MEMO TO: Gina Sweetman / Nelson City Council
MEMO FROM: Dr Ann McEwan
IN REGARD TO: PPC 28 (Heritage)

Introduction

1 This memo concerns my review of the expert reports prepared by Ms Amanda Young and Mr Robin Miller and those heritage-related submissions and further submissions received in regard to Private Plan Change 28 (PPC28).

2 I have reviewed the following documents in preparing this memo. I have also undertaken my own independent research to provide the basis of a heritage assessment of the former Richard / 'Maitai Run' shearing shed.

- Amanda Young 'Private Plan Change Request – Historical & Archaeological Assessment for CCKV Maitai Dev Co LP and Bayview Nelson Limited' (17 December 2020).
- Robin Miller 'Project Memo. 01 – Investigations into selected heritage structures – timber woolshed/barn, concrete chimney, and concrete/stone wall remnants' (14 March 2022, updated 6 April 2022).
- Robin Miller & Amanda Young 'Maitahi Valley Farm Buildings, 7 Ralphine Way, Maitai Valley, Nelson – Addendum Report (11 May 2022).

Qualifications & experience

3 I am an independent heritage consultant and the principal of Heritage Consultancy Services. In 2015 I was engaged by Nelson City Council to prepare the built heritage schedule for the draft Whakamahere Whakatū Nelson Plan; I have continued to provide historic heritage consultancy services to the Council since that time.

4 I hold the qualifications of a PhD in art and architectural history from the University of Canterbury.

5 I have worked for Heritage New Zealand Pouhere Taonga in the past and lectured in art and architectural history and heritage at the University of Waikato between 1996 and 2005. I have been an independent heritage consultant since 2006 and am the author of the 'Heritage Issues' chapter in the textbook *Planning Practice in New Zealand* (eds C Miller & L Beattie, 1st [2017] & 2nd editions [2022], LexisNexis).

6 I am a full member of ICOMOS New Zealand, the Society of Architectural Historians of Australia and New Zealand, the Professional Historians Association of New Zealand Aotearoa, and DOCOMOMO New Zealand.

Code of conduct

7 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing my evidence and will continue to comply with it while giving oral evidence before the Hearings Panel. My qualifications as an expert are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within

my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Involvement with the private plan change 28

8 I have been involved in the PPC28 since April 2021. I undertook a site visit to the plan change area on 3 May 2022 and attended the conferencing of expert witnesses (heritage) on 16 May 2022.

9 I am a signatory to the Joint Witness Statement (JWS) in relation to Heritage that is dated 16 May 2022. My evidence acknowledges the agreements reached by the experts in regard to the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014 and the fact that there are no currently scheduled built heritage resources located in the PPC 28 area. Furthermore it was agreed that the recommendations put forward by Robin Miller and Amanda Young in relation to the shearing shed and Edendale site were 'reasonable' given that there is currently no 'statutory requirement to protect built historic heritage resources within the PPC 28 area' (para 3.2). I considered the phrase 'statutory requirement' meant that there are no heritage buildings within the plan change area currently scheduled on the NRMP; I wish to clarify now that I do not take the view that the absence of scheduling, as a regulatory measure, extinguishes the statutory protection offered to historic heritage resources under RMA section 6(f).

10 What was not agreed and is not recorded in the JWS, was whether statutory protection should be extended to the shearing shed (also referred to as the woolshed) on the basis of the heritage values identified by Ms Young and Mr Miller. I concur with Ms Young and Mr Miller that the shearing shed has heritage value and have completed an assessment of the building according to the criteria provided in Appendix 1 of the Nelson Resource Management Plan (A1-1 & A1-2). This assessment is appended to my evidence, along with the assessment criteria.

Technical review

11 The Young report (17 December 2020) states that there are currently no New Zealand Archaeological Association recorded sites and no Heritage New Zealand Pouhere Taonga listed historic places in the subject area. One cultural site (MS57) is scheduled in the NRMP and two potential heritage items (chimney and shearing shed / hop kiln), which are associated with the Richardson family, are identified in the report.

12 I defer to Ms Young in archaeological matters, including but not limited to her comments about the archaeological values that may be present in conjunction with the chimney and shearing shed. I also note for the record that while her report states that a Cultural Impact Assessment is being prepared by Aneika Young [p. 9] it appears that a Cultural Values Preliminary Report (CVPR) will now be developed in conjunction with the resource consent process.

13 The Young report concludes with the statement [emphasis added] that '*two subject properties, Bayview and Maitahi, generally have limited historical and archaeological potential with the exception of small areas and structures which have high heritage value or potential high value. These are the recorded location of MS57 (until an alternative location for the site has been established by iwi), any evidence of Edendale (in the vicinity of the standing chimney) and the Richardson shearing shed / hop kiln*'.

14 The Young report was followed by a memo (dated 6 April 2022) prepared by Robin Miller of Origin Consultants that provided specific heritage building advice to the applicant in regard to the shearing shed/possible hop kiln and the chimney at Maitahi. Both the Young report and Miller memo record Richardson oral history testimony about the colonial cottage that was built in the vicinity of the standing chimney and the farm's hop kiln on the terrace below the cottage, which was later converted for use as a shearing shed. The memo also notes that a historic aerial photograph taken in 1948 shows the form of the shearing shed as it appears today and a dwelling on the site of the remnant chimney.

15 Based upon the evidence provided by Ms Young and Mr Miller, and the site visit undertaken by me on 3 May 2022, I am satisfied that the chimney marks a site of potential archaeological value but does not have intrinsic historic heritage value. It would appear that the chimney likely dates to c.1914 and that its value lies primarily in marking the site of the original 'Maitai Run' homestead that stood on the site from the mid-19th century until it was destroyed by fire in c.1991.

16 The shearing shed is identified by the Young report and Miller memo as having potential heritage value. The joint addendum to the Young report and Miller memo (dated 11 May 2022) confirms the building's heritage values according to the Historic and Social, Archaeological, and Group, Landmark and Contextual heritage identification and assessment criteria, which were developed in 2015 for use in the proposed Nelson Plan by me and Dr Greg Mason. The addendum also records that 'although parts of the woolshed are in poor condition, overall, the building has a good degree of integrity' (Summary of Heritage Significance, p. 3).

17 PPC 28 does not reflect the professional assessment of its heritage experts in regard to the shearing shed. While Ms Young and Mr Miller have assessed the shearing shed as having heritage values according to a number of criteria (Historical and Social, Archaeological, and Group, Landmark and Contextual) the Plan Change anticipates demolition of the structure. This position has led to Ms Young and Mr Miller making a number of recommendations to mitigate the loss of heritage value, on the basis that this response to the applicant's signalled intentions is 'reasonable in the circumstances' [JWS para 3.2].

18 While no submissions were received that specifically addressed the loss of heritage values embodied in the shearing shed, the submission made by Maree Sharland [S211.001] includes the statement that 'the historic heritage of the Maitai is great, but has been overlooked'.

19 The Young report includes reference to a flax mill (no longer extant) in Sharland's Valley, which is mentioned in the Sharland submission, and the Young/Miller report, memo and addendum, assess the shearing shed/hop kiln as having significant heritage value. The Sharland submission could therefore be satisfied in part if the shearing shed was identified and protected as a significant historic heritage resource.

20 Ms Young and Mr Miller offer mitigation measures for the loss of identified and assessed heritage values in their joint addendum report, however, these measures (salvage of material and archaeological investigations) appear to have the status of recommendations that could be incorporated into the new development, without any means of assuring that this will occur. PPC 28 does not state how the salvage material and heritage information will inform the 'design of the proposed development', nor how the information will be incorporated 'into local recreational activities, such as cycle or walking trails' (addendum,

section 3, page 4). Nor does PPC 28 state which 'historically relevant names' will be assigned to 'new roads and parts of the development', and there is no monitorable commitment to erecting 'village centre facilities, such as a pub or community rooms' in order to create a site for the installation of the salvaged materials (Ibid).

21 It is also difficult to reconcile the following statement made by the applicant in light of the anticipated demolition of the woolshed that has, according to Ms Young and Mr Miller, identified heritage and archaeological values [emphasis added]. '*As a part of the detailed subdivision design process the applicant will need to further investigate, assess and mitigate (if necessary) the potential impacts on the identified heritage and archaeological values'* [PPC28 p. 71; see also p. 81].

22 Paul Thornton's submission (S60.001] expresses concern that the proposed development would '*destroy the heritage feel of Nile Street and The Wood*' by increasing traffic volumes through these areas. Increased traffic volumes are not something heritage protection planning mechanisms can address and, as both Nile Street and The Wood are outside the development area, this aspect of the submission appears to be out of scope. Concerns about the protection of heritage values in Nile Street and The Wood are best and most appropriately directed towards the submission process once the Nelson Plan has been formally notified.

Recommendations

23 The 'reasonable efforts' of the applicant's heritage experts to mitigate the loss of heritage values associated with a building that is not currently scheduled is acknowledged in the JWS.

24 In response to Ms Sharland's submission, however, and in the context of the stated opinion of the applicant's expert witnesses and PPC 28 Policy RE6.1, which includes *'protection of heritage and cultural values'*, the shearing shed has been assessed according to the NRMP 'Heritage Buildings, Places and Objects' criteria and found to have significant heritage value.

25 If the shearing shed is not subject to protection, by way of scheduling or an alternative planning mechanism, and the recommendations put forward by the applicant's heritage experts are adopted, then PPC 28 should be revised in order to ensure these mitigations for the loss of identified heritage values are undertaken.



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Attachments:

1. Heritage Assessment Criteria extracted from Appendix 1 of the NRMP.
2. NCC historic heritage item record form prepared for the former Richardson / 'Maitai Run' shearing shed (23 May 2022).