



Resource Consent Application For Demolition of the Club Hotel,
100 - 116 Gore Street, Bluff

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30 June, 2023

Bluff Oyster and Food Festival Charitable Trust
Project Number 6-VQ424.27



Contact Details

Luke McSoriley

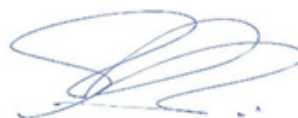
WSP
65 Arena Avenue
PO Box 647
Invercargill 9810
+64 3 211 3580
+64 27 269 1644
luke.mcsoriley@wsp.com

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Prepared by
Luke McSoriley



Reviewed by
Shane Roberts



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Disclaimers and Limitations

This report ('**Report**') has been prepared by WSP exclusively for the Bluff Oyster and Food Festival Charitable Trust ('**Client**') in relation to Resource Consent to demolish the Club Hotel Building at Bluff and redevelopment of the site for use as part of the Bluff Oyster and Food Festival ('**Purpose**') and in accordance with the Short form Contract Agreement with the Client dated 14 March 2023. The findings in this Report are based on and are subject to the assumptions specified in the Report. 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.



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**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: Bluff Oyster and Food Festival Charitable Trust

Bluff Oyster and Food Festival Charitable Trust applies for the following resource consent:

- The type of Resource Consent sought is:

| RMA Section | Resource Consent Sought |
|-------------|--------------------------|
| Section 9 | Demolition of a building |

- The application proposes the demolition of the Club Hotel building. The Club Hotel is a Category II heritage building under Heritage New Zealand Pouhere Taonga's (HNZPT) list. The site is also recorded as a site of heritage value in Appendix II - Heritage Record, of the Invercargill City District Plan.
- The application site is formed of five properties all of which are currently utilised fully or in part for festival purposes.

This application proposes demolition of the Club Hotel building, which is located on two of these properties, 114 / 116 Gore Street, Bluff (Section 2 Block I TN OF Campbelltown) and 100 / 108 Gore Street, Bluff (Section 3 Block I TN OF Campbelltown).

The remainder of the site is currently utilised for festival purposes.

- The property details for the application site are as follows:

| Address | Legal Description | Title Reference | Ownership |
|------------------------------------|---|-----------------|--|
| 100 & 108 Gore Street, Bluff | Section 3 Block I TN OF Campbelltown | SLA2/269 | Bluff Oyster and Food Festival Charitable Trust |
| 114 & 116 Gore Street, Bluff | Section 2 Block I TN OF Campbelltown | SLA2/269 | Bluff Oyster and Food Festival Charitable Trust |
| 14 Lee Street, Bluff | Section 11 Block I TN OF Campbelltown | SL9A/35 | Bluff Oyster and Food Festival Charitable Trust |
| 73 Barrow Street, Bluff | Section 9 Block I TN OF Campbelltown Section 10 Block I TN OF Campbelltown | SL134/127 | Bluff Oyster and Food Festival Charitable Trust |
| 71 Barrow Street, Bluff | Section 8 Block I TN OF Campbelltown | SL134/129 | Invercargill District Council |

5. The properties the application relates to are all owned by Bluff Oyster and Food Festival Charitable Trust aside from 71 Barrow Street which is owned by Invercargill City Council.
6. A copy of the Record of Title for the properties is included as Appendix 1.
7. No other resource consents are required.
8. 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.
9. Included is an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.
10. 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.
11. The application is NOT for any form of subdivision under the Act.
12. 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.
13. All information provided in this application is true and correct to the best of the applicant's and report writer's knowledge and understanding.
14. The applicant will pay all actual and reasonable application processing costs incurred by the Council.
15. A pre-application meeting was held with Invercargill City Council staff prior to lodgement of the application.
16. We request that all correspondence on this application be directed towards our Agent.

Bluff Oyster and Food Festival Charitable Trust

30th June 2023

Address for Service
WSP New Zealand Ltd
65 Arena Avenue
Invercargill 9810
New Zealand

ATTENTION: Luke McSoriley
0272691644
luke.mcsoriley@wsp.com

1 Introduction

This report supports, and forms part of a resource consent application made by the Bluff Oyster and Food Festival Charitable Trust to the Invercargill City Council to demolish the building known as the Club Hotel located at 100-116 Gore Street, Bluff. This 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 The Applicant

2.1 Bluff Oyster and Food Festival Charitable Trust

Bluff Oyster and Food Festival Charitable Trust (the Trust) is a volunteer based charitable organisation that runs the Bluff Oyster and Food Festival (the Festival).



Photograph 1 – the Bluff Oyster and Food Festival

2.2 Bluff Oyster and Food Festival

The Festival has been held annually in Bluff for over 20 years at various locations. A permanent festival site was developed from 2014 onwards on the current site in the town centre of Bluff. The Club Hotel building is located on the northern boundary of the existing festival site where it adjoins State highway 1 (Gore Street).

The festival site (application site) is formed on multiple properties at Gore, Lee and Barrow Streets as detailed in Table 2. The Oyster Festival operates as an open-air venue with large open-faced shelters on the western, eastern, and southern boundaries. The Festival is currently a one-day event, and the site can accommodate up to 5000 patrons. All tickets to the festival are sold prior to the event. An expanded site would enable the Trust the option of increasing capacity of the festival site by approximately 1000 people. Alternatively, it will enable the Trust the option of creating an enhanced festival site and experience while maintaining existing attendee numbers.



Photograph 2 – the Bluff Oyster and Food Festival



Photograph 3 – the Bluff Oyster and Food Festival

2.3 Previous Resource and Building Consent Applications

The table below lists resource and building consent applications relating to festival use of the site, and the status of those applications. It also references a Certificate of Public Use dating from 2015.

| Reference | Description | Status |
|-------------|--|-----------------------|
| 2013/925 | Demolish building | Code Compliance |
| 2014/1104 | Amendment - Construct open shed (1 & 2) with waiver of fire rating on east wall. | Code Compliance |
| 2014/1104A | AMEND - Changes to concrete slab and time frame stages | Code Compliance |
| 2014/1188 | New 175mm storm water & 150mm storm water | Code Compliance |
| 2016/136 | Decommission all spec systems in building | Code Compliance |
| 2018/35 | 100-116 gore | Earthquake Prone |
| 2021/544 | Schedule 1, Exemption 2 Application for Erection of Marquee for Bluff Oyster Festival | Schedule 1 Completed |
| CPU/2015/33 | 85 Barrow Street, Oyster Festival Building (excludes Club Hotel Building) - 2017 Festival 20 May 2017 | Completed |
| 2018/174 | To demolish a Category II Heritage NZ listed building as identified in Appendix II - Heritage Record in the Invercargill City District Plan at 100-116 Gore Street Bluff - | Declined |
| 2019/212 | Removal of verandah attached to a heritage building | Granted |
| 2022/189 | Demolition of Verandah on Heritage Building - Business 2 Zone | On Hold |
| 2022/253 | Demolition of a class 1 heritage building in the Business 2 and Industrial 1 Zones | Returned (Section 88) |

The Council record of applications summarised in Table 1 above lists the council consents obtained to enable establishment and operation of the Bluff Oyster and Food Festival on the application site. Building consents for construction of three sheds for festival use were approved from 2014 onwards. The Council records indicate that festival use of the site was a permitted activity and resource consent was not required. Resource consent was granted in 2022 for the removal of the veranda of the Club Hotel (2019/212) however, demolition of the veranda has yet to commence.

3 The Site

3.1 Bluff Motupōhue

Bluff Motupōhue is a town and seaport in Southland and the southernmost town in mainland New Zealand.

Bluff is at the end of a peninsula that forms the western side of Bluff Harbour and Awarua Bay. Bluff is 30 km from Invercargill and is located within the Invercargill City Council District.

Bluff is the southern terminus of the Main South Railway Line and State Highway 1, which terminates south of the town at Stirling Point.



Figure 1 – Bluff Location



Figure 2 - Site Location

3.2 Site Location

This application relates to five properties at Gore (SH1), Lee and Barrow Streets, Bluff as identified in Table 2 below. The properties the application relates to are all owned by Bluff Oyster and Food Festival Charitable Trust aside from 71 Barrow Street which is owned by Invercargill City Council

(refer to Table 2 below). The Club Hotel building is located on the properties at 100 / 108 Gore Street and 114 / 116 Gore Street, Bluff. The building is positioned on the northern Gore Street boundary of these two properties with the southern parts of each property formed of hardstand areas. The hardstand areas of these two properties south of the building are unutilised as part of the Bluff Oyster and Food Festival site.

| TABLE 2 | | |
|------------------------------|---|---|
| Address | Legal Description | Ownership |
| 100 & 108 Gore Street, Bluff | Section 3 Block I TN OF Campbelltown | Bluff Oyster and Food Festival Charitable Trust |
| 114 & 116 Gore Street, Bluff | Section 2 Block I TN OF Campbelltown | Bluff Oyster and Food Festival Charitable Trust |
| 14 Lee Street, Bluff | Section 11 Block I TN OF Campbelltown | Bluff Oyster and Food Festival Charitable Trust |
| 73 Barrow Street, Bluff | Section 9 Block I TN OF Campbelltown Section 10 Block I TN OF Campbelltown | Bluff Oyster and Food Festival Charitable Trust |
| 71 Barrow Street, Bluff | Section 8 Block I TN OF Campbelltown | Invercargill District Council |

3.3 Bluff Oyster and Food Festival Site

The Bluff Oyster and Food Festival site incorporates all of the properties listed in Table 2 as detailed in Photograph 4 below.



Photograph 4 – Rear of Club Hotel and Festival Site Hardstand Area

The northern Gore Street frontage of the site which the Club Hotel occupies is not currently used as part of the festival site. Hardstand areas behind the Club Hotel building are used as part of the festival site with toilet facilities and marquee structures usually located in this area. Access to the rear of the Club Hotel building is closed off when the festival is held. This is done via placement of the toilet and marquee structures on the festival site and use of temporary fencing / barriers adjacent the rear of the building.



Photograph 5 – Rear of Club Hotel and Festival Site Hardstand Area

The Trust is not currently able to operate across the full extent of the festival site due to the location of the Club Hotel. The Club Hotel screens the festival site from Gore Street, the main street of Bluff (Photograph 2 above).



Photograph 6 – Existing Festival Pedestrian Entrance, Lee Street

Pedestrian access to the festival site is currently obtained off a gate in Lee Street (Photograph 6 above). Festival attendees' queue at the gate down to the intersection of Lee and Gore Streets prior to the festival opening. The queue extends along the Gore Street footpath adjacent the Bluff Lodge and Club Hotel buildings (Photograph 7).



Photograph 7 – Festival Pre-Opening Queue on Lee and Gore Streets

3.4 Zoning

The Site is located within the Business 2 Zone under the Invercargill City District Plan. The District Plan overview for the Business 2 Zone notes:

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

The rules of the Business 2 Zone include a 10m height limit for new buildings and structures. Yard and outdoor storage requirements only apply where a site adjoins a Residential Zone. The application site does not directly adjoin any residential properties or any Residential Zone.

Overall, the Zone's rules can be considered enabling with new buildings and structures able to be positioned anywhere on a site subject to the use of the building being permitted and compliance with the 10m height limit. The proposed expansion of the festival site into the area currently occupied by the Club Hotel and associated landscape treatment is consistent with the District Plan's definition of Communal Activity:

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.

3.5 The Club Hotel

The Club Hotel is a two-story unreinforced masonry brick building with former bar, dining and hotel services areas on the ground floor and accommodation rooms on the upper floor. A single-story concrete masonry extension is located at the rear of the building. At the Gore Street frontage of the building there is a timber framed veranda supported via the main building and steel posts located in the footpath (road reserve). The Structural report (Appendix 4) provides a more detailed description of the building and that is adopted for the purposes of this report.

The building is located on the south side of Gore Street, Bluff, has been vacant for approximately two decades and is in a very poor state. The Structural report notes that this is primarily due to extensive ingress of water over an extended period.

As identified in the Heritage Impact Assessment (HIA) in Appendix 2 the Club Hotel is formed of four individual buildings that are collectively known as the Club Hotel. The four buildings that now form the Club Hotel are described in the HIA as follows:

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

As the HIA notes these original buildings now form part of the Club Hotel. The Club Hotel is also identified as one building under its NZHPT Category II heritage building listing. The Council Building Consent information shows that overtime the four buildings were merged / altered to form one combined hotel building. For the purposes of this application the Club Hotel is considered one building. Detailed descriptions of the Club Hotel are included in the HIA and the NZHPT listing. These descriptions are adopted for the purposes of this application.

The Club Hotel forms part of a terrace of commercial buildings and is bookended by two existing buildings. The Invercargill City Council Bluff Service Centre adjoins the Club Hotel at its eastern boundary with the Bluff Lodge Backpackers and Guest House adjoining at its western boundary.

3.6 Heritage New Zealand Pouhere Taonga Listing

The Club Hotel has an Historic Place Category 2 listing (List Number 2441). The applicant has liaised with Heritage New Zealand Pouhere Taonga in regard to options for upgrade, restoration and adaptive reuse options for the building. Unfortunately, those discussion have not resulted in any viable options. The applicant has also attempted to sell the Club Hotel building to enable someone else the option of adaptive reuse, which was unsuccessful.

3.7 Invercargill City District Plan 2019 Listing

The Club Hotel is listed in Appendix 3 -2 of the Invercargill City District Plan 2019 as a building registered by Heritage New Zealand Pouhere Taonga as detailed below with the identifier DB Bluff Hotel (Flynn's Club Hotel).

| SITES REGISTERED BY HERITAGE NEW ZEALAND POUHERE TAONGA | | | | | | | |
|---|------------------------|----------|---|--|---|------------|-------------|
| BUILDINGS AND STRUCTURES | | | | | | | |
| IDENTIFIER (OCTOBER 2016) | ADDRESS | LOCALITY | LEGAL DESCRIPTION | HERITAGE NEW ZEALAND RECORD NUMBER AND CLASSIF- ICATION | 1997 HERITAGE BUILDING REVIEW CLASS | MAP No. | REF. No. |
| D B Bluff Hotel (Flynn's Club Hotel) | 100-116 Gore Street | Bluff | Sections 2, 3 Block I Campbelltown Township | 2441 (II) | | 29, 30 | 1 |

Figure 3 – Appendix 3 -2, Invercargill City District Plan 2019

3.8 Cancellation of 2023 Festival

The 2023 Bluff Oyster and Food Festival that was to be held on 20 May 2023 was cancelled because of health and safety concerns associated with the Club Hotel. As noted above the Club Hotel is located on part of the Festival site.

Following provision of an engineer's report to Invercargill City Council by the Trust, a Dangerous and Insanitary Building Notice was issued requiring demolition of the building by 16 March 2023. The Trust lodged a new application for resource consent (2022/253) to demolish the building. This application as returned under Section 88 of the RMA 1991 and did not progress. The Trust had hoped to have the building demolished to have the festival site ready for the 2023 event. As this application did not progress the 2023 festival was cancelled. The Trust considered risks associated with the building too high given it is located on the festival site and adjoins areas utilised for the Bluff Oyster and Food Festival.

4 Proposal

4.1 Demolition

This application proposes the demolition of the Club Hotel building.

The Club Hotel is a Category II heritage building under Heritage New Zealand Pouhere Taonga's (HNZPT) list. The site is also recorded as a site of heritage value in Appendix II - Heritage Record, of the Invercargill City District Plan.

Resource consent for removal of veranda attached to the Club Hotel has been already obtained (RMA/2019/212).

4.2 Earthworks

Earthworks will be undertaken on the site as part of demolition activity and post demolition to enable levelling of the site for landscape enhancement and festival use. The total volume of earthworks is estimated at 850m³.

4.3 Expanded Festival Site

This application proposes the inclusion of the land area currently occupied by the Club Hotel Building into the Bluff Oyster and Food Festival site, post demolition of the building.

4.4 Landscape Enhancement

As detailed in Appendix 2, the applicant proposes landscape treatment to incorporate the cleared area into the wider Festival site. This will allow for formation an expanded and / or enhanced festival site and new site frontage to Gore Street, Bluff. Some demolition materials will be reused on site as part of the landscape enhancement work.



Figure 4 – Proposed Landscape Enhancement (Appendix 1).

5 Activity Status

5.1 Regional Plans

The proposed activity does not require resource consent under any Environment Southland (Southland Regional Council) regional plans.

5.2 National Environmental Standards for Contaminants in Soil

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations (NESCS) applies to the disturbance of soil, removal of underground fuel storage systems, subdivision, soil sampling, or a change in use of a piece of land where an activity described in the Hazardous Substances and Industries List (HAIL) has been undertaken on it.

The properties the application relates to are not currently registered on Southland Regional Council's the Selected Land Use Sites (SLUS) register. In addition, none of the activities regulated by the NESCS, removal of underground fuel storage systems, subdivision, soil sampling, or a change in use are proposed. Regarding any change of use, the property the application relates to is zoned for commercial purposes, is occupied by a commercial use, and expanded commercial use (Communal Activity) is proposed. The ICC property files for the site do not provide any indication that the site has a history of HAIL activity.

No resource consents are required under the NESCS for the proposed activity.

5.3 Invercargill City District Plan 2019

5.3.1 Historic Heritage

Under Rule HH-R9 the relocation or demolition of any building or structure listed in APP3.2 – Appendix 3.2 Sites Registered by Heritage New Zealand Pouhere Taonga is a non-complying activity. The Club Hotel is listed in Appendix 3 -2 of the Invercargill City District Plan 2019 as a building registered by Heritage New Zealand Pouhere Taonga. The proposed demolition of the Club Hotel Building is therefore a Non-Complying Activity under Rule HH-R9.

5.3.2 Demolition Activity

As the application proposes demolition of a building listed as an item of historic heritage in Appendix 3 of the District Plan Rule DERE-R2 is not applicable.

5.3.3 Earthworks

Under Rule SOIL-R2 (5) (a) the quantity of earthworks permitted in any 12-month period is 50m³ per site up to 1000m² plus 50m³ each 1000m² thereafter in the Business 2 Zone.

| Address | Site Area (sqm) | Permitted Volume (m ³) |
|-----------------------------------|-----------------|------------------------------------|
| 100, 106 & 108 Gore Street, Bluff | 1012 | 50 |
| 112, 114 & 116 Gore Street, Bluff | 1012 | 50 |
| 14 Lee Street, Bluff | 1013 | 50 |
| 73 Barrow Street, Bluff | 2024 | 100 |
| Total | 5061 | 250 |

The earthworks associated with the proposed demolition of the building and landscape enhancement of the site is approximately 850m³. The earthworks will be undertaken within a 12-month period. As only 250m³ of earthworks are permitted under the relevant rule the remaining earthworks (600m³) require resource consent under Rule SOIL-R7 as a Discretionary Activity.

5.3.4 Communal Activity

Communal Activity is a permitted activity under the Business 2 Zone rules of the District Plan. Communal Activity in the form of expanded Festival use and landscape enhancement is proposed on the location of the Club Hotel. This aspect of the proposal is a Permitted Activity.

6 The Permitted Baseline

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

There is no permitted baseline for the proposed demolition of the Club Hotel Building. The Club Hotel is listed as a Category II heritage building and recorded as a site of heritage value in Appendix II - Heritage Record, of the Invercargill City District Plan. Resource consent is required for the proposed demolition activity.

The proposed expansion of the festival site into the area currently occupied by the Club Hotel and associated landscape treatment is consistent with the District Plan's definition of Communal Activity. Communal Activity is permitted on the site under the Business 2 Zone rules and forms part of the permitted baseline.

As noted above resource consent for removal of veranda attached to the Club Hotel has been obtained (RMA/2019/212).

7 Expert Assessments

The following expert assessments have been completed and form part of this application:

1. Heritage Impact Assessment – Appendix 2.
2. Structural Report – Appendix 4.

These Assessments have informed the AEE below in relation to historic heritage and structural engineering matters.

8 Assessment of Environmental Effects

8.1 Historic Heritage Effects

A Heritage Impact Assessment (HIA) has been completed and is included as Appendix 2. The HIA also formed part of the previous application to demolish the building (2018/174). The HIA states that the overall heritage value of the Club Hotel is considered to be medium. The key conclusions of the HIA regarding actual and potential adverse effects on Historic Heritage are as follows:

“The physical loss of the Club Hotel constitutes a major adverse effect and will remove all heritage value”.

“The demolition of the Club Hotel will see a significant loss not only to the heritage values of the site itself, but also to the broader Gore Street streetscape”.

“The demolition of the Club Hotel will have a significant and irreversible impact on this prominent streetscape and will result in the loss of these tangible pieces of Bluff's past”.

This indicates that the adverse effects of the proposed demolition of the Club Hotel on historic heritage will be significant and are unable to be mitigated. Once the building is demolished the historic heritage values associated with the building will be gone. This is an adverse effect that cannot be avoided given complete demolition of the building is proposed.

Adverse effects of the proposed activity on historic heritage will be more than minor.

8.1.1 Historic Heritage Plan Framework

The District Plan requires applications under HH-R9 to address specific matters listed in the Plan. These are identified as being “*matters that will be among those taken into account by the Council when considering an application*”. These matters are discussed below.

8.1.2 Retention, Protection and/or Enhancement of Heritage Values

The heritage values associated with the Club Hotel will not be retained, protected and/or enhanced by the proposal. The applicant proposed demolition of the building. There is potential for reuse and recycling of some materials as part of the proposed landscape enhancement. While no specific materials or features suitable for reuse or recycling have been identified by the applicant, the Landscape Treatment Plan notes that some materials will be retained on site for reuse after demolition:

- Selected materials will be re-integrated into landscape design. Site material may be re-used in any of the areas of the design, including as seating, or as aggregate or ground surfacing.
- Materials not used in the development of the 5 m x 40 m landscaped front area will be as much as possible used as fill to manage level changes across the site.

8.1.1 *Cumulative Effects on Heritage Values*

An adverse cumulative effect is an effect, that when combined with other adverse effects, amounts to a significant adverse effect. The proposed demolition activity is specific to the Club Hotel Building and the site and the removal of the building is not considered likely to result in an adverse cumulative effect on heritage values in Bluff Township or the Invercargill City District.

8.1.1 *Relocation of Heritage Buildings*

No relocation of any heritage buildings is proposed as part of the proposed activity.

8.1.1 *Reuse and Recycling of Heritage Features*

As noted above there is potential for reuse and recycling of some materials or heritage features of the building to be demolished. This will be dependent on the methods used for demolition activity. As noted in the Structural Engineer's Assessment the building over several years has been subject to vandalism, is exposed to the elements and has been extensively damaged as a result of water egress. As outlined above at Section 8.1.2 the Landscape Enhancement Plan identifies options for reuse of building materials.

8.1.2 *Invercargill City Council Heritage Design Guidelines*

The *Invercargill City Centre Heritage Maintenance Guidelines* are of limited relevance given demolition is proposed and the site is not located in the Invercargill City Centre. We are not aware of any other Invercargill City Council heritage guidelines relevant to the proposal.

8.1.3 *Effects of Earthworks*

This application proposes demolition of the Club Hotel building. An Archaeological Authority will be sought and obtained prior to any earthworks commencing. As identified below the proposed earthworks associated with the proposal will not give rise to any significant adverse environmental effects. Any effects associated with earthworks will be no more than minor.

8.1.4 *Results of Consultation*

The applicant has previously consulted Heritage New Zealand Pouhere Taonga (NZHPT) on the proposed demolition of the Club Hotel building. The previous application (RMA/2018/174) was publicly notified and NZHPT did not make a submission. As outlined further below the applicant is requesting public notification of this application meaning any person or entity may make a submission. An Archaeological Authority will need to be obtained from NZHPT prior to any works commencing and a condition to this effect is promoted by the applicant.

8.1.5 *Any Alternatives*

Discussion of alternative options is included below at Section 9.

8.1.6 *Recording*

A record of the heritage features of the building is provided via the HIA (Appendix 2). There is no proposal to provide additional records.

8.1.7 *Strengthening Works*

As complete demolition of the building is proposed there are no proposals to strengthen the structural integrity of it.

8.1.8 Replacement Works

As complete demolition of the building is proposed there is no proposal to strengthen or replace high risk elements, such as parapets, façade decoration and chimneys.

8.1.9 Professional Advice

The applicant has obtained professional advice from:

- A Structural Engineer: and
- A Heritage Expert.

These experts and their respective Assessments have informed the proposal. Particularly in terms of the need to demolish the building and its unsuitability for retention, restrengthening, and reuse (the Structural Engineer), and mitigation of actual and potential effects on historic heritage (the Heritage Expert). The extent of professional advice obtained is considered proportional to the scale and intensity of the effects of the proposed works. This advice has included analysis of alternative options available, and this is discussed further below at Section 9.

8.1.10 Summary Historic Heritage Effects

Adverse effects of the proposed activity on historic heritage will be more than minor.

8.2 Archaeological & Cultural Effects

8.2.1 Archaeology

The Heritage New Zealand Pouhere Taonga Act 2014 (NZHPT Act 2014) makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of a recorded, suspected or unrecorded archaeological site without the prior authority of Heritage New Zealand. Demolition of the whole of a pre-1900 building requires an Archaeological Authority under the HZNPT Act 2014. Modification of archaeological sites during earthworks requires an Archaeological Authority under the HZNPT Act 2014.

The application site is occupied by buildings that predate 1900 and were previously occupied buildings and land use activities that predate 1900. As such the site the application relates to is an archaeological site. There is potential for subsurface archaeological features beneath the building and beneath those parts of the site that are currently hardstand areas.

Under the Heritage New Zealand Pouhere Taonga Act 2014 modification of an archaeological site requires an archaeological authority under the HZNPT Act 2014. The applicant intends to lodge an application for an Archaeological Authority and will obtain that Authority prior to any earthworks or demolition activity commencing on the site. A condition of consent is promoted by the applicant to this effect.

That applicant is likely to seek one Archaeological Authority covering all earthworks on the site. Resource consent needs to be obtained from Invercargill City Council before demolition or earthworks activity commences. Any actual or potential adverse effects on archaeology will be assessed and considered as part of the Archaeological Authority process.

Provided an Archaeological Authority is obtained prior to any works commencing the proposed activity is not likely to give rise to any significant adverse effects on archaeology.

8.2.2 Cultural Effects

As outlined above the property the application relates to was occupied prior to 1900 and is an archaeological site. There is potential for subsurface archaeological features beneath the buildings and beneath those parts of the site that are currently hardstand areas. While it is anticipated that any archaeology present will primarily relate to European settlement there could be archaeology present relating to Māori occupation.

An Archaeological Authority will be obtained prior to any earthworks or demolition activity commencing on the site. The Archaeological Authority application will assess potential effects on archaeology including both Māori and European.

The relevant policies of the Ngai Tahu ki Murihiku Natural Resources and Environmental Iwi Management Plan are discussed in further detail below.

Provided an Archaeological Authority is obtained prior to any works commencing the proposed activity is not likely to give rise to any significant adverse cultural effects.

8.3 Structural Risk and Health and Safety Effects

From the applicant's perspective there is some urgency in terms of the need to demolish the Club Hotel building to make the festival site safe. The Club Hotel building is also posing a risk to the public in terms of the Gore Street State highway 1 footpath. The footpath is currently closed due to risks associated with the building and its veranda, which is located over the footpath. The applicant is concerned about the risk the building poses to festival patrons to the extent that the 2023 event was cancelled. Demolition of the building is required to enable the Bluff Oyster and Food Festival 2024 and subsequent festivals to be held on the site.

The applicant commissioned Kensington Consulting to undertake a structural assessment of the Club Hotel Building. This included an inspection of the internal and external areas of the building including the roof level. The report then makes recommendations on the building and veranda (Appendix 4).

The report at page 2 notes that the façade of the building currently has a very weak zone along the face beneath the heavy ornate upper parapet of the façade, which has a distinctive lean out towards the street. It then notes that in a seismic event the heavy upper facade of the building is most likely to topple into the street. It also notes that in its weakened condition is possible that a major windstorm event could damage the roof and any interconnection could be sufficient to lead to failure. The report highlights risks associated with the veranda of the building, notes its very poor state and the risk of collapse from objects falling off the façade of the main building. It recommends that the fire escapes on the building and the veranda itself are removed. These are all adverse effects on the environment that will be resolved via demolition of the building.

The Structural Report concludes that Club Hotel building is an insanitary building that represents a risk to the public in a seismic or windstorm event. The building also represents a significant health and safety risk to any persons in the building including any Fire and Emergency Services personal. The building contains large areas of black mould, vegetation is growing internally in the building and sanitary fixtures are damaged with foul sewer piping open, all of which represents a health hazard. In a major natural hazard event parts of the structure are likely to fail and the front façade and other thinner brick masonry walls around the perimeter could collapse. The roof of the building is also at risk of collapse from a significant windstorm event and the parapet of the building could topple.

The Report recommends demolition as the most effective course of action to remediate these risks. The Report notes that level of degradation to the building makes remedial repairs and installation of effective bracing and support for the roof structure and masonry brick walls over the entire structure prohibitively expensive. The Report concurs with earlier seismic assessments that the building has a very low rating - approximately 14% NBS (at best) but could be as low as 0% NBS. It further notes that neighbouring buildings at either end of the Club Hotel would likely be affected by any partial collapse.

The proposed demolition of the Club Hotel will avoid, and remedy risks associated with the dilapidated condition of the building, a positive effect on the physical environment.

8.4 Natural Hazard Risks

The application site can be found on Map 30 of the District Planning Maps and the corresponding Hazard Information Maps. The application site is not identified as an area subject to Actual or Potential Flooding or Inundation on the District Plan Planning Maps. The conclusions of the Structural Report highlight the risk the building poses in the event of a seismic or windstorm event.

The Proposed demolition of the building would avoid the risks associated with the structure should these natural hazards, seismic or windstorm events, occur which is considered a positive environmental effect.

8.5 Earthworks and Construction Effects

Rule SOIL-R8 requires applications under SOIL-R7 to assess a number of matters these are listed and discussed below.

8.5.1 *Nature and volume of any fill*

Waste materials from demolition of the building will be used as fill mainly brick and no material will be extracted from below ground level at the site. The volume of earthworks is approximately 850m³.

8.5.2 *Sustainability of the soil resource*

The proposal will not give rise to any significant adverse effects on the sustainability of the soil resource at the site.

8.5.3 *Construction effects*

Potential effects associated with dust and noise, including traffic to and from the site and machinery on the site can be avoided and mitigated vis conditions of resource consent which are included as Appendix 6.

8.5.4 *Access*

The site has existing formed vehicle accesses at both Lee Street and Barrow Street which can be used as part of the demolition and earthworks activities. No upgrades are proposed. Some of the demolition works will require closure of parts of Gore Street.

8.5.5 *Effects on natural water bodies and established drainage networks*

The proposed activity is not anticipated to give rise to any adverse effects on natural water bodies and existing drainage networks.

8.5.6 *Sites of heritage and/or archaeological significance*

As outlined and discussed above the Club Hotel has identified historic heritage and archaeological values. The earthworks proposed are associated with demolition of the building and a condition of consent is promoted in regard to the need to obtain an archaeological assessment prior to works commencing.

8.5.7 *Other Values*

There are no Outstanding natural features and landscapes shown on the District Planning Maps at the site. The proposal is not likely to have any adverse effect on the future development potential of the land. There are no significant indigenous biodiversity values at the site. The site is not within a National Grid Yard and will not have any effects on the integrity of any transmission lines.

8.5.8 Volume, area and location of the works

The volume, area and location of the works is detailed above. Temporary stockpiling may occur as demolition and earthworks progress. Timing of works is expected to be two weeks. Site remediation is as outlined in the Landscape Enhancement Concept Plan. There are no transmission lines present at the site. A management plan is not considered necessary given the limited volume of earthworks proposed.

8.5.9 Monitoring

No monitoring of the filling operation is proposed. Proposed landscape enhancement is proposed as detailed in this application.

8.5.10 Construction Effects

The proposed demolition works are likely to result in noise and dust effects. These effects would be associated with deconstruction of the masonry/ brick structure, associated crushing and placement of the demolition material to raise the level of the site.

Vehicle movements associated with the demolition activity will also result in effects on adjoining streets. Parts of Gore Street may need to be closed on a temporary basis as the demolition works are progressed.

The proposed demolition works are expected to take less than two weeks (10 working days). The building will be demolished by mechanical means. Any effects associated with the demolition activity will be temporary and limited to the duration of the works.

Work associated with construction of the proposed landscape enhancement are not anticipated to give rise to any significant adverse environmental effects.

A number of conditions of resource consent are promoted by the applicant that seek to avoid or mitigate construction related effects during the demolition phase of the project.

8.5.11 Summary

Any adverse effects associated with earthworks and construction activity (including demolition activity) will be no more than minor.

8.6 Coastal Effects

Map 30 of the District Planning Maps identifies the site as being within the Coastal Environment Overlay. The District Plan contains no rules relating to the Coastal Environment Overlay. The Plan states that where the need for resource consent is triggered by another provision in this Plan, and the development is within the Coastal Environment then it is necessary to address issues that pertain to the coastal environment in the AEE. The Plan then refers to the objectives and policies of the Coastal Environment section which are listed and discussed in Section 12. The application relates to a brownfield urban site in Bluff Town Centre, the proposed demolition of the Club Hotel building will not result in any adverse effects on the natural resources of the coastal environment. The proposed activity is not likely to give rise to any significant adverse effects on the coastal environment.

Any adverse effects on the coastal environment will be no more than minor.

8.7 Town Centre Effects

The District Plan's overview of the Business 2 Zone states that the zone provides for the business, commercial, cultural and social activities serving suburban communities and the town centre at Bluff. The key District Plan objective for the Zone (BUS2Z-O1) seeks maintenance and enhancement of suburban centres that provide for a range of retail, commercial, cultural,

educational, and social activities serving communities within the catchments of the district's suburban centres, and Bluff Town Centre.

The Bluff Oyster and Food Festival is consistent with the District Plan definition of Communal Activity. Communal Activities are permitted in the Business 2 Zone. This application seeks demolition of the Club Hotel and expansion of the Bluff Oyster and Food Festival site. The proposal is consistent with the maintenance and enhancement of Bluff Town Centre and provision of a range of retail, commercial, cultural, and social activities in the Township.

There are no rules relating to streetscapes or requirements for new buildings or structures to be terraced or built to street boundaries under the Business 2 Zone rules. For the purposes of this application these streetscape effects are characterised as an effect on historic heritage as identified and discussed above and in the HIA.

The proposed activity will have positive effects on the town centre of Bluff.

8.8 Social and Economic Effects

The proposed demolition of the Club Hotel will resolve issues associated with the poor state of the building in terms of risks to users of the festival site. The applicant will be able to reconvene holding of the Bluff Oyster and Food Festival on the site once the building has been demolished. Demolition of the building will also enable expansion and /or enhancement of the festival site. This will increase the capacity of the Festival or allow for an enhanced festival experience.

The demolition of the building will connect the Festival site to the main street of Bluff Township. The proposed Landscape Concept (Appendix 1) will make the Festival site more prominent when viewed from Gore Street, the Townships main street.

The site in its current configuration is not well suited to festival use with a large derelict two story building positioned on the northern boundary. The buildings height and bulk shade parts of the festival site. Unlike the facade of the Club Hotel the rear elevations of the Club Hotel were not designed to be viewed from the street (public space). The dilapidated state of the existing building does not provide an attractive outlook from the festival site.

The proposed activity will enable the Bluff Oyster and Food Festival to reconvene on the site, while increasing the capacity of the Festival and /or allowing for an enhanced festival experience. The Bluff Oyster and Food Festival enables social and economic activity locally and regionally and functions as an important event for locals and visitors to Bluff, Invercargill and Southland. The proposal will have positive social and economic effects.

8.9 AEE Conclusion

The proposed activity will have more than minor adverse effects on historic heritage values associated with the Club Hotel building. The proposed demolition of the Club Hotel will avoid, and remedy risks associated with the dilapidated condition of the building, a positive effect on the physical environment. Provided avoidance and mitigation measures are followed and conditions of resource consent met the adverse effects of the proposal will be no more than minor in relation to the coastal environment, natural hazard risk, earthworks and construction activity, archaeology, and cultural effects. The proposed activity will have positive social and economic effects including positive effects on Bluff Town Centre.

9 Alternatives

Section 104 of the Act does not require a consideration of alternatives although under s104(1)(c), as another matter, there is the ability to have regard to whether the application complies with the requirements of s88 of the Act. Section 88 requires a description of possible alternative locations or methods for undertaking the activity if it is likely that the activity will result in any

significant adverse effects on the environment. As noted above the proposal will have an adverse effect on historic heritage values associated with the Club Hotel. An assessment of alternatives is provided below.

9.1 Do Nothing

As outlined above and in the Structural Report the building that the proposed demolition activity relates to has been vacant for an extended period of time and is in very poor condition. The do-nothing option will not rectify the risks currently associated with building. The Invercargill City Council has issued a Dangerous and Insanitary Building Notice to the applicant which required demolition of the building by 16 March 2023. The Trust is unable to comply with that Notice as the building cannot be demolished until resource consent is obtained.

9.2 Retention and Reuse of Building

As outlined in the Structural Report the level of degradation to the building makes remedial repairs and installation of effective bracing and support for the structure prohibitively expensive. The applicant has unsuccessfully attempted to sell the building in the past. An obvious use for the building is as a Hotel. The previous hotel operation in the building was not profitable as a commercial operation and closed. The closure of the Club Hotel and its ongoing vacant state since this time has contributed to the degraded state of the building and associated risks. The current state of the building and extreme cost to upgrade it back to hotel use plus the lack of demand for hotel services including accommodation in Bluff make this option unviable. In addition, the building is not suitable for festival use.

9.3 Demolition and Festival Site Use

The current proposal provides an opportunity for redevelopment as part of the Bluff Oyster and Food Festival site. The conclusions of the Structural Report and HIA support demolition of the building. Demolition of the building is the most effective course of action to remediate the risks associated with it. The level of degradation to the building makes remedial repairs prohibitively expensive. The proposed activity will enable the Bluff Oyster and Food Festival to reconvene on the site, while increasing the capacity of the festival and / or allow for an enhanced festival experience for patrons. Demolition of the building is considered the best option in the circumstances.

10 Draft Conditions

Suggested resource consent conditions are attached as Appendix 6.

11 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.

There is no district plan rule or national environmental standard that requires notification.

The applicant requests public notification of this application for the following reasons:

1. The actual and potential adverse effects on historic heritage will be more than minor.
2. There is some urgency in terms of the need to demolish the Club Hotel building which in its current state is a risk to the public. The proposed activity will make the festival site safe with the aim of enabling the Bluff Oyster and Food Festival to be held on the site in 2024.

3. The Club Hotel Building is also posing a risk to the public in terms of the Gore Street State highway 1 footpath. The footpath is currently closed due to risks associated with the building and its veranda. Public notification of the application is requested as it should enable a hearing on the resource consent application to be held as soon as possible.

12 Statutory Documents Assessment

12.1 Part 2

Part 2 of the Act sets out its purpose and principles. The purpose of the Act is described in Section 5; to promote the sustainable management of natural and physical resources. Sustainable management is defined in the same section as:

managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

(a) Sustaining the potential of natural and physical resources to meet the foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The current position regarding referring to Part 2 is that it only needs to be turned to if there is uncertainty or a lack of clarity in the District Plan provisions that give effect to the purpose and principles stated in the Act. The Invercargill City District Plan 2019 is a relatively new planning instrument that has been prepared in accordance with the requirements of the Act.

The District Plan is required to 'give effect to' the provisions of all higher planning instruments. As such it can be concluded that the District Plan gives effect to the Southland Regional Policy Statement 2017. The regional policy statement gives effect to relevant national policy statements (including the New Zealand Coastal Policy Statement 2010) and the provisions of the Act. Therefore, there is no need to assess those higher order document or Part 2 of the Act. The District Plan covers all relevant matters, is now beyond challenge and can be treated as the operative planning instrument. As a result, only the relevant provisions of the District Plan are listed and assessed below.

12.2 Invercargill City District Plan 2019

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

12.2.1 Coastal Environment

Objective CE-O1: *The natural character of the coastal environment is preserved and protected from inappropriate subdivision, use, and development.*

Policy CE-P2: *Locations for use and development: To identify the Bluff township, and the hamlet of Ōmaui as the appropriate locations for subdivision, use and development in the coastal environment and, subject to providing for activities with a functional need to locate in the coastal environment, to give priority to preservation of the natural character of the coastal environment elsewhere.*

Policy CE-P4: *Ensure that subdivision, use and development activities within the coastal environment:.....*

.....

(3) Avoid, remedy or mitigate adverse effects on amenity, social, intrinsic, ecological, cultural and heritage values.

Comment: The proposed activity will result in redevelopment of an existing brownfield urban site in the Town Centre of Bluff. Actual and potential adverse effects of the proposal are outlined and assessed in the AEE above. The proposal is not likely to result in any significant adverse effects on the natural character of the coastal environment. The application site is in the town centre of Bluff Township and the proposal is considered consistent with Objective CE-01 and Policy CE-P2. Regarding Policy CE-P4 the proposal will not have any significant adverse effects on the coastal environment in terms of amenity, social, intrinsic, ecological and cultural effects. While the proposal will have adverse effects on historic heritage overall, on balance the proposal is generally consistent with Policy CE-P4.

12.2.2 Business 2 Zone

Objective BUS2Z-01 - Maintenance and enhancement of suburban centres that provide for a range of retail, commercial, cultural, educational and social activities serving communities within the catchments of the Waikiwi, Windsor, Glengarry, and South City suburban centres, and Bluff town centre.

Comment: The proposed development is considered consistent with maintenance and enhancement of suburban centres that provide for a range of retail, commercial, cultural, educational and social activities serving Bluff town centre.

Policy BUS2Z-02 - Residential activity is part of the land use mix within the Business 2 Zone.

Comment: The proposal is not considered contrary to this policy, which is not site specific, refers to the wider Business 2 Zone. While no residential activity is currently proposed the site could be developed for residential purposes in the future.

Policy BUS2Z-P1 Business 2 (Suburban Shopping and Business) Zone: To establish and implement Business 2 Zoning at Waikiwi, Windsor, Glengarry, and South City suburban centres, and Bluff town centre.

Comment: The proposal is not considered contrary to this policy.

Policy BUS2Z-P2 Urban Design: To encourage the incorporation of the following urban design principles into the design of buildings and open space: 1. Buildings and land uses respect their context; 2. Buildings and land uses reflect and enhance the character of Invercargill; 3. Buildings and land uses offer diversity and choice for people; 4. Buildings and land uses are clearly linked by appropriate connections; 5. Buildings and land uses demonstrate creativity, encouraging innovative and imaginative solutions; 6. Custodianship - Buildings and land uses are environmentally sustainable, safe and healthy 7. Collaboration - Stakeholders collaborate to achieve good urban design outcomes.

Comment: The proposal incorporates urban design principles into the design of the proposed landscape enhancement. The proposal respects the site context, reflects, and enhances the character of Bluff Town Centre, offers diversity and choice for people, demonstrates creativity, is environmentally sustainable, safe and healthy. The proposal is considered consistent with Policy BUS2Z-P2.

Policy BUS2Z-P8 Protection from the Weather: To encourage the provision of shelter from adverse weather, in particular rain and wind.

Comment: The festival site incorporates shelter via existing sheds and the use of temporary marquees. The proposal is not considered contrary to this policy.

BUS2Z-P9 Signage: *To recognise and provide for signage that contributes to a vibrant and attractive centre while avoiding signage that: 1. Is not related to activities on the site on which the sign is situated; 2. Has the potential to create a nuisance and 3. Detracts from the amenities of the area, either because of its size, character or content.*

Comment: The proposal is not considered contrary to this policy.

BUS2Z-P11 Dilapidated Structures and Ill-Maintained Lands: *To require that buildings will be sound, well-maintained and tidy in appearance.*

Comment: The proposal will result in removal of a dilapidated structure and is considered consistent with this policy.

Policy BUS2Z-P12 Demolition or removal activities: *(A) To encourage owners to consider the restoration, and adaptive re-use of buildings in preference to demolition. (B) To manage the adverse effects of demolition or removal on amenity values by ensuring the clean-up, screening and maintenance of sites. (C) To encourage active utilisation of sites post-demolition by encouraging their prompt redevelopment and in the meantime encouraging use of the site for such activities as car parking or public open space.*

Comment: The applicant has considered restoration and adaptive reuse options and attempted to sell the Club Hotel building. As outlined in this application the poor state of the building, costs associated with an upgrade and lack of viable options for reuse have led to the current proposal. The building owners have considered and assessed options for restoration, and adaptive re-use. Actual and potential adverse effects associated with demolition will be addressed via conditions of resource consent and the proposed landscape enhancement works. The site will have active utilisation post-demolition and will be redeveloped and incorporated into the festival site. The proposal is not considered contrary to this policy.

Policy BUS2Z-P15 Crime Prevention Through Environmental Design (CPTED):

To encourage the incorporation of the following CPTED principles into the design of buildings and public spaces: 1. Awareness of the environment - refers to the layout of a place being legible and understandable, including the ability to see and to understand the significance of what is around and what is ahead.

2. Visibility by others - refers to a person not being isolated when using a building or space because the design facilitates them being seen by others.

3. Finding help - refers to the provision of clearly marked avenues to assistance such as emergency exits, alarms and phones.

Comment: CPTED principles have been incorporated into the design of the proposed Landscape Enhancement Concept. The layout of which will be legible and understandable, will not result in isolation in the space. The proposal is considered consistent with this policy.

Policy BUS2Z-P16 Pedestrian-Friendly Frontages: *To promote the creation of an environment along the retail frontages that will offer safety, comfort and a stimulating and enjoyable pedestrian experience.*

Comment: The poor state of the existing building prevents pedestrian access along the existing footpath adjacent the building and poses a risk to public users of Gore Street. The proposed development is considered consistent with this policy. The landscape enhancement will create a greater sense of safety, comfort and a stimulating and enjoyable pedestrian experience.

12.2.3 Heritage

Objective HH-01 - Heritage values are identified and protected from inappropriate subdivision, use and development.

Objective HH-O2 The built heritage of Invercargill is appropriately recognised and utilised.

Comment: The proposal is considered consistent with these objectives which relate to implementation of regulatory methods in the District Plan and non-regulatory methods outside it.

Objective HH-O3 Heritage values are appropriately managed to avoid or mitigate the potential adverse effects of natural processes and climate change.

Comment: The applicant is seeking to actively manage the Club Hotel building via demolition to avoid potential adverse effects associated with risk from wind and seismic events. The proposal is not contrary to this objective.

Policy HH-P1 Promotion: To promote public awareness and appreciation of Invercargill's heritage.

Policy HH-P2 Identification: To identify and prioritise sites, structures, places and areas of heritage value.

Comment: The proposal is considered consistent these policies objectives which relate to implementation of regulatory methods in the District Plan and non-regulatory methods outside it.

Policy HH-P3 Effects on Heritage: To avoid, remedy or mitigate the potential adverse effects of subdivision, use and development on heritage.

Comment: The proposed demolition of the Club Hotel will have adverse effects on historic heritage values associated with the building. As outlined in the AEE above in this instance it is not possible to avoid, mitigate or remedy these adverse effects. As further outlined in the AEE above in this instance the proposal is not considered inappropriate use and development. As outlined in this application the Structural Report has concluded that the retention of the existing building is not feasible and that it needs to be demolished to avoid and mitigate health and safety risks. The current state of the building, technical difficulties associated with retention and reuse options and the financial cost are factors that have informed the proposal to demolish the building. As noted above in the AEE the Club Hotel Building cannot be retained and utilised for Festival purposes nor incorporated into the Festival site. The proposal is not considered consistent with this policy.

HH-P4 Integration: To encourage the integration of new subdivision, use and development with heritage

Comment: As noted above in the AEE the Club Hotel Building cannot be retained and adapted for reuse for Festival purposes nor incorporated into the Festival site. The policy encourages integration and while in this instance that is not feasible the proposal is not contrary as it does not require integration.

Policy HH-P5 Active Management: To promote the active management, in particular the adaptive re-use, of heritage buildings to: 1. Avoid serious risk to human safety. 2. Investigate and evaluate all reasonable means of restoration, adaption, re-use and relocation as alternatives to demolition

Comment: As noted above in the AEE the Club Hotel building cannot be retained and adapted for reuse for Festival purposes nor incorporated into the Festival site. The policy promotes adaptive management and while in this instance that is not feasible the proposal is not contrary as it does not require adaptive management.

Policy H-P9 Natural Processes: To manage the adverse effects of natural processes and climate change on heritage values.

Comment: The proposed demolition of the Club Hotel building is a response to the adverse effects of natural processes that has resulted from the dilapidated sate of the building and is consistent with this policy.

12.2.4 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.

Comment: The proposal is considered consistent with this objective and policy.

12.2.5 Summary

In summary when the objectives and policies are read and appraised as a whole with appropriate emphasis placed upon directive policies the proposed activity is not contrary to the objectives and policies of the District Plan. The proposal is not opposite to what these provisions are intending to achieve.

12.3 Te Tangi A Taurira – Iwi Management Plan 2008

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

Ngāi Tahu ki Murihiku policies on subdivision and development focus on encouraging developers to strive to achieve positive community outcomes, conservation outcomes, and cultural outcomes alongside economic gain.

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.

Policy 15. Any proposed activity that may affect an archaeological site must obtain an archaeological authority from the New Zealand Historic Places Trust.

The project site does not appear to be located in an area of cultural significance and the site has been developed since pre-1900. As detailed in the AEE above the proposal is not likely to give rise to any significant adverse effects on the natural environment or cultural effects. The proposed development is considered consistent with the relevant policies of the Iwi Management Plan.

13 Non-Statutory Documents Assessment

Under Section 104 (1) (c) when considering an application for a resource consent the consent authority must, subject to Part 2 have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application. This section outlined non statutory documents that the applicant considers relevant to the proposal.

13.1 Bluff Motupōhue 2020 Tourism Master Plan

The aim of this Master Plan is to transform and revitalise Bluff to make it a more attractive place to live, work, play, visit and invest in. Great South (the Southland Regional Development Agency) facilitated development of the Master Plan which notes:

“Each May the Bluff Oyster Festival is held; this event is a consistent sell-out with the festival itself being one of Southland’s most recognisable brands”.

There are eleven hubs or precincts identified in the Tourism Master Plan with the application site being located within the Commercial precinct which is described as follows:

“The commercial precinct aims to provide sufficient space for future commercial growth to support the local community, its businesses and the visitor economy. The purpose of the commercial precinct is to ensure that commercial ventures can be clustered together, to leverage off one another and to help improve connectivity between commercial businesses and related events”.

The Festival site is also located adjacent the Bluff Central Tourism Precinct which is described as follows:

“This is the primary visitor hub in Bluff. It provides the ferry link to Stewart Island Rakiura and could contain a variety of tourism related visitor attractions, facilities, amenities and services. Over time it will develop, creating a visitor focussed hub with various experiences, many of which can be clustered together. Its location is close to the commercial precinct for easy access to shops and cafes which is important”.

The proposed demolition of the Club Hotel will enable positive effects associated with an expanded Festival site and an increase in festival attendance. The creation of a formal entrance to the festival site off Gore Street will provide for a more user-friendly experience and give the site more prominence in Bluff Township. This is considered consistent the commercial growth aims of the Commercial Precinct and also the primary visitor hub aims of the adjacent Bluff Central Tourism Precinct. The proposed activity is consistent with the Master Plan’s aim of making Bluff a more attractive place to live, work, play, visit and invest in.

13.2 Southland Murihiku Events Strategy 2020 – 2025

The Southland Murihiku Events Strategy 2020 – 2025 reflects a regional commitment and desire to maximise the benefit of events for the region, the community and its people. Great South (the Southland Regional Development Agency) facilitated development of the Strategy. The introduction of the document provides context of the relevance of the Strategy to the proposed activity:

“Home to the famous Bluff Oyster & Food Festival, Tussock Country Music Festival, the Burt Munro Challenge and many more iconic events, it is clear that Southland embraces the vibrancy and social wellbeing that events can deliver.

Events can be looked at from different perspectives...

- *They are important to Southlanders, contributing to the quality of life on offer in the region.*
- *They play a key role in attracting people to the region to both live and visit.*
- *They can define what it is to be a Southlander and represent various aspects of the Southland Story”.*

The Strategy identifies premier events in Southland which are identified as having the following characteristics:

| ATTENDEES | ATTENDEES' ORIGIN | SOCIAL BENEFITS | ECONOMIC BENEFITS | MEDIA INTEREST |
|------------|-----------------------------------|-----------------|-------------------|--------------------|
| Over 5,000 | Local, national and international | High | High (multi day) | High out of region |

While it is not clear from the Strategy if the Bluff Oyster & Food Festival is currently a 'Premier Event' the proposed activity will enable expanded festival use of the site and the benefits of the Festival. The proposed activity is considered consistent with the Strategy's aim of maximising the benefit of events for the region, the community and its people.

13.3 Southland Murihiku Food Tourism Strategy 2021

The Southland Murihiku Food Tourism Strategy 2021 is a relevant document given the Festival is food-based tourism event. Great South (the Southland Regional Development Agency) facilitated development of the Strategy. Goal 4 of the Strategy is to utilise events to showcase Southland's regional food proposition and encourage increased visitation to the region. A focus under this goal is to support the development of existing food-based events in the region.

"Events play a key role in attracting people to the region and are particularly important for domestic tourism. At the same time, they create a sense of place, can define what it is to be a Southlander, and help to build our regional identity through the sharing of our unique stories.

As such, events are a valuable tool in the development of our regional food story. There are already successful food events that exist in Southland, and it is important to build on these"

The proposed demolition of the Club Hotel will enable positive effects associated with an expanded Festival site and / or an enhanced festival experience. The proposal is consistent with building the profile of key Southland food events and the encouragement of visitation from out of the Southland region.

14 Section 104 and 104D of the RMA

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 the AEE above the adverse effects of the activity on historic heritage values will be more than minor. As outlined in Section 12 above overall, on balance, the proposed development is consistent with the objectives and policies of the relevant plan. The activity therefore passes the policy 'gateway' tests.

As one of the limbs of the 'gateway test' have been passed, then the application is eligible for approval under s104.

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.

15 Conclusion

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

- The proposed activity will have more than minor adverse effects on historic heritage values associated with the Club Hotel building.
- Provided avoidance and mitigation measures are followed and conditions of resource consent met the adverse effects of the proposal will be no more than minor in relation to the coastal environment, natural hazard risk, earthworks and construction activity, archaeology, and cultural effects.
- Demolition of the building will address an existing adverse effect on the environment. The proposal will make the festival site safe, will avoid risks to the public using the Gore Street State highway 1 footpath and will provide for people's health and safety.
- The proposed activity is not contrary to the relevant Objectives and Policies of the Invercargill City District Plan.
- The proposed activity will give rise to positive social and economic effects.