

BEFORE GREY DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND IN THE MATTER of an application by The Ministry of Justice to demolish a Category 1 Heritage Building at 8 Guinness Street known as the Greymouth Courthouse (#5016), Greymouth within the Commercial Environmental Area under the Grey District Plan.

Also to demolish a Heritage Building known as the Greymouth Courthouse (HH68) and undertake earthworks, at 8 Guinness Street Greymouth within the Town Centre Zone under the Partially Operative Te Tai o Poutini Plan and disturb soil under the National Environmental Standards for Assessing and Managing Soil to Protect Human Health.

RESOURCE CONSENTS: LUN3463-25 and LUN3464-25

DECISION OF COMMISSIONER APPOINTED BY GREY DISTRICT COUNCIL
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Dated: 27 March 2026

Commissioner:

Ms Edith Bretherton

1.0 APPLICATION DESCRIPTION

- 1.1 The application from *The Ministry of Justice, The Proprietors of Mawhera, prepared by Planz Consultants* was lodged with Grey District Council (GDC) (Council) on 11 December 2025. Supplementary cost estimates were provided to GDC 19 December 2025.
- 1.2 The applicant requested public notification. A public notice was issued 14 January 2026.
- 1.3 The submission period closed 14 February 2025, four submissions were received, one submitter wished to be heard.

2.0 LAND USE PROPOSAL

- 2.1 Resource consent is sought to demolish the Greymouth Courthouse building, at 8 Guinness Street. The Greymouth Courthouse is a listed heritage building in both the operative Grey District Plan (GDP) and the Partially Operative Te Tai o Poutini Plan (TTPP). The Greymouth Courthouse is listed as a Category 1 heritage building on the Heritage New Zealand Pouhere Taonga list.
- 2.2 The proposal details, assessments, correspondence, supplementary details and submissions referred to under the Application Description above are contained within the consent application files shared as part of this decision.

3.0 SITE VISIT AND LOCAL ENVIRONMENT

- 3.1 I undertook a site visit on 10 March 2026. The property was not entered, but the site and surrounding area viewed from the road.
- 3.2 A description of the site and the surrounding area is included under the heading "*The Site and Locality*" on page 3 of the Planning Report on Publicly Notified Resource Consent Application of the application (dated 4 March 2026).
- 3.3 In summary the following provides a broad overview of the site and local environment:

- a) the site in the central commercial area of Greymouth town and is one of few remaining heritage buildings
- b) the majority of the site is covered by the building
- c) there are safety fencing and notices

4.0 DISTRICT PLANS

- 4.1 The rule of the GDP, Operative March 2000) that is relevant to this application is as follows:

Commercial Environment Area (Zone), Policies and Rules

Rule 26.1(iv) – listed heritage features – the demolition of a heritage feature is a discretionary activity.

*The proposal accordingly requires consent under the Grey District Plan as a **discretionary** activity.*

- 4.2 The site is zoned Town Centre Zone in the TTPP and is subject to the Sites of Significance to Māori (SASM 62 and 57) overlays, the Pounamu Management Overlay and is identified as Historic Heritage Site HH68.
- 4.3 The proposal meets the permitted activity rules SASM R3 (building demolition in a Site of Significance to Māori), and SASM-R6 (earthworks in a Site of Significance to Māori) which had immediate legal effect upon notification of TTPP.
- 4.4 The partially operative TTPP is progressing through the RMA schedule 1 process some provisions are now operative beyond those that had immediate legal effect upon notification.
- 4.5 HH-R10 – the demolition and destruction of a historic heritage item is a non-complying activity. This rule requires consultation with Heritage New Zealand Pouhere Taonga and has legal effect. This rule is subject to appeal.
EW-R7 – the proposal is not listed in EW-R2, the applicant has sought earthworks consent as a precaution under EW-R7. This rule has legal effect, and the earthworks provisions are also subject to appeal.

*The proposal accordingly requires consent under the proposed Te Tai o Poutini Plan as a **non-complying** activity.*

- 4.6 As detailed in the planning officers report consent is also required under Regulation 11 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health as a **discretionary** activity, because soil disturbance is proposed and a PSI/DSI has not been done for the site. The NESCS is triggered because of the presence of asbestos in the building, which may possibly have contaminated the soil under the building. Because the building covers most of the land, it isn't feasible to carry out a DSI prior to demolition.

*The overall activity status of the application is **non-complying**.*

5.0 NOTIFICATION AND SUBMISSIONS

- 5.1 The application was publicly notified in accordance with section 95B of the Act on 14 January 2026 with submissions closing on 14 February 2026.
- 5.2 Notice was served on West Coast Regional Council, Te Rūnanga o Ngāti Waewae, Heritage New Zealand Pouhere Taonga and the Greymouth Heritage Trust.
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5.3 Four submissions were received for this application – all are neutral. summarised below.

Submitter	Support/ Opposition	Reasons/ Issues raised	Wishes to be heard
Mary Trayes	Neutral	Submission made on behalf of Dobson Heritage Park. Submitter requests that, during demolition, two of the building's foundation/base course stones are put aside to allow them to be transferred to the Dobson Heritage Park.	Yes
Runanga Miners Hall Trust	Neutral	Submitter requests that conditions of consent allow recovery of heritage materials from the building.	No
Greymouth Heritage Trust	Neutral	Submitter requests that conditions of consent allow recovery of heritage materials from the building.	No
Heritage New Zealand Pouhere Taonga	Neutral	Submitter is not opposed to demolition. Submitter supports use of Ngāti Waewae Accidental Discovery Protocol, noting however an Archaeological Authority will be required.	No

5.4 Ms Trayes indicated she did wish to be heard on her submission form, however the issues raised have been resolved through the consent process she no longer wishes to be heard.

5.5 In accordance with the GDC delegation manual the delegated decision-making authority of the GDC Chief Executive Officer was delegated to me as an Independent Hearings Commissioner 2nd March 2026.

6.0 SECTION 104 OF THE RMA - ASSESSMENT OF APPLICATION

6.1 Under section 104 of the RMA:

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—

(a) any actual and potential effects on the environment of allowing the activity; and

(b) any relevant provisions of—

(i) a national environmental standard:

(ii) other regulations:

(iii) a national policy statement:

(iv) a New Zealand coastal policy statement:

(v) a regional policy statement or proposed regional policy statement:

(vi) a plan or proposed plan; and

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

6.2 As the application is for a Non-Complying Activity, section 104B of the RMA is relevant:

104B. Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

(a) may grant or refuse the application; and

(b) if it grants the application, may impose conditions under section 108.

6.3 Section 104D of the RMA applies to the proposal, therefore in order for consent to be granted, the adverse effects of the activity on the environment must be minor, or the application must not be contrary to the objectives and policies of a plan or proposed plan. An overall assessment of the objectives and policies of the district plans is required.

Section 104(1)(a) - Actual and Potential Effects on the Environment

Permitted Baseline

6.4 Under section 104(2) of the RMA, when forming an opinion for the purposes of considering any actual and potential effects on the environment of allowing an activity, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. This statutory baseline is known as the permitted baseline and it is a discretionary consideration rather than a mandatory one. The baseline has been defined by case law as comprising the 'existing environment' and non-fanciful (credible) activities that would be permitted as of right by the plan.

6.5 There is no permitted baseline relevant to this application as demolition or removal of a Heritage building listed in schedule 1 is not permitted under the operative GDP, nor is it permitted under the partially operative TTPP.

Written Approvals

6.6 The applicant has provided a written approval from the Proprietors of Mawhera Incorporation, which is the landowner of the site. The effects on the landowner have therefore been disregarded.

Assessment

6.7 The application and supporting information, site visit, a review of submissions received and a review of the GDP and TTPP provisions, and Ms McKenzies' s.42a report have been considered in the following assessment of effects.

Historic Heritage Values

6.8 The principle adverse effect of the proposal is the loss of a historic heritage building. The operative GDP contains assessment criteria for the evaluation of such proposals.

6.9 *a. The ability of the owner to manage and maintain the feature.*

The applicant undertaken a structural assessment of the building, its assessed structural condition (building capacity) is 15% of the New Building Standard (NBS). It is not structurally sound and cannot be safely occupied in its current state.

The building is dilapidated and has been subject to vandalism.

The applicant has no use for the building, and no tenancy options, and therefore cannot justify the maintenance and upkeep of the work, nor the repair and strengthening needed.

The Heritage Impact Assessment (HIA) indicates that due to the compromised state of the majority of the building, façade retention would be a good heritage outcome.

However, it also acknowledges that this requires a willing buyer, development and landowner, and despite the applicant's efforts to sell the building at no cost, no purchaser has been forthcoming.

Estimated costings have been provided:

Retaining the historic façade of the building, and rebuilding behind - \$5.26 million.

Full rebuild of the site would be \$4.38 million.

Upgrading the heritage building to 100% NBS \$8.83 million.

The Ministry of Justice has no use for a new or upgraded building, because a new, fit for purpose courthouse has been constructed a block away from this building. The applicant therefore cannot justify carrying out the rebuild or upgrade work itself. Therefore, as noted in the heritage assessment, a new owner would be required to facilitate such an outcome, and this has not eventuated.

Ms McKenzie summarises that the applicant has limited ability to manage and maintain the heritage feature because it is surplus to their requirements and not able to be reused for the applicant's purposes.

6.10 *b. The heritage significant of the feature.*

The HIA identifies that the Greymouth Courthouse building was built in 1912 on the site of a pre-1900s former courthouse building.

It has historical and social significance as the place the law was administered from 1876 until 2007. The building has architectural and aesthetic significance, reflecting the era in which it was constructed. The building has contextual significance because it is an important part of the streetscape of Guinness Street, however this streetscape has changed significantly in recent decades with the loss of the Post Office building, and more recently with the loss of the Revingtons Hotel.

There may well be archaeological significance also, as the site has known pre-1900 occupation. The building is a Category 1 heritage building on the Heritage New Zealand Pouhere Taonga (HNZPT) list. The heritage assessment indicates that substantial modifications have been made to the building, both interior and exterior, and vandalism, structural failure and moisture ingress have contributed to its degradation over time. The façade retains the bulk of its original form (with the upper parapet having been removed around the 1970s).

The HIA states that the building beyond the façade is significantly compromised in terms of its heritage value because of the existing damage and modifications, and strengthening works required for the building would further compromise its value.

6.11 *d. Assessment of alternative uses and sources of funding for the continued maintenance of the feature.*

Ms McKenzie reports the Greymouth Courthouse building has a unique internal layout, which her opinion does not lend itself well to other uses. The applicant has sought approaches from developers who may have an interest in retaining the heritage building in some form, even offering the building for sale for \$1. Without a prospective tenant or developer coming forward,

Ms McKenzie is unaware of any funding streams available to the applicant to enable the continued maintenance of the feature, nor the redevelopment to the point that the building is able to be occupied. Further, none of the heritage organisations consulted with through the public notification process have identified funding sources.

6.12 *e. Whether the allowance of a six-month period to arrange for alternatives to the demolition of the building or feature is appropriate.*

Ms McKenzie explains the proposed demolition of the former Greymouth Courthouse has been in the public awareness for some time now, and she does not consider that a further six-month period is likely to illicit any further proposals to tenant, purchase, strengthen or repair the building and therefore does not consider it appropriate to wait a further six months. I agree with this assessment.

- 6.13 *f. Any cultural or spiritual significance placed on the feature by the Tangata Whenua.* Te Rūnanga o Ngāti Waewae were made aware of the application when it was first lodged and have also been served notice through the public notification process, and no concerns were raised.

It is acknowledged that the site is within an area known to have historic Māori occupation, however the feature itself does not appear to have significance. It is the land itself which carries the cultural significance for iwi and is identified in the Sites of Significance to Māori as part of Mawhera Pa and gardens.

The issues associated with earthworks required to demolish the building will be addressed through the Archaeological Authority process the applicant will be required to go through prior to demolition. Notwithstanding this, the applicant has agreed to a condition of consent requiring the adoption of Te Rūnanga o Ngāti Waewae's Accidental Discovery Protocol (ADP) at their request. HNZPT however have noted that with an archaeological authority in place, this will supersede the ADP. The archaeological authority process will include consultation with local iwi.

- 6.14 *h. Ability to retain the feature or parts of the feature in the proposed development or use, including moving the feature, where possible, on the site to accommodate the proposed use.*

The proposal is to demolish the building. Moving the building is not structurally feasible. While the HIA indicates a façade retention option would be preferred, this is demonstrated to be cost prohibitive without a willing buyer with a re-use proposal coming forward. While some heritage elements of the building may be able to be salvaged, these will not be for re-use on the site but may be able to be used in another heritage project. Local heritage groups the Greymouth Heritage Trust and Runanga Miners Hall Trust have submitted indicating their desire to salvage materials, and the applicant has volunteered a condition enabling this salvage to occur.

- 6.15 *i. Any immediate or cumulative effects of the loss, removal, alteration or addition to the feature on local or District-wide heritage with regard to the reasons for its listing being taken into account.*

The loss of one of the remaining heritage buildings in the Greymouth CBD will have an immediate and permanent effect on District-wide heritage.

A combination of earthquake strengthening requirements and costs associated with bringing buildings up to code has resulted in demolitions over recent years.

The loss of this building does have a cumulative effect on the recent loss of heritage in the Greymouth CBD in particular.

- 6.16 *j. Whether the consent of the Historic Places Trust (now HNZPT) is obtained.*

The applicant has not obtained the consent of HNZPT, however the applicant has consulted with the agency over time. HNZPT have submitted indicating that they are "not opposed" to the demolition, noting that the applicant has made attempts to retain the Courthouse by sale at \$1 to any willing purchasers who would retain the building. The result is a neutral, or non-opposition stance by HNZPT, on the basis that the applicant is unable to secure a tenant, and the costs of refurbishment would be significant. HNZPT state in their submission: "HNZPT does not oppose the application for the demolition of the Courthouse. Alternative options have been explored for strengthening, façade retention and the sale of the building, but it is evident that restoration concepts required to address the structural issues would be

to an extent that significantly compromises any remaining heritage fabric, as assessed within the HIA. Efforts to sell the building (including listing for \$1.00 NZD) and facade retention both fall short in acquiring interested buyers and re-development proposals and are therefore unable to be progressed. It is disappointing that the building's lack of use and maintenance since 2007 have now led to this unique circumstance where all options regrettably compromise the heritage item's remaining tangible values. HNZPT recognises that without a willing proponent to retain the building in combination with a financially viable redevelopment or restoration plan, the Courthouse will continue to deteriorate, potentially to a point of complete structural failure. As such, HNZPT does not oppose this application, subject to the following recommendations being considered".

HNZPT seeks conditions of consent including:

- Provision of a Demolition Management Plan (volunteered by the applicant)
- Suggests amendments to the digital photographic record condition volunteered by the applicant to include reference to Sections 6.7 and 6.8 of HNZPT's recording guidelines.
- Recommends a Salvage Plan to ensure heritage fabric is not lost through demolition where it can be salvaged.

The acknowledgement of HNZPT that it is not financially viable to retain the building lends significant weight to the argument that the retention of the building is not feasible.

- 6.17 (k) Where a feature is part of a group of similar features, any adverse effect on the integrity of the group in the vicinity shall be considered.

The HIA states: *"The main facade is an important part of the streetscape of Guinness St. It is the sole survivor of a number of Victorian & Edwardian buildings, including the former Post Office. Being one of the last remaining buildings of that era, and despite being a shadow of its original both in form and function, the facade is a reminder of how much of Greymouth's town centre once appeared".*

The Courthouse sits adjacent to another listed heritage building (category 2). Little detail is known about exactly when this building was constructed, however it is noted as likely to have occurred around the construction of the courthouse and has housed law firms since at least the 1940s.

Ms McKenzie considers there is an adverse effect on the integrity of the remaining building, having lost its context associated with the courthouse next door. This effect is unavoidable. I agree with this opinion.

- 6.18 *1. Circumstances relating to a heritage item owned separately from the land.*

This assessment matter relates directly to the situation in the Greymouth CBD where the Proprietors of Mawhera are the landowners, but do not necessarily own the buildings on the land, which presents particular challenges to the financial viability of repairing heritage buildings.

In this situation, the building owner has no further use for the building or the land. The building owner has been unable to sell or give away the building or tenant it. This provides some context to the continued deterioration of the building as there is no interest in occupying the building, or any need for the land by the existing owner who has moved its core business elsewhere, which means that maintenance and upgrading of the building is not viable.

Contamination and Earthworks Effects

- 6.19 The proposal requires consent under the NESCS, because of the presence of asbestos and the inability to test the soil until the demolition has occurred. The risk posed by the demolition itself is subject of different legislation. Due to the structural state of the building, it is not possible to undertake sampling to ascertain whether contaminants are present, or not.

The applicant therefore has volunteered conditions relating to the management of potential contaminants in soil. Ms McKenzie accepts that these conditions generally will avoid risks to human health associated with the recontouring earthworks but does consider that specific mention of the asbestos risk should be made in the consent conditions if consent is granted. As such, Ms McKenzie has recommended some minor changes to the proposed conditions to reflect this.

- 6.20 Earthworks have the potential to generate nuisance effects on surrounding landowners and occupiers. Earthworks are, however, necessary to remediate the site following the removal of the building and are an anticipated part of development and renewal of urban spaces. The applicant has proposed a Demolition Management Plan (DMP) which will set out methods for controlling noise, traffic safety, dust and sediment migration.
- 6.21 Ms McKenzie considers that the proposed DMP and conditions relating to management of contaminated land will adequately mitigate any temporary effects associated with soil disturbance and earthworks on the site. I agree with this assessment.

Summary of Effects

- 6.22 The loss of the building will have a considerable adverse effect on heritage values. To mitigate this effect, the applicant has volunteered a suite of consent conditions to ensure that the building is documented, salvage of heritage materials is provided for, and that demolition occurs in a controlled manner. Adjustments to the volunteered conditions of consent have been made in response to the points raised in submissions.
- 6.23 The other effects associated with the potential for asbestos being present in the soil can be adequately managed through appropriate conditions of consent.
- 6.24 Earthwork effects similarly can be managed with the proposed DMP and potentially contaminated land can be appropriately managed through consent conditions.

In conclusion, Ms McKenzie considers that the proposal will have an adverse effect on heritage values, but that these adverse effects can be somewhat mitigated through conditions of consent.

Other Matters

- 6.25 Under the Building Act 2004 Subpart 6A – Special provisions for earthquake-prone buildings Territorial Authorities must identify earthquake prone buildings within the applicable timeframe.
- 6.26 Council's Dangerous and Insanitary Building Policy was first adopted 14 February 2011. It has been updated most recently in 2024. The principle of the GDC policy is as follows:

“Grey District Council has noted that provisions of the Building Act 2004 in regard to dangerous, affected and insanitary buildings reflect the government’s broader concern with the health and life safety of the public in buildings. Grey District Council will not proactively

inspect all buildings within the district but will make it a priority to quickly and efficiently respond to information received regarding potentially dangerous, affected or insanitary buildings to ascertain the extent of any issues. Grey District Council is committed to ensuring that Grey District is a safe and healthy place to live and work while also ensuring that the District continues to develop and thrive.

This policy supports the following outcomes from the Grey District Long Term Community Outcomes Plan:

Outcome Two – A thriving, resilient and innovative economy creating opportunities for growth and employment.

Outcome Five – A District that is a safe place to live.

Grey District Council has also noted that the development of a dangerous, affected and insanitary building policy is up to each territorial authority to determine and has responded accordingly.”

- 6.27 The Council's policy now excludes earthquake prone buildings which are covered separately under the Building Act 2004 since an amendment was made in 2017 to provide a nationally consistent framework for managing earthquake prone buildings. This new framework requires buildings to be assessed for seismic rating if deemed potentially earthquake prone. It was through this process that the seismic assessment was undertaken in 2019 and determined to be as low as 15% of New Building Standard.
- 6.28 On 4 December 2024, the applicant received a Section 124(2)(c) Building Notice which deemed the building as Dangerous and Insanitary, with actions required to remedy this, including demolition of the building before 26 April 2026.
- 6.29 It is important context to understand that there is a direct conflict between providing for the health, safety and wellbeing of the community, and the retention of historic heritage, where there are major health and safety risks posed by these buildings. Where previously Councils did not push heritage owners to address the health and safety risks of these buildings to prevent demolition, the Canterbury earthquakes demonstrated the real and significant risk to life and property that these buildings can pose when not strengthened to an adequate standard.

Section 104(1)(b) - Relevant provisions of standards, policies and plans
West Coast Regional Policy Statement 2020 (RPS)

- 6.30 The operative West Coast RPS post-dates the operative GDP and predates the partially operative TTPP. The RPS is the highest order operative planning document for the region and as such should be given significant weight.
- 6.31 Section 3 Poutini Ngāi Tahu and the Management of Natural Resources Objectives and Policies applicable to the application are considered to be:

Objective 3.2 Recognise and provide for the relationship of Poutini Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga within the West Coast Region.

Policy 1. Acting cooperatively and in good faith, the Regional and District Councils will continue to provide opportunities for active involvement of tangata whenua in resource management processes under the RMA.

Policy 2. In consultation with Poutini Ngāi Tahu, provide for the protection of ancestral land, wāhi tapu, water, sites, and other taonga from the adverse effects of activities, in a manner which is consistent with the purpose of the RMA.

Policy 3. The special relationship that Poutini Ngāi Tahu have with te taiao (the environment), and their economic, cultural, and spiritual values, including their role as kaitiaki, will be given particular consideration in resource management decisions and practices.

- 6.32 The site has been identified as a site of significance to Māori. The building itself is not significant, but the land underneath it is. The excavation to remove foundations will be largely addressed through the Archaeological Authority process.

The proposal is within the rohe of Te Rūnanga o Ngāti Waewae who were notified of the application, and whom written approval was required to meet permitted activity standards in TTPP. Te Rūnanga o Ngāti Waewae have requested that their Accidental Discovery Protocol be used and the applicant has offered this as a condition of consent.

The proposal is considered to be consistent with these objectives and policies.

- 6.33 Section 4 Resilient and Sustainable Communities Objectives and Policies applicable to the application are considered to be:

Objective 4.1. To enable sustainable and resilient communities on the West Coast.

Objective 4.2. This region's planning framework enables existing and new economic use, development and employment opportunities while ensuring sustainable environmental outcomes are achieved.

Objective 4.3 To ensure that the West Coast has physical environments that effectively integrate subdivision, use and development with the natural environment, and which have a sense of place, identity and a range of lifestyle and employment options.

Objective 4.4 The significant values of historic heritage are appropriately managed to contribute to the economic, social and cultural wellbeing of the West Coast.

Policy 4.1. To sustainably manage the West Coast's natural and physical resources in a way that enables a range of existing and new economic activities to occur, including activities likely to provide substantial employment that benefits the long term sustainability of the region's communities.

Policy 4.5 Promote the sustainable management of historic heritage, through: a) Identification of significant values associated with historic heritage; b) Ensuring that subdivision, use and development does not detract from the significant values of historic heritage; and c) Encouraging the adaptive reuse of historic heritage where appropriate and practicable.

Section 4 Resilient and Sustainable Communities Objectives and Policies seek to enable sustainable and resilient communities and provide for economic development. Demolishing a hazard-prone building and enabling redevelopment of the site in future will achieve this goal. In addition, these objectives and policies seek to manage the significant values of historic heritage and encourage the adaptive reuse of historic heritage where appropriate and practicable. The information supplied by the applicant and the assessment undertaken by Ms McKenzie demonstrate that it is not practicable to re-use this building given its dilapidated state and the significant cost of strengthening and repair.

The proposal is considered to be consistent with these objectives and policies.

Natural Hazards

Objective 11.1. The risks and impacts of natural hazard events on people, communities, property, infrastructure and our regional economy are avoided or minimised.

- 6.34 While the Natural Hazards chapter seeks to avoid or minimise the risks of natural hazards on people, communities, property, the policies are focused on new development and use in hazard prone areas. The removal of a hazard-prone building will, however, reduce the earthquake hazard risk in the Greymouth CBD area posed by unsafe buildings and is consistent with Objective 11.1.
- 6.35 Overall, the activity is not considered to be contrary to the RPS objectives and policies for the reasons outlined above.

Ms McKenzie is of the opinion that this proposal, if conditioned appropriately, is not contrary to the West Coast RPS. I agree with this opinion.

Grey District Plan (Operative 2005)

- 6.36 The relevant Objectives and Policies of the District Plan are noted in the table and then assessed further below. The site is zoned "Commercial Environment Area". In considering the Objectives and Policies of the District Plan, I note that an overall judgement is required in that each individual provision is not required to be satisfied, but a balance is achieved, nonetheless.

Chapter/Section	Objectives	Policies
Section 9 Natural Hazards	9.3.1	
Section 10 Tangata Whenua	10.5.3 10.5.2	10.6.5
Section 14 Heritage	14.3.1	14.4.4
Section 20 Commercial and Industrial Environmental Area	20.3.1	

- 6.37 The natural hazard policies focus on new land use in hazard prone areas. However, the demolition of an earthquake prone building in the Greymouth CBD will reduce the risk to people from natural hazards, and is therefore consistent with Objective 9.3.1
- 6.38 The site is identified in partially operative TTPP as a Site of Significance to Māori. (SASM 57 Mawhera gardens, part of the Mawhera Pa and SASM 62 (Mawhera Native reserve, also part of Mawhera Pa) highlighting the long strong history of tangata whenua in Central Greymouth.

The GDP seeks through Objective 10.5.4 and policy 10.6.5 to work with tangata whenua in resource consent decisions and the Council has done so through advising Te Rūnanga o Ngāti Waewae of the application in the first instance and servicing notice of the application at the time of public notification. As noted above, the request of Te Rūnanga o Ngāti Waewae has been addressed through a volunteered condition of consent.

6.39 The objectives and policies are contained in the Heritage Chapter of the GDP also require careful consideration. Objective 14.3.1 seeks to recognise and protect heritage buildings. It is not possible to achieve consistency with this objective when seeking to demolish a heritage building. Policy 14.4.4 sets out the circumstances under which the demolition of heritage items may occur. This requires the applicant to demonstrate:

A) the item is in a state of disrepair and the costs to repair are significantly greater than other development alternatives on site.

B) any alteration will not detract from its heritage value.

C) relocation of the item is able to be accommodated without having a significant adverse effect.

D) practical utilisation of the item is not possible.

E) regard has been had to cultural and spiritual significance of Tangata Whenua.

F) circumstances exist where the heritage item and land it is sited on is in different ownership and following investigation into practical options for the retention of the heritage item, it is unreasonable for the building to remain.

Part A. The Greymouth Courthouse is clearly in a dilapidated state, and the applicant has demonstrated that the costs to fully repair or retain just the façade are significantly greater than a rebuild. This part of the objective is met.

Parts B and C are not relevant because they do not involve relocation or alteration.

Part D. The building in its current state is subject to a dangerous and insanitary building notice, and is not fit for any form of occupation, so practical utilisation of the item is not possible without substantial repair and strengthening work being undertaken. This part of the objective is met.

Part E. The site (not the feature) is recognised as being culturally significant to tangata whenua due to historic occupation of the area. The effects of the ground disturbance could be addressed through the Archaeological Authority which will be required by HNZPT as well as offering an Accidental Discovery Protocol condition. This part of the objective is met.

Part F. As discussed earlier and detailed by Ms McKenzie, the GDP makes specific reference to the Greymouth CBD where land ownership is often different to building ownership, which provides particular complexities and challenges to managing heritage buildings. Options for the retention of the building have been extensively canvassed over a protracted period of time, and none have been identified. Ms McKenzie considers it unreasonable to require the retention of the building. I agree with her opinion. This part of the objective is met.

6.40 The Commercial and Industrial Environmental Area objective 20.3.1 is also relevant.

Objective 20.3.1 The efficient use of commercial and industrial areas including the port area, to serve the needs of the District in a manner that maintains a standard of amenity appropriate to the area and which will not compromise the amenity of adjoining areas.

The dilapidated state of the building is detracting from the amenity of the surrounding area. Ms McKenzie is of the view that, demolition of the building will improve the overall amenity of the surrounding commercial area and enable new development which will further enhance the amenity of the area. I agree with her opinion.

The proposal is consistent with this objective.

Overall Judgement

6.41 Overall, the proposal is considered to be consistent with the objectives and policies of the Grey District Plan, particularly noting that while the plan seeks to protect historic heritage, it recognises some circumstances in which demolition is an acceptable outcome.

Partially Operative Te Tai o Poutini Plan (TTPP)

I note my role in the drafting of the Historic Heritage and Natural Hazards provisions for the proposed TTPP.

6.42 Decisions have been released for TTPP. The appeals period has closed, and resolution of those appeals may take some time. Some of the relevant provisions are under appeal. Careful consideration of the weight of the various provisions is required.

The relevant objectives and policies are:

Chapter/Section	Objectives	Policies
Contaminated Land	CL-O1	CL-P1, CL-P2, CL-P3
HH – Historic Heritage – Ngā Tuku Ihotanga.	HH-O1, HH-O4	HH-P7 (under appeal)
SASM – Sites and Areas of Significance to Māori – Ngā Wāhi Tāpua ki te Māori.	SASM-O1, SASM-O3	SASM-P7 (under appeal), SASM-P12 (under appeal),
Commercial and Mixed Use Zones	CMUZ-O1, CMUZ-O3, CMUZ-O4	CMUZ-P1, CMUZ-P15

6.43 TTPP seeks to protect historic heritage on the West Coast. HH O4 requires that demolition only occurs in limited circumstances, set out in HH-P7. HH-P7 is subject to appeal.

HH-P7 provides a pathway for demolition subject to meeting certain criteria. These are:

- The extent of the work required to retain the heritage items is of such a scale that the heritage values and integrity of the heritage item would be significantly compromised;*
- The item poses a significant risk to public safety and there is no practicable alternative to make the site safe;*
- The costs to retain or repair the heritage item would be unreasonable;*
- All other viable alternatives, including relocation and repositioning, have been fully considered.*

Part a. The HIA confirms that strengthening proposals for 34% and 67% of NBS would require a level of structural intervention that would further diminish the already compromised heritage values and remaining fabric of the interior spaces. The heritage expert states: “my observation is that the bulk of the building behind the street facade, both interior and exterior

has been compromised whether by modern alteration, intruder vandalism, structural failure and moisture ingress. The WSP strengthening proposals further compound this to the point that together the current condition and strengthening proposals would significantly compromise the remaining heritage fabric of that section of the building."

Part b. The building remains under a Dangerous and Insanitary Building Notice, and it is not safe to occupy. There are risks both to pedestrians and road users from the unreinforced façade, requiring security fencing to provide some reduction in risk by bringing attention to it, but it does not reduce the risk, nor is it a practical long term option. There is also risk to an adjacent transformer faced by a severely compromised exterior wall.

Parts c and d. The applicant has demonstrated that the costs to retain and repair the building are significant and are unreasonable in the circumstances. The applicant has no use for the building. The applicant has attempted to sell or give away the building, looked at a façade retention option, and relocation and repositioning are not viable.

The applicant has volunteered conditions of consent aimed at mitigating the heritage loss through photographic recording, enabling salvage/protection of heritage materials for reuse in other projects and appropriate demolition management. Ms McKenzie considers this goes some way towards consistency with HH-O1. I agree with this opinion.

In Ms McKenzies' view, the TTPP objectives and policies seek to protect historic heritage and avoid demolition and destruction except in circumstances where it is not viable to retain the historic heritage. The applicant has demonstrated that the criteria in HH-P7 have been met. As such her view is that the proposed demolition is generally consistent with the Historic Heritage objectives and policies. I agree with this opinion.

- 6.44 The TTPP seeks to protect Sites of Significance to Māori from inappropriate development. The Plan sets out objectives and policies, which are achieved through rules. SASM-P13 specific seeks to enable demolition of existing buildings and structures. In this instance, the proposal meets permitted activity rules for demolition and earthworks, an ADP condition is offered and therefore is considered by Ms McKenzie to be consistent with these objectives and policies. I agree with this opinion.
- 6.45 The proposal also involves soil disturbance within a HAIL site due to the presence of asbestos. The objectives and policies in the TTPP relating to contaminated land seek to manage or remediate land to avoid risks to human health. The volunteered conditions of consent require the involvement of a suitably qualified environmental practitioner at the time of demolition, to ensure that the demolition and associated soil disturbance is managed to avoid risks to human health. The proposal is considered by Ms McKenzie to be consistent with these objectives and policies. I agree with this opinion.
- 6.46 The objectives and policies for the Commercial and Mixed Use Zones seek to support commercial activities, achieve a high-quality built environment and provide for redevelopment. While CMUZ-P15 makes reference to maintaining historic features the direction of the zone is to be enabling of development and the proposal to demolish and make the site ready for future redevelopment is consistent with these objectives and policies.

Ms McKenzie is of the opinion, the objectives are not achieved by strictly adhering to CMUZ-P15 and requiring the retention of historic heritage when it involves a fenced off, dilapidated building which is detracting from the character of the surrounding commercial environment. I agree with this opinion, the feature strongly contrasts and distracts from the Pounamu Pathway building for instance.

Overall, the proposal is considered to be consistent with the objectives and policies of the TTPP.

- 6.47 For completeness, Ms McKenzie notes that the submission from HNZPT considers that there are inconsistencies with the GDP, and that the proposal is contrary to the objectives and policies in the TTPP. Ms McKenzie disagrees with this position. She details that while both plans seek to protect historic heritage, both plans also clearly provide a policy pathway for demolition where it has been demonstrated as not being viable to retain. The TTPP decisions version differs from the notified version. Where HH-O4 in the notified version explicitly sought to not allow demolition, the decisions version allows for demolition in limited circumstances, which the applicant has met. I agree with Ms McKenzies opinion, the decisions version of the provisions does provide a demolition pathway in particular circumstances where robust assessment of options have been undertaken and it is not viable to retain the feature.

Overall Judgement

Overall, the proposal is considered to be consistent with the objectives and policies of TTPP.

SECTION 104D ASSESSMENT

- 6.48 As a non-complying activity, the proposal must pass through one of two gateways in section 104D of the RMA.

The proposal has been assessed as having a more than minor effect on historic heritage. The proposed demolition is a permanent loss of heritage feature which will have a major adverse effect. The proposed conditions provide some mitigation through the salvaging of materials where possible, and a photographic record.

The proposal cannot meet section 104D(1)(a), which the applicant accepts in the AEE. Ms McKenzie assessment is consistent with this. I agree with these assessments.

- 6.49 The proposal must therefore not be contrary to the objectives and policies of a plan or a proposed plan to pass through the s.104D gateway. A broad overall assessment is required to make this judgement.

Ms McKenzie has provided detailed consideration of the objectives and policies from the operative GDP, and the partially operative TTPP. Both plans have clear direction to protect historic heritage from demolition and destruction they do also provide a pathway for specific circumstances where it may occur. Ms McKenzie is of the view that the demolition of the Greymouth Courthouse building is not contrary to the objectives and policies of either plan. I agree with her opinion and am satisfied that the proposal meets section 104D(1)(b) of the RMA and passes through the gateway.

Part 2 Matters

- 6.50 Case law has confirmed that it is appropriate to consider Part 2 of the RMA when assessing an application for resource consent, however a Part 2 assessment may not add value where the plan: • contains a coherent and comprehensive set of policies designed to achieve clear environmental outcomes; and • has been competently prepared, with appropriate regard to the provisions of Part 2.

The GDP and TTPP have comprehensive historic heritage provisions, giving effect to Section 6(f) of the RMA.

- 6.51 The purpose of the RMA is to promote the sustainable management of the natural and physical resources. The definition of sustainable management, found in Section 5 of the RMA, is: “managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well being and for their health and safety while: (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations: and (b) Safeguarding the life-supporting capacity of
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air, water, soil and ecosystems: and (c) Avoiding, remedying, or mitigating any adverse effect of activities on the environment

It is noted that a core part of the purpose of the RMA is to provide for the health and safety of people and communities. The current dilapidated and dangerous state of the building puts people and communities at risk, and the proposal will remove this risk in relation to the application site. Subject to the imposition of conditions which provide mitigation for the adverse effects on heritage values, I consider the proposal overall to be consistent with the purpose of the RMA.

- 6.52 Section 6 lists matters that are considered to be of National Importance, which must be recognised and provided for. The protection of historic heritage (Section 6(f)) is one of these matters. As outlined by the heritage professional engaged by the applicant, and HNZPT, there are some ways in which the heritage impacts can be mitigated, through recommended conditions of consent. Subject to including these conditions, including requiring a comprehensive record of the building, I consider the proposed demolition provides some protection of historic heritage, albeit not in a built form.
- 6.53 Section 7 states other matters that the Consent Authority shall have regard to. Of relevance to this proposal are: • 7(b) the efficient use and development of natural and physical resources; • 7(c) the maintenance and enhancement of amenity values; • 7(f) maintenance and enhancement of the quality of the environment.
- 6.54 With regard to section 7(b), land is an important physical resource. The applicant is unable to efficiently use this land while the building remains in place and in its current state. The proposed demolition will allow reuse of the land which in my view is an efficient use of the land resource.
- 6.55 Section 7(c) refers to the maintenance and enhancement of amenity values. The current state of the building is significantly detracting from the amenity values of the surrounding area, and it is my view that the demolition of the building will enhance the amenity values of the surrounding environment.
- 6.56 Section 7(f) refers to maintenance and enhancement of the quality of the environment. I consider providing for health and safety also forms part of the consideration of the 'quality' of an environment and an unusable or unsafe building detracts, rather than adds to the quality of the environment. In this way, the demolition of the unsafe building allows for the enhancement of the quality of the environment.
- 6.57 In considering this application, I have had regard to section 7 of the RMA, and do not consider the proposal to be contrary to this section.
- 6.58 This proposal does not require any specific consideration in terms of the principles of the Treaty of Waitangi (Section 8 of the Act), but an accidental discovery protocol has been requested by Te Rūnanga o Ngāti Waewae and this has been volunteered by the applicant.
- 6.59 For the reasons set out in this report I consider the application in its current form, including the proposed amendments made through further information and by the applicant in response to submissions, will not be inconsistent with the relevant matters in Part 2 of the RMA, and overall will achieve the purpose of the RMA.
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7. DECISION

7.1 I have read the application, supplementary information, submissions and the s.42A Planning Report from Ms McKenzie.

7.2 Ms McKenzie has assessed the matters under s.104 and s.104B of the Act, I agree with her assessment of these matters and conclusions that a balance must be struck between competing considerations, and what is “reasonable” in this application:

The importance of retaining the buildings, which are important heritage items in terms of Greymouth’s character, streetscape, cultural history and amenity;
The issue of cost and practicality associated with the strengthening required to bring the buildings up to current seismic standards;
The long term retention of unoccupied heritage buildings without ongoing maintenance creating a similar adverse environmental effect in terms of public health and safety, amenity, and demolition by neglect.

7.3 The demolition of the building will have more than a minor effect in terms of the loss of heritage values and consequently will create adverse effects on the environment

I agree with Ms McKenzies’ opinion that, subject to the imposition of the conditions any adverse effects of the proposal can be adequately avoided or mitigated in the particular circumstances presented by this application.

The proposal is considered to not be contrary to Part II of the RMA or the objectives and policies of both the GDP and the TTPP and therefore passes the section 104D gateway test for non-complying activities.

7.4 It is my decision to **grant** the Resource Consent application LUN3463_25 and LUN3275_25 Ministry of Justice subject to the following conditions.

These conditions are informed by Ms McKenzies’ s.42a report appendix 2, pages 60-68. I acknowledge the consultative and collaborative effort undertaken to provide these.



Edith Bretherton
Independent Hearings Commissioner

27 March 2026

LAND USE CONSENT LUN3463_25 and LUN3464_25 – SCHEDULE OF CONDITIONS

Pursuant to sections 108 and 104B of the Resource Management Act 1991 this resource consent is subject to the following conditions:

General

1. The activity shall be undertaken in general accordance with the application received by the Grey District Council on 15 December 2025, and further information submitted 19 December 2025 and 12 January 2026 along with the papers held on the Council's Resource Consent file LUN3463/25 and LUN3464/25.
2. Certified works under this consent must be undertaken in accordance with the certified information, plans and methodologies.

Heritage

3. A comprehensive digital photographic record of the affected areas of the former Courthouse and its setting must be made by the Consent Holder's Heritage Professional before, during, and after the completion of the works. The record must be lodged with the Grey District Council for their records within three months of the completion of the demolition. The intention of the digital photographic condition is to secure a reasonable record of the demolition works. The same digital device positions should be used for all image sets where practicable (recognising that access and safety constraints may limit exact replication) before, during and after the works to enable comparison. They must be labelled with the location, date and photographer's name, and submitted with a plan showing photograph locations. Images must be at least 1440 pixels by 960 pixels to enable for a 4"x 6" photographic print at a minimum resolution of 240 PPI. Images can be taken with a good quality camera, phone or tablet. Images should be submitted to the Council's 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 or dropbox.com to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to.

Advice note:

The Consent Holder is encouraged to review Sections 6.7 and 6.8 of Heritage New Zealand Pouhere Taonga's "Investigation and recording of buildings and standing structures" which sets out the expected standard for photographic archival recording of heritage buildings.

4. If considered practicable by the Consent Holder's Heritage Professional, pieces of the base stone shall be offered to the Dobson Heritage Park.
5. Prior to the letting of the contract for demolition, the Consent Holder shall submit to the Council's Regulatory Manager for certification, a list of those features and materials from the Former Greymouth Courthouse that the Consent Holder's Heritage Professional considers reasonably capable of safe removal and reuse, having regard to structural condition, access constraints, and health and safety considerations. The list shall be developed following consultation with representatives of the Runanga Miners Hall Trust, Dobson Heritage Park and the Greymouth Heritage Trust for the purpose of identifying items of genuine interest, and evidence of this consultation shall be provided. The purpose of this documentation is to demonstrate that reasonable and practicable opportunities for salvage of heritage features and materials have been explored and maximised to the extent appropriate, without obligating the Consent Holder to make available items that cannot be safely removed, are unsafe for reuse, or for which no reasonable interest exists.

Advice note:

The features and materials referred to in the condition above, may include, but are not limited to, the foundation stone, base course stones, internal doors, and timber trim.

6. The Consent Holder shall ensure that a reasonable time period for salvage of the identified materials is provided (generally expected to be in the order of 10–15 working days but having regard to the demolition programme, site safety requirements, and the practicality of removing the identified materials) to the interested parties, and that reasonable access to the building is provided to the extent that access can be safely granted in accordance with the direction of a Chartered Professional Engineer or the PCBU's Health and Safety Manager to enable salvage to occur.
7. If access is reasonably withheld to all or part of the building and this prevents salvage of heritage features or materials, the Consent Holder shall notify the interested parties and submit the reasons why access was withheld to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to.

Advice note:

The Greymouth Courthouse Building is subject to a "Dangerous and Insanitary Building Notice under section 124(2)(c) of the Building Act, and the health and safety risks posed by entering the building may make providing access to some heritage features unreasonable.

8. At the completion of the salvage period, and prior to or as demolition commences on those parts of the building necessary to enable access to salvageable items, the Consent Holder shall provide a short report, outlining the steps which were taken to enable salvage of heritage features and materials, including any items that can only be accessed and salvaged during the course of demolition, to demonstrate compliance with Conditions 4-7 above to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to.

Demolition

9. Prior to demolition of any of the existing buildings commencing, the Consent Holder shall provide to Council a Demolition Management Plan (DMP) for certification that it provides suitable measures to avoid or mitigate the effects of demolition activities. The DMP shall include:
 - Preparation of a de-construction plan, and undertaking demolition in accordance with the directions of a structural engineer to avoid collapse of weakened structures and damage to any adjacent structures including the listed heritage building #5059 at 24-26 Guinness Street, and ensure demolition occurs safely.
 - Confirmation of approved disposal sites for waste, including contaminated soils.
 - Preparing and implementing a Site Specific Safety Management Plan to ensure hazards are managed.
 - Preparing and implementing a Traffic Management Plan (TMP) outlining how vehicle and pedestrian movements will be controlled to keep the public safe.
 - Preparing and implementing a Demolition Noise and Vibration Management Plan (DNVMP) outlining how noise and vibration nuisance will be mitigated during demolition activities.
 - Controlling noise by restricting use of machinery to between 7.30am – 6.00pm, and truck movements between 7.30am – 5.00pm Monday to Saturday, and avoiding works on Sundays and public holidays except in cases of operational necessity.
 - Controlling dust by way of applying water to working faces during demolition, ceasing activities during high winds, and dampening truckloads of demolition material.
 - Installing sediment control such as fencing, bunds to prevent sediment entering the stormwater system, and ensuring trucks are clean of material to ensure debris are not carted onto roads.
10. The Demolition Management Plan certified by the Council under condition 9 above, shall be implemented for the duration of the demolition activity occurring on the site.

Contaminated Soil

11. The Council shall be notified at least ten working days prior to the commencement of earthworks. The notification shall be emailed to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to.
 12. A Site Management Plan (SMP) shall be prepared by a Suitably Qualified and Experienced Practitioner and provided to Grey District Council for approval by way of e-mail to planning@greydc.govt.nz no later than 10 working days prior to the commencement of the earthworks. The SMP shall include measures designed to address the risk posed to human health by the potential presence of asbestos in the soil, including an appropriate level of investigation once the building has been demolished and access to the underlying soils is provided.
 13. In the event of contamination discovery e.g. asbestos detection, visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. Any measures to remediate or manage the discovered contamination may require a resource consent under the NES.
 14. All contaminated soils removed from the site will not be suitable to be disposed of at a cleanfill facility and must be disposed of at a facility whose waste acceptance criteria permit the disposal.
 15. The Consent Holder shall submit evidence (i.e. weighbridge receipts or waste manifest) of the disposal of surplus soils from the site to an authorised facility to the Council, by way of email to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to, no later than 20 working days following this disposal.
 16. Accidental Discovery Protocol
Should archaeological material or sites be discovered during the course of work on the site, the Consent Holder shall follow Te Rūnanga o Ngāti Waewae's Archaeological Site Accidental Discovery Protocol, which is attached to this consent and marked 'B'.
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**TE RŪNANGA O NGĀTI WAEWAE
ARCHAEOLOGICAL SITE ACCIDENTAL DISCOVERY PROTOCOL**

Purpose

The purpose of this protocol is:

- To manage and protect the integrity of "known" and "unknown" archaeological sites from damage and loss.
- To maximise the opportunity to retrieve physical and archaeological evidence from disturbed sites. In cases where sites clearly are unable to be retained intact, the orderly and systematic removal of archaeological evidence and information is of the utmost importance.
- Kōwi Tāngata (human skeletal remains) are from time to time unearthed through a range of causes, human-made and natural. The dignified and appropriate cultural management of such sites and remains is of vital importance.
- To obtain quality information on the lives, activities, food, resource use, trails and camp sites of Ngāti Waewae ancestors from archaeological sites. Early detection and assessment is dependent on early intervention to manage retrieval of such information.
- To obtain quality historic information on the lives of people, their activities, resource use and structures.
- To provide the consent conditions to be imposed on any earthworks consent.

Definition

"Archaeological site" means any place in New Zealand that...

- (i) Was associated with human activity that occurred before 1900; or is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (ii) Provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand

Heritage New Zealand Pouhere Taonga Act 2014

Process

The Contractor or Landowner shall consult with Te Rūnanga o Ngāti Waewae (the Rūnanga) to determine, in accordance with Tikanga Māori, if there are any matters of protocol which mana whenua wish to undertake in relation to the commencement of any development works, significant events or the commissioning of the completed works.

In the event of any discovery of suspected cultural remains (e.g. shells, charcoal or charcoal-stained soil, fire-fractured stone, or bones) the Contractor or Landowner shall take the following action:

1. Cease all works immediately.
 2. Staff to advise the Contractor of a find.
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3. The Contractor and/or Landowner owner shall contact an appointed archaeologist to advise on the significance of the find. If no archaeologist has been appointed before the works occurred, the Contractor and/or Landowner shall contact Heritage New Zealand Pouhere Taonga.
4. If the find is of potential significance to Ngāti Waewae, the Chair of the Rūnanga must be advised.
5. Heritage New Zealand Pouhere Taonga must be advised in all cases. It is an offence under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy an archaeological site without the prior authority of the Heritage New Zealand Pouhere Taonga.

In cases of wāhi taonga and wāhi tapu

- The Chair of the Rūnanga will be contacted by the Contractor, Landowner or Archaeologist to determine what further actions are appropriate to avoid, reduce, remedy, or mitigate any damage to archaeological sites.
- The Contractor, Landowner and/or Archaeologist shall work with the Rūnanga on any matters of protocol which they may wish to undertake in relation to the find and prior to the commencement of any investigation.
- The Contractor, Landowner or Archaeologist shall contact Heritage New Zealand Pouhere Taonga for advice of any requirements under the Heritage New Zealand Pouhere Taonga Act 2014.

In cases of suspected Kōiwi Tāngata (human remains)

- The Contractor, Landowner and/or Archaeologist shall take steps to immediately stop work, shut down all machinery or activity, secure the area to ensure that the remains are not touched and then notify the New Zealand Police and the Chair of the Rūnanga.
- The Contractor, Landowner and/or Archaeologist shall contact Heritage New Zealand Pouhere Taonga for advice of any requirements under the Heritage New Zealand Pouhere Taonga Act 2014.
- The Contractor, Landowner and/or Archaeologist must ensure that staff or themselves are available to meet and guide Police (note that the Coroners Act applies), the Rūnanga and Heritage New Zealand Pouhere Taonga staff to the site and to assist with any requests made. The area shall be marked off and if the remains are of Māori origin, the Rūnanga will decide what will happen to the remains and advise the Police and other parties of their decision.
- Work may only recommence in the area with the approval of the New Zealand Police, the Rūnanga and Heritage New Zealand Pouhere Taonga.

In the case of Pounamu

Pounamu (including all nephrite, semi-nephrite, bowenite and serpentine) is under the ownership of Te Rūnanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997. Where any pounamu is found by the Contractor or Landowner on or under the land during site works, the Contractor or Landowner is required to notify the Chairperson of Te Rūnanga o Ngāti Waewae.

In all other cases

- The Contractor, Landowner or Archaeologist will contact Heritage New Zealand Pouhere Taonga to determine what further actions are appropriate to avoid, reduce, remedy or mitigate any damage to archaeological sites.

Responsibilities

The Rūnanga

1. To inform the Contractor, Landowner and/or Archaeologist of the position of any known sites prior to earth disturbance.
2. To inform the Contractor, Landowner and/or Archaeologist in accordance with tikanga Māori, if there are any matters of protocol which mana whenua wish to undertake in relation to the commencement of work or significant events.
3. To provide a contact person, email address and mobile numbers and the marae office number to the Contractor, Landowner and/or Archaeologist.
4. To adopt a policy of responding to notification of a "suspected site find" within a 2 working day timeframe;
5. The response will include contacting appropriate people and organisations depending on the nature of the "find" and arranging a time for inspecting the site.
6. Co-ordination of the appropriate action to remove (if appropriate) any archaeological material from the site in consultation with Heritage New Zealand Pouhere Taonga.

The Contractor or Landowner

1. To require all staff/contractors involved in drilling, earthmoving, or mining operations to undertake a training session on the recognition of archaeological sites, wāhi tapu, wāhi taonga, urupā or kōiwi tangata if requested to do so by the Rūnanga.
 2. To implement internal management protocols to ensure staff are aware of the requirement to monitor operations in a way that allows the identification of archaeological sites including wāhi tapu, wāhi taonga, urupā or historic (European) cultural sites.
 3. To implement a reporting procedure in the event of a "find" of any archaeological material as described in the Process above.
 4. To ensure that the Contractor and Landowner will meet all statutory obligations under the Heritage New Zealand Pouhere Taonga Act and comply with all conditions of any resource consent as they relate to matters of archaeological significance.
 5. If requested beforehand, to provide a copy of the work plan no less than 25 working days prior to any earth-moving works to the Rūnanga and Heritage New Zealand Pouhere Taonga setting out:
 - A schedule of the dates of all significant earthmoving events, their sequence and duration
 - A summary of all measures being undertaken to ensure that adverse effects on archaeological values are avoided, remedied, or mitigated.
 6. To invite the Rūnanga to attend any episode of archaeological, monitoring or earthmoving activity.
 7. To provide the Rūnanga and Heritage New Zealand Pouhere Taonga a copy of all archaeological monitoring and investigation results with an invitation to respond, comment or meet to discuss any results.
 8. The consent holder shall notify the District Council of all information provided to the Rūnanga and any responses received. If appropriate, the District Council, with the
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agreement of the consent holder and the Rūnanga shall convene meetings/hui should any of the information or issues require further discussion.

9. To appoint an archaeologist(s) or a Ngāti Waewae Cultural Monitor approved by the Rūnanga to be available during all earthworks and excavations to act as an advisor on identification or protection of wāhi tapu, wāhi taonga, urupā or historic cultural sites. This person(s) to be on-site as required by conditions of resource consent, at the request of the Rūnanga or as required in the event of a discovery.

Contact details

Te Rūnanga o Ngāti Waewae:

Francois Tumahai
Chairperson
Te Rūnanga o Ngāti Waewae
Mobile: 021 425 229
Arahura Marae Office: 03 755 6451
Email: francois.tumahai@ngaitahu.iwi.nz
Arahura Marae: 1 Old Christchurch Road, Arahura

Heritage New Zealand Pouhere Taonga:

Southern Regional Office
Heritage New Zealand Pouhere Taonga:
64 Gloucester Street
PO Box 4403
Christchurch 8140
Phone: 03 363 1880
Email: infosouthern@heritage.org.nz

Appendix A – s42a Council Planning officers report and appendices



PLANNING REPORT ON PUBLICLY NOTIFIED RESOURCE CONSENT APPLICATION

APPLICATION REFERENCE: LUN3463/25 and LUN3464/25

APPLICANT: Ministry of Justice

SITE ADDRESS: 8 Guinness Street, Greymouth

LEGAL DESCRIPTION: Lot 4 DP 3250

RECORD OF TITLE: WS8B/702

APPLICATION: LU3463/25 - To demolish a Category 1 Heritage Building at 8 Guinness Street known as the Greymouth Courthouse (#5016), Greymouth within the Commercial Environmental Area under the Grey District Plan.

LU3464-25 – To demolish a Heritage Building known as the Greymouth Courthouse (HH68) and undertake earthworks, at 8 Guinness Street Greymouth within the Town Centre Zone under the Partially Operative Te Tai o Poutini Plan, and disturb soil under the National Environmental Standards for Assessing and Managing Soil to Protect Human Health.

ZONING: Commercial Environmental Area (Operative Grey District Plan), Town Centre Zone (Partially Operative Te Tai o Poutini Plan)

TYPE OF ACTIVITY:	Non-Complying
SUBMISSIONS:	Four (4)
DATE OF HEARING:	Not required
RECOMMENDATION:	Grant, subject to conditions

INTRODUCTION

1. This report sets out to provide an independent and objective assessment of the application in accordance with the Grey District Council's statutory responsibilities to consider and determine the application, and to provide a recommendation to the decision maker.
2. I have been contracted by Grey District Council to process this resource consent application. I have a Bachelor of Arts majoring in Geography. I am an Associate Member of the New Zealand Planning Institute. I am currently Director and Principal Planner of WePlan Limited. I have worked as a resource management professional for 18 years and I have held a variety of planning roles in private, local and central government sectors.
3. I have visited the site, including entering and viewing the interior of the heritage building and am familiar with the application area.
4. The resource consent application was processed on a publicly notified basis. Initially one submitter sought to be heard, but has since withdrawn that request. The Council delegation for decision making on notified applications with submissions requires an independent commissioner to be engaged to make the decision on this application.

THE APPLICATION

5. Resource consent is sought to demolish the Greymouth Courthouse building, at 8 Guinness Street. The Greymouth Courthouse is a listed heritage building in both the Grey District Plan (GDP) and the Partially Operative Te Tai o Poutini Plan (TTPP).
6. The Greymouth Courthouse is on the Heritage New Zealand Pouhere Taonga list, as a Category 1 historic building. The building was constructed in 1912, and served as

the courthouse for Greymouth until 2007 when it was replaced with a new purpose built modern building.

7. The Greymouth Courthouse is currently in a dilapidated state, with numerous notices issued by the Grey District Council to fix the building. The Ministry of Justice have no use for the building, having constructed a new courthouse a block away. Efforts have been made to sell the building (even offering it for \$1) to enable the retention and reuse of the building for another purpose, but no purchasers have been forthcoming. There are no immediate plans for reuse of the site, which will be backfilled and levelled to a gravel surface.
8. The application was lodged on 15 December 2025.
9. The applicant requested that the application be publicly notified under section 95A(3)(a), and the application was publicly notified on 14 January 2026 with a summary public notice being published in the Grey Star, and the full public notice and application information available on the Grey District Council website. Submissions closed on 12 February 2026.
10. Four submissions were received on the application within the submission period. One submitter initially requested to be heard, however this request was subsequently withdrawn when the applicant made changes to volunteered conditions of consent which addressed the submitter's concerns.

THE SITE AND LOCALITY

11. The site is located at 8 Guinness Street. It is a flat site with the building located over the majority of the site, with a small sealed service and parking area to the rear. The site is legally described as Lot 4 DP 3250 and is contained within Record of Title WS8B/702 with an area of 1370m².
12. The building is within the commercial core area of Greymouth, and is one of few remaining heritage buildings in the core area.



Figure 1: Site (outlined in purple) and surrounding area (Source: Grey District Council GIS)

ACTIVITY STATUS

13. The site is within the Commercial Environmental Area (Zone) in the GDP. It is located on Map No. 31 of the Grey District Plan Planning Maps. It is recorded as Heritage Site 5016 (See Figure 2 below).



Figure 2: GDP Zoning and heritage features (source: Grey District Council GIS)

14. The activity breaches the following rules under the GDP:

- 26.1 Listed Heritage Features – the demolition of a heritage feature is a discretionary activity under Rule 26.1(iv).
15. The proposal accordingly requires consent under the GDP as a **discretionary activity**.
16. The site is zoned Town Centre Zone in the TTPP, and is subject to the Sites of Significance to Maori (SASM 62 and 57) overlay, the Pounamu Management Overlay and is identified as Historic Heritage Site HH68 (See Figure 3 below).

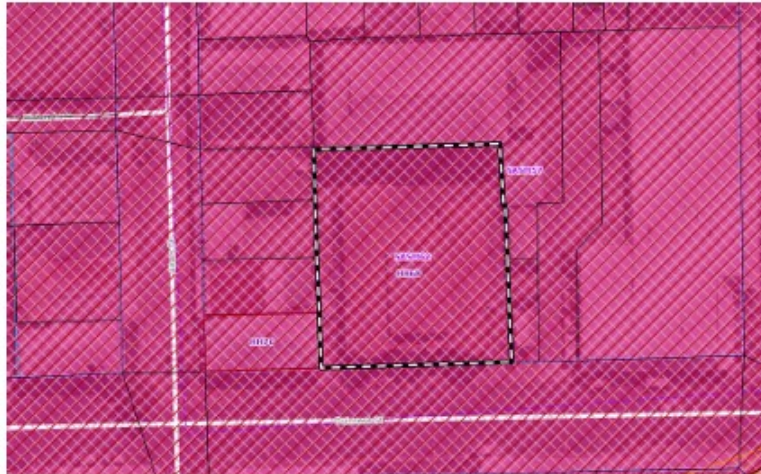


Figure 3: TTPP zoning and overlays (Source: ttpp.nz)

17. The activity breaches the following rules under the PDP:
- HH-R10 – the demolition and destruction of a historic heritage item is a non-complying activity. This rule requires consultation with Heritage New Zealand Pouhere Taonga and has legal effect. This rule is subject to appeal.
 - EW-R7 – the proposal is not listed in EW-R2 and the applicant has sought earthworks consent as a precaution under EW-R7. This rule has legal effect, and the earthworks provisions are also subject to appeal.
18. The proposal accordingly requires consent under the TTPP as a **non-complying activity**. It is also noted that the proposal complies with permitted activity rules SASM-R3 (building demolition in a Site of Significance to Maori), and SASM-R6 (earthworks in a Site of Significance to Maori) which also have immediate legal effect.
19. Decisions on the TTPP were notified in October 2025. The plan is considered partially operative, however both provisions under which resource consent is required are subject to appeal. This means that the corresponding provisions in the GDP are still

operative and have not fallen away. Consent is therefore required under both the GDP and the TTPP.

20. Consent is also required under Regulation 11 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health as a discretionary activity, because soil disturbance is proposed and a PSI/DSI has not been done for the site. The NESCS is triggered because of the presence of asbestos in the building, which may possibly have contaminated the soil under the building. Because the building covers most of the land, it isn't feasible to carry out a DSI prior to demolition.

21. The overall activity status of the application is non-complying.

NOTIFICATION

22. The application was publicly notified on 14 January 2026, and notice was served on the West Coast Regional Council, Te Runanga o Ngati Waewae, Heritage New Zealand Pouhere Taonga and the Greymouth Heritage Trust.

Submissions Received

23. The Council received four submissions during the submission period.

Submitter name	Position	Issues raised/relief sought
Mary Traves	Neutral	Submission made on behalf of Dobson Heritage Park. Submitter requests that, during demolition, two of the building's foundation/base course stones are put aside to allow them to be transferred to the Dobson Heritage Park.
Runanga Miners Hall Trust	Neutral	Submitter requests that conditions of consent allow recovery of heritage materials from the building.
Greymouth Heritage Trust	Neutral	Submitter requests that conditions of consent allow recovery of heritage materials from the building.
Heritage New Zealand Pouhere Taonga	Neutral	Submitter is not opposed to demolition. Submitter supports use of Ngati Waewae Accidental Discovery Protocol, noting however an Archaeological Authority will be required.

		Submitter requests amendments and further conditions of consent relating to photographic records and salvage of heritage materials.
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24. A copy of the submissions is contained in **Appendix 1** of this report.

25. Initially, Mary Trayes had requested to be heard in support of her submission. The remaining submitters did not wish to be heard. The applicant suspended processing of the application for a short time to discuss additional volunteered conditions of consent with Mary Trayes, the Greymouth Heritage Trust and the Runanga Miners Hall Trust, regarding the salvage of heritage materials. This discussion and resulting additional volunteered condition resulted in Mary Trayes withdrawing her request to be heard.

26. The matters raised in the submissions are addressed in the assessment of effects further below in this report.

STATUTORY CONSIDERATIONS

27. When giving consideration to an application for resource consent Section 104(1) states the consent authority must, subject to Part II, have regard to:

- a) any actual and potential effects on the environment of allowing the activities;*
- b) any relevant provisions of a plan/policy statement or a proposed plan/policy statement;*
- c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

28. When forming an opinion for the purposes of actual and potential effects on the environment of allowing the activity, Subsection 104(2) of the Act states that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

29. Subsection 104(3) of the Act states that a consent authority must not, when considering an application, have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.

30. Subsection 104(6) of the Act states that a consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.
31. Section 104D of the Act applies to the proposal, therefore in order for consent to be granted, the adverse effects of the activity on the environment must be minor, or the application must not be contrary to the objectives and policies of a plan or proposed plan. It is important to note that this is to be an overall assessment of the objectives and policies of a plan or proposed plan.

SECTION 104 - ASSESSMENT OF ENVIRONMENTAL EFFECTS

Permitted Baseline

32. Before beginning to assess the potential environmental effects of the proposal, any adverse effects permitted by the District Plan may be disregarded in accordance with Section 104(2) of the Resource Management Act. This is what is known as the "permitted baseline" principle. It is at the consent authority's discretion as to whether the permitted baseline is taken into account when considering an application.
33. I do not consider that the permitted baseline consideration is relevant to this application as the demolition or removal of a Heritage building listed in Schedule 1, page 221 - 222, of the GDP is not permitted activity in any circumstances, nor is it permitted in the TTPP.

Written approvals

34. The applicant has provided a written approval from the Proprietors of Mawhera Incorporation, which is the landowner of the site. The effects on the landowner have therefore been disregarded.

Evaluation of Actual and Potential Effects

35. The key effects to be considered in relation to the demolition of the Greymouth Courthouse are adverse heritage effects associated with the permanent loss of this historic building.

36. The GDP sets out assessment criteria for resource consent applications relating to historic heritage items which provides a helpful basis for evaluating the effects on historic heritage and the mitigating factors. I have considered and evaluated the relevant criteria below.

37. (a) *The ability of the owner to manage and maintain the feature.*

The applicant has carried out assessments of the building in terms of its structural condition, which assessed the building capacity to be around 15% of New Building Standard (NBS). The building is in a dilapidated condition, is not structurally sound, and is not able to be occupied in its current state. The building has been subject to vandalism while it has been unoccupied. The applicant has no use for the building, and without a viable tenancy option, the applicant cannot justify the maintenance and upkeep of the building, or repair and strengthening work.

38. The Heritage Impact Assessment commissioned by the applicant indicates that due to the compromised state of the majority of the building, façade retention would be a good heritage outcome. However, the assessment acknowledges that this requires a willing buyer, development and landowner, and despite the applicant's efforts to sell the building at no cost, no purchaser has been forthcoming.

39. The applicant has provided an estimate of the cost of retaining the historic façade of the building, and rebuilding behind, which is \$5.26 million. In comparison, a full rebuild of the site would be \$4.38 million. This also compares to an \$8.83 million cost of upgrading the heritage building to 100% NBS. The Ministry of Justice has no use for a new or upgraded building, because a new, fit for purpose courthouse has been constructed a block away from this building. The applicant therefore cannot justify carrying out the rebuild or upgrade work itself. Therefore, as noted in the heritage assessment, a new owner would be required to facilitate such an outcome, and this has not eventuated. I consider that the applicant has limited ability manage and maintain the heritage feature because it is surplus to their requirements and not able to be reused for the applicant's purposes.

40. (b) *The heritage significance of the feature.*

The Heritage Impact Assessment identifies that the Greymouth Courthouse building was built in 1912 on the site of a pre-1900s former courthouse building. It has historical and social significance as the place the law was administered from 1876 until 2007. The building has architectural and aesthetic significance, reflecting the era in which it was constructed. The building has contextual significance because it is an important

part of the streetscape of Guinness Street, however this streetscape has changed significantly in recent decades with the loss of the Revingtons Hotel building and the former Post Office building. There may well be archaeological significance also, as the site has known pre-1900 occupation. The building is a Category 1 heritage building on the Heritage New Zealand Pouhere Taonga list. The heritage assessment indicates that substantial modifications have been made to the building, both interior and exterior, and vandalism, structural failure and moisture ingress have contributed to its degradation over time. The façade retains the bulk of its original form (with the upper parapet having been removed around the 1970s). The heritage assessment states that the building beyond the façade is significantly compromised in terms of its heritage value because of the existing damage and modifications, and strengthening works required for the building would further compromise its value.

41. (d) Assessment of alternative uses and sources of funding for the continued maintenance of the feature.

The Greymouth Courthouse building has a unique internal layout, which in my opinion does not lend itself well to other uses. The applicant has sought approaches from developers who may have an interest in retaining the heritage building in some form, even offering the building for sale for \$1. Without a prospective tenant or developer coming forward, I am unaware of any funding streams available to the applicant to enable the continued maintenance of the feature, nor the redevelopment to the point that the building is able to be occupied.

42. (e) Whether the allowance of a six-month period to arrange for alternatives to the demolition of the building or feature is appropriate.

The proposed demolition of the former Greymouth Courthouse has been in the public awareness for some time now, and I do not consider that a further six-month period is likely to illicit any further proposals to tenant, purchase, strengthen or repair the building and I therefore do not consider it appropriate to wait a further six months.

43. (f) Any cultural or spiritual significance placed on the feature by the Tangata Whenua.

Te Runanga o Ngati Waewae were made aware of the application when it was first lodged, and have also been served notice through the public notification process, and no concerns were raised. It is acknowledged that the site is within an area known to have historic Maori occupation, however the building itself does not appear to have significance. It is the land itself which carries the cultural significance for iwi, and the issues associated with earthworks required to demolish the building will be addressed through the Archaeological Authority process the applicant will be required to go through prior to demolition. Notwithstanding this, the applicant has agreed to a

condition of consent requiring the adoption of Te Runanga o Ngati Waewae's Accidental Discovery Protocol (ADP) at their request. Heritage NZ however have noted that with an archaeological authority in place, this will supersede the ADP. The archaeological authority process will include consultation with local iwi.

44. (h) *Ability to retain the feature or parts of the feature in the proposed development or use, including moving the feature, where possible, on the site to accommodate the proposed use.*

The proposal is to completely demolish the building. Moving the building is not feasible. While the heritage assessment indicates a façade retention option would be preferred, this is demonstrated to be cost prohibitive without a willing buyer with a re-use proposal coming forward. While some heritage elements of the building may be able to be salvaged, these will not be for re-use on the site, but may be able to be used in another heritage project. Local heritage groups the Greymouth Heritage Trust and Runanga Miners Hall Trust have submitted indicating their desire to salvage materials, and the applicant has volunteered a condition enabling this salvage to occur.

45. (i) *Any immediate or cumulative effects of the loss, removal, alteration or addition to the feature on local or District-wide heritage with regard to the reasons for its listing being taken into account.*

There is no doubt that a loss of another heritage building will have immediate and permanent effects on District-wide heritage. There has been a recent slew of heritage demolitions in Greymouth, largely borne out of the earthquake strengthening requirements and the significant financial burden of upgrades to meet required building standards. The loss of this building does have a cumulative effect on the recent loss of heritage in the Greymouth CBD in particular. This list includes the former Royal Hotel, Revingtons Hotel, Waitaki House, the old post office building and the Public Trust building. In addition to these buildings demolition of other buildings in the Greymouth CDB include the Elim Church, Selwyn Traders, Richmond Hotel, R & N Traders and the old Lane Walker Rudkin Building.

46. (j) *Whether the consent of the Historic Places Trust is obtained.*

The applicant has not obtained the consent of HNZPT, however the applicant has consulted with the agency over time. HNZPT have submitted indicating that they are "not opposed" to the demolition, noting that the applicant has made attempts to retain the Courthouse by sale at \$1 to any willing purchasers who would retain the building. The result is a neutral, or non-opposition stance by HNZPT, on the basis that the applicant is unable to secure a tenant, and the costs of refurbishment would be significant. HNZ states in their submission: "HNZPT does not oppose the application

for the demolition of the Courthouse. Alternative options have been explored for strengthening, façade retention and the sale of the building, but it is evident that restoration concepts required to address the structural issues would be to an extent that significantly compromises any remaining heritage fabric, as assessed within the HIA. Efforts to sell the building (including listing for \$1.00 NZD) and facade retention both fall short in acquiring interested buyers and re-development proposals, and are therefore unable to be progressed. It is disappointing that the building's lack of use and maintenance since 2007 have now led to this unique circumstance where all options regrettably compromise the heritage item's remaining tangible values.

HNZPT recognises that without a willing proponent to retain the building in combination with a financially viable redevelopment or restoration plan, the Courthouse will continue to deteriorate, potentially to a point of complete structural failure. As such, HNZPT does not oppose this application, subject to the following recommendations being considered.

47. HNZPT seeks conditions of consent including:

- Provision of a Demolition Management Plan (volunteered by the applicant)
- Suggests amendments to the digital photographic record condition volunteered by the applicant to include reference to Sections 6.7 and 6.8 of HNZPT's recording guidelines.
- Recommends a Salvage Plan to ensure heritage fabric is not lost through demolition where it can be salvaged.

48. The acknowledgement of HNZPT that it is not financially viable to retain the building lends significant weight to the argument that the retention of the building is not feasible.

49. (k) *Where a feature is part of a group of similar features, any adverse effect on the integrity of the group in the vicinity shall be considered.*

The Heritage Impact Assessment states: "The main facade is an important part of the streetscape of Guinness St. It is the sole survivor of a number of Victorian & Edwardian buildings, including the former Post Office. Being one of the last remaining buildings of that era, and despite being a shadow of its original both in form and function, the facade is a reminder of how much of Greymouth's town centre once appeared.

50. The Courthouse sits adjacent to another heritage building. While this building is also listed as a Category 2 historic place, little detail is known about exactly when this building was constructed, however it is noted as likely to have occurred around the construction of the courthouse and has housed law firms since at least the 1940s.

while different in style, I consider there is an adverse effect on the integrity of the remaining building, having lost its context associated with the courthouse next door. This effect is unavoidable.

51. *(f) Circumstances relating to a heritage item owned separately from the land.*

This assessment matter relates directly to the situation in the Greymouth CBD where the Proprietors of Mawhera are the landowners, but do not necessarily own the buildings on the land, which presents particular challenges to the financial viability of repairing heritage buildings. In this situation, the building owner has no further use for the building or the land. The building owner has been unable to sell or give away the building, or tenant it. This provides some context to the continued deterioration of the building as there is no interest in occupying the building, or any need for the land by the existing owner who has moved its core business elsewhere, which means that maintenance and upgrading of the building is not viable.

Contamination and Earthworks Effects

73. The proposal requires consent under the NESCS, because of the presence of asbestos and the inability to test the soil until the demolition has occurred. The risk posed by the demolition itself is subject of different legislation. The applicant therefore has volunteered a number of conditions relating to the management of potential contaminants in soil. I accept that these conditions generally will avoid risks to human health associated with the recontouring earthworks, however I consider specific mention of the asbestos risk should be made in the consent conditions if consent is granted, and have recommended some minor changes to the proposed conditions to reflect this.
74. Earthworks have the potential to generate nuisance effects on surrounding landowners and occupiers. Earthworks are, however, necessary to remediate the site following the removal of the building, and are an anticipated part of development and renewal of urban spaces. The applicant proposes a Demolition Management Plan which will set out methods for controlling noise, traffic safety, dust and sediment migration.
75. I consider that the proposed Demolition Management Plan and conditions relating to management of contaminated land will adequately mitigate any temporary effects associated with soil disturbance and earthworks on the site.

Summary of Effects

76. The loss of the building will undoubtedly have a considerable adverse effect on heritage values. To mitigate this effect, the applicant has volunteered a suite of consent conditions to ensure that the building is documented, salvage of heritage materials is provided for, and that demolition occurs in a controlled manner. Adjustments to the volunteered conditions of consent have been made in response to the points raised in submissions.
77. The other effects associated with the potential for asbestos being present in the soil can be adequately managed through appropriate conditions of consent.
78. Overall, I consider that the proposal will have an adverse effect on heritage values, however these adverse effects can be somewhat mitigated through conditions of consent, which I have discussed in further detail below.

Other Matters

79. Under the Building Act 2004 Subpart 6A – Special provisions for earthquake-prone buildings Territorial Authorities must identify earthquake prone buildings within the applicable timeframe.
80. Council's Dangerous and Insanitary Building Policy was first adopted 14 February 2011. It has been updated most recently in 2024. The principle of the Grey District Council policy is as follows:
- "Grey District Council has noted that provisions of the Building Act 2004 in regard to dangerous, affected and insanitary buildings reflect the government's broader concern with the health and life safety of the public in buildings. Grey District Council will not proactively inspect all buildings within the district but will make it a priority to quickly and efficiently respond to information received regarding potentially dangerous, affected or insanitary buildings to ascertain the extent of any issues. Grey District Council is committed to ensuring that Grey District is a safe and healthy place to live and work while also ensuring that the District continues to develop and thrive. This policy supports the following outcomes from the Grey District Long Term Community Outcomes Plan:*
- Outcome Two – A thriving, resilient and innovative economy creating opportunities for growth and employment.*
 - Outcome Five – A District that is a safe place to live.*

Grey District Council has also noted that the development of a dangerous, affected and insanitary building policy is up to each territorial authority to determine and has responded accordingly."

81. The Council's policy now excludes earthquake prone buildings which are covered separately under the Building Act 2004 since an amendment was made in 2017 to provide a nationally consistent framework for managing earthquake prone buildings. This new framework requires buildings to be assessed for seismic rating if deemed potentially earthquake prone. It was through this process that the seismic assessment was undertaken in 2019 and determined to be as low as 15% of New Building Standard.
82. On 4 December 2024, the applicant received a Section 124(2)(c) Building Notice which deemed the building as Dangerous and Insanitary, with actions required to remedy this, including demolition of the building before 26 April 2026.
83. It is important context to understand that there is a direct conflict between providing for the health, safety and wellbeing of the community, and the retention of historic heritage, where there are major health and safety risks posed by these buildings. Where previously Councils did not push heritage owners to address the health and safety risks of these buildings to prevent demolition, the Canterbury earthquakes demonstrated the real and significant risk to life and property that these buildings can pose when not strengthened to an adequate standard.

RELEVANT PLANNING DOCUMENTS

84. The actual and potential effects must be considered against the objectives and policies of the relevant planning documents.

West Coast Regional Policy Statement

85. In assessing this application, I have reviewed the West Coast Regional Policy Statement 2020 (RPS). This is the most current, operative planning document should accordingly be given significant weight. The following Objectives and Policies are relevant to the activity:

Chapter/Section	Objectives	Policies
Section 3 Resource Management Issues of Significance to Poutini Ngāi Tahu	Objective 3.2	Policy 3.1, 3.2, 3.3

Section 4 Resilient and Sustainable Communities	Objective 4.1, 4.2, 4.3, 4.4	Policy 4.1, 4.5
Section 11 Natural Hazards	Objective 11.1	

86. The site has been identified as a site of significance to Maori. The building itself is not significant, but the land underneath it is. The excavation to remove foundations will be largely addressed through the Archaeological Authority process. The proposal is within the rohe of Te Runanga o Ngati Waewae who are also aware of the application, and have requested that their Accidental Discovery Protocol be used and the applicant has offered this as a condition of consent. The proposal is considered to be consistent with the objectives and policies in Chapter 3 of the RPS.

87. Section 4 Resilient and Sustainable Communities Objectives and Policies seek to enable sustainable and resilient communities and provide for economic development. Demolishing a hazard-prone building and enabling redevelopment of the site in future will achieve this goal. In addition, these objectives (4.4) and policies (4.5) seek to manage the significant values of historic heritage, and encourage the adaptive reuse of historic heritage where appropriate and practicable. The information supplied by the applicant demonstrates that it is not practicable to re-use this building given its dilapidated state and the significant cost of strengthening and repair. The proposal is considered to be consistent with these objectives and policies.

88. While the Natural Hazards chapter seeks to avoid or minimise the risks of natural hazards on people, communities, property, the policies are focused on new development and use in hazard prone areas. The removal of a hazard-prone building will, however, reduce the earthquake hazard risk in the Greymouth CBD area posed by unsafe buildings and is consistent with Objective 11.1.

89. Overall, the activity is not considered to be contrary to the RPS objectives and policies for the reasons outlined above.

Operative Grey District Plan

90. The site is zoned Commercial Environmental Area in the GDP. Given the zoning of the site and the proposed activity, it is considered that the Objectives and Policies of the following sections are relevant to the application:

- Natural hazards (Section 9)
- Tangata Whenua (Section 10)
- Heritage (Section 14)

- Commercial and Industrial Environmental Area (Section 20);

91. The relevant Objectives and Policies of the GDP are noted in the table below, and then assessed further below.

92. In considering the Objectives and Policies of the GDP, I note that an overall judgement is required in that each individual provision is not required to be satisfied, but a balance is achieved, nonetheless.

Chapter/Section	Objectives	Policies
Section 9 Natural Hazards	9.3.1	
Section 10 Tangata Whenua	10.5.3, 10.5.2	10.6.5
Section 14 Heritage	14.3.1	14.4.4
Section 20 Commercial and Industrial Environmental Area	20.3.1	

93. With regard to Natural Hazards, the GDP is similar in that it has policies focused on new land use in hazard prone areas, however the demolition of an earthquake prone building will help mitigate the risk to people posed by unsafe buildings in the Greymouth CBD. The proposal is therefore consistent with Objective 9.3.1.

94. In relation to the Tangata Whenua Chapter, the site is recognised in the PDP as a Site of Significance to Maori. The two sites are SASM 57 (Mawhera Gardens, part of the Mawhera Pa) and SASM 62 (Mawhera Native Reserve, also part of Mawhera Pa). Central Greymouth has a strong history of occupation by tangata whenua.

95. The GDP seeks through objective 10.5.4 and policy 10.6.5 to involve tangata whenua in resource consent decisions and the Council has done so through advising Te Runanga o Ngati Waewae of the application in the first instance and servicing notice of the application at the time of public notification. As noted above, the request of Te Runanga o Ngati Waewae has been addressed through a volunteered condition of consent.

96. The most pertinent objectives and policies are contained in the Heritage Chapter of the GDP. Objective 14.3.1 seeks to recognise and protect heritage buildings. It is acknowledged that it is not possible to achieve consistency with this objective when seeking to demolish a heritage building. Policy 14.4.4 sets out the circumstances

under which the demolition of heritage items may occur. This requires the applicant to demonstrate:

- A) the item is in a state of disrepair and the costs to repair are significantly greater than other development alternatives on site.*
- B) any alteration will not detract from its heritage value.*
- C) relocation of the item is able to be accommodated without having a significant adverse effect.*
- D) practical utilisation of the item is not possible.*
- E) regard has been had to cultural and spiritual significance of Tangata Whenua.*
- F) circumstances exist where the heritage item and land it is sited on is in different ownership and following investigation into practical options for the retention of the heritage item, it is unreasonable for the building to remain.*

97. The Greymouth Courthouse is clearly in a dilapidated state, and the applicant has demonstrated that the costs to fully repair or retain just the façade are significantly greater than a rebuild, meeting part a) of the objective. With regard to the above; b) and c) are not relevant because they do not involve relocation or alteration. The building in its current state is subject to a dangerous and insanitary building notice, and is not fit for any form of occupation, so practical utilisation of the item is not possible without substantial repair and strengthening work being undertaken, meeting part d) of the objective. The site (not the building) is recognised as being culturally significant to tangata whenua due to historic occupation of the area. The effects of the ground disturbance will be addressed through the Archaeological Authority which will be required by HNZPT as well as offering an Accidental Discovery Protocol condition, and part e) of this objective is considered to be met. As previously noted, the GDP makes specific reference to the Greymouth CBD where land ownership is often different to building ownership, which provides particular complexities and challenges to managing heritage buildings. Options for the retention of the building have been extensively canvassed over a protracted period of time, and none have been identified. I therefore considered it unreasonable to require the retention of the building.

98. The GDP also states in explanatory text in the heritage chapter: *"In Greymouth a number of heritage buildings are located on land which is owned by Mawhera Incorporation. The buildings are however owned by a different party who lease the land from Mawhera Incorporation. This somewhat unique situation can result in Mawhera Incorporation, at the expiry of a lease, retaining buildings which they do not own and for which they did not have previous responsibility. There is also not the same incentive*

for owners of buildings to maintain their buildings when they do not have an interest in the land and even if a party able to maintain a heritage building is found Mawhera may be unable to dispose of the property. These factors need to be considered when considering resource consent applications for these buildings."

99. This is precisely the case here. The applicant owns the building, and no longer has a use for the building. The applicant has offered the building to Mawhera in 2008 who have not expressed an interest in retaining the building and have expressed a desire for a full demolition and providing the site back to Mawhera vacant. The applicant has been unable to sell or give away the property, and as the applicant has no use for the building the repair and strengthening work required for the building to be used is economically unviable.

100. The Commercial and Industrial Environmental Area objective 20.3.1 seeks the efficient use of commercial areas, maintaining amenity. At present, the dilapidated state of the building is detracting from the amenity of the surrounding area. In my view, demolition of the building will improve the overall amenity of the surrounding commercial area, and enable new development which will further enhance the amenity of the area.

101. Overall, the proposal is considered to be consistent with the objectives and policies of the Grey District Plan, particularly noting that while the plan seeks to protect historic heritage, it recognises some circumstances in which demolition is an acceptable outcome.

Partially Operative Te Tai o Poutini Plan:

102. The TTPP decisions were released in October 2025 and the appeals period is complete. The Environment Court is currently working on timetabling mediation, and the appeals are likely to take some time to resolve. The relevant objectives and policies in the TTPP are:

Chapter/Section	Objectives	Policies
Contaminated Land	CL-O1	CL-P1, CL-P2, CL-P3
Historic Heritage	HH-O1, HH-O4	HH-P7*
Sites and Areas of Significance to Maori	SASM-O1, SASM-O3	SASM-P7*, SASM-P12*

Commercial and Mixed Use Zones	CMUZ-O1, CMUZ-O3, CMUZ-O4	CMUZ-P1, CMUZ-P15
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* denotes provisions which are subject to appeal.

103. The most pertinent objectives and policies are contained in the Historic Heritage chapter. The TTPP seeks to protect historic heritage on the West Coast, HH-O4 requires that demolition only occurs in limited circumstances. These circumstances are set out in HH-P7. It is noted that HH-P7 is subject to appeal. HH-P7 provides a pathway for demolition subject to meeting certain criteria. These are:

- a. *The extent of the work required to retain the heritage items is of such a scale that the heritage values and integrity of the heritage item would be significantly compromised;*
- b. *The item poses a significant risk to public safety and there is no practicable alternative to make the site safe;*
- c. *The costs to retain or repair the heritage item would be unreasonable;*
- d. *All other viable alternatives, including relocation and repositioning, have been fully considered.*

104. With respect to a. the heritage assessment confirms that strengthening proposals for 34% and 67% of NBS would require a level of structural intervention that would further diminish the already compromised heritage values and remaining fabric of the interior spaces. The heritage expert states: *"my observation is that the bulk of the building behind the street facade, both interior and exterior has been compromised whether by modern alteration, intruder vandalism, structural failure and moisture ingress. The WSP strengthening proposals further compound this to the point that together the current condition and strengthening proposals would significantly compromise the remaining heritage fabric of that section of the building."*

105. The building remains under a Dangerous and Insanitary Building Notice, and it is not safe to occupy, meeting part b. of the policy. There are apparent risks both to pedestrians and road users from the unreinforced façade, requiring security fencing to provide some reduction in risk. Leaving this security fencing up for a protracted period of time is not a practicable option to make the site safe. There is also risk to an adjacent transformer faced by a severely compromised exterior wall.

106. The applicant has demonstrated that the costs to retain and repair the building are significant, and in my view unreasonable in the circumstances. The applicant has

no use for the building. The applicant has attempted to sell or give away the building, looked at a façade retention option, and relocation and repositioning are not viable, meeting part c. and d. of the policy

107. The applicant has volunteered conditions of consent aimed at mitigating the heritage loss through photographic recording, enabling salvage/protection of heritage materials for reuse in other projects and appropriate demolition management. I consider this goes some way towards consistency with HH-O1.
108. In my view, the TTPP objectives and policies seek to protect historic heritage, and avoid demolition and destruction except in circumstances where it is not viable to retain the historic heritage. The applicant has demonstrated that the criteria in HH-P7 have been met. In my view the proposed demolition is generally consistent with the Historic Heritage objectives and policies.
109. The TTPP seeks to protect Sites of Significance to Maori from inappropriate development. The Plan sets out objectives and policies, which are achieved through rules. SASM-P13 specifically seeks to enable demolition of existing buildings and structures. In this instance, the proposal meets permitted activity rules for demolition and earthworks, an ADP condition is offered, and therefore is considered to be consistent with these objectives and policies.
110. The proposal also involves soil disturbance within a HAIL site (identified as such because of the presence of asbestos). The objectives and policies in the TTPP relating to contaminated land seek to manage or remediate land to avoid risks to human health. The volunteered conditions of consent require the involvement of a suitably qualified environmental practitioner at the time of demolition, to ensure that the demolition and associated soil disturbance is managed to avoid risks to human health. The proposal is considered to be consistent with these objectives and policies.
111. The objectives and policies for the Commercial and Mixed Use Zones seek to support commercial activities, achieve a high-quality built environment and provide for redevelopment. While CMUZ-P15 makes reference to maintaining historic features, this is not a directive policy, and the overwhelming thrust of the objectives and policies for the zone is to be enabling of development and the proposal to demolish and make the site ready for future redevelopment is consistent with these objectives and policies. In my opinion, the objectives are not achieved by strictly adhering to CMUZ-P15 and requiring the retention of historic heritage when it involves a fenced off, dilapidated

building which is detracting from the character of the surrounding commercial environment.

112. Overall, the proposal is considered to be consistent with the objectives and policies of the TTPP.

113. For completeness, it is noted that the submission from HNZPT considers that there are inconsistencies with the GDP, and that the proposal is contrary to the objectives and policies in the TTPP. I disagree with this position. While both plans seek to protect historic heritage, both plans also clearly provide a policy pathway for demolition where it has been demonstrated as not being viable to retain. The TTPP decisions version differs from the notified version. Where HH-O4 in the notified version explicitly sought to not allow demolition, the decisions version allows for demolition in limited circumstances, which the applicant has met.

SECTION 104D ASSESSMENT

114. As set out above, as a non-complying activity, the proposal must pass through one of two gateways in section 104D of the Act. In this instance, the proposal is considered to have more than minor adverse effects on heritage. It is clear that permanent loss and destruction of the heritage building will have a major adverse effect, one which has been partially mitigated through volunteered consent conditions including salvage opportunities and a photographic record of the building. The proposal cannot meet section 104D(1)(a), which the applicant accepts in the AEE.

115. The proposal must therefore not be contrary to the objectives and policies of a plan or a proposed plan. This is to be a broad, overall assessment, not on a provision by provision basis. I have set out my consideration of the objective and policies of the GDP and TTPP above. While the plans both clearly set out to protect historic heritage from demolition and destruction, they also indicate there are circumstances where demolition may occur. The applicant has demonstrated that the proposal meets these circumstances, and therefore in my view, the demolition of the Greymouth Courthouse building is not contrary to the objectives and policies of either plan. The proposal meets section 104D(1)(b) of the Act.

116. As the proposal passes the section 104D(1)(b) test, the application need not be declined under this section of the Act.

PART 2 MATTERS

117. Case law has confirmed that it is appropriate to consider Part 2 of the Act when assessing an application for resource consent, however a Part 2 assessment may not add value where the plan:
- contains a coherent and comprehensive set of policies designed to achieve clear environmental outcomes; and
 - has been competently prepared, with appropriate regard to the provisions of Part 2.
118. In this respect I note that both the GDP and the TTPP have comprehensive historic heritage provisions, giving effect to Section 6(f) of the Act.
119. The purpose of the Act is to promote the sustainable management of the natural and physical resources. The definition of sustainable management, found in section 5 of the Act, is:
- "managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well being and for their health and safety while:*
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effect of activities on the environment.*
120. It is noted that a core part of the purpose of the Act is to provide for the health and safety of people and communities. The current dilapidated and dangerous state of the building puts people and communities at risk, and the proposal will remove this risk in relation to the application site. Subject to the imposition of conditions which provide mitigation for the adverse effects on heritage values, I consider the proposal overall to be consistent with the purpose of the Act.
121. Section 6 lists a number of matters that are considered to be of National Importance, which must be recognised and provided for. The protection of historic heritage (Section 6(f)) is one of these matters. As outlined by the heritage professional engaged by the applicant, and HNZPT, there are some ways in which the heritage impacts can be mitigated, through recommended and mostly volunteered conditions of consent. Subject to including these conditions, I consider the proposed demolition provides for the protection of historic heritage, albeit not in the most desired manner (building retention).

122. Section 7 states other matters that the Consent Authority shall have regard to. Of relevance to this proposal are:

- *7(b) the efficient use and development of natural and physical resources;*
- *7(c) the maintenance and enhancement of amenity values;*
- *7(f) maintenance and enhancement of the quality of the environment.*

123. With regard to section 7(b), land is an important physical resource. The applicant is unable to efficiently use this land while the building remains in place and in its current state. The proposed demolition will allow reuse of the land which in my view is an efficient use of the land resource.

124. Section 7(c) refers to the maintenance and enhancement of amenity values. The current state of the building is significantly detracting from the amenity values of the surrounding area, and it is my view that the demolition of the building will enhance the amenity values of the surrounding environment.

125. Section 7(f) refers to maintenance and enhancement of the quality of the environment. I consider providing for health and safety also forms part of the consideration of the 'quality' of an environment and an unusable or unsafe building detracts, rather than adds to the quality of the environment. In this way, the demolition of the unsafe building allows for the enhancement of the quality of the environment.

126. In considering this application, I have had regard to section 7 of the Act, and do not consider the proposal to be contrary to this section.

127. This proposal does not require any specific consideration in terms of the principles of the Treaty of Waitangi (Section 8 of the Act), but an accidental discovery protocol has been requested by Te Runanga o Ngati Waewae and this has been volunteered by the applicant.

128. For the reasons set out in this report I consider the application in its current form, including the proposed amendments made through further information and by the applicant in response to submissions, will not be inconsistent with the relevant matters in Part 2 of the Act, and overall will achieve the purpose of the Act.

CONDITIONS OF CONSENT

129. The applicant has volunteered a comprehensive set of conditions, and has then agreed to some amendments to these volunteered conditions following the receipt of submissions. I have provided a recommended set of consent conditions in **Appendix 2** which are largely based on the volunteered conditions, with some amendments.

130. Key recommended changes are:

- Minor changes to align with Council's standard conditions wording;
- Improvement of the volunteered condition relating to submissions by the Greymouth Heritage Trust, Runanga Miners Hall Trust and Mary Trayes (as well as HNZPT) to ensure that the interested parties have input into the list of salvage features and materials, and are provided with a reasonable timeframe and access to the property to enable salvage to occur, with appropriate reporting conditions to ensure that all efforts are made to enable salvage;
- Reference to protection of the adjacent heritage structure in the Demolition Management Plan;
- Reference specifically to asbestos management in the contaminated land conditions to ensure that the key risk is identified and addressed when investigations occur.

131. The proposed revisions to the conditions were circulated to the applicant and the submitters prior to the completion of this report. The applicant has agreed to the revisions. All submitters have been provided a copy of the proposed revisions, and all have confirmed that they agree with the proposed conditions of consent.

CONCLUSION

132. I consider a balance must be struck between the following competing considerations, bearing in mind, what is "reasonable" in the circumstances.

- The importance of retaining the buildings, which are important heritage items in terms of Greymouth's character, streetscape, cultural history and amenity;
- The issue of cost and practicality associated with the strengthening required to bring the buildings up to current seismic standards;
- The long term retention of unoccupied heritage buildings without ongoing maintenance creating a similar adverse environmental effect in terms of public health and safety, amenity, and demolition by neglect.

133. It is accepted that the demolition of the building will have more than a minor effect in terms of the loss of heritage values and consequently will create adverse effects on the environment.

134. It is my opinion that, subject to the imposition of the recommended conditions attached to this report in Appendix 5, that any adverse effects of the proposal can be adequately avoided or mitigated in the particular circumstances presented by this application.

135. The proposal is considered to not be contrary to Part II of the Act or the objectives and policies of both the GDP and the TTPP, and therefore passes the section 104D gateway test for non-complying activities.

RECOMMENDATION

136. On the basis of the above conclusions the planning officer recommends that the application be granted pursuant to Section 104 and 104B of the Act, and that the conditions contained in Appendix 5 are imposed pursuant to Section 108 of the Act.

Date: 4 March 2026

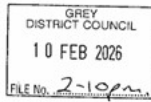
Report prepared by:

Kate McKenzie – Consultant Planner

Peer reviewed and approved for release by:

Michael McEnaney – Grey District Council Regulatory Manager

APPENDIX 1
Submissions



105 Tairua St | Greymouth 7805
PO Box 382 | Greymouth 7840
Tel 03 769 8900
Fax 03 769 8903
info@greymouth.govt.nz
www.greymouth.govt.nz

PART A - SUBMITTER DETAILS

Name of Submitter:	Mary Trayes		
Electronic Address for Service: (Email address)	maryt.runanga@xtra.co.nz		
Postal Address for Service: (or alternative method of service under section 352 of the Act)	31 Pitt Street, Runanga, 7803, Westland		
Email Address (email as above)	☒	OR Postal Address: (as above)	☐
Telephone: (Day)	n/a	Mobile Number:	027 762 7414
Contact Person: (Designation/Agent if applicable)	Mary Trayes		

PART B - APPLICATION DETAILS

Application Number:	LUN3463/25 and LUN3464/25
Name of Applicant: (State the full name)	Planz Consultants, Christchurch (T Joll & M Bonis) on behalf of Ministry of Justice, Wellington
Application Site Address:	Former Greymouth Courthouse building. 8 Guinness Street Greymouth
Description of Proposal:	The Ministry of Justice (the Ministry) applies for resource consent (land use) to demolish the heritage listed former Greymouth Courthouse (former courthouse) at 8 Guinness Street. A copy of the Record of Title is contained in Appendix 1. The applicant also applies for resource consent to remediate the contaminated site. The Ministry is requesting the application be publicly notified in accordance with section 95A(3)(a) of the RMA.

PART C – SUBMISSION DETAILS (Please tick one)

☐	I / We support all or part of the application
☐	I / We oppose all or part of the application
☒	I / We are neutral to all or part of the application

Yes	No	
☐	☒	Are you a trade competitor as identified under section 308B of the Resource Management Act 1991

If you are a **trade competitor**, are you **directly affected** by an effect of the activity to which the application relates that --

☐	☐	(a) Adversely affects the environment; and
☐	☐	(b) Does not relate to trade competition or the effects of trade competition

- i) See p. 9 of the Resource application document under the heading 'Local Historian.' This reads
Ms Trayes provided useful information on the materiality of the buildings including advising t
- ii) See p. 25, SECTION 10. Item 4 which reads, "If considered practicable by the Consent Holder

This submission is made on behalf of the Dobson Heritage Park which is within view (across the highway) of the former Dobson Quarry site. 'Island Sandstone' was quarried here from 1875 - 1912. We seek to return two of the base course stones from the old Courthouse back out to Dobson where they came from, along with the building's foundation stone which was laid by Sir Arthur Guinness. It was at his instigation that the Island Sandstone, also called Dobson Stone, was used for the base course of the new (in 1912) courthouse.

I seek that during demolition, conditions allowing, that two such stones be put aside for transfer to Dobson. We understand that the stones have been sealed with asbestos then painted over, meaning that all care will be needed for their 'cleanup' prior to them being transferred.

PART D – DO YOU WANT TO BE PRESENT AT THE HEARING

Yes	No	
☒	☐	I / We wish to speak in support of our submission at a Hearing if one is held
☐	☒	OPTIONAL: Pursuant to section 100A of the Resource Management Act 1991 I / We request that the Grey District Council delegate its functions, powers and duties to hear and decide the application to one or more Hearing Commissioner(s) who are not members of the Grey District Council. <i>(Please note that if you make such a request, you may be liable to meet or contribute to the costs of Commissioner(s). You are able to request this no later than 5 working days after the closing date for submissions on submissions)</i>

PART E – SIGNING YOUR SUBMISSION (You must sign your Submission Form)

Signature:		Date:	9/2/2026.
Signature:		Date:	
Signature:		Date:	
Signature:		Date:	

SUBMISSION ON AN APPLICATION FOR RESOURCE CONSENT

PART A - SUBMITTER DETAILS			
Name of Submitter:	Runanga Miners Hall Trust		
Electronic Address for Service: (Email address)	eric@runangaminershall.org.nz		
Postal Address for Service: (or alternative method of service under section 352 of the Act)	c/- 56 Pitt St Runanga 7803		
Primary Address for Service (must tick one)			
Email Address (email as above)	☒	OR Postal Address: (as above)	☐
Telephone: (Day)	021 102 1178	Mobile Number:	021 102 1178
Contact Person: (Designation/Agent if applicable)	Eric Martini Chair Runanga Miners Hall Trust		
PART B – APPLICATION DETAILS			
Application Number:	LUN3463/25 and LUN3464/25		
Name of Applicant: (State the full name)	Ministry of Justice		
Application Site Address:	C/- Plant Consultants PO Box 1845, Christchurch 8140		
Description of Proposal:	The proposal is to demolish the Greymouth Courthouse building, which is located at 8 Guinness Street, Greymouth. The Greymouth Courthouse is on the Heritage New Zealand Pouhere Taonga List as a Category 1 Heritage Building. The building is a listed heritage building in the Operative Grey District Plan, and the proposed Te Tai o Poutini Plan.		

PART C – SUBMISSION DETAILS (Please tick one)		
☐	I / We support all or part of the application	
☐	I / We oppose all or part of the application	
☒	I / We are neutral to all or part of the application	
Yes	No	
☐	☒	Are you a trade competitor as identified under section 308B of the Resource Management Act 1991
If you are a trade competitor , are you directly affected by an effect of the activity to which the application relates that --		
☐	☐	(a) Adversely affects the environment; and
☐	☐	(b) Does not relate to trade competition or the effects of trade competition
The specific parts of the application that my /our submission relates to: <i>(please provide details, use additional pages if required)</i>		
Section 6 – Assessment of Effects on the Environment Section 7 – Objectives and Policies Section 10 – Offered Conditions		
The reasons for my/ our submission are: <i>(please provide details, use additional pages if required)</i>		
The Runanga Miners Hall Trust acknowledges the significance of heritage buildings in preserving the history, identity, and craftsmanship of the West Coast. In considering the Ministry of Justice's application regarding the former Greymouth Courthouse, the Trust recognises the complex balance between public safety, economic practicality, and heritage preservation. The following submission outlines the Trust's position and recommendations, with a focus on ensuring that, where demolition proceeds, meaningful steps are taken to preserve and repurpose important heritage materials for the benefit of future generations. Refer to the attached additional information:		
I seek the following decision from the consent authority: <i>(please provide details including if relevant, the parts of the application you wish to have amended and the general nature of any conditions of consent you would like to see imposed, use additional pages if required)</i>		
In summary, the Trust supports the salvage of heritage materials as a practical and sustainable outcome that benefits another West Coast heritage restoration and aligns with RMA s7(b) principles of efficient resource use and reduced landfill. It therefore seeks demolition conditions that require the recovery of key materials, including native timber elements, brick, and the Dobson Quarry stone base, with priority given to the eastern side of the building, the main courtroom, and the façade base. Refer to the attached additional information		

PART D – DO YOU WANT TO BE PRESENT AT THE HEARING		
Yes	No	
☐	☒	I / We wish to speak in support of our submission at a Hearing if one is held
☐	☐	OPTIONAL: Pursuant to section 100A of the Resource Management Act 1991 I / We request that the Grey District Council delegate its functions, powers and duties to hear and decide the application to one or more Hearing Commissioner(s) who are not members of the Grey District Council. <i>(Please note that if you make such a request, you may be liable to meet or contribute to the costs of Commissioner(s). You are able to request this no later than 5 working days after the closing date for submissions on submissions)</i>

PART E – SIGNING YOUR SUBMISSION (You must sign your Submission Form)			
Signature:		Date:	11 February 2026
Signature:		Date:	
Signature:		Date:	
Signature:		Date:	

PART F – IMPORTANT INFORMATION

1. Council **must** receive this completed submission before the closing date and time for receiving submissions for this application. You are able to email your submission to planning@greydc.govt.nz.
 2. The closing date for serving submissions on the Consent Authority is the 20th working day after the date on which Public of Limited Notification is given. If the application is subject to Limited Notification the Consent Authority may adopt an earlier closing date for submissions once the Consent Authority receives responses from all affected persons.
 3. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the Consent Authority.
 4. Only those submitters who indicate that they wish to speak at the Hearing will be sent a copy of the section 42A Report.
 5. If you are a Trade Competitor your right to make a submission may be limited by the Trade Competition provisions in Part 11A of the Resource Management Act 1991.
 6. If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the Hearing Commissioner(s).
 7. Please note that your submission (or part of your submission) may be struck out if the Consent Authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - a. It is frivolous or vexatious;
 - b. It discloses no reasonable or relevant case;
 - c. It would be an abuse of the Hearing process to allow the submission (or the part) to be taken further;
 - d. It contains offensive language;
 - e. It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have specialized knowledge or skill to give expert advice on the matter.
 8. The Consent Authority is the Grey District Council
- Privacy Information**
9. The information you have provided on this form is required so that your submission can be processed under the Resource Management Act 1991.
 10. The information will be stored on a public file held by the Grey District Council. The details may also be available to the public on Councils website. If you wish to request access to, or correction of, your details please contact the Planning Department at the Grey District Council by emailing planning@greydc.govt.nz.

10 February 2026



Public Notice of Resource Consent Application – Greymouth Courthouse Demolition

Application No's. LUN3463/25 and LUN3464/25

Applicant: Ministry of Justice

The proposal to demolish the Greymouth Courthouse building, which is located at 8 Guinness Street, Greymouth. The Greymouth Courthouse is on the Heritage New Zealand Pouhere Taonga List as a Category 1 Heritage Building. The building is a listed heritage building in the Operative Grey District Plan, and the proposed Te Tai o Poutini Plan

The Runanga Miners Hall Trust takes a neutral position on the Ministry of Justice's application to demolish the Category 1 Heritage New Zealand-listed Former Greymouth Courthouse (HH68, TTPP Schedule 1A).

We acknowledge the building's severe deterioration, the uneconomic cost of repair, and the absence of viable reuse or sale options over the past 18 years, as outlined in the application.

While neutral on demolition itself, the Trust would support any viable proposal that enables retention of the building's façade.

The Trust strongly encourages conditions on any demolition consent that require the salvage of key heritage materials. These include native timber interior elements such as Rimu panelling, trim, architraves, skirtings, doors, cornices, and potentially the tongue-and-groove flooring.

[Appendix 1 – *Greymouth Evening Star*, 26 August 1912]

Salvage of the external Dobson Stone at the base of the façade should also be required.

These measures would act as mitigation under RMA s108(2)(c) and TTPP HH-P7.

These materials embody the building's architectural and aesthetic values, including style, period, texture, and material, as defined in the TTPP. They are integral to John Campbell's 1912 Edwardian Baroque design and reflect the civic materiality of the West Coast mining era. Heritage value is not limited to a building shell. The RMA defines heritage holistically, including fabric, features, and character. Salvage preserves intrinsic values, whereas total loss without recovery results in the unnecessary destruction of irreplaceable Category 1 heritage fabric and risks contravening RMA s6(f).

The Runanga Miners Hall, a Category 1 Historic Place (List No. 9613), is currently undergoing full restoration. External restoration is largely complete, with interior works scheduled to commence. As part of this work, and in alignment with the Hall's conservation plan and a recently submitted application to the New Zealand Tentative List for UNESCO World Heritage consideration, there is a strong focus on retaining authentic materials wherever possible.

Both the former courthouse and the Miners Hall incorporated locally sourced and milled native timber. Any recoverable material from the courthouse could be meaningfully incorporated into the Hall's restoration. While demolition and total material loss would not prevent completion of the Hall project, reuse of salvaged material would provide a positive heritage outcome.



Salvage would support another West Coast heritage restoration and align with circular economy principles under RMA s7(b) by promoting efficient resource use and reducing landfill. Recovery of the Dobson Quarry stone base, as referenced by local historian Mary Trayes in the Dobson Heritage Park submission, should be included, along with brick materials.

Accordingly, the Runanga Miners Hall Trust requests that conditions of consent for demolition include mandatory retrieval of heritage materials.

Areas of interest for material recovery include the eastern side of the building, specifically the rooms identified in Figure 2 as the Judge's Associate, Magistrate, Registrar, Births, Deaths and Marriages, and Clerks' offices, as well as the vestibule and main courtroom.

It is noted that the primary structural integrity concern is the western wall.

Material recovery should also include the exterior base level of the façade incorporating Dobson Stone. Identified asbestos-containing areas, as noted on the building signage, include the roof area and exterior coating on the Dobson Stone and would need to be managed accordingly.

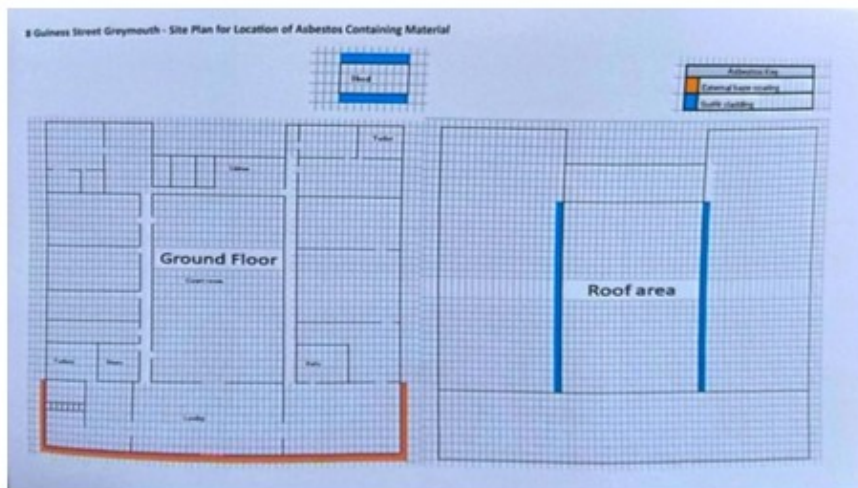


Figure 1 Location of identified asbestos - as provided by Ministry of Justice - notice on building

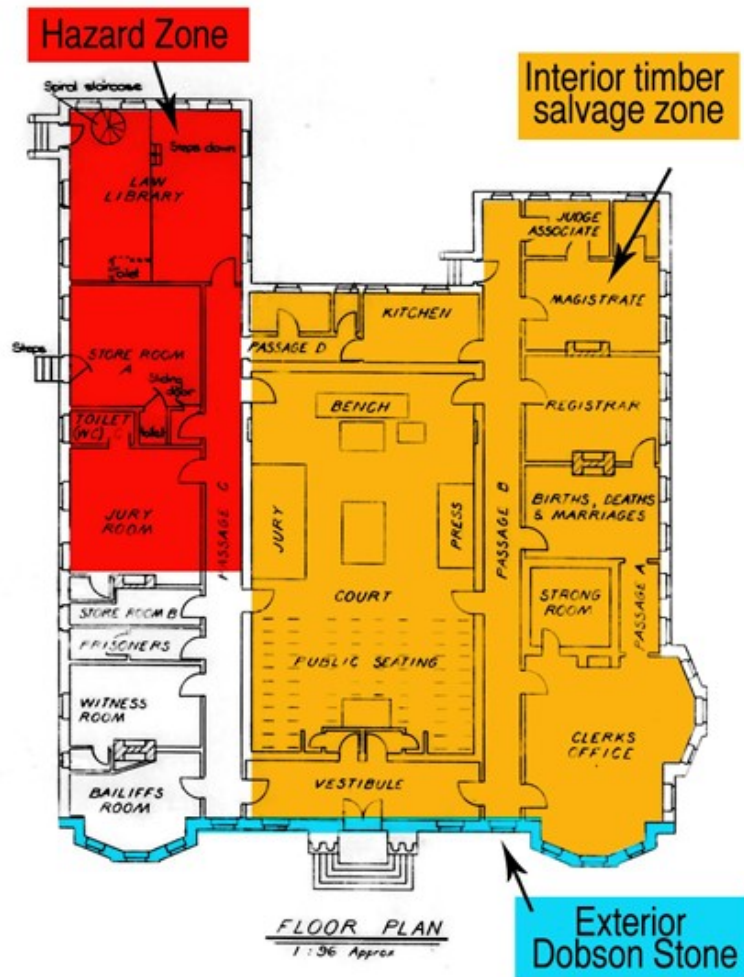


Figure 2 Courthouse floorplan - areas of interest



Figure 3 Timber interior: Registrar's office; Births, Deaths, Marriages Office; Vestibule



Figure 4 Courtroom timber interior



APPENDIX 1

Greymouth Evening Star 26 August 1912

THE NEW COURTHOUSE

A HANDSOME BUILDING
COMMODIOUS, SUBSTANTIAL AND
ADEQUATE.

The new Supreme Courthouse, erected in Hospital Street, and which is now practically out of the contractors' hands, is a very fine public building, durable, commodious, healthful, handsome and eminently suitable in every way for the purposes for which it has been erected. The building is of one-storey, built in stone, concrete and brick and apparently adequate for the dispensing of justice for many years to come. The plans were prepared by the officers of the Public Works Department, Mr. Lewis supervising the engineering work and Mr. Reynolds the inspection of the works. The building contract has been very faithfully carried out by Messrs Kelsall and Sons and in the new courthouse this firm has added further kudos to their already long list of successful undertakings. The workmanship, finish, and skilful manner in which every detail has been conscientiously carried out reflect the highest credit on the contractors.

DOBSON STONE.

The foundations are of concrete and the front basement—and partially round the sides—is built up from five to six feet with stone from the Dobson (Brunnerton) quarry, which not only gives the building a very substantial

THE NEW COURTHOUSE

Greymouth Evening Star, 26 August
1912, Page 2

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appearance but bears eloquent testimony of the excellence and suitability of the locally-secured stone for architectural purposes.

FRONT ELEVATION.

At first impressions the front elevation appears somewhat stunted, but this is no doubt accountable for when taking into consideration the importance of giving as much light as possible to the courtroom, there being three windows in front of the building above the facade, the courtroom being a clerestory room.

THE COURT ROOM.

The building is approached from Hospital Street by double doors with bay at each side. The main entrance is set off with concrete steps and a pair of pillars on either side with Ionic caps. The plastering here and the enriching of the front with several shields, etc., reflect great credit on the artistic work of Mr. W. H. Winterburn. The front doors open to a vestibule, 30 feet long by 8 feet wide, running east and west. The main courtroom is in the centre and is 50 feet long by 50 feet wide. The ceiling is 22 feet high and being a clerestory ample light is afforded by twelve lights. The walls of this room are panelled to a height of 8 ft. 9 in. The panelling work is of especial interest, the timber used being picked heart of red pine (rimu) and the natural grain of this wood is most beautiful and has already excited a good deal of admiration and wonderment that such really exquisite timber for this purpose is actually none other than West Coast grown. It was supplied to the contractors by Messrs

Stratford, Blair and Co. and the whole of the timber used in the manufacture of the doors, architraves, skirtings, etc., is well worth inspection. The joinery, too, in the courtroom panneling is very fine and creditable work indeed, and Mr. Kelsall might well feel proud of the handicraft of his workmen. The timber will ever 'bespeak its utility, give pleasure to the aesthetic sense, and be a standing advertisement of the utility of red pine for dado and ornamental purposes. The Judge's bench is situated at the western end, the jury desks, the witness box and prisoner's box, tables for the legal fraternity, reporters' desk, seats for the general public etc., are all worked out of local timber by the contractor and are substantially and creditably made. The room is approached by two doors at the front and by four doors at the sides, is spacious, well-lighted and ventilated and has a fireplace on either side.

PUBLIC OFFICE.

Corridors 66 feet long and 5 feet wide run down each side of the courtroom. The public office, which is spacious and well-lighted, is situated on the north-eastern corner of the building and is approached from the front vestibule. A lengthy counter has been erected and in this respect it will be a great advantage and convenience to the staff and public alike, especially when compared to the "pigeon hole" through which business has to be transacted in the old building. Behind the public office are situated the clerk's room, with a capacious strong room and judge's and magistrate's rooms, off which are an ante room, lavatory, conveniences, etc.

A corridor on the western side, or rear of the premises, leads to store houses, lavatories, conveniences, etc.

THE LIBRARY.

On the south-western side of the main courtroom is a large library room (the best lighted apartment in the building), a grand jurors' room, common jurors' room, witness room, and male and female prisoner's rooms.

FINISHINGS.

All the walls and partitions throughout are finished off with white plaster and putty. The ceilings are also done with fire-proof plaster and steel lathing. The pulp plaster is not only composed of ingredients that will not burn but is claimed to give considerable advantages to the acoustic properties of a room and this part of the work has been carried out by Mr. Winterburn in a very expert and creditable manner.

Altogether the courthouse is a credit to the Department, the contractors and the dominion and all that remains to complete it are decent furnishings.

Fire hoses are provided for in the side corridors and are directly connected with the main supply by $2\frac{1}{2}$ inch

pipes so that in case of an outbreak of fire this should provide ample provision to cope with incipient outbreaks.

Altogether the new building is admirably designed and is quite in keeping with the more substantial and handsome buildings that have been recently erected in Greymouth and although this district is one comparatively free from crime the new building

has not been erected a day too soon when compared with the discomforts and difficulties experienced of late in the administering of justice from the old building.

THE OLD BUILDING.

Prior to the erection of the building now to be discarded and removed the judicial business of this district was conducted in the present County Chambers in Gresson Street. Where the old building now stands was formerly the site of the Grey River Hospital but the latter institution was removed in 1875 to its present site. The present old building was erected in 1876, so that it has seen thirty-six years service.

COURT OFFICIALS

The Magistrates in the District have been William Horton Revell (deceased); Chas. Broad (late Judge Broad); Jas Mackay; Major Keddell (now deceased and of whom Mr. F. W. Keddell of this town is a son); followed by H. A. Stratford-Henniker, since deceased and husband of Mrs. Henniker, also of this town. Then came Mr. R. S. Hawkins, now in South Africa; Mr. Geo. K. Kenrick, at present in New Plymouth; Mr. R. H. Turton, since retired from the Bench and now at Invercargill practising at the bar; Mr. Alfred Cooke, now stationed at Wanganui; Mr. Wyvern Wilsen, now S.M. for Westport, and M. J. G. L. Hewitt, the present Magistrate.

DISTRICT COURTS.

Sittings of the District Court were held here for some years and were presided over by Judges C. D. R. Ward and W. R. Haselden. The District

Court sittings however, have been discontinued as it was found that the work of this court was simply overlapping the functions of other courts.

SUPREME COURT.

The circuit sittings of the Supreme Court have been held in Greymouth for the last two years, prior to which all the business of this Court arising in this district had to be dealt with at Hokitika.

CLERKS AND REGISTRARS.

The successive clerks of the Court and registrars have been Messrs Harry Kenrick, Tom Kenrick, W. A. Barton, F. J. Elmer and B. Harper, the present officer in charge. There is a long list of Justices of the Peace as present available in the town, the oldest of whom are probably Messrs F. Campbell and W. R. Kettle and Dr. Jas. McBrearty.

THE POLICE.

No court could carry on its business without the minions of the law and were it not for the police cases the business of the Court would be reduced to a minimum and under such circumstances it would be safe to say that one Magistrate could easily administer the affairs of the whole of the West Coast.

Inspector Phair, who succeeded Inspector Black, is at present in charge of this district and it is interesting to note that the Inspector was stationed on the Coast in the early days of its history. The Inspector together with Sergeant Egán, conduct prosecutions for the police.

THE LEGAL PROFESSION

THE LEGAL PROFESSION.

Greymouth has always been fortunate in having a strong bar and as was remarked at a recent valedictory court function the relations of the legal fraternity have always been of a pleasant nature. Messrs Guinness and Kitchingham are the eldest firm of practising barristers and solicitors in the town. Then comes Mr. M. Hannan (Crown Prosecutor), W. J. Joyce, T. E. Coates, J. W. Hamman (of M. Hannan), F. D. Sargent, F. Kitchingham (of Guinness and Kitchingham), T. V. Byrne, and Chalk (Sargent and Chalk).

PART C – SUBMISSION DETAILS (Please tick one)		
☐	I / We support all or part of the application	
☐	I / We oppose all or part of the application	
☒	I / We are neutral to all or part of the application	
Yes	No	
☐	☒	Are you a trade competitor as identified under section 308B of the Resource Management Act 1991
If you are a trade competitor , are you directly affected by an effect of the activity to which the application relates that --		
☐	☐	(a) Adversely affects the environment; and
☐	☐	(b) Does not relate to trade competition or the effects of trade competition
The specific parts of the application that my /our submission relates to: <i>(please provide details, use additional pages if required)</i>		
Section 6 – Assessment of Effects on the Environment Section 7 – Objectives and Policies Section 10 – Offered Conditions		
The reasons for my/ our submission are: <i>(please provide details, use additional pages if required)</i>		
The Greymouth Heritage Trust supports the submission of the Runanga Miners Hall Trust and commends its balanced and pragmatic approach to the future of the former Greymouth Courthouse. The Trust agrees that while issues of safety and economic feasibility must be acknowledged, they should not result in the unnecessary loss of irreplaceable heritage fabric. In particular, the Greymouth Heritage Trust supports the call for conditions requiring the salvage and reuse of significant materials, noting that this approach respects the building's historic value, aligns with good heritage practice, and delivers a tangible benefit to wider West Coast heritage outcomes.		
I seek the following decision from the consent authority: <i>(please provide details including if relevant, the parts of the application you wish to have amended and the general nature of any conditions of consent you would like to see imposed, use additional pages if required)</i>		
The Greymouth Heritage Trust seeks a decision that gives effect to the recommendations outlined in the Runanga Miners Hall Trust submission. Specifically, should consent for demolition be granted, the Trust supports amendments requiring conditions that mandate the salvage and recovery of significant heritage materials, including native timber elements, brickwork, and the Dobson Quarry stone base. These conditions should ensure mitigation of heritage loss is achieved in line with best practice and relevant planning provisions.		

SUBMISSION ON AN APPLICATION FOR RESOURCE CONSENT

PART A - SUBMITTER DETAILS

Name of Submitter:	Greymouth Heritage Trust		
Electronic Address for Service: (Email address)	greymouthheritagetrust@gmail.com		
Postal Address for Service: (or alternative method of service under section 352 of the Act)	PO Box 503 Greymouth		
Primary Address for Service (must tick one)			
Email Address (email as above)	☒	OR Postal Address: (as above)	☐
Telephone: (Day)	021 102 1178	Mobile Number:	021 102 1178
Contact Person: (Designation/Agent if applicable)	Eric Martini Chair Greymouth Heritage Trust		

PART B – APPLICATION DETAILS

Application Number:	LUN3463/25 and LUN3464/25
Name of Applicant: (State the full name)	Ministry of Justice
Application Site Address:	Of: Peter Condon PO Box 1845, Christchurch 8140
Description of Proposal:	The proposal is to demolish the Greymouth Courthouse building, which is located at 8 Guinness Street, Greymouth. The Greymouth Courthouse is on the Heritage New Zealand Pouhere Taonga List as a Category 1 Heritage Building. The building is a listed heritage building in the Operative Grey District Plan, and the proposed Te Tai o Poutini Plan

PART D – DO YOU WANT TO BE PRESENT AT THE HEARING		
Yes	No	
☐	☒	I / We wish to speak in support of our submission at a Hearing if one is held
☐	☐	OPTIONAL: Pursuant to section 100A of the Resource Management Act 1991 I / We request that the Grey District Council delegate its functions, powers and duties to hear and decide the application to one or more Hearing Commissioner(s) who are not members of the Grey District Council. <i>(Please note that if you make such a request, you may be liable to meet or contribute to the costs of Commissioner(s). You are able to request this no later than 5 working days after the closing date for submissions on submissions)</i>

PART E – SIGNING YOUR SUBMISSION (You must sign your Submission Form)			
Signature:		Date:	11 February 2026
Signature:		Date:	
Signature:		Date:	
Signature:		Date:	

PART F – IMPORTANT INFORMATION

1. Council **must** receive this completed submission before the closing date and time for receiving submissions for this application. You are able to email your submission to planning@greydc.govt.nz.
 2. The closing date for serving submissions on the Consent Authority is the 20th working day after the date on which Public of Limited Notification is given. If the application is subject to Limited Notification the Consent Authority may adopt an earlier closing date for submissions once the Consent Authority receives responses from all affected persons.
 3. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the Consent Authority.
 4. Only those submitters who indicate that they wish to speak at the Hearing will be sent a copy of the section 42A Report.
 5. If you are a Trade Competitor your right to make a submission may be limited by the Trade Competition provisions in Part 11A of the Resource Management Act 1991.
 6. If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the Hearing Commissioner(s).
 7. Please note that your submission (or part of your submission) may be struck out if the Consent Authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - a. It is frivolous or vexatious;
 - b. It discloses no reasonable or relevant case;
 - c. It would be an abuse of the Hearing process to allow the submission (or the part) to be taken further;
 - d. It contains offensive language;
 - e. It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have specialized knowledge or skill to give expert advice on the matter.
 8. The Consent Authority is the Grey District Council
- Privacy Information**
9. The information you have provided on this form is required so that your submission can be processed under the Resource Management Act 1991.
 10. The information will be stored on a public file held by the Grey District Council. The details may also be available to the public on Councils website. If you wish to request access to, or correction of, your details please contact the Planning Department at the Grey District Council by emailing planning@greydc.govt.nz.



HERITAGE NEW ZEALAND
POUHERE TAONGA

12 February 2026

File ref: 12007-013

Grey District Council
PO Box 382
Greymouth 7805

By email: planning@greydc.govt.nz

Tēnā koe,

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA ON THE NOTIFIED RESOURCE CONSENT APPLICATIONS LUN3463/25 AND LUN3464/25 FOR THE GREYMOUTH COURTHOUSE DEMOLITION

Submitter details:

Name of submitter:	Heritage New Zealand Pouhere Taonga (HNZPT)
Street address:	64 Gloucester Street, Christchurch
Postal address:	PO Box 4403, Christchurch 8140
Email address:	mbisnar@heritage.org.nz
Preferred address for service:	by email

Application details:

1. This is a submission on the publicly notified resource consent applications LUN3463/25 and LUN3464/25 for the demolition of the Greymouth Courthouse.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. The application comprises:
 - Demolition of the Greymouth Courthouse building located at 8 Guinness Street, Greymouth, which is a scheduled heritage building in the Operative Grey District Plan and Proposed Te Tai o Poutini Plan – Decisions Version.
4. The applicant, Ministry of Justice, is the owner of the Greymouth Courthouse building subject to this resource consent application and leases the land (subject site) which is owned by the Proprietors of Mawhera Incorporation.

Submission details:

5. HNZPT does not oppose this application, for the reasons outlined below.

The specific parts of the application that this submission relates to are:

6. Loss of a Category 1 historic place, Archaeology



Heritage Status:

7. The Greymouth Courthouse (Former) is listed as a Category 1 Historic Place (List no. 5016) on the New Zealand Heritage List/Rārangi Kōrero (the List). It is also scheduled in the Operative Grey District Plan (Item no. 5016) and the Proposed Te Tai o Poutini Plan – Decisions Version as an historic heritage item (Ref no. HH68).
8. Built in 1912, the Greymouth Courthouse was constructed to replace the previous wooden courthouse built in 1876. The building was one of Government Architect, John Campbell's, many designs for government buildings throughout New Zealand. It was constructed during a major period of government construction in New Zealand and during a time when Greymouth was establishing itself on the West Coast. The Courthouse is a significant example of one of Campbell's later designs and embodies historical and architectural values.
9. The Courthouse was constructed in an Imperial Baroque style, reflecting the style of government architecture in New Zealand in the early 1900s. The Courthouse was one of the last provincial buildings to be designed by the architect, and illustrates a more restrained character of his later work.
10. Comprising architectural, historical and contextual significance, the Courthouse not only embodies tangible heritage values through its construction, but also contains significant intangible values.

Background:

11. The following comprises a brief overview of HNZPT's involvement in consultation and discussions regarding the condition and future of the Courthouse. Please note that the below is not intended to constitute an exhaustive record of past engagement with HNZPT.
12. HNZPT was approached by Land Information New Zealand (LINZ) in 2017 regarding the potential to relocate or demolish the building. HNZPT, provided advice to LINZ to seek appropriately qualified professionals to assess the building¹.
13. In 2018, the Ministry of Justice met with HNZPT staff to discuss the condition and future of the Courthouse. At the time, the Ministry of Justice explored the option of selling the building and subletting the lease on the land. HNZPT offered advertising and promotional opportunities to assist in this endeavour².
14. In 2021, HNZPT provided a letter to the Ministry of Justice³, informing them that the Courthouse cannot be removed from the List unless the values for which it was entered on the List are no longer there. This was provided in response to a letter from the Ministry of Justice requesting the removal of "Landmark List 7052" from the List⁴. The Ministry of Justice also stated their intention to progress in their journey to demolish the former Courthouse within this letter.

¹ *Greymouth Courthouse – 8 Guinness Street, Greymouth*. Document created by Milly Woods, dated November 2019.

² Email correspondence from Niru Govind (Ministry of Justice). Recipient Dr Christine Whybrew (HNZPT), dated 16 November 2018.

³ *Former Greymouth Courthouse: List 5016*. Letter prepared by Fiona Wykes, addressed to Quintin Howard (Justice Centre), dated 13 May 2021.

⁴ Letter from Quintin Howard (Justice Centre). Recipient Fiona Wykes (HNZPT) dated 19 April 2021.



15. More recently, HNZPT was consulted by Planz Consultants in February 2025 regarding the impending resource consent proposal for the demolition of the Courthouse. HNZPT staff undertook a site visit to the Courthouse in March 2025 and were later re-engaged for a preapplication consultation meeting in October 2025 prior to lodgement of the resource consent. During this meeting, HNZPT was informed that an engineering report prepared by WSP⁵ considered that façade retention was possible. This option would also require strengthening, a carefully considered redevelopment proposal and a committed development proponent.
16. In summary, HNZPT has consistently advocated for the retention, maintenance and reuse of this Category 1 historic building through discussions and engagement with the Ministry of Justice over the course of many years.

HNZPT Assessment:

17. An application has been sought, on a publicly notified basis, for the destruction and demolition of the Courthouse, which is a Discretionary Activity under the Operative Grey District Plan and a Non-Complying Activity under the Proposed Te Tai o Poutini Plan – Decisions Version.
18. Section 6(f) of the Resource Management Act 1991 (RMA) states the protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance and must be recognised and provided for. In addition, Schedule 4 of the RMA sets information required within an application for resource consent, and clearly identifies within Clause 7 that any historical and cultural effects must also be addressed within the assessment of environmental effects.
19. The application is supported by a Heritage Impact Assessment (HIA)⁶ which thoroughly assesses the heritage values of the Courthouse, its current condition, options considered, and impact on heritage values through demolition along with the alternative option of façade retention. The following comprises HNZPT's assessment of the application, with particular reference to the HIA.
20. HNZPT generally opposes the demolition or destruction of heritage unless there are exceptional circumstances, including those in which the cultural heritage poses a serious risk to safety and interim protection works would not sufficiently reduce risks.⁷ HNZPT advocates for the continued use, maintenance and restoration of historic places to avoid the loss of heritage fabric. The impact of demolition is irreversible and as more heritage places are lost, we increasingly lose touch with the history and origins of our surroundings. Heritage is a fundamental part of the fabric of a community, and HNZPT strongly advocates that the loss of built heritage should be avoided where possible.
21. The Courthouse forms a significant part of the history, culture and heritage of Greymouth. The condition of this building has been of concern for a number of years and HNZPT has repeatedly advocated for its retention and restoration to avoid further deterioration and loss. Its demolition will result in a significant loss of heritage values.
22. Given the Non-Complying Activity Status of the application under the Proposed Te Tai o Poutini Plan – Decisions Version, the activity is contrary to the relevant objectives and policies of this District Plan, particularly in relation to the ongoing use, maintenance, protection and avoidance

⁵ Appendix 3. *Old Greymouth Courthouse - Structural reinstatement options*, prepared by WSP, dated 30 May 2025.

⁶ Appendix 2. *Heritage Impact Assessment*, prepared by Team Architects, dated 11 December 2025.

⁷ Statements of General Policy, Heritage New Zealand Pouhere Taonga, p17.



of heritage loss. The application is also inconsistent with the relevant objectives and policies relating to historic heritage within the Operative Grey District Plan as a Discretionary Activity.

23. However, HNZPT acknowledges that the applicants have thoroughly considered policy 14.4.4 relating to demolition under the Operative Grey District Plan and policy HH-P7 of the Proposed Te Tai o Poutini Plan – Decisions Version. These policies relate to the demolition of a scheduled heritage item only being allowed if by investigation and assessment, the proposal demonstrates that the criteria for demolition within these policies have been thoroughly addressed. These include ensuring the extent of work required to retain the heritage item is of such a scale that the heritage values and integrity of the item would be significantly compromised; the item poses a significant risk to public safety and there is no practicable alternative to make the site safe; the costs to retain or repair the heritage item would be unreasonable; and all other viable alternatives, including relocation or repositioning have been fully considered.
24. HNZPT acknowledges that the applicants have provided an array of engineering assessments, financial reports, and other documents to address the policy criteria which allow for demolition as a final resort. Appendix 3 of the application comprises a series of engineering reports, with the most recent being an assessment prepared by WSP, dated 30 May 2025. This assessment explored the additional concept option of façade retention as a physically viable alternative method to preserve the historical and architectural values of the building on-site. Façade retention requires a series of critical principles and methodologies to stabilise the preserved façade, and is often adopted as a last-resort alternative to avoid a complete demolition, and thus the loss of heritage values.
25. In this instance, as façade retention was professionally assessed as physically plausible, HNZPT would have accepted this as an appropriate compromise to avoid complete demolition. However, the HIA considered this option and concluded that in this circumstance, while façade retention may have been an acceptable compromise in avoiding demolition, the building's heritage values (even so) would be significantly reduced when compared to its most active operational phase. HNZPT takes assurance in the HIA assessment, which assesses that façade retention would only be practicable where there is a willing proponent capable of carefully designing a suitable redevelopment or use behind the retained façade. In the absence of willing proponents able to pursue such an approach, HNZPT acknowledges and accepts the conclusions of the HIA, while recognising the resulting loss of opportunity for heritage preservation.
26. HNZPT advocates for the continued use and regular maintenance of historic places, particularly structures and buildings, to ensure their ongoing care, thereby preventing deterioration from prolonged vacancy and neglect. HNZPT notes that in this instance, the Courthouse has remained unused and unoccupied since courthouse functions were relocated elsewhere in 2007⁸. As such, the lack of use and maintenance since 2007 have led to the building's deterioration. As of 2019, the building was assessed to have an overall NBS rating of 15%⁹.
27. Throughout this time, HNZPT acknowledges that the applicants have actively sought alternative options to retain the building, such as investigating strengthening concepts to achieve 34% and

⁸ *Demolition of the Heritage listed Old Greymouth Courthouse (HH68)*. Prepared by Planz Consultants, dated 11 December 2025, project number J17587.

⁹ *Ibid*, Section 1.3, p2.



67% NBS¹⁰ and selling the building. Opportunities to retain the Courthouse also reached the extent of offering it for sale to the public at a cost of \$1.00 NZD since March 2019 (to no avail)¹¹.

28. HNZPT also notes that an Earthquake-prone building notice was issued by the Council on 9 June 2020, pursuant to the Section 133AL of the Building Act 2004 (BA)¹². The notice identified the Courthouse as a priority building, requiring seismic work to be completed within half of the timeframe in Section 133AM of the BA. Seismic works to strengthen the building have not occurred since the notice was issued.
29. HNZPT is disappointed that the lack of use and maintenance of the building has prolonged to an extent that now requires consideration of demolition. In particular, it is disappointing that the prolonged vacancy and lack of maintenance have now led to any other alternative options such as restoration work or façade retention to be impracticable due to the extent of works required and associated financial costs.
30. Taking the above into consideration, coupled with further external factors identified within the HIA such as vandalism and ingress of moisture producing mould since 2007, HNZPT acknowledges the current derelict condition of the building prompting the application for demolition. It is disappointing that the extent of damage and deterioration have now resulted in intensive strengthening and restoration schemes that would significantly compromise the remaining heritage fabric within the building¹³.

Māori Heritage

31. The subject site is within the extent of Māwhera Reserve 31 and under the Proposed Te Tai o Poutini Plan, the subject site is also located within a scheduled Site and Area of Significance to Māori (SASMS7). SASMS7 is associated with the Māwhera Gardens as detailed in Table T8 of the Proposed Te Tai o Poutini Plan.
32. A copy of the application has been provided to Poutini Environmental who advised that the Accidental Discovery Protocol (ADP) included within the proposed conditions of the application¹⁴ must be updated to adopt the Te Rūnanga o Ngāti Waewae ADP. HNZPT has been provided with the amended copy of the ADP by the Council's processing planner via email¹⁵. HNZPT supports this approach to include adoption of Te Rūnanga o Ngāti Waewae's ADP within proposed Condition 12 of the application.
33. HNZPT further advises that the ADP shall be incorporated within any Archaeological Management Plan/Site Instruction, as part of the Archaeological Authority being sought¹⁶.

¹⁰ *Heritage Impact Assessment*, Team Architects. Section 5, p10.

¹¹ *Demolition of the Heritage listed Old Greymouth Courthouse (HH68)*. Planz Consultants. Section 1.5, p4.

¹² *Earthquake-prone building notice*, issued by the Grey District Council, dated 9 June 2020, received by the HNZPT office 12 June 2020.

¹³ *Heritage Impact Assessment*, Team Architects. Section 6, p11.

¹⁴ *Demolition of the Heritage listed Old Greymouth Courthouse (HH68)*. Planz Consultants. Section 10, p27.

¹⁵ Email correspondence from Kate McKenzie (We Plan Ltd). Recipient Mitzie Bisnar (HNZPT) dated 21 January 2026.

¹⁶ *Demolition of the Heritage listed Old Greymouth Courthouse (HH68)*. Planz Consultants. Item 4, page iii.



Archaeology

34. An archaeological site is defined under the HNZPTA as any place occupied prior to 1900 that may provide archaeological information on the history of New Zealand¹⁷. An archaeological authority is required where proposed works may modify or destroy an archaeological site. This is a statutory requirement pursuant to the HNZPTA and is a separate requirement to any obligation or responsibilities under the RMA.
35. The subject site is the location of an earlier 19th century court building. It is common for the remains of pre-1900 buildings to remain extant on sites despite 20th century redevelopment. Additionally, as stated in item 31, the site is associated with Poutini Ngāi Tahu's occupation of this area.
36. As such, HNZPT concurs with the applicant's intention to obtain an archaeological authority¹⁸ as the earthworks associated with the proposed demolition and any redevelopment of the site have the potential to modify and destroy any archaeological sites related to pre-1900 occupation. It is recommended that a suitably qualified archaeologist is engaged to prepare an archaeological assessment to accompany an archaeological authority application. The archaeological assessment should also assess the potential for traces of Māori occupation to be discovered during earthworks.
37. In respect of the amended ADP provided to HNZPT by the processing planner, HNZPT advises that while the amended ADP is acceptable, given that the proponent intends to apply for an authority, the conditions of the authority and any Archaeological Management Plans/Site Instruction must be followed. As such, an ADP would be superseded. With that said, HNZPT reiterates item 33 above.
38. Any authority application will still require evidence of consultation about the proposed activities.

Conclusions and Recommendations

39. Given the above, HNZPT does not oppose the application for the demolition of the Courthouse. Alternative options have been explored for strengthening, façade retention and the sale of the building, but it is evident that restoration concepts required to address the structural issues would be to an extent that significantly compromises any remaining heritage fabric, as assessed within the HIA. Efforts to sell the building (including listing for \$1.00 NZD) and facade retention both fall short in acquiring interested buyers and re-development proposals, and are therefore unable to be progressed. It is disappointing that the building's lack of use and maintenance since 2007 have now led to this unique circumstance where all options regrettably compromise the heritage item's remaining tangible values.
40. HNZPT recognises that without a willing proponent to retain the building in combination with a financially viable redevelopment or restoration plan, the Courthouse will continue to deteriorate, potentially to a point of complete structural failure. As such, HNZPT does not oppose this application, subject to the following recommendations being considered.
41. In respect of the proffered conditions within Section 10 of the application, HNZPT provides the following comments.

¹⁷ Definition of 'archaeological site'. Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

¹⁸ *Demolition of the Heritage listed Old Greymouth Courthouse (HH68)*. Planz Consultants. Item 4, piii.



42. HNZPT supports the provision of a condition requiring the consent holder to provide a Demolition Management Plan (DMP) to the Council.
43. HNZPT strongly advises further conditions are considered, should consent be granted. The conditions recommended in this submission aim to protect, conserve, and preserve New Zealand's cultural and historic heritage, consistent with the purpose of the HNZPTA.
- (a) HNZPT supports the intention of Condition 3, requiring a comprehensive digital photographic recording to be provided. To strengthen this condition, HNZPT recommends that an advice note is included to provide supplementary information referring to Sections 6.7 and 6.8 of HNZPT's recording guidelines¹⁹, which details the expected standard for photographic archival recording of heritage buildings. While it is noted that the building itself was constructed post-1900 and is therefore not archaeological (by definition pursuant to the HNZPTA, see item 34 above), the guidelines provide helpful advice for photographic recording of a building.
- (b) HNZPT notes that Section 3 of the Application prepared by Planz Consultants, dated 11 December 2025, refers to salvaging of materials being further explored in Section 10 (Offered Conditions). However, it is noted that the offered conditions in Section 10 do not include any information relating to the salvaging of materials. HNZPT strongly advises that a Salvage Plan is prepared identifying heritage fabric that may be of salvageable condition and outlining storage options. This would ensure heritage fabric, where possible and appropriate, are not completely lost through demolition.
44. Further to item 43(b) above, HNZPT notes that recent correspondence with the Greymouth Heritage Trust indicates that salvage of materials, with particular reference to the native timber panelling in the interior of the Courthouse, would be possible²⁰. HNZPT supports all efforts to salvage and repurpose material where possible. Therefore, it is strongly advised that the provision of a Salvage Plan as a condition of consent, should consent be granted, is imposed.
45. HNZPT recognises the difficult decision the Council is faced with, in this unique circumstance, and that retention without willing proponents and financially viable solutions nor a plan for restoration will essentially result in further deterioration. We therefore conclude that our opposition of this application would not result in any heritage benefits, and that greater heritage benefits will be achieved through salvage and recording. HNZPT has carefully considered the application, all alternative options exhausted by the applicant and assessed within the application and all associated appendices, and thereby does not oppose the application.

HNZPT seek the following decision:

46. HNZPT requests the above comments to be taken into consideration.

Hearing of this application:

47. HNZPT does not wish to be heard in support of our submission.

¹⁹ *Investigation and recording of buildings and standing structures*. Prepared by HNZPT, dated November 2018.

URL: <https://hnzpt-rpod-assets.azureedge.net/zd2hcil2/ags1-building-recording-nov-2018-3.pdf>

²⁰ Email correspondence from Eric Martini (Greymouth Heritage Trust). Recipient Arlene Baird (HNZPT), dated 10 February 2026.



HERITAGE NEW ZEALAND
POUHERE TAONGA

48. Thank you for the opportunity to comment on this application.

Ngā mihi,

Dr Christine Whybrew
Director Southern
Heritage New Zealand Pouhere Taonga

Address for service: Mitzie Bisnar
Planner, Canterbury/West Coast
Heritage New Zealand Pouhere Taonga
PO Box 4403
Christchurch 8140
Email: mbisnar@heritage.org.nz

APPENDIX 2

Recommended conditions of consent

Appendix 2 - Recommended Conditions of Consent for LUN3463/25 and LUN3464/25

General

1. The activity shall be undertaken in general accordance with the application received by the Grey District Council on 15 December 2025, and further information submitted 19 December 2025 and 12 January 2026 along with the papers held on the Council's Resource Consent file LUN3463/25 and LUN3464/25.
2. Certified works under this consent must be undertaken in accordance with the certified information, plans and methodologies.

Heritage

3. A comprehensive digital photographic record of the affected areas of the former Courthouse and its setting must be made by the Consent Holder's Heritage Professional before, during, and after the completion of the works. The record must be lodged with the Grey District Council for their records within three months of the completion of the demolition. The intention of the digital photographic condition is to secure a reasonable record of the demolition works. The same digital device positions should be used for all image sets where practicable (recognising that access and safety constraints may limit exact replication) before, during and after the works to enable comparison. They must be labelled with the location, date and photographer's name, and submitted with a plan showing photograph locations. Images must be at least 1440 pixels by 960 pixels to enable for a 4"x 6" photographic print at a minimum resolution of 240 PPI. Images can be taken with a good quality camera, phone or tablet. Images should be submitted to the Council's 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 or dropbox.com to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to.

Advice note:

The Consent Holder is encouraged to review Sections 6.7 and 6.8 of Heritage New Zealand Pouhere Taonga's "Investigation and recording of buildings and standing structures" which sets out the expected standard for photographic archival recording of heritage buildings.

4. If considered practicable by the Consent Holder's Heritage Professional, pieces of the base stone shall be offered to the Dobson Heritage Park.
5. Prior to the letting of the contract for demolition, the Consent Holder shall submit to the Council's Regulatory Manager for certification, a list of those features and materials from the Former Greymouth Courthouse that the Consent Holder's Heritage Professional considers reasonably capable of safe removal and reuse, having regard to structural condition, access constraints, and health and safety considerations. The list shall be developed following consultation with representatives of the Runanga Miners Hall Trust, Dobson Heritage Park and the Greymouth Heritage Trust for the purpose of identifying items of genuine interest, and evidence of this consultation shall be provided. The purpose of this documentation is to demonstrate that reasonable and practicable opportunities for

salvage of heritage features and materials have been explored and maximised to the extent appropriate, without obligating the Consent Holder to make available items that cannot be safely removed, are unsafe for reuse, or for which no reasonable interest exists.

Advice note:

The features and materials referred to in the condition above, may include, but are not limited to, the foundation stone, base course stones, internal doors, and timber trim.

6. The Consent Holder shall ensure that a reasonable time period for salvage of the identified materials is provided (generally expected to be in the order of 10–15 working days but having regard to the demolition programme, site safety requirements, and the practicality of removing the identified materials) to the interested parties, and that reasonable access to the building is provided to the extent that access can be safely granted in accordance with the direction of a Chartered Professional Engineer or the PCBU's Health and Safety Manager to enable salvage to occur.
7. If access is reasonably withheld to all or part of the building and this prevents salvage of heritage features or materials, the Consent Holder shall notify the interested parties and submit the reasons why access was withheld to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to.

Advice note:

The Greymouth Courthouse Building is subject to a "Dangerous and Insanitary Building Notice under section 124(2)(c) of the Building Act, and the health and safety risks posed by entering the building may make providing access to some heritage features unreasonable.

8. At the completion of the salvage period, and prior to or as demolition commences on those parts of the building necessary to enable access to salvageable items, the Consent Holder shall provide a short report, outlining the steps which were taken to enable salvage of heritage features and materials, including any items that can only be accessed and salvaged during the course of demolition, to demonstrate compliance with Conditions 4-7 above to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to.

Demolition

9. Prior to demolition of any of the existing buildings commencing, the Consent Holder shall provide to Council a Demolition Management Plan (DMP) for certification that it provides suitable measures to avoid or mitigate the effects of demolition activities. The DMP shall include:
 - o Preparation of a de-construction plan, and undertaking demolition in accordance with the directions of a structural engineer to avoid collapse of weakened structures and damage to any adjacent structures including the listed heritage building #5059 at 24-26 Guinness Street, and ensure demolition occurs safely.

- Confirmation of approved disposal sites for waste, including contaminated soils.
- Preparing and implementing a Site Specific Safety Management Plan to ensure hazards are managed.
- Preparing and implementing a Traffic Management Plan (TMP) outlining how vehicle and pedestrian movements will be controlled to keep the public safe.
- Preparing and implementing a Demolition Noise and Vibration Management Plan (DNVMP) outlining how noise and vibration nuisance will be mitigated during demolition activities.
- Controlling noise by restricting use of machinery to between 7.30am – 6.00pm, and truck movements between 7.30am – 5.00pm Monday to Saturday, and avoiding works on Sundays and public holidays except in cases of operational necessity.
- Controlling dust by way of applying water to working faces during demolition, ceasing activities during high winds, and dampening truckloads of demolition material.
- Installing sediment control such as fencing, bunds to prevent sediment entering the stormwater system, and ensuring trucks are clean of material to ensure debris are not carted onto roads.

10. The Demolition Management Plan certified by the Council under condition 9 above, shall be implemented for the duration of the demolition activity occurring on the site.

Contaminated Soil

11. The Council shall be notified at least ten working days prior to the commencement of earthworks. The notification shall be emailed to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to.
12. A Site Management Plan (SMP) shall be prepared by a Suitably Qualified and Experienced Practitioner and provided to Grey District Council for approval by way of e-mail to planning@greydc.govt.nz no later than 10 working days prior to the commencement of the earthworks. The SMP shall include measures designed to address the risk posed to human health by the potential presence of asbestos in the soil, including an appropriate level of investigation once the building has been demolished and access to the underlying soils is provided.
13. In the event of contamination discovery e.g. asbestos detection, visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. Any measures to remediate or manage the discovered contamination may require a resource consent under the NES.
14. All contaminated soils removed from the site will not be suitable to be disposed of at a cleanfill facility and must be disposed of at a facility whose waste acceptance criteria permit the disposal.
15. The Consent Holder shall submit evidence (i.e. weighbridge receipts or waste manifest) of the disposal of surplus soils from the site to an authorised facility to the

Council, by way of email to planning@greydc.govt.nz using the resource consent number LUN3463/25 and LUN3464/25 as the reference and advise what condition it relates to, no later than 20 working days following this disposal.

Accidental Discovery Protocol

16. Should archaeological material or sites be discovered during the course of work on the site, the Consent Holder shall follow Te Runanga o Ngati Waewae's Archaeological Site Accidental Discovery Protocol, which is attached to this consent and marked 'B'.

**TE RŪNANGA O NGĀTI WAEWAE
ARCHAEOLOGICAL SITE ACCIDENTAL DISCOVERY PROTOCOL**

Purpose

The purpose of this protocol is:

- To manage and protect the integrity of "known" and "unknown" archaeological sites from damage and loss.
- To maximise the opportunity to retrieve physical and archaeological evidence from disturbed sites. In cases where sites clearly are unable to be retained intact, the orderly and systematic removal of archaeological evidence and information is of the utmost importance.
- Kōwi Tāngata (human skeletal remains) are from time to time unearthed through a range of causes, human-made and natural. The dignified and appropriate cultural management of such sites and remains is of vital importance.
- To obtain quality information on the lives, activities, food, resource use, trails and camp sites of Ngāti Waewae ancestors from archaeological sites. Early detection and assessment is dependent on early intervention to manage retrieval of such information.
- To obtain quality historic information on the lives of people, their activities, resource use and structures.
- To provide the consent conditions to be imposed on any earthworks consent.

Definition

"Archaeological site" means any place in New Zealand that...

- (i) Was associated with human activity that occurred before 1900; or is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (ii) Provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand

Heritage New Zealand Pouhere Taonga Act 2014

Process

The Contractor or Landowner shall consult with Te Rūnanga o Ngāti Waewae (the Rūnanga) to determine, in accordance with Tikanga Māori, if there are any matters of protocol which mana whenua wish to undertake in relation to the commencement of any development works, significant events or the commissioning of the completed works.

In the event of any discovery of suspected cultural remains (e.g. shells, charcoal or charcoal-stained soil, fire-fractured stone, or bones) the Contractor or Landowner shall take the following action:

1. Cease all works immediately.
2. Staff to advise the Contractor of a find.

3. The Contractor and/or Landowner owner shall contact an appointed archaeologist to advise on the significance of the find. If no archaeologist has been appointed before the works occurred, the Contractor and/or Landowner shall contact Heritage New Zealand Pouhere Taonga.
4. If the find is of potential significance to Ngāti Waewae, the Chair of the Rūnanga must be advised.
5. Heritage New Zealand Pouhere Taonga must be advised in all cases. It is an offence under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy an archaeological site without the prior authority of the Heritage New Zealand Pouhere Taonga.

In cases of wāhi taonga and wāhi tapu

- The Chair of the Rūnanga will be contacted by the Contractor, Landowner or Archaeologist to determine what further actions are appropriate to avoid, reduce, remedy, or mitigate any damage to archaeological sites.
- The Contractor, Landowner and/or Archaeologist shall work with the Rūnanga on any matters of protocol which they may wish to undertake in relation to the find and prior to the commencement of any investigation.
- The Contractor, Landowner or Archaeologist shall contact Heritage New Zealand Pouhere Taonga for advice of any requirements under the Heritage New Zealand Pouhere Taonga Act 2014.

In cases of suspected Kōiwi Tāngata (human remains)

- The Contractor, Landowner and/or Archaeologist shall take steps to immediately stop work, shut down all machinery or activity, secure the area to ensure that the remains are not touched and then notify the New Zealand Police and the Chair of the Rūnanga.
- The Contractor, Landowner and/or Archaeologist shall contact Heritage New Zealand Pouhere Taonga for advice of any requirements under the Heritage New Zealand Pouhere Taonga Act 2014.
- The Contractor, Landowner and/or Archaeologist must ensure that staff or themselves are available to meet and guide Police (note that the Coroners Act applies), the Rūnanga and Heritage New Zealand Pouhere Taonga staff to the site and to assist with any requests made. The area shall be marked off and if the remains are of Māori origin, the Rūnanga will decide what will happen to the remains and advise the Police and other parties of their decision.
- Work may only recommence in the area with the approval of the New Zealand Police, the Rūnanga and Heritage New Zealand Pouhere Taonga.

In the case of Pounamu

Pounamu (including all nephrite, semi-nephrite, bowenite and serpentine) is under the ownership of Te Rūnanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997. Where any pounamu is found by the Contractor or Landowner on or under the land during site works, the Contractor or Landowner is required to notify the Chairperson of Te Rūnanga o Ngāti Waewae.

In all other cases

- The Contractor, Landowner or Archaeologist will contact Heritage New Zealand Pouhere Taonga to determine what further actions are appropriate to avoid, reduce, remedy or mitigate any damage to archaeological sites.

Responsibilities

The Rūnanga

1. To inform the Contractor, Landowner and/or Archaeologist of the position of any known sites prior to earth disturbance.
2. To inform the Contractor, Landowner and/or Archaeologist in accordance with tikanga Māori, if there are any matters of protocol which mana whenua wish to undertake in relation to the commencement of work or significant events.
3. To provide a contact person, email address and mobile numbers and the marae office number to the Contractor, Landowner and/or Archaeologist.
4. To adopt a policy of responding to notification of a "suspected site find" within a 2 working day timeframe;
5. The response will include contacting appropriate people and organisations depending on the nature of the "find" and arranging a time for inspecting the site.
6. Co-ordination of the appropriate action to remove (if appropriate) any archaeological material from the site in consultation with Heritage New Zealand Pouhere Taonga.

The Contractor or Landowner

1. To require all staff/contractors involved in drilling, earthmoving, or mining operations to undertake a training session on the recognition of archaeological sites, wāhi tapu, wāhi taonga, urupā or kōiwi tangata if requested to do so by the Rūnanga.
2. To implement internal management protocols to ensure staff are aware of the requirement to monitor operations in a way that allows the identification of archaeological sites including wāhi tapu, wāhi taonga, urupā or historic (European) cultural sites.
3. To implement a reporting procedure in the event of a "find" of any archaeological material as described in the Process above.
4. To ensure that the Contractor and Landowner will meet all statutory obligations under the Heritage New Zealand Pouhere Taonga Act and comply with all conditions of any resource consent as they relate to matters of archaeological significance.
5. If requested beforehand, to provide a copy of the work plan no less than 25 working days prior to any earth-moving works to the Rūnanga and Heritage New Zealand Pouhere Taonga setting out:
 - A schedule of the dates of all significant earthmoving events, their sequence and duration
 - A summary of all measures being undertaken to ensure that adverse effects on archaeological values are avoided, remedied, or mitigated.
6. To invite the Rūnanga to attend any episode of archaeological, monitoring or earthmoving activity.
7. To provide the Rūnanga and Heritage New Zealand Pouhere Taonga a copy of all archaeological monitoring and investigation results with an invitation to respond, comment or meet to discuss any results.
8. The consent holder shall notify the District Council of all information provided to the Rūnanga and any responses received. If appropriate, the District Council, with the

agreement of the consent holder and the Rūnanga shall convene meetings/hui should any of the information or issues require further discussion.

9. To appoint an archaeologist(s) or a Ngāti Waewae Cultural Monitor approved by the Rūnanga to be available during all earthworks and excavations to act as an advisor on identification or protection of wāhi tapu, wāhi taonga, urupā or historic cultural sites. This person(s) to be on-site as required by conditions of resource consent, at the request of the Rūnanga or as required in the event of a discovery.

Contact details

Te Rūnanga o Ngāti Waewae:

Francois Tumahai
Chairperson
Te Rūnanga o Ngāti Waewae
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