

**BEFORE THE INDEPENDENT HEARING PANEL APPOINTED BY THE  
QUEENSTOWN LAKES DISTRICT COUNCIL**

**UNDER** the Resource Management Act 1991 (RMA)  
**IN THE MATTER** of the Te Pūtahi Ladies Mile Plan Variation in accordance  
with section 80B and 80C, and Part 5 of Schedule 1 of the  
Resource Management Act 1991.

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**STATEMENT OF EVIDENCE OF ROBIN ALEXANDER KEITH MILLER  
29 September 2023**

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## Introduction

- 1 My 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.
- 3 I have been asked to provide evidence by Queenstown Lakes District Council (**QLDC** or **Council**).
- 4 I became involved in the Te Pūtahi Ladies Mile Masterplan (**TPLM Masterplan**) in June 2020, when Origin Consultants Ltd (**Origin Consultants**) was asked to undertake an assessment of the heritage and archaeological values of the Te Pūtahi Ladies Mile area (**TPLM Area**).
- 5 Origin Consultants prepared a report titled 'Ladies Mile Master Plan: Heritage and Archaeological Values Assessment,' dated January 2022. The purpose of the report was to:
  - (a) Undertake an assessment of the heritage and archaeological values of the study area;
  - (b) Identify and describe any heritage or archaeological values within the study area;
  - (c) Assess the potential effects that a comprehensive mixed-use development may have on any heritage or archaeological values identified; and
  - (d) Provide recommendations to avoid, minimise, or mitigate effects on identified values.
- 6 My involvement in the TPLM Masterplan and Te Pūtahi Ladies Mile Plan Variation (**TPLM Variation**) has recommenced recently with the preparation of this evidence.

## Qualifications and Experience

- 7 I am a Chartered and Registered Building Surveyor and a RICS Certified Historic Building Professional (The Royal Institution of Chartered Surveyors). I hold a Licenced Building Practitioner Design Level 2 qualification. I have a New Zealand National Diploma in Architectural Technology from the Open Polytechnic (2017) and a Postgraduate

Diploma in Building (Heritage) Conservation from the College of Estate Management, University of Reading, England (2002-2004).

- 8 I am a full member of ICOMOS New Zealand and of the Institute of Historic Building Conservation, UK.
- 9 My area of expertise is heritage conservation. I have over 30 years' experience as a Chartered Surveyor and have specialised in heritage conservation for the last 19 years; the last 13 years being in New Zealand. My day-to-day work involves the preparation of conservation plans for heritage buildings, heritage assessments and heritage impact assessments, together with condition surveys, building reports, schedules of works, architectural drawings, and specifications. In terms of heritage assessment work for plan change purposes, one of my most recent projects has been providing peer review advice to Hamilton City Council for proposed Plan Change 9 – Historic Heritage Areas.

#### **Code of Conduct**

- 10 I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. Accordingly, I have complied with the Code in the preparation of this evidence, and will follow it when presenting evidence at the hearing. Unless I state otherwise, this assessment is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

#### **Scope of Evidence**

- 11 My evidence addresses the following:
- (a) the Origin Consultants' report titled 'Ladies Mile Master Plan: Heritage and Archaeological Values Assessment,' dated January 2022 (referred to hereafter as the **Origin Assessment**), authored by myself and Lucy King (Heritage Consultant), with support from Benjamin Teele (Archaeologist);
  - (b) heritage and archaeology matters identified in the Origin Assessment and whether these have been addressed in the proposed TPLM Variation provisions; and
  - (c) submissions on the TPLM Variation that relate to heritage and archaeology.

- 12 In preparing my evidence, I have reviewed the following documents:
- (a) The TPLM Variation and Section 32 Evaluation Report;
  - (b) The submissions that are relevant to my area of expertise;
  - (c) The Origin Assessment; and
  - (d) The sections of the QLDC District Plan and QLDC Proposed District Plan referred to in my evidence.

### **Executive Summary**

- 13 The intention of this evidence is not to restate matters contained in the Origin Assessment or matters that have not been identified as controversial. As such, this evidence provides a summary of the key points outlined in the Origin Assessment, whether these have been addressed in the TPLM Variation provisions, and addresses significant matters in contention arising from submissions.
- 14 The Origin Assessment identified that the TPLM Area has a long agricultural history, dating back to the initial European settlement of the area. This association is manifested in three key ways:
- (a) historic structures and buildings as tangible representations, with some listed as heritage features in the QLDC District Plan;
  - (b) archaeological sites and subsurface archaeology providing evidence of the historic occupation of the area; and
  - (c) contextual values and intangible associations of the rural setting.
- 15 The Origin Assessment identified that any development in the TPLM Area would have an impact on the contextual values and offered recommendations on how to mitigate potential adverse effects.
- 16 While provisions of the existing District Plan provide some protection to the Glenpanel Homestead, in my view, the TPLM Variation could do more to ensure a positive outcome for the historic Homestead.

### **Summary of the Origin Assessment**

- 17 The study area of the Origin Assessment comprised a large area of land extending from the Shotover River to the western shore of Lake Hayes and bounded by Slope Hill to the north, referred to as the TPLM Area. The proposed TPLM Variation forms part of this larger area examined by

the Origin Assessment (referred to as the **TPLM Variation Area**). As such, the conclusions and recommendations contained in the Origin Assessment are relevant to the TPLM Variation Area.

- 18 The Origin Assessment identified that the TPLM Area has been used for agricultural purposes since the 1860s. Due to this lengthy history, multiple historic buildings and archaeological sites are located within and near the area. A number of heritage features listed in the QLDC Operative and Proposed District Plans (together **QLDC District Plans**) were identified within the vicinity of TPLM Area, including two historic farming complexes. Various other utilitarian buildings of unknown dates were also identified. The following heritage features are listed in the QLDC District Plans:
- (a) Threepwood farmstead, comprising Marshall Cottage (c. 1865), timber villa (1909), stone woolshed (c. 1864), and stables (c. 1864);
  - (b) Glenpanel Homestead (c. 1908); and
  - (c) Robert Lee's Memorial Trough (1913).
- 19 The Glenpanel Homestead is the only heritage feature listed in the QLDC District Plans located within the TPLM Variation Area.
- 20 Collectively, these heritage features are tangible representations of the early agricultural history of the Whakatipu Basin. They form part of the limited remnants of the historic agricultural hamlet between the Shotover River and Lake Hayes. The Threepwood and Glenpanel farms were some of the first in the Basin and established a highly successful agricultural industry. Glenpanel, in particular, has a long association with notable residents of the Queenstown Lakes District (**District**). The size and scale of the Glenpanel Homestead shows the importance and success of the farm, and represents a considerable social advancement compared to the early days of the farm. It is also one of the few remaining timber villas of this scale and age in the District.
- 21 The heritage features are also situated within an open/rural landscape that has been part of an active farm since the 1860s and is reminiscent of the early rural nature of the land. The heritage values of the buildings are tied to their setting within the rural/open landscape. As such, the contextual significance of these buildings within the wider landscape

remains high. The Origin Assessment identified contextual heritage values that could be impacted by development in the study area, including:

- (a) viewshafts, looking towards and away from the heritage features;
- (b) the contextual value and historic associations/connections between the buildings; and
- (c) the broader idyllic, open, and rural setting and context of the study area, which are representative of the historic agricultural use of the land.

- 22 The Glenpanel Homestead was identified as having the greatest potential to be adversely affected by development due to the drastic change in surrounding landscape; historically, it has been a high-end residential dwelling surrounded by agricultural and pastoral land. The Origin Assessment recognised that the adaptive reuse of the Glenpanel Homestead as a café or restaurant, for example, could provide it with an ongoing, useful, and economic purpose.
- 23 No archaeological sites have been recorded in the TPLM Variation Area and the archaeological values of the TPLM Variation Area are confined primarily to potential discrete late 19<sup>th</sup> century deposits in close proximity to the Glenpanel Homestead. In particular, there is evidence of a pre-1900 cottage near the Glenpanel Homestead; this cottage is no longer extant. The Origin Assessment recognised that further archaeological sites and subsurface archaeology could be uncovered by earthworks required for development. The extent of further archaeological sites, and effects, is not known and should be further considered when the extent of required earthworks are known.
- 24 The Origin Assessment identified that any development in the TPLM Area that does not take the identified heritage values of the area into account will be detrimental to the heritage values and sense of place of the area. The assessment recommended that:
- (a) heritage-sensitive design controls are implemented for future development to mitigate effects on heritage values of listed heritage features; and

- (b) that future mixed-use development should take into account the wider setting of the identified heritage features within it and mitigate adverse impacts by controlling:
  - (i) building density and design;
  - (ii) location of roads, material composition, and signage;
  - (iii) location of services infrastructure; and
  - (iv) landscaping.

### **Addressing TPLM Variation Provisions**

25 At the time the Origin Assessment was prepared, no further details were known about the proposed mixed-use development enabled under the TPLM Variation. As such, the Origin Assessment offered general, broad-brush principles that could be implemented to mitigate adverse effects on the heritage values of the TPLM Area:

- (a) reduce density and building height the closer it gets to heritage features (i.e. the Glenpanel Homestead), for example, utilising neighbouring spaces for green spaces/recreational uses such as sports fields;
- (b) reduce the visual effects of roads and signage by using materials that are complementary to the rural character of the area;
- (c) reduce the visibility of hard surfaces and car parking;
- (d) employ traditional building design, materials, and colour palette within the development;
- (e) create key landscape views to and from the Glenpanel Homestead within the development; and
- (f) create a heritage-relevant context to the development, which tells the history of the study area, its past use, and those who have been instrumental in its history.

26 While some of these principles appear to have been adopted in the TPLM Variation, others have not.

### *Potential effects on the Glenpanel Homestead*

27 The TPLM Variation establishes the Glenpanel Precinct as an area for non-residential activities centred around the historic Glenpanel

Homestead (see 49.2.4, 49.2.4.1, and 49.2.4.2). This may assist in enabling the potential adaptive reuse of the historic Glenpanel Homestead, which is likely to contribute to a positive outcome for this listed heritage feature. The TPLM Structure Plan also proposes the retention of trees in the Glenpanel Precinct and its tree lined driveway from SH6; this also assists in retaining some sense of place in the immediate vicinity of the Glenpanel Homestead.

- 28 While the existing District Plan provisions provide some level of protection for the Glenpanel Homestead, the TPLM Variation introduces standards that could allow for development that is not sympathetic to the heritage values of the Glenpanel Homestead. Chapter 26 – Historic Heritage of the Queenstown Lakes Proposed District Plan (**PDP**) requires resource consent for any development within the ‘setting’ of a listed heritage feature, being an area around the Glenpanel Homestead that is integral to its function, meaning, and relationships and contained in the same legal title as the Glenpanel Homestead. This enables some oversight of the potential effects of development, but is limited to the Homestead’s ‘setting’. Generally, I would expect development near the Homestead to reference, or be in keeping with, some of its design / architectural / materials’ features and to be sympathetic in terms of scale. The TPLM Variation introduces standards for the Glenpanel Precinct that would allow for buildings up to 8m in height and up to 50% site coverage throughout the Glenpanel Precinct; my understanding is that these standards could potentially form part of a permitted baseline argument through a resource consent application.
- 29 Subdivision or a boundary adjustment of the Glenpanel Homestead legal title would also require resource consent under PDP Chapter 27 – Subdivision and Development (i.e., rules 27.5.4 and 27.5.13), which would include an assessment of the effects of the proposed subdivision/new boundaries on the heritage values of the Glenpanel Homestead. In my view, the TPLM Variation appears to anticipate that the Glenpanel Homestead parcel will be subdivided to allow for the development of the Precinct and provision of non-residential activities (see e.g. 27.3.24.2 of the TPLM Variation). Once subdivision of the Glenpanel Homestead parcel occurs, the protection and oversight afforded by rule 26.5.9 over development within the Glenpanel Precinct (outside of the parcel containing the Homestead) will be lost.



- 30 The TPLM Variation outlines that development within the Glenpanel Precinct should “respond to the character of the area” and “manage adverse effects of development on the historic heritage values of Glenpanel Homestead and its setting” (see 49.2.4, 49.2.4.1, and 49.2.4.2); however, this has not been carried through to action. There appear to be no rules or design controls included in the TPLM Variation that would create a precinctal and unified development that references the historic Glenpanel Homestead, for example, in terms of architectural design. Development standards address practical matters, such as building height, lot coverage, setbacks, rather than design. Where these standards are breached, relevant assessment matters do not specifically refer to effects on heritage values of the Glenpanel Homestead (e.g. 49.5.51). This risks the construction of a series of disjointed buildings that are not architecturally cohesive and do not recognise the intention to create a ‘precinct’ centred around the Glenpanel Homestead.
- 31 The proposed density of the areas adjacent to the Glenpanel Homestead does not reflect the recommendations made in the Origin Assessment. The High Density Residential (**HDR**) and Medium Density Residential (**MDR**) Precincts proposed to the east and south-west of the Glenpanel Homestead have the potential to adversely affect the contextual values of the Glenpanel Homestead as the building height and densely designed housing typologies (e.g. semi-detached, duplexes, and apartments) of the adjacent HDR and MDR Precincts enable development that is vastly different in scale and density to the Homestead. While the Collector Road (Type A) may act as a buffer between the MDR Precinct and Homestead to some extent, the eastern end of the Glenpanel Precinct could contain a significant height increase from 8m to 24.5m in the HDR Precinct. The extent of the adjacent HDR and MDR Precincts, in combination with development within the Glenpanel Precinct, creates the potential for the Glenpanel Homestead to be subsumed by development.
- 32 I consider that my concerns could be addressed by:
- (a) including effects on heritage values as an assessment matter/matter of discretion where standards within the Glenpanel Precinct are breached; and

- (b) establishing a Glenpanel Precinct plan and/or design controls to ensure that development within this Precinct reflects and maintains the heritage values of the homestead around which it is centred.

*Potential effects on archaeology*

- 33 The proposed development of the TPLM Variation Area will likely require extensive earthworks throughout the area. Potential effects on archaeology should be further considered by an archaeologist when the extent of the required earthworks is known. An archaeological authority may need to be obtained from Heritage New Zealand Pouhere Taonga and, if not, earthworks should be undertaken under an Accidental Discovery Protocol. This is usually required as a condition of consent.

**Response to Submissions**

- 34 I have reviewed the submissions that comment on matters relevant to my evidence:
- (a) Glenpanel Development Ltd (submitter 73);
  - (b) Maryhill Ltd (submitter 105);
  - (c) Milstead Trust (submitter 108); and
  - (d) Kirsty Mactaggart and Justin Crane (submitter 115).
- 35 I have identified the following key matters (relating to heritage matters) raised in these submissions as follows:
- (a) the proposed maximum building height in the Glenpanel Precinct;
  - (b) the interface between the Glenpanel Precinct and adjacent residential MDR and HDR Precincts;
  - (c) retention of landscape and planting; and
  - (d) adverse effects on Threepwood farmstead buildings.
- 36 I have responded directly to these matters below and have also referred to aspects of my evidence above that address these issues more generally.
- 37 Glenpanel Development Ltd (submitter 73) and Milstead Trust (submitter 108) comment on the proposed maximum building height in the Glenpanel Precinct and seek to remove, reduce, or increase this height. I have commented on the proposed maximum building height in my

evidence at [28] above. In my view, the maximum building height should not be increased as this further risks the Glenpanel Homestead being enclosed by taller buildings. The Glenpanel Homestead section has limited capacity for intensive development, which could affect its setting / contextual value. The TPLM Variation currently allows for taller buildings as a discretionary activity. This approach enables effects on the Glenpanel Homestead to be better considered as part of the resource consent process.

- 38 Milstead Trust (submitter 108) raises concerns about the change in height limit at the interface between the Glenpanel Precinct and adjacent Precincts in the TPLM Variation. As outlined above at [31] I agree that the interface between the Glenpanel Precinct and adjacent residential Precincts could be improved; however, as noted above at [37], I disagree that the building height should be increased within the Glenpanel Precinct. I would prefer an approach that improves the interface with design principles, for example, reducing the appearance of bulk of the buildings in the residential Precincts fronting the Glenpanel Precinct, adopting some design cues from the Glenpanel Homestead, and orienting buildings to face the Glenpanel Precinct.
- 39 Glenpanel Development Ltd (submitter 73) and Milstead Trust (submitter 108) also comment on the retention of existing mature planting and proposed setback from Ladies Mile/SH6. In my view, these features contribute to the retention of some 'sense of place' of the area, being the intangible associations of the area. I would also support an active travel link through the tree lined (current) Glenpanel driveway that is proposed for retention in the TPLM Structure Plan. However, commenting on the appropriate species is beyond my area of expertise.
- 40 Finally, Kirsty Mactaggart and Justin Crane (submitter 115) comments on the development adversely affecting the Threepwood farmstead buildings. The broader setting of these buildings will effectively transition from rural to residential. As noted at [24], the development of the wider area will impact the historic associations of the land. I consider the Threepwood farmstead buildings to be reasonably separated from the development. These buildings will retain aspects of their existing setting, including the viewshafts over Lake Hayes. I regard the Glenpanel Homestead as more adversely affected by the surrounding development.

**Conclusion**

41 In my view, the establishment of the Glenpanel Precinct and the adaptive reuse of the historic Homestead has the potential to result in a positive outcome for the building in the context of the proposed development, and the Glenpanel Homestead could become a hub of the community. To ensure this outcome is achieved, the TPLM Variation would benefit from better integration and consideration of effects on the heritage values of the historic Glenpanel Homestead. Where there is scope, I would support the following amendments to the TPLM Variation:

- (a) Identifying an active travel link through the tree lined Glenpanel Homestead driveway to assist in the interpretation of the Glenpanel Homestead and retention of its sense of place;
- (b) Ensuring that development within the Glenpanel Precinct creates a unified precinctal development, for example, developing design controls to ensure the intention of the Glenpanel Precinct is actioned; and
- (c) Including effects on heritage values as an assessment matter where standards are breached, particularly within the Glenpanel Precinct.

These suggestions would assist in ensuring a positive outcome for the Glenpanel Homestead within the development.

**Robin Alexander Keith Miller**

**29 September 2023**