

BEFORE THE INVERCARGILL CITY COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER an application for land use consent to
demolish the Briscoes Building at 104-106
Dee Street Invercargill, a Category 2 Historic
Place on the New Zealand Heritage List /
Rārangi Kōrero.

BY **104 Dee Street Partnership**
Applicant

BRIEF OF EVIDENCE OF: SUSAN IRVINE

August 31 2026

Counsel acting for Applicant:

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Introduction

1. My name is Susan Irvine.
2. I am Principal Historian, Principal Heritage Consultant, Heritage Team Leader, and Lead Archivist at New Zealand Heritage Properties Ltd.
3. I previously worked for more than 12 years with Heritage New Zealand Pouhere Taonga (HNZPT) as a Heritage Advisor, undertaking historical research and significance assessments.
4. I hold a Master of Arts in History from the University of Otago and a Master of Information Science from Victoria University of Wellington. I am also nearing completion of a Master of Heritage Building Conservation at the University of Auckland.
5. I have prepared conservation management plans, condition assessments and heritage impact assessments for places including Napier Gaol, Truby King Reserve and the former Seacliff Asylum, and have analysed District Plan heritage schedules for Wellington City Council and Gisborne District Council.
6. This statement is given as part of the applicants' (Linda Lee and Bradley Inwood) proposal to demolish the former Briscoe's building at 104-106 Dee Street, Invercargill.
7. My original findings were reported in 104-106 Dee Street, Invercargill. A Heritage Impact Assessment of the Briscoe's Building (Irvine, 2024). The Memorandum Assessing the Effects on Heritage Values – Revised Scope of Works (Irvine 2026) considered the effects of total demolition on the building's heritage values.
8. I have prepared my evidence based on the following material provided to me:
 - a) Resource consent application and AEE, Bonisch Consultants, 25 July 2025
 - b) Kensington Consulting structural assessment, October 2023
 - c) Lewis Bradford structural review memorandum and sketches, 13 January 2024
 - d) Rhodes + Associates Options Report, 6 December 2024
 - e) BI Architects Design Statement and concept drawings
 - f) ASM NZ Ltd asbestos demolition survey, October 2023
 - g) Ryal Bush Contracting draft Demolition Management Plan
 - h) HNZPT submission, 8 October 2025, and Halligan submission
 - i) Origin Heritage peer review (Barsby), 5 June 2026
 - j) s42A report of Joanne Skuse, 23 July 2026, including Appendix A draft conditions
 - k) Dangerous and Insanitary Building Notice (November 2023) and related Council correspondence
 - l) Lewis Bradford Structural Brief – Initial Commentary, August 2026

Code of conduct

9. I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and confirm that this evidence has been prepared in accordance with its requirements.

10. I have no conflict of interest, and my opinions fall within my area of expertise. Where I have relied on information from others I have acknowledged the source.

11. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

12. My overriding duty is to assist the Commissioner impartially on matters within my expertise. I am not an advocate for the applicant.

Executive Summary

13. The Briscoe's Building is a prominent nineteenth-century commercial building constructed in 1882 to the designs of noted Invercargill architect F.W. Burwell. The building is listed by HNZPT as a Category 2 historic place and is scheduled in the Invercargill City Council (ICC) District Plan both as an individual heritage item and as a contributory building within the Dee Street Historic Area.

14. Having assessed the building against recognised heritage assessment criteria, I conclude that the Briscoe's Building has high overall heritage significance, with aesthetic, architectural, historical, social and archaeological values. The building is an increasingly rare survivor of Invercargill's nineteenth-century commercial development and makes an important contribution to the high overall heritage significance of the Dee Street Historic Area.

15. While I do not support demolition and consider retention the best and appropriate outcome, it is also necessary to recognise that heritage conservation cannot always be achieved at any cost. Retention, repair, strengthening and adaptive reuse should be pursued in the first instance. The building's present condition is the result of an accidental fire, rather than any deliberate action by the owners, and the damage sustained has rendered the building unstable. Although the building is certainly not beyond repair, achieving its retention would require substantial investment. Where the applicant provides clear evidence to demonstrate that all reasonable and less adverse options for retention have been thoroughly explored but are not practicable or financially sustainable, demolition may ultimately become an unavoidable outcome.

16. Demolition of the Briscoe's Building would result in the permanent loss of a heritage resource of high significance. I assess the effect of demolition on the building itself as a large to very large adverse effect.

17. The building makes an important contribution to the Dee Street Historic Area through its architectural qualities, historical associations, and prominent corner location. Its demolition would diminish the integrity, cohesion, and legibility of the Historic Area and would contribute to the cumulative loss of heritage fabric within Invercargill's historic commercial centre.

18. Notwithstanding this, based on the established methodology, I remain of the view that the impact of demolition on the Dee Street Historic Area is best characterised as moderate, resulting in an overall heritage effect of moderate to large when considered in the context of the Historic Area's high heritage significance.

19. I have reviewed the investigations undertaken by the applicant into alternatives to demolition, including structural and heritage assessments, funding enquiries, marketing, consultation with HNZPT and ICC, adaptive reuse options, and the engineering assessment and costing of façade retention and weatherproofing options.

20. Based on the information now available, including advice from Lewis Bradford Consulting Engineers on propping the facades and making the build weather-tight, and cost estimates prepared by Rhodes + Associates, I consider that there has been a thorough consideration of alternative options.

21. I have read the Section 42A Report by Ms Joanne Skuse, Principal Planner at the Property Group, and am in general support, as far as it relates to my area of expertise.

22. I have read Mr Barsby's peer review of the Addendum to the Heritage Impact Assessment and note that there is substantial agreement between us on the key heritage issues. We both recognise the high heritage significance of the Briscoe's Building and agree that retention, repair and adaptive reuse would be the preferred outcome. Our differences relate primarily to methodology, interpretation, the adequacy of investigations, and the scope of my role, rather than to the heritage values themselves.

23. I generally support the heritage-related conditions recommended in the Section 42A Report and most of the applicant's volunteered conditions. However, I do not support the BI Architects concept design being adopted as an approved concept design, as I do not consider it adequately responds to the heritage values of the Dee Street Historic Area. Any future redevelopment should be subject to detailed heritage review and certification. I note the conditions volunteered by the Applicant ensure certification prior to building consent relating to the design.

24. If resource consent for demolition is approved, no mitigation measure can adequately offset the corresponding loss of the building's heritage values. Nevertheless, I consider that comprehensive mitigation remains an appropriate response and should include detailed building recording, archaeological investigation, salvage and reuse of significant heritage fabric, public interpretation, and strict design controls for any replacement building.

25. In summary, demolition of the Briscoe's Building would result in significant and irreversible adverse effects on heritage values, including those of the Dee Street Historic Area. While I do not support demolition from a heritage perspective, I acknowledge that the Council must weigh the adverse effects on heritage against other considerations presented in the application.

Heritage values

26. I visited the Briscoe's Building once, on 12 July 2024.

27. The site, originally Section 22 Block I, Town of Invercargill, passed through several early owners before Robert Tapper established a timber and ironmongery business there in 1869. In 1882, the present Italianate brick and concrete warehouse was built to designs by F. W.

Burwell for W. Paisley & Co., before passing to Walter Guthrie and Co. in 1883 (Guthrie's Building). It was purchased by Briscoe and Co. in 1901 and adapted for retail, offices and tenancies as Briscoe's Building. Over the twentieth century it underwent repeated alterations, mostly by architect Allan C. Ford, including later conversion into the Pall Mall Arcade. Despite these modifications, the building remains an important survivor of Invercargill's late nineteenth-century commercial development and a landmark within the Dee Street historic streetscape.

28. The former Briscoe and Company Building is entered on the HNZPT List/Rārangi Kōrero as a Category 2 historic place. A 2018 summary identified the building's architectural and historical values (Heritage New Zealand Pouhere Taonga, 2018).

29. The Briscoe's Building is scheduled on the District Plan as no.18 on APP3-2 of the Heritage Record. The ICC has not assigned its own independent assessment of value but notes that it is listed as a Category 2 historic place by HNZPT (Invercargill City Council, 2019). "A 1997 review categorised it as Class 2 ("Facades must remain and be preserved. No demolition allowed") (Gray, 1997). A 2016 report prepared for the ICC assessed the Briscoe's Building as embodying "high townscape and architectural values through its good quality, Classical design aesthetic and association with the prominent architect F.W. Burwell, and its prominent corner position on Dee and Spey Streets" (Farminer & Miller, 2016).

30. The building is also scheduled on ICC's APP3-3 as part of the Dee Street Historic Area Ref. 181.

31. I assessed the heritage significance of the Briscoe's building guided by the criteria outlined in HNZPTA 2014, the definition of historic heritage in the RMA 1991, and the Significance Assessment Guidelines from HNZPT.

32. Using these guidelines, I assessed the overall heritage values of the Briscoe's Building to be high.

33. I assessed the building to have high aesthetic values. Its façade is distinguished by a high level of ornamentation and refinement, with the fenestration displaying a degree of elegance not commonly encountered elsewhere in the city. Although fire damage has affected the condition of the building, it retains the principal elements that contribute to its aesthetic value.

34. I assessed the building to have archaeological values. The Briscoe's Building was erected in 1882 and meets the statutory definition of an archaeological site under the HNZPTA 2014. The site was also occupied by an earlier timber building and timber yard during the 1860s. Archaeological deposits associated with these earlier activities may survive beneath or around the existing building.

35. I assessed the building to have significant architectural value as a finely designed Italianate commercial building by prominent Invercargill architect F.W. Burwell. The building is distinguished by its elegant and highly ornamental design, particularly its unusual arched fenestration, which has few direct parallels in Invercargill.' The building is an increasingly rare example of a nineteenth-century commercial structure at both the local and national level. Despite ground-floor alterations and fire damage, the principal features of the upper façade remain largely intact and its architectural integrity is readily apparent.

36. I assessed the building to have significant historical value. Briscoe's Building is associated with prominent Invercargill businessman Walter Guthrie and his firm, W. Guthrie & Co., and, during the twentieth century, with Briscoe & Co., one of the earliest internationally established mercantile companies to operate in New Zealand. "It is associated with the commercial expansion of Invercargill during the 1880s, and, within the Dee Street Historic Area, represents the mercantile and wholesale sector of the historic commercial streetscape.

37. I assessed the building to have social value. Although not associated with a specific community group, it has been a well-known feature of Invercargill's central city for more than a century and forms part of the collective memory of the area.

Assessment of Effects

38. In the initial HIA, NZHP did not support demolition and did not supply an assessment of effects related to demolition. This was subsequently requested, and I prepared an Addendum to the Heritage Impact Assessment (the Addendum), assessing the effects of demolition on the high heritage values of the Briscoe's Building. As demolition would result in the total loss of the heritage resource and its associated values, it constitutes a major adverse effect. Under the assessment methodology in the HIA, I determined that demolition would result in a large to very large adverse effect.

39. In the Addendum, I also assessed the effects of demolition on the wider values of the Dee Street Historic Area. As one of only a small number of buildings identified as contributing to the significance of the Historic Area, the building plays an important role in maintaining its cohesive and largely symmetrical historic streetscape, particularly given its prominent corner position at Dee and Spey Streets. Its removal would diminish the visual cohesion, architectural unity, and historical legibility of the Historic Area. There is a further risk that the site could remain vacant for a prolonged period. An undeveloped site would interrupt the continuity of the historic streetscape and may have a greater adverse visual effect than the existing fire-damaged building. Any future redevelopment also has the potential to further diminish the values of the Historic Area if the scale, form, or architectural character of a replacement building is not sympathetic to the surrounding historic streetscape. However, I also note the conditions volunteered by the Applicant interim treatment of the site including landscaping and screening treatment.

40. While demolition would adversely affect the values of the Dee Street Historic Area, it would not result in the complete loss of those values. The surviving buildings would continue to convey aspects of the area's historical, architectural, and streetscape significance.

41. For the reasons outlined above, I assessed the impact of demolition on the Dee Street Historic Area as moderately adverse. Applying the assessment methodology set out in the HIA, I determined that the resulting impact on the heritage values and significance of the Historic Area would be moderate to large.

42. Andrew Barsby (Origin), in his peer review, disagreed with this assessment and concluded that demolition would have a major adverse effect on the Dee Street Historic Area, given the building's prominent corner location. Mr Barsby also considered that the heritage value of the Historic Area should be assessed as very high, noting it is one of only two identified historic areas in Invercargill.

43. While I acknowledge that the building occupies a prominent corner site and makes an important contribution to the Dee Street Historic Area, I remain of the view that the effect of demolition on the Historic Area is best characterised as moderate rather than major. The significance of the Area derives from the collective contribution of a number of buildings; the remaining contributory buildings would continue to convey its principal significance. While demolition would diminish the Area's integrity, cohesion, and streetscape values, it would not fundamentally compromise its legibility as a cohesive historic streetscape. Under the HIA methodology, a "major" change involves "comprehensive change to the setting" and a "moderate" change a setting that is "significantly modified". Because the effects assessment combines the magnitude of impact (moderate) with the high heritage value of the Area, the overall effect of demolition remains significant and was assessed as moderate to large.

44. Notwithstanding that assessment, demolition would contribute to the cumulative loss of heritage fabric within Invercargill's principal commercial street. The incremental loss of heritage buildings over time diminishes the coherence and historical depth of the streetscape, weakening its ability to illustrate the historical development of Invercargill's commercial centre and contributing to the gradual erosion of the city's historic character and sense of place.

HH-R10 analysis

45. Mr Barsby's peer review concluded that matters G, H, I, J, K and L of HH-R10 had not been adequately addressed, on the basis that the proposal considered demolition only and did not assess options for strengthening and adaptive reuse. I do not agree. The original Heritage Impact Assessment considered options for strengthening and adaptive reuse in relation to HH-R10. The Addendum was prepared at the client's request to assess the heritage effects of demolition only, and its scope was intentionally limited to that issue. Nevertheless, I discuss matters G, H, I, J, K and L below, as well as A, D and E.

Matter A of HH-R10

46. On Matter A, I noted that the heritage values of the building have been compromised by mid- to late-twentieth-century alterations and recent fire damage. Mr Barsby considers reference to those alterations irrelevant, as the recognised values relate to the pre-fire state, and reiterates his view that building recording cannot retain, protect, or enhance heritage values.

47. I do not agree that my comments regarding building recording have been correctly interpreted. I did not state that building recording would retain, protect, or enhance the heritage values. Rather, I recognised that, should demolition occur, building recording and archaeological investigation may provide additional information about the building's history, design, construction and development. Such measures are widely accepted within heritage practice as forms of mitigation.

48. The reference to building recording identified only a potential mitigation measure to partially address the loss of information from demolition; it did not suggest that heritage values would be preserved or enhanced by demolition.

Matter D of HH-R10

49. On Matter D, Mr Barsby suggests I have overstated the potential for reuse of heritage fabric following demolition, given Building Code requirements and the extent of fire and water damage.

50. Mr Barsby may be correct that the scope for reuse is constrained. However, it is standard heritage practice to identify opportunities for salvage, reuse or recycling of heritage fabric wherever practicable. The fact that not all materials can be reused does not negate the value of retaining those that can. My comments recognised this established mitigation approach, not that extensive reuse would necessarily be achievable.

Matter E of HH-R10

51. On Matter E, Mr Barsby disagrees with my statement that the ICC Heritage Design Guidelines are not relevant to a demolition proposal, noting that they address demolition and state it is not supported unless the building is structurally unsound and/or beyond repair. He considers I should have stated whether the building is beyond repair.

52. Mr Barsby is correct that the Guidelines contain demolition provisions, and I acknowledge my oversight in referring to them. However, the omission does not materially affect my assessment, as the effects of demolition are comprehensively considered through the resource consent process.

53. For the avoidance of doubt, it is my opinion that the building is not beyond repair. As stated throughout, I do not support demolition; repair, reinstatement and adaptive reuse would represent the preferred heritage outcome for the building and the Dee Street Historic Area.

Matter G of HH-R10

54. Matter G requires consideration of consultation with iwi, HNZPT, the NZ Archaeological Association filekeeper, and a suitably qualified archaeologist. The client undertook consultation with HNZPT and NZHP as archaeological specialists, reported in the HIA. I recommended that HNZPT's advice be adopted, though the decision rests with the client. Cost estimates for façade propping and temporary weatherproofing, unavailable when the Addendum was prepared, have since been obtained and are discussed below. I consider Matter G to have been appropriately addressed.

Matter H of HH-R10

55. Matter H requires consideration of the extent to which alternative options have been explored and, where discounted, the reasons why, including practical, financial, technical, safety or hazard constraints. I have consistently recommended repair and adaptive reuse, and stated that I do not support demolition.

56. Mr Barsby disagrees with my conclusion that less adverse options for retaining the building have been largely exhausted. He considers that alternatives have not been adequately investigated or assessed, and that the reasons for discounting them have not been established.

57. Mr Barsby's principal concern relates to the option of retaining and propping the façades while making the building weather-tight as an interim measure. At the time of his peer review, this option had not been fully investigated or costed, as I recorded in the Addendum.

58. I therefore qualified my conclusion that such options "appear" to have been "largely" exhausted, because this important option had not yet been fully assessed — a limitation I could not resolve, as the investigations and costings had not been provided by the client.

59. At the time the Addendum was prepared, a range of rehabilitation options had been assessed by Rhodes + Associates, with estimated costs running into several million dollars. However, what appeared to be the least expensive retention option, involving façade propping and temporary weatherproofing, had not been subject to detailed engineering design or cost estimation. I noted the absence of that information and considered Matter H had been appropriately addressed based on the evidence available at the time.

60. I am now able to comment further, as Lewis Bradford prepared a structural brief in August 2026 for partial removal of fire-damaged interior portions, together with temporary propping, stabilisation and weatherproofing of the retained façades. This was the only retention alternative not previously subject to engineering assessment or costing and was considered likely to address the Dangerous and Insanitary Building Notice. Lewis Bradford confirmed the "make safe" works are technically feasible and that the façades can be retained and repaired. They disagree with the peer review that the masonry damage is cosmetic only, noting mortar repairs are required and some masonry may be unstable due to deteriorated fire-damaged timber ledgers. There therefore appears to be agreement that the façades can be retained through propping and stabilisation, and that repair works are technically achievable (Lewis Bradford, 2026).

61. Lewis Bradford assessed two temporary propping options. Option A involves retaining the western rear portion of the building together with both street façades, demolishing the more heavily damaged eastern portion, and undertaking temporary securing, propping, weatherproofing, and façade-stabilisation works. Option B similarly proposes demolition of the more heavily damaged portions of the building but retains and stabilises only the Dee Street façade, with demolition of the remaining structure behind that façade. These options are of particular significance, as propping and weather proofing was the only retention alternative that had not previously been subject to engineering assessment or cost estimation and was considered likely to be sufficient to address the requirements of the Dangerous and Insanitary Building Notice.

62. Rhodes + Associates subsequently prepared cost estimates for these options. Option A (propping and retention of both the Dee Street and Spey Street façades), identified as Option 6 in the Rhodes + Associates assessment, is estimated to cost \$2,971,190. Option B (retention and propping of the Dee Street façade only), identified as Option 7, is estimated to cost \$2,279,232 (Rhodes + Associates, 2026).

63. The client has nevertheless rejected the façade-propping option on the basis of cost. Retaining and propping the façades would not, in itself, return the building to a viable commercial use or generate income towards its restoration. Whether those practical and financial considerations outweigh the loss of heritage values is a matter for the Council. While I do not support demolition, I note that the owners did not acquire the property intending to

demolish it for commercial gain; following the accidental fire they explored alternatives, including attempts to sell to a party willing to restore it. This provides context for why demolition is now sought, without diminishing the heritage values that would be lost.

64. In my opinion, the availability of this additional engineering and cost information means the practical, technical and financial implications of the principal retention options are now well understood, enabling a more informed assessment under Matter H.

Matter I of Rule HH-R10

65. Matter I relates to the creation and maintenance of a record of the heritage features of a building on its original site. In the HIA, I recommended that photographs of original fabric and heritage features be taken in situ prior to, and during, their removal. In response to Mr Barsby's criticism, I accept I may not have made sufficiently clear that this recommendation was intended to apply to repair works and interior reconfiguration associated with adaptive reuse.

66. In the Addendum, the client specifically requested an assessment relating solely to demolition. In that context, the documentation and photographic record produced through any building recording required by an archaeological authority, should demolition be granted, would address Matter I.

67. Mr Barsby suggests that, by recommending building recording under the archaeological authority process, I am advocating archaeology over the heritage provisions of the District Plan. I reject this suggestion. Reference to building recording reflected accepted professional practice and the statutory requirements that would apply if demolition were approved.

Matter J of Rule HH-R10

68. Matter J requires consideration of proposals to strengthen the structural integrity and heritage value of the building, including seismic, fire and accessibility upgrades. In the HIA, I addressed Matter J through my recommendation that the building be repaired and adaptively reused, enabling such upgrades to be incorporated while retaining heritage values.

69. Mr Barsby considers I have misunderstood the use of the word "proposal", interpreting Matter J as requiring consideration of alternative retention and strengthening options. While such options are relevant to the overall assessment, I interpreted this particular matter as relating to strengthening and upgrade proposals forming part of the application itself. As the application seeks demolition, there were no such proposals before the Council under this matter; retention and adaptive reuse were considered elsewhere in the HIA.

Matter K of Rule HH-R10

70. Matter K relates to proposals to strengthen or replace high-risk elements of a heritage building. Mr Barsby comments that it was not sufficiently addressed.

71. As I am not an engineer, my assessment was limited to the heritage implications rather than the technical details of structural remediation. My role was to prepare a Heritage Impact Assessment, not to act as the project's heritage conservation adviser or structural engineer.

72. My site visit and the information provided were sufficient to understand that the Dee Street façade in particular had become unstable through fire damage. I nonetheless concluded in the

HIA that the façade was capable of repair, should be repaired, and that HNZPT's advice should be followed. HNZPT had already given the client detailed advice on stabilising and weatherproofing the building, which I endorsed; further overlapping heritage input from me was unnecessary.

73. 'The client had also engaged qualified engineers, and no proposals to replace individual heritage elements were advanced, so I relied on the engineers and HNZPT rather than speculating on particular engineering solutions.

74. In the Addendum, the scope was limited to demolition, as requested by the client. In that context Matter K was no longer applicable, as demolition would remove all building elements rather than strengthen or replace them. I therefore consider Matter K was either appropriately addressed in the HIA or not relevant to the demolition-focused Addendum.

Matter L of Rule HH-R10

75. Matter L relates to the extent to which a proposal has been informed by advice from appropriately qualified professionals, including thorough consideration of alternatives. At the time of the HIA and Addendum, I had engineering reports and was satisfied the owners had sought and were continuing to seek advice from suitably qualified professionals. I noted, however, that I could not comment on the most basic intervention — propping the building and making it weathertight — as I had not been provided with an engineering assessment or cost estimate for that option.

76. Mr Barsby considers Matter L insufficiently addressed, on the basis that I assumed appropriate professional advice had been obtained without independently evaluating it, the extent to which alternatives had been investigated, or whether the level of input was proportionate to the heritage effects.

77. I do not agree. My role was to assess the heritage values and the effects of the proposal, based on the information available. I relied on information provided by the applicant and their advisers, including structural engineers, as is standard practice. Where information was unavailable, or where I considered further investigation would be beneficial (namely propping and weatherproofing), I said so and qualified my conclusions accordingly.

78. While Mr Barsby may consider further investigation warranted, the scope of advice commissioned by the applicant is ultimately a matter for the applicant. I was not engaged to commission, verify or critique engineering assessments, cost estimates or feasibility studies; my role was to assess heritage values and effects and identify appropriate mitigation.

79. Since completion of my reports, the option of propping the façades and making the building weather-tight has been assessed by Lewis Bradford and costed by Rhodes + Associates. The owners have decided not to pursue this option due to its cost and the absence of any corresponding income stream following completion of the works.

80. In my view, the additional information on this option addresses the principal gap identified by Mr Barsby and demonstrates that the owners have now undertaken a thorough investigation of the available options.

Mitigation Measures Recommended in the HIA and Addendum

81. In the HIA, I identified a range of mitigation measures to address the adverse effects of adaptive reuse (my recommendation), including retaining and reusing significant heritage fabric where possible, salvaging materials removed during alterations, undertaking like-for-like exterior repairs, preparing a comprehensive photographic record, and incorporating public interpretation.

82. In the Addendum, which was limited to the demolition proposal, I recommended a comprehensive programme of mitigation should demolition be approved, including recording the building to a Level II standard in accordance with Investigation and Recording of Buildings and Standing Structures (HNZPT, 2014).

83. I recommended that building recording extend beyond the standard scope typically required under an archaeological authority, which generally concentrates on pre-1900 fabric. Given the significance of the building's Briscoe's association, recording should also document the substantial 1914 alterations, including the staircase, the central Dee Street entrance doors, and alterations to the former dental surgery rooms."

84. The recommended Level II recording programme included:

- a) Measured drawings of all principal interior and exterior elevations.
- b) Recording of the principal parts of the internal wall and roof framing.
- c) Subfloor plans showing floor joists, bearers, wall footings and/or piles.
- d) Measured roof and ceiling plans.
- e) Cross-sections illustrating the relationship between building elements and spaces.
- f) Detailed written descriptions of the structural elements.
- g) A detailed history of the building's development and alterations over time.
- h) Extensive photographic recording.
- i) Selective sampling of historic fabric, including masonry and timber samples from significant framing components and floorboards for species identification.

85. I also recommended public interpretation measures to maintain an active street frontage and contribute to public understanding of the streetscape and the Briscoe's building.

86. Finally, I recommended that the client seek archaeological advice regarding the need for an archaeological authority should demolition proceed. Mr Barsby characterised this as advancing NZHP's commercial interests. I reject that suggestion. It was a procedural recommendation reflecting the statutory processes under the HNZPTA 2014 that would apply if demolition were approved, not a commercial one.

Investigation of Alternatives

87. I was provided with details of the steps undertaken by the applicant between 2023 and 2025 to investigate alternatives to demolition. These included:

- a) Engaging Kensington Consulting, structural and civil engineers, to undertake a structural assessment of the building.
- b) Engaging Ryal Bush Contracting to undertake an asbestos survey.
- c) Liaising with HNZPT regarding possible options for the building.
- d) Liaising with ICC heritage and building staff regarding potential pathways forward.
- e) Investigating the availability of funding from the Lottery Grants Board, which was not available to private owners.
- f) Marketing the property for sale. Interest was expressed in the land rather than the building itself.
- g) Engaging Bonisch Consultants.
- h) Engaging New Zealand Heritage Properties.
- i) Obtaining quotations for demolition works.
- j) Undertaking ongoing discussions with ICC and HNZPT regarding potential funding assistance for repair and retention.
- k) Engaging Lewis Bradford Consulting Engineers to provide an independent review of the Kensington Consulting structural assessment.
- l) Applying to the National Heritage Preservation Incentive Fund, which was unsuccessful.
- m) Investigating the Southland Heritage and Preservation Fund. The level of funding available was limited and an application was not pursued.
- n) Obtaining a memorandum from Lewis Bradford Consulting Engineers confirming the findings of Kensington Consulting and outlining potential options for the future of the building.
- o) Obtaining cost estimates from Rhodes + Associates for the identified options.
- p) Obtaining an initial concept design for a replacement building from BI Architects.
- q) Engaging Ryal Bush Contracting to prepare a demolition management plan.

88. As a result of this work, five principal options for the building were identified and costed by Rhodes + Associates:

- a) Option 1: Retain the Dee Street and Spey Street façades and construct a new two-level structure behind them. Estimated cost: \$10,237,000.
- b) Option 2: Retain the Dee Street façade only and construct a new two-level structure. Estimated cost: \$7,612,000.
- c) Option 3: Construct a new two-level structure incorporating replica façades to Dee Street and Spey Street. Estimated cost: \$6,695,000.

d) Option 4: Retain, temporarily secure, and weatherproof the Dee Street façade while demolishing the remainder of the building. Leave the site clear pending future redevelopment. Estimated cost: \$2,239,000.

e) Option 5: Retain, temporarily secure, and weatherproof the Dee Street and Spey Street façades, retain the less damaged portions of the building where practicable, and protect the remaining structure with temporary roofing and cladding. Estimated cost: \$4,458,000.

89. In summary, the applicant has explored a broad range of alternatives, most recently the feasibility and cost of propping and weatherproofing the building as a temporary measure.

90. In my opinion, the applicant has undertaken a thorough investigation of the realistic options available for the future of the building.

Response to the s42A report and to the Addendum peer review

Section 42A Report 104-106 Dee Street

91. I have read the Section 42A report prepared by Joanne Skuse, Principal Planner with the Property Group.

92. The report notes that the NZHP HIA and its recommendations were prepared on the premise that all or part of the building may be retained and adaptively reused, whereas the proposal now before the Council seeks demolition in its entirety. 'At the time of the HIA the client had not identified a preferred option, so the HIA considered repair, adaptive reuse and demolition, focusing on repair and reuse. The Addendum was later requested to address the demolition proposal.

93. Ms Skuse states that NZHP's Addendum "largely assumes demolition as the starting point, focusing on post-demolition mitigation rather than a comprehensive assessment of alternatives". This reflects the scope requested by the client; alternatives had already been assessed in the HIA, which recommended retention and adaptive reuse.

94. I concur with Ms Skuse that: "The building's deteriorated condition and footpath obstruction do create amenity and accessibility issues. However, poor condition does not diminish heritage value, deterioration cannot be used as justification for demolition and amenity issues can be addressed through stabilisation, temporary works, or partial repair."

95. I concur with Ms Skuse's conclusion that overall, demolition would adversely affect the heritage values and character of the area. However, I do not entirely agree that "suitable mitigation is not proposed as part of the application".

96. Mitigation remains a relevant consideration in heritage practice, even where it cannot remedy the loss of fabric and values. If demolition is proposed I am obliged to assess its effects and identify appropriate mitigation — recording, salvage and reuse, interpretation and commemoration — which, while not replacing the resource, form part of the overall assessment of effects.

97. The key issue, therefore, is not whether mitigation can fully offset the heritage loss, as it clearly cannot, but how the adverse heritage effects are to be weighed against other relevant

considerations. In this case those include the substantial costs of retaining, strengthening and adapting the building, and the realistic prospects for a private owner to obtain an economic return. Whether the protection of the building's highly significant heritage values justifies those costs is ultimately a planning judgement for the Council.

Peer Review of Addendum

98. This section addresses the remaining issues raised in Mr Barsby's peer review not already discussed above.

99. Mr Barsby considers the Addendum does not adequately address whether alternatives to demolition have been fully investigated, and that a Heritage Impact Assessment should assess the effects of the proposal and available alternatives rather than focus primarily on cost and feasibility.

100. As noted above, alternatives were assessed in the HIA; the Addendum's purpose was to assess the heritage effects of the demolition proposal the applicant had decided to pursue.

101. On the assessment of archaeological value, Mr Barsby disagreed, stating that the loss of the building would not be adequately mitigated by future archaeological excavation, and that the archaeological value of the existing building and materials is of far greater importance than the speculative opportunity to record it and excavate the site.

102. Mr Barsby may have misunderstood the purpose of the assessment. Archaeological value is one of the recognised heritage values that must be considered for a pre-1900 building or site. My assessment was a standard evaluation of that value; it did not suggest that archaeological investigation could mitigate the loss of the building, nor that archaeological value outweighs retention.

103. Identifying the potential for archaeological information is not a recommendation for demolition, nor a suggestion that potential archaeology outweighs the heritage value of the building. Rather, it is simply the recognition of a heritage value that requires assessment.

104. Mr Barsby disagrees that building recording would enhance understanding of the building's architectural values and construction methods, arguing that any information gained would be insignificant against the complete loss of the building, and that the ICOMOS New Zealand Charter prioritises retention and the least degree of intervention.

105. Building recording is a well-established form of mitigation, routinely required where demolition of heritage fabric is approved. Identifying it should not be read as support for demolition or as compensating for the loss of heritage values.

106. Mr Barsby also disagrees with my assessment that demolition would have a moderate adverse impact on the heritage values of the Dee Street Historic Area, considering the impact to be major. In my view there may be some confusion regarding terminology and methodology.

107. There is no disagreement between us regarding the high heritage significance of the Dee Street Historic Area. However, an assessment of heritage effects involves two separate considerations: the significance of the heritage values and the magnitude of the impact. While I assessed the significance of the Historic Area as high, I assessed the impact of demolishing this building on the Area as moderate.

108. The removal of a single building within an area containing numerous heritage buildings, even a prominent corner one, would not generally be a major impact on the Area as a whole, though it is a significant loss — hence my assessment of moderate.

109. When that moderate impact is considered in the context of the high heritage significance of the Area, the overall effect was assessed as moderate to large. The difference between Mr Barsby's assessment and my own therefore relates primarily to the assessment of impact, rather than any disagreement regarding the significance of the Area or that demolition would result in large, or major, adverse effects.

110. In the conclusion and recommendations of the Addendum, Mr Barsby disagrees with my statement that "redevelopment of the site could support local business activity and improve amenity by removing a structure that is currently visually intrusive", noting that repairing the building for reuse would also support business activity and improve amenity.

111. This takes my statement out of context: I had noted demolition is not the preferred outcome and should be a last resort, but the Addendum required me to assess the demolition proposal and its potential outcomes.

112. Mr Barsby disputes my characterisation of the building as visually intrusive, considering the visible damage largely cosmetic and capable of repair and restoration.

113. I agree that the fire damage to the external masonry is capable of repair and restoration, and that staining and blackening could be cleaned. However, I continue to consider that the site's current condition has a detrimental effect on visual amenity. Temporary fencing, shipping containers and other securing measures obstruct views and contribute to a cluttered appearance. It is in this context that I referred to the building as being visually intrusive.

114. I am not suggesting demolition is required to improve amenity — repair and adaptive reuse would also do so and remain the preferred outcome.

115. Mr Barsby considers the Addendum's conclusion places undue emphasis on the archaeological authority process rather than compliance with the District Plan's heritage provisions, and implies my discussion of archaeological mitigation was driven by commercial interest. He considers resources allocated to archaeology would be better directed to stabilisation and retention.

106. I respectfully but strongly disagree. The discussion of the archaeological authority process formed part of my assessment because it is a statutory requirement that would arise if demolition of this pre-1900 building is approved. The inclusion of archaeological mitigation reflects accepted professional practice and statutory requirements, not advocacy for a particular outcome.

107. Mr Barsby considers the HIA and Addendum do not adequately demonstrate that alternatives to demolition have been fully investigated, in particular that short- to medium-term stabilisation, propping and weatherproofing should have been more thoroughly assessed and costed. He questions whether the professional advice obtained is proportionate to the building's significance and suggests the Council should be satisfied no reasonable alternative exists before granting consent.

108. I understand Mr Barsby's concerns and agree that consideration of alternatives is an important part of the decision-making process. However, these comments are directed principally at the scope of investigations undertaken by the applicant and their advisers, rather than the Addendum itself.

109. My role was to assess the heritage effects on the information available; the commissioning of engineering, feasibility and cost assessments rests with the applicant, not the heritage consultant.

Conditions

Volunteered Conditions

110. VC1 – Design envelope for the Replacement Building. I support Condition VC1 relating to the design parameters for a replacement building. However, I strongly oppose the inclusion of the BI Architects concept design as the Approved Concept Design. In my opinion, the design does not adequately respond to the heritage values of the Dee Street Historic Area and does not achieve the design outcomes I recommended in relation to scale, form, materiality, and relationship to the historic streetscape. Consequently, I do not support any condition requiring a replacement building to be designed and constructed in general accordance with this concept design.

111. VC2 – Certification prior to building consent. I recommend the following changes. No building consent application for a replacement building shall be lodged with the Council unless and until:

- a. the detailed design has been assessed by a suitably qualified heritage architect;
- b. the heritage architect has certified in writing that the detailed design achieves each of the parameters set out in Condition VC1;
- c. the detailed design has been provided to HNZPT and the Council's Heritage Advisor for review;
- d. following consultation with HNZPT and the Council's Heritage Advisor, the Council's Planning Manager shall certify that the detailed design appropriately responds to the heritage values of the Dee Street Historic Area and achieves the parameters set out in Condition VC1.

112. VC3 – Covenant to bind successors in title. Agreed.

113. VC4 – Interim treatment of the site. Agreed.

114. VC5 – Interpretation and salvage integration. Agreed.

115. VC6 – Advice Note. Agreed.

116. VC7 – Bond. Agreed.

S42A report conditions

117. The recommended conditions recognise that demolition would result in significant adverse effects on heritage values and therefore require extensive mitigation, including

building recording, archaeological investigation, salvage of heritage fabric, interpretation, protection of neighbouring heritage buildings, and heritage-responsive redevelopment. Agreed.

118. Preparation of management plans prior to demolition, including a Demolition Management Plan (Recommended Consent Condition 2), Vibration Management Plan (Recommended Consent Condition 5, 6 and 7), Temporary Protection Plan (Recommended Consent Condition 5 and 8), Archaeological Management Plan ((Recommended Consent Condition 9 to 15), Erosion and Sediment Control Plan (Recommended Consent Condition 17), and Traffic Management Plan (Recommended Consent Condition 21). Agreed.

119. Salvage and reuse of significant heritage fabric, including identification, careful removal, storage, and reuse of heritage materials where practicable, or otherwise making them available to the wider community (Recommended Consent Condition 2 and 3). Agreed, with the recommendation that the Council's Heritage Advisor (or delegated official) be provided with sufficient evidence to verify that these requirements are being carried out.

120. Comprehensive building recording of the Briscoe's Building prior to demolition, undertaken to HNZPT's Level II recording standard, with the resulting record made publicly available (Recommended Consent Condition 4). Agreed, with the additional recommendation that the building recording include a comprehensive photographic archive documenting the building before, during, and after demolition, lodged with both ICC and HNZPT.

121. Protection of neighbouring heritage buildings, including vibration monitoring and measures to avoid damage to buildings within the Dee Street Historic Area during demolition works (Recommended Consent Condition 7). Agreed.

122. Archaeological investigation and monitoring, including archaeological supervision of earthworks, recording of archaeological features, management of discoveries of Māori archaeological material or kōiwi, and preparation of a final archaeological report (Recommended Consent Condition 12). Agreed.

123. Public interpretation of the site's history, including installation of a permanent heritage information panel outlining the history of the building and the results of archaeological investigations. Agreed.

124. Temporary treatment of the site following demolition, requiring the site to be cleared, secured, landscaped, and maintained in a manner that contributes positively to the Dee Street Historic Area and city centre (Recommended Consent Condition 16). Agreed.

125. Design expectations for future redevelopment, requiring any replacement building to respond sympathetically to the heritage values and character of the Dee Street Historic Area. Agreed, with the addition of the proposed conditions in paragraph 132 (Recommended Consent Condition 28).

126. Incorporation of salvaged heritage materials into future redevelopment where practicable (Recommended Consent Condition 16). Agreed.

Dated 31st day of August 2026

A handwritten signature in cursive script, appearing to read "Susan Irvine". The signature is written in dark ink and is positioned above a horizontal line.

Susan Irvine

References

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