



**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

Liardet Street, Private Bag 2025, New Plymouth 4342, New Zealand. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com

### 1. Submitter details

1a. Full name    
 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

1d. Telephone    
 Mobile Landline

1e. Postal address or alternative method of service under Section 352 of RMA 1991

#### 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

2b. Applicant    
 First name(s) Surname

2c. Site address

2d. Description of the proposed activity

### 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	<input type="text"/>	Property ID	<input type="text"/>	Application #	<input type="text"/>
Time received	<input type="text"/>	Land ID	<input type="text"/>	Document #	<input type="text"/>
Received by	<input type="text"/>				



**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.

A large rectangular area with horizontal lines for writing, intended for providing details of the decision sought and conditions.

Please turn over

## 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](http://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.

**LARRY WILLIAM STEWART, KAYLENE JOY STEWART & NEIL WILLIAM EVETTS**

**Appointor**

**LARRY WILLIAM STEWART  
KAYLENE JOY STEWART**

**Continuing Trustees**

**NEIL WILLIAM EVETTS**

**Retiring Trustee**

**SR TARANAKI TRUSTEES LIMITED**

**New Trustee**

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**DEED OF RETIREMENT OF TRUSTEE AND  
APPOINTMENT OF NEW TRUSTEE OF THE  
LW & KJ STEWART FAMILY TRUST**

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**REEVES MIDDLETON YOUNG  
SOLICITORS  
NEW PLYMOUTH**

DEED dated

2nd May

2008

## **PARTIES**

**LARRY WILLIAM STEWART, KAYLENE JOY STEWART & NEIL WILLIAM EVETTS**  
("Appointor")

**LARRY WILLIAM STEWART and KAYLENE JOY STEWART** ("Continuing Trustees")

**NEIL WILLIAM EVETTS** ("Retiring Trustee")

**SR TARANAKI TRUSTEES LIMITED** ("New Trustee")

## **INTRODUCTION**

- A. By deed dated 4 March 1996 ("**Deed**") certain trusts were declared, to be known as the LW & KJ Stewart Family Trust ("**Trust**").
- B. The Retiring Trustee and the Continuing Trustees are the current trustees of the Trust.
- C. The Retiring Trustee wishes to retire as a trustee of the Trust, to relinquish all of the trusts and powers vested in the Retiring Trustee and to be discharged from the trusts of the Deed.
- D. The Continuing Trustees and the Appointor are willing to consent to the retirement of the Retiring Trustee and to the discharge of the Retiring Trustee from the trusts of the Deed.
- E. The Appointor wishes to exercise the power vested in the Appointor by clause 15. of the Deed by appointing the New Trustee to be a trustee of the Trust.
- F. The New Trustee is willing to accept appointment as a trustee of the Trust.

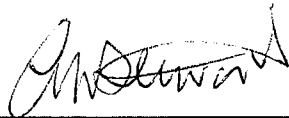
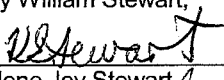

## **OPERATIVE PROVISIONS**

- 1. The Retiring Trustee retires as a trustee of the Trust and relinquishes all of the trusts and powers vested in the Retiring Trustee.
- 2. The Continuing Trustee and the Appointor consent to the retirement of the Retiring Trustee and to the discharge of the Retiring Trustee from the trusts of the Deed.
- 3. The Appointor, in exercise of the power vested in the Appointor by clause 15. of the Deed, appoints the New Trustee to be a trustee of the Trust to act jointly with the Continuing Trustee.
- 4. The New Trustee consents so to act.
- 5. The Retiring Trustee, the Continuing Trustees and the New Trustee each declare that the assets of the Trust now vest in the Continuing Trustee and the New Trustee jointly as trustees of the Trust upon the trusts and with and subject to the powers, discretions and obligations contained or implied in the Deed.

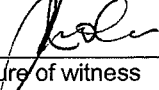
- 6. All property that does not vest in the Continuing Trustee and the New Trustee by virtue of section 47 of the Trustee Act 1956 shall forthwith be transferred by the Continuing Trustees and the Retiring Trustee to the Continuing Trustees and the New Trustee.
- 7. The Continuing Trustees and the New Trustee indemnify the Retiring Trustee out of and to the extent of the assets of the Trust, for any personal liability which the Retiring Trustee may have incurred in any way which has arisen out of or in connection with the Retiring Trustee acting as a trustee of the Trust, provided such liability is not attributable to the Retiring Trustee's own dishonesty, or to the wilful commission or omission by the Retiring Trustee of an act known by the Retiring Trustee to be a breach of trust.

**SIGNED AS A DEED**

**SIGNED** by **LARRY WILLIAM STEWART, KAYLENE JOY STEWART & NEIL WILLIAM EVETTS** as Appointor in the presence of:

  
 \_\_\_\_\_  
 Larry William Stewart,  
  
 \_\_\_\_\_  
 Kaylene Joy Stewart  
  
 \_\_\_\_\_  
 Neil William Evetts

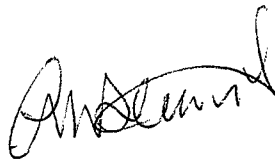
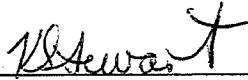
Witness to signature:

  
 \_\_\_\_\_  
 Signature of witness


Janice Anne Johns  
 Name of witness  
 Legal Executive  
 Reeves Middleton Young  
 Occupation  
 NEW PLYMOUTH

\_\_\_\_\_  
City/town of residence

**SIGNED** by **LARRY WILLIAM STEWART and KAYLENE JOY STEWART** as Continuing Trustees in the presence of:

  
 \_\_\_\_\_  
 Larry William Stewart  
  
 \_\_\_\_\_  
 Kaylene Joy Stewart

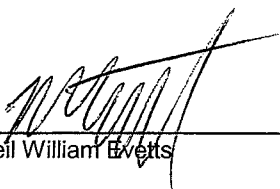
Witness to signature:

  
 \_\_\_\_\_  
 Signature of witness


Janice Anne Johns  
 Name of witness  
 Legal Executive  
 Reeves Middleton Young  
 Occupation  
 NEW PLYMOUTH

\_\_\_\_\_  
City/town of residence

**SIGNED** by **NEIL WILLIAM EVETTS**  
as Retiring Trustee in the presence of:

  
\_\_\_\_\_  
Neil William Evetts

Witness to signature:

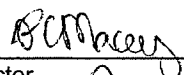
  
\_\_\_\_\_  
Signature of witness

Maureen Marie Leader  
Name of witness

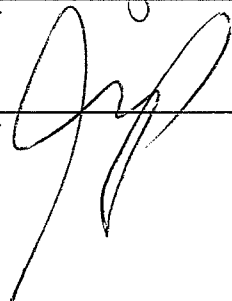
Personal Assistant  
Occupation

New Plymouth  
City/town of residence

**SIGNED** by **SR TARANAKI TRUSTEES LIMITED** as a New Trustee by:

  
\_\_\_\_\_  
Director

Witness to signature:

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Signature of witness

\_\_\_\_\_  
Name of witness **Nancy Raewyn Riddick**  
**Personal Assistant**  
\_\_\_\_\_  
Occupation **New Plymouth**

\_\_\_\_\_  
City/town of residence



**Stewart Residence, Richmond Estate, 120 St Aubyn St – Sunlight Photos**



View from Deck Outside Lounge – Taken at 11.30am 1 July 2020



View from Lounge Side Window – Taken at 11.30am 1 July 2020



View from Deck Outside Lounge – Taken at 4.00pm 1 July 2020



View from Ensuite Window (Upper Level) – Taken at 4.58pm 30 April 2021



View from Grandkids Bedroom (Upper Level) – Taken at 5 4.59pm 30 April 2021