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URBIS
ASHBURTON
(2012) LIMITED

RESOURCE MANAGEMENT PLANNING

# Application for Land Use Consent

# Redmond Retail Ltd

# Relocation of a heritage building to 86 Maronan Road, Ashburton

# Peter Cates Grain Store

# Ashburton

## December 2017

**Ashburton District Council**

Reference: 330

Revision: Final

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## QUALITY ASSURANCE

| | |
|---|---|
| **Project Reference:** | 330 |
| **Title:** | Application for Land Use Consent |
| **Client:** | Redmond Retail Ltd |
| **Filename:** | 330 Relocation of a heritage building – Peter Cates Grain Store |
| **Version:** | Final |
| **Lodgement Date:** | December 2017 |
| **Prepared By:** | David Harford |

# 1.0 INTRODUCTION

Section 88(2)(b) of the Resource Management Act 1991 requires that any application for a resource consent should include an assessment of any actual or potential effects that the activity may have on the environment and the ways in which any adverse effects may be mitigated.

Section 88(2)(b) also requires that any assessment shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment and shall be prepared in accordance with the Fourth Schedule to the Resource Management Act 1991.

Form 9 as required by Section 88 of the Resource Management Act 1991 is provided as Annexure A to this application. The body of this application addresses the character of the land, the proposed land use activity and the relevant provisions of the District Plan. It also includes an assessment of effects on the environment as required by the Fourth Schedule to the Resource Management Act 1991.

A resource consent application was sought by the applicant seeking demolition of the Cates Grain Store building at 229-241 West Street Ashburton. LUC 15/0006. The application was declined by the Ashburton District Council following a resource consent hearing. The applicant subsequently appealed this decision to the Environment Court. This process is on-going via Court assisted mediation.

This outcome of the mediation included the applicant establishing a working party to explore the funding of an option to relocate the building to the Plains Historic Village at 86 Maronan Road Ashburton. This application for resource consent is part of that process.

## 1.1 Current Site Information

| | |
|---|---|
| Building Site Address: | 229-241 West Street, Ashburton |
| Legal Description: | Section 193 & Pt Section 194 Tn of Ashburton |
| Certificates of Title | CB 15K/1325 and CB 20K/251 |
| Site Area: | 1518m$^2$ |
| Property Owners | Redmond Retail Ltd |
| District Plan Zone: | Business A |

| | |
|---|---|
| Notable Features | Heritage Building-Category A Ashburton District Council |

| | |
|---|---|
| New Location Site Address: | 86 Maronan Road, Ashburton |
| Legal Description: | RS 41245 Recreation Reserve NZGZ 1999 p3770 |
| Certificates of Title | n/a |
| Site Area: | 7.79ha |
| Property Owners | Crown land – Dept of Conservation |
| District Plan Zone: | Open Space A – Scheduled Activity S32 |
| Notable Features | Tinwald Domain - Recreation Reserve |

## 1.2 Activity Classification

Operative Ashburton District Plan

Heritage Rules

Non-Complying activity arising from non-compliance relating to:

*12.7.5 Non-Complying Activities*

*a) The relocation of a Group A listed heritage building/item to another location within the property or to another property*

Relocated buildings

*15.7.1 Permitted Activities*

*c) The relocation of any building to the site of Scheduled Plains Historic Village in the Open Space A zone.*

There is an inconsistency in the Ashburton District Plan. While the relocation of any building into the Historic Village is permitted, the relocation of a Group A listed heritage building is a non-complying activity.

Due to the heritage rule in the District Plan the relocation therefore falls to be assessed as a non-complying activity.

Scheduled Activities

The proposal breaches Scheduled Activity permitted standard 8.5.2 and therefore falls to be a restricted discretionary activity under 8.5.4.

Restricted discretionary activity arising from the proposal not being listed in the permitted activities list in 8.6.7.1 below and is not specifically listed as a controlled activity.

The proposal does not comply with the permitted height for a building of 8m and nor the recession line at the boundary with RS 41244.

# 2.0 SITE AND SURROUNDS

## 2.1 The Application Sites and Surrounds

The building is proposed to be relocated to the Plains Historic Village at 86 Maronan Road, Tinwald. Details of this site are below.

The building is currently located in the Business A zone on West Street, Ashburton. This zoning is the predominant CBD Ashburton zone however it stretches across onto West Street and captures a number of established and redeveloped business properties between Havelock and Moore Streets.

The site contains the existing Cates Grain Store building and car parking/loading area. The main building was originally erected circa late 1870s- 1880's. This building has been utilised for storage of grain and other ancillary activities for essentially its entire lifetime since it was built.

The building has a Group A District Plan listing in the schedule of Heritage Items contained in the District Plan.

The building has a Category II New Zealand Historic Places Trust Registration. The Historic Places Trust (now Heritage NZ) Registration is number 1807. It should be noted that it is the building with frontage to West Street that has the heritage status and not the addition to the rear of the building on site.

Under the list entry information for the Grain Store for Heritage NZ, the store was built of mainly corrugated iron, timber and stucco and internally consists of timber support structures including a mezzanine floor for grain storage.

The building was constructed in two parts.

**Original Building**

The original two storey, front of the building is determined to have been constructed circa 1877 - 1880's. The materials it was constructed of was light weight roofing on timber purlins with curved timber rafters with steel ties on timber posts. The first floor, which does not extend the full length of the building, is constructed of timber flooring on timber joists and beams supported by timber posts.

The building consent drawings provide some detail that the West Street façade was altered in the mid-1960s with the wall demolished below the first floor level with a new reinforced concrete frame constructed of brick infill along with new doors and windows. A reinforced concrete wall was constructed on the south-west wall to the front part of the building. An office area was constructed on the north of the building in 1992/1993.

### Rear Additional Building

The construction date of the single storey building to the rear is unknown however it is anticipated this was sometime in the 1950s or 1960s. . This addition to the original building is described as having steel roofing on timber purlins, timber trusses to the central part and lean-to timber rafters each side which are supported by timber posts. There is detail in the Council records and mentioned in the engineering report of the side and rear concrete reinforced block walls constructed in the late 1960's/early 1970's.

### Images

The photos below show the building exterior and interior in general.

**Photo 1: Existing Building from West St**

**Photo 2: Existing building from West Street**

**Photo 3: Interior Mezzanine Floor**

**Photo 4: Internal Roof Structure**

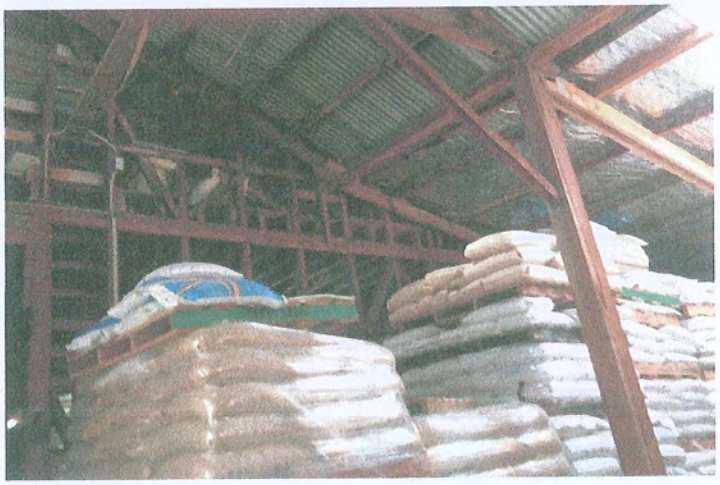


**Photo 5: Ground floor support structures**

The heritage protection for this building is for both internal and external protection.

Of note too is that Heritage NZ require an application for an "Archaeological Authority" be made for approval for any works at the site. This is a requirement for works on a site or building that existed prior to 1900.

The surrounding area is both business and community use including a real estate agency, large retail and merchandising store (Rural Co) and the Ashburton Public Library. The site fronts to State Highway 1 (West Street) and has two existing vehicle crossings being a crossing into the building and the separate crossing into the car parking area to the north of the site which Cates Grain & Seed Ltd lease.

On the opposite side of State Highway 1 is the Ashburton public car park which is sited between the State Highway 1 and the South Island Main Trunk railway line.

Planning Map U53 shows the site as containing the listed heritage item on the site.

State Highway 1 is a two lane sealed road with a minimum carriageway width of 14 metres. Footpaths and kerb and channel are located on both sides of this street. Kerbside car parking is available on both sides of the State Highway which has been relied upon as on street parking for many years for staff and visitors to existing businesses on the western side of the Ashburton Business area.

**The relocation site – Plains Historic Village**

This site on Maronan Road, Tinwald has been established over a number of years and is a Scheduled Activity within the Ashburton District Plan. The site is zoned Open Space A (Planning Map U71) and contains a number of buildings and items (including a listed heritage building) that are maintained and administered as part of the Plains Vintage Railway and Historical Museum facilities.

As part of Section 8.4.12 *Reasons for the Rules,* this provides the description and detail for the site.

*The standards and rules applying to activities undertaken in a rural recreation reserve or rural zone are unduly restrictive when applied to the site. The intention is to provide for a wide range of both current and future activities which may further develop the historic character of the site.*

*Provision has been made for the specialist activities establishing at the Plains Historic Village. These activities would otherwise have to comply with the standards for open space zones. It is reasonable that the village be given a separate means of identification to enable it to continue to operate and expand. Consideration has also been given to the future development of a range of uses, including recreational, commercial, and tourism. The standards are to ensure that the effects of the activities on adjoining land are minimised. Whilst the site is located in a predominantly rural area, standards for noise, hours of operation and lighting will ensure that activities undertaken within the site do not adversely affect residential land on the outskirts of Ashburton (Kapuka), or adjoining recreational land. Restrictions on the range of activities able to be undertaken within the site is required to ensure that other types of activities (such as residential activities or manufacturing activities) do not locate within the area. These activities have the potential to either result in adverse effects on the character and amenity of the adjoining land, or*

*be adversely affected by the effects of activities being undertaken within the zone or on adjoining land.*

The proposal involves the dismantling of the existing heritage structure on West Street and transport to a specified location at the Plains Museum site such that the building can be reconstructed as close to its original appearance as reasonably practical with some reduction in its scale to fit the site at the Plains Historic Village.

The process to relocate the building from its current site is to carefully remove the first floor and roof into three sections and then lift them off the supporting posts and on to a truck. The structure will be intact similar to that of a "D" shaped pipe. The supporting posts will be carefully removed from their current fixtures prepared for transport.

Once transported to site the sections will be elevated back to the required height and attached back to the original posts and framing and then the corrugated iron walls reinstalled. A new concrete floor will be established as a foundation. The proposal is to basically keep as much of the original building together to preserve the original integrity of the structure.

The site plan showing the location of the relocated building is included as Annexure C to this application.

# 3.0 PROPOSAL

The proposal is for the relocation of the original heritage building located on Section 193 TN of Ashburton to a new site within the Plains Historic Village. This will enable the building to be used as part of the Plains Village collection of buildings to be preserved as a museum attraction for the benefit of the current and future generations.

The proposed siting for the building is at the western end of the site positioned between two existing buildings as shown on the site plan prepared by Skews Architects included as Annexure C. The proposal will involve the removal of the existing open bay sheds used for stage by the Plains Historic Village as shown in photo 6 below.

**Photo 6: Location of Cates Grain Store – Open bay sheds in the image to be removed**

The final positioning of the building is proposed to be between 3-5m from the internal cadastral boundary with RS 41244 being the Tinwald Reserve land. This building position will factor the existing driveway on the north side of the building as there are existing underground water and electricity services under the driveway. This may require the building to be recessed back within the 5m setback therefore taking a cautious position the building may be at 3m from the internal boundary at this location once final building positioning is confirmed. Photo 7 shows the rear of the existing open bay sheds which sits approximately 5m from the internal boundary with RS 41244.

Photo 7: Rear of open bay sheds*

*note the water in this image is not a continuous flowing waterway. It is an overflow drain or swale and at this time an overflow of the pond to the south in the reserve was occurring. The position of the swale is more or less the internal boundary position.

The buildings long history of use as a grain store fits very well with the existing heritage buildings on the site and the agricultural linkages that a number of buildings and activities on this site including the rail preservation activities with which a lot of the grain was transported by rail within this District over time.

Note the relocation does not involve the 1950s/1960s building extension

The construction of the building has been assessed in some detail as part of the resource consent application LUC 15/0006. This extended to evidence provided by experts in Structural Engineering and Quantity Surveying for the purposes of predominantly demonstrating the current structural integrity of the building and the requirements to bring this building up to the New Building Standard (NBS) to enable the building to satisfy standards for an earthquake prone building to be insurable and able to be tenanted.

The relocation of the building is seen as a preferred alternative as opposed to the applicant seeking an application under Section 85 of the Resource Management Act to the Environment Court which is a provision that enables any person with an interest in land where the provision, in this case, of the District Plan, renders the interest or use of the land incapable of reasonable use.

# 4.0 DISTRICT PLAN ASSESSMENT

## 4.1 District Plan Status

The Operative Ashburton District Plan is the only relevant plan for consideration in this application.

In terms of the compliance assessment below and the assessment of effects further in this application, it is the site the building is to be relocated to at the Plains Historic Village that will be addressed.

## 4.2 Zoning

The application site is zoned Open Space A under the Operative Ashburton District Plan. The site is a Scheduled Activity within the District Plan. The scheduling purpose is not only to allow existing activities that are otherwise "out of zone" for the activities undertaken to be permitted subject to some standards but also provide a level of protection for the investment committed to buildings and the site development established over many years. The scheduling confines this to the established activities only however there is still opportunity for expansion and development on the site provided for some activities which is somewhat more enabling than the existing use criteria afforded under Section 10 of the Resource Management Act 1991.

The effect on a scheduled activity are generally those of further development on a site rather than on the development already existing.

It is of note that the relocation of buildings to the Plains Historic Village is a permitted activity subject to the site and zone standards that comply with the zone and any District wide rules. The fact that the building is a heritage building requires the proposal to be assessed as a non-complying activity.

## 4.3 Compliance Assessment

The table below address's the relevant standards for relocation of the building and the scheduled activity standards listed in the Operative Ashburton District Plan.

| Rule | Requirement | Comment |
|---|---|---|
| **Relocation Standards** | | |
| **Relocated Building Rules** | | |
| 15.7.1 | **Permitted Activities**<br><br>The following activities shall be Permitted Activities subject to compliance with all the Site and Zone standards that apply to the Zone in which the site is located and all relevant District Wide rules:<br><br>c) The relocation of any building to the site of the scheduled Plains Historic Village in the Open Space A Zone. | Complies<br><br>The proposal is for the relocation to this site.<br><br>The relevant District wide rules captures the heritage Chapter of the District Plan. |
| **Heritage Buildings** | | |
| 12.7.5 | Non-Complying Activities<br><br>a) The relocation of a Group A listed heritage building / item to another location within the property or to another property. | Does Not Comply |
| 12.8 | Site Standards<br><br>Repair and maintenance of any heritage item shall be a permitted activity if it meets the following standards, as certified by a suitably qualified professional with heritage experience, and as confirmed in writing with | |

| | | |
|---|---|---|
| | the Council: | |
| | b) The work does not involve alterations, additions (including restoration and reconstruction as defined in the ICOMOS (NZ) Charter 2010), relocation, partial demolition or demolition. | The work involves the relocation of the building.<br><br>As it relates to this application the relocation of the building will require restoration of the building. |
| | c) The work involves the restoration to sound condition of any existing building or any part of an existing building. | |
| | d) The work involves the patching, restoration or minor replacement of materials, elements, components, equipment and fixtures for the purposes of maintaining such materials, elements, components, equipment and fixtures in good or sound condition. | The relocation and re-establishment will require some patching and replacement of some materials such as the roof and potential reconstruction of a wall. |
| | e) Any redecoration work involves the renewal, restoration or new application of surface finishes, decorative elements, minor fittings and fixtures and floor coverings which does not destroy, compromise, damage or impair the appreciation of the historic heritage values of the element being redecorated. | The proposal is to re-establish the building such that there is general matching up of quality, materials and detailing. |
| | f) The work carried out on the building shall generally match the original in terms of quality, materials and detailing. | This will be factored into the re-establishment of the relocated building. |
| | g) Repair of material or of a site shall generally be with original or similar materials. However, repair of technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any historic heritage value is not diminished. | n/a<br><br>Will Comply |
| | h) The work does not result in any increase in the area of land occupied by the building. | |
| | i) The work does not change the character, scale and intensity of any effects of the building on the environment (except to | Will comply |

| | | |
|---|---|---|
| | reduce any adverse effects or increase any positive effects) and does not include upgrading.<br><br>j) No painting is to be applied to any previously unpainted surface or render to previously unplastered surfaces.<br><br>k) Repair work will be carried out by a suitably qualified tradesperson with recognised experience in working with heritage buildings. | Will comply<br><br>Will comply |
| Scheduled Activities | | |
| 8.5.2 | **Permitted Activities**<br><br>a) Scheduled Activities: listed in the Scheduled Activity list in Appendix 8-1 that comply with the relevant standards and conditions for the particular scheduled activity as set out below and all the relevant District Wide rules | Does not comply |
| 8.5.4 | **Restricted Discretionary Activities**<br><br>The following activities shall be Restricted Discretionary Activities, provided they are not listed as a Permitted or Controlled Activity, with the exercise of the Council's discretion being restricted to the matter(s) specified in the assessment matters in 8.7: a) Scheduled Activities; listed in the Scheduled Activity list in Appendix 8-1, that do not comply with any one or more of the standards and conditions for the particular scheduled activity as set out below.<br><br>Nb: The rules contained in this section take precedence over any zone rules that may apply to scheduled activities in the District Plan, unless specifically stated to the contrary. | The proposal is not listed in the permitted activities list in 8.6.7.1 below and is not specifically listed as a controlled activity.<br><br>The proposal does not comply with the permitted height for a building of 8m.<br><br>These standards below take precedence over the Open Space A zone rules. |
| 8.6.7<br><br>8.6.7.1 | **Plains Historic Village**<br><br>Permitted Activities | |

| | | |
|---|---|---|
| | The following activities are Scheduled Permitted Activities in the Open Space A zone on the site of the Plains Historic Village, Tinwald:<br><br>- the maintenance, repair and storage of materials/objects/equipment relating to historical aspects of farming activities and rail transport;<br><br>- retail activities accessory to other permitted activities being undertaken on the site, confined to the sale of food, beverages, crafts, souvenirs, or items produced on the site;<br><br>- the display of goods, materials and artefacts related to the history of the District;<br><br>- general storage accessory to the above activities;<br><br>- administrative offices accessory to other permitted activities being undertaken on the site;<br><br>- the use of buildings for the purpose of spiritual wellbeing and/or education;<br><br>- commercial recreational activities accessory to the first and third bullet points above. | The proposed relocation of the Cates building has relevance to the first point regarding the maintenance, repair and storage of materials/objects or equipment as the Cates building has historical linkage to farming activities and rail transport. However this proposal is initially for the relocation of a heritage building to the site and therefore does not specifically fit the permitted criteria as listed in 8.6.7.1. |
| 8.6.7.2 | **Standards**<br><br>Notwithstanding the site and zone standards of the Rural A Zone, the following standards shall apply to the scheduled permitted activities at the Plains Historic Village, Tinwald<br><br>Note: for the purpose of this rule, site shall mean the area of land shown on the planning maps as scheduled for the purpose of the Plains Historic Village. | The Rural A zone does not apply to the Plains Historic Village site. |
| | | |

| | | |
|---|---|---|
| 8.6.7.3 | **Setbacks from Roads**<br><br>a) All buildings shall be set back a minimum distance of 10m from road boundaries. | Complies |
| 8.6.7.4 | **Setback from neighbours**<br><br>a) All buildings and car parking areas shall be set back a minimum distance of 3m from internal boundaries. | Complies<br>Building is shown at 5m setback but may move back closer toward 3m setback if required for keeping building in line with the existing buildings on either side and off the driveway. |
| 8.6.7.5 | **Height of Buildings**<br><br>a) No building shall exceed a maximum height of 8m. | Does not comply<br><br>The height of the building exceeds 8m. It currently stands at 9.7m on its present site at West Street. |
| 8.6.7.6 | **Recession Lines**<br><br>a) Buildings shall not project beyond a building envelope constructed by recession lines from points 2.3m above internal boundaries as shown in Appendix 4-1. | Does not comply<br>The recession line penetrates the building as shown on the elevation in the Shews Architects site plan. |
| 8.6.7.7 | **Lighting**<br><br>a) All exterior lighting shall be directed away from adjacent properties and roads. | Complies |
| 8.6.7.8 | **Building Coverage**<br><br>a) The combined total area of all buildings on the site shall not exceed a maximum of 20% of the total site area. | Complies<br>The total site area is 7.79ha. 20% of this area equates to 1.5ha.<br>There is estimated to be circa 5000m$^2$ of buildings on site now. The addition of the relocated heritage building adds approximately 450m$^2$ of floor area so a total of say 5440m$^2$ therefore only 3.7% of the total site coverage. |

### 4.4 Activity Status

Consent is sought for a Non-complying Activity under the Heritage Activities listed as 12.7.5, and a restricted discretionary activity under 8.5.4 of the Scheduled Activity standards. The relocation of the building is a permitted activity under the relocated building standards 15.7.1 in the Operative Ashburton District Plan.

Overall the proposal is for a non-complying activity.

# 5.0 ASSESSMENT OF EFFECTS

The following assessment of effects arising from the non-compliance with relocation of the heritage building as discussed below under the Operative Plan.

## 5.1 Assessment of Effects – Heritage Buildings/items

The relevant assessment matters are contained in Section 12.9.1 of the Ashburton District Plan.

a) *Any immediate or cumulative effects of the proposal to the heritage building, object, property or place of special interest on Takata Whenua and District-wide historic heritage values (with regard to the reasons for its listing);*

The immediate effect is the relocation of the building from its present site. The heritage values of the building have been well addressed throughout the resource consent process under LUC 15/0006 and discussed here in Ms May's assessment attached as Annexure G. As Ms May notes in her report (3.3) the loss of a heritage building from its original position is not an ideal outcome and alters the contextual reading and landscape significance of the area and of that criterion related to the reasons for listing it. However the relocation of any heritage item does allow the retention of aspects of the original history and of the heritage fabric values.

b) *Where a building is part of a group of buildings, any adverse effect on the integrity of building character in the vicinity or of the group;*

This building is standalone in its current setting and is the last of a number of agricultural buildings spanning from the 19th century, including the Ashburton Railway Station that once existed along this portion of West Street. While there will be an adverse effect on the loss of the building from its original site, over time the adverse effect on the integrity of building character in the vicinity has already been severely compromised and the removal of this building will not have a more than minor effect on the built heritage integrity of the area.

This building is standalone in its current setting and was one of a number of heritage buildings that had existed along this portion of West Street.

c) *The purpose for which the site is to be used, and the alternatives available to the applicant, including the development of the site without affecting the heritage item, or the retention of the important features of the heritage item;*

The existing site is proposed to be redeveloped for a commercial use in the future. The proposal is to now seek relocation of the building which is considered by all parties involved to be a better alternative than the original application which sought demolition of the building. The proposal is to retain and restore the original 19th century section of the existing building on a new and appropriately located site within the Plains Historic Village Site.

d) *The effect on the property owner/occupier's enjoyment and practical use of the heritage item and the extent to which they would face unreasonable restrictions on that enjoyment and/or use or unreasonable costs, as a result of consent being refused or conditions imposed.*

The property owner and applicant has had limited practical use of the building. This is essentially due to changes in technology and practice of the use for which the building was erected as part of the grain industry. The extensive work required under the Building Act including structural and fire upgrades and alterations to accommodate a new use would place unreasonable cost and restrictions for the building owner to gain enjoyment and practical use of the heritage item. This had been outlined in the evidence prepared for the original application by Mr Stewart Harrison regarding Quantity Survey including cost estimates and the evidence by Mr Tim Gwatkin (structural engineering) evidence and Mr Bill Skews (Building Condition Reporting and architectural inputs). Copies of this evidence will be held by the Council following the 19th January 2017 hearing.

e) *The registration (if applicable) and the reasons for this registration of the heritage item under the Historic Places Act 1993;*

The Cates Building was originally registered on the 26th November 1981 and continued on the register under the Historic Places Act 1993. The Historic Places Act 1993 is no longer relevant and has been superseded by the Heritage New Zealand Act 2014. The building is now listed under this Act and the listing clearly defines the reasons for this.

f) *The extent to which any alteration or addition is in sympathy with the original design and materials or is visibly differentiable as new work;*

It is recommended by heritage professional, Ms May in her report attached as Annexure G that a heritage fabric inventory, a Conservation Plan and Temporary Protection Plan (TPP) be developed to inform and guide any proposal that involves relocation.

The detail within a Conservation Plan and TPP would include /recommendations about the role of professionals experienced in heritage conservation required to undertake the works and a timeline around restoration. It is recommended that conditions around these matters form part of the RMA consent should this relocation application be approved.

*g) Any incentives available to the applicant to retain the building, place or object;*

This was explored as part of the resource consent process for LUC 15/0006 and there are no incentives available to retain this building on the current site. However should the building be relocated and in the hands of a Charitable Trust, monies may be available to assist in its restoration.

*h) In the case of any place of cultural and spiritual significance to Takata Whenua, the response of the Takata Whenua to consultation;*

There is no awareness or listed reference that this building has any significance to Takata Whenua.

*i) In the case of major additions, alterations, land disturbance or similar works, the provisions by the applicant of photographs or other information relating to the building, object, property or place prior to work commencing;*

The applicant will provide a photographic record of the building prior to relocation to its new site.

*j) The importance (if any) of the land surrounding the heritage item;*

There is no strategic importance of the land adjoining the current site other than the State Highway network and the existing Ashburton Public Library (however that has no heritage status).

*k) The impact the proposal has on the integrity/value of the heritage resource;*

The immediate impact on the integrity of the heritage resource is that the 19th century section pf the building is proposed to be relocated. The later 1960s rear section of the building is proposed to be demolished and therefore the visual amenity being the physical reading of the building on this site would be lost. The building has been sited at this

location for circa 130 years within this inner part of Ashburton Town. The building was constructed as a grain store and has been utilised for that purpose until a little over a year ago. For at least the past year the building has remained vacant other than some intermittent storage in the rear part of the building however as has been explored there are significant issues and costs for the applicant to upgrade this building to a leasable or tenantable space with limitations on its use. There are very large commercial issues in terms of costs to being this to a New Building Standard (NBS) and the ability to insure the subject building was another matter.

Should the application to relocate the building to the Plains Historic Village be granted the integrity of the heritage resource could be retained if it is professionally conserved and restored in accordance with a Conservation Plan and utilised in conjunction with the wider heritage and education uses recourse of the Historic Village.

*l) The importance attributed to the heritage item by the wider community;*

There was some importance placed on the heritage building by the submitters to the original application LUC 15/0006 proposal to demolish this building. A wider survey of its importance to the community has be not been undertaken. The submissions were essentially from heritage groups and there were no submissions from the wider community in general that indicated significant opposition to demolition.

*m) Consideration of the purpose of and need for the proposed works, particularly in relation to proposed infrastructure, servicing or utility works, including consideration of alternatives, functional constraints, and the wider benefits of a proposal.*

The proposal to relocate is considered and offered by the applicant as an alternative to full demolition of that part of the building that has the recognised heritage values.

Its functional constraints have been assessed in terms of the ability to use this building in its current location as an industrial type activity being grain and seed storage facility or general storage and distribution at this site on a State Highway frontage does pose some functional traffic constraints. The commercial constraints in terms of costs of upgrade to New Build Standard, possible potential requirements of suitable tenants, the viability and insurability of such a building are all matters that were determined by the applicant for this building at this location under the application LUC 15/0006.

## 5.2 Assessment of Effects – Relocated Buildings

The relevant assessment matters for relocated buildings are included as part of section 15.8 of the District Plan.

*a) Proposed landscaping;*

There is no proposal for additional landscaping as part of this building relocation. The specific site location is within an area of existing heritage buildings as part of the Plains Historic Village. The position of the building is setback from the internal boundary to the west where there is already some vegetation within the Tinwald Reserve land that borders the land to the west.

The logistics of the site is to enable vehicle access/egress close to and travelling past the building therefore no vegetation or other landscape features can be located there.

There is well established vegetation on the internal boundaries of the Plains Heritage site which provides a high level of amenity for the Plains Heritage Village which includes the boundary with the Ravensdown site to the east and the Tinwald Golf Club site to the north.

Further the position of the building is located toward the rear of the site so will have limited, if any, visibility from Maronan Road itself.

*b) The proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services;*

The re-establishment of the building will take some months to complete as part of the positioning within the site. This could take as long as one year to restore the building and make any repairs to re-establish the building as close to its original appearance and condition as possible.

In terms of services it may only be that electricity is required to be provided to the building at this time. This will depend on the ease of ability to connect to power at this part of the site.

There are several aspects of the building re-establishment that will need to be considered as condition(s) or advice notes for this application. These are;

1. *All work involved in deconstructing and reconstructing the building should be undertaken by a tradesperson with experience working on heritage buildings; and*
2. *All work included in deconstructing and reconstructing the building shall be certified by a suitably qualified person with heritage experience.*
3. *A suitable condition regarding a Temporary Protection Plan, Heritage Inventory and a Conservation Plan.*

*c) The design and appearance of the building following reinstatement.*

The design and appearance of the building following re-establishment will be as close as reasonably practicable to its original condition. This will factor in any replacements of the cladding including the roof and wall claddings where required as they may not necessarily replace well following the building relocation.

The internal layout is to provide for the timber supports and fixings to be as close as possible to the original with the critical aspect being the structural integrity of the building being verified following re-establishment.

Ms May notes that in her professional opinion she could support its relocation but in line with the building re-establishment at the new site would want to see some tight conditions around it.

This would include a tangible link to the site in West Street being retained through an interpretation panel on the West Street site and one that links it to the building at the Plains Heritage Village by having its history well interpreted.

In the International Journal of Heritage Studies 2008 Jane Gregory noted that;

*"Fundamental to most is the notion that a 'monument is inseparable from the history to which it bears witness and from the setting in which it occurs.' Yet buildings have been moved for centuries. Neither the fabric nor the size of a building, nor planning regulations, nor even heritage listing, have prevented their relocation."*
http://www.tandfonline.com/doi/abs/10.1080/13527250701844027?needAccess=true

As Ms May has also noted in her report the relocation of heritage buildings is not a new phenomenon but it is how it is undertaken that is key.

Heritage NZ have guidelines for the relocation of heritage buildings and two points it makes are:

- *The proposed relocation should allow an understanding of the remaining significance of the building (e.g. ensuring the new site allows similar views from the street and setting or that a corner building is relocated to a new corner site).*
- *Future preservation of the building will be provided through a compatible use, improved physical condition, appropriate context or surroundings, and protection from vandalism and fire.*

On that basis relocation to The Plains site could meet bullet point 1 in part and bullet point 2 fully in her opinion.

The ICOMOS NZ Charter principle 10 regarding relocation of heritage states:

- *The on-going association of a structure or feature of cultural heritage value with its location, site, curtilage, and setting is essential to its authenticity and integrity. Therefore, a structure or feature of cultural heritage value should remain on its original site.*
- *Relocation of a structure or feature of cultural heritage value, where its removal is required in order to clear its site for a different purpose or construction, or where its removal is required to enable its use on a different site, is not a desirable outcome and is not a conservation process.*
- *In exceptional circumstances, a structure of cultural heritage value may be relocated if its current site is in imminent danger, and if all other means of retaining the structure in its current location have been exhausted. In this event, the new location should provide a setting compatible with the cultural heritage value of the structure.*

The Plains would be a place that could "*...provide a setting compatible with the cultural heritage value of the structure.*

It is doubtful that there is another place in this District where it is appropriate for the Cates building to relocate and at least have the potential to be restored and/or utilised on a site which would interpret its historic purpose.

In addition a tangible link to the site in West Street could be undertaken by retaining a connection for the building remaining in a public place, within Mid Canterbury and the Ashburton District, by having its history well interpreted.

This might involve an information panel on the original site telling this story and this would direct people to The Plains Heritage Village to see it and in a small way, be a mitigation step.

### 5.3 Assessment of Effects – National Environmental Standards

The site is not listed on Ecan's Listed Land Use Register as having or having had HAIL activities upon the land. A copy of the LLUR is attached as Annexure F.

The proposal is not a subdivision and use of the land is not changing in the sense it is a recreation reserve used for heritage and cultural related activities and the addition of another heritage building on the scheduled activity site does not change the use of the land. The relocation of an important local heritage building is entirely consistent with the Purpose of the Plains Historic Village

Therefore a Preliminary Site Investigation is not considered necessary as part of this proposal.

### 5.4 Effects Summary

Overall, based on the preceding assessment of environmental effects it is considered the effects of this activity is less than minor and the proposal still more than adequately provides for future residents and there will be no foreseen adverse effects that could be considered significant.

Ms May's final paragraph at 3.7 of her report stated that "*with appropriate conditions of consent around the timing of full restoration, the development of a Conservation Plan, a heritage inventory of the fabric and a Temporary Protection Plan that covers the building's relocation and the protection of the fabric while it is restored and given the discussion above, I believe the relocation of this building could be supported*".

### 5.5 Consideration of Alternatives

An assessment of effects has been completed and as stated above, no significant adverse effects are anticipated.

Alternative proposals considered include the current resource consent application seeking full demolition of the building. This application was opposed as part of the public notification submission process which is why the applicant is exploring this relocation alternative.

Other avenues partially investigated included costings of the building to bring this up to a New Build Standard (NBS) for the purpose of lease or otherwise but issues surrounding costings and linked to this were matters of insurance which made this option very costly and unviable.

In terms of the costings, Mr Stewart Harrison, a registered Quantity Surveyor with experience in dealing with heritage buildings, provided an estimated cost to refurbish and strengthen the Peter Cates building on the current site. This was included in the evidence Mr Harrison presented to the resource consent hearing for the demolition of the Cates building dated 19th January 2017. The total figure was $2,630,381.00.

The cost of strengthening was $1,103,282.00 and refurbishment alone was $1,527,099.00.

The figures included builder's preliminary & general and margin, building consent, professional fees, CW Insurance, and a 15% contingency allowance.

This proposal seeking relocation of the building will not require anywhere near the level of strengthening or refurbishment as the proposal is for the relocation and re-establishment of the building at the Plains Historic Village for the purposes of both heritage and education purposes. There will still be building consent requirements for minimum structural integrity and building standards which will be sought in due course should resource consent be approved.

# 6.0 OBJECTIVES AND POLICIES

In terms of Section 104D and Section 104(1) of the RMA, the assessment of a proposal against any relevant objectives and policies is incumbent on the consent authority, not the applicant.

Notwithstanding, an assessment against relevant Operative District Plan objectives and policies has been undertaken.

The Plains Heritage Village site is a Scheduled Activity site. There are no objectives and policies within the scheduled activities chapter of the District Plan. These are included within the relevant zone or activity chapters of the District Plan.

The relevant objectives and policies for the relocated building and heritage requirements are considered to be the following;

**Relocated Buildings**

***Objective 15.1:***

*Effects of Relocated Buildings and Temporary Activities Provide for relocated buildings and temporary activities where associated adverse effects on the environment can be appropriately avoided, remedied or mitigated.*

***Policy 15.1A***

*Provide for controls over some relocation of buildings to ensure compatibility with the surrounding context and minimise adverse effects on amenity values.*

The relocation of any building to the Plains Historic Village is a permitted activity in the District Plan. The issue here relates to the fact the building is listed as a heritage building.

In terms of adverse effects from this relocation, none are anticipated as the building would be situated within buildings that are very much older style and link to the Districts heritage. In terms of the surrounding context there are no or at least few adverse effects from this building positioned in this setting.

For completeness as the Plains Heritage Village does have a focus on railway and farm machinery related activities. The Cates building being a grain store therefore has the

potential to fit appropriately amongst the existing buildings at the site (which includes an old Church which is a heritage building that formerly was located at Waterton) and the Plains site also operates vintage and historic farm machinery to grow crops on the land owned by the Plains Heritage Village and includes amongst its machinery an old-style threshing machine. In time, there is the possibility to provide a railway link through the building to return it to its original form.

**Listed Heritage Buildings**

***Objective 12.1: Historic Heritage***

*To protect significant historic heritage in the District, including historic buildings, places and areas, waahi tapu sites and areas and archaeological sites, from adverse effects of subdivision, land-use and development.*

The Heritage Assessment Report for the relocation of the building prepared by Ms May acknowledges the heritage significance of the Cates building. However, this has been eroded over time through changes in technology, building alterations, and now the loss of the original use of the building as a grain store. She reluctantly acknowledges that a need to find a new use for the building and the costs to enable this may be so prohibitive as to risk the building falling into disrepair.

The applicant accepts that the removal of a heritage item from its original location is not a preferred option from a heritage perspective as it removes issues of context, significance of place and the social history of the heritage building.

However, in terms of the requirement for "protection" under objective 12.1, relocation does allow for the retention of the building and appropriate restoration of it to its original condition or something close to that. It is intended, in time, to include the reinstatement of the railway track to the building as part of its relocation to the Historic Village. This would restore the building to a state as close as possible to its original condition and function. Something that could not be achieved even if it was retained on its original site.

Relocation has become a more accepted practice in heritage retention over recent years. This is to the extent that Heritage New Zealand now has guidelines which can be read alongside Principle 10 of the ICOMOS NZ Charter for relocation of heritage buildings.[1]

The proposal meets the Heritage New Zealand guidelines for relocation because it will allow for an understanding of the significance of the remaining building by locating it in a heritage village with a theme of both the railway history and agricultural history of the District. This is a compatible use and probably represents an unmatched opportunity to relocate the restored original building to a setting reflecting and displaying its original function in an appropriate heritage setting compatible with the cultural heritage value of the structure.

For these reasons, it is considered that the proposal, is not contrary to objective 12.1 in the sense of being repugnant to it.

The *adverse effects* aspect of the objective links direct to the land use and development which in the context of this proposal would link to this site. The policies, in particular, Policy 12.1c, are addressed below.

***Policy 12.1C***

*To use methods and rules in the District Plan to protect historic heritage listed in the heritage schedule from adverse effects of land-use, subdivision and development.*

The Plains Heritage Village site is seen as a very good location for this heritage building being a Grain Store with linkages to the agricultural sector and the historic railway transport of the grain.

Ms May's Heritage assessment report recommends that the building be protected through the relocation process by conditions requiring the development of a Conservation Plan, a heritage inventorying of the fabric of the building and a Temporary Protection Plan that covers the buildings relocation and the protection of the fabric while it is restored at the new site.

[1] See Heritage Assessment Report, May, at paragraphs 3.42 3.6

### *Policy 12.1E*

*To encourage the use of protected buildings while ensuring that their valued features are not impaired or destroyed.*

The ongoing use of this building, it had been determined under the current demolition resource consent application LUC15/0006, requires costly strengthening and refurbishment work to bring this building up to a minimum new building standard. This was on the basis of it being occupied, leased or tenanted in its current location.

The relocation of the building to the Historic Village will encourage its use and appreciation by future generations as part of a heritage village showcasing the rail and agricultural history of the District. This will allow a greater understanding of the original form and function of the building then if it was upgraded under the Building Act and repurposed for commercial use.

The proposal to relocate the building to the Historic Village may avoid the requirement to deal with the building as an "earthquake prone building" under the Building Act. While the building code requirements may require some heritage features to be altered, as already noted, Ms May has recommended that the relocation and restoration be made subject to a Conservation Plan and a Temporary Protection Plan that covers the buildings relocation and the protection of the fabric during this process.

### *Policy 12.1G*

*To encourage owners to retain historic heritage values through considering a range of mechanisms, including opportunities for alternative uses of the site or building, provision of development incentives or reductions in rating for properties where historic heritage values are protected through a legal mechanism.*

The proposed alternative use for the building is upon another site where its heritage value is included within a heritage village as detailed under Policy 12.1E and within the application document itself as to the proposal for seeking relocation of the building.

# PART II OF THE RESOURCE MANAGEMENT ACT

Part II of the Act contains Sections 5 – 8 and relates to the purpose and principles of the Act. It is considered that the proposal should be assessed against Sections 5 and 7.

## 6.1 Section 5

Section 5 outlines the purpose of the Act as follows:

*(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*

*(2) In this Act, "sustainable management" means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:*

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

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

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

Section 5 of the Resource Management Act 1991 identifies the purpose of the Act as being the promotion of sustainable management of natural and physical resources. For the aforementioned reasons, it is considered that the proposed development achieves this purpose by avoiding, remedying or mitigating any adverse effects.

## 6.2 Section 6

Section 6(f) identifies *"protection from historic heritage from inappropriate subdivision, use and development"* as a matter of national importance, which the Council must recognise and provide for.

Historic heritage is defined by the Resource Management Act as:

*means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:*

*(i) archaeological:*
*(ii) architectural:*
*(iii) cultural:*
*(iv) historic:*
*(v) scientific:*
*(vi) technological; and*

*Includes —*

*(i) historic sites, structures, places, and areas; and*
*(ii) archaeological sites; and*
*(iii) sites of significance to Maori, including wahi tapu; and*
*(iv) surroundings associated with the natural and physical resources.*

The existing building has NZHPT (now Heritage NZ) comment with regards to its status as Category II on their register which included matters of sociological, historic, archaeological, technical and aesthetic significance.

Relocation of this building is considered as a positive alternative to demolition of the building as sought under resource consent LUC 15/0006. Demolition creates total or permanent loss of this heritage building if the appeal on the Council decision were successful for the applicant.

Another significant matter for the applicant is the potential economic use of the building if it is to remain on its existing site. There is no proposal to restore the building on the current site and there is the real issue of the building falling into a worse condition than it presently is and it eventually being lost through neglect.

An alternative matter that had been explored was being able to tenant the building. What had to be factored was if the building and strengthening requirements had to bring this building up to a minimum building standard and any on-going maintenance issues required for a building of this age and standard.

Therefore, protection of this building is occurring albeit locating the building at an alternative site. This therefore is a far better alternative than full demolition of the building and keeps the historic context of the building in a location that is more or less a heritage area that relates to rail and machinery with provision for historic buildings as part of the character of the site.

### 6.3 Section 7

Section 7 outlines other matters that need to be considered. Matters of relevance are:

*(c) The maintenance and enhancement of amenity values;*

*(f) Maintenance and enhancement of the quality of the environment;*

Section 7(c) and (f) of the Act are matters to which Consent Authorities should give particular regard to when making informed decisions. When assessing a non-complying land use consent application, consideration may be given to the effects on amenity values and maintenance and enhancement of the quality of the environment as a result of the proposed activity.

The proposal is also considered to be consistent with these Part II matters in that the proposal will maintain the amenity and enhance it with the provision of an additional heritage building within the Plains Village that will not affect the quality of the surrounding environment in accordance with Section 7c and 7f. Given the above, it is considered that the proposal is in keeping with Part II of the Act.

# 7.0 SECTIONS 104 & 104D - CONSIDERATION OF APPLICATIONS

Section 104 sets out those matters that must be considered when assessing an application for a resource consent. Subject to Part 2 of the Act, Section 104(1) requires a consent authority to have regard to the following matters:

*(a) any actual and potential effects on the environment of allowing the activity; and*

*(b) any relevant provisions of-*
*(i) a national policy statement;*
*(ii) a New Zealand coastal policy statement;*
*(iii) regional policy statement or proposed regional policy statement;*
*(iv) a plan or proposed plan; and*

*(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application."*

Section 104D of the Resource Management Act is a test that must be applied to applications for non-complying activities. If an application cannot satisfy the requirements of Section 104D (1) (a) or (b), then consent must be refused.

The test for "non-complying" applications is

*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 … will be minor; or*

*(b) the application is for an activity that will not be contrary to the objectives and policies of … the relevant plan.*

The Council must be satisfied to require a positive finding that, in the authority's view and on the evidence, the balance is tipped in favour of one or both of the specified conclusions.

Section 104(1)(b)(2) requires the consent *authority to have regard to any relevant provisions of the District Plan* or 104(1)(c) *any other matter the consent authority to determine the application* or Section 104(D)(1)(b)(i) *the activity not being contrary to the objectives and policies of the District Plan.*

*Section 104D (1) (a) and (b) have been described by the Environment Court as "gateways". If neither gateway is satisfied, the application fails. If the application satisfies either gateway then the application is to be considered under Section 104 of the RMA.*

The gateways of section 104D(1)(a) and (b) are disjunctive, meaning that in order to satisfy Section 104D it is necessary to satisfy only one of those gateways, not both.

It is noted that even where one (or both) "gateway" tests are satisfied, the consent authority retains discretion to decline consent if it considers the proposal will not achieve the purpose of the act.

In terms of the first gateway test, it is satisfied that the adverse effects of the proposed relocation of the heritage building to the Historic Village are no more than minor on the basis of consideration of adverse effects above, the supporting Heritage Assessment Report of Ms May, and the support of the other parties to the appeal to the proposal.

In terms of the second gateway test, on balance, it is considered that the proposal is not contrary to the relevant heritage objective and policies due to the fundamental aspect of the proposal which is the retention of the original heritage building on a site which enables the building to be restored to its original form and in assessing reflecting and displaying its original function compatible with the cultural heritage value of the building.

# 8.0 NOTIFICATION –SECTIONS 95 AND 95A-F

Under Section 95A(2), a consent authority must publicly notify the application if it decides (under Section 95D) that the activity will have or is likely to have adverse effects on the environment that are more than minor.

The Consent Authority has discretion as to whether to notify an application. This is a significant shift from the previous presumption that all applications should be publicly notified unless good reasons were addressed for a proposal not to be notified

A number of situations are listed in the Act that require or preclude notification. The only applicable matter in this situation is section 95A (2) (a), which states that despite its discretion to decide whether to notify an application or not,

*"...a consent authority must publicly notify the application if—*

*(a) it decides (under section 95D) that the activity will have or is likely to have adverse effects on the environment that are more than minor..."*[2]

Section 95D sets out how adverse effects are to be assessed for the purpose of the public notification test. Section 95D (a) requires the consent authority to disregard any effects on persons who own or occupy the subject site or any land adjacent to it.

These properties are to be assessed when considering limited notification, later in the process. Taking this into account, there are no more than minor adverse effects on the environment arising from the proposal that extend beyond the properties adjacent to the application site.

The application site is on land the subject of a Scheduled Activity in the Open Space A zone and the current application does not anticipate any adverse effects.

There will be no adverse effects that are more than minor beyond adjacent sites. On this basis, it is submitted that the application should not be publicly notified.

### Limited Notification

If the Ashburton District Council decides not to publicly notify the application, it must then decide whether to notify it on a limited basis under section 95B of the Act. The requirements for this assessment are set out in section 95E and 95F. A person is an affected person under section 95E of the Act if the adverse effects of the proposed activity on the person are minor or more than minor (but not less than minor). This is a significant change from the wording before the 2009 amendments to the Act, under which a person was entitled to be notified on a limited basis if the effects of the proposed activity on them were more than *de minimis*.

It is submitted that the only persons who could be considered to be affected under section 95E are the parties to the appeal of LUC 15/0006. Therefore if Council is mindful of serving notice on any parties in regards to this application it is those parties being;

- Mrs Maxine Watson
- Mr Nigel Gilkison
- Mrs Julie Luxton

It was noted that some or all of these parties may have been representing the Mid Canterbury branch of Heritage NZ as part of the appeal process.

Under Section 95A(2), a consent authority must publicly notify the application if it decides (under Section 95D) that the activity <u>will have or is likely to have</u> adverse effects on the environment that are more than minor.

The effects arising from the proposal have been considered in this application and have been found to be minor or less than minor. It is therefore submitted that this application should be processed on a limited notified basis or should Council consider no parties are affected, a non-notified basis.

# 9.0 CONCLUSION

This application seeks resource consent for the relocation of a heritage building from its present site at 229-241 West Street onto the site of the Plains Historic Village in Tinwald.

The proposal is a non-complying activity under the Operative District Plan.

Section 104 of the Act sets out the matters to be considered when assessing an application for resource consent. These matters require consideration of any actual and potential effects on the environment arising from the proposal, together with an assessment as to whether the proposal is consistent with the relevant objectives, policies and rules of the Operative Ashburton District Plan.

It has been demonstrated by the preceding assessment that the effects on the environment as a result of this proposal will have effects that are of a low impact. The relevant provisions of Part II of the Resource Management Act 1991 have been satisfied and it is considered that the proposed development is consistent with the purpose of the Act, promoting the sustainable management of natural and physical resources, with less than minor environmental effects.

# ANNEXURE A – FORM 9

## Form 9: Application for Resource Consent

### Under Section 88 of The Resource Management Act 1991

**TO:** The Ashburton District Council

**Redmond Retail Ltd**

applies for the resource consent described below.

1. **The names** of the owner and occupier (other than the applicant) of any land to which this application relates are as follows:

   RS 41245 Recreation Reserve

2. **The location** to which this application relates is:

   229-241 West St – Current Building Location

   86 Maronan Road – Proposed Relocation site.

3. **The type of resource consent** being sought is a Land Use Consent.

4. **A description of the activities** to which the application relates is:

   The proposal seeks resource consent for the relocation of the original heritage building known as "Peter Cates Grain Store" to the Plains Historic Village as outlined in this application and detailed within the assessment of effects.

   The proposed development will be in accordance with the plans accompanying this application and which should be read as part of it. A more detailed description of the proposed activity is to be found in the assessment of effects on the environment which accompanies this application which should also be read as part of this application.

5. **Attached is an assessment of any actual or potential effects** that the activity may have on the environment.

6. **No other information** is required to be supplied by the district or regional plans or regulations.

.....

**DATED:** December 2017

(Signature of applicant or person authorised to sign on behalf)

**Address for service:**

Urbis Ashburton 2012 Limited

P O Box 603

**Ashburton 7740**

**Attention: David Harford**

Telephone: (03) 307 7164

Mobile: (029) 307 7164

Email:david@urbisashburton.co.nz

**Address for Applicant**

Redmond Retail Ltd

174 Burnett St

**Ashburton 7700**

**Attn: Mr Barry Redmond**

Email:bjredmond@xtra.co.nz

# ANNEXURE B – NEW ZEALAND GAZETTE LAND NOTICE

## Land Notices

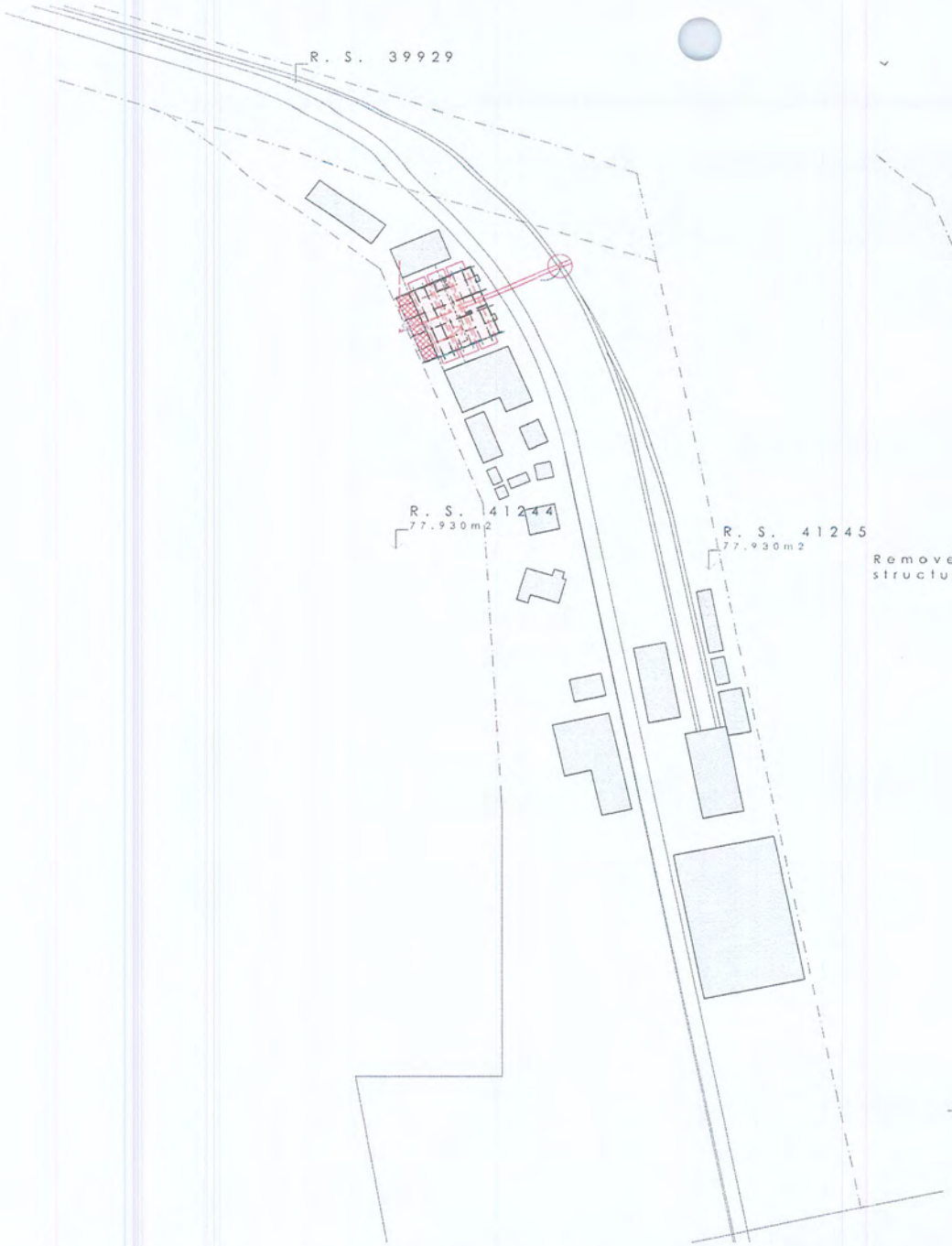
21
OCT
1999

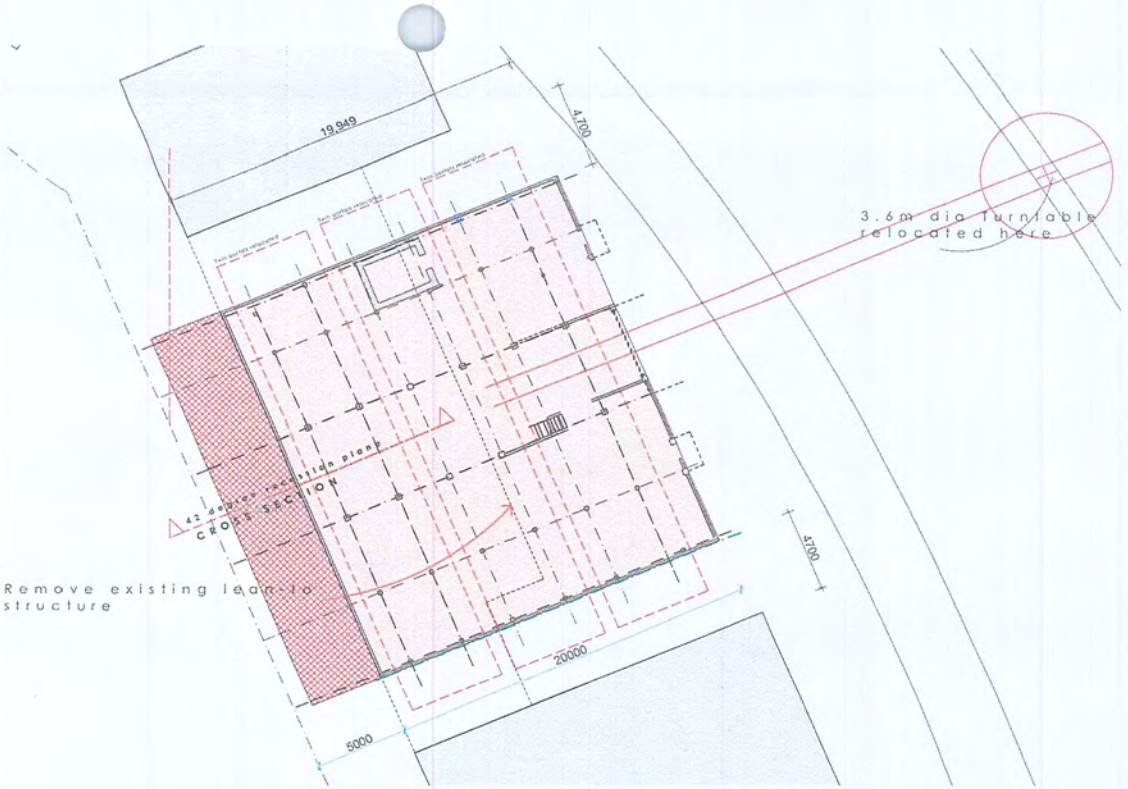
Notice Number
1999-ln7726

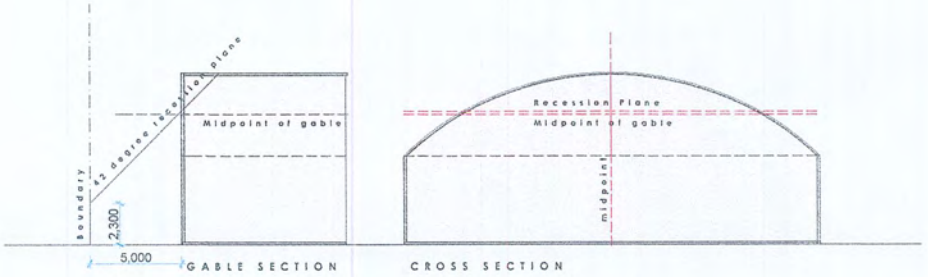
Page Number
3770

Classification of Reserve and Vesting in the Ashburton District Council Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Community Relations Manager, Canterbury Conservancy, hereby classifies the reserve described in the Schedule hereto as a recreation reserve, and vests the said reserve in the Ashburton District Council in trust for that purpose. Schedule Canterbury Land District Ashburton District 27.8900 hectares, being Rural Section 41244. All New Zealand Gazette, 1879, page 68. S.O. 15320. 7.7930 hectares, being Rural Section 41245. All New Zealand Gazettes, 1879, page 68 and 1970, page 1879. S.O. 15320. 13.5200 hectares, being Rural Section 41345. All New Zealand Gazettes, 1878, page 1824, 1879, page 68, 1970, page 1879 and 1972, page 533. S.O. 15464. 8769 square metres, being Rural Section 41346. All New Zealand Gazettes, 1878, page 1824 and 1879, page 68. S.O. 15464. 46.8425 hectares, being Rural Section 41347. All New Zealand Gazettes, 1878, page 1824, 1879, page 68, 1970, page 1879 and 1972, page 533. S.O. 15464. Dated at Christchurch this 13th day of October 1999. CHERYL COLLEY, Community Relations Manager. (DOC D.O. RSR 015)2

# ANNEXURE C – RELOCATION SITE PLANS




CREATING PLACES FOR PEOPLE

# Cates Development - Ashburton

Unit 1 . 2 Horner Street . PO Box 495 . Christchurch 8140 . NZ . p: 64 . 3 . 366 8093 . e: studio@skews.co.nz

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|---|---|---|---|
| FIRST ISSUE DATE | 6/12/2017 | FILE No. | |
| ISSUE | | 2738 | A1.00 |
| PLOT DATE | 6/12/2017 | CONCENT ISSUE | |

do not scale drawing - all dimensions to be confirmed on site

SKEWS ARCHITECTS

# ANNEXURE D – LOCATION PLAN

Canterbury Maps

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Information from this map may not be used for the purposes of any legal disp The user should independently verify the accuracy of any information before taking any action in reliance upon it.

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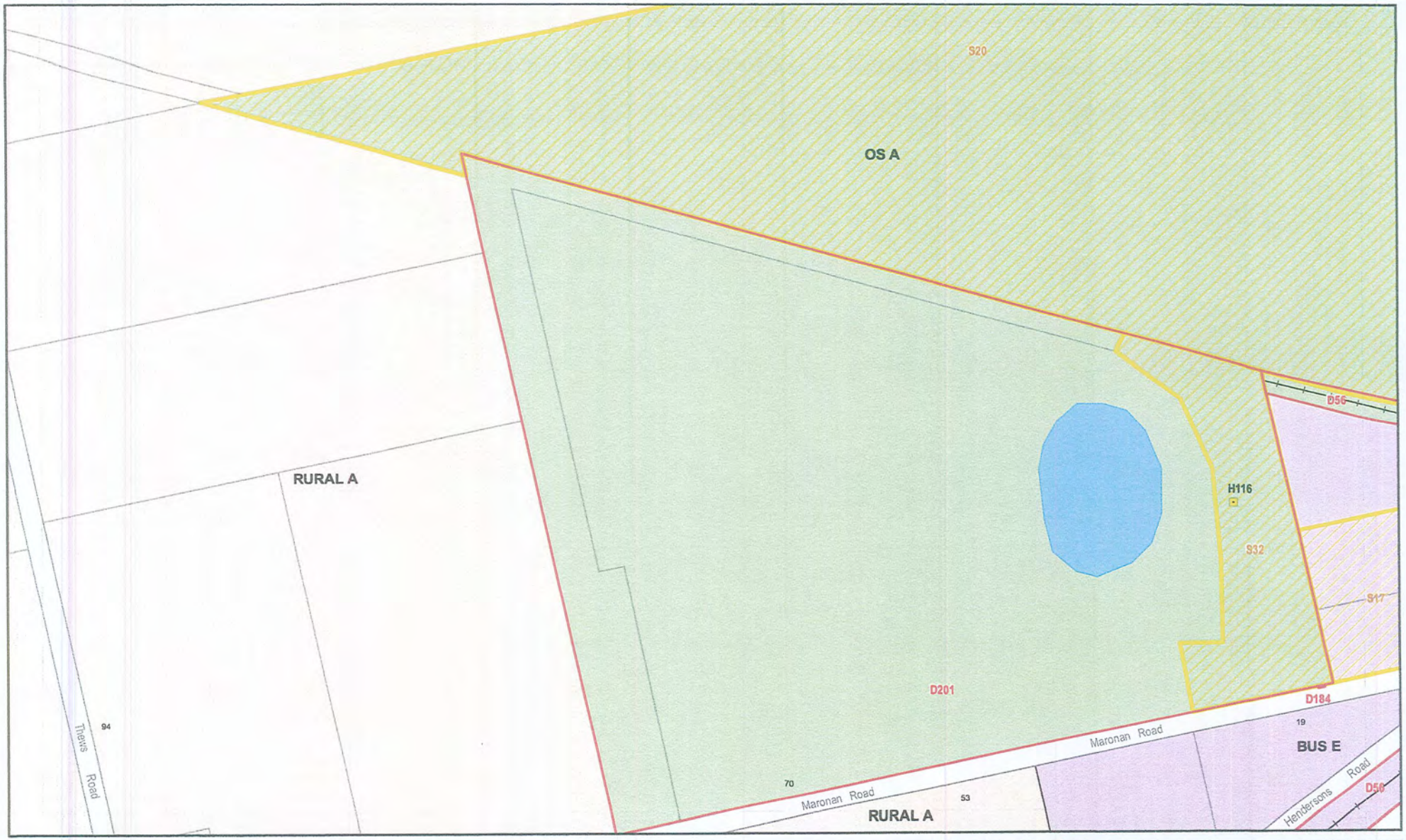
0 0.0095 0.019 0.0285 0.038 Kilometres

Scale: 1:900 @A4

Map Created by Environment Canterbury on 12/6/2017 at 3:49:16 PM

# ANNEXURE E – PLANNING MAP



# Ashburton District Plan

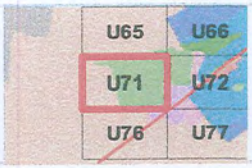
## Tinwald

0 0.05 0.1 0.2 0.3 km

Scale 1: 5,000 (A4)

R72

Street Index
Rural Index
Urban Index
Legend




Ashburton DISTRICT COUNCIL

**Map U71**

25-Aug-14

# ANNEXURE F – LLUR

Environment Canterbury
Regional Council
Kaunihera Taiao ki Waitaha

Customer Services
P. 03 353 9007 or 0800 324 636

PO Box 345
Christchurch 8140

P. 03 365 3828
F. 03 365 3194
E. ecinfo@ecan.govt.nz

www.ecan.govt.nz

Dear Sir/Madam

Thank you for submitting your property enquiry in regards to our Listed Land Use Register (LLUR) which holds information about sites that have been used, or are currently used for activities which have the potential to have caused contamination.

The LLUR statement provided indicates the location of the land parcel(s) you enquired about and provides information regarding any LLUR sites within a radius specified in the statement of this land.

Please note that if a property is not currently entered on the LLUR, it does not mean that an activity with the potential to cause contamination has never occurred, or is not currently occurring there. The LLUR is not complete, and new sites are regularly being added as we receive information and conduct our own investigations into current and historic land uses.

The LLUR only contains information held by Environment Canterbury in relation to contaminated or potentially contaminated land; other information relevant to potential contamination may be held in other files (for example consent and enforcement files).

If your enquiry relates to a farm property, please note that many current and past activities undertaken on farms may not be listed on the LLUR. Activities such as the storage, formulation and disposal of pesticides, offal pits, foot rot troughs, animal dips and underground or above ground fuel tanks have the potential to cause contamination.

Please contact and Environment Canterbury Contaminated Sites Officer if you wish to discuss the contents of the LLUR statement, or if you require additional information.
For any other information regarding this land please contact Environment Canterbury Customer Services.

Yours sincerely

**Contaminated Sites Team**

# Property Statement
# from the Listed Land Use Register

**Visit www.ecan.govt.nz/HAIL for more information about land uses.**

Environment Canterbury Regional Council
*Kaunihera Taiao ki Waitaha*

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Christchurch 8140

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E. ecinfo@ecan.govt.nz

www.ecan.govt.nz

| | | |
|---|---|---|
| **Date:** | 08 December 2017 | |
| **Land Parcels:** | RS 41245 | Valuation No(s): 2444002600,2444002600B |
| | RS 41245 | Valuation No(s): 2444002600,2444002600B |

*The information presented in this map is specific to the property you have selected. Information on nearby properties may not be shown on this map, even if the property is visible.*

## Summary of sites:

There are no sites associated with the area of enquiry.

## Information held about the sites on the Listed Land Use Register

There are no sites associated with the area of enquiry.

## Information held about other investigations on the Listed Land Use Register

**For further information from Environment Canterbury, contact Customer Services and refer to enquiry number ENQ187491.**

**Disclaimer:** *The enclosed information is derived from Environment Canterbury's Listed Land Use Register and is made available to you under the Local Government Official Information and Meetings Act 1987 and Environment Canterbury's Contaminated Land Information Management Strategy (ECan 2009).*

*The information contained in this report reflects the current records held by Environment Canterbury regarding the activities undertaken on the site, its possible contamination and based on that information, the categorisation of the site. Environment Canterbury has not verified the accuracy or completeness of this information. It is released only as a copy of Environment Canterbury's records and is not intended to provide a full, complete or totally accurate assessment of the site. It is provided on the basis that Environment Canterbury makes no warranty or representation regarding the reliability, accuracy or completeness of the information provided or the level of contamination (if any) at the relevant site or that the site is suitable or otherwise for any particular purpose. Environment Canterbury accepts no responsibility for any loss, cost, damage or expense any person may incur as a result of the use, reference to or reliance on the information contained in this report.*

*Any person receiving and using this information is bound by the provisions of the Privacy Act 1993.*

# ANNEXURE G – HERITAGE ASSESSEMENT

Heritage
MANAGEMENT SERVICES

Heritage Assessment Report for the Relocation of a listed heritage building to accompany the application for Land Use Consent by Redmonds Retail Limited for the former **Peter Cates Grain Store** 229-241 West Street, Ashburton to the **Plains Historic Village**, 86 Maronan Road, Ashburton.

Prepared by:
Jenny May ONZM BA(Hons) MICOMOS
PO Box 54
Christchurch
Phone: (+64 3) 323 5732
Mobile: 0275937310
Email: jenny@hms.net.nz

**1. Overview:**

**1.1** I have been asked to prepare a heritage assessment report to accompany the Land Use Consent application to relocate a Group A heritage building (H9), the former Peter Cates Grain Store, 229-241 West Street, Ashburton, to the Plains Historic Village, 86 Maronan Road, Ashburton.

**1.2** The building is listed by Heritage New Zealand Pouhere Taonga (HNZPT) as a Category II Historic Place (No1807). The listing (then registration) was approved by the then New Zealand Historic Places Trust on the 26th of November 1981.

**1.3** As outlined in the application a resource consent application was sought by the applicant seeking demolition of the Cates Grain Store building at 229-241 West Street Ashburton (LUC 15/0006). This application was declined by the Ashburton District Council following a resource consent hearing. The applicant subsequently appealed this decision to the Environment Court. This process is on-going via Court assisted mediation.

**1.4** The planning matters of the Ashburton District Plan with regard to the proposed relocation of the former Cates Building are outlined in the application and will not be repeated here suffice to say that while the relocation of any building into the Plains Historic Village is a permitted activity, the relocation of any Group A listed heritage building in the Ashburton District Plan is a non-complying activity. While the rules appears to be inconsistent, it is my understanding that the proposal will be assessed as a non-complying activity. It is noted that in Policy 12.11 of section 12 in the Ashburton District Plan, Group A listed Heritage items are, "*...considered to be of national or regional significance, and include NZHPT registered Category I historic places. These places are of special or outstanding value or representative value and the loss of these items would be a matter of national or regional significance and of interest to the wider community. The Council wishes to provide for their long-term conservation and protection.*"

**1.5** The purpose of this report is to outline the heritage significance and values of the building and the effects of the proposed relocation on those values.

**1.6** My assessment is a general, qualitative account of the significance of the heritage value of the building with general regard to the assessment matters for listing by HNZPT and Ashburton District Council. The appropriate planning matters outlined in the Ashburton District Council District Plan are clearly outlined in the application by Mr David Harford, Urbis Resource Management. While I will consider the appropriate heritage matters in the plan it is not within my area of expertise to comment on the planning matters.

**1.7** A full heritage inventory, which assesses the relative significance of each individual element and space, has not been undertaken by the Ashburton District Council or the owner of the building. However while a full heritage inventory may increase our understanding of the heritage appreciation of the building, it would not in my opinion, result in any major revision of the following assessment overview of the heritage values and conclusions reached. In saying this I would recommend that consideration be given to the preparation of a full heritage inventory as part of a conservation plan before the building is relocated.

**2 Heritage Values:**

**2.1** The following summary of the heritage values of the former Cates Grain and Seed building has been formulated based on the nationally accepted criterion for the assessment of heritage

items, the criteria used in Policy 12 1B of the Ashburton District Council's District Plan, (ADCDP) the listing criteria of HNZPT and with consideration of the principles of the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value 2010.

**2.2** Policy 12.1B of the ADCDP notes that in "*...determining items to record, the District Council will have regard to whether the site or item....*", it will take regard of the following matters that the item to be considered:

- *is identified on the NZHPT register of historic places as a Category I or II historic place, historic area, wahi tapu or wahi tapu historic area;*
- *has an historic association with a person or event of note, has strong public association for any reason, or provides a focus of community or local identity or sense of place;*
- *has value as a local landmark over a length of time;*
- *reflects past skills, style or workmanship which would make it of educational, historical or architectural value;*
- *has the potential to provide scientific information about the history of the area;*
- *is unique or rare, or a work of art;*
- *retains integrity or significant features from its time of construction or later periods when important alterations were carried out;*
- *forms part of a precinct or area of historic heritage value;*
- *is representative of its class in relation to design, type, technology, use, or similar;*
- *contributes to the distinctive characteristics of a way of life, philosophy, religion or other belief and/or is held in high esteem by a particular group or community;*
- *is of importance to the Takata Whenua, and the appropriateness of making this information available to the general public;*
- *has the potential to contribute information about the human history of the area or provides archaeological information.*

**2.3** Under S66 of the Heritage New Zealand Pouhere Taonga Act 2014, Heritage NZ may only assign a Category 1 or Category 2 status to a historic place if it is satisfied that the place has significance or value in relation to 1 or more of the following criteria:

*a the extent to which the place reflects important or representative aspects of New Zealand history;*
*b the association of the place with events, persons, or ideas of importance in New Zealand history;*
*c the potential of the place to provide knowledge of New Zealand history;*
*d the importance of the place to tangata whenua;*
*e the community association with, or public esteem for, the place;*
*f the potential of the place for public education;*
*g the technical accomplishment, value, or design of the place;*
*h the symbolic or commemorative value of the place;*
*i the importance of identifying historic places known to date from an early period of New Zealand settlement;*
*j the importance of identifying rare types of historic places; or*
*k the extent to which the place forms part of a wider historical and cultural area.*

**2.4** Section 6 (f) of the RMA states that the Act will provide for *"the protection of historic heritage from inappropriate subdivision, use, and development."*

**2.5** In order to address the assessment criteria matters of the ADCDP and HNZPT, my heritage values statement will be considered under the following headings:

- Historical, Cultural and Social Significance
- Architectural and Aesthetic Significance
- Group/Context and Landmark Significance
- Technological and Craftsmanship Significance
- Archaeological Significance

## 2.6 Historical, cultural and Social Significance

**2.6.1.** The actual date of the erection of the former Cates Grain and Seed building has been hard to define and further research on this matter has been undertaken and all evidence would suggest that the building was certainly in operation before 1900. A summary of the certificates of title show that the site was owned in 1879 by J and M Oram and the by the Jameson Brothers with the title transferred the next year to George Jameson and Albert Roberts who solely owned the site/building and business from 1883 to 1891 when Roberts passes/sells his business to Rollitt and Co. *The Press* of 1883 noting the sale of their partnership and providing a description of the building on the site. However the description would suggest that this may not be the current building on the site.[1] (see Fig.1)

**2.6.2.** By 1892 the BNZ Bank are noted on the title which may indicate a mortgage transaction to build a new building. Rollitt and Co., Canterbury Roller Mills, were lessees of the building/site and noted this in the Ashburton Guardian of January 1891.[2] (see Fig.2) The Ashburton Guardian of 1887 contains a good description of the Friedlander Brothers buildings adjacent and which at that date occupied one and a half sections on the corner of Burnett and West Streets. These according to the article in the Ashburton Guardian of 1887, had been designed by D H Brown who was associated with the Canterbury Roller/Flour Mills and Belford Mill Timaru.

ASHBURTON.

TUESDAY, MARCH 29TH,
At 12 o'clock.

TO MERCHANTS, CAPITALISTS AND OTHERS.

IMPORTANT SALE
OF A
VALUABLE FREEHOLD TOWN PROPERTY
(Centrally Situated).

MR. T. BULLOCK has received instructions from Messrs Jameson and Roberts, in consequence of a dissolution of partnership, to

SELL BY PUBLIC AUCTION,
AT
THEIR WAREHOUSE, WEST STREET, ASHBURTON,
Without Reserve,
THEIR VERY VALUABLE FREEHOLD PROPERTIES,
As follows:—

T.S. 193, having a frontage of 82 feet 6 inches on West street, and running back 133 feet. T.S. 194, having 66 feet frontage on Burnett street, and running back 165 feet, on which is erected a commodious and substantially built Warehouse and Grain Store, 193 feet long, one part of it 79 feet and the other 83 feet wide, with railway line running through the entire length of the building, and capable of storing 35,000 sacks of grain. There are also convenient and well-arranged offices facing West street.

These business premises are centrally situated, and without exception one of the most valuable in Ashburton.

Terms at sale.

Sale at 12 o'clock.
8-10 2510 T. BULLOCK, Auctioneer.

Messrs Rollitt and Co., of the Canterbury Mills, have entered into possession of the premises in West street, for many years owned by Mr Albert Roberts, and in which he has carried on the business of grain merchant. It is Messrs Rollitt and Co.'s intention to carry on business in these premises on the same lines as followed by Mr Roberts, namely, the purchase, storage, and sale of grain, making advances on grain stored with them, supplying sacks and other requisites, and in fact the usual business of grain merchants in all its branches. As Messrs Rollitt and Co. are large buyers of wheat for their mills, no doubt the extension of their business will be of advantage to themselves and the farmers of the district.

***Fig.1 (left)*** *10 March 1883 Vol.XXXIX Issue 5452, p.3 The Press*

***Fig.2 (right)*** *The Ashburton Guardian Vol. VII Issue 2293 20 January 1891, p.2*

[1] The Press 10 March 1883 Vol.XXXIX Issue 5452, p.3

[2] The Ashburton Guardian Vol. VII Issue 2293 20 January 1891, p.2
https://paperspast.natlib.govt.nz/newspapers/AG18910120.2.6

**2.6.3.** The building and site then pass briefly to Wood and Co well known flour millers and grain merchants of Addington in Christchurch in 1901; then from 1901 to 1924 to Hugo Friedlander. Following two more changes of ownership the building and site ae purchased in 1973 by Peter Cates Ltd who have owned the building for the purpose for which it was built until the sale in 2015 making this firm the longest owner/operators. Peter Cates Grain and Seed Limited continue to operate today in Ashburton from new premises.

**2.6.4.** HNZPT date the construction date to 1887 and the 1994 listing of the building by the Ashburton District Council attributes 1877 as the date. Thus given the conflicting opinions one can only assume that the former Cates Grain and Seed building was built and in operation at some period within those late nineteenth century dates.

**2.6.5.** I note that much is made of the Friedlander ownership by Ashburton District Council and HNZPT and while acknowledgment of the not insignificant role the brothers played in the industry in South Canterbury and in the life and development of Ashburton in the late nineteenth and early twentieth centuries is justified, I consider their tenure is only a small part of the buildings life; they appear not to have been the builders or designers and were owners for only one fifth of its life.

**2.6.6.** There is no argument that the building has a significant social, cultural and historical history. The building is a significant tangible reminder of the cultural and social importance and significance of agriculture in the development of Ashburton as a town.

**2.6.7.** While most of this block of West Street buildings, including the railway yards and its associated buildings, remained well into the 20th century in their 19th century form, little tangible heritage now remains today to tell of this history. The recent demolition of the Ashburton Railway Station building, also a Group A listed building in the ADCDP, has considerably affected the reading of the social cultural landscape and contextual history associated with this area leaving the Cates building a somewhat isolated tangible albeit diminished reminder of the past as illustrated in Figures 3-5 below.

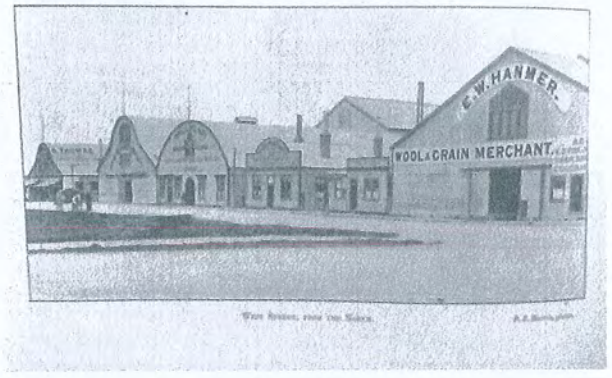

*Fig.3. C1901 Cyclopedia of New Zealand Vol.3 Canterbury published 1903, p.812*

*Fig.4. c1924 image Ashburton Museum*

*Fig.5. (below) 8 December 2016; image J May*

## 2.7 Architectural and Aesthetic Significance

**2.7.1.** As noted above, the designer and builder associated with this building has remained elusive. Given the research to date there is a likelihood that D H Brown who designed the Friedlander buildings corner of Barnett and West Streets may have had a hand in the design given his experience and regard in this field[3] and his association with the Rollitt and Co, Canterbury Roller Mills may have been the earliest tenants. The builders of the Friedlander buildings were Mendleson and Co of Ashburton[4] and given the similarities in construction an assumption could be drawn that they were associated with this building.

**2.7.2.** At ground level the principal façade bears no resemblance to the original form. As shown in figures 6 and 7 all that remains is the upper portion with the fenestration and air vent. The ground floor section of the façade has been rebuilt both in form and material. The original four sets of paired hooded windows, office entry and arched loading entry have been replaced (c1965) with large paned modern glazing and a wide square loading entry door and hood set into the once elegant arched entry. It is not clear what date this alteration was undertaken but it was still in its original form in the late 1920s (see figure 4).

*Fig.6 detail C1901 Cyclopedia of New Zealand Vol.3 Canterbury published 1903, p.812*

*Fig.7 8 December 2016; image J May*

[3] Ashburton Guardian, Vol V, Issue 1554, 10 May 1887

[4] W H Scotter *Ashburton A History of Town and County* 1972 p.112

**2.7.3.** The rear of the building is a later addition and to the east are later office additions. These fundamental changes appear to have taken place between 1965 and 1993 and are constructed in neither form nor materials that reflect the original construction but are clearly additions that are of their own epoch.

*Fig. 9 8 December 2016; image J May*

**2.7.4.** The rear addition is a large pitched roof section that unsympathetically intersects the curved roof form of the original building both internally and externally. While this may be ascribed some heritage value this later addition is of simple utilitarian form that reflects a need for expansion at a particular time. It does not, in my opinion, add anything to the overall architectural aesthetic heritage values of the building.

*Fig. 10 8 December 2016; image J May*

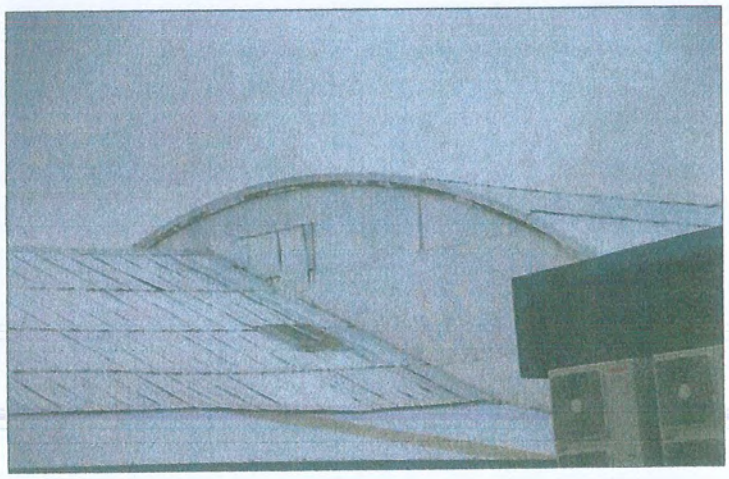

*Fig. 11 external view*

**2.7.5.** The wall of the west elevation has been replaced in block and render (Fig. 13) and internally the principal façade at ground floor level has been replaced in brick and external render (Fig. 12).

*Fig. 12 8 December 2016; image J May*

*Fig. 13 8 December 2016; image J May*

**2.7.6.** Internally the ground floor of the original building has been considerably altered over time. My considerations of the changes are the effects this has on the heritage values of the architectural aesthetic. In my opinion it is now only possible to read the original form on the ground floor in part. Offices have been added, the floor has been concreted to accommodate changes in access form horse and dray to motor vehicles, but the original post and beam form and underside to the upper level flooring remain insitu. The stairs to the upper floor and sack slide also remain in situ. All are aspects that speak of its original form and use. (Figures 14 and 15)

*Fig. 14 8 December 2016; image J May*

*Fig. 15 8 December 2016; image J May*

**2.7.7.** While the change is intrusive in these areas and has either removed or covered original form and material it can be argued that they have some social historical significance in their own right as the tangible evidence of the history of the building and its use. The appropriateness and value ascribed to change in heritage buildings is one that has been debated long and hard.

**2.7.8.** The upper floor (Fig. 16) of the original section remains much in its original form as does the ground floor, it suffers from deferred maintenance and deterioration over time (Fig.17) and indifferent approaches to its survival. Figure 16 shows the insertion timber supports and props to assist the tie beams to support the curved roof structure – in places bending with the strain placed on them. This image also shows that the central portion of the iron clad roofing has been replaced. Despite this, the form and materials in this area are of architectural and aesthetic heritage value.

*Fig. 16 8 December 2016; image J May*

*Fig. 17 8 December 2016; image J May*

## 2.8. Technological and Craftsmanship Significance

**2.8.1.** The former Cates Grain and Seed Store offers, through the very nature of the front section which is of late Victorian construction, the opportunity to exam the technological and craftsmanship significance employed by those involved in its original construction. As noted above in 2.7 this has in part been obscured or removed over time through alterations. The upper floor provides evidence of early construction methods such as the use of laminated beams to provide the form of the curved roof (Fig. 18), detail employed in the fixing of the timber work to the side walls (Fig.19) and chamfered detail on the stair treads (Fig.20).

*Fig. 18 8 December 2016; image J May*

*Fig. 19 8 December 2016; image J May*

*Fig. 20 8 December 2016; image J May*

**2.8.2.** The ground floor also provides some evidence of early construction methods and materials in particular the column/post construction and flooring of the upper floor. (Fig.21)

*Fig. 21 8 December 2016;image J May*

### 2.9 Group/Context and Landmark Significance

**2.9.1.** The group/context and landmark significance of the building has diminished through the steady demolition over the twentieth and early 21st century of the buildings around it and the railway yards and associated buildings opposite the site. It now remains as a sole survivor of its type in this area which has reduced the group/context significance but ironically has increased the landmark significance of the building. Despite the significant changes to the building over time, and that the original form of the principal façade remains only in the upper floor, by virtue of now being the sole survivor of its type the landmark significance is now somewhat self-evident.

**2.9.2.** The proposal to relocate the Cates building to the Plains Historic Village, 86 Maronan Road, Ashburton would remove its group/context and landmark significance. This significance is inextricably linked with the original site. Once moved the associated intangible values and physical group/context and landmark significance associated with the site will be lost. As the sole survivor of a once thriving industry in this precinct the Cates building reminds us of the past role of West Street which housed a number of agricultural merchants and seed and grain related activities opposite the railway and its associated yards.

### 2.10 Archaeological Significance

**2.10.1.** Development of this area of West Street as a series of buildings associated with agricultural business, that is largely wool, grain and seed merchants, well predates 1900, the date which under the HNZPT Act (2014) deems it to be of archaeological significance. The potential for archaeological evidence on the site and in the vicinity of the current building is therefore high as is the potential for built archaeological evidence associated with the construction of the areas of the building that predate 1900. The applicant is aware that an archaeological authority may well be required under the HNZPT Act (2014) for any in ground work, removal or demolition associated with the building.

## 3. Conclusions

**3.1.** The former Cates Seed and Grain Building clearly has heritage value and it is important to remember that ascribing heritage value is not limited to the physical alone but as noted above covers a wider area of tangible and intangible values. However as discussed above the physical or tangible heritage value of this building, despite the continued use for the purpose for which it was built, has been eroded over time through changes in operation and technology. Despite this I believe that there is enough physical evidence in photographic records to reinstate the principal façade to more appropriately represent its original form and that there is enough heritage value in the 19th century section of the building that could be retained in a relocation that saw the building fully conserved.

**3.2.** I believe that this application to relocate the building to the Plains Historic Village may well be the only action to preserve the building for future generations. Once the use for which a building was purpose designed and built for ceases to operate in that building, finding an appropriate and viable new use to suit it without destroying the heritage values imbued in it can be difficult. This has now, in my opinion. become the case with the Cates building through changes in technology, farming and commercial practices associated with the grain industry. While the building may remain on its site it

is now at risk of falling into disrepair through the lack of implementing and/or finding a viable and appropriate new use.

**3.3**. The loss of a heritage building from its original position is not an ideal outcome and as noted in section 2.9 of this report, the location of a heritage item on its original site is very much about the contextual, significance of place and social history – it is the tangible reminder of a now intangible past and in that lies its value to the community. However suffice to say that the relocation of any heritage item does allow the retention of aspects of the original history and of the heritage fabric values and does bring a new history to the item through its physical retention.

**3.4.** The original RMA application to demolish the building has been through a public notification process but I do note that a community values assessment was not undertaken and therefore we cannot ascertain just how the community and interest groups wider than the submitters values this building in its current position. What has been made evident through the public notification process is that there is a group who value and wish to see it preserved. Post the hearing for this process the mediation undertaken between the owner and submitters would suggest that that group would support it being relocated. To relocate it to an Historic Village would provide the opportunity for the building to be fully restored and placed in an appropriate context of buildings and machinery. This is not an uncommon practice and I would cite the example of Ferrymead Heritage Park in Christchurch where a considerable number of buildings once threatened by demolition have been successfully relocated to form a village that allows the past to be retained for the education of future generations.

**3.4.** There are also many examples nationally of the relocation of heritage buildings to sites elsewhere in order to preserve them for the future and generally these provide the opportunity for a new use for that building. It is a practice that is common enough for Heritage New Zealand to have developed guidelines for the relocation of heritage buildings and two points it makes are:

- *The proposed relocation should allow an understanding of the remaining significance of the building (e.g. ensuring the new site allows similar views from the street and setting or that a corner building is relocated to a new corner site).*
- *Future preservation of the building will be provided through a compatible use, improved physical condition, appropriate context or surroundings, and protection from vandalism and fire.*

**3.5.** Relocation to The Plains Historic Village could meet those principles – point 1 in part and point 2 fully in my opinion. Should the application to relocate be granted then I would recommend that a condition of consent be developed to ensure that a Conservation Plan and a Temporary Protection Plan are developed before the building is removed from the site. This will ensure that the heritage fabric values are protected with the guidance of best practice principles during the process of relocation, repair and conservation on the new proposed site.

**3.6.** The ICOMOS NZ Charter (2010) for the Conservation of Places of Cultural Heritage Value, offers guidance and principles for communities, organisations, and individuals involved with the conservation and management of cultural heritage places. It sets a benchmark for best practice in heritage conservation. Principle 10 of the ICOMOS NZ Charter regarding relocation of heritage states:

- *The on-going association of a structure or feature of cultural heritage value with its location, site, curtilage, and setting is essential to its authenticity and integrity. Therefore, a structure or feature of cultural heritage value should remain on its original site.*
- *Relocation of a structure or feature of cultural heritage value, where its removal is required in order to clear its site for a different purpose or construction, or where its removal is required to enable its use on a different site, is not a desirable outcome and is not a conservation process.*
- *In exceptional circumstances, a structure of cultural heritage value may be relocated if its current site is in imminent danger, and if all other means of retaining the structure in its current location have been exhausted. In this event, the new location should provide a setting compatible with the cultural heritage value of the structure.*

With reference to the last sentence of this principle then I consider that the Plains Historic Village would be a place that could "*...provide a setting compatible with the cultural heritage value of the structure.*"

**3.7.** Thus with appropriate conditions of consent around the timing of full restoration, the development of a Conservation Plan, a heritage inventory of the fabric and a Temporary Protection Plan that covers the building's relocation and the protection of the fabric while it is restored and given the discussion above, I believe the relocation of this building could be supported.