

BEFORE THE INVERCARGILL CITY COUNCIL HEARINGS COMMISSIONER

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

AND

IN THE MATTER OF RMA/2023/72, being a land use consent to demolish the Club Hotel heritage listed buildings in Bluff.

BETWEEN Bluff Oyster and Food Festival Charitable Trust
Applicant

AND Invercargill City Council
Local Authority

A REPORT PREPARED UNDER

SECTION 42A REPORT OF THE RESOURCE MANAGEMENT ACT 1991

BY

KATRINA ELLIS, CONSULTANT PLANNER

ON BEHALF OF INVERCARGILL CITY COUNCIL

DATED

25 OCTOBER 2023

Subject	Section 42A Report on a public notified consent application
Applicant	Bluff Oyster and Food Festival Charitable Trust
Application	RMA/2023/72, being a land use application to demolish the Club Hotel buildings, which are Heritage 2 listed with Heritage New Zealand Pouhere Taonga (HNZPT), and also Heritage Listed in the Invercargill City District Plan.
Site	100-116 Gore Street, Bluff
Legal Description	Section 2 and 3 Block 1 TN of Campbelltown, RT SLA2/269 Section 11 Block 1 TN of Campbelltown, RT SL9A/35 Section 9 and 10 Block 1 TN of Campbelltown, RT SL134/127 Section 8 Block 1 TN of Campbelltown, RT SL 134/129
Classification	Business 2 Zone of the Invercargill City District Plan 2019 (the District Plan)
Activity Status	The proposal is a Non-Complying activity .
Submissions	26 Submissions were received in total 24 submissions were received in support One neutral submissions was received One submission did not specify position, but sought relief Seven submitters wish to be heard.

RECOMMENDATION

That subject to new or additional evidence being presented at the Hearing, subject to suitable consent conditions, the application be DECLINED pursuant to Section 104 of the Resource Management Act 1991 (the RMA) for the following reasons:

1. It is considered that the adverse heritage effects are significant and not acceptable.
2. The proposal is inconsistent with the relevant objectives and policies of the District Plan for the following reasons:
3. The proposal does promote the overall purpose of the RMA.

I think there is the opportunity for the demolition to be GRANTED, if the applicant were to modify their proposal to provide a better design outcome and greater use of the site to the extent that there is greater community benefit to compensate for the significant loss of heritage values. Subject to the extent of change, I consider then that the effects could be acceptable, and the proposal will achieve sustainable management.

1. INTRODUCTION

My name is Katrina Ellis. I am employed as the South Island Planning Manager at The Property Group, which is essentially a Senior Planner role with management responsibilities. Prior to joining The Property Group I was the Resource Consents Team Leader at Queenstown Lakes District Council. I have twelve years of planning experience working in local government and consultancies, with much of my experience relating to processing resource consent applications. I hold the qualifications of a Bachelor of Resource and Environmental Planning (first class Honours) from Massey University. I am an Intermediate member of the New Zealand Planning Institute (NZPI), which brings with it obligations with regard to continuing professional development; and I am working towards NZPI full membership.

Whilst this is not an Environment Court proceeding, I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2023 and agree to comply with it. In that regard I confirm that this evidence is written within my area of expertise, except where otherwise stated, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

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

2. PROPOSAL, SITE DESCRIPTION AND SITE HISTORY

2.1 Proposal

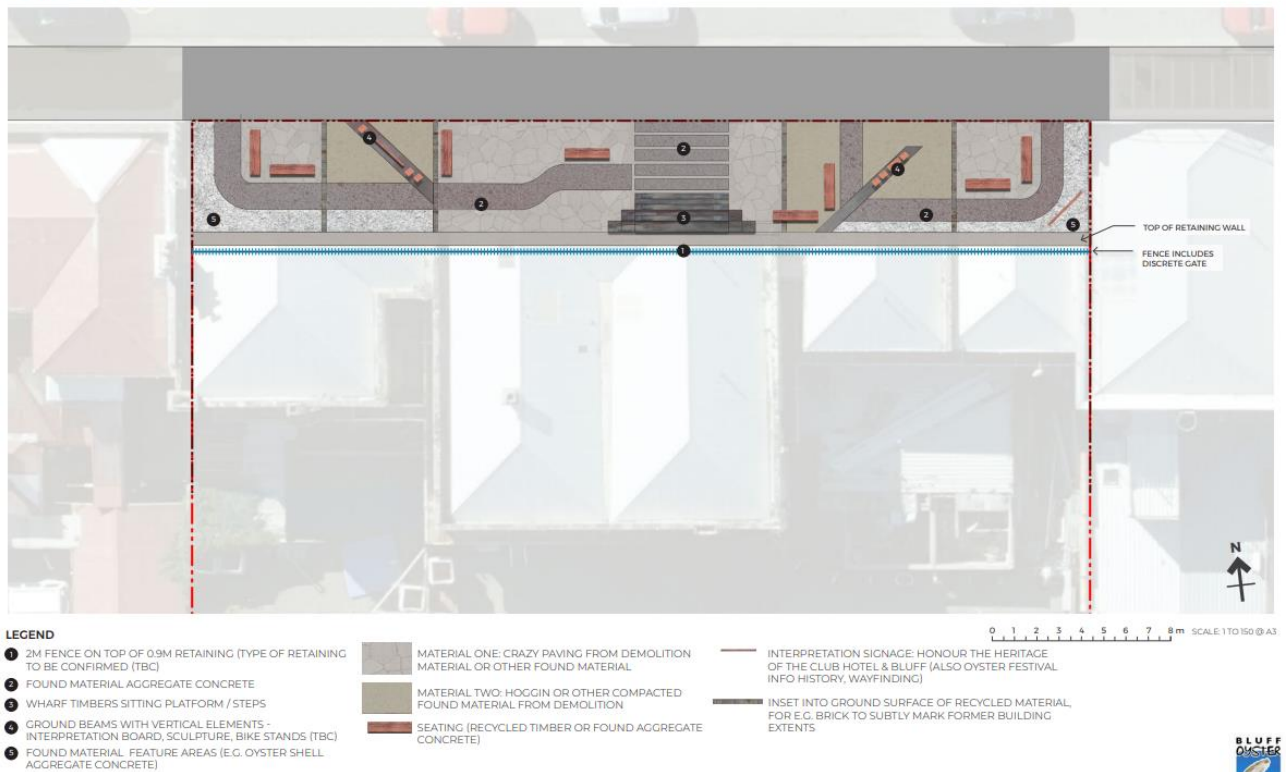
The application is for land use consent to demolish the Club Hotel buildings at 110-116 Gore Street, Bluff. The buildings are heritage listed in the District Plan. It is also a category 2 heritage listed building with Heritage New Zealand Pouhere Taonga (HNZPT).

It is proposed to undertake associated earthworks as part of the demolition activity, and to reinstate the site following demolition. It is estimated that there would be 850m³ of earthworks.

In place of the building, it is proposed to create a 5m wide landscape enhancement space. This space will consist of hard surfacing, a corrugated iron fence on top of a rock wall. The landscape space will consist solely of hard surfaces, including some steps, seating and signage. No planting is proposed and no access (e.g. gate) is proposed into the site. It is assumed that the space is for general public use, although I note this is not specified and no easement granting legal access is proposed.

A series of proposed visualisations is shown in the application. My understanding is that the mural is not part of the proposal. I note the visualisations show a 2m high wall on top of the proposed retaining wall as corrugated iron. In other parts of the application, history boards are shown. As these are both shown as concepts, it is unclear the exact details of what is proposed in this area. A birds eye view of the concept plan for the landscape enhancement is shown in figure 1 below.

CONCEPT PLAN



The remainder of the space currently occupied by the Club Hotel buildings will be open and is proposed to be used for the annual Bluff Oyster and Food Festival (also referred to as the festival in this report. This festival is a one day event. It is noted that while the site is proposed to be for this use, there is no assurance this festival will go ahead. No other use of the site is proposed.

There are a number of volunteered consent conditions in the application report, which offer additional mitigation to that in the original application. These additional matters are:

- Inclusion of a Demolition Management Plan, which includes a schedule of significant historical or archeological features, and allows materials to be salvaged from rubble for re-use;
- Salvageable materials are carefully removed and stored, and either reused on site or made available to the community to use;
- A revised landscape plan is provided in consultation with mana whenua and NZHPT;
- Detailed building records are completed in accordance with the Level III standards in Section 5.3 of the HNZPT 'Investigation and Recording of Buildings and Standing Structures' 2018 document; and
- Oral history recordings are undertaken to capture the stories of former staff and guest of the Club Hotel.

The applicant provided updated volunteered conditions on 18/10/2023. The document with updated conditions is included in the hearing material for the Commissioner.

The plans are attached as **Appendix A** to this report.

2.2 Site Description

The site is described in section 3 of the application report and those details are not repeated here.

In addition, it is noted that:

- The four heritage listed buildings, which collectively make up the Club Hotel, are the only heritage listed buildings in Bluff.
- The Bluff main street business area is made up of the four Club Hotel buildings in the middle, book ended by one other building on each side.
- Environment Southland has noted in their submission that they consider the site to be HAIL.

2.3 Site History

The heritage assessment provided by the applicant outlines the history of the Club Hotel buildings on the site. The more recent building and resource consent applications are listed in section 2.3 of the application report.

To summarise the key resource consent information:

- RMA/2019/212 approved the demolition of the club hotel veranda. The veranda overhangs the footpath. It has not yet been removed, and is held up via propping and cordoned off from the public. The consent has subsequently lapsed. A new consent, RMA/2022/189 was subsequently applied for on the 26 July 2022 to demolish the club hotel veranda and the consent is currently on hold as an engineer's report and further assessment was requested which adequately assesses the effects of the proposal.
- RMA/2018/174 sought to demolish the Club Hotel buildings and in place have an open air venue and do some boundary treatment landscaping. The landscaping proposed was different to, but not dissimilar to the current proposal. This application was publicly notified and declined by the Commissioner.

Since the 2018/174 application was declined, the buildings have deteriorated further and Invercargill City Council has in 2022 issued a notice under the Building Act that the building is unsafe and must be demolished.

The Club Hotel is understood to be closed around 2007. In 2014 the site was transferred to the current landowner. Since then, investment has been made into the other parts of the site, through constructing large sheds (BDG/2014/1103 and BDG/2014/1104), which are understood to support the Bluff Oyster and Food Festival. Over that time, there appears to have been no investment in the heritage buildings and they appear to have deteriorated in this time, to the point they are now insanitary and cannot safely or legally be accessed.

3. REASON FOR THE APPLICATION

District Plan

The site is located within the Business 2 Zone of the Invercargill City District Plan 2019 (the District Plan).

Resource consent is necessary because:

- Pursuant to Rule HH-R9 the relocation or demolition of any building or structure in Appendix 3.2 of the District Plan, Site Registered by Heritage New Zealand Pouhere Taonga, is a **non-complying activity**. The four buildings that make up the Club Hotel proposed to be demolished are listed in this appendix as heritage item 1. The buildings are listed with NZHPT as heritage item 2441(II).
- Pursuant to Rule SOI:-R2(5) whereby 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. The site is 5061m² and the earthworks permitted by this rule is therefore 250m³. Approximately 850m³ of earthworks is proposed and therefore consent is required as a **discretionary activity**.

Overall, this Resource Consent is assessed as a **non-complying activity**.

4. PROCEDURAL MATTER – NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011 (NES-CS)

The applications states that the site is not HAIL and the NES-CS does not apply. Environment Southland, in their submission, have determined that the site would be HAIL if it used lead based paint or had asbestos. In which case resource consent is required under the NES-CS.

As consent under the NES-CS it is not applied for, I consider the Applicant needs to get a PSI to confirm the site contamination, be able to demonstrate that lead based paint was never used on site, or apply for consent under the NES-CS. I consider the Commissioner have options available to them:

1. Require the applicant to provide further information;
2. Put this consent application on hold under s91C, while a consent application is lodged under the NES-CS;
3. Should the applicant volunteer a consent condition that the consent under the NE-CS will be attained prior to giving effect to this consent, then the Commissioner could rely on that volunteered conditions;
4. Decline the consent as the scope of this application as notified was incorrect.

My recommendation, is that should the applicant volunteer a consent condition to address that they will attain consent under the NES-CS before giving effect to this consent, then that is the most efficient and effective option for progressing this application.

Should the applicant not volunteer that, I recommend that Option 1 would be the most suitable option, and if required the consent then be put on hold under s91C, to ensure all the required approvals are attained, without needing this application to be declined or withdrawn.

5. SUBMISSIONS

A copy of submission received can be found in the "Submission" section of the Agenda and are summarised below for the Commission's benefit.

With reference to section 41D of the RMA, none of the submissions were considered to:

(a) be frivolous or vexatious:

(b) have failed to disclose a reasonable or relevant case:

(c) constitute an abuse of the hearing process to allow the submission or the part to be taken further:

(d) be supported only by evidence that, though purporting to be independent expert evidence, has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert evidence on the matter:

(e) contains offensive language.

Submitter (name)	Address	Position	Summary of Submission	Relief Sought
Paula Brown	16 Parrett Street, Bluff	Support	The building is dangerous and an eyesore. Want the festival to be able to operate.	N/A
Paul Clifford Robinson & Robyn Patricia Fogarty	84 Beresford Street	Support	The building is a hazard and beyond repair. Want the building to be demolished so the Bluff Oyster Festival can go ahead.	N/A
Wyma Glassey	83 Foyle Street, Bluff	Support	The building is an eyesore that has no purpose, earthquake risk, public safety concerns, uninhabitable, obstructing change.	N/A
Astrid Jamieson	128 Marine Parade, Bluff	Support	The building is an eyesore, restoration is not an option, and it is a nuisance to people using the Bluff service center.	N/A
Gaylyn Ann Potter	51 Suir Street, Bluff	Support	The Club Hotel is a disgrace, dangerous and you now have to walk around it onto a State Highway. Would like it demolished, to allow for a new Bluff Oyster Festival Site.	N/A
Carol Baxter	48 Willis Street, Invercargill	Support	The building is dangerous and cannot be restored.	N/A
Anne McDermott	2 Marine	Support	The building is dangerous, an eyesore and restoration is not	N/A

	Parade, Bluff		an option anymore. The scaffolding on the footpath is a nuisance.	
Sumaria Beaton	17 Ann Street, Bluff	Support	The building is unsafe.	N/A
Eve Christina Cournane	194 Marine Parade, Bluff	Support	The building is dangerous, an eyesore, and a disgrace to Bluffs image. It obstructs the busy footpath to the Post shop.	N/A
Elaine Margaret Petrie	41 Gunpit Road, Bluff	Support	It is a health and safety hazard. The building is an eyesore. The scaffolding prohibits carparks for Post Shop. Scaffolding is a trip hazard for elderly.	N/A
Kevin Thomas Cournane	194 Marine Parade, Bluff	Support	The building is an eyesore, a safety hazard. It's taken too long for it to come down and is stopping the Oyster Festival from happening.	N/A
Jamie Moore	510 Tay Street, Bluff	Support	The building is an eyesore, health and safety hazard. Wants the Bluff Oyster Festival to go ahead.	N/A
Leola Francita Goffin	35 Burrows Street, Bluff	Support	The building is dangerous and is unable to be restored. Limited access to nearby buildings for elderly and disabled.	N/A
David Swann	42 Pearce Street, Bluff	Support	The building needs to be demolished, is a health and safety issue. Would ideally be restored, but it cannot be.	N/A
Marilyn Clark	105 Clark Road, Greenhills, Invercargill	Support	The building is an eyesore and dangerous. It limits parking and access to Service center.	N/A
R Fife on behalf of Bluff Community Board	39 Theodore Street, Bluff	Support	The building is dangerous and insanitary. We support enhancing site and the landscape enhancement.	N/A
Te Ao Marama Inc		Support	Support the building being demolished as it is a health and safety risk, will enable the festival to expand, will emit corrosive elements and become visually intrusive and offensive. Support is provided given activities are undertaken in a way that respects the environment and do not adversely affect Ngāi Tahu cultural values, customs and their traditional relationship with land and water.	N/A
Paul Joseph Pasco	31 Walker Street, Bluff	Support	The building is an eyesore and dangerous.	N/A
Heritage New Zealand Pouhere	Dunedin	Not specified	Does not oppose, provided sufficient mitigation measures are conditioned for.	Sufficient mitigation measures are conditioned for.

Taonga - Sarah Gallagher			Supports the condition requiring an archaeological authority	<p>That an appropriate use or range of compatible uses for the building are determined through feasibility studies.</p> <p>A condition of consent (if granted) be that a demolition management plan should be implemented. DMP should include materials that are salvageable to reuse on site.</p> <p>A building record be undertaken in accordance with the Level II standards set out in Section 5.3 of the HNZPT 'investigation and recording of buildings and standing structures' (2018) document.</p> <p>Areas without an archaeological authority should follow the accidental discovery protocol.</p> <p>A revised landscape plan and an interpretation plan is developed in consultation HNZPT & mana whenua which reflects the historic significance, including Māori cultural values, of the site and wider area.</p> <p>That HNZPT and ICC receive copies if the original building plans (where obtainable).</p>
Casey Lee Barry	4 Raymond Street, Bluff	Support	The building is a safety hazard and should be demolished. Would like the Bluff Oyster festival to go ahead.	N/A
Waka Kotahi – Helen		Neutral	There is an existing safety risk with the footpath being closed, the demolition will remove this	Conditioned to require a TMP to ensure the safety of

Dempster			risk. The building is also in close proximity to SH1. The proposal (sign and future gate/fence) will need to comply with relevant rules for State Highways.	highway motorists is managed.
Lynley Mullen	303 Barrow Street, Bluff	Support	The building is unsafe and an eyesore. Would like the building to be demolished allowing accessibility down the Main Street again.	N/A
Environment Southland		Neutral	<p>Invercargill City Council (ICC) has an obligation under Section 6(f) of the Resource Management Act (RMA) and the RPS to protect historic heritage from inappropriate use and development.</p> <p>Consent could potentially be required under the Regional Air Plan.</p> <p>The site would be HAIL if used a lead based paint or has asbestos.</p>	<p>If the demolition is approved, ES ask that ICC consider its Objectives and Policies in this respect and, impose conditions that require mitigation of the loss of these values in line with their District Plan provisions.</p> <p>Should the application be approved, an advice note be placed on the consent noting that the applicant is responsible for ensuring that the applicant is aware of their obligations to meet the regional council plans. It is also recommended that the Council consider requiring a stormwater management plan for the site during the demolition activity and for the intended future use of the site.</p> <p>Should the application for demolition be approved, that at a minimum an advice note is placed on the consent advising of the potential contamination risks, and advise that, should any asbestos products or lead-based paints be</p>

				discovered in the demolition process, appropriate processes be followed.
Gareth Clarke	N/A	Support (late submission)	The building is dangerous and is a risk to the public. Although the loss of the buildings will have a significant impact on the streetscape, townscape, and aesthetic coherence of the Main Street. The positive effects of the removal on safety outweigh the adverse effects on heritage and urban design	N/A

The full submissions have been provided as part of the hearing agenda.

6. LATE SUBMISSIONS

Under Section 37 of the RMA the Commissioners may waive the requirement to make a submission within the required time period provided Section 37A(1) is considered.

Section 37A(1) states:

A consent authority or local authority must not extend a time limit or waive compliance with a time limit, a method of service, or the service of a document in accordance with section 37 unless it has taken into account -

- (a) *The interest of any person who, in its opinion, may be directly affected by the extension or waive; and*
- (b) *The interests of the community in achieving adequate assessment of the effects of any proposal, policy statement or plan; and*
- (c) *Its duty under section 21 to avoid unreasonable delay.*

There was one late submission which was received one working day late. The issues raised in the late submission are generally covered in other submissions and relate to safety effects of the heritage building.

It is therefore recommended that the submission be received and accepted pursuant to the above section of the RMA.

7. STATUTORY CONSIDERATIONS

This application must be considered in terms of Section 104 of the RMA.

Subject to Part 2 of the RMA, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
- (b) *any relevant provisions of:*
 - (i) *A national environmental standards;*
 - (ii) *Other regulations;*
 - (iii) *a national policy statement*
 - (iv) *a New Zealand coastal policy statement*

- (v) a regional policy statement or proposed regional policy statement
- (vi) a plan or proposed plan; and
- (c) any other matters the consent authority considers relevant and reasonably necessary to determine the application.

Following assessment under Section 104, the application must be considered under Section 104B of the RMA. Section 104B states:

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

- a) may grant or refuse the application; and
- b) if it grants the application, may impose conditions under section 108.

Section 104D is relevant to this application. Section 104D(1) states:

Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—

- a) the adverse effects of the activity on the environment (other than any effect to which [section 104\(3\)\(a\)\(ii\)](#) applies) will be minor; or
- b) the application is for an activity that will not be contrary to the objectives and policies of—
 - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
 - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
 - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

The application must also be assessed with respect to the purpose of the RMA which is to promote the sustainable management of natural and physical resources.

Section 108 empowers the Commissioner to impose conditions on a resource consent.

8. EFFECTS ON THE ENVIRONMENT

8.1 The Permitted Baseline

There is considered to be no relevant permitted baseline for the demolition of the building. In relation to earthworks, there is a permitted baseline of 250m³ of material. As the proposed earthworks is well in excess of this, the permitted baseline is considered of limited relevance.

8.2 Actual and Potential Effects on the Environment

Heritage Values and Alternative Use

Effects on the environment guided by assessment criteria (but not restricted by them). The assessment criteria are identified in Rule HH-R-10. This criteria is:

1. The extent to which the heritage values including the design of any buildings and the context of heritage are likely to be retained, protected and/or enhanced
2. Whether the activity is likely to have cumulative adverse effects on heritage values
3. In the case of relocation of a heritage building, measures that may be necessary to protect the fabric of the building during relocation
4. Potential for the re-use and/or recycling of any material or heritage features from the historic building
5. Consideration of any relevant Invercargill City Council heritage design guidelines
6. The extent and effect of any earthworks, tunnelling, digging, vibration or excavation that may de-stabilise the site, structure, place or area
7. The results of consultation undertaken including any written advice obtained as follows:
 - a. In the case of the site having identified tangata whenua values, comment from the relevant iwi

- b. Any recommendations of Heritage New Zealand Pouhere Taonga, and the New Zealand Archaeological Association File Keeper
 - c. Where the site history indicates that there may be historical artefacts or other physical remains, any advice obtained from a suitably qualified and experienced archaeologist
8. The reasons for the proposed activity and reasons why alternative less adverse options for achieving the same or similar outcome have been discounted. For clarification, reasons for discounting alternative options can include amongst other matters financial cost, natural hazards, safety and technical feasibility.
 9. The creation and maintenance of a record of heritage features of the building on its original site (e.g. photos of existing vistas for public record of the history of the site)
 10. Any proposals to strengthen the structural integrity and heritage value of the building, including the benefits of alterations for the purpose of implementing Building Code upgrades for seismic, fire and access purposes
 11. Any proposals to strengthen or replace high risk elements, such as parapets, façade decoration and chimneys, with high quality light weight material
 12. The extent to which the proposed alterations, additions to or demolition of a listed heritage building have been informed by the advice of qualified professionals such as conservation architects, heritage consultants, engineers and quantity surveyors as appropriate. Such advice should include a thorough analysis of the alternative options available and the extent of professional advice obtained and should be proportional to the scale and intensity of the effects of the works being undertaken.

An assessment of environment effects is provided in the application report. This assessment is generally accepted as fit for purpose, with the following additions and amendments.

The application includes a heritage assessment, which details the heritage of building and the effects on the heritage values. The NZHPT also provides heritage details and note that the hotel *“is the largest surviving commercial building on Gore Street, the largest surviving historic hotel building in Bluff, and its Italianate style and scale are prominent in the streetscape.”*

As per the application, the loss of heritage values and effects on the broader Gore Street streetscape from the loss of the Club Hotel will be significant.

As the Club Hotel is the only heritage listed item on Bluff, I consider the cumulative heritage effects from the loss of this building to also be significant.

The heritage assessment concludes the loss of heritage effects cannot be mitigated in this case. However I consider there are ways to offset or compensate from the heritage loss, and also ways to mitigate the effects on the streetscape could be mitigated by a suitable design response.

Councils Heritage and Urban Design Planner, Shannon Baxter, has reviewed the application, and made the following comments:

HERITAGE

- *The current proposed Landscape Plan fails to sufficiently mitigate the loss of heritage values on the site. The Club Hotel, even in its current state, at least tells a story – one of a more prosperous time when hotels were cornerstones of small communities. The Landscape Plan fails to reflect/convey the rich historical context of the site.*
- *I encourage the Applicant to consider various interpretive opportunities to delve further into the heritage of the site, the building, aquaculture, and the festival.*
- *I would appreciate further clarity as to the proposed re-use of salvaged materials, beyond that of using them for fill. The vague wording used in the application around using salvaged building materials leaves the matter too open-ended.*

URBAN DESIGN

- *The Gore Street streetscape will be affected greatly by the demolition of the Club Hotel. Typically urban designers explain the loss of a building within a streetscape as a ‘missing tooth in the smile’. However, due to the scale of this building within the streetscape it will instead result a smile with hardly any teeth left.*
- *Has the Applicant considered using the publically accessible area as their main entrance considering it is the most legible one?*

- *I would appreciate understanding how the Applicants chose the depth of the proposed publically accessible area, as it does not align with any of the four building footprints.*
- *Has the Trust confirmed they understand it will be their responsibility to maintain that publically accessible portion of the site along the footpath?*
- *The solid 2.9m barrier (2m solid fence atop 0.9m retaining wall) running 40m across the north of the festival site raises CPTED issues around natural surveillance. Crime can be deterred through 'eyes on the street', but the current design visually blocks off the whole site from Gore Street. Why has the Applicant selected a solid fence? There are many permeable/transparent options if they wish to secure the site year round, such as those employed along the eastern entrance (wire gabions filled with oyster shells or wire fencing populated with colourful buoys), which have incredible local context and are less prone to acts of vandalism along a major pedestrian and vehicular route.*
- *Has the Applicant looked into ways the site could be used the other 350+ days a year it is not being utilised for the festival? Have other local interest groups been approached?*
- *Has the Applicant looked into ways the site could include design elements that would make it to seem less empty for the majority of the year without negatively affecting their crowded festival days (for example, trees or vertical structures that swivel down into seats)?*
- *The proposed Landscape Plan lacks vegetation and shelter, two elements that encourage people to use a site. Is there a reason neither were incorporated into the design?*

These comments were provided following notification of the application and were provided to the applicant.

In NZHPTs submission, they stated that on the basis of the structural report, which outlines that the building cannot be reused or restored, they do not oppose the demolition, provided that sufficient mitigation is provided for. NZHPT determine the complete demolition of the Club Hotel would result in the wholesale and irreversible loss of the significant heritage values associated with this structure. This significant loss should provide a commensurately significant benefit to the community. NZHPT notes the festival only occurs once a year, and considers that should the site have year round use and be enjoyed by the community year round, then that would be a better use of the site, and provide further mitigation for the loss of the Hotel. They conclude that the landscaping proposed does not provide sufficient connection to, and therefore mitigation of, the heritage values of the site.

NZHPT raised concerns about cultural values not being properly identified, as there was no consultation with mana whenua. I note Te Ao Marama Inc (TAMI) have provided a submission in support of the demolition. In my opinion, this is sufficient to confirm that there are not adverse cultural effects that need to be addressed by this application.

Relief sought by NZHPT is that:

- A demolition management plan (DMP) be included as a condition to ensure surrounding buildings are not adversely affected. The DMP should include a survey of the heritage fabric by a suitably qualified heritage practitioner to identify features and materials that are able to be salvaged for re-use on site, or made available to the wider community;
- Mitigate loss of heritage values through significant salvage and appropriate re-use of significant historical or archeological features and historic building materials;
- A detailed building recording should be undertaken in accordance with the Level II standards set out in Section 5.3 of the HNZPT 'Investigation and Recording of Buildings and Standing Structures' (2018) document, by a suitably qualified practitioner. They note that the HIA provided by the application recommends this be undertaken as a mitigation measure, but the AEE does not propose this measure. NZHPT note that Level II recording is a legislative requirement for the complete demolition of any pre 1900s structure.
- Inclusion of the volunteered Archeological Authority condition, which will be attained prior to earthworks. NZHPT request that the Heritage New Zealand Accidental Discovery Protocol be followed in those areas not covered by the Archeological Authority.
- Prior to demolition works, a revised Landscape Plan and an Interpretation Plan be developed in consultation with NZHPT and mana whenua which reflects the historic significance, including Māori cultural values, of the site and wider area.
- NZHPT support interpretation materials, including panel, that has been recommended in the HIA. NZHPT seek a practitioner with historical heritage experience be engaged for this, and welcome further consultation with themselves on the content.

- Oral history recordings be undertaken to capture the stories by guests and staff. The interviews should be undertaken by a suitable qualified and experienced practitioner, which gets submitted to a suitable collection institution and made publicly available.
- Copies of the original building plans, where obtainable, be digitally scanned and provided to HNZPT and also made publicly available by the applicant to any interested party.

The applicant provided an update to their volunteered heritage conditions on 18/10/23. This includes a suit of heritage conditions, including inclusions of a demolition management plan, salvaging of significant historical or archeological features and building materials found in salvaging, having obtained copies of the original building plans, updates to the Landscape Plan in consultation with mana whenua and HNZPT, attainment of an archeological authority, undertaking a Level 111 standard assessment by a suitably qualified practitioner, and undertaking oral history recordings.

It is noted that the majority of submissions supported the demolition of the hotel, generally accepting it is beyond repair, and some citing that it is now an eyesore.

I accept that the heritage building is beyond repair and that demolition is the only viable option, and that demolition is therefore appropriate, subject to a sufficient alternative development and use of the site, that can mitigate, offset or compensate for the loss of heritage values. I consider the updated consent conditions provide some level of mitigation of the heritage values. However, overall, having considered the application, submission, and comments of Ms Baxtor, I consider that the heritage values of the demolition will be significant, and that the proposed mitigation, design response and alternative use of the site do not go far enough to mitigating the effects. Opportunities to provide better mitigation include, for example:

- An alternative landscape design response that has planting and shelter, suitably reflects the heritage values of the site, and current use of the site as the Bluff Oyster and Food Festival. That the design allow for access into to the site, provide for a better CEPTD response, and has a legal mechanism for the public access and use.
- That the use of the wider response be increased, to provide more a community and business benefit than being limited to a one day a year event. Alternatives should be proposed by the application, but ideas include extra events through the year, use of the space for a local weekly market, availability of the site for retail stands and small business, or any other initiatives that will increase the use of the site, and the contribution of the site of the Bluff community.

Should any use of the site be relied upon as mitigation (whether the Bluff Oyster and Food Festival or any other use), there should be a legal mechanism or something in place to ensure this use does occur.

Servicing and Infrastructure

Council's land development engineer, Vipul Sally, has reviewed the application. He has recommended a number of consent conditions to require:

- All existing water and drainage connections to be sealed off;
- Approval be attained from the Road Corridor department prior to commencement of works;
- Footpaths, vehicle crossings (if any) and road frontages are protected from damage and that that are to be assessed by Council's engineering department prior to works and on completion of works. If any damage occurs, it must be immediately reported to Council and fixed by a Council approved contractor at the consent holders cost.

Mr Sally has also noted a corridor access request approval will be required from Council prior to works, and recommended this be included as an advice note.

The recommended consent conditions align with conditions volunteered by the applicant.

It is noted that the subject street is a State Highway, which Waka Kotahi manage. In their submission, Waka Kotahi noted:

Waka Kotahi consider that temporary traffic management measures should be formalised within a Traffic Management Plan (TMP), with the TMP being required through a condition of consent and subject to Waka Kotahi review and approval, prior to any demolition occurring. The TMP should include a demolition plan, which in turn would need to show the stages of demolition, risks to road

users and the mitigation measures to be implemented, proposed detours, as well as any management measures to be implemented during work to manage cleaning of the road and repair of any damage. Any damage repairs to the road or kerb and channel will require a corridor access request to be obtained through Waka Kotahi and will need to be done by an approved contractor. Repairs shall be completed, prior to the removal of the traffic management.

Waka Kotahi recommends that the text size and font, and any illumination of the sign, aligns with the guidance in the NZ Transport Agency 'Planning Policy Manual' chapter titled 'Third Party signs on and visible from the state highway corridor' and the associated Traffic Control Devices Manual 'Part 3 Advertising Signs' to ensure that the sign doesn't cause a distraction or safety risk to highway motorists.....

Waka Kotahi wishes to note that the surfacing [of the landscape enhancement area] should be such that it is not tracked onto the footpath; some of surfacing detail includes hoggin/gravel, which could migrate onto the footpath causing a slip hazard or into the street kerb and channel and mud tanks, causing a cleaning/blockage issue. Surface water at the back of the footpath should be captured within the applicant's property or managed so as not to cause a nuisance to the road corridor. If a sump outlet is required for the proposed retaining wall, this should be within the applicant's property then piped to kerb and channel.

I consider the conditions recommended by the applicant and Mr Sally to be generally suitable, but need to be amended to also take into account Waka Kotahi's requests, which I consider to be reasonable and necessary to manage effects. Should consent be granted, I have recommended consent conditions (see Appendix B). However I acknowledge that Waka Kotahi may wish to input and make suggestions on the conditions in their evidence or at hearing. They have noted they wish to be heard. Subject to appropriate conditions, I consider that adverse effects to services and infrastructure can be mitigated.

Earthworks and contamination

It is proposed to undertake earthworks. The applicant has assessed the effects of earthworks in section 8.5 of their AEE, and volunteered conditions 13 and 14.

In relation to dust, silt and sediment, I consider an earthworks sediment control plan (ESCP) should be prepared by the contractor and provided to Council prior to works. Volunteered conditions 13 and 14 should form part of the ESCP.

In relation to contamination, Environment Southland have identified the site is likely to be HAIL and subject to contamination. I recommend the applicant provide further information on the potential contamination and whether consent is required under the NES-CS or not. Should consent be required under the NES-CS, then that application would sufficiently assess contamination and potential effects on human health. Should information demonstrate that contamination will not be present, I consider the ESCP sufficient.

Positive Effects

The positive effects of this consent include:

- Enabling the Bluff Oyster and Food Festival to be able to operate on site;
- Removing a decaying building, which a number of submitters have noted is an eyesore;
- Introduce a public landscaped space;
- Use of the footpath and carparks, which provide connectivity and road efficiency benefits. These areas are currently cordoned off due to the scaffolding that is holding up the veranda.

Currently the footpath is obstructed and people need to walk to State Highway. I am unsure if this would still be the case if the propped-up veranda were to be removed, which is consented to be removed. However, due to the decaying state of the building, I assume there would be still safety risks that makes it suitable for pedestrians to avoid the footpath. A number of submitters commented that it would be a better outcome if they could regain use of the footpath and carparks in that area.

Submitters have also referenced the safety benefits of removing the building. Safety from buildings/structures is governed by the Building Act as opposed to the RMA. While the public safety benefit is important, I consider the relevant positive effects to be those which are created by the

proposed use of the site, being the use of the site for the festival, and the landscape enhancement proposed.

I consider there is public benefit and associated positive effects that are created by creating a use of the site, being enabling the extension of the Bluff Oyster and Food Festival site area, and also a landscaped area for the public. It is noted that the festival only occurs once a year and for one day. As discussed above, the landscape response could be better. Further, there is no public easement proposed, which lawfully grants the public access to use the space in perpetuity.

As such I consider the positive effects to be less than minor.

Assessment of Alternatives

The application outlines an assessment of alternatives, and concludes why demolition of the buildings is the only viable options compared with options to retain and restore the building or sell the site for someone else to do so. This assessment is accepted.

However the assessment of alternatives does not assess different options for use of the site, and as such it is considered that other options can be explored, as opposed to the solution put forward by the application (the proposed landscape enhancement and proposed use of the wider site for one day a year for the festival) being the only solution.

Offsetting and Compensation Adverse Effects

Section 104(1)(ab) of the RMA states:

(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity;

As stated in the positive effects above, I consider the positive effects of the application to be limited. As such I consider they do not offset or compensate for the significant adverse heritage effects that would arise from the building demolition.

8.3 Actual and Potential Effects on the Environment

Overall, I consider the adverse heritage effects to be significant and that there is not a suitable mitigation, offsetting or compensated for the loss of heritage values. Based on the current proposal, I considered these effects to be unacceptable.

All other effects are mitigated, and no more than minor.

9. INVERCARGILL CITY DISTRICT PLAN OBJECTIVES AND POLICIES

The relevant objectives and polices of the Invercargill City District Plan (ICDP or District Plan) are in the Historic Heritage, Business 2 Zone and Earthworks chapters. Please note, policies have explanation notes under them in the ICDP. These have not all been included below, but where they are considered of particular relevance or assistance, I have included them below.

Historic Heritage and Business 2 Zone

The objectives and policies for Historic Heritage are:

HH-O1 Heritage values are identified and protected from inappropriate subdivision, use and development.

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

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

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

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

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.

HH-P8 Collaboration: To collaborate with key stakeholders in the management of heritage.

The objectives and policies for the Business 2 Zone are:

BUS2Z-O1 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.

BUS2Z-O2 Residential activity is part of the land use mix within the Business 2 Zone.

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.

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

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

BUS2Z-P12 Demolition or Removal Activities:

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

Explanation: ... Vacant, derelict sites would be detrimental to the anticipated character, vibrancy, amenity and function of this zone. Where a site is to be left empty post-demolition, adaptive ways to use the space and opportunities for active reutilisation of the sites in the interim are to be encouraged.

BUS2Z-P14 Public Open Space: To promote the provision of opportunities for the public to use and enjoy the Business 2 Zone.

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

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.

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.

BUS2Z-P17 Connectivity and Circulation:

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

Explanation: ... The reason for the location of the town centre at Bluff is historical and still makes sense in terms of the current structure of the town. ...

I consider that active management and adaptive re-use are no longer viable options for the subject building and that demolition is therefore required. I also consider the dilapidated unused building does not positively contribute to the community or vibrancy of the business area.

However, the alternative design and use of the site needs to be fit for purpose for the Business 2 zone and to mitigate the heritage effects and loss of heritage values. The proposed use of the site and mitigation proposed, in my opinion, are minimal and more can be done to make up for the significant loss of heritage, and enhance the Bluff commercial centre, which this site is central to. There are other open spaces and parks around Bluff, including opposite the road from the subject site. I consider Shannon Baxtor raised relevant points, including about needing shelter, planting, greater design and greater use of the site. CPTED is not well provided for due to the height of the proposed fence and there being no visibility of the larger site behind it. I also consider, for the landscape enhancement to be a public asset, an easement needs to be provided to legalise public use.

Overall, I consider the proposal to be, on balance, inconsistent with the objectives and policies of the Historic Heritage and Business 2 chapters.

Earthworks

The objectives and policies for Earthworks are:

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

I consider that the earthworks can be managed in such a way that adverse effects can be avoided, remedied and mitigated. Appropriate consent conditions will ensure that appropriate management of earthworks is achieved and that SOIL-O3 is met.

I have not assessed contamination effects, as further information is required in relation to contamination and relevance of the NES-CS.

Conclusion

Overall I consider the proposal to be inconsistent with, but not contrary to the objective and policies of the District Plan.

10. SOUTHLAND REGIONAL POLICY STATEMENT 2017

The Southland Regional Policy Statement 2017 is of relevance. Environment Southland, in their submission made note of the relevance of the Southland Regional Policy Statement, and specifically the Historic Heritage policy HH.2.

The relevant objectives and policies of the SRPS are:

Objective HH.1 – Protection of historic heritage: Historic heritage values are identified and protected from inappropriate subdivision, use and development.

Objective HH.2 – Built heritage: The built heritage of Southland is appropriately recognised and where possible utilised in a sustainable manner.

Policy HH.1 – Public awareness and appreciation Promote public awareness and appreciation of Southland’s historic heritage.

Policy HH.2 – Protection of historic heritage: Avoid, mitigate and, where appropriate, remedy adverse effects on historic heritage values from inappropriate subdivision, use and development. On a case-by-case basis take into account factors such as the significance of heritage values, financial cost and technical feasibility when making decisions relating to the protection of historic heritage.

Policy HH.5 – Collaborative management: Provide for Southland’s historic heritage resources to be managed in a regionally consistent, collaborative and integrated manner.

Policy HH.6 – Adaptive reuse: Encourage the adaptive reuse and maintenance of built historic heritage.

I recognise that the subject buildings are beyond repair and cannot be retained or adaptively re-used. Nonetheless, I consider much greater mitigation is required, by way of a more appropriate development response, and greater use of the site. As such I consider the proposal does not protect historic heritage from inappropriate use and development and the proposal does not meet Objective HH.1 or Policy H.2 of the Southland Regional Policy Statement.

11. NATIONAL POLICY STATEMENTS AND NATIONAL ENVIRONMENTAL STANDARDS

There is not considered to be any National Policy Statement or National Environmental Standard of particular relevance.

12. OTHER MATTERS UNDER SECTION 104(1)(c)

12.1 Precedent

In my opinion, the proposal is relying on the safety concerns and Building Act notice to demolish as reasons to get resource consent. I consider that if the proposal were granted due to the safety effects, irrespective of the suitability of what is going on site in the heritage buildings place, that a precedent would be set.

There are 180 heritage listed buildings and structures in the Invercargill City District Plan. Should safety be used as the sole rational for demolition in this instance, then I consider those same arguments could be used in many other instances in the District, now and into the future.

In recent years (from 2018 to now) I understand that two resource consents have been granted to demolish HNZPT heritage listed buildings. Both of these had a range of mitigation measures proposed, including suitable replacements buildings, heritage management plans for other buildings owned and restoration of another heritage listed building. Other methods included retention of heritage materials for donation, and donation of \$50,000 towards an Invercargill City Council’s Heritage Fund. The feasibility of adaptive re-use was considered, but safety issues of these decaying building were not relied upon as the reason for demolition.

I consider for the proposal to stack up on its merits, and not create a precedent, that the built form and use of the site are what needs to be considered, and that there needs to be an appropriate reason and use response to compensate for the significant loss of heritage values.

13. SECTION 104D GATEWAY TEST

With respect to the assessment above, the first gateway test for a non-complying activity required under section 104D(1)(a) has **not** been met in that the application **will** have an adverse effect on the environment which is more than minor.

With respect to the second gateway test under section 104D(1)(b), I consider the application is inconsistent with but not contrary to the relevant policies and objectives of the Operative District Plan. As such I consider the second gateway can be met.

Accordingly, as the application has passed one of the gateway tests in s104D, consent can be granted for this non-complying activity.

14. PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

Part 2 of the RMA details the purpose of the RMA in promoting the sustainable management of the natural and physical resources. Sustainable management is defined 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 wellbeing and for their health and safety while:

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably 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 effect of activities on the environment.*

The following matter is of national importance listed in Section 6 of the RMA are must be recognised and provided for:

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

The proposal will have significant heritage effects. In my opinion, the alternative development and use of the site is inappropriate as it will not sufficiently mitigate, offset or compensate for the loss of historic heritage.

There are no section 7 or 8 matters considered of particular relevance to this proposal.

Overall, when recognising and providing for the protection of historic heritage, I consider the proposal does not promote sustainable management.

15. RECOMMENDATION

I recommend that consent be declined. Without alterations to the proposal to achieve greater mitigation, compensation or offsetting of the heritage values, it is considered that:

- Adverse heritage effects are considered to be significant;
- The proposal is inconsistent with the objective and policies of the Invercargill City District Plan; and
- The proposal does not achieve the purpose and principles of the Resource Management Act.

Should consent be granted, I have recommended consent conditions, which are attached in Appendix B. As per the above, it is understood that the applicant might volunteer further conditions too.

Report prepared by

Reviewed by



Katrina Ellis
CONSULTANT PLANNER

Morgan Smith
TEAM LEADER – PLANNING

Appendices:

Appendix A: Plan Set

Appendix B: Recommended Consent Conditions

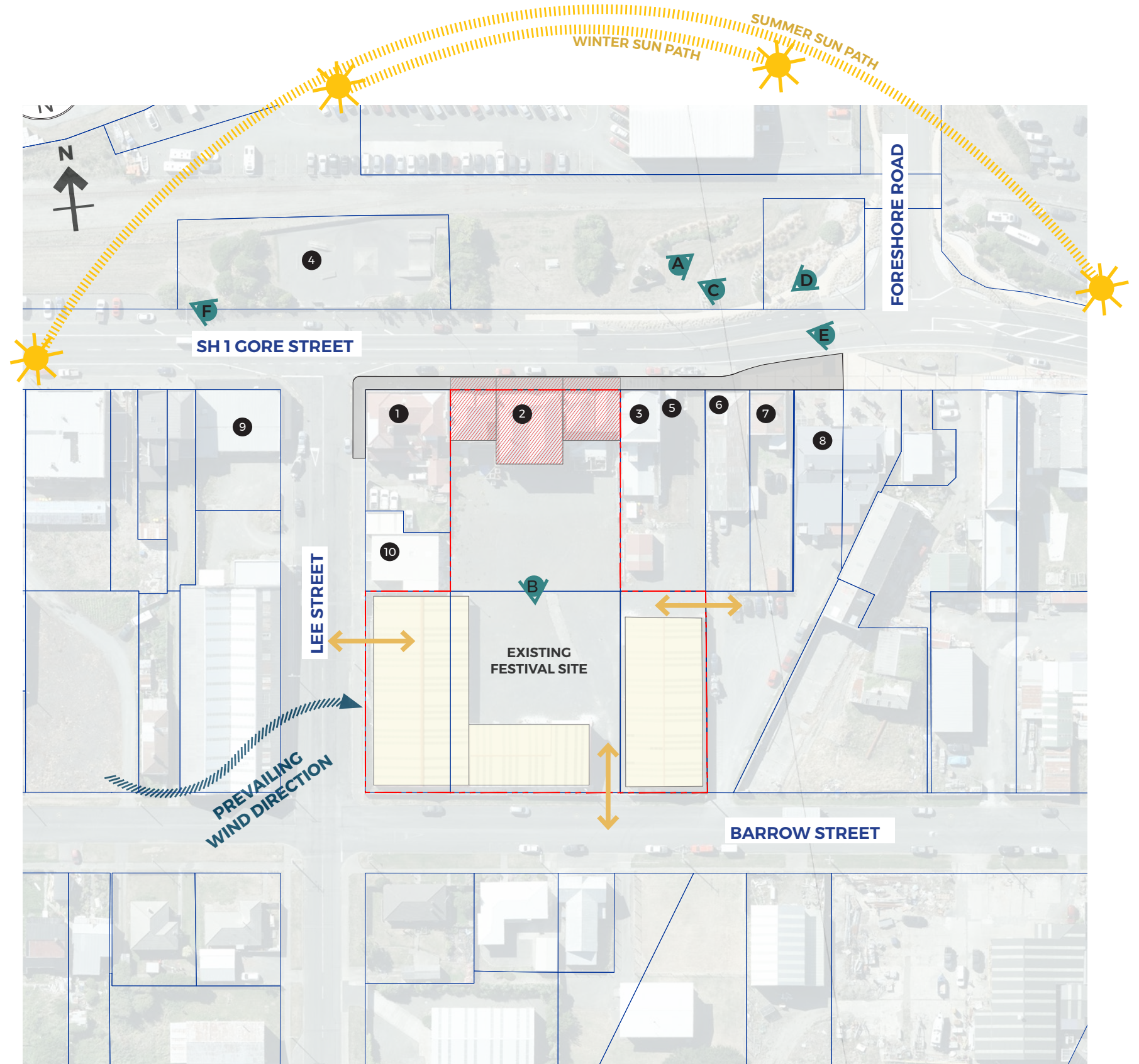
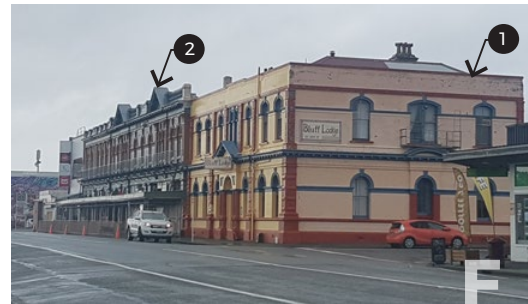
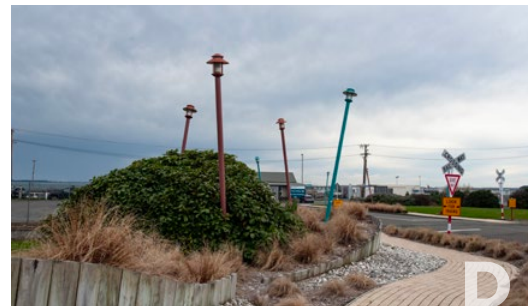
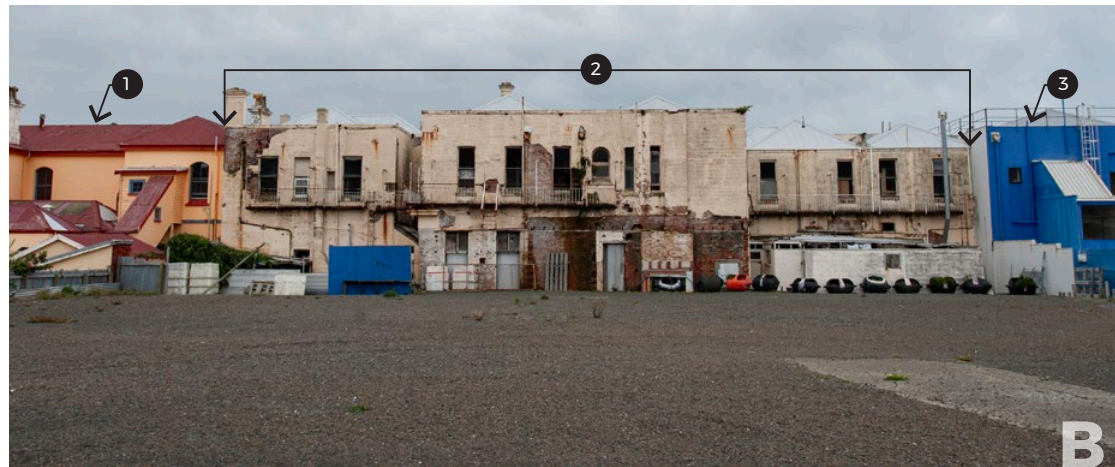
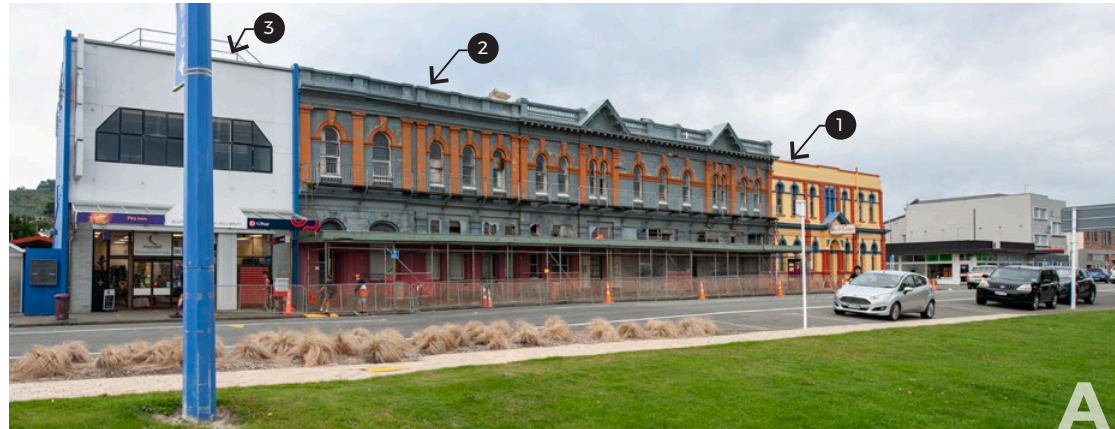
Report Dated:

25 October 2023

Appendix A: Plan Set

EXISTING CONDITIONS OVERVIEW

VIEWPOINTS (SITE & WIDER CONTEXT)

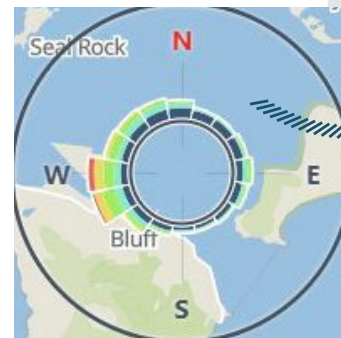
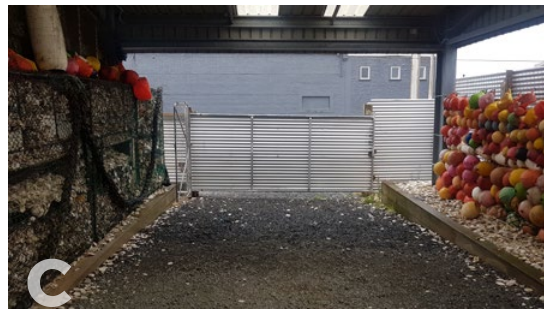


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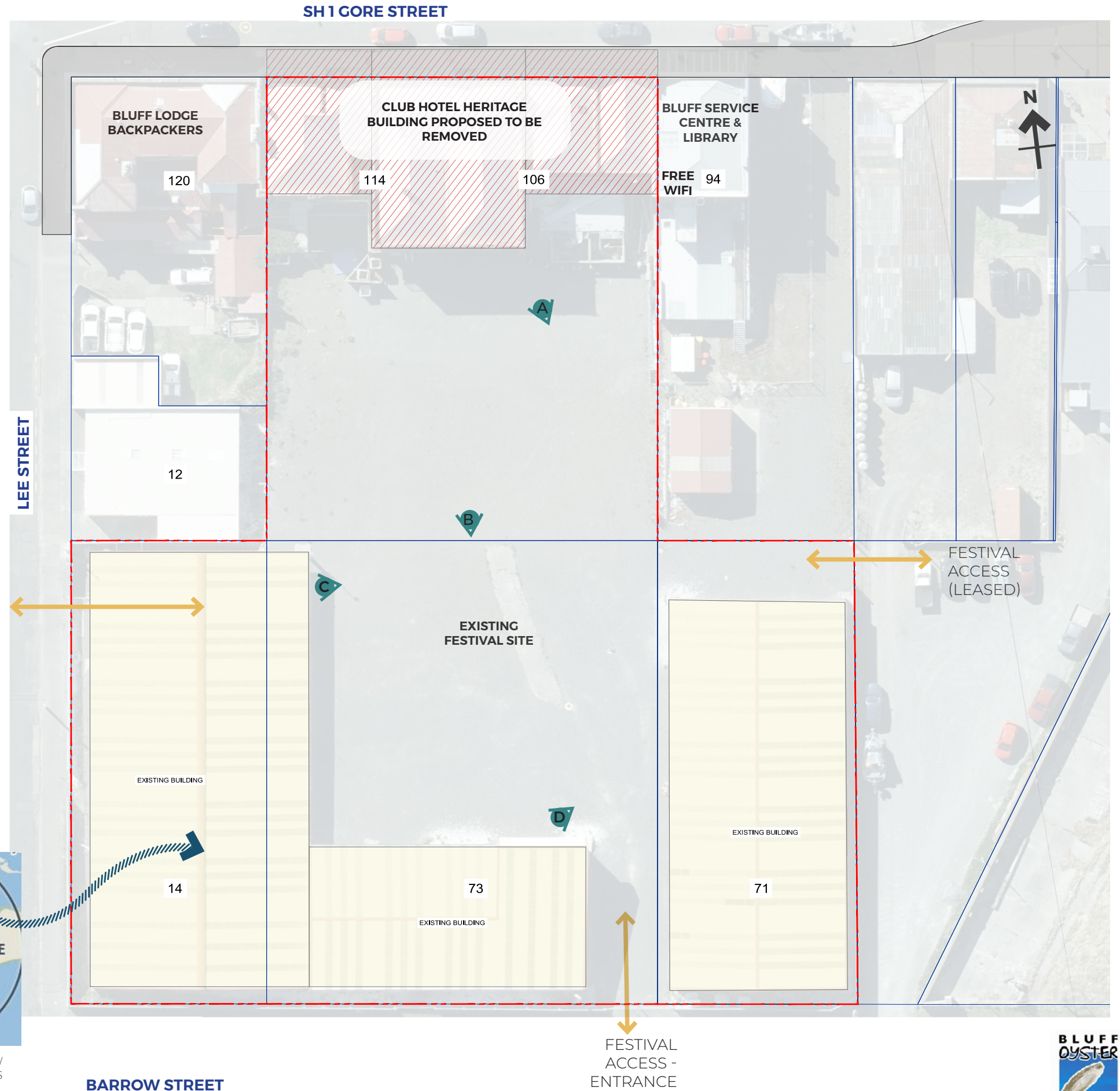
- | | | |
|--|-------------------------------|----------------------------|
| 1 BLUFF LODGE BACKPACKERS | 6 DENTONS MOTORS | ↔ SITE ENTRANCES (CURRENT) |
| 2 CLUB HOTEL | 7 RAKIURA MĀORI LAND TRUST | ☀ SUN PATH |
| 3 BLUFF SERVICE CENTRE & LIBRARY (& FREE WIFI) | 8 THE GOLDEN AGE TAVERN | ↙ PREVAILING WIND |
| 4 SKATE PARK | 9 BLUFF REAL ESTATE & CAFE | |
| 5 PERMALOO | 10 ST JOHN AMBULANCE (EFTPOS) | |

EXISTING CONDITIONS OVERVIEW

FESTIVAL SITE



[HTTPS://WINDY.APP/FORECAST2/SPOT/4903091/BLUFF/STATISTICS](https://windy.app/forecast2/spot/4903091/bluff/statistics)



KEY PRINCIPLES

COMMUNITY DESIGN & BUILD | FOUND | RECYCLED

The building removal and site development will be governed by “adaptive re-use”. This eco-friendly efficient design method includes:

- All materials will as far as possible be retained on site 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 a 5 m x 40 m landscaped front area will be as much as possible used as fill to manage level changes across the site.
- Other “found” materials from the area will also form elements of the landscape design, potentially including wharf timbers, oyster shells.
- Design concept is indicative and to be confirmed depending on “found” materials from site.

The landscape design is considered to be “bottom up” with the key stakeholders involved in a design meeting initially, as well as the development of the design going forward. The design aims to be:

- Reflective of “place” (responding to its location in Bluff, as part of the Oyster Festival extended site and honouring it’s location on the former Club Hotel site).
- Adaptive to found materials through demolition (Oyster Festival Trust members to monitor demolition and put aside elements that may be integrated into the landscape area).
- Buildable (simple, buildable elements that ensure work can be run by suitably qualified Trust members).
- Resilient to future Trust needs (includes space set aside in case of future needs for access via this boundary).
- Meets security needs for the Trust’s main festival site.
- Follows CPTED principles to ensure public safety².
- Is robust and includes skate deterrent measures such as material changes, less skate friendly permeable materials and skate deterrent measures on seats.

As the site is also part of the Bluff Oyster and Food Festival Charitable Trust portfolio, landscape design will also include:

- Wayfinding signage highlighting town destinations and/or events including the Bluff Oyster Festival.
- Feature seating steps³.

The design also includes site leveling as follows⁴:

- A 5% rise from the street to the proposed retaining wall lifts the site by 200mm while also ensuring water does not pool on site. A retaining wall of 0.9 m is proposed
- A 5% rise over the next 5 m is proposed to ensure the level from the street meets the current site level (at 1.2m higher). Refer cross section.



IMAGE: SCENES FROM THE FESTIVAL (2021:)

¹ In a “bottom up” design, typically the “community” help drive the design outcomes.

² CPTED : Crime Prevention Through Environmental Design. As guided by Ministry of Justice Publications: Part 1: Seven Qualities of Safer Places National Guidelines for Crime Prevention and Part 2: Implementation Guide. As retrieved from <https://environment.govt.nz/publications/national-guidelines-for-crime-prevention-through-environmental-design-in-new-zealand/>

³ These can in future link to the site via a discrete gateway which can be opened for events if required e.g. for event management

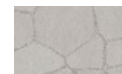
⁴ All statements on levels, retaining, stormwater runoff are assumptions only and will need to be confirmed including site survey by suitably qualified persons.

CONCEPT PLAN



LEGEND

- 1 2M FENCE ON TOP OF 0.9M RETAINING (TYPE OF RETAINING TO BE CONFIRMED (TBC))
- 2 FOUND MATERIAL AGGREGATE CONCRETE
- 3 WHARF TIMBERS SITTING PLATFORM / STEPS
- 4 GROUND BEAMS WITH VERTICAL ELEMENTS - INTERPRETATION BOARD, SCULPTURE, BIKE STANDS (TBC)
- 5 FOUND MATERIAL FEATURE AREAS (E.G. OYSTER SHELL AGGREGATE CONCRETE)



MATERIAL ONE: CRAZY PAVING FROM DEMOLITION MATERIAL OR OTHER FOUND MATERIAL



MATERIAL TWO: HOGGIN OR OTHER COMPACTED FOUND MATERIAL FROM DEMOLITION



SEATING (RECYCLED TIMBER OR FOUND AGGREGATE CONCRETE)



INTERPRETATION SIGNAGE: HONOUR THE HERITAGE OF THE CLUB HOTEL & BLUFF (ALSO OYSTER FESTIVAL INFO HISTORY, WAYFINDING)



INSET INTO GROUND SURFACE OF RECYCLED MATERIAL, FOR E.G. BRICK TO SUBTLY MARK FORMER BUILDING EXTENTS

CONCEPT ZONES

ECHOES OF THE CLUB HOTEL - FORM, SHAPE & MATERIALITY

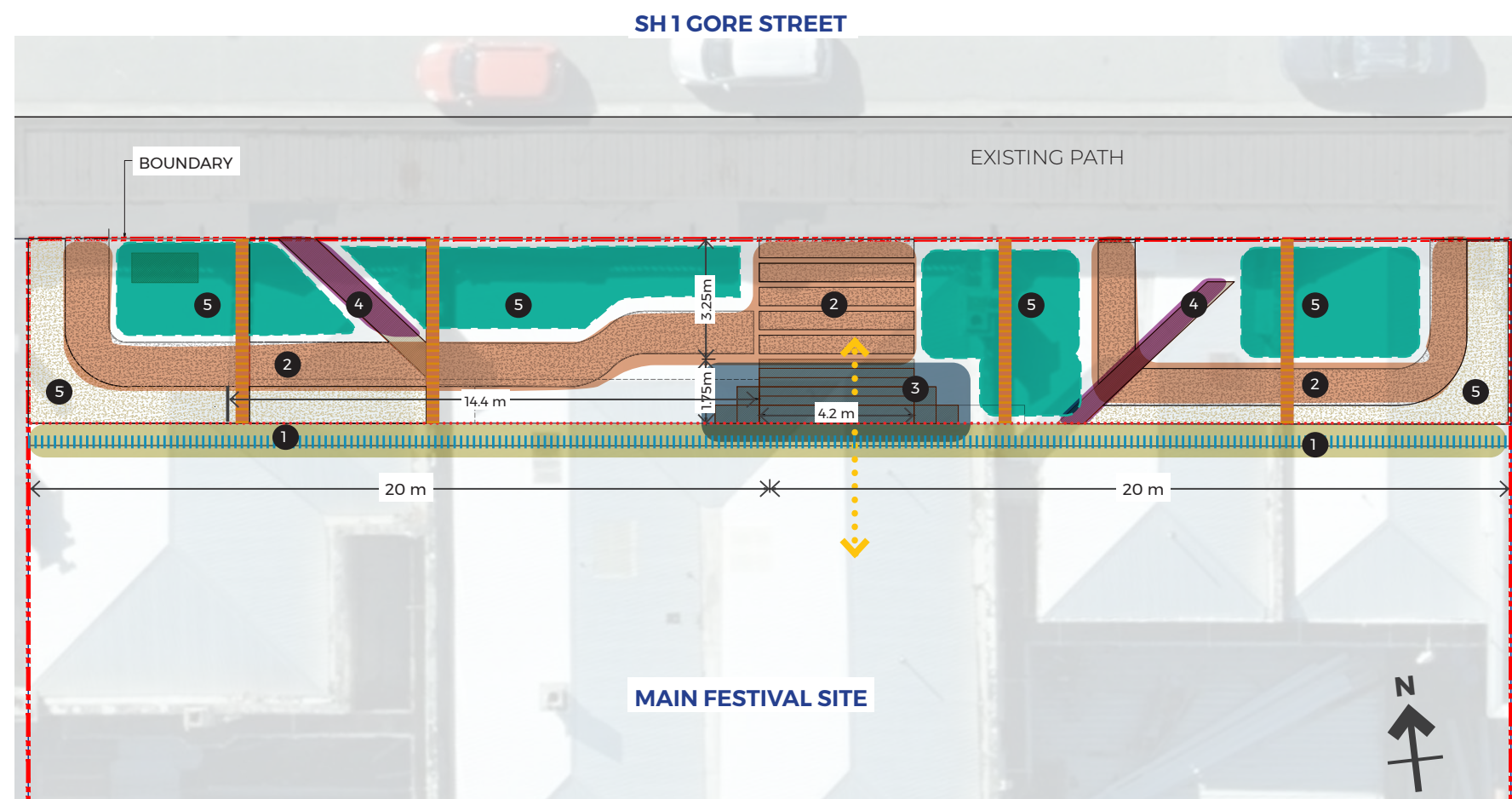
A series of key principles underpins the concept and ensures the eventual landscape can respond to available material while still assuring outcome.

Updates of landscape plans can be reviewed to ensure a robust, safe well designed outcome.

- The concept references the multiple buildings that make up the Club Hotel, using lines of found material (likely bricks) to reference the former walls and break up the length into human scale areas.
- Inset “beams” of wharf timber or other found elements reference the previous angles of roof lines and provide the areas to set vertical elements - interpretations boards, bike stands, or found materials set to form sculptural elements within these spaces.
- A trail of aggregate concrete with “site won” aggregate (demolition sourced) forms paths amongst areas of alternative materiality (for example compacted gravel materials).
- A series of sleeper / wharf timbers forms a seating area which can also double as an additional exit from the site with a discrete gate in the fence.

KEY COMPONENTS:

- The bulk of the ground surface will where possible be compacted “found” aggregates from site demolition. Where not available, ground surface aggregates will be compacted material which is locally available (such as hoggin). Civil engineer to advise on appropriate base course and buildup.
- Areas will be “skate proof” comprising of predominately unsuitable ground surfaces (too rough or soft to skate on) with skate deterrent measures on furniture (notches cut, or attachment of skate deterrent).
- Materiality is simple and as indicated in materiality palette: crushed aggregates, found hard surfaces to from paving elements. Recycled timber e.g. wharf or railway sleeper. Concrete including crushed building material. Vertical elements include wayfinding and information, bike stands, sculptural items from building.
- Areas showcase contrasting materiality with discrete areas no bigger than 30m² to ensure human scale.
- Walls of existing buildings on either side of site may offer other opportunity for adjacent stakeholders, such as murals.
- Retaining wall sits at under 1m on publicly accessible areas. No construction will create areas for entrapment or concealment. Engineering advice will be undertaken for any structural works.
- Low maintenance - no planting or lawn.
- All elements aim to be simple and uncomplicated to construct.
- Area is future proofed by allowance of space for potential accessible access to wider site.

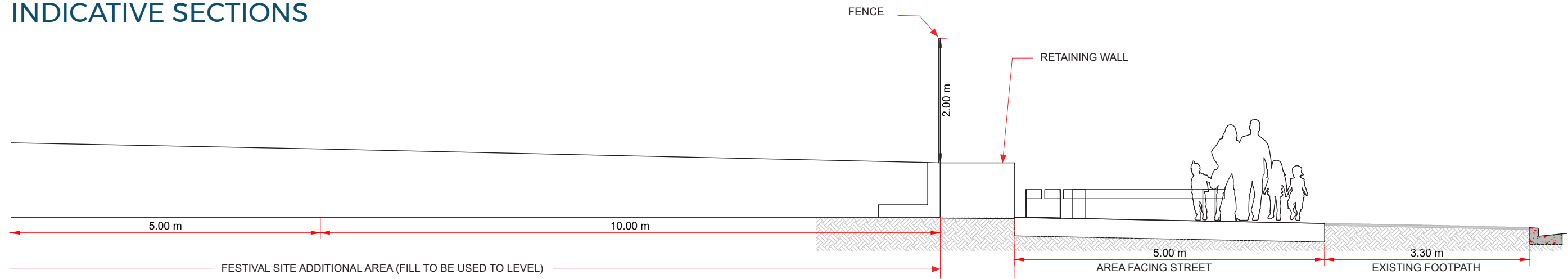


0 1 2 3 4 5 m SCALE: 1 TO 200 @ A3

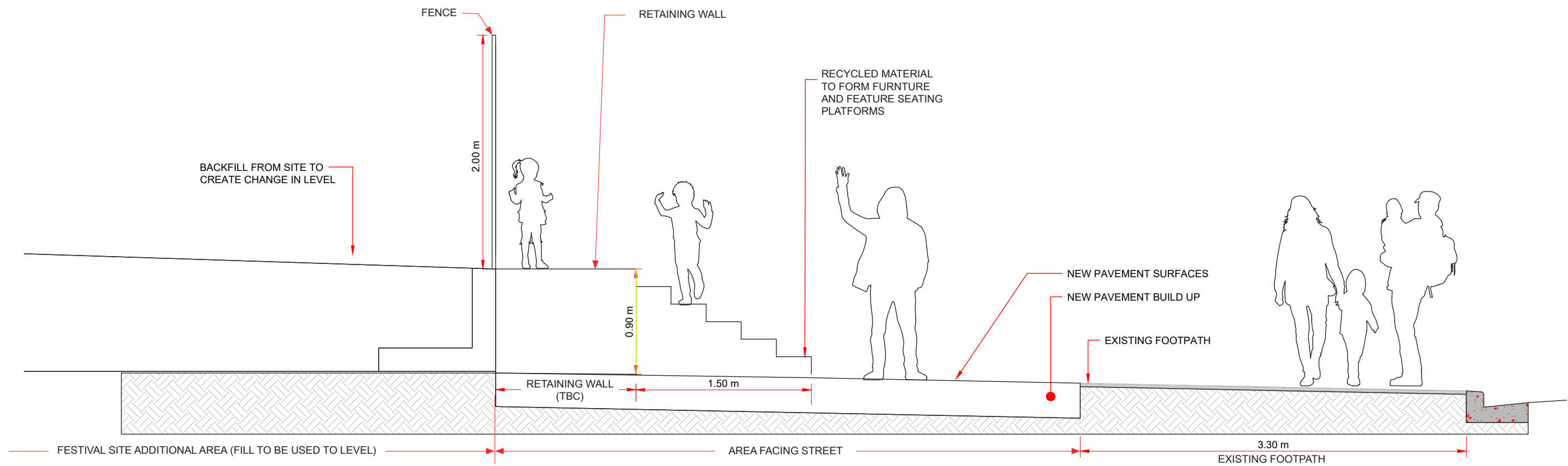
LEGEND

- | | |
|---|---|
| ① 2M FENCE ON TOP OF .9M RETAINING | ◀...▶ POTENTIAL EXTRA SITE ENTRANCE THROUGH DISCRETE GATE IN FENCE - FUTURE PROOFING ONLY, NOT TO BE BUILT AT THIS STAGE |
| ② FOUND MATERIAL AGGREGATE CONCRETE | FENCE ON TOP OF RETAINING |
| ③ WHARF TIMBERS SITTING PLATFORM | — INSET INTO GROUND SURFACE OF RECYCLED MATERIAL, FOR E.G. BRICK TO SUBTLY MARK FORMER BUILDING EXTENTS |
| ④ GROUND BEAMS WITH VERTICAL ELEMENTS - INTERPRETATION SIGNS, CYCLE INFRASTRUCTURE, SCULPTURAL ELEMENTS | ALL AREAS TO MAXIMISE INPUT OF MATERIALITY FROM CLUB HOTEL, INCLUDE FOUND DEMOLITION OBJECTS WHERE APPROPRIATE. INTERPRETATION SIGNS TO INCLUDE HISTORY OF CLUB HOTEL |
| ⑤ SEATING AREAS (HUMAN SCALE) | |
| ⑥ FOUND MATERIAL FEATURE AREAS (E.G. OYSTER SHELL AGGREGATE CONCRETE) | |

INDICATIVE SECTIONS



INDICATIVE SECTION 1: SUITABLE DEMOLITION FILL UTILISED ACROSS SITE TO ADDRESS CHANGE IN LEVEL OF ~1.2M AND CREATE EXTENDED AREA FOR FESTIVAL SITE AND LOWER PUBLIC AREA ADJACENT EXISTING FOOTPATH. ASSUMING 1:50 FALL ACROSS NON RETAINED AREAS (SCALE AS SHOWN)



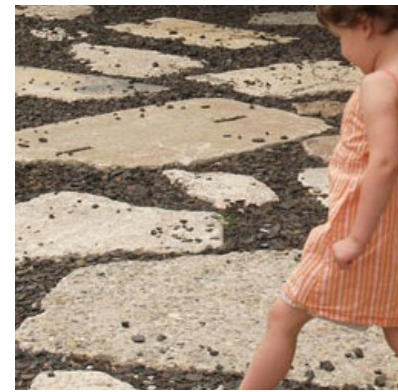
INDICATIVE SECTION 2: FRONT SECTION OF SITE FORMS 5M SPACE BETWEEN RETAINING WALL AND EXISTING PATH (SCALE AS SHOWN)

MATERIAL PALETTE

INDICATIVE - WILL BE ADJUSTED FOR ACTUAL MATERIAL AVAILABILITY FROM DEMOLITION & OTHER AVAILABLE RECYCLED MATERIALS



Club Hotel rubble to be re-used on site



Re-use concrete paving



*Re-use of materials***



Crushed oyster shell mixed with concrete



Railway sleeper or brick to break-up areas



*Oyster Shell filled Gabion Wall**



*Feature rubble filled gabion wall**



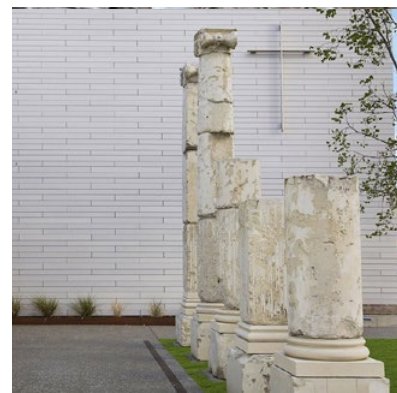
*Rubble filled gabion wall**



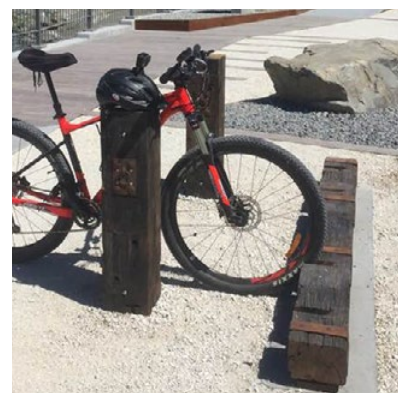
Batten timber fence



Timber feature fence



Build in elements from building where possible



Railway sleeper bike stand



Existing Bluff sign



Steel Bluff Oyster Festival sign option



Vertical wayfinding sign



Vertical found timbers option



Aggregate concrete uses found materials



Crushed material or hoggin between larger found materials.



Hoggin or other compacted aggregate materials



Wharf timber seating



Chunky steps and seating made from wharf materials



Railway sleeper Seat



Add skate deterrent where required

* RETAINING TYPE TO BE CONFIRMED & SUBJECT TO ENGINEERING INPUT

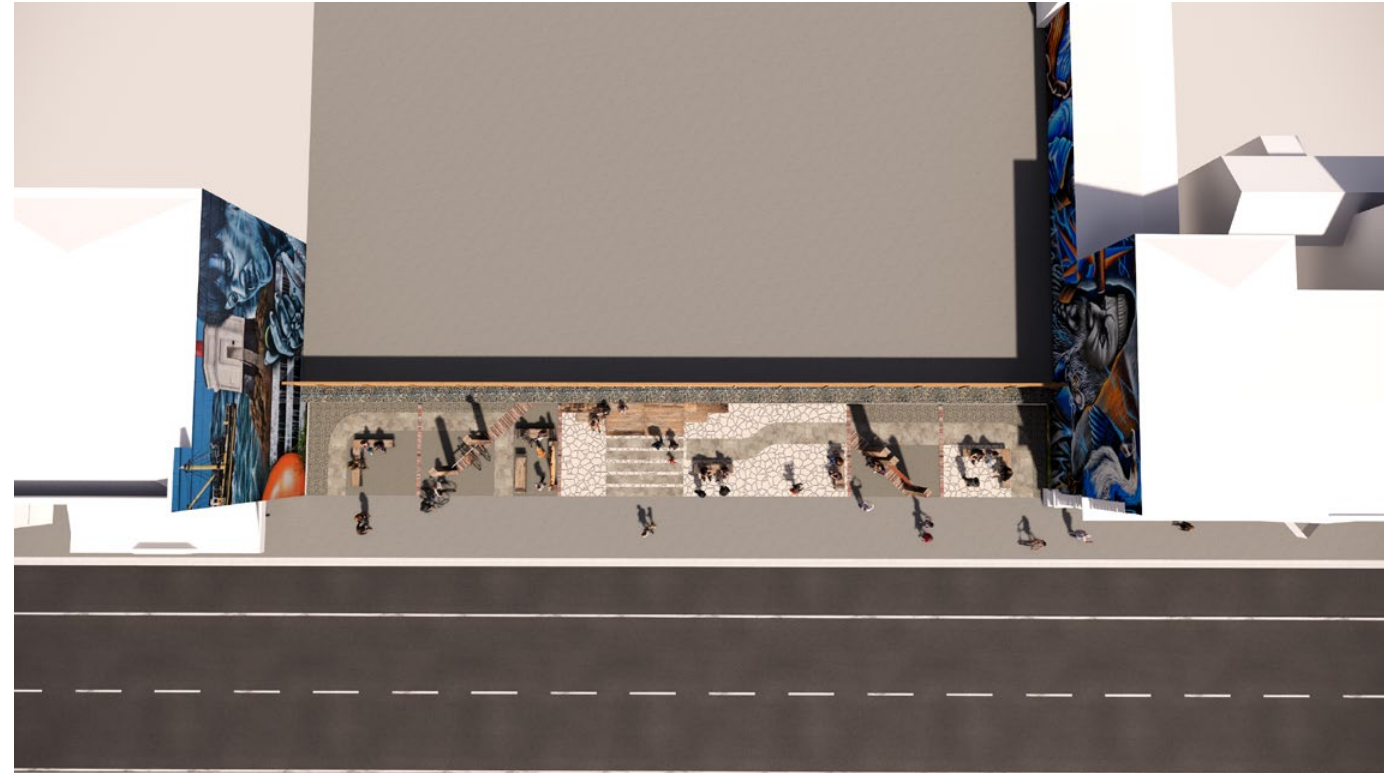
** LOOSE MATERIAL TO BE AVOIDED, FOUND MATERIAL COMPACTED WHERE PRACTICAL OR INTEGRATED INTO OTHER ITEMS

PROPOSED SITE VISUALISATIONS



NOTES:

- RETAINING TYPE TO BE CONFIRMED & SUBJECT TO ENGINEERING INPUT
- MURALS SHOWN ARE SUGGESTION OF POSSIBLE FUTURE ACTIVITY (NOT PART OF CURRENT PROPOSED SCOPE) MURAL ON THIS PAGE: KERI-LEE FISHING LTD BY KORYU (CREATED AS PART OF SOUTH SEA SPRAY MOTUPŌHUE FESTIVAL)



NOTES:
 · RETAINING TYPE TO BE CONFIRMED & SUBJECT TO ENGINEERING INPUT
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PROPOSED SITE VISUALISATIONS



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PROPOSED SITE VISUALISATIONS



NOTES:

- RETAINING TYPE TO BE CONFIRMED & SUBJECT TO ENGINEERING INPUT
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Appendix B: Recommended Consent Conditions

1. The proposed activity is to be generally undertaken in accordance with the application RMA/2023/72 received by the Council on 3 July 2023 and WSP Landscape Enhancement Plan Revision 3 dated 27 June 2023 except where modified by conditions of consent.
2. A Demolition Management Plan (DMP) shall be submitted to Invercargill City Council (ICC) and certified by the Planning Manager prior to any demolition works being undertaken. The consent holder must provide a copy of the DMP to Heritage New Zealand Pouhere Taonga (HNZPT) prior to submitting it with ICC. HNZPT shall be given 15 working days to make comments to the consent holder and ICC. This DMP must include a schedule of significant historical or archaeological features and historic building materials, identified by a suitably qualified heritage practitioner, that are able to be salvaged for reuse on the site or made available to the wider community.

Please note: It is acknowledged that no internal access can be obtained to the building.

3. Significant historical or archaeological features and historic building materials identified for salvage under the above condition, are to be carefully removed and securely stored in a manner that will not cause damage to the materials for potential reuse on the subject site. Any salvaged features or materials not reused on the site will be made available to the wider community. For clarity, reuse does not include use as fill.

Please note: It is acknowledged that no internal access can be obtained to the building.

4. Copies of the original building plans, where obtainable, will be digitally scanned. The scanned building plans must be:
 - i. provided to the Invercargill City Council and to Heritage New Zealand Pouhere Taonga prior to the demolition commencing;
 - ii. and made publicly available by the Applicant for a period of five years from the date of the recording to any interested party at no cost.
5. Prior to demolition, the consent holder must:
 - i. Consult with mana whenua and provide an opportunity for input on revisions to the Landscape Plan [WSP NZ Ltd Club Hotel Concept 6-VQ424.27 Rev C] which may reflect the historic significance, including Māori cultural values, of the site and wider area. If no feedback is provided by mana whenua within 15 working days after provision of the landscape plan the consent holder may assume that no feedback will be provided and obligation under this clause is satisfied.
 - ii. Provide a copy of any revised Landscape Plans to Heritage New Zealand Pouhere Taonga for review and comment. If no feedback is provided by Heritage New Zealand Pouhere Taonga within 15 working days after provision of the landscape plan the consent holder may assume no feedback will be provided and the obligation under this clause is satisfied.
 - iii. Any revisions to the Landscape Plan shall be submitted to Invercargill City Council and approved by the Planning Manager prior to landscape treatment works being undertaken on the site.
6. The site shall be landscaped in accordance with the Landscape Plan approved in accordance with the condition above not more than six months following demolition being completed.
7. An Archaeological Authority is to be obtained from Heritage New Zealand Pouhere Taonga prior to any earthworks or demolition activity commencing on the site.
8. Detailed building recording of Club Hotel building shall be completed by a suitably qualified heritage practitioner. The recording of the exterior of the building must be undertaken as far as practicable in accordance with the Level III standards set out in Section 5.3 of the Heritage New Zealand Pouhere Taonga 'Investigation and Recording of Buildings and Standing Structures' (2018) document. Recording of the interior of the building shall be provided utilizing information previously gathered due to the lack of available access pursuant to a Dangerous Building Notice. The records of the interior of the building will be provided as far as practicable in accordance with the Level III standards set out in Section 5.3 of the Heritage New Zealand Pouhere Taonga 'Investigation and Recording of Buildings and Standing Structures' (2018) document, The recording must be:

provided to the Invercargill City Council and to Heritage New Zealand Pouhere Taonga within six months of the demolition being completed; and

- i. made publicly available by the Applicant for a period of five years from the date of the recording to any interested party at no cost.
9. Oral history recordings are to be undertaken to capture the stories of both former staff and guests of the Club Hotel. The interviews shall be undertaken by a suitably qualified and experienced practitioner, compliant with the ethics and technical practice of the National Oral History Association of New Zealand. Any oral history recording undertaken shall be submitted to a suitable collection institution and be made publicly available. The oral history recordings will be completed within one year of the issue of this consent.

Note to Commissioner – I consider that conditions 8 and 9 should either be prior to demolition conditions OR that a bond should be provided to ICC for the cost of the works until the conditions are achieved. If the Commissioner is of the same view, and can provide updated condition wording based on the preferred approach.

10. The site is to be left clear and tidy with all demolition material removed once demolition / removal activity is completed.
11. Demolition material is to be disposed of at a facility authorised to receive material of that kind.
12. All existing water and drainage (sewer and stormwater) connections must be sealed off at the mains by an approved contractor. The contractor is to complete the “Drainage Information Sheet” form (attached) and return a copy of it to the Building and Planning Services Department of the Invercargill City Council. Note: This document can be emailed to RMAMonitoring@icc.govt.nz.
13. Prior to works, details must be provided to Council for certification on how stormwater will be managed on site on an on-going basis, in the area of the Club Hotel building footprint.

The purpose of this condition to ensure stormwater can be managed from the hard surfaces created following removal of the Club Hotel buildings.

14. Prior to works, a Traffic Management Plan must be provided to Waka Kotahi and Invercargill City Council for certification. The traffic management plan must detail how vehicle, cycling and pedestrian safety will be managed for the duration of the works. All works must comply with the certified Traffic Management Plan.
15. Any signage on site must not include illumination. The details of any final signage must be provided to Waka Kotahi for comment prior to erection and then provided to Invercargill City Council for certification, prior to erection.
16. Footpaths, vehicle crossings and road frontages must be protected from damage by covering with heavy timbers or similar. All sites must be safe for pedestrians and people with disabilities. Footpaths, vehicle crossings, and road frontages are to be inspected by the Council’s Engineering Services Department prior to commencement and after completion of the demolition/removal.
17. Damaged footpaths, vehicle crossings and road frontages must be immediately reported to the Council’s Engineering Services Department and then reinstated, as soon as practicable within 6 weeks of the demolition being completed. The consent holder is liable and responsible for the contractors undertaking the work, including any damage caused to the footpath, road frontage or vehicle crossing. Any damage is to be repaired by an approved contractor to the satisfaction of the Council’s Manager Engineering Services.
18. The site is to be secured and public access prevented while demolition activity is undertaken.
19. Prior to commencing work, the Consent Holder is to:
 - a) Notify the Council no later than 24 hours in advance of the commencement of the work, and on completion of the work (RMAMonitoring@icc.govt.nz)
 - b) Separate the site from the public during the demolition work as per condition 10;
 - c) Ensure contractors are made aware of the conditions of this resource consent and how to achieve compliance with these conditions.

20. The consent holder is to maintain a record of any material removed from the site and include the following:
- a) The date of removal;
 - b) The name of the contractor;
 - c) Description and quantity of the material removed;
 - d) Location of site receiving the material and disposal receipts; and
 - e) Detail of results from any testing of the material prior to disposal.
 - f) This record is to be supplied to the Council within 3 months of the completion of work (RMAMonitoring@icc.govt.nz).
21. An Erosion and Sediment Control Plan (ESCP) must be provided to Council for certification prior to demolition works commencing. The ESCP must outline how earthworks will be managed to prevent dust, sediment and erosion from earthworks will be prevented and managed. The certified ESCP must be complied for the duration of the works.

Additional notes:

- *Should the Bluff Oyster and Food Festival be relied upon as mitigation, I consider the applicant needs to volunteer a consent condition that can ensure this occurs.*
- *I recommend the applicant volunteer an easement consent condition over the Landscape Enhancement Area for public access.*
- *I recommend that the applicant volunteer a consent condition that they attain resource consent under the NES-CS prior to given effect to this consent.*
- *There may need to be changes to recommended consent conditions, should any further changes or mitigation be proposed prior to/at hearing.*

Advice Notes

1. Please note that an approved corridor access request (CAR) will be required before any work is carried out on the road reserve. Please contact the Council's Road Corridor Department to arrange this and to ascertain the standards for working within the road. When applying for the CAR you should point out that you also need to satisfy subdivision consent conditions.
2. The consent holder is responsible for ensuring that they are aware of their obligations to meet the regional council plans.