

BEFORE THE INVERCARGILL CITY COUNCIL HEARINGS COMMISSIONER

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

AND

IN THE MATTER OF RMA/2025/115, being a land use consent application to demolish the Briscoes Building which is Heritage 2 listed with Heritage New Zealand Pouhere Taonga (HNZPT), and also Heritage Listed in the Invercargill City District Plan.

BETWEEN 104 Dee Street Partnership (Applicant)

AND Invercargill City Council (Local Authority)

**ADDENDUM TO THE SECTION 42A REPORT OF JOANNE SKUSE, CONSULTANT
PLANNER ON BEHALF OF INVERCARGILL CITY COUNCIL**

17 September 2026

Introduction:

1. My full name is Joanne Skuse.
2. My Section 42A report sets out my qualifications and experience as an expert in planning.
3. I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's practice Note 2023, as applicable to this independent hearing panel.
4. I have prepared this addendum to my Section 42a report to provide a response to evidence provided in relation to this application for resource consent.

Recommendations Overview:

5. My Section 42A report dated 23 July 2026 recommended the proposal be declined.
6. Having reviewed the further evidence from the Applicant, I recommend that consent can be granted for reasons outlined below.
7. I consider that:
 - Adverse heritage effects are more than minor;
 - The proposal is not inconsistent with the objective and policies of the Invercargill City District Plan; and
 - The proposal does achieve the purpose and principles of the Resource Management Act.
8. Should consent be granted, I have recommended consent conditions, which are attached in Appendix A.

Scope of Addendum:

9. My addendum will address the following matters:
 - Summary of evidence received
 - Summary of evidence received from Council's Heritage Expert
 - An assessment of the environmental effects of the proposal in light of additional information
 - An assessment of the proposal against the relevant objectives and policies in light of additional information
 - An assessment of the proposal against Part 2 of the RMA in light of additional information
 - Comment on conditions offered by the Applicant

Summary of Evidence received:**e3Scientific Memorandum**

10. The memo written by Simon Beardmore of e3Scientific dated 28/08/2026 assesses the potential for cross-boundary migration of contaminants from historic fuel storage at the adjoining 71 Spey Street site. Their advice is that while fuel oil was stored on the neighbouring property between approximately 1987 and 2009, the risk of soil contamination

is likely to be low. They note that fuel oil has lower volatility and toxicity than other petroleum products, there is no record of significant spills, and the storage tanks were decommissioned many years ago, allowing natural attenuation to occur.

11. Mr Beardmore concludes that there is no evidence to suggest contaminants would have migrated to 104–106 Dee Street in quantities that pose a risk to human health or the environment. Whilst he does not recommend registering the Briscoes site as HAIL Category H, he does however, recommend vigilance during demolition and excavation, particularly along the western boundary, and the use of an Accidental Discovery Protocol for unexpected contamination.

Evidence of Christine McMillan Planning Consultant of Bonisch Consultants - Planning Evidence

12. The evidence provided by Ms McMillan supports granting consent. She accepts that the loss of heritage values would be a more than minor adverse effect but considers that recording the building would mitigate that loss. She identifies positive effects from removing the unsafe building and reopening the footpath and pedestrian crossing.
13. If the site remains vacant, her evidence recommends a management plan including hoardings and heritage interpretation panels.
14. Ms McMillan disagrees with my assessment of the Southland Regional Policy Statement, noting that it omitted the urban chapter. Given the significant fire damage to the Briscoes building, she considers demolition appropriate and consistent with the relevant objectives and policies, particularly those supporting city-centre revitalisation. She proposes a covenant requiring future development to follow the concept design or meet specified parameters.
15. With regard to cumulative effects, Ms McMillan considers that the application should be considered of the combination of the 2023 fire, dangerous and insanitary building notice, the site-specific engineering evidence and the investigation of the retention alternatives and the high cost associated with these options. She considers proposed conditions 28A–28D appropriately require approval and certification of the final design before building consent. She proposes condition 28, with all amendments set out in Appendix A.
16. In regard to my assessment that the proposal does not achieve an appropriate Part 2 outcome Ms McMillan considers the proposal represents an appropriate balance between the protection of historic heritage under s6(f), the efficient use and development of resources under s7(b) and the sustainable management purpose under s5.
17. Ms McMillan questions a reference to Environment Southlands submission at Section 10 of the Section 42a Report. I confirm this is a drafting error. Environment Southland have not submitted on the application.

Evidence of Susan Irvine – Principal Historian at New Zealand Heritage New Zealand–Heritages

18. In regard to a summary of the heritage values, Ms Irvine does not support demolition from a heritage perspective. In her assessment, she outlines demolition would contribute to the cumulative loss of heritage fabric in Invercargill's historic commercial centre.
19. Ms Irvine considers the impact of demolition on the Dee Street Historic Area as moderately adverse and determined that the resulting impact on the heritage values and significance of the Historic Area would be moderate to large. Despite Mr Barsby's view that the heritage

value of the Historic Area should be assessed as very high, 'major' Ms Irvine remains the view that the effect of Demolition on the Historic Area is best characterised as 'moderate'.

20. Ms Irvine considers that the information provided demonstrates the building is capable of repair and identifies repair, reinstatement, and adaptive reuse as the preferred heritage outcome. Ms Irvine considers that the BI Architects concept design does not adequately address the heritage values of the Dee Street Historic Area. She does not support approving the design without heritage review and certification. She considers that the additional information does demonstrate that alternative options have been thoroughly examined. In her assessment, mitigation would not fully compensate for the loss of the building's heritage values. She recommends detailed building recording, archaeological investigation, salvage and reuse of significant heritage fabric, public interpretation, and design controls for any replacement building through comments on the volunteered conditions. She supports volunteered conditions VC3- VC7 (conditions 28A–28D) and the heritage findings in the Section 42A report.

Evidence of Robert Joseph Lane of Lewis Bradford Consulting Engineers, Christchurch- Structural Engineering

21. The evidence provided by Mr Lane, assesses two additional options for retaining heritage fabric. The two "make-safe" options: Option A, retaining and bracing both façades, and Option B, retaining only the Dee Street façade. Both options involve temporary bracing systems, limited repairs solely to achieve short-term stability, and ongoing monitoring to mitigate deterioration. Mr Lane states that neither option results in a functional building or provides a pathway to long-term reuse.
22. Mr Lane's assessment states that while individual masonry units are unlikely to have suffered a significant reduction in strength, it is likely that the original lime mortar has experienced a reduction in strength where exposed to high temperatures in the fire.
23. Acknowledging both options are interim measures rather than permanent solutions. Mr Lane has provided evidence that they may be sufficient to address the Dangerous and Insanitary Building Notice.

Evidence of Phil Griffiths of Rhodes + Associates Limited, Christchurch – Quantity Surveying

24. Mr Griffiths includes high level costs for seven options (original 5 options) and two new short-term stabilisation and make safe options provided by Robert Lane of Lewis Bradford Consulting Engineers. The three categories of options demonstrate a variation of high costs with additional options that may be more financially attainable and in keeping heritage values, in the short-to medium term. Despite, potential variables and higher ongoing maintenance costs the retention options remain technically feasible but extensive.
25. Mr Griffiths notes the estimates are high-level and indicative only and should not be relied upon as a developed construction estimate.

Evidence of Linda Lee (co-owner of application site)

26. The evidence provided by Ms Lee outlines that despite the building's heritage significance and her previous maintenance efforts, the fire-damaged structure is dangerous, at risk of collapse, and is considered to be not financially viable to retain or rebuild. She presents the cost estimates of Rhodes and associates for rebuild options which exceed \$4.3 – \$10.7 million which is beyond her and the other shareholders financial capacity.

27. Ms Lee therefore continues her support of demolition and sale of the cleared site for redevelopment, with measures in her opinion ensures any future development is safe, attractive, and sympathetic to the heritage precinct. This includes an offered covenant condition to ensure safety, aesthetic and heritage sensitive future design and the vacant site management plan.
28. Ms Lee's evidence discusses the investigation of alternative options has been undertaken and does not change her perspective on demolition of the building.

Evidence of Andrew Barsby (council's heritage expert):

29. Mr Barsby's evidence maintains his position of opposition to the full demolition of the Briscoes Building. Mr Barsby considers that lightweight, temporary propping of the facades, particularly to address wind loading and remove the Dangerous and Insanitary Building notice, has not been properly costed, despite new engineering concepts that outline feasible methods for retaining one or both facades. Barsby considers these options credible and deserving of detailed cost analysis.
30. Mr Barsby considers the quantity surveyor's evidence, noting that the new options (Options 6 and 7) are costed with only single-line estimates and lack the detailed breakdown provided for earlier options. He concludes that Council cannot rely on the QS evidence as a thorough or adequate assessment of alternatives, particularly if cost is a deciding factor for demolition.
31. Mr Barsby agrees with Susan Irvine that demolition is not supported from a heritage perspective but disagrees with her support for certain volunteered conditions, particularly those imposing design parameters and an "Approved Concept Design" for any replacement building. He argues these parameters are overly restrictive, inconsistent with the Invercargill City Centre Heritage Guidelines 2025, and likely to deter future purchasers. He opposes the offered covenant condition for similar reasons.
32. He notes HNZPT's shift from opposing demolition to accepting it as a last resort, but emphasises that their original relief, retention and stabilisation of the facades, still stands. He also highlights the challenges of achieving high-quality replacement design in heritage streetscapes, arguing that retaining the existing facades is the only guaranteed way to maintain heritage character.
33. Overall, Mr Barsby concludes that alternatives to demolition have still not been fully or credibly explored, particularly in relation to temporary propping, and that Council should require realistic costings for façade retention before making a decision.

Assessment of The Environmental Effects

Contamination Effects

34. I have considered the Memorandum provided by Simon Beardmore of e3Scientific. Ms McMillan's evidence aligns with Mr Beardmore conclusions in that she considers cross-boundary migration from 71 Spey Street to be unlikely. However, she identifies additional potential contamination sources within the Briscoes site itself, including historic lead-based paint and asbestos residues. Because the building's condition prevents a reliable Preliminary or Detailed Site Investigation prior to demolition, she recommends that the consent include a discretionary activity component under the NES-CS to ensure soil disturbance is appropriately managed. Her proposed conditions require a Detailed Site

Investigation before earthworks, a Site Management Plan if contaminants exceed guideline values, and clear requirements for disposal or capping of contaminated soil.

35. I agree with the approach to include consent under the NES-CS.
36. In my view, the combined recommendations of Mr Beardmore and Ms McMillan provide a proportionate response to the potential contamination risks associated with demolition and site clearance. The risk of cross-boundary migration appears low, and the proposed conditions ensure that any unexpected contamination, whether from historic fuel storage, lead paint, or asbestos residues, is identified and managed in accordance with the NES-CS framework. The requirement for a Detailed Site Investigation prior to earthworks, followed by a Site Management Plan where necessary, provides an appropriate level of certainty that human health and environmental risks will be avoided or mitigated.
37. The Accidental Discovery Protocol recommended by Mr Beardmore is a practical and necessary condition given the age of the building and the absence of prior soil investigations. On this basis, I am satisfied that the effects relating to potential contamination can be appropriately mitigated through conditions and will be no more than minor.

Heritage Values

38. The additional engineering evidence presented has materially strengthened the assessment of alternatives to demolition. The updated structural analysis and quantity surveying information provide a clearer picture of what façade retention, partial retention, or full stabilisation would entail. Council's heritage expert remains concerned that the quantity surveying work has not fully interrogated certain cost assumptions and may overstate some elements, I acknowledge this critique and consider more could be done to support the costing findings. However, even if the costs were lower than those presented, the applicant's position remains that the scale of intervention required, structural, financial, and operational, is not reasonable for them to undertake. The evidence of Ms Lee outlines a sustained history of attempts to stabilise, fund, or repurpose the building over many years, none of which have proven viable. In this context, the question becomes less about the precise quantum of cost and more about whether it is reasonable to require the applicant to pursue retention given the building's condition, the risks involved, and the absence of a feasible pathway to reuse.
39. From a heritage values perspective, in line with the heritage experts, I acknowledge that the retention of one or both façades remains the least-adverse option and is strongly preferred. This further aligns with the submission of Heritage New Zealand Pouhere Taonga, which identifies façade retention as an important mitigation measure and recommends conditions to support that outcome. Ideally, façade retention would preserve key elements of the building's architectural and streetscape contribution, maintaining continuity within the Dee Street Historic Area.
40. I agree with Mr Barsby that the effect of demolition remains significant and more than minor. Retaining the existing façades would undoubtedly provide the strongest heritage outcome, and I acknowledge his view that this is the only guaranteed method of maintaining heritage character. However, I must also consider the evidence of Ms Lee, which outlines the sustained efforts made over several years to explore retention, funding, sale, and adaptive reuse. Taken together with the updated engineering and cost information, I consider that the applicant has now undertaken a reasonable level of investigation into alternatives, even if that investigation does not meet the level of detail Mr Barsby would prefer.

41. As such, mitigation is an integral consideration. The applicant's proposal to secure future redevelopment through a covenant condition represents a robust and enforceable framework than what was before Council at the time of my original s42A report. I remain concerned that the concept plans provided to date do not demonstrate an adequate response to the heritage context. Both Council's heritage expert and the applicant's heritage expert share reservations about the design parameters and the limited assessment of the replacement building's merits. I do not support the concept plans as currently drafted. Nonetheless, I consider that a pathway forward is possible. A covenant condition that clearly sets out design objectives, anchored in the Invercargill City Centre Heritage Guidelines along with the Business 1 Policies within the District Plan, would provide a more reliable mechanism to ensure that any future building appropriately reinstates scale, rhythm, materiality, and corner prominence. Such an approach would not remedy the loss of heritage value, but it would improve the quality and certainty of post-demolition outcomes.
42. The building contributes strongly to the Dee Street Historic Area, and its loss will permanently diminish the coherence and authenticity of that precinct. In weighing the evidence, I find that Mr Barsby's concerns highlight genuine heritage risks and limitations in the cost information. However, when the updated engineering evidence, the applicant's documented efforts over time, and the strengthened mitigation framework are considered together, I am satisfied that the proposal now presents a more complete and defensible package than what was originally lodged. While demolition still results in a significant adverse effect, the improved clarity around alternatives and the more structured approach to future redevelopment do go some way toward mitigating that effect, such that in my opinion, it is a more than minor effect. On balance, and subject to a covenant condition that firmly ties replacement design to the Heritage Guidelines, I consider that the applicant has now demonstrated a reasonable process in evaluating alternatives and proposing mitigation.
43. I support the applicant's offered Vacant Site Management Plan condition as an interim measure to address the adverse effects associated with a prominent corner site remaining undeveloped following demolition. While it does not mitigate the heritage loss itself, it provides an enforceable approach to maintaining the site in a manner that avoids further visual degradation, safety issues, and negative impacts on the character of the Dee Street Historic Area. Given the building's location and the sensitivity of the surrounding heritage context, ensuring the site is well-managed, secure, and visually coherent during the interim period is an important and practical component of the overall mitigation package.

Assessment of Invercargill City District Plan Objectives and Policies

44. In my s42A report, I concluded that the proposal was inconsistent with several heritage policies, particularly HH-P3, HH-P5 and HH-P6, due to the significant adverse effects arising from full demolition and the limited information then available on alternatives and mitigation. Origin's peer review at that time also found that the applicant had not demonstrated that demolition was the least-adverse practicable option, nor that alternatives such as stabilisation, partial retention, or façade retention had been robustly assessed. The absence of a replacement building further contributed to inconsistency with HH-O2 and HH-P4.
45. The additional engineering evidence and quantity surveying evidence does not alter the fundamental heritage effect, demolition remains a significant adverse effect. However, the new information does strengthen the evidential basis for assessing HH-P5(2). While Council's heritage expert maintains concerns that the costing work has not been fully

interrogated and may overstate some elements, I acknowledge that even if costs were lower, the applicant's position is that the scale of intervention required is not reasonable for them. Ms Lee's evidence outlining long-term efforts to stabilise, fund, or repurpose the building provides important context. Taken together, this information demonstrates a more reasonable evaluation of alternatives than what was available at the time of my original assessment. As a result, while the proposal still does not *fully* give effect to HH-P5, the application is now more defensible in terms of having investigated reasonable alternatives.

46. In relation to HH-P3, the demolition of the building continues to represent a significant adverse effect that cannot be avoided or remedied. However, the strengthened mitigation package, including the redevelopment covenant and the Vacant Site Management Plan, provides a clearer pathway for mitigating some of the consequential effects of demolition. These measures do not resolve the heritage loss itself, but they do improve alignment with the policy's direction to mitigate adverse effects where avoidance is not practicable.
47. HH-P4 and HH-P6 remain areas of inconsistency. The concept plans provided do not demonstrate an adequate response to the heritage context, and both Council's heritage expert and the applicant's heritage expert share concerns about the design parameters. However, the proposed covenant condition requiring future development to meet design objectives if tied to the Invercargill City Centre Heritage Guidelines offers a more robust mechanism to ensure that any replacement building reinstates appropriate scale, rhythm, and corner prominence. This does not overcome the loss of heritage value, but it does provide a more defensible approach to future integration than what was previously before Council.
48. Policies HH-P1, HH-P2, HH-P7, HH-P8 and HH-P9 are less directly relevant. The proposal does not promote heritage appreciation or conservation, but the applicant has collaborated with Council and heritage experts, and has appropriately considered structural safety and natural hazard risks. Demolition would give effect to HH-P5(1) by avoiding serious risk to human safety.
49. Overall, the proposal continues to conflict with key heritage policies due to the irreversible loss of heritage value. However, the additional information and strengthened mitigation package now offered by the applicant provide a more complete and defensible basis for assessing the proposal. While the adverse effects remain significant, the alignment with HH-P3, HH-P4 and HH-P5 is improved.
50. The assessment of this proposal requires a careful balancing of two outcomes directed by the district plan Business 1 zone: the need to maintain and enhance the rich architectural character and heritage values of the Invercargill City Centre, and the need to support and encourage viability, vibrancy, and ongoing revitalisation within the Business 1 Zone. In an ideal scenario, retention of the building's façades would achieve both outcomes, preserving the heritage contribution of a prominent corner site while enabling new investment and activity that aligns with the zone's objectives. Façade retention remains the option that best reconciles heritage protection with urban regeneration, and it is the outcome most consistent with the wider policy framework. However, if façade retention is not practicable, then any replacement building must fully deliver on the objectives and policies of the Business 1 Zone, particularly those relating to urban design, amenity, pedestrian experience, and the primacy of the city centre. I acknowledge that the ongoing presence of the existing building in its current condition and with no viable pathway to adaptive re-use has become a barrier to achieving the revitalisation outcomes sought for this part of the city

centre, and whether demolition is now the more effective means of giving effect to the Business 1 policy framework.

51. The Business 1 Zone seeks to maintain and enhance the primacy, amenity, and vibrancy of the Invercargill Central Business District. In my s42A report, I concluded that the proposal was inconsistent with several Business 1 provisions, primarily because no replacement building was proposed and the demolition would result in a vacant corner site with no certainty of redevelopment. The additional information now provided, including the Vacant Site Management Plan and the proposed redevelopment covenant, has altered my assessment.
52. BUS1Z-O1 and BUS1Z-P1 anticipate ongoing investment, active frontages, and functional commercial space. The existing building, in its current dangerous and insanitary condition, cannot be occupied or repurposed without substantial intervention. The updated engineering evidence confirms that temporary retention of facades is possible. However, this would require significant structural work, and even if costs were lower than estimated, the applicant maintains that such intervention is not feasible within their means. In this context, the retention of the building may now represent a barrier to achieving the revitalisation outcomes sought for this part of the CBD. Demolition, followed by redevelopment, is more aligned with the zone's direction to reinforce primacy and encourage new activity.
53. BUS1Z-O3 and BUS1Z-P3 emphasise high-quality built form, pedestrian-friendly frontages, and buildings that respect and enhance Invercargill's character. In the absence of retention, the redevelopment covenant becomes critical. I do not support the concept plans provided to date, and both heritage experts have raised concerns about their adequacy. However, a covenant requiring future development to meet design objectives aligned with the Invercargill City Centre Heritage Guidelines provides a more robust and enforceable pathway to achieving the urban design outcomes anticipated by BUS1Z-P3. I consider inclusion of the Business 1 Policies is further necessary to ensure that any replacement building is appropriate in relation to scale, rhythm, corner treatment, and activation of the street edge.
54. BUS1Z-O4 (Protection of heritage values) remains an area of tension. Demolition is inherently inconsistent with this objective. However, the policy framework must be read holistically. The Business 1 Zone places strong emphasis on revitalisation, viability, and the functional performance of the CBD. In circumstances where a heritage building is no longer capable of contributing to those outcomes, and where all reasonable alternatives have been investigated, the broader Business 1 objectives carry significant weight. The strengthened mitigation package, including the Vacant Site Management Plan, helps ensure that interim amenity is maintained and that the site does not detract from the pedestrian experience or the wider streetscape.
55. BUS1Z-O5 is also relevant in considering a holistic approach to economic, social and geographical issues in the Central Business District. In this context, demolition and redevelopment may better achieve the holistic outcomes anticipated by the zone, particularly in relation to economic viability and the ongoing regeneration of the city centre.
56. Overall, while the proposal continues to conflict with heritage objectives and policies, the additional information and strengthened mitigation package now offered by the applicant significantly improves alignment with the Business 1 Zone provisions. Subject to a redevelopment covenant and interim site management, demolition is now more defensible in terms of the Business 1 objectives and policies than at the time of my original s42A report.

Part 2

57. My Section 42a report concluded the proposal did not promote sustainable management.
58. The demolition of the heritage building remains a significant adverse effect. The additional engineering and quantity-surveying evidence now demonstrates that stabilisation, façade retention and weatherproofing, while technically possible, would involve high costs. When combined with Ms Lee's evidence of sustained efforts over many years to avoid demolition, I consider the applicant has now undertaken a reasonable and proportionate investigation of alternatives.
59. Although demolition still results in heritage loss, the strengthened mitigation package goes some way to mitigate the adverse effect. Its removal will make way for a new building and in this respect, the proposal contributes to enabling people and communities to provide for their social and economic wellbeing, and for their health and safety, as required by section 5.

Recommended Conditions of Consent

60. I accept Ms McMillans proposed changes to conditions 22 and 27.
61. I accept the new proposed condition in relation to a Vacant Site Management plan.
62. I accept the new proposed conditions relating to contaminated soil management.
63. In relation to the proposed covenant conditions, I acknowledge Mr Barsby's concerns regarding the volunteered condition, particularly the design parameters and the concept design requirement. His view that the proposed concepts are inconsistent with the Invercargill City Centre Heritage Guidelines is shared by the applicant's own heritage expert, and I agree that the concept plans currently provided do not demonstrate an adequate response to the heritage context.
64. However, I consider that this issue can be addressed through a more flexible and outcomes-based covenant. A covenant that sets clear design objectives, rather than prescriptive parameters, with input from a suitably qualified heritage expert, offers a more appropriate and workable pathway. Anchoring those objectives in the Heritage Guidelines, along with the Policies of the Business 1 zone provides a framework for ensuring that any future building reinstates key heritage attributes such as scale, rhythm, corner prominence and materiality. While this does not replace the heritage value lost through demolition, it does strengthen the mitigation package in a meaningful way.
65. I recommend the following amendments to recommended condition 28A and 28B:

28A Design envelope for the Replacement Building

Any Replacement Building must be designed and constructed in general accordance with **the Invercargill City Centre Heritage Guidelines 2025 and the Policies of the Business 1 zone and provide** the Approved Concept Design or must, as a minimum, ~~achieve each of the following parameters:~~

- (a) ~~a continuous parapet to both the Dee Street and Spey Street frontages, with any roof form set behind and concealed by the parapet when viewed from either street;~~
- (b) ~~a vertical expression to window openings on the upper floors of both street frontages, with window to wall proportions consistent with the established rhythm of the Dee Street Historic Area;~~

- (c) ~~building alignment to the Dee Street and Spey Street boundaries consistent with the setbacks of adjoining buildings;~~
- (d) an architecturally expressed corner treatment to the Dee Street / Spey Street intersection;
- (e) ~~predominantly glazed ground floor frontages to Dee Street and Spey Street providing active street interaction;~~
- (f) ~~a continuous pedestrian awning along the Dee Street frontage so as to continue the covered pedestrian route along Dee Street; and~~
- (g) ~~a material and colour palette that complements the colours, textures and finishes characteristic of the Dee Street Historic Area, without direct imitation or replication of historic detailing.~~

28B Certification prior to building consent

~~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; and~~
- (b) ~~that person has certified in writing to the Council's Heritage Advisor that the detailed design achieves each of the parameters in condition 28A;~~
- (c) ~~and a copy of that certificate has been provided to the Council.~~

~~All costs of the assessment and certification under this condition are to be met by the person proposing the Replacement Building.~~

Prior the lodgement of a building consent application for a replacement building the consent holder must submit the detailed design of the building to the Council's Compliance Monitoring Officer for certification. The detailed design must be accompanied by an assessment by a suitably qualified heritage architect confirming that the detailed design achieved the design parameters in condition 28A above.

The Council's Compliance Monitoring Officer will liaise with the Council's Heritage Advisor in assessing the detailed design of the replacement building.

Conclusion

66. Overall, I consider that the further evidence has strengthened the application. I conclude that the adverse effect of demolition on historic heritage remains significant, given the complete loss of heritage fabric. However, the strengthened mitigation package improves the certainty and quality of post-demolition outcomes. While it does not alter the magnitude of the demolition effect itself, it reduces the overall adverse effects to a more-than-minor level by securing an enforceable pathway for reinstating appropriate built form and streetscape character.
67. I acknowledge Mr Barsby's continued concern that temporary propping and façade retention have not been costed to the level he considers necessary. However, when viewed in the wider planning context, including the updated engineering advice, indicative costings and the applicant's documented attempts over several years to pursue retention, sale, and reuse, in my opinion, reasonable alternatives have now been evaluated to an appropriate level for a decision-making.

68. The strengthened mitigation package provides an enforceable pathway for achieving high-quality replacement design than what was previously before Council. While demolition still results in a more-than-minor adverse effect, when considered holistically the proposal is not inconsistent with the objectives and policies, and that consent can be granted, subject to conditions.



Joanne Skuse

Consultant Planner

Appendix A – Draft Conditions

Appendix B – ICC Heritage and Business 1 Objectives and Policies