

Further Submission on NPDC's Notified Proposed District Plan

Response ID:72 Data

1. Further submitter details

1. Name of further submitter

David Thomas Westown Agriculture Ltd

2. Contact person (if different from above)

3. Email Address

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 below.

lorraine.snell@mckinlay.co.nz

4. Postal Address

180 Cowling Road RD 1 New Plymouth 4371

5. Phone Number

06 753 6611

6. I am:

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 you fall in this category; or

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

Property owner of 187 Cowling Road directly affected by submission number 317

2. Council Hearing

8. Do you wish to be heard in support of your further submission?

Yes

9. If others make a similar submission would you consider presenting a joint case with them at a hearing?

Yes

3. My Further Submission(s)

10. The specific further submissions in support or opposition and the decisions sought for NPDC's Proposed District Plan are as follows:

Please only insert one further submission point at a time, there is the ability to add additional points further down.

I support/oppose the submission of: (state the submission number, name and address of the person making the original submission)

317 Hamish Crimp 93 Pendarves Street New Plymouth

Submission No./Point No. (of the original submission)

317.4

Provision

Do you support or oppose the original submission?

Oppose

The reasons for my support/opposition are: (state the nature of your further submission, giving reasons)

Re: Hamish Crimp submission no 317 regarding "Trees Proposed to be added as Notable Trees"

In particular Point 317.4 which seeks a "comprehensive review of trees within the New Plymouth District which are significant, but not yet scheduled within the Proposed District Plan." The list of specific trees considered worthy of protection and review to assess criteria worthy of scheduling includes four (4) trees located on Property 187 Cowling Road Lot 2 DP 10717.

We, as the owners of the property at 187 Cowling Road, totally oppose to having these four trees scheduled in the proposed District Plan as Notable Trees. For the following reasons:

- The trees marked A,B and C on the plan are all located and growing within only a few metres from the existing dwelling.
- They have all become very large in width and height and currently overhang the dwelling by a considerable amount.
- Their roots extend underneath the dwelling and currently conflict with the piles and concrete which supports the dwelling and we have genuine concern for undermining of the foundations.
- In a strong wind the trees drop a lot of foliage and branches (some large) onto the dwelling roof, often damaging and clogging the roof guttering and down piping.
- The trees restrict light and heat which causes a lot of moss and algae to grow on the roof and the wooden sides of the dwelling.
- In a severe weather event, the strong winds would very likely cause branches to break off or a tree may completely fall over, almost certainly falling on the dwelling. Due to the size of the trees and the proximity to the dwelling, such an event would definitely result in property damage and likely result in human injury or death as currently 6 adults reside in the dwelling.
- Above all we are concerned as to the health and safety risks these trees present. We have only been living at the property for approx. 18 months and our intention is to address these issues in the near future. Our intention is also to complete alterations to the dwelling, including extensions, within the next year or so and the position of the trees may conflict with this plan. If a notable tree status was imposed on these trees, this would also impact on our plans to address the health and safety issues presented.
- As the zoning of the property will change to Special Purpose - Future Urban Zone under the Proposed District Plan, the future intention is to develop the property in line with the growth anticipated by the Proposed District Plan. The possible "protection" of the trees would impede the development potential of our property.

It is noted under the Section 32 Report contained within the Proposed District Plan that under Council's Notable Tree Evaluation Method (NTEM) Arborists must perform an assessment which considers six key questions, one being: Is the tree manageable in its location? (a) Tree in relation to nearby services and structures.

Given the present location of the three trees in close proximity to an existing dwelling, and the health and safety risk they already impose on the structure and the people residing within, these trees cannot meet this particular criteria for Notable Tree status. This, coupled with the anticipated future development of the area, is considered to be a valid objection to ensure these trees are not considered for Notable Tree status, so the present health and safety issues may be dealt with to ensure no harm comes to any person or property.

We therefore oppose an assessment of these trees, with the view to imposing a Notable Tree status on them.

I seek that the whole (or part) of the submission be allowed/disallowed (give precise details of the decision you want the Council to make)

Part of the submission disallowed.

Council to not assess the trees on our property as potential notable trees.

4. Note To Further Submitter

A copy of your further submission **MUST** be served on the original submitter with 5 working days after it is served on the local authority. Contact details for all submitters can be found on the Proposed District Plan page of the NPDC website.

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 one 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 advice, 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.

11. I understand that details of my submission will be made publicly available and I must serve a copy of my further submission to the original submitter within 5 working days of making my further submission.

I understand

5. Thank You!

Thank you for your further submission. Formal acknowledgement of your further submission will be provided once processed and accepted by Council.

Email a copy of my further submission(s)

Aug 24, 2020 23:44:48 Success: Email Sent to: lorraine.snell@mckinlay.co.nz
