



Submissions must be received by the end of the 20th working day following the date the application was notified.

If the application is subject to limited notification, New Plymouth District Council may adopt an earlier closing date for submissions once the Council receives responses from all affected parties.

Email to: applications@npdc.govt.nz

Or post to: The Planning Lead
 New Plymouth District Council
 Private Bag 2025
 New Plymouth 4342

1. Submitter details

1a. Full name
 William & Judith (Bill & Judy) Hurlstone
 First name(s) Surname

1b. Contact person's name if different from above e.g. lawyer, planner, surveyor
 First name(s) Surname
 Designation Company

1c. Electronic service address
 jdixonhurlstone@gmail.com

1d. Telephone
 0274936935 (Judy) 0274490124 (Bill)
 Mobile Landline

1e. Postal address or alternative method of service under Section 352 of RMA 1991
 1B/120 St Aubyn Street, New Plymouth

Serving of documents

The Council will serve all formal documents electronically via the email address provided above. Where there is no email address provided the documents will be posted to the above postal address.

2. Application details

2a. Resource consent number
 LUC21/47890

2b. Applicant
 Regina Properties Limited
 First name(s) Surname

2c. Site address
 1 Dawson Street, New Plymouth

2d. Description of the proposed activity
 Proposed extension both in height and length of the existing building

3. Trade competition

- I am **not** a trade competitor for the purposes of section 308B of the RMA. (Proceed to 4.)
- I am a trade competitor for the purposes of section 308B of the RMA.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the RMA.

Select one of the following:

- I am I am **not** directly affected by an effect of the subject matter of the submission that:
 - Adversely affects the environment, and
 - Does not relate to trade competition or the effects of trade competition.

Please turn over

OFFICE USE ONLY

Date received _____ Property ID _____ Application # _____
 Time received _____ Land ID _____ Document # _____

4. Submission

Before making a submission, please ensure you have read/seen the full resource consent application, including the assessment of environmental effects (AEE) and all the plans.

- 4a. I/we support the application in whole or in part I/we oppose the application in whole or in part I am/we are neutral to the application

4b. Please specify below:

- i. The matters within the application you support or oppose, or wish to comment on.
- ii. The reasons for making this submission (please give precise details).

Attach additional pages if required.

We have resided in our Richmond Estate Apartment for almost 5 years and bought our property because of its light, airy, sun-filled living and bedroom areas and decking and also because of the wonderful neighbourhood, being predominately residential.

We love spending time both enjoying the sun inside and outside on the deck area. The light and warmth of our property is second to none and should this proposal of Regina Properties Limited be accepted, all of this will be seriously jeopardised.

This proposed extension, both in height and length of the bulk of the existing building would cast shadowing and would close in our light filled rooms. We'd be looking out at an even higher grey wall, and we would lose both daylight and sunlight. The gardens and courtyard in our common area will be cast into shadow and would soon be green and slippery (dangerous to all residents). We are also seriously worried the loss of light will seriously affect the value of our apartment.

We understand that whilst our neighbours have their own reasons for wishing to extend their building, we clearly would like to ensure our home is protected against adverse impact and the loss of such daylight, sunlight and sunsets.

We have perused at length, the submitted shadow plans and seriously feel these are not totally accurate. For example, there are structures in our complex that are totally missing from the plans, and these missing pieces are some of the worst affected.

We believe the shadowing also does not show how much darkness will overpower our living areas nor does it show the full impact of shadowing on our outdoor living area.

As a result of this, if our neighbours proposed extension does not stay within the current height restrictions, this will cause a serious adverse impact to our home both in right of enjoyment and in value.

We have not once had anyone from Council visit our properties to witness first-hand what the effect would be and I believe each and every one of us would welcome such a visit. For obvious reasons, this would need to be at the time of day when the effect would be clearly displayed and of course, when the sun is shining.

We all want our main living areas to remain well-lit and warm. Most of our main living spaces are north-west facing and this gives us excellent daylight most of the day, all year, even in winter. We are so sun-filled that we even require horizontal shading to prevent overheating in summer, and this is often until the sun sets.

The applicants existing building sitting on our west side, already creates shadows because it sits parallel to the direction of the sun from the west – so our afternoon sun. An extension will also cast further shadowing on numerous surrounding properties and will seriously affect their share of sunlight. This includes Hine Street's morning sun.

The computer drawings do show how significant shadows would be on the surrounding areas however we believe they are showing less shadowing than there would actually be.

Accordingly, we believe the application should be rendered invalid. The proposal would not respect the character and appearance of the wider area. The proposal is of such a design that it further exceeds the height restrictions with no respect to other home owners in the area. It has been designed with no respect for the scale, shadowing of sun, loss of light and loss of view for many. This will have a significant impact upon the level of environmental quality afforded to neighbouring properties.

4. Submission - continued

4c. I seek the following decision from the Council:

To grant resource consent

To decline resource consent

Grant resource consent with amendments and/or conditions (as described below)

4d. Please specify details of the decision you seek from the Council, including the parts of the application you wish to have amended and the general nature of conditions sought:

Attach additional pages if required.

- Loss of light and overshadowing means we lose substantial natural daylight.
- Overlooking/loss of privacy.
- Visual amenity
- Partially block sunset views from several rooms of our apartment
- Potentially cast shadow over our property, including living spaces and outdoor living space
- Will exceed height restrictions even further than is already exceeded.

The existing building is more than adequate to be adapted to a first-class modern residence. It is of sufficient height 'as is' to provide exclusive seafront living, full all-day sun and with extensive, unobstructed coastal views.

5. Attendance and wish to be heard at hearing

A formal hearing may be held for notified applications if any matters are not resolved at a pre-hearing meeting. It gives the applicant, and all submitters who stated in their submission that they wish to be heard, the opportunity to formally present their views to an independent commissioner.

It is recommended that submitters speak to their submission for all but minor issues. Stating that you wish to be heard at the submission stage does not obligate you to appear at the hearing later if you change your mind.

If you state that you do not wish to be heard, the Council is not obliged to advise you of the hearing or send you the hearing documents. However you will be sent a copy of the decision and retain your right to appeal the decision.

5a. If a hearing is held, do you wish to be heard in support of your submission? Yes No

5b. If others make a similar submission, would you consider presenting a joint case with them at the hearing? Yes No

You may choose to contribute toward the cost of engaging a professional e.g. a planner or lawyer to represent your combined interests.

6. Privacy statement

The Privacy Act 1993 applies to the personal information provided in this submission. For the purposes of processing the resource consent application the Council may disclose your personal information to another party. If you want to have access to, or request correction of, that personal information, please contact the Council.

7. Declaration and privacy waiver

I will/have served a copy of my submission on the applicant, as required by Section 96(6) of the Resource Management Act 1991.

By signing* this submission or by submitting this submission electronically, I confirm that the information contained in this submission is true and correct. I agree to the disclosure of my personal information in respect of this submission.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Signature of submitter (or person authorised to sign on behalf of submitter)

Date

*A signature is not required if this submission is submitted electronically.

Notes to submitter

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B.
2. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):
 - 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.
3. You may wish to obtain your own professional advice, such as from a lawyer, surveyor or planner, before finalising your submission. 'An Everyday Guide to the RMA' found on the Ministry for the Environment website www.mfe.govt.nz has useful information for submitters. If you have any further questions regarding this process, phone the Council on 06-759 6060 and ask to speak to the planner processing the application.