25th July 2025

Bonisch Reference: 8473

Invercargill City Council
Private Bag
INVERCARGILL 9840
Attn: Resource Management Dept

104 DEE STREET PARTNERSHIP – HERITAGE BUILDING DEMOLITION

104 Dee Street Partnership (the applicant) seeks resource consent for the demolition of an NZ Heritage Pouhere Taonga Category 2 heritage building located at 104 Dee Street, Invercargill.

LEGAL DESCRIPTION

Lot 1, DP 8343 (RT SL3A/701).

The above property is held by Bradley Inwood and Linda Lee – both partners of 104 Dee Street Partnership.

There are no existing encumbrances of interest on RT SL3A/701.

SITE DESCRIPTION

The site is located at 104 Dee Street, Invercargill and sits at the southwestern corner of the intersection of Dee and Spey Streets. Dee Street is State highway 6 in the site vicinity. The site is within the Business 1 Zone of the Invercargill City District Plan and has the following overlays:

- City Centre Heritage Precinct
- Registered Heritage Area (Dee Street Historic Area)
- Sewerage Reticulation Area
- Water Reticulation Area
- Airport Approach and Transition Lines

Image source: GRIP Maps - showing site highlighted in yellow with Dee Street running north south and Spey Street running east west

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The building is two storeys and has been located on the site since 1882. The building is commonly referred to as the 'Briscoes Building'. The building is listed as a Category 2 historic place by Heritage New Zealand Pouhere Taonga (HNZPT). The listing on the HNZPT website states that the building was designed by prominent Invercargill architect Frederick Burwell and is an Italianate commercial building. Changes have been made to the façade of the building over time, in particular the removal of the detailed balustrade along the roofline is noted. The first image below shows the building as it appears currently, following the 2023 fire while the second image below shows the building as it was circa 1900.

Photo taken from Dee/Spey St north east corner – 15th July 2025

Image source: Heritage NZ Pouhere Taonga listing

The Briscoes Building was made up of several commercial and residential tenancies spanning the two floors of the building. The ground floor tenancies included shopfronts and a central arcade connecting the tenancies. The second floor of the building was used for residential purposes and a boxing gym was also located in the upstairs part of the building.

The building was subject to a fire in September 2023 which caused significant damage to both the interior and exterior of the building, compromising the structural integrity of the building and rendering it uninhabitable. The applicant has since the time of the fire been working with their insurers and structural engineers to determine a path forward to make the building viable again for commercial or residential use.

DESCRIPTION OF ACTIVITY

104 Dee Street Partnership is applying for land use consent to demolish the Briscoes Building in its entirety.

Concept designs for a new building on the site have been prepared by BI Architects. A representative image is shown below with the design incorporating notable heritage features of the Briscoes Building including height, vertical window alignment and the parapet style roof line. The new design is consistent with the scale and dimensions of the Briscoes Building, while providing a modern façade with lighter internal spaces and the prominence of the site on the Spey and Dee Street corner emphasised. The plans provide concept for the external envelope of the building to ensure that the effects of a new building within this part of the heritage precinct are able to be managed.

The applicant's intention is that the building will be demolished to provide a safe site. The site will then be sold for redevelopment in line with the proposed plans. While the site is bare, the site will be left in a presentable manner with a consolidated surface to ensure there are no ongoing dust/sediment effects off site.

Image source: BI Architects Concept showing proposed new build

DRAFT DEMOLITION MANAGEMENT PLAN

Ryal Bush Contracting have prepared a draft demolition management plan, a copy of which is attached. The proposed demolition process is summarised as follows:

Stage 1 Site Establishment
Site fencing is in place (completed)

All services will be decommissioned and isolated – where required information on disconnections will be provided to asset owners.
Asbestos and hazardous substances (if any) will be removed

Stage 2 Demolition

- The building will be deconstructed from the street using excavators with various attachments. The works will be undertaken from the top down as works progress along the length of each side.
- A specific task procedure will be written for how works against neighbouring buildings will be undertaken. Currently the exact makeup of walls in these areas is not known. This will be fully determined prior to hard demolition.
- The makeup of the original buildings means that the majority of the structural components are concrete and brick, considerations in this stage will be dust and the potential for structural failure. Immediately prior to demolition the structure will be assessed as there is potential additional works will be required from the North & East to remove weight from the façade.
- The structure will be reviewed consistently throughout the demolition and progress decisions will be made according to how the structure reacts, we believe the progressive sorting as described below will ensure that no material will leave the site boundaries.

Stage 3 Sorting of Waste and Disposal

Initial waste separation will take place during demolition. The majority of waste is expected to be concrete and brick. This will be loaded onto hook bins and carted to a designated disposal location. Any additional sorting will be undertaken in the car park located behind the building. Concrete will be processed to remove reinforcing and clean timber will be segregated from other waste. If any additional material can be salvaged it will be removed as a product with future use.

Stage 4 Site Tidy and Demobilisation

The site will be progressively demolished and waste removed from the site progressively as well. This will ensure the site will remain tidy and final clean up will be minimised. Any works below ground level will be undertaken in accordance with any archaeological authority obtained.

Heritage Items

Given the dangerous building notice there is no plan to remove heritage items as part of the demolition process. All care will be taken to identify items of historic significance during the demolition and these will be separated by machine where possible.

Traffic Management

State highway 6 will need to be closed during some stages of the work with detours put in place. It is also likely that fencing will need to be established within the road reserve to establish a safe working environment. These will be erected and shifted as required during the works.
A Traffic Management Plan will be prepared prior to works being undertaken and consultation with NZ Transport Agency and Invercargill City Council will ensure the road owners approve of the methodology proposed.

Timing

It is anticipated that the demolition work will take approximately 8 weeks to complete.

HERITAGE IMPACT ASSESSMENT

The applicant engaged NZ Heritage Properties (NZHP) to undertake a heritage impact assessment (HIA) of 104-106 Dee Street. The resultant report is attached and the findings of the assessment are summarised as follows:

The building at 104-106 Dee Street, known as the Briscoes Building was erected in 1882. Originally built for Guthrie and Co Limited the building was sold to Briscoes and Co in 1903 at which point alterations were made over the following decades to enable the tenancy of first floor offices and independent retailers on

the ground floor. In 1973 the building was sold to R.S Wilson Properties and the ground floor converted to accommodate a shopping mall, the Pall Mall arcade, and various other retailers.

"The Briscoe's building at 104-106 Dee Street is an unrecorded archaeological site, since it dates to pre-1900, and is therefore subject to the provision of the Heritage New Zealand Pouhere Taonga Act 2014. The building is scheduled on the Invercargill City Council's Heritage Record (APP3-2, Ref. 18) and is part of the Dee Street Historic Area (APP3-3, Ref. 181). Heritage New Zealand Pouhere Taonga has also entered the building as a Category 2 historic place on the List/Rārangi Kōrero (List no. 2448). This assessment had identified that the heritage values of the scheduled building at 104-106 Dee Street are high. On the basis of this assessment, and a site visit on 12 June 2024, NZHP recommends that the interior is redeveloped within the existing exterior envelope. Assessing the effect of this recommendation, NZHP determines the effect of internal repair and adaptive reuse works on the heritage values to be overall slightly positive with an overall beneficial effect for the building. Briscoes is currently in a fragile state following the fire, and repairs will have a positive impact on the building, ensuring continued use into the future. While some interior heritage fabric will be lost, much is in poor condition and continues to deteriorate as the building is open to the elements. The benefits of the repairs and the adaptive re-use far outweigh the loss of interior fabric, and this loss can be further offset by the recommended mitigative measures.

NZHP does not support demolition of the building. NZHP does support internal redevelopment within the existing exterior footprint in principle, but subject to the following recommendations:

1. *Rebuild within the existing exterior envelope making sure to retain, reuse or rehome extant heritage features.*
2. *Remove unsympathetic fabric on the exterior and seek to retore the 1882 or 1903 aesthetic.*
3. *New interior floor levels should respect the existing window height.*
4. *Take particular care removing boxed areas on the exterior as original features may still exist behind*
5. *Reuse or make available to owners of heritage buildings, salvaged fabric from the interior of the building.*
6. *Undertake repairs on a like for like basis, including timber hung sashes.*
7. *Create and archive a photographic record of the works"*

(Source: Page 5 'Executive Summary – NZHP HIA)

Figure 5-1. The buildings of the APP3-3 Dee Street Historic Area (Farminer & Miller, 2016).

The HIA notes that the Briscoes Building is located within the Dee Street Historic Area *(shown in image above)* which contains six buildings from the Grand Hotel to Briscoes Building. The Dee Street Historic Area was assessed in 2016 as containing a group of buildings *"that reflect some of the best examples of the city's late nineteenth and early twentieth century built character located on Dee Street. This includes the former Grand Hotel and Regent Theatre, the former Daily News building and the Briscoes building. Together*

they provide a homogenous and almost symmetrical street frontage to this end of Dee Street, creating a strong streetscape character of high heritage and architectural significance" (Farminer & Miller, 2016)

NZHP provide a detailed assessment of the heritage values of the Briscoes Building within the HIA as follows:

Criteria	Assessment
Aesthetic significance or value High	The Briscoe's building has significant aesthetic qualities, with a highly decorative façade. The fenestration is particularly elegant and almost unrivalled in the city. These aesthetic qualities have been recognised by entry on the HNZPT List, and scheduling on the ICC District plan individually as part of a historic are set aside, in part, for the aesthetic qualities of the buildings' facades.
Archaeological Significance or value High	The Briscoe's Building was built in 1882 and is defined as an archaeological site under the HNZPTA 2014. The building replaced an earlier timber building and a timber yard which were extant in the 1860s, and so the site has the potential to contribute to our understanding of the development of Invercargill.
Architectural Significance or value High	The building was designed by noted Invercargill architect F.W. Burwell, whose architectural style transformed the commercial heart of Invercargill. The Italianate design is both elegant and ornamental. The windows make a particularly fine architectural contribution and appear on only one other Invercargill building. The building's impressive architecture makes a significant contribution to the streetscape which has been recognised through its addition to the Dee Street Historic Area. The interior was also notable for the use of columns to create an open space. These are not common to this period. Late nineteenth century interior alterations were undertaken by noted architect and Invercargill Borough engineer, William Sharp. Twentieth century alterations to the interior were remarkably cohesive given they were, for the most part, undertaken by architect Allan C. Ford. Nineteenth century commercial buildings are becoming increasingly rare in major New Zealand centres, and Invercargill has recently lost a significant number of scheduled commercial buildings to make way for redevelopment. Analysis of commercial buildings entered on HNZPT's List under the Trade theme, reveals there are relatively few such buildings listed as historic places. The Briscoe's Building may therefore be described as increasingly rare at both local and national level. Further analysis indicates that only four of Burwell's architectural designs for commercial stores or warehouses are entered on the List. The Briscoe's Building is representative of 1880s commercial buildings erected by the wealthier merchant class. It is also representative of F.W. Burwell's architecture for commercial retail buildings erected during the 1880s. While his architectural style may have varied between buildings, together they form a cohesive group in terms of time period, purpose and elegant aesthetic. The ground floor of the exterior has undergone various alterations to allow for differing business. The Briscoe's building also suffered significant fire damage in 2023. The architectural ornamentation and aesthetic of the building is largely undisturbed, except for smoke damage. While the structural stability of the façade has been undermined, the architectural and aesthetic integrity remains largely unaffected.
Cultural Significance or value None	The Briscoe's Building does not hold identifiable cultural significance.
Historical significance or value High	Briscoe's Building is associated with prominent architect F.W. Burwell whose elegant buildings are found not only in Invercargill but wider afield in Southland, Central Otago, and Queenstown. Burwell's finely detailed buildings are a testament to the architectural skill of the architect who was central to building the commercial heart of the growing township. The building also represents

	prominent businessman Walter Guthrie and his firm W. Guthrie and Co., whose various businesses in Invercargill garnered substantial influence and esteem. In the twentieth century the building has become intimately connected with the firm, Briscoe & Co., the first internationally established mercantile company to establish a branch in New Zealand. Today Briscoes is synonymous with homewares, and the building is a testament to Briscoe's early history in New Zealand as an ironmonger and supplier of building materials. Briscoe's Building is associated with an important local event. Soon after its construction, a telephone line was connected between the building and Paisley and Co's iron store on the Drill Hill Reserve. This appears to have been one of the first, if not the first, telephone line in Invercargill. Briscoe's Building is associated with 1880s Invercargill and the development of the commercial hub of the city when Victorian-era buildings began to dominate the streets. It is associated with an era of wealth, as Invercargill profited from the farming industries developing in its rural surrounds. Briscoe's Building has significance for its contribution to a sense of place, providing historical continuity for the central city area of Invercargill as an example of the major retailers which supported the town's prosperity. Despite the creation of the Pall Mall Arcade in the 1970s, the building is still commonly known as Briscoes.
Scientific significance or value None	The Briscoe's Building has little potential to provide scientific information about the history of the region.
Social significance or value Moderate	While the Briscoe's Building does not have a cleanly defined community associated with the place, it has been a landmark building in the heart of the business and retail district for generation is Invercargill residents.
Technological significance or value Low	The open plan interior was unusual for the period and the iron columns enabled the creation of the space. However, there is little evidence that Briscoe's Building demonstrates innovative or importance methods of construction or design or has the potential to contribute about technological or engineering history.
Traditional significance or value None	The Briscoe's Building does not hold traditional significance.

Overall the HIA finds that the Briscoes Building is a high value heritage building and demolition is not supported.

STRUCTURAL ASSESSMENT

Kensington Consulting undertook a structural assessment of the building in October 2023 following the fire. The findings of that report are summarised as follows:

- **The purlins and roof sarking over the eastern end have been burnt out and provide little or no support for the roof sheeting over this area. Collapse of the roof and potential for loose roofing to be dislodged during high winds is a high possibility.**
- **The eastern end of the Dee and Spey Street façades are unsupported from first floor to the top of the parapet. The facades may be acting as free standing walls from ground level.**
- **The original timber ledger cast in to the brick course and used to fix and support the roof and ceiling joists into the brick pockets have been burnt out. Effectively creating a reduced wall thickness at that point and a potential hinging point in terms of wall stability to imposed lateral loads. In a major seismic or major windstorm event, collapse of these walls is a definite possibility.**
- **The aged brickwork and weak lime mortar will have been seriously weakened by the fire, reducing the inherent strength of the brickwork further.**
- **The unstable roof structure and condition of these free standing brick façade walls present a significant hazard to any persons that may be in the building.**

Kensington Consulting consider in their assessment that the building is a significant hazard to people and property and should be classified as a Dangerous Building under s221(1)(a),(b) of the Building Act 2004 and an insanitary building under s123(a)(b) of the Building Act 2004.

Photo showing damage from fire at rear of front façade – source Kensington Consulting Structural Assessment

Prior to the fire the building had an earthquake rating of 34% NBS which is on the margin for being considered an Earthquake Prone Building under the Building Act. Following the fire the Kensington Consulting consider the building to be Earthquake Prone. Significant remediation works are required to remove the Earthquake Prone status including:

- Tying all perimeter unreinforced masonry brick (URM) to the first floor and new roof structure;
- Installing new nail platted trusses throughout the entire roof area supported on new heavy timber wall framing, with proprietary fixing screws up each stuff to all the diaphragm using heavy ply sheeting throughout.
- All internal walls and most probably additional walls would need to be constructed to form large ply sheathed or cross laminated timber shear walls at both first floor and ground floor.
- Foundation upgrades may be required to walls at ground floor level as well as anchorage fixings to the foundations.
- The facades would need to be propped while all works are undertaken.
- Unless substantial finance was available it is likely the most practical and cost effective solution would be demolition of the building.

Following receipt of this report, the applicant sought confirmation of the conclusions reached and engaged Lewis Bradford to undertake a structural review. Lewis Bradford undertook a site visit and produced a memorandum with the findings summarised below:

- The findings of the Kensington Consulting report that the building is likely to be considered Earthquake Prone and would be considered a Dangerous and Insanitary Building under the Building Act in its current condition are agreed with.

APPLICANT ACTIONS

The applicant has taken the following steps since the fire to find a way forward for the building and site:

September 2023 – fire damages building
Kensington Consulting engaged to provide structural assessment of building. Summary report provided to Invercargill City Council
Asbestos survey quote provided by Ryal Bush Contracting
Temporary traffic management put in place.
Heritage Properties NZ contacted about potential to restore the building including discussion of cost effective measures and suggestions of parties who may be interested in purchasing the building.
Liaising with Council heritage and building staff, including walk through of building.
October 2023
Meeting held with ICC to discuss future of the building
Asbestos survey results provided.
Client held discussions with Sarah Gallagher and Susie Farminer of Heritage NZ Pouhere Taonga.
Structural report provided and options for the building were discussed. Heritage NZ undertook site visit.
Revised structural engineering report provided by Kensington Consulting to include key observation, identify any immediately dangerous elements. Report provided on 30/10/23.
Started discussions with Bayleys Real Estate to investigate options to sell the building.
Discussion with Lottery Grants Board. Advised funding is not available to private owners.
November 2023
Quotes organised to secure roofing and make building safe and for structural engineer to monitor the building
Sought out local property investors to determine appetite for purchase and restoration of building. No interest.
ICC issues dangerous and Insanitary Building Notice.
December 2023
Bayleys engaged to start sale of building process
Containers installed on site
January 2024
Bonisch contacted to discuss consent requirements for building demolition.
ICC contacted to confirm availability of potential funding options – initially to provide waterproofing of the building.
February 2024
Demolition quote received from Ryal Bush Contracting.
March 2024
Bonisch Consulting engaged
NZ Heritage Properties engaged
Ceres NZ contacted to provide quote for building demolition.
April 2024
Ongoing discussions with ICC and Heritage NZ to look at funding options
May 2024
Ceres NZ provide demolition quote

Susan Irvine Heritage NZ requests visit to site. Suggests second opinion from another structural engineer. Suggests National Incentive Presentation Fund to apply for funds to assist with building, including provision of second structural engineering assessment.
June 2024
Bayleys report that one buyer interested in land only, others not interested in the site with building standing.
Lewis Bradford Consulting Engineers contacted to provide second opinion on structural engineers report.
August 2024
Application to National Incentive Preservation Fund unsuccessful.
NZ Heritage Properties provides heritage impact assessment.
September 2024
On site meeting with Lewis Bradford, Bonisch Consultants, Rhodes and Associates Quantity Surveyors, ICC heritage and Consenting and Environmental Manager.
Southland Heritage and Preservation Fund considered – very small amount of funds available – not applied for.
December 2024
Lewis Bradford memo confirming Kensington Consulting findings provided. Options for building provided. Rhodes and Associates estimate of costs for each of the identified options provided.
April 2025
Initial design plan for potential new building provided by BI Architects.
May 2025
Ryal Bush Contracting provide demolition management plan.

DEVELOPMENT OPTIONS COSTING

Lewis Bradford produced options for the future of the building to assist the applicant in planning. The five options identified were as follows:

Option 1; Retain the facades on Dee Street and Spey Street and construct a new two-level structure to replace the existing building.

Option 2: Retain Façade on Dee Street only and construct a new two-level structure to replace the existing building.

Option 3: Construct a new two-level structure with replica façades to Dee Street and Spey Street.

Option 4: Retain, temporarily secure and weather protect the Dee Street façade, and demolish the building behind façade. Leave the site clear for future development.

Option 5: Retain, temporarily secure and weather protect the Dee Street & Spey Street facades. Retain the less damaged portions of the existing building where practical and protect the existing structure with temporary roofing/cladding.

The applicant then engaged a quantity surveyor to prepare estimates for the costs to undertake the five options Lewis Bradford identified for the future of the building. Rhodes and Associates prepared a high level estimate for each option as follows:

Option No:	Description	Estimated Cost (+GST)
Option 1	Retain facades on Dee Street and Spey Street and build a new two-level structure to a base build level only (no fitouts, just a big open space).	$10,237,000

Option 2	Retain the façade on Dee Street only and build a new two-level structure to a base build level only (no fitouts, just a big open space).	$7,612,000
Option 3	Build a new structure with replica façades on Dee Street and Spey Street, a two-level structure to a base build level only (no fitouts).	$6,695,000
Option 4	Retain the façade on Dee Street and demolish the building behind the façade.	$2,239,000
Option 5	Retain the current façades on Dee Street and Spey Street and protect the existing structure with a temporary roof structure.	$4,458,000

The above estimates were provided with the following qualification - *The options provided are high-level estimates based on similar historic buildings where façade retention was required. As specific detailed information or plans were not available, the information provided is an indicative high-level estimation to assist the client in establishing a way forward.*

Spreadsheets detailing how the costs were arrived at are included in the Rhodes and Associates report attached in the appendices.

ALTERNATIVES

As noted above the proposal will have an adverse effect on historic heritage values associated with the Briscoes Building. Alternatives to the demolition of the building were identified, being:

- Do nothing/status quo
- Retain both facades
- Retain Dee Street façade only
- Construct a new two storey building with replica facades

Do Nothing/Status Quo

Currently the building is registered as a dangerous and insanitary building. As set out in the Kensington Consulting structural assessment and as supported by Lewis Bradford the building is in poor condition and requires significant structural work to make safe.

The 'Do Nothing' option will not resolve this situation and the building will continue to be a risk from continued structural weakening including from natural events such as extreme wind events or earthquakes.

Retention and Reuse of Building

The landowners preference has been to retain the building and undertake the necessary works to enable its re-use. However following having initial costings for the retention of the façade provided by quantity surveyors Rhodes and Associates it was determined that the costs were outside the owners ability to fund. The applicant has made significant attempts to sell the building in the hope that someone else may have the ability to restore the building however no offers have been forthcoming for the property with the building retained on site.

Construct a new two storey building with replica facades

Constructing the new building with replica facades is an option that has been considered for this site. However replica facades are generally not considered a good option for heritage retention, resulting in 'fake heritage' and detracting from true heritage buildings. This is particularly relevant in relation to this site and its position within a heritage precinct. BI Architects have designed a new modern building which incorporates themes of the Briscoes Building and surrounding heritage buildings to provide a contemporary

building which pays respect to the heritage of the site and does not detract from the surrounding heritage precinct.

Summary of Alternatives

The applicant has explored all alternatives to demolition since the fire that led to the dangerous and insanitary building classification. Change must occur to ensure the safety of the site and surrounding roading network and to improve the amenity of this area of the CBD. Do nothing has been rejected as an available option. Retention and re-use of the building was the applicants preferred option, however costings for a series of proposed options are prohibitive and attempts to sell the building to a party with more capacity to undertake the required works have proven fruitless. Due to this retention and re-use has been rejected as a suitable option. Demolition and construction of a new building with replica facades has been rejected as a suitable option as it is generally considered that 'fake' heritage is not a desirable outcome.

As set out above the applicant has undertaken an exhaustive process to determine whether the building can be saved in its entirety, whether the one or both facades can be retained or whether demolition is the best option to enable to site to be activated and the safety of pedestrians and vehicular traffic provided for.

The applicant has attempted to obtain funding from various sources, has attempted to sell the building through targeted and general marketing and has obtained multiple structural assessments as part of this process. Given the costs to undertake any of the potential options identified by the structural engineer and costed by quantity surveyors the applicant has determined that the only viable option to return the site to a safe and sanitary property and allow future redevelopment is to demolish.

INVERCARGILL CITY DISTRICT PLAN

RELEVANT RULES ASSESSMENT

Heritage

Rule		Assessment
HH-R1	*HH-R2 to HH-R10 apply to any building, structure, place or area identified in APP3 – Appendix 3 Heritage Record in this District Plan*	The Briscoes Building is listed in Appendix 3 – Heritage Record. HH-R2 to HH-R10 are applicable.
HH-R2	*Repair and maintenance to preserve the integrity of historic buildings and structures is a permitted activity provided that such work is undertaken using the same type of material to that originally used, and must retain the original design, form and texture of the feature under repair.*	The building is proposed to be demolished in its entirety. HH-R2 is not applicable
HH-R3	*Any alteration and/or addition to any building listed in APP3.3 – Appendix 3.3 Sites of Local Significance that does not affect the façade of the building is a permitted activity.*	The Briscoes Building is not listed in Appendix 3 Sites of Local Significance. HH-R3 is not applicable.
HH-R4	*In relation to buildings listed in APP3.3 – Appendix 3.3 Sites of Local Significance the following activities are restricted discretionary activities:* *1. Any alteration or addition to the façade* *2. Any signage attached to the façade*	The Briscoes Building is not listed in Appendix 3 Sites of Local Significance. HH-R4 is not applicable.
HH-R5	*Within Zones other than the Hospital Zone, the construction of a new building on land held in the same Record of Title of a building listed in APP3.2 – Appendix 3.2 Sites Registered by Heritage New Zealand Pouhere Taonga is a restricted discretionary activity where that*	A new building is proposed to be located on the site following demolition. The existing building will have been demolished at that point and therefore the new building will no longer be within 50m of the existing building.

Rule		Assessment
	new building is located within 50 metres of the building listed in APP3.2 – Appendix 3.2 Sites Registered by Heritage New Zealand Pouhere Taonga.	HH-R5 is not applicable.
HH-R6	*The relocation or demolition of any building listed in APP3.3 – Appendix 3.3 Sites of Local Significance other than listed in HH-R3 and HH-R4 above, is a discretionary activity.*	The Briscoes Building is not listed in Appendix 3 Sites of Local Significance. HH-R6 is not applicable.
HH-R7	*Any alteration, addition, removal and/or demolition of, and/or the attaching of any signage to, any item listed in APP3.4 – Appendix 3.4 Street Furniture and/or APP3.5 – Appendix 3.5 War Memorials/Relics is a discretionary activity.*	The Briscoes Building is not listed in Appendix 3.4 Street Furniture or Appendix 3.5 War Memorials/Relics. HH-R7 is not applicable.
HH-R8	*Any alteration, addition and/or the attaching of any signage to any building, structure or place listed in APP3.2 – Appendix 3.2 Sites Registered by Heritage New Zealand Pouhere Taonga is a discretionary activity.*	The building is proposed to be demolished in its entirety. Rule HH-R8 is not applicable.
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 building is listed in APP3.2 Site Registered by Heritage New Zealand Pouhere Taonga and is to be demolished . The activity status is non-complying pursuant to Rule HH-R9.
Summary of assessment against the Historic Heritage Rules The demolition of the building in its entirety is assessed as a **non-complying activity** pursuant to Rule HH-R9.		

Business 1 Zone

Rule		Assessment
BUS1Z-R1	*The following are permitted activities in the Business 1 Zone:* *12. Office Activity* *13. Residential Activity* *15. Retail Sales*	The building could be occupied by a wide range of permitted activities. Office, residential and commercial activities are anticipated likely activities. Complies
BUS1Z-R12	*Except as otherwise provided for in BUS1Z-R14 to BUS1Z-R20 below, all new buildings and structures, and additions to existing buildings and structures, are to be designed and constructed to comply with the following maximum height and recession planes:* *1. Maximum height: 10 metres* *2. Recession plane: Infogram 2 applies in relation to any boundary with any Residential Zone.*	The new build will reflect the existing height of the Briscoes Building and will comply with the maximum height standard of 10m – complies. The site does not have a boundary with a Residential Zone – N/A
BUS1Z-R22	*A side and/or rear yard at least 4 metres deep shall be provided for non-residential activities along boundaries adjoining a Residential Zone.*	The site does not adjoin a Residential Zone – n/a
BUS1Z-R25	*Any area utilised for outdoor storage adjoining a Residential Zone is to be screened from that residential area by a close boarded fence, solid wall or hedge not less than 1.8 metres in height.*	The site does not adjoin a Residential Zone – n/a
BUZ1Z-R28	*Alleyways for public access are to be constructed and maintained so as to:* *1. Not include hidden corners or blind spots*	The Briscoes Building contained a through passage for public access. This will not be replicated in the new build – N/A

Rule		Assessment
	2. Be provided with sufficient lighting to illuminate the pedestrian access route while the route is open to the public *3. Have a legal width of not less than 3.5 metres.*	
Summary of assessment against the Business 1 Zone Rules The new build and anticipated activities within the building are assessed as permitted activities pursuant to Rule BUS1Z-R1.		

RELEVANT OBJECTIVES AND POLICIES ASSESSMENT

Provision		Assessment
HH-O1	*Heritage values are identified and protected from inappropriate subdivision, use and development.*	The activity is not inconsistent with Objectives 1 and 2 which seek to manage identification and recognition of heritage values and buildings in the Invercargill District.
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.*	The activity is not inconsistent with this objective. The demolition of the building will assist in managing risk to public areas as a result of natural processes such as earthquakes or high winds.
HH-P1 Promotion	*To promote public awareness and appreciation of Invercargill's heritage.*	The activity is not inconsistent with Policies HH-P1 and HH-P2 which seek identification and prioritisation of heritage buildings in the District Plan.
HH- P2 Identification	*To identify and prioritise sites, structures, places and areas of heritage value.*	
HH-P3 Effects on Heritage	*To avoid, remedy or mitigate the potential adverse effects of subdivision, use and development on heritage.*	The proposed demolition of the Briscoes Building will have adverse effects on heritage values associated with the building. Due to damage to the building, the age of the building and the cost to undertake any form of redevelopment of the building it is not possible to avoid, remedy or mitigate these effects. As set out in the structural assessments and quantity surveyors costing of the options for the buildings redevelopment, as well as the pathway the applicant has taken to sell the building, the retention and redevelopment of the building is not feasible and in order to mitigate health and safety considerations resulting from the current condition of the dangerous and insanitary building demolition is the only available option. The demolition of the building is not considered to be consistent with this policy.

Provision		Assessment
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.*	The applicant has undertaken an exhaustive process to find a solution to the current state of the building including seeking second opinions on the structural assessment including providing options for redevelopment, arranging a quantity surveyor to assess the costs of the options provided and seeking purchasers for the building/property through Bayley's Real Estate and direct engagement with potential purchasers. As a result of these exhaustive investigations the applicant has determined that in order to manage risk to human safety the demolition of the building is the only feasible option for this site.
HH-P6 Conservation and Adaptive Re-use	*To promote the conservation and adaptive re-use of heritage buildings, groups of heritage buildings, heritage facades and heritage street furniture in the Central Business District of Invercargill.*	The applicant had managed the use of the building in a manner that promoted the conservation and adaptive re-use of the building. Ongoing maintenance and occupancy of the building had been prioritised with incentives for tenants to occupy the building, assisting with maintenance of a healthy and sound building. The applicant is a strong supporter of retention of heritage buildings and has investigated every option to enable the building to be feasibly retained.
HH-P8 Collaboration	*To collaborate with key stakeholders in the management of heritage.*	The applicant has sought funding, support and advice from key stakeholder groups including HNZPT. Prior to the fire the applicants maintained close relationships with Council heritage officers to ensure the ongoing management of the heritage aspects of the Briscoes Building.
HH-P9 Natural Processes	*To manage the adverse effects of natural processes and climate change on heritage values.*	Prior the fire the applicant activity managed the building to ensure effects related to natural processes and climate change on the heritage building were minimised. Following the fire the building is subject to effects from events such as high winds or heavy rains. The demolition of the building will remove all heritage values associated with the building.
Summary of assessment against the Historic Heritage Objectives and Policies All heritage value associated with the Briscoes Building will be lost through the demolition of the building and the activity is inconsistent with Policy HH-P3, however overall the demolition and proposed rebuild is assessed as being generally consistent with the District Plan's Historic Heritage objectives and policies.		

Business 1 Zone

Provision		Assessment
BUS1Z-01	Maintenance and enhancement of the primacy of the Invercargill Central Business District as the primary centre for retailing, business, culture, entertainment, education and social services for Invercargill City and the wider Southland region.	The demolition and rebuild will maintain the primacy of the Central Business District providing a new build available for activities commonly located in the CBD such as retail, office, residential activity.
BUS1Z-02	Inner-city living is part of the land use mix within the Invercargill Central Business District other than in the Entertainment Precinct..	The building previously provided residential tenancies and the demolition and rebuild will enable these to occur once again. The building is currently in a dangerous and

Provision		Assessment
		insanitary state and is not suitable for residential use.
BUS1Z-O3 Business 5 (Rural Service) Zone	*Identification, maintenance and enhancement of the amenity values of the Business 1 Zone.*	The demolition of the Briscoes Building will maintain and enhance the amenity within the Business 1 Zone. The building and the area around the building are currently in a poor state, closing off part of the footpath and road network and resulting in an unpleasant space. The new build has been designed to enhance the amenity of the area, providing cohesion with the surrounding heritage buildings, while presenting a contemporary feel to the building. The higher verandah heights will increase amenity for pedestrians and provide a pleasant walking environment with more access to sunlight.
BUS1Z-O4	*Protection of the heritage values of the Central Business District.*	The demolition of the Briscoes building will not protect the building itself, however the overall heritage values of the CBD will be maintained overall. The new build considers the surrounding heritage building and incorporates heritage features of the Briscoes Building to ensure that the new build will not detract from nearby heritage buildings.
BUS1Z-P3 **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 should be environmentally sustainable, safe and healthy* *7. Collaboration – stakeholders collaborate to achieve good urban design outcomes.*	The new build respects its context and has been designed to incorporate design elements of the Briscoes Building and the wider heritage precinct. The building maintains the typical form of the buildings along this part of the Dee Street and ensures the prominent corner site is enhanced. The new build will provide space for a wide range of activities as permitted in the Business 1 Zone. The higher verandahs will improve access to sunlight whilst maintaining protection from wind and rain. The improvements to amenity resulting from higher verandahs has been proven through the inner city re-build and the Langlands Hotel development.
BUS1Z-P4 **Pedestrian-Friendly Frontages:**	*To create an environment along the identified frontages that will offer safety, comfort and a stimulating and enjoyable pedestrian experience within the recognised retail area.*	The demolition of the Briscoes Building will immediately improve the pedestrian environment, enabling a significantly more pleasant walking environment. The pedestrian pathway currently utilises part of the road network and visibility is somewhat constrained in the area. Odour will also be significantly improved. The fire, fire fighting and current lack of water tightness have led to odour issues for pedestrians.

Provision		Assessment
BUS1Z-P8 **Glare**	*To accept low levels of glare*	The demolition and rebuild will not result in glare or any lighting that is not anticipated within the Business 1 Zone.
BUS1Z-P10 **Lighting**	*Lighting: To encourage the provision of lighting associated with businesses, and also amenity and security lighting, as ancillary to a vibrant and attractive Business 1 Zone while recognising the inevitability of moderate amounts of lightspill.*	
Summary of assessment against the Business 1 Zone Objectives and Policies The proposal is assessed as being consistent with the objectives and policies of the Business 1 Zone.		

Summary of Objectives and Policies

Overall the demolition and rebuild are consistent with the objectives and policies of the Invercargill City District Plan. The demolition will result in the demolition of a heritage building located in a prominent position in the CBD, however the demolition itself will considerably improve amenity in the CBD. The rebuild will result in positive impacts on the amenity and primacy of the CBD.

ASSESMENT OF ENVIRONMENTAL EFFECTS

HISTORIC HERITAGE EFFECTS

A Heritage Impact Assessment (HIA) has been prepared by NZ Heritage Properties and is attached to this application. The findings of the HIA are summarised above. The HIA states that the heritage values of the Briscoes Building are high (refer page iii HIA). NZHP consider the building to have high aesthetic, archaeological, architectural and historic value. NZHP note that the damaged exterior reduces its integrity to moderate and increases the buildings vulnerability.

NZHP do not support the demolition of the building and consider that the building should be repaired and adaptively reused. NZHP acknowledge that as a result of the fire some interior features will be lost but that the exterior of the building will remain unchanged. NZHP consider that the redevelopment, strengthening including resulting changes to the exterior to as part of this strengthening work would result in slightly positive effects on heritage values.

It is therefore noted that the full demolition of the Briscoes Building will have more than minor adverse effects which will be unable to be mitigated. Other than where materials are able to be salvaged, all historic heritage values associated with the building will be gone.

Historic Heritage Plan Framework

The District Plan requires applications under HH-R9 to address specific matters, these are discussed as follows:

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

The applicant proposes the full demolition of the Briscoes Building, the result of which will be that heritage values will not be retained, protected or enhanced. While effort can be made to salvage materials prior to or during the demolition process, given the damage to the interior of the building and the risk of working within that environment, it is not expected that any significant level of materials will be salvaged.

Whether the activity is likely to have cumulative adverse effects on heritage values

The proposed demolition is restricted to the Briscoes Building and will not affect adjoining heritage buildings. The Briscoes Building is part of the Dee Street Heritage Precinct which extends in both directions along Dee Street. The demolition of the Briscoes Building will result in a 'missing tooth' within the precinct, however the effects of this are reduced to some degree by the position of the building on the corner of Dee and Spey Streets. The location of the building on a corner site currently results in a gap between the northern part of the precinct and the southern stretch. While the loss of the building will result in an effect on heritage values within the precinct the effect is not considered to be cumulative.

The design of the proposed redeveloped building is intended to be sympathetic to the heritage buildings which will remain with the scale of the new build referring back to the existing scale and mass of the Briscoes Building and the surrounding buildings within the Precinct, providing continuity within the surrounding streetscape.

In the case of relocation of a heritage building, measures that may be necessary to protect the fabric of the building during relocation
No relocation of any heritage buildings is proposed as part of the demolition activity.

Potential for the re-use and/or recycling of any material or heritage features from the historic building
The interior of the building has been extensively damaged by the fire. Combined with this the age of the building has resulted in the interior of the building being an unsafe working environment. For this reason it is not expected that materials will be salvaged for recycling prior to the demolition of the building. During demolition all care will be taken to recycle any materials or heritage features.

Consideration of any relevant Invercargill City Council heritage design guidelines
Invercargill City Council has produced in 1998 a booklet entitled 'Design Guidelines' the purpose of which is stated as follows 'to assist owners and developers of buildings in the City Centre Heritage Precincts who want to renovate, alter or redevelop their properties. This document is currently being updated, however the redevelopment of the site has been assessed against the guidelines in the 1998 booklet as follows:

Setback
The guidelines encourage continuous building facades be built up to the boundary line to maintain visual integrity. The new building as proposed maintains the existing setbacks and is considered to be in accordance with this guideline.

Façade
The guidelines state that facades should be in keeping with their immediate surroundings in terms of scale, rhythm of elements and window placement. BI Architects have designed the mass and scale of the new build to be in keeping both with the building to be demolished and with the surrounding heritage precinct. The parapet wall is consistent with several other buildings in the vicinity and will harmonise with the historical character of the area (ref BI Architects design statement).

Materials
The guidelines recommend that building facades be constructed predominantly of solid construction, having sufficient detail, depth and similarity of materials to harmonise with their immediate neighbour.

The new build has been designed to be in keeping with the surrounding heritage context while adding a modern feel through the treatment on the corner of the Dee and Spey Streets. Materials and colours are intended to be in context with the surrounding area.

Windows
The guidelines recommend that designers consider the grouping, symmetry and vertical orientation of windows within building facades.

As shown on the BI Architecture concept images the windows are vertically expressed replicating both the Briscoes Building and the neighbouring building to the south.

Ornamentation, Parapets and the Skyline
The guidelines recommend that new or altered buildings include a formal capping or skyline feature to finish at a similar height to and be in context with their neighbours.
As discussed under Facades above, BI Architects have modelled the new build to follow the heights, scale and massing of the neighbouring heritage buildings and the Briscoes Building. The new build is considered to be in context with the surrounding heritage buildings. The heritage ornamentation

which are a feature of the Briscoes Building (noting this has been heavily modified since the buildings construction) is not replicated in the new build.

Verandahs
The guidelines recommend that all existing original verandahs should be preserved and restored and new buildings fitted with verandahs in context with their neighbours.
The design plans show verandahs along the street frontage of the building. The existing verandahs are severely run down, including the adjoining verandahs to the south and are unable to be saved or incorporated into the new design. Higher verandah heights are proposed than those existing along Dee Street which will increase access to sunlight while retaining protection from rain. It is noted that there are currently no verandahs along Spey Street.

Corners
The guidelines recommend that corner buildings should be designed with one or more significant elements such as a tower, cupola, mitred or rounded corner, pediment or columns etc. The result intended is that corner buildings should possess a presence by properly addressing the corner and intersection and be at least as tall as or slightly taller than their neighbours.

BI Architects concept plans show the variation in design on the corner of the building which is intended to accentuate the corner of the building giving the perception of height and prominence to this corner. The use of a slightly higher verandah at this location assists in ensuring the significance of the corner site.

Invercargill City Heritage Maintenance Guidelines
The Invercargill City Centre Heritage Maintenance Guidelines is of limited relevance given demolition is proposed.

Design Guidelines Summary
The proposed new build design generally meets the recommendations of the Design Guidelines. The overall intent of the design pays respect to the Briscoes Building and the neighbouring heritage building, addresses the corner in an appropriate manner and provides a modern build which will not detract from the adjoining heritage buildings or the heritage precinct.

The extent and effect of any earthworks, tunnelling, digging, vibration or excavation that may destabilise the site, structure, place or area.
This application proposes demolition of the Briscoes Building. An Archaeological Authority will be sought and obtained prior to any earthworks commencing. Any earthworks associated with the demolition will not give rise to any significant adverse environmental effects. Any effects associated with earthworks will be no more than minor.

The results of consultation undertaken including any written advice obtained
The applicant has consulted with Heritage NZ in relation to funding options for the retention of the building, which were unsuccessful. A second opinion on the structural assessment was also obtained on the advice of Heritage NZ. 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.

The reasons for the proposed activity and reasons why alternative less adverse options for achieving the same or similar outcome have been discounted
A comprehensive discussion of considered alternatives is set out above. The conclusion of that assessment was the demolition in full and construction of a new modern building which considers the heritage characteristics of the Briscoes Building and surrounding precinct is the only viable option.

The creation and maintenance of a record of heritage features of the building on its original site
A record of the heritage features of the building is provided via the HIA (Appendix 2). There is no proposal to provide additional records, given the fire damage to the interior of the building.

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
Any proposals to strengthen or replace high risk elements, such as parapets, façade decoration and chimneys, with high quality light weight material
The applicant obtained advice from structural engineers and quantity surveyors in relation to the options to strengthen the building and retain the heritage facades, noting that the interior of the building was not considered salvageable. The costs required to undertake this work were not considered feasible and as such the complete demolition of the building is now proposed.

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.
The applicant has obtained professional advice from two structural engineers, heritage consultants, a quantity surveyor, a heritage architect and HPTNZ. The advice of these experts and their respective assessments have informed the applicants decision to demolish the building. While the applicant's heritage consultant does not support demolition of the building, the costs obtained to undertake even partial retention of the heritage facades was not considered feasible. The extent of professional advice obtained is considered proportional to the scale and intensity of the effects of the proposed works.

Summary Historic Heritage Effects
Overall the adverse effects of the demolition of the Briscoes Building on historic heritage are considered to be more than minor.

ARCHAEOLOGICAL & CULTURAL EFFECTS

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 a building that predates 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. While it is anticipated that any archaeology present will primarily relate to European settlement there could be archaeology present relating to Māori occupation.

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.

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 or adverse effects on archaeology.

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

STRUCTURAL RISK AND HEALTH AND SAFETY EFFECTS

The building has been classed as a dangerous and insanitary building by Invercargill City Council. Currently the footpath around the building is fenced off and an open ended shipping container within the SH 6 shoulder provides passage for pedestrians around the site.

The demolition of the building will remove the risk posed by parts of the building becoming further unstable due to high winds or the passage of time. The proposed demolition of the building will avoid, and remedy risks associated with the dilapidated condition of the building, a positive effect on the physical environment.

Natural Hazard Risks

The Briscoes Building site is not identified as an area subject to actual or potential flooding or inundation on the District Plan Planning Maps, however there is some risk of the building becoming further unstable due to extreme weather events including high winds. The demolition of the building will remove the risks should these natural hazards, seismic or windstorm events, occur which is considered a positive environmental effect.

DEMOLITION EFFECTS

The proposed demolition works are likely to result in noise and dust effects. A demolition management plan has been prepared by Ryal Bush Contracting with the proposed methodology for the demolition set out in detail. The process set out by Ryal Bush has been prepared to ensure that effects are minimised wherever possible.

Dust

Dust is proposed to be controlled by utilising water hoses sprayed directly onto working faces as required. Trucks will also be hosed down prior to leaving site to reduce dust tracking on to the roading network. If necessary a dust suppression unit can be employed.

Noise

Noise is proposed to be controlled by restricting works to the following hours:

Working hours Quiet set up will start from 6.30am	Day	Machinery work hours	Truck movement hours
	Monday	7.00am – 6.00pm	7.30am – 6.00pm
	Tuesday	7.00am – 6.00pm	7.30am – 6.00pm
	Wednesday	7.00am – 6.00pm	7.30am – 6.00pm
	Thursday	7.00am – 6.00pm	7.30am – 6.00pm
	Friday	7.00am – 6.00pm	7.30am – 6.00pm
	Saturday	7.00am – 6.00pm	7.30am – 6.00pm
	Sunday*	No work permitted	No work permitted
	Public holidays*	No work permitted	No work permitted

*Operational necessity will be required for work on these days.

It is noted that the site is located within the central business district with minimal residential activity in the area. Noise is a necessary result of the demolition works (and subsequent construction works) however maintaining typical working hours will contribute to less disruption during night time hours for the few residents in the area as well as those enjoying time at restaurants and bars.

While construction noise is usually undesirable, it is temporary and not necessarily unreasonable when all the relevant factors are taken into consideration.

The foreword of New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise" states:

> *"Construction noise is an inherent part of the progress of society. As noise from construction is generally of limited duration, people and communities will usually tolerate a higher noise level provided it is no louder than necessary, and occurs with appropriate hours of the day. The Resource Management Act 1991 requires the adoption of the best practicable option to ensure the emission of noise from premises does not exceed a reasonable level. The Act also imposes a duty on every person to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by, or on behalf of, that person."*

Stormwater

Stormwater will be controlled through a phased approach as follows:

1. Ground surfaces will be contoured to direct water away from stormwater drains
2. Silt fences will be erected around areas being worked
3. Filter cloth will be placed over storm grates and grilles.

This management strategy is considered effective in managing potential effects from stormwater flows.

Lighting

No floodlighting is proposed by Ryal Bush with all work to occur during daylight hours.

Vehicle Movements

The demolition of the building will require a large number of tip truck movements in the surrounding road network. The site is well positioned at the intersection of Dee and Spey Streets providing easy access to Bond Street with the majority of material likely to be deposited at the Timpany Landfill, Otatara. This will ensure heavy vehicle movements are largely confined to the Industrial area within Invercargill and then on rural roads when heading towards Otatara. This will largely ensure effects on the transportation network are minimised.

A Traffic Management Plan will be prepared prior to works commencing and all vehicle movements to and from the site will be conducted in accordance with this document. Pedestrian movements will need to be restricted around the site during the works and the proposed methodology will be set out in the Traffic Management Plan.

The demolition is expected to take no more than 8 weeks and disruption resulting from the traffic movements and restrictions will be short term only. Public vehicle and pedestrian movements will be restored as soon as safely possible.

Summary of demolition effects

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

CENTRAL BUSINESS DISTRICT EFFECTS

The Business 1 Zone is intended to '*reinforce the viability and vibrancy of Invercargill's City Centre by enabling a wide range of activities, by encouraging and maintaining a high level of amenity and by encouraging good urban design'.*

The Briscoes Building has been severely damaged by fire and while the owners have sought options to retain the building or at least the buildings facades, the site and in particular the surrounding footpath and road frontage has remained in a manner that detracts from the amenity of the inner city. The demolition of the building will result in the loss of the heritage associated with the building and will break the row of heritage buildings along the western side of Dee Street, however the overall effect on the amenity of the inner city is considered to be positive.

The new build is complimentary to the surrounding heritage buildings while providing a modern aspect to the street frontage. The rebuild of a contemporary building on the site which pays homage to the heritage building and precinct will assist in revitalisation of this part of the CBD. This is particularly important given its prominent location on a corner site.

The proposed activity will have positive effects on the Invercargill City Centre.

SOCIAL AND ECONOMIC EFFECTS

The proposed demolition of the Briscoes Building is likely to provide improved economic benefits by providing modern spaces that are available to be used for commercial, office or residential purposes. While

the heritage building plays an important role in the city's heritage story, the building required a significant level of investment to bring it up the minimum building code standards in relation to earthquakes. The new build will be constructed to current building code requirements and will provide a higher standard of residential/commercial/office space than what previously existed. The demolition of the building will result in positive economic effects for the neighbouring businesses, several of which have complained of a downturn in business resulting from the unsafe building and temporary pedestrian route. The demolition and rebuild is considered to have positive economic effects.

The demolition and subsequent rebuild will result in positive social benefits, increasing pride in the city centre and providing a safer pedestrian environment around the site.

SUMMARY OF AEE

The proposed demolition of the Briscoes building will result in more than minor adverse effects on historic heritage values associated with the building itself as well as the surrounding heritage precinct. The demolition will have positive effects on the risks associated with a dangerous and insanitary building and increase safety and amenity for pedestrians in the area. The demolition is considered to result in positive social and economic benefits. Effects during the demolition and construction phases can be appropriately managed to avoid, remedy and mitigate adverse effects related to these activities.

SOUTHLAND REGIONAL POLICY STATEMENT

Chapter 17 Urban

Provision		Assessment
Objective URB.1 Urban Development	*Urban (including industrial) development occurs in an integrated, sustainable and well-planned manner which provides for positive environmental, social, economic and cultural outcomes*	The proposed redevelopment achieves the objectives and policies of the Chapter 17 of the Southland Regional Policy Statement. The demolition and rebuild will assist in increasing amenity within the central business district of Invercargill, leading to an increase in business entering into the Invercargill retail space and providing for the social and economic and cultural well being of Invercargill residents. The redevelopment of the site will provide a high quality environment that will enable a range of land uses in this prominent corner site.
Policy URB.1 Adverse environmental effects	*The adverse effects of urban development on the environment should be avoided, remedied or mitigated.*	
Policy URB.1 Urban Development	*Manage urban growth and development in ways that:* *(a) support existing urban areas;* *(b) promote development and/or redevelopment of existing urban areas ahead of greenfield development;* *(c) promote urban growth and development within areas that have existing infrastructure capacity;* *(d) promote the progressive upgrading of infrastructure and improvement of the quality of sewage and stormwater discharges;* *(e) provide potable water supply;* *(f) plan ahead for the expansion of urban areas;* *(g) promote compact urban form; and* *(h) promote appropriate site and building orientation that supports the principles of optimum energy efficiency and solar energy gain.*	
Policy URB.4 High quality urban design	*Encourage high quality urban design*	

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

Chapter 14 Heritage

Provisions		Assessment
Objective HH.1 – Protection of historic heritage	*Historic heritage values are identified and protected from inappropriate subdivision, use and development.*	The objectives and policies of Chapter 14 of the Southland Regional Policy Statement seek to protect heritage from inappropriate development. The proposed demolition and rebuild is considered to be appropriate in the context of the Invercargill CBD where significant emphasis is placed on the revitalisation of the CBD in the District Plan. The proposed new build has been designed by a heritage architect to integrate heritage into new development. Chapter 14 also takes into account the feasibility of protecting heritage when making decisions relating the protection of heritage buildings. The structural assessments undertaken have shown that the building is in a significantly degraded state and that to bring it up to code would be financially unfeasible.
Objective HH.2 – Built heritage	*The built heritage of Southland is appropriately recognised and where possible utilised in a sustainable manner*	
Objective HH.3 – Historic heritage values	*Historic heritage values are appropriately managed to avoid or mitigate the potential adverse effects of natural processes and climate change.*	
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.3 – Integration with new use	*Encourage the integration of historic heritage with new subdivision, use and development in both rural and urban areas.*	
Policy HH.4 – Natural processes and climate change	*Encourage and make provisions for the use of appropriate techniques to manage historic heritage at risk of the adverse effects of natural processes and climate change.*	
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.*	

Summary of Southland Regional Policy Statement

The demolition and proposed rebuild is considered to be consistent with the relevant objectives and policies of the Southland Regional Policy Statement. The redevelopment of the site is considered to be appropriate given the significant structural deterioration of the building following the fire. The redevelopment will provide significant improvements to the amenity of the central business district and enable the use of this prominent corner site.

TE TANGI A TAUIRA – IWI MANAGEMENT PLAN 2008

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

SECTION 104D RMA

Section 140D of the RMA sets out particular restrictions for non-complying activities:

(1) 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.

Council may grant or refuse an application under Section 104B of the RMA. The consideration for non-complying activities is commonly known as the 'gateway test'. If either of the limbs of the test can be passed, then the application is eligible for approval. There is no primacy given to either of the limbs.

The proposal can be considered to not be contrary to the objectives and policies of the Invercargill City District Plan and when assessed over the provisions of the District Plan finds support through the rejuvenation of the central city. The redevelopment is therefore considered to pass the gateway test of S104D(1)(i).

PRECEDENT AND PLAN INTEGRITY

Given that this application has a non-complying activity status it is considered appropriate to have regard to the issue of precedent as well as the effect of granting consent on the integrity of the Invercargill City District Plan. Concerns relating to precedent effect are not mandatory considerations. The High Court in Rodney District Council v Gould held that these are matters the Council may have regard to, depending on the facts of a particular case including:

1. Whether the proposal is contrary to the objectives and policies of the plan; and if so
2. Whether in the circumstances of a particular case a proposal can be seen as having some unusual quality.

The proposal can be considered to not be contrary to the objectives and policies of the Invercargill City District Plan and when assessed over the provisions of the District Plan finds support through the rejuvenation of the Central City. The circumstances of the demolition can be considered to be unique or unusual in that the loss of the building is directly related to damage caused by a fire that has resulted in the structural integrity of the building deteriorating to a point where structural engineers have determined that the building is a significant risk to public safety.

SECTION 95 NOTIFICATION

Section 95A of the Resource Management Act 1991 sets the steps that must be followed by Council in determining whether an applicant should be publicly notified. The applicant wishes to voluntarily request public notification of the development, pursuant to Section 95A(3(a) of the Resource Management Act 1991.

CONCLUSION

The redevelopment of the site has resulted from the unforeseeable fire that has resulted in a dangerous and insanitary status for the Briscoes Building. The applicant has exhausted opportunities to obtain funding or to sell the building to a potential developer. The building cannot remain in its current condition and the demolition of the building to ensure the health and safety of the public, and the safe and efficient operation of the surrounding roading network. While the demolition of the Briscoes Building will give rise to more than minor adverse effects on heritage values, the redevelopment of the site will assist in providing a high level of amenity in the central city and will give rise to positive social and economic effects.

Please find enclosed:

1. Kensington Consulting Structural Assessment
2. Lewis Bradford Structural Assessment Memo
3. NZ Heritage Properties Heritage Impact Assessment
4. Ryal Bush Contracting Demolition Management Plan
5. BI Architects Concept Façade Designs
6. Rhodes and Associates Quantity Surveyors Report
7. Copy of RT SL3A/701

Address for service of applicant:

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Yours faithfully
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