

**Before the Hearings Panel  
Appointed by Napier City Council**

**IN THE MATTER** of the Resource Management  
Act 1991

**AND**

**IN THE MATTER** of Proposed Napier District Plan

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**STATEMENT OF EVIDENCE OF DEAN RAYMOND ON BEHALF OF  
HERITAGE NEW ZEALAND POUHERE TAONGA**

**PROPOSED NAPIER DISTRICT PLAN – HEARING STREAM 2**

**SUBDIVISION AND GENERAL DISTRICT-WIDE MATTERS**

**Planning Statement**

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**15 November 2024**

## **INTRODUCTION**

1. My name is Dean Raymond, and I am employed as Manager and Planner for Heritage New Zealand Pouhere Taonga (HNZPT) based in the Central Region Office, Wellington. I have outlined my qualifications and experience in the statement I submitted for Hearing Stream 1.
2. Although this evidence is not prepared for an Environment Court hearing I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and have complied with it in when preparing this evidence. I have considered all the material facts that I am aware of that might alter or detract from the opinions I express. This evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

## **SCOPE OF EVIDENCE**

3. HNZPT made a submission and further submissions on the Napier Proposed District Plan (PDP). I was involved in preparing the original submission on the PDP and the further submission.
4. In preparing this evidence I have read the relevant submissions, further submissions, and the Section 42A reports prepared by Council staff and/or consultants.
5. The Section 42A author recommends accepting the majority of the HNZPT submission points and I agree with those recommendations. I do not propose to go into any further detail on those points.
6. My evidence will address the following:
  - Subdivision;
  - Coastal Environment;
  - Earthworks; and
  - Signs.

## **SUBDIVISION**

7. HNZPT made a number of submission points on the subdivision chapter, with a particular focus on the activity status of subdivisions of sites containing scheduled heritage items.

8. The 42A author in Paragraphs 371-372 and 416-417 recommends including an additional policy and an additional rule for sites containing heritage items, but not including reference to SOSMs at this stage. I accept this recommendation, acknowledging the SOSM provisions are still in the process of being drafted.
9. HNZPT submitted on SUB-O8 seeking amendment to the heading to be Historic Heritage overlays and precincts and sites containing historic heritage items. The Section 42A author recommends rejecting the submission point, stating that ‘the provision is intended to guide at a higher level than the site specific’.<sup>1</sup>
10. I disagree with this recommendation. To be clear, the HNZPT submission was in relation to the heading of the objective, requesting that it be amended as ‘Historic heritage overlays and precincts and sites containing historic heritage items’. The point of the submission is that the objective should relate to *both* overlays/precincts, *and* sites containing schedule heritage 3 items. The PDP contains individually scheduled buildings and structures, as well as defined overlays and precincts. The text of the objective, which seeks that *subdivision occurs in a manner that recognises and provides for the protection of historic heritage*, should also be reflected in the heading of the objective. This would help plan users to have regard to SUB-O8 for all heritage recognised in the PDP, and not limited its application to only precincts and overlays.

## **COASTAL ENVIRONMENT**

11. The HNZPT submission on CE-P1 stated that ‘*The recognition and protection of heritage values expressed in CE-I1 and CE-O3 have not been brought down into the policy framework*’.
12. The 42A author has addressed this submission point in paragraph 128, and has recommended accepting the submission in part. This recommendation is in the context of the wider recommended change to delete CE-P1 and include the descriptive components of CE-P1 into the introduction. I recognise and support the additional section in the introduction (mainly taken from CE-P1) which also includes acknowledgement of historic heritage in the coastal environment, along with the other key characteristics of the coastal environment in Napier.

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<sup>1</sup> Section 42A Report: Hearing Stream 2 – Part 2 – Subdivision: Report on submissions and further submissions on the Proposed Napier City District Plan at paragraph 401.

13. I note that the recommended amendments do result in a duplication of text and provisions, with the descriptive content in the introduction being largely repeated in CE-I1. In my opinion, this duplication could be addressed through including the text starting with *'the vast outlook over the coastal marine area...'* in either the introduction, or under the Issues section, rather than both.

## **EARTHWORKS**

14. The 42A author in paragraph 83 does not support the amendment requested by HNZPT, to add this clause to EW-P6: *controlling earthworks on sites containing scheduled heritage items*. As this submission point is directly related to the request for an amendment to EW-R1 which addresses the same matter, I will respond in the following paragraphs.
15. The HNZPT submission point on additional earthworks rules is addressed in paragraph 136. The author states that the submitter has not provided details of any new rules, with the exception of amendments to EW-R1. In my reading of the HNZPT submission, apart from amendments to EW-R1 the submission does not request any other specific amendments to the rules.
16. The 42A author (paragraph 176) does not support the HNZPT request for an amendment to EW-R1, relating to earthworks on the site of a scheduled heritage item. I also note that matters of discretion for any earthworks consent include heritage and cultural values, and that EW-AC1 includes an Accidental Discovery Protocol, which applies to the accidental discovery of archaeological or other sensitive material. I accept the author's rationale for rejecting the HNZPT submission point, in that it would be unreasonable and unnecessary to require resource consent for any scale of earthworks on the site of a heritage building.

## **SIGNS**

17. HNZPT submitted seeking additional objectives addressing the potential adverse effects of signage on heritage values.
18. The 42A author in paragraph 39 states that there is a gap relating to protection of heritage values from inappropriate signage. The author recommends one additional objective, which addresses signs on heritage buildings and signs within the Napier City Historic Heritage Precinct, rather than the two additional objectives requested by HNZPT. In my view, the

recommended objective satisfies the relief sought by HNZPT provides the appropriate guidance to protect historic heritage values from inappropriate signage.

A handwritten signature in black ink, appearing to read 'D. Raymond', written in a cursive style.

**Dean Raymond**

**15 November 2024**

**Appendix 1: Schedule of Recommended Changes**

185	Rita Angus' Family House		<del>Historic-Notable</del> Place (identification purposes only)
HH-P1		<del>Historic-Notable</del> place – a place recognised for its intangible historical or cultural significance that is not subject to any District Plan restrictions on activities or effects.	