

**BEFORE THE INVERCARGILL CITY COUNCIL**

**Independent Hearing Commissioner**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** a Resource Consent Application RMA/2018/111, by the Invercargill Licensing Trust, to demolish buildings, including a Class 2 heritage building, and construct and operate a new, eight level hotel incorporating 80 hotel suites, a restaurant, café, bars, function spaces, car parking and other guest facilities at the corner of Dee and Don Street.

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**EVIDENCE OF CAIN ROSS DUNCAN**

19 November 2018

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## 1. EXECUTIVE SUMMARY

- 1.1 In general terms I support the ILT's application and believe the erection of an 80 room hotel and supporting bars and restaurants will be an asset to the city and assist with the long overdue revitalisation of the Invercargill CBD.
- 1.2 There are a number of aspects of the design that respect the historical context of the Langland's Building and reference the historical parapet lines of the original buildings. This is especially obvious along the Dee Street façade at 1<sup>st</sup> floor level. The hotel will be a significant improvement to the haphazard building lines and design that currently exist on either side of the historical Langland's building.
- 1.3 The utilisation of laneways as sheltered areas for outdoor eating and drinking is a creative way of providing protection from adverse weather as well as a separation of the eating and drinking establishments from the hotel. This results in a more inviting atmosphere for both hotel guests and city residents alike.
- 1.4 I have three key concerns with the applicants proposal:
- 1.5 The loss of the historic Langland's building, or more precisely the mitigation measures proposed by the applicant in terms of their contribution to an Invercargill Heritage fund. This is in the context of the non-disputed, significant impact the demolition of the Langland's Building has on heritage values. I am also concerned with the Council's recommendation that the heritage fund only be available for publicly owned historic buildings;
- 1.6 The impacts of the Porte Cochere on the Dee Street streetscape and pedestrian safety; and
- 1.7 The terracotta finishing materials at levels 1-3 of the hotel and the impact this has on the mass of the building.

## **2. INTRODUCTION**

- 2.1 My full name is Cain Ross Duncan.
- 2.2 I hold a Bachelor of Resource Studies and a Masters in Applied Science (Environmental Management) from Lincoln University. I am currently employed by Fonterra Dairy Co-operative Group as a Sustainable Dairy Advisor. Part of this role involves dealing with planning and policy matters for local farmers and the Co-operative. I have held this role since July 2012.
- 2.3 Prior to my current role I spent 6 years working in the United Kingdom as a town planner and planning enforcement manager. The majority of that time was spent in the London Borough of Tower Hamlets, where planning permission (resource consent) applications for large scale hotel and high rise apartment blocks were common place. In addition to this I spent a significant amount of time dealing with the protection of heritage buildings in my planning enforcement role.
- 2.4 I am not a formally qualified planner and as such I am not offering evidence as an expert witness, although I do have experience in dealing with large scale urban development and regeneration projects from a planning perspective.

### **Scope of evidence**

- 2.5 My evidence for the hearing will deal with the following:
- (a) General Re-Development Benefits
  - (b) Heritage – Proposed Mitigations
  - (c) Porte Cochere
  - (d) Finishing Materials

## **3. General Re-Development Benefits**

- 3.1 The Invercargill CBD is in dire need of rejuvenation, with a large number of empty and dilapidated buildings lining Dee and Tay Streets, especially at 1<sup>st</sup> and 2<sup>nd</sup> floor level. Many of these buildings are nationally or locally listed heritage buildings. These buildings form an important part of the

Invercargill streetscape and add character and interest to our CBD. Unfortunately many of these buildings have suffered from under investment, making them undesirable for tenants and unsafe in the event of an earthquake. This holds true for the current building at 73-81 Dee Street.

- 3.2 The 80 room hotel and supporting bars and restaurants will significantly improve the vibrancy of the inner city, drawing guests and city residents into the center of Invercargill, providing jobs and improving foot traffic for other businesses in the area.
- 3.3 The overall design of the building is of a high standard with a number of aspects that respect the historical context of the Langland's Building and reference the historical parapet lines of the original buildings in the area. This is especially obvious along the Dee Street façade at 1<sup>st</sup> floor level. The hotel will be a significant improvement to the haphazard building lines and design that currently exist on either side of the historical Langland's building.
- 3.4 The utilisation of laneways as sheltered areas for outdoor eating and drinking is a creative way of providing protection from adverse weather as well as a separation of the eating and drinking establishments from the hotel. This results in a more inviting atmosphere for both hotel guests and city residents alike.
- 3.5 Overall I support the redevelopment of the Dee/Don Street site within the context of my points of concern raised in Sections 4-6.

#### **4. Heritage Loss and Proposed Mitigations**

- 4.1 McStay (2017) identified that 73-81 Dee Street (Langlands) Building) had moderate to high local heritage values, especially in the context of its locations on a key corner of the Invercargill CBD. McStay concluded that the impact of demolishing the building would have a large effect on heritage values. This conclusion is not disputed by the applicants' expert heritage witness, however Dr Cawte rightly assess that loss against the feasibility of retaining the building and the benefits of the new hotel for Invercargill.
- 4.2 It is unfortunate that from the outset of the redevelopment project there wasn't a design philosophy centered on utilising the current historic building. This could have created an equally attractive design and set an example for other historic building owners within the CBD. It is clear from quotes made by Mr Mulvey (Former ILT General Manger) in the Southland Times (July 2017) that the site was purchased with the clear intention of demolishing all buildings on it.
- 4.3 While Dr Cawte states in paragraph's 4.11 and 4.12 of his evidence that the adaptive reuse of the building is not feasible as a hotel and if only the façade was retained it would be non-functioning, acting only as an historic veneer; this appears to be largely within the context of the current building design. There are a number of examples of historic buildings being used as hotels throughout the country.
- 4.4 Despite my concerns with the loss of the heritage building I agree that with appropriate mitigation measures the redevelopment of this site needs to proceed as a matter of urgency. This is due to the wider benefits it will bring to the city, the incorporation of a number of historical elements into the new building and the general quality of the design. It is not feasible or practicable to now go back and revisit the whole premise of the design to incorporate the Langland's Building.
- 4.5 In terms of the mitigation measures being proposed, my initial concerns with the proposal by the applicant to undertake restoration work to other properties under its ownership has been overcome by the general agreement by all parties to a consent condition requiring this to be outlined and approved by the Council.

- 4.6 The applicant has proposed making a \$50,000 contribution to initiate an Invercargill Heritage Fund. I support this as a mitigation and strongly agree with the Dr Cawte that this should be a contestable fund for **all** heritage building owners, especially private owners. It is privately owned buildings within the CBD that present the highest risk of becoming dilapidated.
- 4.7 Despite supporting the general concept of the fund I believe that the contribution of \$50,000 is not adequate to offset the significant impact on heritage values and the significant cost savings to the applicant of demolishing the building versus having to incorporate it into the building design. The complete demolition of the heritage building results in a in a 1.8million dollar cost saving when compared to the cheapest option of just retaining the façade (WTPartnership, 2017).
- 4.8 To make a significant and meaningful contribution to the protection and restoration of Invercargill City's heritage buildings, that offsets the significant loss of heritage being proposed by the applicant, a significant increase in the contribution to a city heritage fund is required.

## **5. Porte Cochere**

- 5.1 Business Zone 1, Policy 4 of the Proposed District Plan seeks to create pedestrian friendly frontages that will offer safety, comfort and a stimulating and enjoyable pedestrian experience within the recognised retail area.
- 5.2 While it is common for modern hotels to have Cochere and drop of areas, similar to those being proposed by the applicant, these are not common place within inner city hotels. This is due to the impact such areas have on the street frontage and pedestrian safety.
- 5.3 Dee Street lies within the main inner city retail area of Invercargill and while the applicant's traffic expert, Mr Leckie makes reference to a pedestrian survey undertaken in October 2018, which recorded an average of one person per minute moving past the site at peak times, this needs to be placed in context.
- 5.4 Currently all shops from 55 to 73 Dee street are unoccupied (other than the Barlucca nightclub, which only opens Thurs-Saturday from 8pm) with no permanently tenanted shops from 1-19 Don Street either (other than the Kiln Restaurant). There is currently no significant reason for pedestrians to walk

along the Dee street frontage of the application site, despite this being in the heart of the Invercargill CBD.

- 5.5 One of the key reasons the applicant is looking to establish a hotel at the site is to stimulate the rejuvenation of the CBD and in particular the area around the application site. The new hotel, bars and restaurants will add vibrancy to this section of the CBD, stimulate business growth in the surrounding empty retail sites and significantly increase footfall in the area.
- 5.6 On this basis, it is difficult to see how regular vehicle movements in and out of the Porte Cochere, across an increasingly busy pedestrian footpath is compatible or represents good design that would warrant a significant deviation away from Business Zone 1, Policy 4. Mr Leckie also outlines concerns with drivers exiting the Porte Cochere being able to see pedestrians, which adds further weight to the location of the Porte Cochere being unacceptable.
- 5.7 The Dee street frontage of the hotel is located within a key retail frontage of the CBD, and one that has been specially identified in the Proposed District Plan as needing to provide pedestrian friendly frontages. The current plan to have a landscaped parking/drop of area and substation along the majority of the Dee Street frontage does not create a contiguous frontage nor a stimulating and enjoyable pedestrian frontage.
- 5.8 The applicant should consider modifying the building design to remove the Cochere area and create a more appropriate ground level design in this space with active retail/restaurant frontages.

## **6.0 Finishing Materials**

- 6.1 The materials used to finish the building are one of the key aspects of the design and how well it will fit within both the current urban environment and its durability and context into the future.
- 6.2 I have witnessed a number of large developments as a planner in London where inappropriate materials have been used, which fundamentally changed the appearance of the building and made it inappropriate within its surrounding setting. In addition to this, it is difficult to gain a true understanding of the materials proposed to be used from a plan or design statement.

- 6.3 In general the materials being proposed appear to be of a high standard and in my mind act to create a landmark building for Invercargill; however a condition should be added to the consent requiring samples of key finishing materials to be provided to the Council for approval/certification prior to the commencement of construction.
- 6.4 My concerns largely lie with the terracotta tiles proposed to be used within levels 1-3 of the building's façade and whether the design achieves the applicant's vision of replicating the traditional masonry brickwork used on many historical buildings throughout Invercargill. These traditional masonry buildings had detailed brick work often incorporating recessions, window hoops, brick patterning and elegant cornices to break up the solid brick façade.
- 6.5 The applicant's use of terracotta tiles doesn't incorporate any significant detailing, of either historical or modern relevance to break up the significant use of a single finishing material. This negatively impacts on the mass of the building at levels 1-3.



**Cain Ross Duncan**  
**20 November 2018**