

PLAN CHANGE 1 – MINOR IMPROVEMENTS

SUBMISSION FORM 5

CLAUSE 6 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991



This is a submission on Plan Change 1 to the Partially Operative Dunedin City Second Generation District Plan (2GP). Your submission must be lodged with the Dunedin City Council by midnight on 18 December 2024. All parts of the form must be completed.

Privacy

Please note that submissions are public. Your name, organisation, contact details and submission will be included in papers that are available to the media and the public, including publication on the DCC website, and will be used for processes associated with Plan Change 1. This information may also be used for statistical and reporting purposes. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at dcc@dcc.govt.nz or 03 477 4000.

Make your submission

Online: dunedin.govt.nz/2gp-plan-change-1 **Email:** districtplansubmissions@dcc.govt.nz

Post to: Submission on Plan Change 1, Attn: City Development, Dunedin City Council, PO Box 5045, Dunedin 9054

Deliver to: Customer Services Agency, Attn: City Development, Dunedin City Council, Ground Floor, 50 The Octagon, Dunedin

Submitter details (You must supply a postal and/or electronic address for service)

First name: Campbell

Last name: Paton

Organisation (if applicable):

Contact person/agent (if different to submitter): Emma Peters, Consultant, Sweep Consultancy Ltd

Postal address for service: P.O. Box 5724

Suburb:

City/town: Dunedin

Postcode: 9054

Email address: emma@sweepconsultancy.co.nz

Trade competition

Please note: If you are a person who could gain an advantage in trade competition through your submission, your right to make a submission may be limited by clause 6(4), Schedule 1 of the Resource Management Act.

I could gain an advantage in trade competition through this submission: Yes No

If you answered yes, you could gain an advantage in trade competition through this submission, please select an answer:

- Yes No My submission relates to an effect that I am directly affected by and that:
- adversely affects the environment; and
 - does not relate to trade competition or the effects of trade competition.

Submission

Submissions on Plan Change 1 can only be made on the provisions or mapping which are proposed to change, or alternatives that are clearly within the 'purpose of proposal and scope of change' statements for the related Change ID given in the Section 32 report and in the summary of changes document. Submissions on other aspects of the 2GP may not be considered by the hearing panel.

You must indicate which parts of the plan change your submission relates to. You can do this by identifying the relevant Change ID and either making a submission on:

- all changes related to that Change ID or alternatives within the associated 'purpose of proposal and scope of change'; or
- specific provisions that are being amended as part of that Change ID.

The specific aspects of Plan Change 1 that my submission relates to are:

Change ID (please see accompanying Plan Change 1 – Summary of Changes document, Section 32 Report, or find the list on www.dunedin.govt.nz/2gp-plan-change-1)

SHB3

For example: Res 13

Provision name and number, or address and map layer name (where submitting on a specific proposed amendment):

76 Silverton Street - scheduling of building as scheduled heritage building

For example: Rule 9.5.4.4, or the stormwater open watercourse mapped area at 123 Street

My submission seeks the following decision from the Council: (Please give precise details, such as what you would like us to retain or remove, or suggest amended wording)

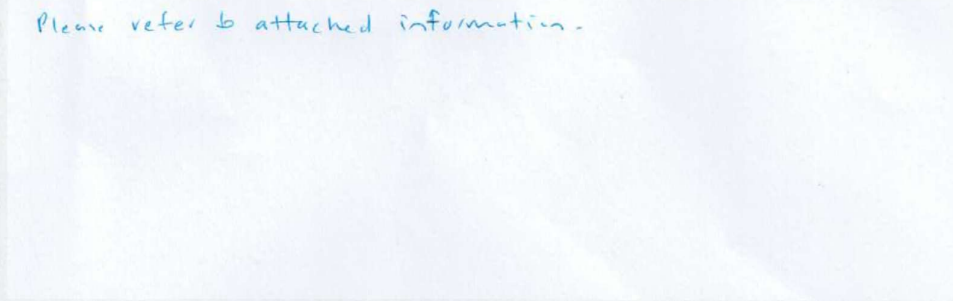
- Accept the change
- Accept the change with amendments outlined below
- Reject the change
- If the change is not rejected, amend as outlined below



Reasons for my views (you may attach supporting documents):

If you wish to make multiple submissions, you can use the submission table on page 3 or attach additional pages.

Please refer to attached information.



Hearings

Do you wish to speak in support of your submission at a hearing: Yes No

If others make a similar submission, would you consider presenting a joint case at a hearing: Yes No

Signature:

Emma Peters, Consultant, Sweep Consultancy Limited

Date:

17/12/24

Supporting Information for Submission on Plan Change 1 by Campbell Paton

Mr Paton **rejects** the inclusion of his property located at 76 Silverton Street, Andersons Bay in Change SHB3 of Plan Change 1 2024 (**PC1**) which seeks to schedule the existing building as a scheduled heritage building in the Partially Operative 2024 Dunedin City Second Generation District Plan (**2GP**).

At paragraph 4 of a memorandum to the Plan Change 1 Team City Development, Mr Mawdsley, Team Leader Advisory Services City Development, states:

“The places that are proposed for scheduling demonstrate heritage significance in accordance with one or more of the significance criteria outlined in Policy 2.4.2.1.b.”

Policy 2.4.2.1.b states:

“b. Identify heritage buildings and structures based on the following criteria:

- i. historic and social significance;*
- ii. spiritual/cultural significance, including significance to Māori;*
- iii. design significance; and*
- iv. technological/scientific significance.”*

In relation to 76 Silverton Street, Andersons Bay, the heritage assessment included in the s32 report, states that the building meets all except the last of the criteria in Policy 2.4.2.1.b. The heritage assessment for 76 Silverton Street is dated 9th August 2024.

Application of Policy 2.4.2.1.b also requires consideration of Policy 2.4.2.1.a.iii which states:

“Identify in a schedule (Appendix A1.1) buildings and structures that have significant heritage values and use rules to...iii. support adaptive re-use, heritage conservation and restoration;...”

In the present case, the following facts mean that the building is unsuitable for scheduling as a heritage building due to the unviability of the adaptive re-use, heritage conservation and restoration of the building:

1. Consent to demolish:

On 19th November 2024 SLR Consulting lodged an application for a certificate of compliance to demolish 76 Silverton Street. The application has been accepted for processing by Dunedin City Council (**Council**). A request for further information has been issued by Council which is currently being dealt with by Mr Paton and SLR Consulting. Mr Pearse-Smith of SLR Consulting informs that, subject to Council being satisfied with the response to its request for further information, he expects Council will issue the certificate of compliance to demolish the building at 76 Silverton Street early in 2025.

2. Consent for multi-unit development:

There is an existing resource consent for a multi-unit development of 76 Silverton Street – see SUB-2022-14 and LUC-2022-54.

3. Earthquake strengthening and a deteriorating building:

A report was produced in 2015 setting out the earthquake strengthening required for the main church building and tower. A quantity survey estimate was also obtained in relation to the required work. That estimate in 2015 for the earthquake strengthening work alone was northwards of \$700,000 plus exclusions plus GST. Mr Paton estimates that the earthquake strengthening work alone will cost at least twice that amount today.

Since 2015 the building has deteriorated significantly with a CBRE Limited report dated 19 March 2024 stating that: *"...that there is a noted major toxic mould problem in the Church..."*¹ and a recent engineering letter from Hanlon & Partners² stating: *"These [2015] reports presented fair assessment but we note the fabric of the building's exterior has deteriorated markedly since 2015. There are leaks through the roof and walls and many of the steel window frames have failed leading to partial collapses of the glazing."*

¹ See Appendix 1 for copy.

² See Appendix 2 for copy.

Appendix 1: Excerpt from CBRE Limited Report³.

8.0 IMPROVEMENTS

8.1 OVERVIEW

The property comprises the former Andersons Bay Presbyterian Church, with basement areas and the old adjoining building, which was used as a Sunday School which offers several meeting rooms, toilets, and kitchen, as well as kitchenette. The property is situated over two Titles, with attached land area of 2362m², and offers some carparking [REDACTED]

We note that there is a noted major toxic mould problem in the Church. The church has also been registered as a Category 2 Historic building at the end of 2017. The seismic assessment of both the church and old Sunday School buildings have been deemed as an earthquake prone building. We consider that all of these issues have a major impact on the Market Value of the property.

Our valuation has been prepared on the basis of the improvements being located within the site boundaries and constructed strictly in accordance with the recommended practices, and free from any defect, unless otherwise stated within this report.

8.2 FORMER ANDERSONS BAY PRESBYTERIAN CHURCH

The property comprises the former Andersons Bay Presbyterian Church, with basement areas and an adjoining building which offers several meeting rooms, toilets, and kitchen, as well as kitchenette. The property is situated over two Titles and offers some carparking.



Side of Church



Side of Church



Bottom Side of Church

See **Appendix B** for additional photographs.

³ Excerpt including redaction supplied by Mr Paton.

Appendix 2: Letter from Hanlon & Partners.

HANLON & PARTNERS Ltd.

CONSULTING STRUCTURAL ENGINEERS

BI Chisholm BE CMEngNZ IntPE CPEng (Civil & Structural)

219 HIGH STREET, DUNEDIN

Ph: 03 477 7475

E-mail: office@hanlons.co.nz

DI Hand BE (Civil) CMEngNZ CPEng (Structural)

13 December 2024

Campbell Paton
ca.paton@hotmail.com

Dear Campbell

RE: THE FUTURE OF THE ANDERSONS BAY PRESBYTERIAN CHURCH

You have asked us for our thoughts on the future of this building.

Background

You have supplied documents from the following:

- DCC Planning
- SLR Consulting
- Batchelar McDougall – Detailed Seismic Assessment dated 17.7.15
- Heritage NZ – Heritage Assessment
- Flanders Marlow, Quantity Surveyors – Estimate of 21.7.15

These reports presented fair assessments but we note the fabric of the building's exterior has deteriorated markedly since 2015.

There are leaks through the roof and walls and many of the steel window frames have failed leading to partial collapses of the glazing

Options for the Building

Heritage New Zealand have recommended the entire external building envelope be protected by the Dunedin City Council Town Plan.

Discussion

The existing building is not only under threat of demolition or from redevelopment of the site. It is also under constant attack from age and the elements.

It will not be protected by simply making its demolition illegal.

It can only be protected by a full refurbishment.

The high costs involved demand that for the building to be protected, it must have a commercially viable use.

What could that use be?

- (a) Retained in its existing form for worship, as a theatre or as a restaurant.

There are many buildings such as this in Dunedin which remain disused and in a poor state.

Even the DCC itself has been unable to "protect" Sammys (former His Majesties Theatre), the Atheneum, Mayfair Theatre and the Fortune Theatre.

I suggest there is no chance the Andersons Bay Presbyterian Church can be used in this way.

- (b) As Apartments.

You have had preliminary sketch plans prepared for converting the building into apartments.

Such a conversion in the centre of a large expanding city may attract wealthy tenants to purchase top end luxury apartments, that could carry the extra, huge costs of restoring the building exterior, on top of the costs of constructing the apartments.

There are no such tenants wanting such apartments in Andersons Bay.

The only market for apartments in this area is for low cost affordable units.

Such apartments can only be built on unhindered, open, cleared sites.

Summary

We cannot see any way this building can be protected.

It will not be protected by listing it as "protected" by the DCC Planning Rules.

If not refurbished at great cost, it will soon become unusable and an unsightly costly ruin.

We recommend the building be demolished to clear the site for a productive use.

Yours faithfully
Hanlon and Partners Ltd



Bruce Chisholm