

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER Of Proposed Plan Change 29 to the Nelson Resource
Management Plan (NRMP)

STATEMENT OF EVIDENCE OF IAN ALEXANDER BOWMAN
Architect and Conservator

10 July 2024

INTRODUCTION:

- 1 My full name is Ian Alexander Bowman.
- 2 I am a Nelsonian by birth and have lived in Nelson permanently or on alternate weeks for approximately 40 years.
- 3 I have prepared this brief of evidence on my own behalf as a built heritage expert.

QUALIFICATIONS AND EXPERIENCE

- 4 I am a qualified historian, registered architect and was the first New Zealander to qualify with a MA in built heritage conservation. I am currently studying for a PhD in architectural history. I am the principal in my own practice, Ian Bowman, architect and conservator.
- 5 I have given built heritage advice to numerous clients for approximately 40 years, including clients and projects in Nelson.
- 6 My expertise that specifically relates to issues raised in my submission includes extensive knowledge of and experience in built heritage assessment methodologies and criteria developed and used in preparing numerous heritage building and area inventories for local authorities. This includes those for Nelson City Council in 1992 and 2011.
- 7 I am currently one of an eight member international panel of experts writing an International Council on Monuments and Sites (ICOMOS) Scientific Committee on Earthen Architectural Heritage (ISCEAH) charter on conservation of earthen heritage buildings, my section being to define values and significance. I also have experience with World Heritage listing criteria being a peer reviewer of nominations for World Heritage listings.
- 8 A fuller description of my qualifications and experience are set out in Appendix 1 of my evidence.

CODE OF CONDUCT

- 9 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023 and agree to comply with it.

The evidence I will present is within my area of expertise except where I state that I am relying on information provided by another party. I have not knowingly omitted facts or information that might alter or detract from the opinions I express.

SUBMISSION

- 10 I prepared submission s385 responding to the proposed plan change and this evidence reiterates points made in the submission and responds to the Section 42A Report – Heritage and the Church Hill View Shaft and the evidence Dr Ann McEwan.
- 11 While I am an owner of a building proposed to be listed, my evidence is as an expert witness.

EVIDENCE

- 12 My evidence summarises and reiterates key points of my submission as follows:
- That the proposed list of heritage buildings and areas should be revised and be based on the *Thematic Historic Overview of Nelson City*, September 2011, by Dr John Wilson (Wilson Thematic Overview) ¹ which identified in the current heritage list a lack of representativeness of all important stages and processes of the city's development since 1841. A thematic overview is best practice when reviewing Council heritage lists²;
 - That best practice criteria should be used to identify and assess built heritage for listing including single assessment criteria rather than pairs of criteria, and that the criteria should be expanded to include degree of value, authenticity, integrity, rarity. A significance threshold should be included;

¹ <http://www.nelsoncitycouncil.co.nz/assets/About-nelson/downloads/1176312-thematic-historical-overview-of-nelson-city-OCT2011.pdf>

² Submission 385 section 3, bullet point 1 page 4

- That 13 currently group C listed buildings³ proposed to be removed from the list⁴, should be retained as per the highlighted rows in appendix 2. Dr McEwan has relied on desk top reviews and has not visited all of these buildings to assess their integrity . These were assessed as part of the 2011 Nelson Inventory project and I reconfirm recommendations made then.
- All settings of listed buildings, not just limited to the boundary of the property, should be fully assessed and included in heritage inventory entries with appropriate controls where relevant;
- Review adjacent sites of all current and proposed listed properties to individually assess impacts of height, daylight admission, front, side and rear yard dimensions proposed in PC 29⁵;
- That the Church Hill viewshaft should be retained and expanded;
- That the Inner City Heritage Precinct and Wakefield Quay Heritage/Character precinct should be retained as there are sufficient heritage buildings of integrity remaining to warrant retention;
- That a full, professional, and expert assessment of the location and extent of character areas should be prepared with a consequent provision for character areas in the plan and appropriate design guidelines. I would like to emphasize, agreeing with Dr McEwan, that character does not equate with heritage but such areas can contain heritage buildings;
- That the recommended modifications to ICr.37, ICr 56, REr.85-89 and REr.91, 92 be implemented⁶;
- That 18 Ngatitama Street be included in the heritage list;
- With respect to 6 Melrose Terrace, my submission was to assess buildings where there are few or no examples in the NRMP based on the Wilson Thematic Overview and the Plischke-designed house was one example of post-war housing, of which there are few. This

³ See submission 385 section 4.8

⁴ See appendix 2

⁵ See Proposed Porirua City Council District Plan

⁶ See submission 385 section 4.18

particular house was recommended to me by the NZ Plischke expert Dr Linda Tyler. My noting this was to recommend that a thorough review of the heritage values of this property and others be prepared for consideration for a listing rather than recommending it for listing in this plan change.

- 13 I would like to make two, additional, general points as follows.
- 14 With regard to heritage assessments, best practice when preparing heritage inventories for assessing buildings for inclusion in district or resource management plans is for a multi-disciplinary range of experts to prepare the list including archaeologists, historians, conservation architects, heritage planners and heritage landscape architects. The resulting inventory should then be peer reviewed. No one expert has the knowledge or skills to prepare a thorough heritage inventory alone. This was the robust methodology for the 2011 Nelson inventory.
- 15 In a similar vein I would recommend that heritage experts trained in architectural and urban design write or at least be involved with the preparation of design guidelines.

COMMENTS ON NCC SECTION 42A REPORT AND PEER REVIEW

Section 42A Report

- 16 Heritage assessments assess built heritage using accepted best practice methodologies described above. The views of owners, discussed in the section 42A report, are not a criterion of which I am aware. An example of this is the rejection of Wolfe Street as a heritage precinct because owners changed from supporting to rejecting the proposal.⁷
- 17 Paragraph 50. See above, where I gave as examples buildings that should be considered for assessment against the Wilson Thematic Overview.
- 18 Section 6.3 Issue 2. See below where I discuss the peer review.
- 19 Section 6.5.19 HNZPT Covenant sites. I agree with the recommendation 278 that the buildings with Heritage New Zealand

⁷ See section 42A report paragraphs 392-398

Pouhere Taonga (HNZPT) covenant but not listed should be included in the heritage list. I understand that 309 Hardy Street does not in fact have a covenant and is currently not protected by the NRMP.

- 20 Paragraphs 392-398. This describes my recommendation for Wolfe Street, Mount Street and Nelson South/Fairfield Area. The section 42A report suggests that there is not sufficient information to list. This is provided in the Nelson inventory 2011, based on the Wilson Thematic Overview.
- 21 Paragraphs 416-450. My recommendation remains that a 15 m maximum height in the Inner City/Heritage Precinct as this is transparent and maintains an appropriate height and scale to the precinct. This is consistent with the option one suggested in the report.
- 22 Paragraphs 457, 463. I recommended an assessment criterion of intervisibility between related built heritage items. This is a criterion used by HNZPT, with which I agree, “in situations when historic items were intended to be seen from other historic items (for example, views from a marae to a pa site)⁸.

Peer review by Ms Heike Lutz of BCon Consultants Ltd

- 23 I note the scope of Ms Lutz’s review being limited to the use of desk-top only assessments, the criteria/methodology used by Dr McEwan and the appropriateness of the heritage provisions. There was no review of building assessments made by Dr McEwan, proposed design guidelines, or those buildings that are proposed to be deleted from the list.
- 24 In general I agree with Ms Lutz as follows:
- Ms Lutz’s found fault in the selection of assessment criteria used by smaller local authorities as a suitable comparator for the Nelson criteria. Not compared were best practice criteria of larger authorities with long-standing heritage departments employing expert heritage professionals such as Auckland or Wellington.⁹ Ms Lutz found the Proposed Porirua District Plan criteria to be a model to follow. Given that I worked with Boffa Miskell on all aspects of

⁸ HNZPT *Sustainable Management of Historic Heritage Guidance Information Sheet 6 assessing Impacts on the Surroundings associated with Historic Heritage*, 2007

⁹ See submission 385 section 4.1, 4.4 and 4.5

this plan change relating to built heritage¹⁰ over an 11 year period, I agree with Ms Lutz.

- I agree with Ms Lutz that heritage and character are conflated in the NRMP, as is noted by many submitters. Unlike many other cities, the Council has not prepared character area studies and consequently has no character areas. This is a significant lack in the NRMP and a risk to the unique character of Nelson.
- There is a critical flaw in the methodology used by Dr McEwan in using desk-top reviews and not making actual site visits when preparing the assessments. I agree with Ms Lutz that there is an absolute need to physically visit each building required to be assessed, without which there cannot be a full understanding of a building and the assessment cannot be robust.
- Reducing listing categories to A and B¹¹ is appropriate.
- There is a need to review the assessment criteria as recommended in the peer review as Ms Lutz found fault with a lack of definition of tangata whenua values, aesthetic values, craftsmanship, group, landmark and contextual significance. As stated above, I would go further to recommend single criteria, as is used by most local authorities and HNZPT, rather than pairs of criteria as often the grouped criteria are very different and can lead to inadequate consideration of criteria and conflation of two different values.
- Provisions should include reference to the ICOMOS NZ Charter.¹²
- *REr.85 Alterations to Group A and B items* does not follow best practice as restoration can be an extensive exercise and should require a resource consent.
- *REr.89 Heritage Precinct Alterations to any building* does not follow best conservation practice as it is not concerned for the values and contribution of non-heritage buildings to heritage values of the precinct nor impacts of their modification. Design Guides should be included in the NRMP and be legally binding.

¹⁰ See submission 385 section 4.9, 4.10

¹¹ See submission 385 section 4.7

¹² See submission 385 section 4.14

- I agree with Ms Lutz's comments that elements of the Proposed Porirua District Plan heritage provisions could be used as a basis to improve the NRMP heritage provisions including: clearer definitions of A and B buildings; the inclusion of a separate schedule for sites and areas of significance to Māori¹³; clearer definitions relating to heritage matters and processes such as alteration and repair; identification of sites adjacent to heritage items¹⁴; requirement for conservation plans¹⁵; and suitably qualified and experienced heritage professionals to work on heritage items.

EVIDENCE OF DR ANN MCEWAN

- 25 Numerous references have been made to the Wilson Thematic Overview; however, I cannot find any demonstration that this has been a basis for the selection or assessment of the revised heritage inventory. There were a number of recommendations in the Wilson Thematic Overview that appear to have been ignored such as listing new buildings by type where there are no or few examples.
- 26 Paragraphs 8.1-8.11, 15.3. See comments above and below relating to assessment criteria.
- 27 Paragraphs 15.1-15.1.0. Dr McEwan states that no evidence for the three heritage precincts was included with my submission. The evidence, including defined boundaries, is provided in the 2011 Nelson Heritage Inventory, to which I understand Dr McEwan had access.
- 28 Paragraphs 15.15-15.17. I agree with Dr McEwan that the views to the Pikimai/Church Hill should be protected, as well as those from it by retaining the current viewshaft.
- 29 Paragraphs 24.5. An important principal in understanding the heritage values and significance of built heritage is integrity and authenticity. These two qualities can be ascertained through documentary and physical research. That a place has had stucco applied or a new shopfront fitted does not mean the integrity of the place has been undermined. A visual inspection by a qualified and experienced

¹³ See submission 385 section 3 and 4.21

¹⁴ See submission 385 section 4.10

¹⁵ See submission 385 section 4.15

conservation architect, who has been trained in historic architectural design, structures and materials should assess such structures.

SUMMARY AND CONCLUSIONS

30 I confirm the recommendations made in my submission S 385, including

- Revising and adding to the list based on the Wilson Thematic Overview which aimed to rebalance the existing lists of buildings that better reflects the unique social, historical, cultural and physical history of Nelson, while also physically visiting each and every building. Such a review should include a multi-disciplinary group of expert heritage professionals with the results peer reviewed;
- Revising the assessment criteria to align with Councils who follow best practice such as Porirua City the inventory of which includes single criteria, a measure of value, explanation for the threshold of inclusion in the list and summaries of significance.
- Retaining existing heritage precincts proposed to be deleted and the addition of three new heritage precincts based on the 2011 Nelson Inventory;
- Retention of Church Hill viewshaft or a replacement that better reflects its significance to Nelson, such as protecting views to and from the Church steps;
- Retention of 13 currently listed group C buildings be upgraded to Group 'B' as described in the 2011 Nelson inventory.

Date: 10 July 2024

APPENDIX 1: QUALIFICATIONS AND EXPERIENCE

Ian Alexander Bowman

I hold the following qualifications:

- Bachelor of Arts (History and Economic History), Victoria University of Wellington;
- Bachelor of Architecture, University of Auckland;
- Master of Arts (Conservation Studies), University of York;
- Various certificates in historic building materials conservation from the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), the International Council on Monuments and Sites (ICOMOS) and other international conservation organisations.

I am currently enrolled as a PhD student with Victoria University.

I am a registered architect (New Zealand Registered Architects Board registration 2095), past Chair of ICOMOS NZ, current Board member of ICOMOS NZ, a founding member of an Executive Board member and Treasurer of the International Scientific Committee of Earthen Architectural Heritage (ISCEAH), expert member of the International Scientific Committee on the Conservation of Stone (ISCS), and co-convenor of Association of Preservation Technology (APT) Australasia Chapter. I am one of eight internationally recognised earth building conservation experts writing a charter for the conservation of earthen architectural heritage.

I am a peer reviewer of World Heritage nominations for the ICOMOS on behalf of the World Heritage Committee.

I am a Fellow of the New Zealand Institute of Architects.

In May this year I was awarded the NZIA President's Award for my work.

I am a sole practitioner architect and conservator and have approximately 40 years' experience advising local and regional authorities, government agencies and private clients on projects relating to built heritage conservation.

Experience relevant to this hearing includes:

- Preparing heritage inventories of individual buildings and heritage areas for numerous local authorities;

- Advising on applications for resource consents for numerous local authorities;
- Assisting in the writing of heritage strategies, preparing design guidelines and conservation plans for local authorities;
- As an expert witness in Council hearings, the Environment Court, the High Court and Environmental Protection Authority Nationally Significant Proposal Boards of Enquiry.

APPENDIX 2: CURRENT 'C' GROUP LISTINGS WITH PROPOSED LISTING IN 2011 AND 2024

Address	No	Significance	Recommendation 2011	Recommendation 2024 PC29
Allan Street	23	HNZPT cat 2		Delete
Blick Terrace	26	HNZPT cat 2		B
Bridge Street	1	HNZPT cat 2		B
Bridge Street	42-46	High	B	Delete
Bridge Street	105	Demolished		
Bridge Street	85	Demolished		
Bridge Street	97	High	B	Delete
Bridge Street	111-113	Moderate	B	Delete
Bridge Street	118-120	High	B	Delete
Bronte Street	31	HNZPT listed 2		B
Church Lane	1	HNZPT listed 2		B
Collingwood Street	16	Low	No	B
Collingwood Street	90	Demolished		

Collingwood Street	95	Moderate	B	B
Collingwood Street	105	Demolished		
Collingwood Street	131	Demolished		B
Collingwood Street	140	Low		Delete
Elliott Street	15	Moderate	B	B
Elliott Street	23	Moderate	B	B
Fountain Place	11	Low	No	Delete
Fountain Place	12	Low	No	Delete
Fountain Place	19	Low	No	Delete
Fountain Place	23	Low	No	B
Halifax Street	82	HNZPT cat 2		B
Hardy Street	173	High	B	B
Hardy Street	173	High	B	B
Hardy Street	187-197	HNZPT cat 2	B	B
Hardy Street	204	HNZPT cat 2		B
Hardy Street	253-257	Moderate	B	Delete
Hardy Street	326	High	B	Delete

Hastings Street	10	Low	No	Delete
Hastings Street	20	Low	No	Delete
Hastings Street	24	Low	No	Delete
Hastings Street	34	Low	No	Delete
Hastings Street	36	Low	No	Delete
Hope Street	14	Moderate	B	B
Kawai Street	124	High	B	B
New Street	21	High	B	B
Nile Street	28	HNZPT cat 2		B
Nile Street	41	HNZPT cat 2		B
Nile Street	164	HNZPT cat 2		B
Nile Street	181	HNZPT cat 2		B
Richmond Ave	2	HNZPT cat 2		Delete
Russell Street	33	Moderate	B	Delete
Russell Street	1/39 A	Moderate	B	Delete
Russell Street	52	Moderate	B	Delete
Russell Street	53	Moderate	B	Delete
Rutherford Street	52	High	B	Delete

Rutherford Street	109	High	B	B
Rutherford Street	136	Low		B
Seymour Avenue	56	Moderate	B	B
Seymour Avenue	26	Moderate	B	B
Seymour Avenue	56	Moderate	B	B
Seymour Avenue	1/54	Moderate	B	B
Trafalgar Square	349	High	B	Delete
Trafalgar Street	106-110, 120	HNZPT cat 2		B
Trafalgar Street	194	HNZPT cat 2		B
Trafalgar Street	232	High	B	Delete
Wakefield Quay	335	Low	No	Delete
Wakefield Quay	345	Low	No	Delete
Wakefield Quay	375	Low	No	Delete
Wakefield Quay	411	Low	No	Delete