

BEFORE THE HEARINGS PANEL

In the Matter of: The Resource Management Act 1991

And Proposed Plan Change H(a):
Historic heritage

Manawatū District Council

STATEMENT OF EVIDENCE – Response to Expert Evidence

Rochelle Waugh

Dated: 2 June 2023

Opening statement

This response statement follows the instruction in the Hearing Panel Minute 1, point 8(c). This response relates to the statements submitted by Heritage New Zealand Pouhere Taonga (HNZPT) (dated 29 May 2023) and S.M. and J.M. O'Brien Family Trust (dated 30 May 2023). I understand that the Panel has accepted the late statement from the S.M. and J.M. O'Brien Family Trust.

Response to Position Statements by Submitters

1. Relocation Policy HH-P11

Further conversations have taken place on the Relocation Policy (HH-P11) with Ryan O'Leary on behalf of the S.M. and J.M. O'Brien Family Trust, and Dean Raymond on behalf of HNZPT following the completion of my section 42A report. Following a verbal discussion with Mr O'Leary I provided a written statement to both parties outlining further thoughts and positions in relation to Policy HH-P11. The correspondence that has taken place is attached in Appendix 1 for the Hearing Panel's reference.

As outlined in my email to the parties dated 29 May 2023, I recommend the following further amendments to Policy HH-P11 from the recommendations in my section 42A report (included below). Note a tracked change version of the policy is shown in Appendix 2. The final policy wording I have recommended is provided below for ease of reference.

HH-P11

To only allow relocation of heritage items listed in Schedule 4b where it can be demonstrated that:

- a. The relocation is necessary to save the heritage item and protect the heritage values from the threat of, or damage from natural hazards; or
- b. The relocation will protect the heritage values and significance of the heritage item, as confirmed by a suitably qualified heritage expert.

As stated by both experts in the evidence submitted to the Hearing Panel (Appendix 3), they are neutral to the recommended wording above. For the reasons outlined in Appendix 1 of this statement, I consider the changes made are a further improvement on the recommendation of the section 42A report.

2. Scheduling of the Mangaweka Bridge

In their statement provided on 29 May 2023 (Appendix 3), HNZPT state that they have come to the conclusion that including the Mangaweka Bridge in Schedule 4b as part of Plan Change H(a) is out of scope of the plan change. As outlined in my Section 42A Report, I agree with this position and do not consider there are any additional changes required to the plan change in relation to this matter.

Concluding Comments

I now consider that the two substantive matters outlined in my section 42A report in relation to the Relocation Policy (HH-P11) and the Mangaweka Bridge are no longer in dispute.

I request that the Panel consider the amended version of Policy HH-P11 outlined above instead of the wording under Submission 1 (S01/1) in Appendix 1 (Officer Recommendations in Response to Submissions) of my section 42A report.

Appendix 1 (attached)

Email correspondence on the Relocation Policy (HH-P11): Plan Change H(a) Historic Heritage

Appendix 2 (below)

Tracked changes shown for Policy 11 (HH-P11) Relocation

Appendix 3 (attached)

Position Statements by Heritage New Zealand Pouhere Taonga and SM and JM O'Brien Family Trust

Appendix 2

Tracked changes shown for Policy 11 (HH-P11) Relocation.

The changes are shown as follows:

~~Strikethrough~~ – proposed deletion following submissions on notified version.

Underline – proposed addition following submissions on notified version.

~~Strikethrough~~ – proposed deletion following pre hearing discussion.

Underline – proposed addition following pre hearing discussion.

HH-P11

~~To restrict the relocation of a heritage item in Schedule 4b except where it can be demonstrated that:~~

To only allow relocation of heritage items listed in Schedule 4b where it can be demonstrated that:

a. The ~~work relocation~~ is necessary to save the heritage item and protect the heritage values from the threat of, or damage from imminent danger to natural hazards; or

b. The ~~work relocation~~ will protect the heritage values and significance of the heritage item, ~~as confirmed by a suitably qualified heritage expert, identified in Schedule 4b, and~~

c. In the case of relocation to another site, alternatives to relocation have been explored and relocation is considered a comprehensive alternatives assessment has been completed by a suitably qualified heritage expert and relocation is demonstrated to be the only practicable option, to be a reasonable option to avoid demolition.

Note: 'to avoid demolition' in clause c was added during discussion on submissions, but has now been recommended to be removed following further discussion on submissions.