

Report on a Publicly Notified Resource Consent Application

(Section 42A)

Application Reference:	RMA/2023/325
Applicant:	Fern Fitzgerald Limited
Site address:	187 Fitzgerald Ave, Central City, Christchurch
Legal Description:	
Proposal:	To demolish the existing heritage scheduled building.
Zoning:	District Plan: Residential Central City Zone Proposed Plan Change 14: High Density Residential Zone
Overlays and map notations:	District Plan: Central City Building Height 14m Overlay Category 3: Lower Noise Level Area Central City Outer Zone Flood Management Area Liquefaction Hazard Liquefaction Management Area (LMA) Heritage Item (641) Heritage Setting (376) Proposed Plan Change 13: Heritage Item, Heritage Setting Proposed Plan Change 14: High Density Residential Precinct
Activity status:	Discretionary Activity
Submissions:	15 in support 22 in opposition (including 2 late) 1 which does not state a position (7 of these submitters seek to be heard)
Date of Hearing:	12 September 2023
Recommendation:	Grant subject to conditions

Preamble

1. My name is Jonathan Gregg. I am employed as a Planning Team Leader by Christchurch City Council. I have been employed by the Christchurch City Council since August 2021. I hold a Master's degree in Urban Studies and Planning. I have 10 years of experience working in the planning and resource management field.

2. This report has been prepared with advice from the Councils Heritage Advisor, Mr Gareth Wright and Councils Cost Engineer, Mr Janitha Jayadeva. Copies of their reports have been attached in the appendices.
3. This report reviews the application for resource consent and addresses the relevant information and issues raised. It should be emphasised that any conclusions reached or recommendations made in this report are not binding on the Commissioner. It should not be assumed that the Commissioner will reach the same conclusion or decision having considered all the evidence to be brought before him by the applicant and submitters.
4. Where a resource consent application has been publicly notified or is required to have a hearing, a Hearings Panel or Commissioner is required to make the decisions under sections 104A-104D, 105 and 106. In this case independent Commissioner, Nathan O'Connell, has been appointed alone.

Proposed activity

5. The proposal is outlined in detail in Section 3 of the application but in brief, is to:
 - Demolition of the heritage building including earthworks to remove the foundations.

Background

6. This application for resource consent was received on 14 February 2023 and was publicly notified on 9 June 2023. The submission period closed on 7 July 2023. A total of 38 submissions were received during this period – 15 in support, 22 in opposition and 1 which did not state a position. Refer **Appendix 1** for a copy of the submissions received. I note 2 of these were late submissions.
7. The site as a whole has an existing resource consent (RMA/2021/3139) which was granted on 17 November 2022 to allow the construction of 16 residential units on the sites surrounding the application site and for repair of the heritage building which is the subject of this application. At the time of writing, there is a variation to that consent lodged with the Council (RMA/2023/870) which is currently processing.
8. I conducted a site visit, along with Mr Gareth Wright and the applicant's team on 12 December 2022, following the grant of the previous consent and prior to the lodgement of this consent. This enabled us to inspect the interior and exterior of this building following the applicant engaging new architecture and engineering input.
9. The applicant arranged a site visit for those submitters who were interested, as well as for the commissioner on 15th August 2023.

Description of the site and existing environment

10. The application site is located on the corner of Fitzgerald Avenue and Gloucester Street, as shown in Figure 1 below. The surrounding sites to the west of Fitzgerald Avenue are zoned Residential Central City, whilst those on the eastern side of Fitzgerald Avenue are zoned Residential Medium Density under the operative plan.
11. The application site, surrounding environment and consent history are described in section 2 of the application. I consider that this description is accurate, and it should be read in conjunction with this report.



Figure 1: Site and surrounds. Source: Canterbury Maps

District Plan – Relevant rules and activity status

Christchurch District Plan

12. The site is zoned Residential Central City in the operative Christchurch District Plan. This zone seeks contribute to Christchurch's liveable city values. Providing for a range of housing types, including attractive, high density living opportunities, the zone utilises the potential for living, working and playing in close proximity to the commercial centre of the city. I note that the zoning is not particularly important for this application.
13. The building is listed as a Significant (Group 2) heritage item within the District Plan. Group 2 items are those which:
 - A. meet at least one of the heritage values in Appendix 9.3.7.1 at a significant or highly significant level; and
 - B. be of significance to the Christchurch District (and may also be of significance nationally or internationally), because it conveys aspects of the Christchurch District's cultural and historical themes and activities, and thereby contributes to the Christchurch District's sense of place and identity; and
 - C. have a moderate degree of authenticity (based on physical and documentary evidence) to justify that it is of significance to the Christchurch District; and
 - D. have a moderate degree of integrity (based on how whole or intact it is) to clearly demonstrate that it is of significance to the Christchurch District.

14. For clarity it is only the exterior fabric that is protected (ie: exterior walls, roof, windows, exterior doors and foundations). Interior fabric of the building is not subject to any heritage protection under the District Plan.
15. The Heritage objectives and policies of the Plan generally seek that the contribution of historic heritage to Christchurch’s character and identity is maintained in a way which enables and supports ongoing retention, use and adaptive re-use; and maintenance, repair, upgrade, restoration and reconstruction of historic heritage. They also seek to manage the effects of development of heritage items in a way that is sensitive to their heritage values, whilst recognising the need for works to be undertaken to accommodate their long-term retention, use and sensitive modernisation. Objective 9.3.2.1.1 acknowledges that in some situations demolition may be justified by reference to the matters in policy 9.3.2.2.8.
16. Key objectives and policies are listed within **Appendix 2** and are discussed in detail in a later section of this report.
17. The history and heritage significance of the building is set out in the Heritage Statement of Significance in the District Plan, a copy of which is attached in **Appendix 3**.
18. The **proposal** is a discretionary activity under the following rules in the District Plan:

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
8.9.2.3 RD1	8.9.2.1 P1 a. Volume of earthworks	The proposed earthworks may exceed the 20m ³ maximum volume in Table 9 The earthworks will be within 5m of a heritage item and may exceed the volumes in Table 9 within a heritage setting.	Relevant matters of discretion: 8.9.4.1 - Nuisance 8.9.4.3 - Land stability 8.9.4.6 – Amenity 8.9.4.8 - Historic heritage	8.9.1 a. - Must not be publicly notified
9.3.4.1.4 D2	-	The proposal is for the demolition of a Significant (Group 2) heritage item.	-	No Clause

Proposed Plan Changes 13 Heritage and 14 Housing and Business Choice

19. Proposed Plan Changes 13 (PC13) and 14 (PC14) are relevant to this proposal. They were notified on 17 March 2023 and propose amendments to the objectives, policies and rules associated with residential development in accordance with the Medium Density Residential Standards (MDRS) in Schedule 3A of the RMA (as modified by the recession plane qualifying matter), and heritage buildings and areas respectively. PC14 also includes other residential intensification provisions and seeks to amend the objectives, policies and rules associated with commercial development within and around the central city, suburban commercial centres and planned high frequency and capacity public transport. The submission period closed on the 12th of May 2023.
20. The heritage rules in PC13 and PC14 have immediate legal effect pursuant to section 86B(3) as they seek to protect historic heritage.

21. In terms of PC14 and the MDRS, the site is identified as being within the following qualifying matter areas, being Sunlight Access, Heritage Item and Heritage Setting. As a result, the rules do not have immediate legal effect given section 86BA(1)(c)(ii) and the operative district plan rules continue to apply. While the objectives and policies have legal effect from the date of notification, Policy 2 of the MDRS requires that the MDRS (including the objectives and policies) cannot be applied where a qualifying matter is relevant.
22. Both plan changes are now closed for submissions, including further submissions, with hearings scheduled for the October/November 2023. The only rules in legal effect are those that relate to historic heritage. As such, the rules in the operative plan also currently remain in effect.
23. The application was lodged prior to the heritage rules in PC13 and PC14 coming into effect, therefore pursuant to s88A the activity status is set by the operative District Plan rules in effect at the time of lodgement. The proposed rules themselves do not apply but regard must be had to relevant provisions of the plan changes when assessing the application under s104(1)(b).
24. The relevant rule in PC13 remains unchanged from the operative plan but is still considered relevant for the purpose of the s104(1)(1b) assessment.
25. In terms of submissions on PC13, in so far as they relate to the objectives and policies that are relevant to this application, do not seek a more restrictive framework, instead seeking to retain the status quo, or opposing the changes to the policy namely as they relate to Heritage Areas, rather than individual buildings. No submissions were made in relation to the Rule (9.3.4.1.4 D2) noting it is essentially the same as the existing Rule noted in the Table at paragraph 18 above.

Overall activity status

26. Overall, the application must be assessed as a discretionary activity, being the most restrictive activity status.

Submissions

27. 38 submissions were received on this application (15 in support, 22 in opposition and 1 which did not state a position). 1 submission was received late, being roughly 11:30pm on the 7 July when submissions closed at 5pm. I understand the submitter tried to submit through the online form and this went awry and they therefore emailed through their submission. Given it was a few hours late and no one was in anyway prejudiced, I have previously recommended, and the Commissioner agreed (see **Appendix 6**) decided that this late submission be accepted.
28. A further late submission was received on 17 July directly by Ms Elford (the applicant's agent), who forwarded this onto the Council. This did not raise any new or different issues to previous submissions and again did not result in any prejudice to any party, further Ms Elford on behalf of the applicant did not raise any concern with accepting this late submission. I have previously recommended, and the Commissioner agreed (see **Appendix 6**) decided that this late submission be accepted.
29. Copies of all submissions have been provided to the Commissioner.
30. The reasons for the submissions in support are summarised as follows:
 - Building is in poor condition already, it's demolition wouldn't be a loss to the city.
 - The historical significance it not sufficient to retain the building given the cost.
 - Demolition allows the site to be fully redeveloped.

- Requiring redevelopment of the building may hinder the wider development.
- Can be demolished in a way that allows salvable elements to be reused.

31. The reasons for the submissions in opposition are summarised as follows:
- Heritage buildings need to be preserved, in light of how many were lost post-earthquake.
 - Provides character and variety to the streetscape.
 - Visually significant building given its location.
 - Has been left to deteriorate because of neglect.
 - Building is one of the last of its type in Christchurch.
 - Repair and reconstruction are possible without compromising the building's heritage value.
 - The costs should be seen in the context of the whole wider development, not just this building.
 - The works to restore would not compromise the heritage values.
 - Demolition would result in construction waste and embodied carbon being released.
32. Two submissions noted they opposed the proposal, however they supported demolition if the building was reconstructed to look as similar as possible using contemporary materials and techniques. (submission 10). Submission 23 notes that it should include some form of community focused use at ground floor, as was originally proposed. This approach is also somewhat supported by submitter 25 if demolition is allowed.
33. I also note that the Council has no unilateral ability to require people to maintain/restore heritage buildings (or any other buildings), other than to ensure they are not dangerous or insanitary under Section 131 of the Building Act 2004.

Resource Management Act 1991

34. When considering an application for resource consent and any submissions received, the consent authority must have regard to the matters listed in Sections 104 and 104B of the Resource Management Act 1991. Subject to Part II of the Act, which contains the Act's purpose and principles, including matters of national importance, the consent authority shall have regard to:
- Any actual and potential effects on the environment of allowing the activity.*
 - Any relevant provisions of a plan or proposed plan, and national environment standard, national coastal or regional policy statement*
 - Any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
35. It should be noted that other than giving pre-eminence to Part II, Section 104 gives no priority to other matters. They are all matters to have regard to, and the consent authority must exercise its discretion as to the weight that it gives certain matters, depending on the circumstances of the case.
36. Under Section 104B, when considering an application for resource consent for a discretionary activity, a consent authority may grant or refuse the resource consent, and (if granted) may impose conditions under section 108.
37. Section 104(3)(a)(ii) states that a consent authority must not have regard to any effect on a person who has given written approval to the application (unless that approval is withdrawn in a written notice before the date of the hearing). The applicant has not obtained the written approval of any party.

Actual and Potential Effects on the Environment (S.104 (1)(a))

38. As a discretionary activity the Council's assessment of this proposal is unrestricted and all actual and potential effects must be considered. Guidance as to the effects that require consideration is contained in the relevant objectives and policies, and any associated matters of discretion or control.
39. I have considered the relevant issues and it is my view that they fall broadly into the following categories:
- Heritage values
 - Deconstruction and earthworks related effects - (amenity, land stability, noise, vibration, traffic, erosion and sediment control)

Section 104(2) – Permitted Baseline

40. Prior to undertaking an assessment of the effects of this proposal it is useful to consider discretion available under Section 104(2) of the Act (referred to as the “permitted baseline”) whereby a consent authority may disregard an adverse effect of an activity on the environment if the Plan or national environmental standard permits an activity with that effect. There is no permitted baseline for the demolition of a heritage building as any demolition requires resource consent.

Heritage Values

41. In summary the reasons set out in the application for the proposed demolition are in large part based on the extent of work that would be needed to repair and strengthen the building and that the costs of that are beyond the applicant’s ability to fund and are thus unreasonable.
42. The Applicant has provided information on the extent of the work required to retain and repair the building such that it can be brought back into a commercial use, the cost of these works and an assessment of the implications of this repair work for the heritage values of the building.
43. Details of the repair work are set out in section 4 of the Heritage Impact Assessment (HIA). These include full replacement of the foundation system, which would include lifting the whole building to enable a suitable foundation to be installed. Above ground, most of the internal linings need replacement, as well as the external cladding, roof and windows. Logic Group provide a repair and upgrade cost plan estimate of \$2,070,000 plus GST (roughly \$2.4M). Ford Baker estimate the market value of the repaired building (as if complete) on a subdivided site to be \$1,370,000 plus GST. Based on the Logic Group cost plan estimate, Ford Baker observe that the cost of repair is \$700,000 in excess of that market value. On this basis they consider subdivision and sale to be uneconomic.
44. Logic Group consider that a comparable new build (two levels, similar floor area, GF retail, FF office) would cost between \$640,000 and \$720,000 plus GST. They note that the repair costs are unreasonable by comparison. The applicant notes that the cost of a comparable new build is 31% of the estimated cost of repair. Additionally, the applicant has (subsequent to notification) provided a quote for demolition of \$20,465 (plus GST) which wasn’t included in the original costings, however I consider this makes a negligible impact on the outcome of the reasonableness of the costs, this can be found at **Appendix 7**.
45. Both Mr Wright and I have visited the site, and neither of us raise any concerns with the Tetrad Structural Report or the subsequent scope and extent of works required. I did not consider it necessary to have this peer reviewed given the relative obvious extent of works required, further I consider any peer review of this work would have added further cost for little gain, if the extent of works required was reduced, it would not reduce the cost to the extent required to close the gap identified (see para 41 above). Mr Jayadeva, Councils Cost Engineer has reviewed the Logic Group Rough Order of

Costs (see **Appendix 5**) and notes *'that Logic Group's rates are generally fair and reasonable'* and whilst Mr Jayadeva considers there to be a roughly \$62,000 difference between the Logic Group costings and his reviewed figure, this represents 3% of the total value. I consider this differential to be negligible given the totality of costs involved.

46. Several submissions note that the applicant should seek funding from sources where possible including but not limited to the Council. The applicant has demonstrated that they have investigated possible grant funding schemes with the only scheme for which this building is clearly eligible being the Christchurch City Council's Heritage Incentive Grant, which is contestable and does not offer sums of a quantum to make a significant contribution to repair costs.
47. Mr Gareth Wright, Councils Heritage Advisor has reviewed the application, his full memo can be found at **Appendix 4**, it's supporting documents and the submissions. He notes that *'following a period of deferred maintenance, the building sustained moderate damage in the Canterbury Earthquake Sequence of 2010-2011. Chimneys, the shop windows and a western addition were subsequently deconstructed. The building has been unoccupied since.'* I would add that it's clear from both a site visit and from submissions, that little, if any maintenance has been undertaken following the earthquakes.
48. As noted in the s95 report, Mr Wright is of the opinion that with reasonable repair, the building would maintain an integrity and authenticity and the heritage values would be maintained such that it would still be scheduled as a significant item within the District Plan. Mr Wright also notes the historical significance of the building (see section 1.0 of Mr Wright's assessment), and submissions have also noted the building is visually significant and provides character and variety to this part of the streetscape.
49. Mr Wright also acknowledges that there are limited grant options, and those that are available would not provide a contribution which would make a meaningful financial difference to the repair costs.
50. Mr Wright concludes that whilst regretful, based on the evidence it is indeed uneconomic to repair the building, and that the costs of repair are unreasonable. On this basis demolition is accepted subject to conditions in line with the mitigation measures offered in the application, namely a digital photographic recording of the building.
51. I accept the expert advice received. I acknowledge that the demolition will result in a total loss of the building's heritage values and that the mitigation offered by the applicant in terms of, photographic recording, whilst appropriate, does not offset the loss of the heritage item itself (nor is the applicant suggesting that it does). I also accept and agree with Mr Wright that given the construction and materiality of this building, it could feasibly be repaired such that it would maintain its heritage values. However, there are a number of extenuating circumstances in this case which lead me to conclude that the demolition is acceptable and which I discuss below.
52. Based on the engineering report, the work needed to remediate the building so that it could be re-used for its intended purpose is extensive and based on the information provided by the applicant, and peer reviewed by Mr Jayadeva, it would be costly and I note the lack of heritage grants, with any available being limited and not providing a contribution that would plug any funding gap.
53. Whilst the applicant has a consent to reuse the building for commercial activity, namely a café, offices and commercial services. I do not consider that given the costs identified, any future income from these activities would offset the costs involved. Further, whilst no evidence has been provided

regarding a sale to someone willing to undertake the restoration, neither has anyone, during this process, put that forward. Overall, I do not consider that there are any reasonable alternative approaches to demolition given the costs to bring it up to modern standards.

54. No replacement building is proposed as part of this consent, and whilst several submissions suggest a replica building could be built, this is not something that would mitigate the adverse heritage effects of the demolition. Mr Wright notes at 4.4 of his evidence that he considers '*a full replica would not have sufficient integrity or authenticity to remain on the schedule; consequently this would not be supported*' and it would therefore not mitigate the demolition in any way. Whilst façade retention could be supported and this may retain sufficient heritage values, as Mr Wright notes, this has not been investigated. Notwithstanding the lack of information, given the information we do have, I consider it reasonable to conclude that retention of the façade would result in similar costs, and these would be equally unreasonable, given the additional temporary work required to retain the façade, especially in terms of its proximity to the footpath and associated traffic management. Furthermore, I must assess the application as it is before me and I note the applicant has not put either a replica, or façade retention forward as part of this consent application.
55. In terms of the deferred maintenance and neglect, I note that the District Plan only looks to consider that a building is damaged, rather than how it was damaged, with this damage being understood in its broader sense, rather than accidental or unforeseeable and unavoidable catastrophes. Thus, it is the view of myself and Mr Wright that the issue of demolition by neglect, is unfortunately, an issue which sits outside our scope.
56. Several submitters raised the issue of using income from the wider redevelopment of the site to fund the restoration of this building. The District Plan does not direct that heritage buildings be maintained, nor require income from the building, or the wider site be used for that purpose. As noted above, there is also no way to direct any works to be undertaken to repair a building, where it is not deemed a dangerous building under the Building Act. In this context and given this application stands on its own, I am of the view that it would be inappropriate, and potentially ultra vires, to require profits from the rest of the site be used to fund the repair and restoration of this building.
57. In terms of reuse of the building, there is no doubt that were it repaired it could be leased/rented which would generate income, however given the costs involved in the restoration, I do not consider that this would in any way render the required spend on repairs reasonable.
58. It is important to note that the District Plan does not seek that heritage buildings be protected and retained at all costs. Rather it expressly provides that in some instances demolition may be appropriate with reference to the matters in policy 9.3.2.2.8 which includes consideration of whether the costs to retain an item are unreasonable. In this case I consider the costs of remediating the building to a point where it could be re-used are unreasonable given the collection of factors described above and as set out by the applicant and in the expert advice. This includes the extensive engineering and repair work required, the lack of grants/funding available, and the cost difference between the repair work and that of a new building. I discuss the other matters under 9.3.2.2.8 in detail in a later section of this report, suffice to say I do not consider any of them to be an impediment to the proposed demolition and that the unreasonable costs are the key relevant matter of policy 9.3.2.2.8 to the current application. For these reasons I consider this is an occasion when demolition is appropriate and thus the significant adverse effects upon heritage values of the building are acceptable.
59. Several submitters raised the loss of heritage buildings across the city following the earthquakes, I note that the majority of these would have been in the immediate aftermath, with those in more recent

years following a standard resource consent process the same as this application. Both Mr Wright (see section 4.3 and 4.4 of his memo) and myself do not disagree that the loss of this heritage building is regrettable and that if repaired would maintain its heritage values for which it was listed. Notwithstanding, as noted by Mr Wright *'District Plan policy however determines that heritage significance is not the sole arbiter of demolition. Financial considerations also carry weight'*.

60. I also note that a range of submitters support the demolition, for a range of factors identified above (paragraph 27), namely the current state of the building, the insufficient significance of the building and the benefits of a new development.
61. Finally, whilst the building is not registered with Heritage New Zealand Pouhere Taonga (HNZPT), they were notified anyway as part of the public notification. No comment was received.
62. Overall, I accept the expert evidence and the conclusions of Mr Wright, including conditions for a photographic recording, and that on balance the demolition of the building is acceptable.

Demolition and Earthworks

63. Invariably there is potential for some adverse effects during the demolition and earthworks in terms of noise, vibration, demolition traffic and erosion and sediment control. Given the relatively modest scale of demolition and the size of the surrounding site, I consider the majority of adverse effects will be able to be appropriately mitigated by conditions of consent. There is no risk of land instability issues arising to any extent that would affect surrounding sites/properties. This is because the site is flat, the location of works is well set back from any boundaries and neighbouring properties and the hole that will result from excavation of the foundations will be backfilled.
64. In terms of noise/vibration, the application does not propose to breach any District Plan noise or vibration rules. The relevant rules are included as advice notes to the applicant at the end of this report, again given the extent of work and the current state of the building, I do not anticipate demolition and associated earthworks to extend over any significant period. Further I note the nearest properties are all well separated from the building. Similarly, in terms of any construction traffic, in the context of Fitzgerald Avenue, I consider any additional movements to be limited any likely to be unnoticeable.
65. An Erosion and Sediment Control Plan (ESCP) is a standard component of any resource consent related to earthworks, and standard conditions to manage this are included.
66. Overall, I consider any adverse effects from the demolition and earthworks will be short lived and negligible in the context of the site. Appropriate conditions will also ensure these are mitigated where necessary.
67. A Demolition management Plan (DMP) is included in recommended condition 2. The ESCP would be reviewed and certified by Council Engineers prior to works commencing to ensure that sediment and dust will be appropriately controlled.

Conclusion

68. In summary, it is my opinion that the adverse effects will be significant as there will be a total loss of the building's heritage values. But I consider this to be acceptable in the context of the above assessment.

69. Apart from heritage values, I consider all other effects would be less than minor and that they can be appropriately managed through the recommended conditions of consent.

Relevant Objectives, Policies, and other Provisions of a Plan or a Proposed Plan (S.104 (1)(b))
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70. Regard must be had to the relevant objectives and policies in the Christchurch District Plan, which are attached in **Appendix 2**.

Historic Heritage

71. Objective 9.3.2.1.1 - Historic heritage

- a. *The overall contribution of historic heritage to the Christchurch District's character and identity is maintained through the protection and conservation of significant historic heritage across the Christchurch District in a way which:*
- i. *enables and supports:*
 - A. *the ongoing retention, use and adaptive re-use; and*
 - B. *the maintenance, repair, upgrade, restoration and reconstruction;**of historic heritage; and*
 - ii. *recognises the condition of buildings, particularly those that have suffered earthquake damage, and the effect of engineering and financial factors on the ability to retain, restore, and continue using them; and*
 - iii. *acknowledges that in some situations demolition may be justified by reference to the matters in Policy 9.3.2.2.8.*

72. Whilst this objective seeks that heritage is maintained through protection and conservation, this is tempered by the specific recognition of engineering and financial factors on the ability to retain heritage buildings. It also expressly provides that in some situations demolition may be justified by reference to the matters in Policy 9.3.2.2.8. As discussed further below I consider the demolition to be appropriate under policy 9.3.2.2.8 on account of unreasonable costs for the extensive repair and engineering, and its associated cost, work that would be required to return the building to use. As such I consider the proposal to be consistent with objective 9.3.2.1.1.

73. Policy 9.3.2.2.3 - Management of scheduled historic heritage

- a. *Manage the effects of subdivision, use and development on the heritage items, heritage settings and heritage areas scheduled in Appendix 9.3.7.2 and 9.3.7.3 in a way that:*
- i. *provides for the ongoing use and adaptive reuse of scheduled historic heritage in a manner that is sensitive to their heritage values while recognising the need for works to be undertaken to accommodate their long term retention, use and sensitive modernisation and the associated engineering and financial factors;*
 - ii. *recognises the need for a flexible approach to heritage management, with particular regard to enabling repairs, heritage investigative and temporary works, heritage upgrade works to meet building code requirements, restoration and reconstruction, in a manner which is sensitive to the heritage values of the scheduled historic heritage; and*
 - iii. *subject to i. and ii., protects their particular heritage values from inappropriate subdivision, use and development.*
- b. *Undertake any work on heritage items and heritage settings scheduled in Appendix 9.3.7.2 in accordance with the following principles:*
- i. *focus any changes to those parts of the heritage items or heritage settings, which have more potential to accommodate change (other than where works are undertaken as a result of damage), recognising that heritage settings and Significant (Group 2) heritage items are potentially capable of accommodating a greater degree of change than Highly Significant (Group 1) heritage items;*

- ii. *conserve, and wherever possible enhance, the authenticity and integrity of heritage items and heritage settings, particularly in the case of Highly Significant (Group 1) heritage items and heritage settings;*
- iii. *identify, minimise and manage risks or threats to the structural integrity of the heritage item and the heritage values of the heritage item, including from natural hazards;*
- iv. *document the material changes to the heritage item and heritage setting;*
- v. *be reversible wherever practicable (other than where works are undertaken as a result of damage); and*
- vi. *distinguish between new work and existing heritage fabric in a manner that is sensitive to the heritage values.*

74. I consider that most matters in this policy are not relevant to the proposed demolition, given that post demolition there will be nothing left to manage. The offer of a photographic record of the demolition is consistent with 'b.iv'.

75. Policy 9.3.2.2.8 - Demolition of heritage items

- a. *When considering the appropriateness of the demolition of a heritage item scheduled in Appendix 9.3.7.2 have regard to the following matters:*
 - i. *whether there is a threat to life and/or property for which interim protection measures would not remove that threat;*
 - ii. *whether the extent of the work required to retain and/or repair the heritage item is of such a scale that the heritage values and integrity of the heritage item would be significantly compromised;*
 - iii. *whether the costs to retain the heritage item (particularly as a result of damage) would be unreasonable;*
 - iv. *the ability to retain the overall heritage values and significance of the heritage item through a reduced degree of demolition; and*
 - v. *the level of significance of the heritage item.*

76. In respect to each of the matters under policy 9.3.2.2.8 above:

- i. Fencing and boarding up the building could keep the public out of the site and building given its current unstable state. Although this may not prevent people getting into the building given it appears to have historically been used by squatters.
- ii. The expert heritage advice is that even if the necessary remediation were undertaken that the building would retain sufficient heritage value to still meet the threshold for listing and that its heritage values and integrity would not be significantly compromised by the work required to retain it.
- iii. For the reasons discussed in the assessment of effects the costs to retain the building are considered to be unreasonable and as such I consider the proposal is supported by this sub-policy. Whilst matter 'iii' makes reference to costs "*particularly as a result of damage*", it is not limited only to costs associated with repairing 'damage'. So, the fact that the majority of the costs in this case appear to be (noting no breakdown is given) attributable to repair and deferred maintenance with a smaller proportion being due to repair of damage does not preclude the proposal from being supported by this sub-policy.
- iv. No specific information was provided to demonstrate that a reduced degree of demolition is not possible or that it would not retain the overall heritage values of the building. However, given the extent of work required and the scale of the building, I do not consider it reasonable for a reduced degree of demolition to be a viable or practical option.
- v. The building is a Significant (Group 2) heritage item in the District Plan which is the lower of the two categories of heritage listing in the Plan. The statement of significance notes that its

significance lies in it being a late Victorian combination shop and dwelling 'corner-shop', which demonstrates a societal cultural pattern of generational ownership and small-scale retailing that was once prevalent in the city. The statement concludes that this is a 'building type now rare in Christchurch' and is 'a landmark on Fitzgerald Avenue'.

77. Matters i-v under policy 9.3.2.2.8 do not form a hierarchy, nor does the policy require that all must be satisfied in order to be consistent with the policy. Whilst the proposal does not find support in matters i, ii, iv and v, I consider matter 'iii' regarding the unreasonable costs of retention to be particularly relevant in this case and strongly met. As such I consider the demolition to be appropriate and therefore consistent with policy 9.3.2.2.8.
78. Plan Change 13 does not change the direction of the objectives and policies, outside of providing additional clarity, particularly around Policy 9.3.2.2.8.iii, however this is not relevant in this case given the reliance on Policy 9.3.2.2.8.iv. Given the planning framework remains the same under both the operative and proposed plans, and that the outcome would be the same under both, I do not consider any weighting exercise is required.

Earthworks

79. I consider the proposal is also consistent with the objectives and policies in chapter 8 relating to earthworks. As discussed in the assessment of effects the recommended conditions of consent and separation distances will ensure that any earthworks effects can be appropriately managed.

Conclusion

80. For the reasons above it is my conclusion that in an overall sense, the application is consistent with the relevant objectives and policies of the Plan.

Other relevant Statutory Documents (S.104 (1)(b))

81. I do not consider any other statutory documents to be of relevance to this application include. For completeness I note that Plan Change 14 is currently in progress and seeks to implement the direction of the NPS-UD, however as this application solely relates to demolition, I do not consider any further comment is required.
82. The District Plan has been recently reviewed and in the context of this resource consent gives effect to the higher order planning documents. As such, there is no need to address them specifically in this report.

Part 2 of the Act

83. The matters outlined previously are subject to Part 2 of the Act which outlines its purpose and principles.
84. The use, development and protection of resources is to be sustainably managed in a way that enables people and communities to provide for their social, economic and cultural wellbeing and their health and safety, while avoiding, remedying or mitigating any adverse effects of activities on the environment.

85. The Christchurch District Plan has recently been reviewed. Its provisions were prepared under the higher order planning documents and, through its preparation and the process of becoming operative, have been assessed against the matters contained within Part 2.
86. Taking guidance from recent case law¹, the District Plan is considered to be the mechanism by which the purpose and principles of the Act are given effect to in the Christchurch District. It was competently prepared via an independent hearing and decision-making process in a manner that appropriately reflects the provisions of Part 2. Accordingly, no further assessment against Part 2 is considered necessary.

Conclusion

87. After considering the actual and potential effects on the environment of allowing the application, it is my conclusion that there will be significant effects upon heritage values due to the total loss of the building. But in the circumstances, I consider this to be acceptable in the context of the unreasonable costs of its retention.
88. In my opinion this proposal is not contrary to the objectives and policies of the District Plan as the Plan acknowledges that in some situations demolition of heritage items may be justified with reference to policy 9.3.2.2.8 which includes unreasonable costs of retention as a relevant matter and which I consider to be the case with the current application.
89. I consider that the proposal is not inconsistent with Part 2 of the Resource Management Act 1991.
90. Having considered all of the relevant matters under Sections 104, 104A and 104B, it is my opinion that consent should be granted subject to conditions.

Recommendation

91. I have assessed this application to demolish the existing heritage building at 187 Fitzgerald Avenue. Having considered all the matters relevant to this application, I recommend that this application be **granted** pursuant to Sections 104, 104A, 104B and 108 of the Resource Management Act 1991 subject to the following conditions:

1. Except where varied by the conditions of this consent the development shall proceed in accordance with the information and plans submitted with the application and saved into Council records as RMA/2023/325 Approved Consent Document.

Earthworks

2. All earthworks shall be carried out in accordance with a site specific Erosion and Sediment Control Plan (ESCP), prepared by a suitably qualified and experienced professional, which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury <http://esccanterbury.co.nz/>. The ESCP must be held on site at all times and made available to the Council on request.
3. The consent holder must notify Christchurch City Council no less than three working days prior to works commencing, (via email to rcmon@ccc.govt.nz) of the earthworks start date and the

¹ *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316

name and contact details of the site supervisor. The consent holder shall at this time also provide confirmation of the installation of ESCP measures as per the plan referred to in Condition 2 above.

4. Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.

Note: For the purpose of this condition muddy water is defined as water with a total suspended solid (TSS) content greater than 50mg/L.

5. No earthworks shall commence until the ESCP has been implemented on site. The ESCP measures shall be maintained over the period of the deconstruction and earthworks phases, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are found to be inadequate. All disturbed surfaces shall be adequately topsoiled **and** vegetated or otherwise stabilised as soon as possible to limit sediment mobilisation.
6. Dust mitigation measures such as water carts, sprinklers or polymers shall be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.
7. All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.
8. Any surplus or unsuitable material from the project works shall be removed from site and disposed at a facility authorised to receive such material.
9. Any backfilling in the area of the excavated foundations shall be with clean fill only.
10. All public roads and footpaths shall be kept clear of any tracked material from the demolition site.
11. Any public road, shared access, footpath, landscaped area or service structure that has been damaged, by the persons involved with the development or vehicles and machinery used in relation to the works under this consent, shall be reinstated as specified in the [Construction Standard Specifications](#) (CSS) at the expense of the consent holder and to the satisfaction of the Council.
12. Any change in ground levels shall not cause a ponding or drainage nuisance to neighbouring properties. All filled land shall be shaped to fall to the road boundary. Existing drainage paths from neighbouring properties shall be maintained.

Heritage

13. A digital photographic record of the heritage item and heritage setting is to be lodged with Council's Heritage Team within three months of the completion of works. In order to adequately

record changes to heritage fabric, photographs must be taken before commencement, at regular intervals during, and after completion of works. Photographs must be of printable quality, at least 1440 pixels by 960 pixels for a 4"x 6" print at a minimum resolution of 240 PPI.

Note: Information being submitted in relation to this consent is to be sent by email to rcmon@ccc.govt.nz. The current nominated Council Heritage Advisor for this consent is Gareth Wright (941 8026; gareth.wright@ccc.govt.nz). Alternatively contact Suzanne Richmond (941 5383; suzanne.richmond@ccc.govt.nz).

Note: For reasons of comparison, photographs should be taken of and from the same locations on each occasion. Photographs should be labelled with location, date and photographer's name, and submitted as individual image files with a plan showing photograph locations. They can be submitted to the nominated Council Heritage Team contact on a memory stick, or electronically by either email (noting that Council's email data transfer limit is 20MB per email) or file sharing service such as wettransfer.com or dropbox.com to rcmon@ccc.govt.nz.

Advice notes:

i) *Monitoring*

The Council will require payment of its administrative charges in relation to **monitoring of conditions**, as authorised by the provisions of section 36 of the Resource Management Act 1991. The current monitoring charges are:

- (a) An administration fee of \$107 to cover the cost of setting up the monitoring programme; and
- (b) A monitoring fee of \$185 for the first monitoring inspection to ensure compliance with the conditions of this consent; and
- (c) Time charged at an hourly rate if more than one inspection or additional monitoring activities (including those relating to non-compliance with conditions), are required.

- The monitoring programme administration fee and initial inspection fee will be charged to the applicant with the consent processing costs. Any additional monitoring time will be invoiced to the consent holder when the monitoring is carried out, at the hourly rate specified in the applicable Annual Plan Schedule of Fees and Charges.

ii) This resource consent has been processed under the Resource Management Act 1991 and relates to planning matters only. You will also need to comply with the requirements of the **Building Act 2004**. Please contact a Building Consent Officer (ph: 941 8999) for advice on the building consent process.

iii) This site may be an archaeological site as defined and protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. Archaeological sites are defined in the HNZPTA as any place in New Zealand where there is physical evidence of pre-1900 occupation, regardless whether the site is known or not, recorded in the NZAA Site Recording Scheme or not, or listed with Heritage New Zealand or the local council. Authority from Heritage New Zealand is required for any work that affects or may affect an archaeological site. **Please contact the Heritage New Zealand regional archaeologist on 03 363 1880 or archaeologistcw@heritage.org.nz before commencing work on the land.**

iv) **Development Contributions**

No development contributions are payable on this consent.



Jonathan Gregg
Team Leader Planning

Reviewed by:



Odette White
Senior Planner

11th August 2023

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Cody Cooper

Street number and name William Dawson Crescent, Wigram

I am submitting: For myself

If submitting on behalf - what is your name

If submitting on behalf - organisation name / relationship to submitter

Email codycooper@me.com

Street number and name / PO Box William Dawson Crescent

Suburb Wigram

Town / City Christchurch

Postcode 8025

Phone (daytime) 021666505

Perferred method for correspondence Email

I / We: Support all or part of the application

The specific parts of the application that my / our submission relates to are:

The reasons for my / our submission are: The building is catastrophically destroyed. It does not appear to present a significant loss to Christchurch by virtue of it's demolition.

The decision I / we would like the Council to make is: Approve, without delay

If a hearing is held: Do not wish to speak in support of my/our submission

Office Use

Submission ID	51414
Submitted Date	15/06/2023 18:19:04
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Dr Bonnie Miller Perry
Street number and name	2/29 Cannon Hill Crescent, Mt Pleasant
I am submitting:	For myself
If submitting on behalf - what is your name	Bonnie Perry
If submitting on behalf - organisation name / relationship to submitter	
Email	bonniemillerperry@gmail.com
Street number and name / PO Box	Flat 2, 29 Cannon Hill Crescent
Suburb	Christchurch
Town / City	Christchurch
Postcode	8081
Phone (daytime)	02102423859
Perferred method for correspondence	Email
I / We:	Support all or part of the application
The specific parts of the application that my / our submission relates to are:	
The reasons for my / our submission are:	I do not believe the building is of sufficient historical significance to be retained at considerable cost. The CCC money should be spent on better examples of historical architecture. It is better to allow the developer to build townhouses on the entire plot.
The decision I / we would like the Council to make is:	Approve the application to demolish.

If a hearing is held:	Do not wish to speak in support of my/our submission
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Office Use

Submission ID	51443
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Submitted Date	19/06/2023 08:19:52
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Meaghan Li
Street number and name	158 Tancred Street
I am submitting:	For myself
If submitting on behalf - what is your name	Meaghan Li
If submitting on behalf - organisation name / relationship to submitter	
Email	meaghan.li.nz@gmail.com
Street number and name / PO Box	158 Tancred Street
Suburb	Christchurch
Town / City	Christchurch
Postcode	8062
Phone (daytime)	+64211900177
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	
The reasons for my / our submission are:	Ōtautahi's uniqueness and appeal, especially to tourists and new transplants like myself, lies in the character and variety of its buildings. The location of this building is especially important since it's surrounded by memorable heritage buildings. Having a diverse cityscape makes residents feel engaged. Please preserve heritage buildings!
The decision I / we would like the Council	To NOT demolish the building and instead preserve it or repurpose it for commercial purposes

to make is:

If a hearing is held: Do not wish to speak in support of my/our submission

Office Use

Submission ID 51444

Submitted Date 19/06/2023 10:02:33

Submission Type Online

Attachments No

Notes No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Simon Adamson
Street number and name	6/182 Chester St East
I am submitting:	For myself
If submitting on behalf - what is your name	Simon Adamson
If submitting on behalf - organisation name / relationship to submitter	
Email	simonmobile1@gmail.com
Street number and name / PO Box	6/182 Chester St East
Suburb	Christchurch
Town / City	Christchurch
Postcode	8011
Phone (daytime)	0211141332
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	Proposed demolition of building at 187 Fitzgerald
The reasons for my / our submission are:	The building under consideration for demolition listed as Significant in the District Plan. Although not a listed heritage building it is visually significant. I live in the local community and notice this building every time I walk, cycle or drive past. It is prominently positioned, and as the artists impression accompanying today's (19/6/23) Press article shows, is capable of being rather handsome once restored. It is an important link to the heritage fabric of the East inner city area, and is close to the residential heritage areas of Chester St East and Englefield. It is frustrating that this property has been left to deteriorate over a number

of years due to neglect. I greatly appreciate that this developer owning this site, Rosefern, had considered incorporating this building into their development plan - what a breath of fresh air! On the one hand it would be regrettable if they were faced with more restrictive development options than their competitors due to their initial heritage and civic friendly stance by now being forced to keep a building that they say is uneconomic to repair. On the other hand as a community, and council, we need to ensure developments enhance our built environment rather than detract from it. A combination of carrot and stick may be needed. We have lost too many of our heritage buildings (listed and otherwise) in Christchurch. I ask the Council to use their powers to prevent further destruction.

The decision I / we would like the Council to make is:

I would like the Council to decline the application to demolish. In taking this action Council needs to make it's best efforts to collaborate with the developer for a good outcome. This could take the form of a heritage grant or other consideration. Were retention not to be possible, a requirement for the developer to build a faithful replica of the South and East facades, with sympathetic construction type on the North and West facades would be an adequate compromise in my view, although I accept this is not a purist heritage perspective.

If a hearing is held:

Do not wish to speak in support of my/our submission

Office Use

Submission ID	51451
Submitted Date	19/06/2023 17:38:38
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Jack Gibbons

Street number and name 10/16 Nova Place

I am submitting: For myself

If submitting on behalf - what is your name

If submitting on behalf - organisation name / relationship to submitter

Email gibbonsj97@gmail.com

Street number and name / PO Box

Suburb

Town / City

Postcode

Phone (daytime) 021546545

Perferred method for correspondence Email

I / We: Support all or part of the application

The specific parts of the application that my / our submission relates to are: The part where they want to demolish the building

The reasons for my / our submission are: It looks terrible. Even if restored it wouldn't look that good. The city is for living and doing things. Not for people to reminisce about a unimportant minor building. Requiring the restoration would harm the economics of the development. During a time when construction costs and interest rates are high it could easily put the development into a state where it is delayed for years. This is not a desirable outcome for the city, finance wise, nor housing wise.

The decision I / we would like the Council to make is: Allow this building to be demolished.

If a hearing is held: Do not wish to speak in support of my/our submission

Office Use

Submission ID 51453

Submitted Date 19/06/2023 18:46:41

Submission Type Online

Attachments No

Notes No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Jack Halliday
Street number and name	27 Foresters Crescent
I am submitting:	For myself
If submitting on behalf - what is your name	Jack
If submitting on behalf - organisation name / relationship to submitter	
Email	jahalliday1403@gmail.com
Street number and name / PO Box	
Suburb	
Town / City	
Postcode	
Phone (daytime)	0224774063
Perferred method for correspondence	Email
I / We:	Support all or part of the application
The specific parts of the application that my / our submission relates to are:	Knocking it down
The reasons for my / our submission are:	This site is an eyesore and should have been knocked down a long time ago. It has very little heritage value and would be expensive to repair.
The decision I / we would like the Council to make is:	Please allow it to be knocked down.
If a hearing is held:	Do not wish to speak in support of my/our submission

I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.	Yes
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Office Use

Submission ID	51454
Submitted Date	19/06/2023 19:09:02
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Mary Crowe
Street number and name	19/7 Bangor Street
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	marycrowe270@yahoo.co.nz
Street number and name / PO Box	19/7 Bangor Street
Suburb	Christchurch Central
Town / City	Christchurch
Postcode	8011
Phone (daytime)	0275655005
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	The proposed demolition of the heritage building.
The reasons for my / our submission are:	This building is one of only a very few of this traditional style remaining in Christchurch. The building should be conserved and integrated into the developer's plans.
The decision I / we would like the Council to make is:	The application to demolish should be refused and there should a minimum requirement that the facade of the existing building is retained in the development.
If a hearing is held:	Do not wish to speak in support of my/our submission

Office Use

Submission ID	51455
Submitted Date	19/06/2023 19:29:22
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Neil William Hellewell
Street number and name	3/123 Chester street east, Christchurch Central
I am submitting:	For myself
If submitting on behalf - what is your name	Neil William Hellewell
If submitting on behalf - organisation name / relationship to submitter	
Email	neil.hellewell@outlook.com
Street number and name / PO Box	3/123 Chester Street East
Suburb	Christchurch Central
Town / City	Christchurch
Postcode	8011
Phone (daytime)	0272202348
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	Heritage Effects. This building, as well as the similar building a few streets prior are landmark buildings within the wider central city/4 Aves.
The reasons for my / our submission are:	The developers have had significant time to ensure that the building is protected against weather and rough sleepers. Demolition due to their neglect should not be seen as an option, as the building - if protected would have been in a significantly better condition. Allowing this demolition, will encourage other developers to decline to protect properties of significant value to the community in order to let the property degrade in order to demolish. Retaining the building will improve amenity value, and not reduce as per the applicants proposal. Examples include 147 and 167 Fitzgerald Avenue, which show the

	value of retaining character buildings such as these. The applicant refers to demolishing the building allows additional residential units to be constructed. The amount of land made available by demolition, can only be considered to be minimal and so therefore would not add greatly to the development.
The decision I / we would like the Council to make is:	Require that the building is retained and restored due to its significant character value to the community.
If a hearing is held:	Do not wish to speak in support of my/our submission
I / we will consider presenting a joint case with them at the hearing.	Yes
I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.	Yes
Office Use	
Submission ID	51459
Submitted Date	20/06/2023 14:44:39
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	GRANT SUMNER
Street number and name	5 FRITH PLACE..BURNSIDE
I am submitting:	On behalf of an organisation or another person
If submitting on behalf - what is your name	GRANT SUMNER--DIRECTOR
If submitting on behalf - organisation name / relationship to submitter	CARBON NEUTRAL NZ LIMITED.....DIRECTOR-- GRANT SUMNER
Email	demo@heartlandgroup.net.nz
Street number and name / PO Box	5 FRITH PLACE..BURNSIDE
Suburb	CHRISTCHURCH
Perferred method for correspondence	Email
I / We:	Support all or part of the application
The specific parts of the application that my / our submission relates to are:	As per documentation retained in the .. PDF
The reasons for my / our submission are:	I have submitted a Deconstruction Management Plan to the Director of Fern Fitzgerald Limited
The decision I / we would like the Council to make is:	As per the PDF- we support the Heritage Deconstruction Plan of the building at 187 Fitzgerald Avenue.. Christchurch
If a hearing is held:	Do not wish to speak in support of my/our submission
Town / City	CHRISTCHURCH
Postcode	8053
Phone (daytime)	0274-052-391

Office Use

Submission ID	51462
Submitted Date	21/06/2023 10:50:51
Submission Type	Online
Attachments	Yes
Notes	No

HEARTLAND GROUP DEMOLITION LIMITED



HEARTLAND GROUP

DEMOLITION & DECONSTRUCTION • RECYCLING SPECIALIST • ENVIRONMENTAL SUSTAINABILITY

P O Box 69156 Lincoln 7640
Phone: 021 165 8664
Email: demo@heartlandgroup.net.nz



CARBON NEUTRAL NZ LIMITED....

Grant Sumner 40 years Deconstruction/Recycle Experience
almost entirely on Pre 1940' Buildings

We were CERA ACCREDITED in Christchurch under HEARTLAND
GROUP HOLDINGS LIMITED..

APPLICATION NUMBER RMA/2023/325

APPLICANT....Fern Fitzgerald Limited- 187 Fitzgerald Avenue.

APPLICATION...To demolish the existing scheduled building..

We inspected the building January/February 2023 on behalves
of it's Director of Fern Fitzgerald Limited , we have transgressed the
reports of ..

Tretrad Report-----19th January 2023

logic Group Report.....January 2023..

The conclusions clearly are consistent with the current state of
the building, further we must add the integrity of the building has
further diminished with the removal of the internal chimney
structure...

We spent a hour and a half inspecting the entire
internals/external of the building , clearly prior to a deconstruction a
Deconstruction Management Plan would be required to prepare the
building safe for a methodical deconstruction, and the Health &
Safety requirements around a Asbestos Survey and Removal ..

The building itself is entirely of Rimu Construction/Re the
internal timbers and flooring/ Kauri doors/weatherboards etc.we
anticipate a large recovery of these items including the scrap. Re the
corrugate roofing sheets, and internal piping system of galvanized
and copper piping.....

A methodical deconstruction is with in keeping of the

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P O Box 69156 Lincoln 7640
Phone: 021 165 8664
Email: demo@heartlandgroup.net.nz



architectural heritage of the site and the adjacent site which also has a pre 1940's villa on site.

ADVERSE DECONSTRUCTION EFFECTS..

As per the findings of Mr Gareth Wright-

Council Heritage Advisor..

[1] Mitigation of Dust and Noise Effects..Deconstruction would minimize and reduce substantially these effects and disturbance to nearby properties..Also please note the section beside is owned by Fern Fitzgerald, and the opposite properties are all commercial premises, the residential on Fitzgerald would see no undue noise or dust from the site, with all the properties being located in a high noise traffic corridor, so effects would be minimal in nature.

[2]..No deconstruction would be in effect at night and the hours would be 7am- 5pm Monday to Friday, 8am – 2pm Saturday, all in normal working hours.

[3]..Road and Footpaths clear of debris- provided by site fencing and a traffic management plan of vehicle ingress and egress.

[4].. Traffic Management Plan accepted part of Health & Safety requirements via a Site Specific Safety Plan..

[5]..No damage doing a strategic deconstruction behind locked gates with a Deconstruction Management Plan and Site Specific Management Plan would ensure Health & Safety requirements are fully covered including the Asbestos Survey and Removal..

The above would alleviate the concerns of Mr Gareth Wright- Council Heritage Advisor...

We obtained previously a Resource Consent for Sumner Road. In front of the Timeball Station..Lyttleton which is in the overlay area for Lyttleton in regards to Heritage Sites..with that particular villa in the same post earthquake state of repair, we effected a controlled

3 ✓
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P O Box 69156 Lincoln 7640

Phone: 021 165 8664

Email: demo@heartlandgroup.net.nz



deconstruction in a residential zone[photos].

Also we deconstructed a large 2/storey villa in Hereford Street[photos]..that had been subject to the 2010/11 earthquakes...

So effectively a repurpose of the internal building components would create an opportunity for heritage restorers and renovators to bring consistency to their own restorations and leave 187 Fitzgerald Ave with a Carbon Neutral footprint on which to take their development..

Carbon Neutral NZ would deconstruct down to the foundations, remove all the debris , recycle all the trees out as firewood.[free to take away]. With the site foundations and clearance under taken by a low impact 3 TONNE Digger....

We thank the opportunity to draft these submissions and support the heritage values of Christchurch, and believe our submissions will make a worthwhile impact on retaining the architectural building materials present in the said building for reuse in other heritage restoration projects..

DIRECTOR.. Grant Sumner 21/06/2023

Grant Sumner

✓





NOTICE
This property is for
rental only. No
pets allowed.
Call for details.











Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Christian Ecker
Street number and name	6/324 Gloucester Str
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	christian_ecker@vero.co.nz
Street number and name / PO Box	6/324 Gloucester Str
Suburb	Central
Town / City	Christchurch
Postcode	8011
Phone (daytime)	0211729354
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	The demolishing of the heritage building corner Fitzgerald and Gloucester.
The reasons for my / our submission are:	I totally support and understand the developer, this building has suffered an incredible amount of squatter and weather damage - and also the CCC has to be blamed here for not stepping in and getting owner to be responsible. I cant believe we are 12+ years down the track of the EQs and we still have to see such a messy city! Now, after this amazing plans from the developer have been approved to include the existing structure we want to demolish to build four more units, which sure make more money for them. We plaster all possible pieces

of land with incredible amounts of townhouses - with no parking - and the CCC doesnt change anything to stop this from happen.

The decision I / we would like the Council to make is:

I would totally think it is ok to replace the existing structure and materials with the same design, giving it the external look of a heritage building which will leave this corner as it is - from the look (of course new and shiny). Doing it this way the developer can achieve his goals, we still keep the look and we still have a memory. My solution is demolishing and rebuild with the same design as per the proposal with new materials. Attached the well know picture of the proposal, just rebuild it like the optic you see here and all is ok - nobody expects the original materials to be used, do it like after the LA EQs, rebuild new with same design and new features. (attached picture from staff news)

If a hearing is held:

Do not wish to speak in support of my/our submission

Office Use

Submission ID	51464
Submitted Date	21/06/2023 13:21:02
Submission Type	Online
Attachments	Yes
Notes	No



Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	David Maclure
Street number and name	PO Box 32062 Stanmore Road, Christchurch 8147
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	maclure.david@gmail.com
Street number and name / PO Box	PO Box 32062, Stanmore Road
Suburb	Linwood
Town / City	Christchurch
Postcode	8147
Phone (daytime)	0211264298
Perferred method for correspondence	Email
I / We:	Support all or part of the application
The specific parts of the application that my / our submission relates to are:	I am shocked that disused building in bad state condition is beyond aged and corroded structure.
The reasons for my / our submission are:	Agreed with demolition order because as I seen the document via CCC website as described the worse state of the building. Proceed to demolition is recommended. I am concerned about the proposed development has not given specific for the area mentioned remain unclear what Rosefern Development intended for?
The decision I / we would like the Council to make is:	None.

If a hearing is held:	Do not wish to speak in support of my/our submission
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Office Use

Submission ID	51465
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Submitted Date	21/06/2023 14:28:50
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Jacob Bulman
-----------	--------------

Street number and name	2/8 northfield road
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I am submitting:	For myself
------------------	------------

If submitting on behalf - what is your name	Jacob Bulman
---	--------------

If submitting on behalf - organisation name / relationship to submitter	
---	--

Email	swan2745@gmail.com
-------	--------------------

Street number and name / PO Box	2/8 northfield road
---------------------------------	---------------------

Suburb	Casebrook
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Town / City	Casebrook
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Postcode	8051
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Phone (daytime)	02041218482
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Perferred method for correspondence	Email
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I / We:	Support all or part of the application
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The specific parts of the application that my / our submission relates to are:

The reasons for my / our submission are:

The decision I / we would like the Council to make is:

If a hearing is held:	Do not wish to speak in support of my/our submission
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Office Use

Submission ID	51517
Submitted Date	30/06/2023 09:17:10
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Matthew Fagan
Street number and name	32 Ontario Place
I am submitting:	For myself
If submitting on behalf - what is your name	Matthew Fagan
If submitting on behalf - organisation name / relationship to submitter	
Email	MatthewFagan@live.com
Street number and name / PO Box	32 Ontario Place
Suburb	Christchurch
Town / City	Christchurch
Postcode	8061
Phone (daytime)	+64278727744
Perferred method for correspondence	Email
I / We:	Support all or part of the application
The specific parts of the application that my / our submission relates to are:	
The reasons for my / our submission are:	It is a small building that doesn't look historical. It will be better suited to having a full modernisation that allows for better use of the land.
The decision I / we would like the Council to make is:	Demolish the old building and make sure the space is used efficiently. A multi use building would be fantastic (commerical tenants on ground floor and housing above it).
If a hearing is held:	Do not wish to speak in support of my/our submission

Office Use

Submission ID	51518
Submitted Date	30/06/2023 09:25:20
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Bryce Harwood
-----------	---------------

Street number and name	160 Hills Road
------------------------	----------------

I am submitting:	For myself
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If submitting on behalf - what is your name	
---	--

If submitting on behalf - organisation name / relationship to submitter	
---	--

Email	bryceharwood1@gmail.com
-------	-------------------------

Street number and name / PO Box	
---------------------------------	--

Suburb	
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Town / City	
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Postcode	
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Phone (daytime)	0278955493
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Perferred method for correspondence	Email
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I / We:	Support all or part of the application
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The specific parts of the application that my / our submission relates to are:	Demolition and establishing modern medium density housing
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The reasons for my / our submission are:	Place is an eyesore, developing this as planned is in line with both the councils goals to increase living population in the area and central governments demand for higher density housing.
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The decision I / we would like the Council to make is:	Demolish the place, and develop medium or even high density housing
--	---

If a hearing is held:	Do not wish to speak in support of my/our submission
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I / we will consider presenting a joint case with them at the hearing.	Yes
--	-----

I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.	Yes
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Office Use

Submission ID	51519
Submitted Date	30/06/2023 09:27:37
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Matthew Agnew
-----------	---------------

Street number and name	50A Bletsoe Ave
------------------------	-----------------

I am submitting:	For myself
------------------	------------

If submitting on behalf - what is your name	Matthew Agnew
---	---------------

If submitting on behalf - organisation name / relationship to submitter	
---	--

Email	mattagnew@gmail.com
-------	---------------------

Street number and name / PO Box	50A Bletsoe Ave
---------------------------------	-----------------

Suburb	Christchurch
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Town / City	Christchurch
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Postcode	8024
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Phone (daytime)	+64273584889
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Perferred method for correspondence	Email
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I / We:	Support all or part of the application
---------	--

The specific parts of the application that my / our submission relates to are:

The reasons for my / our submission are:	Removal of building no longer fit for purpose so housing can be built
--	---

The decision I / we would like the Council to make is:

If a hearing is held:	Do not wish to speak in support of my/our submission
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Office Use

Submission ID	51521
Submitted Date	30/06/2023 10:15:09
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Justin Boswell
-----------	----------------

Street number and name	8 Chrystal Street
------------------------	-------------------

I am submitting:	For myself
------------------	------------

If submitting on behalf - what is your name	
---	--

If submitting on behalf - organisation name / relationship to submitter	
---	--

Email	justin@boswell.co.nz
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Phone (daytime)	0221261800
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Perferred method for correspondence	Email
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I / We:	Support all or part of the application
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The specific parts of the application that my / our submission relates to are:	
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The reasons for my / our submission are:	
--	--

The decision I / we would like the Council to make is:	
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If a hearing is held:	Do not wish to speak in support of my/our submission
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Street number and name / PO Box	8 Chrystal Street
---------------------------------	-------------------

Suburb	
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Town / City	Christchurch
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Postcode	8013
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Office Use

Submission ID	51522
Submitted Date	30/06/2023 10:26:18
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Nicholas Ward

Street number and name 128 Watford Street

I am submitting: For myself

If submitting on behalf - what is your name

If submitting on behalf - organisation name / relationship to submitter

Email nhward60@gmail.com

Street number and name / PO Box 128 Watford Street

Suburb

Town / City Christchurch

Postcode 8052

Phone (daytime) 021 024 56758

Perferred method for correspondence Email

I / We: Am neutral towards the application

The specific parts of the application that my / our submission relates to are:

The reasons for my / our submission are:

The decision I / we would like the Council to make is:

If a hearing is held: Do not wish to speak in support of my/our submission

Office Use

Submission ID	51525
Submitted Date	30/06/2023 11:06:40
Submission Type	In-person : Received on time - accepted
Attachments	Yes
Notes	No

Resource Consents Unit

Submission on a resource consent application

Resource Management Act 1991 – Form 13

Email to: resourceconsentssubmissions@ccc.govt.nz

Deliver to: Planning & Consents, Christchurch City Council, 53 Hereford Street, Christchurch

Send to: Planning & Consents, Christchurch City Council, PO Box 73013,
Christchurch Mail Centre, Christchurch 8154

For enquiries phone: (03) 941 8999

Application Reference

RMA/2023/325

Team Leader Planning:
Jonathan Gregg

1. Submitter details

Full name of submitter:

Nicholas Ward

Street address:

331 Gloucester Street

Postal Address (if different):

128 Watford Street

Contact phone number (daytime):

021 024 567 58

Postcode:

8052

Email:

nward60@gmail.com

My address for service for receiving documents and communication about this application is: By email By post

2. Application details

RMA number (if not stated above):

RMA/2023/325

Name of applicant:

Fern Fitzgerald Limited

Application site address:

187 Fitzgerald Ave, Central City

Proposed activity:

Demolition of a Group 2 heritage building and earthworks in a heritage setting

3. Submission details

I / We: Support all or part of the application

Oppose all or part of the application

Am neutral towards the application

The specific parts of the application that my / our submission relates to are: *(give details, using additional pages if required)*

The reasons for my / our submission are: *(use additional pages if required)*

The decision I / we would like the Council to make is: *(give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought. Use additional pages if required)*

4. Hearing of this application

If a hearing is held, I / we:

- Wish to** speak in support of my / our submission
- Do not wish to** speak in support of my / our submission
- If others make a similar submission I / we will consider presenting a joint case with them at the hearing
- Request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Please note that a hearing will only be held if the applicant and/or any submitters wish to be heard, but all submissions will be taken into consideration regardless. The planning report will be sent to submitters who indicate that they wish to speak at the hearing.

If you change your mind about whether you wish to speak at the hearing, please contact the Council by telephone on 941 8999 or by email at resourceconsentsubmissions@ccc.govt.nz.

5. Signature (of submitter(s) or person authorised to sign on behalf of submitter(s))

Signature:



Date:

14 June 2023

Signature:

Date:

Note: A signature is not required if you make your submission electronically

Important information

1. The Council must receive your submission before the closing date and time for submissions on this application.
2. You must also send a copy of this submission to the applicant as soon as practicable, at the applicant's address for service.
3. If this application was limited notified the Council may adopt an earlier closing date for submissions once responses have been received from everyone who was notified.
4. If you are a trade competitor, your right to make a submission may be limited by the provisions in Part 11A of the RMA.
5. The Council may strike out a submission (or part of it) in the following situations:
 - It is frivolous or vexatious
 - It discloses no reasonable or relevant case
 - It would be an abuse of the hearing process to allow it to be taken further
 - It contains offensive language
 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matters.

Privacy information

The information requested on this form, including your contact details, is required by the Resource Management Act 1991 (RMA). The information will be held by the Council, and you may ask to check and correct any personal information that we hold about you. The RMA requires your submission, including your name and contact details, to be made available to the Council (including the Council decision-maker) and the applicant.

Your submission, including your name and contact details, may also be made available to other submitters and to the public on the Council's website, or on request. If requested, the Council may legally be required to make all submissions available to the public (which can include the media), including the name and contact details of the submitter, subject to the provisions of the Local Government Official Information and Meetings Act 1987 (LGOIMA).

If you believe there are compelling reasons why your contact details should be kept confidential from other submitters or the public under LGOIMA, please contact the processing Planner for this application prior to making your submission.

Office use only

Received at the Office on at am / pm

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Kees Alexander Vos

Street number and name 38a Hereford street

I am submitting: For myself

If submitting on behalf - what is your name

If submitting on behalf - organisation name / relationship to submitter

Email kees.a.vos@outlook.com

Street number and name / PO Box

Suburb

Town / City

Postcode

Phone (daytime) 0212556904

Perferred method for correspondence Email

I / We: Support all or part of the application

The specific parts of the application that my / our submission relates to are:

The reasons for my / our submission are: Building is derelict. Any new construction in it's place is a positive.

The decision I / we would like the Council to make is: Building is an eyesore regardless of heritage status. New developments closer to the city will be a net positive for Christchurch.

If a hearing is held: Do not wish to speak in support of my/our submission

I / we will consider presenting a joint case with them at the hearing.	Yes
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I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.	Yes
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Office Use

Submission ID	51529
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Submitted Date	30/06/2023 11:51:47
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	James Bastin
Street number and name	131 Packe Street, Edgware
I am submitting:	For myself
If submitting on behalf - what is your name	James Bastin
If submitting on behalf - organisation name / relationship to submitter	
Email	jamesbastin.jb@gmail.com
Street number and name / PO Box	131 Packe Street, Edgware
Suburb	Christchurch
Town / City	Christchurch
Postcode	8013
Phone (daytime)	+64273522606
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	Demolition.
The reasons for my / our submission are:	This building has cultural and architectural significance. Christchurch must preserve what is left of it's heritage buildings.
The decision I / we would like the Council to make is:	
If a hearing is held:	Do not wish to speak in support of my/our submission

Office Use

Submission ID	51533
Submitted Date	30/06/2023 18:04:53
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Rory Evans Fee
Street number and name	59 Greers Road
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	roryevansfee@hotmail.com
Street number and name / PO Box	59 Greers Road
Suburb	Ilam
Town / City	Chrsitchurch
Postcode	8041
Phone (daytime)	0278417199
Perferred method for correspondence	Email
I / We:	Support all or part of the application
The specific parts of the application that my / our submission relates to are:	Demolition of the useless worn down building that does nothing but serve as a decaying eye sore
The reasons for my / our submission are:	The building isn't nearly iconic enough, nor does it have any meaningful historical significance that would warrant keeping it. Build something new, something better, something that serves a purpose. Whether that is a residential home, apartment, set of shops, or a single tree and bench. Anything is an improvement
The decision I / we would like the Council to make is:	Don't keep useless shit that's somewhat old for the sole sake of it being somewhat old. If it were a beautifully crafted stone building with unique architectural features, that would be different. This is an old wooden

every day building with no discernable features that would take far too much restoration work to preserve... some wood?

If a hearing is held: Do not wish to speak in support of my/our submission

Office Use

Notes No

Submission ID 51534

Submitted Date 01/07/2023 02:59:13

Submission Type Online

Attachments No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Matthew Clarke

Street number and name 3 Swynford Lane

I am submitting: For myself

If submitting on behalf - what is your name Matthew Clarke

If submitting on behalf - organisation name / relationship to submitter

Email matt.fraer@gmail.com

Street number and name / PO Box 3 Swynford Lane

Suburb Spreydon

Town / City Christchurch

Postcode 8024

Phone (daytime) 0272589453

Perferred method for correspondence Email

I / We: Support all or part of the application

The specific parts of the application that my / our submission relates to are: The demolition of the building.

The reasons for my / our submission are: It isn't a category one heritage building, although classified I don't see it as a "famous" building for Christchurch. If anything, if it's been famous it's been so for being an eyesore. With the new stadium going up nearby and the other development in the area, Fitzgerald Ave is one of the last remaining parts of Christchurch that feels and looks the same as it did in the years immediately after the earthquake. It badly needs revitalisation

The decision I / we would like the Council to make is:	Demolish the building, and build something that will improve the area aesthetically and improve the community
--	---

If a hearing is held:	Do not wish to speak in support of my/our submission
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I / we will consider presenting a joint case with them at the hearing.	Yes
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I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.	Yes
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Office Use

Submission ID	51536
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Submitted Date	01/07/2023 17:30:51
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Roman Shmakov

Street number and name 233A Waimairi Road, Ilam

I am submitting: For myself

If submitting on behalf - what is your name

If submitting on behalf - organisation name / relationship to submitter

Email roman.shmakov@outlook.com

Street number and name / PO Box

Suburb

Town / City

Postcode

Phone (daytime) 0276779929

Perferred method for correspondence Email

I / We: Support all or part of the application

The specific parts of the application that my / our submission relates to are: All of the submission

The reasons for my / our submission are: This building has basically been derelict for most of my life. I used to live and go to school near this building. It is not special, can be easily recreated and basically just looks like the average weatherboard home. The demolition of this building would allow the land to be used for something with more utility and benefit for the local area.

The decision I / we would like the Council to make is: Approve demolition

If a hearing is held:	Do not wish to speak in support of my/our submission
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Office Use

Submission ID	51537
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Submitted Date	01/07/2023 19:30:00
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Paris Smith
Street number and name	4/350 Armagh Street
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	paris.alexandra@me.com
Street number and name / PO Box	4/350 Armagh Street
Suburb	Central
Town / City	Christchurch
Postcode	8011
Phone (daytime)	0273872615
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	Having a cafe on the corner would be great for neighbouring businesses. If the building is to be demolished, it would be nice to see a vintage style building erected which upholds the original community-service nature of the plans (meeting place and office spaces).
The reasons for my / our submission are:	Having a heritage based cafe in the neighbourhood would be a boon to the area. We have seen so many apartment buildings go up in the CBD, that it is important we offset these will older restoration projects.
The decision I / we would like the Council to make is:	Reject demolition proposal or mandate an appropriate building facade and community focussed purpose for the corner building.
If a hearing is held:	Do not wish to speak in support of my/our submission

Office Use

Submission ID	51561
Submitted Date	04/07/2023 09:10:24
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Monica K Reedy
Street number and name	U1/393 Hereford Street
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	monica.k.reedy@gmail.com
Street number and name / PO Box	U1/393 Hereford St
Suburb	Linwood
Town / City	Christchurch
Postcode	8011
Phone (daytime)	039818977
Perferred method for correspondence	Post
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	It's one of the last buildings that could be saved post earthquake.
The reasons for my / our submission are:	The vast majority of heritage buildings post earthquake has been lost on the east side of the inner city. The building in question was a classic, traditional family business and residence. In the recent past it was an electrical repair shop prior to the earthquakes.
The decision I / we would like the Council to make is:	To decline the application for demolition and to save it or at least defer the demolition so that there can be more opportunity for the developers to seek funding from Heritage NZ and/or other avenues.

If a hearing is held:	Wish to speak in support of my/our submission
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I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Yes

Office Use

Submission ID	51573
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Submitted Date	05/07/2023 12:25:25
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Ashley Crook
Street number and name	15 Thomas Street
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	zonyxonyx@gmail.com
Street number and name / PO Box	15
Suburb	Linwood
Town / City	Chch
Postcode	8062
Phone (daytime)	0220516780
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	The demolishing of the heritage building
The reasons for my / our submission are:	The loss of heritage building. Christchurch has lost a great portion of its architectural heritage since the 2011 Earthquakes. 187 Fitzgerald Avenue represents an era of architectural design and form that harks back to the European settlement of Christchurch. This along with the building on the corner of Hereford and Fitzgerald creates a connection to an earlier time when architecture wasn't about Glass, Concrete and Metal Beams. This building needs to be safeguarded because of this. Even though the facade of the building would be considered to be "simple" architecturally speaking it has a lot more architectural

character than what we currently see in any modern developments in Christchurch. Especially when it seems Architectural character seems to be an afterthought in many modern developments/buildings which tend to then lean heavily on "softening" the building's soules character with vegetation. If the decision is to allow the developer to demolish the building, I would heavily recommend that the developer create a 1;1 replica of the current buildin's facade & roofline.

The decision I / we would like the Council to make is:

Make the developer retain & restore the facade of the heritage building.

If a hearing is held:

Do not wish to speak in support of my/our submission

I / we will consider presenting a joint case with them at the hearing.

Yes

I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Yes

Office Use

Submission ID 51574

Submitted Date 05/07/2023 12:44:03

Submission Type Online

Attachments No

Notes No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Simone Rewa Pearson
Street number and name	13 Dawson Street, Central Christchurch
I am submitting:	For myself
If submitting on behalf - what is your name	Simone Rewa Pearson
If submitting on behalf - organisation name / relationship to submitter	
Email	pearson.s@xtra.co.nz
Street number and name / PO Box	13 Dawson Street
Suburb	Central Christchurch
Town / City	Central Christchurch
Postcode	8011
Phone (daytime)	0272793000
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	I opposes the application for demolition of 187 FITZGERALD AVE.
The reasons for my / our submission are:	As its heritage designation indicate, this is an important heritage building classified as Significant (Group 2) on the CDP Schedule of historic heritage. Since 2010 Christchurch has lost an enormous number scheduled heritage buildings to demolition. 187 is located on a prime corner site in central city and is a highly visible reminder of our cities past. We privately restored a Significant (Group 2) heritage building less than 600 metres away, at 250 Kilmore St (Item #319) and this has added to the heritage fabric of the area. Let's ensure there are more buildings in central city that reflect our past.

The decision I / we would like the Council to make is:	Reject the demolition and urge the developer to reinstate the property to it's former glory as a reminder of our cities past as the very new city emerges post quake.
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If a hearing is held:	Do not wish to speak in support of my/our submission
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Office Use

Submission ID	51584
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Submitted Date	06/07/2023 10:48:10
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Jennifer Dalziel

Street number and name 62 Chancellor Street Christchurch 8013

I am submitting: For myself

If submitting on behalf - what is your name

If submitting on behalf - organisation name / relationship to submitter

Email jdalziel@inet.net.nz

Street number and name / PO Box 62 Chancellor Street

Suburb Richmond

Town / City Christchurch

Postcode 8013

Phone (daytime) 033854015

Perferred method for correspondence Email

I / We: Oppose all or part of the application

The specific parts of the application that my / our submission relates to are: The demolition of a Group 2 heritage building and earthworks in a heritage setting.

The reasons for my / our submission are: The developers bought this building knowing it had a heritage listing. They have an artists impression of it fully restored on their Face book Page. However it now appears that they never intended to restore it all. They have done absolutely nothing to secure or protect the property since they purchased it, consequently it has been damaged by vandals. If they dont intend to restore it they should do the decent thing and on sell it to someone who will. They are so confident that they will be able to destroy this building that they are already pre selling the units they intend to build on that site. It is interesting to note that this

building was heritage listed in 2015 which is 3 years post Earthquake. The council must have assessed its suitability for restoration at that date (see attached file). It is criminal that the council has allowed this building to deteriorate when it is such a significant landmark Tis city has lost so much of its heritage . anything left should be preserved. The cost should not be the only factor taken into consideration when deciding its fate. The developer can put his units on the rest of the site.

The decision I / we would like the Council to make is:

Stop the immoral demolition and insist the building is restored.

If a hearing is held:

Do not wish to speak in support of my/our submission

I / we will consider presenting a joint case with them at the hearing.

Yes

I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Yes

Office Use

Submission ID 51586

Submitted Date 06/07/2023 11:29:32

Submission Type Online

Attachments Yes

Notes No

DISTRICT PLAN – LISTED HERITAGE PLACE
HERITAGE ASSESSMENT – STATEMENT OF SIGNIFICANCE
HERITAGE ITEM NUMBER 641
***COMMERCIAL BUILDING AND SETTING – 187
FITZGERALD AVENUE***



PHOTOGRAPH: M. VAIR-PIOVA, 15/12/2014

HISTORICAL AND SOCIAL SIGNIFICANCE

Historical and social values that demonstrate or are associated with: a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political or other patterns.

The commercial building at 187 Fitzgerald Avenue has social and historical significance as a late Victorian combination shop and dwelling. It was built in c1900 for Otto Lieske, a land agent (c1844-1922). Lieske had purchased the site in 1894 and after the building's construction Lieske's wife Harriet (nee Fitzsimmons, c.1852-1945) moved her store from premises across Gloucester Street into the new building. It remained in the hands of the Lieske family, who lived above their store, until 1968. 187 Fitzgerald Avenue then became a shirt factory and later an audio/television repair store. The building was damaged in the 2010 - 2011 earthquakes and remains boarded up.

CULTURAL AND SPIRITUAL SIGNIFICANCE

Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values.

187 Fitzgerald Avenue has cultural significance as a demonstration of the way of life of 19th and 20th century retailers, who commonly lived above or beside their business premises. The building demonstrates a societal cultural pattern of generational ownership and small-scale retailing that was once prevalent in the city. Such shops served householders who lived within walking distance. Until the mid-20th century, most people bought their daily requirements from a neighbourhood corner store such as this. Frequently the proprietor lived in adjacent accommodation, either above or behind the shop. From the 1970s, however, changes in the way people shopped saw a decline in this mode of retailing, and comparatively few such stores survive with the original use today.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

Architectural and aesthetic values that demonstrate or are associated with: a particular style, period or designer, design values, form, scale, colour, texture and material of the place.

187 Fitzgerald Avenue has architectural significance as a representative example of a building type commonly found in suburban centres and New Zealand towns between 1870 and 1920. It is a two-storey timber building with a hipped roof and commercial classical detailing, including engaged pilasters, a string course, cornice and parapet, and a mix of paired and single sash windows with corbelled hoods. The 'corner shop' sub-type, with its chamfered corner, was employed just as frequently for hotels and banks, as it was for retail premises. As it stands today, 187 Fitzgerald Avenue is a relatively plain flush-weatherboard building with little architectural pretension, other than brackets under the eaves. The building may have had a veranda on the road frontage. Some original internal detail remains. Corner shops of a similar vintage are also extant at 147 and 167 Fitzgerald Avenue. The former is also a listed heritage item.

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

Technological and craftsmanship values that demonstrate or are associated with: the nature and use of materials, finishes and/or technological or constructional methods which were innovative, or of notable quality for the period.

187 Fitzgerald Ave has technological and craftsmanship significance for what it may reveal of late Victorian timber construction methodologies, materials, fixtures and fittings.

CONTEXTUAL SIGNIFICANCE

Contextual values that demonstrate or are associated with: a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment.

The commercial building has contextual significance for its contribution to the historic streetscape of Fitzgerald Avenue. 187 Fitzgerald Avenue is set within a mix of commercial and residential buildings, including older housing built between the 1870s and the 1920s and modern flats. Further south on the Hereford and Worcester Street corners are other Victorian/Edwardian corner shops. The eastern quadrant of the inner city saw considerable residential development in the late 19th century and by 1900 half the street corners on the western side of Fitzgerald Avenue contained shops serving this population. 187 Fitzgerald Avenue is one of the few still extant. Other corner shops buildings remain around the city, although most are smaller in scale.

187 Fitzgerald Avenue is situated immediately adjacent to the street frontages of a small parcel of land on the northwest corner of Fitzgerald Avenue and Gloucester Street. The original building, with a later single storey section at the rear, occupies the greater part of the land parcel. Because of its scale and prominent position on the west side of Fitzgerald Avenue, one of the four town belts that originally defined the city of Christchurch, the building has some landmark significance.

ARCHAEOLOGICAL AND SCIENTIFIC SIGNIFICANCE

Archaeological or scientific values that demonstrate or are associated with: the potential to provide information through physical or scientific evidence an understanding about social historical, cultural, spiritual, technological or other values of past events, activities, structures or people.

187 Fitzgerald Avenue and its setting are of archaeological significance because they have the potential to provide archaeological evidence relating to past construction methods and materials, and human activity on the site, including that which occurred before 1900. Lambert's 1877 map of the central city shows a small structure on this property, which is located to the east of Christchurch East School (est. 1873).

ASSESSMENT STATEMENT

The commercial building has overall significance to Christchurch, including Banks Peninsula as a late Victorian shop with residential above. 187 Fitzgerald Avenue has historical significance as the home and retail premises of the Lieske family for nearly seventy years and as a former corner store, a once ubiquitous but now increasingly uncommon form of retail building. The building has cultural significance as a demonstration of the way of life of 19th and 20th century retailers and demonstrates a societal cultural pattern of generational ownership and small-scale retailing that was once prevalent in the city. It has architectural significance as a distinctive colonial building type with residual restrained detailing. 187 Fitzgerald Ave has technological and craftsmanship significance for what it may reveal of late Victorian timber construction methodologies, materials, fixtures and fittings. It has contextual significance as a building type now rare in Christchurch and as a landmark on Fitzgerald Avenue. 187 Fitzgerald Avenue and its setting are of archaeological significance because they have the potential to provide archaeological evidence relating to past construction methods and materials, and human activity on the site, including that which occurred before 1900.

REFERENCES:

John Wilson *Fitzgerald Avenue Corner Shop Buildings* November 2002.

REPORT DATED: 7 FEBRUARY 2015

PLEASE NOTE THIS ASSESSMENT IS BASED ON INFORMATION AVAILABLE AT THE TIME OF WRITING. DUE TO THE ONGOING NATURE OF HERITAGE RESEARCH, FUTURE REASSESSMENT OF THIS HERITAGE ITEM MAY BE NECESSARY TO REFLECT ANY CHANGES IN KNOWLEDGE AND UNDERSTANDING OF ITS HERITAGE SIGNIFICANCE.

PLEASE USE IN CONJUNCTION WITH THE CCC HERITAGE FILES.

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Ross Gray
Street number and name	52A Jeffreys Road
I am submitting:	On behalf of an organisation or another person
If submitting on behalf - what is your name	Ross Gray
If submitting on behalf - organisation name / relationship to submitter	Christchurch Civic Trust (Chair)
Email	rosslogray@xtra.co.nz
Street number and name / PO Box	52A Jeffreys Road
Suburb	Christchurch
Town / City	Christchurch
Postcode	8052
Phone (daytime)	021 206 3620
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	Please refer to attached PDF with 10-point summary of reasons for Christchurch Civic Trust opposition to this application to demolish 187 Fitzgerald Ave.
The reasons for my / our submission are:	Please refer to attached PDF with 10-point summary of reasons for Christchurch Civic Trust opposition to this application to demolish 187 Fitzgerald Ave.
The decision I / we would like the Council to make is:	Reject the application Recommend that the developer fully engage with all potential funding sources including CCC

If a hearing is held:	Wish to speak in support of my/our submission
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I / we will consider presenting a joint case with them at the hearing.	Yes
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I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.	Yes
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Office Use

Submission ID	51502
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Submitted Date	27/06/2023 20:16:21
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Submission Type	Online
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Attachments	Yes
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Notes	No
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SUBMISSION FROM CHRISTCHURCH CIVIC TRUST ('CCT') ON A RESOURCE CONSENT APPLICATION BY FERN FITZGERALD LIMITED TO DEMOLISH SIGNIFICANT BUILDING AT 187 FITZGERALD AVE, CHRISTCHURCH.

CCT opposes the application for demolition for the following reasons (in bold)

- 1 As its heritage designation indicates, this is an important heritage building classified as Significant (Group 2) on the CDP Schedule of historic heritage. **Since 2010 Christchurch has lost an enormous number (c 250) of CCC-scheduled heritage buildings to demolition and this woeful toll should not be increased by the demolition of this building.**

- 2 Damage to this building has been alluded to a number of times in the application to demolish. **The vast majority of the post-Canterbury earthquakes demolitions were (rightly or wrongly) attributed to 'earthquake damage' whether 'severe', 'moderate' or 'light'. From mid-2011 owners were able to request CERA or CCDU to apply an S38 demolition notice to their building and the normal RMA resource consent process was thus able to be circumvented. The 'damage' to this building has been substantially from extreme neglect for well over a decade. 'Neglect' is not one of the criteria which are able to be used to decide whether a scheduled building should be demolished.**

- 2 The IHP amended rules for historic heritage in the CDP include reference to earthquake damage (but not neglect). **Earthquake damage, although mentioned several times by the applicant's agent, is not detailed at all. 'Quake damage was in fact 'very light'. It should not form any significant part of a consideration of this application.**

- 3 (From the IHP deliberations 2015) 9.3.2.9 Policy - Demolition of heritage items. When considering the appropriateness of the demolition of a scheduled heritage item have regard to:
 - iii. *whether the costs to retain the heritage item (particularly as a result of damage) would be unreasonable.* **'Damage' must mean 'earthquake damage' because this particular criterion was added to those criteria which already existed before the 'quakes. The IHP deliberately took the path of recognising the extraordinary burden of repair placed on heritage items' owners. But none of that applies in this case, in view of the very minimal earthquake damage. Deliberate neglect of this Significant heritage building should not be rewarded.**

- 5 *ii. whether the extent of the work required to retain and/or repair the heritage item is of such a scale that the heritage values and integrity of the heritage item would be significantly compromised.* **Gareth Wright, CCC Heritage Advisor, unequivocally refutes any reliance on this criterion by the applicant's agent: with good restoration process followed, heritage values and integrity will be maintained. There are many such examples of successful post-quakes heritage building restorations.**

- 6 *v. the level of significance of the heritage item."* **The reason this building was put on the CCC Schedule (and is still on it) is because of its importance, particularly in the urban east location within the 4 Avenues. Post-earthquakes it still has a number of near neighbours which are either Scheduled by CCC or Listed by HNZPT. (Please refer to photographic dossier, '187 Fitzgerald Ave photographs CCT submission. docx 1')**

7 Structural and cost estimates reports are presented by the applicant's agent, including repair and upgrade plan by Centraus (4/8/21); structural report by Tetrad (19/1/23) and costing estimate by Logic Group (January 2023). **Individuals and voluntary organisations supporting the retention of the relatively little remaining city heritage face a huge financial disadvantage; the irony is always that the business or professional organisation wishing to demolish a heritage building has to, and does, find the funds to finance legal and technical expertise to assist their case for demolition. The actual financial cost of demolition itself is seldom mentioned – and the 'cost to the environment' almost never documented.**

We note that there is no other QS estimate of restoration costs in the application to demolish. Given the scope of works details, should CCC as heritage-scheduling body obtain independent cost assessments with the cost of obtaining that information to be paid by the applicant?

8 Fern Fitzgerald purchased the property 'as is' in 2020; the Centraus plan is from 2021 but had carried no costings. In spite of that Fern Fitzgerald went ahead and showcased 187 Fitzgerald (including in a video presentation) as a special feature of the Gloucester Quarter development in September 2022. Then came the on-site inspection in 2023 followed by the Baseline heritage, Logic Group and CCC heritage Reports. **While there is a sequential logic of sorts to this, what is very concerning is that the Application for Resource Consent: Land Use (8. consent for demolition of Group 2 heritage building) was signed on 14/2/2022 by Sally Elford, Baseline Agent for FernFitzgerald property owner Paul Szybiak. It appears that there was always an intention to demolish, even although promotion of Gloucester Quarter by Rosefern Homes with 187 restored was made in September 2022.**

9 (i) As promoted at the time, with adjacent sites and part of the 187 site containing 16 townhouses, a large tree and other trees were to be removed. **In this Climate and Ecological Emergency declared by CCC in 2019 trees should be being retained for their CO2 mitigation and other benefits to the environment and society. Retention of a restored 187 should include, at very least, the retention and rehabilitation of its large, mature tree.**

(ii) The owner's agent claims that retention and upgrade of the building will not represent 'its most efficient use'. **This is a curious euphemism for 'the cheapest outcome for the owner'. It does not align with the values implicit in a Climate and Ecological Emergency which are to conserve all resources, natural and manufactured/constructed.**

10 Baseline Appendix 3 provides a list of possible funding sources to assist with restoration. **The claim is that no funds are available, or that what might be available would be inadequate. Fern Fitzgerald, presumably with eyes wide open, purchased the property for commercial gain, with consideration for the 'heritage ambience' of the area at least a part factor. CCC itself has made an enormous contribution to the retention of city heritage (including a great number of its own buildings) since the 'quakes. We urge owner / developer and CCC to continue to work together to ensure that this Significant heritage building at 187 is retained for the benefit of present and future citizens.**

CONCLUSION: Christchurch Civic Trust OPPOSES the application to demolish 187 Fitzgerald Ave, Christchurch.

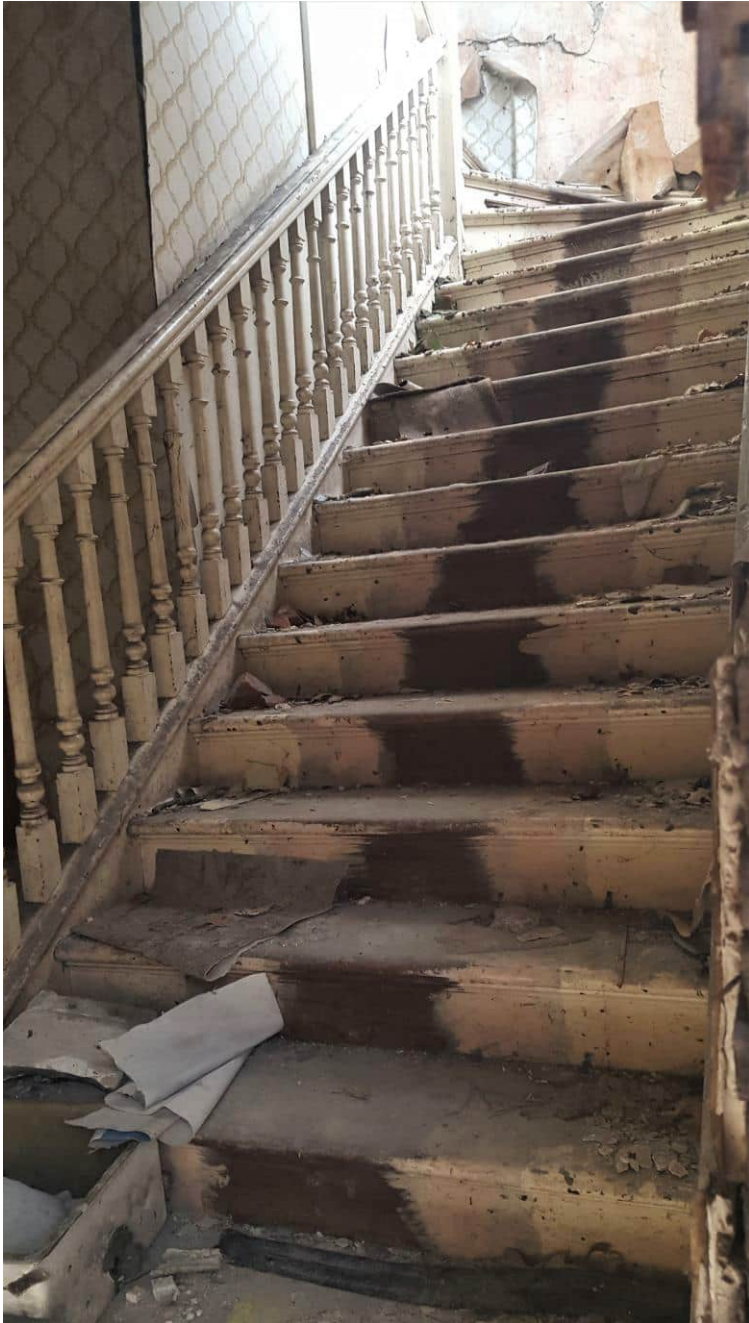
187 Fitzgerald Ave, Christchurch is a CCC Scheduled Significant heritage building.



187 Fitzgerald Ave Christchurch June 21 2023. Note the imposing landmark corner form and scale and strong relationship to mature avenue trees.



Historical and architectural context: Fitzgerald Ave and adjacent corners are of considerable importance. The HPT (HNZPT) Listed 196 Fitzgerald Ave (cnr Armagh St) is diagonally opposite 178, the threatened building.



Views of side and rear of the property include intact heritage balustrade and large tree behind street fence.



Only 2-blocks away at 147 Fitzgerald Ave (cnr Hereford St) is the fully restored Significant heritage building, 'Chambers', a notable landmark companion and fine exemplar for a restored 187 Fitzgerald Ave.



Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Lynne Lochhead
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Street number and name	7 Stratford St Christchurch 8014
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I am submitting:	On behalf of an organisation or another person
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If submitting on behalf - what is your name	
---	--

If submitting on behalf - organisation name / relationship to submitter	Secretary of Historic Places Canterbury
---	---

Email	lynnelochhead@gmail.com
-------	-------------------------

Street number and name / PO Box	
---------------------------------	--

Suburb	
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Town / City	
-------------	--

Postcode	
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Phone (daytime)	3515928
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Perferred method for correspondence	Email
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I / We:	Oppose all or part of the application
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The specific parts of the application that my / our submission relates to are:	The whole of the application
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The reasons for my / our submission are:	HPC acknowledges that the District Plan recognises that in some situations demolition of a scheduled heritage item may be justified. 9.3.2.2.8 Policy - Demolition of heritage items 1. When considering the appropriateness of the demolition of a heritage item scheduled in Appendix 9.3.7.2 have regard to the following matters: 1. whether there is a threat to life and/or property for which interim protection measures would not remove that threat; 2. whether the extent of the work required to retain and/or repair the heritage item is of such a scale that the heritage values and integrity of the heritage item would be
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significantly compromised; 3. whether the costs to retain the heritage item (particularly as a result of damage) would be unreasonable; 4. the ability to retain the overall heritage values and significance of the heritage item through a reduced degree of demolition; and 5. the level of significance of the heritage item. The applicant's main justification for seeking permission to demolish a listed heritage building is based on the current state of the building and the costs in time and money to bring it up to a suitable standard. It is relying principally on (2) and (3) above. (2) whether the extent of the work required to retain and/or repair the heritage item is of such a scale that the heritage values and integrity of the heritage item would be significantly compromised; The applicants heritage consultant argues that the extent of work required would significantly compromise the heritage fabric and value of the building. HPC recognises that the building is currently in a poor state and that the cost of restoration will be high but we fully support the view of the CCC Heritage Advisor that the heritage value will not be compromised by the work required to bring the building up to standard. The applicant places undue emphasis on material replacement. Heritage significance resides in much more than the physical fabric as is envisaged in the ICOMOS NZ charter 2010. (Section 19 (ii) and 20) (In some cultures, particularly those where timber construction is common, heritage items are completely rebuilt in regular cycles. The Ise Jingu shrine in Japan is the most notable example of this practice, having been rebuilt every 20 years for the last 1300 years.) (3) whether the costs to retain the heritage item (particularly as a result of damage) would be unreasonable The applicant relies strongly on the unreasonable cost of retaining the heritage item. HPC acknowledges that the cost is high but we challenge whether the provision is applicable in this instance. The provision includes the phrase 'particularly as a result of damage'. We accept that there are situations where damage to a building is such that an owner cannot reasonably be expected to retain a building – this may be through earthquake, or a major fire for example. We do not accept that this provision should allow owners to let a listed building deteriorate to the point where they can argue that a building is too dangerous to keep or that the costs of restoration cannot be justified and are not the most efficient use of resources for the site (nor should efficient use of resources be equated with what is the cheapest and most convenient outcome for the owner). Damage from the earthquake is not detailed by the applicant but is referred to as moderate by the CCC's Heritage Advisor. The greater part of the current state of the building is attributable to failure to maintain, whether by current or previous owners, or in combination. It makes a mockery of the heritage protection provisions of the city plan, if owners can simply allow buildings to deteriorate then invoke the above provision. The site was purchased on an 'as is, where is' basis which will have been reflected in the sum paid for it, and also in full knowledge that it is a heritage listed building. HPC notes also that while much is made of the costs of restoration the cost of demolition has not been included to offset those costs. It is also clear that the costings are based on a commercial use for the building. There are no comparable costings for residential use. The applicant states that demolition will improve the street scape and enhance the residential setting. This is not an adequate justification for demolition as restoration of the building would equally improve the street scape and enhance the amenity as the applicant's own promotional video advertising restoration recognised. Indeed, restoration of the building would have a far greater

beneficial impact on the streetscape because it would not only improve the amenity but would also reinforce the heritage significance of the building and enhance other remaining heritage sites in the vicinity. While the costs of restoration are certainly high, the blend of new development with a restored heritage building has the potential to create an iconic and distinctive development that will increase the value of all the buildings on the site. (6) whether there is a threat to life and/or property for which interim protection measures would not remove that threat; The applicant claims the building is at high risk of collapse in a moderate earthquake because of a compromised structural bracing system (notwithstanding that it has remained upstanding through significant earthquakes and aftershocks). It is acknowledged that structural capacity can be increased but the applicant argues that this would be at the expense of heritage fabric, that the building 'would need to be stripped out to achieve upgrades'. For reasons already noted above we do not accept that the loss of heritage fabric resulting from restoration will have a significant impact upon the heritage values. Furthermore, much of the work needed to strengthen structural capacity entails interior work. However, as the CCC Heritage Advisor has pointed out, the District Plan does not protect the interiors. (5) the level of significance of the heritage item The application relates to significant not a highly significant heritage item. This does not in the view of HPC justify the demolition of the building. All heritage items whether significant or highly significant add immeasurably to the sense of place and identity of Christchurch and the significant loss of heritage as a consequence of the earthquakes gives all remaining heritage higher significance than before.

The decision I / we would like the Council to make is:

To reject the application to demolish a listed heritage building.

If a hearing is held:

Wish to speak in support of my/our submission

I / we will consider presenting a joint case with them at the hearing.

Yes

I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Yes

Office Use

Submission ID

51591

Submitted Date	06/07/2023 20:53:39
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	John Malcolm Wilson
Street number and name	135 West Coast Road, Arthur's Pass 7875
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	johnmalcolm@xtra.co.nz
Street number and name / PO Box	PO Box 51030
Suburb	Arthur's Pass
Town / City	Arthur's Pass
Postcode	7654
Phone (daytime)	643389118
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	The application to demolish a heritage-listed building.
The reasons for my / our submission are:	<p>The applicant's case for demolishing the heritage building on the site appear to me to be based on several grounds:</p> <p>(a) that the deteriorated condition of the building makes its restoration cost so high that it is unreasonable to retain it;</p> <p>(b) that the extent of replacement of heritage materials means the restored building would no longer have the heritage values that led to its listing;</p>

(c) that the building's condition is such that its removal would improve the streetscape.

My primary argument against allowing the applicant to demolish the building is that its present condition is to only a small degree a consequence of earthquake damage. Its deteriorated state is due primarily to more than a decade of what is politely called 'deferred maintenance' but is properly described as neglect, even as wilful neglect. The building, if it is indeed 'uneconomic' to repair, is so only because of the neglect it has suffered. I appreciate that the applicant is not primarily responsible for that neglect. Nevertheless, he purchased the property fully aware that the building had been neglected and that it was a heritage-listed item.

My concern is that if the owner is given consent to demolish a heritage building which is in a poor condition primarily (even only) because it has been neglected -- with no maintenance done and illegal occupation ignored -- it will send a strong signal to other owners of heritage buildings to take the same path, and gain licence to achieve 'demolition by neglect'. The Council should not give even an indirect signal that it sanctions such deliberate evasion of an intent that is clear in its Plan -- that the the city's heritage should be protcted and that listed buildings should not be demolished except in certain limited circumstances.

It has been clearly established that the applicant's argument that the extent of new material required if it is to be restored would compromise the building's heritage values is untenable. The building's heritage values would remain significant (in the opinion of the only qualified heritage expert who has commented on the matter) if the restoration proposed in the resource consent granted on 1 December 2022 went ahead. Repair and reconstruction is possible without compromising the building's heritage value; that a considerable level of alteration and addition is compatible with the retention of heritage character is clearly enunciated in all statements and policies applicable in Christchurch regarding the protection of heritage.

The applicant's claim that the streetscape of Fitzgerald Avenue would be improved if a deteriorated building were removed from a prominent corner site is likewise untenable. The current adverse effects of having a building in that condition on such a site could be better mitigated by restoration of the building. Those current adverse effects of the deteriorated building are temporary, whatever course is followed. But the demolition of the building would mean a permanent loss of landscape value -- that value, that is, of having a building of distinction and historic interest 'punctuating' the corner.

I would finally like to endorse the view that the building is one of a now

rare type and is crucial if (one of the goals of heritage protection) the city is to retain buildings which tell particular and distinctive stories about how people lived and worked in the city in the past, in this case through the first half of the 20th century when 'corner stores' in residential neighbourhoods were a key part of the city's commercial and social life. Buildings of the type of the one under consideration are, I would repeat and emphasise, now sufficiently rare in the city that its retention is crucial if the objectives of the heritage protection provisions in the city's Plan are to be achieved. (The applicant has acknowledged, I would note in passing, that comparatively few such corner stores survive in their original use today.)

'Retention at any cost' would actually seem to me, for these reasons, reasonable. What the applicant has not demonstrated, however, is that the costs of retention are unreasonable and he has failed to provide evidence that a plan for the development of the larger area which included retention of the building would subject him to unreasonable costs. It is manifestly fair and reasonable, given that the applicant purchased the building knowing it was listed, to require him to put the existing building back in good repair. The costs of retaining the building should not be considered in isolation. They should instead be considered as part of the costs (and potential profits) of the development of the wider area (as defined in the existing resource consent). The estimated gap between the costs of restoration and the likely market value of the restored building may turn out to be insignificant as part of the costs (and, again, potential profits) of the overall development of the site occupied by the heritage building and the adjoining land. The applicant should not have bought the property without being satisfied he could meet the costs of restoring a building which is protected from demolition.

The decision I / we would like the Council to make is:	To decline the application and advise the applicant that this is not a situation in which demolition of a heritage-listed item is justified by reference to Policy 9.3.2.2.8; and to encourage the applicant to proceed under the existing resource consent, approved 1 December 2022, which allowed him to repair the heritage building and construct 16 residential units on surrounding land.
--	--

If a hearing is held:	Wish to speak in support of my/our submission
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I / we will consider presenting a joint case with them at the hearing.	Yes
--	-----

Office Use

Submission ID	51589
Submitted Date	06/07/2023 18:02:54
Submission Type	Online
Attachments	No
Notes	No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Jennifer Jean Smith k/a Jenny
-----------	-------------------------------

Street number and name	1/124 Champion Street
------------------------	-----------------------

I am submitting:	For myself
------------------	------------

If submitting on behalf - what is your name	
---	--

If submitting on behalf - organisation name / relationship to submitter	
---	--

Email	tewhareroimata274@gmail.com
-------	-----------------------------

Street number and name / PO Box	1/124 Champion Street
---------------------------------	-----------------------

Suburb	St Albans
--------	-----------

Town / City	Christchurch
-------------	--------------

Postcode	8013
----------	------

Phone (daytime)	027 349 8855
-----------------	--------------

Perferred method for correspondence	Email
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I / We:	Oppose all or part of the application
---------	---------------------------------------

The specific parts of the application that my / our submission relates to are:	See attached
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The reasons for my / our submission are:	See attached
--	--------------

The decision I / we would like the Council to make is:	See attached
--	--------------

I / we will consider presenting a joint case	Yes
--	-----

with them at the hearing.

Office Use

Submission ID	51592
Submitted Date	07/07/2023 09:36:26
Submission Type	HardCopy : Received on time - accepted
Attachments	Yes
Notes	No

Resource Consents Unit

Submission on a resource consent application

Resource Management Act 1991 – Form 13

Email to: resourceconsentssubmissions@ccc.govt.nz; or

Deliver to: Resource Consents Unit, Christchurch City Council, 53 Hereford Street, Christchurch; or

Send to: Resource Consents Unit, Christchurch City Council, PO Box 73013, Christchurch Mail Centre, Christchurch, 8154

For enquiries phone: (03) 941 8999

1. Submitter details

Full name of submitter: Jennifer Jean Smith k/a Jenny :

Street address: 1/124 Champion St St Albans Chch.

Postal Address (if different):

Contact phone number (daytime): 027 349 8855 Postcode: 8013

Email:

My address for service for receiving documents and communication about this application is: By email By post

2. Application details

RMA number: RMA/2023/325

Name of applicant: Fern Fitzgerald Ltd.

Application site address: 187 Fitzgerald Ave, Central City, Christchurch

Proposed activity: Demolition of Heritage Building - 187 Fitzgerald Ave

3. Submission details

I / We: Support all or part of the application
 Oppose all or part of the application
 Am neutral towards the application

The specific parts of the application that my / our submission relates to are: (give details, using additional pages if required)

My submission relates to the application for a resource consent to allow the demolition of this heritage listed building in the Christchurch District Plan - heritage item (#641 in appendix 9.3.7.2

The reasons for my / our submission are: (use additional pages if required)

While I recognise this heritage building is in a compromised structural condition I believe: - every option needs to be considered to save the building, or some parts of it by way of obtaining financial assistance from heritage-related funds before moving to settle on demolition.

- the building's historical and social significance is representative of a way of life in the late 1920s and early 30s along with its architectural and aesthetic significance stemming from being an example of a typical corner store building commonly found in the cities and towns of New Zealand, marks it out as worthy of preservation.

- intensification of the Inner City East has seen many examples of late 19th and 20th bulldozed, stripping the neighbourhood of its character and uniqueness as old homes give way to cheap, box-like developments built for profit.

The decision I / we would like the Council to make is: (give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought. Use additional pages if required)

I would like the Council to halt proceedings to enable the Council to work with the developer, the local community and other interested parties in securing heritage-related funds to enable the restoration of this building to proceed.



4. Hearing of this application

If a hearing is held, I / we:

- Wish to speak in support of my / our submission
- Do not wish to speak in support of my / our submission
- If others make a similar submission I / we will consider presenting a joint case with them at the hearing
- Request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Please note that a hearing will only be held if the applicant and/or any submitters wish to be heard, but all submissions will be taken into consideration regardless. The planning report will be sent to submitters who indicate that they wish to speak at the hearing.

If you change your mind about whether you wish to speak at the hearing, please contact the Council by telephone on 941 8999 or by email at resourceconsentssubmissions@ccc.govt.nz.

5. Signature (of submitter(s) or person authorised to sign on behalf of submitter(s))

Signature:

11-16

Date:

5/7/2023

Signature:

Date:

Note: A signature is not required if you make your submission electronically

Important information

1. The Council must receive your submission before the closing date and time for submissions on this application.
2. You must also send a copy of this submission to the applicant as soon as practicable, at the applicant's address for service.
3. If this application was limited notified the Council may adopt an earlier closing date for submissions once responses have been received from everyone who was notified.
4. If you are a trade competitor, your right to make a submission may be limited by the provisions in Part 11A of the RMA.
5. The Council may strike out a submission (or part of it) in the following situations:
 - It is frivolous or vexatious
 - It discloses no reasonable or relevant case
 - It would be an abuse of the hearing process to allow it to be taken further
 - It contains offensive language
 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matters.

Privacy information

The information requested on this form, including your contact details, is required by the Resource Management Act 1991 (RMA). The information will be held by the Council, and you may ask to check and correct any personal information that we hold about you. The RMA requires your submission, including your name and contact details, to be made available to the Council (including the Council decision-maker) and the applicant.

Your submission, including your name and contact details, may also be made available to other submitters and to the public on the Council's website, or on request. If requested, the Council may legally be required to make all submissions available to the public (which can include the media), including the name and contact details of the submitter, subject to the provisions of the Local Government Official Information and Meetings Act 1987 (LGOIMA).

If you believe there are compelling reasons why your contact details should be kept confidential from other submitters or the public under LGOIMA, please contact the processing Planner for this application prior to making your submission.

Office use only

Received at the Office on at am / pm

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	LAL MULLIGAN
Street number and name	Keenans Rd, R D 2, ASHBURTON. 7772
I am submitting:	For myself
If submitting on behalf - what is your name	LAL MULLIGAN
If submitting on behalf - organisation name / relationship to submitter	
Email	lalm@xtra.co.nz
Street number and name / PO Box	Keenans Rd,
Suburb	Ashburton
Town / City	Ashburton
Postcode	7772
Phone (daytime)	0210652252
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	187 Fitzgerald Av ChCh. Heritage 2 storey weatherboard building in neglected condition that a developer wishes to demolish. The affects of the loss of heritage in the city. The duties of developers and Councils to manage and protect heritage.
The reasons for my / our submission are:	I have seen an advertising Video made for the developers in 2022 and it shows the fully restored exterior of this beautiful building and it

celebrates the heritage it is protecting. What has changed? I believe this is another case of " Lets allow demolition by neglect". This is unacceptable. The building is in a significant state of disrepair but absolutely no effort has been made to protect it. No fences, no boarding up of windows, open to squatters and vagrants. This kind of neglect is all to common now with Heritage structures and needs to be stopped. If you own a Heritage building you need to repair and maintain it.

This building is of importance not only to the local community but also to wider communities such as tourists for instance. It connects us to the historic past.

I want to come to Christchurch to enjoy a variety of older buildings that help create a diverse and pleasant environment.

I note that the CCC heritage advisor says of the building " that the heritage values ascribed to it are substantially intact, albeit in poor condition". He concluded " that with reasonable repair the building would maintain integrity and authenticity and heritage values would be maintained".

Is Fern Fitzgeralds Heritage 'expert' able to give alternative advice to this?

I have a a real problem also with demolition per se; it is an assault on the environment with all the waste materials to be disposed of and then energy required to rebuildhuge Carbon footprint.

The decision I / we would like the Council to make is:

Please deny this application to demolish. The applicant has made no effort to protect this heritage building since he purchased it.

The loss of this building cannot be supported.

A small tag on the outside of this building says " Heritage maters" ...the spelling is bad but the sentiment is clear and I agree!

NO DEMOLITION.

If a hearing is held: Do not wish to speak in support of my/our submission

I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Yes

Office Use

Submission ID 51587

Submitted Date 06/07/2023 15:36:01

Submission Type Online

Attachments No

Notes No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Lisa Jennifer Patterson

Street number and name 9 Ripon Street

I am submitting: For myself

If submitting on behalf - what is your name

If submitting on behalf - organisation name / relationship to submitter

Email lisajpatterson@gmail.com

Street number and name / PO Box 9 Ripon Street

Suburb Lyttelton

Town / City Christchurch

Postcode 8082

Phone (daytime) 0212573243

Perferred method for correspondence Email

I / We: Oppose all or part of the application

The specific parts of the application that my / our submission relates to are: Demolition of the Group 2 Heritage building at 187 Fitzgerald Ave

The reasons for my / our submission are: My workplace is close to this building and I often go past it. It is a very important landmark and part of the built heritage fabric of the area, particularly given it's prominent corner position on an important inner city road. There are very few such buildings remaining in the city and it is vital that it is retained and restored. So much architectural heritage has been lost in the Linwood/city centre area due to the earthquakes, but more recently intensive housing development. We cannot afford to lose any remaining buildings of such significance.

The decision I / we would like the Council to make is:	To decline permission to demolish the building and to allocate heritage related funds to support the restoration of the building so it may be used as part of the planned residential development.
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If a hearing is held:	Do not wish to speak in support of my/our submission
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Office Use

Submission ID	51593
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Submitted Date	07/07/2023 11:22:58
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Submission Type	Online
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Attachments	No
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Notes	No
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Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name Grant Callaghan

Street number and name 144 chester st east

I am submitting: For myself

If submitting on behalf - what is your name Grant Callaghan

If submitting on behalf - organisation name / relationship to submitter

Email callaghangrant@hotmail.com

Street number and name / PO Box 144 chester st east

Suburb christchurch new Zealand

Town / City christchurch new Zealand

Postcode 8011

Phone (daytime) 226814083

Perferred method for correspondence Email

I / We: Oppose all or part of the application

The specific parts of the application that my / our submission relates to are: the demolition of this building

The reasons for my / our submission are:

This building is a valuable heritage landmark for the inner city in a very prominent site..We have lost so much in christchurch and it is frustrating to see this kind of wanton destruction for the sake of a developers increased profit.They bought this site knowing it had a heritage restriction and from day one did very little to protect the building against vandalisim.It wasnt until i complained to the council that they made some steps to block windows etc but interestingly never the full job.Always leaving access points,even to lowering the fire escape to the street,or at least allowing it to stay lowered which

increased access to all and sundry. My suspicion is the next act would have been a mysterious fire but for the fact that people who cared were watching the building. Unexplained fires being the main out for developers wishing to cut corners in this city. As for the argument that it is no longer economic because of deterioration this is nonsense. Apart from the damage to window frames etc which Rosefern have allowed by not securing the building there is very little deterioration and as someone who has restored several heritage buildings I do not buy the excuse that it is too far gone. It's about time the council made a stand and held people to their commitments in this respect. Too many buildings have been lost in our area and it is gutting to see the council sitting on its hands in situations like this..

Note in our area Engelfield sits rotting... perhaps one of the principal heritage houses of Christchurch, and nothing is being done to save it. The Wards brewery brewing tower that had survived and could have been saved has been demolished.

Other cities seem to get decent heritage laws, for example Grey Lynn and Ponsonby twenty years ago had a blanket law requiring planning permission for any facade changed on buildings older than 50 years. We are a joke compared to that. It is time the council acted and saved this building, or alternatively if the owner is as sad as he says then he should sell it on to someone who does care... this is a scandal you people are paid to represent us.. please do that in this case

The decision I / we would like the Council to make is:

save this building

I / we will consider presenting a joint case with them at the hearing.

Yes

I / we request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Yes

Office Use

Submission ID 51585

Submitted Date 06/07/2023 11:23:44

Submission Type Email : Received on time - accepted

Attachments No

Notes No

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Cathleen Juliet Murphy
-----------	------------------------

Street number and name	315 Armagh Street
------------------------	-------------------

I am submitting:	For myself
------------------	------------

If submitting on behalf - what is your name	
---	--

If submitting on behalf - organisation name / relationship to submitter	
---	--

Email	catmurph@hotmail.com
-------	----------------------

Street number and name / PO Box	315 Armagh Street
---------------------------------	-------------------

Suburb	Christchurch Central
--------	----------------------

Town / City	Christchurch
-------------	--------------

Postcode	8011
----------	------

Phone (daytime)	027 431 9393
-----------------	--------------

Perferred method for correspondence	Email
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I / We:	Oppose all or part of the application
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The specific parts of the application that my / our submission relates to are:	See attached
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The reasons for my / our submission are:	See attached
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The decision I / we would like the Council to make is:	See attached
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If a hearing is held:	Wish to speak in support of my/our submission
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Office Use

Submission ID	51596
Submitted Date	07/07/2023 15:39:50
Submission Type	HardCopy : Received on time - accepted
Attachments	Yes
Notes	No

1

RECEIVED

07 JUL 2023

Resource Consents Unit

RESOURCE CONSENTS UNIT

Submission on a resource consent application

Resource Management Act 1991 – Form 13

Email to: resourceconsentssubmissions@ccc.govt.nz; or

Deliver to: Resource Consents Unit, Christchurch City Council, 53 Hereford Street, Christchurch; or

Send to: Resource Consents Unit, Christchurch City Council, PO Box 73013, Christchurch Mail Centre, Christchurch, 8154

For enquiries phone: (03) 941 8999

1. Submitter details

Full name of submitter: CATHLEEN JULIET MURPHY
 Street address: 315 ARMAGH STREET CHCH. Central.
 Postal Address (if different):
 Contact phone number (daytime): 027 431 93 93 Postcode:
 Email: catmurph@hotmail.com
 My address for service for receiving documents and communication about this application is: By email By post

2. Application details

RMA number:
 Name of applicant: Fern Fitzgerald.
 Application site address: 187 Fitzgerald Ave
 Proposed activity: Demolition of Heritage Listed Building

3. Submission details

- I / We: Support all or part of the application
 Oppose all or part of the application
 Am neutral towards the application

The specific parts of the application that my / our submission relates to are: (give details, using additional pages if required)

opposed to the demolition of the corner building, would like the City Council to help fund restoration

The reasons for my / our submission are: (use additional pages if required)

I have read through the application by Fern Fitzgerald the developers, page after page of reasonable statements as to why 187 Fitzgerald Avenue should be demolished. Experts have contributed with their specialist knowledge but if you leave the pot on the stove and boil it down what you are left with is MONEY and its close neighbour - 'Economically Viable'. This is the reason. But don't you

2) think that the future of this ordinary building in an ordinary neighbourhood with its stories, its memories, its mana - in a city that has lost so much - should be determined by profit? I am not a building expert with specialist knowledge but I am an expert with specialist knowledge on my own neighbourhood the one in which 187 Fitzgerald Avenue is part of and I see a connection to the past, a touchstone. This building has endured and I can look at it now in its neglected state and prefer it to the new builds on Armagh St with their cheap materials, mean spaces & monotonous design which have such a ^{negative} impact on your spirit - consciously & unconsciously. How will demolishing and not restoring 187 profit my neighbourhood?

3

The decision I / we would like the Council to make is: (give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought. Use additional pages if required)

To save this building for our city by paying for its restoration
Saving the 'Ordinary is Extraordinary'

4. Hearing of this application

If a hearing is held, I / we:

- Wish to speak** in support of my / our submission
- Do not wish to** speak in support of my / our submission
- If others make a similar submission I / we will consider presenting a joint case with them at the hearing
- Request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Please note that a hearing will only be held if the applicant and/or any submitters wish to be heard, but all submissions will be taken into consideration regardless. The planning report will be sent to submitters who indicate that they wish to speak at the hearing.

If you change your mind about whether you wish to speak at the hearing, please contact the Council by telephone on 941 8999 or by email at resourceconsentssubmissions@ccc.govt.nz.

5. Signature (of submitter(s) or person authorised to sign on behalf of submitter(s))

Signature:

J. Murphy

Date:

7 July 2023

Signature:

Date:

Note: A signature is not required if you make your submission electronically

Important information

1. The Council must receive your submission before the closing date and time for submissions on this application.
2. You must also send a copy of this submission to the applicant as soon as practicable, at the applicant's address for service.
3. If this application was limited notified the Council may adopt an earlier closing date for submissions once responses have been received from everyone who was notified.
4. If you are a trade competitor, your right to make a submission may be limited by the provisions in Part 11A of the RMA.
5. The Council may strike out a submission (or part of it) in the following situations:
 - It is frivolous or vexatious
 - It discloses no reasonable or relevant case
 - It would be an abuse of the hearing process to allow it to be taken further
 - It contains offensive language
 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matters.

Privacy information

The information requested on this form, including your contact details, is required by the Resource Management Act 1991 (RMA). The information will be held by the Council, and you may ask to check and correct any personal information that we hold about you. The RMA requires your submission, including your name and contact details, to be made available to the Council (including the Council decision-maker) and the applicant.

Your submission, including your name and contact details, may also be made available to other submitters and to the public on the Council's website, or on request. If requested, the Council may legally be required to make all submissions available to the public (which can include the media), including the name and contact details of the submitter, subject to the provisions of the Local Government Official Information and Meetings Act 1987 (LGOIMA).

If you believe there are compelling reasons why your contact details should be kept confidential from other submitters or the public under LGOIMA, please contact the processing Planner for this application prior to making your submission.

Office use only

Received at the Office on at am / pm

c/ Gregg Jonathan.

RECEIVED

07 JUL 2023

Am.

Resource Consents Unit
Christchurch City
Council.



Regarding: 187 Fitzgerald Ave.

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Peter Nielsen Dyhrberg
Street number and name	118 Chester Street
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	peter.dyhrberg@lawbridge.co.nz
Street number and name / PO Box	118 Chester Street
Suburb	Christchurch Central
Town / City	Christchurch
Postcode	8011
Phone (daytime)	021 187 9205
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	See attached
The reasons for my / our submission are:	See attached
The decision I / we would like the Council to make is:	See attached
If a hearing is held:	Wish to speak in support of my/our submission

I / we will consider presenting a joint case with them at the hearing.	Yes
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Office Use

Submission ID	51618
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Submitted Date	10/07/2023 10:41:45
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Submission Type	HardCopy : Received on time - accepted
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Attachments	Yes
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Notes	No
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RECEIVED

07 JUL 2023

Enl.

Scanned

&

emailed.

Resource Consents Unit

Submission on a resource consent application

Resource Management Act 1991 – Form 13

Email to: resourceconsentssubmissions@ccc.govt.nz; or

Deliver to: Resource Consents Unit, Christchurch City Council, 53 Hereford Street, Christchurch; or

Send to: Resource Consents Unit, Christchurch City Council, PO Box 73013, Christchurch Mail Centre, Christchurch, 8154

For enquiries phone: (03) 941 8999

1. Submitter details

Full name of submitter: Peter Nielsen DYHRBERG
Street address: 118 Chester Street
Postal Address (if different):
Contact phone number (daytime): 021 187 9205 Postcode: 8011
Email: peter.dyhrberg@lawbridge.co.nz

My address for service for receiving documents and communication about this application is: By email By post

2. Application details

RMA number: RMA/2023/325
Name of applicant: Fern Fitzgerald Limited
Application site address: 187 Fitzgerald Ave, Central City
Proposed activity: Demolition of a Group 2 Heritage Building and earthworks in a heritage setting

3. Submission details

- I / We: Support all or part of the application
 Oppose all or part of the application
 Am neutral towards the application

The specific parts of the application that my / our submission relates to are: *(give details, using additional pages if required)*

The proposal to demolish the Group 2 Heritage Building at 187 Fitzgerald Ave., CHRISTCHURCH

The reasons for my / our submission are: *(use additional pages if required)*

* The landmark significance of the building is at a very high level in the context of Christchurch and especially the context of:

- (a) The Four Avenues
- (b) Areas within the Four Avenues
- (c) Being one of a reducing range of heritage buildings in the city which individually and collectively contribute to the aspects of Christchurch which make up its "point of difference", and the tangible markers of its history and present individuality of character.

Cont'd: See attached page 2 

The decision I / we would like the Council to make is: *(give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought. Use additional pages if required)*

To decline the Application.



4. Hearing of this application

If a hearing is held, I / we:

- Wish to speak** in support of my / our submission
- Do not wish to speak** in support of my / our submission
- If others make a similar submission I / we will consider presenting a joint case with them at the hearing
- Request that the Council delegates its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council, under section 100A of the Resource Management Act.

Please note that a hearing will only be held if the applicant and/or any submitters wish to be heard, but all submissions will be taken into consideration regardless. The planning report will be sent to submitters who indicate that they wish to speak at the hearing.

If you change your mind about whether you wish to speak at the hearing, please contact the Council by telephone on 941 8999 or by email at resourceconsentsubmissions@ccc.govt.nz.

5. Signature (of submitter(s) or person authorised to sign on behalf of submitter(s))

Signature:

Date: 7 . 7 . 2023

Signature:

Date:

Note: A signature is not required if you make your submission electronically

Important information

1. The Council must receive your submission before the closing date and time for submissions on this application.
2. You must also send a copy of this submission to the applicant as soon as practicable, at the applicant's address for service.
3. If this application was limited notified the Council may adopt an earlier closing date for submissions once responses have been received from everyone who was notified.
4. If you are a trade competitor, your right to make a submission may be limited by the provisions in Part 11A of the RMA.
5. The Council may strike out a submission (or part of it) in the following situations:
 - It is frivolous or vexatious
 - It discloses no reasonable or relevant case
 - It would be an abuse of the hearing process to allow it to be taken further
 - It contains offensive language
 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matters.

Privacy information

The information requested on this form, including your contact details, is required by the Resource Management Act 1991 (RMA). The information will be held by the Council, and you may ask to check and correct any personal information that we hold about you. The RMA requires your submission, including your name and contact details, to be made available to the Council (including the Council decision-maker) and the applicant.

Your submission, including your name and contact details, may also be made available to other submitters and to the public on the Council's website, or on request. If requested, the Council may legally be required to make all submissions available to the public (which can include the media), including the name and contact details of the submitter, subject to the provisions of the Local Government Official Information and Meetings Act 1987 (LGOIMA).

If you believe there are compelling reasons why your contact details should be kept confidential from other submitters or the public under LGOIMA, please contact the processing Planner for this application prior to making your submission.

Office use only

Received at the Office on at am / pm

Submission on an application for resource consent

Demolition of Heritage Building - 187 Fitzgerald Avenue

Reference number: RMA/2023/325

Applicant name: Fern Fitzgerald Limited - c/- Baseline Group

Site address: 187 Fitzgerald Avenue

Description of proposed activity: Demolition of a Group 2 heritage building and earthworks in a heritage setting

Full name	Gregory Partridge
Street number and name	48 Perth Street
I am submitting:	For myself
If submitting on behalf - what is your name	
If submitting on behalf - organisation name / relationship to submitter	
Email	greg_partridge@hotmail.co.nz
Street number and name / PO Box	48 Perth Street
Suburb	Richmond
Town / City	Christchurch
Postcode	8013
Phone (daytime)	021 027 17556
Perferred method for correspondence	Email
I / We:	Oppose all or part of the application
The specific parts of the application that my / our submission relates to are:	See attached
The reasons for my / our submission are:	See attached
The decision I / we would like the Council to make is:	See attached
If a hearing is held:	Wish to speak in support of my/our submission

I / we will consider presenting a joint case with them at the hearing.	Yes
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Office Use

Submission ID	51619
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Submitted Date	10/07/2023 11:01:32
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Submission Type	Email : Late - awaiting decision
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Attachments	Yes
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Notes	No
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Resource Consents Unit

Submission on a resource consent application

Resource Management Act 1991 – Form 13

Email to: resourceconsent submissions@ccc.govt.nz

Deliver to: Planning & Consents, Christchurch City Council, 53 Hereford Street, Christchurch

Send to: Planning & Consents, Christchurch City Council, PO Box 73013, Christchurch Mail Centre, Christchurch 8154

For enquiries phone: (03) 941 8999

Application Reference

RMA/2023/325

Team Leader Planning:

Jonathan Gregg

1. Submitter details

Full name of submitter:

Street address:

Postal Address (if different):

Contact phone number (daytime): Postcode:

Email:

My address for service for receiving documents and communication about this application is: By email

2. Application details

RMA number (if not stated above):

Name of applicant:

Application site address:

Proposed activity:

3. Submission details

I / We:

Oppose all or part of the application

The specific parts of the application that my / our submission relates to are: *(give details, using additional pages if required)*

I am opposed to the entire application to demolish the Heritage Listed Building at 187 Fitzgerald Avenue.

The reasons for my / our submission are: *(use additional pages if required)*

187 Fitzgerald Avenue is part of the "Gloucester Quarter" property development which is to be constructed by Rosefern Homes / Fern Fitzgerald Ltd. It will consist of 16 modern, seemingly well-appointed townhouses across 4 separate blocks according to the site plans which Rosefern have revealed on their Facebook page.

The townhouses will comprise a mix of 13 two bedroomed, and 3 three bedrooms units, some of which will have onsite garaging while others will have off-street car parking.

Rosefern Homes, is a property developer in which Mr Paul Szybiak serves as a Director. It is important to mention that Mr Szybiak is directly associated with the application to demolish the Heritage Listed building at 187 Fitzgerald Avenue.

It should also be emphasised that the Heritage Listed building at 187 Fitzgerald Avenue accounts for less than 6% of the townhouses that will be constructed in the Gloucester Quarter development.

It is therefore critical to consider the development as a whole, rather than isolating the Heritage Listed building the applicant is applying for consent to demolish.

The basis for the application to demolish the building is centred entirely around premise that the restoration of the building is deemed “uneconomic” and as previously mentioned does not take into account the other 94% of the development’s contents, i.e., the other 16 townhouses.

It notably excludes the fact that Rosefern’s Gloucester Quarter 2 bedroomed townhouses have been marketed on the internet with a listing price of \$649,000 each (see attached screenshot).

The price listing price for each of the additional three 3-storey, 3 bedroomed townhouses, will no doubt each be in excess of \$700,000 at a conservative estimate.

Collectively based on those figures, that accumulates to a total conservative total sale price of approximately \$10,537,000, and importantly excludes the restored Heritage Listed building.

In the documentation submitted by the application to support the demolition of the Heritage Listed building, a report written by Christchurch based construction management company Logic Group, suggests a comparable two storey new build covering a similar floor area of the Heritage Listed building, comprised of ground floor retail and first floor offices, would cost between \$640,000 and \$720,000 plus GST.

They also provide a repair and upgrade cost plan for the Heritage Listed building which they estimate to be \$2,070,000 plus GST.

In an additional report that the applicant submitted, Christchurch based valuation and property advisory company Ford Baker estimates the market value of the Heritage Listed building once repaired to be \$1,370,000 plus GST. The report by Ford Baker also observed that the cost of repair is \$700,000 in excess of that market value, and they consider it to be uneconomic.

Ford Baker however conspicuously fails to include in their report the other 16 townhouses that will form the bulk of the Gloucester Quarter and therefore omits to acknowledge the profit that will be realised from the sale of the entire Gloucester Quarter development and therefore the profits collected from the sales of the 16 townhouses that could be redirected to offset the cost of the restoration of the Heritage Listed building the applicant wants to demolish.

Rosefern will profit from with the sale of Gloucester Quarter, which according to sales and marketing material posted by Rosefern Homes on Facebook in September of 2022, the Heritage Listed building once restored “will house an exciting mix of hospitality and commercial space”. Plans attached by the applicant indicate a hair dressing salon and café on the ground floor, with offices on the first floor.

In September of 2022 in their Facebook social media sales and marketing collateral post, Rosefern’s Sales Assistant, Katya Young, described the Heritage Listed building as being one that :

“Might not look like much now, but where most might see a problem that needs erasing, we [Rosefern] saw an opportunity to bring something beautiful back to life and to create a development with a real heart at its centre”.

The video they posted which features images of the restored building and the other 16 new townhouses that will be constructed around it, states that the restoration of the building:

“Will house an exciting mix of hospitality and commercial space” and that newly built townhouses “will mirror its unique heritage”.

[Welcome to Gloucester Quarter | Inner City Living at its Best | This is inner-city living at its best. We're proud to be releasing our latest development at 187 Fitzgerald Avenue in Christchurch Central. Welcome to... | By Rosefern Homes - Facebook | Facebook](#)
www.facebook.com/Rosefernhomes/videos/welcome-to-gloucester-quarter-inner-city-living-at-its-best/1044571559575281/?locale=ms_MY

The application for consent to demolish 187 Fitzgerald Avenue includes a report which in point 3.4 states the heritage listed building has:

“Technological and craftsmanship significance for what it may reveal of late Victorian timber construction methodologies, materials, fixtures and fittings”

In point 3.5 it also confirms the heritage listed building has:

“Contextual significance for its contribution to the historic streetscape of Fitzgerald Avenue”, and goes on to state:

“Further south on the Hereford and Worcester Street corners are other Victorian/Edwardian corner shops, although most are smaller in scale. Because of its scale and prominent position on the west side of Fitzgerald Avenue, the building [187 Fitzgerald Avenue] has some landmark significance”.

Christchurch has lost circa 250 Heritage Listed buildings in the aftermath of the Canterbury earthquakes.

Despite the reports and photographs included in them which clearly highlighted the buildings vulnerability, Rosefern / Fern Fitzgerald Ltd have neglected to secure the property against the elements. All four sides of the building remain exposed with numerous broken window panes and a roof that allows rain to enter. This lack of action has not only increased the risk of the degradation of the Heritage Listed building due to neglect but has also left it highly susceptible to arson attacks and other forms of vandalism. These concerns were explicitly outlined in the report commissioned by Rosefern / Fern Fitzgerald Ltd, which is dated 14 February 2023. Despite being made aware of these issues, they have failed to take the necessary steps to secure the building or prevent unlawful entry.

Ironside House and the Kaiapoi Railway Station buildings are both Heritage Listed buildings that were constructed in a similar era as 187 Fitzgerald Avenue. Both suffered significant earthquake damage and fire also affected a significant proportion of the Kaiapoi Railway Station building after being left derelict by its owner. Ironside House was lifted and temporarily repositioned on its Montreal Street site to allow for its foundations to be completely rebuilt before the building was set back down on its new foundations.

The Kaiapoi Railways Station has also been lifted and shifted, not once but several times after having been stabilised. Both have been very successfully been restored rather than demolished and now future generations will be able to utilise and enjoy them for another century or more.

The Christchurch Cathedral too is another shining exemplar of a heritage listed building that has not been demolished despite significant structural damage, partial collapse and being left to suffer the effects of water ingress and degradation before being not only stabilized but is well into the restoration phase of its revival back to a fully functional building.

Christchurch Cathedral, Ironside House and the Kaiapoi Railway Station are all proof of the point that that where there is a will and a determination to retain and restore heritage listed buildings, there is a way.

Fern Fitzgerald Ltd’s application to demolish the Heritage Listed building openly states the building at 187 Fitzgerald Avenue has social and historical significance.

The application for consent to demolish it should be denied, and the applicant should be forced to secure the building in order to prevent is suffering further damage while a plan to restore it is formatted.

The decision I / we would like the Council to make is: *(give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought. Use additional pages if required)*

Deny the application for consent to demolish the Heritage Listed building at 187 Fitzgerald Avenue.

4. Hearing of this application

If a hearing is held, I / we:

Wish to speak in support of my / our submission

If others make a similar submission I / we will consider presenting a joint case with them at the hearing

Please note that a hearing will only be held if the applicant and/or any submitters wish to be heard, but all submissions will be taken into consideration regardless. The planning report will be sent to submitters who indicate that they wish to speak at the hearing.

If you change your mind about whether you wish to speak at the hearing, please contact the Council by telephone on 941 8999 or by email at resourceconsent submissions@ccc.govt.nz.

5. Signature (of submitter(s) or person authorised to sign on behalf of submitter(s))

Signature:

Date:

Signature:

Date:

Note: A signature is not required if you make your submission electronically

Important information

1. The Council must receive your submission before the closing date and time for submissions on this application.
2. You must also send a copy of this submission to the applicant as soon as practicable, at the applicant's address for service.
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187 Fitzgerald Ave, Christchurch is a CCC Scheduled Significant heritage building.



187 Fitzgerald Ave Christchurch June 21 2023. Note the imposing landmark corner form and scale and strong relationship to mature avenue trees.



Historical and architectural context: Fitzgerald Ave and adjacent corners are of considerable importance. The HPT (HNZPT) Listed 196 Fitzgerald Ave (cnr Armagh St) is diagonally opposite 178, the threatened building.



Views of side and rear of the property include intact heritage balustrade and large tree behind street fence.

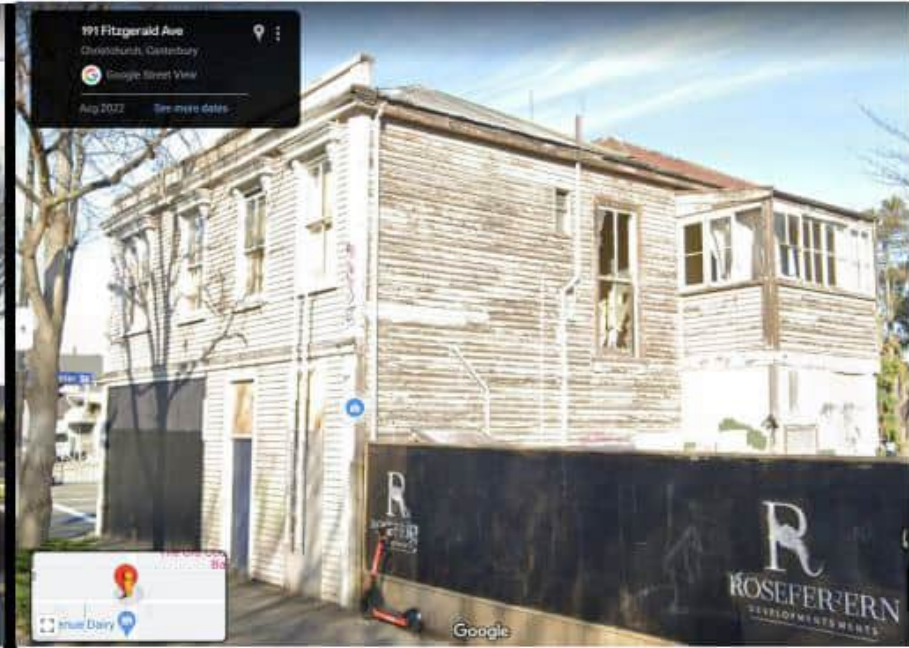
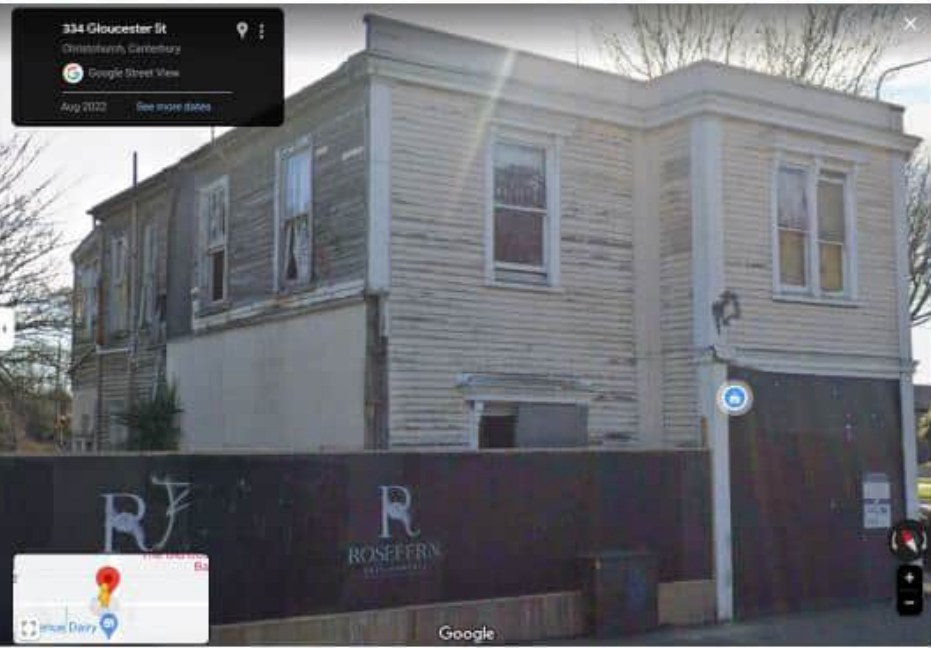


Only 2-blocks away at 147 Fitzgerald Ave (cnr Hereford St) is the fully restored Significant heritage building, 'Chambers', a notable landmark companion and fine exemplar for a restored 187 Fitzgerald Ave.





187 Fitzgerald Avenue has been grossly neglected by Rosefern Developments / Fern Fitzgerald Ltd as demonstrated in these photographs of the heritage Grade 2 listed building they are wanting to demolish.



Demolition by neglect should not be grounds for consent to be granted to tear down an important piece of Christchurch heritage

From: margaret.stewart002@gmail.com <margaret.stewart002@gmail.com>

Sent: Monday, July 17, 2023 10:54 PM

To: Sally Elford <sally@blg.nz>

Subject: 187 Fitzgerald Avenue

Hi Sally

Apologies for the late response. I have been working the 25 days in a row with just one day off so wasn't able to feedback before the deadline.

Please do not allow this treasured unique heritage building to be demolished and destroyed. We have already lost so many heritage buildings in the last few years. Don't allow another one to be put in the landfill.

It has architectural significance as a type of corner shop of its era. I can't think of another building like this in Christchurch. Don't let it be put in the landfill.

Funding is available to repair the building. Get it done. As someone who is currently repairing and restoring my badly damaged 1910 transitional villa following the earthquakes I take pride in the fact that I am doing something to help save the remaining heritage historic buildings of Christchurch as well as not contributing to the global climate change by putting buildings in the landfill. It is a complete sin that protected rimu is being put in the landfill. I am making sure my house will still be here in another 123 years by future proofing it. Here is the chance to do the same with 187 Fitzgerald Ave

Without the inclusion of this lovely old building there is no way this development is going to consist of any attractive buildings whatever. Stop allowing Christchurch to be f uglified and say no to this greedy developer who just wants to make lots of money and doesn't care what sort of eyesores he leaves the neighbours with.

I thank you for listening.

Many thanks

Margaret Stewart
50 Woodville Street, St Albans, Christchurch 8013
0276 444571

PS. I am happy to make an oral submission. I have attached a photo of my house. I don't have one available of the stained glass windows that have now been added to the window

Heritage

9.3.2.1.1 Objective - Historic heritage

- a. The overall contribution of historic heritage to the Christchurch District's character and identity is maintained through the protection and conservation of significant historic heritage across the Christchurch District in a way which:
 - i. enables and supports:
 - A. the ongoing retention, use and adaptive re-use; and
 - B. the maintenance, repair, upgrade, restoration and reconstruction;of historic heritage; and
 - ii. recognises the condition of buildings, particularly those that have suffered earthquake damage, and the effect of engineering and financial factors on the ability to retain, restore, and continue using them; and
 - iii. acknowledges that in some situations demolition may be justified by reference to the matters in Policy 9.3.2.2.8.

9.3.2.2.1 Policy - Identification and assessment of historic heritage for scheduling in the District Plan

- a. Identify historic heritage throughout the Christchurch District which represents cultural and historic themes and activities of importance to the Christchurch District, and assess their heritage values for significance in accordance with the criteria set out in Appendix 9.3.7.1.
- b. Assess the identified historic heritage in order to determine whether each qualifies as 'Significant' or 'Highly Significant' according to the following:
 - i. to be categorised as meeting the level of 'Significant' (Group 2), the historic heritage shall:
 - A. meet at least one of the heritage values in Appendix 9.3.7.1 at a significant or highly significant level; and
 - B. be of significance to the Christchurch District (and may also be of significance nationally or internationally), because it conveys aspects of the Christchurch District's cultural and historical themes and activities, and thereby contributes to the Christchurch District's sense of place and identity; and
 - C. have a moderate degree of authenticity (based on physical and documentary evidence) to justify that it is of significance to the Christchurch District; and
 - D. have a moderate degree of integrity (based on how whole or intact it is) to clearly demonstrate that it is of significance to the Christchurch District.
 - ii. to be categorised as meeting the level of 'Highly Significant' (Group 1), the historic heritage shall:
 - A. meet at least one of the heritage values in Appendix 9.3.7.1 at a highly significant level; and
 - B. be of high overall significance to the Christchurch District (and may also be of significance nationally or internationally), because it conveys important aspects of the Christchurch District's cultural and historical themes and activities, and thereby makes a strong contribution to the Christchurch District's sense of place and identity; and
 - C. have a high degree of authenticity (based on physical and documentary evidence); and
 - D. have a high degree of integrity (particularly whole or intact heritage fabric and heritage values).
- c. Schedule significant historic heritage as heritage items and heritage settings where each of the following are met:
 - i. the thresholds for Significant (Group 2) or Highly Significant (Group 1) as outlined in Policy 9.3.2.2.1 b(i) or (ii) are met; and
 - ii. in the case of interior heritage fabric, it is specifically identified in the schedule;
unless
 - iii. the physical condition of the heritage item, and any restoration, reconstruction, maintenance, repair or upgrade work would result in the heritage values and integrity of the heritage item being compromised to the extent that it would no longer retain its heritage significance; and/or
 - iv. there are engineering and financial factors related to the physical condition of the heritage item that would make it unreasonable or inappropriate to schedule the heritage item.

9.3.2.3 Policy - Management of scheduled historic heritage

- a. Manage the effects of subdivision, use and development on the heritage items, heritage settings and heritage areas scheduled in Appendix 9.3.7.2 and 9.3.7.3 in a way that:
 - i. provides for the ongoing use and adaptive reuse of scheduled historic heritage in a manner that is sensitive to their heritage values while recognising the need for works to be undertaken to accommodate their long term retention, use and sensitive modernisation and the associated engineering and financial factors;
 - ii. recognises the need for a flexible approach to heritage management, with particular regard to enabling repairs, heritage investigative and temporary works, heritage upgrade works to meet building code requirements, restoration and reconstruction, in a manner which is sensitive to the heritage values of the scheduled historic heritage; and
 - iii. subject to i. and ii., protects their particular heritage values from inappropriate subdivision, use and development.
- b. Undertake any work on heritage items and heritage settings scheduled in Appendix 9.3.7.2 in accordance with the following principles:
 - i. focus any changes to those parts of the heritage items or heritage settings, which have more potential to accommodate change (other than where works are undertaken as a result of damage), recognising that heritage settings and Significant (Group 2) heritage items are potentially capable of accommodating a greater degree of change than Highly Significant (Group 1) heritage items;
 - ii. conserve, and wherever possible enhance, the authenticity and integrity of heritage items and heritage settings, particularly in the case of Highly Significant (Group 1) heritage items and heritage settings;
 - iii. identify, minimise and manage risks or threats to the structural integrity of the heritage item and the heritage values of the heritage item, including from natural hazards;
 - iv. document the material changes to the heritage item and heritage setting;
 - v. be reversible wherever practicable (other than where works are undertaken as a result of damage); and
 - vi. distinguish between new work and existing heritage fabric in a manner that is sensitive to the heritage values.

9.3.2.5 Policy - Ongoing use of heritage items and heritage settings

- a. Provide for the ongoing use and adaptive re-use of heritage items and heritage settings scheduled in Appendix 9.3.7.2 (in accordance with Policy 9.3.2.3), including the following:
 - i. repairs and maintenance;
 - ii. temporary activities;
 - iii. specific exemptions to zone and transport rules to provide for the establishment of a wider range of activities;
 - iv. alterations, restoration, reconstruction and heritage upgrade works to heritage items, including seismic, fire and access upgrades;
 - v. signs on heritage items and within heritage settings; and
 - vi. new buildings in heritage settings.

9.3.2.8 Policy - Demolition of heritage items

- a. When considering the appropriateness of the demolition of a heritage item scheduled in Appendix 9.3.7.2 have regard to the following matters:
 - i. whether there is a threat to life and/or property for which interim protection measures would not remove that threat;
 - ii. whether the extent of the work required to retain and/or repair the heritage item is of such a scale that the heritage values and integrity of the heritage item would be significantly compromised;
 - iii. whether the costs to retain the heritage item (particularly as a result of damage) would be unreasonable;
 - iv. the ability to retain the overall heritage values and significance of the heritage item through a reduced degree of demolition; and
 - v. the level of significance of the heritage item.

Earthworks

8.2.4 Objective - Earthworks

- a. Earthworks facilitate subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.

8.2.4.1 Policy - Water quality

- a. Ensure earthworks do not result in erosion, inundation or siltation, and do not have an adverse effect on surface water or groundwater quality.

8.2.4.2 Policy - Repair of earthquake damaged land

- a. Facilitate recovery by enabling property owners to make repairs to earthquake damaged land for residential purposes, where the repairs will have acceptable adverse effects on people, property and the natural environment.
- b. Recognise the need for the repair of other earthquake damaged land as part of recovery.

8.2.4.3 Policy - Benefits of earthworks

- a. Recognise that earthworks are necessary for subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.

8.2.4.4 Policy - Amenity

- a. Ensure, once completed, earthworks do not result in any significant shading, visual impact, loss of privacy or other significant detractor from the amenity values enjoyed by those living or working in the locality.

8.2.5 Objective - Earthworks health and safety

- a. People and property are protected during, and subsequent to, earthworks.

8.2.5.1 Policy - Land stability

- a. Avoid earthworks that will create a significant risk to people and property through subsidence, rockfall, cliff collapse, erosion, inundation, siltation or overland flows.
-

8.2.5.2 Policy - Nuisance

- a. Subject to [Policy 8.2.4.3](#), ensure that earthworks avoid more than minor adverse effects on the health and safety of people and their property, and do not generate continuous or persistent noise, vibration, dust or odour nuisance.

8.2.5.3 Policy - Vehicle movement

- a. Subject to [Policy 8.2.4.3](#), ensure that the transportation to and from a site of earth, construction or filling material is safe and minimises adverse transport network and local amenity value effects.

8.2.5.4 Policy - Earthworks design

- a. Ensure that earthworks over identified thresholds are designed to enable the anticipated land use.

8.2.5.5 Policy - Management of contaminated land

- a. Enable earthworks where necessary to appropriately manage land contamination.
-

DISTRICT PLAN – LISTED HERITAGE PLACE
HERITAGE ASSESSMENT – STATEMENT OF SIGNIFICANCE
HERITAGE ITEM NUMBER 641
**COMMERCIAL BUILDING AND SETTING – 187
FITZGERALD AVENUE**



PHOTOGRAPH: M. VAIR-PIOVA, 15/12/2014

HISTORICAL AND SOCIAL SIGNIFICANCE

Historical and social values that demonstrate or are associated with: a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political or other patterns.

The commercial building at 187 Fitzgerald Avenue has social and historical significance as a late Victorian combination shop and dwelling. It was built in c1900 for Otto Lieske, a land agent (c1844-1922). Lieske had purchased the site in 1894 and after the building's construction Lieske's wife Harriet (nee Fitzsimmons, c.1852-1945) moved her store from premises across Gloucester Street into the new building. It remained in the hands of the Lieske family, who lived above their store, until 1968. 187 Fitzgerald Avenue then became a shirt factory and later an audio/television repair store. The building was damaged in the 2010 - 2011 earthquakes and remains boarded up.

CULTURAL AND SPIRITUAL SIGNIFICANCE

Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values.

187 Fitzgerald Avenue has cultural significance as a demonstration of the way of life of 19th and 20th century retailers, who commonly lived above or beside their business premises. The building demonstrates a societal cultural pattern of generational ownership and small-scale retailing that was once prevalent in the city. Such shops served householders who lived within walking distance. Until the mid-20th century, most people bought their daily requirements from a neighbourhood corner store such as this. Frequently the proprietor lived in adjacent accommodation, either above or behind the shop. From the 1970s, however, changes in the way people shopped saw a decline in this mode of retailing, and comparatively few such stores survive with the original use today.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

Architectural and aesthetic values that demonstrate or are associated with: a particular style, period or designer, design values, form, scale, colour, texture and material of the place.

187 Fitzgerald Avenue has architectural significance as a representative example of a building type commonly found in suburban centres and New Zealand towns between 1870 and 1920. It is a two-storey timber building with a hipped roof and commercial classical detailing, including engaged pilasters, a string course, cornice and parapet, and a mix of paired and single sash windows with corbelled hoods. The 'corner shop' sub-type, with its chamfered corner, was employed just as frequently for hotels and banks, as it was for retail premises. As it stands today, 187 Fitzgerald Avenue is a relatively plain flush-weatherboard building with little architectural pretension, other than brackets under the eaves. The building may have had a veranda on the road frontage. Some original internal detail remains. Corner shops of a similar vintage are also extant at 147 and 167 Fitzgerald Avenue. The former is also a listed heritage item.

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

Technological and craftsmanship values that demonstrate or are associated with: the nature and use of materials, finishes and/or technological or constructional methods which were innovative, or of notable quality for the period.

187 Fitzgerald Ave has technological and craftsmanship significance for what it may reveal of late Victorian timber construction methodologies, materials, fixtures and fittings.

CONTEXTUAL SIGNIFICANCE

Contextual values that demonstrate or are associated with: a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment.

The commercial building has contextual significance for its contribution to the historic streetscape of Fitzgerald Avenue. 187 Fitzgerald Avenue is set within a mix of commercial and residential buildings, including older housing built between the 1870s and the 1920s and modern flats. Further south on the Hereford and Worcester Street corners are other Victorian/Edwardian corner shops. The eastern quadrant of the inner city saw considerable residential development in the late 19th century and by 1900 half the street corners on the western side of Fitzgerald Avenue contained shops serving this population. 187 Fitzgerald Avenue is one of the few still extant. Other corner shops buildings remain around the city, although most are smaller in scale.

187 Fitzgerald Avenue is situated immediately adjacent to the street frontages of a small parcel of land on the northwest corner of Fitzgerald Avenue and Gloucester Street. The original building, with a later single storey section at the rear, occupies the greater part of the land parcel. Because of its scale and prominent position on the west side of Fitzgerald Avenue, one of the four town belts that originally defined the city of Christchurch, the building has some landmark significance.

ARCHAEOLOGICAL AND SCIENTIFIC SIGNIFICANCE

Archaeological or scientific values that demonstrate or are associated with: the potential to provide information through physical or scientific evidence an understanding about social historical, cultural, spiritual, technological or other values of past events, activities, structures or people.

187 Fitzgerald Avenue and its setting are of archaeological significance because they have the potential to provide archaeological evidence relating to past construction methods and materials, and human activity on the site, including that which occurred before 1900. Lambert's 1877 map of the central city shows a small structure on this property, which is located to the east of Christchurch East School (est. 1873).

ASSESSMENT STATEMENT

The commercial building has overall significance to Christchurch, including Banks Peninsula as a late Victorian shop with residential above. 187 Fitzgerald Avenue has historical significance as the home and retail premises of the Lieske family for nearly seventy years and as a former corner store, a once ubiquitous but now increasingly uncommon form of retail building. The building has cultural significance as a demonstration of the way of life of 19th and 20th century retailers and demonstrates a societal cultural pattern of generational ownership and small-scale retailing that was once prevalent in the city. It has architectural significance as a distinctive colonial building type with residual restrained detailing. 187 Fitzgerald Ave has technological and craftsmanship significance for what it may reveal of late Victorian timber construction methodologies, materials, fixtures and fittings. It has contextual significance as a building type now rare in Christchurch and as a landmark on Fitzgerald Avenue. 187 Fitzgerald Avenue and its setting are of archaeological significance because they have the potential to provide archaeological evidence relating to past construction methods and materials, and human activity on the site, including that which occurred before 1900.

REFERENCES:

John Wilson *Fitzgerald Avenue Corner Shop Buildings* November 2002.

REPORT DATED: 7 FEBRUARY 2015

PLEASE NOTE THIS ASSESSMENT IS BASED ON INFORMATION AVAILABLE AT THE TIME OF WRITING. DUE TO THE ONGOING NATURE OF HERITAGE RESEARCH, FUTURE REASSESSMENT OF THIS HERITAGE ITEM MAY BE NECESSARY TO REFLECT ANY CHANGES IN KNOWLEDGE AND UNDERSTANDING OF ITS HERITAGE SIGNIFICANCE.

PLEASE USE IN CONJUNCTION WITH THE CCC HERITAGE FILES.

RMA/2023/325: Demolition of Commercial Building, 335 Gloucester Street/187 Fitzgerald Avenue, Christchurch - Heritage Assessment:

1.0 Heritage Significance

- 1.1 This building was constructed as a dual shop and dwelling for land agent Otto Lieske and his wife Harriet in c1900. It remained with the Lieske family until 1968. Latterly it served as the premises (with adjacent buildings) of a shirt factory, and of a tv/audio repair business. Minor additions were made in the 1940s.
- 1.2 The building has historical significance as a late-Victorian dual shop-house. It has historical significance as the home and retail premises of the Lieske family for nearly seventy years, and as a former corner store – a once ubiquitous but now uncommon form of retail building. It has cultural and spiritual significance as a demonstration of the way of life of nineteenth and early twentieth century retailers, and as a demonstration of the socio-cultural pattern of inter-generational ownership and small-scale retail that was once prevalent in the city. It has architectural and aesthetic significance as an example of the larger ‘corner shop’, a distinctive colonial building type. It has technological and craftsmanship significance for what it may reveal of late Victorian construction. It has contextual significance as a building type now rare in the city, and as a landmark on Fitzgerald Avenue.
- 1.3 The building is a significant (Group 2) scheduled heritage item in the Christchurch District Plan. Group 2 scheduled heritage items are those considered of significance to the District.

2.0 Background

- 2.1 Following a period of deferred maintenance, the building sustained moderate damage in the Canterbury Earthquake Sequence of 2010-2011. Chimneys, the shop windows and a western addition were subsequently deconstructed. The building has been unoccupied since.
- 2.2 The building was purchased by the applicant in late 2020. An application (RMA/2021/3139) to restore it for use as offices and a café, and to build a townhouse complex across the remainder of the site was lodged in 2021 and approved in late 2022. Following a reassessment of the feasibility of the restoration proposal, this demolition application was lodged in early 2023.

3.0 Application

- 3.1 In light of detailed structural and financial analysis, the applicant (Fern Fitzgerald Ltd) has determined that the building is uneconomic to repair and upgrade. Application has therefore been made to fully demolish the building. In support of the application, the following key documentation has been provided:
- i. A consent application (Baseline Group, 13 February 2023) incorporating an Assessment of Environmental Effects. Appendices to the application include
 - a:

- Heritage Impact Assessment (Baseline Group, 14 February 2023). Appendices to the HIA include a:
 - Costings report (Logic Group, January 2023)
 - Structural report (Tetrad Consulting, 19 January 2023). Appendices to the structural report include a:
 - Condition survey (Tetrad, 18 January 2023)
 - Structural repair scope (Tetrad, 18 January 2023)
 - Previous structural strengthening design concept (Centraus, 4 August 2021)
- ii. An RFI response was submitted on 23 March 2023. Appendices included
 - Valuer comment (Ford Baker, 20 March 2023)
 - New build comparison costings (Logic Group, 1 March 2023)
 - List of potential funding (Baseline)
 - Additional policy statement (Baseline)
- iii. Additional information was provided on 08 August 2023
 - Demolition quote (Heartland Group, 09 April 2023)

3.2 The Tetrad Structural Report delineates structural repair and structural strengthening. Structural repair is further broken down into sub-structure and super-structure repair. The sub-structure repair scope recommends a full foundation replacement to ensure structural integrity. Either a concrete slab/concrete waffle slab or a timber subfloor with a concrete perimeter foundation are considered suitable alternatives. The super-structure repair scope includes framing repair, floor replacement (50%), full wall and ceiling lining replacement, full weatherboard replacement and full roof replacement. The structural strengthening scope proposes an augmentation of structural capacity to meet building code requirements such that the building would be able to be fully occupied for commercial purposes. The scope suggests that this could be achieved by supplementing or replacing the existing floor structure with new beams and joists; bracing the walls with new wall linings and steel bracing frames; and installing fire-rated wall and ceiling linings.

3.3 In response to an RFI query regarding the possibility of upgrading the existing foundation system, the structural engineer replied [if the existing system is retained] *...there are some critical elements with respect to building code requirements for both the sub-floor ventilation and commercial use which cannot be achieved. In addition, in order to achieve the bracing capacity of the first floor, new internal foundations would be required.*

3.4 The Baseline Application and Heritage Impact Assessment note that the repair and upgrade required to bring the building back into (commercial) use would result in major structural intervention and loss of heritage fabric (possibly up to 70%). Significant reconstruction of heritage form and fabric would therefore be necessary. Baseline concludes that the upgrade will compromise heritage fabric and values. Demolition is therefore stated to be a feasible option.

3.5 The additional policy assessment provided by Baseline in response to the RFI notes the District Plan Objective that allows for the consideration of physical condition when deciding whether to schedule a heritage item. The assessment also notes that the building's architectural and aesthetic values would be impacted

by the upgrade, and moreover, that its authenticity and integrity would be compromised such that it would not retain sufficient heritage significance to remain on the District Plan heritage schedule.

- 3.6 Based on the Tetrad Structural Report, Logic Group provide a repair and upgrade cost plan estimate of \$2,070,000 plus GST (roughly \$2.4M). This cost has been independently verified by Council QS J. Ambagahawattage.
- 3.7 Ford Baker estimate the market value of the repaired building (*as if complete*) on a subdivided site to be \$1,370,000 plus GST. Based on the Logic Group cost plan estimate, Ford Baker observe that the cost of repair is \$700,000 in excess of that market value. On this basis they consider subdivision and sale to be uneconomic.
- 3.8 Logic Group consider that a comparable new build (two levels, similar floor area, GF retail, FF office) would cost between \$640,000 and \$720,000 plus GST. They note that the repair costs are unreasonable by comparison. Baseline observe that the cost of a comparable new build is 31% of the estimated cost of repair.
- 3.9 Heartland Group cost demolition at \$20,465.00 plus GST.
- 3.10 The applicant confirms that they purchased the property as an ‘as is where is’ with no insurance claims transferred.
- 3.11 The applicant demonstrates that they have investigated possible grant funding schemes. The only scheme for which this building is clearly eligible is Council’s Heritage Incentive Grant, which is contestable and does not offer sums of a quantum to make a significant contribution to repair costs.
- 3.12 Baseline concludes in both its Heritage Impact Assessment and RFI response that the significant costs involved demonstrate that retention is not the most *efficient* use of resources. The RFI finds that the costs of repair are unreasonable.

4.0 Submissions

- 4.1 The proposal was notified on 10 June 2023. 38 submissions were received: 15 in support, 23 in opposition and one neutral.
- 4.2 Those in support of demolition commented on the poor physical state of the building, that it was of insufficient heritage significance to be worth saving, and that a new development on the site would be beneficial for the area.
- 4.3 Those in opposition to demolition commented on the landmark nature of the building; the contribution it makes to the character of the area and of the city; the role it plays in connecting the neighbourhood with its past and fostering its sense of place and identity; the rarity value of the building with so many heritage and character places lost from the city and more particularly from the inner city east since the Canterbury Earthquake Sequence; and the need to have a building in this location such as a shop or a café which activated the corner. They considered that:

- This was a case of ‘demolition by neglect’, where the applicant had purchased an already neglected building and not maintained or secured it. If consent to demolish was granted, it would send the message to developers that demolition could be achieved by neglect;
- the applicant could not now legitimately claim unaffordability given they had purchased the property in full knowledge of its condition and that it was scheduled as a heritage item in the District Plan;
- The cost of restoration needed to be considered in relation to the profit that the developer would make from the development of the wider site.
- Not all of the costs had been sufficiently accounted for, including demolition, environmental impact, and the potential for residential (rather than commercial) use. All costs needed to be independently verified;
- Council needs to work with the applicant and financially support restoration;
- Façade retention or replication might be a more achievable alternative to full restoration;
- The applicant’s wider development would be enhanced by the retention of the heritage building.

4.4 The arguments made by submitters for or against demolition fall into the two broad camps of heritage significance and financial considerations. I concur with those opposed to demolition in terms of the heritage points they raise. I have argued previously that despite its condition the building currently represents those heritage values for which it was scheduled, and if repaired in line with a reasonable repair strategy it would still represent those values. This is set out briefly again below. A retained façade may also embody those values; this is also considered below. Note that a full replica would not have sufficient integrity or authenticity to remain on the schedule; consequently this would not be supported. Council’s District Plan policy however determines that heritage significance is not the sole arbiter of demolition. Financial considerations also carry weight; an analysis of these is set out below. With reference to the assessment of repair costs, I note that I am not permitted by the policy to consider how a building was damaged, only that it is damaged. The issue of demolition by neglect is therefore outside my purview. I am unable to consider whether the applicant was or should have been aware of likely costings at the time of purchase. I am also unable to consider any profit (or loss) that the applicant might make from the development of the wider site. The cost of repair can only be set against the value of the repaired building on its immediate site (or a comparable new build on that site) when considering whether that cost is unreasonable.

5.0 Heritage and Financial Assessments

4.5 District Plan Objective 9.3.2.1.1 (a) (iii) acknowledges that in some situations demolition [of a scheduled heritage item] may be justified by reference to the matters in Policy 9.3.2.2.8 (a). This policy requires that Council have regard to a number of factors when considering the appropriateness of a demolition of a scheduled heritage item:

- i. Whether there is a threat to life and/or property for which interim protection measures would not remove that threat;

- ii. whether the extent of the work required to retain and/or repair the heritage item is of such a scale that the heritage values of the heritage item would be significantly compromised (Plan Change 13 qualifies this by adding *...and the heritage item would no longer meet the criteria for scheduling in Policy 9.3.2.2.1*);
- iii. whether the costs to retain the heritage item... (particularly as a result of damage) would be unreasonable.
- iv. the ability to retain the overall heritage values and significance of the heritage item ...through a reduced degree of demolition; and
- v. the level of significance of the heritage item.

4.6 Factor (i) is not relevant in that the building does not pose a threat to life or property.

4.7 Factor (ii), a key factor in considering whether demolition is an appropriate course of action, was considered at length in my comments (dated 02 May) prepared for the purposes of the notification (s.92) assessment. In these comments I concluded that the...proposal will necessarily result in a complete and total loss of heritage fabric, with a corresponding loss of associated heritage values and significance. I consider that a reasonable repair proposal would not compromise the integrity and authenticity of the structure such that it would be unable to represent ascribed heritage values to the degree required to maintain it as a significant item on the district's heritage schedule. The effects of demolition on heritage values are therefore substantial.

4.8 Factor (iii), the other key factor in considering whether demolition is an appropriate course of action, is whether the costs to retain the heritage item would be unreasonable. The stated repair cost is \$2,070,000 plus GST. The assessed repaired value of the building (if subdivided off and sold) is \$1,370,000 plus GST. This leaves a shortfall of \$700,000. Given the costs, subdivision and sale (even for a token amount) of the unrepaired building would not appear viable. The applicant did not get an insurance payout and available funding assistance (including from Council) is insufficient to make a substantive difference to the shortfall. A comparable new build would cost between \$640,000 and \$720,000 plus GST, which (even if demolition costs of \$20,465 plus GST are taken into account) is therefore at least \$1.33M cheaper than the cost of repair. I accept therefore that it is indeed uneconomic to repair the building, and that the costs of repair are unreasonable.

4.9 Factor (iv) may be understood in this context as consideration of façade retention. A façade may be considered to be of sufficient value and significance in its own right that it is able to be scheduled as a heritage item. There are therefore a number of scheduled facades in the District Plan. It is accepted though that whole buildings are vested with greater value and facadism should only be accepted where there is no viable alternative. Given the evidently unreasonable costs involved in retaining 187 Fitzgerald Avenue, façade retention may be a reasonable option for retaining the heritage values of the site. As the applicant has not investigated this option however, it is not known if this is a feasible alternative to full demolition.

4.10 Factor (v), the level of significance, has little relevancy in that the means by which heritage significance is ascribed in the District Plan necessarily and unavoidably discounts the ordinary buildings that represent the lived experiences of the majority of the city's past population. These buildings are no less important for being representative however.

6.0 Other Considerations

4.11 The applicant states that given building code requirements and the poor state of repair of much of the building's fabric, it is unlikely that any feature could be salvaged for reuse in a new build on the site.

4.12 In mitigation, the applicant proposes to have the building photographically recorded prior to and during demolition. This is supported; see relevant condition below.

4.13 The applicant acknowledges that an archaeological authority would be required if demolition were approved.

7.0 Conclusion

The scheduled heritage item at 187 Fitzgerald Avenue is in a poor state of repair because of long-deferred maintenance and damage sustained in the Canterbury Earthquake Sequence. Consequently the applicant (Fern Fitzgerald Ltd) is seeking consent for full demolition. The proposal will necessarily result in a complete and total loss of heritage fabric, with a corresponding loss of associated heritage values and significance. As stated above, I consider that a reasonable repair proposal would not compromise the integrity and authenticity of the structure such that it would be unable to represent ascribed heritage values to the degree required to maintain it on the district's heritage schedule. The effects of demolition on heritage values are therefore substantial. Council District Plan policy however determines that heritage significance is not the sole arbiter of demolition. The burden of repair costs (the avoidance of which is a positive effect of demolition) are also taken into account in the substantive decision, and in this case are, I believe, a decisive factor. On the basis of evidence provided regarding viability, the costs of repairing the item could be considered unreasonable. Despite the deleterious effect of demolition on heritage values therefore, I regretfully accept that demolition is the only reasonable option. I recommend that consent be granted subject to the following condition:

7.0 Conditions

7.1 A digital photographic record of the heritage item and heritage setting is to be lodged with Council's Heritage Team within three months of the completion of works. In order to adequately record changes to heritage fabric, photographs must be taken before commencement, at regular intervals during, and after completion of works. Photographs must be of printable quality, at least 1440 pixels by 960 pixels for a 4"x 6" print at a minimum resolution of 240 PPI. Also see Advice Note below.

8.0 Advice Notes

8.1 Information being submitted in relation to this consent is to be sent by email to rcmon@ccc.govt.nz. The current nominated Council Heritage Advisor for this consent is Gareth Wright (941 8026; gareth.wright@ccc.govt.nz). Alternatively contact Suzanne Richmond (941 5383; suzanne.richmond@ccc.govt.nz).

8.2 For reasons of comparison, photographs should be taken of and from the same locations on each occasion. Photographs should be labelled with location, date and photographer's name, and submitted as individual image files with a plan showing photograph locations. They can be submitted to the nominated Council Heritage Team contact on a memory stick, or electronically by either email (noting that Council's email data transfer limit is 20MB per email) or file sharing service such as wetransfer.com or dropbox.com to rcmon@ccc.govt.nz.

Gareth Wright
Heritage Advisor
16/06/2023. Revised 09/08/2023

Reviewed by:
Suzanne Richmond
Heritage Advisor
16/06/2023

187 Fitzgerald Avenue – High Level Repair Estimate

My name is Janitha Ambagahawattage, and I am a Senior Cost Engineer employed by Christchurch City Council. My role involves reviewing and providing feedback on the high-level repair cost estimates prepared by Logic Group Ltd. With 11 years of experience as a Quantity Surveyor, including 3 years in renovation projects, I am well equipped for this work.

Review

After reviewing the high-level repair cost estimate provided by Logic Group for the repair works based on the findings and suggestions from the Tetrad structural report, I have concluded that most of the rates are reasonable and in line with current market prices, some of the provisional sum values were loaded due to limited information, lack of drawings and details in the preliminary design stage. In the review I have used the current market rates from the Cost Builder database and from experience. The percentages assigned to preliminary and general, margin, and contingency are appropriate for the nature of the project and its location.

According to Cost Builder (refer table 01), a newly constructed two-story office building in Christchurch has a square meter rate of \$2,400.00 and a fit-out cost of \$1,425.00 per square meter (including 9% for preliminary and general, 3% for margin, and 1.5% for contingency). Additional percentages have been included to cover all associated project works, including an increase in preliminary and general, margin, and contingency percentages. The total repair cost will be after 20% contingency in range of 1.9 – 1.95 million. As a result of inflation, there will be a minimum increase of 5.3% in current rates.

Table 01

187 FITZGERALD AVENUE - REPAIR ESTIMATE			
Description	Submitted	Corrected	Review
Total base Construction Cost	\$ 1,637,841.15	\$ 1,637,852.47	\$ 1,588,804.55
Total floor area	253.60	m ²	
Building Cost Per Square Meter	\$ 6,458.36	\$ 6,458.41	\$ 6,265.00
BUILDING COSTS PER SQUARE METRE			
Newly built 2 Story office building with 9% Preliminaries, 3% Margin and 1.5% Contingency	\$ 2,400.00		
Fit out cost - High standard finishes with 9% Preliminaries, 3% Margin and 1.5% Contingency	\$ 1,425.00		
Total	\$ 3,825.00		
Difference between renovation and newly build	\$ 2,633.36	\$ 2,633.41	\$ 2,440.00
Additional for the secondary construction cost	13%	\$ 497.25	\$ 126,102.60
Additional for the repair, remove, store, double handling and reuse works	16%	\$ 592.88	\$ 150,353.10
Temporary works, house lift, demolishing foundation and enabling services	35%	\$ 1,338.75	\$ 339,507.00
Average square meter rate for the renovation	\$ 6,253.88		
Total base Construction Cost	\$ 1,585,982.70		
Contingency 20%	\$ 317,196.54		
Total repair cost (ex GST)	\$ 1,903,179.24		
Inflation 5.3%	\$ 100,868.50		
Predicted total repair cost Q4 2023	\$ 2,004,047.74		

Conclusion

When starting a renovation project, it's important to be prepared for unexpected site conditions, expanding project scope, and budget overruns. To account for these risks, it's advisable to include some cushioning in your budget. In my budget, I've used average rates, but I've found that Logic Group's rates are generally fair and reasonable. Additionally, I've trimmed some of the excess in the provisional sum portion of the budget, which is included to cover specific works, services, or materials that haven't been fully defined yet. Once more details are available, the contractor will agree on the cost to complete the work with the client before commencing.

The cost estimates submitted and reviewed show a difference of \$61,962.65, which can be considered the clients' risk money. This amount is only 3% of the submitted value. Therefore, I believe that the high-level cost estimate provided by Logic Group is fair and reasonable.

Janitha Jayadeva

Senior Cost Engineer

Contract Management Team - Technical Services and Design Unit

Report on Waiver of Time Limit for Making Submissions

(Section 37(1)(b))

Application Number: RMA/2023/325
Applicant: Fern Fitzgerald Limited
Site address: 187 Fitzgerald Ave, Central City, Christchurch

Description of Application: To demolish the existing heritage scheduled building.

Introduction

The purpose of this report is to waive compliance with the time limit for making submissions on the above application pursuant to Section 37 of the Resource Management Act 1991, in respect of two late submissions from Mr Gregory Partridge and Ms Margaret Stewart

The Act provides for a period of 20 working days for submissions on a publicly notified application. The application was notified on 9 June 2023 and the submission period closed at 5pm on 7 July 2023. A number of submissions were received within this period, however Mr Partridge's submission was received at 11:30pm on 7 July 2023 and Ms Stewart's on 17 July 2023 were received by the Council.

Statutory Considerations

Section 37(1)(b) of the Resource Management Act 1991 allows the consent authority to waive a failure to comply with a requirement under the Act in relation to the time or method of service of documents. In this case this amounts to a failure to lodge submissions within the submission period.

A consent authority must not waive compliance with a time limit in accordance with Section 37A(1) unless it has taken into account:

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

Pursuant to Section 37A(6) the consent authority must ensure that every person who is directly affected by the waiver is notified of the waiver.

Discussion

I have taken into account the matters outlined in Section 37A(1) and consider that the only persons directly affected by the waiver would be the applicant and late submitters. The applicant's representative Ms Sally Elford has confirmed in writing that the applicant is happy for the late submissions to be accepted. I consider it is in the interests of both the submitters and the community for the submissions to be accepted, to enable the issues raised to be taken into consideration in the assessment of the application. I further note that neither submission raised new points, only reiterated those made by submissions received within time.

The acceptance of the late submission will not delay the hearing of the application which has been scheduled for 21 September 2023, nor will it result in any other delay in the processing of the application.

Recommendation

That pursuant to Section 37 of the Resource Management Act 1991, compliance with the time limit for lodging submissions on the application be waived in respect of the submission made by Mr Partridge and Ms Stewart.

Reported and recommended by: Jonathan Gregg, Team Leader Planning


Date: 9 August 2023

Decision

That the above recommendation be adopted for the reasons outlined in the report.

Commissioner:

Name: Nathan O'Connell

Signature: 

Date: 9 August 2023

Grant Sumner

From: <paul@propertychch.com>
Date: Thursday, 19 January 2023 11:22 am
To: <demo@heartlandgroup.net.nz>
Subject: Demolition

Hi Grant,

Thanks for the enquiry. We will be looking for a contractor to do a heritage demolition on our site on the corner of Gloucester/Fitzgerald so would be good to have a chat.

Thanks,



Paul Szybiak
Managing Director , Rosefern Homes

M 021 0266 3756 **E** paul@rosefernhomes.co.nz -

W rosefernhomes.co.nz

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Email: demo@heartlandgroup.net.nz



CARBON NEUTRAL NZ LIMITED

DEMOLITION & DECONSTRUCTION SPECIALISTS.

ATTENTION...PAUL SZYBIAK---ROSEFERN HOMES.

Paul our quotes for 187—191 Fitzgerald Avenue...

335 Glouster Street....Christchurch

[a].. Deconstruct 2 old villa's 187---191 Fitzgerald Avenues & 335 Glouster Street down to foundations & remove all rubble and waste from both sites leaving foundations from both sites for removal..

[b]...Remove all concrete house foundations & paths & driveways from site and recycle leaving a cleared level site...

[c]....Remove all trees and vegetation from site [pre]...site clearance..

[d]...Asbestos Survey and Clearance Certificates for both sites..

[e]..Site fencing locked and secured during deconstruction and at all times 24/7..Health & Safety Fencing Signage..

[f]..Traffic Management Plan if applicable for 187—191 Fitzgerald Avenue.....

[g]..Deconstruction Management Plan..[both sites.]..

[h]..Waste Management Plan...

[i]..Environmental Sustainability Management Plan..

[J]..Site Specific Safety Management Plan..

[k]..Public Liability Insurance

FULL PRICE FOR ABOVE SERVICES

[1]..187 Fitzgerald Avenue \$20.465.00 plus gst = \$23.534.00

[2]..335 Glouster Street.....\$18.986.00 plus gst = \$21.833.90..

CARBON NEUTRAL NZ LIMITED

DIRECTOR....GRANT SUMNER...9/04/2023

G. W. Sumner