



Tec 767

12 March 2014

Thames-Coromandel District Council
 Proposed Thames-Coromandel District Plan
 Private Bag 1001
 THAMES 3540

THAMES-COROMANDEL
 DISTRICT COUNCIL

12 MAR 2014

RECEIVED BY: *Tani*

Attention: District Plan Manager

**SUBMISSION FOR CHICO LIMITED: REZONING OF 101 COLVILLE ROAD,
 COROMANDEL, LOT 1 DPS 64481 FROM RURAL ZONE TO RURAL LIFESTYLE
 ZONE ON MAP 11**

I am instructed by Chico Limited to lodge the attached submission to the Proposed District Plan.

The attached documents refer.

1. Submission forms.
2. Supporting statement setting out relief sought and reasons.

I look forward to hearing from you about these submissions in due course.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Donald Sangster', written in a cursive style.

Donald Sangster
Planner

SANGSTER HOLDINGS LIMITED
 T/A THAMES ENVIRONMENTAL CONSULTANCY
 541 POLLEN STREET, P. O. BOX 342, THAMES 3540
 PHONE: (07) 868 3079 EMAIL: das2@clear.net.nz

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
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

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

THAMES-COROMANDEL
DISTRICT COUNCIL

12 MAR 2014

RECEIVED BY: *Tani*

Submitter Details

Full Name(s)	<i>Chico Limited</i>	
or Organisation (if relevant)		
Email Address	<i>das2@clear.net.nz</i>	
Postal Address	<i>c/- Thames Environmental Consultancy PO Box 342, Thames 3540</i>	
Phone no. <small>include area code</small>	<i>(07) 868 3079</i>	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)

Map 11

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:

See attachment

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

change zone of Lot 1 DPS 64481 from Rural Zone to Rural Lifestyle Zone

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

Donald Jones

Date 12/3/14

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

If you require further information about the Proposed District Plan please visit the Council website 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



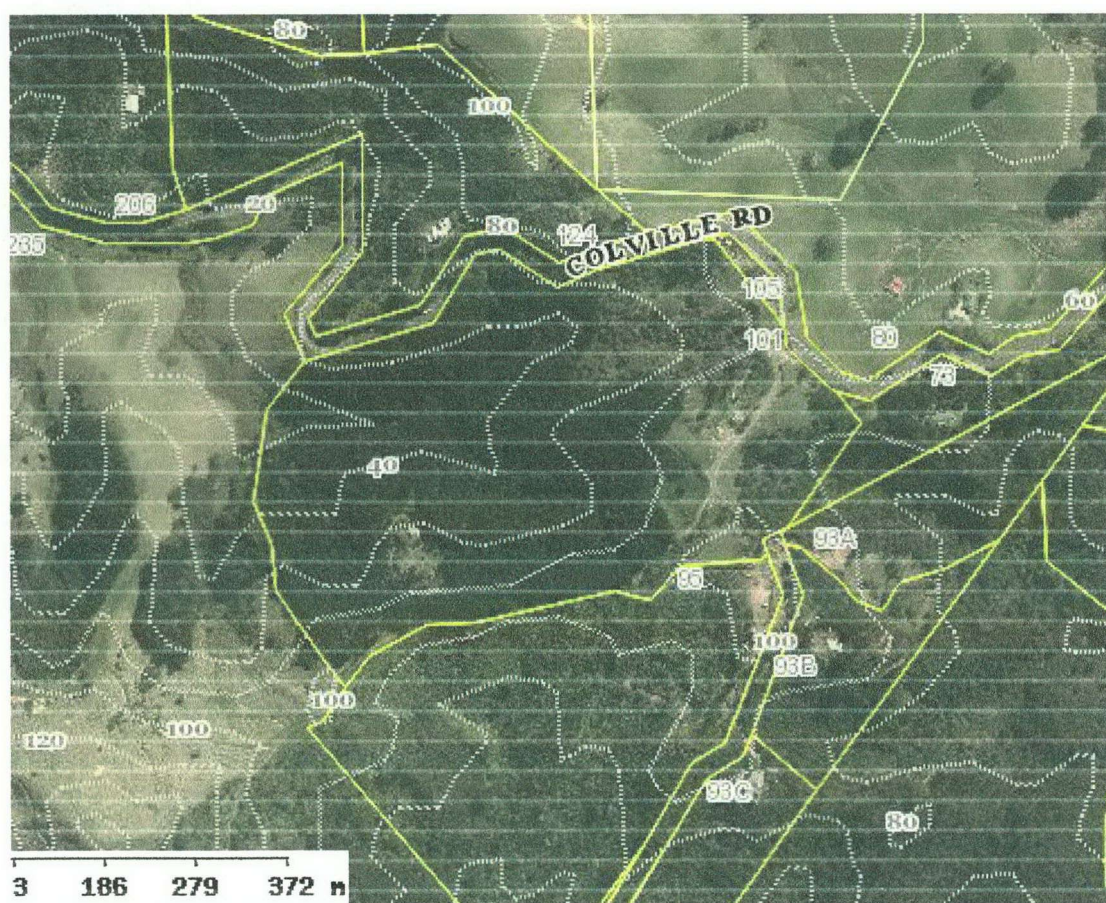
Tec 767

12 March 2014

SUBMISSION TO PROPOSED DISTRICT PLAN**CHICO LIMITED: 101 COLVILLE ROAD, COROMANDEL****SUBMISSION: REZONING OF 101 COLVILLE ROAD, COROMANDEL, LOT 1
DPS 64481 FROM RURAL ZONE TO RURAL LIFESTYLE ZONE ON MAP 11****BACKGROUND**

The submitters, Chico Ltd, own Lot 1 DPS 64481, being 101 Colville Road. The property is elevated generally steep land. The property has a total area of 17.4460 hectares. The ground cover includes indigenous vegetation, pine forest, and some grassed areas. One house is located within the property. The property is accessed directly via an entrance from Colville Road, that includes a right of way that runs through the property serving other land. The Chico Ltd property is the servient tenement to those other right of way holders.

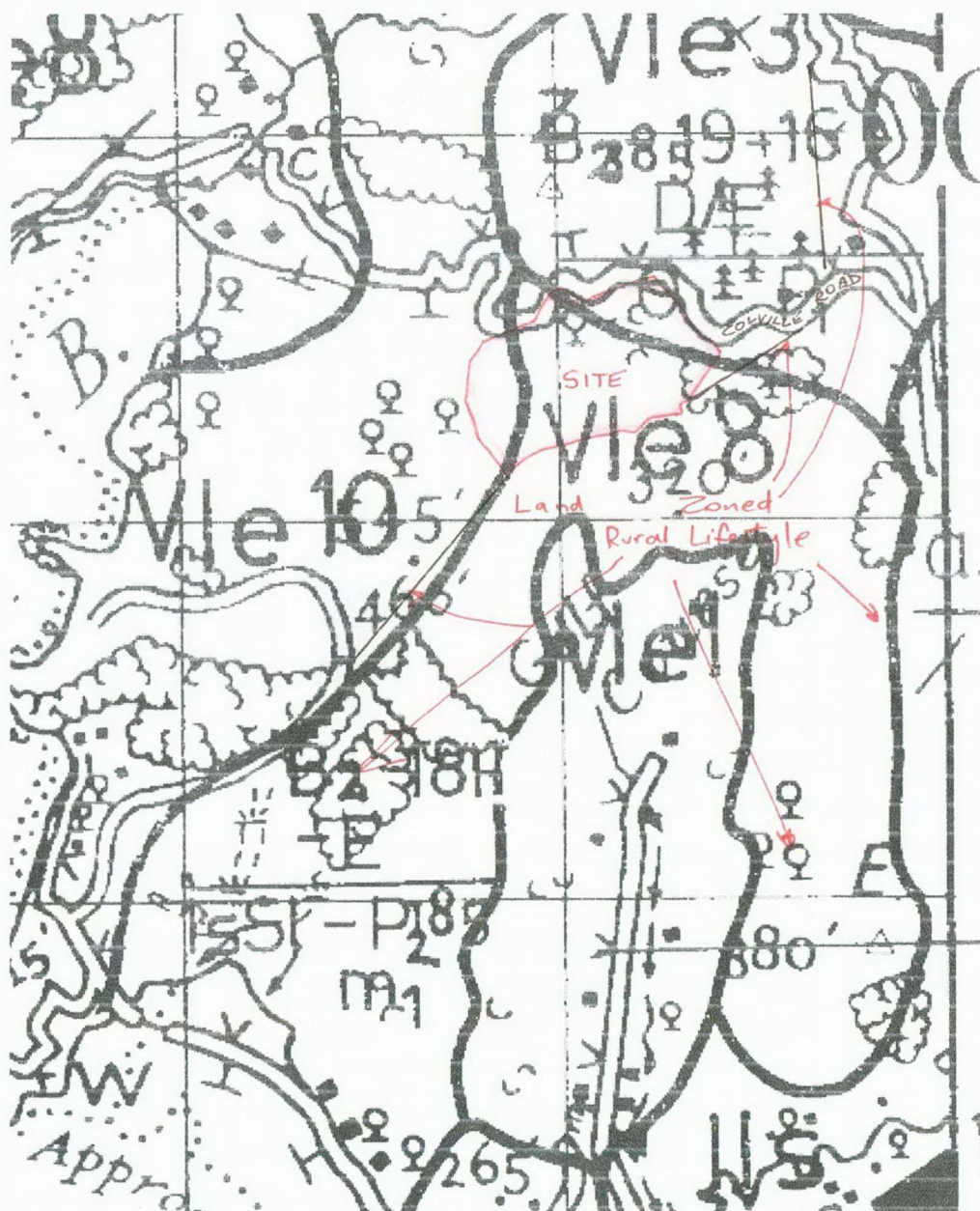
The site is shown in the following aerial photograph. Typical photographs of the property are attached in the Appendix.



The notified Proposed District Plan ("PDP") proposes a change from Rural Zone (Outside all Policy Areas) as shown in the Operative District Plan ("ODP") to Rural Zone. The PDP does not show any overlays affecting the property.

The adjoining land to the east and southeast is being zoned Rural Lifestyle Zone in the PDP. This is consistent with its current ODP zoning of Rural (Low Density Policy Area). Both the ODP and the PDP zone provide for subdivision into two hectare lots.

The following map is an extract from the New Zealand Land Inventory Worksheet N39 with the site overlaid.



As can be seen the site is a mix between Classes VIe8, VIe3 and VIe10, which are described in the Coromandel Extended Legend as:

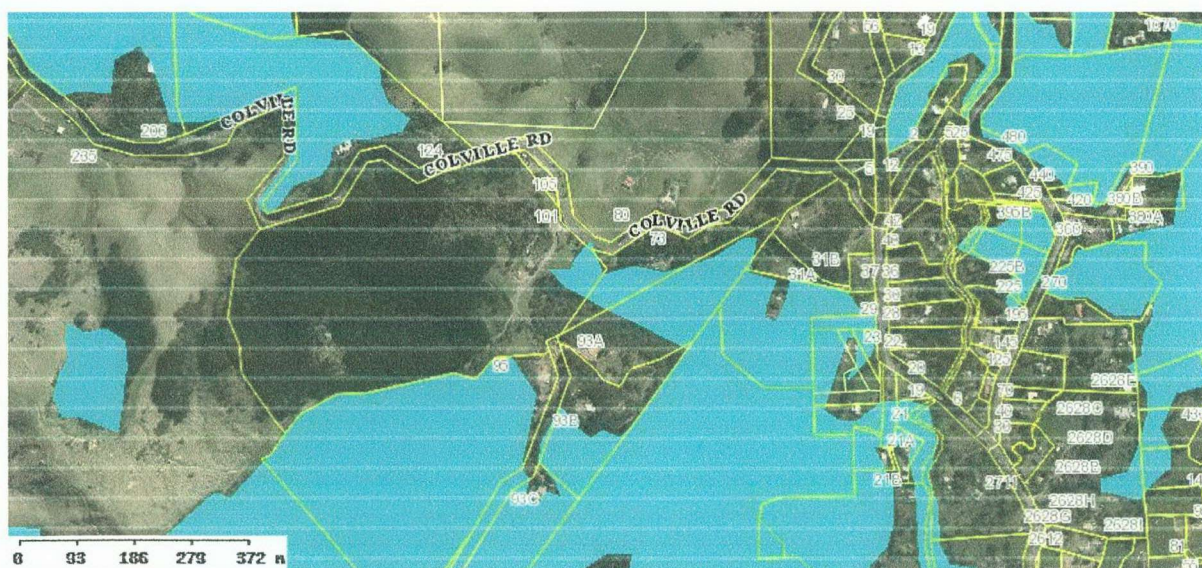
- VIe3: Strongly rolling to moderately steep hills with tephra mantling the rolling tops and valley bottoms. Slopes from map: 16° – 25° typically.
- VIe8: Moderately steep to steep hill country with a low natural fertility and poor soil structure. Slopes from map: over 21° – 25° typically.
- VIe10: Steep hills of weathered greywacke and andesite of low fertility and poor soil structure. Slopes from map: over 21° – 25° typically.

As can also be seen, the Rural Lifestyle Zone land to the east and south includes similarly classed steep land as well as lower land in the Whangarahi Stream valley floor.

Adjoining land to the south and over the road to the north is in covenants as follows:

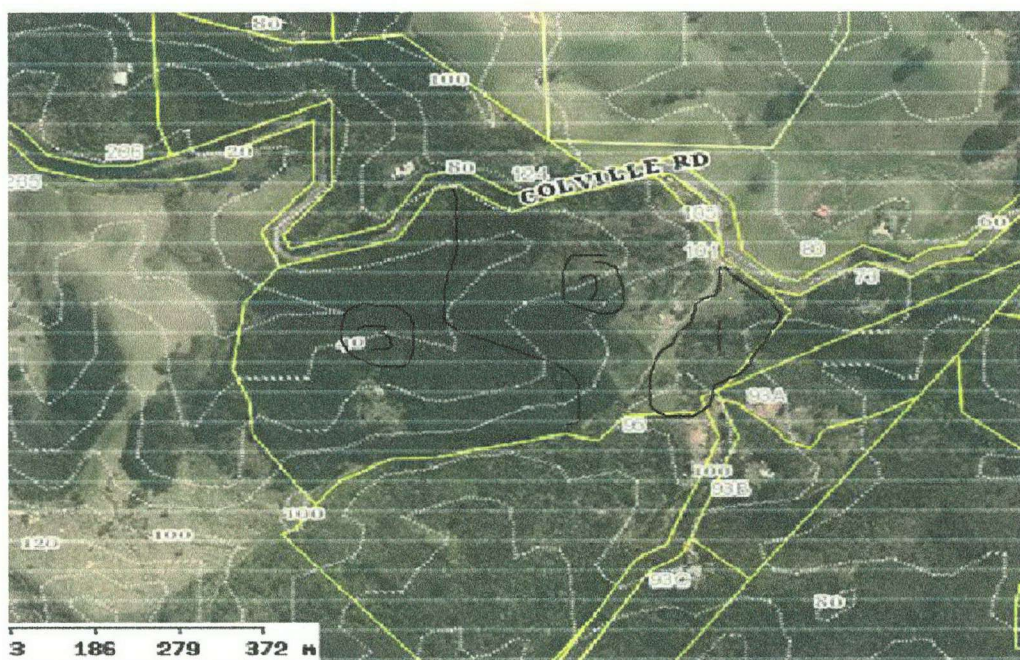


A small part of the land (its eastern tip) has been shown as being part of a Significant Natural Area on the Council's mapping website as follows:



Chico Limited has undertaken scattered indigenous vegetation planting to assist regeneration of indigenous forest within the property.

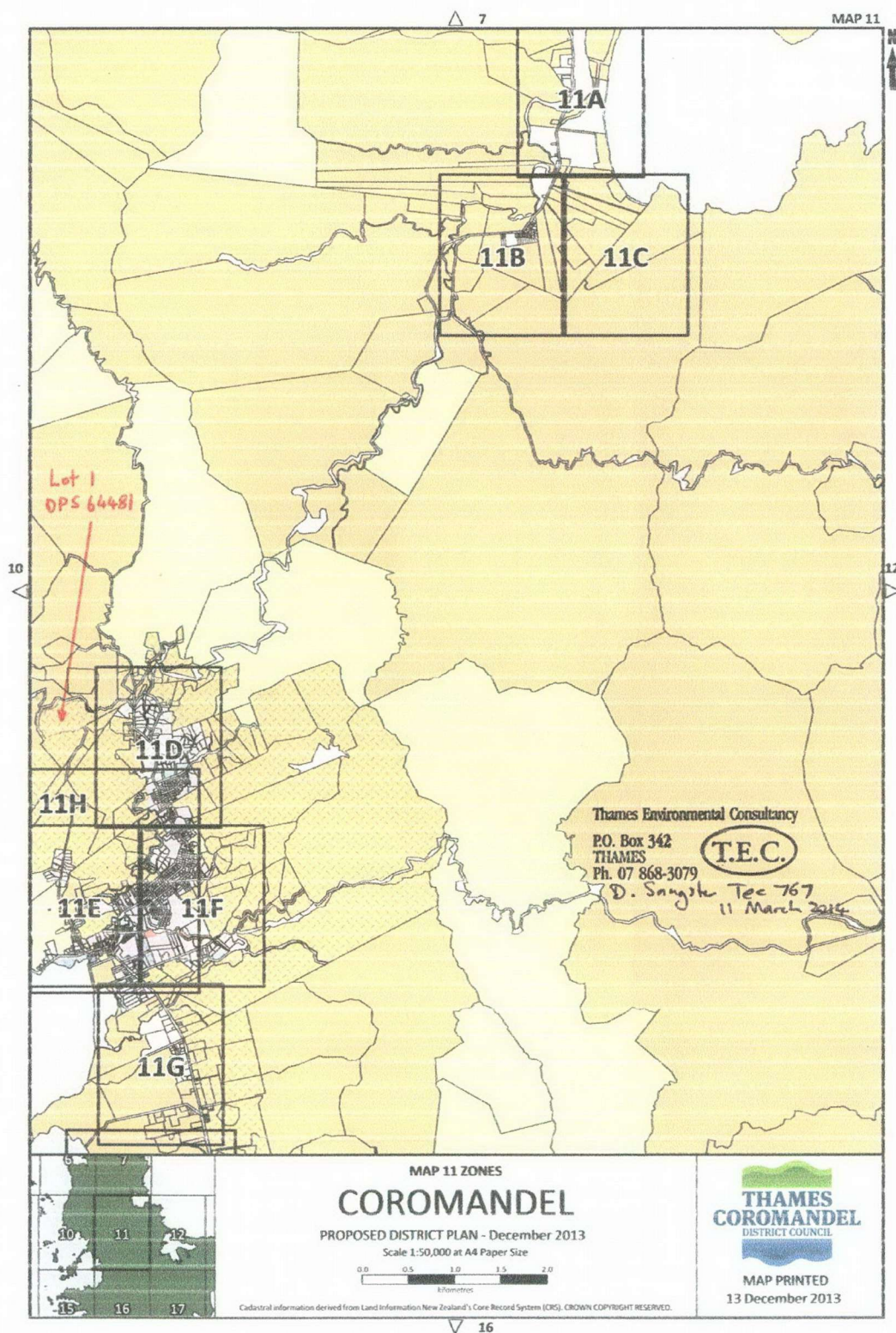
It is proposed for the long term to subdivide the land into three lots under the zoning of Rural Lifestyle. This is the number of lots that are sustainable from a geotechnical and access point of view. The approximate layout is shown as follows with the existing house in Lot 3. Lot 1 and 2 house sites would be located in currently clear areas.



RELIEF SOUGHT IN THE SUBMISSION:

The following change to the Proposed District Plan is sought:

SUBMISSION 1: Change the zoning of Lot 1 DPS 64481 from the notified zoning of Rural to Rural Lifestyle as per the following map 11:



THE REASONS FOR THE RELIEF SOUGHT

SUBMISSION: Zone Change to Map 11.

The land in the title is suitable for lifestyle rural activities given its similarity to adjoining zoned land. The site is difficult to see into from public viewing places such as Colville Road and will provide privacy to both its occupants and other land owners. The land has not been identified as having particularly significant landscape or natural character and development of it is thus in accordance with the Regional Policy Statement policies on such matters.

The proposed zone change is sustainable in terms of Part II of the RMA, in particular sections 5 and 7(b), (c), (d), (f) and (g). No matters of national importance under section 6 are affected and there are no recorded archaeological or other historic sites in the direct vicinity.

The rezoning is supported by the following objectives and policies:

BIODIVERSITY

6.3 OBJECTIVES AND POLICIES

Objective 1

Indigenous biodiversity is maintained, restored or enhanced at the time of subdivision, use and development.

Policy 1a

Subdivision, use and development shall:

- a) Retain the ecological sustainability and natural characteristics of indigenous vegetation; and
- b) Minimise earthworks within and adjacent to areas of indigenous vegetation; and
- c) Locate buildings, structures and accesses outside of areas of indigenous vegetation; and
- d) Apply buffers around land use activities to minimise adverse effects on areas of indigenous vegetation; and
- e) Avoid the introduction of pest species and introduced predators into habitats where nationally threatened and at risk fauna and flora live; and
- f) Maintain, enhance or restore the functioning of ecological corridors and linkages, wetlands and dune systems; and
- g) Consider on-going management of priority locations mapped in Section 38 Subdivision, including legal protection, restoration, enhancement, pest control and stock exclusion.

Policy 1d

Sustainable use of indigenous vegetation shall be provided for on private land where indigenous biodiversity is maintained or enhanced (this may be through remediation or mitigation on the site or off the site).

SUBDIVISION

16.3 OBJECTIVES AND POLICIES

Objective 1

Subdivision benefits the District by being the 'right thing in the right place', maintains and enhances amenity, biodiversity and natural character and fits within its landscape and surroundings.

Policy 1b

Subdivision design shall be consistent with the relevant principles in Appendix 4 Subdivision Design Principles.

Policy 1c

Subdivision in the **Rural Lifestyle Zone** shall protect the special values of the **Rural Area** and achieve significant biodiversity gains.

Policy 1d

Subdivision in the **Rural Lifestyle Zone** shall maintain the low density character and amenity of the **Rural Area**.

Objective 4

Subdivision provides convenient, safe routes and connections for vehicles, cyclists and pedestrians within the subdivision and to surrounding transport networks.

Objective 5

Subdivision does not unnecessarily or inappropriately alter contours and the existing landform continues to dominate the environment.

Policy 5a

Re-contouring of the natural landform associated with subdivision shall protect important landscape features and incorporate them into the development, including:

- a) Streams, rivers and wetlands; and
- b) Areas of indigenous vegetation; and
- c) Significant landscapes and landforms; and
- d) Maori cultural sites or other historic heritage sites.

Policy 5b

Subdivision design shall respond to the natural landform by ensuring building platforms and road configuration sits within the site's topography, does not break the natural skyline and is located away from headlands and ridgelines that are visually prominent from public places.

Policy 5c

Where appropriate, physical and legal access to new lots should follow the natural contour of the land.

Objective 6

Indigenous biodiversity is enhanced or restored, and protected, at the time of subdivision.

Policy 6a

Subdivision for restoration or enhancement of indigenous biodiversity shall be provided for in the **Rural Area** provided it is consistent with Section 6 Biodiversity - Policy 1d.

A zone change to Rural Lifestyle Zone would still restrict the ability to use the site for residential purposes to very small areas and curtilages due to geotechnical constraints. The final number of lots that could be subdivided will also be affected by these constraints.

For and on behalf of Chico Limited



Donald Sangster
Planner MNZPI

From: Mikkelsen [petermikkelsen@clear.net.nz]

Sent: Wednesday, 12 March 2014 3:16:17 p.m.

Submission 511

To: TCDC General Mail Address

Subject: Proposed District Plan.

My name is Janet Mikkelsen, and I own a property at 509A Otahu Road, Whan gamata.

I wish to submit my opposition to the proposed changes affecting the rental or occupation of my property and the number I can accommodate. This is entirely an unnecessary proposal, and although I rarely have more than 6 occupants, mainly friends, I regard it as an intrusion into my rights as an owner and ratepayer.

I therefore wish my opposition to this Disterict Plan to be recorded.

12th March, 2014.

(signed) Janet Mikkelsen.

Proposed Thames-Coromandel District Plan



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Submission Form

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Using our online submissions form

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Attention: District Plan Manager

Email to: 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)	PHILIPPA MARGARET CARROLL		
or Organisation (if relevant)			
Email Address	PIPTREVOR@LIVE.COM.AU		
Postal Address	PO BOX 355, CREMORNE, SYDNEY NSW 2090, AUSTRALIA		
Phone no. <small>include area code</small>	+61-2-99683868		Mobile no. +61 416301047

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

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)

I FULLY SUPPORT AND ENDORSE THE SUBMISSION
MADE BY PETER & MARYANNE MAHONEY

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:

REFER COMMENT ABOVE

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

IN ACCORDANCE WITH THE SUBMISSION OF
PETER & MARYANNE MAHONEY

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 Valeroll Date 12/3/14

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

PROPOSED THAMES COROMANDEL DISTRICT COUNCIL DISTRICT PLAN

Submission on behalf of: PJ & MA Mahoney

Ratepayers: 8 Florence Place, Hahei Beach

Reference: Part 3C – Consultation

From reading the proposed changes to the TCDC District Plan, it does appear that the drafters have either not considered or adequately reflected the views of the Hahei community as incorporated in the detailed submissions and report originally prepared and submitted to Council under the document:

Hahei Community Plan

Draft 2005 to 2015

The submissions as previously presented to Council at its behest, followed very exhaustive and detailed consultation with members of the Hahei Beach community. The results were incorporated in the plan submitted to Council. Essentially the opinion of the community at that time regarding future growth of the Hahei Village was the recommendation that: *the TCDC accept the plan as a positive step forward by the community in determining the destiny and future of Hahei. It was also suggested that the views incorporated in the community plan be incorporated in the Council's Strategic Plan.*

It is indeed unfortunate that the now proposed reviewed TCDC Plan does not appear to make specific reference to nor incorporate the recommendations as then presented to Council, with the emphasis of Council now apparently being on the blueprint and identification of the principal growth areas, namely: Thames, Coromandel township, Whitianga and Whangamata.

The current review of the District Plan does however incorporate some proposals for rezoning of part of the rural land on the western fringe of the Hahei Village area. This former rural zoned land is now to be considered as a "rural lifestyle" zone. However, without any specific details or disclosure, there appears to be no regard had to the obvious requirement for a comprehensive review to be undertaken by Council regarding the need for sustainable infrastructure essential for preserving the existing amenity and in consideration of any future growth strategy for the Hahei Village area.

The infrastructure issues which need to be identified and planned include:

(a) Sewage/waste water disposal

Acceptable sewage disposal for all existing properties and ratepayers, before any consideration is given for further land to be developed for residential purposes. Anecdotally, comments/suggestions have been made that the existing TCDC Treatment Plant in Pa Road has available capacity for further development. If there is currently excess capacity in this treatment plant, why is this not being utilised for the benefit of existing ratepayers, rather than the continuation of existing septic tanks and individual in ground sewage disposal systems?

(b) Water reticulation

Again, this is a critical infrastructural element which needs to be addressed, with as many as three or possibly four separate water supply systems operating in the village. Many of the rateable properties within the village area do not enjoy the advantages of a reticulated water supply and rely upon tank and roof fed supply which is not a satisfactory long term solution.

(c) Stormwater disposal

There appears to be no specific reference to Council's planning or intentions for appropriate stormwater disposal/run-off, particularly where this discharges into the Wigmore Stream and other smaller waterways. The lack of any coherent long term planning or implemented policy in this regard has given rise to major health issues in both the Wigmore Stream/Estuary as well as in the Tutaritari Reserve/Stream. These matters need to be clearly addressed in any planning for development within the Hahei Village urban area.

(d) Parking for beach access

It is well recognised by most residents and observant visitors, that there is a undersupply of available community parking for those wishing to utilise the beach and other amenities. This situation is notably evident with the shortage of parking for the multiple thousands of visitors over the summer period wishing to visit Cathedral Cove.

This shortfall will likely be further exacerbated if the suggested Council/Mayor's proposed coastal walkway project linking Hahei Beach with Hot Water Beach is pursued.

(e) **Beach resource**

The attractive Hahei Beach is an amenity which over a defined period in the summer months receives intensive use and provides much enjoyment to residents, visitors and in particular family groups. The beach however has over recent years become far more congested with concessionaires and licensed operators operating from the beach for various tourist related activities. This coupled with the growing number of tractors and motorised vehicles, particularly along the eastern end of the beach near the Wigmore Stream/Estuary, is now well at capacity with little or no further capacity in the event of further urban development.

Further, there is inadequate monitoring and policing by Council of vehicles which travel along the beach beyond the indicated Council signs at the foot of Wigmore steps. The demand for trailer and tractor parking could possibly be partially alleviated over the peak 4/5 week period by Council identifying and the public utilising some of the nearby reserves. However, this will need to be appropriately policed and monitored to ensure that residents can still enjoy the benefits of these vested reserves, particularly for young children and families and their recreational activities.

Proposed rural lifestyle zoning

The proposed District Plan identifies approximately 38.5 hectares or 96 acres of land, formerly zoned rural, adjoining the western fringe of the Hahei Village area now to be rezoned "rural/lifestyle". This land bisected by the Hahei Beach Road, together with the adjoining 8 acre allotment on the western corner of Hahei Beach Road, is apparently identified as an area suitable for low density subdivision down to a minimum of 2.0 hectares per allotment.

The proposed rules also provide that the two hectare allotments can with adoption of a structure plan and appropriate resource consent approvals be reduced further to a minimum of 600 square metre building site. The proposal as such: is to rezone this land based on the existing rules and create the opportunity for further intensive residential development without appropriate regard being given to provision of and addressing essential infrastructure elements as identified above. The long term potential of this land for future development under the proposed "*rural lifestyle*" zoning could well then provide up to a further 200 building allotments which will place further demand and constraints on the existing infrastructure services with particular impact on: sewage disposal/treatment, stormwater run-off, water supply, available parking within the

existing village area and future utilisation of the beach, particularly with additional tractors, boats and motorised transport.

Submission

It is the writers' submission that:

- Any further intensive residential development within or adjoining the Hahei Village area should not proceed until Council has undertaken a comprehensive investigation and report on the essential infrastructure requirements for the existing and any planned future development.
- That the "*rural lifestyle*" zoning as proposed and rules associated therewith, are inappropriate and inconsistent with the inherent objectives of the District Plan to provide sustainable development in this location which will preserve and enhance the amenities of the locality as well as avoid development which is detrimental to both the environment and the attractiveness of the locality.

Proposed Structure Plan for incorporation in the proposed District Plan as submitted by owners/applicants of 38.5 hectares of the "*rural lifestyle*" land

The suggestion of a draft Concept or Structure Plan being considered and incorporated as a part of the "*rural lifestyle*" zoning change, is in the submitters' view a totally inappropriate mechanism to be considered or adopted by Council when addressing the prospects for future development of land so zoned. The current proposal as suggested by the existing owners is in our respectful submission arguably an attempt to enhance the value of this land for the possible eventual sale to an independent third party who could in the same manner as the present owners then likely use the Structure Plan or Concept Plan as the base negotiating document for further potentially more intensive development.

It is therefore submitted that the "*rural lifestyle*" zoning as proposed should provide as a permitted use: subdivision to the stated minimum of 2.0 hectares but with any further or intensive development being the subject of a notified application where the community and affected property owners/ratepayers, will have the opportunity to consider the proposal in greater detail and make their respective submissions accordingly.

The scale and type of development for this "*rural lifestyle*" land should not be left to the discretion of planning officers and applicants based on a Council adopted Structure Plan, without due regard to the overall effect and impact on the existing Hahei Village

development and the opportunity for affected property owners/ratepayers to make appropriate submissions.

The Hahei Village with its special character and attractiveness should not be compromised and treated for future residential development in a manner similar to that which has taken place over recent years in nearby Cooks Beach and in other coastal locations such as Whangamata and Matarangi. The unique qualities of this special area of Hahei should be protected and any future development only undertaken with provision of sustainable supporting infrastructure.

.....
PJ Mahoney

.....
MA Mahoney

THIS SUBMISSION IS SUPPORTED BY
PHILIPPA MARGARET CARROLL
RATEPAYER: 9 FLORENCE PLACE, HAHEI



P. M. CARROLL



Form 5
Submission on Proposed Thames-Coromandel District Plan

Clause 6 of First Schedule, Resource Management Act 1991

To Thames-Coromandel District Council
Private Bag
THAMES 3540
Attention: District Plan Manager

customer.services@tcdc.govt.nz (subject: Proposed District Plan Submission)

Name of submitter: Tokeroa Family Trust Limited
c/- Planners Plus Limited
PO Box 218
WHITIANGA 3542

Phone: (07) 867 1087
Email: info@plannersplus.co.nz

This is a submission on the following proposed district plan:

Proposed Thames-Coromandel District Plan

Tokeroa Family Trust Limited's submission relates to the area of land with the legal description of Lot 2 DP 328030, Lot 1 DPS 69889, Lot 15 DP 372725, Lots 1 to 14 DP 372725 and Lot 1 DPS 77990. The property is located on **Map 7B Zones (Tuataewa)** of the Proposed District Plan Planning Maps, and **Map 7B Overlays (Tuataewa)**. Part of the property also extends into **Map 7 Zones (Little Bay)** and **Map 7 Overlays (Little Bay)**.

Tokeroa Family Trust Limited's submission is as follows:

1) Subdivisions in the Coastal Living Zone to be deemed Controlled Activities

Section 38, Rule 7 in the Proposed District Plan requires subdivision creating one or more additional lots to be assessed as a restricted discretionary activity. Subdivisions under Rule 7 are subject to a number of standards listed in Table 2 and 3 of Section 38. Tokeroa Family Trust Limited seeks that the activity status of subdivisions creating one or more additional lots under Rule 7 be amended to that of a controlled activity, subject to meeting the standards in Table 2 and 3.

The standards set within Table 2 and 3 reflect the type and scale of subdivision appropriate to the zone in which it is located. It is the level of development expected and accepted within a zone. Subdivisions that meet these standards should therefore be granted consent (subject to conditions). Controlled activity standards and subdivisions provide certainty for property owners. Restricted discretionary activity applications add unnecessary costs and factors to a proposal and potentially opens applications up to written approval/notification issues.

Subdivisions that do not meet the controlled activity standards will still require resource consent as a discretionary activity.

2) Part of Rural Zone to be rezoned Coastal Living Zone – Map 7B Zones (Tuataewa)

Tokeroa Family Trust Limited requests that the portion of land shown as red in **Attachment A** be rezoned in the District Plan as Coastal Living Zone.

The portion of land in question for rezoning extends between two areas of Coastal Living Zone and currently contains a residential dwelling and accessory buildings. The change in zoning will reflect the scale and character of development on adjoining Coastal Living Zone properties.

The remainder of the property, which contains an existing quarry, will remain in the Rural Zone. The submitter would like to subdivide the quarry off from the rest of the site. The Rural Zone is the most appropriate zone for the quarry activity, as reflected in the Proposed District Plan's objectives and policies for the Rural Area.

The area of land to be rezoned to Coastal Living would not be out of character with the Tuataewa Settlement and would be an efficient and logical use of land within this area.

3) Quarry areas to be identified on the Planning Maps

Tokeroa Family Trust Limited seeks that all consented and legally established quarry sites within the Thames-Coromandel District be identified as quarry sites on the relevant map overlays of the District Plan preferably by the introduction of a Quarry Area Zone. Identification of quarry areas will provide neighbouring properties with the certainty and expectation that a quarry is operating in close vicinity to their property.

4) Section 29 - Biodiversity – Clearing of indigenous vegetation for firewood to be excluded from Rules 2 and 3

Rule 3 of the Proposed District Plan identifies certain permitted activities associated with the clearing of indigenous vegetation within the Rural Zone. Rule 2 only allows the clearing of indigenous vegetation outside of the Rural Zone as a Permitted Activity if the lot is less than 4,000m² and is connected to a reticulated water supply and wastewater system.

The Decisions Version of the Proposed District Plan 29 September 1999 (refer to **Attachment B**) provided the following activity as being a Permitted Activity:

Clearing of indigenous vegetation that is dominated by manuka or kanuka and is not located over pasture for firewood purposes only and up to 50m³ per 12 month period.

This amount was eventually amended and the current Operative District Plan allows for the clearing up to 5m³ of manuka or kanuka per 12 month period for firewood purposes that is not located over pasture as a Permitted Activity.

However, the clearing of manuka or kanuka for firewood purposes has not been carried through to the Proposed District Plan rules at all and therefore provides major uncertainty for property owners who have undertaken this activity in the past or wish to undertake it in the future. A number of property owners in the district rely on this activity for heating their homes over winter. Service groups and other individuals also donate firewood to elderly and people in need of firewood for heating. The new biodiversity rules require property owners to get resource consent,

the written approval of neighbouring property owners and provide relevant ecological reports just so they can cut scrub for firewood. The costs involved with doing this all adds up. A resource consent to cut scrub for firewood will lead to property owners just cutting down trees without a resource consent and it will be a monitoring and enforcement problem for the Council.

Tokeroa Family Trust Limited therefore seeks that the following amendments be made to Section 29 - Rules 2 and 3. (Changes in bold)

Rule 2 Clearing indigenous vegetation outside of the Rural Area

1. Clearing indigenous vegetation **(excluding the clearing of up to 50m³ of manuka or kanuka per 12 month period for firewood purposes that is not located over pasture)** outside of the Rural Area, excluding the Conservation Zone, is a permitted activity provided:

Rule 3 Clearing indigenous vegetation in the Rural Area

1. Clearing indigenous vegetation in the Rural area is a Permitted activity provided:
 - (o) **it is for the clearing of up to 50m³ of manuka or kanuka per 12 month period for firewood purposes.**

Finally Section 29 – Rule 4 refers to “sustainable use”. The definition of sustainable use is hidden away in the definitions section of the Proposed District Plan. The type of activity associated with sustainable use needs to be spelt out in Rule 4 itself to avoid the plan user missing out on the type of activity that this involves altogether.

Tokeroa Family Trust Limited seeks the following decision from the Thames-Coromandel District Council:

- the amendments and changes referred to in 1-4 above.

Tokeroa Family Trust Limited wishes to be heard in support of its submission.

If others make a similar submission, Tokeroa Family Trust Limited will consider presenting a joint case with them at a hearing.

.....
T. M. Lamason

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

.....
12 March 2014

Date

Address for service of submitter:

Telephone: (07) 867 1087

Fax/email:

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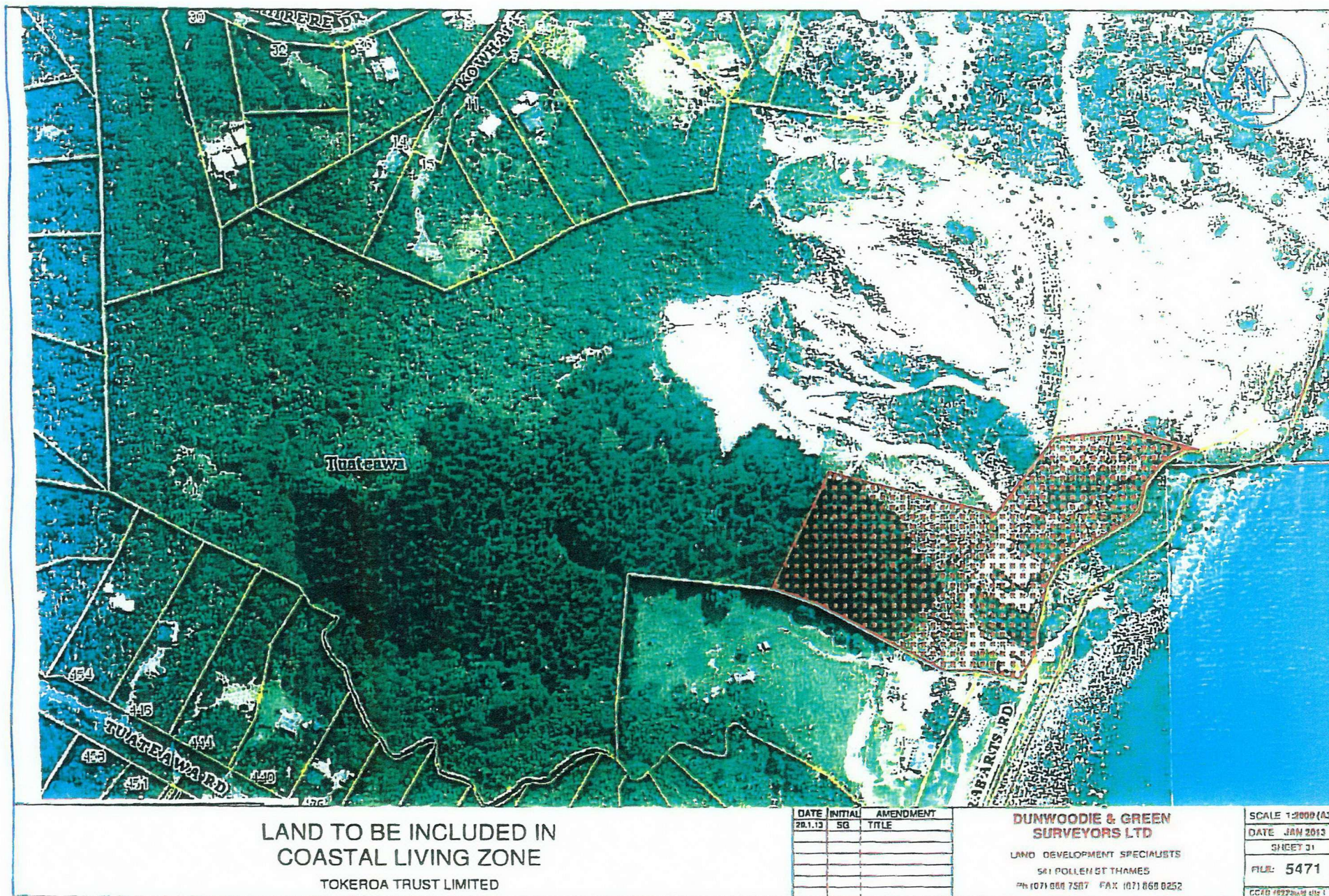
ATTACHMENT A

LAND TO BE REZONED COASTAL LIVING ZONE



PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.



ATTACHMENT B

THE DECISIONS VERSION OF THE PROPOSED DISTRICT PLAN 29 SEPTEMBER 1999



PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.

R3
R7

420 CLEARANCE OF INDIGENOUS VEGETATION, WETLAND AND DUNE VEGETATION

421 DEFINITIONS

The following expressions and terms are defined in Section 9:

- Dune Indigenous Vegetation
- Indigenous Vegetation
- Wetland Indigenous Vegetation

422 ACTIVITY STATUS

Indigenous vegetation wetland and dune vegetation clearance activities are permitted, restricted discretionary, discretionary, non-complying or prohibited according to all the rules in section 4.3 to 4.3.7 (inclusive).

Note For the avoidance of doubt, the more onerous provisions shall apply.

422.1 PERMITTED ACTIVITIES

The following activities are permitted unless located within the areas specified under non-complying activities in 422.5 below:

- 1 Clearing indigenous vegetation which is a sub-canopy of a production forest
- 2 Clearing rush (not including sub alpine or montane vegetation) that grows in pasture where pasture is the dominant vegetation
- 3 Clearing fern re-growth in pasture, where pasture is the dominant vegetation
- 4 Clearing indigenous vegetation that is dominated by manuka or kanuka and is located over pasture that is grazed
- 5 Clearing indigenous vegetation that is dominated by manuka or kanuka and is not located over pasture for firewood purposes only and up to 50m³ per 12 month period
- 6 Clearance of indigenous vegetation which has been authorised by a Ministry of Forestry "personal use" permit

- 7 Line or spot clearing of indigenous vegetation that is dominated by manuka, kanuka or fern in order to plant indigenous tree species
- 8 Clearing indigenous vegetation to form or maintain a track less than 2.0m wide, which does not remove any tree over 400mm in girth
- 9 Clearing indigenous dune vegetation to maintain tracks less than 1.2m wide, not including the removal of indigenous trees
- 10 Clearing indigenous dune vegetation if part of a "Beach Care" programme authorised by the District or Regional Council
- 11 Clearing indigenous vegetation up to 1.5m either side of an existing operational legal road or operational farm road
- 12 Clearing indigenous vegetation within 2m of a fence so that the fence may be maintained
- 13 Clearing indigenous vegetation within the building footprint for a house and up to 5m away from any building on all sides and for an accessway to a house
- 14 Clearing indigenous vegetation to protect existing power lines up to 5m away from the lines
- 15 Clearing indigenous vegetation to establish survey sight lines up to 1.2m wide
- 16 Clearing indigenous vegetation except montane and sub alpine vegetation and within areas included in the non-complying activity list, up to 0.1ha per 12 month period per site.

R3
R7

Note These permitted activity conditions are not designed to provide a performance basis for determining subdivision or the creation of new lots. Subdivision activities must be assessed in terms of the objectives and policies of the Plan.

422.2 CONTROLLED ACTIVITIES

Note No indigenous vegetation clearance activities under this activity status.

422.3 RESTRICTED DISCRETIONARY ACTIVITIES

Clearance of indigenous vegetation or wetland or dune vegetation that is specified as discretionary and complies with 4.3.6.3b below.

422.4 DISCRETIONARY ACTIVITIES

- 1 Clearance of indigenous vegetation beyond that provided for as a permitted activity above and not listed as a non-complying activity below.
- 2 Clearance of wetland indigenous vegetation, which is part of a wetland system.