

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@tppp.nz

Submitter: Lauren Nyhan and Anthony Phillips

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1. Submitters

- 1.1. On behalf of myself (Lauren Nyhan) and my husband (Anthony Phillips) (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 1.59 hectare section of land at 332D North Beach Road, Greymouth within the Point Elizabeth Heights subdivision.
- 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

- 1.5. 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/residential property located in the Point Elizabeth Heights subdivision, North Beach Road, Cobden, (legally described as Lot 4 DP 347064).
- 2.2. There is currently no residential dwelling on the property, however the submitters are in the process of engaging an engineer to undertake geotechnical assessment of the site, with the intention to build their primary residential dwelling.
- 2.3. 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 which surrounds the subdivision which has prompted the existing owners to purchase the sections, most of which have been built on and have been developed harmoniously with the surrounding landscape.
- 3.2. The submitter is concerned that a number of proposed provisions are inconsistent with enabling the intended use of the section to build and maintain a residential dwelling as was intended when consent to subdivide was granted. 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 subdivision in which the submitters land sits is highly modified and not outstanding in an of 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 no 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. While this site is within the Coastal Environment and ONL overlays, it sits within an approved subdivision which has existing residential dwellings. This is a highly modified residential setting and would not be considered a site with a high degree of natural character. In addition, the properties at Point Elizabeth Heights are already subject to Consent Notices which provide for appropriate protection of the surrounding natural characteristics including conditions relating to:
- Roof pitch, roof form and roof ridges;
 - Building height in relation to mean ground level;
 - The restriction of pre-used dwellings or structures;
 - Colours required to be in a recessive hue that blend with natural vegetation on site.
- 3.5. Any development that occurs on this site and in other sites on the subdivisions will be located away from the Rapahoe Scenic Range (as the existing dwellings are) due to existing restrictions in the Consent Notice and the geographical constraints of the section which is sloping. 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 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. existing development of the area under the current, more permissive rules, has resulted in a high quality residential development which has not impacted the amenity values associated with the ONL;
 - c. the highly modified nature of the pockets of subdivision at both Point Elizabeth Heights and the rural residential subdivision which sits to the North of the Point Elizabeth Heights subdivisions;
 - d. The land will be zoned as rural lifestyle zone under the TTPP and the controls in place in the overlays are inappropriate;
 - e. 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.

Signed on behalf of Lauren Nyhan and Anthony Phillips