

Western Bay of Plenty District Council

Change to the District Plan – First Review

Plan Change 68 Deletion of Built Heritage Feature 31 (Former Union Bank Building)

Section 32 Report

Prepared by: Tony Clow, Policy Analyst Resource Management

1.0 Introduction

1.1. General Introduction and Background

As a part of the preparation of the District Plan First Review in 2008, Council engaged a consultant to undertake a built heritage study for each of the District's main urban areas of Waihi Beach, Katikati, Omokoroa, Te Puke and Maketu. The purpose of the study was to identify the District's key built heritage items and to provide a level of information that could be used to support their inclusion in the District Plan. The inclusion of such items was needed to ensure Council was managing its built heritage in a manner consistent with the Bay of Plenty Regional Policy Statement.

One of the key items identified was the Former Union Bank Building (now Ross's Garden Centre) at 2 Boucher Ave, Te Puke. This item's significance was based on it being a relatively rare surviving form of timber bank building, a good example of a 1910s style of commercial building, and part of the historic Te Puke streetscape. The study also recognised however that the item was in poor condition. The full assessment is shown in **Attachment A**.

Council consulted with all potentially affected landowners by sending letters and allowing a number of weeks to provide feedback. No feedback was received on the Former Union Bank Building and it was subsequently included in the notified District Plan First Review. As no submissions were made in opposition, its inclusion was confirmed and it is currently included in Appendix 3 of the District Plan as Built Heritage Feature 31 as shown below.

31.	Former Union Bank building (Category A)	Lot 1 DPS 3511 2 Boucher Ave, Te Puke	Rare surviving form of 1910s timber bank building. Associated with Union Bank and Te Puke Historic Streetscape.
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The feature is also included on Planning Map U131 as shown in **Attachment B**.

Council has recently received a request from the landowner asking that this feature be removed from the District Plan. The reasons why are discussed under the issue below. This report considers that request.

2.0 Resource Management Act 1991

2.1. Section 32

Before a proposed plan change can be publicly notified the Council is required under section 32 ("s.32") of the Act to carry out an evaluation of alternatives, costs and benefits of the proposed review. With regard to the

Council's assessment of the proposed plan change s.32 requires the following:

- 1) *An evaluation report required under this Act must—*
 - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

- (2) *An assessment under subsection (1)(b)(ii) must—*
 - (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

- 3) *If the proposal (an amending proposal) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*
 - (a) *the provisions and objectives of the amending proposal; and*
 - (b) *the objectives of the existing proposal to the extent that those objectives—*
 - (i) *are relevant to the objectives of the amending proposal; and*
 - (ii) *would remain if the amending proposal were to take effect.*

- 4) *If the proposal will impose a greater prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*

2.2. Section 74

In accordance with Section 74(2A) of the Act, Council must take into account any relevant planning document recognised by an iwi authority lodged with Council.

None of the iwi management plans that have been lodged with Council raised any issues which are of relevance to this Plan Change.

3.0 Consultation

Council staff met with the owner on-site. Heritage New Zealand was then informed of the site visit and the reasons for the request. They indicated that they would be likely to oppose this feature being deleted from the District Plan as the consultant's report had deemed the building to be of significance and the poor condition of the building did not detract from that significance in their opinion. There has been no consultation with the public due to the recent nature of the request.

4.0 Issue

The owner of the Former Union Bank Building (Built Heritage Feature 31) has recently requested that this be removed from Appendix 3 of the District Plan. The owner no longer operates a commercial activity from the building and wishes to sell the property, however is concerned that they may not be able to.

The building is in poor condition as stated in the built heritage study. The recent site visit revealed that the building is rotting and falling apart in many places. It has a leaking roof, walls and windows. The floors and walls are also bowed and the ceiling is sagging. The exterior of the building fronting Jellicoe Street is also run down. Photos from the site visit are shown in **Attachment C**.

An engineer's report has also been provided to Council which confirms the poor condition of the building. This report also identifies the building as being earthquake prone and of low structural strength and concludes that any work to upgrade the building would require a complete rebuild. The engineer's report is shown in **Attachment D**.

Carrying out a complete rebuild would therefore require the building to be removed or demolished. The rules of Section 7 – Heritage of the District Plan allow internal alterations as well as routine maintenance, restoration or repair of the building's exterior provided it is to the same design as and using the same materials to those originally used. However, the removal or demolition of the building would require resource consent. Removal is generally only allowed for the purpose of saving a built heritage feature and it is uncertain whether demolition would be allowed.

This leaves potential buyers with uncertainty surrounding how they may be able to use the property in the future and this may discourage them from purchasing. It also potentially affects property values. Two letters, one from a previously interested purchaser, and one from a real estate agent, have been provided to Council which highlight both of these issues. These letters are shown in **Attachment E**.

4.1. Option 1 – Status quo – retain Built Heritage Feature 31 (Former Union Bank Building) in the District Plan

Benefits	<ul style="list-style-type: none"> ▪ Protects part of the District’s built heritage against significant external modifications, removal or demolition.
Costs	<ul style="list-style-type: none"> ▪ Retains a feature which arguably should not have been classified as significant due to its poor condition. ▪ Possible financial hardship on existing owner who may not be able to sell because of the real or perceived restrictions which potential buyers may face when wanting to repair, replace or remove a feature due to its poor condition. ▪ May prevent the property being fully utilized for commercial purposes in the future as the current owner has discontinued commercial activities and potential buyers may be discouraged from purchasing.
Effectiveness/ Efficiency	<ul style="list-style-type: none"> ▪ Effective at protecting the heritage values in the short term. Not effective at restoring the condition of the feature or preventing further deterioration. ▪ Not efficient as it may prevent the property being sold or the building or property being fully utilized for commercial purposes in the future.
Risks of Acting/ Not Acting if there is uncertain or insufficient information about the subject matter	<ul style="list-style-type: none"> ▪ N/A - sufficient information is available.

4.2. Option 2 – Delete Built Heritage Feature 31 (Former Union Bank Building) from the District Plan

Benefits	<ul style="list-style-type: none"> ▪ Removes a feature which arguably should not have been classified as significant due to its poor condition. ▪ Would likely increase the chances for the owner to sell the property as it would remove both the real and perceived restrictions that come with a heritage feature. ▪ Will allow the opportunity for the commercially zoned property to be fully utilized for commercial purposes.
Costs	<ul style="list-style-type: none"> ▪ Loss of protection for part of the District’s built heritage against significant external modifications, removal or demolition.
Effectiveness/ Efficiency	<ul style="list-style-type: none"> ▪ Not effective at protecting the heritage values of the feature. ▪ Efficient as it removes the restrictions which may prevent the building being sold or the property being fully utilized for commercial purposes in the future.
Risks of Acting/	<ul style="list-style-type: none"> ▪ N/A - sufficient information is available.

Not Acting if there is uncertain or insufficient information about the subject matter

4.3. Preferred Option

The preferred option is Option 2.

Delete Built Heritage Feature 31 (Former Union Bank Building) from Appendix 3 as follows;

31.	Former Union Bank building (Category A)	Lot 1 DPS 3511 2 Boucher Ave, Te Puke	Rare surviving form of 1910s timber bank building. Associated with Union Bank and Te Puke Historic Streetscape.
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Delete Built Heritage Feature 31 from Planning Map U131 as shown in **Attachment F**.

4.4. Reasons

The feature is in poor condition and arguably should not have been classified as a built heritage feature. An engineer’s report indicates that it is not viable to repair the building and that instead it would need to be removed or demolished and re-built. However, there is no certainty under the District Plan that a resource consent application for the removal or demolition would be granted. This leaves potential buyers unsure of what opportunities exist in terms of developing the property and this may discourage them from purchasing. A letter from a real estate agent indicates that this also affects property values. Deleting this built heritage feature from the District Plan will help avoid any possible financial hardship that the current owner may face from not being able to sell the property because of the real or perceived restrictions which potential buyers may face. It will also allow the opportunity for the property to be used for commercial purposes in the future by a new owner.

Built Heritage Inventory

Former Union Bank building



Location: 2 Boucher Ave, Te Puke

NZ Historic Places Trust

Registration Number:

Physical Description: Symmetrical timber weatherboard clad building. Shopfront windows and centrally positioned recessed entrance extend along the entire façade. Timber weatherboard interior, in poor condition.

Other known names: Ross's Garden Centre

Current Use: Garden centre

Former Uses: Union Bank

Heritage Status.

District Plan Zoning:

Architectural Style:

Date of Construction: 1911

Materials: timber, corrugated iron

Registered owner: C.J. & M.J. Boyed, T.O. & R. Williams, C.J. McFadden, B.G. Bennett

Legal Description: Lot 1 DPS 3511

History: The Union Bank of Australia was the first bank in New Zealand, opening in Wellington in 1840. In 1951 it merged with the Bank of Australasia (1864-1951) to form the ANZ bank. Both the UBA and Bank of Australasia had branches in Te Puke. The Union Bank branch was run by D. McCallum in the

Register Item Number:

TPK14

Building Type:

- Residential
- Commercial
- Industrial
- Recreation
- Institutional
- Agriculture
- Other

Significance:

- Archaeological
- Architectural
- Historic
- Scientific
- Technological
- Cultural

Thematic Context

- Early Settlement
- Residential
- industry
- Agricultural
- Commerce
- Transport
- Civic/Admin
- Health
- Education
- Religion
- Recreation
- Community
- Memorials

Built Heritage Inventory



1930s. Following the merger, a new ANZ bank was built on the site of the Bank of Australasia (former Loan & Mercantile Co. building), on the corner of Jocelyn and Jellicoe Streets.

Architect/Designer:

History of changes:

Date Period: 1910s

Rarity / Special Features: Relatively rare surviving form of timber bank building.

Integrity:
Substantially intact

Representativeness: Good example of 1910s style of commercial building.

Context/Group Value:
Part of historic Te Puke streetscape

Diversity (Form and Features):

Fragility / Vulnerability:
In poor condition

Summary of Significance:

Architectural Qualities

Good example of rare timber 1910s bank building.

Historic Qualities

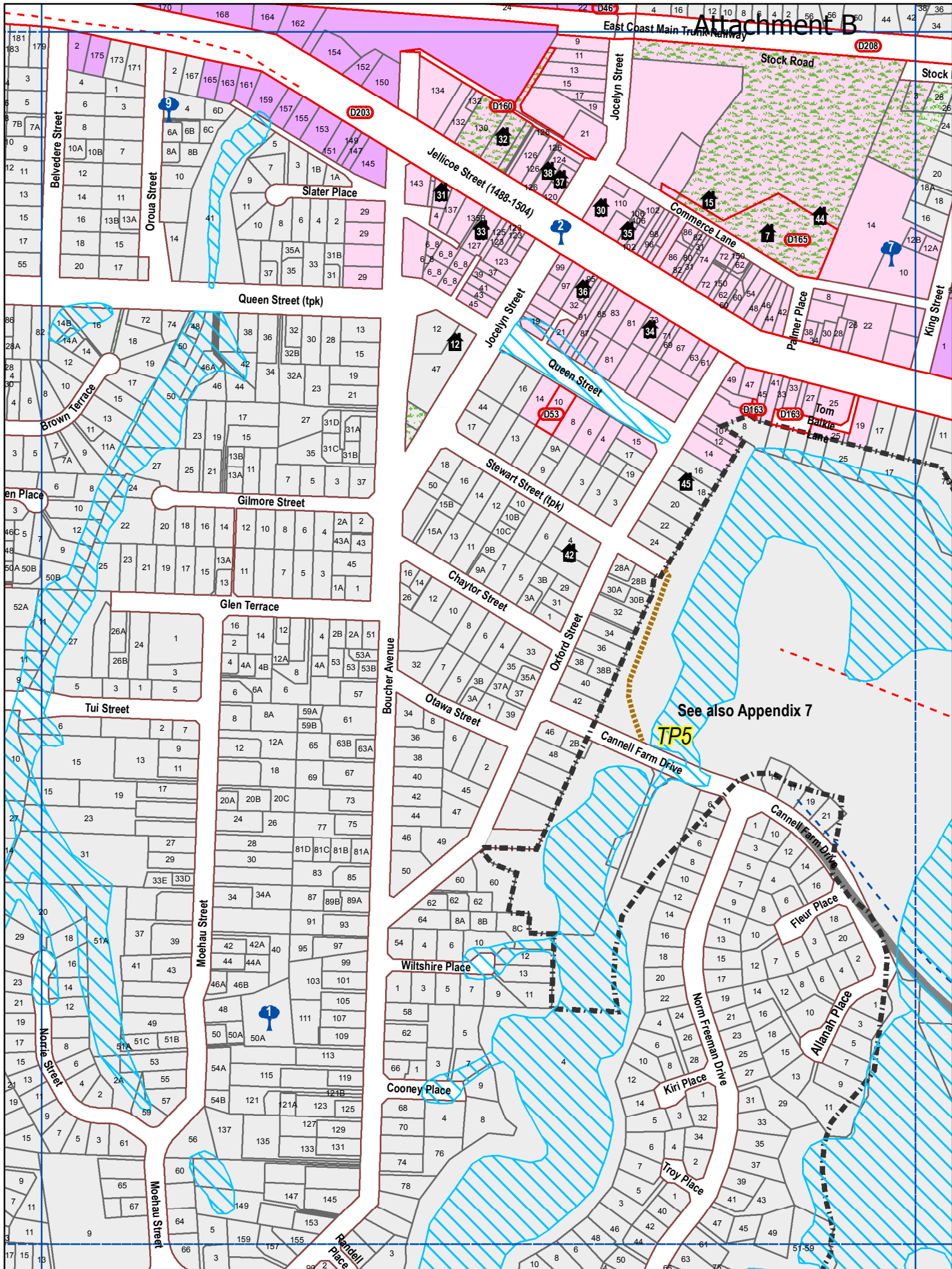
Associated with Union Bank and Te Puke Historic Streetscape.

Reference Source: Clement, C., Robertson, L., & Lewis, L. (2007) *Te Puke: Nga Tangata me Nga Wahi: People and Places*. Te Puke History Project.

Associated Pictures:

Date of Survey: 24/01/2008

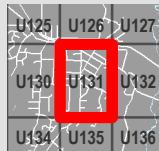
Prepared by: N. Cable



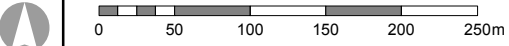
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U131

Te Puke



Revision Date: 28 September 2013



Scale 1:5000 (A4)







MEMORANDUM

To: Stratum Te Puke **File No.** 410812-m-e-c001
Attention: Shae Crossan
From: Stephen Bos
Date: 20-10-14
Subject: 2 Boucher Avenue, Te Puke

Further to your instruction we have visited the property at 2 Boucher Avenue in Te Puke and undertaken a condition and structural review of the existing building on site.

The age of the structure is reported as 1911, and the building is a mix of construction materials, with steel long run roofing sheets, timber internal ceiling, timber framed walls which are clad with corrugated iron to the side of the building and timer sheet cladding to the street frontage. The floor is in part timber sheeting (presumably over timer framing) and part of the shop also had a concrete floor.

The building is in a notably poor condition, with the ceiling sagging, the walls bowing out and the floor undulating and some of the timber floor members sagging with degradation of the timber itself. This is particularly due to water damage as the building has been a garden centre for a significant period and on-going watering of the plants has affects a number of the building elements.

While it is noted that no Earthquake Assessment has been carried out, from the visual review it is considered that the building seismic rating would be low and it would fall well within the earthquake prone building.

Accordingly in summary we consider that given the age, the notable poor condition of the structure and ongoing water damage the building has a very low structural strength. Any work to upgrade the structure would basically require a complete rebuild as no part of the existing structure is considered reusable in terms of structural capacity.

Yours faithfully
STRATUM CONSULTANTS LTD

A handwritten signature in blue ink, appearing to read 'S. Bos', is written over a light blue grid background.

Stephen Bos
NZCE, BE, MIPENZ, CPEng (civil / structural)

**Te Puke Branch**

Licensed Agent REAA 2008

132 Jellicoe Street

Te Puke 3119

PO Box 885

Tauranga 3140

DX HP40019

Telephone: 64-7-573 4754

Facsimile: 64-7-573 4819

Email: enquiries.tepuke@harcourts.co.nz

17 October 2014

J Boyed
113 Cameron Road
Te Puke 3119

Dear Jean

Re: Building, Jellicoe Street, Te Puke

Thank you for the opportunity to inspect the above building with regard to its current market value.

Condition

The building is in a dilapidated condition having had no basic maintenance for some time. Given its age and construction, any renovation or redecoration would be a waste of funds unless it was destroyed and rebuilt completely.

All the floors are not level, ceilings are falling apart and the outside walls are rotting and not waterproof. I believe it is not in a safe and sanitary state to be re let and in my opinion should be pulled down for a new development.

Both neighbouring properties are modern and tidy, leaving the old plant shop as an eyesore in the main street.

Unfortunately with the current Historical Heritage Designation on the building, you are limited in what you can do and consequently the value will be limited to the section value only.

If the building has to remain under the above designation, the value of the total property will be nil unless a complete revamp was done. The costs of such a revamp will outweigh the income received from future rentals placing you in a difficult situation.

In my opinion the property has little value unless the designation is lifted and indeed the current building is an eyesore and should be removed to tidy up that area.

In light of the above, I cannot supply you with a Market Value at this point.

Yours faithfully

ADVANTAGE REALTY LTD MREINZ

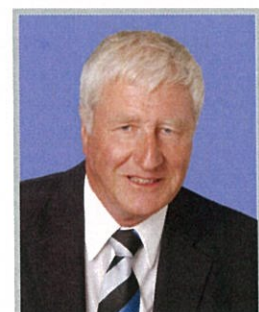
Licensed Agent REAA 2008

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PRINCIPAL OFFICE

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Beaufill Family Trust
C/- Te Puke Bakery
137 Jellicoe Street
Te Puke

10 October 2014

Western Bay of Plenty District Council
Private Bay 12803
Tauranga Mail Centre
Tauranga 3143

Attention: Tony Clow

Dear Sir,

**Purchase of Former Union Bank Building
2 Boucher Avenue, Te Puke**

I currently own the Te Puke Bakery adjoining the above site and was interested in potentially purchasing the subject building at 2 Boucher Avenue, Te Puke.

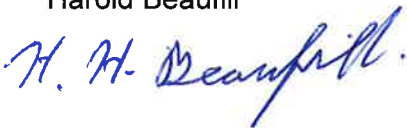
However, when I discovered that the Building was listed as a Heritage Building, and learning of the potential resource consent requirements to modify or repair the existing building to a safe and useable state, I was most certainly put off by these requirements and the potential costs and uncertainty of what could be done to the building.

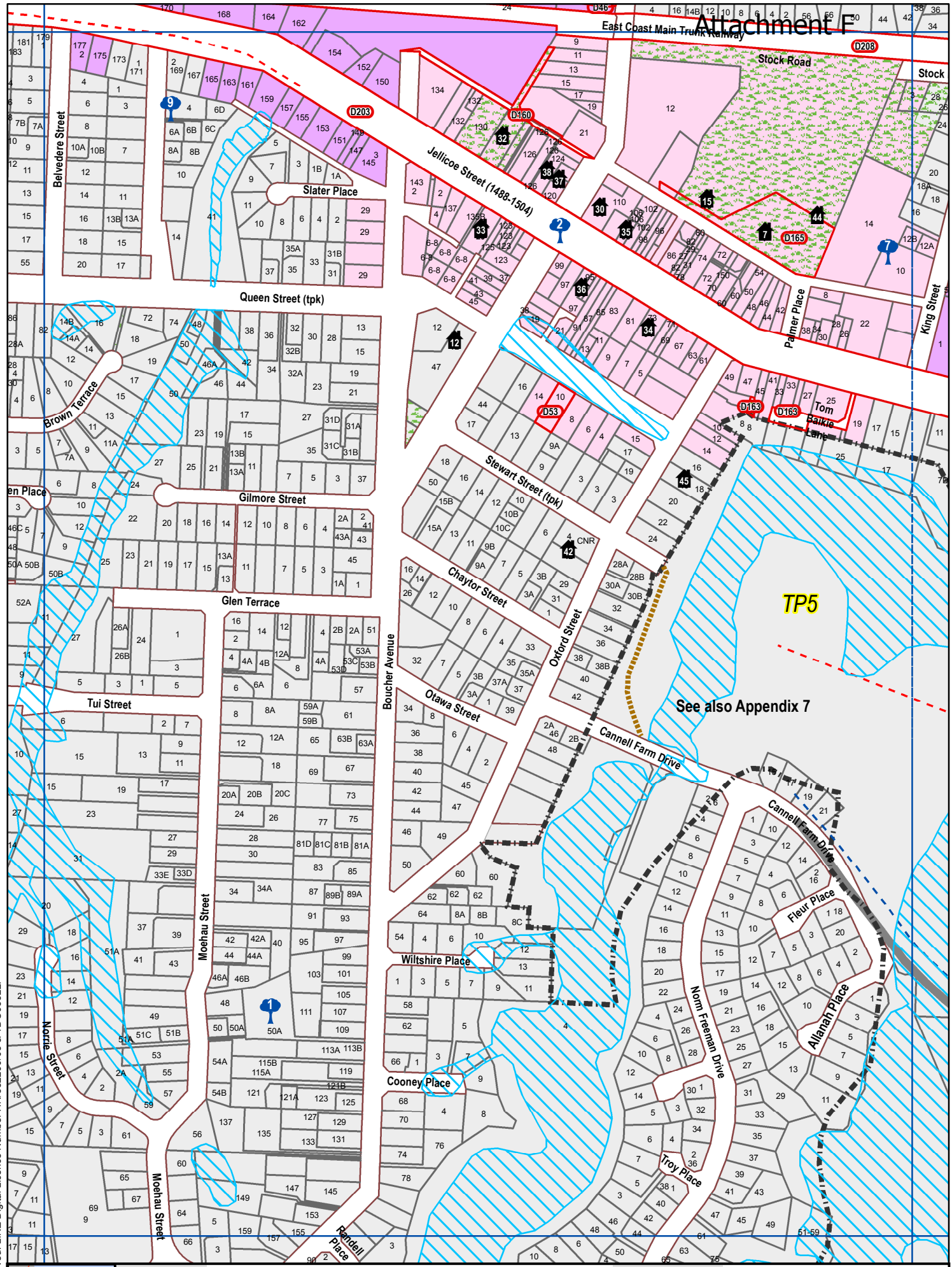
The building is currently in a severely dilapidated state and would require substantial repairs, or even demolition, to make it suitable for commercial use, for which the land is zoned.

In my opinion, the current heritage designation and subsequent resource consent requirements make it uneconomical and unfeasible to repair the building to the required state.

Yours faithfully,

Harold Beaufill



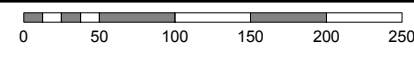
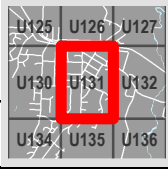


TP5

See also Appendix 7

U131

Te Puke



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November 2014