

**BEFORE AN INDEPENDENT HEARINGS PANEL
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHI

UNDER the Resource Management Act 1991 (the **RMA**)

AND

IN THE MATTER OF the hearing of submissions on Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan

**STATEMENT OF REBUTTAL EVIDENCE OF TIMOTHY DAVID HOLMES ON
BEHALF OF CHRISTCHURCH CITY COUNCIL**

HERITAGE

BLUE COTTAGE, 325 MONTREAL STREET

Dated: 9 October 2023

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EXECUTIVE SUMMARY

1. This rebuttal evidence comments on new information provided by witnesses for Carter Group Limited, submitter #824, in relation to the Blue Cottage at 325 Montreal Street.

INTRODUCTION

2. My name is **Timothy David Holmes**. I am employed as an architect and heritage specialist at Warren and Mahoney architects limited.
3. I prepared a statement of primary evidence on behalf of Christchurch City Council (**Council**) dated 11 August 2023, addressing technical heritage evidence in regard to submissions seeking delisting of three scheduled heritage sites including the Blue Cottage.
4. I have the qualifications and experience set out at paragraphs [9] – [12] of my primary evidence dated 11 August 2023, and I repeat the confirmation given in my primary evidence that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023, and that my evidence has been prepared in compliance with that Code.

SCOPE OF REBUTTAL EVIDENCE

5. In preparing this rebuttal statement, I have read and considered relevant submitter evidence including that filed on behalf of Carter Group Ltd of David Hill, Kyle Brookland, William Fulton, and Tom Chatterton.
6. In this evidence I respond to the following issues:
 - (a) The conservation principles and processes for remediation works to the Blue Cottage, as established by the ICOMOS Charter and relevant costings.
 - (b) The architectural condition of the Blue Cottage as discussed in the evidence of Mr Hill.
 - (c) The residential property inspection of the Blue Cottage carried out under NZS 4306:2005.
 - (d) The submitter evidence that Heritage Building fabric of the Blue Cottage must be replaced rather than repaired.

- (e) New information regarding the interior of the Blue Cottage.

THE CONSERVATION OF PLACES OF CULTURAL HERITAGE VALUE

The International Council on Monuments and Sites (ICOMOS) New Zealand Charter 2010

7. The evidence filed by the submitter highlights the lack of maintenance that has been carried out on the Blue Cottage.
8. The principles that guide the conservation and restoration of places of cultural heritage value are set out in the ICOMOS New Zealand Charter, revised 2010 (the **Charter**). Those principles set out the purpose of Conservation, Respect for surviving evidence and knowledge, Minimum intervention, Conservation process and practice, Restoration, Reconstruction and Adaptation all of which should be considered when addressing matters in relation to the Blue Cottage. The ICOMOS Charter – Principles for the analysis, conservation and structural restoration of architectural heritage (2003) 3.15 say “*Deteriorated structures whenever possible should be repaired rather than replaced.*”
9. Based on the Charter, in my opinion, the fact that the Blue Cottage has not been maintained is not a reason to ignore its cultural heritage value and therefore the conservation principles which should apply to it.

Conservation of heritage buildings

10. Following ICOMOS conservation principles pre-supposes that the Blue Cottage building fabric is retained and repaired rather than replaced. Gavin Stanley, for the Council, has presented costings for repair, which in my view represent the minimum intervention required. These are more relevant than the costs of deconstruction and replacement presented by Mr Chatterton.

ARCHITECTURAL CONDITION EVIDENCE

11. Mr Hill sets out a number of alterations that have been made to the Blue Cottage in paragraph 11 and 19. However, change is a feature of most heritage buildings, and it is an important part of maintaining their currency and functionality in use for their owners and occupants, or changes can form part of a repair maintenance regime. The changes made are integral to the building story and often form part of their cultural value. This is recognised

by the ICOMOS NZ Charter (section 5) which states “*Conservation recognises the evidence of time and the contributions of all periods.*”

12. In my opinion, the changes that have been made do not materially alter the character or integrity of the Blue Cottage or equate to a loss of significance of cultural heritage value.
13. I disagree with Mr Hill's evidence that the building “*is in such a deteriorated state it will have to be rebuilt*”. Complete rebuild is not necessary and stands in contrast to Mr Fulton’s evidence at paragraphs 23 and 26, where Mr Fulton proposes “*a repair strategy that took a Conservation approach and took into consideration the Heritage significance of the building.*”
14. I disagree with the extent of building elements that are capable of re-use. Mr Hill's evidence is that the works required “*would result in the built result being a ‘replica’ of the original building.*” While there are elements of the Blue Cottage that require replacement, this might equate to 25% of the weatherboards (for example) and certainly not an amount of the building which as a whole equates to a rebuild.
15. Neither Mr Brookland’s building report attached to his evidence nor Mr Hill’s evidence provide a detailed survey of the building fabric at the Blue Cottage, to justify statements that whole building elements are not capable of repair or treatment to retain them. A detailed survey would record the location and nature of damage and deterioration, sufficient to convey the proportion of the building works required.
16. In paragraph 15, Mr Hill lists a number of items of building work that he says would need to be completed “*To comply with current building codes*”. I disagree because alterations to existing buildings, with exceptions for means of escape from fire and access and facilities for persons with disabilities (which need to comply as far as reasonably practical), do not need to comply with the building code to a greater extent than they did immediately before the building work began.¹ Therefore works would need to be carried out to make good damage to the building fabric and defective services installations, but upgrades to current building code are not required.
17. In particular, the installation of insulation, double glazing and a ‘compliant’ heating system, while desirable, is not strictly required and would equate to

¹ The Building Act 2004 section 112 (1)(b)(ii)

betterment as far as the minimum works required to bring the Blue Cottage back into its previous use.

18. At paragraph 22 of Mr Hill's evidence he refers to an access issue as a potential justification for repositioning the building. I disagree because this access exists at present to the West of the Blue Cottage.

THE RESIDENTIAL PROPERTY INSPECTION

19. Mr Brookland discusses a residential property inspection report prepared for the Blue Cottage under NZS 4306:2005. The inspection was carried out as though the Blue Cottage is an ordinary house; heritage buildings are outside the scope of the standard under which the report is drafted. The report does not refer to fact that the Blue Cottage is heritage listed and of cultural heritage value. A heritage building report would require an even greater detail than outlined in the standard.
20. Further, the report is lacking detail in terms of the matters that the standard recommends should be addressed and does not consider conservation practices of restoration, repair and reconstruction.
21. Section 2.3.6 of the standard says that the inspector shall inspect and assess the general condition and attributes of the building interior in accordance with the examples set out in tables 11, 12, 13, 14 and 15 of the standard as applicable. The report only briefly addresses the matters set out in those tables.

SUPPOSITION THAT HERITAGE BUILDING FABRIC MUST BE REPLACED

22. The supposition that heritage building fabric must be replaced rather than repaired has been made in the evidence of Mr Brookland, Mr Hill and Mr Chatterton. In my opinion this approach is not in line with a conservation approach appropriate for a Heritage listed building such the Blue Cottage.
23. The report of Mr Brookland states that "*Human excrement is present on the flooring and as a result all timbers will require removal*",² but does not acknowledge that companies in Christchurch carry out biological cleaning of buildings and heritage building fabric to remove such detritus and bring them back into use. The decontamination and making good of buildings left for

² Pages 6-8, 10, 12 and 15 of the report attached as Appendix A of the statement of evidence of Mr Brookland dated 20 September 2023.

several years before undergoing restoration is common in Christchurch following earthquake damage and delayed construction projects.

EVIDENCE NOT SIGHTED WHEN PREPARING PRIMARY EVIDENCE

24. The evidence submitted on behalf of Carter Group Limited in relation to the Blue Cottage refers to the interior of the property.
25. When preparing my evidence, I did not have access to the interior of the property to carry out an inspection or to prepare evidence detailing its current condition.
26. The references to the condition of the interior of the property both descriptive and pictorial, are difficult to form an assessment on since they are limited to thumbnail photographs and incomplete and generalised reference to the condition of the building fabric. Clearly, however, I agree that the building is in poor condition.
27. However there is nothing provided in the new information about the interior of Blue Cottage that leads me to reconsider my view that the Blue Cottage is capable of repair, and I note that Mr Fulton's evidence for the submitter concurs with that view.

Timothy David Holmes

9 October 2023