

26. **REPORT BY THE CHAIRPERSON OF THE HERITAGE AND ARTS COMMITTEE:
MEETING OF 4 FEBRUARY 2011**



PART A - MATTERS REQUIRING A COUNCIL DECISION

1. CONSERVATION COVENANT CONSENT – 68 MANCHESTER STREET, CHRISTCHURCH

General Manager responsible:	General Manager, Strategy and Planning Group, DDI 941-8281
Officer responsible:	Programme Manager, Liveable City
Author:	Brendan Smyth, Heritage, Architecture and Urban Design

PURPOSE OF REPORT

1. The purpose of this report is to obtain a Conservation Covenant Consent for the proposed demolition of the building at 68 Manchester Street, Christchurch. The Heritage Grants and Covenants Committee approved a Heritage Incentive Grant for renovation work in June 2009. As part of this funding approval the applicant signed a 15 year Limited Conservation Covenant.

EXECUTIVE SUMMARY

2. 68 Manchester Street is a part of a Group 3 listed commercial building designed by architect Samuel Farr in 1877, the other part being 72-76 Manchester Street. The whole building wraps around the south-east corner of Manchester and St Asaph Streets. The two storey building was one of a number of listed items on Manchester Street which contributed to the low rise classical street scene of the area, and its corner site on a major inner city thoroughfare gave the building landmark significance. 72-76 was occupied by the 'Country Themes' store while both shop units of number 68 were vacant with an apartment on the first floor. The ornate detailing of the building, including the round headed sash windows, key stones, pilasters and cornice frieze, and its attribution to Samuel Farr, gave the building architectural significance. **Attachment 1** provides a Statement of Heritage Significance.
3. The building is not registered by the New Zealand Historic Places Trust Pouhere Taonga (NZHPT).
4. The works for which grant funding was given in 2009 included the repair and repainting of the façade of the portion of 68 fronting Manchester Street. A redundant fire escape was removed, and the original shop front was repaired and restored. The second shop front, which had been modified in the past, was replaced with an historically accurate reconstruction to reinstate the appearance of the original façade of the heritage building. The grant given by the Council for the work was \$8,358, this being approximately a third of the total cost of the works undertaken.
5. The 4 September 2010 earthquake and aftershocks resulted in substantial damage to the building, particularly to the façade to Manchester Street but also to the foundations of this part of the building. The adjacent building, 72-76 Manchester Street was also damaged. The damage to Number 68 includes the following: the complete loss of the ornate parapets and failure of brick and plasterwork on facades; collapse of the verandah causing additional damage to the façade at former support points; significant bowing to the west façade; shear plane failures and out of plane failures of critical structural elements; and brick chimney collapse to roof level with further damage to chimney brickwork below roof level.
6. A resource consent application has been lodged and approved by the Council for the demolition of 68 Manchester Street, RMA 92017415 (approved January 2011). As part of the application for this consent the building owner engaged two structural engineers to assess the damage and the Council commissioned a third structural engineer to provide a peer review. This application includes a proposal for a new end wall to be formed if the remaining parts of the building, Numbers 72-76, are retained.

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7. As part of the resource consent process, the Council's heritage consultant Jenny May completed an assessment of the application for the demolition for the building and concluded that:

"In my opinion the proposed alteration to the building will result in a degree of loss of the architectural and artistic, technology and craftsmanship, group, setting and landmark values. The City Plan states that protection is important where this can be reasonably achieved for Group 3 items. However, I conclude, based on the fact that the proposed alteration affects approximately 25% of the building and that the damage to that 25% is such that little of the original fabric would be retained externally in the proposals to repair, reinstate and structurally upgrade, that the level of compromise to the heritage values is such that it would have an effect on the reasons for the inclusion in the listing of that section of the building. This factor considered in tandem with the engineer's cost estimates, the applicant's insurance cover, and the lack of available funding, I have concluded that the proposed alteration to the building is the only practical option.

While retention and repair of this section of the building is physically possible it would, under the current options available and given the degree of loss of physical fabric, further compromise the heritage values and result in a large degree of replication undertaken in modern materials. Given the significant additional costs this would result in for the applicant over and above their insurance, it is evident that this option is not economically viable for the applicant".

8. The Council Environmental and Policy Approvals Planner concludes in her Section 104 Report that:

Although there will be loss of heritage values due to the alteration (partial demolition) of the building, the event of the earthquake means that the architectural values (the most significant values at the time the building was listed in the Plan) of the building have already been irreversibly altered, even without the proposed alteration, to a point where they have little heritage value.

SCOPE OF WORK

9. Full demolition of the building at 68 Manchester Street with the construction of a new south facing external gable wall to 72 Manchester Street if this is retained.

FINANCIAL CONSIDERATIONS

10. There are no financial implications arising from a covenant consent.

LEGAL CONSIDERATIONS

13. The Limited Conservation Covenant was registered against the property title in 2009. The demolition proposed requires consent under the conditions of the covenant. Enclosed below is an extract from the Limited Covenant, Clause 6:

Should the Council in its own discretion determine that the Property has been completely destroyed or damaged, then the obligations of the Owner (save the Owner's obligations under Clauses 16 and 17 of this Fourth schedule) and the Council under this Covenant in respect of that part of the Property so damaged or destroyed shall immediately cease. Any termination pursuant to this clause shall be without prejudice to the rights of either party against the other.

CONSULTATION FULFILMENT

14. There is no requirement for community consultation for Heritage Conservation Covenant Consents.

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STAFF RECOMMENDATION

It is recommended, that the Heritage and Arts Committee resolves as follows:

- (a) That the building at 68 Manchester Street, Christchurch has been destroyed or damaged as a result of the 4 September 2010 earthquake and its associated aftershocks to such an extent that the heritage values of the building have been lost.
- (b) That accordingly approval be granted to the owner of the property to demolish the building.
- (c) That accordingly the obligations of the parties under the Conservation Covenant registered against the title to the property immediately cease.
- (d) That Council staff be authorised to provide a release of the Conservation Covenant to the landowner.

COMMITTEE RECOMMENDATION

The Committee recommends to the Council that in light of the resource consent decision granted on 28 January 2011 that it adopt recommendations (b) (c) and (d) as noted above.