Hawthorndale Care Village Charitable Trust (THCVCT) to the Invercargill City Council for development of an aged care facility to be known as the Hawthorndale Care Village (HCV). The report has been prepared in accordance with the relevant provisions of the Resource Management Act 1991 (RMA) and the Invercargill City District Plan 2019 (the District Plan).

2 Background

2.1 The Hawthorndale Care Village Charitable Trust

Calvary Hospital Southland Ltd is a not-for-profit organisation that has been providing aged residential care services to the Invercargill and surrounding community since the 1960's. They own and operate Calvary Rest Home and Hospital at 215 Centre St, Newfield, Invercargill. Calvary Hospital was formerly run by the Little Company of Mary but is now governed by a voluntary Board of Directors. The role of the Directors is to provide a centre of excellence in health care for the aged, the sick and the dying, without regard to religious affiliation. The Board of Directors have identified an opportunity for a new development in Invercargill which will expand and enhance the availability of seniors' care and accommodation in Southland. THCVCT has been established by Calvary Hospital Southland Ltd as a separate entity to progress the HCV development. Once HCV is constructed and operation the intention is that Calvary Rest Home and Hospital will close.

2.2 Dementia & the De Hogeweyk Model

Dementia is a group of incurable brain diseases and the number of people in New Zealand with the illness is projected to increase. For elderly people with dementia, the world is small. Great deeds no longer count. It is small comforts which bring joy: a home, a safe place and if possible, doing what they feel like doing, with the freedom to do so. The proposed development will model the De Hogeweyk facility in the Netherlands which is internationally renowned for the delivery of innovative dementia services and accommodation. De Hogeweyk is a gated model village, designed specifically as a pioneering care facility for elderly people with dementia. The benefit of using all-day reminiscence therapy compared to traditional nursing homes, is that residents with dementia are more active and require less medication. The Care complex is set out like a village with a town square, supermarket, hairdressing salon, theatre, café / bar as well as the housing units themselves.

Residents have already lived a life where they shaped their own life, where they made choices about their own household and standards. The fact that a resident cannot function "normally" in certain areas, being handicapped by dementia, does not mean that they no longer have a valid opinion on their day to day life and surroundings. The resident's opinion on life, housing, values and standards determine their "lifestyle". Each house reflects a style that is common to and familiar for the number of occupants who live in that house. The living styles have different types of music playing, significantly varied interior design, food and methods of table setting.

There is no hyperreality, where the institute has made a place for normality and highly trained staff support the residents. The view on care is founded in day to day life in society. In normal society living means having your own space to live and managing your own household. People live together with other people sharing the same idea and value in life. This makes the place where one lives a home. The doctors, nurses and carers aim to make the experience as real as possible to the residents. Where the resident's shop at the supermarket and assist with preparing and cooking as they would at home. The carers wear normal daytime clothing rather than clinical clothing and fit into a role that the dementia patients are likely to be comfortable with.

2.3 HCV Vision

The vision of THCVCT for the HCV project is:

- To lead an evolution of aged care in New Zealand;
- To replicate everyday community life within a safe, secure and welcoming village;
- To provide the most normal life as possible, reminiscent of each individual's formative years, providing a sense of comfort, security and purpose;
- To breakdown the stigma and improve understanding of dementia; and
- To improve our understanding and provide an evidence-based approach to dementia.

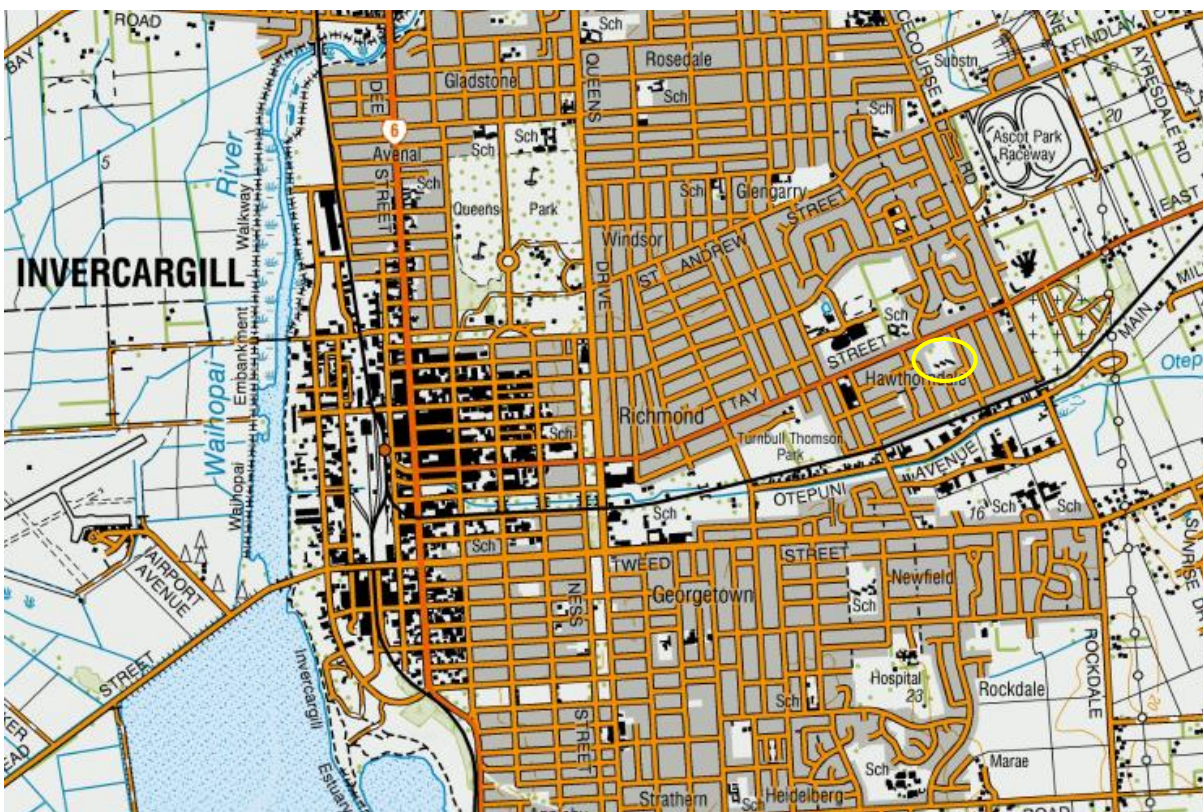
3 Site Description

3.1 Environmental Setting

The application site is located within an urban part of Invercargill City which is residential character and zoned for residential purposes. The area adjoining and surrounding the site is formed of residential properties and roading infrastructure (roads, footpaths, grassed and landscaped verges). Water, stormwater, wastewater and power infrastructure is present and forms part of the physical environment of the surrounding area. This part of Invercargill City was developed for residential purposes from the 1960's onwards.

3.2 The Site

The application site is located at 40 Fairview Avenue and 32 Stuart Street, Hawthorndale Invercargill as detailed in Map 1 below.



Map 1 - Location of proposed Hawthorndale Care Village

The application relates to a large vacant property approximately 2.6ha in size that was previously occupied by Hawthorndale Primary School (40 Fairview Avenue). A second adjoining property 809m² in size also forms part of the application site and this property is occupied by the former Hawthorndale Scout Hall (32 Stuart Street).

Both these properties (the application site) are zoned as the Residential 1 Zone under the District Plan. Vehicle access to 40 Fairview Avenue is obtained from Fairview Avenue with pedestrian access from State highway 1 (Tay Street). Vehicle access to 32 Stuart Street is obtained from Stuart Street.

The surrounding area is zoned residential and formed predominantly of residential properties occupied by residential dwellings and accessory buildings. Residential properties adjoin the site along the south, west and east boundaries and part of the north boundary. Part of the site adjoins State highway 1 (Tay Street) along the northern boundary. A motel adjoins the site at the north eastern corner and a small chapel adjoins the site adjacent the Fairview Avenue access. Residential properties are located to the north and south of the Scout Hall property and on the opposite side of Stuart Street.

3.3 Hawthorndale School

Hawthorndale School was closed in 2005 an outcome of a nationwide rationalisation of school property by Central Government. The number of state schools in Invercargill reduced from 30 to 19 at this time through closures and mergers. Some of the closed school sites have remained vacant and /or unoccupied since this time including the Hawthorndale School site. The school buildings were located on the southern part of site and were demolished around 2015. Most of the school site was formed of playing fields which were located north of the school buildings towards the property frontage with State highway 1 (Tay Street). There has been a range of land development proposals for the site since the School closed. To date none of these development proposals have progressed and the site is vacant.

4 Proposed Activity

4.1 Hawthorndale Care Village

THCVCT propose construction of the HCV development at 40 Fairview Avenue and 32 Stuart Street, Hawthorndale, Invercargill. Plans of the proposed development are included as Appendix A. The proposed development will include an 86-bed aged residential care facility, 19 independent residential living units and 22 residential apartments. The residential care facility and independent living units will be single story buildings and the residential apartment block two story.

The HCV will be New Zealand's first aged care facility to be based on the model of the De Hogeweyk Care Village catering to the Dementia patients of Southland and Otago. As noted above part of the vision for HCV in providing dementia care is to replicate everyday community life within a safe, secure and welcoming village. As a result, there are a range of land use activities included in the development that could reasonably be expected in a village. these include a café /bar, small retail shop, post office, bakery, salon, theatre, gym, chapel, bloke shed, communal plaza area and playground. Some of these facilities will be accessible to the public but are predominantly for residents, visitor and staff use.

The District Plan defines Residential Care Activity as a site used for supervised residential accommodation for persons who are not living independently. Parts of the HCV development sit outside the definition of Residential Care Activity and a full description of all aspects of the proposal, relevant definition and activity status is provided below at section 5.2. However, the intention is that the HCV operates and functions as a residential care village and as such all aspects of the development are connected and integral to the overall concept.

A description and summary of the different land use aspects of HCV is detailed below.

4.2 Dementia Care Homes

The residential care facility will be formed of thirteen residential care homes (buildings) with 6 or 7 beds per home. The residential care homes are a mix of detached and semi-detached buildings with two central blocks formed of four attached care homes. A total of 84 residential care rooms will be provided in this part of the HCV. The care homes will be in the centre and towards the western boundary of the site. Each building has an L shape design and is comprised of individual bedrooms with a communal kitchen / lounge / living area. The floor area for these residential units ranges from 297m² to 315m².

4.3 Independent Living Residential Units

A total of nineteen independent living units are proposed as part of the HCV development. Each unit will have a designated off street car parking space. Sixteen of these units will be located adjacent the southern boundary of the site. These units are semi-detached single-story dwellings 93 or 94m² in floor area. The other three independent living units are proposed at 32 Stuart Street comprising two semi-detached units and one detached unit all 93m² in area. The three residential units on the Stuart Street property will have vehicle and pedestrian access from the wider HCV site and pedestrian access from Stuart Street.

4.4 Residential Apartments

The apartment block will be located towards the eastern side of the site adjacent the main internal access road. The apartment block will have two levels and be formed of 22 apartments in total made up of 16 two-bedroom and 6 one-bedroom apartments. Nine apartments will be located at ground floor level and thirteen at second floor level. The two-bedroom apartment units will be 78m² in floor area and the one-bedroom apartments 56m² in floor area. The apartment block will include 22 off street car parks located at the southern end of the building. The apartment building includes a communal lounge, kitchenette and bar at its northern end. Outdoor living space is provided for each apartment on the ground floor. Balconies are provided for all second-floor level apartments. Morning and evening outdoor courts are provided as part of the apartment development. These courts are located at the northern end of the apartment building and are landscaped areas intended for use by residents of the apartments.

4.5 Village Atrium and Amenities

A village atrium is incorporated into the design providing a communal open space area at the interface of the dementia care area and operational / public areas of the HCV. The atrium links to the main outdoor recreation area of the HCV. Amenities are also proposed in this area including a playground, vegetable garden, bloke shed and glass house. These features are discussed further below at section 4.15 and are detailed on the Landscape Master Plan included as Appendix E. The village atrium and amenities are intended for resident, staff and visitor use. A theatre, music room and art room are also proposed adjacent the Village Atrium.

4.6 Village Zones

As detailed on the Landscape Mater Plan (Appendix E) the HCV will be formed of four key zones; the Arrival / Entrance Zone, The Main Street Community Zone, Independent Apartment Living Zone, Independent Living Villa Zone and the Self-contained Secure Village Zone.

4.7 Chapel

A chapel building approximately 115m² in floor area is proposed adjacent the village atrium.

4.8 Site Coverage

Site coverage for the proposed development on the former Hawthorndale School site is 33.6%. Site coverage for the three independent living units on the property at 32 Stuart Street is 34%.

4.9 Administration

Offices, a reception, cleaners' rooms, storage rooms, file rooms and administration rooms are all proposed and will form part of HCV. These facilities will be located adjacent the lobby to the main administration building and the community service and retail areas at the northern Tay Street frontage of the site.

4.10 Car Parking

A total of 110 off street car parking spaces are proposed as part of HCV for residents, staff and visitor use as detailed in Table 1 below.

| Type | Number |
|---|---|
| Residential Units & Apartments | 41 (includes 3 parking spaces at 32 Stuart Street) |
| Staff | 53 |
| Dementia Care Residents (Visitor Parks) | 16 |
| Total | 110 |

4.11 Café / Bar

A café / bar is proposed as part of HCV and would be open to both residents of the village, visitors and the public.

4.12 Retail Dairy, Post Office and Bakery

A small retail dairy, post office and bakery are proposed as part of HCV and would be open to both residents of the village, visitors and the public.

4.13 Commercial Service Activity

Areas for hairdresser, physiotherapy, massage and gymnasium services are included in HCV. These service activities would be open to both residents of the village, visitors and the public.

4.14 Maintenance, Laundry, Plant, Storage & Loading

Maintenance buildings, plant rooms, storage rooms a loading facility and a laundry are proposed for operational / staff use.

4.15 Landscape Treatment

Extensive landscape treatment of the HCV site is proposed. A Landscape Master Plan is detailed in Appendix E. Key features proposed as part of implementation of the Landscape Master Plan include construction of a Central Plaza, Playground, Glass House, Vege Garden, Garden Shed, Morning and Afternoon Courts for the Apartment building, Scooter Parks and Cycle Parks. A gate for Emergency Services providing access to the Dementia Care Homes is proposed. Landscape

features are proposed throughout the HCV site, areas of lawn, annual flower beds, coloured concrete, patios hedges and tree planting. A number of existing mature trees will be retained, and the existing hedge positioned adjacent the western boundary of the site will be removed. Rumble strips are proposed on the main access between State highway 1 Tay Street and Fairview Avenue.

4.16 Hours of Operation

As the proposed activity is predominantly a residential land use the HCV will operate 24 hours a day, 7 days a week, 365 days a year. HCV will operate visitor hours which will be set when the Village is completed and operational. These hours may alter and as such for the purposes of this resource consent application resource consent is sought for 24 hours a day 7 days a week.

4.17 Signage

One large freestanding sign is proposed at the main Tay Street State highway 1 vehicle entrance to HCV. One smaller freestanding sign will be erected at the Fairview Avenue entrance and another at the 32 Stuart Street pedestrian access. A sign detailing the HCV name will be attached to the administration building above the main entrance fronting Tay Street State highway 1. The size of proposed signage is detailed in Table 2 below. Signage has yet to be designed but this application seeks resource consent for the signage detailed in Table 2.

| Sign Location | Type | Size (sqm) |
|---------------------------------|------------------------------|------------------------|
| SH1 Tay Street entrance | Freestanding | 10 |
| Fairview Avenue access | Freestanding | 5 |
| Stuart Street pedestrian access | Freestanding | 5 |
| HCV | Attached / Painted to facade | 10 |
| Total Signage | | 30m² |

Additional directional and building signage will also be erected or placed throughout the site. Signage erected for health and safety reasons under other legislation and signage described in Part 2 of Land Transport Rule 54002: Traffic Control Devices 2004 is a permitted activity under Rule SIGN-R2.

4.18 Internal Secure Perimeter

HCV will operate with an internal secure perimeter which is detailed on the site plan in Appendix A. The secure perimeter is designed to prevent residents with advanced dementia from leaving the HCV unsupervised. The secure perimeter will be formed around the dementia care units and will be incorporated into the public facets of the village where the café, offices and other communal services will be located. The perimeter will not be obvious at the interface of public areas for example a door release button or similar will operate in a manner that enables non-dementia patients to exit the buildings and site. The idea being that residents of the dementia care units cannot leave unsupervised.

4.19 Boundary Fencing

The site has existing boundary fencing present along all property boundaries. No changes to the existing boundary fencing are proposed.

4.20 Access to the site

Vehicle access to the site is proposed from State highway 1 Tay Street and Fairview Avenue. A new access is proposed on to State highway 1 Tay Street, at the north eastern end of the former school property. A pedestrian access adjacent the main entrance to the HCV administration building is also proposed on Tay Street State highway 1. The existing property access on Fairview Avenue will be retained and will function as a second vehicle access for HCV. The Tay Street State highway 1 access will act as the main vehicle access point for HCV. Pedestrian access is proposed from Stuart Street at the street frontage of 32 Stuart Street. HCV will be serviced by an internal driveway connecting Fairview Avenue and State highway 1 (Tay Street). This driveway will not be legal road and as such access to and along it will be at the discretion of HCV. Residents in the independent units and apartments of the HCV will have access to their homes through both the Fairview Avenue and State highway 1 Tay Street entry. Access to amenities and services of HCV will be available through the main vehicle access to State highway 1 Tay Street.

4.21 Earthworks

Earthworks are proposed across the application site to enable construction of HCV, formation of access roads, car park areas and landscaping. As part of the HCV development 150mm of top soil will be stripped across the development site (including 32 Stuart St). A further 350mm of soil material will then be stripped and backfilled with imported fill material to enable formation of the building platforms. Geotechnical investigations of the site identified a historic channel or ditch that has been filled with uncontrolled fill. This channel will be excavated and backfilled with compacted engineered fill.

| | |
|----------------------|----------------------------|
| Building Platforms | 5,850m ³ |
| Topsoil Removal | 5,500m ³ |
| Former Water Channel | 1,000m ³ |
| Roading | 4,500m ³ |
| Total | 16,850m³ |

The total volume of earthworks to enable construction of HCV is estimated at 16,850m³. In terms of the volume of earthworks that resource consent is sought for this figure has been raised slightly to a round figure of 17,000m³.

4.22 Demolition Activity

The former Hawthorndale Scout Hall located at 32 Stuart Street, Hawthorndale, Invercargill forms part of the development site. The existing scout hall buildings will be demolished or removed from site. The scout hall building is approximately 450m² in floor area.

4.23 Hazardous Substances

HCV does not propose large scale storage of hazardous substances on the site. Hazardous substances used in normal domestic living will be used and stored as part of residential living. Arrangements for heating of HCV have not yet been confirmed. District Plan requirements relating to the storage of hazardous substances will be assessed at a later date if the heating system uses a fuel that is a hazardous substance.

4.24 Heating

Arrangements for heating of HCV have not yet been confirmed. If a boiler system is proposed it is anticipated that the discharge from the heating system will be a permitted activity under Rule 5.5.4 of the Southland Regional Air Plan 2016.

4.25 Staging

It is anticipated that HCV will be constructed in two stages and a staging plan is included in Appendix A. Stage 1 would be formed of 10 independent living units all the Dementia Care Homes, administration facilities, village amenities, the main access to State highway 1 Tay Street and car parking in the northern parts of the development site. Stage 2 will comprise the apartment block, 9 remaining independent living units and remaining car parking and access driveways. The proposed staging of the development may alter. Staging is not anticipated to give rise to any specific environmental effects. As a result, no conditions or restrictions are required or sought in regard to staging of the HCV development.

5 Resource Consents Required

5.1 National Environmental Standards for Contaminants in Soil

One of the properties the application relates to has history of HAIL (Hazardous Activities and Industries List (HAIL) activities. The National Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) is therefore applies.

Due to the potential for ground to have been contaminated by asbestos during the demolition process of the former Primary School, Environment Southland (ES) has listed the site in its Selected Land Use Sites (SLUS) register as registration number SLUS-20163057. The relevant HAIL categories as identified by ES are:

| |
|--|
| HAIL. I: Other land subjected to the release of a hazardous substance |
| E1: Asbestos products manufacture, disposal or deteriorated buildings |
| A10: Persistent pesticide bulk storage or use |

As a result of the HAIL history of the former Hawthorndale School property a Detailed Site Investigation (DSI) is required in order to characterise the contamination risk both to human health and the environment during and following proposed development works.

Two DSI have been undertaken the first by Tonkin and Taylor (T&T DSI) in 2016 and the second by WSP NZ Ltd in 2020 (WSP DSI). Both DSI are included in this application as Appendix D. The T&T DSI focussed on the southern area of the former school property which previously contained school buildings. The WSP DSI focussed on the northern area of the former school property which was previously utilised as sports / playing fields.

Of the five activities regulated under the NES two are relevant to this application with these being soil disturbance and change of use both of which are proposed on the site as part of HCV.

The T&T DSI concludes:

- *HAIL activities have occurred on the site in the past, as follows:*
 - *Sports field (HAIL activity A10) within the northern half of the site; and*
 - *Asbestos contamination of soils (HAIL activity E1) due to demolition in the area of the former buildings (demolition area).'*

- *The investigation programme has indicated that the demolition activity has not resulted in the contamination of soils with asbestos. With regards to the site's inclusion on the ES SLUS for HAIL category E1 – asbestos products manufacture or disposal including sites with buildings containing asbestos products known to be in a deteriorated condition, the investigation findings suggest the site should be assigned the category of “at or below background concentrations”.*

The T&T DSI makes the following recommendations:

1. *Within the northern half of site (former sports field (i.e. HAIL category A10): Resource consents under the NES Soil, RWP, PWLP and proposed District Plan for future development may be required; and*
2. *Intrusive soil investigations may be required to determine if past use of persistent pesticides has resulted in ground contamination to support application(s) for resource consent.*

In response to the conclusions of the T&T DSI, an additional DSI was commissioned to assess the risks to human health associated from potential HAIL activities (the historical application of persistent pesticides) on the sports field (northern) area of the site.

The WSP DSI concludes:

- *Soil analysis results from the investigation indicate that concentrations of contaminants of concern were below human health criteria across the site. All soils were below background concentrations and as such the NESCS does not apply to this site.*
- *The soil results indicate that soils removed from the site can be considered clean fill.*

The WSP DSI makes the following recommendations:

1. *The site is suitable for the proposed development in terms of the risks to human health from potential contaminants of concern.*
2. *Should any ground conditions be encountered across the site which are not anticipated from the findings of this report a SQEP should be consulted in order to reassess the risks to human health;*
3. *This DSI report is submitted to the consenting authority as part of any resource consent application; and*
4. *This DSI report is submitted to the regional authority in to facilitate updating the HAIL database.*

Based on the reported soil results, both DSI conclude that contaminants of concern are below human health guidelines and well below background concentrations. Under Clause 5 (1) (b) of the NESCS the regulations do not apply when a person wants to do an activity described in any of subclauses (2) to (6) on a piece of land described in subclause (9).

Subclause 9 states that these regulations do not apply to a piece of land described in subclause (7) (a site with a history of HAIL activity) about which a DSI exists that demonstrates that any contaminants in or on the piece of land are at, or below, background concentrations.

The NESCS does NOT apply to the site, no resource consents are required under it.

5.2 Invercargill City District Plan 2019

Table 4 below provides a list of HCV activities and the relevant District Plan definitions for the purposes of determining the activity status of the proposed development. As noted in section 4

above a range of activities are proposed as part of the HCV development. These activities are listed in the Table 4 below along with the relevant District Plan definitions. As part of residential care activity undertaken at HCV medical assessment, treatment and care services will be provided to residents. These activities are integral to residential care activity. For clarity these aspects on the proposed activity have not been classed as hospital activity as per the district plan definition but will be undertaken as part of the day to day operation of the HCV as a Residential Care Activity.

| Table 4 – HCV Activities & District Plan Definitions | | |
|---|---|--|
| Activity | District Plan Definition | HCV Activities |
| <i>Residential Activity</i> | <i>Means the use of land and buildings by an individual, a family unit or a group of unrelated individuals living together in a single household which is self-contained in respect of sleeping, cooking, dining, bathing and toilet facilities, and includes ancillary entertainment and recreation activities and home detention.</i> | Independent Living Units, Residential Apartments |
| <i>Residential Care Activity</i> | <i>Means the provision of supervised residential accommodation, other than as provided for by a home occupation, for persons who are not living independently, including rest homes and persons with intellectual or physical disabilities, but excludes remand and other such institutions where people are not free to enter or leave the premises as they wish. Residential Care Activity also includes Day Care Activity.</i> | Dementia Care, Office Activity, Administration, Staff Facilities, Kitchen, Workshops and Maintenance, Plant Rooms, Laundry, Atrium, Community Services, Playground, Car Parking (staff, resident & visitor), Loading Facilities, Spa, Storerooms, Change Rooms, Toilet Facilities, Secure Perimeter, Art Room, Music Room. |
| <i>Restaurant</i> | <i>Means land and buildings where food is prepared and sold to the public primarily for consumption on the premises and may include incidental sale of liquor and drinks. This includes cafes, tearooms, coffee bars and unless otherwise stated Drive-Through Facilities.</i> | Café / Bar |
| <i>Communal Activity</i> | <i>Means any activity carried out on land or in buildings where people gather for meetings, social, cultural or religious ceremonies and socialising including, but not limited to, sports clubs, movie theatres, night clubs, gaming centres and churches. This also means activities carried out on land or within buildings where people pay to watch sports, displays or other such activities. Communal Activity includes, but is not limited to, ancillary sales of food, beverages and other retail items associated with the activity or event. Communal Activity excludes any such use associated with any Residential Activity, Education Activity, Day Care Activity, Commercial Activity, and Commercial Recreation Activity.</i> | Chapel, Bloke Shed, Theatre |
| <i>Retail Sales</i> | <i>Means the direct sale or hire to the public from any site, and/or the display or offering for sale or hire to the public on any site of goods, merchandise or equipment including Lotto sales and Totalisator Agency Board venues, but excludes supermarkets and motor vehicle sales. Unless otherwise provided for, Retail Sales includes Take-Away Food Premises, and Nursery Activities.</i> | Dairy / Post Office / Bakery |
| <i>Commercial Service Activity:</i> | <i>Means any lawful service, including professional service, offered to individuals in return for a fee and which may or may not require a qualification or certification of the provider. This includes, but is not limited to, activities providing services such as laundry or dry cleaning services, hairdressers' premises, and beauty salons. This includes any ancillary retail sales and associated offices and staff facilities but does not include Office Activity.</i> | Salon, Physiotherapy, Gymnasium |

5.2.1 Residential Activity

Residential activity is permitted within the Residential 1 Zone under Rule RES1Z-R1. Aspects of the HCV notably the independent living residential units and residential apartments are consistent with the definition of Residential Activity. The permitted baseline is discussed further in Section 6 below.

5.2.2 Residential Care Activity

Under Rule RES1Z-R2 Residential Care Activity for nine or more persons in the Residential 1 Zone is a discretionary activity.

5.2.3 Communal Activity

Under Rule RES1Z-R2 Communal Activity in the Residential 1 Zone is a discretionary activity.

5.2.4 Earthworks

Rule SOIL-R2 of the District Plan permits earthworks of 50m³ per site up to 1,000m², plus 50m³ each 1,000m² thereafter, in the Residential 1 Zone. The volume of earthworks required to enable construction of HCV is estimated at 17,000m³. As the volume of earthworks activity on the site exceeds the permitted levels in Rule SOIL-R2 resource consent is required as a discretionary activity under Rule SOIL-R7.

5.2.5 Retail Dairy, Bakery, Post Office

Under Rule RES1Z-R3 retail sales in the Residential 1 Zone are a non-complying activity.

5.2.6 Commercial Service Activity:

Under Rule RES1Z-R3 commercial service activity in the Residential 1 Zone is a non-complying activity.

5.2.7 Café / Bar

Under Rule RES1Z-R3 a restaurant (café) in the Residential 1 Zone is a non-complying activity.

5.2.8 Car Parking

Under Rule TRA-R1 'Off-Street Car Parking Requirements' there is a shortfall of 26 on site car parks for those aspects of the HCV that do not fit within the District Plan definitions of Residential Care Activity and Residential Activity. Under Rule TRA-R4 this is a discretionary activity.

5.2.9 Access to State highway

Under Rule TRA-R11 It is a discretionary activity to construct and use new vehicle accesses from, and egresses on to, State Highways for any non-complying activity where the speed limit is 50 kph or less. A new access is proposed to State highway 1.

5.2.10 Demolition Activity

Under Rule DERE-R2 it is a controlled activity to demolish or remove buildings and structures with an area of 80m² or more in the Residential 1 Zone. The former Hawthorndale Scout building at 32 Stuart Street is greater than 80m² in size and will be demolished or removed to enable construction of HCV.

5.2.11 Signage

Under Rule SIGN-R5 any signage which is neither a permitted activity nor a discretionary activity under SIGN-R1, SIGN-R2 and SIGN-R3 is a non-complying activity. The signage proposed as part of HCV is neither permitted or discretionary as it exceeds these permitted and discretionary size limits.

5.2.12 Space Around Buildings

Under Rule RES1Z-R13 a yard at least 2 metres deep shall be provided along each of the two northernmost boundaries of the site. Two sections of two of the care homes (S5 and S7) are located within 1 metre of the western boundary (one of the northern most boundaries of the site). Under Rule RES1Z-R14 a yard at least 4 metres deep shall be provided along all side and rear boundaries of any non-residential activity. Sections of three of the car homes (F1, S5 and S7) are located within 4 metres of side boundaries. As a result, under Rule RES1Z-R15 these aspects of the HCV are a discretionary activity.

5.2.13 Outdoor Living

Under RES1Z-R910 for residences located one storey above the ground floor a balcony is to be provided with a minimum area of 15m² and a minimum horizontal dimension 2.5 metres. There are 13 apartments at the first-floor level proposed as part of the apartment block. All 13 have balconies but all balconies are less than 15m² in area. Resource consent is sought for undersized balconies as a discretionary activity.

The three independent living units proposed at 32 Stuart Street are located 4 metres off the northern boundary of this property, do not meet the requirements of Rule RES1Z-R9 and are a discretionary activity.

5.2.14 Residential Density

A total of three residences proposed on the Stuart Street property. The proposal exceeds the one residence per 400m² requirement under Rule RES1Z-R5 and this aspect of the proposal is a discretionary activity.

5.2.15 Summary

As some aspects of the HCV proposal are discretionary and others non-complying bundling of the activities is considered appropriate. The proposed HCV development is a Non-Complying Activity with demolition of the former Hawthorndale Scout building at 32 Stuart Street a Controlled Activity.

6 The Permitted Baseline

In assessing the effects of the proposal Section 104(2) of the RMA provides discretion to apply the 'permitted baseline test'. The permitted baseline, which applies to permitted activities on the subject site, removes the effects of those activities from consideration under section 104(1)(a) of the RMA. In terms of the subject site the permitted baseline applies to both properties (40 Fairview Avenue and 32 Stuart Street, Hawthorndale, Invercargill).

At the time the resource consent application was lodged only the rules of the District Plan were operative. The application site is zoned Residential 1 Zone under the District Plan. The following are permitted activities in the Residential 1 Zone:

1. Educational Activity (on sites listed in APP10 – Appendix 10).
2. Home Occupation
3. Home Stay
4. Residential Activity
5. Residential Care Activity limited to a maximum of eight persons.

For the purposes of this application the two key activities listed above relevant to the permitted baseline are residential activity (4) and residential care activity (5).

Residential Activity is defined as follows:

Means the use of land and buildings by an individual, a family unit or a group of unrelated individuals living together in a single household which is self-contained in respect of sleeping, cooking, dining, bathing and toilet facilities, and includes ancillary entertainment and recreation activities and home detention.

The 19 independent care units proposed as part of HCV are residential activities consistent with this definition. The units located on 40 Fairview Avenue meet all the relevant performance standards of the Residential 1 Zone and can be considered consistent with the permitted baseline.

The 22 proposed residential apartments proposed as part of HCV are also consistent with this definition. The use of the apartments as residences is consistent with the permitted baseline.

Residential Care Activity is defined as follows:

Means the provision of supervised residential accommodation, other than as provided for by a home occupation, for persons who are not living independently, including rest homes and persons with intellectual or physical disabilities, but excludes remand and other such institutions where people are not free to enter or leave the premises as they wish. Residential Care Activity also includes Day Care Activity.

Residential care activity of up to 8 persons could be undertaken on the site as part of the permitted baseline. A total of 86 beds are proposed in the Dementia Care Homes.

7 Assessment of Environmental Effects

7.1 Transportation & Traffic

A Traffic Assessment Report (TAR) has been prepared to support this resource consent application and is attached as Appendix C. Matters required to be considered under Rule TRA-R12 have been addressed in the TAR or are detailed on the plans of HCV in Appendix A. The TAR concludes as follows:

The proposed facility will have little or no effect on the roading network. The facility will not be a significant traffic generator when compared to nearby facilities such as Transport Museum, Stadium Southland and the Ascot Community School.

The surrounding road network to the proposed development has the capacity to absorb traffic generated by the proposal. The peak hour traffic generated by the proposal is less than that of the primary school which previously occupied the site.

The traffic generated by the proposal is likely to be between 380 and 440 Vehicles per day, this includes the onsite amenities, staff visitors and service vehicles. With a peak hour traffic of 67 veh/hr.

From the estimated traffic generation and the proposed geographical location of the facility we have estimated a traffic split and produced a model of how traffic will likely affect the existing flow on Tay Street. The modelling results indicate that the average delays will be less than 10 secs and will operate at level of service A.

The proposed access on Tay Street is a left turn in and left turn out only. This will create U turns at Stuart Street and Lithgow Street Intersection. Since 70% of the traffic will be approaching from the west along Tay Street, we recommend installing a right turn bay on Tay Street.

The location of the access on Tay Street has good visibility in both directions. To maintain clear sight distances at the access we recommend installing no stopping lines 6m (minimum) either side of the access on Tay Street.

The internal road may be used as a short cut by traffic to access Tay Street / Fairview Ave and vice versa. The design of the road should incorporate a low speed limit and control it with some traffic calming measures.

The proposal for onsite parking meets the requirements of the Invercargill City Councils district plan. The parking should be designed as per standards with appropriate tracking curves for vehicles using the car parks

The TAR makes the following recommendations:

- 1. The access onto Tay Street should be designed and constructed to Waka Kotahi Standards.*
- 2. Install right turn bay at the access on Tay Street*
- 3. Remove the existing pedestrian crossing point at the proposed vehicle access on Tay Street*
- 4. Install traffic calming measures on the access road to control speeds and deter it being used as a short cut.*
- 5. Install no stopping lines 6m either side of the access on Tay Street.*
- 6. Any proposed signage facing the State Highway should conform to Waka Kotahi's Guidelines*

These recommendations of the TAR are promoted as part of this application as mitigation (suggested conditions of resource consent). Traffic calming is proposed on the main access as detailed on the Landscape Master Plan. The installation of the right turn bay will require modification of the existing grassed median strip on Tay Street. The NZ Transport Agency and Invercargill City Council's Roading Department will be consulted in relation to these proposed works.

7.1.1 Loading Facilities and Manoeuvring Spaces:

Provision has been made for loading and unloading facilities and manoeuvring spaces on site for vehicles servicing HCV consistent with Rule TRA-R6.

7.1.2 Car parking

Rule TRA-R1 is the relevant rule for car parking requirements and states that where more than one activity takes place on the site, parking is to be assessed for each activity separately and be calculated cumulatively.

Car parking for residents of the Dementia Care Homes is provided on site with a total of 16 resident (visitor) car parks provided. Residents of the Dementia Care Homes won't generally drive or have private vehicles and as such these parking spaces will be demarcated as visitor parking.

Car parking for staff of the HCV is provided on site with a total of 53 staff car parks provided. Scooter and cycle parking are also provided on site for staff use.

Each of the 19 independent living units is less than 100m² in floor area and includes an internal garage (one car park space). This complies with the requirement under Rule TRA-R1 for each residential unit to have one off street parking space with 19 car parks provided.

An off street car parking space is also provided for each of the 22 residential apartments (floor areas 56m² or 78m²) with 22 car parks provided.

A total of 110 car parks are proposed on the site.

Table 5 details the District Plan activities, car parking requirements and assesses the HCV against these.

| Table 5 – HCV Activities & District Plan Car Park Requirements | | | | |
|--|---|---|---|---|
| District Plan Activity | District Plan Car Parking Requirements | HCV Activity | Car parks Required | Car Parks Provided |
| Residential Activity | One car park per residential unit, except that where the residential unit has an area (excluding any garaging) greater than 150m ² two car parks are to be provided. | Independent Living Residential Units | 19 | 19 |
| Residential Activity | One car park per residential unit, except that where the residential unit has an area (excluding any garaging) greater than 150m ² two car parks are to be provided. | Residential Apartments | 22 | 22 |
| Residential Care Activity | One staff car park per two staff or part thereof on site at any one time, plus one car park per four care residents or part thereof. | Dementia Care Homes | 21 (residents) 42 (staff) (Total 63) | 16 (visitor parking) 53 (staff) (Total 69) |
| Communal Activity | One staff car park per two staff or part thereof on the site at any time, plus one car park per 10 persons or part thereof provided for on the site. | Chapel (74 people) Bloke Shed (12 people) Theatre (74 people) | 7 (chapel) 1 (Bloke shed) 7 (Theatre) | 0 Staffed by residential care staff and resident and visitor parking for communal activity provided as part of the Residential Care and Residential Activity. |
| Commercial Service Activity | One car park per 50m ² gross floor area or part thereof. | Salon, Physiotherapy, Gymnasium (164m ²) | 3 (Salon, Physiotherapy, Gymnasium) | 0 Staffed by residential care staff and resident and visitor parking for Commercial Service Activity is provided as part of the Residential Care and Residential Activity. |
| Retail Sales | One car park per 50m ² retail floor area or part thereof plus one staff car park per 100m ² retail floor area or part thereof. | Dairy, Post-Office and Bakery (100m ²) | 2 (Dairy, Post-Office and Bakery) | 0 Staffed by residential care staff and resident and visitor parking for retail activity is provided as part of the Residential Care and Residential Activity. |
| Restaurant | One staff car park per two staff or part thereof on site at any one time, plus one car park per four clients to be accommodated in the establishment. | Café / Bar (2 staff / maximum of 50 clients) | 12 (clients) | 0 Staffed by residential care staff and resident and visitor parking for restaurant activity is provided as part of the Residential Care and Residential Activity. |
| TOTAL | | | 136 | 110 |

The required number of car parks under the District Plan for Residential Activity will be provided. A total of 41 car parking spaces are needed for 41 residential units (19 independent living units and 22 residential apartments less than 100m² in area).

The required number of car parks under the District Plan for Residential Care Activity will be provided. A total of 63 car parks are needed for residents and staff. There is no requirement for visitor car parking. A total of 69 car parks will be provided for staff and visitors (residents). As noted above car parking is not needed for residents on the Dementia Care Homes as they don't drive.

A total of 110 car parking spaces will be provided and a total of 136 are required under the District Plan.

The shortfall of car parks relates to those activities that sit outside the District Plan definition of Residential Care Activity and Residential Activity. However, the intention is that all aspects of the HCV operate and function as a residential care village. All aspects of the development are connected and integral to the overall concept. The Communal Activity, Commercial Service Activity, Retail Sales and Restaurant will operate as part of the HCV. They will predominantly be used by residents, staff and visitors to the HCV. These activities will be staffed by HCV staff and used by HCV residents and visitors. These aspects of the HCV should not be viewed in isolation from the rest of the Village when considering car parking. Enough car parking is provided for residents, staff and visitors on the site given the car parking requirements for Residential Care Activity and Residential Activity are met. There is no need for additional car parking for residents, staff or visitors using these other facilities as there is already enough car parking on the site. The HCV has been designed to encourage walking and cycling within the site and this links to the concept of creating a village. The presence of these facilities on the site also reduces the need for residents to travel outside the Village site which is a positive effect.

Scooter and cycle parking also proposed as part of the development to encourage use of passive forms of transport to get to and from the site for staff and visitors. The TAR has assessed car parking requirements and concludes that there is sufficient provision for off street parking. There is enough off-street car parking provided for staff, residents and visitors and any effects associated with car parking will be no more than minor.

7.1.3 Summary Transportation and Traffic Effects

The TAR indicates that subject to adoption of these mitigation measures, transportation and traffic effects of the HCV will be no more than minor.

7.2 Contaminated Land

The property at 40 Fairview Avenue has been verified as one that has a history of land use activity that appears on the Hazardous Activities and Industries List (HAIL). Southland Regional Council has listed the site in its Selected Land Use Sites (SLUS) register (registration number SLUS-20163057).

Two DSI have been completed and are included in this application as Appendix D. The status of the proposed development under the NESCS has been discussed above at Section 5.1. Based on the reported soil results, both DSI conclude that contaminants of concern are below human health guidelines and well below background concentrations. As such no resource consents are required under the NESCS. The proposed development will not give rise to any significant risks to human health associated with soil contamination.

7.2.1 Summary Contaminated Land Effects

Any actual or potential adverse effects associated with contaminated land will be no more than minor.

7.3 Visual and Residential Amenity

7.3.1 Visual Amenity

Amenity values are defined in Section 2 of the Resource Management Act as *“those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”*. Establishing the

characteristics of the 'receiving environment' assists to establish what the effects of the proposal might be on that environment.

The amenity of the application site and surrounding area can be characterized as a predominantly residential and suburban. The site does not contain any natural features or significant cultural or recreational attributes. The application site was previously utilised for education purposes (former Hawthorndale School site) and scout hall purposes (32 Stuart Street). Both properties that form the application site have been or are currently developed and occupied by buildings and can be considered brownfield sites.

The HCV will be formed of buildings one and two stories in height and site coverage of buildings on the development site will be less than site coverage permitted under the Residential 1 Zone rules of the District Plan. The residential apartment block is the only two-story building proposed as part of HCV and it will be located towards the middle of the site away from neighbouring properties. All buildings proposed as part of the HCV will be set off boundaries with neighbouring properties and most will comply with the relevant yard requirements of the District Plan.

The former Hawthorndale School site has been vacant for several years and has a disused and vacant appearance. The buildings that will form the HCV are spread throughout the site and extensive landscape treatment is proposed as part of the development. HCV will have positive effects on the appearance of the site and on visual amenity. The scale of the development (predominantly single storey), coupled with complying site coverage ensures that the HCV development is consistent with the character of the surrounding area, consistent with the existing pattern of residential development in the suburb of Hawthorndale and is compatible with the outcomes sought under the District Plan for the Residential 1 Zone.

7.3.2 Residential Amenity

Large areas of outdoor living space will be provided across the HCV site. The thirteen dementia care units will all have large areas of outdoor living adjacent each unit. The nineteen independent living units will also have extensive areas of outdoor living adjacent each unit. The apartments will also have outdoor living areas adjoining the apartment block to the east and west reflective of apartment style living. A shared lounge and morning and afternoon courts are proposed as part of the design of the apartment block.

There are 13 apartments at the first-floor level proposed as part of the apartment block and each apartment has a balcony. The balconies have intentionally been designed less than the 15m² required in the District Plan. There are three reasons for this firstly there is access to communal areas for residents including the communal lounge and morning and evening sun courts. Secondly some elderly residents don't tend to use unenclosed balconies and smaller balconies can provide an appropriate level of amenity for elderly residents. The third reason is that larger balconies can shade the apartments on the ground floor of the building. The residential apartments will provide a high level of residential amenity and any adverse effects associated with smaller balconies for first floor level apartments will be no more than minor.

Site coverage across the site is less than 40% consistent with the relevant site coverage rule of the Residential 1 Zone. There are large areas of open space present throughout the HCV site and it will provide a high level of residential amenity for residents. The HCV will provide the required minimum area of permeable surface of 30% of the gross site area as required by Rule RES1Z-R23. A condition of resource consent is promoted to ensure this.

HCV is a residential facility and residential use of the development site is anticipated in the Residential 1 Zone. The HCV will not detract from the residential amenity of the surrounding area. HCV will be extensively landscaped to create a pleasant living environment for residents, visitors, staff and the public. A landscape plan is attached as Appendix F. The HCV development will have positive landscape effects.

Along the southern boundary of the development site the independent living units will be set back 2 metres off the property boundary. Along the western boundary of the site the three

western most care homes will be set back 1 metre off the boundary at their closest point. Along the northern boundary of the site the closest care home to the boundary will be set back 3.8 metres. All HCV buildings are set back a significant distance from the eastern boundary of the site due to the location of the main access road.

All HCV buildings comply with the 10-metre height limit for the Residential 1 Zone. All buildings aside from the apartments are single storey. The apartments are two story, comply with the height limit for the zone, are positioned towards the centre of the site and are set back off all boundaries. All buildings proposed as part of HCV have been designed to comply with the recession plane (Infogram 2) requirements of the Residential 1 Zone.

Within the residential 1 Zone a yard at least 2 metres deep is required along the majority of the two northernmost boundaries of the site (in this case the northern and western boundaries). Two small sections of two of the care homes are located within 1 metre of the western boundary. The two-metre yard requirement is met for the remainder of the western boundary. The siting of a small section of two of the car homes within 1 metre of the property boundary will have no more than minor adverse environmental effects. It is noted that a very large and tall shelter belt is currently located along the western boundary and this will be removed as part of the development. Removal of this shelterbelt is likely to have positive effects on amenity.

The HCV development will provide good levels of solar gain to living areas and extensive areas of outdoor living will be provided across the site. The HCV development will not give rise to any adverse effects associated with incidence of daylight and sunlight on adjoining properties. The proposed development will not result in any adverse effects on the privacy of neighbouring properties. HCV incorporates qualities of good urban design.

7.3.3 Visual and Residential Amenity

The adverse effects of the HCV on visual amenity and residential amenity will be no more than minor.

7.4 Urban Design

The development of HCV on a brownfield site in suburban Invercargill is consistent with promotion of compact urban form and avoidance of greenfield development. The area is already serviced and our understanding is that these services have capacity. HCV is consistent with efficient use of existing infrastructure. Development of HCV on a vacant site will support and have positive social and economic effects on the suburb of Hawthorndale and on a wider basis Invercargill City. HCV promotes appropriate site and building orientation consistent with principles of optimum energy efficiency and solar energy gain.

7.4.1 Landscape Design Objective

A Landscape Master Plan has been prepared and is included in Appendix E. The overriding objective behind this design is to develop a highly personable, engaging community whilst providing a diverse range of choices for both passive and active recreation through a high standard and intensity of amenities on site.

From the perspective of landscape character, visual amenity and urban design, the landscape master plan incorporates a number of considerations and elements to ensure the proposal sits well within the existing residential environment and contributes positively to the surrounding community of Invercargill.

Within the proposal, a wide range of communal passive and active recreational spaces are provided including courtyard seating areas, gardens, open lawns, bird feeders, art areas, raised garden beds, water features and vegetable gardens. These spaces also provide seating for resting, relaxing, contemplation and catching up with friends and family. Particular attention has been given to the design and detailing, to substantially increase the onsite amenity of the landscape for

both internal and external users, while providing residential character within the garden beds. Communal and private patios are provided to cater for the mixed use of the development.

The purpose is to provide a safe environment where residents can interact and roam freely whilst encouraging engaging connections with their neighbours and environment. Within the detail design a variety of familiar elements have been incorporated stimulating the senses and contribute in a meaningful and purposeful way within the community.

7.4.2 Summary Urban Design

The HCV will have positive environmental effects in terms of a quality living environment for residents of the Village. The design of HCV also respects and supports the character of the suburb of Hawthorndale.

7.5 Noise

7.5.1 Aged Care Noise

This application seeks resource consent for an aged care facility. On completion of the project HCV will be occupied by residents many of them living with dementia. Residential use of the site as an aged care facility will not generate excessive levels of noise and as noted above existing levels of residential amenity will be retained. All the buildings that form part of HCV will contain double glazed windows and will be insulated to meet current Building Act requirements. The site is zoned for residential land use activity and any noise effects associated with HCV will be compatible with the neighbouring residential land use. The use of the site as an aged care facility will not give rise to any significant noise effects.

7.5.2 Construction Noise

The construction of HCV will involve the operation of machinery generating noise and vibration at various stages of development and the generation of noise from general construction activity. Construction activity and any noise associated with it will be temporary and limited to the duration of the construction period. Conditions of consent are promoted in this application as mitigation in relation to potential noise effects associated with construction activity. These include conditions relating to hours of operation and access (please refer to Section 8 below). Construction activity will be undertaken under the relevant New Zealand Noise Standard.

7.5.3 Summary Noise Effects

The proposed development will not give rise to any significant adverse noise effects either through the construction period or once HCV is operational as an aged care facility. Noise effects will be no more than minor.

7.6 Demolition Activity

Rule DERE-R2 lists 7 matters of control over which Council has exercised control.

7.6.1 Screening

The demolition or removal of the former scout hall building at 32 Stuart Street is expected to take between 1 to 2 days and screening is not considered necessary.

7.6.2 Mitigation

Mitigation measures are promoted by this application as suggested conditions of consent including suppression of dust during construction. Extensive earthworks are not required for removal of the existing building.

7.6.3 Site Rehabilitation

The site will be redeveloped as part of the HCV.

7.6.4 Bond

As the site will be redeveloped as part of the HCV a bond is not considered necessary.

7.6.5 Time Period

The demolition of the former scout hall building at 32 Stuart Street is expected to take between 1 to 2 days

7.6.6 Methods of Demolition

The building will be demolished by an excavator.

7.7 Signage

HCV is a large aged care facility located on the large site within the Residential 1 Zone. proposed as part of HCV is an appropriate scale and design, will not give rise to adverse effects.

7.8 Lightspill

No adverse effects are anticipated from the proposed development in relation to lightspill given HCV is a residential development. The generation of lightspill, measured at the boundary of the site is not likely to exceed the permitted level of Rule LIGHT-R2 for the Residential 1 Zone (5 Lux) and a condition is promoted as a mitigation measure.

7.8.1 Summary Lightspill Effects

Any lightspill effects will be no more than minor.

7.9 Infrastructure

The HCV development will connect to existing Invercargill City Council water, stormwater and wastewater services. Our understanding from pre-application meetings held between representatives of THCVCT and council is that in terms of council services (water, stormwater and wastewater) there is sufficient capacity available. Included in Appendix F is initial comment from ICC Engineering Services on proposed infrastructure servicing of the HCV.

7.9.1 Water

No significant adverse environmental effects are anticipated from the Project in relation to water services.

7.9.2 Stormwater

No significant adverse environmental effects are anticipated from the Project in relation to stormwater services. The HCV will provide the required minimum area of permeable surface of 30% of the gross site area as required by Rule RESIZ-R23. A condition of resource consent is promoted to ensure this. Maintaining this area of permeable surface will slow stormwater runoff from the site.

7.9.3 Wastewater

No significant adverse environmental effects are anticipated from the Project in relation to wastewater services.

7.9.4 Infrastructure Effects Summary

Adverse effects on infrastructure will be no more than minor.

7.10 Earthworks

District Plan Rule SOIL-R8 requires a number of assessment matters to be considered when resource consent is sought for earthworks activity. These matters are discussed and assessed below.

The earthworks proposed as part of the HCV development are necessary to enable construction of the Village including construction of buildings and roads and landscaping. The proposed earthworks are not extractive. The volume of earthworks proposed is estimated at 17,000m³. The development site is relatively flat and excluding base courses and use of gravel materials to assist in construction, filling of the site is not proposed. A former waterway channel present on the site will be excavated and filled in. Geotechnical investigations of the site have been completed and are available should more information on the nature of the soils present on site be required. Effects associated with the volume and nature of any fill or extracted material will be no more than minor (Rule SOIL-R8 (1) (a)).

The proposed earthworks will not have no more than minor effects on the sustainability of the soil resource (Rule SOIL-R8 (1) (b)).

This application promotes the use of a condition requiring submission of an Earthworks Management Plan for approval by Council prior to earthworks works commencing. Conditions on dust suppression and construction noise are also promoted refer to Section 8 below. Potential effects of dust and noise, including traffic to and from the site and machinery on the site will be no more than minor (Rule SOIL-R8 (1) (c)).

Proposed access to the site is discussed in Section 7.1 above and in the TIR (Appendix C). Only the proposed new access to Tay Street State highway 1 would be used during construction. A condition is promoted to this effect. The new access to Tay Street State highway 1 will be constructed to ICC standards. The location of the access is detailed on the site plan in Appendix A. Adverse environmental effects associated with location and standard of the existing and proposed vehicle accesses to the site will be no more than minor (Rule SOIL-R8 (1) (d)).

There are no natural water bodies or established drainage networks on the development site (Rule SOIL-R8 (1) (e)).

There are no known sites of heritage or archaeological significance on the site and an accidental discovery protocol condition is promoted by this application (Rule SOIL-R8 (1) (f) (i)). The site is not identified as an outstanding natural feature or landscape (Rule SOIL-R8 (1) (f) (ii)).

Future development potential of the land will be limited given it the HCV will be present on the site and there will be no more than minor effects on indigenous biodiversity (Rule SOIL-R8 (1) (g) and (h)).

In terms of Rule SOIL-R8 (2) this application promotes the use of a condition requiring submission of an Earthworks Management Plan for approval by Council prior to earthworks works commencing.

7.10.1 Summary Earthworks Effects

Several mitigation measures are promoted in relation to potential effects associated with earthworks via suggested conditions of consent. Adverse environmental effects from earthworks will be no more than minor.

7.11 Historic Heritage

There are no archaeological sites identified on the District Plan Planning Maps as being located on the site. There are no Historic Places, Historic Areas, Wahi Tapu or Wahi Tapu areas on the site registered on Heritage Rārangī Kōrero/Heritage New Zealand List. There are no recorded

archaeological sites near the proposed project area. Three nearby recorded archaeological sites are at least 450 metres east of 40 Fairview Avenue and relate to pre-1900 European occupation of this part of Invercargill. No adverse effects on heritage and cultural values are anticipated. The risk of adverse effects on archaeology from the Project are considered low and can be mitigated by use of suitable condition relating to accidental discovery. The Project will not give rise to any adverse effects on historic heritage.

7.11.1 Summary Historic Heritage Effects

Adverse effects on historic heritage will be no more than minor.

7.12 Cultural

Initial consultation with local iwi through Te Ao Marama Inc was undertaken prior to lodgement of this application. No concerns or specific issues relating to cultural effects or matters were raised at this time. The relevant policies of the Ngai Tahu ki Murihiku Natural Resources and Environmental Iwi Management Plan are discussed in further detail in Section 9 of this report. Potential adverse effects on historic heritage have been discussed above including potential effects on any unknown archaeological sites. This assessment concludes that these potential effects are not significant can be mitigated through use of appropriate conditions. The proposed development is not likely to result in any significant adverse cultural effects.

7.12.1 Cultural Effects Summary

Adverse cultural effects will be no more than minor.

7.13 Natural Hazards

The application site is not identified as an area subject to Actual or Potential Flooding or Inundation on the District Plan Planning Maps. No other natural hazards risks are identified on the Planning Maps. The Project will not influence or exacerbate any known natural hazard risks.

7.13.1 Natural Hazards Effects Summary

Adverse effects associated with natural hazards will be no more than minor.

7.14 Economic and Social

The HCV will have a range of positive economic and social effects. The HCV will provide residential care for people with dementia and elderly people generally in a purpose build facility based on the De Hogeweyk model. This will result positive social effects for both dementia patients and their friends and families. HCV will increase the amount of residential accommodation available for residential care patients in Invercargill and Southland. The construction of HCV will have positive economic effects. HCV will also have positive economic effects through employment of staff, contractors, suppliers and provision of local services once operational.

7.15 Environmental Effects Conclusion

The development, operation and ongoing maintenance of the HCV will have no more than minor adverse environmental effects. The HCV will have positive social and economic effects.

8 Mitigation and Conditions

The following mitigation measures are promoted via this application:

1. Adoption of the Ngāi Tahu ki Murihiku Accidental Discovery Protocol.
2. A Construction Noise Management Plan shall be prepared and approved by the Council prior to construction works commencing.

3. An Earthworks Management Plan shall be provided for approval by Council prior to earthworks works commencing.
4. Machinery shall generally operate only during normal daylight hours and contractors will comply with NZS 6803: 1999 'Acoustics - Construction Noise'.
5. All construction traffic entering and exiting the site shall use the Tay Street State highway 1 access.
6. The building contractor(s) will undertake dust suppression as necessary during the construction period.
7. All activities are to be designed, constructed and operated to comply with the following maximum levels of lightspill: Lightspill is to be measured and assessed in accordance with the Australian Standard AS 4282 1997: Control of the Obtrusive Effects of Outdoor Lighting.
8. A right turn bay shall be installed at the access on Tay Street State highway 1.
9. The existing pedestrian crossing point at the proposed vehicle access on Tay Street State highway 1 shall be removed.
10. Traffic calming measures shall be installed on the HCV internal access road connecting Tay Street State highway 1 and Fairview Avenue.
11. No stopping lines 6m either side of the HCV access on Tay Street State highway 1 shall be marked on the road.
12. Any proposed facing State Highway 1 shall conform to Waka Kotahi's New Zealand Transport Agency Guidelines
13. A minimum area of permeable surface 30% of the gross site area shall be maintained.

These measures are promoted as conditions of consent.

9 Statutory Assessment

9.1 Regional Policy Statement for Southland 2017

Relevant provisions of the Regional Policy Statement for Southland (RPS) are detailed below.

Objective URB.1 – Urban development: Urban (including industrial) development occurs in an integrated, sustainable and well-planned manner which provides for positive environmental, social, economic and cultural outcomes

Policy URB.1 – Adverse environmental effects: The adverse effects of urban development on the environment should be avoided, remedied or mitigated.

Policy URB.2 – Urban development: Manage urban growth and development in ways that: (a) support existing urban areas; (b) promote development and/or redevelopment of existing urban areas ahead of greenfield development; (c) promote urban growth and development within areas that have existing infrastructure capacity; (d) promote the progressive upgrading of infrastructure and improvement of the quality of sewage and stormwater discharges; (e) provide potable water supply; (f) plan ahead for the expansion of urban areas; (g) promote compact urban form; and (h) promote appropriate site and building orientation that supports the principles of optimum energy efficiency and solar energy gain.

Policy URB.4 – High quality urban design - Encourage high quality urban design.

Policy URB.5 – Land use activities - Make provision for a range of land use activities within urban areas.

The proposal will contribute to the social and economic wellbeing of the region. The proposed activity is consistent with support of existing urban areas, urban infill, compact urban form and avoidance of development on greenfield sites. The site of the proposed development is in a serviced area of the City and our understanding is there is existing infrastructure capacity. HCV represents a high-quality urban design and is consistent with provision of a range of land use activities within urban areas.

Policy TW.3 – Iwi management plans - Take iwi management plans into account within local authority resource management decision making processes.

The relevant Iwi Management Plan has been considered and is discussed below.

Policy INF.3 – Infrastructure protection - Protect regionally significant, nationally significant and critical infrastructure, particularly from new compatible land uses and activities under, over or adjacent to the infrastructure.

The site of the HCV adjoins State highway 1 (Tay Street). As outlined above in the Assessment of Environmental Effects (AEE) HCV will not give rise to any significant adverse effects on SH1 and is considered consistent with this policy.

Policy INF.5 – Development, subdivision and land use - Management of development, subdivision and land use shall ensure:

- a) development does not result in adverse effects on the efficient operation, use, maintenance and development of infrastructure;*
- b) the nature, timing and sequencing of new development is coordinated with the development, funding, implementation and operation of infrastructure, as appropriate for the type of development being undertaken;*
- c) the efficient and effective functioning of infrastructure, including the ability to develop, maintain, remove, decommission and upgrade infrastructure, is retained;*
- d) a coordinated and integrated approach across regional and district boundaries, and between agencies.*

As discussed above in the AEE the HCV will not give rise to any significant adverse effects on infrastructure and is consistent with this policy.

Objective TRAN.1 – Transport and land use - Development of transport infrastructure and land use take place in an integrated and planned manner which:

- (a) integrates transport planning with land use;*
- (b) protects the function, safety, efficiency and effectiveness of the transport system;*
- (c) minimises potential for reverse sensitivity issues to arise from changing land uses;*
- (d) provides for positive social, recreational, cultural and economic outcomes;*
- (e) minimises the potential for adverse public health and environmental effects;*
- (f) enhances accessibility and connectivity, maximising transport choice for users of the transport system.*

The proposed development is a land use activity that will protect the function, safety, efficiency and effectiveness of the transport system and is considered consistent with Objective TRAN.1.

Overall, the HCV proposal is considered consistent with the relevant objectives and policies of the RPS.

9.2 Proposed Invercargill City District Plan 2019

The relevant objectives and policies of the District Plan relevant to the HCV proposal are listed and discussed below.

RESIDENTIAL OVERVIEW

Objective RES-01: Critical mass is maintained within the defined residential areas.

Objective RES-02: A range of housing types is available, meeting the housing needs of a population that is growing only slowly and ageing.

Objective RES-03: A high standard of residential amenity is maintained.

Objective RES-04: Unplanned peripheral expansion of the built-up area resulting in increased demand for urban services is avoided.

Policy RES-P1 Existing residential areas: To encourage infill development, use of vacant allotments and upgrading/redevelopment of existing houses in the Invercargill and Bluff urban areas.

Policy RES-P2 Residential density: To provide for a range of housing densities, from large lot residential to medium density, in recognition of the changing demographics of the Invercargill population.

Policy RES-P4 – Residential Amenity: To require a high standard for residential amenity in new development, particularly with respect to space for outdoor living.

Policy RES-P6 – Non-residential Activities: To enable non-residential activities when it can be demonstrated that they:

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

Policy RES-07 Residential Amenity: To advocate for and encourage the site layout and design of residential buildings so as to provide as far as practical sunlight access and opportunity for solar gain.

The proposal is consistent with maintenance of critical mass within residential areas (Objective RES-01).

The proposal will assist in terms of achieving a range of residential densities and housing types to meet the housing needs of an aging population and changing demographics. Provision of a high standard of residential care accommodation for people with dementia is one of the key drivers of the project (Objective RES-02).

As outlined above in the AEE the proposed development will give rise to no more than minor effects on residential amenity and will provide a high level of amenity for residents. In relation to the surrounding area and the suburb of Hawthorndale and proposal will give rise to no more than minor adverse effects. HCV is a residential care development that will maintain residential amenity (Objective RES-03).

HCV is consistent with avoidance of unplanned peripheral expansion resulting in increased demand for urban services and efficient use of existing infrastructure. (Objective RES-04).

The proposal is consistent with redevelopment of urban areas to achieve infill development (Policy RES-P1).

HCV will provide a range of residence types including independent living units, apartments and dementia care units consistent with a range of densities. The range of residential accommodation provided will provide choice for residents, a positive effect (Policy RES-P2).

HCV will provide a high level of residential amenity for residents through provision of large area of outdoor living space throughout the site and extensive landscape treatment (Policy RES-P4).

The development site is a brownfield site in suburban Invercargill and the HCV development is consistent with compact urban form and avoidance of greenfield development (Policy RES-P5).

HCV will maintain a high standard of residential amenity and will achieve good urban design outcomes.

The non-residential aspects of the HCV are in keeping with the concept of a village and need to be located on the development site (Policy RES-P6).

The proposal has been designed comprehensively to achieve high levels of residential amenity. The HCV development will provide a high standard of residential amenity (Policy RES-P7).

The HCV is considered consistent with the relevant objectives and policies of the Residential Overview section of the District Plan.

RESIDENTIAL 1 ZONE OBJECTIVES

Objective RES1Z-01: The maintenance and ongoing development of the zoned areas as residential neighbourhoods offering a high degree of amenity to their inhabitants is provided for and encouraged.

HCV will create a residential neighbourhood that provides a high degree of amenity to its residents consistent with Objective RES1Z-01.

Objective RES1Z-02 - Adverse effects of urban development on the environment are avoided, remedied or mitigated

HCV will have no more than minor adverse effects on the environment and is consistent with Objective RES1Z-02.

Objective RE1ZS-03: Opportunities for urban intensification and redevelopment are encouraged within Invercargill's existing urban areas.

HCV is consistent with intensification and redevelopment within Invercargill's existing urban areas (Objective RES1Z-03).

Objective RES1Z-04 - Provision is made for good accessibility to service and retail activities, educational establishments, and to places of employment.

The HCV incorporates service and retail activities and will be a place of employment in the Invercargill suburb of Hawthorndale and is consistent with Objective RES1Z-04.

Objective RES1Z-05 - High Quality urban design is incorporated into new development and redevelopment

The HCV is consistent with high quality urban design (Objective RES1Z-05).

Objective RES1Z6: Housing choice, both in terms of type and lot sizes, is provided for within urban areas.

HCV is consistent with provision of a range of housing types (Objective RES1Z-06).

Objective RES1Z-07 – Urban growth and development is managed in ways that: (a) Support existing urban areas (b) Promote development of existing urban areas ahead of greenfield development (c) Promote urban growth and development within areas that have existing infrastructure capacity (d) Plan ahead for the expansion of urban areas (e) Promote compact urban form.

HCV represents a form of urban growth and development that: supports an existing urban area, represents development of existing an existing (brownfield) urban area, promotes urban growth and development in an area that has existing infrastructure capacity and promotes compact urban form (Objective RES1Z-07).

Objective RES1Z-08 – The amenity values of the Residential 1 Zone are maintained and enhanced.

HCV will maintain a high level of amenity consistent with Objective RES1Z-08.

RESIDENTIAL 1 ZONE POLICIES

RES1Z-P1 Residential 1 Zone: To provide for suburban residential development by zoning within the existing urban area for dwellings on lots 400m² in size or larger.

HCV is a residential development and the density of the proposed development on the site is likely to be less than the possible yield of a residential subdivision development based on allotment sizes of 400m² and the potential number of residential dwelling that could be constructed on the property without subdivision. I note that this policy refers to the planning technique of zoning and as such appears to be a policy guiding the council itself on outcomes sought under the district plan through zoning. HCV is not inconsistent with this policy.

RES1Z-P2 Connectivity: To require that provision is made for safe, logical, and direct access by the variety of transportation modes in common use (pedestrian, cycle, mobility scooter, motor vehicle, public transport) from dwellings to service and retail activities, educational establishments, and places of employment.

HCV will provide for passive means of transportation, will include retail and service activities within the village and will have good links to other service and retail activities in the CBD and nearby Ascot suburban shopping centre. HCV is considered consistent with Policy RES1Z-P2.

RES1Z-P3 Urban Design: To encourage good urban design in terms of: 1. Context 2. Character 3. Choice 4. Connections 5. Creativity 6. Custodianship 7. Collaboration.

The HCV is consistent with high quality urban design (Policy RES1Z-03).

Policy RES1Z-P4 Stormwater runoff: To require site and building development to incorporate methods to: (A) Minimise loadings on stormwater runoff networks and reticulation systems caused by rainfall events; and (B) Improve the water quality of stormwater flows.

No more than 40% of the site will be covered in buildings and this will mitigate potential effects in terms of stormwater generation consistent with this policy.

RES1Z-P5 Choice: To enable the development of a range of housing types by: 1. Allowing, as of right, development on sections exceeding 400m². 2. Allowing development on sections between 350m² and 400m² when buildings are well designed to give effect to other relevant Objectives and Policies of the Residential 1 Zone.....

HCV is consistent with provision of a range of housing types (Policy RES1Z-05).

Policy RES1Z-P6 – Outdoor living: To require the provision of practical outdoor private open space as an important dimension of amenity.

RES1Z-P7 – Space around buildings: To maintain the residential scale and amenity of space around and between buildings.

Adequate outdoor living space will be provided. No more than 40% of the site will be covered in buildings. HCV will be formed of one and two-story buildings of similar scale to residential development throughout the suburb of Hawthorndale and other residential parts of Invercargill City. Extensive landscaping of the site is also proposed. The proposal is considered consistent with Policies RES1Z-P6 and RES1Z-P7.

RES1Z-P8 – Ambient Noise: To maintain low daytime ambient noise levels and lower night ambient noise levels consistent with residential use of the area.

HCV is a residential land use and noise levels associated with residential care activity will be similar to those anticipated in the Residential 1 Zone. The proposal is considered consistent with Policy RES1Z-P8.

RES1Z-P9 – Noise from Transportation Networks: To recognise that some parts of the zone are subject to higher levels of noise generated by the transport networks and to avoid, or mitigate reverse sensitivity affects associated with those activities.

The HCV site adjoins State highway 1 but all residential aspects of the proposed development are set well back from the highway. The proposal is not likely to give rise to reverse sensitivity effects and is considered consistent with Policy RES1Z-P9

RES1Z-P10 – Odour: To ensure absence of nuisance from objectionable odour.

HCV will not result in nuisance from objectionable odour and the proposed activity is consistent with this policy.

RES1Z-P11 – Glare: To ensure freedom of nuisance from glare.

HCV will not result in nuisance from glare and the proposed activity is consistent with this policy.

RES1Z-P14 – Wind: To encourage the provision of shelter from wind as an important dimension of residential amenity.

HCV incorporates covered walkways as part of the design of the dementia care block and is consistent with this policy.

RES1Z-P15 – Signage: To protect residential amenity by controlling the size and nature of signage.

Signage proposed as part of HCV is an appropriate scale and design, will not give rise to adverse effects and is consistent with this policy.

RES1Z-P16 Dilapidated Structures and Ill-maintained Lands: To require that buildings and sections in the Residential 1 Zone shall be sound, well-maintained and tidy in appearance, avoiding adverse effects of dilapidated structures and ill-maintained lands on the wider neighbourhood.

HCV will result in development of a vacant site and will result in a residential care village that will be well maintained and tidy in appearance consistent with this Policy.

RES1Z-P17 – Demolition or removal activities: To manage the adverse effects of demolition or removal activities on amenity values by ensuring the clean-up, screening and maintenance of sites.

The Hawthorndale Scout Hall building will be demolished or removed as part of the HCV development. Demolition and / or removal activity can be undertaken in a manner that mitigates potential adverse effects on the environment and the HCV proposal is consistent with this policy.

RES1Z-P19 Hazardous Substances: To protect the public from the effects of storage and use of hazardous substances.

Hazardous substances used in normal domestic living will be used and stored on site as part of residential living. HCV does not propose large scale storage of hazardous substances on the site and is considered consistent with this policy.

RES1Z-P20 – Height and Location of Structures: To maintain a 1-2 storey scale for development.

HCV will be formed of one and two-story buildings of similar scale to residential development throughout the suburb of Hawthorndale and other residential parts of Invercargill City. The proposal is considered consistent with Policy RES1Z-P20.

RES1Z-P21 – Car parking and vehicle manoeuvring: To maintain road safety by providing for residents to park their vehicle(s) on-site and to manoeuvre them safely on and off the formed road.

Off-street car park will be provided on site and as discussed in the AEE above an appropriate number of car parking spaces will be provided. HCV is consistent with Policy RES1Z-P21.

CONTAMINATED LAND

Objective CL-01: Land that is affected by soil contamination is identified, monitored and managed.

Objective CL-02: The adverse effects of contamination on subdivision, use and development of contaminated land are remedied or mitigated.

Policy CL-P4 – Human health: To manage the subdivision, land use and development of land that is potentially, or known to be, contaminated land so as to protect human health.

Policy CL-P5 Management: To determine appropriate management action for contaminated land on the basis of: (A) The type of contaminants involved. (B) The degree of contamination. (C) The availability and practicality or appropriate technology for monitoring or remediation. (D) Existing and proposed use of the site and surrounding land use. (E) National standards or guidelines. (F) The potential for offsite or downstream adverse public health and other environmental effects.

Potential adverse environmental effects of land contamination from use and development of the application site have been assessed in the AEE above. Two DSI have been completed for the development site and residential development of the site for residential use will not give rise to any risks to human health. The proposed development of HCV is consistent with these objectives and policies.

TRANSPORT

Objective TRA-01 – Development of transport infrastructure and land use takes place in an integrated and planned manner which:

- (a) *Integrates transport planning with land use.*
- (b) *Protects the function, safety, efficiency and effectiveness of the transport network*
- (c) *Minimises potential for reverse sensitivity effects to arise from changing land uses*
- (d) *Provides for positive, social, recreational, cultural and economic outcomes.*
- (e) *Minimises, where practical, the adverse public health and environmental effects.*

The HCV development will integrate with transport infrastructure, will protect the function, safety, efficiency and effectiveness of the transport network, will minimise potential for reverse sensitivity effects to arise, will provide for positive, social, recreational, cultural and economic outcomes and will minimize the adverse environmental effects. HCV is considered consistent with this policy.

Policy TRA-P3 – Roading Hierarchy: To have regard to the Council’s Roading Hierarchy when considering subdivision, use and development of land.

Regard has been had to the Council’s roading hierarchy and any adverse environmental effects from the HCV development on traffic and transportation infrastructure will be no more than minor. HCV is considered consistent with Policy TRA-P3.

Policy TRA-P4 – Standards: To set development standards for vehicle access, loading, parking and manoeuvring facilities

HCV will provide appropriate vehicle access, loading, parking and manoeuvring areas and is consistent with this policy.

Policy TRA- P5 – Adverse effects: To manage subdivision, use and development adjacent to transport infrastructure in such a way as to avoid, remedy or mitigate potential effects, including reverse sensitivity effects on transportation infrastructure.

HCV will have no more than minor effects on transportation infrastructure and is consistent with this policy.

Policy TRA-P6 – State Highways: To have regard to any New Zealand Transport Agency standards regarding the location of new accesses on to, and egresses from State Highways where the speed limit exceeds 50 kph.

The HCV site is located in a 50km/hour speed area and is consistent with this policy.

Policy TRA-P8 – Public Health: To manage transport activities and surrounding land use activities to protect public health and environmental values.

Policy TRA-P9 – Integration: To integrate the planning of land use with existing transport infrastructure and provide for future transportation requirements.

The transport activities associated with the HCV development will not give rise to any adverse effects on public health and environmental values and it integrate with transport infrastructure consistent with these two policies.

SOIL, MINERALS AND EARTHWORKS

Objective SOIL-O3 – Earthworks in Invercargill are carried out in such a way as to avoid, remedy or mitigate adverse environmental effects

Policy SOIL-P6 – 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.

Earthworks associated with construction of HCV will have no more than minor adverse effects and the development is consistent with these two policies.

INFRASTRUCTURE

Policy INF-P2 – Management of Effects:

Where practicable, avoid, remedy or mitigate adverse environmental effects arising from the development, construction, operation, maintenance and upgrading of infrastructure on the environment.

Adverse effects on infrastructure from the HCV development will be no more than minor and it is consistent with Policy INF-P2.

WATER

WAT-P1 – General: To require that the adverse effects of subdivision and land use activities on water quantity and quality are avoided, remedied or mitigated.

WAT-P3 – Effects on Water quantity: To manage the effects of activities on flows and levels of water in waterbodies and on Council's reticulated services.

WAT-P4 – Effects on Water Quality: To promote land use practices that minimise effects on the quality of water in waterbodies and water supply catchments.

The HCV will not give rise to any significant adverse effects in relation to water quality or quantity and is consistent with these policies.

9.2.1 Summary

The proposed development is consistent with the objectives and policies of the District Plan.

9.3 Te Tangi A Tauria – Iwi Management Plan 2008

The policies of the Iwi Management Plan, relevant to the proposal are considered below.

Subdivision and Development:

Policy 2: Encourage developers to be proactive, and to seek views of iwi in the early stages of project development, particularly when the proposed is located in an area of cultural significance.

Policy 7: avoid adverse effects on the natural environment as a consequence of increased demands placed upon land, water and community infrastructure resulting from the granting of new subdivision consents for residential or commercial development.

The applicant has consulted iwi prior to lodgement of this application. As far as we are aware the development site is not located in an area of cultural significance. As detailed in the AEE above HCV will not give rise to any significant adverse effects on the natural environment and any adverse effects will be no more than minor. The proposed development is considered consistent with the relevant policies of the Iwi Management Plan.

10 NES for Contaminants in Soil

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (The NES) has been considered and discussed above. Matters relating to management of contaminants in soil and risks to human health have been addressed and resource consent for the HCV is not required under the NES.

11 Consultation

1.1 Community Engagement & Consultation

In late April and early May 2020, The THCVCT undertook community engagement and consultation on the proposed development. This included mail out of a letter and plans of the proposed development to all neighbouring property owners and occupiers. In total 126 letters were sent, and a copy of the letter is included as Appendix G.

The intention of the letter was to inform the Hawthorndale community, particularly neighbouring residents, about the proposal and provide an opportunity for feedback. The THCVCT had planned to hold a community drop-in session prior to lodgement of the resource consent application. Unfortunately, this had to be postponed due to the Covid-19 pandemic. The THCVCT were contacted by a number of neighbours through this process and some of the feedback has been incorporated into the proposal and this application.

Initial consultation with Waka Kotahi NZ Transport Agency, the Roding Department of ICC and Te Ao Marama Incorporated was also undertaken at this time.

1.2 Public Notification

Section 95A sets out that an application must be notified if the activity will have or is likely to have adverse effects on the environment that are more than minor; if the applicant requests it; or it is required by a rule or national environmental standard. As outlined above in Assessment of Environmental Effects the adverse environmental effects of the HCV will be no more than minor. There is no district plan rule or national environmental standard that requires notification. In this case, given the large number of people that own properties that adjoin the application site and who may have an interest in the HCV development the applicant requests that the application is publicly notified.

12 Section 104 and 104D of the RMA

Clause 2 of the Fourth Schedule of the Resource Management Act requires assessment of the activity against any relevant provision of a document referred to in section 104(1)(b).

When considering an application for a resource consent, the consent authority must, subject to Part 2 have regard to any actual and potential effects on the environment of allowing the activity, any relevant provision and any other matter the consent authority considers relevant and reasonably necessary to determine the application. These matters have been discussed above.

The matters contained in Section 104 and in Part 2 of the RMA apply to the assessment of all resource consent applications.

Section 104(D) sets particular restrictions for non-complying activities is relevant to this proposal.

Section 104(D) states that a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either the adverse effects of the activity on the environment will be no more than minor; or the application is for an activity that will not be contrary to the objectives and policies of the relevant proposed plan.

As outlined in Section 7 above the adverse effects of the activity will be no more than minor.

As outlined in Section 9 above the proposed development is consistent with the objectives and policies of the relevant plan.

The activity therefore passes both the 'gateway' tests. As both of the limbs of the 'gateway test' have been passed, then the application is eligible for approval under s104.

13 Part 2 of the RMA

Part 2 of the RMA contains the purpose and principles of the Act which must be met for the application to be granted. The purpose of the RMA is to promote the sustainable management of natural and physical resources. Section 5 states activities must be managed so that adverse effects on the environment are avoided, remedied or mitigated. In addition, Section 5 seeks to enable people and communities to provide for their social, economic and cultural wellbeing.

Section 6 of the RMA sets out those matters of national importance that are to be recognised and provided for in achieving the purpose of the RMA. None of the matters of national importance in Section 6 of the RMA are considered directly relevant to this application.

Section 7 of the RMA sets out other matters that Council is to have particular regard to in achieving the purpose of the RMA. Land is a resource under section 7 and thus must be efficiently used and developed.

Section 8 sets out that Consent Authorities shall take into account the Principles of the Treaty of Waitangi (TOW).

The HCV will enable peoples social and economic well-being through provision of an aged care facility specifically designed for people with dementia. The construction and operation of the HCV will result in the additional residential aged care accommodation for Invercargill City and the Southland Region and will sustain the potential of the urban land resource to meet the needs of future generations.

As outlined above in the AEE above, the proposal will not give rise to any significant adverse environmental effects.

The proposal is also consistent with objectives and policies of the relevant statutory documents as outlined in section 9. The development of the site as a residential care village is consistent with efficient use of physical resources and maintenance and enhancement of amenity values. HCV will contribute to the social and economic wellbeing of the people of Invercargill and Southland.

The development and operation of HCV is consistent with the purpose of the RMA.

14 Conclusion

We believe it is appropriate for this application to be granted resource consent for the following reasons:

- The adverse effects of the activity on the environment will be no more than minor;
- The development is not contrary to the relevant Objectives and Policies of the Proposed Invercargill City District Plan; and
- The proposed development will give rise to positive social and economic benefits particularly through the provision of residential care accommodation and care for people with dementia.

Appendix A - Plans of Hawthorndale Care Village

Appendix B – Computer Freehold Registers

Appendix C – Traffic Assessment Report

Appendix D – Detailed Site Investigations

Appendix E – Landscape Master Plan

Appendix F – ICC Engineering Services Feedback

Appendix G – HCV Community Consultation Letter

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