

**BEFORE A HEARING PANEL
CONSTITUTED BY NELSON CITY COUNCIL**

IN THE MATTER

of an application by **CCKV Maitahi Development Co LP** and **Bayview Nelson Limited** for a change to the Nelson Resource Management Plan (Plan Change 28)

IN THE MATTER

of Part 5 and Schedule 1 of the Resource Management Act 1991

STATEMENT OF EVIDENCE OF ROBIN MILLER

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Section A – Introduction and Scope of Evidence

Name, qualifications and experience

- [1] My full name is Robin Alexander Keith Miller.
- [2] I am the Director of Origin Consultants Ltd; an Arrowtown and Dunedin-based practice specialising in Heritage Architecture, Heritage Conservation, Building Surveying and Archaeology. I am a Chartered & Registered Building Surveyor and a RICS Certified Historic Building Professional (The Royal Institution of Chartered Surveyors). I have a NZ National Diploma in Architectural Technology and hold a Licenced Building Practitioner Design Level 2 qualification.
- [3] I have a Postgraduate Diploma in Building (Heritage) Conservation from the College of Estate Management, University of Reading, England (2002-2004).
- [4] I am a full member of ICOMOS New Zealand and of The Institute of Historic Building Conservation, UK.
- [5] My area of expertise is heritage conservation. I have over 30 years' experience as a Chartered Surveyor and have for the last 18 years, or so, specialised in heritage conservation; the last 12 years being in New Zealand. My day-to-day work involves the preparation of conservation plans, heritage assessments and heritage impact assessments, together with condition surveys, building reports, schedules of works, architectural drawings and specifications.

Expert Code

- [6] While this is not an Environment Court hearing I have met the standards in that Court for giving expert evidence.
- [7] I have read the Code of Conduct for expert witnesses issued as part of the Environment Court Practice Note 2014 (Part 7). I agree to comply with the Code of Conduct. I am satisfied that the matters addressed in this statement of evidence are within my expertise. I am not aware of any

material facts that have either been omitted or might alter or detract from the opinions expressed in this statement of evidence.

Role in Project

- [8] I have been involved in this project since my inspection of the buildings on 28 February 2022. My role has been to investigate specific matters raised in Amanda Young's report dated 17 December 2020 (referred to as Young 2020) regarding the age, materials and design of the woolshed, the chimney and the nearby masonry wall remnants. My findings are set out in my project memo entitled 'Maitahi Property/Nelson Plan Change 28 - Investigations into selected heritage structures – timber woolshed/barn, concrete chimney and concrete/stone wall remnants' dated 14 March and updated 06 April 2022 (referred to as Miller 2022).
- [9] I have also jointly prepared, with Amanda Young, the Addendum Report entitled 'Maitahi Valley Farm Buildings, 7 Ralphine Way, Maitai Valley, Nelson' updated 11 May 2022 (referred to as the Addendum Report).
- [10] I participated in an expert conferencing event on 16 May 2022 and confirm my agreement to the content of the Joint Witness Statement.

Scope of Evidence

- [11] The purpose of this evidence is not to restate matters that are already contained in reports or that have not been identified as controversial following expert conferencing. Rather it is to address significant matters in contention arising from submissions or any matters of disagreement between experts.

Section B – Executive Summary

- [12] The woolshed/barn comprises a number of different parts and has been heavily modified since the date of the original building. I have identified these parts as A1 & A2 (which are the oldest), B and C. There is no reliable evidence from which to accurately date these parts, but Part A1 is in my view the earliest and could date from the later 19th century. It also has the

remains of glazing commonly found in buildings dating from the first part of the 20th century. The remaining parts of the building are 20th century alterations and additions.

- [13] The shearing graffiti that is present in Part B of the building records people associated with the woolshed use of the building, and stencils, largely from the 1950s to 1980s period.

- [14] Visually, I have found no definitive evidence of the hop kiln that the woolshed/barn building is said to contain. It is conceivable, however, that Part A1 could have originated as a space associated with a hop kiln, such as a cooling or packing room. I can find no evidence of an actual kiln in the existing building, but that is not to say that archaeological evidence of a kiln will not be found below ground.

- [15] The (now) free-standing concrete chimney is also a 20th century structure, probably post-Second World War.

- [16] In the Addendum Report, Amanda Young and I have identified the building and the chimney as having the following heritage values (using the NRMP heritage assessment criteria):
 - 1. Historical & Social
 - 2. Archaeological
 - 3. Group, Landmark & Contextual

- [17] On this basis, the Addendum Report recommends:
 - a. Salvage and reuse of some woolshed building components;
 - b. Archaeological investigations and recording of the woolshed and Edendale sites; and
 - c. Incorporation of the results of the above into the character and physical development of the Plan Change 28 proposals.

Section C – Evidence

[18] Following the expert conferencing, the Council's Heritage Expert has prepared an alternative heritage assessment for the heritage item named 'Former Richardson/Maitai Run shearing shed' dated 23 May 2022 (referred to as the Council Assessment). This has been included in the S42A report. I have made brief comments on this below:

[19] The date of construction of the building is given as 'mid-19th century?'.

I am not aware of any proof for such an early date as this. The Richardson family records referred to in Young 2020 at page 18 indicate that the shearing shed incorporated part of hop kiln and that hops were being grown on the Richardson farm from 1897 at least. Accordingly, the earliest part of the woolshed building may be pre-1900, but this is uncertain, and there is no evidence to indicate that the building dates from the 1850s or 1860s.

[20] History

It is not known who originally constructed the building or made the alterations and additions. As the Council Assessment indicates, by 1860 the Maitai Run had been leased by James Winter. The 1897 reference to hops being grown on the farm mentions this being carried out by James Burford. My understanding of the historical record is that the Run was divided up and let to various lessees by Ralph Richardson Jnr and whilst other Richardson family members were overseas (returning in 1908). It was not until around 1914 that the last of these leases expired and Mrs Richardson moved out to the Maitai Valley. Accordingly, the early association of the woolshed building with the Richardson family is, to my mind, not proven; it is clear however that there is a 20th century association (visually depicted in the graffiti inside the woolshed that I have referred to earlier).

[21] Historical and Social Significance

This assessment is similar to the assessment in the Addendum Report and is acknowledged there.

[22] Cultural and Spiritual Significance

I disagree. The justification statement seems to reiterate much of the Historical and Social Significance. The threshold for the building contributing distinguishing characteristics relating to a way of life, religion, philosophy, custom, practice or other belief has not been met in my view.

[23] Architectural Significance

I disagree that the building is a significant example of a particular style or time period. The building has developed and has been modified over a long period of time and, whilst it is of historical interest, it is not a significant example of a particular style of agricultural building. The justification statement acknowledges the degree of change and adaptation the building has gone through.

The assertion that the part of the building was originally constructed as a hop kiln comes from word of mouth via the family history. There is no evidence that it was designed to be 'fit' for this purpose or accurate dating evidence for its conversion to a woolshed.

[24] Group and Setting Significance

The Addendum Report has acknowledged that the building has some significance within the context of its historical landscape.

[25] Landmark Significance

The setting significance of the building has been already recorded above. It should not be considered a landmark building above and beyond this in my view.

[26] Archaeological Significance

Again, this has been acknowledged in the Addendum Report.

[27] Technological and Scientific Significance

There is no technology or equipment remaining in connection with any hop kiln activity that may have taken place on the site. There remain some sheep pens, shearing boards, a wool storeroom, and commonplace shearing equipment. I can see no justification for the assertion that the buildings can provide important technological or scientific interest through their rarity and educational value. The potential for them to provide further information through research is already covered by their archaeological significance and the potential for the site to contain archaeological material.

[28] From a wider perspective, I do not consider that the Council Assessment has been carried out in accordance with the recommendations given to Council in “Nelson Plan Heritage Methodology, A Revised Methodology for Identifying and Assessing the Heritage Significance of Buildings, Places, Areas and Objects (Dr Ann McEwan & Dr Greg Mason, June 2015).”

[29] One of the recommendations of the revised methodology document is:

“Refer property owners, council staff, community groups, heritage professional and others to the ‘Thematic Historical Overview of Nelson City’, written by historian John Wilson for Nelson City Council in 2011, in order to guide the future identification and management of significant historic heritage resources in the city.”

[30] The introduction to the thematic history states:

“The writing of a thematic historical overview of Nelson City and compilation of a list of themes were steps in a project by the Nelson City Council (the Nelson Heritage Inventory Project) to review, and add to, its listings of heritage buildings, places and objects in the Nelson Resource Management Plan. The list is Appendix 1 of the Plan.

The purpose of the thematic historical overview was to identify significant developments and events in Nelson’s history and present them in a thematic rather than chronological way. A thematic historical overview, in particular, helps avoid concentration on particular building types, on specific periods or on particular classes of events. It was seen as an essential adjunct to the area-based surveys of surviving buildings and

other historical features which were also part of the Heritage Inventory Project.”

In essence, the thematic history identifies the aspects of Nelson’s history and development that makes it special from a heritage perspective.

- [31] The thematic history lists 16 themes of which Theme VII concerns ‘the economy and livelihoods’ covering farming and horticulture; minerals; industry; commerce and shopping; the professions; Nelson as a holiday destination; crafts and ‘alternative’ lifestyles.
- [32] The thematic history does not include sheep farming as a significant activity to the history and development of Nelson. Theme VII identifies activities, such as brewing, brick-making, weaving/spinning and tanning as significant early industries, and mineral extraction, food-processing and brewing (amongst others) as later ones.
- [33] The only minor reference to sheep-farming in Theme VII relates to top-dressing and the boom in lamb production post-World War II in connection with the meat-freezing industry.
- [34] Appendix 5 of the thematic history gives recommendations for ‘Possible new listings, theme by theme.’ Buildings and structures associated with sheep-farming are not included.
- [35] Accordingly, I disagree with the statement in paragraph 24 of the evidence of the Council Assessment that the shearing shed/woolshed has *significant* heritage value.
- [36] For the same reason, I also disagree with the statement in paragraph 478 of the S42A report that the shearing shed should be included in NRMP Appendix 1 as a Group B heritage building and protection afforded to it, and the associated recommendation in paragraph 482.
- [37] Finally, with regard to paragraph 19 of the Council Assessment, I have not said in my documentation relating to the ‘shearing shed/hop kiln’ that it has *significant* heritage value. I have agreed that it has *some* heritage value [historical & social, archaeological and contextual] (to the extent that it

potentially could be a Group C item in the NRMP), but there is an important distinction to be made here.

- [38] I reiterate the statement in the Addendum Report that: “From a heritage conservation perspective, the buildings have lost their original and past uses leaving them redundant. Realistically, they are not considered to have the potential for viable adaptive reuse due to their agricultural nature and their condition.” It is unrealistic for the Council Assessment to state (at paragraph 19 also) that the Sharland submission could be satisfied in part by the identification and protection of the building as a significant historic heritage resource.

For a heritage building to be valued and safeguarded in the future, it needs to have a viable, economic use and to be fit for purpose. The constructional nature of the shearing shed/woolshed and its condition will not adapt readily to a new use. It would require very substantial (if not complete) rebuilding with new materials and extensive upgrading to meet current day Building Code requirements. I doubt there would be much, if anything, left of its heritage fabric and authenticity after such as rebuild. The result would likely be no more than a replica of a type of old building that has not been recognised as being special or distinctive to the development of Nelson.

The recommendations that I have put forward in terms of salvage and reuse, investigations and recording, and incorporation of the results into the proposed Plan Change designs are, in my view, not only adequate as mitigation measures, but practical and realistic.

Dated 13 June 2022



Robin Miller