

**Before Independent Resource
Management Hearing Commissioner
Alistair Aburn appointed by Masterton
District Council**

In the Matter

**A resource consent application
pursuant to section 88 of the
Resource Management Act 1991**

By

**Masterton District Council
Applicant**

To

**Masterton District Council
Consent Authority**

Opening submission

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CONSTRUCTION | **INSURANCE** | **RESOURCE MANAGEMENT**

are relevant in determining whether the proposal achieves a sustainable management outcome.

9. Overall, there is a balance to be struck in considering whether a proposal promotes the RMA's overarching purpose of sustainable management.
10. The New Zealand Courts have consistently recognised that demolition may be an "appropriate" use of resources where there is no reasonable alternative to total demolition, particularly if there is a risk to public safety if something is not done.
11. While preserving historic heritage values from total loss is a matter of national importance, it is a factor that may be outweighed by others in favour of demolition having regard to such matters as:
 - (a) The cost of refurbishment and structural strengthening.
 - (b) Lack of demand and therefore, commercial return, for such a refurbished building.
 - (c) Continued deterioration of the building if it is not refurbished.
12. The role the Council (a public body) has as owner of the buildings and the various functions and responsibilities it has in delivering different projects, services and infrastructure across the Masterton district, all of which are funded in large part by the district's ratepayers, is also a relevant factor.
13. The Council is not a private commercial developer and should not be treated as such. It has other functions and responsibilities and fiscal obligations under the Local Government Act 2002 to manage its revenues, expenses, assets, liabilities, investments, and general financial dealings prudently and in a manner that promotes the current and future interests of the community.
14. The important question here is whether there are other *reasonable* alternatives to demolition available that would protect the historic heritage values of the Town Hall from being lost. If there are not, and demolition is the only reasonable option for use of the building, it is therefore an appropriate use, consistent with section 6(f) of the RMA and the policy provisions of the District Plans.
15. The Council has investigated all of the options for retaining and strengthening the Town Hall, either in whole or in part and preserving the historic heritage values associated with it. Evidence will be called at this hearing to step through the options considered and the conclusions reached in relation to each.

16. In short, all of these options are expensive, risky, and result in a finished product (Town Hall building) that is not fit for purpose for use as a civic facility.
17. Sale of the property to private interests is not a viable option, particularly given the looming deadline for earthquake strengthening work.
18. In the circumstances, this leaves demolition as the only reasonable option available to the Council for addressing the known (and unknown) structural issues with the Town Hall. In addition, demolition enables a future redevelopment of the site in a way that better suits the wants and needs of the local community - and provides a safer built outcome overall.
19. It is therefore appropriate to grant consent for the demolition of the Town Hall in this case.
20. In support of this application, the Applicant will call evidence from the following witnesses:
 - (a) Maseina Koneferenisi - Council processes (factual)
 - (b) David Paris - Council finances (factual)
 - (c) Stephen Geuze - Architectural (expert)
 - (d) Alistair Cattanach - Structural Engineering (expert)
 - (e) Daniel Butterick - Quantity Surveying (expert)
 - (f) Russell Hooper - Planning (expert)

Dated this 14th day of April 2025

Counsel for the Applicant
Rachel Conner