

## Report on a Publicly Notified Resource Consent Application

(Section 42A)

<b>Application Reference:</b>	<b>Land Use:</b> RMA 2020 2852
<b>Applicant:</b>	Canterbury Museum Trust Board
<b>Site address:</b>	9 & 11 Rolleston Avenue
<b>Legal Description:</b>	Pt Res 25 Canterbury District & Lot 1 DP 45580
<b>Proposal:</b>	Canterbury Museum & Robert McDougall Gallery redevelopment
<b>Zoning:</b>	Open Space Community Park
<b>Overlays and map notations:</b>	<p><b>Heritage item 474 &amp; setting 257:</b> Canterbury Museum (1870-1882 buildings) and setting – Group 1 (Highly Significant)</p> <p><b>Heritage item 1379 &amp; Setting 257:</b> Roger Duff Wing south &amp; west facades &amp; setting – Group 2 (Significant)</p> <p><b>Heritage Item 1378 &amp; Setting 257:</b> Centennial Wing east façade &amp; setting – Group 2 (Significant)</p> <p><b>Heritage item 471 &amp; Setting 256:</b> Robert MacDougall Gallery (including scheduled interior fabric) &amp; setting – Group 1 (Highly Significant)</p> <p>Liquefaction Management Area Christchurch International Airport Protection Surfaces</p>
<b>Heritage NZ Registration:</b>	<p>Canterbury Museum (1870-1882 buildings) &amp; setting – Category 1 (listing #290)</p> <p>Robert McDougall Gallery &amp; setting – Category 1 (listing #303)</p>
<b>Activity status:</b>	Discretionary
<b>Submissions:</b>	<p>134 in support</p> <p>2 in opposition</p> <p>2 in partial support</p> <p>(27 of these submitters seek to be heard)</p> <p>(Refer to Appendix 1 for a full list of submitters)</p>
<b>Date of Hearing:</b>	9 <sup>th</sup> -10 <sup>th</sup> June 2021
<b>Recommendation:</b>	Grant subject to conditions

## Preamble

1. My name is Odette White. I am employed as a Senior Planner and based in the Civic Offices of the Christchurch City Council. I have been employed by the Christchurch City Council since 2007. I hold a Bachelor of Social Sciences degree in Geography and a Post Graduate Certificate in Resource Studies. I have 11 years of experience working in the planning and resource management field including 10 years' experience processing heritage consents following the 2011 Canterbury earthquakes, including numerous consents for the post-earthquake remediation and upgrade of various heritage buildings within the Arts Centre complex and others across the Christchurch District.
2. This report has been prepared with advice from the Council staff and external specialists detailed below. A copy of their reports has been attached in the appendices.

Officer	Position	Appendix
Cedric Carranceja	Special Counsel (Buddle Findlay)	3
Amanda Ohs	Senior Heritage Advisor (CCC)	4
Heike Lutz	Building Conservation Consultant	5
Andrew Marriott	Principal Engineer (Batchelor McDougall Consulting Ltd)	6
Jeremy Head	Consultant Senior Landscape Architect (WSP)	7
Nicola Williams	Senior Urban Designer (CCC)	8

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, David Caldwell, was appointed alone rather than a hearings panel including elected members because:
  - the Council owns the Robert McDougall Art Gallery and land;
  - the Museum Trust Board includes 4 members appointed by the Council; and
  - the Council makes a financial contribution to the operation of the museum.

## Proposed activity

5. Resource Management Group Ltd (RMG) has applied for land use consent on behalf of the Canterbury Museum Trust Board to undertake a comprehensive redevelopment of the Canterbury Museum (hereafter referred to as the Museum) and the Robert McDougall Art Gallery (RMAG) at 11 and 9 Rolleston Avenue, respectively.
6. The proposal is outlined on pages 10-13 of the AEE prepared by RMG Consultants, is shown in further detail in the plans accompanying the Concept Design Report prepared by Athfield Architects, and further defined within the RFI response dated 15<sup>th</sup> February 2021, but in brief includes:
  - Base isolation across the whole site of heritage buildings and settings, and other structural, fire, safety and security upgrades. Base isolation involves partial demolition of the Robert McDougall Gallery (RMAG) – the whole basement is proposed to be demolished.

- The demolition of buildings attached to/behind scheduled facades - Museum site: 1958 Centennial building behind east façade, 1977 Roger Duff Wing behind the south and west facades.
- New buildings are proposed within the shared setting of the Canterbury Museum (1870-1882 buildings) – also referred to as the Mountfort Buildings, the Centennial Wing Façade and the Roger Duff Wing facade.
- Reconstruction of the original Mountfort-designed flèche and the 1872 and 1877 chimneys.
- Exposing the north facades of the 1872 and 1877 Mountfort Buildings, and the west façade of the 1870 Mountfort Building.
- Repairs and making good uncovered areas of the external Mountfort stone facades.
- Alterations to Mountfort buildings - Creation of a new opening in the ground floor of the north wall of the 1877 (Rolleston Avenue) building and infill of a later first floor opening on the same wall; and Partial removal of the cladding on the northern hip of the 1882 building and creation of an opening at first floor level to provide access to the new circulation route.
- Removal of window tinting on 1877 building Rolleston Avenue façade windows.
- Addition of a water feature adjacent to the 1877 north façade.
- Addition of a glazed canopy over parts of the Mountfort buildings.
- Alteration of two existing openings on the Centennial Wing façade, and the insertion of third opening between them to create a second main entrance.
- Removal of a 'slice' of the Centennial Wing façade to retrofit separation from the 1877 Mountfort building.
- Additions and additional buildings within the setting of the McDougall Gallery.
- A glazed link to the Robert McDougall Gallery from the Museum, with a new opening created in the rear Gallery façade, and in the rear gallery space, by removal of interior and exterior heritage fabric.
- Permanent removal of parts of the Roger Duff Wing façade and alterations and additions to retrofit glazed separation from the Mountfort buildings and accommodate a glazed pop out housing split-level family cafe with views across the Botanic Gardens. This involves the permanent removal of existing windows – most of which are original. It also involves the removal of part of the walls above first floor level. Precast cladding panels will be removed and reinstated.
- The demolition of parts of the extent of the Robert McDougall Gallery scheduled item - 1982 Canaday wing, 1962 workshop and the 1961 night entry.
- Repairs and maintenance to the Robert McDougall Gallery roof.
- Detailed building and engineering design has not yet been undertaken - the applicant proposes that detailed design will be submitted to Council later for assessment/certification by way of conditions of consent, although no specific conditions are offered in the application.

## Background

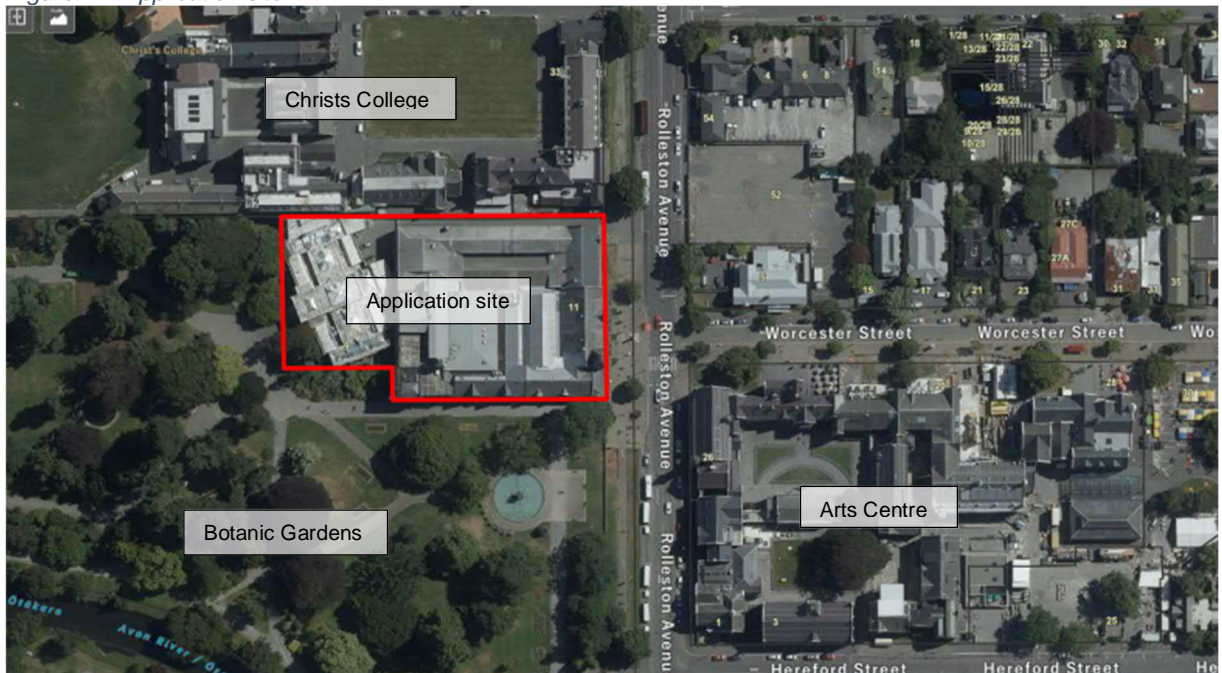
7. This application for resource consent was received on 7<sup>th</sup> December 2020, and was publicly notified on 6<sup>th</sup> March 2021. One request for further information was issued prior to notification on 19<sup>th</sup> January 2021 with a response being received on 15<sup>th</sup> February 2021. The submission period closed on 6<sup>th</sup> April 2021. A total of 138 submissions were received during this period – 131 in support, 1 in opposition and 6 in partial support. Refer to Appendix 1 for the full list of submitters.
8. One extension of time was granted on 16<sup>th</sup> April 2021 to waive compliance with the 20 working day time limit for making submissions pursuant to Section 37 of the Resource Management Act 1991, in respect of four late submissions from:
  - Heritage New Zealand Pouhere Taonga
  - Pourau Inc (Potae Whanau)
  - Johannes Willebrords van Kan
  - Sarah Williamson (Antarctica New Zealand)

The applicant agreed to accept these four late submissions which were all only slightly past the closing time for submissions.

## Description of the site and existing environment

9. The application site is located at 9 and 11 Rolleston Avenue adjacent to the Botanic Gardens to its south and west with Christs College located immediately adjacent to the north of the site.

Figure 1 – Application site



10. The applicant's Assessment of Environmental Effects (AEE) includes a description of the site and its immediate surroundings on pages 4 to 7. Further detailed description of the history of the Museum and RMAG are contained within the Heritage Report and Architectural Concept Reports at Appendix Two and Three of the application respectively. I consider that these descriptions are accurate and should be read in conjunction with this report.
11. In addition to the applicant's description, I note that Rolleston Avenue is classified as a Central City Local Distributor road in the District Plan, which is a specific type of collector road important for the distribution of traffic to parking precincts and for public transport movements. The nearest recorded traffic count on Park Terrace (to the north of the site) which runs into Rolleston Avenue recorded around 16,080 vehicles per day as at 18<sup>th</sup> September 2020.
12. Intersecting Worcester Street is classified as a local road. Local roads function almost entirely for access purposes and are not intended to act as through routes for motor vehicles.

## District Plan and National Environmental Standards – Relevant rules and activity status

### Christchurch District Plan

13. The application site and the adjoining Botanic Gardens are zoned Open Space Community Park under the District Plan. The purpose of this zone is to provide for formal and informal recreation activities, while complementing and enhancing neighbourhood and Central City amenity values, and ensuring provision of:
- iii. Large parks accommodating sports fields and smaller-scale recreation facilities, public amenities, landscaping, large trees and potential capacity for multifunctional use.

v. Heritage and urban parks, such as Hagley Park and Latimer and Cranmer Squares, which have important heritage values, scenic, botanical, educational, cultural and/or recreational values and provide for entertainment.

14. The Open Space objectives and policies generally seek that activities and buildings within open spaces are of a scale, form and design which:
- Are compatible with the role and anticipated use of the open space;
  - Are integrated and consistent with the character of the surrounding area;
  - Minimise adverse effects on adjoining land uses and the surrounding environment's landscape, historic heritage values and amenity values, both within and outside the open space;
  - Support the Garden City character of urban Christchurch; and
  - Recognise and provide for cultural heritage.
15. The Museum complex and RMAG includes four individual heritage items and their associated settings, two of which are listed in the District Plan as Highly Significant/Group 1 items (the 1870-1882 Mountfort buildings and the RMAG building), whilst two are listed as Significant/Group 2 heritage items (the east façade of the Centennial Wing and the south and west facades of the Roger Duff Wing).

Group 1 items are those which:

1. Meet at least one of the heritage values in Appendix 9.3.7.1 at a highly significant level; and
2. Are 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
3. Have a high degree of authenticity (based on physical and documentary evidence); and
4. Have a high degree of integrity (particularly whole or intact heritage fabric and heritage values).

Group 2 items are those which:

1. Meet at least one of the heritage values in Appendix 9.3.7.1 at a significant or highly significant level; and
2. Are 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
3. Have a moderate degree of authenticity (based on physical and documentary evidence) to justify that it is of significance to the Christchurch District; and
4. 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.

16. For the Mountfort buildings, the Centennial Wing and the Roger Duff Wing scheduled items, it is only the exterior fabric that is protected (ie: exterior walls, roof, windows, exterior doors and foundations). However for the RMAG building, the District Plan protection also extends to much of the interior fabric of the building which is listed in a Register of Interior Heritage Fabric, a copy of which can be viewed at pages 79 to 86 within Appendix 4 to this report.
17. 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.

18. Key objectives and policies are listed within Appendix 2, and are discussed in detail in a later section of this report.
19. The application outlines the District Plan rules that resource consent is required under at paragraph 62 on pages 14 to 15 of the AEE prepared by RMG Consultants. I agree with and adopt this list of non-compliances, with the exception of the following additional non-compliance:
  - **Heritage rule 9.3.4.1.4 D2** – *Demolition of a Significant (Group 2) heritage item is a full discretionary activity.*
20. The applicant has applied for restricted discretionary activity consent on the basis that the changes to the Roger Duff Wing fall within the District Plan definition of ‘alteration’<sup>1</sup> which includes ‘partial demolition’<sup>2</sup>. However Ms Amanda Ohs, the Council’s Senior Heritage Advisor, considers that the proposed works to the Roger Duff Wing fall within the definition of ‘demolition’<sup>3</sup> which makes the application a full discretionary activity under the rule above. The Council has also engaged Ms Heike Lutz, a Building Conservation Consultant and holder of a Master of Architecture, to peer review Ms Ohs’ comments. Ms Lutz shares the view that the changes to the Roger Duff Wing heritage item fall within the definition of demolition. Ms Ohs and Ms Lutz’s reports are found in Appendices 4 and 5 respectively.
21. The applicant’s rationale for the Roger Duff Wing changes being ‘alterations’ is detailed on pages 1 to 2 of the applicant’s ‘Response to CCC Queries’ dated 15 February 2021, which in summary is that:

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<sup>1</sup> **Alteration of a heritage item** - in relation to Sub-chapter 9.3 Historic Heritage of Chapter 9 Natural and Cultural Heritage, means any modification or addition to a heritage item, which impacts on heritage fabric. Alteration of a heritage item includes:

- a. permanent modification of, addition to, or permanent removal of, exterior or interior heritage fabric which is not decayed or damaged and includes partial demolition of a heritage item;
- b. changes to the existing surface finish and/or materials; and
- c. permanent addition of fabric to the exterior or interior.

In relation to a building, structure or feature which forms part of an open space heritage item, alteration includes:

- d. modifications or additions to buildings, structures or features;
- e. permanent modification or addition to garden or landscaping layout, paths, paving, circulation or on-site access, walkways or cycle ways;
- f. earthworks which change the profile of the landform (other than earthworks approved by subdivision consent);
- g. removal or transplanting of mature trees unless the tree is dead;
- h. in relation to cemeteries, new planting on, or immediately adjoining, plots; and
- i. new buildings, structures or features.

Alteration of a heritage item excludes:

- j. maintenance;
- k. repairs;
- l. restoration;
- m. heritage upgrade works;
- n. heritage investigative and temporary works; and
- o. reconstruction of new or replacement headstones, plaques or panels in church graveyards and cemeteries other than closed cemeteries.

<sup>2</sup> **Partial demolition** - in relation to a heritage item, means the permanent destruction of part of the heritage item which does not result in the complete or significant loss of the heritage fabric and form which makes the heritage item significant.

<sup>3</sup> **Demolition** - in relation to a heritage item, means permanent destruction, in whole or of a substantial part, which results in the complete or significant loss of the heritage fabric and form .

- The changes to the Duff Wing do not result in “permanent destruction, in whole or of a substantial part, which results in the complete or significant loss of the heritage fabric and form”.
- The majority of the south and west facades of the Duff Wing will either be original fabric in an unaltered (and conserved state) or clad in the salvaged exposed aggregate panels.
- Overall approx. 54% of the two facades is unchanged, 15% is being removed (demolished) and 31% is salvaged and reused.
- The Duff Wing will remain a modernist interpretation of the gothic style through its ‘form and rhythm’ by the retention of the basalt stone veneer, retention and reuse of the exposed aggregate cladding panels and continuation of the vertical proportioned cladding panels and glazing.
- The proposed design is no more or less gothic inspired than the existing facades.
- The existing facades have already undergone substantial change.
- Both the existing and proposed elevations display the same Late-Modern architectural language through their contextual response to the Mountfort Building using materials, construction techniques and massing associated with Postwar Modernism.
- The façade will still be distinctly recognisable as the Duff Wing.
- There will not be a complete or significant loss of heritage fabric and form which make the item significant.

22. Conversely, Ms Ohs does not agree and considers that the works to the heritage listed Roger Duff Wing south and west facades is ‘demolition’ for the following reasons:

- The inclusion of partial demolition as part of alterations was intended to provide for “small scale, insignificant level of demolition to occur as an ‘alteration’ (as restricted discretionary status) as opposed to being treated as a demolition” (Stage 3 – Section 32, Chapter 9 Natural and Cultural Heritage, p.74). There was a deliberate avoidance of introducing area or quantum of heritage fabric removed, in favour of a measure of the significance of the fabric removed and impacts on heritage significance. This was to avoid the scenario of partial demolition which removed key heritage fabric being an ‘alteration’ when in fact it would result in the loss of the fabric and form which made the item significant.
- The definition of partial demolition was added through decision by the IHP (Decision 45) to assist users of the Plan and improve the clarity of the rules relating to demolition in determining whether demolition works come within demolition or alteration (IHP Decision 45, p.19).
- Determining whether the activity status is alteration or demolition is dependent on an assessment of whether the proposal comes under the definition of partial demolition: *‘in relation to a heritage item, means the permanent destruction of part of the heritage item which does not result in the complete or significant loss of the heritage fabric and form which makes the heritage item significant’*.
- The definition of partial demolition relates to heritage fabric and form ‘which makes the heritage item significant’. In Ms Ohs’ opinion, and based on her assessment, the demolition proposed will result in the permanent destruction of a ‘substantial part’ of the Roger Duff Wing façade and in the ‘significant loss of heritage fabric and form which makes the heritage item significant’.
- Ms Ohs disagrees with the applicant that the past changes to the Roger Duff façade are “*substantial*” – rather Ms Ohs considers it only minor to moderate, noting that the main alterations have been the addition of windows to the third floor of the south façade, and the addition of vents into the precast panels on the West façade.
- Ms Ohs disagrees that the Roger Duff Wing will remain a “*modernist interpretation of the gothic style through its form and rhythm*”, nor does Ms Ohs agree that the proposed design is “*no more or less gothic inspired than the existing facades*”. Ms Ohs considers that whilst the proposed altered elevations may use ‘materials, construction techniques and massing associated with Postwar Modernism’, the result is a façade which has lost key components of its design and form, namely the fenestration and treatment of solid to void. It is no longer distinctly recognisable as the Roger Duff Wing or a distinctly Christchurch brutalist building of the 1970s. Rather the proposed changes to the Roger Duff Wing will make it look more like a contemporary addition to the Museum.

- The extent of the loss of form and fabric will reduce the integrity and authenticity of the façade from moderate to minor, resulting in the façade no longer meeting the threshold for scheduling in the District Plan.
- There will be permanent destruction of a substantial part of the item, which results in a significant loss of heritage fabric and form noting that the south and west facades are what make up the entirety of the Significant (Group 2) District Plan heritage listing – in other words they are the only parts of the Roger Duff Wing that are protected.

23. I accept the advice of Ms Ohs and Ms Lutz on this point and on that basis I consider the proposal is a **discretionary activity** overall under the District Plan.

### **National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)**

24. These standards seek to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and if necessary the land is remediated or contaminants contained to make the land safe for human use.

25. The NES controls soil disturbance on land where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out, has been carried out, or is more likely than not to have been carried out.

The land at 11 Rolleston Avenue upon which the museum is located is not listed as a HAIL site on ECAN's Listed Land Use Register (LLUR), however the land at 9 Rolleston Avenue upon which the Robert McDougall Art Gallery is situated is recorded on ECAN's LLUR as having had storage tanks or drums for fuel, chemicals or liquid waste on it, therefore the provisions of the NES apply.

26. Consent under the NES is not sought as part of the current application. Instead the applicant has stated that they intend to apply for the necessary consents under the NES separately at the same time as any ECAN consents for construction phase stormwater and de-watering. The applicant submits that the necessary soil testing for contaminants that would be required as part of an application under the NES can't be practicably carried out at present due to the area concerned being beneath sealed parking and building areas and that they would like the certainty of having landuse consent approved before excavating these areas. Whilst it is usually preferable to have all necessary landuse consents for a development dealt with a single application, I accept that is not practicable for the applicant in this case where we are dealing with a redevelopment of existing buildings, much of which are to remain in situ. As such I consider it is appropriate that consent for disturbing potentially contaminated soils under the NES be unbundled from the current application and dealt with separately. Isobel Stout, Council Senior Environmental Health Officer, concurs that the unbundling of NES issues is an acceptable approach in this case. I recommend an advice note reminding the applicant of the need to obtain separate landuse consent under the NES prior to disturbing ground on the application site.

### **Submissions**

27. 138 submissions were received on this application (134 in support, 2 in opposition and 2 in partial support).

28. Four out of the 138 submissions were received late, however the applicant agreed to accept the late submissions. A s37 extension to the 20 working day timeframe for submissions was approved on 16<sup>th</sup> April 2021.

29. Copies of all submissions have been provided to the Commissioner.



30. The reasons for the submissions in support are summarised as follows:

- To preserve the museum collections and allow more of it to be showcased, the blue whale skeleton in particular is mentioned in many submissions.
- Current storage facilities are poor resulting in damage to items in the collection.
- The redevelopment will allow the museum the space to better meet its obligations under Te Tiriti o Waitangi and better incorporate/recognise the importance and relevance of Mana Whenua.
- Greater exhibition space for the Antarctic collection – one of the top three collections in the world which has been suffering from lack of space.
- The museum is outdated and in poor condition - needs updating to be fit for the future.
- Current entrances are too small, with poor flow.
- As the largest city in the south island Christchurch needs a museum to reflect its status which the current museum does not.
- Improved facilities – climate control, better care of the collections, increased display space, cultural appreciation, enhanced learning experience.
- Appreciation of heritage does not mean things can never change.
- The proposed design is outstanding.
- The proposed additions & alterations are sympathetic to heritage fabric and respectful of history, yet present a modern & appealing building.
- Previously hidden heritage fabric is revealed.
- Reconstructed spire & chimneys.
- Linking the RMAG to the Museum.
- Improved earthquake resilience.
- Enhanced visitor experience - will attract more visitors and contribute to tourism in the city.
- Dignified architectural presence.
- Will be able to host significant international exhibitions which currently it cannot.
- Enhances the critical mass of the cultural precinct.

31. Several of the submissions in support also included requests/recommendations for the following:

- Leave RMAG as it is & use it for its intended purpose (to display art).
- Ensure renovations are in keeping with the original and surrounding buildings.
- Don't mess about with the façade of the Museum – the only historical looking part is the front.
- Ensure any alterations are in keeping with the architecture of the time and don't look hideous like the extensions that are sought to be improved.
- Consider providing designated, on-site, short term parking (3-5 spaces) for visiting researchers only (not general visitors).
- Adequate bilingual signage (Te Reo and English) directing foot and car traffic to the museum from 5-8 city blocks away.
- Relationship between the Botanic Gardens and Museum needs maximising – the approaching pathways need to attract visitors to the Gardens into the Museum.
- Safe connections with Worcester Boulevard and the Arts Centre.
- Consider a flexible, adaptable floorplan.
- Concerns over the viability of keeping moisture out of the below ground storage area.
- Move stationary buses from in front of the museum to reduce noise and fumes and improve views of the Museum.
- Do not alter the Rolleston Avenue frontage.
- Do not turn the RMAG into a shop.
- Adequate staffing to ensure adequate management of the archives.
- Funding to be allocated to the museum.
- Ensure the water feature in the centennial wing will work and not become redundant.

- Consider whether the height exceedance will set a precedent for breach of the height rule and potentially other rules within the city.
- Renewal of the RMAG skylights should recognise and preserve the original topside lighting system.
- The recessed lobby entry in the Centennial Wing be closed off with doors after hours for security.
- Heritage NZ supports the application but with the following requests:

20. HNZPT submits that appropriate conditions of consent be imposed requiring the following:

- Ensure the installation of the glazed separation proposed between the listed 1877 Mountfort building and the scheduled Centennial Wing does not irreversibly damage the significant heritage fabric on the Mountfort building.
- Ensure the proposed water feature in the Centennial Wing will not cause detrimental effects on the heritage fabric of the adjacent heritage building.
- Ensure that the final design does not have significant detrimental impact on the heritage significance of the Robert McDougall Gallery.
- Require that any heritage fabric to be removed will be identified, recorded, deconstructed, stored or disposed of in an appropriate manner.
- Ensure the new entrance will be differentiated from the original heritage fenestration either side, through a design which will not compete or detract from the existing aesthetic

32. The reasons for the submissions in opposition/partial support are:

- The proposed leasing of the RMAG to the Museum and additional new structures on the RMAG land is in breach of the Christchurch City Council (Robert McDougall Gallery) Land Act 2003 (the Land Act) and not what the gallery was donated to the city for – for the express purpose of exhibiting artworks from the city’s collection and other sources.
- The RMAG should only be used for display of art, not the museum’s research collection.
- Underground storage – lack of certainty around preventing moisture ingress and earthquake resilience. Collection storage should be above ground.

33. A number of matters/requests raised by submitters are outside the scope of this resource consent process under the RMA and cannot be addressed in the following assessment. This includes:

- Concerns regarding the use/lease of the RMAG building and site to the Museum being in conflict with the Land Act – I have received legal advice that this is not a relevant matter to be considered under the resource consent process. Refer to Appendix 3 for a full copy of this advice. The applicant is aware that even if resource consent is granted, they are still obliged to undertake activities in accordance with the Land Act.
- Concerns regarding the ability of the basement collection storage area to be kept watertight/earthquake resilient. It is not the role of the resource consent process to undertake an engineering assessment as to the viability of this. Engineering assessments would be undertaken as part of a later building consent process and any dewatering would also require resource consent from the Regional Council. Also the concern seems to be about protecting the collection items to be stored within the basement. The museum’s collections are not part of the heritage listing / are not considered heritage fabric in terms of the District Plan listing. The District Plan is only concerned with the protection of the heritage fabric of the buildings/listed heritage items themselves.
- Whether the water feature along the north façade of the Mountfort Building will actually work or become redundant. The only respect in which the water feature may be considered is in terms of any effects it might have upon heritage fabric and values which is addressed in the assessment of effects below.
- Allocation of funding.
- Staffing levels.
- Relocating bus stops and potential street furniture.
- On street pedestrian priority areas/speed restrictions on cyclists in front of the Museum.

- Signage directing people to the museum from 5-8 blocks away.
- Request for a flexible, adaptable internal floorplan.

### 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 / 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. Pursuant to Section 104(3)(a)(i) a consent authority must not have regard to trade competition when considering an application.

### 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:
- Positive effects
  - Heritage effects
  - Scale of activity in Open Space zone
  - Landscape / amenity effects
  - Transport effects
  - Construction effects

#### **Positive effects**

40. There are considerable positive effects from the proposal as outlined by the applicant at paragraphs 113-115 on page 27 of the AEE prepared by RMG Ltd and also noted by many of the submitters, including (but not limited to):
- Increased earthquake resilience.

- Increased and improved collection storage and display spaces.
- Ability to display more of the Museum's collection and provide adequate protection of it whilst in storage.
- Ability to host significant national and international exhibitions.
- Enhanced visitor facilities and experience.
- Contribution to tourism.
- Revealing previously hidden heritage fabric.
- Reconstruction of original features – the fleche (spire) and chimney.
- Improved visual interaction/connection between the Roger Duff Wing and Botanic Gardens.
- Improved accessibility and circulation.

## Heritage Effects

41. The proposal involves alterations to three of the listed heritage items on the site (the Group 1 listed Mountfort Buildings and RMAG and the Group 2 listed Centennial Wing facade) and demolition and replacement of a substantial part of the Group 2 scheduled Roger Duff Wing south and west facades. The relevant matters of discretion are contained within clause 9.3.6.1 (refer to Appendix 2 for a full copy of these), however as the application is a full discretionary activity overall, these are a guide only and not required considerations.
42. Ms Ohs, Senior Heritage Advisor has reviewed the application and provided comment on the heritage effects of the proposal taking into account the relevant matters of discretion, the applicant's Heritage Impact Statement prepared by GJM Heritage, and the submissions. The expert heritage advice I have received from Ms Ohs (refer Appendix 4) supported by the heritage peer review comments from Ms Lutz (Appendix 5), both of which should be read alongside this report, agrees with much of the applicant's assessment and is supportive of most of the proposed works with the exception of two discrete areas – that being the proposed changes to the Roger Duff Wing façades facing into the Botanic Gardens and the glazed slice into the Centennial Wing façade facing Rolleston Avenue.
43. Dealing briefly first with the aspects of the proposal that are supported by Ms Ohs and Ms Lutz and for which I accept the expert advice received, in summary:

### *Base isolation and basement*

- The introduction of base isolation and creation of a new basement is considered an acceptable change – whilst it will permanently remove some remaining original foundation and floor fabric, it will ensure the future resilience of the buildings, avoids further intervention into original walls and avoids the need for further above ground buildings/additional height to provide the necessary storage.
- Submitters: The Civic Trust and Timothy Seay have expressed concern over the ability to make the basement storage area watertight, but as mentioned earlier, the District Plan heritage listing and provisions are only concerned with the protection of the heritage buildings themselves, not the items to be stored within them. A lot of the final detail of the base isolation works and how it will be carried out is not yet known. This work does have the potential to damage and undermine the stability of the heritage fabric above if an appropriate methodology, propping and temporary protection is not used. To control and minimise the potential for adverse impacts upon heritage fabric, I recommend the provision and certification of detailed design and construction methodologies prior to this work commencing. Further, engineering reviews would be part of the Building Consent process.

### *New buildings*

- The new buildings within the shared setting of the heritage listed parts of the complex, maintain the heritage values of the scheduled items in terms of their form, scale, mass,

materials and design. The new buildings are compatible with the heritage items and do not dominate or obscure the original form and fabric.

#### *Mountfort Buildings:*

- It is agreed that the Mountfort Buildings should incur the least amount of change.
- The reconstruction of exterior elements which have been removed over time (the original fleche and chimneys) aligns with the Canterbury Museum Building Conservation Plan (DPA Architects, 2019) and the International Council on Monuments and Sites New Zealand Charter 2010 (ICOMOS) principles, will improve the intactness of the Mountfort Buildings and enable expression of Mountfort's original design.
- Exposing the North facades of the 1870, 1872 and 1882 Mountfort Buildings and the West façade of the 1870 Mountfort Building, enabled by the demolition of adjacent non-scheduled buildings will have a positive effect on heritage values of the Mountfort Buildings.
- The alterations comprising new openings in the north wall of the 1877 building, partial roof removal on the 1882 building and a new connecting bridge, will enable the community to access the earliest Museum buildings and engage with them in an interactive way. Although heritage fabric will be removed as part of these alterations, the simple design of the new openings will clearly read as a modern intervention which aligns with good heritage practice.
- Repairs and the making good of uncovered heritage fabric in accordance with the outlined methodology provided is supported.
- Removal of the window tinting and blackouts on the Rolleston Avenue frontage will return this fenestration to its original appearance and function.
- Whilst the new glazed roof over the whole of the 1870 and part of the 1872 and 1882 Mountfort Buildings will enclose this exterior fabric into the interior of the building, heritage values of these areas will be maintained.

#### *Centennial Wing:*

- The new opening in the Rolleston Avenue façade and conversion of an existing window opening into a door is accepted as necessary and the most appropriate of the options considered by the applicant. The new opening also reflects the original architect's design for this elevation, fits appropriately with the architectural rhythm and maintains the continuity of this frontage.
- Heritage New Zealand seek that the new opening be differentiated from the original fenestration though a reduced/simple aesthetic, however Ms Ohs considers that the proposed metal trim and date stamping but with the addition of a subtly different finish to the stone would provide sufficient differentiation. A condition to that effect is recommended (condition 16).
- Retention of the gabled roof and north wall of the Centennial Wing retains heritage fabric beyond the extent of protection in the District Plan noting that the heritage listing for this item is limited to the Rolleston Ave façade only.

#### *Robert McDougall Gallery:*

- The base isolation, new basement, demolition and replacement of ancillary buildings, new opening at the rear of the Gallery and glazed link to the Museum are supported.
- There will be a loss of protected heritage fabric including some of high significance within the basement and in the vicinity of the new opening at the rear and link to the Museum, however when balanced with the uses and strengthening benefits and salvage and reinstatement of fabric of high significance this work is considered acceptable in terms of its effects upon heritage values of the RMAG, subject to conditions.
- To minimise impacts of the new opening and glazed link on the engravings gallery space a condition is recommended that this space continue to be used as a gallery display space as far as practicable.
- Ms Ohs notes the absence of design detail for some of the RMAG works and in order to ensure that the impacts are appropriate and have adequate Heritage Professional oversight, recommends conditions requiring later certification of the details by CCC :
  - o Connection details to be provided.

- Details of any roof repairs including works to/replacement of skylights.
- Details of any fire protection, lighting and HVAC systems.
- Salvage, retention and reuse of heritage fabric.

44. I turn now to the parts of the proposal which the expert heritage advice received does not support.

*Roger Duff Wing*

45. The changes to the Roger Duff Wing facades is the main point of contention amongst the Heritage Professionals with the proposal. In summary the applicant contends that:

- The works will have minor adverse effects upon heritage fabric of the Roger Duff Wing.
- The new glazed element is to be introduced in an area of substantially previously altered fabric.
- The majority of the south and west elevations are retained including key fabric such as the expressed concrete frame, piloti and exposed aggregate concrete panels.
- The new design continues the Late-Modern architectural language, proportions and materiality of Hendry's 1977 design.
- The main changes are limited to Significant heritage fabric, not fabric identified as High Significance.
- The changes are the minimum necessary.
- The proposal aligns with the principle that Group 2 heritage items are capable of accommodating more change than Group 1 items.

46. Ms Ohs' advice (& the heritage peer review by Ms Lutz), which should be read alongside this report, do not agree with the applicant's assessment that the heritage effects of the Roger Duff Wing changes will be minor and in summary consider that:

- The changes to the Roger Duff Wing facades will have significant adverse heritage effects, going beyond what the façade is capable of accommodating without a significant reduction in its authenticity and heritage values and significance.
- They disagree with the applicant's description of the scale of change that the façade has already undergone as 'significant', instead considering the past changes to be 'minor' or 'moderate' and that redesign of the whole façade is not justified on the grounds that it has already been significantly compromised.
- The proposal is not consistent with the Conservation Plan and does not achieve the level of retention and conservation sought by it.
- The change is more than the minimum necessary and there are other options which would retain a greater degree of heritage fabric and value of the item.
- Whilst some of the materials of the scheduled façade are retained, the form and rhythm of the façade will be greatly impacted. The simplification of form on the upper floors retains the modernist aesthetic but not the gothic aspects which impacts on the architectural value for which the building is significant.
- The façade will no longer be a modernist reinterpretation of the gothic style.
- The Roger Duff Wing will fall below the threshold for listing in the District Plan.

*Centennial Wing*

47. In respect to the glazed slice at the southern end of Centennial Wing façade, in brief, the applicant's rationale is:

- Any adverse effects of this upon heritage fabric of the Centennial Wing are minor.
- The glazed slice is in part to provide a needed seismic separation between the structures of different ages but also provides clearer reading of the differing 19<sup>th</sup> Century building forms, assists with resolving challenging roof junctions and waterproofing details.
- The slice will reveal original heritage fabric of the north wall of the adjacent 1877 Mountfort Building and improve an existing awkward intersection of the Centennial Wing roof with the

quatrefoil (the circular opening at the top of the north wall) and other historic fabric of primary significance on the Mountfort Building.

- The slice will make the Centennial Wing more legible as a later addition to the adjoining Mountfort Building.

48. Ms Ohs (and Ms Lutz) do not agree with the applicant's assessment that the heritage effects of the glazed slice in the Centennial Wing are minor and in summary consider that:

- Adverse effects upon the Centennial Wing façade are more than minor.
- No information on what other options for achieving a seismic gap has been provided.
- The 600mm gap is more than the 200mm minimum that the applicant's engineer considers necessary.
- They disagree that the 600mm slice is appropriate or desirable.
- It will disrupt the continuity of the Rolleston Avenue façade, which makes a key contribution to the unique character of the precinct.
- It has not been demonstrated that it is impossible to resolve the weather tightness/roof junction issues without taking the proposed slice.
- The benefits in revealing the quatrefoil do not outweigh the negative impacts of slicing off a portion of the Centennial Wing façade and retrofitting a contemporary design approach for additions between two scheduled items.
- It is not consistent with Conservation Plan policies.
- An alternative would be retention of the Rolleston Avenue façade with removal of the south wall of the Centennial Wing on the interior which would reveal original Mountfort heritage fabric whilst retaining the integrity & continuity of the Rolleston Avenue façade.

#### *Discussion – Roger Duff and Centennial Wing*

49. For a discretionary activity to be acceptable and granted, the work need not be absolutely 'necessary' nor must the effects be only minor or less than minor or the item remain above the threshold for listing. It is also not a requirement to demonstrate that all other design options have been exhausted or that they are impossible. These things are among a range of matters to be taken into account, they are not bottom-line tests in themselves.

50. I accept the expert heritage advice that the proposal will result in a loss of heritage value for the Roger Duff and Centennial Wing facades and that there are other options open to the applicant for a reduced amount of change that would retain greater heritage integrity of these areas whilst still providing the applicant with the desired internal upgrades and modernisation. However, the heritage values of the affected areas will not be lost completely under the proposed design. In terms of the Roger Duff Wing, even if it were to fall below the threshold for listing as its own discrete item, it will still retain some heritage value. This is due to the ground floor elevation remaining largely intact; the reuse of the original panels in the reworked design of upper levels; the retention of the piloti; and the expressed concrete frame with its inscribed lettering. I also accept the applicant's view that these elements in particular will be recognisable features of Hendry's original design. Ms Ohs has also advised that even with the changes to the Roger Duff Wing, the other heritage buildings on the site have very strong heritage values and that the complex as a whole will still retain high significance heritage value, in her opinion worthy of listing.

51. In respect to the Centennial Wing, I accept that the glazed slice will interrupt the continuity of this frontage to some degree and result in a loss of some heritage fabric and value. Also that original heritage fabric of the north wall of the adjacent Mountfort building could be revealed internally without taking the slice out of the façade. Further it is larger than the minimum necessary for a seismic gap (600mm proposed vs 200mm seismic gap required). However, when viewed in the context of the overall frontage encompassing both the Mountfort Buildings and the Centennial Wing, the slice to be taken represents a very small amount of the total frontage which I consider will still retain substantial continuity. Furthermore, I consider that the full visual impact/interruption of the slice will mainly be

limited to viewpoints more directly in front of it and will not be readily perceived when viewed from more oblique angles further along Rolleston Avenue.

52. Whilst the changes to these two areas will result in potentially minor to significant adverse heritage effects upon these two items, I accept the applicant's point that this is limited to the Group 2 (Significant) items (District Plan) and fabric of 'secondary significance' under the Conservation Plan. These areas are potentially capable of accommodating a greater degree of change than the more important Group 1 (High Significance) scheduled items or fabric of 'primary significance' which under this proposal will remain largely intact. Notwithstanding that the existing Roger Duff and Centennial Wing items are worthy of retention in their current form, I also acknowledge the applicant's point that the glazed separations (although larger than the minimum necessary for seismic purposes) do align with current good heritage practice for new additions to heritage buildings. When viewed in the context of the application as a whole, encompassing all four heritage items, the fact that the complex as a whole will still retain high significance heritage value and taking into account all of the positive effects and benefits of the work outlined previously, on balance I consider that the heritage effects of the proposal overall (including that of the Roger Duff and Centennial Wing changes) are acceptable, albeit finely balanced.
53. Out of the 138 submissions received, only Heritage New Zealand raise concerns about the Roger Duff Wing changes, requesting that the "*design of this alteration be undertaken in a manner to ensure that the significant historic heritage of the Mountfort building is not unnecessarily impacted*". This seems to only be in so far as this work would affect the adjacent Mountfort Building, presumably as a result of demolition of the parts of the Roger Duff building that abut it and for the areas where the new built elements would be adjacent/connected to the Mountfort Building. The concern does not seem to be about the new façade design or reduction in heritage value of the Roger Duff Wing itself. I consider any adverse effects in this regard can be appropriately minimised through a certification condition requiring the provision of detailed design demonstrating that effects upon heritage fabric of the Mountfort Building will be minimised as far as practicable.
54. Several submissions raised concerns about the glazed slice in the Centennial Wing, in respect to the potential for the water feature beneath it to adversely impact heritage fabric from exposure to moisture and also in respect to how the glazed separation would be installed so as to avoid irreversible damage to the Mountfort Building fabric. In the applicant's RFI response dated 15<sup>th</sup> February 2021, it is stated that the water feature will be contained within its own containment structure and not directly against the stone. Also that modern tanking and waterproofing systems can avoid such problems and that as the north wall of the 1877 Mountfort Building was exterior fabric for 145 years and the small quantum of water proposed that damage is unlikely. However as the design detail for this element is not yet available, again I consider that a certification condition is appropriate requiring the detailed design for these elements to be provided prior to construction demonstrating how damage to heritage fabric from moisture will be avoided and that impacts from the installation and connection points will be minimised.

#### *Expert Heritage Advice, Temporary Protection and Methodologies*

55. A suite of other heritage related conditions are recommended by Ms Ohs which I accept. These include a certification type condition requiring the provision of detailed design and construction methodologies along with supporting statements from the applicant's heritage professional prior to works commencing (condition 15). This is to ensure that the design details, connection points and construction are undertaken in a way which minimises any adverse effects upon heritage fabric as far as practicable and in line with the outcomes portrayed in the application. It is common practice for landuse consents for works to heritage buildings to be subject to such conditions as they usually involve a need for some demolition/deconstruction work to be undertaken and hidden fabric to be uncovered in order to inform the detailed building and engineering design. The applicant proposes that detailed design will be undertaken under the supervision of a recognised heritage professional and submitted to Council for assessment by way of conditions of consent. Indeed this was also part of their rationale for not providing some of the further information requested in an RFI, albeit no specific



condition wording has been offered/agreed with the applicant at the time of preparation of this report. There are also financial practicalities for the applicant – such that it is desirable to have the certainty of an issued landuse consent prior to undertaking further detailed design which would require considerable further investment. I consider that there is sufficient information and detail before us for the proposal and its effects to be generally well understood. Further I consider that any effects of the detailed design/engineering which are not yet available can be managed and minimised through the recommended conditions of consent, such that the effects would be within the scope of those contemplated in the current process.

56. It is important that the applicant has continued professional heritage/conservation advice and engineering advice throughout the construction phase. These parties do not just need to be engaged to write expert reports in order to get the consent, they play critical roles in the on-site works helping the contractor deliver the project. It is often on site where physical adverse effects occur due to accidental damage or staff not fully understanding the nature or value of the heritage fabric that they are working with (at times with irreversible effect). Having the appropriate temporary protection in place during construction is also critical to protect heritage fabric that is to remain and for all contractors to be made aware of the significance of the buildings and fabric they are working on, what protective measures need to be taken to avoid damage and the conditions of consent. The application proposes to undertake photographic recording through different phases of construction – this is important to enable the changes to heritage fabric to be recorded and documented and is in line with heritage matter of discretion 9.3.6.1(k). To that end a range of conditions are recommended requiring continued oversight, briefings of contractors, temporary protection and photographic recording, to ensure that the proposal meets the heritage outcomes intended and that unnecessary damage/loss of heritage fabric is avoided.

#### *Engineering*

57. Andrew Marriott, Consultant Engineer for CCC, has also provided advice (Appendix 6) recommending consent be subject to certification conditions requiring the provision of engineering plans and methodologies accompanied by support from the consent holder's heritage professional for the deconstruction of heritage fabric. This is to ensure that any effects upon the heritage buildings during the basement/base isolation construction and dewatering are minimised and controlled. Mr Marriott also recommends a condition requiring that a suitably qualified and experienced engineer, geotechnical engineer and heritage professional monitor the heritage buildings during works for any effects or damage caused by either settlement associated with dewatering or from vibrations. If any signs of such damage begin to be detected then the consent holder's Engineer and Heritage Professional must prepare a methodology for preventing any further damage from occurring as far as reasonably practicable. This methodology would need to be submitted to Council for certification prior to further works commencing.
58. I accept Mr Marriot's recommendations re conditions, which is provided for in conditions 9 and 15.

#### **Scale of activity in Open Space zone**

59. The erection of new buildings and the external alterations and additions to existing buildings on the Museum and RMAG site are a restricted discretionary activity under the Open Space zone rules, as is the oversized food and beverage activity (maximum 250m<sup>2</sup> permitted; 515m<sup>2</sup> total café space proposed). The relevant matters of discretion which form a guide for assessing both of these non-compliances are those in clause 18.10.2 which include consideration of:

- a. *Whether the activity/facility has a practical or functional need to be located within the open space and/or recreation facility.*

- b. *Whether the activity/facility and/or its scale will:*
  - i. *Significantly reduce open space or impede access to it;*
  - ii. *Displace recreation facilities or recreation activities;*
  - iii. *Be compatible with open space functions and recreation activities;*
  - iv. *Have a layout and design that is appropriate to the locality, context, character and/or natural values of the area;*
  - v. *Adversely impact on the amenity values of adjoining open space and residents, including visual impacts, noise, glare, nuisance and traffic effects;*
  - vi. *Promote a safe physical environment and reflect principles of Crime Prevention through Environmental Design (CPTED).*
- c. *The extent to which the ground level area of the building interacts with pedestrians and pedestrian linkages.*
- d. *Whether the activity will provide economic benefits enabling the ongoing operation and maintenance of recreation facilities and/or open spaces.*
- e. *The extent to which the activity/facility maintains existing or future public access connections to walking/cycling track networks including alignment with the Council's Public Open Space Strategy 2010-2040.*

60. Given the history of use of these buildings for museum and gallery activities including an existing café within the Museum, I consider the proposed activity does have a practical and functional need to be located on the site ('a' above) and is compatible with the existing and past function of this particular site. In any case, I note that museum, art gallery and food and beverage activities (up to 250m<sup>2</sup> GFA) are all provided for as permitted activities in this zone.
61. As the new buildings and additional café floor spaces are all either located behind existing buildings, or within existing building footprints and on parts of the site which are not presently available to the general public for use as open space, I consider the proposal does not represent a reduction in open space, impede access to open space or displace recreation facilities and activities ('b, i-iii').
62. The appropriateness of the design for the locality, amenity values, safety and interactions ('b, iv-vi') are discussed under other sub-headings below. But I accept that the proposal will provide economic benefits ('d') enabling the ongoing operation and maintenance of the facility and that it will not result in any permanent reduction in public access connections to walking/cycling track networks ('e') to and through the adjoining Botanic Gardens.
63. I note that no submissions have raised any concerns about the proposal in respect to effects of the scale of the activity in the zone.

### **Landscape / Amenity related effects**

64. Although the matters of discretion only form a guide to assessment of effects rather than being *required* considerations, I consider that the matters of discretion pertaining to the specific non-compliances in this case cover all of the relevant landscape/amenity considerations for the discretionary activity status aswell. This includes the building height matters of discretion in clause 18.10.17 which relate not only to the portion of the new building encroaching the 15m height limit, but also to any of the external alterations/additions which add further height to the existing built form, such as the additional height on the Roger Duff Wing. The relevant matters in clause 18.10.17 are:
- a. *The extent to which the increased building height will result in:*
    - i. *visual dominance;*
    - ii. *loss of privacy and outlook for adjoining residents;*
    - iii. *incompatibility with the character and scale of buildings within and surrounding the site;*
    - iv. *adverse visual effects that are mitigated by landscaping. Reference should be made to General Rules and Procedures, Appendix 6.11.6, Part B for guidance and information on tree species.*

- b. *Whether the increased building height will result in any benefits in terms of retention of open space, significant trees or the satisfaction of specialised recreational needs.*
- c. *Whether the development is designed and laid out to promote a safe environment and reflects the principles of Crime Prevention through Environmental Design (CPTED).*
- d. *In addition, in respect of the Canterbury Museum and Robert McDougall Art Gallery site (Rolleston Avenue), the extent to which the increased building height:*
  - i. *reflects or complements adjoining or nearby areas of important public or open spaces;*
  - ii. *impacts on the use of adjoining public open space (e.g. shadowing and wind funnelling);*
  - iii. *impacts on the definition or containment of any adjoining public open space;*
  - iv. *visually dominates nearby focal points or features (e.g. statues, memorials, water features or specimen trees);*
  - v. *impacts on any vistas or pedestrian linkages.*

65. Some of the matters of discretion from clause 18.10.17 triggered by the addition of new buildings to the site and the oversized food and beverage activity also deal with landscape/amenity matters including:

- iv. *Have a layout and design that is appropriate to the locality, context, character and/or natural values of the area;*
- v. *Adversely impact on the amenity values of adjoining open space and residents, including visual impacts, noise, glare, nuisance and traffic effects;*
- vi. *Promote a safe physical environment and reflect principles of Crime Prevention through Environmental Design (CPTED).*

66. The 5m internal boundary setback encroachment on the north and south boundaries, by the RMAG basement, Level 2 café, and build out over the alleyway, triggers the following matters of discretion from clause 18.10.15:

- a. *The extent to which a reduced internal boundary setback will result in:*
  - i. *Adverse visual effects on open space and/or adjoining residents;*
  - ii. *Potential for activities within the building to give rise to disturbance to neighbours or nuisance effects;*
- b. *The extent to which a reduced road setback will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from the street and adjoining sites, including consideration of:*
  - i. *Compatibility with the appearance, layout and scale of other buildings and sites in the surrounding area;*
  - ii. *The classification and formation of the road, and the volume of traffic using it in the vicinity of the site.*
- c. *Whether the scale and height of the building/s is compatible with the layout, scale and appearance of other buildings within the site and/or on adjoining sites.*
- d. *Whether the development is designed and laid out to promote a safe environment and reflects principles of Crime Prevention through Environmental Design (CPTED).*
- e. *The extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site.*

67. The following heritage matters of discretion in clause 9.3.6.1 (d)(v) &(vi) are also relevant to landscape related effects:

- v. *the impact on public places; and*
- v. *within a heritage setting, the relationship between elements, such as layout and orientation, form and materials.*

68. The landscape advice I have received from Senior Landscape Architect, Mr Jeremy Head (report attached as Appendix 7) observes that the applicant's heritage landscape assessment (HLA) prepared by Ms McMullin, has not used the seven-point scale of effects which has been accepted by the Environment Court and which makes comparing reports and opinions between different landscape architects easier. Despite that, Mr Head ultimately agrees with the discussion and conclusions in the applicant's HLA and concludes that for the most part the proposal will have an acceptable level of landscape and visual effects on its contextual setting including the Botanic Gardens, Christ's College, surrounding roads and nearby private residences and public buildings where views to the proposal are available.
69. In summary the key points of Mr Head's advice include:
- The proposed changes to the south western corner of the Museum will be seen as an improvement over the built forms that exist now, providing a better compatibility with the 1872 Mountfort Building it adjoins, through a more deliberate contrast in form and materials and a greater visual connection between those visiting the museum and those in the Gardens. The 'back of house' effect will be removed.
  - Current levels of visual separation between those in the museum café and those in the Gardens will be replaced with an increased degree of 'overlooking', the effects of this will be reduced by the abundant tall trees providing a sense of separation and seclusion to those in the Gardens.
  - There will be no adverse effects on the amenity values of adjoining open spaces (other than where vegetation clearance is proposed at the gardens entry to the RMAG).
  - There will be negligible effects on how open space is currently perceived or used around the museum, including vistas or pedestrian linkages.
  - Shadowing effects - additional to what is currently generated by the buildings are proven in the architect's shadow diagrams to be minimal.
  - Visual dominance will not be generated by the proposal other than to a 'Moderate-Low' degree when viewed from inside Christ's College, and 'Moderate' at the Robert McDougall Art Gallery's main entrance. Other than these instances, the proposal has a high level of compatibility with the character and scale of surrounding buildings.
70. Mr Head requested that the applicant be asked to provide information regarding proposed landscape treatment, protection and a management plan, however I consider that these things can be effectively dealt with and any construction related effects upon surrounding landscaping minimised through condition 16 as part of a Construction Management Plan (CMP).
71. Mr Head is not supportive of the removal of the existing trees either side of the RMAG main entrance, however their removal is recommended in both the Gallery Conservation Plan and the Botanic Gardens Spatial Plan. Furthermore, the applicant has advised that any tree removal here would be undertaken by the Council or its contractors in which case the Council has a global consent for removal of trees within its own parks that can be relied upon if the conditions are met (RMA/2018/2857 issued 20/12/2018).
72. Ms Nicola Williams, Council Senior Urban Designer (report in Appendix 8), has also advised that she considers the proposal to be a sympathetic yet engaging architectural response to the three public edges, and notes the applicant has addressed her previous queries with regards to an accessible network and safety considerations to and through the Museum. In respect to the south and west facades of the Roger Duff Building, where there will be additional building height, Ms Williams considers the re-design to be an improvement which notably opens up opportunities for human interaction between the internal program of the building and the surrounding Botanical Gardens – offering a more playful and stronger architectural edge to this corner of the Gardens.
73. I note that no submissions have raised any concerns with respect to landscape or visual effects on the Botanic Gardens. In terms of other surrounding neighbours, Christs College is in full support of the

proposal and I consider there will be minimal to no adverse visual amenity effects for any other surrounding properties including those directly opposite the museum.

74. I consider the proposal is acceptable in respect to safety/CPTED considerations, noting there will be improved surveillance over the gardens from the new café windows in the Roger Duff wing and the new portico area on the Rolleston Avenue frontage of the Centennial Wing will be closed off after hours.
75. On the basis of the expert advice received and for the reasons above, I consider any landscape and amenity related effects are acceptable.

### **Transport effects**

76. There is a cycle parking shortfall (74 visitor cycle parks required; none proposed). As the total café floor area is over the permitted floor area under the Open Space zone rules, this also triggers consideration of traffic generation and access under the matters of discretion in clause 18.10.3. Further although there are no other transport related non-compliances, given the full discretionary activity status it is appropriate to consider transport related effects more generally, including carparking and traffic generation.
77. In respect to cycle parking, there are no on-site visitor cycle parks as part of the existing Museum and Gallery operations. In my view any additional adverse effects of the cycle parking shortfall will not be substantially worse than the existing situation.
78. In respect to car parking, the District Plan does not require any on-site car parking to be provided within the Central City. As such I consider that any effects associated with the lack of on-site carparking are in accordance with what the District Plan anticipates within the Central City. Aside from that there is insufficient space on the application site to provide any. In response to the request within one of the submissions for dedicated parking for visiting researchers to the museum, I consider that such a requirement could not be imposed on the applicant/justified through this resource consent process.
79. In terms of traffic generation, the redevelopment will likely increase visitor numbers, indeed it is one of the desired outcomes and positive effects of the redevelopment. As the Museum and Gallery are existing facilities, are provided for as permitted activities in the zone, and do not provide any on-site visitor carparks, I consider any increase in traffic generation effects of the redevelopment are acceptable and can be absorbed into the surrounding network.
80. As no visitor carparking is provided on site and there is no change to the existing vehicle access arrangement for service/delivery vehicles, I consider there will be no vehicle access related adverse effects from the proposal.
81. One submission requested the pavement area in front of the Museum be made a pedestrian priority area or that cycle speed limits in this area be introduced to reduce the potential for conflict between pedestrians and cyclists. This idea may have merit, but it is beyond the scope of the resource consent process to require changes to the public realm outside of the application site and there are separate processes for pursuing that. It is open for the applicant or members of the public to pursue this with Council separately but I do not consider it able to be imposed nor warranted under this resource consent process.
82. For the reasons above, I consider any transport related effects of the redevelopment are acceptable.

## **Construction effects**

83. Invariably there will be some temporary adverse effects during construction in terms of nuisance, visual amenity, noise, construction traffic and potentially reduced access to the adjoining public spaces (ie: the Botanic Gardens). However, as is commonplace with large construction projects, I consider that any adverse effects in this regard can be managed/minimised through conditions of consent so that they are at worst of only a minor scale and temporary. To that end I recommend a condition requiring a comprehensive Construction Management Plan (CMP) be provided for certification prior to works commencing which among other things will include measures for managing construction traffic, erosion and sediment control, site fencing, safe access to the Botanic Gardens, construction noise, and provide points of contact for dealing with any complaints/issues during construction.
84. For the reasons above, I consider any temporary construction related effects of the redevelopment are acceptable.

## **Conclusion with respect to effects on the environment**

85. In summary, it is my opinion that there will be some significant adverse effects upon heritage values of the Roger Duff and Centennial Wing facades when considered as individual elements or in isolation. However when viewing the effects in the context of the whole Museum and RMAG complex and taking into account the significant positive effects associated with the seismic and building upgrades, revealing of heritage fabric, reconstruction of heritage features, removal of intrusive fabric, the intactness of the highly significant Group 1 items, the continued & enhanced reuse that the proposal will enable and the submissions in support, overall I consider the effects are acceptable.

## **Relevant Objectives, Policies, and other Provisions of a Plan or a Proposed Plan (S.104 (1)(b))**

86. Regard must be had to the relevant objectives and policies in the Christchurch District Plan, a full copy of which is attached in Appendix 2.
87. The assessment of objectives and policies on pages 29-30 of the AEE submitted with the application includes specific comment on how the proposal aligns with several of the Chapter 3 Strategic Directions objectives. However, the Environment Court has indicated that the Strategic Directions should not be directly applied to applications for resource consent, the reasoning being that the Strategic Directions are very general and thus not intended for discrete application on a case-by-case basis. Further the Strategic Directions have been given effect to by the objectives and policies in the balance of the Plan. The Council has received legal advice that only where relevant objectives and policies in the balance of the Plan do not give effect to (or implement) particular strategic directions objectives, then it may be appropriate to directly assess an application against those particular strategic directions. However in this case no such argument is made in the applicant's AEE and I see no reason why the strategic directions should be directly applied to the current application, so I do not discuss them in this assessment.
88. As the applicant considers that the works to the Roger Duff Wing are only 'alterations', no assessment of the proposal against Policy 9.3.2.2.8 – Demolition, has been provided with the application. However as I consider the Roger Duff Wing changes do fall within the definition of 'demolition', I include specific consideration of this policy below.
89. I also note that the applicant's AEE does not include any assessment of the open space or transport objectives and policies. Given the zoning of the site and surrounding area and that there are some specific open space zone and transport rule breaches I consider that these objectives and policies should be addressed aswell which are discussed below.

## Heritage

90. 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.*

I consider the proposal is consistent with this objective. It will undeniably enable the ongoing retention and re-use (a.i.A) of the heritage buildings on the site and involves all of maintenance, repair, upgrade, restoration and reconstruction (a.i.B). The RMAG building is currently the only heritage item on the site that is not able to be used due to earthquake damage, however I consider that the relevance of 'ii' is not limited only to earthquake damaged buildings – the first sub part of the objective seems to allow for recognition of the condition of buildings generally. In this regard the museum complex suffers from poor condition (ii) and the work required to make the complex fit for the future, both in terms of increased earthquake resilience and providing a modernised facility appropriate for a city of this size and the collections it holds unavoidably involves some impacts upon heritage fabric and values. Despite the fact that I consider the proposed demolition of a substantial part of the individual Roger Duff Wing item, is contrary to policy 9.3.2.2.8 (discussed further below), objective 9.3.2.1.1 appears to deal with 'historic heritage' more generally not on the basis of individual 'items'. In the context of the proposal as a whole and balanced with the significant positive heritage effects associated with the seismic upgrade, repair, revealing of heritage fabric, reconstruction of heritage features, removal of intrusive fabric, the intactness of the highly significant Group 1 items and ongoing reuse of that the proposal will enable, I consider that the extent of Roger Duff Wing 'demolition' is acceptable and the proposal overall is consistent with this objective.

91. 9.3.2.2.3 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.*

The proposal clearly provides for ongoing use and adaptive reuse of the heritage items & I accept that there is a clear need for modernisation of the facilities (a.i), also that the engineering necessary to achieve modernisation and seismic resilience unavoidably results in some loss of heritage fabric. I accept that for the Roger Duff Wing facades and to a lesser extent the Centennial Wing facade, the modernisation is not as sensitive to the heritage values of these items (a.i) as it could have been. However with the more important Group 1 buildings kept largely intact, the new buildings erected behind, hidden heritage fabric revealed, intrusive fabric removed and reconstruction of original features (fleche & chimneys), I consider the proposal as an overall whole is sufficiently sensitive modernisation.

The revealing of hidden heritage fabric, reconstruction of heritage features and removal of intrusive fabric, enhances the authenticity and integrity of the items (b.ii). The greatest degree of change is focussed on the Group 2 items (b.i). The base isolation works will minimise the future risk of earthquake damage to the heritage items considerably (b.iii). There will be photographic recording of the changes (b.iv) and whilst much of the work is unavoidably irreversible (v), new work will be distinguishable from existing heritage fabric (vi) either through its modern design (such as the reworked Roger Duff façade and glazed slice) or in other areas with more subtle differences in finishes/materials and with the use of date stamping.

For the reasons above, overall I consider the proposal is consistent with this policy.

92. *9.3.2.2.5 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 9.3.2.2.3), 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.*

I consider the proposal supports this policy as it will directly provide for the on-going use and re-use of the Museum and RMAG heritage items.

93. *9.3.2.2.8 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.*

Consideration of this policy is only in respect to the demolition of a substantial part of the Roger Duff Wing facades which are to essentially be brought down to first floor level and then replaced reusing some of the original fabric and architectural features but reformulated into a contemporary design and form.

In respect to the first three matters listed above:

- (i) The extent of demolition proposed is not due to a threat to life and/or property.
- (ii) The facades could be retained in their current form which would retain all of their value. No argument has been presented that the facades need repair/upgrade work to such an extent that would significantly compromise their value.
- (iii) Costs of retaining the facades in their current form has not been put forward as a rationale for the extent of the demolition proposed.

The proposed extent of demolition and redesign of these facades appears to be purely optional and not driven by the need to remediate earthquake damage to the facades.

The two remaining matters which are relevant to this application relate to consideration of alternatives and the level of significance of the item. These are covered as follows:

- (iv) The applicant has provided information on a range of alternative design options that were considered for the Roger Duff Wing facades. Ms Ohs considers that there are options which would involve a reduced degree of demolition / change that would retain heritage values and significance of the item to a greater extent.
- (v) The facades are a Group 2 listed heritage item in the Plan, which is the lower of the two levels of scheduling. The Roger Duff Wing façade is one of only two scheduled buildings designed by John Hendry, the other being the Lyttelton Clock Tower. However there are some non-scheduled John Hendry designed Gothic style churches from the 1960s in existence. There are also other gothic inspired buildings in the city designed by others from the 1920s through to the 2000s, but more commonly dating from the 1940s to 1960s and are more commonly ecclesiastical buildings. Ms Ohs has advised that Christchurch does have a particularly strong Gothic architectural tradition compared to other centres, however notes that there are few (if any) really comparative examples of the Roger Duff Wing approach in the way it mixes gothic and modernism, because it was very much a contextual design – responding to the other buildings and the site. Ms Ohs does note however that there are a few later contextual designs for additions such as at Christs College.

As none of the five points above are met, I consider the proposal is contrary to this policy as earthquake damage, risk to life and the extent and cost of repair are not driving the need for demolition and there is an ability to retain a greater amount of the item's heritage value and significance with a reduced extent of demolition and change to the façade. Also due to the fact that there are few comparative examples of this type of contextual design in existence in the city.

## Open Space

94. The relevant open space objectives and policies, which can be viewed in full in Appendix 2, are:

*18.2.1.1 Objective - Provision of open spaces and recreation facilities*

*18.2.1.3 Objective - Character, quality, heritage and amenity*

*18.2.2.1 Policy - The role of open space and recreation facilities*

*18.2.2.2 Policy - Multifunctional use, accessibility and recovery*

*18.2.2.3 Policy - Safety*

*18.2.2.5 Policy - Environmental effects*

I consider the application finds support in the Open Space objectives and policies listed above. The proposal does not represent a reduction in open space given it is contained within the existing museum and gallery site, it contributes to earthquake recovery through the remediation of the RMAG building, the pleasantness and safety of the surrounding public spaces will be enhanced and Ngai Tahu have been consulted by the applicant and had input into aspects of the design (18.2.1.1). As per the assessment of landscape/amenity effects the changes to the public facing exterior of the complex is of an appropriate scale, form and design for the context, adverse amenity effects are largely avoided and even improved with the redesign of the Roger Duff wing and the changes to the Rolleston Avenue façade better responding to and engaging with the important public spaces surrounding the museum (18.2.1.3 & 18.2.2.5). The proposal is in keeping with the unique purpose of the Museum and Gallery site (18.2.2.1) and enhances and expands its ability to fulfil its function. The complex will be revitalised (18.2.2.2) and safety/CPTED is improved with the increased surveillance over the Botanic Gardens from the new Roger Duff Wing café windows and there will be an appropriate level of safety at the new portico area in the Centennial Wing with doors closing off this area after hours (18.2.2.3).

## Transport

95. The relevant transport objectives and policies, which can be viewed in full in Appendix 2, are:

*7.2.1 Objective –Integrated transport system for Christchurch District*

*7.2.1.6 Policy – Promote public transport and active transport*

I consider the proposal is consistent with this transport objective and policy, given that the museum and gallery are existing activities and the transport related effects of the proposal will not be substantially worse than existing. Further, the activity will contribute to economic development (7.2.1.a.ii), is anticipated in this location, and it is not practicable to provide the required on-site visitor cycle parking given the constraints of the existing heritage building footprints and museum operations.

## Conclusion

96. The proposal is contrary to one policy (9.3.2.2.8 re demolition), is consistent with most of the other relevant objectives and policies including the heritage objective (9.3.2.1.1), finds support in the heritage policy around adaptive reuse of heritage items (9.3.2.2.5) and supports the Open Space objectives and policies. It is my conclusion that in an overall sense, the application is consistent with the general thrust of the District Plan - whilst there will be a reduction in heritage value of the Roger Duff and Centennial Wings, the Museum and RMAG complex as a whole will retain high significance heritage value and will continue to contribute to the Christchurch District's character, better responds to and engages with the important public open spaces around it and secures the retention and enhanced reuse of the facility for the future.

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

97. The District Plan has been recently reviewed and gives effect to the higher order planning documents. As such, there is no need to address the Regional Policy Statement (RPS) or Regional Plans specifically in this report.
98. Other statutory documents of relevance to this application include the: National Policy Statement on Urban Development (NPS-UD), National Environmental Standard for contaminated sites (NES-CS), the Christchurch City Council (Robert McDougall Gallery) Land Act 2003 (the Land Act) and the Reserves Act 1977.
- The NPS-Urban Development came into effect on 20 August 2020. The Council has not yet amended the District Plan to give effect to the NPS, however there are no provisions which are directly relevant to this application, noting that the District Plan already does not require any on-site car parking to be provided in the Central City.
  - NES-CS – as noted in the planning framework above, consent for disturbance of potentially contaminated ground will be sought separately where required. As such there will be adequate mechanism for ensuring that human health effects are avoided and the NES-CS objectives achieved.
  - The Land Act and the Reserves Act – these are not a relevant matter to consider when deciding whether to grant a resource consent under the RMA (as per the legal advice in Appendix 3).
  - Archaeological Authority – Under the Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites are defined as any place occupied prior to 1900 that may provide archaeological information on the history of New Zealand. When doing works on an archaeological site, an Archaeological Authority is required to be obtained from Heritage New Zealand. Given the buildings on this site pre-date 1900, an Archaeological Authority will be required. The applicant is aware of the need to obtain this prior to any works commencing. I recommend an advice note reiterating this.

## Relevant Other Matters (S.104 (1)(c))

### Recovery Plans and Regeneration Plans

99. Section 60(2) of the Greater Christchurch Regeneration Act 2016 requires that decisions and recommendation on resource consent applications are not inconsistent with Recovery Plans and Regeneration Plans.
100. There are no Regeneration Plans relevant to this application.
101. The Christchurch Central Recovery Plan is relevant to this proposal as it recognises that existing cultural and built heritage will continue to define the identity of central Christchurch and provide a point of difference for visitors and residents alike. It specifically notes that the Canterbury Museum (amongst others) will contribute to the recovery of the central city. Granting consent to this application directly supports the Recovery Plan as it will ensure that the Museum and RMAG will continue to contribute to the city's identity; it will result in recovery of the RMAG from earthquake effects; and increase the resilience of the entire complex against future events.

## Precedent effect/Plan integrity

102. A question of precedent was raised in one of the submissions in respect to the proposed exceedance of the 15m height limit with a request to specifically consider whether granting consent to this application would set a precedent for further height limit breaches elsewhere within the central city as well as breaches of other rules.
103. Regardless of this submission, given the discretionary status of this application it is appropriate to have regard to the issue of precedent generally, as well as the effect of granting consent upon the integrity of the District Plan and public confidence in its consistent administration. Case Law has established however, through the High Court in *Rodney District Council v Gould*, that concerns relating to plan integrity and precedent effect are not mandatory considerations. The Court held that they are matters that decision makers *may have regard to*, depending on the facts of a particular case including:
1. Whether a proposal is contrary to the objectives and policies of the plan; and if so
  2. Whether in the circumstances of a particular case a proposal can be seen as having some unusual quality.

In this case I consider the proposal is overall not contrary to the objectives and policies, therefore I am satisfied that issues of precedent or plan integrity do not arise.

104. Additionally, in my opinion there are a number of sufficiently unusual characteristics of this site and proposal which set this proposal aside from the generality of cases. These include:
- The museum complex and Robert McDougall Gallery is made up of a group of four heritage buildings of regional and national importance.
  - The museum and gallery activities are unique – this is a rare application type.
  - The specific needs of the existing facility to upgrade and modernise to enable display of nationally important museum collection items.

I consider that this set of circumstances/characteristics would not be easily replicated. In respect to the concern raised in the submission, granting consent to this application does not mean that any future applications for height breaches (or any other rule breaches) elsewhere within the central city must also be granted.

105. Given these factors, I consider that granting consent to this application is unlikely to give rise to any significant precedent effect which would challenge the integrity of the District Plan.

## Other Relevant Non-statutory Documents

106. Note that limited weight is able to be given to non-statutory documents.
107. ICOMOS and the Conservation Plans for both the Museum and RMAG have already been discussed within the expert heritage advice so I will not repeat that here.
108. The applicant's Heritage Landscape Assessment prepared by Ms McMullin discusses how the proposal aligns with the:
- Conservation Plan for Hagley Park and Christchurch Botanic Gardens
  - Hagley Park Botanic Gardens Master Plan 2007
  - Christchurch Botanic Gardens Te Mara Huaota o Waipapa Spatial Plan 2017
109. I accept and adopt Ms McMullin's assessment and conclusion that the redevelopment proposal aligns with these documents.

## Part 2 of the Act

110. The matters outlined previously are subject to Part 2 of the Act which outlines its purpose and principles.
111. 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.
112. 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.
113. Taking guidance from recent case law<sup>4</sup>, 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

114. After considering the actual and potential effects on the environment of allowing the application, it is my conclusion that overall any adverse effects are acceptable when considered in the context of the whole Museum and RMAG complex and taking into account the significant positive effects of the proposal including the seismic and building upgrades; revealing of heritage fabric; reconstruction of missing heritage features; the intactness of the highly significant Group 1 items; and the future-proofed and enhanced reuse that the proposal will enable.
115. In my opinion this proposal is consistent with the objectives and policies of the District Plan as the Museum and RMAG complex as a whole will retain high significance heritage value and continue to contribute to the Christchurch District's character.
116. I consider that the proposal supports Part 2 of the Resource Management Act 1991, and that it supports the Central City Recovery Plan.
117. Having considered all of the relevant matters under Sections 104 and 104B it is my opinion that consent should be granted subject to conditions.

## Recommendation

118. I have assessed this application for a comprehensive redevelopment of the Canterbury Museum and Robert McDougall Gallery at 9 & 11 Rolleston Avenue. Having considered all the matters relevant to this application, I recommend that this application be **granted** pursuant to Sections 104, 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, including the further information and plans submitted on 15<sup>th</sup> February 2021. The approved plans include the

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<sup>4</sup> *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316

following plan pages in the Concept Design Report prepared by Athfield Architects Ltd dated 25th November 2020:

83-109  
138-148  
163-166  
171-180

And the following plan pages in the RFI response dated 15 February 2021:

4-10  
12-13  
15-21

### **General**

2. The consent holder, and all persons exercising this resource consent, shall ensure that all personnel undertaking works in connection with this consent are made aware of the consent conditions, Heritage Temporary Protection Plan (TPP), Construction Management Plan (CMP) and the approved consent plans during the induction process and for the duration of the works. A copy of these documents shall remain on site at all times.
3. At least 10 working days prior to the commencement of works associated with this resource consent, the consent holder shall notify by email the Heritage Team Leader, Christchurch City Council (or nominee) of the commencement of works, to ensure that those conditions of consent that require prior agreement are certified in writing.

### **Temporary Protection Plan (TPP)**

4. At least 10 working days prior to the commencement of works associated with this resource consent, the consent holders Conservation Architect or Heritage Professional (as defined in the Christchurch District Plan) shall prepare and submit by email for certification to the Heritage Team Leader, Christchurch City Council (or nominee), a Temporary Protection Plan (TPP). See advice note below.
5. Prior to commencement of works associated with this resource consent, the consent holder's Conservation Architect or Heritage Professional (as defined in the Christchurch District Plan) shall hold a site briefing of all lead contractors and supervising staff to communicate the significance of the building, the consent conditions and the Temporary Protection Plan (TPP). The consent holder shall notify by email the Heritage Team Leader, Christchurch City Council (or nominee) of the date and time of the meeting at least three working days before the meeting.
6. The consent holder's Conservation Architect or Heritage Professional (as defined in the Christchurch District Plan) will notify by email the Heritage Team Leader, Christchurch City Council (or nominee) that the initial setup of the Temporary Protection Plan (TPP) has been implemented and inspected on site including photos showing the protection in place before any other works commence. The consent holder's Conservation Architect or Heritage Professional shall then regularly monitor the TPP to ensure that appropriate measures are being taken by the contractors at each stage of construction and advise contractors if any additional protection is required.

### **Scaffolding**

7. Any scaffolding shall not be physically attached to heritage elements of the building and all scaffolding is to have protective caps in areas where it comes into contact with the fabric of the building. Scaffolding should be installed in accordance with the Temporary Protection Plan (TPP) which forms part of this consent.

## **Monitoring**

8. During the construction process the works are to be monitored by the Consent Holder in conjunction with the Council's Heritage Team. At least 10 working days prior to the commencement of works associated with this resource consent, a construction programme identifying key milestones for monitoring site visits is to be submitted by email to the Heritage Team Leader, Christchurch City Council (or nominee). The construction programme will need to be updated to reflect any changes as the work proceeds. The consent holder shall liaise with the Council Heritage Team leader (or nominee) to arrange site visits at key points in the process.

## **Vibration Monitoring**

9. The consent holder's suitably qualified and experienced Engineer, Geotechnical Engineer and Heritage Professional must monitor all heritage buildings on the site and those on adjoining sites (Christ's College and Rolleston Statue) for any effects or damage to heritage fabric caused by either settlement that may be associated with dewatering or any construction vibration generated by on-site construction or earthworks activities. If damage to the building's heritage fabric is resulting from settlement or vibration the consent holder's Engineer and Heritage Professional must prepare a methodology for mitigating any further effects from occurring as far as is reasonably practicable. The methodology must be provided to Council for certification via email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz) prior to works continuing.
10. The maximum permitted vibrations outlined in the German Standard DIN 4150-3:1999 "Structural Vibration – Part 3: Effects of Vibrations on Structures" shall be adhered to. This would include activities such as the installation of piles or excavation works. In particular, piles shall be drilled and not driven.

## **Photographic Record**

11. That a photographic record of the affected areas of the heritage item or setting is to be undertaken prior to commencement of any work, during agreed key phases of the schedule and following the completion of the works and that this is lodged with the Council's Heritage Team for their records within three months of the completion of the work. [The consent holder's conservation architect or Heritage Professional (as defined in the Christchurch District Plan) will be responsible for undertaking, collating and producing this photographic record.] Images must be at least 1440 pixels by 960 pixels for a 4"x 6" print at a minimum resolution of 240 PPI. See advice note below.

## **Date stamping**

12. New fabric including reconstructed elements, or introduced old fabric, shall be recorded in the project documentation and date stamped to indicate the time of its installation. See advice note below.

## **Professionals**

13. All stone and brick deconstruction, reconstruction and making good shall be undertaken under the supervision of a suitably experienced stonemason.
14. All works on site shall for the duration of the proposed works be overseen and monitored by a suitably qualified CPEng structural engineer and Conservation Architect or Heritage Professional (as defined in the Christchurch District Plan) appointed by the consent holder. They will also be responsible for ensuring the conditions of consent are complied with at all times. At least 10 working days prior to the commencement of works associated with this resource consent, the consent holder shall provide the name and contact details for these people to the Heritage Team Leader, Christchurch City Council (or nominee) by email at least 10 working days prior to the commencement of works.

## Methodologies, scope of works, specifications and plans

15. The consent holder shall provide detailed documentation from the appropriate specialists (and with a statement in support from the consent holder's Heritage Professional), which shall include methodologies, scope of works, specifications and plans where relevant, to be submitted by email to [RCmon@ccc.govt.nz](mailto:RCmon@ccc.govt.nz) for certification by the Head of Resource Consents (or their nominee) at least 10 working days prior to works commencing on the following areas:

### a. All scheduled buildings

- i. Removal of fabric adjacent/fixed to scheduled heritage items/heritage fabric – this documentation shall demonstrate that damage to heritage fabric that is to remain is avoided as far as practicable.
- ii. Analysis of the existing mortar mix and proposed mortar mix specifications (location, composition and colour) – this documentation shall demonstrate that the new mortar will match the surrounding in terms of its colour and composition and that efflorescence will be avoided.
- iii. Creation of new openings and links – this documentation shall demonstrate that heritage fabric removal is minimised and that the finishing details are the least intrusive practicable.
- iv. Temporary propping – shall demonstrate that where propping connects to heritage fabric, that damage to that heritage fabric will be avoided.
- v. Base isolation works - shall demonstrate that damage to heritage fabric that is to remain will be avoided.
- vi. Removal of heritage fabric including details of storage, identification, retention, disposal, reinstatement and recording. This documentation shall demonstrate that heritage fabric is retained and reused as much as practicable; and where not being reused is retained and appropriately stored as much as practicable.
- vii. Additional buildings – this documentation shall demonstrate that where new buildings connect to heritage fabric there will be the minimum adverse impact upon heritage fabric practicable.

### b. Mountfort Buildings

- i. For uncovered fabric, and filling of later openings – methodology for repairs and making good, including: identification of damaged stones, identification of stones requiring replacement, details of the replacement pattern of the stones, details of the final dressing and cleaning of the stone. This documentation shall also demonstrate that the stone type, size, finish and way it is laid will be consistent with the original.
- ii. Design, location of fixings, details of connections and specifications for the canopy structure. This documentation shall demonstrate that connections will be in the most sympathetic locations practicable and that the canopy design will not lead to maintenance issues that could result in future deterioration or damage to heritage fabric.
- iii. Fleche and chimney reconstruction – this documentation shall demonstrate that the design is in accordance with the documented original form and materials.
- iv. Repairs, including roof – this documentation shall demonstrate that this work falls within the scope of 'repairs'<sup>5</sup> as defined in the District Plan and permitted under rule 9.3.4.1.1 P2 and is supported by the consent holder's Heritage Professional.

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<sup>5</sup> Repairs - in relation to a heritage item or heritage setting, means to replace or mend in situ decayed or damaged heritage fabric, using materials (including identical, closely similar or otherwise appropriate material) which resemble the form, appearance and profile of the heritage fabric as closely as possible. It includes:

1. temporary securing of heritage fabric for purposes such as making a structure safe or weathertight; and
2. Building Code upgrades which may be needed to meet relevant standards, as part of the repairs.



- v. Seismic joints – this documentation shall demonstrate that where these connect to heritage fabric, that there is the least intrusion and impact upon heritage fabric practicable.

c. *Robert McDougall Gallery*

- i. Demolition of basement – this documentation shall demonstrate that heritage fabric will be retained as far as practicable and protected from damage.
- ii. Reuse/reconstruction of stair fabric in new basement – this documentation shall demonstrate that the stairs will match the original in terms of their materials and design.
- vi. Repair and restoration of the roof - this documentation shall demonstrate that this work falls within the scope of ‘repairs’<sup>6</sup> as defined in the District Plan and permitted under rule 9.3.4.1.1 P2 and is supported by the consent holder’s Heritage Professional.
- iii. Lighting, HVAC, fire upgrade – this documentation shall demonstrate that there is the least physical and visual intrusion of heritage fabric practicable.
- iv. Former engraving gallery – this documentation shall demonstrate that the configuration of the space will provide for the display of art as far as practicable.

d. *Centennial Wing façade*

- i. Finishing of the new opening – this documentation shall demonstrate that the new opening will be distinguished from the existing openings through the use of metal trim, date stamping and a subtly different finish to the stone.
- ii. Water feature – this documentation shall demonstrate that surrounding heritage fabric will not incur damage from exposure to moisture.

e. *Roger Duff Facades*

- i. Removal and reinstatement of panels – this documentation shall demonstrate that the panels will be removed without causing damage so as to maximise their re-use; and that they will be reattached without visible fixings on their exterior.

16. The heritage stonework adjacent to the water feature within the Centennial Wing shall be regularly monitored for any signs of deterioration or damage from exposure to moisture. Should any issues be detected, then steps shall be taken to prevent the risk of further of deterioration.

### **Construction Management Plan**

17. All proposed works shall be carried out in accordance with an accepted Construction Management Plan (CMP). The purpose of the CMP is to ensure that any potential effects arising from construction activities on the site are effectively managed. The CMP shall be prepared by a suitably qualified and experienced practitioner.

The CMP shall include, but not be limited to the following:

- a) Site description, topography, vegetation, soils and other reference information;

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<sup>6</sup> Repairs - in relation to a heritage item or heritage setting, means to replace or mend in situ decayed or damaged heritage fabric, using materials (including identical, closely similar or otherwise appropriate material) which resemble the form, appearance and profile of the heritage fabric as closely as possible. It includes:

- 3. temporary securing of heritage fabric for purposes such as making a structure safe or weathertight; and
- 4. Building Code upgrades which may be needed to meet relevant standards, as part of the repairs.

- b) Details of proposed works;
  - c) Roles and responsibilities, including contact details for the site manager appointed by the Consent Holder;
  - d) Site establishment;
  - e) Timing of works (including any staging required);
  - f) An Erosion and Soil Control Plan (ESCP), including drawings, specifications and locations of mitigation measures as necessary;
  - g) Construction noise management measures;
  - h) Site access and Traffic Management measures;
  - i) Storage of fuel and/or lubricants and any handling procedures;
  - j) Contingency plans (including use of spill kits);
  - k) Protocols for the discovery of archaeological material;
  - l) Construction traffic management measures, including measures to be adopted in accordance with the NZTA Code of Practice for Temporary Traffic Management;
  - m) Parking areas for construction staff;
  - n) Measures for identification and remediation of contaminated soil; and
  - o) Environmental compliance monitoring and reporting.
  - p) Demonstrating how adequate and safe public access to the Botanic Gardens from Rolleston Avenue will be provided for during the construction period.
  - q) Temporary protection for landscaping and trees within the adjoining Botanic Gardens adjacent to the site.
- The consent holder shall submit this CMP to the Council, Attention: Team Leader Compliance and Investigations for certification via email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz) at least 20 working days prior to the commencement of construction work associated with this consent. This CMP is to be certified by the Team Leader or their nominee as meeting the requirements of Condition 16 prior to the commencement of any construction work and, once certified, the CMP will thereafter form part of the Approved Consent Document.

*NOTE: The Team Leader (or their nominee) will either certify, or refuse to certify, the CMP within 10 working days of receipt. Should the Team Leader (or their nominee) refuse to certify the CMP, then they will provide a letter outlining why certification is refused based on the parameters contained in this condition.*

- Should the Team Leader (or their nominee) refuse to certify the CMP, the consent holder shall submit a revised CMP to the Resource Consents Manager for certification. The certification process shall follow the same procedure and requirements as outlined in condition 16.
- The CMP may be amended at any time by the Consent Holder. Any amendments to the CMP shall be submitted by the Consent Holder to the Council for certification. Any amendments to the CMP shall be:
  - a) for the purposes of improving the measures outlined in the CMP for achieving the CMP purpose (see condition 16), and;
  - b) consistent with the conditions of this resource consent.
 If the amended CMP is certified, then it becomes the certified CMP for the purposes of condition 16 and will thereafter form part of the Approved Consent Document.

**Advice notes:**

- i) The consent holder needs to ensure activities undertaken on land that is subject to the Robert McDougall Gallery Land Act 2003 occurs in a manner consistent with that Act. This resource consent does not authorise undertaking activities in breach of the Land Act (including the purpose stated in section 6(1) of the Land Act).

- ii) A separate landuse consent under the NES for disturbing potentially contaminated ground must be obtained where necessary prior to any earthworks occurring on site.
- iii) Any new signage on the buildings or site shall either comply with the District Plan or a further resource consent obtained.
- iv) If any dewatering is to occur separate consents may need to be obtained from Environment Canterbury.
- v) Any tree removal must comply with the conditions of global consent RMA/2018/2857 or a further consent or s127 amendment obtained.

### **Scope of work**

- vi) The applicant should not commence or should cease work on a given area if the works proposed in that area change from those in the approved consent document. Any variation should be discussed with the Christchurch City Council's Heritage Team Leader or nominee, who in consultation with Council's Resource Consents Unit will determine an appropriate consenting response. Five working days should be allowed for this process. Failure to discuss changes with the Council's Heritage Team or a Resource Consents Planner may constitute a breach of the conditions of this consent. Amended plans and information showing these changes, including any associated changes to the Temporary Protection Plan, may be required to be submitted to the Heritage Team Leader, Christchurch City Council (or nominee) for certification prior to work on that area commencing or resuming.

### **Submission of information**

- vii) Information being submitted in relation to conditions of this consent is to be sent by email to: [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz). The current nominated Heritage team contact for this consent is Amanda Ohs, ph. 9418292 or email: [amanda.ohs@ccc.govt.nz](mailto:amanda.ohs@ccc.govt.nz), or [heritage@ccc.govt.nz](mailto:heritage@ccc.govt.nz). Alternatively please contact Gareth Wright ph. 941 8026 or email: [Gareth.wright@ccc.govt.nz](mailto:Gareth.wright@ccc.govt.nz), or Brendan Smyth, Heritage Team Leader, ph. 941 8934 or email: [brendan.smyth@ccc.govt.nz](mailto:brendan.smyth@ccc.govt.nz).

### **TPP**

- viii) A TPP sets out the risks to heritage fabric of the proposed works and how these risks will be managed to ensure no unwarranted damage occurs to heritage fabric proposed for retention. Detail should be included of how elements will be protected in situ and how elements proposed for removal are to be removed and stored for reinstatement. An example of a TPP is available from the Heritage team on request. Each plan needs to be customized to suit the heritage item, construction materials and scope of works.

### **Photographic Record**

- ix) The intention of the photographic record condition is to maintain a record of the works with a focus on the areas undergoing change rather than individual elements. The same camera positions should be used for all photo sets before, during and after the works to enable comparison. Photographs should be of printable quality, at least 1440 pixels by 960 pixels for a 4"x 6" print at a minimum resolution of 240 PPI. They should be labelled with the position on site or in relation to the site, date and photographer's name, and submitted as individual image files, with a plan showing photograph locations. Photos should be submitted to the Council's nominated Heritage team contact electronically, either by email (noting that Council's email data transfer limit is 20MB per email), or via a file transfer website such as [wetransfer.com](http://wetransfer.com) or [dropbox.com](http://dropbox.com) to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz).

## **Date Stamping**

- x) Date stamping is a term used in heritage conservation to mean marking with a date, not necessarily a stamp, and is important to clearly distinguish replicated or introduced old features from heritage fabric so changes to the heritage item can be readily understood in the future. The dating of new or introduced fabric may be undertaken by a number of permanent means. It is recommended that the date is written with a builder's pencil on masonry or timber. A small steel plate can be used on timber. A permanent marker pen may be used on steel elements, but not masonry or timber as the marking may deteriorate. Not all new fabric requires dating – where there are areas of new or introduced material, the date can be marked on examples, rather than on every piece. It should be noted that some treated timber and plasterboard is already dated. Marking should usually be in unobtrusive locations where elements are proposed for reinstatement. Dates may be prominent in some cases when used for commemorative purposes such as over the entrance to acknowledge major works to a building or a new wing.

## **Conservation Principles**

- xi) All work should be undertaken with consideration of the conservation principles contained within the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS New Zealand Charter 2010).
- xii) All work to be undertaken on the replacement and repair of original fabric should be undertaken by tradespeople experienced in working with these materials and heritage fabric.
- xiii) Any reconstruction of original elements is to be undertaken in a manner that replicates the original form, size, design elements, structure and profiles and using materials sympathetic to the original to the greatest extent practicable.

## **Archaeology**

- xiv) Under the Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites are defined as any place occupied prior to 1900 that may provide archaeological information on the history of New Zealand. An Archaeological Authority is required for any works that may modify or destroy an archaeological site. Heritage New Zealand therefore recommends that any proposed earthworks on this site are assessed by a consultant archaeologist. They will look at the extent of the occupation of the section in the past and the scope of the proposed works. Their assessment will determine whether an authority will be required for the project and if so, will form the basis for an authority application.

A local consultant can be found in the New Zealand Archaeological Association directory: <https://nzarchaeology.org/membership/consultant-directory>. There are no costs for making an application or obtaining an archaeological authority. Any archaeological work required, including initial site assessment and as a result of any authority conditions, will incur costs and should be planned for within the project.

Please contact the HNZPT regional archaeologist: [archaeologistcw@heritage.org.nz](mailto:archaeologistcw@heritage.org.nz) or 03 363 1880 before commencing any work on the land. For more information visit <http://archaeology.nz>

Except where an archaeological authority has been obtained from Heritage New Zealand Pouhere Taonga, should any archaeological material or sites be discovered during the course of work on the site, work in that area of the site shall stop immediately and the appropriate agencies, including Heritage New Zealand Pouhere Taonga and the Mana Whenua, shall be contacted immediately. This is in accordance with the Accidental Discovery Protocol set out in Appendix 3 of the Mahaanui Iwi Management Plan: <http://mkt.co.nz/mahaanui-iwi-management-plan/>

## Monitoring

- xv) 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) A monitoring programme administration fee of \$102.00 to cover the cost of setting up the monitoring programme; and
  - (b) A monitoring fee of \$175.50 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, certification of conditions, 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.

- xvi) 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.
- xvii) This resource consent has been processed under the Resource Management Act 1991 and relates to planning matters only. You will need to obtain separate permission from the Council as owner of the land before you may carry out the proposed activity on this site. Please contact Joanne Walton, Policy Advisor Greenspace, Network Planning Team, on 941 8999.
- iv) *Development Contributions*  
Please note that a development contribution may be required under the Development Contributions Policy. The Council requires Development Contributions to be paid prior to the issue of a Code Compliance Certificate for a building consent, the commencement of the resource consent activity, the issue of a section 224 certificate for a subdivision consent, or authorisation of a service connection.

The contributions are defined in the Council's ***Development Contributions Policy***, which has been established under the Local Government Act 2002 and is included in the Council's Long Term Plan. Full details of the Policy are available at [www.ccc.govt.nz/dc](http://www.ccc.govt.nz/dc). If you have any queries in relation to this matter, please contact our Development Contributions Assessors on phone (03) 941 8999.

Odette White  
**SENIOR PLANNER**

### Reviewed by:

Clare Dale  
**SENIOR PLANNER**

17 May 2021