

Appendix 1: Proposed Changes to the Invercargill City District Plan

PART ONE INTRODUCTION AND INTERPRETATION

DEFINITIONS

New Definition:

Retirement Villages for the Te Puawai Retirement Precinct, retirement village means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.

PART TWO ISSUES OBJECTIVES AND POLICIES

RES1BZ RESIDENTIAL 1B (TE PUAWAI MEDIUM DENSITY) ZONE

RES1BZ-P1 Provision of housing: In the Residential 1B (Te Puawai Medium Density Housing) Zone to provide for well-designed medium density housing in the Residential 1B Zone in the area identified on the Te Puawai Outline Development Plan located within walking distance of the neighbourhood shopping precinct and reserve areas.

RES1BZ-P2 Provision of high quality medium density development: In the Residential 1B (Te Puawai Medium Density) Zone encourage comprehensively designed, high quality, medium density residential development, which is attractive to residents, responsive to housing demands, and provides a positive contribution to its environment

Explanation:

Medium density housing (housing on lots smaller than 350m²) is an appropriate option for provision of affordable housing. It needs to be planned comprehensively in order to provide a satisfactory level of amenity

PART THREE RULES

RES1BZ RESIDENTIAL 1B (MEDIUM DENSITY) ZONE

RES1BZ-R1 Permitted Activities: The following are permitted activities in the Residential 1B Zone:

1. Home Occupation
2. Home Stay
3. Residential Activity
4. Residential Care Activity limited to a maximum of eight persons.

RES1BZ-R2 Controlled Activities:

1. The following are controlled activities in the Residential 1B Zone:

- a. Any Permitted Activity which does not comply with a rule in **RES1BZ-R19 to RES1BZ-R26**.
Matters of control:
 - i. The extent to which the proposed building will detract from the coherence, openness and attractiveness of the site as viewed from the street.
 - ii. The ability to provide adequate opportunity for garden and tree planting in the vicinity of road boundaries.
 - iii. The ability to provide passive surveillance of the street.
 - iv. For fencing, whether solid fencing is appropriate to provide acoustic insulation of living spaces where the road carries high volumes of traffic.
 - v. The ability to provide adequate parking areas and manoeuvring areas for vehicles clear of the road or shared access to ensure traffic and pedestrian safety.
 - vi. The effectiveness of other factors in the surrounding environment in reducing the adverse effects.
2. Any application arising from the controlled activity rules shall not be limited or publicly notified

RES1BZ-R3 Restricted Discretionary Activities: The following are restricted discretionary activities in the Residential 1B Zone

1. Any Permitted Activity which does not comply with a standard in **RES1BZ-R7 to RES1BZ-R18**.
 - a. Matters to which discretion is restricted are specified under the applicable rule.

RES1BZ-R4 Discretionary Activities: The following are discretionary activities in the Residential 1B Zone:

1. Visitor Accommodation.
2. Residential Care Activity limited for nine or more persons.

RES1BZ-R5 Non-complying Activities: The following are non-complying activities in the Residential 1B Zone: 1. Any activity not listed as permitted, discretionary or prohibited.

Residential Density

RES1BZ-R7 The maximum residential density is:

1. One residential unit per 250m² net site area

Site Coverage

RES1BZ-R8 Maximum coverage of all buildings on sites shall not exceed the following:

1. 40% of net site area on sites 300m² or greater
2. 45% of net site area on sites less than 300m²
3. the percentage coverage by buildings shall be calculated over the net site area of the entire complex or group, rather than over the net area of any part of the complex or group.

RES1BZ-R9 For activities that do not comply with **RES1BZ-R7** or **RES1BZ-R8**, discretion is restricted to:

- a. Whether the non-compliance is appropriate to its context taking into account:
 - i. whether the balance of open space and buildings will maintain the character anticipated for the zone;
 - ii. any visual dominance of the street resulting from a proposed building's incompatible scale; and
 - iii. the proportion of the building scale in relation to the proportion of the site.

Outdoor Living

RES1BZ-R10 A designated area of outdoor living space is to be provided as follows:

1. Two bedrooms or more Minimum area 30m² and sufficiently large to accommodate a horizontal circle diameter 4 metres
2. One bedroom or studio Minimum area 16m² and sufficiently large to accommodate a horizontal circle diameter 4 metres
3. 1st floor (above ground level) 1 bed unit or studio Minimum area 16m² and sufficiently large to accommodate a horizontal circle diameter 4 metres

RES1BZ-R11 For activities that do not comply with Rule RES1BZ-R10, discretion is restricted to:

- a. The extent to which outdoor living spaces provide useable space, contribute to overall on-site spaciousness and enables access to sunlight throughout the year for occupants.
- b. The accessibility and convenience of outdoor living space for occupiers.
- c. Whether the size and quality of communal outdoor living space or other open space amenity compensates for any reduction in private outdoor living space.

Permeable Surfaces

RES1BZ-R12 The minimum area of permeable surface is 30% of the gross site area.

RES1BZ-R13 For activities that do not comply with RES1BZ-R12, discretion is restricted to:

1. Alternative methods of slowing stormwater runoff from the site
2. Measures to address the effects of stormwater contamination

Height of Structures

RES1BZ-R14 All new buildings and structures, and additions to existing buildings and structures, are to be designed and constructed to comply with the following maximum height and recession planes:

1. Maximum height 8 metres
2. Recession diagram: Infogram 2 applies, except:
 - a. The recession plane angles start at 2.3 metres above ground level
 - b. Where the boundary adjoins an access, the height recession shall be taken from furthest side of access
 - c. where buildings on adjoining sites have a common wall along an internal boundary the recession planes shall not apply along that part of the boundary covered by such a wall.

RES1BZ-R15 For activities that do not comply with **RES1BZ-R14**, discretion is restricted to:

1. Whether the increased height, reduced setbacks, or recession plane intrusion would result in buildings that do not compromise the amenity of adjacent properties taking into account:
 - a. overshadowing of adjoining sites resulting in reduced sunlight and daylight admission to internal living spaces and external living spaces beyond that anticipated by the recession plane, and where applicable the horizontal containment requirements for the zone;
 - b. any loss of privacy through being overlooked from neighbouring buildings;
 - c. whether development on the adjoining site, such as large building setbacks, location of outdoor living spaces, or separation by land used for vehicle access, reduces the need for protection of adjoining sites from overshadowing.

Space Around Buildings

RES1BZ-R16 The minimum setback from a road boundary is 4 metres.

RES1BZ-R17 A yard at least 1 metre deep shall be provided from all internal boundaries, except:

1. Where a building on a neighbouring site has a window of a habitable room within 1.8 metres of boundary, the minimum setback from that window is 1.8 metres for 2 metres either side of the window.
2. The setback where a building shares a common boundary is nil.
3. Gutters and eaves up to 200mm are excluded from the setback requirement.

RES1BZ-R18 A yard at least 3 metres deep is required from living room windows and balconies

RES1BZ-R19 Garages may take up no more than 50% of the ground floor elevation when viewed from one road boundary.

RES1BZ-R20 Where a garage door faces the road, it must be set back 1.2 metres further than the front wall of the residential building.

Ground Floor Habitable Space

RES1BZ-R21 The ground floor of a residential unit shall have a habitable space with a window area of at least 2m² facing a road boundary.

Landscaping

RES1BZ-R22 A minimum of 20% of the site area shall be provided for landscaping and at least 50% of this area shall be trees and shrubs.

RES1BZ-R23 Where sites adjoin a road, the landscaping required under RES1BZ-R23 shall include landscaping to a minimum depth of 2 metres along internal road boundaries metres and at least 1 tree shall be planted adjacent to the road boundary within this area.

Fencing

RES1BZ-R24 The maximum height of a fence along a road boundary which is less than 50% transparent shall be 1.2metres

RES1BZ-R25 The maximum height of a fence along a road boundary which is at least 50% transparent shall be 1.8 metres

RES1BZ-26 All other fences the maximum height shall be 1.8 metres except that within 2 metres of a road boundary the maximum height of the fence shall comply with Rules RES1BZ-R25 and RES1BZ-R26.

RES1BZ-R27 For activities that do not comply with **RES1BZ-R19 to RES1BZ-R26**, control is restricted to:

- a. The extent to which the proposed building will detract from the coherence, openness and attractiveness of the site as viewed from the street.
- b. The ability to provide adequate opportunity for garden and tree planting in the vicinity of road boundaries.
- c. The ability to provide passive surveillance of the street.
- d. The extent to which the breach is necessary to enable more efficient, cost effective and/or practical use of the remainder of the site;

- e. For fencing, whether solid fencing is appropriate to provide acoustic insulation of living spaces where the road carries high volumes of traffic.
- f. The ability to provide adequate parking areas and manoeuvring areas for vehicles clear of the road or shared access to ensure traffic and pedestrian safety.
- g. The effectiveness of other factors in the surrounding environment in reducing the adverse effects.

RES1Z RESIDENTIAL 1 ZONE

Retirement Villages

RES1Z-R26 Retirement villages within the Te Puawai Retirement Village Precinct are controlled activities where they meet the following design standards:

		Standard
1	Site Coverage	Maximum site coverage is 50%
2	Height	The maximum height is 10 metres with a maximum of two storeys except that within 10 metres of site boundary the maximum height shall be 8 metres.
3	Height Recession Plane	Infogram 2 applies, except: a) The recession plane starts 2.3 metres above ground level b) Where the boundary adjoins and access, the recession plane can be taken from furthest side of access c) where buildings on adjoining sites have a common wall along an internal boundary the recession planes shall not apply along that part of the boundary covered by such a wall.
4	Internal Boundary Setbacks	The following applies to the internal boundaries on the permitter of the site only: a) The minimum setback from an internal boundary is 1m, except i. where a building on a neighbouring site has a window of a habitable space within 1.8 metres of the boundary, the minimum setback to that window is 1.8 metres for 2 metres either side of the window. ii. where buildings adjoin along a common wall, a nil setback applies. iii. gutters and eaves up to 200mm are excluded from the setback requirement
5	Landscaping	A minimum of 20% of the site shall be provided for landscaping (which may include private or communal open space), where at least 50% of the landscaping shall be trees and shrubs, and a minimum of one tree for every 250m ² of gross site area (prior to subdivision), or part thereof, is included within the landscaping, and at least one tree shall be planted adjacent to the road boundary. a) All trees required by this rule shall be not less than 1.5 metres high at the time of planting. b) All trees and landscaping required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced. c) The minimum tree and garden planting requirements shall be determined over the site of the entire complex.

The matters of control for retirement villages are as follows:

Whether the developments, while bringing change to existing environments, is appropriate to its context taking into account:

1. engagement with, and contribution to, adjacent streets and public open spaces, with regard to:
 1. fencing and boundary treatments;
 2. sightlines;
 3. building orientation and setback;
 4. configuration of pedestrian entrances;
 5. windows and internal living areas within buildings; and
 6. if on a corner site is designed to emphasise the corner;
2. integration of access, parking areas and garages in a way that is safe for pedestrians and cyclists, and that does not visually dominate the development, particularly when viewed from the street or other public spaces;
3. retention or response to existing character buildings or established landscape features on the site, particularly mature trees, which contribute to the amenity of the area;
4. appropriate response to context with respect to subdivision patterns, visible scale of buildings, degree of openness, building materials and design styles;
5. incorporation of Crime Prevention Through Environmental Design (CPTED) principles, including effective lighting, passive surveillance, management of common areas and clear demarcation of boundaries and legible entranceways;
6. residential amenity for neighbours, in respect of outlook, privacy, noise, odour, light spill, and access to sunlight, through site design, building, outdoor living space and service/storage space location and orientation, internal layouts, landscaping and use of screening;
7. creation of visual quality and interest through the separation of buildings, variety in building form, distribution of walls and openings, and in the use of architectural detailing, glazing, materials, and colour; and
8. where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.

RES1Z-R27 Where a retirement village will not meet the design standards in RES1Z-R26 the activity is discretionary.

SUB SUBDIVISION

SUB-R1 The following subdivision activities are controlled activities:

1. Subdivision of land to provide for a utility except in the Industrial 4 Zone
2. Boundary adjustments
3. Amendments to cross-lease subdivision Where they meet the following:
 - a. The site on which the activity is to be undertaken does not contain an item listed in APP3 – Appendix 3 Heritage Record
 - b. Subdivision boundaries of any allotments which have existing buildings are being aligned to ensure that the buildings comply with the provisions of:
 - i. The Building Act 2004 in terms of fire safety
 - ii. The bulk and location requirements of the relevant Zone
 - c. The provisions of any National Policy Statement or National Environmental Standard
 - d. The site on which the activity is to be undertaken does not contain an area of significant indigenous biodiversity as shown on the District Planning Maps.
4. In the Residential 1B Zone, subdivision around existing buildings or proposed buildings with land use consent, except:
 - a. s223/s224c certification cannot be issued until building consent Code of Compliance is issued.

- b. Any application arising from this Rule SUB-R1(4) shall not be limited or publicly notified

Te Puawai Masterplan

SUB-R13 The preparation of a Masterplan for the Te Puawai ODP is a controlled activity.

SUB-R14 For a Masterplan for the Te Puawai ODP prepared under Rule SUB-R13 the matters over which Council shall exercise control are as follows:

- Design of the principal level roading and pedestrian/cycle access network;
- Design of the principal level stormwater drainage network including general site shaping, flow mitigation and treatment;
- Design of the principal level wastewater drainage network including pumping stations and flow mitigation;
- Design of the principal level water reticulation network within the site area based on pressure and flow availability informed by Council (excluding assessment of the wider existing network and design of wider network upgrades) ;
- Identification of park/reserve areas

Any area under development shall be required to install necessary downstream principal infrastructure (with the exception of water network upgrades external to the site) including allowance for future upstream flows. This infrastructure must be identified within the resource consent application for subdivision and/or land use and be implemented prior to s224c.

SUB-R14 Subdivision of land within the Te Puawai ODP area which is not in accordance with a Masterplan prepared under SUB-R13 is a non-complying activity.

Transport

TRA-R8 For residences fronting the street within the Residential 1, Residential 1A, Residential 1B, Residential 2, Residential 3 and Residential 4 Zones: Where no manoeuvring space is provided on site and a garage is built with the garage door positioned towards the street, a setback of 5.2 metres shall be provided from the garage door to the property boundary.

Demolition or Removal Activities

DERE-R1 Unless Part Three - HH Heritage applies, it is a permitted activity to demolish or remove all buildings and structures with an area of less than:

1. 80m² in the Residential 1, Residential 1A, Residential 1B, Residential 2, Residential 3, Residential 4 and Otatara Zones

DERE-R2 Unless Part Three - HH Heritage applies, it is a controlled activity to demolish or remove buildings and structures with an area of:

1. 80m² or more in the Residential 1, Residential 1A, Residential 1B Residential 2, Residential 3, Residential 4 and Otatara Zones

Lightspill

LIGHT-R2 The generation of lightspill, measured at the boundary of the site, shall not exceed the following:

- Residential 1, Residential 1A, Residential 1B, Residential 2, Residential 3 and Residential 4
Sunset through midnight to sunrise 5 lux

RELOCATED BUILDINGS

RELO-R1 Part Three – RELO Relocated Buildings applies to the Residential 1, Residential 1A, Residential 1B, Residential 2, Residential3, Residential 4, Rural, and Otatara Zones

TEMP TEMPORARY MILITARY TRAINING ACTIVITIES TEMP-R1

4. Noise Measurement and Assessment:

Sound levels are to be measured in accordance with the provisions of NZS6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the provisions of NZS6802:2008 Acoustics Environmental Noise, except where expressly provided elsewhere in the Plan.

c. Noise from Fixed (Stationary) Sources:

Noise from fixed (stationary) noise sources, other than provided for in TEMP-R1.4(a), including but not limited to power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems shall not exceed the following when measured in accordance with NZS 6801:2008 Acoustics – Measurement of Sound:

- i. at any point within the notional boundary of any building housing a Noise Sensitive Activity;
- or
- ii. at any point within, any land zoned Residential 1, Residential 1A, Residential 2, Residential 3, Residential 4 or Otatara.

Time	Noise Level
0700 - 1900 hours	55 dB LAeq(15 mins)
1900 - 2200 hours	50 dB LAeq(15 mins)
2200 - 0700 hours the following	
Day	45 dB LAeq(15 mins)
	75 dB LAFmax

SECTION 2 - POLICIES AND OBJECTIVES

RESIDENTIAL ZONES

Residential Overview

3. Residential 1B Zone:

This zone is located within the Te Puawai ODP area and provides for medium density residential development around the neighbourhood shopping zone. The zone is intended to allow affordable housing options with a high standard of amenity.

Policies

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.
3. Encouraging comprehensively designed medium density development by way of resource consent within the Residential 1A and Residential 1B Zone.

Policy RES1Z-P

Ensure that development within the Te Puawai Outline Development Plan area identified on the Planning Maps and Appendices is undertaken in a comprehensive manner and in accordance with an approved masterplan.

RES1BZ RESIDENTIAL 1B (TE PUAWAI MEDIUM DENSITY) ZONE

Overview

The Residential 1B Zone provides for medium density housing to be developed within the areas identified on the Te Puawai Outline Development Plan. The nature of medium density housing means that housing units may be built on very small individual lots, and in this situation amenity can best be provided by planning the development comprehensively. By making provision for medium density housing in this way, there will be an increase in the range of housing type choices available in Invercargill.

Objectives

RES1BZ-O1 The opportunity for medium density housing as a residential redevelopment option is provided for within the zoned areas.

RES1BZ-O2 Medium density housing developments are well designed, offering a high level of amenity to the residents in the new units and maximising beneficial effects, and minimising adverse effects, on the surrounding neighbourhood.

Policies

RES1BZ-P1 Provision of housing: In the Residential 1B (Te Puawai Medium Density Housing) Zone to provide for well-designed medium density housing in the Residential 1B Zone in the area identified on the Te Puawai Outline Development Plan located within walking distance of the neighbourhood shopping precinct and reserve areas.

RES1BZ-P2 Provision of high quality medium density development: In the Residential 1B (Te Puawai Medium Density) Zone encourage comprehensively designed, high quality, medium density residential development, which is attractive to residents, responsive to housing demands, and provides a positive contribution to its environment

Explanation:

Medium density housing (housing on lots smaller than 350m²) is an appropriate option for provision of affordable housing. It needs to be planned comprehensively in order to provide a satisfactory level of amenity

PART 4 APPENDICES 1-6

Outline Development Plan Areas

- Insert new Outline Development Plan for Te Puawai

PART 4 APPENDICES 7-16

Appendix 12 Council's Sewerage and Water Reticulation Areas;

- Amend maps to include Te Puawai site area

PLANNING MAPS

- Amend Planning Maps 11 and 18 to show the zones and precincts for Te Puawai