



## FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, A SUBMISSION ON NPDC'S NOTIFIED PROPOSED DISTRICT PLAN

Clause 8 of Schedule 1 Resource Management Act 1991

**To:** New Plymouth District Council  
**Address:** Private Bag 2025, New Plymouth 4342  
**Email:** districtplan@npdc.govt.nz

### **Further Submitter Details**

Name of further submitter: Ray Harris & Jenny Sulzberger .....  
Contact person (if different from above) Care of: Hamish Walker (BTW Company).....  
Postal address: Po Box 551, New Plymouth 4340 .....  
Email address for service: [hamish.walker@btw.nz](mailto:hamish.walker@btw.nz) .....  
Phone number: 06 759 5040 .....

*The Council will serve all formal documents by email. Where there is no email address provided, the documents will be posted to the postal address stated above.*

### **I am:** (please tick relevant box)

- a) A person representing a relevant aspect of the public interest.   
(In this case, also specify the grounds for saying that you come within this category); or
- b) A person who has an interest in the proposal that is greater than the interest of the general public.   
(In this case, also explain the grounds for saying that you come within this category); or
- c) The local authority for the relevant area.

Please state the grounds as to why you come within the category selected above:

The following submission is made on behalf of Ray Harris and Jenny Sulzberger who seek to oppose Heritage Taranaki Inc's submission on the Proposed New Plymouth District plan (PDP). The submitter is considered to have an interest in the proposal that is greater than the interest of the general public due to the potential implications the submission (if allowed) may have on the submitter's private property rights. The submitter firstly seeks to oppose the listing of 84 Brougham Street in schedule 3 of the PDP (Schedule of Archaeological Sites or Sites and Areas of Significance to Māori). The property is within the 50m radius of the building at 84 Brougham Street so will be affected by rules relating to a 50m buffer. The submitter has not been consulted about the potential implications of the listing.

Upon review of the PDP, the submitter is also concerned the location and extent of Archaeological Site and Site of Significance to Maori referenced as 2556 (Redoubt, New Plymouth entrenchment) may be inaccurate. The submitter is concerned that the location of the eastern entrenchment, which intersects their property at 7 Hempton Street has not been verified correctly. The submitter seeks to oppose the proposed location in conjunction with the adjoining landowners at 9 Hempton Street and 83, 84 and 86 Brougham Street (each have separate further submissions). The submitter is considered to have an interest in the proposal that is greater than the interest of the general public, given the site of significance is intersecting their property and will have significant implications for their private property rights.

### **Council Hearing** (please tick relevant box)

Do you wish to be heard in support of your further submission? Yes  No

If others make a similar submission would you consider presenting a joint case with them at a hearing? Yes  No

**Submission**

The submission points, support or opposition, reasons and decisions sought are set out in the attached document.

**Note:** *Any attachments to your submission should only be supporting information, not the submission.*



24/08/2020

Signature of the person making further submission  
or the person authorised to sign on behalf of the  
person making further submission

Date

**Name of Further Submitter Ray Harris & Jenny Sulzberger**

My specific further submission(s) are as follows:

*(Please only insert one further submission point per line. Add further sheets as required)*

<b>I support/oppose the submission of:</b> <i>(State the submission no., name and address of the person making the original submission)</i>	<b>The particular part of the submission I support/oppose are:</b> <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			<b>The reasons for my support / opposition are:</b> <i>(State the nature of your further submission, giving reasons)</i>	<b>I seek that the whole (or part) of the submission be allowed / disallowed:</b> <i>(Give precise details of the decision you want the Council to make)</i>
Submitter 297 – Heritage Taranaki Inc	Sub No. / Point No.  Entire submission Particularly 297.219	Support / Oppose  Oppose	Provision  All Historic Heritage Provisions and listing of 84 Brougham Street within schedule 3  SCHED3 / Archaeological Sites or Sites and Areas of Significance to Māori / Site ID 2556	<p>The submitter opposes the inclusion of the Kerr Residence (Former) at the address 84 Brougham Street, New Plymouth in Schedule 3 of the PDP.</p> <p>The submitter opposes all submission points on the Historic Heritage provisions included in the submission for the following reasons:</p> <p>The submitter is concerned that the listing in schedule 3 will restrict any works undertaken on any sites within 50m of the proposed scheduled building through associated archaeological site provisions within the PDP (particularly those pertaining a 50m buffer i.e. HH-R14 – HH-R17).</p> <p>The submitter is concerned that the rules relating to archaeological sites are too restrictive and have not considered the implications for a built archaeological site.</p> <p>The submitter has not been consulted by Heritage Taranaki about the potential effects the listing may have on their property. This has not enabled a reasonable time period to consider all of the Historic Heritage provisions in the Proposed Plan and the</p>	Whole submission is disallowed

<b>I support/oppose the submission of:</b> <i>(State the submission no., name and address of the person making the original submission)</i>	<b>The particular part of the submission I support/oppose are:</b> <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			<b>The reasons for my support / opposition are:</b> <i>(State the nature of your further submission, giving reasons)</i>	<b>I seek that the whole (or part) of the submission be allowed / disallowed:</b> <i>(Give precise details of the decision you want the Council to make)</i>
				<p>implications for the submitter's future plans for use and enjoyment of their property.</p> <p>The submitter questions why all properties within 50m of the site at 84 Brougham Street were not consulted given the potential implications on neighbouring properties private property rights.</p> <p>As a separate matter but still relating to schedule 3 requirements, the submitter is also concerned about the location of the archaeological site/site of significance to Maori that has been included in the PDP by NPDC and referenced as 2556. The submitter shares the same concern detailed in submission number 202.1 (Urban Aspect Limited) which states the location of the entrenchments need to be verified through further assessment and peer review.</p>	

**Note to Further Submitter**

This further submission on the Proposed District Plan must be received by the New Plymouth District Council by **5pm on Tuesday 25 August 2020.**

To get your further submission to us, either:

Post to: New Plymouth District Council, Reply Paid DX, DX Box NX10026, New Plymouth.

Attention: District Planning Team

Deliver to: Civic Centre, Liardet Street, New Plymouth  
or to library and service centres at Bell Block, Inglewood or Waitara

Email to: [districtplan@npdc.govt.nz](mailto:districtplan@npdc.govt.nz)

Visit our website: [newplymouthnz.com/eplan](http://newplymouthnz.com/eplan)

A copy of your further submission MUST be served on the original submitter within 5 working days after it is served on the local authority. Contact details for all submitters can be found on our Proposed Plan page at [newplymouthnz.com/eplan](http://newplymouthnz.com/eplan).

Please note all information provided in your submission, including your personal information, will be made publicly available.

Your submission (or part of it) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of it):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.