

SUBMISSIONS ON TE TAI O POUTINI PLAN

Under Clause 6 of the First Schedule of the Resource Management Act 1991

To: West Coast Regional Council

By email: info@tpp.nz

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1. Submitters

- 1.1. On behalf of myself (Stewart Nimmo) and my wife (Edie Nimmo) (the submitter), we submit on the Proposed Te Tai o Poutini Plan.
- 1.2. The submitter could not gain an advantage in trade competition through this submission.
- 1.3. The submitter owns a 11.7 hectare section of land at 340A North Beach Road, Cobden, Greymouth
- 1.4. The specific provisions which this submission relates to are:
 - 1.4.1. Map 51 – ONL 31 (Sch. 5), NCA 38 (Sch. 7), NCA 37 (Sch. 8)
 - 1.4.2. ECO – R2
 - 1.4.3. NFL – P3
 - 1.4.4. NFL – R5
 - 1.4.5. NFL – R6
 - 1.4.6. NFL – R8
 - 1.4.7. NFL – R10
 - 1.4.8. CE – 01
 - 1.4.9. CE – P5
 - 1.4.10. CE – P6

- 1.4.11.CE – P7
- 1.4.12.CE – R4
- 1.4.13.CE – R8
- 1.4.14.CE – R11
- 1.4.15.CE – R16
- 1.4.16.CE – R18
- 1.4.17.EW – R1
- 1.4.18.EW – R3
- 1.4.19.RLS – R6
- 1.4.20.NH – R3
- 1.4.21.NH – R33
- 1.4.22.SUB-S1
- 1.4.23.GRUZ-R3

1.5. The reasons for the submission and the relief sought are set out in **Appendix 1**.

1.6. The suggested revisions do not limit the generality of the reasons for the submission.

1.7. The submitter wishes to be heard in support of this submission.

1.8. The submitter will consider presenting a joint case with others presenting similar submissions.

2. Background to the submission

2.1. The submitter owns a rurally zoned section located at North Beach, Cobden. Lots 1 and 5 DP3731 with an area of 11.7 hectares. Three 1ha blocks were subdivided off from our original parcel of land approx 30years ago. They have all been built on with minimum impact on the natural environment. These sites including ours are not visible without visiting them, apart from air or sea.

2.2. We were drawn to the natural beauty of the area almost 50 years ago when we had opportunity to purchase.. There was no road access to the property so we spent several

years building access and relocating a house to the site. We spent a lot extra money on establishing underground power to our house site and later on to the three more lots to keep the visible impact to a minimum. Some people encouraged us to clear and plant pine trees on the land. We could see that it had much greater value largely by keeping it original and enhancing the native regrowth. (Much of the area was cleared and fenced as winter runoff to the farm below)

- 2.3. There are currently two residential dwellings on the property. A larger house and a smaller cottage. There is ample room for several more house sites to be established without compromising environmental values. At this stage there are no plans to further develop but we wish to retain that option.
- 2.4. We are concerned along with many others about the current housing crisis. Surely this is an opportunity to attempt to address some of these issues with the new plan by sharing our amazing area with others . It appears that this in many ways it isn't a visionary plan but rather a set of rules that may suite other parts of the country but may not be appropriate to our district. Let's make it easier for people to have a choice to live in areas of natural beauty, possibly by way of traditional housing of even off grid tiny homes. Technology allows us to do so much these days to help improve our wellbeing by living amongst nature. We are in one of our countries areas of population decline. Why not design lifestyle blocks to encourage population growth to help make our area more sustainable. This proposed plan is a backward step from what we already have towards this.
- 2.5. This allotment sits within the rural zone in the operative Grey District Plan. The rear of the section abuts the Rapahoe Range Scenic Reserve.

3. Summary of submission

- 3.1. The submitter generally supports protective elements of the plan as they relate to Outstanding Coastal Natural Character and High Coastal Natural Character; and Outstanding Natural Landscapes associated largely with the presence of the Rapahoe Scenic Reserve and the proximity of the section to this reserve. It is the natural environment that has prompted us and the adjoining owners to choose to live here. The land been developed and built on harmoniously with the surrounding landscape.
- 3.2. The submitter is concerned that a number of proposed provisions are inconsistent with enabling the use of the land to build any new residential dwellings. This includes building size limits, vegetation clearance rules, rules which relate to the erection and maintenance of structures such as retaining walls and earthworks rules.
- 3.3. The area in which the submitters land sits is somewhat modified and not outstanding in itself. It is the backdrop to the subdivision which is outstanding. The submitter is concerned

that land which has been earmarked for residential lifestyle development will now be subject to controls which are inappropriate and unnecessary due to a seemingly arbitrary line that has been drawn on the maps with little regard to the existing level of development.

3.4. The submitter is concerned about the implications of being located within the Outstanding Coastal Natural Character Overlay and Natural Character Overlay and the particular restrictions that come with these overlays, and seeks these restrictions be removed or relaxed to allow for activities which have a functional need to locate within the Coastal Environment. A significant amount of activity occurs within the Coastal Environment on the West Coast due to the topography of the region, and a relatively narrow strip of flat land adjacent to the coastline.

3.5. The section is not visible from the road and can only be viewed aerially or from some distance at sea. Existing dwellings in the subdivision are also not visible other than by sea or aerially. Properties are harmonious with the landscape and are screened by indigenous vegetation. Development of the sites has occurred appropriately under the existing district plan in a way which has not affected the values associated with the Rapahoe Range.

4. Reasons for the submission

4.1. The specific reasons for each submission point on specific provisions are set out in Appendix 1.

5. Relief sought

5.1. The submitter wishes to see the overlays removed or pulled back to the rear boundary of their site, where it abuts the Rapahoe Scenic Range Reserve. This is considered appropriate for the following reasons:

- a. there are existing controls in place in relation to the section which enable development of the section in a manner that is harmonious with the surroundings;
- b. the modified nature of the pockets of the land. The most significant land was already set aside when the Rapahoe Scenic Reserve was established over 100 years ago.
- c. The land will be zoned as rural lifestyle zone under the TTPP and the controls in place in the overlays are inappropriate;
- d. the West Coast Regional Land and Water Plan places restrictions on the clearance of vegetation on this property as it sits within the Greymouth Earthworks control area. Additional controls are considered an unnecessary duplication.

5.2. Alternatively, the submitter seeks the relief set out in Appendix 1 in relation to specific provisions of the proposed plan.

5.3. The relief set out above and at appendix 1 does not limit the alternative, consequential, or necessary additional relief to give effect to the matters raised generally in this submission.

Stewart Peter and Catherine Edith Nimmo

Appendix 1

Provision	Support/Oppose	Reasons	Decision Sought
Map 51 – ONL 31 (Sch. 5), NCA 38 (Sch. 7), NCA 37 (Sch. 8)	Oppose	The line which identifies the ONL and HCNC is inappropriate. The site is modified and not outstanding. The line which has been drawn to identify this overlay appears to have been arbitrarily drawn.	Align the ONL boundary with existing property lines. Alternatively, give effect to the decisions sought in respect of particular provisions set out below.
NH – R33	Oppose	Any residential activity (by definition of “sensitive activity”) will require resource consent within the Land Instability Overlay.	Exclude residential activities other than primary residential dwellings from this rule.
ECO – R2	Oppose	<p>This rule contains a very restrictive vegetation clearance requirement in the coastal environment, which covers large areas of the West Coast Region which are used for various activities. The 500m² clearance rule is considered to be unduly restrictive and unnecessary for the protection of coastal character or indigenous biodiversity.</p> <p>The site could be used for rural residential development as a subdivision. The clearance volume is unduly restrictive and does not enable the clearance required for a typical rural residential dwelling and access and is inconsistent with the underlying zoning of the land as rural residential.</p>	Delete ECO – R2 Alternatively, increase vegetation clearance volume to more accurately reflect the vegetation clearance required in a typical build.

NFL – P3	Support	Recognises that there are settlements, farms and infrastructure located within outstanding natural landscapes or outstanding natural features and provide for new activities and existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected. However the submitter is concerned that this policy does not flow into the rules, particularly where there are established existing uses and subdivisions which are intended for residential development, and where residential development is already established.	Retain as notified
NFL – R5	Oppose	The maximum height limit above 5m for buildings and structures does not reflect the topography of the land or its intended purpose as a rural residential subdivision. The limit is unduly prohibitive. Placing a low height limit is counter productive to retaining as much of the native vegetation as possible. The lower one builds the more clearance is required to obtain good views. This is a major reason why a lifestyle block is chosen, especially when sea views are involved.	Remove 5m building limit for established subdivisions. Alternatively, provide a more realistic building height limit which considers the sloping topography of the area, and amend relevant definitions as necessary.
NFL – R6	Oppose	The cut height is unduly restrictive and not reflective of the topography of NFL's on the West Coast. Particularly in existing subdivisions which are intended for residential subdivision and have existing dwellings.	Remove 1 metre cut height or alternatively provide a more generous cut height which enables residential development as intended in existing subdivisions. Remove reference to Coastal Environment.

NFL – R8	Oppose	Residential buildings within an NFL are not included in the list of permitted activities, despite there being rural residential subdivisions located within the NFL. The maximum height limits for buildings is unduly prohibitive, particularly where the majority of the Coasts NFL areas are sloping in nature. The floor limits would also be unduly restrictive for a residential build which the submitter seeks to include.	Remove 3m height limit as it is arbitrary, particularly given the topography of NFL's. Alternatively, provide a more realistic building height limit which considers the sloping topography of the area. Inclusion of residential buildings as a permitted activity, and increase floor area to 250m ² minimum to enable houses.
NFL – R10	Oppose	Controlled activity standard 2. Is ambiguous and uncertain	Delete controlled activity standard 2.
CE – 01	Support	The submitter supports this objective which seeks to preserve the character of the coastal environment while recognising that the coastal environment is important in providing for people's social and economic wellbeing.	Retain as notified
CE – P5	Oppose	The submitter supports the provision for buildings and structures within the coastal environment, of an appropriate scale, however considers that the provisions which flow on from this policy do not reflect what is appropriate in all parts of the coastal environment. In addition, the policy does not recognise that there are existing subdivisions within the coastal environment where only some lots have been developed and some remain to be developed.	Include as additional text: a. Are existing lawfully established structures <u>or sites</u> ;
CE – P6	Support	The submitter supports the provision for buildings and structures within the coastal environment, of an appropriate scale, however considers that the provisions which flow on from this policy do not reflect what is appropriate in all parts of the coastal environment.	Retain as notified

CE – P7	Support	The submitter supports this provision, which allows for development in areas already modified and expansion of existing settlements, however is concerned that the provisions which flow on from this policy are inappropriate.	Retain as notified
CE – R4	Oppose	The coastal environment covers vast areas of the West Coast Region. The proposed restrictions on building in the Coastal Environment are unduly restrictive and do not provide for residential or rural activities which are both anticipated by the underlying zones which make up the Coastal Environment. In particular, many established residential dwellings exceed 200m ² in the area. The rule as worded would trigger a resource consent requirement for almost every dwelling in the Coastal Environment. The proposed floor area and height limits are considered unduly restrictive, and a significant departure from what has already been built within the subdivision.	Remove gross ground floor area size limit for buildings in the RLZ zone by deleting CE-R4.2.iii.I Alternatively, replace with a more appropriate ground floor area limit which appropriately provides for reasonably sized residential dwellings in within the coastal environment, in line with the operative District Plans in the region.
CE – R8	Oppose	The maximum height limit above 5m for buildings and structures does not reflect the topography of the land or for sites which are already identified as a rural residential subdivision. The limit is unduly prohibitive.	Remove height limit or alternatively set more appropriate height limit where subdivision is in place.
CE – R11	Oppose	Earthworks are not enabled in an area that has been approved for subdivision and which has a number of dwellings which are established.	Include access and building platforms as a permitted activity.
CE – R16	Oppose	Matters of discretion are unduly restrictive for an identified and established subdivision. The matters of discretion (other than those which relate to landscape and amenity value) do not relate to ONL status.	Remove all matters of discretion where existing subdivisions are in place except those which relate to landscape and amenity values

CE – R18	Oppose	Matters of discretion are unduly restrictive for an identified and established subdivision. The matters of discretion (other than those which relate to landscape and amenity value) do not relate to ONL status.	Remove all matters of discretion where existing subdivisions are in place except those which relate to landscape and amenity values
EW – R1	Oppose	This rule is a duplication of regional council rules. The cut height is unduly restrictive. Particularly in existing subdivisions which are intended for residential subdivision and have existing dwellings.	Remove 1.5 metre cut height or alternatively provide a more generous cut height which enables residential development as intended in existing subdivisions.
EW – R3	Oppose	500m2 is insufficient for building platform and access on land which has been identified for subdivision and where existing residential dwellings in the subdivision is well established.	Remove 500m2 limit on earthworks in the RLZ . Alternatively, provide a more generous earthworks limit such as 2000m2
SUB— S1	Oppose	The proposed 4ha minimum site is not appropriate for the West Coast. It took 20 years for the Grey District Council to have it reduced from 10 acres (4Ha) to 1 ha. Any proposal to put this back up would be going backwards. 1ha is ample land to provide for a rural residential lifestyle without close neighbours or cause adverse effect on the environment. There is an opportunity to encourage appropriate lifestyle living in our unique area. Maybe 5000m2 blocks as allowed in Westland would be even more suitable.	Remove the 4ha minimum size and replace it something much more suitable for modern rural / residential living. Replace with say 5000m2 or 1ha at most.
GRU2—R3	Oppose	The proposed residential density should also be reduced to meet the subdivision standards as above. In particular bush blocks ensure that any dwellings have their own privacy. Closer density in this time of a housing crisis are a wise, economic and pragmatic use of our West Coast land.	Reduce the density standard down to 5000m2 as above.