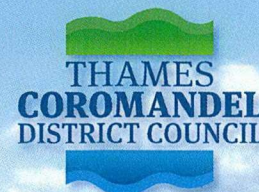


# Proposed Thames-Coromandel District Plan



## Submission Form

Form 5 Clause 6 of the First Schedule to the Resource Management Act 1991

THAMES-COROMANDEL  
DISTRICT COUNCIL

### Your submission can be:

Online: [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)  
Using our online submissions form

Posted to: Thames-Coromandel District Council  
Proposed Thames-Coromandel District Plan  
Private Bag, Thames 3540  
Attention: District Plan Manager

Email to: [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)

Delivered to: Thames-Coromandel District Council, 515 Mackay Street, Thames  
Attention: District Plan Manager (or to the Area Offices in Coromandel, Whangamata or Whitianga)

12 MAR 2014

RECEIVED BY: Tami

12:51

### Submitter Details

Full Name(s)

or Organisation (if relevant)

Email Address

Postal Address

Phone no.  
include area code

Mobile no.

**Submissions must be received no later than 5 pm Friday 14 March 2014**

If you need more writing space, just attach additional pages to this form.

### PRIVACY ACT 1993

Please note that submissions are public information. Information on this form including your name and submission will be accessible to the media and public as part of the decision making process. Council is required to make this information available under the Resource Management Act 1991. Your contact details will only be used for the purpose of the Proposed District Plan process. The information will be held by the Thames-Coromandel District Council. You have the right to access the information and request its correction.





## Your Submission

The specific provisions of the Proposed District Plan that my submission relates to are:  
(please specify the Objective, Policy, Rule, Map or other reference your submission relates to)

The building is part shekl only	
1. right to be built on in this area	1864.
Hotel	1867.
TH	

### My submission is:

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support ☐ oppose ☐ the above plan provision.

### Reasons for my views:

Full Account of the trees beginning of
Kauaeranga, Shorthand, Thames. (Abb Sepphood)

The decision I seek from the Council is that the provision above be:

Retained ☐ Deleted ☐ Amended ☒ as follows:

as above
I have more on that day

## Proposed District Plan Hearing

I wish to be heard in support of my submission. ☒ Y ☐ N

If others make a similar submission, I will consider presenting a joint case with them at a hearing. ☐ Y ☐ N

Signature of submitter Deanne Date 12-3-2014

Person making the submission, or authorised to sign on behalf of an organisation making the submission.

## Trade Competition

Please note that if you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by Clause 6 of Schedule 1 of the Resource Management Act 1991.

I could gain an advantage in trade competition through this submission. ☐ Y ☐ N

If you could gain an advantage in trade competition through this submission please complete the following:

I am directly affected by an effect of the subject matter of the submission that –

- a) adversely affects the environment; and ☐ Y ☐ N
- b) does not relate to trade competition or the effects of trade competition. ☐ Y ☐ N

If you require further information about the Proposed District Plan please visit the Council website [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)

THAMES-COROMANDEL DISTRICT COUNCIL  
Private Bag, 515 Mackay Street, Thames 3540  
phone: 07 868 0200 | fax: 07 868 0234  
customer.services@tcdc.govt.nz | [www.tcdc.govt.nz](http://www.tcdc.govt.nz)





1990 - Building all finished and leased to Kwik-E





**Page 1****Unique****The place that has 90% incredible value.**

Unique in the fact that part of this building was built in 1864. It was Captain John Butt's second wooden building.

Aprox 40x30 ft. a joinery-shop supplying window and doors etc. I believe he had carpenters replacing all the Maori thatch fronts of their dwellings that only had hanging sacks for windows and doors.

Built then, in the open spaces on this spot. This off-square building does not line up with the present Streets proving its pre-existence. That building in 1867 had its top cut off and was incorporated in to this present building.

(The first wooden building 1863 was the new PO. and store Replacing the old thatch Maori type built in 1855 at the wharf)

**1867 new Hotel**

Built by Captain John Butt, the Architect was Mr. Walter Deans, the builder who carried out the work was Mr. W. Place. The building is off set to the Street showing it was there before streets.

You can walk on Thames oldest floor. It has old ceilings.

It has 8 of the original rooms out of 12 restored, the rest has been altered. One bedroom has been put back to look like the 1800 century, bed, bath, lav.

This present part of the building, only represents one sixth of all the original 3 sections of buildings. The building was built on piles, on ground level. Over the many years this level has risen up Approx. 2 ft. that by 1961, when purchased, about half the bottom of the building had rotted away.

. This one sixth of the building, and the new part, now sits on a complete crisscross steel RSJ chassis 90 ft. from front to back, now carries the new front deck with trees.

The building did have it's roof burnt off in 1910 and replaced in 1951. It was purchased by Carrington's Building Co. and turned into Flats. They pulled out and shifted walls, completely ruining the whole inside. The large lounge-room was chopped around into 3 rooms, the present main kitchen was also a lav and bathroom. I spent 20 years restoring and replacing all walls inside and out, and restoring all ceilings to their former glory, repairing all with demolition timber from old kauri buildings. The north wall was completely rotten. The east wall has been changed and repaired to what it is today. The south wall had extra windows and lavatory vents chopped into it. Of all the original there is very little left. But I tried to put it back to what it looked like when built and of course adding the 1,000 sq ft veranda and making all the kauri turned balustrades, which gave it back some old class. The building has been altered and refurnished to suit our present Family needs. It has 18 wall and hanging chandeliers, and has a beautiful doll section.

The place, as you walk around the whole area and the 1,000 sq. ft. veranda gives a 90 percent view of all the area.



The entrance room.

Later, after the entire bottom was complete, the family decided they would like a swimming pool in the house up stairs. We then built this unique concrete inside, upstairs swimming-pool inside the middle of the building and found it to be too cold. I then built a complete all steel, all welded, 3,000 sq ft room with a 65ft. by 22 ft sun-roof over the pool, using the old building for a scaffolding and when finished pull the old down.

( Could be, the first all welded, all steel house-building in New Zealand. )  
The 33ft by 9ft swimming-pool with a buffet table on the far end, with a water-fall. Under this are colored computer-lights, at night, makes the room into something else.

Up through the center of the pool are three water fountains which can play up and down to 15ft. the top is all tiled and raised with a 12" x 12" tile cap.

The room has 15 full plate mirrors, plots of imitation flowers . A bottle section. A dining area, Unique Shortland place = 4500 square ft. and the other 50 square ft is the Historic Museum section. This has a picture rack 35 ft long, double row, and double sided full of A3 glass-framed pictures. These pictures are truly unique in size and are all complete with all information about the same. ( other Historic pictures only have a name. )

They tell the true History story of the beginning of Kauaeranga, Shortland, Thames and part of Auckland.

The back entrance has a 70ft. by 10 ft. ramp with a sliding and swing door. Outside of this, is a steel roll up door for protection.

The Incredible English's man, Captain John Butt.

His Exploits, His Faith, His Life, Ability, and foresight, a True Founder and Builder.

Of all the above. A hero.

There is his unique replica model of New Zealand's first Coach, that ran from Auckland to the Waikato area, taken over by Cobb and Co in 1872

There is an all-carved, wooden, 5 piece furniture set out of a palace in Thailand. There is a BIBLE that was used in its complete, non-stop, public reading night and day.

And other papers of the readers in this occasion.

( Should have been, in the Guinness book of Records. )

There is on show, man's first attempt at a Vacuum-cleaner.

There is an all wooden covered book, based on the BIBLE, SCIENCE and MEDICAL, that I created a number of and sent one to our QUEEN in England along with

a 4 page letter. My letter to HER and HER letter back to me.



On the North wall there is a doll section and another section of dolls from 30 countries around the World.

A large section of ----- teddies and others.

There are 6 Coca-cola 100 year celebration cans.

Above this is hangs a cloth mural from Holland.

There is an old TV along with man's first attempt to produce film on reel cassette.

I have about 50 such reels on hand.

There is also a original old gramophone.

1-18<sup>th</sup> century arm chair and stool.

1 very old leather chair.

2--tables with interesting pieces.

2--70 year old feral knitted jerseys, knitted by my Auntie Gladis of Ohapo in 1944.

A article on man's discovery of petrol.

An article on my father, who bought the second Chevy in Taranaki, No. 68 on the road at that time in 1916. A copy of his ownership papers, which I still have on hand.

Many other things of interest.

At night after dark, we can give a light and a water display.

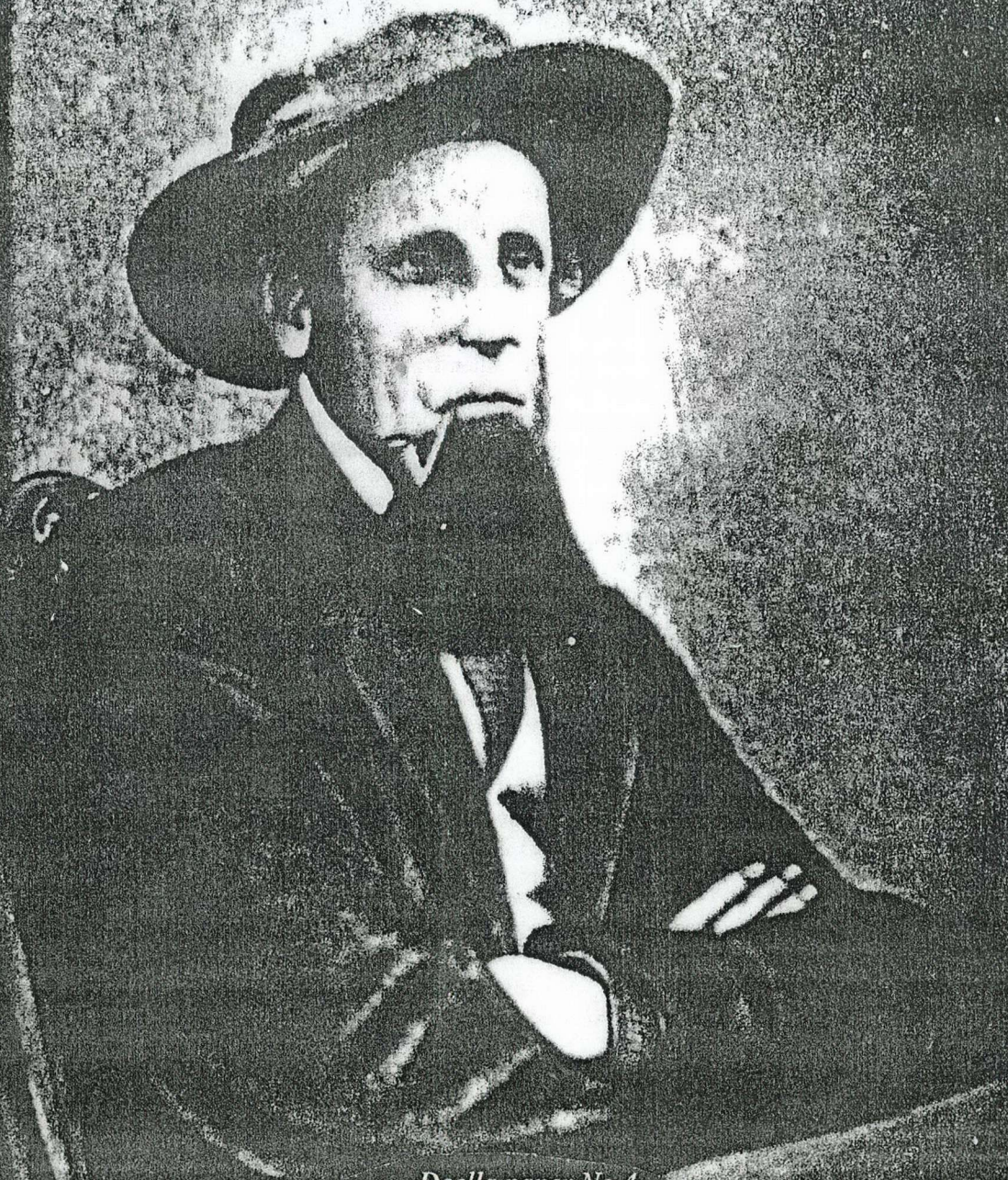
We play the real music, the real sound out of one of best: a 30 speaker sound system,

Giving a low, distinct sound.

There is no set charge, but we like a donation to offset all the cleaning etc.

.





Decila paper No.4.

The man, Captain John Butt.  
Farmer—Captain—Business-man.

Born 1830, lived, died 1879.

A true founder and builder of Shortland-Thames.

1845: "Captain John- Schooner Trader"

1855: 12 years before the Gold days. Butt and Anderson establish a P.O. --Store in a thatch Maori building on the edge the Maori settlement, foreshore by the landing Place.

1857: Sailing Ship test-pilot.

1863: they replaces the P.O. -- Store with Shortland first wooden building,  
 1864: Build Shortland second wooden building in open ground on the edge of the Maori trail going North. (And on he goes) ( See page 2 CONTENT.)



## THE MAN CAPTAIN JOHN BUTT

This man Captain John Butt, it appears from past recorded history, he was left out. And what there was, was wrongly quoted. After purchasing the old Butt's Shortland Hotel in 1961, I found most people knew about Butt's Hotel and the corner as the hub of Shortland. But nothing of the man himself. So I purchased a history book, printed about 1940 – Racing for Gold, by Mr Williams. It listed him as a Dutch Seaman who sailed into Shortland in 1967, made his fortune, sold up then sailed out again. Never to be seen. In some other books, had very little about the man. Nor was there ever a picture found of him.

### Here is "Racing for Gold's" history books exact quote:

Captain John Butt, whose hotel was situated on that notorious corner, was craftier than even the craftiest Thames gold miner. The Dutch seaman sailed in on the first wave of the local gold rush and he cruised out with a small fortune to his credit without even a blister or a bruise to show for it, all as the result of building and running the first Thames hotel, the Shortland, and the American Theatre, one of three theatres that thrived in the height of the gold rush.

### You would wonder how such a man recording in a history book, could get it so wrong.

I felt there was a lot more to be learnt. So I went to the Auckland archives for information and also the Buckland family and Robert L. Hunt of Auckland supplied a lot of the info. I was able to get information from other places and found out that this MAN, JOHN BUTT was one of the very earliest, most enterprising men, and a true pioneer of Shortland. He was a true founder, along with others. He had the ability and foresight in building and establishing Shortland. He was always an asset to his fellow men and a hero.

So this book is a true re-write of the mans history as I discovered it.  
Along with some of the N.Z. first and very important, enlightening history.

### Below, the official Document, 1867: 11 Nov.

Shortland a Town, was declared a town in its own right. 1867: 30<sup>th</sup> July to 11<sup>th</sup> Nov. Only 3 months and 12 days to create a TOWN. Captain John Butt, one of the main instigators, and one who had started building and consolidating the area, long before the GOLD days, was wrapped, with the towns achievement. The name of the Town, "SHORTLAND" was given in honour of the TAIPARIS, Shortland Taipari and his son, Willoughby Shortland Taipari.

VOL. XVI.]

TUESDAY, NOVEMBER 12, 1867.

[No. 50.]

## TOWN OF SHORTLAND.

## PUBLIC NOTIFICATION.

By JOHN WILLIAMSON, Esquire,  
 Superintendent of the Province  
 of Auckland, in the Colony of  
 New Zealand.

**W**HEREAS by an Act made and passed by the Superintendent of the Province of Auckland, with the advice and consent of the Provincial Council thereof, intituled the "Auckland Municipal Police Act, 1866," it is amongst other things enacted that the Superintendent may from time to time, by public notification in the Provincial Government Gazette, appoint and define the limits of cities, towns, and other places within the Province of Auckland, for the purposes of this Act,

Now therefore I, the Superintendent of the Province of Auckland, pursuant to the authority vested in me in that behalf, do hereby proclaim and declare that for the purposes of the said "Auckland Municipal Police Act, 1866," the limits of the Town of SHORTLAND, within which the said Act shall from the date hereof come into force, shall comprise all those lands, bounded on the west by the sea, on the south-west and south by the Wai Whuka Urunga Creek to the Church Mission Station on the east by a line on a bearing of north 87° west from the Church Mission Station, to the Karaka Stream, and on the north by the Karaka Stream to the sea.

Given under my hand, at Auckland, this eleventh day of November, in the year of our Lord one thousand eight hundred and sixty seven.

J. WILLIAMSON,  
 Superintendent.



## CONTENTS

- 1769 Captain Cook, finds and names Thames.
- 1769 Captain Cook's ship.
- 1775 Born: Father Edward Butt, Farmer.
- 1800 Born: Mother Jemima Brooks.
- 1824 Captain Williams Anderson starts trading in Kauaeranga.
- 1830 Born in Petworth, Sussex, England John Butt. "Petworth house".
- 1841 Census 1841, shows Edward Butts family all at home.
- 1842 Edward Butt died on the 18<sup>th</sup> Dec 1942. John's Father.
- 1845 John Butt, arrived in New Zealand.
- 1845 John Butt, takes possession of a small schooner and became, "Captain John."
- 1845 He meets the massive ship owners Henderson and Macfarlane of the Circular Saw Line with some 600+ ships around N.Z. and the world.
- 1851 Census shows all 3 sons had left the area. Daughter married, the Widow Mother living with Daughter, still living in the area.
- 1853 Others had started trading in the area so it was that C.J.B eight years later, decided to have a change, sells his ship and offers himself as a hire Captain for ships around N.Z. and the world.
- 1855 Captain John was listed of being in the Bay of Islands.
- 1855 Captain John, became a N.Z. citizen.
- 1855 Butt and Anderson established Shortland's first PO and Store
- 1855 C.J.B invested his money into partnership with a Mr. William Anderson, who had started trading in the Kauaeranga river operated by Mr. Niccol Proprietor.
- 1856 Captain John's first wife Anne dies, on Wed. the 5<sup>th</sup> Nov. 1856.
- 1857 C.J.B was called into the Auckland Jury service.
- 1858 C.J.B who had always kept in touch with the massive ship owners as one of their Captains and took charge of the ship "Henry" a 50 ton schooner.
- 1858 C.J.B marries Mary Ann Bell in St. Marks Church, Remuera Auckland.
- 1859 C.J.B wife Mary Ann gave him his first SON John Bell Butt.
- 1859 C.J.B now working for massive ship owners takes charge as captain of the "GILL-BLASS".
- 1860 C.J.B becomes Captain of "Clipper Barque-Kate" 341 tons unloaded.
- 1861 C.J.B becomes Captain of the "Constance" 351 ton, 147ft long, 24ft wide, built in Bristol.
- 1863 Replace their P.O. store with a new wooden building.
- 1864 C.J.B and W.A build their second wooden building in Shortland.
- 1864 Mr James Mackay, appointed, Civil Commissioner for Waihou, Kauaeranga Districts.
- 1864/5 Mr. James Mackay enters the area to have talks with the Kauaeranga Natives.
- 1865 Steamships now were being built in Auckland and C.J.B could see the advantage of being able to sail directly into the wind.
- 1866 C.J.B started Auckland's first out of town, Coach and mail service. Cobb and Co's from Auckland to the Waikato.
- 1866 The two ships that shipped the most to the area.
- 1867 On the 27<sup>th</sup> July, the Crown gains approval.
- 1867 On the 30<sup>th</sup> July the Crown declared the Gold Mining fields OPEN.
- 1867 On the 1<sup>st</sup> Aug. C.J.B's last voyage as Captain, bring first load of would-be-miners.
- 1867 Aug. Also while in Auckland, he with the knowledge of building supplies, and his over seas knowledge of the building of prefabs, and kitset buildings. Had organized carpenters and the material, rapidly building a great No. of prefabs, and kit-set units of all types, having them shipped down to Shortland.
- 1867 Oct. C.J.B. Hotel now all finished and in this, he showed his true character in the size of it. It was the Daddy of them all. With the first foot paths and the only public toilets in the area.
- 1867 Oct. Mr Bernard Reynolds, wrote to the editor of the Daily Southern Cross about his trip when he arrived in Shortland to see for himself and saw the two shaft on the Karaka Creek flat working by men who were victualled (food, supply, provisions etc.) by C.J.B on the condition of finally been paid.
- 1867 Shortland declared a town in its own right.
- 1867 16<sup>th</sup> Oct. Daily Southern Cross, reported, the Superintendent's visit to Shortland. A goodly number of cutters and schooner were lying in the Kauaeranga stream.
- 1868 10 Jan. C.J.B presided over a meeting to raise funds for the building of a more durable, substantial Wharf. His original one was being pounded into the ground with the enormous volume of cargo and other types of buildings and machinery coming in.
- 1868 12<sup>th</sup> Jan. C.J.B produces the first Theatre.
- 1868 29<sup>th</sup> Jan. C.J.B who was a staunch Anglican who always had their Sunday church meeting in his hotel called a meeting to devise means to raise funds for the construction of a Anglican Church.



- 1868 Feb C.J.B had a meeting in his Hotel for a crushing machine.
- 1868 Feb. C.J.B sold his share in the Kurunui gold mine for 600 pounds.
- 1868 1<sup>st</sup> March C.J.B while working with the gold diggers he noticed some of them had become very sick and needed urgent help. He straight away held a meeting in his Hotel for the need of the caring for the sick, of the diggers and others of the town. And a committee was formed to raise funds to supply their needs, (NZ first Social-Security).
- 1868 13 March. C.J.B holds a meeting in his Hotel for the need of a Hospital.
- 1868 May. C.J.B holds another meeting in his Hotel to introduce horse racing
- 1868 May. A meeting was set up where C.J.B was elected to prepare a petition to central Government "Praying that the district be constituted a County".
- 1868 Gold fields first sports day.
- 1868 Aug C.J.B organized a committee for the first birthday dinner honoring Mr. James Mackay Commissioner in appreciation of his valuable services in opening up the Thames Goldfields.
- 1868 Nov. The prospectus of the British Empire Gold Mining Co. was released with Butt as one of the Provisional directors.
- 1869 Captain John had second son Edwin Thomas Butt. Only lived to 7 years old.
- 1869 Captain John elected to the Auckland Provincial Council
- 1869 3<sup>rd</sup> Feb. Both men sat for the first time in the Auckland Provincial Council.
- 1869 C.J.B became share holder in the Royal Mint Claim at 2 pounds a share fully paid up for working expenses.
- 1870 Shortland first telegram.
- 1870 Shortland first school.
- 1871 C.J.B's wife Mary Ann gave him a daughter, Laura Ellen Butt.
- 1871 29<sup>th</sup> Dec. C.J.B was elected along with others to have Thames made into a Borough Council.
- 1872 July 26<sup>th</sup> Shortland's destructive fire. C.J.B was a hero.
- 1872 July 27<sup>th</sup> A meeting was held in Butt's Theatre, called by Mr. Macdonald, the solicitor, in connection with all those that were not insured at the time of the fire.
- 1873 C.J.B's wife Mary Ann gave him his 3<sup>rd</sup> son, Frederick Robert Henry Butt.
- 1874 25<sup>th</sup> March, Thames first B/C. C.J.B elected.
- 1876 C.J.B wife Mary Ann gave him his 4<sup>th</sup> son, Edward Charles Butt.
- 1876 C.J.B sold his hotel and Theatre business to Mr Endres and built a new house up the Hape road.
- 1876 C.J.B. entered into partnership with Mr R. Onyon, shipping and commission agents.
- 1876 C.J.B. first son dies on the 2<sup>nd</sup> Dec, only 7 years old.
- 1877 C.J.B second son dies on the 27<sup>th</sup> July. Only 4 years old.
- 1877 Thames first Bridge over the Kauaeranga river.
- 1878 C.J.B when in bad health, retired.
- 1879 The steamer, "Vivid".
- 1879 July 26<sup>th</sup>, C.J.B dies. 49 years old.
- 1879 July 29<sup>th</sup> the funeral took place a 3 O Clock and was attended by Sir Walter Scott and Corinthian, along with a very large crowd of all classes of the community.
- 1879 C.J.B's wife accepts the will. Which did not exceed 75 pounds? (house only).
- 1880 Te Hoterini Taipari dies.
- 1895 Daughter, Laura Ellen, married George Ernest Buckland.
- 1897 Te Hoterin Taipari's son Wirope Hoterini dies.
- 1898 Thames new rail line.
- 1903 Captain John, wife dies on the 20<sup>th</sup> June. Aged 65years.
- 1905 Brian Boru fire.
- 1910 Shortland Hotel had a fire its roof was burnt.
- 1911 Shortland Hotel had its roof restored.
- 1912 Hauraki Plains, the draining of the 150,000 acres.
- 1920 Thames Labour day parade
- 1924 State high way, over the new Kauaeranga bridge directed into Thames.
- 1927 Shortland Hotel had the gas taken out, and electrical rewired
- 1928 The Kopu bridge is completed.
- 1945 Declla first trip to Thames.
- 1951 Carrington's Building Co purchase the Shortland Hotel.
- 1952 Captain John, Daughter dies on 9<sup>th</sup> Aug. 81 years old.

#### Decllas time, in Shortland Thames.

- 1945 Declla's first encounter of Thames.
- 1954 Declla came to Thames to stay.
- 1961 Declla buys the old Hotel.
- 1966 Declla starts selling cars from here.
- 1974 The upstairs pool.
- 1979 Declla starts selling petrol.
- 1976 Mike Saunders leases the bottom for his car yard, and new Sudbury Car sales.
- 1994 Gov. takes petrol station away, and gives the rights to the petrol and oil co.
- 1998 K.W. Joe leases the bottom area for his fruit shop.
- 2009 The start of the new Kopu Bridge.



**Proposed Thames Coromandel District Plan****Submission by**

Name: Win &amp; Dianne Tyrrell-Baxter

Address: 498 Kauaeranga Valley Rd. RD. 2 Thames

Phone: 07-8689424

Email: \_\_\_\_\_

12 MAR 2014

RECEIVED BY: TANI  
08:00

**Given the outstanding landscapes and ecology of the Coromandel Peninsula, we need much stronger planning regulations to protect our environment from Industrial Mining Activities, for the benefit of communities and future generations. The PDP does not articulate the special Qualities, Values and Natural Character of the Coromandel Peninsula, therefore:**

**I oppose any part of the Proposed District Plan (PDP) which allows Mining Activities, including underground mining, in the District, especially in CONSERVATION, COASTAL, RURAL and RESIDENTIAL ZONES.**

- I require the PDP to uphold biodiversity values expressed in the RMA Section 6. I require the Plan to **Prohibit all Mining Activities in Outstanding Natural Landscape, Natural Character and Amenity Landscape Overlays** in the Section 32 Rules.
- The Objectives and Policies in Section 14 do not reflect community and biodiversity values required by the Waikato Regional Policy Statement (RPS), the Resource Management Act (RMA) and Hauraki Gulf Marine Park Act (HGMPA).
- I require the Plan to specifically protect our coastal environment from mining. The Coastal Zone has been removed without giving adequate protection to coastal biodiversity from adverse impacts of mining. I require the Coastal Environment Overlay to include a rule prohibiting all mining activities.
- The TCDC has failed to translate the 'High Value Conservation Areas' identified in Schedule 4 into 'Outstanding Natural Landscapes' (ONL). I require the PDP to accurately protect Schedule 4 land on the Coromandel Peninsula from all Mining Activities by including all identified Schedule 4 land within the Conservation Zone and classifying mining activities as prohibited activities.
- I am concerned that Newmont's Mining Activity in Wairua, including broken promises and mining expansion under people's homes without their consent, is a threat to our small coastal communities. I want the Plan to **Prohibit Mining Activities** under people's homes.
- I need to be confident that the TCDC has recognised the views of tangata whenua on mining in the PDP.

**I oppose Section 37 - Mining Activities.**

- Section 37.4 Note 1 fails to provide any rules for Underground Mining Activities in affected Zones outside the access zone.
- I want the TCDC to amend Section 37.4 Table 1 of the PDP to state that all **Mining Activities are Prohibited in all Zones**, including prospecting and exploration, or other such relief that has the same effect.
- I support Quarrying activities to be separated from Mining Activities to avoid confusion.



## I oppose Section 14 - Mining Activities.

- I want the language of in Section 14.1 (Mining Activities) to clearly state how future mining activities will have a major adverse impact on the unique Conservation Values and Natural Character of the Coromandel. We must acknowledge the adverse impacts of the modern Mining Industry on small communities.
- I want the TCDC to remove the sentence: "The District has a long history of mining for gold and other minerals." (p73), and instead acknowledge that the Gold Mining boom lasted only 70 years, between 1860 and 1930, and was a small scale industry compared to the Mining Activities of today.
- I want the Plan to acknowledge the long term economic, social and environmental legacy and the detrimental effects of historical mining in the District.
- Of particular concern to me is the statement "The Plan includes provisions to enable the Council to take the presence of mineral resources into account when assessing proposals for the subdivision, use and development of land." (p73) Along with Section 14.2.2 this gives mining priority over other forms of development. I oppose Mining Activities having such a priority. I completely disagree with the intention of Section 14.2.2 and require this to be removed as it is unrepresentative of community values.
- The Coromandel Peninsula Blueprint, where community values were assessed, has not been fully translated into the Plan and sustainable and development and biodiversity growth are not prioritised. I support the council to change the wording in the PDP to uphold these values expressed by Coromandel communities.
- There is no acknowledgment of the fact that a large number of Coromandel residents are opposed to mining, TCDC must acknowledge this, and that the 40 year history of the 'No Mining' campaign in Coromandel has contributed significantly to our Natural Character.

**In summary: I require the plan to be amended so that all mining activities are prohibited in all zones and overlays, or other such relief that has the same effect, and the language amended in Section 14 to accurately represent the history of mining and the opposition to it.**

**The special nature of the Coromandel warrants robust protection especially as there is so much economic revenue and employment dependent on our reputation as a clean green holiday destination. It is vital we do not allow mining into the Peninsula, as this is contrary to the existing Natural Character of the Thames-Coromandel District.**

My further comments: We were involved with the 'No Mining' Campaign in Coromandel 40 years ago and we remain strongly opposed to mining in this area as detailed in the above submission.

Of particular concern to us is water quality and protection of the coastal environment / Hauraki Gulf.

Last year driving down the Kereta hill to the Thames Coast after a heavy rainfall, the relationship between land and sea was graphically shown. All the creeks and rivers were discharging 'fans' of muddy sediment loaded water into the Firth. We certainly do not want any mining industry to add further pollution!

- I would like to speak to my submission.
- I would consider presenting a joint case with others who have made a similar submission.
- ✓ I would like to thank the Council for this opportunity to submit on the PDP.

Yours sincerely,

Signature:

*De Gynell Badger*

Date: 10/3/2014



# Proposed Thames-Coromandel District Plan



## Submission Form

Form 5 Clause 6 of the First Schedule to the Resource Management Act 1991

### Your submission can be:

**Online:** [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)  
Using our online submissions form

**Posted to:** Thames-Coromandel District Council  
Proposed Thames-Coromandel District Plan  
Private Bag, Thames 3540  
Attention: District Plan Manager

**Email to:** [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)

**Delivered to:** Thames-Coromandel District Council, 515 Mackay Street, Thames  
Attention: District Plan Manager (or to the Area Offices in Coromandel, Whangamata or Whitianga)

### Submitter Details

Full Name(s) <u>Nicky Sharkey</u>	
or Organisation (if relevant) _____	
Email Address <u>nick_shark@hotmail.co.nz</u>	
Postal Address <u>26 Kaimai Pl, Ohauiti, Tauranga 3112</u>	
Phone no. include area code <u>07 544 7886</u>	Mobile no. <u>0274042012</u>

**Submissions must be received no later than 5 pm Friday 14 March 2014**

If you need more writing space, just attach additional pages to this form.

### PRIVACY ACT 1993

Please note that submissions are public information. Information on this form including your name and submission will be accessible to the media and public as part of the decision making process. Council is required to make this information available under the Resource Management Act 1991. Your contact details will only be used for the purpose of the Proposed District Plan process. The information will be held by the Thames-Coromandel District Council. You have the right to access the information and request its correction.





## Your Submission

*The specific provisions of the Proposed District Plan that my submission relates to are:*  
(please specify the Objective, Policy, Rule, Map or other reference your submission relates to)

The specific provisions to which our submission relates, as laid out in the letter attached to this submission.

**My submission is:**

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support ☐ oppose ☒ the above plan provision.

**Reasons for my views:**

Please refer to the accompanying letter which forms part of this submission.

*The decision I seek from the Council is that the provision above be:*

Retained ☐ Deleted ☐ Amended ☒ as follows:

Please refer to the accompanying letter which forms part of this submission.

## Proposed District Plan Hearing

I wish to be heard in support of my submission. ☐ Y ☒ N

If others make a similar submission, I will consider presenting a joint case with them at a hearing. ☐ Y ☒ N

Signature of submitter MS Mackay Date 10/03/14

Person making the submission, or authorised to sign on behalf of an organisation making the submission.

## Trade Competition

Please note that if you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by Clause 6 of Schedule 1 of the Resource Management Act 1991.

I could gain an advantage in trade competition through this submission. ☐ Y ☒ N

If you could gain an advantage in trade competition through this submission please complete the following:

I am directly affected by an effect of the subject matter of the submission that –

a) adversely affects the environment; and

b) does not relate to trade competition or the effects of trade competition. ☒ Y ☐ N

If you require further information about the Proposed District Plan please visit the Council website [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)

THAMES-COROMANDEL DISTRICT COUNCIL  
Private Bag, 515 Mackay Street, Thames 3540  
phone: 07 868 0200 | fax: 07 868 0234  
customer.services@tcdc.govt.nz | [www.tcdc.govt.nz](http://www.tcdc.govt.nz)





10<sup>th</sup> March 2014

Dear Mayor Leach and TCDC Councilors,

**RE: Letter in support of my Submission on the TCDC Proposed District Plan**

My name is Nicky Sharkey and I own a holiday home in Whangamata.

I **oppose** the various provisions for Visitor Accommodation throughout the Proposed Thames Coromandel District Plan ("Proposed Plan") as they relate to renting out of private dwellings/holiday homes.

There is no proven evidence that the consumption of local resources and the amenity effects on neighbours are any different with holiday rental holiday homes compared to properties used by their owner/family/friends.

The proposed changes will affect existing holiday home owners, as well as those that aspire to holiday home ownership in the Coromandel. In particular I believe the rules:

- Will decrease the income I receive from my holiday home – income I use to offset expenses such as rates and maintenance.
- Could reduce the value of my property as holiday home ownership becomes less desirable in the Coromandel due to the limitations imposed on holiday rental.
- Will mean less choice for tourists wishing to stay in the Coromandel, resulting in fewer visitors to the region, impacting on Coromandel businesses as result.
- Will not change the amenity effects arising from holiday home usage on the Coromandel

I seek the following decision from the Thames Coromandel District Council:

**As Principal Relief**

(i) Amend the definition of "*Visitor Accommodation*" in the Proposed Plan, such that the rental of holiday homes is specifically excluded from the definition.

**Or, in the alternative, if the principal relief in (i) above is not accepted**

(ii) Amend all references to the permitted activity conditions for *Visitor Accommodation* in the various zones throughout the Proposed Plan relating to "*6 tariff-paid customers on-site at any one time*" instead amending this to "*12 tariff-paid customers on-site at any one time*", and delete any condition requiring the activity to be undertaken within an existing dwelling, minor unit or accessory building.

**And, in relation to both (i) and (ii) above**

(iii) Any consequential amendments necessary as a result of the amendments to grant the relief sought above.

I look forward to your response.

Yours faithfully,



N Sharkey



**Sent:** Wednesday, 12 March 2014 07:18:00

**To:** TCDC General Mail Address

**Subject:** Submission on Proposed Thames-Coromandel District Plan

## Proposed Thames-Coromandel District Plan

---

### Name

Dave Howarth

### Address

RD1 Whitianga  
1371 SH 25 Whenuakite 3591  
New Zealand

[Map It](#)

### Phone

07 8663506

### Email

[oceanhouse@xtra.co.nz](mailto:oceanhouse@xtra.co.nz)

### My submission is:

Given the outstanding landscapes and ecology of the Coromandel Peninsula and for the benefit of communities and future generations, we need much stronger planning regulations to protect our environment from Mining Activities. The PDP does not articulate the special Qualities, Values and Natural Character of the Coromandel Peninsula, therefore:

I oppose any part of the Proposed District Plan (PDP) which allows Mining Activities, including underground mining, in the District, especially in CONSERVATION, COASTAL, RURAL and RESIDENTIAL ZONES.

- I require the PDP to uphold biodiversity values expressed in the RMA Section 6. I require the Plan to Prohibit all Mining Activities in Outstanding Natural Landscape, Natural Character and Amenity Landscape Overlays in the Section 32 Rules.
- The Objectives and Policies in Section 14 do not reflect community and biodiversity values required by the Waikato Regional Policy Statement (RPS), the Resource Management Act (RMA) and Hauraki Gulf Marine Park Act (HGMPA).
- I require the Plan to specifically protect our coastal environment from mining. The Coastal Zone has been removed without giving adequate protection to coastal biodiversity from adverse impacts of mining. I require the Coastal Environment Overlay to include a rule prohibiting all mining activities.
- The TCDC has failed to translate the 'High Value Conservation Areas' identified in Schedule 4 into 'Outstanding Natural Landscapes' (ONL). I require the Plan to accurately protect Schedule 4 land on the Coromandel Peninsula from all Mining Activities by including all identified Schedule 4 land as part of the Outstanding Landscape Overlay.
- I am concerned that Newmont's Mining Activity in Waihi, including broken promises and mining expansion under people's homes without their consent, is a threat to our small coastal communities. I want the Plan to Prohibit Mining Activities under people's homes.
- I need to be confident that the TCDC has recognised the views of tangata whenua on mining in the PDP.

I oppose Section 37 - Mining Activities.

- Section 37.4 Note 1 fails to provide any rules for Underground Mining Activities in affected Zones outside the access zone.
- I want the TCDC to amend Section 37.4 Table 1 of the PDP to state that all Mining Activities are Prohibited in all Zones, including prospecting and exploration, or other such relief that has the same effect.
- I support Quarrying activities to be separated from Mining Activities to avoid confusion.

I oppose Section 14 - Mining Activities.

• I want the language of in Section 14.1 (Mining Activities) to clearly state how future mining activities will have a major adverse impact on the unique Conservation Values and Natural Character of the Coromandel. We must acknowledge the adverse impacts of the modern Mining Industry on small communities.

• I want the TCDC to remove the sentence: "The District has a long history of mining for gold and other minerals." (p73), and instead acknowledge that the Gold Mining boom lasted only 70 years, between 1860 and 1930, and was a small scale industry compared to the Mining Activities of today.

• I want the Plan to acknowledge the long term economic, social and environmental legacy of historical mining in the District and it's detrimental effects.

• Of particular concern to me is the statement "The Plan includes provisions to enable the Council to take the presence of mineral resources into account when assessing proposals for the subdivision, use and development of land." (p73) Along with Section 14.2.2 this gives mining priority over other forms of development. I oppose Mining Activities having such a priority. I completely disagree with the intention of Section 14.2.2 and require this to be removed as it is unrepresentative of community values.



• The Coromandel Peninsula Blueprint, where community values were assessed, has not been fully translated into the Plan and sustainable and development and biodiversity growth are not prioritised. I support the council to change the wording in the PDP to uphold these values expressed by Coromandel communities.

• There is no acknowledgment of the fact that a large number of Coromandel residents are opposed to mining, TCDC must acknowledge this, and that the 40 year history of the 'No Mining' campaign in Coromandel has contributed significantly to our Natural Character.

In summary: I require the plan to be amended so that all mining activities are prohibited in all zones and overlays, or other such relief that has the same effect, and the language amended in Section 14 to accurately represent the history of mining and the opposition to it.

The special nature of the Coromandel warrants robust protection especially as there is so much economic revenue and employment dependent on our reputation as a clean green holiday destination. It is vital we do not allow mining into the Peninsula, as this is contrary to the existing Natural Character of the Thames-Coromandel District.

**I would like to speak to my submission.**

- Yes

**I would consider presenting a joint case with others who have made a similar submission.**

- Yes

**I would like to thank the Council for this opportunity to submit on the PDP.**

---

**Yours sincerely,**

Dave Howarth

**Date**

12/03/2014



**TONY BANBROOK****BSc, LL.B.A. AMINZ****Barrister**

West Plaza Chambers  
 6<sup>th</sup> Floor, West Plaza Building  
 3 Albert St,  
 PO Box 105 870  
 Auckland, 1143  
 New Zealand  
 Phone: 09-377 0742  
 Fax: 09-377 0762  
 Mobile: 021-728 116

12 March 2014

The Chief Planning Officer  
 Thames Coromandel District Council  
 Private Bag 1001  
**THAMES 3540**

**E: [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)**

**Pauanui Dream Estate Limited – Submission on Publicly Notified Proposal for  
 Policy Statement or Plan, Change or Variation**

I advise that I act for Pauanui Dream Estate Limited.

On behalf of that company, I request that you please disregard the submission emailed to you under cover of my letter dated 10 March 2014.

Further, I **enclose** a revised submission on Publicly Notified Proposal for Policy Statement or Plan, Change or Variation under clause 6 of the First Schedule to the Resource Management Act 1991. The hard copy will follow by mail.

Please acknowledge receipt of this submission by email to: [tony@tonybanbrook.co.nz](mailto:tony@tonybanbrook.co.nz).

Regards

Yours faithfully,



**TONY BANBROOK**  
**Barrister**

cc: Greg Needham

Enc.



**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR  
POLICY STATEMENT OR PLAN, CHANGE OR VARIATION**

***Clause 6 of First Schedule, Resource Management Act 1991***

**To:** Thames-Coromandel District Council

**Name of submitter:** Pauanui Dream Estate Ltd.

**Address for service:** c/- Mr. A. Banbrook  
Barrister,  
6<sup>th</sup> Floor, West Plaza Building,  
3 Albert Street,  
P.O. Box 105 870,  
Auckland 1143.  
Phone: 09 377 0742  
Fax: 09 377 0762  
Mobile: 021 728 116  
Email: [tony@tonybanbrook.co.nz](mailto:tony@tonybanbrook.co.nz)

**Scope of submission**

1. This is a submission by Pauanui Dream Estate Ltd. (PDEL) on the proposed Thames-Coromandel District Council Proposed District Plan (TCDC PDP). It concerns the provisions in the TCDC PDP that affect lot 206 DP 375136, 996 Hikua Settlement Road. PDEL is the current owner of the site, which was formerly owned by Pauanui Mountain Estate Ltd.
2. The specific provisions of the TCDC PDP to which this submission relates are:
  - a. The zoning of the larger part of lot 206 DP 375136, 996 Hikua Settlement Road, Pauanui, as Rural Lifestyle zone, and the application of the objectives, policies and rules (land use section 57 and subdivision section 38 in particular) provisions of that zone to this property.
  - b. The subdivision and land use provisions of the Residential zone as they apply to Nos. 1-62 Panorama Parade and to the PDEL site, lot 206 DP 375136, 996 Hikua Settlement Road, Pauanui.
  - c. The location, extent and rules attaching to the "coastal environment overlay" on lot 206 DP 375136, 996 Hikua Settlement Road, Pauanui.
  - d. The location, extent and rules attaching to the "amenity landscape overlay" on lot 206 DP 375136, 996 Hikua Settlement Road, Pauanui.
  - e. The location, extent and rules attaching to the "natural character overlay" on lot 206 DP 375136, 996 Hikua Settlement Road, Pauanui.
  - f. The location, extent and rules attaching to the "environmental benefit subdivision" notation on lot 206 DP 375136, 996 Hikua Settlement Road, Pauanui, and in particular the related provisions in section 38.6 Rule 10.
  - g. Section 27: Structure Plans.
  - h. The definition of "accessory building".



- i. The definition of “afforestation”.
  - j. The definition of “enhancement”.
  - k. The definition of “forestry”.
  - l. The definition of “structure plan”.
3. The submission is that:
- a. The zoning of the PDEL property in the TCDC PDP as Rural Lifestyle and Residential in combination with the coastal environment overlay, amenity landscape overlay, natural character overlay, and environmental benefit subdivision notation:
    - i. Will not promote the sustainable management of resources;
    - ii. Will not meet the reasonably foreseeable needs of future generations, in particular in relation to the provision of appropriately zoned residential land at Pauanui;
    - iii. Will not enable social, economic and cultural wellbeing;
    - iv. Is not, having regard to its efficiency and effectiveness, the most appropriate way of achieving the objectives of the plan, under section 32 of the Resource Management Act 1991 (RMA);
    - v. Does not represent an efficient use (and development) of natural and physical resources; and
    - vi. Will not achieve the purpose and principles of the RMA and will be contrary to Part 2 and other provisions of the RMA.
  - b. The zoning of that part of the property closest to Hikuai Settlement Road as Residential is appropriate and should be retained but should also be extended in accordance with the plans incorporated in Proposed Plan Change 6 (PPC6) to the Operative District Plan, the proposed subdivision layout of which is shown on **Attachment 1**.
  - c. The notation of environmental benefit subdivision applies to subdivision within rural areas, but this is inappropriate and unnecessary if the zoning of the PMEL property is in accordance with the plans incorporated in PPC6 to the Operative District Plan.
  - d. The Residential zoning of Nos. 1-62 Panorama Parade is appropriate, and should be retained.
  - e. The definition of accessory building is unnecessarily restrictive (being limited to residential), and should be amended to apply to all activities, as it is actually used in the Activity Tables.
  - f. The definitions of afforestation, enhancement, forestry, and structure plan, are appropriate and should be retained.
  - g. Section 27: Structure Plans is appropriate, and should be retained. The section should also be amended by the addition of a structure plan for the PDEL property, in accordance with the plans incorporated in plan change 6 to the Operative District Plan.
  - h. The boundaries of the zones and overlays applying to the property can and should be aligned, and the zones changed to those incorporated in plan change 6 to the Operative District Plan.
  - i. The boundaries of the coastal environment overlay, amenity landscape overlay, natural character overlay, and environmental benefit subdivision notation should be



changed to reflect the plans incorporated in plan change 6 to the Operative District Plan.

4. Without limiting the generality of the above, PDEL opposes the zoning, overlay, and notation provisions applying to the property at 996 Hikuai Settlement Road being a combination of Residential and Rural Lifestyle zone and coastal environment overlay, amenity landscape overlay, natural character overlay, and environmental benefit subdivision notation, for the following reasons:
  - a. The combination of zonings, overlays, and notations effectively removes the development opportunities available under the current Operative District Plan. These provisions follow the development opportunities contained in the predecessor district plan, operative in 1990. The site therefore has a long history of plan provisions that set the background for the detailed studies that preceded the preparation of PPC6 to the Operative District Plan. It is appropriate that these provisions are given effect to in the current TCDC PDP. The current and former owners have carried out extensive studies and work acting on these zonings, and the Waikato Regional Council has granted the necessary consents to enable work to be carried out.
  - b. Plan change 6 to the Operative District Plan is the result of extensive analysis of the site. The plan change recognises the site's sometimes steep topography, and places development within the site in locations that "fit" the contours of the site and recognise that some of the site provides amenity value as a backdrop to Tairua and Pauanui. This was recognised in the Council studies that preceded drafting of the TCDC PDP. However, the notified provisions do not give effect to the nearly 30-year history of having been zoned for future development and the expansion of Pauanui. The former Pauanui Mountain Estate Ltd. still exists, but now has a different role following restructuring of the ownership.
  - c. The rezoning request contained in PPC6 (lodged by Pauanui Mountain Estate Ltd. as owner) is unaffected by the change in land ownership. References to Pauanui Mountain Estate as owner should be modified accordingly, and for the purposes of this submission the plan change is to form part of the submission and be assigned to PDEL. This does not affect the substance of this request to rezone the PDEL site in accordance with PPC6. While plan change 6 is currently sitting 'on hold' as a result of the effects of the 2007 global financial crisis on market demand, it is the basis on which the current and former owners have expended a significant amount of time and effort to research development opportunities for the site. These opportunities have been based on the District Plan provisions applicable at the time. It is now appropriate with market demand picking up to advance the plan change process. The TCDC PCP should reflect this history of subdivision development expectation.
  - d. It is unreasonable to take away the development expectations that have attached to the site for nearly 30 years. The unreasonableness of revoking long standing development expectations (embodied in plans) was highlighted most recently in the decision of the Environment Court on a rezoning proposed at Silverdale, in the former Rodney District, in which the Judge reminded the Auckland Council that once a property has been zoned for development, development expectations exist and owners are entitled to rely on the plan provisions.



- e. Zoning most of the PDEL property as Rural Lifestyle is inappropriate because much of the property is steep, and would not respond well to subdivision and development even at the density envisaged in the Rural Lifestyle zone. Zoning it in this blanket way promotes an expectation that it is appropriate to subdivide all the property at low density anticipated under the Rural Lifestyle zone, even taking into account the overlays applying to it. This approach should be compared with the far more refined approaches incorporated into the 1990 Operative District Plan, and the currently Operative District Plan. Plan change 6 to the Operative District Plan refines the zone boundaries, and promotes setting aside the steep, highly visible areas free from development. This is the most appropriate use of the property. The zonings included in plan change 6 to the Operative District Plan are more refined than the zoning pattern in the Operative District Plan, and significantly more refined and appropriate to the site than the blanket zoning applied in the TCDC PDP.
  - f. The background papers prepared for the district plan review all identify the property at 996 Hikua Settlement Road as being identified for future development, and the growth of Pauanui. This is consistent with the Operative District Plan and its predecessor, and the background papers do not reach a conclusion that subdivision and development that forms part of the growth of Pauanui should not occur on the site. The papers also identify the desirability of including a public walkway along the hills including the property, and the owner does not oppose this (although this feature does not appear to have been carried forward into a specific TCDC PDP provision). It could be incorporated into the Structure Plan that this submission requests be applied to the site.
5. Without limiting the generality of the above, PDEL supports the TCDC PDP zoning of the front part of the site as Residential. This is the same zoning that is requested in PPC6 to the Operative District Plan, and this submission supports this zoning. However, for no obvious reason the boundary of the split zoning of the site (between the Residential zone on the front part of the site, and the Rural Lifestyle zone on the rear part of the site), do not align with the overlays. This submission seeks to have the boundaries align, but also for the Residential zone to extend through the site as shown in plan change 6 to the Operative District Plan. It is noted that these boundaries are a refinement, based on extensive studies, of the undefined boundaries shown on the Operative District Plan maps. In other words, this submission which incorporates PPC6, does not seek to do anything new: it continues with the methodology of the Operative District Plan.
  6. This submission seeks to remove the coastal environment overlay from the site, or at the very least, reduce the area of the submitter's land that it covers to the wetland area to the south and west of the reserve. Its notified extent is excessive and does not reflect the reality of the landform.
  7. This submission seeks to change the area covered by the amenity landscape overlay to coincide with the undeveloped area shown on proposed plan change 6 at the rear of the property. The boundaries arrived at for the plan change are more refined than the blanket coverage set out in the TCDC PDP. PDEL accepts that part of the site does have an 'amenity landscape' quality but having carried out extensive study of the site, including a landscape analysis, seeks to incorporate those findings into the TCDC PDP.



8. Without limiting the generality of the above, PDEL supports the TCDC PDP definitions of "afforestation", "enhancement", "forestry", and "structure plan". These definitions are considered appropriate.
9. The explanation to the Rural Lifestyle zone notes that land in the zone is expected to be unserved. The PDEL site is fully serviced, and all of it is within the area of benefit for the Pauanui water supply and wastewater disposal infrastructure. The zoning of the front part of the site as Residential recognises this, and this is supported, however the balance of the site is also able to be connected to the servicing infrastructure. The landowner has paid rates on this basis for some considerable time. The fact that full urban servicing is available to the site because (following the High Court decision) it is within the area of benefit, and for the number of sites anticipated in PPC6 and this submission, confirms that the blanket zoning of the rear part of the site Rural Lifestyle zone is inappropriate. The buffer function of the Rural Lifestyle zone (between urban development and the rural zone) and thus the objectives and policies for the zone, are better given effect to by adopting the zoning layout requested in PPC6 than by the blanket zoning in the TCDC PDP.
10. Rezoning the PMEL property as Residential and Rural, as requested in PPC6, will result in the efficient use and development of natural and physical resources. The property is already served by existing infrastructure, including roading infrastructure, wastewater, water supply, and stormwater. It is noted at this point that the owner has taken this matter to the High Court for resolution, and the outcome of that action was to confirm that the property was entitled to connect to the Pauanui infrastructure as it was within the area of benefit.
11. Under the current zoning of the property in the Operative District Plan and under the zoning requested in PPC6 the property has a subdivision potential which can be realised while at the same time enhancing the amenity values of the site – features identified through the broad brush application of the coastal environment, amenity landscape and natural character overlays. The environmental benefit subdivision provisions under the TCDC PDP are already anticipated in PPC6, although the area covered has been extended to include the stream margins, and the Waikato Regional Council has granted consent to this. PPC6 provides greater environmental protection than the general provisions in the TCDC PDP. Under PPC6 the rear, elevated part of the site which forms the backdrop to Tairua and Pauanui landscapes has been set aside from development, and the development has been contained to those parts of the site where visual intrusion has been either eliminated or minimised.
12. The definition of 'accessory building' is too limited. In places in the TCDC PDP references are made to accessory buildings as applying to farming. A building accessory to farming would not be a residential building, and the definition needs to be amended accordingly to remove this limitation.
13. The definition of 'afforestation' applies to the site, as it is currently largely covered in mature pine trees. The submitter seeks to retain the definition, as this will enable the site to be replanted in pines or to be reafforested in native species.
14. The definition of 'enhancement' is important to the submitter, as PPC6 includes significant enhancement of the site through indigenous vegetation planting. The submitter therefore seeks to retain the definition, as this will enable the site to be enhanced through this planting.



15. The definition of 'forestry' is important to the submitter. Because much of the PDEL site is covered in pine forest, and is likely to be felled (because it has reached maturity). The Waikato Regional Council has granted consent to this work.
16. There therefore exists an opportunity to rehabilitate through enhancement planting carried out as part of the site subdivision and development. Alternatively, the site could be replanted in pines. Enhancement planting (indigenous vegetation) is unlikely to occur if subdivision and development were carried out under the provisions of the TCDC PDP with the Rural Lifestyle blanket zoning. There may be the possibility for subdivision using the environmental benefit subdivision area, but it should be noted that this is already identified in PPC6 as a wildlife area to be set aside from development and protected. The definition of forestry is therefore of importance to the submitter, and it seeks to have the plan retain the definition proposed.
17. The definition of 'structure plan' and the use of structure plans, is important to the submitter. At the start of the application process, the applicant received a clear direction from Council that it did not agree with the structure planning process, and did not wish to add further structure plans into the District Plan. That view now appears to have changed, and the work in support of PPC6 now includes a structure plan, which has been lodged with Council and is to be adopted into this submission. Section 27 'structure plans' and the definition of 'structure plan' provide an appropriate framework for the subdivision and development of large sites. Because this is an appropriate technique to apply to the PDEL site, the submitter seeks to retain the section 27 provisions, and the definition of 'structure plan', and to apply them to its site in accordance with PPC6.

#### **Relief sought**

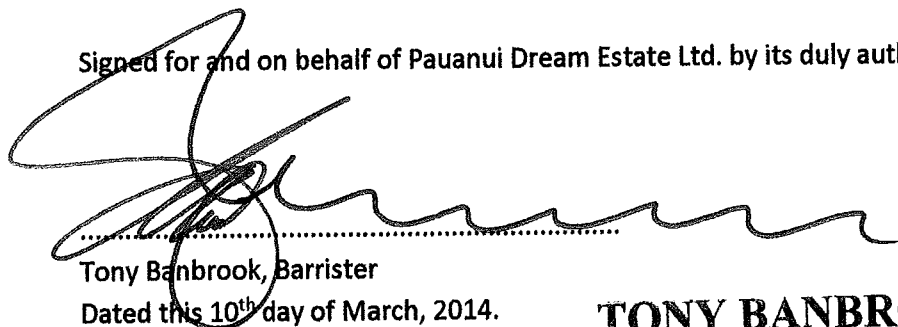
18. PDEL seeks the following decision from the Thames-Coromandel District Council:
  - a. Rezone that part of lot 206 DP 375136; 996 Hikua Settlement Road, that is zoned Rural Lifestyle to a combination of Residential, Rural, and Open Space zone (or other appropriate zone applied to the network of esplanade and other reserves) in accordance with PPC6. Adopt the layout of zones requested in PPC6.
  - b. Retain the subdivision and land use provisions of the Residential zone that apply to the lots that gain frontage to Panorama Parade.
  - c. Amend the boundary of the coastal environment overlay so it aligns with the other zones and overlays applying to lot 206 DP 375136, 996 Hikua Settlement Road, and reduce the area of the PDEL site that it covers.
  - d. Amend the location and extent of the amenity landscape overlay on lot 206 DP 375136, 996 Hikua Settlement Road, so that it applies only to those elevated parts of the site that are zoned Rural in accordance with PPC6. Retain the provisions of the amenity landscape overlay that limit the scope of regulation of tree planting to forestry activities as defined, and do not regulate the planting of indigenous vegetation including trees for amenity purposes.
  - e. Amend the location and extent of the natural character overlay on lot 206 DP 375136, 996 Hikua Settlement Road, so it does not apply to those parts of the site zoned Residential in accordance with PPC6. Apply the natural character overlay to those parts of this site indicated in PPC6 to be set aside as a network of esplanade and other reserves.



- f. Delete the location, extent, and rules attaching to the environmental benefit subdivision notation on lot 206 DP 375136, 996 Hikuai Settlement Road, and in particular the related provisions in section 38.6 Rule 10, so none of these provisions apply to the site when it is rezoned in accordance with PPC6. In the event the site is not zoned in accordance with PPC6, retain the provisions.
  - g. Apply a structure plan to lot 206 DP 375136, 996 Hikuai Settlement Road in accordance with the definition of structure plan and the structure plan rules, to provide for the subdivision and development of the site in accordance with PPC6. Include a walkway along the elevated (rear) part of the site, as indicated in the background studies for the area.
  - h. Amend the definition of accessory building to remove the limitation to applying only to residential buildings.
  - i. Retain the definition of afforestation, ensuring that if it is amended those amendments do not change the exemption for land that is currently in forestry.
  - j. Retain the definition of enhancement.
  - k. Retain the definition of forestry, ensuring that if it is amended those amendments do not change the exemption for planting indigenous vegetation including trees for biodiversity or amenity purposes.
  - l. Retain the definition of structure plan, and the techniques that flow from it.
  - m. Any similar or consequential amendments to the TCDC PDP to give effect to this submission.
19. The specific provisions submitted on, the rationale for the PDEL submission on these matters, and the relief sought are set out above. In addition, in giving effect to the relief set out above, PDEL seeks to ensure that the provisions of the TCDC PDP raised by this submission:
- a. Address the relevant provisions in section 5-8 of the Resource Management Act 1991 (RMA);
  - b. Implement the statutory tests in section 32 and the requirements in the First Schedule RMA;
  - c. Address relevant statutory functions of the consent authority and the related statutory requirements for the TCDC PDP;
  - d. Address the considerations identified by the Environment Court for planning instruments in decisions such as the Long Bay-Okura Great Park Society Inc. v North Shore City Council (and subsequent case law); and
  - e. Avoid, remedy or mitigate the relevant and identified environmental effects.
20. PDEL wishes to be heard in support of its submission.
21. If others make a similar submission, PDEL would be prepared to consider presenting a joint case at any hearing.
22. PDEL could not gain an advantage in trade competition through this submission.
23. PDEL is directly affected by an effect of the subject matter of the submission that:
- a. Adversely affects the environment; and
  - b. Does not relate to trade competition or the effects of trade competition.



Signed for and on behalf of Pauanui Dream Estate Ltd. by its duly authorised agent.

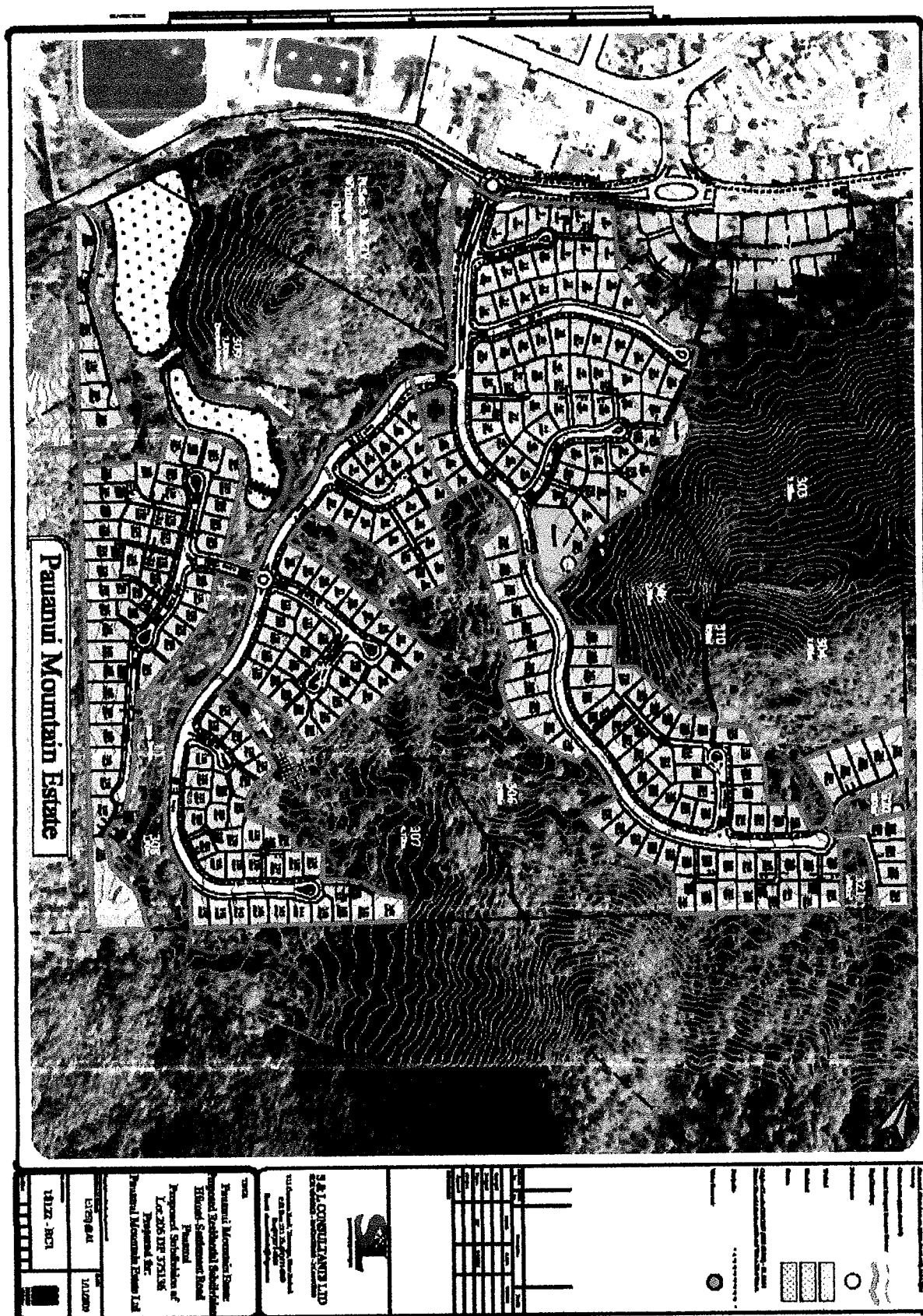
A handwritten signature in black ink, appearing to read 'Tony Banbrook', is written over a horizontal dotted line. The signature is fluid and cursive, with a large initial 'T' and 'B'.

Tony Banbrook, Barrister

Dated this 10<sup>th</sup> day of March, 2014.

**TONY BANBROOK  
BARRISTER  
AUCKLAND**

**Attachment 1:** copy of plan of subdivision applied for in PPC6.





Lawrence and Robyn Winkler  
 2343 Arbot Road  
 Nanaimo, BC  
 V9R 6S9  
 Canada

10 March 2014

Chief Executive Officer  
 Thames-Coromandel District Council  
 Private Bag  
 Thames

Dear Sir

**Submission on the TCDC Proposed District Plan 2013**

We own the property at 348 Black Jack Road, Otama Beach. The following is our submission on the Proposed District Plan 2013:

**1.0 Proposed Zones and Overlays**

**1.1 Planning Map 13, 13D & 13E Otama**

We generally support the Zones and Overlays shown on Planning Map 13, 13D & 13E. In particular, the Rural Zone as shown on the maps and that the house and building area on our property is excluded from the Outstanding, Amenity and Natural Character Overlay areas. We consider this appropriate and request the overlay areas remain off our house and building site.

**2.0 Section 14 - Mining Activities Objectives and Policies**

**2.1** We support the recognition that mining can result in significant and irreversible adverse environmental effects and contamination. We request, that for such a significant high impact activity, the objectives and policies are strengthened and expanded to protect the existing ecology, landscape, character and amenity of the District.

**2.2** It is request that the Objectives and Policies reflect the Crown Minerals Act and prohibit mining activities within the areas set out within Schedule 4 of the Crown Minerals Act.

- 2.3 Request deletion of 14.2.2. It is not correct that mining will enhance the ability for the district to provide for its social, economic and cultural wellbeing.
- 2.4 Introduce objectives and policies that prohibit mining within the identified Outstanding Landscapes, Amenity Landscapes and Natural Character areas.
- 2.5 Remove “*or compensate*” from: Objective 1b, Policy 1b & Policy 1f. The Act requires adverse effects to be avoided, remedied or mitigated – not compensated for.
- 2.6 Change “are minimised” to shall be avoided within Policy 3b

### **3.0 Section 24 Rural Area Objectives and Policies**

- 3.1 Amend Policy 6a to provide for buildings on existing properties. This policy should only refer to buildings that may result from new subdivisions. It is important to recognise existing allotments that may not have been built on as yet. In many instances these existing allotments have identified and defined building sites that may be unable to meet these proposed policy requirements.
- 3.2 Request the term “*screen planting*” is deleted from Policy 6c. It is unjust, unrealistic and results in a loss of amenity values to fully screen all subdivision, use and development within the Coastal Environment from being visible from public land.

### **4.0 Section 32 – Landscape and Natural Character Overlay Rules**

- 4.1 We fully support there being no rules relating to Amenity Landscapes within the Rural Zone and particularly support that there are no rules requiring resource consent for building within the Rural zone.

### **5.0 Section 37 - Mining Activities Rules**

- 5.1 We fully support all of the areas shown as prohibited activities within Table 1 and request they are retained unchanged.
- 5.2 We request mining (surface and underground), mineral processing and wasterock/tailings storage (mining activities) be shown as a Prohibited



Activity in the Outstanding, Amenity and Natural Character overlays. Council informed the district that the landscape assessment was being undertaken to support area where mining would be prohibited as it would be inappropriate in these high landscape areas.

- 5.3 The PDP provisions also need to be consistent with the Crown Minerals Act. Schedule 4 of the Crown Minerals Act Prohibits mining activities within the coastal area and DOC land. It is therefore requested that the rules mining activities reflects this and are a Prohibited Activity within the Coastal Environment and the Conservation Zone.
- 5.4 Due to the significant scale of effects resulting from mining activities, it is requested that these activities be a Non-Complying activity within the Rural Zone and Rural Lifestyle Zone.
- 5.5 It is also requested that the permitted activities be subject to approval from the legal owner of the land.

## **6.0 Section 43 - Conservation Area**

- 6.1 We request all the permitted activities shown within Rules 1-14 are removed. Many of these activities are not suitable for high value areas of the DOC estate. The Waikato Conservation Management Strategy (WCMS) is the primary management document for DOC land. The WCMS allows DOC to undertake activities without having to adhere to the District Plan provisions. As such, the permitted activity rule for DOC land are not necessary as if DOC wanted to undertake the activity they would include it within the WCMS).

## **7.0 Section 53 – Recreation Passive Zone**

- 7.1 Support Sections 53.1 (Zone Description) and 53.2 (Zone Purpose) unchanged.
- 7.2 Rule 1 – Request the removal of “Temporary Living Places” as a permitted activities. Due to the high amenity value and sensitive nature of many reserves, this activity may result in significant effects on landscape, character and amenity values.
- 7.3 Support all activities listed as discretionary activities within section 53.6.

## 8.0 **Section 56 – Rural Zone**

- We fully support Rule 12 that provides for a ‘Dwelling’, ‘Minor Unit’ and ‘Accessory Building’ as a permitted activity within the Rural Zone, (including Coastal Environment and Amenity Landscape Overlay) and request these rule are retained. These activities are on existing lots and people should have the right to build a house etc on their property without unnecessary and expensive bureaucracy.

## 9.0 **Visitors Accommodation Activity within All Zones**

- 9.1 We conditionally support the activity of “Visitors Accommodation” being a permitted activity within most zones and request they are retained. This reflects the existing ‘Home Stay’ and ‘Farm Stay’ provisions of the Operative District Plan. This support is conditional on retaining both the standards that require the activity to occur within an existing dwelling and confines the maximum number to six (6) tariff-paid visitors. This again reflects the current standards of the Operative District Plan and limits the effects of the activity on the character and amenity values and the effects on neighbouring properties. Any more than this and the activity goes beyond what is reasonably considered a residential use. More than 6 visitors should require a resource consent to enable any effects to be assessed. It should also be subject to development contributions being paid (the same as would be required for a cabin or motel unit).
- 9.2 Our support for the Visitors Accommodation is also conditional on the introduction of a further standard that requires the Travellers Accommodation activity to be a permitted activity on a Front Lot only as is currently the case within the Operative District Plan. Travellers Accommodation on a rear allotment requires the guests to utilise the ROW and drive pass the front allotment. This can significantly impact on the use, enjoyment and amenity values of the owners/occupiers on the front allotment.

With regard to the above, we would like to provide examples of the kind of intrusion that we experience on a daily basis:

1. Late night arrivals and early morning departures (e.g. 3am)
2. Some larger groups will have 4 cars (4 couples)
3. The paying guests then entertain their guests – more vehicles using the access
4. Vehicular traffic up and down to the beach at the bottom of the driveway for swimming/other activities



5. Vehicular traffic up and down driveway to drop off rubbish for collection.
6. Vehicular traffic up and down to retrieve their rubbish bins
7. Rubbish from these guests often strewn on the driveway entrance (gulls/other)
8. As paying and transient visitors, the volume of their music is of no concern to them – the owners are not on the premises
9. Weddings and other private functions – large volume of people and vehicles.
10. Other vehicular or foot traffic uses the access/driveway to “satisfy” their curiosity about the Accommodation advertised
11. Drivers focused on “getting up the hill” present a safety concern to our children and our visitors on our property.
12. Service vehicles up and down the driveway (cleaning staff/maintenance/other.

Thank you for this opportunity to have input. We sincerely hope it will be helpful in your decision making on this revised District Plan. We also, are dedicated to protecting the qualities that make the Coromandel such a special place.

Lawrence and Robyn Winkler

Dean Glen, Claire Elliot, Sol Glen, Roy Glen & Black Jack Farms Ltd  
 400 Black Jack Rd  
 RD 2  
 Whitianga 3592

12 March 2014

Chief Executive Officer  
 Thames-Coromandel District Council  
 Private Bag  
 Thames

Dear Sir

### **Submission on the TCDC Proposed District Plan 2013**

The following is the submission of Dean Glen, Claire Elliot, Sol Glen, Roy Glen & Blackjack Farms Ltd on the Proposed District Plan 2013:

## **Planning Maps**

### **1.0 Proposed Zones and Overlays**

#### **1.1 Planning Map 13, 13D & 13E Otama**

We support in part, the Zones and Overlays shown on Planning Map 13, 13D & 13E. We conditionally support the existing Rural zones as shown and request they remain unchanged. However, if these planning maps are to be rezoned, it would be appropriate for the camping ground areas (as detailed within the Special Purpose Provisions – Section 25.8 of the PDP) be rezoned to an appropriate Zone (such as Coastal Living Zone or Rural Lifestyle Zone) to reflect the density, scale, character, and amenity of this site.

#### **1.2 Coastal Environment Line – We fully support the appropriate location of the coastal environment line and particularly as it is located and shown on Planning Map 13, 13D and 13E as this has been carefully assessed, defined and determined taking into consideration many aspects that make up the coastal environment. The location of the coastal environment line is practical and consistent with the historic and accepted Coastal zone within the Operative District Plan and meets the provisions of the Act.**

#### **1.3 Amenity, Outstanding and Natural Character Overlays – We fully support all the areas on Planning Maps 13D & 13E, that are not shown as being subject to these overlays. These overlays are not appropriate for the areas on the properties at 272, 272A, 372A-C and 400B-D Black Jack Rd that are used for farming and camping activities and have both resource**



consents and planning approval for development of these areas. We request the natural character areas on the existing and historical farming and camping areas on these properties be removed, and in particular that area in 400C Black Jack Road that is the owners firewood stand.

- 1.4 If rules are imposed for the Amenity Overlay areas within the Rural Zone then these areas need to be more accurately and carefully assessed and defined to ensure they do not incorrectly impose restrictions on that property. The amenity overlay areas need be removed from: the farmed and grazed areas at 272 and 400C Black Jack Road; The driveway and Paper Road at, and adjoining, 272 Black Jack Rd; and the house and building area at 272A Black Jack Rd as it is considered these areas do not meet the criteria for amenity landscapes.
- 1.5 These overlays have the potential to introduce restriction on existing activities that impact on the use and viability of a property. This would not only restrict the reasonable use of that property but also prevent people and communities from being able to provide for their social, economic and cultural wellbeing. As such, they fail to meet the provisions of the Resource Management Act 1991 (“the Act”).
- 1.6 **Summary of Decisions Sought**
  - The Coastal Environment Line remains as shown and is unchanged on planning maps 13D and 13E
  - The areas shown on planning maps 13D and 13E as not being subject to the outstanding, amenity and natural character overlays are retained and continue to not be subject to these overlays.
  - The natural character area on 400C Black Jack Rd is removed as this is a firewood stand.
  - The amenity overlay is removed from: the farmed and grazed areas at 272 and 400C Black Jack Road; The driveway and Paper Road at, and adjoining ,272 Black Jack Rd; and the house and building area at 272A Black Jack Rd.
  - These overlays need to acknowledge existing consents and permitted activities that provide for existing activities and development.

## **Part I – Introduction**

### **2.0 Section 3 - Definitions**

- 2.1 Support in Part the Definitions within the Proposed District Plan 2013 (PDP) with the following comments as listed below.
- 2.2 Amend “Accessory Building” by deleting ‘permitted activity’ and replacing with ‘main activity’. A building can be an accessory building albeit the house etc on that lot may require resource consent.

- 2.3 Support the exclusions listed for “Building” and request they are retained.
- 2.4 Request “Campground” definition is retained unchanged.
- 2.5 Request “dwelling” definition is retained unchanged.
- 2.6 Request the current exemptions for earthworks contained within the Operative District Plan are carried through into the PDP definition for earthworks.
- 2.7 Request “Farming” definition is retained unchanged.
- 2.8 Request “Ground Level” definition is retained unchanged.
- 2.9 Request “Height” definition is retained unchanged.
- 2.10 Request “Minor Unit” definition is retained unchanged.
- 2.11 Request “Reverse Sensitivity” definition is retained unchanged.
- 2.12 Request “Site Coverage” definition is retained unchanged.

## **Part II – Overlay Objectives and Policies**

### **3.0 Section 6 – Biodiversity Objective and Policies**

- 3.1 It is understood that the Regional Council’s technical report for significant natural areas was a desktop exercise and was not ground tested. Many of the areas identified within the report do not meet the required 11 criteria. For example, SNAs have been mapped on our property over stands of woolly nightshade. The uncertainty of the Regional Council’s maps needs to be clearly reflected within Section 6.1 of the PDP. Request that 2nd sentence third paragraph be amended to: “*SNAs may contain indigenous...*” Delete third sentence third paragraph as the 11 criteria were not used in Regional Council’s desk top mapping exercise. No ecological surveys, species identification, densities assessments, etc were undertaken. It is incorrect to state the mapped areas contain the 11 criteria.
- 3.2 Fully support section 6.1 Paragraph 4 that recognises incentives for subdivision for protecting priority ecosystems.
- 3.3 Oppose section 6.1 Paragraph 5 that requires an ecological report by a qualified ecologist for all areas identified within WRC’s Report 2010/36. As mentioned the report is an inaccurate and blunt instrument. The requirement for expensive professional reports to be undertaken in all areas identified within the report, regardless if it is obvious that the area



does not meet the SNA requirements, is costly, inefficient, and a waste of both time and resources. A professional report should only be necessary if the proposal requires removal of indigenous vegetation or has obvious ecological effects.

- 3.4 Amend 6.2.1 to reflect that subdivision use and development does not necessarily contribute to loss of biodiversity. For example, Conservation Lot subdivision contributes to the indigenous biodiversity and at times is the only tool capable of enhancing biodiversity in an area.
- 3.5 Amend Policy 6.3.1C to “...*Subdivision for restoration or enhancement of indigenous biodiversity shall be ~~considered~~ encouraged in the rural Area...*” This amendment makes the policy consistent with previous provisions of the PDP.
- 3.6 Include within policy 6.3.1C – j) Legally protects in perpetuity areas confirmed to be a Significant Natural Area.
- 3.7 Fully support Policy 6.3.2a and 6.3.2b. However, need to include similar objectives and policies for existing private accessways, driveways, utilities and services.
- 3.8 Introduce Objectives and Policies that recognise both existing and approved activities including people’s right to continue with their existing agricultural activities, collecting firewood, maintaining assets and infrastructure, etc. Introduced restriction on existing activities that impact on the use and viability of a property not only restrict the reasonable use of that property but also prevent people and communities from being able to provide for their social, economic and cultural wellbeing. As such, they fail to meet the provisions of the Act.
- 3.9 **Summary of Decisions Sought**
  - 2nd sentence third paragraph within section 6.1 be amended to: “SNAs may contain indigenous...”
  - Delete third sentence third paragraph within section 6.1.
  - Retain paragraph 4 within Section 6.1.
  - Amend paragraph 5 within section 6.1 to require a professional report only when a proposal requires removal of indigenous vegetation or has obvious ecological effects.
  - Amend 6.2.1 to: “Some subdivision, use and development may contribute to the continuing loss...”
  - Amend Policy 6.3.1C to “...*Subdivision for restoration or enhancement of indigenous biodiversity shall be ~~considered~~ encouraged in the rural Area...*”

- Include within policy 6.3.1C – j) Legally protects in perpetuity areas confirmed to be a Significant Natural Area.
- Introduce objectives and policies for limited clearance of indigenous vegetation for the maintenance of existing private accessways, driveways, utilities and services.
- Introduce Objectives and Policies that recognise both existing and approved activities including peoples right to continue with their existing agricultural activities, collecting firewood, maintaining assets and infrastructure, etc.

#### **4.0 Section 7 Coastal Environment Objectives and Policies**

4.1 Fully support all of Section 7 that recognises the special features of the coastal environment and balances these with need to enable people to provide for their social, economic and cultural wellbeing.

4.2 Support section 7.1.3 that shows the detailed process undertaken to determine the coastal environment. To this extent, request that the coastal environment as mapped remains unaltered.

4.3 Include within Objective 1:

- Recognises existing use of the coastal environment that enables people to provide for their social, economic and cultural wellbeing. This policy will reflect 7.1.2 of the PDP.

#### **4.4 Summary of Decisions Sought**

- Retain proposed provisions within Section 7 of the PDP
- Support Section 7.1.3 and retain the identified coastal environment area unchanged.
- Add the following to Objective 1:
  - Recognises existing use of the coastal environment that enables people to provide for their social, economic and cultural wellbeing.

#### **5.0 Section 9 – Landscape and Natural Character Objectives and Policies**

5.1 Support and accept the need for identification of outstanding landscapes and natural character landscapes. However question the need for ‘Amenity Landscapes’ being included within the overlays within the PDP as: this is not a matter of national importance; it appears that amenity landscapes have selectively been singled out as more important than the other matters within section 7 of the Act which is not the case; is not in accordance with the recommendations by the Technical Advisory Group that includes deletion of most of the other matters in section 7 including amenity values.

5.2 If the Amenity Landscape Overlays are retained, introduce objectives and policies that recognise existing activities within the Amenity Landscape



areas and recognise the right for people to be able to provide for their social, economic and cultural wellbeing.

- 5.3 Introduce objectives and policies that recognise existing activities and properties within the Natural Character Overlay areas and recognise these rights including allowing people to be able to provide for their social, economic and cultural wellbeing.
- 5.4 By not recognising existing activities and properties, these objectives and policies impose restriction on existing and approved activities that impact on the use and viability of a property and not only restrict the reasonable and expected use of that property but also prevent people and communities from being able to provide for their social, economic and cultural wellbeing. As such, they fail to meet the provisions of the Act.
- 5.5 Remove Objective 4 and Policy 4A and 4B as these do not relate to within the overlay areas as required within Part II of the Plan.
- 5.6 **Summary of Decisions Sought**
  - Remove Amenity Landscape from overlays.
  - If Amenity Landscapes are retained, introduce objectives and policies that recognise existing activities and the right for people to be able to provide for their social, economic and cultural wellbeing on their land.
  - Delete Objective 4 and Policy 4A and 4B.

## **6.0 Section 10 – Natural Hazards Objectives and Policies**

- 6.1 Fully support the objectives and policies relating to avoiding or mitigating development of land subject to natural hazards. This would include large developments with areas at risk from flooding, inundation and tsunamis.

## **Part III – District Wide, Objectives and Policies**

### **7.0 Section 13 – Financial Contributions Objectives and Policies**

- 7.1 Support 13.1 and recognises the limitations of imposing FCs as Council uses DCs under the LGA.

### **8.0 Section 14 - Mining Activities Objectives and Policies**

- 8.1 Support the recognition that mining can result in significant and irreversible adverse environmental effects and contamination. However, the objectives and policies relating to this high impact activity are considered too limited and confined to be effective (for example mining contains just over a page of objectives and policies whereas subdivision contains over 5 pages of objectives and policies). For such a significant high impact activity the objectives and policies need to be significantly strengthened to meet the provisions of the Act and direction of the PDP.

- 8.2 Include within 14.1 recognition of the Crown Minerals Act and in particular Schedule 4 that prohibits mining within the DOC estate and coastal area north of the Kopu-Hikua. It is request that the Objectives and Policies within 14.3 include prohibiting mining activities within the areas as set out within Schedule 4 of the Crown Minerals Act.
- 8.3 Request deletion of 14.2.2. There is no evidence that mining will enhance the ability for the district to provide for its social, economic and cultural wellbeing. The effects of mining can compromise farming, fishing, tourism etc that will result in a decrease in the districts social, economic and cultural wellbeing and may well leave a 'clean-up' operation that can financially cripple a district.
- 8.4 The purpose Council undertook a district wide landscape assessment was to provide evidence in support of prohibiting mining within high value landscape and natural character areas. Introduce objectives and policies that reflect this and prohibit mining within the identified Outstanding Landscapes and Natural Character areas. If the Amenity Landscape overlays are retained, then mining activities also need to be prohibited within these areas.
- 8.5 Objective 1a – remove the words: “or significantly” as this higher standard is not reflected in other activities such as subdivision.
- 8.6 Objective 1b – Include Ensure new at beginning of this objective: “Ensure new mining activities provide economic....”
- 8.7 Remove “*or compensate*” from: Objective 1b, Policy 1b & Policy 1f. The Act requires adverse effects to be avoided, remedied or mitigated. It does not contain this additional option of the activity being exempt from the requirements of the Act simply by providing unspecified compensation.
- 8.8 Retain Policy 1a, 1c, 1d, 1e, & 1g unchanged.
- 8.9 Include Existing at the beginning of Objective 2 to clarify the objective relates to existing mining activities. New mining activities should not take preference over other activities within the District.
- 8.10 Retain policy 2a unchanged.
- 8.11 Retain Objective 3, Policy 3a unchanged
- 8.12 Change “are minimised” to shall be avoided within Policy 3b
- 8.13 Introduce all the similar relevant objectives and policies as contained within section 16 (subdivision) that would also be relevant to mining to



protect people and the environment from the adverse effects of activities including reverse sensitivity effects.

#### 8.14 **Summary of Decisions Sought**

- Strengthen and introduce new objectives and policies that recognise the significant effects of mining and protects the district's existing characteristic and uniqueness from these effects.
- Introduce new policies in accordance with Schedule 4 of the Crown Minerals Act that prohibits mining within the DOC estate and coastal area north of the Kopu-Hikuai.
- Request deletion of 14.2.2.
- Introduce new policies that recognise mining activities within Outstanding, Natural Character and Amenity Landscapes (if retained) is prohibited.
- Objective 1a – remove the words: “or significantly”
- Objective 1b – Include Ensure new at beginning of this objective: “Ensure new mining activities provide economic....”
- Remove “*or compensate*” from: Objective 1b, Policy 1b & Policy 1f.
- Retain Policy 1a, 1c, 1d, 1e, & 1g unchanged.
- Include Existing at beginning Objective 2 to clarify the objective relates to existing mining activities.
- Retain Policy 2a, Objective 3 and Policy 3a unchanged.
- Policy 3b - Change “are minimised” to shall be avoided.
- Introduce all the similar relevant objectives and policies as contained within section 16 (subdivision) that would also be relevant to mining to protect people and the environment from the adverse effects of activities including reverse sensitivity effects.

### 9.0 **Section 15 – Settlement development and Growth Objectives and Policies**

9.1 These objectives focus on ensuring residential development is confined, intensified, and consolidated within the existing settlements and particularly in Thames, Whitianga and Whangamata. This concentration of residential development moves away from the numerous benefits of a ‘village’ concept and is potentially hazardous and may be found to be inappropriate. These three coastal towns are subject to many natural hazards, including:

- Whitianga and Whangamata are coastal towns that are at a high risk from tsunami events.
- Whitianga has been identified as particularly vulnerable to tsunami events.
- A large area of Whitianga is below sea level.
- Both Whitianga and Thames are both very vulnerable to flooding.
- Whitianga is facing problems associated with coastal erosion.
- Whitianga is extremely vulnerable to liquefaction.
- All of these hazard issues will only be intensified with a rising sea level.

- 9.2 The intensification of these low lying, flood and tsunami prone coastal towns does not “*enable people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety.*”
- 9.3 Request new policies be introduced that recognises the benefits of non-centralisation and moves away from high density concentration of residential development and instead provides for villages and rural and coastal lifestyle choices that are more self reliant and significantly less vulnerable to natural hazards,
- 9.4 Request deleting “*...and offers environmental benefits for the District.*” Within section 15.1 para 4. The Act requires development to avoid remedy or mitigate adverse effects. To only allow development that results in environmental benefit is impractical and beyond the requirements of the Act.
- 9.5 Provisions require clarification as to what encompasses a settlement. The settlements listed in Policies 10a-10t are areas. It is unclear if these provisions within the PDP are identifying these whole areas as being the settlement or considers a more confined extent of the settlements within these areas . Clarification of what is intended to be the settlement is required.
- 9.6 The listed settlements (Policies 10a-10t) vary dramatically in size, character and requirements and yet, at present, they relate to all of the identified ‘settlements’. This results in the many of the objectives and policies being inappropriate, unrealistic and unachievable for differing settlements. Request the settlements be separated into different categories that reflect their different size, characteristics and requirements. The objectives and policies are then refined to apply specifically to each category so that they are relevant and meaningful.
- 9.7 Request deleting policy 1d as does not make sense.
- 9.8 Policy 1e does not clarify exactly where ‘outside of existing settlements are’. This needs to be clarified.
- 9.9 Support Objectives 2 and Policies 2a-2e
- 9.10 Request deletion of Policy 3a. The plan recognises and provides for subdivision (with the rural and conservation lot provisions) and development (many other provisions) outside of the settlements. Development includes everything that does not currently exist. Surely the PDP is not attempting to ‘museum’ all areas outside of the settlements



(whatever the settlement area may be as it is unclear within the provisions).

- 9.11 Support in part Policies 3c.
- 9.12 Support Objective 4.
- 9.13 Amend policy 4d by deleting “...on the fringes of settlements or...”. As mentioned, the plan provides for subdivision through the rural and conservation lot provisions.
- 9.14 Introduce a new policy after Policy 4g that reflects policy 4f for New Zealanders that are not Maori that states: “People should be able to use their land according to their heritage and traditions.”
- 9.15 Include: “where appropriate” at the beginning of the numerous policies where they would not be appropriate for all the settlements listed.
- 9.16 Support Objective 7 and Policies 7a-7d unchanged.
- 9.17 Support in part Policies 10a-10t. For Policy 10l, the existing and approved camping ground and farming activities also need to be recognised. Development should be discouraged within those settlements subject to natural hazards and tsunamis. This includes Whitianga and Whangamata.

#### **9.18 Summary of Decisions Sought**

- Amend objectives and policies to acknowledge that concentrated development in the settlements may not be appropriate due to a number of factors including vulnerability from natural hazards.
- Introduce new policies that recognises the benefits of decentralisation providing a more sustainable ‘village’ and rural and coastal lifestyle areas that are more self reliant and significantly less vulnerable to natural hazards,
- Delete “...and offers environmental benefits for the District.” Within section 15.1 para 4
- Clarification of what encompasses a settlement. The settlements listed in Policy 10a-10t are areas and do not provide certainty of what is considered to be the extent of the settlement.
- Request the settlements be separated into different categories that reflect their different size, characteristics and requirements and objectives and policies are refined and applied specifically to each category so that they are relevant and meaningful.
- Delete Policy 1d.
- Clarify Policy 1e to detail exactly where ‘outside of existing settlements are’.
- Retain Objectives 2 and Policies 2a-2e.

- Delete of Policy 3a.
- Retain Objective 4.
- Amend policy 4d by deleting “...on the fringes of settlements or...”
- Introduce a new policy after Policy 4g that reflects policy 4f for New Zealanders that are not Maori that states: “People should be able to use their land according to their heritage and traditions.”
- Include: “where appropriate” at the beginning of the numerous policies where they would not be appropriate for all the settlements listed.
- Retain Objective 7 and Policies 7a-7d unchanged.
- Retain in part Policies 10a-10t. For Policy 10l, the existing and approved camping ground and farming activities also need to be recognised.
- Amend the provisions to discourage development within those settlements and areas subject to natural hazards and tsunamis. This includes Whitianga.

## 10.0 **Section 16 – Subdivision Objectives and Policies**

- 10.1 Request deleting “...and offers environmental benefits for the District.” Within section 16.1 para 5. The Act requires development to avoid remedy or mitigate adverse effects. To only allow development that results in environmental benefit is impractical and beyond the requirements of the Act.
- 10.2 Support the last paragraph within section 16.1 and request it is retained unchanged.
- 10.3 Support Objective 1 & 2 and request they are retained unchanged.
- 10.4 Amend Policy 1e to the following: “*Subdivision within the **Rural Zone** shall ~~retain the open space~~ be at a density no greater than that envisaged by the subdivision standards within the PDP to retain the low density character of the **Rural Area**.*”
- 10.5 Oppose Policy 2b. Mining should not be prioritised within the PDP and should not take precedence over other activities. Request Policy 2b is deleted.
- 10.6 Introduce a further policy that: subdivision shall not result in reverse sensitivity effects on adjoining permitted or approved activities.
- 10.7 Amend Policy 6a as follows: *...of indigenous biodiversity shall be ~~provided for~~ encouraged in the **Rural Area**...* This will make the provision consistent with the direction of the PDP to promote indigenous biodiversity.

- 10.8 Amend Policy 8a to: *“An esplanade reserve/strip shall be established, in accordance with the requirements of the Resource Management Act, at the time of subdivision where it will;*
- 10.9 Support Objective 11 and Policy 11a and request they remain unchanged. The loss of high class soils is a significant issue and these solids should not be compromised unnecessarily.
- 10.10 Request deleting Policy 11b as subdivision within the Rural Area may be for many reasons and is often to provide for lifestyle choices.
- 10.11 Alter the beginning of Policy 12a to the following: Where it is reasonably considered that a site could be contaminated due to historic or current land use,... Due to the involved process and the cost and time for contamination testing, this needs to only be requested where it is reasonable for the land, where the development will occur, to have historical evidence that it is potentially contaminated. An expert report should not be a standard information requirement accompanying every application for example in the Rural Zone.
- 10.12 **Summary of Decisions Sought**
- Delete “...and offers environmental benefits for the District.” Within section 16.1 para 5.
  - Retain the last paragraph within section 16.1 unchanged.
  - Retain Objective 1 & 2 unchanged.
  - Amend Policy 1e to the following: *“Subdivision within the **Rural Zone** shall ~~retain the open space~~ be at a density no greater than that envisaged by the subdivision standards within the PDP to retain the low density character of the **Rural Area.**”*
  - Delete Policy 2b.
  - Include a further policy that: subdivision shall not result in reverse sensitivity effects on adjoining permitted or approved activities.
  - Amend Policy 6a as follows: *...of indigenous biodiversity shall be ~~provided for~~ encouraged in the **Rural Area**...*
  - Amend Policy 8a to: *“An esplanade reserve/strip shall be established, in accordance with the requirements of the Resource Management Act, at the time of subdivision where it will;*
  - Retain Objective 11 and Policy 11a unchanged.
  - Delete Policy 11b.
  - Alter the beginning of Policy 12a to the following: Where it is reasonably considered that a site could be contaminated due to historic or current land use,...

## 11.0 **Section 17 – Tangata Whenua**

- 11.1 We support section 17.1.1 and 17.1.2 in that Maori should be actively involved in the governance and management of their resources.



- 11.2 Request clarification that proposed co-management committees relate to the governance of Maori resources.
- 11.3 It is important to remember that governing bodies are elected into office by those whom they will govern over. This is the founding principle of democracy.

## **Part IV – Area Objectives and Policies**

### **12.0 Section 22 – Recreation Area Objectives and Policies**

- 12.1 Support Objective 1, 2 & 3 and Policy 1a, 2c, 2d, 3a, 3b, 3c & 3d and request they are retained unchanged.
- 12.2 Amend Policy 2a & 2b to include vehicles and development as follows: “Buildings, vehicles and development ....” As all these will result in effects that the PDP is intending to avoid.

### **13.0 Section 24 Rural Area Objectives and Policies**

- 13.1 Support section 24.1 that recognises the economic importance of the Rural zone and that it is an active working zone. Properties and activities within the Rural zone are vulnerable to over regulation and reverse sensitivities issues. Request all points made within section 24.1 are retained.
- 13.2 Support Objective 1 and Policies 1a unchanged as these reflect the purpose of the rural zone and meet the provisions of the Act.
- 13.3 Support Policy 1c in part. Request altering: “...*shall be provided for*,...” and replace it with: “shall be encouraged,...” This will bring the provision in line with other sections of the PDP including the Biodiversity provisions and reflect the provisions of the Act.
- 13.4 Introduce a new policy that states: “Subdivision in the **Rural Zone** shall be provided for, where appropriate, where it meets the subdivision density standards envisaged within this Plan”. This will enable the policy to reflect the subdivision rules for the rural zone and the “lifestyle opportunities” referred to in section 24.1.
- 13.5 Request Policy 1e be amended by including “where appropriate” after: “*should be provided for*”.
- 13.6 Support Objective 2 and Policy 2a and request they are retained unchanged.

- 13.7 Clarify Policy 2b to determine what “*Rural lifestyle development*” means. Does it mean development in the Rural Lifestyle Zone or does it also include any lifestyle development in the Rural zone.
- 13.8 Support Objective 3 and Policy 3a & 3c unchanged.
- 13.9 Support Policy 3b in part. Request policy 3b is amended to the following: “...Existing lawfully established activities (including Farming, rural industry and quarry activities) in the **Rural Zone**...”
- 13.10 Support Objective 4 and Policies 4a, 4b & 4c and request they are retained unchanged.
- 13.11 Request Policy 4d and 4e are deleted. As detailed within section 24.1, the Rural zone is the “*active work area that contributes to the social and economic wellbeing of the District*.” Policy 4d is not consistent with the purpose of the zone and over regulates and inhibits the efficient operation of the zone.
- 13.12 Support Objective 5 in part. Request removal of “*and enhances.*” Many activities will maintain these qualities. It is unreasonable to require every activity to enhance these qualities and goes beyond the requirements of the Act.
- 13.13 Support Policies 5a and 5c and request they are retained unchanged.
- 13.14 Request Policy 6a is amended to reflect the requirements for new buildings resulting from subdivision as follows: “Where subdivision will result in new buildings in the Coastal Environment, outside of existing settlements, the new buildings shall avoid ridgelines, hilltops or prominent landforms.” It is important to recognise existing allotments that may not have yet been built on as yet. In many instances these existing allotments have identified and defined building sites that may be unable to meet these requirements. People and families have obtained, at considerable cost, these properties and should be able to build on them as was envisaged at the time they were created and subdivision consent approved. It is unjust to look backwards and prejudice people who may not have yet built on their property. Of course, new subdivision should meet these requirements and Council can then impose the landscape and natural character restrictions.
- 13.15 Request the term “*screen planting*” is deleted from Policy 6c. It is unjust, unrealistic and results in a loss of amenity values to fully screen all subdivision, use and development within the Coastal Environment from being visible from public land.

13.16 Amend objective 7 and Policy 7a & 7b to reflect and provide for low density residential development that reflects the rural lot and conservation lot subdivision standards within the PDP.

13.17 **Summary of Decisions Sought**

- Retain section 24.1 unchanged.
- Retain Objective 1 and Policies 1a unchanged.
- Retain Policy 1c but amend it as follows: “...*shall be provided for*,...” and replace it with: “shall be encouraged,...”
- Introduce a new policy that states: “Subdivision in the Rural Zone shall be provided for, where appropriate, where it meets the subdivision density standards envisaged within this Plan”.
- Amend Policy 1e by including “where appropriate” after: “*should be provided for*”.
- Retain Objective 2 and Policy 2a unchanged.
- Clarify Policy 2b to determine what “*Rural lifestyle development*” means.
- Retain Objective 3 and Policy 3a & 3c unchanged.
- Retain Policy 3b but amend it as follows: “...*Existing lawfully established activities (including Farming, rural industry and quarry activities) in the Rural Zone*...”
- Retain Objective 4 and Policies 4a, 4b & 4c unchanged.
- Delete Policy 4d and 4e.
- Amend Objective 5 by removing “*and enhances*.”
- Retain Policies 5a and 5c unchanged.
- Amend Policy 6a to reflect the requirements for new buildings resulting from subdivision as follows: “Where subdivision will result in new buildings in the Coastal Environment, outside of existing settlements, the new buildings shall avoid ridgelines, hilltops or prominent landforms.”
- Delete the term “*screen planting*” from Policy 6c.
- Amend objective 7 and Policy 7a & 7b to reflect and provide for low density residential development that reflects the rural lot and conservation lot subdivision standards within the PDP.

## **Part V – Special Purpose Provisions**

14.0 **Section 25.8 – Otama Campground Site Development Plan**

14.1 We fully support (other than slight amendments to section 25.8.1) the provision contained within this section as these reflect the recent Plan change and have been endorsed by the Environment Court and fully met the provisions of the Act. We appose any restriction/s imposed that go beyond those determined through the plan change and incorporated into



section 339.4 of the Operative District Plan accept for as agreed by Mr Roy Glen the owner of the camping ground.

- 14.2 We fully support the Purpose, Rules, Definitions and Diagram A for the Otama Campground Site Development Plan.
- 14.3 Rule 25.8.1 “User information” needs further clarification. The Site Development Plan provisions are confined to camping ground activities only. This was agreed by all parties to the plan change and clearly stated in the Operative District Plan. Unfortunately, this is not crystal clear in rule 25.8.1 and so needs clarification.
- 14.4 **Summary of Decisions Sought**
- Retain and make no changes to the: Purpose (25.8.2); Rules (25.8.3); Definitions; and Diagram A of the Otama Camping Ground Site Development Plan.
  - Clarify the User Information (25.8.1) as follows:  
 “All development of the campground and camping activities only within the Site Development Plan area must be in accordance with the purpose and rules of the Site Development Plan and be in general accordance with the Site Development Plan diagrams. The purpose of the Site Development Plan sets the policy framework for development of the ~~camping ground and~~ camping activities only within the Site Development Plan area and will be used when assessing ~~all~~ applications for resource consent for camping ground activities.”

## **Part VI – Overlay Rules**

- 15.0 **Section 29 - Biodiversity**
- 15.1 Request Deleting Rule 1 as is redundant. If the activity is provided for within the WCMS then it supersedes any District Plan Requirement.
- 15.2 Support all the permitted activities listed within Rule 3 and request they are retained.
- 15.3 Introduce further permitted activities as follows
- 3.5m either side of an existing fence line.
  - It is for managing, maintaining or continuing existing grazing areas for farming.
  - No more than 10m<sup>3</sup> for firewood purposes.
  - It is 5m either side of an existing vehicle access.

All of these additional matters are important. Vegetation is required to be cleared away from either side of a fence line to ensure it can be maintained. The practical clearance of vegetation along a fence line requires a rotary slasher etc and therefore requires a 3.5m width. The

maintenance of fence lines is important for both farming and biodiversity purposes as they keep stock in paddocks and out of indigenous bush areas.

The provision for existing activities should not be confined to forestry (Rule 3.1.a). Existing farming and grazing also needs to be able to continue. This together with the collection of firewood and other cultural needs enables people and communities to provide for their social, economic and cultural wellbeing.

Rule 4 – Sustainable use needs to be included as a permitted activity. Again, many of these activities are existing and enables people and communities to provide for their social, economic and cultural wellbeing.

#### 15.4 **Summary of Decisions Sought**

- Delete Rule 1.
- Retain all listed Permitted Activities.
- Include the following as Permitted Activities.
  - 3.5m either side of an existing fence line.
  - It is for managing, maintaining or continuing existing grazing areas for farming.
  - No more than 10m<sup>3</sup> for firewood purposes.
  - It is 5m either side of an existing vehicle access.
- Include rule 4 (Sustainable Use) as a permitted activity.

#### 16.0 **Section 32 – Landscape and Natural Character Overlay**

16.1 Include the activities of “Camping Grounds” and Temporary Living Places within the Outstanding Landscape and Natural Character overlay rules as a full Discretionary Activity. The scale and effects of these activities on an Outstanding Landscape or Natural Character area can result in significant Character, Landscape, Ecological and Amenity effects. This is required to ensure these activities meet both the Objectives and Policies for Biodiversity and Landscape and Character and Part 2 of the Act.

16.2 If the Amenity Landscape overlays are retained then we fully support there being no general rules or specific rules relating to them within the Rural Zone and particularly support that there are no rules requiring resource consent for building within the Rural zone. The provisions within the PDP show that the Amenity overlay is relevant at time of subdivision (See Subdivision Design Principles – Appendix 4). Introduced restrictions on existing and permitted activities that impact on the use and viability of a property may restrict the reasonable use of that property and may also prevent people and communities from being able to provide for their social, economic and cultural wellbeing. As such, they fail to meet the provisions of the Act.

- 16.3 We recall that Council promoted and funded the landscape assessment to identify and provide evidence that supports areas where mining activities were inappropriate and would be prohibited. We fully support mining being prohibited within the Outstanding Landscape and request that it is also prohibited within the Amenity Landscape (if retained) and Natural Character areas.

16.4 **Summary of Decisions Sought**

- Include ‘Camping Ground’ and ‘Temporary Living Places’ as a Discretionary activity.
- Remove Amenity Landscape Overlay from the PDP.
- If the Amenity Landscape Overlay is retained, then support and request that there are no general or specific rules for the Rural Zone (except for mining and mineral processing as this was the reason the landscape assessment was undertaken).
- Support Rule 8 prohibiting mining etc within an Outstanding Landscape, Request that mining activities is also prohibited within the Amenity Landscape (if retained), Natural Character and the Coastal Environment.

17.0 **Section 33 – Maori Land**

- 17.1 Conditionally support provisions that enable land owners to provide for their social, economic and cultural wellbeing. The provisions are significantly permissive. The permitted activities listed within Rule 1, Rule 2, and Rule 4 should only be a permitted activity if they are not within an Outstanding Landscape or Natural Character Area (or Amenity Landscape if retained and if rules are introduced within the Rural Zone).

## **Part VII – District-wide Rules**

18.0 **Section 36 – Contaminated land and Hazardous Substances**

- 18.1 Residential areas (towns), with their high density also have a significant risk of soil contamination. Their high residential density results in the associated concentrated use of: herbicides (round up etc); pesticides (rat, mouse, cockroach, ant, etc, poisons) anti fungal and bacterial sprays; high density of tantalised posts; high density of garages/workshops containing paints, fuels, oils, detergents, boat antifouling chemicals, etc. It is considered, that per square metre, residential areas have a far greater contamination potential than many rural areas and as such, need to be included within the listed activities within section 36.1 of the Proposed District Plan that have the potential for soil contamination.

18.2 **Summary of Decision Sought**

- Include Residential areas (towns) within Section 36.1 as a listed activity that has the potential for soil contamination.



## **19.0 Section 37 - Mining Activities**

- 19.1 We fully support all of the areas shown as prohibited activities within Table 1 and request they are retained unchanged. We request that Council acknowledge and adhere to their stated intention for the district wide landscape assessment was required to validate prohibiting mining in areas identified as unsuitable. We therefore request mining (surface and underground), mineral processing and wasterock/tailings storage (mining activities) be shown as a Prohibited Activity in the Outstanding, Amenity and Natural Character overlays. The PDP provisions also need to be consistent with relevant Acts including the Crown Minerals Act. Schedule 4 of the Crown Minerals Act Prohibits mining activities within the coastal area and DOC land. It is therefore requested that mining activities be a Prohibited Activity within the Coastal Environment and the Conservation Zone. Due to the significant scale of effects resulting from mining activities, it is requested that these activities be a Non-Complying activity within the Rural Zone and Rural Lifestyle Zone. It is inappropriate for such an intensive activity to have the same activity status as a complying two lot subdivision within the rural zone that results in two houses within 40ha of land.

It is also requested that the permitted activities be subject to approval from the legal owner of the land.

## **19.2 Summary of Decisions Sought**

- Support all prohibited activities shown in Table 1
- Request Mining Activities within Outstanding, Natural Character and Amenity (if retained) overlay areas are a Prohibited Activity.
- Request Mining Activities within the Coastal Environment and Conservation Zone are a Prohibited Activity in accordance with Schedule 4 of the Crown Minerals Act.
- Request Mining Activities within the Rural Zone and Rural Lifestyle Zone are a Non-Complying Activity

## **20.0 Section 38 - Subdivision**

### **20.1 Rule 2 Boundary Adjustment**

Fully support boundary adjustments being a Controlled activity. Request the removal of Rule 38.4.2.1a that restricts the lots, after the boundary adjustment changing by no more than 5%. This restriction is impractical as many boundary adjustment between existing lots require the lots changing by more than 5% and yet result in little, if any, adverse effects. This provision seems to not be effects based. In situations where the lots would not result in a relocation or concentration of house sites beyond what could occur within the lots prior to the boundary adjustment, the effects of the boundary adjustment are insignificant. There appears no resource management reason to confine boundary adjustments to not changing the size of the lots by more than 5%. Rule 38.4.2.1c also restrict

the boundary adjustment to the same zone. For the same reasons as mentioned above, there appears to be no resource management reason to require boundary adjustments to be within the same zone.

20.2 Rule 5 Subdivision around two or more dwellings

Fully support all provisions within Rule 5 and request they remain unchanged as any effects have already been identified and approved with the land use consent.

20.3 Rule 8 Subdivision creating one or more conservation lots

Fully support conservation lot subdivisions within the District Plan and fully support them being a restricted-discretionary activity.

Request the removal of Rule 38.5.8.1a as believe that if additional vegetation is being protected then there is no reason to prevent further conservation lots solely because previous conservations lots have been established on the property.

Fully support Table 1 and the sizes of protected areas. However, request that heading “*minimum area to be set aside for protection*” within Table 1 be amended to “*minimum area to be set aside for protection for each additional allotment created.*” This is required to clarify that the protected areas are for each lot created. As it currently reads, the covenanted area would be the same size whether one or two new conservation lots were being created.

Request the removal of Rule 38.5.8.1.e as if a property contains large areas of indigenous vegetation worthy of protection then not being confined to a maximum of two lots would result in the protection of larger areas resulting in a increased ecological and environmental benefits. The protection of worthy areas of indigenous vegetation is consistent with proposed Objectives and Policies and Part 2 of the Act.

20.4 Rule 9 Subdivision creating one or more additional lots

Support in part. Fully support the continuation of the existing Rural Lot provisions. Request these provisions within Rule 9 remain unchanged in every aspect except for the activity status. Request the activity status for a complying subdivision be amended to a Restricted-Discretionary activity. This is consistent with complying subdivisions within other zones within the PDP and is also consistent with complying rural lot subdivisions within many districts.

20.5 Rule 10 Subdivision for environmental benefit lots

Fully support these provisions as again they provide for ecological and environmental benefit.

20.6 Table 2 Section 38 Subdivision standards

Fully support Table 2(14a) the 20ha minimum average lot area and request this provision remains unchanged.

20.7 Table 5 – Restricted Discretionary Activity Matters

Table 5(3.a) - Request the deletion of requiring the Waikato Regional Council to determine on site waste water treatment systems. Engineers and wastewater specialists are the appropriate people to determine the appropriateness of site specific wastewater treatment systems. This is not the role of Regional Council

Table 5(11.f) - Request the deletion “...and able to be enhanced.” The provisions of the Resource Management Act include ensuring that any effects on the environment resulting from a proposal are avoided, remedied or mitigated. A proposal must ensure that character and amenity values are maintained. To ensure character and amenity values are ‘enhanced’ is excessive and goes beyond the provisions of the Act.

20.8 Figure 1 & 2 – Priority Locations for Indigenous Ecosystem Restoration and Enhancement

Fully support Figure 1 & 2 and Council’s identification of areas subject to conservation lots. However, need to ensure all areas worthy of protection are included within the Figures 1 & 2

20.9 **Summary of Decisions Sought**

- Remove Rule 38.4.2.1a that restricts the lots, after the boundary adjustment, changing by no more than 5%.
- Remove Rule 38.4.2.1c that restricts boundary adjustments to the same zone.
- Provisions within Rule 5 (subdivision around two or more dwellings) are supported and remain unchanged.
- Retain Conservation Lots within Rule 8 being a restricted-discretionary activity.
- Delete Rule 38.5.8.1a as this results in reducing the protection of indigenous vegetation
- Retain Table 1 detailing the sizes of protected areas.
- Amend heading within Table 1 to state “*minimum area to be set aside for protection for each additional allotment created.*” This is required to clarify that protected areas are for each lot created.
- Delete Rule 38.5.8.1e as confining conservation lots to a maximum of two lots confines the ecological and environmental benefit.
- Retain Rule 9 (subdivision creating one or more additional lots) is retained unchanged in every aspect except for the activity status to be amended to a Restricted-Discretionary activity for a fully complying subdivision.
- Retain Rule 10 (subdivision for environmental benefit lots).



- Retain Table 2(14a) standard for a 20ha minimum average lot size remains unchanged.
- Delete requirement for Waikato Regional Council to determine on site waste water treatment systems as contained within Table 5(3.a).
- Delete “...and able to be enhanced.” within Table 5(11.f).
- Retain Figure 1 & 2 (Priority Locations for Indigenous Ecosystem Restoration and Enhancement) that identifies areas for conservation lots but ensure all areas suitable for protection are included..

## **21.0 Section 39 – Transportation**

21.1 Fully support permitted activities within Rules 1-3 & 5-10 and request they are retained.

21.2 Support in Part Rule 4. Support that internal access is a permitted activity and request it is retained. However, amend Table 2 to provide access to an individual lot remains as 1:4 maximum gradient. This is consistent with the current provisions within the Operative District Plan and has worked well and is suitable for the Coromandel topography.

21.3 Amend Table 2.1 to provide for a maximum number of 5 allotments (2-5 lots) with maximum gradient of 1:5 without seal. Table 2.2 amend to 6-8 lots with 1:5 maximum gradient with seal and 1:6 maximum gradient without seal. This is consistent with other Districts and is considered more reasonable for the Coromandel topography.

## **21.4 Decisions Sought**

- Retain Rules 1-3 & 5-10 unchanged.
- Rule 4 retained as a permitted activity.
- Table 2 amended as follows
  - Access to an individual lot is 1:4;
  - #1 Area served amends to 2-5 lots at 1:5 max gradient without seal.
  - #2 Area served amends to 5-8 lots at 1:5 max gradient with seal, 1:6 max gradient without seal.

## **Part VIII – Zone Rules**

## **22.0 Section 43 - Conservation Area**

22.1 The provisions of the Act provide DOC with a statutory advantage whereby they can undertake activities without having to obtain the necessary resource consents (and thereby not needing to meet the provisions of the RMA or the costs of obtaining these consents) providing the activities are consistent with the Waikato Conservation Management Strategy (WCMS). This statutory advantage allows DOC to undertake development within the DOC estate without having to consider the

adverse effects on the environment, visual effects, amenity effects, effects on neighbouring properties, consultation with and approval from effected parties, traffic, roading and access effects and standards, the provisions of other statutory documents such as the NZ Coastal Policy Statement, Regional Policy Statements, Regional Plans, District Plans, Bylaws, etc. It also enables DOC to undertake the activity without having to pay the associated costs that would usually be required such as: development contributions, development impact fees, resource consent fees, Hearing fees, costs for expert evidence in support of resource consent applications, licence fees, rates, etc.

- 22.2 Many of the DOC reserves came into being due to their location, ecological and high amenity values (biodiversity, beachfront, etc) where the land was considered too important, fragile or special for commercial or residential development. These reserves were intended for public use to be enjoyed by all and be free from residential and commercial development. Reserves with high amenity values and/or located in sensitive areas must continue to be protected from inappropriate development.
- 22.3 The statutory advantage DOC has allows them to undertake, without consent, any activity they desire by simply including them within their WCMS. As such, further permitted activities are not required within the PDP. Many of the permitted activities listed (including restaurants, general commercial, temporary living places, etc) are simply inappropriate for the many sensitive, high value DOC areas. These activities, undertaken on many of the DOC reserves, would be contrary to the Objectives and Policies of the Plan, The Landscape Overlay provisions, Coastal Policy Statement and Part 2 provisions of the Act. Request all the permitted activities shown within Rules 1-14 are removed (If DOC wants these activities on identified reserves then they can include them within WCMS).
- 22.4 Support all Restricted Discretionary, Discretionary and Non-Complying activities within Section 43 and request they are retained.
- 22.5 **Summary of Decisions Sought**
- Request all the permitted activities shown within Rules 1-14 are removed.
  - Request all Restricted Discretionary, Discretionary and Non-Complying activities within Section 43 and request they are retained.
- 23.0 Section 52 – Recreation Active Zone**
- 23.1 Support all permitted activities unchanged. These activities are consistent with the purpose of the Recreation Active zone.

**24.0 Section 53 – Recreation Passive Zone**

- 24.1 Support Sections 53.1 (Zone Description) and 53.2 (Zone Purpose) unchanged.
- 24.2 Many of the Council reserves came into being due to their location, ecological and high amenity values (beachfront, etc) where the land was considered too important, fragile or special for commercial or residential development. These reserves were intended for public use to be enjoyed by all and be free from residential and commercial development. Reserves with high amenity values and/or located in sensitive areas must continue to be protected from inappropriate development.
- 24.3 Rule 1 - Request removal of: “solar panel” and “Temporary Living Places” as permitted activities. Due to the high amenity value and sensitive nature of many reserves, both these activities may result in significant effects on landscape, character and amenity values. Being a permitted activity is therefore contrary to the objectives and policies of the PDP and the provisions of the Act.
- 24.4 Rule 4 – Request removal of: “farming”, “general commercial”, “restaurant” and “telecommunication mast, tower, dish and associated antenna and equipment. Due to the high amenity value and sensitive nature of many reserves, both these activities may result in significant effects on landscape, character and amenity values. Being a permitted activity is therefore contrary to the objectives and policies of the PDP and the provisions of the Act.
- 24.5 Rule 8 – Request removal of: “afforestation” as a permitted activity for the reasons listed above for rules 1 & 4.
- 24.6 Support all activities listed as discretionary activities within section 53.6.

**25.0 Section 55 – Road Zone**

- 25.1 Rule 1 - support in part. Request ‘Restaurant’ activity is deleted as this is not an appropriate activity on a Road and does not meet the purpose of the zone. Other activities to be retained.
- 25.2 Rule 2 – Request Festival and Events activity is deleted as this is not an appropriate activity on a Road and does not meet the purpose of the zone. Other activities to be retained.
- 25.3 Rule 3, Rule 4, Rule 5 and Rule 6 – Support in full. These activities are consistent with the Road Zone. Request these activities are retained as permitted activities.
- 25.4 **Summary of Decisions Sought**



- Remove 'Restaurant' as a permitted activity within Rule 1.
- Delete Rule 2 (Festivals and Events).
- Rules 3-6 be retained as permitted activities

## **26.0 Section 56 – Rural Zone**

- 26.1 Fully support sections 56.1 (Zone Description) and 56.2 (Zone Purpose) unchanged. Strongly support last paragraph within section 56.2 that recognises and clarifies the standards in the Rural Zone have been set to an appropriate level that protects and, at times, enhances the characteristics of the Rural Zone.
- 26.2 I fully support all the listed permitted activities within Rules 1-16 and request they are retained. These are consistent with the definition and objectives and policies of the PDP that recognises the working environment of the Rural Zone and its importance to economic wellbeing of the District.
- 26.3 Request Rule 6 is amended to include maintenance of an existing road, accessway, driveway, etc is included as a permitted activity. This is required for health and safety reasons and has little if any environmental effect as the road etc is existing.
- 26.4 Strongly support Rule 12 that provides for a 'Dwelling', 'Minor Unit' and 'Accessory Building' as a permitted activity within the Rural Zone, (including Coastal Environment and Amenity Landscape Overlay) and request these rule are retained. These activities are on existing lots and form part of the existing 'character' of the area (albeit the dwelling may not have been built as yet). Every person who has purchased and owns an allotment must have the right to build a house on their property and this is achieved through the permitted activity status in the PDP. This meets both the Objectives and Policies of the PDP and Part 2 of the Act in enabling people and communities to provide for their social, economic and cultural wellbeing.

It is accepted that colour, reflectivity, etc needs to be considered. We fully support Rule 12.1.c that satisfies this requirement with a building in the Coastal Environment being a permitted activity subject to complying with these required standards in Table 7. Request amending the 'typo' within Rule 12.1.c that incorrectly refers to Table 9 when it should refer to Table 7.

The PDP includes numerous provisions within the subdivision objectives, policies and rules relating to maintaining the landscape, character, and amenity values within the Rural Zone and Coastal Environment. Subdivision is the correct time to examine and address these matters as

this is when intensification and the effects of increasing the built environment is considered and approval either granted or declined.

The permitted activity status is supported as:

- It provides people with certainty that they can construct a house on their existing property.
- Any existing Lot forms the character of the existing environment and a house on that lot is expected and accepted.
- Any new Lot would have gone through the rigorous subdivision standards and criteria (that includes landscape, character, and visual assessment). The permitted activity status prevents the need to unnecessarily have to address all these provisions again when a house is being applied for on the created allotment (usually within the identified, assessed, and approved house site).
- Is efficient as it eliminates the excessive, costly, frustrating, and unwarranted process on existing allotments.
- Meets the current government and national concerns on housing affordability. Unnecessary resource consents and associated expert reports can cost tens of thousands of dollars that contribute to increase costs making housing unaffordable for many people. Requiring consent for a house etc on an existing Lot would be an example of unnecessary costly bureaucratic process that the Government is seeking to avoid.

Request retaining the permitted activity status for houses, minor units and accessory buildings on existing Titles within the Rural zone and Coastal environment subject to meeting the development standards.

- 26.5 We fully support introducing the concept of a “Minor Unit” into the PDP. The provisions enable a small second dwelling on an allotment as a permitted activity. This concept is important as it enables families to house, provide and support their elderly or young family members without having to go through the difficult process of obtaining a resource consent. The minor unit is an important additional provision that enables people and communities to provide for their social, economic and cultural wellbeing. We request that Minor Units are retained within the PDP as a permitted activity.
- 26.6 Support all the activities listed as a restricted-discretionary activity within Rules 17-23 unchanged. These activities are consistent with the Rural Zone but may have effects that need to be considered and assessed.
- 26.7 Support all the activities listed as a discretionary activity within Rules 24 & 25. These activities may have effects that need to be considered and assessed.

26.8 Support in part the Restricted Discretionary Matters within Table 8. Many of the matters are relevant to new development or residential intensification. But would be excessive and unjust for building on existing allotments.

26.9 **Summary of Decisions Sought**

- Retain Sections 56.1 (Zone Description) and 56.2 (Zone Purpose) unchanged.
- Retain all the listed permitted activities within Rules 1-16.
- Request Rule 6 is amended to include maintenance of an existing road, accessway, driveway etc is included as a permitted activity
- Strongly support Rule 12 that provides for a 'Dwelling', 'Minor Unit' and 'Accessory Building' as a permitted activity within the Rural Zone and request it is retained as a permitted activity.
- Minor Units are retained within the PDP as a permitted activity.
- Retain all restricted-discretionary activities within Rules 17-23 unchanged.
- Retain all the activities listed as a discretionary activity within Rules 24 & 25 unchanged.
- Separate Restricted Discretionary Matters within Table 8 to differentiate between new development and existing allotments.

27.0 **Visitors Accommodation Activity within All Zones**

27.1 We support in part the activity of "Visitors Accommodation" being a permitted activity within most zones and request they are retained. This reflects the existing 'Home Stay' and 'Farm Stay' provisions of the Operative District Plan. We fully support both standards that require the activity to occur within an existing dwelling and confines the maximum number to six (6) tariff-paid visitors. This again reflects the current standards of the Operative District Plan and limits the effects of the activity on the character and amenity values and the effects on neighbouring properties. Any more than this and the activity goes beyond what is reasonably considered a residential use. More than 6 visitors should require a resource consent to enable any effects to be assessed. It should also be subject to development contributions being paid (the same as would be required for a cabin or motel unit).

27.2 We request that a further standard is also included requiring the Travellers Accommodation activity to be a permitted activity on a Front Lot only as is currently the case within the Operative District Plan. Travellers Accommodation on a rear allotment requires the guests to utilise the ROW and drive pass the front allotment. This can significantly impacting on the use enjoyment and amenity values of the owners/occupiers on the front allotment.

27.3 **Decisions Sought**



- Retain Visitors Accommodation within the Zones currently shown as a Permitted Activity.
- Retain both standards that require the activity to occur within an existing dwelling and confines the maximum number to six (6) tariff-paid visitors.
- Introduce a further standard requiring the Travellers Accommodation Activity to be on a Front Lot only.
- Travellers Accommodation that does not meet the standards requires resource consent and is subject to development contributions

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Dean Glen  
Roy Glen  
Sol Glen  
Claire Elliot  
Blackjack Farms Ltd

# Proposed Thames-Coromandel District Plan

THAMES  
COROMANDEL  
DISTRICT COUNCIL

## Submission Form

Form 5 Clause 6 of the First Schedule to the Resource Management Act 1991

### Your submission can be:

- Online:** [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)  
Using our online submissions form
- Posted to:** Thames-Coromandel District Council  
Proposed Thames-Coromandel District Plan  
Private Bag, Thames 3540  
Attention: District Plan Manager
- Email to:** [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)
- Delivered to:** Thames-Coromandel District Council, 515 Mackay Street, Thames  
Attention: District Plan Manager (or to the Area Offices in Coromandel, Whangamata or Whitianga)

### Submitter Details

Full Name(s)	AARON MURRAY M'GARVA	
or Organisation (if relevant)		
Email Address	aaron@getfishing-co.nz	
Postal Address	1 FOURTEENTH AVENUE TAURANGA.	
Phone no. include area code	(07) 5711622	Mobile no. 021 966511

**Submissions must be received no later than 5 pm Friday 14 March 2014**

If you need more writing space, just attach additional pages to this form.

### PRIVACY ACT 1993

Please note that submissions are public information. Information on this form including your name and submission will be accessible to the media and public as part of the decision making process. Council is required to make this information available under the Resource Management Act 1991. Your contact details will only be used for the purpose of the Proposed District Plan process. The information will be held by the Thames-Coromandel District Council. You have the right to access the information and request its correction.



## Your Submission

**The specific provisions of the Proposed District Plan that my submission relates to are:**  
(please specify the Objective, Policy, Rule, Map or other reference your submission relates to)

The specific provisions to which our submission relates, as laid out in the letter attached to this submission.

**My submission is:**

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support ☐ oppose ☒ the above plan provision.

**Reasons for my views:**

Please refer to the accompanying letter which forms part of this submission.

**The decision I seek from the Council is that the provision above be:**

Retained ☐ Deleted ☐ Amended ☒ as follows:

Please refer to the accompanying letter which forms part of this submission.

## Proposed District Plan Hearing

I wish to be heard in support of my submission. ☐ Y ☒ N

If others make a similar submission, I will consider presenting a joint case with them at a hearing. ☐ Y ☒ N

Signature of submitter [Signature] Date 13/3/14

Person making the submission, or authorised to sign on behalf of an organisation making the submission.

## Trade Competition

Please note that if you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by Clause 6 of Schedule 1 of the Resource Management Act 1991.

I could gain an advantage in trade competition through this submission. ☐ Y ☒ N

If you could gain an advantage in trade competition through this submission please complete the following:

**I am directly affected by an effect of the subject matter of the submission that –**

- a) adversely affects the environment; and ☐ Y ☒ N
- b) does not relate to trade competition or the effects of trade competition. ☒ Y ☐ N

If you require further information about the Proposed District Plan please visit the Council website [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)

THAMES-COROMANDEL DISTRICT COUNCIL  
Private Bag, 515 Mackay Street, Thames 3540  
phone: 07 868 0200 | fax: 07 868 0234  
customer.services@tcdc.govt.nz | [www.tcdc.govt.nz](http://www.tcdc.govt.nz)





**RE: Letter in support of my Submission on the TCDC Proposed District Plan**

Dear Mayor Leach and TCDC Councilors,

My name is Aaron Murray McGarva and I own a holiday house in 114b Aicken Road, Whangamata.

I oppose the various provisions for Visitor Accommodation throughout the Proposed Thames Coromandel District Plan ("Proposed Plan") as they relate to renting out of private dwellings/holiday homes.

There is no proven evidence that the consumption of local resources and the amenity effects on neighbours are any different with holiday rental holiday homes compared to properties used by their owner/family/friends.

The proposed changes will affect existing holiday home owners, as well as those that aspire to holiday home ownership in the Coromandel. In particular I believe the rules:

- Will decrease the income I receive from my holiday home – income I use to offset expenses such as rates and maintenance.
- Could reduce the value of my property as holiday home ownership becomes less desirable in the Coromandel due to the limitations imposed on holiday rental.
- Will mean less choice for tourists wishing to stay in the Coromandel, resulting in fewer visitors to the region, impacting on Coromandel businesses as result.
- Will not change the amenity effects arising from holiday home usage on the Coromandel.

I urge you to reconsider these rules in your Draft Annual Plan for 2013/2014 and look to implement a system more like that used by Queenstown Lakes District Council that provides allowance for holiday houses to better distinguish them from true commercial accommodation.

I seek the following decision from the Thames Coromandel District Council:

**As Principal Relief**

(i) Amend the definition of "Visitor Accommodation" in the Proposed Plan, such that the rental of holiday homes is specifically excluded from the definition.

**Or, in the alternative, if the principal relief in (i) above is not accepted**

(ii) Amend all references to the permitted activity conditions for Visitor Accommodation in the various zones throughout the Proposed Plan relating to "6 tariff-paid customers on-site at any one time" instead amending this to "12 tariff-paid customers on-site at any one time", and delete any condition requiring

the activity to be undertaken within an existing dwelling, minor unit or accessory building.

**And, in relation to both (i) and (ii) above**

(iii) Any consequential amendments necessary as a result of the amendments to grant the relief sought above.

I look forward to your response.



Aaron Murray McGarva

1 Fourteenth Avenue

Tauranga 3112

# Proposed Thames-Coromandel District Plan

THAMES  
COROMANDEL  
DISTRICT COUNCIL

## Submission Form

Form 5 Clause 6 of the First Schedule to the Resource Management Act 1991

### Your submission can be:

**Online:** [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)  
Using our online submissions form

**Posted to:** Thames-Coromandel District Council  
Proposed Thames-Coromandel District Plan  
Private Bag, Thames 3540  
Attention: District Plan Manager

**Email to:** [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)

**Delivered to:** Thames-Coromandel District Council, 515 Mackay Street, Thames  
Attention: District Plan Manager (or to the Area Offices in Coromandel, Whangamata or Whitianga)

### Submitter Details

Full Name(s) LESLIE ANNE BEATTIE

or Organisation (if relevant) \_\_\_\_\_

Email Address l.btc@hotmail.co.uk

Postal Address 13 Almond Grove  
Greenhills

Phone no.  
include area code

Mobile no.

0273 585584

**Submissions must be received no later than 5 pm Friday 14 March 2014**

If you need more writing space, just attach additional pages to this form.

### PRIVACY ACT 1993

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## Your Submission

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(please specify the Objective, Policy, Rule, Map or other reference your submission relates to)

The specific provisions to which our submission relates, as laid out in the letter attached to this submission.

My submission is:

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support ☐ oppose ☒ the above plan provision.

Reasons for my views:

Please refer to the accompanying letter which forms part of this submission.

The decision I seek from the Council is that the provision above be:

Retained ☐ Deleted ☐ Amended ☒ as follows:

Please refer to the accompanying letter which forms part of this submission.

## Proposed District Plan Hearing

I wish to be heard in support of my submission. ☐ Y ☒ N

If others make a similar submission, I will consider presenting a joint case with them at a hearing. ☐ Y ☒ N

Signature of submitter L. Bees Date 11/3/14

Person making the submission, or authorised to sign on behalf of an organisation making the submission.

## Trade Competition

Please note that if you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by Clause 6 of Schedule 1 of the Resource Management Act 1991.

I could gain an advantage in trade competition through this submission. ☐ Y ☒ N

If you could gain an advantage in trade competition through this submission please complete the following:

I am directly affected by an effect of the subject matter of the submission that –

a) adversely affects the environment; and

b) does not relate to trade competition or the effects of trade competition. ☒ Y ☐ N

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10<sup>th</sup> March 2014

Dear Mayor Leach and TCDC Councilors,

**RE: Letter in support of my Submission on the TCDC Proposed District Plan**

My name is LESLEY BEATTIE and I own a holiday home in WHANGAMATA.

I **oppose** the various provisions for Visitor Accommodation throughout the Proposed Thames Coromandel District Plan ("Proposed Plan") as they relate to renting out of private dwellings/holiday homes.

There is no proven evidence that the consumption of local resources and the amenity effects on neighbours are any different with holiday rental holiday homes compared to properties used by their owner/family/friends.

The proposed changes will affect existing holiday home owners, as well as those that aspire to holiday home ownership in the Coromandel. In particular I believe the rules:

- Will decrease the income I receive from my holiday home – income I use to offset expenses such as rates and maintenance.
- Could reduce the value of my property as holiday home ownership becomes less desirable in the Coromandel due to the limitations imposed on holiday rental.
- Will mean less choice for tourists wishing to stay in the Coromandel, resulting in fewer visitors to the region, impacting on Coromandel businesses as result.
- Will not change the amenity effects arising from holiday home usage on the Coromandel

I seek the following decision from the Thames Coromandel District Council:

**As Principal Relief**

(i) Amend the definition of "*Visitor Accommodation*" in the Proposed Plan, such that the rental of holiday homes is specifically excluded from the definition.

**Or, in the alternative, if the principal relief in (i) above is not accepted**

(ii) Amend all references to the permitted activity conditions for *Visitor Accommodation* in the various zones throughout the Proposed Plan relating to "*6 tariff-paid customers on-site at any one time*" instead amending this to "*12 tariff-paid customers on-site at any one time*", and delete any condition requiring the activity to be undertaken within an existing dwelling, minor unit or accessory building.

**And, in relation to both (i) and (ii) above**

(iii) Any consequential amendments necessary as a result of the amendments to grant the relief sought above.

I look forward to your response.

Yours faithfully,

  
\_\_\_\_\_